

May 22, 2013

A MEETING OF THE PLANNING BOARD of the Town of Ossining was held in the John Paul Rodrigues Ossining Operations Center, 101 Route 9A, Ossining, New York, on the 22nd day of May 2013. There were present the following members of the Planning Board:

George Weeks, Chairman
Gregory McWilliams, Vice Chair
David Krieger
Deborah Cohen
Dennis Kirby

Also Present:

Wayne Spector, Town Attorney
David Stolman AICP, PP, Frederick P. Clark Associates, Inc.
Daniel Ciarcia, PE, Consulting Town Engineer
Sandra Anelli, Secretary

Dr. Haroush, Veterinary Village, 513 North State Road - Site Plan Amendment

Dr. Haroush, Veterinary Village, was in attendance. Mr. Stolman submitted and reviewed with the Board, a memo dated May 22, 2013, titled Haroush Animal Health Center – Amended Site Plan. The memo offers analysis and recommendations.

Dr. Haroush handed out a location sheet, titled MRI Housing Placement and enclosure photos dated May 22, 2013. He said they can get the MRI unit up the driveway and place it near the building at the preferred location. He will not have to use any of the neighbor's property for installation as mentioned in earlier meetings.

Dr. Haroush explained that the emergency generator for the MRI equipment would only run if there were a power outage and they were performing an MRI at that particular time (emergency situations only). It is not something that runs all of the time. The need for an MRI when there is no power is rare. It does not produce dangerous emissions. There is no lighting outside, lighting is all internal. Dr. Haroush said that the MRI is usually run during regular business hours by experienced MRI operators of the staff.

There were no further comments or concerns.

Ricardo Tedesco Jr., 80 Hawkes Avenue, 2-Lot Subdivision

Mr. Ricardo Tedesco Jr. and his Architect, Mr. Ed Gemmola, were in attendance. Mr. Stolman submitted and reviewed with the Board a memo titled Tedesco Subdivision, dated May 22, 2013. The memo offers analysis and recommendations.

Mr. Gemmola submitted a revised Preliminary Subdivision map which shows a slightly revised subdivision line. He said the lots meet the 50 ft. frontage requirement and all of the bulk regulations for the R15 zoning district. The memo recommends the Planning Board consider the pros and cons of having a common driveway instead of two driveways located in very close proximity to each other. Mr. Gemmola said separate driveways are the preferred option of the applicant. Mr. Tedesco relayed that the school bus stops between his driveway and the Hawkes Crossing Development entrance. Many children are gathered at the end of Thornton Hill which is near his driveway in the morning. He would like the new lot to be independent from that situation. Mr. Stolman asked Mr. Gemmola to show the bus stop location on the next plan.

Mr. Ciarcia requested an integrated plot plan and a storm water prevention plan. If a separate driveway is the option, Hawkes Avenue is a state road; the applicant will have to apply to the Department of Transportation (DOT) for the curb cut. Mr. Ciarcia pointed out that the accessory garage doesn't meet the required setback. The requirement for an accessory building is 10' from rear yard and 10' from the side yard. The building is shown as 9.1' at one corner and 9.2' at the other corner to the side yard. Mr. Spector explained that a variance could be applied for. In this case, it seems to be somewhat of a minor request. The Planning Board could make a determination as to whether or not a variance is necessary. Mr. Gemmola pointed out that it is less than a foot. Mr. Stolman added that this doesn't increase the degree of non-conformity. After further review and discussion, it was determined that the existing home is a prior legal non-conforming situation (2-family residence), a variance is necessary. The applicant will have to apply the Zoning Board of Appeals for the purpose of altering a lot where the building doesn't meet specific standards of that zone.

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Yogolicious Briarcliff, 516 North State Road, Amended Site Plan

Plan titled As Built Site Improvements, Yogolicious, 516 North State Road, Briarcliff Manor, NY, prepared by Frank Tancredi Architect, P.C., dated May 10, 2013 was on file. Mr. Enzo Paternostro and his brother Steven were in attendance.

The Paternostros recently purchased the property from Richard Tontodonato. The interior of the building has been converted to a Yogurt Shop. They are requesting a change to the existing driveway circulation and approval for other changes made to the site. The prior owners of 516 and 518 North State Road had an agreement for diagonal parking to access the deli located at the side of 518 North State Road. These spaces overlapped both properties and interfere with incoming traffic and new planters at 516. The deli use has been discontinued at this time. The agreement for diagonal parking became null and void upon sale of either property. Copies of easement and release of right-of-way documents were provided by Mr. Paternostro earlier in the month.

Mr. Paternostro explained that they are looking to totally eliminate diagonal parking and replace with two parallel handicap parking spaces as shown on the plan. This will define the property line and further discourage diagonal parking. The rear parking lots of both properties have ample parking. The plan also shows certain changes that were made to the site which did not follow the prior approved Tontodonato Site Plan. Mr. Paternostro said they are not going forward the addition. They installed a patio at the rear of the building and 10" x 10" shed in the area of the addition footprint. A rock garden, removable chairs and a new sign have been installed at the front. Also, trees were planted at the rear property line near Gordon Avenue.

Mr. Ciarcia recommended keeping the driveway lane open for two-way traffic. They can eliminate one of the two handicap spaces, or both, re-stripe and add a "no parking" sign in that area. It was recommended they have their architect rework the plan to reflect these changes.

Minutes

Ms. Cohen made a motion, seconded by Mr. Krieger and unanimously passed to adopt the draft of Planning Board Meeting minutes of May 8, 2013.

Adjournment

There being no further business to come before the Planning Board of the Town of Ossining, Mr. McWilliams made a motion, seconded by Mr. Kirby that the meeting be adjourned to June 12, 2013.

Time noted 8:55 p.m.

Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary
Town of Ossining Planning Board

APPROVED: June 12, 2013