

January 28, 2015

A MEETING OF THE PLANNING BOARD of the Town of Ossining was held in the Ossining Community Center, 95 Broadway, Ossining, New York, on the 28th day of January 2015. There were present the following members of the Planning Board:

Ingrid Richards, Chair  
Gregory McWilliams, Vice Chair  
Dennis Kirby  
Gareth Hougham  
Jim Bossinas

Also Present:

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

**Luciano Velardo, Inc. 64 Hawkes Ave. and 1 Roosa Lane, Proposed New Homes, Site Plan & Architectural Review**

Mr. Michael Velardo, Applicant, and Mr. Brian Hildenbrand, P.E., of Kellard Sessions Consulting were present. Mr. Hildenbrand gave a brief overview of the project to the Board. Plans titled 64 Hawkes Avenue & 1 Roosa Lane, dated January 20, 2015 were submitted to the Board and on file. There is a stipulation in the original resolution of approval for these lots (Martinelli Subdivision Plat Approval, adopted January 9, 2013) that the applicant return to the Planning Board prior to any site clearing or grading and prior to the issuance of any building permit for home construction on the site.

Dr. Hougham asked the applicants for clarification of their EAF short form, item 15, where it indicates the site of the proposed action contains any species of animal or associated habitats, listed by the State or Federal governments as threatened or endangered and also the steepness of the driveway shown on 64 Hawkes Avenue. Mr. Velardo said an EAF was prepared and approved at the time of the original subdivision for this property. Additionally, they were the Builders of the original Hawkes Hill Subdivision (Roosa Lane). At that time, they built a culvert/detention basin system where all of the storm water for this project is collected. This basin was designed to handle the additional homes. Mr. Velardo assured the Board that there will not be any water rushing onto Hawkes Avenue from this proposed new driveway.

Mr. Stolman asked the applicant to provide certain details as noted in the requirements of the original Resolution of Approval such as a tree plan, landscaping, side and end elevations that will be facing Hawkes Ave. and architectural plans for both homes.

Mr. Ciarcia provided two review memos, dated January 28, 2015. Both memos ask the applicant to provide size and material of the proposed water service, to indicate the size and material of the proposed sewer service, indicate the location of the curb stop, identify the location of the nearest existing hydrant, provide information on the design of the proposed infiltration system. Because 64 Hawkes Avenue is located on a state road, a permit for the driveway curb cut is needed from New York State Department of Transportation (NYSDOT). Additional details for the proposed retaining walls are also required. Roosa Lane is a dedicated Town Road. A curb cut permit can be obtained from the Town Highway Department for this home. Copies of both memos were given to the applicant. Mrs. Richards opened the item for public comment. There were no comments from the public. Mr. Stolman will provide a review memo at the next meeting of the Planning Board.

**Butler Subdivision, 2 Hillcrest Drive, 3-Lot Subdivision**

Mr. William Butler, Applicant, and Mr. James Vanoli, Engineer, were in attendance. Plans dated July 10, 2014 titled William Butler Subdivision, prepared by JJV, PE Consulting Engineering & Site Development were on file and submitted to the Board. Mr. Vanoli presented the project to the Board. The property is located on Hillcrest Drive a paper street off of Deer Trail in the Briarcliff section of the Town of Ossining. There is one existing single-family home on site with public water and a private sanitary system. The property is 2.72 acres in size and is located in the R-30 One-Family Residence District. The proposal is to create two additional lots. The new lots will be serviced by an existing water main at the corner of Deer Trail and Hillcrest Drive. A new public sanitary sewer main will be extended to the property which would service all three lots. Hillcrest Drive is improved for only about half of its distance. The proposal is to extend the road a couple of hundred feet down terminating at a "T" configuration to allow for turnaround.

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Mr. Stolman asked Mr. Vanoli to provide ownership information for this paper street. Mrs. Richards asked Mr. Vanoli if there are other homes are utilizing this part of Hillcrest Drive for access. Two other homes use this part of the street. Mr. Vanoli noted there are no other curb cuts beyond that point.

Mr. McWilliams asked for clarification as to whether that part of the road stops at the point where a brick wall is shown on the plan. Mr. Vanoli said yes. Mr. Michael G. O'Connor, Highway Superintendant, spoke about the area and neighboring roads. He also mentioned some changes that were made to the end of Hillcrest Drive by a resident who paved part of the road for access to his own driveway. Mr. O'Connor said the road is not a dedicated Town road, but is considered to have a Town right-of-way. Mr. Ciarcia submitted copies and reviewed his memo dated January 28, 2015. A letter received January 28, 2015 from Joseph A. Kelly a resident from 1 Hillcrest Drive was submitted and copies were provided to the Board. An email memo from Scott Kantrowitz of 3 Hillcrest Drive dated January 24, 2015 was also recorded and copied to the Board.

### **High View Farm, 123A B & C Morningside Dr. & Barnes Rd. Cluster Subdivision Plan**

Mr. Carlos Morales, Project Engineer, was in attendance representing the applicant. He asked the Board for a Positive Declaration Resolution as discussed at the January 14, 2015 meeting of the Planning Board. Mrs. Richards asked Mr. Stolman to review and outline what a positive declaration means.

Mr. Stolman reviewed and read the following documents:

1. Resolution Acknowledging Lead Agency Status and Adopting a Positive Declaration.
2. Positive Declaration (Part 3 of Environmental Assessment Form) and Attachment.
3. Part 2 of Full Environmental Assessment Form.

At this time, Mrs. Richards asked members of the Board if there were any concerns or questions. Dr. Hougham pointed out that the Town Environmental Advisory Committee (EAC) has reviewed the Environmental Assessment Form (EAF) part 2 in depth and they created a very full report pointing out potential inaccuracies or omissions which is available also there is a cover letter which summarizes some of those findings. Copies of EAC letter and report dated January 28, 2015 are on file and copies were given to the Board.

Mr. Bossinas said based on the plans that were presented, it is his opinion that he is going to request something that is more in character with lot size that exists on Tavano Road, Morningside Court, Morningside Drive and the district in general.

Mrs. Masserman of 10 Morningside Court read a memo to the Board expressing her opposition to the 28 lot count cluster plan and her disappointment with the Board. In response, Mrs. Richards clarified that the positive declaration is only the first step of the SEQRA process which does not approve any particular lot count. This does **not** tie the Board to 28 lots, or 20 lots, or even 14 lots. It is a technical phase in the process that allows the Board to move on, express their comments and get the development where it needs to be. Mr. Stolman said there is a chapter in the Draft Environmental Impact Statement (DEIS) that deals with alternatives. This is where the applicant will have to provide different layouts, different designs, and he will have to submit a conventional layout that meets with the zoning district requirements as well.

Mr. Jaenike of 12 Morningside Court read a letter dated January 26, 2015 on behalf of the Concerned Citizens of Ossining (CCOO). Copies of the letter were distributed to the Board and a copy is on file. Mrs. Richards thanked Mr. Jaenike and others for their input.

Mr. Richards asked the Board for a motion on the High View Farm Subdivision, Resolution Acknowledging Lead Agency Status and Adopting a Positive Declaration dated January 28, 2015 as read by Mr. Stolman.

Mr. Kirby made a motion, seconded by Mr. McWilliams and unanimously passed to adopt **High View Farm Subdivision, Resolution of Acknowledging Lead Agency Status and Adopting a Positive Declaration** dated January 28, 2015.

Mr. Kirby also thanked Mr. Jaenike for sharing his kind thoughts. Mr. Kirby expressed to the public that the Board is very early in the process and he would like everyone to know that he has a lot of respect for their concerns and is anxious and sincere to do the right thing for the property.

Dr. Hougham thanked the public for sharing their thoughts and comments. He said as a Board member he will be giving this a lot of thought and he looks forward to the investigation of all the alternatives in environmental, neighborhood, and traffic issues that will be looked at as part of the DEIS process. He also encouraged the public

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to offer their suggestions in writing for issues that should be addressed that should be listed and included in the scoping process. This is an opportunity to make a list of items that the developer can have consultants investigate. On the basis of those investigations, the Board can make determinations on things like lot count, what is appropriate, and how best to balance the concerns of all of those issues, the rights of the developer and the rights of the citizens.

Mr. McWilliams expressed concern with the size of the lots, the cookie cutter minimum size lots should be varied. The string of lots directly above the Morningside Court side is not particularly pleasing. The larger lot on the far left on each side of the wetland can be part of the development which will cut down the amount of houses along that stretch. The grades seem much more agreeable to development over there. Reduction on that side of houses. Trying to incorporate the big lot above and below the wetlands into extra housing to ease up some of the concerns that have been brought up.

In closing, Mrs. Richards explained that in some cases when an applicant is asked to provide a conservation subdivision the hope is that the houses are clustered so that the residents that live around it don't even know the development is there. There have to be other opportunities or alternatives to look at for this plan, perhaps moving the lots to the center and having adequate buffers. A 28 lot subdivision may not make sense for this property. As we go through the process, the Board will define the number of lots that are appropriate for this site which doesn't mean the maximum number lots that can fit on the site. It means the appropriate number of lots for that site. It is understood that development does happen, but consideration to how this makes sense for the Town of Ossining and the character of the surrounding neighborhoods is extremely important. With some of the comments that you have heard tonight, it is our hope that we have given the developer direction as to what we want to see in the future and we look forward to working with the applicant and our residents.

Mrs. Richards thanked members of audience for their input and comments. Mr. Stolman said the next step in the process is for the applicant to prepare the draft scope in the DEIS.

The last comment received from Ms. Ronnie Jennings from 31 Barnes Road a resident of New Castle. She asked if the Town of Ossining has funds set aside for open space and if New Castle was made aware of the project. Mr. Spector said there are no specific funds set aside for open space. Also, New Castle was put on notice of the project when the application was received.

## Minutes

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Minutes were not available at this time.

## Adjournment

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There being no further business to come before the Planning Board of the Town of Ossining, Mr. Kirby made a motion, seconded by Mr. McWilliams that the meeting be adjourned to February 11, 2015.

Time noted 9:00 p.m.

Respectfully submitted,

*Sandra Anelli*

Sandra Anelli, Secretary  
Town of Ossining Planning Board

**Approved: February 25, 2015**