

June 21, 2017

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 21st day of June 2017. There were present the following members of the Planning Board:

Ching Wah Chin, Chair  
Greg McWilliams, Vice Chair  
Jim Bossinas, Member  
Marc Hoeflich, Member

Absent: Gareth Hougham, Member

Also Present: Katherine Zalantis, Attorney, Silverberg, Zalantis LLP  
David Stolman, Frederick P. Clark Associates, Inc.  
Daniel Ciarcia, PE, Consulting Town Engineer  
Sandy Anelli, Secretary

**Butler Subdivision, 2 Hillcrest Drive, 2 Lot Subdivision – PUBLIC HEARING CONTINUED**

Mr. Dennis Butler, Applicant and Mr. Dave Sessions of Kellard Sessions Consulting were in attendance. Plans prepared by Kellard Sessions, titled William Butler Subdivision originally dated April 10, 2017 with latest revision of June 13, 2017 were on file.

Mr. Sessions discussed certain requests that were made at an earlier meeting with regard to moving the septic and overflow area further away from the property line closer to the proposed house. Mr. Sessions provided a plan that shows an expanded driveway which can accommodate a fire truck 35' long and 10' wide. The proposed new home is going to have a fire/sprinkler system installed. Mr. Sessions provided an aerial view of the site which shows adjacent homes, roadway and driveways and a potential future driveway connection of a neighbor. The aerial view shows an existing watercourse south of the site (at Chappaqua Road) and the larger NYSDEC wetland located across Route 100.

On Monday, June 26, 2017 Mr. Sessions will meet with Mr. Hamilton, Building & Fire Inspector, who will review the plans further for compliance with the New York State Fire Code. Mr. Ciarcia provided a memo dated June 21, 2017 of his review of the updated plans that show topographic information and truck turning radius.

Mr. Chin opened the meeting to the public and the Board. Letters from Mr. Scott Kantrowitz, dated June 20, 2017 and Ms. Judith Harris, dated June 21, 2017 were submitted to the Board and on file. Mr. Kantrowitz was not in attendance. Mr. Sessions offered to address the comments in these letters. Mr. Sessions requested that the Public Hearing be closed at the next meeting if possible.

Ms. Zalantis reported that a Negative Declaration under State Environmental Quality Review Act (SEQRA) still needs to be addressed and the applicant will have to go back to the Zoning Board of Appeals for an open variance request. Then the applicant can return to the Planning Board for site plan and subdivision approval but the hearing cannot be closed until after these open items are complete.

Ms. Harris, 2 Gordon Avenue, asked for clarification on access to the back of her property to Hillcrest. What appears to be marked as "potential future driveway connection by others" on the aerial plan looks like it is not on Hillcrest Drive but on private property. Mr. Chin clarified that the applicant has no intentions of blocking access to anyone using that street. Ms. Harris urged that the guardrail, the fill, and the way the driveway is shown looks like it is blocking her access. Mr. Sessions said if Ms. Harris has intentions of making a driveway on this section of the road, she would have to put together a driveway improvement plan by others that show access.

Mr. Ciarcia said the present driveway slope was studied and this plan is the best way to access the property and the best way for other properties along Hillcrest Drive. The guiderail is a temporary measure which can be removed at a later time if someone were to tie into that access. The driveway plan for this property makes it easier for other properties to tie a driveway into the paper road.

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Mr. Ciarcia further discussed that the road originally was laid out to be a Town Road, however that never happened. Then one homeowner paved a piece, now this proposal is going to pave a little more and if Ms. Harris wanted access she would have to pave it further to connect to her property. Mr. Ciarcia stressed that it is not a big deal to pull out a guiderail. If Ms. Harris were to improve her access, her contractor could easily remove the rail. Ms. Harris asked if this can be put in writing. Mr. Sessions said they will show the driveway coming down at 14% and will show it through to wherever it meets existing grade. Mr. Sessions said he can show a driveway there. If a driveway was going to be put there for Ms. Harris, he can show how that can work and how it would potentially connect with the Butler driveway extension.

Ms. Harris asked if their EAF Form has been updated. She indicated that the current EAF online is not up to date. She also raised concerns with the Fire Department response and the location of the fire hydrant.

Ms. Coccozza, 409 Chappaqua Road, argued that her understanding was that the Building Inspector does not get involved with planning until after review and approval is done with board. Ms. Zalantis noted that the Fire Department is advisory and the Building Inspector is ultimately the one who makes the decision about Fire Safety issues. Mr. Ciarcia explained to Ms. Coccozza that the Building Inspector does review plans to make sure they are compliant with the New York State Building Code and with the New York State Fire Code. Mr. Hamilton's input would normally be further down the road on the building but because of the nature of this and discussions on access, Mr. Hamilton's read of the NYS Fire Code is very important at this stage.

Ms. Coccozza disagreed with Mr. Ciarcia and said that the NYS Fire Code says "at the turn it must be 30 feet". Mr. Ciarcia said the NYS Fire Code does **not** say that. There are very few roads in the Town that are 30 feet wide and the roads in the vicinity of this project are certainly not 30 feet wide. Mr. Ciarcia said that the applicant is also providing fire sprinklers in the house which is an added safety measure under the NYS Fire Code.

After some discussion about fire safety and scheduling July planning board meetings, the public hearing was adjourned to July 11, 2017.

## **Miscellaneous**

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**Hudson Education Wellness Center** – Mr. Stolman submitted and reviewed his memo, dated May 31, 2016. The Town Board requested Mr. Stolman review of traffic impact of this proposed project. The project is located in the Town of Cortlandt. The review memo is limited to a traffic assessment of the potential impacts related to this proposed reuse and expanded use of an existing facility located at the Quaker Ridge Road site and its potential impact, if any, on roadways within the Town of Ossining.

The proposed use of the site in Cortlandt, a proposal to provide a 92-bed facility for residential treatment and recovery from drug addiction, will have insignificant, if any, impact on the overall operation of roadways and intersection within the Town of Ossining.

A member of the audience, Mr. Jim Levis, 35 Quakerbridge Road, Ossining, was asking for additional traffic impact and detail with regard to family activities, programs and group events that may take place on site which may not have been considered in the traffic study.

Mr. McWilliams said a lot of the clientele are not necessarily going to be Ossining people. Many people could come up through the Taconic State Parkway to Spring Valley Road. The bulk of traffic isn't going to come through Crotonville. Anyone coming from there to Route 9A would probably go across Glendale to Hawkes to 9A. As far as a shuttle from the Croton station, it's shorter to go to Route 129 and drive through Croton, there are a lot less turns and lights, as opposed to coming up through Ossining and Crotonville and then over to Cortlandt. There are a lot of other areas where traffic could come through. It should not be construed that all of this traffic will be coming through Crotonville.

Mr. Levis expressed additional safety concerns with heavy construction equipment and other heavy trucks using local roads which do not have sidewalks. Mr. Levis asked about weight limits on residential roadways in the Town of Ossining. Mr. Ciarcia noted that the only roads that should be posted with weight limits would have bridges that can't handle traffic. Mr. Stolman will review additional information with regard to group events and traffic as compared to other facilities similar to this one.

**Minutes**

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Mr. McWilliams made a motion, seconded by Mr. Hoeflich and unanimously passed to approve meeting minutes of the April 19, 2017 Planning Board meeting.

Mr. Hoeflich made a motion, seconded by Mr. Bossinas and unanimously passed to approve meeting minutes of the May 3, 2017 Planning Board meeting.

Mr. McWilliams made a motion, seconded by Mr. Hoeflich and unanimously passed to approve meeting minutes of the May 17, 2017 Planning Board meeting.

**Adjournment**

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There being no further business to come before the Planning Board of the Town of Ossining, Mr. Bossinas made a motion, seconded by Mr. McWilliams that the meeting be adjourned to July 11, 2017.

Time noted 8:47 p.m.

Respectfully submitted,

*Sandra Anelli*

Sandra Anelli, Secretary  
Town of Ossining Planning Board

**APPROVED: October 18, 2017**