

April 18, 2018

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 18th day of April 2018. There were present the following members of the Planning Board:

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

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

Polzella Construction Corp., 72B Hawkes Avenue –Resolution of Architectural Review Board Approval

Mr. Polzella Sr. was present. Mr. Stolman submitted and reviewed a Resolution of Architectural Review Board Approval, dated April 18, 2018. Mr. Hoeflich offered comments regarding planting of additional trees, wetlands, and the proposed parking lot.

At approximately 7:45 p.m., the Board moved to executive session. At approximately 8:10 p.m. Dr. Hougham made a motion, seconded by Mr. Bossinas and it was unanimously passed by the Board to reopen the meeting.

Mr. Bossinas made a motion, seconded by Dr. Hougham and it was unanimously passed to adopt **Polzella Construction Corp. Resolution of Architectural Review Board Approval, dated February 7, 2018 adopted April 18, 2018**

Rayford Daverne & Sons, 52-1 & 52-3 Old Albany Post Road, New Homes, Architectural Review PUBLIC HEARING

Mr. John Fussell, Applicant, was in attendance. Mr. Chin opened the public hearing and asked the applicant to present the plan. Mr. Fussell indicated that they have added one window to the sides of the home and will use the stone to continue into the driveway of the proposed home. He will also provide a landscape plan. He strongly objected to the use of Hardie Board Siding. He said that this is three times the expense of vinyl siding. Vinyl siding is used on more than 90% of the homes in the surrounding neighborhood. Mr. Fussell said using vinyl is in no way out of character with the rest of the homes along the road. He further noted that he agrees with the stone, extra windows and landscape plan but will not agree to use Hardie Board Siding as the siding material.

Mr. Bossinas urged that an additional window, two on each side of the home, need to be installed. Dr. Hougham asked Mr. Fussell for a better simulated drawing as it sits in the neighborhood with the house drawn in profile with the topography. Dr. Hougham asked if the applicant would provide a different style house on the first lot something more historical or colonial style. Mr. Fussell refused this. He said he has selected this home specifically because it fits in the building envelope provided and the layout provides for no blasting which was a specific request of the planning board at the time of subdivision approval. Dr. Hougham also objected to approving this until deep hole testing is done. Mr. Fussell noted that this has been done and the deep hole tests are still on site. This precipitated a lengthy discussion.

Mr. Stolman pointed out that a full site plan application is not required for previously approved subdivided lots that are in compliance with the zoning district. The properties are zoned R-5. Ms. Zalantis advised the Board that they can ask for a topography map, detailed photographs of the neighborhood and a profile drawing.

At this time, the Chairman opened it up to the public. Ms. Daria Gregg of 51 Old Albany Post Road spoke on behalf of the neighbors. Ms. Gregg suggested more parking, a two-car garage with a two-car wide driveway area basically spaces for four cars. She noted that they can't take any more cars on their street. She noted that the residents here already have a special dispensation that as long as two wheels are off the road they can park. She submitted copies of a letter dated April 18, 2018 expressing most of her concerns. She also submitted plans of an entirely different home than the applicant's proposed design.

Rayford Daverne & Sons – continued

Mr. Calvin Henninger, 55 Old Albany Post Road also discussed the parking situation. He asked the applicant to provide additional parking spots in front, on both sides of the driveway.

Dr. Hougham recommended the addition of a half bath to each of the homes, rather than a one bath home. Mr. Fussell agreed. Dr. Hougham asked for a two-car garage. Mr. Fussell said it is extremely tight and a two-car garage won't fit. He said he will try to make the driveway wider but he doesn't want to disrupt the stone walls in front by cutting in more spaces. Mr. Fussell noted that the parking on the street won't change from what it is now. Neighbors disagreed, if the house can only hold two cars what will happen when they have company or children that drive. Mr. Chin suggested Mr. Fussell try to be more creative with the parking situation.

Mr. Fussell will update the plans. Mr. Hoeflich made a motion, seconded by Dr. Hougham and the Board unanimously agreed to adjourn the public hearing to May 16, 2016.

Stephanie Diesing & Brian Contreras, 68A Somerstown Road, New Home - Architectural Review

Ms. Diesing, Mr. Contreras and Mr. Sessions, Engineer, were in attendance. Plans dated October 9, 2017 prepared by Gillespie & Stokosa were on file. Color copies and images with description of materials were also submitted and on file. Mr. Diesing presented actual samples of the materials listed. The items were passed around to the Board members. Mr. Hoeflich told the applicants that he is pleased to see such a nice design and the use of materials such as stone, cement board, and that the applicants put a lot of considerations into their building this will bring the value of the neighborhood up. The Board was in agreement that the submissions and the materials were sufficient, a tree plan was requested and the Board set the public hearing for this May 16, 2018.

Mr. Sessions asked the Board if a draft resolution could be prepared for review on the Public Hearing date. Mr. Stolman urged Mr. Sessions to get in the site plans discussed within a week of the meeting date. Mr. Sessions agreed.

Rinaldi Subdivision, 39 Stormytown Road, Proposed 9 - Lot Subdivision

Mr. Rinaldi, Applicant was not present. Mr. Hernandez, Architect, presented the plan to the Board. Drawings dated, February 19, 2018, titled "Proposed 9-Lot Subdivision, Rinaldi Property, 39 Stormytown Road, Ossining, NY" and a full environmental assessment form EAF was on file. The property is 6.68 acres in size in the R-20 Zoning District. Mr. Hernandez noted that there are some existing structures on the property currently. There is a town sewer easement located on the property. The proposal shows a new road with a cul-de-sac. Mr. Hernandez noted that the proposal will use 5 of the 6.68 acres leaving some area open space. They are proposing 7 new houses and reconstruction of 2 existing houses. The property is adjacent to Torview Swim Club.

Dr. Hougham asked Mr. Hernandez to identify the tree species using their Latin name not the common name and to show and name streams within a 200 foot perimeter to the plan. Identify the stream name and name the watershed. Mr. Hoeflich asked for a tree plan that indicates the tree size and to superimpose the proposed road. Also, show the Ossining School property is in proximity to the plan.

Mr. Ciarcia submitted and reviewed a memo dated April 18, 2018. His memo asks the applicant for the following:

1. Provide a road centerline with stationing.
2. Label the radius of centerline curves.
3. Provide a profile of the proposed road.
4. Provide a utility plan.
5. Provide a grading plan.
6. A comprehensive Stormwater Pollution Prevention Plan (SWPPP) will be required which will demonstrate the increase in runoff resulting from the proposed road and proposed homes will be mitigated.
7. Test holes will be required to demonstrate the feasibility of the proposed infiltrators.
8. Show the driveway on lot 1 if a new residence is proposed.
9. Provide details of all the proposed improvements.

Mr. Hernandez agreed and thanked the Board.

593 North State Road, LLC. 593 North State Road, Site Plan Review

Mr. Michael Bell, Applicant, and Mr. Tom Kerrigan, Engineer, Site Design Consultants were in attendance. Plans dated March 21, 2018 titled, "Site Plan Prepared for 593 North State Road LLC, Town of Ossining, Westchester County, NY" prepared by Site Design Consultants. Mr. Kerrigan presented the plan to the Board. There is an existing Single-Family Residence which will be used as a showroom for plumbing business on the first floor and offices on the second floor. The parking requirements have increased for this use. Fifteen spaces, including ADA space, are provided. Mr. Kerrigan noted that this is a preliminary plan and they will be providing stormwater testing and report. There is a proposed retaining wall around the parking area and additional trees will be planted for screening purposes.

Mr. Hoeflich reported concerns with the water coming from Morningside drive straight to this property. Also, using asphalt on the parking lot could cause more water and problems. Dr. Hougham asked Mr. Kerrigan to show within 200 feet of the property any waterway or stream and show that it is part of the Pocantico River Watershed. Mr. Hoeflich insisted that a waterfall above drains down to this property and causes flooding on North State Road.

In response to Mr. Hoeflich, Ms. Sandra Dellano, Property Owner, commented that in the 38 years of her living in this building, she has never experienced water or flooding on her property. Additionally, she said the issue is that Morningside Drive has poor drainage. There is a pipe at the opposite side of her property where New Castle begins that captures this drainage and as far as their signage they are not going to be any different than what is already a permitted use on North State Road. Mr. Kerrigan clarified that their stormwater management system will mitigate water issues in and capture everything on site.

Mr. Ciarcia submitted and reviewed a memo dated April 18, 2018 as follows:

1. Provide rim and invert elevations for all existing and proposed drainage structures.
2. Show the location of all existing utilities on the plan.
3. Test holes will be required to demonstrate the feasibility of the proposed infiltrators.
4. Provide sizing calculations for the proposed stormwater management system.
5. Provide details of all proposed improvements.
6. Label existing contours.

Mr. Stolman's office will prepare a memorandum after thorough review of the plan and referred the applicant to look at the Town's Tree Protection Chapter 183. Mr. Kerrigan clarified that they will be preparing a more complete set of plans. This submission was for preliminary review and discussion.

MGM Subdivision, 5 Hawkes Avenue 3 Lot Subdivision

Mr. Ed Gemmola, Architect, and Mr. Tom Kerrigan, Site Design Consultants, were in attendance. Mr. McWilliams, Planning Board Member, recused himself from the Board. Mr. McWilliams is part owner of this project. Plans titled, "MGM Design & Construction Group, LLC, 5 Hawkes Avenue, Town of Ossining Westchester County, New York" dated March 23, 2018 were on file. A storm water protection plan (SWPPP) and full environmental assessment form (EAF) were also on file.

Mr. Gemmola presented the plan to the Board. He gave an overview of the plan. It's a proposal of three lots which was before the planning board in 2005. Mr. Gemmola noted that they received a health department approval in 2007 and then a subdivision re-approval application. There was a final resolution for the subdivision in 2009.

There is a home on the property that would be demolished and three new homes are proposed. There is a wetland and the Dale Brook are located at the rear of the property. Access to the homes would be on a common driveway with easements. Mr. Bossinas raised the question of street frontage for all three lots. It was recommended by Mr. Stolman to connect one of the lots at the rear to the front by a strip of 50 feet. In response to Mr. Chin, Mr. Kerrigan reported that the grade of the property starts a 3% and drops off to 5% at the rear. The applicant was asked to provide a detailed location map. Dr. Hougham asked the applicant to show the brook with its name as a tributary to the Sing Sing Kill brook.

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Mr. Stolman asked the applicant to delineate the wetland and wetland buffer according to current wetlands laws. After some review of the proposed location of the buildings, Dr. Hougham said he objects to building directly in the wetland buffer. After some discussion, Dr. Hougham recommended they to consider buffer restoration or to consider changing the proposal from 3 to 2 lots. Mr. Hoeflich recommended a town home or cluster type development of the three homes moving them further away from the buffer and the wetlands but closer together and to the front. Dr. Hougham asked for a detailed tree plan showing Latin names and common names of all existing and proposed plantings. Mr. Kerrigan agreed and thanked the Board.

Minutes

Dr. Hougham made a motion, seconded by Mr. Bossinas, and it was unanimously passed to adopt the meeting minutes of the Planning Board dated January 17, 2018.

Dr. Hougham made a motion, seconded by Mr. Hoeflich, with abstention by Mr. McWilliams, and passed by the remainder of the Board to adopt the meeting minutes of the Planning board dated February 21, 2018.

Adjournment

There being no further business to come before the Planning Board of the Town of Ossining, Mr. Bossinas made a motion, seconded by Mr. Hoeflich that the meeting be adjourned to May 2, 2018.

Time noted 10:15 p.m.

Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary
Town of Ossining Planning Board

APPROVED: June 6, 2018