

July 20, 2022

A MEETING OF THE PLANNING BOARD of the Town of Ossining was **held on July 20, 2022 at 7:30 p.m. by Zoom video conference.** Members of the public were able to view and join the meeting via computer or mobile app as follows:

<https://us02web.zoom.us/j/87053200783>

There were present the following members of the Planning Board:

Carolyn Stevens, Chair
Jim Bossinas, Member
Donna Sharrett, Member
Manny Enriquez, Member
Jason Mencher, Member

Also Present:

Kathy Zalantis, Attorney, Silverberg, Zalantis LLP
Valerie Monastra, AICP, Nelson, Pope & Voorhis, LLC
Daniel Ciarcia, PE, Consulting Town Engineer
Sandy Anelli, Secretary
Margaret Conn, Secretary

Picucci Subdivision, 51 Croton Dam Road, 1 Lot Subdivision PUBLIC HEARING Continued

Yellow Jug Corporation (“Applicant”) is seeking Preliminary Subdivision Approval to create an additional lot on a two (2)-lot subdivision and a private road to service the three (3) lots (“Project”). The Project will be located at 51 Croton Dam Road, Section, Block, and Lot 89.08-1-78.1 (“Project Site”). The Project Site is located in an R-15, One Family Residence zoning district. This Project received a rear yard variance of 2.1 feet for proposed Lot 1 on February 7, 2021.

This project is categorized as an Unlisted Action under SEQR. The Planning Board will be undertaking an uncoordinated SEQR review. The Applicant provided a Short Form EAF Part I and Part II and III. A negative declaration will need to be issued by the Planning Board to complete the SEQR process. Based on the revised access, the Building Inspector provided correspondence in May that the current road design is acceptable, and the grade of the road can be finalized during the building permit process.

Mr. Mark Picucci, Applicant and Mr. Ralph Mastromonaco, Engineer, were in attendance. Mr. Mastromonaco gave a brief overview of the plan to the audience and the Board. He asked the Board to grant preliminary approval and to close the public hearing and they would submit a subdivision plat later and seek final approval.

Ms. Monastra submitted a memo dated July 19, 2022 which outlines outstanding items that the applicant should provide at this point. One item still needed is the Subdivision Plat showing easements and descriptions of the road access and showing that all parties involved are in agreement with these terms. The Board cannot approve the subdivision or close the public hearing without review of these items. After some discussion, Mr. Mastromonaco said they are having some delays with the surveyor and this will delay necessary health department approvals and asked if he could have preliminary approval. Then when the subdivision plat is prepared he would submit it for final approval. Ms. Zalantis clarified that the Board cannot approve this under any circumstances without seeing the final plat and easement documents first. Board Members were all in agreement with this. Ms. Sharrett asked if the Board can schedule a site visit and expressed concern with the proposed rain garden and drainage. Mr. Ciarcia recommended they submit the plat as soon as they can. Stormwater materials are also being reviewed by Mr. Ciarcia. The public hearing will remain open until items are received.

A motion was made by Mr. Mencher, seconded by Ms. Sharrett and it was unanimously passed by the Board to continue the Picucci Subdivision, 51 Croton Dam Road public hearing, as needed.

River Knoll, 40 Croton Dam Road, Multi-Family Development, PUBLIC HEARING, Supplemental Draft Environmental Impact Statement SDEIS

Glenco Group, LLC (the “Applicant”) is seeking: (a) a rezoning of the subject property in the Town of Ossining by the Town Board from R-15 (One Family Residence) to MF (Multi-family Residence); and (b) Site Plan, Wetlands Permit, Steep Slope Permit and Tree Removal Permit Approvals by the Planning Board, for the construction of a proposed 95-unit age restricted townhouse development. This is a revised plan submitted by the Applicant. The original project proposed a 188-unit multi-family development as well as the enactment of a local law by the Town Board which would amend the Zoning Law by creating the proposed Multi-Family Residence 2 (MF2) zoning district. The subject property is located at 40 Croton Dam Road, Town of Ossining, Westchester County, and designated on the Town of Ossining Tax map as Section 89.08, Block 1, Lot 83.

On May 18, 2016 the Planning Board adopted a Positive Declaration regarding the Proposed Action, thereby requiring the preparation of the Draft Environmental Impact Statement (DEIS) by the Applicant. In February 2018 the Planning Board issued a notice of completion of the DEIS by the Applicant. As a result of the revised plan, at the March 3, 2021 Planning Board meeting, the Planning Board found that the changes to the proposed project had the potential to result in one or more significant adverse impact not addressed in the original EIS and a SDEIS was required. A final scope was adopted on April 21, 2021. A draft SDEIS was submitted for initial completeness review by the Planning Board at its October 6, 2021, meeting and after two additional revisions, the Planning Board deemed the SDEIS complete at its June 15, 2022 meeting.

Mr. Glen Vetromile, Applicant and Mr. Wayne Spector, Attorney, were present. Public notice and three letters received from Ossining residents were on file and reviewed by the Board. Mr. Vetromile gave a brief overview of the project to the audience and the Board. Next, Ms. Stevens opened the meeting for public comment, the following comments were made:

Ms. Tamie Wilenchik: My question is about the cost of all of this one bedroom townhouse or two bedroom house or two bedroom with certain extra features, if you know at this point?

Ms. Denice Motta: Thank you, I have a question about the traffic report that was spoken about. When was that conducted and how long was it conducted for? What was the timing of it? Was it done at several times of the day different days of the week? Was it all done from a Saturday morning standpoint which would obviously be a lot different than a Tuesday night at six o'clock and how long did the study go on for to come to the conclusion that was reported to us a little while ago?

Ms. Marisa Caruso: I just have a couple of comments, I believe it's table one in the SDEIS that refers to the alternatives and there's a table at the bottom of that table it talks about land use and zoning and in each of those separate sections it references, whether or not the particular alternative is in context with the comprehensive plan but there doesn't seem to be a direct link, for instance, when it talks about the previous project and this project it says it's in contrast with the comprehensive plan, but it's just a vague statement, so I'd like maybe a direct link to the comprehensive plan or what it is that they're referencing. I think that would be helpful for the public to understand and how we're determining what's in context with the comprehensive plan and what isn't. A second comment; In reviewing Mr. Vetromile's Presentation, when he talks about Community character, he references lots that are S5 and R7 which fall within the Village boundaries in this development but, it is all to take place in the Town boundaries and maybe a reference to Town zoning would be more accurate when we're considering density. On April 8, 2021 a letter was submitted on my behalf from Bleakley, Platt and Schmidt, our attorneys and there were a number of things that they had asked to be reviewed. One of the bullet points was whether blasting will occur and if so, it's magnitude. I also find that in this SDEIS that the language is very vague, it says, some may occur and then it refers you to whatever the procedures are for blasting. There is no real clear indication of the magnitude of blasting, so we would appreciate a response to that April 8 letter which has been submitted to the planning board. That's all I have, thank you.

River Knoll SDEIS Public Hearing Continued

Mr. Fred Cramer: Yes, thank you alright, this is our first meeting with your zoom and forgive our technical whoops. We're actually quite impressed with the meeting and with the planning procedure that this project has gone through. We have one, perhaps unusual concern, we live on the intersection of Pershing and Lee Avenue. So we are close to the vicinity of the proposed construction site. We have an issue here, we're dealing with a seizure disorder, a type of epilepsy that can be triggered by different kinds of loud sounds such as harmonics that occur when multiple power tools or power equipment is in use or low frequency and infrasonic that are caused by a pile driver or a front loader that's being used in a hammer like fashion, so we want to see if there is noise abatement considerations being given to the site and if those noise abatement considerations are of a general nature or if they are being held to a level of effectiveness that would solve our problem. We can include more detail in an email but that's the gist of our concern that the loud noises or the unusual types of noises that construction causes may be a seizure trigger. Okay, thank you. Thank you for a good meeting.

At this time, Ms. Stevens asked if there were any additional comments from members of the public. There were none.

Ms. Zalantis said the Board is going to leave open the public comment period for written comments until September 6, 2022. Ms. Stevens also clarified to the audience that if anybody wants to submit any additional comments in writing they have until September 6, 2022. Ms. Monastra said this item is not going to be on the August 3rd agenda and August 17th will be a work shop with the Planning Board. Ms. Zalantis said the oral comment period is going to be over after today, still leaving open for the public to submit written comments through September 6, 2022.

There were no further comments from the Public.

Minutes

A motion was made by Ms. Sharrett, seconded by Mr. Enriquez and unanimously passed by the Board to approve Planning Board meeting minutes of June 15, 2022.

Adjournment

A motion was made by Ms. Sharrett, seconded by Mr. Bossinas and unanimously passed by the Board to adjourn the Planning Board meeting immediately following to August 3, 2022.

Time Noted: 8:40 p.m.

Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary
Town of Ossining Planning Board

APPROVED: August 3, 2022