

August 17, 2022

A MEETING OF THE PLANNING BOARD of the Town of Ossining was **held on August 17, 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/84782913244>

There were present the following members of the Planning Board:

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

Absent: Jim Bossinas, 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

Rose Lodge, LLC, 83 Somerstown Road, Wetlands, Fill & Grade Permits

The applicant is requesting a Wetlands Permit and Filling & Grading Permit in order to restore certain wetlands that were previously disturbed on the property. Original plans dated November 22, 2021 were prepared in response to the Order to Remedy dated October 12, 2021. The applicant requested permits in order to construct a .46 acre sandy beach within the property. The applicant has now revised the application and now proposes to restore the prior disturbance to its original condition. The applicant is not proposing to construct a beach with the property at this time. This revised application is limited to restoring prior disturbances.

Application materials and Plans dated July 1, 2022 prepared by Princeton Hydro, titled Regulatory Compliance and Design, 83 Somerstown Road, Ossining, Westchester County, NY and a letter prepared by Mr. Jay Samuelson, PE, Engineering & Surveying Properties, responding to Ms. Monastra's December 13, 2021 memo were on file.

Mr. Taylor Palmer, Cuddy & Feder LLP, Mr. Duncan Simpson, PE, Princeton Hydro, and Mr. Andrei Lukianoff, PE of Engineering & Surveying Properties Corp. Mr. Lukianoff gave a brief overview of the application. Mr. Simpson presented the planting and restoration plan. Mr. Palmer said they are completely trying to restore the site to its original condition. Ms. Stevens asked if they were removing sand that had originally been brought on site. Mr. Simpson said it has all been removed but is stockpiled on site. It might be used to restore some of the soil percolation rates in the area which is a benefit in drainage but not related to the pond in any way. Ms. Sharrett asked why they put lawn in and what the width of the restoration area and if the plantings can be protected from landscapers possibly mowing it down or damaging the area mistaking it for grass. Mr. Palmer noted that they can install signs and perhaps a barrier. The Board referred this application to the environmental advisory committee. Ms. Stevens asked if a site visit for EAC members and Planning Board members can be arranged. Mr. Palmer agreed.

A motion was made by Mr. Mencher, seconded by Mr. Enriquez and unanimously passed by the Board to set a public hearing for the application of Rose Lodge, LLC, 83 Somerstown Road, Wetlands, Filling & Grading Permit Request on September 7, 2022.

River Knoll SDEIS, 40 Croton Dam Road Planning Board Work Session

Ms. Monastra asked the Board for any additional comments from the Board and also noted that all of the public comment received is being circulated and reviewed by the Board, also the Written Public Comment Hearing will remain open until September 6, 2022.

River Knoll Work Session Continued

Ms. Sharrett noted that in a recent Westchester County Referral letter dated July 25, 2022, she is not in agreement with the higher density of units. Also, the Comprehensive Plan really wanted housing for the people that live here who may be 55 and over and selling an existing affordable house in Ossining. This type of housing doesn't facilitate that, it may attract buyers from all over Westchester with upper end income. The County's idea of improving the connections is good but the county sewer impact should be addressed, recycling and food scraps should be addressed, and then green building technology. This would be a much improved project if it wasn't hooking up to a gas line and had heat pumps. Also, permeable pavement, native plants and reducing the lawn area and mowing. It has never been made clear what they are doing in those swales. If it is going to be prairie look and bring in a big mower once a year to cut it down or if it is going to be mowed every week. These are items in reference to the County's letter. Ms. Sharrett's issues are the retaining walls, a very tall retaining wall by Second Avenue proposed (approximately 30 feet), and a plan for the invasive species to be removed, and clarification on the farmhouse style construction. The recreation building has a whole wall of glass, this is a huge impact on birds, this shouldn't be allowed and it is not environmentally friendly or sustainable. Also, the differences of the affordable units and the market rate units.

Mr. Mencher noted that there are references to the 2015 Comprehensive Plan, however, he would like to see how this plan is consistent with the 2020 Comprehensive Plan, including the type of housing, the amount of housing being added so any updates that the applicant provides should be clear to which Comprehensive Plan they are referring to. Regarding construction impact section, there is some blasting and it should be known what that will include because of the residential areas surrounding the site. Also, what type of dust or other mitigation measures there will be so that construction on site doesn't lead to blowing of dust into the surrounding neighborhoods, including during blasting. In the construction staging plan, there's parking shown in the lower field and this should be outlined as far as how this is going to be organized and if it is going to be orderly. A similar concern about the pool house that is going to be built very close to Croton Dam Road and what is going to attenuate sound for the residents that live there. It doesn't look like there is a lot of buffering and landscaping to make that area desirable and usable by the residents and affordability, how these units are going to be marketed and how the pricing is going to affect people in this community to be able to move into.

Mr. Enriquez noted the section on Green Sustainable Infrastructure in Section 3.A-15 of their volume 1, they're incentivizing green practices. It's stated that they are using a white membrane heat reflector roof to lower the surface temperature by up to 50% at peak times. This is good because it reduces the heat island affect yet if you look at the graphic all of the roofs are dark. This needs clarification. The glass is sizable so it would be good to know what the target U Value is for that. Also, being that this was a former psychiatric hospital, what are the potential contaminants if they exist? Mr. Enriquez recommends identification of those contaminants and an outline on how they propose to do remediation efforts. Lastly, affordable housing and the reference in the County's letter noting that it wasn't consistent with the Ossining Plan for affordable housing and how that will be addressed.

Ms. Monastra noted that ultimately the Town Board can disagree with the County's comments by a super majority and the Town Board will address each comment individually and separately. This can be decided once this SEQRA is complete and when the Town Board decides to go forward with the zoning and a site plan is in place. Ms. Zalantis noted that the Board can also ask the Applicant to address concerns raised by the County and by the Planning Board, so it is appropriate to ask for that. The County's comments are part of the public record and the applicant will have to address that.

Ms. Stevens raised concerns that the project focuses mostly on the old Comprehensive Plan and not the new one. We're not seeing enough green building. We should be looking at providing charging stations in these units, the roofs are southwest facing and to make these more affordable to live in they can do solar on most of these roofs. Also, the President's new bill and New York State has a lot of incentives for greener building. The applicant needs to address the County Planning Board memo and he mentioned variances at some point, what those variances are, if needed. The affordability issue is also a concern but this may be addressed with some different size units. They all don't have to be as large as shown. Maybe there needs to be more variability in size. There is insufficient information about the retaining wall in terms of length, size and what kind of construction are they looking at. Is there going to have to be a lot of fill if there's retaining walls? There's a lot of unanswered questions with respect to that.

River Knoll SDEIS work session

Ms. Stevens recommends the use of solar and electric in lieu of gas and asked the Board to look at the size of the units being proposed which could add up to about 3,000 square feet or more if you include the basement areas. By cutting some of that square footage out and making some of the units a little smaller, maybe there's a higher density but in the same space and then maybe they can become more affordable. Ms. Stevens is also in favor of walking paths that were open to the public and went through the property or at least around the property so there is more connectivity.

Mr. Mencher noted the executive summary with the alternatives table and references to where in chapter someone could go. It would be useful to have references for someone to know where to go in the document. Also a construction schedule and phasing, greener building, affordability and more detail in the executive summary and more on connectivity paths. Construction lighting after dusk, noise, what will be done in the later hours and what those impacts are and how they will be mitigated and possibly a contact connection or additional avenue to the developer in times of dust or noise going onto neighboring properties. The timing of their 18 to 21 month schedule and what would happen in months when no work can be done. Does this extend into more months? New York State has recently passed a climate act, it would be good to know the green aspects of this project and how it conforms to that and other public policy.

Ms. Monastra noted there will be a site plan which comes before the Board, the applicant has noted that they will incorporate most of those details in the site plan. Some of these items can be addressed now and some can be addressed in the site plan. Ms. Zalantis said the Board can ask for construction staging plan, phases, truck routes, delivery times and internal circulation. Ms. Monastra noted that there are a number of items that the Board has discussed that are being incorporated into this review; retaining wall heights, visual impacts, some zoning issues that need to be dealt with in terms of the adoption of the MF Zone and how this project does or does not meet the zoning requirements also how it will fit into the Comprehensive plan, other items such as cut and fills. Ms. Monastra will be going through page by page and identifying things that need to be corrected, made consistent, or provide additional information for the Planning Board's review. The Board was in agreement.

Minutes

Minutes were not available at this time.

Adjournment

A motion was made by Ms. Sharrett, seconded by Mr. Mencher and unanimously passed by the Board to adjourn the Planning Board meeting to September 7, 2022.

Time Noted: 8:40 p.m.

Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary
Town of Ossining Planning Board

APPROVED: September 7, 2022