



MEMORANDUM

TO: Glen Vetromile,

FROM: Valerie Monastra, AICP

RE: 40 Croton Dam Road Findings Requirements

DATE: 05/28/05

CC: Town of Ossining Planning Board
Jon Turnquist, Building Inspector
Dan Ciarcia, PE, Town of Ossining Planning Board Engineer
Christie Addona, Esq., Town of Ossining Planning Board Attorney

This application completed its SEQR process with the Planning Board's adoption of the Findings Statement on October 18, 2023, and subsequently, the Town Board adopted the Findings Statement and Local Law #1 of 2024, which issued the rezoning of the property. This project may now commence Site Plan review at the Planning Board. However, there are a number of requirements identified in the SEQR Findings and the March 12, 2024, zoning petition Town Board resolution that needs to be incorporated into the Site Plan review and approval process. This memorandum outlines these additional requirements, which are in addition to the standard site plan requirements set forth in Zoning Code § 200-50, as well as any issues that may be raised by the Planning Board or its consultants during the site plan review process.

Development Program

1. Specifications on the development program should be provided and a comparison to Table 1 in the Findings State should be provided.
2. Provide a narrative on how the project will meet the affordable housing requirements as mandated by Article VI of the Town of Ossining's Zoning chapter of the Town Code.
3. Please confirm that the retaining walls will be a maximum of approximately eight feet in height and 320 feet long to reduce the amount of impact to the proposed regrading of the Project Site as noted in the Findings Statement.

Landscaping

4. Specifications for protection during development of the trees proposed to be preserved, and replacement and/or compensation for trees proposed to be removed will be determined during Site Plan Review in accordance with the Town's Tree Protection requirements, Chapter 183 of the Town Code.
5. The Proposed Project shall include landscaping that provides year-round screening along the boundary of the Property abutting First and Second Avenues and Grandview Avenue, to the

satisfaction of the Planning Board, the Town's Planner and the Town's environmental consultant as part of the Planning Board's site plan review.

6. The proposed landscape plan would be further revised during the Site Plan review process and reviewed by the Tree Warden.
7. Final landscape design will be determined during Site Plan Review. Specifications for protection during development of the trees proposed to be preserved, and replacement and/or compensation for trees proposed to be removed will be determined during Site Plan Review in accordance with the Town's Tree Protection requirements, Chapter 183 of the Town Code.
8. The landscaping plan would incorporate the Town's recommended landscaping standards and further details on tree preservation during construction activities.

Vegetation and Wildlife

9. Subsequent to the adoption of the proposed rezoning, an application for Site Plan review would be submitted with the specifications for all outdoor lighting along with an illustration and analysis of night-lighting trespass into habitats.
10. Subsequent to the adoption of the proposed rezoning, a tree preservation plan to protect the existing trees to remain, vegetation and habitats during construction would be submitted as part of the application for Site Plan review.
11. A draft of the Project HOA would be submitted during the site plan review process for review of the landscaping management requirements.
12. The removal of invasive species would be accomplished through standard invasive control best management practices such as, for example, mechanical methods (pulling and digging, suffocation, cutting or mowing); permitted chemical control methods, and removing the cuttings as appropriate to help prevent reestablishment of the invasives. Repeat treatments may be required. The type of treatment(s) to use depends upon the extent of the invasive growth and what individual species of invasives are to be removed would be finalized during the Site Plan review process.

Infrastructure and Utilities

13. Final design and determination of energy source would be undertaken during Site Plan review.

Traffic and Transportation

14. Final sidewalk and bicycle rack placement would take place during the site plan review phase to provide sidewalks in appropriate areas.
15. Final on-street parking would take place during Site Plan review.

16. The Applicant would provide documentation on the current school bus stop activity on Croton Dam and make any adjustments as needed to the site plan or coordinate with the school district on bus stop adjustments during Site Plan review.

Wetlands

17. During Site Plan review the Applicant would reconfirm the 2021 wetlands delineations for the Project Site and would confirm that no additional wetlands based on the definitions set forth in the Town's Chapter 105 Freshwater Wetlands, Watercourses and Water Body Protection of the Town Code are found on the Project Site
18. Identify areas to remain undisturbed to prevent inadvertent encroachment, including the wetland and wetland buffer areas, and install tree protection. Requirements to protect areas proposed to remain undisturbed and to protect trees proposed to be preserved will be determined during Site Plan review.

Soils, Topography (Steep Slopes) and Geology

19. A site-specific rock removal and blasting plan would be provided to the Town during the Site Plan review process. This plan would include schedules for blasting (day, hour, night, and duration); safety protocols associated with blasting activities and the handling and transport of blasting materials; and measures to reduce noise-related impacts.

Stormwater Management and Subsurface Water

20. An Erosion and Sediment Control Management Program would be established for the Proposed Project, beginning at the start of construction and continuing throughout its course, as outlined in the New York State Standards and Specifications for Erosion and Sediment Control, November 2016.
21. The Applicant would provide a final SWPPP during the Site Plan review process.
22. A more detailed post construction stormwater infiltration management and planting and maintenance plan would be provided for review during the Site Plan review process

Energy Use and Conservation

23. The Applicant would provide additional information during the Site Plan review process on the energy efficiency of the window panels.
24. The Applicant would provide additional information during the Site Plan review process on the energy efficiency of including alternative energy into the project design such as solar, electrical sources of heat, or other green energy sources.

Legal

25. The MF zone shall only be applied to the Property for the Proposed Project as set forth in the SFEIS adopted by the Planning Board on August 16, 2023, and the Findings Statement adopted by the Planning Board on October 18, 2023 (and adopted by the Town Board).
26. The applicant shall record a declaration against the Property with the Westchester County Clerk, in a form satisfactory to the Town's attorney, designating the ten units as below market rate in accordance with the Town Code.
27. In addition to complying with the requirements of HOPA, the applicant shall record a declaration against the Property with the Westchester County Clerk, in a form satisfactory to the Town's attorney, that in perpetuity the townhome units will not be sold to anyone who is under the age of 55.

Zoning

28. Variances are required from Section 200-16(A)(b) in connection with the minimum distance between the principal buildings and as to the requirements of Section 200-16(A)(d) in connection with the required children's play area. In addition, subject to interpretation of the Building Inspector, a variance may be required in connection with one building that would have seven units instead of the six maximum units in a row as per Section 200- 16(A)(3)(a).

Layout

29. The units along the perimeter of the Proposed Project shall be restricted to being a maximum of two-stories or 28 feet, whichever is less, walk-in units.
30. For all three-story units included in the Proposed Project, elevators shall be installed at the time of initial construction to ensure the ability of the residents to age in place in the units.