

August 20, 2025

A MEETING OF THE PLANNING BOARD of the Town of Ossining was held on August 20, 2025 at 7:30 p.m. at the John Paul Rodrigues Ossining Operations Center, 101 Route 9A, Ossining, NY and by Zoom video conference. Members of the public were able to attend in person or view and/or join the meeting via computer or mobile app as follows:

<https://us02web.zoom.us/j/83058744283>

There were present the following members of the Planning Board:

Jim Bossinas, Member (Acting Chair)
Donna Sharrett, Member
Bill Boyd, Member
David O'Neil, Member

Absent: Carolyn Stevens, Chair

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

The Planning Board welcomes David O'Neil as a new member of the Planning Board. Mr. O'Neil is filling the unexpired term of Manny Enriquez.

Jennifer and Pascal Smith-Couti Subdivision and Site Plan, Steep Slopes, Tree Removal and Wetland Permit, 94 Somerstown Road PUBLIC HEARING CONTINUED

Jennifer and Pascal Smith-Couti ("Applicant") is seeking Subdivision approval, and Steep Slopes, Tree Removal Permit, and Wetland permits for a three-lot subdivision. The Project will be located at 94 Somerstown Road, Section, Block, and Lot 90.11-1-1 ("Project Site"). The Project Site is located in the R-40 Residential District. The proposal is to subdivide the 6.45-acre property into three lots. Access would be by common driveway. The northern property line is a municipal boundary line with Town of New Castle. The proposed lots will be served by private well and septic system. Applicants, Jennifer and Pascal Smith-Couti were in attendance with their Engineer, Alan Pilch, PE, RLA, ALP Engineering and Landscape Architecture, PLLC.

Mr. Bossinas asked if there was anyone in the audience, or on zoom that has comments or questions. There were none. Ms. Monastra submitted and reviewed with the Board, Draft Resolution of Approval for 94 Somerstown Road Subdivision, Site Plan, Steep Slopes, Tree Removal and Wetland Permit and Draft Negative Declaration Document in accordance with State Environmental Quality Review (SEQR). The project is categorized as an Unlisted Action.

Ms. Monastra asked if the Board has any comments or concerns. Ms. Sharrett expressed concern with Item No. 3 in the Draft Resolution Document, specific conditions, d. Landscaping notes. It says, "individual species that do not survive beyond the first 5 years shall be replaced in the fall following inspection with another native species suitable for site conditions". Ms. Sharrett recommends that this item allow for spring planting if in the fall you can't find the species you want. This way it's not so limited to the fall.

Mr. Ciarcia also reiterated comments from the last planning board meeting and strongly recommends referencing easement documents, common stormwater maintenance and driveway construction notes on the final plat. This will identify who would be responsible for building the shared driveway and stormwater improvements once the land is divided. Mr. Ciarcia's previous memo, dated July 16, 2025, is as follows:

- a) Provide a Metes and bounds description of the stormwater easement on the subdivision plat.
- b) Provide a note on the plat referencing the declarations regarding maintenance of the common driveway and common stormwater improvements.
- c) Provide the maintenance declaration/agreement for review by Town Attorney.
- d) Provide documentation indicating that the Fire Department and Building Inspector are satisfied with the proposed fire safety proposal.
- e) Label all drainage structures and pipes. Assign numbers to drainage structures and label rim and invert elevations. Pipe diameters, slope and material should be labeled on the plans.
- f) Provide a profile of the main drainage system which conveys runoff to the main pond.
- g) Provide inlet and outlet inverts for all pipes connected to the stormwater practices. Provide catch basin inserts to control erosion during the construction phase.

Smith-Couti, 94 Somerstown Rd. Continued

Ms. Addona said the easement documents and deed should be sufficient, but there can be a note on the plat to refer you to those documents. The subdivision plot will be recorded first and then the agreements, the stormwater, the landscaping, the driveway, all of that will be reported against all three parcels immediately after that plat is filed.

Mr. Pilch said the owners will sell one of the lots and with proceeds from that they will develop the driveway and common areas serving all three lots. Either way, there is going to be an approved site plan on file for these lots. After some discussion, the condition that “no building permit will be issued for any of the lots until the driveways are put in and the appropriate infrastructure for the development of the houses is put in” this will be in the resolution, part of the agreements and note referenced on the plat. Ms. Monastra will update the final resolution to reflect this. At this time, the public hearing can be closed.

Mr. Bossinas asked if there was anyone from the Public or on Zoom with comments or concerns. There were none.

A motion was made by Mr. Boyd, seconded by Ms. Sharrett and passed by Mr. Bossinas. Mr. O’Neil recused himself from the vote. Three members of the Board approved a vote to close the Public Hearing for Jennifer and Pascal Smith Couti, 94 Somerstown Road, Subdivision, Steep Slopes, Tree Removal and Wetland Permit

Ms. Monastra submitted and reviewed with the Board, a Negative Declaration document, dated August 20, 2025, with an Unlisted status under SEQRA. It is determined that the action will not have a significant adverse impact on the environment.

A motion was made by Ms. Sharrett, seconded by Mr. Boyd and passed by Mr. Bossinas. Mr. O’Neil recused himself from the vote. The three members of the Board approved a vote to adopt a Negative Declaration under SEQRA on the Application of Jennifer and Pascal Smith Couti, 94 Somerstown Road, Subdivision, Steep Slopes, Tree Removal and Wetland Permit, dated August 20, 2025.

A motion was made by Ms. Sharrett, seconded by Mr. Boyd and passed by Mr. Bossinas. Mr. O’Neil recused himself from the vote. The three members voted to adopt Resolution of Approval, with conditions and items as discussed above, for the Jennifer and Pascal Smith Couti, 94 Somerstown Road, Subdivision, Steep Slopes, Tree Removal and Wetland Permit Approvals, dated August 20, 2025.

MEM FLIPP Corp, 63 Old Albany Post Road, Architectural Review for Re-construction of existing home and addition of 2nd floor

MEM Flipp Corp. (“Applicant”) is seeking Architectural Review Board (ARB) approval to construct a second-floor addition to a single-family home (“Project”). The Project will be located at 63 Old Albany Post Road, Section, Block, and Lot 80.14-1-14 (“Project Site”). The Project Site is within a R-7.5 One-family residence district. Plans and application materials, prepared, stamped and signed by John B. Alleyne of Becall Engineering Services, dated June 26, 2025 are on file. Mr. Geovanny Hernandez, MEM Flipp Corp., Applicant and property owner was in attendance.

Ms. Monastra submitted and reviewed her memo dated August 15, 2025. A copy of the memo was given to the applicant in advance of the meeting. The memo is as follows:

GENERAL AND PROCEDURAL COMMENTS

1. **Architectural Review Approval.** A public hearing is required.
2. **SEQRA.** This project is categorized as a Type II action under SEQR because it is the “construction or expansion of a single-family, a two-family or a three-family residence on an approved lot.”
3. **ZONING.** As the Applicant has provided a zoning table for the proposed project, which indicates that all applicable bulk requirements for the R-7.5 One-Family Residence District are met, and no variances are required.

APPLICATION MATERIALS

The Applicant provided the following application materials:

1. Elevation drawings
2. Zoning table
3. Site plan of the lot
4. Samples of materials, treatments, finishes, and the color palette for painted surfaces
5. Owner’s authorization letters

MEM, 63 Old Albany Post Rd ARB continued

In accordance with §55-6, the ARB application submittal is incomplete, and the following information is needed to continue the technical review of this application:

1. Comparison to nearby area—No photographs or other indicators that show the proposed structure conforms with the character of the surrounding area were provided. No photographs of the subject lot were provided.

ARCHITECTURAL REVIEW BOARD COMMENTS

Per Section 55-8 of the Architectural Review Board regulations, the ARB “may approve an application referred to it upon finding that the building or structure for which the permit was requested would be in harmony with the purposes of this chapter, would not be visually offensive or inappropriate because of the poor quality of exterior design, would not constitute monotonous similarity or visual discord in relation to the site or its surroundings, would not mar the appearance of the area, would not be detrimental to the character of the neighborhood, and would not prevent an appropriate development and utilization of the site and adjacent lands.”

1. The Applicant needs to provide the remaining information required for the Board’s review.
2. While the Applicant provided lighting materials, it is not clear where the lighting will be located on the property and how many are proposed.

Mr. Bossinas asked the Board for comments or concerns. Ms. Sharrett noted on the EAF form submitted, this location should be considered near a Critical Area because of its proximity to the Croton River and the applicant should clarify if the property is served by municipal water and sewer or private septic and well. Ms. Sharrett also offered comments on the landscaping plan; instead of so many ornamental trees, possibly have less of one type and mix another variety that may look a little more naturalistic to the landscape of the area. The same would apply to the driveway plantings which are also arranged like a solid wall of trees. Ms. Sharrett asked the applicant if a site walk can be arranged. Mr. Hernandez said, yes, any time. Ms. Sharrett also noted the proposed columns at the front door area may not fit in with the unique character of this area. Ms. Monastra noted that the lighting fixtures should be shown where on the house they are being installed. Mr. Bossinas asked for a motion to set a public hearing.

A motion was made by Ms. Sharrett, seconded by Mr. Boyd and unanimously agreed by the Board to set a public hearing September 17, 2025 for MEM FLIPP Corp, 63 Old Albany Post Road, Architectural Review for Re-construction of existing home and addition of 2nd floor.

Mr. Hernandez thanked the Board.

Minutes

A motion was made Mr. Boyd, seconded by Mr. Bossinas and unanimously passed by the Board to adopt Planning Board meeting minutes of July 16, 2025.

Adjournment

A motion was made by Mr. Boyd, seconded by Ms. Sharrett and unanimously passed by the Board to adjourn the Planning Board meeting to September 17, 2025.

Respectfully submitted,

Sandra Anelli

Sandra Anelli, Secretary
Town of Ossining Planning Board

APPROVED: September 17, 2025