

July 16, 2025

A MEETING OF THE PLANNING BOARD of the Town of Ossining was held on July 16, 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/86594908054>

There were present the following members of the Planning Board:

Carolyn Stevens, Chair
Jim Bossinas, Member
Donna Sharrett, Member
Bill Boyd, Member

Absent: David O'Neil, Member

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

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.

The project is categorized as an Unlisted Action under State Environmental quality Review (SEQR). Applicants, Jennifer and Pascal Smith-Couti were in attendance with their Attorney, Jody T. Cross Esq. Zarin & Steinmetz LLP, and Engineer, Alan Pilch, PE, RLA, ALP Engineering and Landscape Architecture , PLLC.

Mr. Pilch discussed updates reflected in his July 1, 2025 submission to the Board. Site Plans, dated June 3, 2025, and submission materials dated July 3, 2025 were on file. Copies of New York State Department of Transportation, New York State Department of Environmental Conservation and Westchester County Department of Health submission packages were provided. A subdivision plat prepared by Rowan Land Surveying, PLLC was also submitted on July 16, 2025. Mr. Pilch said they have provided 10,000-gallon fire water storage tanks for fire suppression which is now shown on the plan. They will not be extending the municipal water line from Ossining or connecting to New Castle as discussed in earlier meetings. Mr. Pilch will need to provide a confirmation from the Ossining Fire Department and Jon Turnquist, Building Inspector, regarding this. Mr. Pilch also provided calculations on the steep slope permit that were requested. There were some changes to the Tree preservation plan, mostly on lot 2. There are certain trees that are going to be removed for rain gardens. In talks with DOT, Mr. Pilch said they want a precise distance from the center line to the nearest the New York State highway markers. Which is approximately 198.5 feet, that's part of what's going to be submitted.

Memos by Town Consultants, Craig H. Stevens, Town Tree Warden, dated July 14, 2025, Ciarcia Engineering PC, dated July 16, 2025 and Valerie Monastra, AICP, dated July 10, 2025, were on file and submitted to the applicants in advance of the meeting.

Mr. Stevens, Town Tree Warden memo is as follows:

Comments pertaining to 94 Somerstown Rd. (In no special order).

Encourage tree clearing company to mill as many saw logs for lumber as possible. A form of repurposing.

Take down any Ailanthus trees that are close to the clearing edges.

Craig Stevens – Memo Continued

Be reminded that the trees remaining along the cleared edges are subject to stress and decline. The root systems will be compacted by equipment, soil temps will rise as a result of being exposed to direct sunlight like never before. The trees on the north edges of the clearings will be vulnerable to sun scold as their trunks are being exposed to direct sunlight; many will show signs of decline in the future. Problem for future land owner.

Consider planting deer resistant, wildlife food source shrubs inside the rock wall along the road. Some dogwood species might work. There may be enough sunlight from the open road to support their growth.

After clearing, have a certified arborist evaluate the trees along the cleared edges. Have them mark the trees that are diseased, dying, dead or dangerous. Have them removed. Best to do this before the area gets groomed. Cost effective for those paying.

Possibly allow those interested in digging and removing desired plants and shrubs access to the clearing areas before clearing starts.

Mr. Ciarcia provided the following comments in his memo:

- 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.

Ms. Monastra reviewed outstanding items in her memo and recommends conditions of resolution of approval as follows:

- a) Final review of the tree removal plan, landscaping plan, and wetland mitigation plan will be conducted by the Town Planner to confirm compliance with Chapter 183, Tree Protection.
- b) Five-Year landscape guarantee be added as a note on the subdivision plat plan.
- c) All stormwater easements shall be noted on the plat plan.
- d) Pools shall be removed from plat plan.
- e) Deer protection plan needs to be submitted prior to any landscaping.
- f) Landscape Maintenance Plan needs to be submitted and reviewed by the Village Planner prior to any landscaping.
- g) The Applicant shall provide an annual wetland and planting inspection report required for the first five years after planting is complete.
- h) The Town's Planning Board attorney shall review the easement and maintenance agreement of the driveway.
- i) The Town's Planning Board attorney shall review the easement and maintenance agreement of the stormwater facilities.
- j) Tags remain on trees until issuance of a CO.
- k) A Performance Maintenance Bond of an amount to cover the expense of the 5-year inspections and potential plant replacement should be required.
- l) Final approvals from NYSDEC and NYSDOT need to be finalized prior to the signing of the plat plan. Any required changes that affect the plat plans, or the wetland, steep slopes, or tree removal permits will require further proceedings before the Planning Board.
- m) Final NYSDOH approvals need to be completed before issuance of a building permit.

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Ms. Monastra reviewed Lead Agency, Part 2 Short Environmental Assessment Form, with the applicants and the Board. At this time, it was noted that the Board may direct preparation of the Negative Declaration and draft Resolution of Approval for next month's meeting scheduled for August 20, 2025. Ms. Stevens asked the Board if there were any questions or concerns with Part 2 SEAF. There were no comments.

A motion was made by Mr. Bossinas, seconded by Ms. Sharrett and it was unanimously passed by the Board to direct preparation of a negative declaration document under State Environmental Quality Review for the Smith-Couti Subdivision & Site Plan, 94 Somerstown Road.

Conditions of the draft Resolution of Approval were also reviewed. Final review of the tree removal plan, landscaping plan and Wetland mitigation plan will be conducted by Ms. Monastra to confirm compliance with Chapter 183, Tree Protection and in order to make sure the number of trees that are coming down versus the number of trees that are being planted and then what the difference is. Tree Bank Fund amount can be collected at time of Building Permit Application. Ms. Monastra will refer to Mr. Ciarcia's memo above dated July 16, 2025 regarding stormwater related issues. Ms. Addona said there will be three recorded easements that need to be filed on the property. The stormwater management and maintenance agreement, the driveway easement for access, and also the landscaping maintenance agreement. This is so when the lots are sold to future property owners they will be on notice of these requirements that come with the property. Ms. Monastra noted that a Deer protection plan is required, final approvals from NYSDEC and DOT need to be finalized prior to the signing of the plat and any required changes that affect the plat or the wetlands, steep slopes, tree removal permits will require further proceedings by the planning board and then finalize Westchester County Department of health approvals which will need to be completed prior to issuance of the building permits.

Ms. Stevens asked if anyone from the public in person or on zoom have any comments or concerns. There were none.

A motion was made by Mr. Bossinas, seconded by Mr. Boyd and unanimously passed by the Board to direct preparation of a draft Resolution of Approval with all conditions listed and as discussed, to be reviewed at Planning Board meeting August 20, 2025.

A motion was made by Mr. Boyd, seconded by Ms. Sharrett and unanimously passed by the Board to continue the Jennifer and Pascal Smith-Couti Subdivision & Site Plan Public Hearing on August 20, 2025.

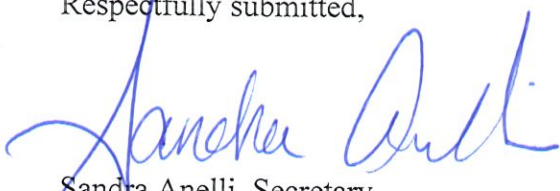
Minutes

A motion was made Mr. Boyd, seconded by Mr. Bossinas and unanimously passed by the Board to adopt Planning Board meeting minutes of May 21, 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 August 20, 2025.

Respectfully submitted,



Sandra Anelli, Secretary
Town of Ossining Planning Board

Approved 8/20/25