

TOWN OF CORTLANDT
PLANNING AND ZONING BOARDS

PLANNING BOARD MEETING

1 Heady Street

Cortlandt Manor, New York 10567

July 25, 2023

6:30 p.m. - 8:42 p.m.

July 25, 2023

MEMBERS PRESENT:

Steven Kessler, Chairman

Thomas A. Bianchi, Vice-Chairman

Kevin Kobasa, Member

Peter McKinley, Member

ALSO PRESENT:

Chris Kehoe, AICP, Director of Planning

Michael J. Cunningham, Deputy Town Attorney

Joseph Fusillo, P.E., Planning Board Engineer

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2 (The board meeting commenced at 6:30 p.m.)

3 MR. STEVEN KESSLER: Thank you all for
4 coming. We're going to get started. Please rise
5 for the pledge.

6 MULTIPLE: I pledge allegiance to the
7 flag of the United States of America and to the
8 Republic for which it stands, one nation under
9 God, indivisible, with liberty and justice for
10 all.

11 MR. KESSLER: Thank you. Chris, roll
12 please.

13 MR. CHRIS KEHOE: Mr. Kobasa?

14 MR. KEVIN KOBASA: Here.

15 MR. KEHOE: Ms. Hildinger?

16 MS. HILDINGER: Here.

17 MR. KEHOE: Mr. Kessler?

18 MR. KESSLER: Here.

19 MR. KEHOE: Mr. Bianchi?

20 MR. THOMAS BIANCHI: Here.

21 MR. KEHOE: Mr. McKinley?

22 MR. PETER MCKINLEY: Here.

23 MR. KEHOE: Mr. Rothfeder and Mr.

24 Douglas noted as absent.

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2 MR. KESSLER: So again, welcome. We have
3 one change to the agenda this evening, and that
4 is, under all business, PB number 2023-2, the
5 application of Jenny Thomas of JJM Summit Realty.
6 They've asked for us to remove this from the
7 agenda this evening, and we'll do so. May I
8 please have a motion to remove that from the
9 agenda?

10 MR. BIANCHI: So moved.

11 MR. KESSLER: Second?

12 MS. HILDINGER: Second.

13 MR. KESSLER: On the question? All in
14 favor?

15 MULTIPLE: Aye.

16 MR. KESSLER: Opposed? Thank you, motion
17 please to adopt the minutes from our meeting of
18 June 6th.

19 MR. KOBASA: So moved.

20 MR. KESSLER: Second?

21 MS. HILDINGER: I second.

22 MR. KESSLER: Thank you, on the
23 question. All in favor?

24 MULTIPLE: Aye.

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2 MR. KESSLER: Opposed? Alright, first
3 item tonight under correspondence is the letter
4 received by the planning department on June 29,
5 2023 from Rebecca Policello of Teatown
6 transmitting the Cliffdale Meadow Revegetation
7 report as required by Planning Board Resolution
8 4-21.

9 MR. MCKINLEY: Motion to receive the new
10 file.

11 MR. KESSLER: Second please.

12 MR. BIANCHI: Second.

13 MR. KESSLER: On the question. All in
14 favor?

15 MULTIPLE: Aye.

16 MR. KESSLER: Opposed? Our next item
17 under correspondence is a letter dated June 20,
18 2023 from David Steinmetz updating the planning
19 board on the status of the VS Construction
20 Contractor's Yard at 180 Roa Hook Road. Mr.
21 Steinmetz, good evening.

22 MR. STEINMETZ: Good evening. Good
23 Evening. Mr. Kessler, Mr. Chairman, and members
24 of the board. We are here, Mr. Chairman, as I

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2 indicated in my correspondence, simply to request
3 a renewal and reissuance of the special use
4 permit for VS Construction to operate a
5 contractor's yard on the Roa Hook Road property,
6 as well as an extension of the site plans that
7 had been also approved several years ago.

8 As, as you may know, Mr. Chairman, and
9 some of the board members may know, I was not
10 originally involved in this application, but I
11 have been brought in by the Santuccis and VS. I
12 am working with Dan Ciarciia, our project
13 engineer. I have been brought up to speed on some
14 of the prior materials that were generated by
15 staff, in particular, a memo from the engineering
16 department. We are working on responding to some
17 of those comments. And most importantly, staff is
18 aware that since this application has last been
19 before your board, the New York State DEC did
20 issue a formal registration to VS in connection
21 with the processing operation on the property.
22 That was one of the critical conditions or
23 critical preconditions in, in Mr. Preziosi's
24 letter.

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2 So there are a number of other technical
3 items that we need to address, but the site has
4 been in operation for several years. It's
5 continuing in operation presently, and we'd like
6 to simply get a reissuance and a renewal. And we
7 -- from what I understand from staff, we'll be
8 coming back in probably in October, Chris, to
9 continue the review of the application.

10 MR. KESSLER: So Mr. Steinmetz, your
11 letter says you're working to satisfy all the
12 conditions. How many conditions have you met so
13 far?

14 MR. STEINMETZ: I can't answer that off
15 the cuff.

16 MR. KESSLER: I think there were 12
17 conditions in the resolution originally. So what
18 we talked about this at the work session, so we
19 approved this, almost three years ago.

20 MR. STEINMETZ: Correct.

21 MR. KESSLER: The resolution, you're
22 entitled to two extensions.

23 MR. STEINMETZ: Correct.

24 MR. KESSLER: The second extension would

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2 expire in October? So the intent here is to give
3 you the retroactive extensions to expire in three
4 months.

5 MR. STEINMETZ: Understood. And we will
6 be back before you, we will probably be making a
7 submission in September. We will make a
8 submission in September, and either we will ask
9 for modification of those conditions, or we will
10 have demonstrated satisfaction.

11 MR. KESSLER: Okay. That, that would be
12 helpful if you would tell us what conditions are
13 --

14 MR. STEINMETZ: Yes.

15 MR. KESSLER: -- what conditions are
16 still outstanding.

17 MR. STEINMETZ: Understood. Just, just
18 so that -- so you and the board are all aware
19 there was a series of 12 conditions, but there
20 was a rather lengthy additional memo that was
21 generated by DOTS, which is far more complex than
22 the conditions.

23 MR. KESSLER: There was limits on how
24 much rock crushing you could do, right?

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2 MR. STEINMETZ: Correct.

3 MR. KESSLER: Do we know if you've been
4 operating within those limits?

5 MR. STEINMETZ: We have absolutely been
6 operating within. In fact, there's been no
7 crushing going on, no crushing going on at all.

8 MR. KESSLER: That's well within the
9 limits then.

10 MR. STEINMETZ: Yes. If zero is within
11 the limit, we're within the limit.

12 MR. KESSLER: Any, any questions for --

13 MR. BIANCHI: Operations continue on the
14 site? Is that correct?

15 MR. STEINMETZ: That's correct.

16 MR. BIANCHI: Why weren't the renewals
17 requested in the proper timeframe?

18 MR. STEINMETZ: One of the reasons Ms.
19 Bianchi, that I indicated that I had just been
20 brought in into the matter is because I, I wanted
21 the record to reflect that I, I had not been
22 involved for the prior two years when that might
23 have needed to occur. So all I can tell you, sir,
24 is that it's happening now, and I will make sure

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2 that it --

3 MR. BIANCHI: Well, I, I would expect by
4 October that all 12 conditions in one way or
5 another --

6 MR. STEINMETZ: Will either be addressed
7 or modified.

8 MR. BIANCHI: Because I'm reluctant to
9 go any further than that --

10 MR. STEINMETZ: Understood.

11 MR. BIANCHI: -- until I see that
12 progress, right.

13 MR. KESSLER: Ultimately, that would
14 mean a re-approval.

15 MR. STEINMETZ: Understood.

16 MR. KESSLER: I mean a, a reapplication
17 a new application.

18 MR. STEINMETZ: That's fine.

19 MR. KESSLER: Okay, with that
20 understanding. Okay, so any other questions? If
21 not, Peter?

22 MR. MCKINLEY: Sure. Make a motion to
23 extend two retroactive time extensions, which
24 will expire October 6, 2023 for the VS

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2 Construction Contractor's Yard at 180 Roa Hook
3 Road.

4 MR. KESSLER: Second, please.

5 MR. KOBASA: Second.

6 MS. HILDINGER: Second.

7 MR. KESSLER: On the question?

8 MR. KEHOE: So just on the question,
9 that will be in incorporated into Resolution 8-23
10 23. It's a bureaucratic resolution. It will be
11 prepared and certified and sent out.

12 MR. KESSLER: Okay. Thank you.

13 MR. STEINMETZ: You'll send us a copy of
14 that --

15 MR. KEHOE: Yes.

16 MR. STEINMETZ: -- bureaucratic
17 resolution, Chris?

18 MR. KEHOE: Yes.

19 MR. KESSLER: We were on the question,
20 all in favor?

21 MULTIPLE: Aye.

22 MR. KESSLER: Opposed?

23 MR. STEINMETZ: Thank you.

24 MR. KESSLER: Thank you. Next item is a

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2 resolution. It's the application of Pomona
3 Development for preliminary plat approval and for
4 steep slope wetland and tree removal permits for
5 a proposed three-lot major subdivision of an
6 approximately 16.78 acre parcel of property
7 located on the south side of Revolutionary Road
8 500 feet south of Eaton Lane. Drawings latest
9 revised April 26, 2023. Nora?

10 MS. HILDINGER: I make a motion to refer
11 back and prepare resolution.

12 MR. KESSLER: Thank you. Second, please.

13 MR. BIANCHI: Second.

14 MR. KESSLER: On the question? Chris.

15 MR. KEHOE: Yeah, Jim Annicchiarico from
16 Cronin Engineering is supposed to be here. I
17 guess he's not here yet. He'll be here later for
18 another case. This requires an extension of the
19 62-day clock for the planning board to approve
20 it. We did receive an email from the applicant
21 consenting to that 62 days, so I just want to put
22 that on the record.

23 MR. KESSLER: Okay. And, and, and we
24 still -- what's outstanding still is some wetland

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2 mitigation --

3 MR. KEHOE: Yes, yes.

4 MR. KESSLER: -- issues?

5 MR. KEHOE: Right. And the, and the
6 extension would take you to the day past the next
7 meeting, which is September 6th.

8 MR. KESSLER: Okay. So with the, the
9 written approval of the applicant to extend the
10 clock, we'll refer this back. We're on the
11 question. So all in favor?

12 MULTIPLE: Aye.

13 MR. KESSLER: Opposed? All right. The
14 next item is an adjourned public hearing. One
15 second, the application of Bilal Ahmad for the
16 property of Ace Sport Realty Holding Corporation
17 for site development plan approval and for steep
18 slope tree removal and wetland permits for
19 proposed five-story, 93 room hotel for property
20 located at 2054 East Main Street, drawings latest
21 revised July 19, 2023. Good evening, Mr.
22 Steinmetz again.

23 MR. STEINMETZ: Good evening, Mr.
24 Chairman, again, members of the board, David

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2 Steinmetz from the law firm of Zarin and
3 Steinmetz. I'm pleased to be here tonight
4 representing Bilal Ahmad and our hotel
5 application. I'm joined tonight by my colleague
6 Brian Sinsabaugh, Peter Gregory and Matt
7 Steinberg from DTS Provident, our project
8 engineers, I believe virtually on screen and
9 Michael or Chris can confirm this for me, should
10 be Christian Freeman, our landscape architect
11 from Keplinger Freeman.

12 MR. STEINMETZ: We've been before the
13 board numerous times. We've made several
14 presentations. We're here on a continuation of
15 the public hearing, so I'm going to try to be
16 brief and not go through, Mr. Chairman,
17 everything that we have previously submitted as
18 part of our public hearing presentation. In
19 summary, our client is looking to build a four
20 story 93-room, or 93 key, hotel on the subject
21 property. It is an as of right use on the site. I
22 think all of us, actually everyone here has seen
23 the property. We all did a site inspection
24 together several months ago. This is proposed to

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2 be a Marriott Hotel, a Marriott Courtyard with a
3 variety of amenities, a restaurant, an outdoor
4 courtyard deck, a fitness center.

5 The site, as we all know from having
6 walked it, has some topographic challenges from
7 Route 6 going into the site. However, as a result
8 of some creative grading and some retaining
9 walls, the site will be able to be functional. It
10 has been reviewed by the fire department, by the
11 building department, and we actually think the
12 site lays out quite well.

13 We last appeared before your board on
14 June 6th. We received a number of comments from
15 you that we have attempted to address. First and
16 foremost there has been some attention paid to
17 the, the wetlands. Everyone will recall that
18 there is a wetland and stream area in front of
19 the property. We spent a great deal of time
20 looking at that. Your consultant, Paul Jaehnig,
21 has been out to the site, with our engineers,
22 fairly recently.

23 We also have Danna Cuneo from B. Laing
24 Associates. She has been working to analyze the

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2 functional assessment of the wetlands and submit
3 additional material. And she has also been to the
4 site with the arborist that the town has
5 retained. Peter Gregory has been working with Mr.
6 Fuccillo and his firm to address his comments and
7 Mike Preziosi's comments and if they need to be
8 addressed tonight, we certainly can speak to
9 those.

10 We have submitted to your board some
11 revised site plans. You all ask questions last
12 time about what would be visible and some of the
13 neighbors did as well, on the roof of this
14 building. So we have submitted a roof plan with
15 detailed explanation of the roof, the parapet,
16 the HVAC and the various items that are on the
17 roof.

18 We've also addressed some of the
19 sustainability questions. Mr. Douglas in
20 particular, and I discussed last time, the number
21 of EV charging stations and whether they could be
22 located more proximate to the building. The
23 number of EV or electric, electric vehicle
24 charging stations have been increased to a total

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2 of six. They have been brought closer to the
3 building, near the dumpster enclosure and visible
4 from the front entrance. So we have placed them
5 in a location that makes much more sense. We
6 appreciate the board's comment on that.

7 We have updated the landscaping plan in
8 response to comments that were received from
9 SavATree. And, and Matt Steinberg, if you wish
10 can help walk us through maybe with Christian's
11 help online, we're now proposing the extensive
12 landscaping of 72 new trees, 225 shrubs, 387
13 perennials and grasses. So we are attempting to
14 do what you all asked in terms of providing some
15 attractive landscaping.

16 We did do, and I should state again for
17 the record, a visual analysis that we shared with
18 you at the last session. We believe the site is
19 minimally visible from our surrounding neighbors.
20 We took shots and visual analysis from multiple
21 vantage points that were requested by the town.
22 We shared those with you and walked through them
23 last time.

24 The other thing that I would mention,

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2 the landscaping that has been proposed is minimal
3 maintenance landscaping. It is a requirement of
4 Marriott that they try to achieve net zero value
5 chain greenhouse gas emissions by 2050. So, in
6 addition to our client wanting to be sustainable
7 and your board telling us you want to see this
8 thing, if it gets approved as a sustainable site,
9 Marriott has that as its own corporate policy. So
10 the solar panels on the roof are part of the
11 sustainability program and part of Marriott's
12 encouragement. We are intending to provide a
13 minimum of 30 percent of our energy needs on site
14 by our own solar panels, as well as some
15 requirements for hot water to be heated through
16 thermal collectors. The EV charging stations I've
17 already mentioned.

18 And interestingly enough, the plants
19 that are being installed would have minimal
20 maintenance and therefore minimal irrigation,
21 requiring less water demand. And while it may
22 sound like something small for those of us who
23 have been to hotels over the last several
24 decades, instead of those plastic containers with

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2 the little shampoo and the little conditioner and
3 the little moisturizer that everybody sees, and
4 had seen in their hotel rooms, historically,
5 Marriott has a requirement that these now be the
6 larger devices inside the showers so that people
7 are not leaving with them and we are not throwing
8 out plastic every single time somebody spends one
9 evening in a hotel room. And that, again, is a
10 Marriott policy.

11 We are happy, Mr. Chairman, to walk
12 through the plans, if you wish, we've done this
13 previously. We're happy to share more detail on
14 the drainage, the landscaping. I should mention
15 there has been some modification of the exterior
16 wall that faces the Bear Mountain Parkway. That
17 was also requested. It came up with your board.
18 It came up with, I believe the ARC as well. There
19 have been fenestration or window cuts on that
20 side of the building to break up the wall itself.
21 So we think the building remains attractive and
22 is in that instance less, there's less of a mass
23 of one solid structure.

24 It's a high quality attractive building.

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2 This is a use, again, that's as of right. We
3 think there's a strong need and demand for this
4 use in the town. We have been supported by the
5 business community. We're very pleased that we
6 have. And we're here this evening to conduct, and
7 we would like to close the public hearing should
8 your board be so inclined.

9 We were told at the last meeting that
10 you might have staff drafting a proposed
11 resolution. I don't know whether that occurred
12 and we're happy to answer any questions that you
13 may have.

14 MR. KESSLER: Just one question on the
15 landscaping. There was an issue about you wanting
16 to plant trees in the DOT right of way by Bear
17 Mountain. Is that part, when you rattled off the
18 number of trees did that -- was that area
19 included in that?

20 MR. STEINMETZ: Matt or Brian, does
21 anybody know whether my -- the number that I have
22 of 200 and -- 72 trees and 225 shrubs, are any of
23 those in the DOT right of way? Those are all on
24 our property.

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2 MR. KEHOE: Right? We, we mentioned that
3 at the work session. Our arborist went out there
4 and said some trees that originally you thought
5 could be preserved had to come down. And I think
6 your new plans reflect those trees having to come
7 down.

8 MR. STEINMETZ: Correct.

9 MR. KEHOE: And he made a recommendation
10 that to further buffer from the Bear Mountain
11 Parkway, additional planting should be done. But
12 that would need to be done in the New York State
13 DOT right of way, where we would need their
14 permission. So correct me if I'm wrong, Matt, you
15 don't show any new plantings in the New York
16 State DOT right of way?

17 MR. STEINBERG: Right. We do not go show
18 tat.

19 MR. KEHOE: Right. So we -- that would
20 have to be worked into an approving resolution to
21 get some sort of approval from the DOT.

22 And certainly should the, should the
23 planning board in the town require that, we would
24 ask that the planning board and the town assist

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2 in encouraging DOT to grant that use permit for
3 us to install them.

4 MR. KESSLER: Okay. But at the very
5 least, I think you should contact them about the
6 ability for you to do that.

7 MR. STEINMETZ: Understood.

8 MR. BIANCHI: I guess, a question, since
9 you brought up the large facade wall facing the,
10 Bear Mountain Parkway, what will you submit to
11 have our architectural advisory board look at
12 what you've modified so they can agree to it?

13 MR. STEINMETZ: Absolutely. Brian, have
14 we submitted that, that actual architectural plan
15 or can you or Christian address that? If anybody
16 knows. We, we will, we will certainly Mr. Bianchi
17 be submitting the plan that I know I've seen
18 internally. Has that not been made part of the
19 record?

20 MR. SINSABAUGH: It has not.

21 MR. STEINMETZ: Okay. So, so we will, we
22 will be submitting -- I, I, I appreciate the
23 question. I thought that, that, that had been
24 submitted. It may have been generated after the

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2 submission deadline for this July 25th meeting.
3 We have an elevation of that side of the building
4 with those windows or that fenestration that I --
5 that I have discussed. So that will be made part
6 of the record, that will go to Art Clements and
7 the ARC as well.

8 MR. BIANCHI: Right. I'd like to get
9 their okay on it.

10 MR. STEINMETZ: Sure.

11 MR. SINSABAUGH: Can, can Christian show
12 their rendering now if he's on Zoom?

13 MR. STEINMETZ: If he's there and he
14 can, that would be great.

15 MR. KEHOE: Let's see if he raises his
16 hand.

17 MR. STEINMETZ: Does anybody know if
18 Christian --

19 MR. KEHOE: He's on, he's on the Zoom.

20 MR. STEINMETZ: Alright.

21 MR. KESSLER: Why don't we, it's a
22 public hearing, so why don't we see if anybody
23 from the public wishes to comment on the
24 application. Please come up to the microphone.

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2 State your name and address for the record.

3 MS. LORRAINE LEVINS: Good evening.

4 Lorraine Levins, 2207 Jacobs Hill Road, Woodcrest
5 at Jacobs Hill Condominiums. First and foremost,
6 I would like to bring to your attention a
7 misstatement in Rick Pezzullo's article in the
8 July 4th - 10th issue of the *Northern Westchester*
9 *Examiner*. It stated that, and I quote, several
10 residents who live in the Jacobs Hill affordable
11 senior apartments complex near the property where
12 the hotel would be situated spoke out against the
13 proposal, end quote. Everyone that spoke at the
14 June 6th planning board meeting referenced in
15 that article, including myself, do not reside in
16 that affordable senior apartment complex which is
17 way up Jacobs Hill Road. Each of us that spoke
18 that evening are owners of the 58 fair market
19 value condominiums in buildings one and two at
20 Woodcrest at Jacobs Hill. Our condominium
21 buildings are in very, very close proximity to
22 the hotel that is being proposed. Hence, this is
23 why we have been present at the meetings and
24 wanting our voices heard.

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2 I'm reiterating to all of you some very
3 strong concerns. This will be a Route 6 traffic
4 nightmare, especially coupled with the soon to
5 open mega gas station right across the road. Mr.
6 Baker pointed out when he spoke at the June 6th
7 meeting, that he counted 16 sets of traffic
8 signals, some operational, some not, when exiting
9 the Bare Mountain Parkway on to Route 6 across
10 from the gas station. I took, took the time to
11 count them myself recently. Sure thing, 16
12 traffic signals. The traffic will further impede
13 the timing and ease of entry and egress to Jacobs
14 Hill Road, which as you've heard time and again,
15 it's one way in and one way out.

16 What is sure to be a noise issue cannot
17 be ignored. What are the plans for noise
18 abatement should that -- that should be well in
19 place while in advance?

20 Most importantly, the question remains
21 regarding sufficient water pressure to the very
22 top of Jacobs Hill Road in the event of fire. I
23 don't think this is being taken seriously enough.
24 Has the town of Cortlandt ascertained that there

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2 is sufficient pressure at the present time, if
3 needed? Is regularly scheduled hydrant flushing
4 and testing being done?

5 And once again, we have to ask the
6 question, what attractions, seriously, what
7 attractions would make this a positive welcome
8 addition to this area? If this proposed hotel
9 were to be approved to move forward, could it
10 possibly be repurposed into other types of
11 housing in the event doesn't generate the
12 occupancy and revenue that the developer is
13 relying on?

14 This is not the appropriate location for
15 the building of a hotel. Please consider that I
16 come before you here tonight on behalf of the
17 homeowners, on behalf of the homeowners,
18 homeowners, and yes, taxpayers in the town of
19 Cortland, not as renters of affordable senior
20 apartments.

21 This proposed hotel would diminish the
22 real estate value of our homes. Surely you would
23 be opposed to such a construction if it were on
24 your road and close in proximity to your home.

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2 Thank you for the opportunity to address the
3 board this evening. [applause]

4 MR. KESSLER: Anybody else from the
5 public wish to Comment? Good, go ahead.

6 MR. MICHAEL MARKS: My name is Michael
7 Marks, 2102 Jacobs Hill Road. I recently moved
8 there, so I'm just getting up to speed on the
9 project. My questions are as follows. Do we have
10 a full, full environmental impact statement?

11 MR. MICHAEL CUNNINGHAM: No, It's --

12 MR. MARKS: And the question is, why
13 not?

14 MR. KESSLER: It was determined that one
15 was not needed.

16 MR. MARKS: And how is that determined?

17 MR. KESSLER: By Staff review and
18 consultant review of the property and the, the
19 impacts? I mean, we did do traffic studies. We
20 did do -- help me out. Chris, what other things
21 have we done?

22 MR. KEHOE: Traffic study, tree
23 inventory, wetland inventory, and visual
24 representations, referral to the Architectural

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2 Review Council, referral to the DOT.

3 MR. KESSLER: It's not, it's not an
4 environmentally sensitive area, except for the
5 wetlands down below.

6 MR. MARKS: I understand. So the, the
7 traffic study, did it include all of the other
8 projects --

9 MR. KESSLER: Yes, it did.

10 MR. MARKS: -- already approved?

11 MR. KESSLER: It, it, it includes all
12 the projects that exist and it, it builds in
13 anticipated traffic for future developments. And
14 we also compared the traffic studies to others
15 that were done for like with Parkland Gas --

16 MR. KEHOE: Gasland and Sinclair.

17 MR. KESSLER: Gasland, thank you,
18 Gasland.

19 MR. MARKS: And, And how far out was
20 that traffic study done on 6, for instance?

21 MR. KESSLER: We, we had, we had the
22 whole traffic study, presented at the last
23 meeting. You mean how many intersections? They
24 probably went down to --

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2 MR. MARKS: No, no. Out on 6, both east
3 and west, how far out did it go? What street
4 intersections?

5 MR. KESSLER: I don't recall, but I
6 would imagine it went down towards Burger King
7 and probably down towards the town center.

8 MR. MARKS: That's it?

9 MR. KEHOE: Well --

10 MR. MARKS: That's, that's Peekskill.

11 MR. KESSLER: And, and then also north
12 south as well.

13 MR. MARKS: Right. And on this north and
14 south ends, that went down to 202 and --

15 MR. KESSLER: I, I, we'd have to find
16 the traffic study and see.

17 MR. CUNNINGHAM: The applicant's
18 engineers can present on that too, since there
19 was a, a formal presentation last meeting. But we
20 also have some engineers who are here on behalf
21 of the applicant, so they can answer your
22 questions as well.

23 MR. MARKS: I'm sorry, I didn't hear
24 that.

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2 MR. CUNNINGHAM: We -- there are some
3 people from the engineering team of the applicant
4 here, so they can answer those questions
5 specifically about what they studied.

6 MR. KESSLER: Yeah, I, I, I have it
7 here. The traffic study included the following
8 five intersections, 6 and Jacobs Hill Road, 6 and
9 and Bear Mountain Parkway eastbound ramps and the
10 approved Gasland access, Route 6 at Bear Mountain
11 Parkway westbound ramps and approved Palisades
12 access, another gas station there; Jacob Jacobs
13 Hill Road and South Plaza Access, and Jacobs Hill
14 Road and North Plaza access.

15 MR. MARKS: That seems rather limiting
16 to me. With all the flow on Route 6 now, I
17 suspect you're going to find diversions over
18 Oregon Road as a result of the overflow that I
19 project of traffic on 6, I project.

20 MR. KESSLER: Well, yeah, but we had our
21 experts project that and they did not see any
22 deterioration in service on 6. And keep in mind
23 also that there is a major change taking place on
24 Route 6 in terms of the adaptive traffic lights

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2 so that they'll all be now timed so that they
3 monitor the traffic and, and, fire up, if you
4 will, to keep the traffic moving. So, and so that
5 goes all the way from Peekskill border all the
6 way down past the Cortland Town Center. All those
7 traffic lights are now going to be adaptive
8 traffic lights.

9 MR. MARKS: I understand what understand
10 I, I've seen many times where DOT changes the
11 lighting and it's staggered. So it can see a lot
12 of problems if they change it.

13 MR. KESSLER: Yeah, but this is
14 adaptive. I think that this isn't just setting
15 the timing on the lights. This is actually
16 monitoring the traffic.

17 MR. MARKS: Okay.

18 MR. KESSLER: And setting the timing on
19 the lights.

20 MR. MARKS: Have you considered a
21 separate road off Bear Mountain Parkway into the
22 hotel?

23 MR. KESSLER: We have not. You know, it
24 is not -- it is, it is state property. It would

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2 take relief off 6.

3 MR. KESSLER: I, I understand, but it's
4 state property.

5 MR. KEHOE: That, that would have to be
6 addressed by the applicant. I, I spoke with you
7 today.

8 MR. MARKS: Yeah.

9 MR. KEHOE: And that, that is a question
10 and I, I'm not sure. I mean, we can't really
11 answer, but it would be I'm not sure you can get
12 another access off of the Parkway, but that would
13 be DOT's call.

14 MR. MARKS: Well, even if you ran it
15 where they're currently doing the project on the
16 exit, even if you had a sign right off there
17 feeding into the hotel, it would take some relief
18 off 6.

19 MR. KEHOE: Meaning you're coming
20 eastbound off of the Bear Mountain Parkway on
21 that ramp?

22 MR. MARKS: Correct.

23 MR. KESSLER: But there's a right turn
24 lane there now, or is is that --

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2 MR. MARKS: That's right. So if you had
3 a feed off right from that point right into the
4 hotel, it would make sense.

5 MR. KESSLER: But you make the right
6 turn and you turn right into -- to --

7 MR. MARKS: You got the idea, the sign
8 is going to say immediately first right, hotel.

9 MR. KESSLER: Oh, coming off of 6 and
10 make the first right? Is that what you're saying?

11 MR. MARKS: Yeah, as you come off the
12 exit, there's going to be a sign to say, go, go
13 immediately into the hotel on the first right.

14 MR. BIANCHI: I think the applicant
15 would've to answer that. There's topographic
16 issues with that --

17 MR. KEHOE: Well, but I, I guess the
18 question is, are you saying that you would
19 actually get on Route 6 and then take your first
20 right into the hotel?

21 MR. MARKS: Not Route 6, Bear Mountain.

22 MR. KEHOE: Okay. Well, that's
23 different. To Mr. Bianchi's point, the hotel is
24 going to be significantly higher than Route 6. So

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2 topographically, that connection wouldn't work.

3 MR. MARKS: I don't see why not. It's
4 right at the same level.

5 MR. KESSLER: Once they're done
6 constructing it, it's --

7 MR. KESSLER: Oh, you, you want another
8 entrance going over the wetland? At the bottom
9 at, at --

10 MR. MARKS: At the exit, at the exit.

11 MR. KESSLER: So as soon as you, soon as
12 you get off onto 6, you'd turn right in?

13 MR. MARKS: Not 6, talking about route -
14 - off --

15 MR. KESSLER: Bear Mountain.

16 MR. MARKS: -- the Bear Mountain
17 Parkway.

18 MR. KESSLER: Oh, never making --

19 MR. STEINMETZ: Before you get to 6.

20 MR. MARKS: Before you get to 6, an
21 immediate right off the -- as you go into the
22 exit.

23 MR. STEINMETZ: Brad can speak to it,
24 Mr. Chairman, when he's done.

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2 MR. KESSLER: Sure, sure. Okay.

3 MR. MARKS: Say again.

4 MR. KESSLER: Let the applicant address
5 that when you're done.

6 MR. MARKS: Fair enough. Now on the exit
7 is, it's currently planned to go into Jacobs Hill
8 Road, correct?

9 MR. KESSLER: Yes.

10 MR. MARKS: Is there not feasibility of
11 having a road below, just before that on 6,
12 feeding into 6 alone?

13 MR. KESSLER: Well, again, we'll have
14 them address that, but I think there's a wetland
15 there that, that creates issues.

16 MR. MARKS: All right. Have you already
17 looked at the impact on an Annsville hotel that I
18 understand is in the prospect of being
19 introduced?

20 MR. CUNNINGHAM: The Annsville potential
21 hotel is much more speculative. There isn't even
22 sewer capacity there at this point.

23 MR. MARKS: And there won't be any
24 relationship to Marriott in any way?

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2 MR. CUNNINGHAM: Not that I've heard.

3 MR. MARKS: Okay. How about the
4 overflow? I don't, I don't know how else to
5 define it, but what they call, what you would
6 call banking space for parking. That banking
7 space, is there enough when there's a huge
8 conference in the hotel?

9 MR. KESSLER: We'll have, we'll have
10 them address that.

11 MR. MARKS: I mean, I don't know what
12 the factor is, but there has to be one.

13 MR. KESSLER: There's a parking
14 requirement for a hotel and they meet the parking
15 requirements for a hotel. I mean that's the best
16 I can say.

17 MR. MARKS: We're talking about a
18 conference as well, so.

19 MR. KESSLER: But the requirement takes
20 into account, I think all aspects enough of --

21 MR. MARKS: Okay. Fair enough.

22 MR. KESSLER: -- events.

23 MR. MARKS: I think -- I'm not finished,
24 but I do believe that further public dis- --

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2 MR. KESSLER: By the way, I don't think
3 they have like a ballroom to do conferences and
4 things. That's not proposed at this hotel, you
5 know.

6 MR. MARKS: So, so it's just going to be
7 meetings?

8 MR. KESSLER: It's just going to be
9 rooms and a small restaurant is my understanding.

10 MR. MARKS: Fair enough.

11 MR. KEHOE: There, there, there may be a
12 conference room or two, but --

13 MR. KOBASA: Not a trade show.

14 MR. KEHOE: Yes.

15 MR. MARKS: I, I do believe though, that
16 with all of these questions arising, that we
17 should have further discourse, further public
18 discourse beyond this, despite Mr. Steinman's,
19 request. What sound levels have we introduced?
20 do we have in the studies, sound levels,
21 decibels?

22 MR. KEHOE: Just, just typically you
23 would ask the questions. It, it, it's not a back
24 and forth with the board. You would state your

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2 concerns and questions and the applicant would
3 have to answer them. The board doesn't have to
4 answer the questions, then --

5 MR. MARKS: Then let's --

6 MR. KEHOE: -- you should put them on
7 the record and then the applicant would --

8 MR. KESSLER: They're taking notes.

9 MR. STEINMETZ: Yes.

10 MR. MARKS: Alright.

11 MR. KESSLER: Are you taking notes?

12 MR. MARKS: I, I'm also concerned about
13 the time of deliveries of the jack hammers in
14 the, from the construction crew, what time they
15 go in, etc. Maybe that can be suggested as well
16 by the applicant. Have you considered a mini
17 master plan in view of all these projects that
18 are going in?

19 MR. CUNNINGHAM: Well, the town adopted
20 a master plan in 2016.

21 MR. MARKS: You're staying with that and
22 no, no other master plan?

23 MR. KEHOE: Well, the master plan in
24 2016, specifically directed development to the

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2 Route 6 corridor, given the fact that it has the
3 utilities, the infrastructure, the wide highway.
4 So this, this plan is in conformance with the
5 master plan. Now, one thing that the town has
6 done is given the preponderance of gas stations,
7 they have changed the code to permit no more gas
8 stations on Route 6. You know, one could argue
9 that's after the horse is out of the barn, but
10 the, you know, they did take into account all of
11 the gas stations and change the code to not
12 permit additional ones. But the master plan has
13 four areas where they, the town board, in 2016
14 wanted to direct development Annsville, the
15 waterfront, the Medical district, and Cortlandt
16 Boulevard, Route 6.

17 MR. MARKS: Thank you, Chris. The, the
18 five story feature, I thought it was -- the
19 applicant suggested it was four stories. I
20 thought it was five stories. Are we including the
21 basement as well?

22 MR. KESSLER: It, it, It's been
23 determined it's five story.

24 MR. MARKS: Oh, okay. Now Ace Sports

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2 Realty, they -- I heard originally the project
3 was introduced by Ace Sports Realty. Now I hear
4 it's Ahmad. What, what is the, is there a
5 different owner?

6 MR. CUNNINGHAM: The, the medical
7 oriented district, the MOD is on 202.

8 MR. MARKS: I'm sorry?

9 MR. CUNNINGHAM: The Medical oriented
10 district, did you say the mod?

11 MR. MARKS: A-H-M-A-D. That's what I

12 MR. CUNNINGHAM: Oh, oh, Ahmad. Sorry.

13 MR. MARKS: What is --

14 MR. CUNNINGHAM: I believe he's the
15 contract vendee and Ace Sports Realty is the
16 actual owner.

17 MR. MARKS: But only one can introduce
18 it.

19 MR. KEHOE: Well, ACE Sport Realty owns
20 the property and Mr. Ahmad is under contract to
21 purchase it from ACE Sport Realty.

22 MR. MARKS: So you're taking in
23 executory contracts as part of the, of the -- of
24 the project?

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2 MR. KEHOE: Well, the, the attorney can
3 address that.

4 MR. CUNNINGHAM: What do you mean by
5 that?

6 MR. MARKS: Executory means it hasn't
7 been in, it hasn't been perfected.

8 MR. CUNNINGHAM: Well, there, I think
9 there could be a valid contract. It would just be
10 the money being paid and actual owner should be
11 contingent upon some event. I, I think it's a --
12 I understand it to be a perfectly valid contract.

13 MR. MARKS: Stipulated agreement. Okay,
14 I understand. Now, is there a Mr. Cunningham on
15 the board?

16 MR. KESSLER: No.

17 MR. CUNNINGHAM: I'm not on the board.
18 I'm, I'm here.

19 MR. KESSLER: He's our counsel. He's our
20 attorney.

21 MR. CUNNINGHAM: I'm, I'm the lawyer.

22 MR. MARKS: Alright. Does he vote in
23 these matters? Not at all? Thank you. Oh, you
24 also, you have a hotel tax that was introduced by

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2 the town council already to the state, almost
3 suggesting and perhaps even exerting some
4 pressure on you people to approve it. Why would
5 that have happened?

6 MR. KESSLER: I, I don't, I don't think
7 it's a town board issue. We have nothing to do
8 with that.

9 MR. MARKS: Well, why would they
10 introduce a hotel tax request?

11 MR. KESSLER: You telling me that is the
12 first time I've heard that. The town board makes
13 their decisions, the planning board deals in
14 different perspective.

15 MR. MARKS: I thank you very much.

16 MR. KESSLER: Thank You.

17 MR. MARKS: Yeah.

18 MR. KESSLER: Anybody, before we have
19 those items addressed, anybody else? [applause]

20 MR. KESSLER: Yeah, sure, come on up
21 sir.

22 MR. ROBERT MOON: Okay. My name is
23 Robert Moon. I live at 1107 Jacobs Hill. Can you
24 turn the microphone down a little bit? There you

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2 go. I live at 1107 Jacobs Hill Road in Woodcrest.
3 And I am an owner. I, now that we know it's five
4 stories, not four, was a variance needed to build
5 that because I'm a newly owner there.

6 MR. KESSLER: The variance was done by
7 the zoning board.

8 MR. MOON: I'm just asking, was a
9 variance needed for that?

10 MR. CUNNINGHAM: A variance is needed.
11 It has not been granted yet.

12 MR. MOON: Okay. I'm just asking.

13 MR. CUNNINGHAM: Sure. No, No, no. I
14 know. And I'm just explaining.

15 MR. MOON: I'm newly here.

16 MR. CUNNINGHAM: That's a separate board
17 from this board.

18 MR. MOON: Have you considered anything
19 about the entrance on Jacobs Hill from Route 6?
20 Because in the past three or four months, the way
21 that entrance is with that little island and the
22 trees, nobody can see which way to go. I've been
23 hit almost three times by people coming up the
24 wrong way.

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2 MR. KESSLER: Excellent point. We --

3 MR. MOON: And with increased traffic, I
4 think it's going to get worse if that's the only
5 way you can get in and out. We have trucks there
6 and everything.

7 MR. KESSLER: We have the same concern,
8 We have the same concern, as part of our
9 reviewing the application was for the applicant
10 to, to do something with that so that it's, it's,
11 it's, it's more flared.

12 MR. MOON: It's also dark at night. You
13 can't see, you know, when you're making the turn
14 also.

15 MR. KESSLER: That would, that would be
16 a DOT issue though. lighting on --

17 MR. KEHOE: Yes.

18 MR. MOON: I'm just saying with all the
19 increased traffic coming up the road. And that's
20 going to be the only way in and out for anything
21 coming into the hotel.

22 MR. KESSLER: Yeah.

23 MR. MOON: Okay. And since I've been in
24 the fire service forever, is there room around

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2 the whole building for apparatus to get around
3 the whole building adequately? Because I've seen
4 in the past, in my previous town, I was on the
5 board and they only had a six foot drive around.
6 We couldn't fit a ladder back there. So you're at
7 a lost or fire service and we wouldn't sign off
8 on that matter. And, I'd just like to end with,
9 since all the plans you asked are not presented
10 here, how can we close the session tonight if you
11 don't have the plans? What else we're doing with
12 the planting and this and that, that the
13 developer wants to do?

14 MR. KESSLER: We, we do have the
15 landscape plan. I thought he just said, he's
16 going to have to provide some plans for
17 something.

18 MR. KEHOE: The, the, the new elevation
19 closest to the Bear Mountain Parkway.

20 MR. KESSLER: Right. Just have the
21 building -- one aspect of the building, how it's
22 going to look. That that's the only piece we're
23 missing.

24 MR. MOON: But before closing, just to

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2 make sure that everything is within standards.

3 MR. MOON: Thank you.

4 MR. KESSLER: And, as to your other
5 question, we refer all applications to the fire
6 department for them to review the site plan to
7 make sure that the apparatus can safely maneuver
8 around the building.

9 MR. MOON: I'm just, just asking, that's
10 all.

11 MR. KESSLER: No, I'm just saying. But
12 no, it's a good point. And all I'm saying is that
13 we have, you know, the fire department look at
14 that to make sure that they're comfortable with
15 design.

16 MR. MOON: Okay. Thank you.

17 MR. KESSLER: Thank you.

18 Ms. COLEEN SIDORIK: Hi, my name is
19 Colleen Sidorik. I am a homeowner. I live at 1107
20 Jacobs Hill Road, Woodcrest. I just want to say I
21 am not a retiree living in affordable housing. I
22 am very much an active working nurse, okay. I
23 love my home. One of the things that attracted me
24 to Jacobs Hill was the quietness, the property,

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2 the landscaping, the trees. It, it was a plus
3 that you could live up there and in two minutes,
4 be down to Route 6, get to all your shopping,
5 and, and you, you never even realized how close
6 you were to all the mayhem. I want to reiterate
7 everything that was said here tonight, I can say
8 my concerns all over again. But you've heard it
9 before. You've heard it multiple times before,
10 the noise, the air quality, the congestion, the
11 water pressure. I can foresee when they exit out
12 of the hotel, instead of making a left, going up
13 the hill and landing in -- on our property. Now
14 there are two signs. They're very small and
15 they're on the left hand side when you go up
16 Jacob's Hill. You have to literally stop the car
17 to read them. But it says private residence, you
18 know, whatever, whatever. They, they don't work.
19 They're not a deterrent.

20 Case in point Saturday, we had a couple
21 on motorcycles go up Jacob's Hill, park in our
22 parking lot, to which, where a fight ensued
23 between the two of them, where the male kicked
24 the female's helmet and then slapped her, okay.

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2 They left before we could call the police, but
3 this is what we saw Saturday, all right. We fear
4 that traffic coming out of the hotel is going to
5 end up going up the hill, not out, not down the
6 other way.

7 So I think to Mr. Mark's point about an
8 entrance, not up Jacobs Hill Road, that entrance
9 and exit would certainly be in good order if that
10 is possible to be done. The second thing, if
11 there's any way to put larger signs, you know,
12 when you come to a stop sign, it's clear, stop
13 means stop. You see it, there's no, no
14 questioning it. You know, you need to not go
15 further, if somebody can just maybe think about
16 what we could do about those signs. But I, I,
17 again, to Mr. Mark's point, I really think that
18 entrance -- I think that's what's bothering a lot
19 of us too, is the entrance. Am I correct? Do I
20 have my -- yeah, that's a big part of what's
21 bothering most of us and I, I think that would be
22 helpful.

23 How far up does it go? Now, King Buffet,
24 I can't really see that too well up there. Is it

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2 parallel to King Buffet or is it, how much
3 further up? Can anybody tell me that? I can't
4 really see that far.

5 MR. KEHOE: Well, this parking lot here
6 is ac is parallel with the upper parking lot of
7 Jacobs Hill. So this is the upper parking lot of
8 the medical buildings, the MRI.

9 MS. SIDORIK: Okay,

10 MR. KEHOE: So it doesn't go any higher
11 --

12 MS. SIDORIK: -- And where will that
13 hotel be?

14 MR. KEHOE: Well the hotel is down here
15 closer to Route 6.

16 MS. SIDORIK: Okay.

17 MR. KEHOE: This is the parking. So, and
18 this would be a retaining wall. So this wall is
19 pretty much equal to the back wall of the upper
20 parking lot of the Pikes Plaza Medical Building.

21 MR. KESSLER: Chris, you want to move it
22 up a little and just show where Route 6 is there?
23 There you go.

24 MR. KEHOE: So here's Route 6. So then

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2 when you go up Jacob's Hill, I believe that is
3 the turn into King Buffet, the lower level. This
4 is the turn into sort of the upper level, or you
5 would, you could come down here and I think this
6 is where the Domino's Pizza is down here. So it -
7 -

8 MR. KESSLER: Just point out the hotel
9 entrance there.

10 MR. KEHOE: Oh, sorry.

11 MR. STEINMETZ: It's directly across.

12 MR. KESSLER: Directly across, right.

13 MS. SIDORIK: Alright. So, okay.

14 MR. KESSLER: There you go.

15 MS. SIDORIK: But there's still going to
16 be the noise issues. And I guarantee you we're
17 going to have a lot of through traffic up there.
18 I don't know how you're going to get around that
19 other than to put the entrance more, you know,
20 like off Route 6. So again, just to reiterate, we
21 love our home. We worked very hard, just like you
22 do you love your home, okay. You like the peace
23 and quiet that your home provides you, right. We
24 pay taxes. We work hard. I, I am very happy

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2 living at Woodcrest and I want to keep what I had
3 when I first moved in there. Do I have support?
4 [applause]

5 UNIDENTIFIED FEMALE: Yes. Yes.

6 MS. SIDORIK: Thank you all for your
7 time.

8 MR. KESSLER: Thank you. Sure.

9 MS. KAREN VOGEL: Hi, I'm Karen Vogel. I
10 live on Floral Road, which is directly across the
11 Bear Mountain from this development. My concern
12 is drainage for one. When they built Jacob Hill,
13 we were residents here. And while I'm sure there
14 were lots of plans for drainage, I welcome
15 anybody here to come to Floral Road on a rainy
16 day. There is a river that runs down our street.
17 In the summer, in the spring, not a big deal.
18 When it's frozen, the bus has almost crashed
19 several times coming up, because I don't know if
20 anybody's familiar with Floral Road. It's a J
21 shape. So you get to the top of that hill where
22 the water is draining, slick ice. So I welcome
23 anybody to come to Floral Road. I live at 15,
24 knock on the door. I'm there. It is a solid sheet

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2 of ice anytime it rains and in the winter.

3 MR. KESSLER: So you said it's across
4 the Bear Mountain?

5 MS. VOGEL: Right across Bear Mountain.
6 It's, you know, as soon as they started building,
7 tearing down the, the trees that were there to
8 build Jacob Hill, it immediately started. And it
9 has been like that for 20 years. We've been here
10 20, 23 years. Okay. So I welcome anybody to come.
11 I, I'm sure that they thought that they addressed
12 drainage when they built Jacob Hill. And I'm sure
13 you think you're, you know, dealing with it for
14 this project. But I guarantee you it's going to
15 add water to my backyard. Okay. So that's one
16 thing.

17 There are many accidents at that gas
18 station, right at the, at the overpass, right at
19 Route 6, where Bear Mountain crosses Route 6. I,
20 I think probably 15 to 20, at least two or three
21 deaths since we've moved here. I can't imagine
22 adding more traffic is going to help that
23 situation. The visibility getting off coming east
24 on Bear Mountain to make that left to go to this

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2 hotel is very difficult. I'm sure everybody here
3 is aware of that. That's, that has to be
4 addressed. The lights that are going to be on
5 this, I'd like to know where the signage for this
6 hotel is going to be. Are they going to be
7 shining right into my back window? My bedroom's
8 in the back of the house. So I'd really like to
9 know if I'm going to be seeing, you know, hotel
10 signs in my, in my window.

11 So those are the things I'd like to hear
12 being addressed. Drainage, please come visit
13 Floral Road, because I -- right now I can tell
14 you there's a little river that's running down
15 it. Signage, lights and accidents at that, that
16 intersection, I'd like to hear it resolved. Thank
17 you. [applause]

18 MR. KESSLER: Thank You.

19 MR. BOB BAKER: Good evening. My name is
20 Bob Baker, 1310 Jacobs Hill Road. I think the
21 young lady who just spoke did a very good job
22 with, with the traffic. I, previously to living
23 at Jacobs Hill, we lived on Jerome Drive. We've
24 lived there for over 50 years, right along Route

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2 6. I've been to multiple planning board meetings
3 where they've explained how they're going to
4 address the traffic. None of them have ever come
5 true. The traffic is worse no matter what. I
6 don't care what your adaptive traffic lights can
7 do. When the traffic gets backed up from Locust
8 Avenue to Conklin Avenue, you come down Jacobs
9 Hill, you cannot make a left turn. No smart
10 traffic light is going to solve that problem.

11 My other issue here this evening is
12 security. What kind of security is, you know,
13 like is this hotel going to give? There are
14 certain crimes that come along with that are
15 associated with hotels, particularly car theft
16 and car parts. You know, like is there anything
17 that's going to be done to, you know, to address
18 that issue? Do we know what the security is going
19 to be?

20 MR. KESSLER: Well, we'll have, we'll
21 have, once you're done, we'll have the applicant
22 address many of these issues.

23 MR. BAKER: Okay. I just like, yeah, I
24 would like to hear what their --

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2 MR. KESSLER: Alright, once we hear from
3 everybody, we'll have the applicant --

4 MR. BAKER: -- security plan is.

5 MR. KESSLER: Sure.

6 MR. BAKER: Thanks. [applause]

7 MR. KESSLER: Thank you.

8 MS.: Hi. I'm a 50-year resident of
9 Durrin Avenue, 34 Durrin. So I'm a further a
10 neighbor of these people. But I'm, I question the
11 need for a hotel in general, because there is a
12 hotel on Louisa Street. The Abbey is, you know,
13 right above where Dr. McGurdy lives or used to
14 live. And also that proposed hotel on
15 [unintelligible] [00:48:39]. I can tell you
16 they're not taking reside reservations because
17 they're convinced they're going to be a hotel, if
18 you eat there locally as a, you know, a resident.

19 I'm also concerned about the traffic. I
20 live off of Oregon Road and I can tell you the
21 traffic diverted from Route 6 impacts me getting
22 out of my street and getting into my street at
23 night because the light on Locust and Durrin and
24 it's backed up from the nursing home. People

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2 can't always make that turn. I can't get into my
3 street at times and getting out is a problem. So
4 in truth, I would look at further diversions. I
5 mean, the five intersections you looked at may
6 not be enough.

7 Also, I would just throw this out as a
8 thought. All the lovely sidewalks that are being
9 built, this is now going to create pedestrian
10 traffic. Have you ever seen a poor person trying
11 to cross Route 6 currently? So can you imagine if
12 there really is pedestrian traffic, what the
13 delays will be for the traffic there waiting for
14 people to cross the road?

15 Also I just would ask in that traffic
16 study, if you considered the effect of sun glare
17 going west, especially, you know, in the
18 evenings, because you really can't see. The, the
19 sun is just horrific. So that would definitely
20 slow people down as well. And just a thought, but
21 should this project not be a success, you know,
22 there are other hotels. We, you know, Courtland
23 already has a number of vacant buildings and
24 vacant spaces. What are the contingent plans?

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2 What would happen to a vacant five story 93-room
3 structure in, in the area?

4 And in truth, this is no reflection on
5 all the kind and dedicated people who serve on
6 the board. But I know there were retirements and
7 there were new appointments to the planning
8 board. And I question if anybody was appointed
9 from the Northeast quadrant because we're the
10 ones who live with this traffic on a daily basis.
11 And we are the ones who have to deal with the
12 possible overbuild in the area. And it affects
13 our quality of life. And the reason we moved up
14 here, which is the beautiful open space and the,
15 and the loveliness of the area. So we realize
16 things have to change, but it does seem that this
17 is the quadrant that takes much of the -- much
18 of, you know, this is where they're putting
19 everything and the, the roads just can't support
20 the traffic. And, you know, people moved here
21 because they love this place. So I respectfully
22 submit my comments and I thank you.

23 MR. KESSLER: Thank You. [applause]

24 MS. MICHELE MAZERES: Michele Mazereres, I

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2 live at 1208 Jacobs Hill Road, Woodcrest. And I

3 just would like to say to the planning board that

4 I realize that people have land and they have the

5 right to develop it as the town has codes. Now,

6 if the town has a code that you're not supposed

7 to have a five-story building, I don't understand

8 why you're giving, you know, maybe it's not

9 you're -- you're the planning board. Maybe it's

10 the, the other board that gave the go-ahead to

11 have the five-story building. I don't think there

12 should be a five-story building. Let the hotel

13 build within the codes of the town. I don't see

14 why we're bending. The town is bending over

15 backwards to get this hotel in that piece of

16 land. There's other pieces of land if Marriott

17 needs to have a hotel here so desperately that

18 might accommodate it better than this particular

19 piece of land where it's squeezed in, where you

20 only have one place to exit on Jacobs Hill Road

21 with a lot of senior citizens coming down that

22 road. You have to make a left turn on a road

23 that's really not built for having all of that

24 traffic on it.

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2 And the other thing is also the
3 drainage. The drainage, yes, you're building
4 parking lots in a hotel practically on that whole
5 piece of land. And where is the drainage going?
6 There's never going to be enough drainage so that
7 those people don't have more problems than
8 they're already having. And that's all I want to
9 say. [applause]

10 MR. KESSLER: Thank you. Anybody else
11 wish to talk? Sure.

12 MR. MARKS: I missed one question --

13 MR. KESSLER: Sure.

14 MR. MARKS: -- I'd like to ask. What
15 assurances do you have if approved, that these
16 premises will not be used to house illegal
17 aliens? Do you have any?

18 MR. KESSLER: No.

19 MR. MARKS: All right. I suggest that
20 your consideration in the resolution when you
21 finally come up with it, recognize that that
22 illegal aliens are not intended to be in this
23 hotel. So that's a legal, term illegal, as
24 opposed to non-citizens. [applause]

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2 MR. KESSLER: Anybody else?

3 MS. TONY MCELROY: Hi, my name is Tony
4 Mcelroy and I live in the town of Cortland on Old
5 Oregon Road. I have been here for over 50 years.
6 I have seen progress going forward. I've seen
7 everything going back, where stores are closing.
8 The JV Mall has been bankruptcy. I want to know,
9 I'm coming late to this because of the death of
10 my family. You decided on 93 rooms. Are we going
11 to become a tourist attraction all of a sudden? I
12 mean, there's something going on that I'm not
13 aware of? Why do we need 93 rooms? For who?
14 People are not even getting married anymore.
15 They're eloping, they're just living together.
16 What, why do we warrant a 93-room hotel off Route
17 6? Is there a reason that I'm not aware of? I
18 mean, I'd love it if it became a tourist
19 attraction because we'd have more business and
20 more beautiful things would be happening, but
21 they're not.

22 What about, have you considered all the
23 trucks that are going to be on Route 6, together
24 with us driving on Route 6, to deliver your

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2 linens, to deliver your food, to deliver your
3 alcohol? What is that going to mean for us on
4 Route 6? I will not go on Route 6 on the weekend.
5 I will not do it. I think it's I'm taking my life
6 in my hands. Put that on top of it. I won't be
7 even able to go out during the week.

8 And I do feel bad for people with
9 drainage. I've seen what's happened on Trolley
10 Road because they didn't do proper drainage.
11 People are suffering, and you can't add more to
12 people's sufferings. It's just not right. And you
13 need to fight for us. You really do need to fight
14 for us. [applause]

15 MR. KESSLER: Thank you. Anybody else
16 wish to speak? If not, David, you want to start
17 addressing some of the issues that were raised?

18 MR. STEINMETZ: Sure. So I'm going to
19 try to address Mr. Chairman and members of the
20 board the issues that, that seem to be salient
21 here and you can certainly ask me to go backwards
22 and hit others. As far as the traffic, several
23 people hit the traffic issue and it's, it's very
24 important and we, we acknowledge that. I think we

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2 of us who have been involved in this from the
3 inception, which is even before an application
4 was filed, knew how important it was to deal with
5 the traffic analysis.

6 The starting point clearly was the
7 rather extensive traffic analysis that the town,
8 the board and staff and outside consultants dealt
9 with, with regard to the gas station. And I
10 appreciate Mr. Chairman, you are referencing the
11 rather substantial adaptive traffic mechanisms
12 that are being implemented and the computer
13 programming that we all learned about on that
14 application.

15 In addition, I also appreciate the fact
16 that you or others on the board mentioned the
17 additional turning lanes and intersectional
18 improvements that are being made at the Bear
19 Mountain Parkway.

20 But really most importantly you required
21 and your staff required that our team submit a
22 rather detailed traffic analysis. It did look at
23 accident data. It did look at the -- all of the
24 projects that preceded us. It did analyze the

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2 Gasland improvements and it did talk about the
3 traffic that is generated by a 93-room hotel.
4 This is not Marriott's first hotel, nor is it my
5 client's first hotel. And there's tremendous
6 amount of empirical data of the temporal or time
7 distribution of vehicles coming and going from a
8 hotel. It is not 93 cars coming in the peak hour
9 and 93 cars leaving in the PM peak hour.

10 But most importantly, you hired your own
11 traffic consultant at my client's expense to
12 review our traffic analysis. On December 14,
13 2022, Martin Evans from HVEA, your consultant
14 wrote a letter to your town planner, Chris Kehoe,
15 acknowledged the methodology that we used in our
16 study, the data that we assembled in our study,
17 the intersections that we assembled in our study.
18 And he and they HVEA, your town consultant,
19 signed off on our study.

20 So I am pleased to state for the record
21 that it is to the best of my knowledge, our
22 professionals and your professionals' conclusion
23 that there is no significant adverse
24 environmental impact associated with traffic

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2 associated with the hotel.

3 Existing conditions on Cortlandt
4 Boulevard, no question, a challenged street. It's
5 also clear and we learned, and those of us who
6 were at those meetings, learned from the traffic
7 consultants that the adaptive traffic mechanisms
8 that are going to be implemented are designed to
9 reduce what you're currently experiencing.

10 I also appreciate the comment, and I'm,
11 I don't know which, which, it was, I think it
12 was, if I heard the name correctly, Mr. Moon
13 talked about the traffic island on Jacobs Hill
14 Road. Everyone who was on our site inspection
15 knows we saw the wrong way movement coming off of
16 Route 6. So I, I hope that our neighbors at
17 Jacobs Hill will be pleased that that condition,
18 which was presumably created by either the
19 developer of Pike Plaza or the developer of
20 Jacobs Hill or both, is going to be rectified by
21 my client.

22 So my client is going to be involved in
23 dealing with the landscaping, dealing with the
24 island, and possibly dealing with the

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2 implementation of what we all learned are called
3 cat tracks to stripe the road. And we all know,
4 when I was out there with you walking the side, I
5 said, I hope DOT lets us stripe the road so
6 people do not turn the wrong way into Jacobs Hill
7 Plaza traffic.

8 Noise, this, this site is going to be
9 required to comply with the town's noise
10 ordinance. The town has a very well established
11 noise ordinance. We know that we have to comply
12 with it both in terms of the operation of the
13 hotel, as well as the construction times of day
14 and the construction noise. So this construction
15 site will be no different from any other
16 construction site in the town. We'll be subject
17 to your jurisdiction and your regulation.

18 Water pressure, the engineer, our civil
19 engineers are here, I believe Mr. Chairman, that
20 issue was addressed at the last session of the
21 public hearing. The town's engineer knows the
22 sizes of the pipes and the pressure in the pipes,
23 and we have been through that already as part of
24 our environmental assessment form.

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2 In terms of land banking parking
3 associated with conferences, we wish that were
4 going to be conferences at this hotel. There are
5 not going to be conference. There's a very small
6 conference room that's a lot smaller than the
7 distance from me to your dais there, that would
8 probably accommodate 15, 20 people sitting around
9 a table. This is not a hotel that one would
10 conduct a conference. It is a 93-key off a small
11 highway hotel. That is what it is designed to be.
12 That is what it will be.

13 And I very much appreciate Mr. Kehoe, I
14 think saying that this is actually entirely
15 consistent with Envision Cortlandt. One of the
16 reasons that Marriott and my client were
17 attracted to this site is because your town's
18 master plan, your comprehensive plan, called for
19 something like this on the Route 6 Cortlandt
20 Boulevard corridor. You do not have a high
21 quality hotel, in my client's opinion, in the
22 town. And maybe in fact, this will spur
23 development and commerce in the town so that the
24 shuttered and dark stores elsewhere in the town

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2 will have some degree of vibrancy.

3 The comment about Ace Sports, I think
4 Mr. Cunningham addressed it. But I still, I still
5 want the record to be clear. Even if there's an
6 executory contract, which has not yet closed,
7 there's nothing inappropriate about doing a land
8 use application. In fact, I would say 95 percent
9 of my land use applications, and I've been doing
10 this over 30 years, are all predicated upon
11 development agreements or development contracts
12 that are not yet closed because deals are
13 contingent. So there's nothing unlawful, un-
14 American. It's allowed, we're here lawfully
15 processing the application.

16 Both, I'm proud to say, with the consent
17 of the landowner, Ace Realty -- or Ace Sports,
18 and Mr. Ahmad, the contract vendee. I just wanted
19 the record to be clear. I didn't want anyone to
20 think there was something improper going on
21 between landowner and applicant.

22 As far as the access off of Route 6, I
23 skipped past that. So the way I understood, Mr.
24 Marks' comments, Mr. Chairman he was trying to

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2 promote or, or propose the possibility of a quick
3 right off of the exit ramp coming off the Bear
4 Mountain Parkway into the site. I totally
5 understand why he would say that and the fact
6 that he did. I think he may not fully understand
7 your answer about grading. So there is clearly a
8 grading challenge there. And the irony is your
9 board and your staff has been telling our team to
10 landscape that area as much as possible, not to
11 cut a road in through there.

12 Be that as it may, I believe, and I'm
13 not a traffic consultant, I believe that would
14 create an absolute traffic, serious danger
15 condition on the exit ramp as vehicles are
16 exiting at 60, 50, 45 miles an hour, down to 35
17 miles an hour hopefully, to hang a quick ride.
18 Moreover, and again, most importantly, your
19 traffic consultant has already signed off on our
20 tie-in to Jacobs Hill Road.

21 So we can talk about the off ramp at, at
22 the Bear Mountain Parkway. Not a good idea. We
23 could talk about crossing from Route 6 directly
24 onto the site through a wetland, a DOT easement

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2 area. Those of us that walk the site know that's
3 not something that you want to cut into. It would
4 create an environmental impact associated with
5 that stream that DOT created by constructing
6 Route 6.

7 So we stand by the propriety of a
8 connection to Jacobs Hill Road. Most importantly,
9 you know, your consultants requested that we
10 align the entrance to this hotel directly across
11 from Pike Plaza to form a T-intersection there,
12 so that it would be as safe as it could be, as
13 opposed to possibly putting it at a different
14 location on Jacobs Hill Road.

15 Moving along, fire access. Fire access,
16 we've been through this already. The fire
17 department, the building department, they have
18 all reviewed this. In fact, we spent a great deal
19 of time making sure, because Marriott requires
20 it, a full 360 degree place of access all around
21 this building. In fact, there's a gentleman who's
22 attended every single one of our meetings, but I
23 don't think he's here tonight, who has raised a
24 number of fire access questions and is a former

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2 New York City firefighter and addressed us both
3 publicly and took us in the hallway and asked us
4 privately some questions to make sure it would be
5 safe.

6 There's a comment about closing the
7 hearing before the plan was submitted. I'm going
8 to tell you now what I'm going to say at the end
9 of the meeting and then I'm going to respectfully
10 request that you close the public hearing because
11 this, the second session of the public hearing.
12 This is probably the seventh or eighth time this,
13 this application has been before a board in the
14 town. And if the only thing that you do not have
15 is the picture of the side of the building that
16 shows the fenestration and windows facing the
17 Bare Mountain Parkway, that canon will be
18 something that you will insist upon before you
19 ever possibly vote on a resolution of approval.

20 So to me, we've, I've been through this
21 drill with you enough. You've made it very clear
22 that you need that. I know that ARC needs to sign
23 off on that. That is not a basis under New York
24 State law to refuse to close the public hearing.

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2 A fascinating comment from Ms. Sidorik
3 about vehicles kind of wandering up to Jacobs
4 Hill Road up, up Jacobs Hill Road. I, I didn't
5 realize how difficult it gets up there. I didn't
6 realize how it was developed up there. And it
7 sounds a little dark and maybe less than
8 navigable, but assuming a hotel patron can't
9 safely find their way out of that and come back
10 down the road, I have two simple comments. One,
11 somebody going to the hotel is probably going to
12 know how to leave the hotel, but let's assume
13 they don't know how to leave the hotel. I think
14 it would be great if you would require a
15 condition on your approval that makes it clear as
16 you exit, you must turn left. So exit Route 6,
17 left turn. I leave it to staff to figure out what
18 that signage looks like, but I certainly don't
19 think my client wants its patrons wandering up
20 into Jacobs Hill. So I think adequate signage
21 should cure that situation.

22 Drainage conditions that the woman, I
23 didn't get her last name, from Floral Road is
24 experiencing across the Bear Mountain Parkway,

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2 I, I can only assume that our civil engineers and
3 yours have very carefully drainage. We are not
4 allowed to take our drainage and send it offsite.
5 We have spent a great deal of time, money, and
6 are prepared to spend a lot of money on
7 improvements on site with subsurface drainage
8 features that will handle the drainage associated
9 with our roof, our leaders, and our parking lot.
10 So assuming your engineer and ours did their job
11 correctly, and I have no reason to believe they
12 have not the drainage will be properly addressed.

13 Security, Marriott does not let us
14 announce publicly the security measures that they
15 require implemented at a hotel. They wouldn't be
16 that secure if we announced everything that was
17 being done. Having said that, there is full-time
18 staff, there are full-time folks at the front
19 desk and all I believe I'm authorized to say,
20 because they're on plans, is that there are
21 security cameras installed in and around the
22 building. So Marriott and our client remain quite
23 confident that it and its patrons should not have
24 car break-ins or issues because they're trying to

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2 ensure the safety of this hotel. In addition, and
3 I mean no disrespect to other hotels and other
4 brands, I think the town of Cortland should be
5 really happy that it, it may well get a Courtyard
6 by Marriott, because there are a lot of other
7 brands, and I've heard this from other officials
8 in the town, that the town was hoping this hotel
9 would not be the other brands, that it would be
10 something of this stature.

11 In terms of demand, I mean the last
12 comment that I, that I have here, my client would
13 not be spending tens of millions of dollars,
14 Marriott would not be signing off on franchising
15 and permitting its name on this hotel if, if they
16 all had not done the market analysis and
17 concluded that Cortlandt Boulevard, the town of
18 Cortlandt and this immediate area needs and
19 deserves another hotel even with 93 keys.

20 I can't speak to attractions in the
21 area, though I've seen them in the materials.
22 There are what others believe are tourist
23 attractions in and around the immediate area.
24 There are places to go. There are also businesses

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2 that would probably very much like to have a
3 decent hotel in the area.

4 And as someone who lived in the area for
5 over 20 years and had large gatherings of family,
6 there was never a really good hotel to send
7 family to. You had to send them typically down to
8 Mount Kisco. That predates the Peekskill hotel.
9 So personally I think that's why your Chamber of
10 Commerce has been supportive of this and why your
11 Envision Cortlandt master plan has been
12 supportive.

13 In sum, we are really pleased that this
14 is an as of right application. It's already been
15 concluded by the town that this is zoned
16 appropriately for a hotel. We are really pleased
17 that we processed in front of the zoning board,
18 though we did not yet get a vote, and they
19 understood why we designed the hotel the way they
20 did. And I apologize at the outset. I called it a
21 four-story hotel. I know better. It's four
22 stories on top of a basement, which your building
23 inspector has concluded constitutes a fifth
24 story. Unfortunately, my notes from my first

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2 appearance, which I cut and paste into in my
3 intro, still refer to it as a four-story
4 building. I stand corrected. It is technically
5 under the town's code, a five story building.
6 There are only four stories of rooms. So it's
7 really only a four story hotel with some fitness
8 center stuff below, but it's a five story
9 building. So I apologize for those folks who --

10 MR. KESSLER: David, I I'm glad you
11 addressed pretty much everything, one, one last
12 issue that was raised in terms of lighting.

13 MR. STEINMETZ: Lighting.

14 MR. KESSLER: Lighting?

15 MR. STEINMETZ: Lighting around the site
16 itself?

17 MR. KESSLER: Yes, yes.

18 MR. STEINMETZ: I actually, I believe
19 we've reflected on the plan, the lights that we
20 propose in terms of stanchions or poles and
21 exterior lighting. I'm not the architect, unless
22 Matt or, or Peter, if, if, if you guys are able
23 to address light? Or, or Chris Christian. Is, is
24 he there?

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2 MR. KEHOE: Yes.

3 MR. STEINMETZ: I know that a fair
4 amount of time and energy was spent by our
5 architect to, to lay out the lighting. Chris, is
6 he there?

7 MR. KEHOE: Yeah.

8 MR. KESSLER: Yeah, I just want to be
9 clear to the public what --

10 MR. STEINMETZ: Totally, I think it's a
11 great question. We don't want it too bright, but
12 we certainly want it bright enough to be safe.

13 MR. KESSLER: Right. In terms of the
14 height of the lights and how they face downward.

15 MR. STEINMETZ: Correct.

16 MR. KESSLER: There was the issue about
17 the woman who lives across, you know, is there
18 going to be lights from the hotel?

19 MR. STEINMETZ: I don't think there's
20 any hotel signage. There's no Marriott signage
21 facing back towards Floral. But let Christian
22 address that.

23 MR. CHRISTIAN FREEMAN: Matt, I don't
24 know if you guys want to take it away. I know

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2 that photometric plans require very strictly
3 lighting to not go over the property lines and
4 not be over certain brightness or standards that
5 are followed within the lighting industry.
6 Everything that we show will be compliant. That's
7 pretty much all I have to say.

8 MR. STEINMETZ: Christian, do you know
9 the height of our light poles? And can you at
10 least confirm that they're all down light with no
11 light pollution or light seepage off site?

12 MR. FREEMAN: Yes, so, so since 2010 or
13 so, all light features are now required to be
14 dark sky compliant. That used to be an upgrade,
15 now it's standard. It's standard in the industry.
16 So you don't have light pollution, you don't have
17 lights going up, you don't have lights pointed
18 offsite with a specific glare to them. In terms
19 of that detail, I don't have my hands on that
20 right now.

21 MR. KEHOE: Christian, he mentioned it,
22 but a requirement of approval is a photometric
23 plan.

24 MR. FREEMAN: Exactly.

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2 MR. KEHOE: Which shows that, you know,
3 you'll, you'll see the light, but it won't be
4 bleeding off of the property. You've all seen the
5 photometric plans and they'll have to provide
6 that.

7 MR. STEINMETZ: Christian, one last
8 question, putting you on the spot. Can you
9 confirm that there is no Marriott signage facing
10 the Bear Mountain Parkway through the woods
11 towards Floral?

12 MR. FREEMAN: Yes, I can, correct.

13 MR. STEINMETZ: Thank you. Okay. That's
14 all I've got, Mr. Chairman. I would request
15 respectfully that the board close the public
16 hearing. That does not conclude this process. Um,
17 this is the second session. We've heard the,
18 primarily the same issues this evening that we
19 did at the last session. The public has had a
20 fair and full opportunity to speak and I believe
21 your board is in a position simply to advance the
22 process.

23 MR. KESSLER: Thank you, David. Just let
24 me just, does anybody else want to come back and

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2 make any more comments?

3 MR. KEHOE: Sorry, just one thing for
4 the record. There was a person on Zoom.

5 MR. KESSLER: Oh.

6 MR. KEHOE: But she wrote a comment and
7 I guess I'll state her name for the record.
8 Barbara Halecki. I know Barbara, and she stated a
9 comment, you know, raising the similar concerns
10 that the residents have raised. And we responded
11 to her that her comment will be provided to the
12 board and made part of the record. She didn't
13 really want to necessarily speak, but it's
14 expressing concerns about the project and
15 agreeing with the people that have already
16 spoken.

17 MR. KESSLER: Okay. So before the one,
18 any more, you know, you want to make another
19 comment?

20 MS. Just, I just want to make one
21 comment

22 MR. KESSLER: Come up to the mic. You
23 got to come to the microphone, please.

24 MR. KEHOE: Yeah. They, they tape it.

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2 MR. KESSLER: Yeah, I know. That way you
3 get on TV also.

4 MS. SIDORIK: Okay.

5 MR. KEHOE: You just have to state your
6 name again, sorry.

7 MS. SIDORIK: Carleen Sidorik. Yeah,
8 there's going to be a bar in this hotel, yes. Is
9 there?

10 MR. KESSLER: We'll let --

11 MS. SIDORIK: Is there going to be a bar
12 in this hotel?

13 MR. KESSLER: Ask, ask your questions
14 and then -- why don't you ask your questions and
15 then they'll come back up and answer them.

16 MS. SIDORIK: Okay. My question is this.
17 Because I know all of this traffic issue and the
18 concern of patrons coming up the hill and parking
19 in our lot, we're not so much opposed -- we're
20 not so much concerned about the patrons of the --
21 the guests at the hotel, but it's going to
22 attract a lot of other people who, who has no
23 place else to go. And they just want to go and
24 have a couple of drinks at the Marriott. And

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2 that's a different crowd potentially altogether.
3 I guarantee you we will have issues with that
4 particular crowd. Okay.

5 MR. CUNNINGHAM: Okay.

6 MS. SIDORIK: All right. There's not,
7 not a lot of nightlife in Courtlandt Manor, so,
8 which is attractive to most of us, but people are
9 going to look for a place to go and party and
10 have a few drinks. That's what we're concerned
11 about. Okay.

12 UNIDENTIFIED FEMALE: Good point.

13 MR. KESSLER: Yeah. Yes ma'am. Come up.
14 [applause]

15 MS. LINDA BREMNER: Linda Bremner, I
16 don't know if this is appropriate, but I'd like
17 to ask that you don't adjourn this hearing
18 because I think [unintelligible] [01:16:50]
19 [applause] comment had, had started and then I
20 think the public, is strangely enough, is just
21 getting aware of what's happening. Because the
22 *Examiner* reports on it, does *lohud* report on it?
23 Of course not. So I think more people are finding
24 out about it. And I mean, which is the reason I

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2 came out. And I'm just thinking that perhaps, you
3 know, this summer everybody's on vacation, that
4 if you wait until September and, and hear and
5 hear what other, you know, people may want to
6 come back up.

7 And, and also I respect what the
8 Marriott representative has to say about the
9 traffic studies and everything else. Well, guess
10 what? People make mistakes. Perhaps you need to
11 look at it again, because we are the ones who are
12 going to suffer. And we live here. I mean, you
13 live here and, and the Northeast quadrant is
14 beaten to death. And that's where this is
15 happening. And thank you again. And I don't know
16 if it was appropriate, but I've said it.
17 [applause]

18 MR. KESSLER: So in terms of the signage
19 was put up advertising the public hearing outside
20 the site, correct?

21 MR. KEHOE: Yes.

22 UNIDENTIFIED MALE: Back in June.

23 MR. KESSLER: Back in June? you know, so

24 --

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2 UNIDENTIFIED MALE: Actually in May
3 before the June 16th.

4 MR. KESSLER: So the orange signs that
5 we put up that was outside on the road there
6 advertising the public hearing is for everybody
7 to be aware of the application. You know, not
8 necessarily, you know, certainly it's advertised
9 in the newspapers as well.

10 MR. KEHOE: Yes.

11 MR. KESSLER: Public hearings, but, you
12 know, hopefully people see the signs and know
13 that there's an application pending and that
14 there'll be a public hearing on it.

15 MS. SIDORIK: If you don't drive by
16 here, you don't necessarily see it. That's the
17 issue. And I don't know why *lohud* doesn't get
18 these stories out. It's local news. And if you
19 don't get the *Examiner*, you haven't heard it.

20 [CROSSTALK]

21 MS. SIDORIK: You know, I mean sadly,
22 that's the state of affairs.

23 MR. KESSLER: Thank you. David, you want
24 to just address this last issue?

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2 MR. STEINMETZ: Yeah, I, I don't know if
3 it's good news for Cortlandt or bad news for
4 Cortlandt. Apparently you'll be able to order a
5 drink at the bistro, but it closes at 10:00
6 o'clock. So this is not designed to be an
7 afterhours place to go. So Cortlandt may need to
8 head down to Peekskill and find one of the
9 restaurants that may stay open a little later.
10 This is, this is, it's, it's, it's termed a
11 bistro. If you've been in one of these size
12 Marriotts, they're the little food service areas
13 that are designed to serve 50 of the 93 people
14 who stay in the hotel who might not want to
15 venture out at some point. But the answer is, as
16 I understand it, yes, there probably will be a
17 liquor license. Yes, there'll be beer and wine.
18 Maybe there'll be, you can order a drink, but it,
19 the data shows that it closes at 10:00 o'clock.

20 More importantly, I appreciate you
21 clarifying. We noticed this, we noticed this
22 hearing in accordance with the town code back in
23 May. We did both mailing, as well as posting.
24 And, and I also think the record should be clear

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2 on folks who were stating that they had not heard
3 about it, we actually also conducted lawful
4 public hearings in front of the Zoning Board of
5 Appeals earlier this year. So we have had, I
6 believe, at least four sessions of a duly noticed
7 due process of law, public hearing. And in
8 accordance with your code, I would request that
9 you close the public hearing. It does not --
10 leave the public record open for whatever time if
11 people want to submit written comments, but you
12 scheduled this meeting for this point in the
13 summer because you concluded this was a rational
14 time to do so.

15 MR. KESSLER: Alright, good. Tom?

16 MR. BIANCHI: Yeah, just one additional
17 point to our observation maybe just to add on
18 this, traffic being such a big issue here. At our
19 last public hearing, did we not have our traffic
20 consultant and the applicant's consultant present
21 to review their work?

22 MR. KEHOE: Yes. The applicant's traffic
23 consultant did a lengthy presentation and our
24 traffic consultant, didn't give a lengthy

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2 presentation, but concurred with their findings.

3 MR. BIANCHI: Okay. So I think a lot of
4 the questions that were asked here, I don't know
5 if the people that are here tonight heard those
6 presentations or not, but a lot of the questions
7 that were brought up were answered by that person
8 at the last public hearing. I just want to make
9 that observation.

10 MR. KESSLER: Thank you. Any other
11 questions or comments from board members? Last
12 call, any more comments from the audience? Oh,
13 sure. Bar closes at 10:00, so last call.

14 MS. REGINA BAKER: Hi, Regina Baker, 13
15 --

16 MR. KESSLER: Just pull the microphone
17 down a little, please. Thank you.

18 MS. BAKER: Okay. Regina Baker, 1310
19 Jacobs Hill Road, Cortlandt Manor. I'm part owner
20 of one of the condos. Please keep these open. It
21 was the first time I heard of the public hearing
22 was last time we had it, and that was a letter
23 that was sent to everybody in the area that this
24 was going to be a, a public hearing. After that

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2 we have not received anything. It was only
3 through the *Examiner* article that I realized that
4 this was going to be a public hearing. So and
5 then I had called up Chris about it yesterday and
6 he said, yes, there is a public hearing. So that
7 was the first time, you know, it was in the paper
8 two weeks ago. And then, you know, but we, if we
9 did, I don't think there was anything mentioned
10 about the big orange sign or at all. I don't
11 remember seeing it. So please keep this open
12 because as someone said, this is the summer
13 months. A lot of people -- well, I also have to
14 say a lot of senior citizens don't like to drive
15 after 6:00 o'clock. So, but, you know, we try to
16 get them out, but please keep this open so we can
17 keep this going. Okay. Thank you. [applause]

18 MR. CUNNINGHAM: Okay. One potential
19 solution, which I know we've done in the past,
20 especially given that I -- I know that you just
21 said some seniors don't like to drive at night.
22 If the board would consider it, you could
23 potentially close the verbal public hearing, but
24 leave written comments open for a specific period

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2 of time. And that'll also give everyone
3 opportunity to -- it will give the applicant an
4 opportunity to submit the rendering and it will
5 give the public an opportunity to submit written
6 comments on the rendering.

7 MR. KESSLER: That's 30 days, right?

8 MR. CUNNINGHAM: We could do, we could
9 do it until 30 days.

10 MR. KESSLER: And certainly closing the
11 public hearing doesn't mean we're rendering a
12 decision at this point. We're just, you know, we
13 have all the information we think we need, you
14 know, from -- we're thankful to the public and to
15 our consultants and what the applicant has
16 submitted. And I think, you know, I don't see
17 that there's going to be any more information
18 that we're going to receive by keeping the public
19 hearing open, quite frankly, because, you know,
20 we have volumes of papers here that we've
21 reviewed and discussed here over the last several
22 meetings and over these two public hearings. So,
23 you know, I, I think it's, you know, time to, you
24 know, sit back, you know, close the public

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2 hearing and review the materials and have the
3 board decide on how they want to proceed in terms
4 of approving this application or not.

5 UNIDENTIFIED FEMALE: I had one more
6 question.

7 MR. KESSLER: Okay, one more.

8 UNIDENTIFIED FEMALE: Are there any
9 plans to, to lengthen the time that the light
10 that you can make a left turn on Jacobs Hill?
11 Because the amount of time that you have to make
12 a left turn is very, very short and I can just
13 anticipate people wanting to get back on the Bear
14 Mountain Expressway, and you're going to have a
15 backup there because you have very, very little
16 time to make a left turn.

17 MR. KESSLER: Somebody, I don't know if
18 it was you, but somebody else raised that at the
19 last meeting. And again, now you, I, I can't, I'm
20 not the technical person that can speak about
21 these adaptive headlights, but presumably there's
22 some intelligence in these things that's going to
23 measure the traffic and make a determination how
24 long to keep the light going for whatever turns

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2 that need to be made. But, you know, it remains
3 to be seen. You know, I, I'm not the expert on
4 this by any means, and, but from everything
5 that's been presented to us and the DOT is the
6 one that's doing this along Route 6, you know,
7 supposedly there's going to be a real improvement
8 seen in the flow of traffic along Route 6 and for
9 the people trying to get onto Route 6. But again,
10 you know, the proof is when it's built and we'll,
11 and we'll measure it from there. Any other last
12 comments before we have a motion here? If not,
13 Mr. Bianchi.

14 MR. BIANCHI: Okay. I'm going to make a
15 motion that we close the public hearing now. I
16 don't know how the rest of the board is going to
17 feel about that, but I'm going to move that we
18 close the public hearing as my first motion.

19 MR. KEHOE: Do you, in that motion, do
20 you want to put the --

21 MR. BIANCHI: And develop a resolution.

22 MR. KEHOE: -- written comment?

23 MR. BIANCHI: And written comments will
24 be allowed for, I guess we like 30 days?

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2 MR. KEHOE: Well, you usually do 20.

3 MR. BIANCHI: Twenty?

4 MR. KEHOE: Well, but let me see.

5 MR. KESSLER: Oh, wait, we have a longer
6 -- the meeting's in a longer time. You could
7 probably do 30.

8 MR. KEHOE: The meeting is Tuesday,
9 September 5th.

10 MR. CUNNINGHAM: I think I think 30
11 would be appropriate.

12 MR. KEHOE: Thirty's fine.

13 MR. KESSLER: No, there's the 25th, so
14 yes, yes.

15 MR. CUNNINGHAM: There's about 10 days
16 in between the end of the comment period and the
17 meeting. And then it'll also give the public
18 plenty of time to comment on the rendering that
19 the applicant's going to submit.

20 MR. BIANCHI: Okay. So, we'll, I'll move
21 that we receive comments for the up to the next
22 30 days and that we prepare a resolution for the
23 next meeting.

24 MR. KESSLER: Second, please.

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2 MS. HILDINGER: I second.

3 MR. KESSLER: Okay, we're on the
4 question. All in favor?

5 MULTIPLE: Aye.

6 MR. KESSLER: Opposed? Okay. Motion
7 carries. Alright, Thank you all for coming.
8 Appreciate it. Let's see where are we? Okay, next
9 item is under old business. It's the application
10 of NK Electric for site development plan
11 approval, and a special permit for a specialty
12 trade electrical contractor located in an
13 existing building at 465 Yorktown Road, Route
14 129, drawings latest revised July 19, 2023. Good
15 evening.

16 MR. JIM ANNICCHIARICO: Good evening,
17 Jim Anaco with Corona Engineering. So, since the
18 last time we were here last month, we have
19 prepared responses to the comments that we
20 received from the planning department. And
21 additionally we've also addressed a few comments
22 that we received from DEP. They were all tallied
23 in the, in the same memo addressed to the
24 planning board.

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2 Additionally in that, in that response
3 memo, we went through all of the special permit
4 requirements of Section 307-65.6 in the town code
5 that, that outlines certain things that are
6 required for special permit for a specialty trade
7 contractor.

8 I could answer any questions or I can
9 go over -- let me, some of the big, some of the
10 more important items in those were landscaping
11 the septic system, the existing septic system,
12 one, one of the comments in Chris Kehoe's memo,
13 was the handicapped parking space. We've added
14 that to the plan. One of the questions was were
15 we proposing any signage, we're not proposing any
16 signage, it's simply just an office for the
17 applicant's electrical contracting business.

18 We were asked to provide information for
19 the company vehicles, the vans. We've done that.
20 There are two Ford 250 medium height vans, two
21 Ford 250 low top vans, and two Ram ProMaster high
22 top vans. So, there's a total of six, six vans
23 for the, for the contracting company. There is
24 some office staff as well. Mr. Clevis has three

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2 office staff. They're not all there at the same
3 time. They're basically staggered. There's a,
4 there's a -- Wednesdays, two of the two of the
5 staff are there at the same time.

6 MR. KESSLER: Our, our intention here is
7 to set a public hearing. I guess one issue that
8 you have to do before that is convince the DEP
9 that parking on the gravel will not in any way
10 interfere with the septic system.

11 MR. ANNICCHIARICO: Right. We have to
12 obtain a change of use as well from the health
13 department.

14 MR. KESSLER: Okay.

15 MR. ANNICCHIARICO: We're working on
16 that. And we will certainly try to determine
17 that, that the septic area is, you know capable
18 of H2O loading for traffic to, to drive over it.

19 MR. KESSLER: Okay.

20 MR. KEHOE: Yeah, Jim, just at the work
21 session, we reminded ourselves that since this is
22 a special permit, the code requires a public
23 hearing, unlike some other cases. So that's why
24 the board is going to go ahead and schedule it

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2 for next month.

3 MR. ANNICCHIARICO: I was a little taken
4 aback by that.

5 MR. KESSLER: Alright, so, with that,
6 Kevin.

7 MR. KOBASA: Alright. I'd like to make a
8 motion to schedule a public hearing next meeting.

9 MR. KESSLER: Second, please.

10 MR. BIANCHI: Second.

11 MR. MCKINLEY: Second.

12 MR. KESSLER: On the question. All in
13 favor?

14 MULTIPLE: Aye.

15 MR. KESSLER: Opposed?

16 MR. KEHOE: So in, you know, within a
17 week or 10 days before that meeting, you know,
18 hopefully you'll have some answers from DEP?

19 MR. ANNICCHIARICO: Yep.

20 MR. KEHOE: Okay. Thank you.

21 MR. KESSLER: Alright, thanks.

22 MR. ANNICCHIARICO: Thank you very much.

23 MR. KESSLER: Alright, onto new
24 business, two items under new business. This is

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2 the first one, the application of Cronin
3 engineering for the property of Riverview
4 Industrial Park for amended site development plan
5 approval for modifications to the existing
6 industrial building and the site located at 260
7 6th Street. Drawings dated July 17, 2023. Good
8 evening.

9 MR. KEITH STAUDOHAR: Keith Staudohar,
10 Cronin Engineering representing the applicant,
11 Riverview Industrial Park, LLC. The project site
12 is at 260 6th Street in Verplanck. It's zoned MD
13 Industrial. There is currently a 40,000 square
14 foot industrial building on the site. The
15 applicant recently purchased the property, within
16 the last year or two and has invested a lot of
17 money into fixing up the place, redoing the
18 interior, fixing the outside, making it more,
19 much more aesthetically pleasing than what it was
20 when they purchased it.

21 In my cover letter, I indicated what the
22 site plan amendment involves, and basically I'll
23 just run through these real quick. So, there will
24 be the removal of the doggy daycare from the

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2 site, the relocation of the rescue dog run to
3 another location on the site, the addition of
4 nine contractor storage units on the rear side of
5 the building. The contractor storage units will
6 each have a garage door and a separate man door,
7 an access road and parking area to accommodate
8 the contractors getting into their garage spaces,
9 storage spaces. There's like a storm water
10 management facility for this small parking area
11 that we're putting in.

12 We're designating an area on site where
13 we could potentially store some machines or
14 equipment. There's no intention of doing that,
15 but we figure we'd show it on the plan now in
16 case a small machine or some small equipment
17 needed to be stored on site.

18 And they're currently repurposing the
19 northern, the northwest portion of the building
20 for contractor storage and storage units. So,
21 basically this amendment is to provide a parking
22 area and nine garage doors on the rear side,
23 south side, southeast side of the building. If
24 you have any questions, I'd be happy to answer

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2 them.

3 MR. KESSLER: No, I mean, we're going to
4 refer this back to staff for their review but --

5 MR. BIANCHI: Just one question.

6 MR. KESSLER: -- before that, Tom?

7 MR. BIANCHI: Are there interior
8 renovations --

9 MR. STAUDOCHAR: Well, right now --

10 MR. BIANCHI: -- that are going to take
11 place?

12 MR. STAUDOCHAR: There are currently
13 there's a lot of interior renovations going on.

14 MS. HILDINGER: I, I didn't hear that,
15 what?

16 MR. STAUDOCHAR: What?

17 MS. HILDINGER: I didn't hear what you
18 said. I'm sorry.

19 MR. STAUDOCHAR: Oh, I'm sorry. Yeah,
20 currently there is interior alterations being
21 conducted on site to redo the whole interior of
22 the building basically.

23 MR. BIANCHI: Now what, what do you mean
24 by phase one and phase two? On your drawing, you

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2 show a phase one and phase two master plan.

3 MR. STAUDOCHAR: Phase one was approved
4 several years ago and phase two is what we're
5 proposing now.

6 MR. BIANCHI: And the difference is?

7 MR. STAUDOCHAR: Well, phase one, yeah.
8 This is Adam Garber, one of the principals,

9 MR. ADAM GARBER: How you doing? So
10 phase, phase one was approved by the town of
11 Cortlandt and we were issued a building permit.

12 MR. KEHOE: Right. And, and that, that
13 was outside the purview of the planning board. It
14 didn't raise to the level of having to come to
15 your board.

16 MR. GARBER: It didn't require the
17 planning board. So we were issued a building
18 permit for that, which is, we're doing interior
19 renovations to the interior of the building where
20 we're creating what I'm going to call garage
21 storage, contractor storage units, along with
22 self storage units. So that's what's there now.

23 As part of phase two, phase two will
24 incorporate, which is currently now, what's the

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2 name of the dog?

3 MR. KEHOE: Canine.

4 MR. GARBBER: Canine Kindergarten. I
5 always get confused, Canine Kindergarten's
6 existing space. I have an agreement in place, a
7 legal document that they, they should should be
8 moving out at the end of this month. And as part
9 of phase two and the expansion to where their
10 existing outdoor dog runs are now, they would be
11 removed. We would add overhead doors with also a
12 man door to expand on that self-storage and
13 contractor use.

14 So, if you're looking at the phase two
15 plans and you look at the northeast side of the
16 building, which as a reference, faces Madeline
17 Avenue, those are the overhead doors, which I'm
18 going to refer to as the storage or contractor
19 storage units.

20 MR. KEHOE: And that, that's on the
21 screen now, correct?

22 MR. GARBBER: Yes.

23 MR. KEHOE: That's the building
24 elevation?

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2 MR. GARBER: Yes. That is, that is the
3 northeast elevation. Currently, what is, what is
4 there now would be the dog runs for Second Chance
5 Rescue, which we would like to relocate and the
6 existing Canine Kindergarten dog run.

7 MS. HILDINGER: So basically it's just
8 fencing now?

9 MR. GARBER: It's, it's fencing and
10 it's, and it -- there's also poured concrete
11 slabs.

12 MS. HILDINGER: It's concrete slabs with
13 fencing?

14 MR. GARBER: Correct.

15 MS. HILDINGER: And you're proposing to
16 put roofs to --

17 MR. GARBER: No.

18 MS. HILDINGER: No?

19 MR. GARBER: We're proposing to remove,
20 remove those slabs.

21 MS. HILDINGER: To remove the slabs?

22 MR. GARBER: Remove the slabs, put in a
23 parking area and a loading area and overhead
24 garage doors, just like we're doing on the west

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2 end, the west elevation, which faces towards the
3 river.

4 MS. HILDINGER: So the overhead garage
5 doors, would go on the existing building?

6 MR. GARBER: Yes, ma'am.

7 MS. HILDINGER: Okay.

8 MR. BIANCHI: Now, you talked in your,
9 in your master plan you showed where the doggy
10 daycare is currently, I guess is tenant A, tenant
11 B, tenant C, tenant D. So you're going to have
12 different tenants in there?

13 MR. KESSLER: Chris, can you fit this
14 one up?

15 MR. GARBER: Floor plan, phase two floor
16 plan?

17 MR. CUNNINGHAM: What you looking for?

18 MR. KESSLER: Wait, Wait.

19 MR. GARBER: I think you're referencing
20 the, the -- either the phase one or phase two
21 floor plan.

22 MR. KEHOE: Which ones?

23 MR. BIANCHI: I just wondered. It says
24 tenants in it. I just --

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2 MR. KESSLER: Yeah, the, the whole floor
3 plan, Chris.

4 MR. GARBER: Yes.

5 MR. KEHOE: The phase --

6 MR. GARBER: Phase two.

7 MR. KEHOE: Phase two?

8 MR. KESSLER: This one, this one? The
9 one that says re Riverview Industrial Master
10 Plan.

11 MR. KEHOE: Phase one and two I got
12 here.

13 MR. KESSLER: Phase one and two.

14 MR. KEHOE: Okay. So hang on.

15 MR. GARBER: Phase one's approved. Phase
16 two would be proposed. Yes. So this is, this is
17 the proposed floor plan.

18 MR. KESSLER: Right.

19 MR. GARBER: So, as you can see, where
20 you have the -- if you put the, the cursor kind
21 of on --

22 MR. KESSLER: On the -- on the right
23 side.

24 MR. GARBER: I, I just need to walk up

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2 to see the units here. If you, if you go to the
3 left facing me. Okay. So over on the left side,
4 yes. So no, that's the second floor of the
5 building.

6 MR. CUNNINGHAM: Oh, second.

7 MR. GARBER: All over there, that whole
8 side basically going down to the orange to the
9 orange.

10 MR. KEHOE: You, you need to speak into
11 the mic. Sorry. You can take it with you if
12 that's --

13 MR. GARBER: So, so going down over here
14 on this side, which I'm going to refer to as the
15 east elevation facing Madeleine Avenue, That's of
16 reference to the elevation you saw of the
17 proposed garage doors. The, the other units,
18 just, which I'm going to say on the west
19 elevation that you see, are smaller units. Those
20 are self-storage units. So they would be -- four
21 of those units would be accessed from an interior
22 hallway, and then four of those units would be
23 accessed from the outside. That doesn't have
24 direct road access. That would just be a walkway

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2 for traditional kind of self storage.

3 MR. KESSLER: And wait, where is the
4 doggy daycare now in there?

5 MR. GARBER: So the doggy daycare now is
6 exactly where you have the cursor.

7 MR. KESSLER: Okay.

8 MR. GARBER: See the two spaces.

9 MR. KESSLER: Okay.

10 MR. GARBER: And then bring it, bring it
11 down the screen.

12 MR. KESSLER: And the cages in the back?

13 MR. GARBER: Yes. The cage, the cage is
14 in the back.

15 MR. KESSLER: Okay. That's not shown?

16 MR. GARBER: No.

17 MR. KESSLER: Okay. So you're taking
18 down those cages.

19 MR. GARBER: Yes.

20 MR. KESSLER: And --

21 MR. KEHOE: Well, I'll, I'll put the
22 site plan up, because then --

23 MR. KESSLER: Oh.

24 MR. KEHOE: Hang On. Sorry. So you were

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2 just looking at -- it's hard with the cursor, but
3 you can see little squares there. Those are, I
4 guess the garage doors --

5 MR. GARBER: Yes.

6 MR. KEHOE: -- that are, they're going
7 to be opening up to this new parking area. And
8 this is the parking area where the dog runs were
9 or are?

10 MR. GARBER: Yeah, the dog runs are
11 where we're showing those infiltrators.

12 MR. KEHOE: Right.

13 MR. GARBER: So roughly right around
14 those infiltrators is where the current cages
15 are.

16 MR. KEHOE: So on your aerial, you, you,
17 which I gave you, you can see the dog runs sort
18 of, and then those will be eliminated with this
19 parking area. And then garage doors opening
20 directly into the parking area. Those things that
21 -- those are underground drainage structures.

22 MR. GARBER: Right.

23 MR. KEHOE: So it's all parking lot up
24 there.

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2 MR. GARBER: Chris, I'd just like to
3 clarify one thing. The Second Chance dog run --

4 MR. KEHOE: Oh, sorry.

5 MR. GARBER: -- which is also located
6 adjacent to Canine Kindergarten, we're proposing
7 to relocate that to the southeast section of the
8 property, adjacent to where the garbage enclosure
9 is.

10 UNIDENTIFIED MALE: Move the curser to
11 the left.

12 MR. GARBER: Yep, yep.

13 MR. KEHOE: Right here.

14 MR. KESSLER: That's where the dogs are
15 going?

16 MR. GARBER: Yes. But, but this is only
17 for Second Chance Rescue.

18 MR. KESSLER: Right.

19 MR. GARBER: And I just want to state
20 one thing about the difference in the dog runs as
21 it pertains to Second Chance Rescue versus Canine
22 Kindergarten. Canine Kindergartner is a for-
23 profit dog kennel, okay, where multiple dogs are
24 outside at one time. Second Chance Rescue is

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2 exactly what it is, says. It's a, it's a rescue
3 facility. And over the last two years, I've
4 really kind of administered kind of how they
5 function, both businesses and, and kind of their
6 impacts. Being that it's a dog rescue and not
7 knowing when you take dogs in what their
8 temperament is necessarily with other animals,
9 they typically only have one dog outside that
10 I've noticed with the trainer. Have they had more
11 than one dog? Yes. I've noticed when families go
12 to adopt dogs and they have an existing dog,
13 they'll bring a dog in and introduce it. But
14 from, from an impact of the kennel itself and
15 relocating it with their business, they don't
16 have, I'm going to say a pack of dogs, where the
17 existing kennel, where Canine Kindergarten is,
18 they had numerous dogs outside at one time.

19 MR. KEHOE: So any noise complaints
20 recently about dogs were associated mainly with
21 Canine Kindergarten or totally with Canine
22 Kindergarten?

23 MR. GARBER: That, That based upon my
24 observations, as a property owner and spending --

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2 we've owned the property since April of 2021, and
3 I've spent a lot of time over there as the owner,
4 the GC overseeing the construction and I've just
5 witnessed how the, how the d different operations
6 function outside.

7 MR. BIANCHI: So my original question on
8 the right side of the building, I don't know what
9 east, west, north, south, but it's, you have a
10 tenant A, B, C, and D there. Are those current
11 tenants that remain?

12 MR. GARBER: I, I, I need to see -- I
13 don't have a plan in front of me to --

14 MR. KEHOE: Hang on.

15 MR. BIANCHI: You have to bring up that
16 plan again.

17 MR. KEHOE: Yep.

18 MR. BIANCHI: Yeah. So to the yellow
19 line.

20 MR. KEHOE: Oh, sorry. Sorry.

21 MR. BIANCHI: To the right of the yellow
22 line when it comes back up,

23 MR. GARBER: If I, if I could just look
24 at one of your plans because I can't see the

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2 numbers on or the letters on here, I could tell
3 you. Thank you.

4 MR. BIANCHI: I just want to get a
5 sense, are those current tenants?

6 MR. GARBER: Tenant A, see, these are
7 all, so so --

8 MR. BIANCHI: On the right side of the
9 plan.

10 MR. GARBER: So yes, so tenant C is a,
11 is a current tenant at the property that's
12 staying. Tenant B was a tenant that was in
13 another part of the building, which we're now
14 renovating that we've gotten building permits and
15 we've moved over, we've relocated.

16 MR. BIANCHI: Okay. So --

17 MR. GARBER: And --

18 MR. BIANCHI: -- you're, you're doing
19 renovations in both areas basically, and --

20 MR. GARBER: Yes.

21 MR. BIANCHI: -- on the left side and
22 the right side of the yellow line?

23 MR. KEHOE: Yes. But the main, I, I
24 could be wrong, but the main redevelopment and

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2 the changing of the floor plan is all these up
3 here, right? It's, it's 22, 20, 19?

4 MR. GARBER: Correct.

5 MR. KEHOE: Those are going to be all
6 the new contractors with the garage doors?

7 MR. GARBER: Correct.

8 MR. KEHOE: Right.

9 MR. GARBER: Which, which is basically,
10 I'll say the, the northeasterly side of the
11 building. So if you see where the intersection of
12 the common area hallway is depicted in orange,
13 basically from -- yeah, it's, it's actually two
14 units past that, but yeah, that's, that's all
15 what's proposed.

16 MR. KOBASA: You mentioned, sorry, you
17 mentioned some storage, self-service, self-
18 storage. Is that for tenants only or is that for
19 public as well?

20 MR. GARBER: Both. Both. So we've had
21 some existing tenants that have expressed,
22 expressed interest in having some storage units
23 there. And, and then we would also be open to the
24 public as well.

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2 MR. KOBASA: Okay.

3 MR. BIANCHI: Are you proposing any
4 signage?

5 MR. GARBER: There's an existing four by
6 eight sign, that's a pylon sign at the entrance
7 of the 6th Street ingress and egress. We would
8 just repurpose that sign.

9 MR. BIANCHI: Okay.

10 MR. KEHOE: So, you know, I did talk
11 about this with a little, with Joe and the
12 engineering department. There's some landscape
13 questions, some drainage questions. We'll address
14 all those in a review memo.

15 MR. KESSLER: Okay. Alright, so, any
16 other comments? If not, Peter?

17 MR. MCKINLEY: That's me. I make a
18 motion to refer back to staff, staff for the
19 application of the Riverview Industrial Park, LLC
20 in Verplanck.

21 MR. KESSLER: Second, please.

22 MS. HILDINGER: I second.

23 MR. KOBASA: Second.

24 MR. KESSLER: And on the question. All

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2 in favor?

3 MULTIPLE: Aye.

4 MR. KESSLER: Opposed? Okay.

5 MR. ANNICCHIARICO: Thank You.

6 MR. KESSLER: Thank you.

7 MR. GARBER: Thank you.

8 MR. KESSLER: Alright. Final item this
9 evening under new business is the application of
10 VS Construction Corporation for preliminary and
11 final plat approval for a six-lot subdivision,
12 five building lots, for property located at 2003
13 Crompond Road, drawing dated July 18, 2023, Mr.
14 Steinmetz, all again.

15 MR. STEINMETZ: Well, again, Mr.
16 Chairman, members of the board, David Steinmetz
17 from the law firm of Zarin and Steinmetz, I'm
18 very pleased to be here this evening,
19 representing Val and Mandy Santucci and VS
20 Construction in connection with the Evergreen
21 Manor Project as part of the town's newly adopted
22 MOD or medical oriented district. I'm joined
23 tonight by my colleague Brian Sinsabaugh, as well
24 as by, where did he go, Matt Steinberg. Oh, I'm

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2 sorry. I got scared you abandoned me, last on the
3 agenda. He decided he was out of here.

4 MR. KEHOE: Do you want me to show this
5 now? Oh, Hold it?. Okay. He just gave me a new
6 plan, but I'll, okay, that's fine.

7 MR. STEINMETZ: He'll, he'll, he'll tell
8 us what we want to show at what time. I, I'm
9 going to try to be brief, but we're here largely
10 to be introductory on this. Let's take a giant
11 step back. I'm very well aware, as are my
12 clients, that three of you have not lived through
13 this with us. I'm sad to say that two of you have
14 lived through this with me and Val and Mandy, how
15 many years, Val? Six, seven? So it's -- we've
16 been waiting a long time to get to this point in
17 the process. We're very happy to have gotten to
18 this point in the process. And it was originally
19 started with Envision Cortlandt many years ago,
20 before the seven years ago.

21 Envision Cortlandt contemplated creating
22 this new district surrounding the Hudson Valley,
23 then the Hudson Valley Hospital, and creating
24 what I consider to be a hamlet for both medical

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2 oriented uses as well as residential uses and
3 complimentary commercial retail, even restaurant
4 uses and walkability, etc. And that, that was the
5 original concept. And Mr. Santucci decided back
6 in 2017ish to file an application in connection
7 with what now has become a 28-acre site directly
8 across from the hospital that we refer to as
9 Evergreen Manor.

10 Evergreen Manor is 28 acres. It's
11 currently comprised of three different tax lots.
12 We're really happy that it was zoned into and
13 mapped into the MOD. Evergreen Manor itself, and
14 this is important for, for the three of you who
15 have not lived through this with us, it went
16 through quite a bit of evolution. We have looked
17 at a variety of uses on this site, and you
18 probably know some of that, from a multifamily
19 apartment, which ultimately was not approved by
20 the town board. By a hotel, ironically, a hotel
21 was originally proposed, a 100-key hotel on that
22 site and the community and the town board
23 ultimately decided that would not be appropriate.
24 We had looked at one point at a medical, kind of

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2 a medical service type building with a pharmacy,
3 maybe some medical research or a medical lab. We
4 had talked about a restaurant. All of those
5 things have been contemplated and studied.

6 The good news for your board, and I
7 think certainly the chair and Mr. Bianchi know
8 this, the SEQRA process was conducted already. We
9 spent multiple years in front of the town board
10 as lead agency doing a draft environmental impact
11 statement, a final environmental impact
12 statement, a tremendous amount of public
13 involvement.

14 Footnote, it's probably the only
15 entirely remote DEIS public hearing that I will
16 ever do in my career and I would not recommend
17 anyone try to do a DEIS public hearing on Zoom
18 with Michael, Chris, what did we have, 180 people
19 in attendance.

20 But to the credit of the town, the town
21 pulled that off. We ultimately arrived at the
22 conclusion of the process. The town board as lead
23 agency, adopted a finding statement concluding
24 the SEQRA process and finding that there was no

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2 significant adverse environmental impact provided
3 a whole bunch of things happen.

4 Relative to Evergreen Manor, it meant
5 that Evergreen Manor was going to have an
6 assisted and independent living use on the site
7 for 120 units or 120 beds. It would also have
8 upwards to 99 fee simple townhouses and some
9 community amenities associated with that. And
10 there would still be an area for a seven to
11 10,000 square foot commercial type use.

12 We're here tonight to start the process.
13 We're here tonight largely to talk about the
14 subdivision of the site, and I'll explain why in
15 a moment. But I want to make sure that you're
16 entirely clear, we expect to be back here in
17 September with our site plan submission for the
18 assisted living. We are in final, Mr. Santucci --
19 both Mr. Santucci and Mandy Santucci are in final
20 negotiations with an assisted living provider, a
21 major regional assisted living provider.

22 And until that is consummated, I am not
23 allowed to let that one completely out of the
24 bag. The good news is, I can tell you it's

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2 entirely consistent with everything that we've
3 studied and designed, 120 units, appropriate
4 parking. And for those of you that -- and, and
5 with all the stuff, Steve and Tom that I've done
6 in front of this board over 30 years, we've never
7 done, nor have you ever done really a state-of-
8 the-art assisted and independent living facility.

9 I have done assisted and independent
10 living facilities throughout this county for
11 Brightview Senior living, Sunrise Senior Living,
12 Capital Senior Housing, Hawthorne Senior Living,
13 Maple Senior Living, I'm probably the -- National
14 Development, so I've lived through this in a lot
15 of communities.

16 Cortlandt deserves, and I think Envision
17 Cortlandt knew that, Cortlandt deserves a state-
18 of-the-art assisted and independent living
19 facility. I'm going to give you three minutes on
20 that so that you know it's really coming, 120
21 units, the exact division of, of units the
22 provider will have to identify, I'm going to say
23 it's probably in the neighborhood of 90
24 independent and 60 assisted. I actually did my

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2 math wrong there on the fly. It's probably 70
3 independent and 50 assisted. It's usually a
4 larger number of independent living units that
5 then feed into the assisted. But the provider
6 will let us know that.

7 What's the difference? Independent
8 living units are for folks who need less
9 assistance. They are typically units that will
10 have kitchen capability or cooking capability
11 within them, though you can still buy into and
12 probably receive at least one, if not two meals a
13 day and you have use of the onsite facilities,
14 which I'll get to.

15 The assisted living units typically are
16 no cooking facilities for those folks. They, they
17 need additional assistance for the -- the phrase
18 in the industry -- activities of daily living
19 that's getting dressed, moving around, possibly
20 bathing and toileting. And those folks will
21 typically be somewhat older. They don't have to
22 be. But the average age of an IL resident is 82,
23 the average age of an AL resident is usually 86.
24 Almost universally, nobody is really driving

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2 though your parking ratios will have to be
3 complied with.

4 I lived through this myself personally
5 with my own father who went originally in
6 independent living and did really well for a
7 while until he needed more help and was
8 forgetting things like taking medication. And in
9 the assisted living units, there can be
10 medication supervision where they actually
11 provide you with your meds each day and make sure
12 you take them. And you graduate, as my dad did
13 into AL. And you can then be in assisted living
14 for a period of time.

15 And I did leave out a component of AL is
16 also what we refer to as ALZ or Alzheimer's, or
17 memory care. There will be a memory care wing
18 associated with this building, which will be a
19 secure wing that you'll hear more about when we
20 come back with the actual site plan for the
21 building. But suffice it to say that on lot
22 number one, which is the -- Chris, if you can
23 curse it to it -- it's the, it's normally what I
24 would consider the bottom left, but the

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2 orientation with Crampond Road there, it's that
3 one right there.

4 It is the first lot one will come to
5 when you enter the site, when you enter this 20
6 acre site directly across, across from Conklin
7 Street, there will be a signaled intersection
8 with a driveway. It will be built to municipal
9 specifications. And that road, that cul-de-sac
10 road, will provide access to everything inside
11 Evergreen Manor. It's going to be built to
12 municipal specs. It's going to have sewer, water,
13 all necessary utilities, and it will have
14 sidewalks, lighting, landscaping, etc.

15 So, lot number one, lot number one,
16 probably just over six acres, 6.03 acres is
17 intended to accommodate the assisted living use.
18 And as I said, because I know some may be
19 curious, why did we file this subdivision plan
20 without having the site plans here? Because we
21 wanted to start the subdivision process, as I
22 will explain, and we know fully well that the
23 site plan for that assisted living use, Matt
24 Steinberg, DTS, and the anticipated contract

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2 vendee provider have studied that 6.03 acres and
3 know it fits onto that 6.03 acres.

4 MR. KESSLER: We don't know that though.

5 MR. STEINMETZ: I didn't ask whether you
6 knew that.

7 MR. KESSLER: Well, does it matter?

8 MR. STEINMETZ: The good -- well, of
9 course it matters. And the good news is for you,
10 Mr. Chairman, you're going to have a couple of
11 months to do the review and confirm that it's
12 going to fit on there. So you don't have to
13 believe me that it's going to fit on there
14 tonight, but I promise you, in September,
15 actually sometime next month, you'll probably see
16 drawings that show you it fits on there. And
17 you'll have an opportunity, as we go through the
18 process to study that and confirm it does.

19 MR. KOBASA: David, you used the word
20 state of the art and I think you used that
21 specifically. What, what, can you expand on that
22 just very briefly?

23 MR. STEINMETZ: Sure. So look, you have,
24 you have some senior oriented facilities here in

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the town. They're, they're older. They're an older model. They probably have less amenities inside and they are probably not built to the level of finish that this would be. This would have a fitness area, this would have a bistro area where folks can actually congregate and enjoy themselves. They're, they're beautifully and tastefully done. They're designed to make aging seniors feel like they're in a really nice place that they're going to spend hopefully a number of years.

So, some of the older facilities feel and look and are marketed more like nursing homes. What we all grew up, what I grew up with as, as more of a nursing home. This is not a nursing home. This is not a skilled nursing licensed facility. I'm sure the chair probably knows more about those specifications than I do professionally having, well, I guess we all learned a little bit about licensing on another application. But this would not be licensed for skilled nursing.

Second the lots that are shown there as

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2 two, three, and four, two, three and then four,
3 all of those will more than sufficiently
4 accommodate what was studied in the DEI, or in
5 the FEIS as -- and, and actually -- maybe that,
6 maybe if we could go to this?

7 MR. KEHOE: I have that. Just give me a
8 sec.

9 MR. STEINMETZ: Thank you. Not that.
10 Perfect. If you can, Chris, if you can click it,
11 blow it up a notch or two without going off the
12 page, it'd be great. If you can't, it's fine.

13 MR. KEHOE: Well, they gave me a big
14 drawing that --

15 MR. STEINMETZ: Let's just leave that so
16 that we don't have any difficulty. So that's,
17 that's our master site plan, master site plan
18 that lays out for the site with Compond Road at
19 the bottom, west to your right, east to your
20 left. The site, as we look at it, is going from
21 north at the bottom of the page to south at the
22 top of the page. And in it you can see in the, in
23 the bottom left hand corner, the assisted and
24 independent living building. Again, that's not a

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2 final design. You will get a different design and
3 a final design of a building when we make our
4 formal submission. But that is the assisted
5 living pad.

6 You then see an array of townhouses
7 spreading out around what I just described as
8 lots two, three, and four. There are 99 different
9 townhouses. The, the town's MOD required, and
10 this is important for us to hear day one,
11 required that these be fee simple absolute lots.
12 What does that mean? These are not going to be
13 condominium units. They are actually going to be
14 subdivided lots. So at some point in the process,
15 I'm telling you on day one, we will be back with
16 a 99-lot subdivision of the big lot that we will
17 probably be, or big lots, that we will be
18 creating with you. That is a requirement of your
19 MOD, that these be fee simple. Why did the town
20 board do that? I can only speculate that they did
21 that because it results in a higher tax valuation
22 for the town of Cortlandt. And that is a better
23 thing for the town.

24 The units are arranged and when we

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2 ultimately submit our site plan, they will be
3 arranged in groupings of, Mandy three packs and
4 four packs, primarily three packs and four packs.
5 What do I mean by that? That's three units in a
6 group, two ends in a middle, four units, two
7 middles, two ends. That's --

8 MR. KESSLER: Just, just, let's stop for
9 a second. You're only coming in for assisted
10 living next time? Is that --

11 MR. STEINMETZ: No. I hope no, I'm, we
12 we're, no, I hope that we're coming in next time.

13 MR. KESSLER: Okay. Can we get back to
14 six lots? Seven lots here? It sounds like
15 you're, you're giving us the presentation that
16 you're going to do in September.

17 MR. STEINMETZ: No, because in --

18 MR. KESSLER: Explain to, just explain
19 to me --

20 MR. STEINMETZ: Sure.

21 MR. KESSLER: -- why you have townhouses
22 and the need to have that over three lots. So
23 Why, if they're all townhouses, Tell me the --
24 educate me as to why you need three, that has to

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2 be three lots.

3 MR. STEINMETZ: So one of the reasons
4 that we are contemplating that as a three-lot is
5 that it can be financed and conveyed in three
6 different groupings. So nothing precludes us --

7 MR. KESSLER: I don't know what that
8 means.

9 MR. STEINMETZ: So rather than
10 potentially selling all 99 and closing on all 99
11 at one time, we could close on those lots that
12 fit, with those smaller unit lots, that fit
13 within the larger lot. So, those three in the
14 back, the 99 townhouses theoretically could be 33
15 in the first lot, 33 in the second lot, and 33 in
16 the third lot. And that would not require the
17 Santuccis to convey all 99 or make somebody pay
18 for all 99 in one fell swoop. So we would like
19 them to be in three different lots.

20 MR. KESSLER: How's that different than
21 just phasing the construction? What am I missing?

22 MR. STEINMETZ: Because we actually need
23 lots in order to convey it.

24 MR. KESSLER: Convey --

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2 MR. STEINMETZ: This is for conveyancing
3 purposes.

4 MR. KESSLER: Conveyance, help me out
5 here, conveyance to whom?

6 MR. STEINMETZ: To the ultimate builder
7 of the subdivision.

8 MR. KESSLER: I see.

9 MR. STEINMETZ: I can state for the
10 record that --

11 MR. KESSLER: So you, it is possible
12 that three different builders would build the
13 three different lots?

14 MR. STEINMETZ: It's possible. It's more
15 likely that a single builder acquiring 99 units
16 would not take down all 99 at the exact same
17 time. So by creating lots, we have the ability to
18 sell them and actually sell them a lot that has
19 within it 33 of the units.

20 MR. KESSLER: Pre-approved units?

21 MR. STEINMETZ: Correct. And we're not,
22 we're not at that juncture yet. But, so let's,
23 let's take your question, Mr. Chairman, and let's
24 reel it back a notch, as I think you probably

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2 have some sense. More important than lots two,
3 three, and four is the creation of lot one. We
4 are on the threshold of executing a contract
5 regarding that area.

6 That area is not presently a subdivided
7 lot. My client has a contract vendee that wants
8 to know that there is a subdivided lot there. So
9 for legal financing and conveyancing purposes, we
10 are processing, starting this evening, a
11 subdivision application. Whether it's for the one
12 lot and the balance of the property or if it's
13 for the five lots with the road and the drainage
14 area, we need to begin processing the
15 subdivision. And Mr. Chairman, while I, I mean I
16 know you cut me off and I obviously, you know,
17 I'm going to do what you ask. I wanted, we're
18 here tonight to introduce the entire project,
19 even if we haven't submitted the final site plan,
20 I can tell you that your --

21 MR. KESSLER: Our expectation from the
22 agenda item is to talk about --

23 MR. STEINMETZ: The subdivision.

24 MR. KESSLER: The subdivision. Yes.

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2 MR. STEINMETZ: That's fine. And I
3 didn't want to talk about a subdivision with
4 three new members who actually don't realize what
5 we've lived through for seven years. And that
6 would be unfair to the Santuccis.

7 MR. KESSLER: Okay. So, so I understand,
8 from what you're presenting here, you, you need
9 to get this lot one done. And in, in fact, what
10 you're going to be doing is if you have lot one,
11 you're also going to be -- perhaps the wrong
12 choice of words, guaranteeing them 120-bed
13 assisted living approval.

14 MR. STEINMETZ: No, I don't think we
15 guarantee, I'm going to use your phrase. I'm not
16 guaranteeing anyone anything. I'm in the town of
17 Courtlandt. You can't even guarantee that there's
18 water in the hallway, so.

19 MR. KESSLER: But you, so you're going
20 to guarantee them, you, you're going to, it
21 sounds like you have somebody that's willing to
22 build an assisted living?

23 MR. STEINMETZ: A hundred percent.

24 MR. KESSLER: And the expectation is

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2 that they're going to build 120-bed assisted
3 living?

4 MR. STEINMETZ: Absolutely. Because it's
5 already been found to be of no significant
6 adverse environmental impact, and it fits on the
7 lot and it's been designed for it. So I expect it
8 to happen.

9 MR. KESSLER: But again, my first point,
10 you know, we haven't determined that it fits on
11 the lot. You have. We have not.

12 MR. STEINMETZ: I understand that.

13 MR. KESSLER: Okay.

14 MR. STEINMETZ: And nobody's asking you
15 to determine that tonight.

16 MR. KESSLER: I, I completely -- we
17 finally agree.

18 MR. STEINMETZ: And in fairness, if we
19 are beginning to promote the creation of a 6.03-
20 acre lot that you ultimately determined is
21 insufficient, it's our risk. We, we blew it. We,
22 we shouldn't be doing it. But I can tell you that
23 before Val and Mandy had their surveyor prepare
24 that, and before Matt Steinberg and DTS Provident

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2 does, did, did their initial cut, fill and
3 grading analysis and drainage analysis, and
4 before my contract vendee started negotiating a
5 contract, with all due respect, Mr. Chairman I
6 could tell you a lot of people and a lot of brain
7 power went into, does that 6.03-acre lot actually
8 work? I wouldn't be sitting here citing the
9 number that I'm citing if we hadn't spent the
10 last three months doing this. If I, if I had a
11 signed agreement, I probably would be, I'd have a
12 site plan in front of you.

13 MR. KESSLER: So your immediate need is
14 to get a subdivision for lot one?

15 MR. STEINMETZ: And the immediate need
16 is to introduce this because you only have one
17 meeting in the summer of 2023. So I had no
18 choice. I get, I was here in on June 6th and, and
19 David, you can come back on July 25th and the
20 next time you can come back is in September. So
21 why am I here? I'm here so that I can make sure
22 you all know what what's yet to come.

23 Because throughout the fall of 2023, I
24 want to try to go through the site plan process

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2 after seven years and we ought to be able to do
3 that fairly expeditiously. So the first thing
4 that I was able to file so that I didn't just
5 walk in here with nothing was a, was a
6 subdivision because I know where my lots lay out
7 and I wanted to have an intelligent and
8 meaningful conversation with, and I wanted,
9 Steve, you, you know me way too well. I wanted to
10 introduce the project, with all due respect to
11 three new board members who haven't lived through
12 this.

13 MR. KESSLER: Yeah. But again, that,
14 that's not what's presented on our agenda
15 tonight, that project.

16 MR. STEINMETZ: So I think our cover
17 letter introduced the fact that we were going to
18 be conceptually discussing it. So I can't tell
19 you how your staff prepared the agenda, but I
20 announced in my cover letter what we were coming
21 in to do tonight. So we're here to talk about the
22 subdivision and conceptually discuss the uses
23 within it so that the folks on the board did not
24 think we were wasting their time just whacking up

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2 28 acres because it's fun to come to a planning
3 board meeting. We're here because I know
4 ultimately I'm going to have to have a 6.03-acre
5 lot for an assisted living and I'm going to need
6 the balance of the property subdivided so that I
7 can ultimately develop the lots that the town
8 board concluded were appropriate and did not
9 cause an a significant adverse impact.

10 So I don't want to talk in circles and I
11 don't want to create problems for the board and I
12 hope I'm being fairly clear to the others who
13 are, are not climbing on me like the chair. But
14 you know, it's another night in Courtlandt for
15 me, so.

16 MR. KESSLER: Okay, well obviously we
17 have to refer this back to staff.

18 MR. STEINMETZ: Yes.

19 MR. KESSLER: To review. Yes. And
20 obviously revisit this at the next meeting.

21 MR. STEINMETZ: So we look forward to
22 coming --

23 MR. KESSLER: And, and with your full
24 presentation.

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2 MR. STEINMETZ: We look forward to
3 coming back with our full presentation. We hope
4 that your board understands --

5 MR. KESSLER: But these are two, two
6 separate applications, I understand that.

7 MR. STEINMETZ: Of course.

8 MR. KEHOE: But, but I guess one thing
9 that I'm wondering about and I think this was
10 maybe mentioned at the work session, is you've
11 now underlaid the subdivision, but if you come
12 back next month with the site plan, the, the two
13 things will just sort of run concurrently.
14 There's no necessity that the site, that the
15 subdivision be signed off and approved before
16 they start analyzing the assisted living.

17 MR. STEINMETZ: So the answer to that,
18 and I very much appreciate that, because I think
19 that is certainly a germane question. In light of
20 the legal situation with the contract vendee and
21 other situations impacting the property, if I
22 learned that the review of the site plan was
23 going to take longer than we all think it, it
24 will or should, then I might ask to complete the

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2 subdivision piece first. And I'm allowed to do
3 that. I own -- my client owns the real estate,
4 I'm going to comply with the town's code. I'm
5 going to comply with town law, New York State
6 Town law section 276. And I have every legal
7 right to ask you to create lots, even if I
8 haven't finalized my site plan. I'd rather they
9 dovetail and be working together. And I had hoped
10 that we could file our site plan application
11 formally on the assisted living at a minimum
12 tonight.

13 But again, and I, I mean no disrespect
14 and I'm not trying to be difficult to you, Steve,
15 I only had one meeting in the summer and we
16 didn't want to waste the opportunity to come here
17 and have a dialogue and, and introduce this so
18 that when we get here in September, at least
19 everybody has an understanding of Evergreen
20 Manor, an understanding of the uses that are
21 going to be on this site, understands what we've
22 been through.

23 We, we've spent a ton of time on traffic
24 and adaptive, adaptive traffic signals at

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2 multiple intersections, which you don't need to
3 concern yourselves with. But if people wanted to
4 ask about that and wanted to understand this, I'm
5 not going to preclude them from doing that. And I
6 had one meeting in a 60-day period and my clients
7 are paying taxes and have been waiting seven
8 years to get to this moment in time.

9 MR. KESSLER: Well that was with the
10 town board, not with us.

11 MR. STEINMETZ: I, I you said it not me.

12 MR. KESSLER: Okay. No, you, you raised
13 the seven year issue, I didn't.

14 MR. STEINMETZ: So, we will be back in
15 September. If anyone has questions on, on our
16 lots, or on the road or on the sidewalk or the
17 lighting, those are all subdivision issues. Matt
18 Steinberg is more than happy to discuss the road,
19 the grade of the road, why it's located, why it
20 has the little curve, why it has a cul-de-sac,
21 the fact that the cul-de-sac meets municipal
22 specifications, the fact that a fire engine can
23 get in, turn around and get out. I'm happy to hit
24 all of that. But if you're all good with that,

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2 then that I can check off is one of the reasons
3 why we showed up on July 25, 2023 so that in
4 September we can hit third gear or maybe fourth
5 gear and move forward on the site plans.

6 MR. BIANCHI: This is not a subdivision
7 issue I guess, but has the question of
8 affordability come up?

9 MR. STEINMETZ: If the chairman allows
10 me to answer it, I'm happy to.

11 MR. KESSLER: Whatever I say, never
12 stops you.

13 MR. STEINMETZ: For the three new board
14 members, in fairness, I should say Steve and I
15 have been doing this together for how, for, for
16 way too many years, over 30. The answer Mr.
17 Bianchi is yes, we are required to have a ten
18 percent affordability on --

19 MR. BIANCHI: That's, I thought, okay.

20 MR. STEINMETZ: On the on the, on the --

21 MR. BIANCHI: Townhouse.

22 MR. STEINMETZ: -- townhouse unit lots.
23 We are also going to have issues to deal with
24 with your board and the town and staff on

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2 recreation fee and the recreational amenities
3 that will be incorporated into the assisted
4 living that I'm not allowed to talk about. So
5 I'll talk about those, I'll save that for
6 September when I have a good full list of all
7 those amenities. But --

8 MR. KESSLER: Coming attractions.

9 MR. STEINMETZ: Exactly. Why, why not
10 leave a little cliffhanger? We're really excited
11 to talk about -- sorry, I can't talk about it.

12 MR. KESSLER: Alright. Any, any more
13 comments from staff or the board? If not, Nora?

14 MS. HILDINGER: I make a motion to refer
15 back.

16 MR. KESSLER: Second please.

17 MR. BIANCHI: Second.

18 MR. KESSLER: On the question. All in
19 favor?

20 MULTIPLE: Aye.

21 MR. KESSLER: Opposed?

22 MR. STEINMETZ: See you in September. Is
23 that like a song or something?

24 MR. KESSLER: Always a pleasure, yes.

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2 MR. STEINMETZ: Always a pleasure, same
3 here.

4 MR. MCKINLEY: The time is 8:42, the
5 meeting is adjourned.

6 MR. KESSLER: Thank you.

7 (The public board meeting concluded at 8:42 p.m.)

CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of the planning board meeting of the Town of Cortlandt on July 25, 2023 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: August 24, 2023

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