

TOWN OF CORTLANDT
PLANNING AND ZONING BOARDS

PLANNING BOARD MEETING

1 Heady Street
Cortlandt Manor, New York 10567

May 2, 2023

6:30 p.m. - 8:10 p.m.

April 4, 2023

MEMBERS PRESENT:

Steven Kessler, Chairman

Thomas A. Bianchi, Vice-Chairman

David Douglas, Member

Nora Hildinger, Member

Kevin Kobasa, Member

Peter McKinley, Member

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

8 MR. STEVEN KESSLER: Thank you. Roll
9 call.

10 MR. CHRIS KEHOE: Mr. Kobasa?

11 MR. KEVIN KOBASA: Here.

12 MR. KEHOE: Mr. Rothfeder?

13 MR. ROTHFEDER: Here.

14 MR. KEHOE: Mr. Kessler?

15 MR. KESSLER: Here.

16 MR. KEHOE: Mr. Bianchi?

17 MR. THOMAS BIANCHI: Here.

18 MR. KEHOE: Mr. Douglas?

19 MR. DAVID DOUGLAS: Here.

20 MR. KEHOE: Mr. McKinley?

21 MR. PETER MCKINLEY: Here.

22 MR. KESSLER: Can I please have a motion
23 to adoption the minutes of the meeting of April
24 4th?

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2 MR. BIANCHI: So moved.

3 MR. KESSLER: Second?

4 MR. ROTHFEDER: Second.

5 MR. MCKINLEY: Second.

6 MR. KESSLER: On the question? All in

7 favor?

8 MULTIPLE: Aye.

9 MR. KESSLER: Opposed. Just a point of
10 information, our next meeting is going to be June
11 6th. The following meeting that was scheduled for
12 July 6th will now be changed to July 25th, so
13 there will be no planning board meeting on July
14 6th, it will now be July 25th and we will be
15 cancelling the August 1st meeting, so we'll go
16 from June 6th to July 25th and then our next
17 meeting after that will be September 5th.

18 Alright, on to the agenda, our first
19 item under correspondence, a letter dated April
20 14, 2023 from Keith Staudohar requesting the
21 first 90-day time extension final plat approval
22 for the Connolly subdivision located on Sycamore
23 Court. Kevin?

24 MR. KOBASA: Motion to adopt resolution

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2 4-23.

3 MR. ROTHFEDER: Second.

4 MR. KESSLER: Thank you, on the
5 question? All in favor?

6 MULTIPLE: Aye.

7 MR. KESSLER: Opposed? Next item is a
8 letter dated March 29, 2023, and a revised plan
9 dated March 1, 2023, prepared by Ralph
10 Mastromonaco, an elevation and floor plan
11 drawings dated April 27, 2023 prepared by Joseph
12 Thompson requesting amended site plan approval
13 for proposed modifications for the approved
14 Sinclair Gas Station/Convenience store located on
15 Route 6. So we received a new set of plans and
16 what they're asking to do is to eliminate the
17 second story of the proposed convenience store,
18 as well as extending the building by a length of
19 15 feet, making the building 15 feet longer, and
20 as I said, eliminating the second story and
21 adding some landscaping in the back, and I think
22 that's it, right? Chris, is that all there is to
23 it?

24 MR. KEHOE: Yes, but maybe the applicant

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2 can say something.

3 MR. KESSLER: Oh, sure, come on up.

4 MR. JOSEPH THOMPSON: Good evening,
5 everyone, Joseph Thompson, architect representing
6 the application. Tonight, we're seeking a
7 modification to the site plan, mainly to delete
8 the second floor office use that was previously
9 part of the program and for a slight footprint
10 expansion, which maintains the width at 42 feet,
11 but just increases the depth from 84 to 100, so
12 the footprint enlarges from about 3,500 square
13 feet to 4,200 square feet. There's still
14 sufficient parking, there's a slight change in
15 the architect, a little bit more architecture, a
16 little bit more modernized, it responds to the,
17 the final interior layout, but it'll basically
18 provide for more gracious convenience store and
19 again, simplifies the overall use of the property
20 by eliminating the office component.

21 MR. KEHOE: One thing, I did refer this
22 to the code enforcement office, Mr. Rogers,
23 mainly to see if there were any dimensional
24 issues or problems and he said no, but he did

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2 point out that there's way too much signage,
3 which I know the signage is representative, but
4 as you know, you're sort of doing a placeholder
5 for the signage, and then we refer it to the
6 architectural advisory council for their final
7 comments. But the signage, I think his point was
8 that's probably not going to be permitted unless
9 you get a variance.

10 MR. THOMPSON: Correct. The signage
11 allowance is pretty limiting in that we'll be, I
12 think provided with 42 square feet for the
13 primary façade facing the street and only 21 on
14 the entrance side. And I believe the other
15 signage on the site will also take part of that
16 allowance. So we're pretty certain we're going to
17 need to pursue a variance request. I'm sure we'll
18 probably tone back from what's presented
19 currently, but we're aware, thank you.

20 MR. KESSLER: When do we send it to
21 architectural review? When does that go?

22 MR. KEHOE: Well, they haven't submitted
23 any applications for a sign yet. So as part of
24 the building permit process, they submit them to

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2 Martin Rogers and then he refers them to me. And
3 then you would only get them back if they can't
4 reach agreement with the architectural advisory
5 council, because you're technically the
6 architectural council.

7 MR. KESSLER: Got it, okay. So is that
8 actually a variance that they have to get, or is
9 it kind of just compromise with the architectural
10 council?

11 MR. KEHOE: Well, well, no. They, if the
12 signage is too big, they've got to get a
13 variance.

14 MR. KESSLER: Get a variance, okay.

15 MR. KEHOE: Right. But if they can do
16 that signage and not need a variance, then they
17 would just need the blessing of the architectural
18 review council.

19 MR. KESSLER: Does the signage include
20 things like the price sign and all those things?
21 Is that part of it? You know, when you put the --
22 a lot of times there's a signage outside of --

23 MR. KEHOE: I'd have to refresh my
24 memory on that, although I do know --

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2 MR. DOUGLAS: I think it does.

3 MR. KEHOE: Yeah, because there was the
4 Mobile stations all wanted to do those red things
5 with, and they put some words on those red
6 things, like high octane, or whatever, and those
7 were determined to be signs that had to go to the
8 zoning board. I don't know, we think the 3.49 and
9 3.69 also count as signs, the price signs?

10 MR. DOUGLAS: I think they do, yeah.

11 MR. THOMPSON: My discussion with Mr.
12 Rogers, he confirmed they do.

13 MR. KEHOE: Okay.

14 MR. THOMPSON: So I think that sign
15 alone may utilize the entire allowance, you know.

16 MR. KESSLER: Alright. Any other
17 comments? Sure.

18 MR. BIANCHI: Just a question on the
19 site plan. On the upper left hand corner, there's
20 this 500-gallon propane tank and then there's a
21 little LP there, and an LP on the lower right
22 hand corner. What's LP? Is that liquid propane or
23 --

24 MR. KEHOE: No, light pole.

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2 MR. THOMPSON: Light pole.

3 MR. KEHOE: I think it's probably a
4 light pole.

5 MR. BIANCHI: Oh. Alright. And the fill
6 point for the propane tank, the truck backs into
7 space 12 or 11, is that the way it's going to
8 work?

9 MR. THOMPSON: I think that with the
10 hose, they probably won't necessarily need to
11 enter the space. So they probably could be
12 parallel along the retaining wall, or if that
13 space is open, back in.

14 MR. BIANCHI: Okay. Alright. I just
15 wondered, okay.

16 MR. KESSLER: Any other comments? If
17 not, Peter?

18 MR. MCKINLEY: I'd like to make a motion
19 to approve Resolution 2020-6.

20 MR. KEHOE: Well, no, you would just say
21 approved by motion.

22 MR. MCKINLEY: Approved by motion?

23 MR. KEHOE: Yeah.

24 MR. MCKINLEY: Approved by motion,

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2 excuse me.

3 MR. KEHOE: Yeah, yeah.

4 MR. KESSLER: Alright. Motion approved,
5 second?

6 MR. ROTHFEDER: Second.

7 MR. KESSLER: On the question? All in
8 favor?

9 MR. KEHOE: Just for the record, I think
10 I think Ralph, and I think Joe know, that means
11 there won't be a formal resolution, but I'll send
12 a memo over to Martin Rogers to make sure that
13 he's aware and then this new plan will be
14 attached to the previously approved plan and then
15 I'll make sure Martin Rogers gets that as well.

16 MR. THOMPSON: Okay. Thank you very
17 much. Have a good evening.

18 MR. KESSLER: Thank you.

19 MR. KEHOE: I think I cut you off before
20 you voted.

21 MR. KESSLER: Yeah, yeah, we were on the
22 question. All in favor?

23 MULTIPLE: Aye.

24 MR. KESSLER: Opposed? Next item, letter

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dated April 17, 2023, from Heike Schneider
requesting amended site plan approval for
approximately 300 square foot outdoor storage
racks located at the rear of the existing Ace
Hardware Store, located at 3120 Lexington Avenue.

MR. KEHOE: The applicant is on Zoom,
just so you know that they are present, but I
don't believe there's any comment on this case.

MR. KESSLER: And as you stated at the
work session, this has been reviewed by the
wetland consultant?

MR. KEHOE: Yes.

MR. KESSLER: And they have no problem
with it?

MR. KEHOE: Correct. Emma's saying they
did raise their hand, so let's see if they want
to say anything.

MR. DAVID: My name is David, I work
with Heike, I'm here if there's any questions
related to the application.

MR. KEHOE: Thank you.

MR. KESSLER: Go ahead.

MR. ROTHFEDER: What's going to be

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2 stored back there specifically?

3 MR. DAVID: Specifically, they're going
4 to be storing lawn supplies, basically like I
5 believe it's going to be like, I don't know the
6 specifics, but like mulch and stuff like that,
7 that would be stuff that like Home Depot and
8 other suppliers type stuff that they keep
9 outside, but, you know, for storage purposes.

10 MR. KESSLER: These will be locked?

11 MR. DAVID: It's open shelving storage
12 on the outside.

13 MR. KESSLER: So it's open storage
14 racks.

15 MR. DAVID: I can show the drawings if
16 it will help.

17 MR. KEHOE: I'm getting there. So are
18 you --

19 MR. DAVID: It's on the backside of the
20 building. If you go to the site plan, it would
21 show towards the back end of the building, which
22 is basically over here, you can see my pointer,
23 but ultimately the backside there and ultimately
24 open storage shelves and if you go back to the

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2 other drawing, it will show what it is, and if
3 you go to the next sheet, it actually shows it in
4 color, which is really helpful. So ultimately, so
5 it's basically storage racks that are on some
6 buildings. They're, they're adjustable based on
7 what they're, you know, the height of what's
8 being stored and they're -- be on crates, but
9 ultimately it should open to the outside. And
10 what we're doing is sort of adding awning roof,
11 just to keep it from getting wet and damaged.

12 MR. KESSLER: Are they secure?

13 MR. DAVID: Yes. It would be secured to
14 both the building and the foundation. There would
15 be like a slab with a foundation to keep it from,
16 you know, tipping over and ultimately adhere,
17 adjoined to the building so there would be a
18 connection, a structural connection to the
19 building.

20 MR. KESSLER: But will they be secured
21 from like theft?

22 MR. DAVID: Yes. I believe there's
23 security around the perimeter of the building but
24 there would be some level of security to keep

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2 obviously from these things, and there would be
3 cameras as well to keep these things from being,
4 you know.

5 MR. KEHOE: I believe some material has
6 been stored out there currently.

7 MR. DAVID: Currently, yeah, currently
8 there's storage out there now.

9 MR. KESSLER: Okay.

10 MR. KEHOE: It, it, we did a site
11 inspection out there, and it's just a case where
12 the store is not quite big enough, which happens
13 with these things sometimes and it was sort of
14 stored on the ground or in the back room and they
15 wanted to organize it a little bit better.

16 MR. KESSLER: Are there any combustible
17 materials stored back there? And if so, are
18 there, is there any fire protection needed?

19 MR. DAVID: No, we're not doing anything
20 combustible back here.

21 MR. KESSLER: Okay.

22 MR. KEHOE: This would need a building
23 permit from the code enforcement office, so
24 Martin Rogers will take a look at that.

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2 MR. KESSLER: Okay.

3 MR. ROTHFEDER: So, Chris, I may have
4 missed it, but so in terms of the wetland report
5 or the analysis, so what was the result of that?
6 That it's not, there's no more encroachment?

7 MR. KEHOE: Yeah, there's a memo from
8 Paul Jaehnig in the, your packet tonight. He did
9 the original wetland delineation and this is an
10 existing asphalt area now, which is in the
11 wetland buffer, but just by putting the racks
12 attached to the building, he did not think it
13 would have any impact to the wetland buffer.

14 MR. ROTHFEDER: I think I missed that,
15 but yeah, okay.

16 MR. KESSLER: Well [unintelligible]
17 [00:12:22] was on the wetlands from November.

18 MR. ROTHFEDER: Alright.

19 MR. KESSLER: Any other comments,
20 questions? If not, David?

21 MR. DOUGLAS: I make a motion on case
22 number 2018-5 to approve the amended site plan
23 this applicant is seeking.

24 MR. KESSLER: Second, please?

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2 MR. ROTHFEDER: Second.

3 MR. KESSLER: On the question? All in
4 favor?

5 MULTIPLE: Aye.

6 MR. KESSLER: Opposed? Okay. Let's see,
7 we discussed the planning board meeting changes,
8 so on to old business. First items is the
9 application of Bilal Ahmad for the property of
10 Ace Sport Realty Holding Corporation for site
11 development plan approval and for steep slope
12 tree removal and wetland permits for a proposed
13 five-story, 93-room hotel for property located at
14 2054 East Main Street, drawing latest revised
15 April 26, 2023.

16 MR. BRIAN SINSABAUGH: Alright. Good
17 evening, Chairman, members of the board, my name
18 is Brian Sinsabaugh, attorney with Zarin &
19 Steinmetz on behalf of the applicant Bilal Ahmad.
20 So you're aware, Bilal Ahmad is out of the
21 country so he is un- he is not with us tonight,
22 but we do have with us DTS Provident Matthew
23 Steinberg and Peter Gregory, as well as GTS
24 Consulting is Gordon Stansbury, who is our

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2 traffic consultant.

3 The application before you this evening
4 seeks site plan approval as well as steep slope
5 permits for the development of the property
6 located at 2054 East Main Street for the
7 construction of a 93-key Marriott flag hotel.
8 This project will provide a much needed quality
9 hotel in the area. As such, we're very excited
10 about this project and we're hopeful that you are
11 as well. As the board may recall, we were before
12 you in December, before applying to and appearing
13 before the ZBA.

14 The ZBA did hold a public hearing on the
15 application, issued a memorandum to your board on
16 March 21st in which the ZBA stated that it was
17 inclined to grant the building height variances
18 sought as well as the off-street parking, parking
19 space and parking lot landscape variances. It's
20 also in favor of granting the side yard setback
21 variances, but did hold back on giving any
22 comment on that until after the board has had an
23 opportunity to review the plan, if by chance the
24 setbacks do change.

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2 Since appearing before the ZBA, we did
3 make two submissions to your board. On March
4 29th, we submitted written responses to LaBella
5 P.C.'s November 22nd memo, as well as Westchester
6 County Planning board November 28th letter, and
7 we also enclosed copies of Keplinger Freeman
8 Associates plans, last revised February 21st as
9 well as the traffic impact assessment prepared by
10 GTS Consulting dated January 19th.

11 We also submitted on April 26th to
12 supplement that submission as well as prepare for
13 this meeting DTS Provident's engineered site plan
14 drawings, date April 26th as well as DTS
15 Provident steep slope disturbance narrative, also
16 dated April 26th. They are here today, so they
17 will review those items, give a broad overview
18 and answer any questions that you might have on
19 those documents.

20 We previously provided plans prepared by
21 Keplinger Freeman Associates. We reviewed those
22 plans with you I believe both at the last meeting
23 as well as meetings in November and December.
24 DTS' plans do expand upon those, providing

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2 engineering details that you did request. We do
3 have a video that was prepared during our time
4 before the ZBA and I know we may have had a
5 smaller one that we presented to you previously,
6 but I do want to play that for the board, before
7 I go into any more discussion just to give the
8 idea of what we're looking at as well as for the
9 public to have an idea of what we're presenting.

10 MR. KEHOE: Just give me a second.

11 MR. SINSABAUGH: Not a problem.

12 MR. CUNNINGHAM: Does it have sound,
13 Brian?

14 MR. SINSABAUGH: I don't believe so.

15 MR. CUNNINGHAM: Okay. Then you just hit
16 share.

17 MR. SINSABAUGH: If it does, it's not
18 necessary. So from this angle, we do have
19 renderings running down the Bear Mountain Parkway
20 on an off ramp, heading toward East Main Street.
21 So as you can see, we do have retaining walls
22 that are located along the side of the building
23 going to the parking lot. Due to topography, we
24 do have to do some grading that will allow us to

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2 build up that parking area. The retaining walls

3 do provide some level of screen to the parking

4 area, but we have also included landscaping.

5 Along East Main Street here, we do have, what

6 you're seeing is the taller trees are the trees

7 that are going to be retained on the site, so

8 there is some foliage in that area that we are

9 going to be retaining, but we're also building up

10 the foliage down below with ornamental trees,

11 shrubs, and other low lying plants that will be

12 in that area. Between that, you have two levels

13 of -- between that and the building, you do have

14 two levels of retaining wall behind the foliage

15 there. And coming around this corner now, you do

16 see the building. The building is more exposed on

17 this level, this side. It, due to the topography,

18 this is going to code five stories on that level.

19 The grade does slope upward, so as you go up the

20 side of the building, it does vary until you

21 reach the point where the front entrance of the

22 building, which is actually at the rear, is at a

23 level of four stories. We are providing street

24 trees along the side.

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2 What's not shown here and what is
3 included in our plan, though, however, I do want
4 to point this out is we do have a sidewalk that
5 will be running down that side. So that way,
6 we'll be connecting with the existing sidewalk at
7 the corner of East Main Street and Jacobs Hill
8 Road.

9 So having given that, that video and
10 given everyone a better idea of what we're
11 looking at, again, with regard to the height, we
12 are four stories at the main entrance of the
13 building, which is on the westerly side of the
14 building. On the easterly side, it is technically
15 five stories per the code. With regard to the
16 height of the building in relation to surrounding
17 buildings, the building itself is 17 feet taller
18 in elevation, total elevation, than the building,
19 highest building at Pikes Plaza, which is across
20 the street.

21 With regard to setbacks, we are
22 providing a 30-foot setback to the parking lot to
23 East Main Street, approximately eight-and-a-half
24 feet to the parking lot from Jacobs Hill Road.

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2 Bear Mountain Parkway, we have eight feet to the
3 parking lot. And then we also have a vacant lot
4 to the north, which would provide a more
5 significant buffer. We will be maintaining some
6 of the trees on that side.

7 Also, with regard to the building
8 orientation, I know I've touched on this once
9 before but we, we are providing the building
10 orientation the way that we have it set up with
11 the main entrance on the westerly side, which is
12 facing away from East Main Street. The purpose of
13 this is that we'd like to provide the bulk of our
14 parking away from East Main Street, so it's not
15 visible from the roadway. In doing so, we do have
16 the parking lot, the primary parking lot on that
17 side, thus the main entrance there. Also, there
18 is an existing curb cut that's close in the
19 location, close to the location that we are
20 providing on this side. So another reason as to
21 why we do have the main entrance on that
22 location.

23 With regard to the way that we have it
24 graded and fire safety, we have confirmed with

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2 the local fire department that the site has
3 sufficient access for 107-foot ladder truck,
4 which exceeds the requirements of the fire
5 district. We have provided flat areas both on the
6 westerly side and easterly, which would be the
7 top and bottom of the way we're looking at it
8 here, so that there is sufficient areas for those
9 trucks to plan in and provide safety services if
10 necessary.

11 We also are providing a fire hydrant.
12 There's an existing one on East Main Street and
13 the Route 6 right of way, but we are proposing
14 one on the north side of the curb cut along
15 Jacobs Hill Road.

16 In addition to this, we also have
17 retaining walls, as I had mentioned, the two
18 retaining walls are six foot each, the purpose of
19 this is to soften the appearance of the
20 retaining, of the site. We are providing
21 landscaping between those retaining walls as
22 well, so when you're looking from the site, I
23 know that there is -- it does, it could look, I
24 mean, let me just strike that. It, in terms of

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2 looking at it from Main Street, you do have the
3 five stories, and we do understand that. But with
4 the combination of the foliage, as well as the
5 setback and utilization of these walls, we are
6 screening a portion of the building as you look
7 at it from East Main Street. And also, when
8 you're coming down from Jacobs Hill Road, the
9 bulk of the parking lot will be screened already
10 with the retaining walls that are on the left
11 side of the parking area. That will screen that
12 lower level, the most westerly level of parking,
13 that alone, but you also have all the additional
14 foliage and existing trees that will be in that
15 area as well as additional plantings that will
16 screen the bulk of the parking lot and some of
17 the building as well.

18 I do want to, the last thing I want to
19 touch on is renewable energy sources. What we
20 have provided so far are two electronic vehicles
21 charging stations on the site. In addition to
22 that, the applicant has also reached out with
23 regard to the use of solar panels on the roof,
24 since we do have a flat roof. It will be screened

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2 by parapet along the side, but he is looking to
3 utilize solar paneling on the roof. So that is a
4 serious consideration. He's already reached out.
5 There's no full confirmation on that and he's
6 still getting additional details, but that's
7 something that he would like to consider for this
8 application.

9 At this point, I do want to --

10 MR. ROTHFEDER: Can I interrupt you.
11 That's good about the solar panels, but I don't
12 think two EV parking spaces is going to be
13 enough. I mean we're looking at that by
14 supposedly 2030 more than 60 percents of the cars
15 are going to be EVs and so that's not going to
16 cut it.

17 MR. SINSABAUGH: Understood.

18 MR. ROTHFEDER: But just to say that for
19 now.

20 MR. SINSABAUGH: Understood. Thank you.
21 We'll take that into consideration. I do want to
22 hand things over now to Matthew Steinberg of DTS
23 Provident, who will go into some more additional
24 details with regard to the landscaping, trees and

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2 steep slopes.

3 MR. MATTHEW STEINBERG: Good evening.
4 Matt Steinberg, DTS Provident. Part of the plan
5 set that we submitted includes a landscape, a
6 landscape plan. You'll be at the site for a site
7 visit, so you'll get a better sense of what's
8 existing out there. Currently, there's 157 trees,
9 we're proposing a landscape plan with 63 trees
10 along with native and adapted species of, of
11 shrubs, grasses and perennials. In total, in
12 those limits of disturbance, 84 trees will be
13 removed in order to construct the project. Based
14 on the town's tree ordinance, 95 trees would be
15 required as part of the reforestation plan.
16 There's also trees that would be removed on
17 slopes over 25 percent, so that's 48 trees that
18 would be required. So in total, 143 trees would
19 be required. Obviously, trying to fit all of that
20 onto the site under the proposed plan isn't
21 completely feasible, just based on the area and
22 obviously trying to make sure that trees aren't
23 competing for the same space. And so, as part of
24 that plan, in discussions with Chris, in the

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2 past, one of the practices is just to find an
3 equivalent in the number of shrubs, so 13 shrubs,
4 there's 133 shrubs in total, so at a ten to one
5 ratio, that would be 13, so in total, we'd be
6 planning the equivalent of 80 trees on the site.

7 So there is a deficit of about 60 trees
8 at this time, and we're continuing to look at
9 where we might have opportunities to keep
10 planting, and then obviously, any deficit would
11 be made up as part of the environment
12 contribution to the fund.

13 MR. KEHOE: And that formula is based on
14 Cortlandt Crossing? Is that where it came from?

15 MR. STEINBERG: Partly, it was partly
16 used on Cortlandt Crossing, and then part of it
17 was used next door, at the Colonial Terrace.

18 MR. KEHOE: And I think we did some with
19 the Hudson National Golf Driving Range where Mike
20 Preziosi developed ratios, so we do allow for
21 sites like this grasses and shrubs to contribute
22 at a certain percentage to the trees.

23 MR. KESSLER: Right.

24 MR. STEINBERG: Right. And this really,

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2 at this point, we've done it with the shrubs to
3 be conservative. But there's definitely a number
4 of grasses proposed as well. We just have to
5 confirm the final sizes and work that out with
6 staff. But to be conservative, that's kind of
7 where we're at, is that 80 tree --

8 MR. KESSLER: Just to clarify the
9 numbers, you need 143 trees --

10 MR. STEINBERG: Correct.

11 MR. KESSLER: -- if you're going to go
12 to code, you're planting 63 trees, and 133 shrubs
13 and whatever the formula is, that basically gives
14 you an equivalency of 80 trees --

15 MR. STEINBERG: Correct.

16 MR. KESSLER: -- versus 143?

17 MR. STEINBERG: Correct, so about 63 is
18 the deficit.

19 MR. KESSLER: Sixty-three?

20 MR. STEINBERG: Mm-hmm. So in, you know,
21 part of the project, if you look at the site
22 grading, and you'll see when you go out to the
23 site, we've obviously tried to balance cut and
24 fill in order to create this parking lot around

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2 the building, so that it functions appropriately
3 and safely, so there'd be a cut essentially on
4 the northern side of the hotel, so we can see on
5 the steep slope map, there's about 1.6 -- the
6 total site is approximately, it's a little over
7 two acres, 1.4 acres are comprised of steep
8 slopes, approximately 1.2 acres of steep slopes
9 would be disturbed, primarily in the northern
10 portion of the site in order to balance the site
11 and kind of keep cut and fills and obviously
12 minimize export and import, cut would be on the
13 northern end side and then there would be fill
14 towards the southern end of the site.

15 MR. ROTHFEDER: Do you expect the cut to
16 equal the fill?

17 MR. STEINBERG: At this time, it looks
18 like there might be a little bit of an import of
19 fill, because we will be filling more in the
20 front than we would be cutting in the back. But
21 this will be fully refined.

22 MR. KEHOE: And are you going to get to
23 what's the amount of slopes greater than 30
24 percent that are impacted?

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2 MR. STEINBERG: So greater than 30
3 percent --

4 MR. ROTHFEDER: It looks like --

5 MR. STEINBERG: -- so there's
6 approximately a third of an acre existing of
7 slopes over 30 percent, and we would be impacting
8 approximately .16, so about six, so there's about
9 13 to 14,000 square feet of slopes over 30
10 percent today, we'd be impacting a little under
11 7,000 square feet. And that's that darker color
12 that you can see. So with the use of retaining
13 walls around the parking lot, those, the 30
14 percent of slopes at the far northerly side, the
15 west side, you know, we would try to preserve and
16 minimize. But in order to kind of fit that
17 parking in, we would go into that slope area.

18 MR. KESSLER: But, just according to our
19 memo, just again, to be clear, about 55 percent
20 of the site with slopes over 15 percent will be
21 disturbed?

22 MR. STEINBERG: Correct.

23 MR. KEHOE: And along, along those
24 lines, I think Brian said you're going to have

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2 tiered retaining walls. None of the retaining
3 walls will be any taller than six feet?

4 MR. STEINBERG: No. That's --

5 MR. KEHOE: Pretty much, or?

6 MR. STEINBERG: Do you want to talk to
7 retaining walls at all?

8 MR. PETER GREGORY: Sure. So my name is
9 Peter Gregory with DTS Provident, project
10 engineer. We are intending on terracing those
11 retaining walls. We are keeping the retaining
12 walls to the north, which would to a six-foot
13 high terrace, landscaping in between, properly
14 spaced for the structural integrity of the walls
15 as well as providing that benched area for the
16 landscaping. And similar in front of the
17 property, we will have a terraced wall as we drop
18 down to the existing grade along the front, but
19 those walls may be a little bit higher than six
20 feet terraced. I think we're going to be
21 approaching seven feet or eight feet on those
22 individual walls in front of the property.

23 MR. KESSLER: So between the walls will
24 be plantings? There's be --

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2 MR. GREGORY: That's correct.

3 MR. KESSLER: -- you'll, you'll have
4 soil to the top of the wall, and then the next
5 wall above that?

6 MR. GREGORY: That is correct, both to
7 the front and to the rear of the property with
8 those walls.

9 MR. KESSLER: Okay. Anything else?

10 MR. KEHOE: Traffic?

11 MR. KESSLER: Traffic.

12 MR. GORDON STANSBURY: Hi, good evening,
13 my name is Gordon Stansbury with GTS Consulting.
14 Just to give you a tiny bit of background on
15 myself, I am a traffic engineer through and
16 through. I've been doing this for roughly 28
17 years, ten years with a national firm, and then
18 about 18 years as GTS Consulting. I am a licensed
19 professional engineer and a certified traffic
20 operations engineer with ITE.

21 I just wanted to take a few minutes to
22 walk you through the traffic study that was
23 completed for the project and then kind of see
24 where we're at today and then see if there's any

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2 questions that you may have.

3 So to start off, the study area for the
4 project includes the three primary intersections
5 along Route 6, the eastbound and westbound ramps
6 for Bear Mountain Parkway as well as the Jacobs
7 Hill Road intersection and then the two plaza
8 driveways that exist on Jacobs Hill Road today.
9 The overall scope of the traffic study, we
10 coordinated with HVEA on the scope and came to
11 agreement with the process and methodology that
12 we used.

13 We collected updated traffic counts at
14 the five study intersections in October, 2022.
15 During the weekday morning, 7:00 to 9:00 a.m.
16 midday, 11:00 to 1:00 and then evening, 4:00 to
17 6:00 time periods to identify the peak hours. We
18 were also asked to look at the Saturday peak
19 hour, midday to see what kind of impact the hotel
20 may have. We did not collect updated traffic
21 counts for that. We used the 2019 counts from the
22 Gasland study. It was more just an exercise to
23 make sure that we didn't have a significant
24 impact at that time period.

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2 The traffic counts were compared to
3 historical counts. They were found to be
4 generally comparable in magnitude. Based on our
5 discussions with HVEA, we agreed that there were
6 no adjustments needed to be made to the 2022
7 counts that we collected.

8 We also collected spot speed
9 measurements on both Route 6 and Jacobs Hill
10 Road, passing the site to understand the
11 operating speeds in the area, especially when we
12 look at site distances at the proposed driveway
13 on Jacobs Hill Road. Based on the data that we
14 collected, operating speeds in the area are
15 approximately 40 miles per hour on Route 6 and
16 about 30 miles an hour on Jacobs Hill Road,
17 passing the site.

18 Sight distance measurements at the
19 proposed driveway location, we look at that for a
20 safety standpoint to make sure traffic can safely
21 enter and exit the driveway, and we can, we look
22 at sight distances based on the operating speeds
23 from the AASHTO design guidelines and compare
24 them to actual measurements collected. And the

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2 sight lines looking left down toward Route 6 are
3 about 325 feet. The AASHTO recommended distance
4 based on 30 miles an hour is 335 feet. So we are
5 within 97 percent of the recommended distance and
6 in reality, when people are turning onto Jacobs
7 Hill, they're a little bit slower than 30,
8 they're starting to climb the hill, so there's no
9 concern with sight distance looking to the left.
10 Looking to the right up the hill, you have the
11 curve on Jacobs Hill Road, the sight distance is
12 limited to approximately 200 feet, which would be
13 below the recommended design guideline of 335,
14 but that approach is currently controlled by a
15 stop sign. So we would recommend that stop sign
16 remain, because it would be a substandard stop
17 distance if that stop sign were to be removed.

18 We did complete capacity analysis of the
19 existing condition, using Synchro 11 and Sim
20 Traffic, which are the standard industry models
21 used for capacity analyses. Overall, the
22 intersections are operating at overall level of
23 service C during the peak hours. There are some
24 significant failing operations today at the

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2 westbound ramps. It's currently unsignalized. I
3 don't think anybody is surprised by that
4 condition at this time. There's also some long
5 delays coming off the eastbound off ramp that
6 primarily during the evening and Saturday peak
7 hours.

8 At the Jacobs Hill Road intersection,
9 operations are pretty good. Overall intersection
10 level of service C, no failing delays, the plaza
11 driveways on Jacobs Hill are both operating at
12 level of service A. And I assume you guys all
13 know, but levels of service are generally just
14 like school. We grade it A through F, A is very
15 good, F is very bad, generally a C is middle of
16 the road, D is typically considered passing for a
17 signalized intersection.

18 That being said, on the existing
19 conditions, the existing conditions analysis for
20 this project really don't matter as much because
21 there's significant improvements coming,
22 associated with both the Gasland and the
23 Palisades projects.

24 The Gasland project improvements include

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2 an additional turn lane on the eastbound off
3 ramp, as well as a westbound left turn lane on
4 Route 6, and an upgraded signal that will be what
5 we call adaptive control. It makes the signal,
6 it's more responsive to fluctuations in traffic
7 and will improve the operation.

8 Similarly, the Palisades project will be
9 improving the westbound ramps with a new traffic
10 signal, modification of the off ramp from the
11 current one lane to have a left turn lane and a
12 through right lane and as well as driveway
13 improvements for both developments.

14 Additionally, the Jacobs Hill
15 intersection will also have a signal upgrade so
16 all three signals will be adaptive control by the
17 time we come into the picture. So, I kind of put
18 the existing conditions analysis aside and we
19 really want to focus on the background condition.
20 We reviewed historical traffic volumes, we grew
21 the existing volumes to our 2024 design,
22 ultimately using a one percent growth rate which
23 was consistent with both the Gasland and
24 Palisades studies. We incorporated the

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2 improvements associated with the two gas stations
3 projects into the models and we also incorporated
4 the traffic volumes generated by both those
5 developments into those background projections.
6 Rerunning the analysis in the background
7 condition, we find that again, everything
8 continues to operate at overall levels of service
9 C. There are a couple longer delays noted. The
10 Gasland driveway is projected to operate at a
11 level of service E, the eastbound off ramp is
12 still projected to operate at a level of service
13 E, although the delays in the queues are
14 significantly improved over the existing
15 condition with the additional lane on the off
16 ramp. So even though we see a level of service E,
17 the operation is substantially better.

18 MR. ROTHFEDER: And that's without the
19 adaptive lights? Level of service E?

20 MR. STANSBURY: So what happens is the
21 adaptive lights, they still tend to favor Route 6
22 because it's the heavier volume, so you're going
23 to see better levels of service on the main road
24 and you still may have level of service D or E,

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2 but with the additional lane, the storage, the
3 queues are almost cut in half. So they're not
4 backing out to Bear Mountain Parkway like they do
5 today, so you'll see a significant safety
6 improvement. You'll still have some longer
7 delays, but better delays would be the best I
8 could describe that.

9 MR. BIANCHI: So you don't expect any
10 improvement in that level of service?

11 MR. STANSBURY: It will be a level of
12 service E, but one of the things that we look at
13 is volume to capacity ratio. That's when you take
14 the calculated capacity of an approach and you
15 actually take the volume and divide it by it.
16 When that is over one, that means you're over
17 capacity. We're still well under one, so we're --
18 it's not a capacity issue, it's more just a
19 signal coordination issue. You'll often have a
20 little bit longer delays on the sides just
21 because of signal coordination and how they
22 function.

23 MR. KESSLER: Okay. Thank you.

24 MR. STANSBURY: But again, the one thing

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2 I would point out, the Jacobs Hill intersection
3 is still working well, level of service C, a
4 level of service D on the Jacobs Hill approach.
5 There are some longer delays that we see
6 eastbound at the westbound ramp, so that's at the
7 Palisades Driveway on Route 6, because the
8 Palisades project did not include an eastbound
9 left turn lane into their site as an improvement.
10 So when traffic is waiting in the inside through
11 lane, that causes some congestion in the
12 eastbound direction that is unavoidable without a
13 storage lane. Any question on that? Okay.

14 So, now we move into what's our impact,
15 what does our development do on top of these
16 projected operations. We calculate the trips
17 generated by the site using the standard ITE trip
18 generation manual. Overall, a hotel of this size
19 is not really a significant traffic generator.
20 We're projected to generate generally between 20
21 and 40 cars entering and exiting during the peak
22 hours. So that is equivalent to less than a car
23 per minute entering and exiting during the peaks.
24 Compared to the traffic lights that are operating

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2 roughly around 100 second cycle length, you're
3 talking about a couple of cars every two cycles,
4 every three cycles, so you're not going to see a
5 big influx of traffic.

6 We were, we did distribute the traffic
7 through the study area intersections based on
8 existing traffic distributions in the area. We
9 kept them off of local roadways. It was, all
10 traffic was assumed to either use Route 6 or Bear
11 Mountain Parkway because the hotel is more of a
12 regional generator, not a local street generator.

13 Adding the traffic on and rerunning the
14 build analysis, we found that there was very
15 little impact on the overall signal operations.
16 All levels of service are generally maintained.
17 We did note a drop in level of service on the
18 Jacobs Hill Road approach to Route 6, so that's
19 our existing movement. It drops from a level of
20 service D to an E on Saturday, but if you look at
21 the V/C ratio, it's .55, so it's not a capacity
22 concern, it's just a signal operation, again
23 favoring the main road where the volumes are
24 heavier.

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2 And overall, we have no individual
3 movement delay would increase by more than three
4 seconds. So it's a negligible increase, a minor
5 volume generator that is really not going to see
6 a physical impact. That being said on the traffic
7 study, we did submit the study. HVEA has reviewed
8 it. We had a response memo from them that noted
9 that they were in agreement with the methodology
10 and all of the process we used to complete the
11 study. They concurred that the development would
12 have no significant impact on traffic conditions
13 in the area. They did note, the one thing that I
14 have not included in my study is an accident
15 analysis.

16 I am currently at the seven month mark
17 of trying to get accident from the state DOT.
18 They provided me with a spreadsheet, Excel file
19 that was only an accident level query and not a
20 vehicle level, so I don't have, I couldn't get
21 good details out of what they gave me. I was able
22 to identify that there were five accidents in the
23 past three years at the Jacobs Hill intersection,
24 which results in a accident rate well below

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2 statewide standards for similar facilities. The
3 accidents through the interchange are a little
4 bit harder to locate. They could be on the main
5 line, they could be at the signals, they could be
6 at the junctions to the main line. It's hard to
7 identify exactly where they are. But as I noted
8 in the preliminary stuff that I gave back to
9 HVEA, I question the value of pursuing the
10 accident data any further, because there's such
11 substantial improvements coming down the road.

12 With the modified signals, additional
13 lanes, the additional signal at the westbound
14 ramps, completing an accident analysis at this
15 point based on old data really doesn't serve a
16 good purpose because the intersections are going
17 to be improved. So I kind of leave that with the
18 board and with your engineers to decide whether
19 we need to keep pushing DOT for that data, or if
20 we can of accept that that information is moot at
21 this point.

22 That's about all I've got to offer, and
23 if you guys have any questions, I'd be happy to
24 answer.

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2 MR. KESSLER: Chris, I don't think we
3 have the traffic report. I don't think you ever
4 distributed that.

5 MR. KEHOE: You do.

6 MR. KESSLER: What's the date of it?

7 MR. STANSBURY: The date of it is
8 January 19th.

9 MR. KEHOE: As I anticipated this --

10 MR. KESSLER: What is it?

11 MR. STANSBURY: January 19, 2023.

12 MR. KEHOE: There's an email and I put
13 all, I put all of those documents both in a
14 Google Drive and mailed them all to you
15 independent of your packets, because I
16 anticipated this exact conversation. Now I can't
17 find my little note. But all of the wetland
18 report, the tree report and the traffic report.

19 MR. KESSLER: I have the tree report, I
20 have the scope of the traffic, I have the HVEA
21 approving the scope, but I don't have the report.

22 MR. BIANCHI: I'm missing that too.

23 MR. KEHOE: I'm not sure I agree with
24 that, but I'll look into that. Mr. Stansbury's

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2 report would have been 200 pages. I sent the
3 first 10 pages at some point, because the last
4 180 or 90 were --

5 MR. KESSLER: You said you were going to
6 do that, I remember you saying that.

7 MR. STANSBURY: Yeah, I always tell
8 everybody this is the study, this is what you
9 want to read. [unintelligible] [00:46:55].

10 MR. KEHOE: But I'll have to find that,
11 I thought I did, but if I didn't, I'll send it
12 right along. But we do have Dave Ellis from
13 Hudson Valley Engineering here if you want to
14 hear from our consultant.

15 MR. ROTHFEDER: Yes.

16 MR. KEHOE: You can either say you have
17 nothing to say or say whatever you want.

18 MR. DAVE ELLIS: As usual, a good job. I
19 have nothing to add unless --

20 MR. KESSLER: Just for the record --

21 MR. ELLIS: -- there are any specific --

22 MR. KESSLER: -- identify yourself.

23 MR. ELLIS: -- specific questions.

24 MR. KEHOE: Could you just identify

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2 yourself.

3 MR. ELLIS: Oh, I'm sorry, David Ellis,
4 from HVEA Engineers, out of Beacon. As I was
5 saying, I have nothing to add unless there are
6 any specific questions. We do concur with the
7 findings of the report. As expected --

8 MR. KEHOE: I do think in your memo
9 though, you did mention about the accident data.
10 Do you still want that?

11 MR. ELLIS: I do -- initially, of
12 course, we wanted it. When there was difficulty
13 in obtaining information, we felt that as a
14 matter, just for completeness, since this has
15 been dragging on for --

16 MR. STANSBURY: Seven months.

17 MR. ELLIS: -- over six months now, I do
18 not foresee any significant results from the
19 accident, from a completed accident study.

20 MR. ROTHFEDER: Do we have, is it the
21 baseline data that you're waiting for, or --

22 MR. ELLIS: The specifics. You know, I
23 think, yeah, I think what Gordon has received is
24 there was an accident, two cars.

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2 MR. ROTHFEDER: Right.

3 MR. ELLIS: You know, we want to know
4 well what direction were they traveling, you
5 know, what was the, if any, what was the fault,
6 you know, was it --

7 MR. ROTHFEDER: Right.

8 MR. ELLIS: -- poor weather.

9 MR. ROTHFEDER: I mean I understand that
10 obviously conditions are going to change, as you
11 pointed, out, quite bit, but would it have any
12 value for us to have that still as a baseline on
13 the record?

14 MR. ELLIS: That's exactly why we were
15 pushing for it. You know, if the information was
16 forthcoming, yes, we would expect that just for
17 the record, just to provide a baseline.

18 MR. ROTHFEDER: Right.

19 MR. ELLIS: This has been dragging on
20 now for, you know.

21 MR. KEHOE: And I believe --

22 MR. MCKINLEY: Yeah, just keep trying. I
23 mean it would be good if we did get it at some
24 point, but --

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2 MR. KEHOE: But I think one of the
3 benefits of working with HVEA is most of the
4 employees of HVEA are former New York State DOT
5 employees, so I think your staff has been
6 reaching out to their contacts at DOT to try to
7 shake some of that loose.

8 MR. ELLIS: As they say, if we can't do
9 it with the DOT, then it's, you know, it's tough,
10 you know. The last we heard, believe it or not
11 was they were waiting for somebody to redact, you
12 know, the documents. And I was like come on, it's
13 2023, you know. So that's where we're at.

14 MR. BIANCHI: I suggest keep trying.

15 MR. ELLIS: If I make a suggestion and
16 say if it comes in, then I don't think Gordon,
17 you would have a problem completing it?

18 MR. STANSBURY: I would have no problem
19 summarizing it if I ever get it. The one thing I
20 would offer for the baseline is that the accident
21 analysis was completed for both the Gaslands and
22 Palisades. So the data is out there. I'm pretty
23 much going to be recreating it. That's why I
24 question the value, because it's been done and

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2 it's not really -- and it's all going to be not
3 as valuable once everything is rebuilt.

4 MR. ELLIS: And you went back three
5 years, right?

6 MR. STANSBURY: Yes.

7 MR. ELLIS: Yeah, so that would have
8 included maybe the Gasland, there would be some
9 overlap, you know.

10 MR. STANSBURY: Yeah, it would be at
11 least a year overlap.

12 MR. ELLIS: Yeah, so the most you could
13 --

14 MR. ROTHFEDER: No, I understand that
15 about the baseline, but obviously, this data that
16 you would like to get describes what happened
17 during the accidents?

18 MR. ELLIS: Yeah.

19 MR. ROTHFEDER: And it appears to me
20 that would have some value potentially, but you
21 know, if we get it, we get it, right.

22 MR. ELLIS: Right.

23 MR. KEHOE: And one thing I want to
24 remind Steve of, which I think you did find, is

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2 you wanted them to look at the Gasland and
3 Palisades traffic studies to see --

4 MR. STANSBURY: We did.

5 MR. KEHOE: -- if their project- I'm not
6 sure I'm using the right words, but do the
7 studies match up with what they projected, and I
8 think you looked into that.

9 MR. STANSBURY: Yes. We, we, when we
10 collected our existing counts, we compared them
11 to the traffic volumes from those studies.

12 MR. KEHOE: Were they projected?

13 MR. STANSBURY: They had their 2019
14 counts, we had our 2022. The overall magnitude of
15 the volumes were consistent. There was some
16 question of whether, you know, COVID had any
17 impact on traffic volumes, if our volumes might
18 be low. But they were very comparable across the
19 board.

20 MR. KESSLER: In other words, existing
21 conditions [unintelligible] [00:51:37]?

22 MR. STANSBURY: Yes, yeah.

23 MR. KESSLER: Chris, just one, I think
24 we should get the architectural review committee

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2 involved early on. I'm a little concerned about
3 the side of the building facing Main Street, you
4 know, that it's just this big white space and
5 maybe there can be some design elements that they
6 may think is appropriate.

7 MR. KEHOE: I've asked for them to work
8 with our town artist. We have a new artist in
9 residence, about whether they would do a mural or
10 something. I don't know if Marriott would ever
11 agree to that, I don't know if a mural is a good
12 idea. But the idea of the large walls that are
13 visible, sometimes coming down from the Bear
14 Mountain Parkway or may be visible from 6, maybe
15 should get some sort of treatment.

16 MR. KESSLER: Maybe a picture up there?

17 MR. KEHOE: Like a picture of the dam, I
18 mean you've seen them in Peekskill, or wherever
19 you go, buildings, big brick buildings would have
20 --

21 MR. KESSLER: I think the architectural
22 review committee has a better sense about that
23 than we would.

24 MR. KEHOE: Right.

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2 MR. BIANCHI: Question on the traffic,
3 truck traffic. Could you describe what kind of
4 trucks, if any, vans or large vehicles that are
5 going to supply materials and food to the hotel
6 and where would they, how they would circulate in
7 the parking area and around the hotel?

8 MR. STANSBURY: I'm not sure what the
9 delivery schedule is.

10 MR. BIANCHI: Well, not the schedule so
11 much but who would they circulate, where would
12 they be?

13 MR. KESSLER: Where is the loading dock
14 going on this?

15 MR. BIANCHI: Where would they be,
16 right, bringing their material in?

17 MR. SINSABAUGH: So I can speak to that,
18 and with a caveat that I have to go back to my
19 client with regard to getting the very specifics
20 on this. But the site is movable via 107-foot
21 fire truck, so there is sufficient movement on
22 the site. We don't expect to have very, very
23 large deliveries coming onto the site. You're not
24 going to see a standard 18-wheeler coming to the

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2 site, but where you would likely have deliveries
3 happening would be on the lower portion on of the
4 site. So they would be maneuvering to the lower
5 portion. That is our basement level, that does
6 have our storage in that area.

7 MR. BIANCHI: That's the Main Street
8 side?

9 MR. SINSABAUGH: Yes, the Main Street
10 side, correct.

11 MR. BIANCHI: Is there a loading area
12 there?

13 MR. SINSABAUGH: I do not --

14 MR. BIANCHI: I was looking at the map.
15 I don't see any. It says elevated deck with
16 retaining wall below. I don't know if that's --

17 MR. SINSABAUGH: Yeah, so we do have
18 that area that's there. I will say that I don't
19 believe there is a defined loading area for the
20 site. We do have an area, like obviously in the
21 front for people dropping off just in general,
22 persons coming through. But I don't think that
23 would even suffice height wise to allow for a
24 truck to go through that main area. I think that

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2 what I will say is that with regard to the
3 deliveries, the deliveries will likely happen
4 during the middle of the day. That's when the
5 staffing is the highest. That's also when our
6 occupancy is extremely low. So the majority of
7 people would be checking out of the site between
8 7:00 a.m. and 10:00 a.m., the majority checking
9 in between 5:00 p.m. and 10:00 p.m. Occupancy
10 levels on average run about 65 percent throughout
11 the year, max would be between 90 and 95 percent.
12 But during the day, those occupancy levels are
13 extremely low. The people that we do have on site
14 are typically around five to seven employees that
15 will be on site midday. That will likely be the,
16 the period of delivery. But I do, again, I do
17 need to confirm that with my client.

18 MR. BIANCHI: Could you check into that
19 because I'd like to know where the, you know,
20 food and there's other -- furniture and other
21 materials that have to be transported and
22 offloaded.

23 MR. SINSABAUGH: Certainly.

24 MR. BIANCHI: Where that's going to go

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2 and how that's going to happen.

3 MR. SINSABAUGH: So we do have one
4 restaurant that we do have on the site. It's a
5 restaurant primarily for just the people that are
6 staying at the site. The, with regard to food or
7 any kind of furniture, the furniture would likely
8 be delivered on a very exceptional basis. You'll
9 have the initial furniture delivery. If they're
10 revamping the site, you might have furniture
11 delivery. But there is no banquet hall at this
12 site, so there will be no delivery of like say
13 tables and chairs for a big event. We don't have
14 that capability at this site, because there is no
15 banquet hall.

16 MR. KESSLER: And when do you have your
17 dumpsters and --

18 MR. SINSABAUGH: So the dumpsters are
19 located, if you're looking at the plan, it's
20 going to be on the upper right hand side, close
21 to Bear Mountain Parkway, we do have dumpster
22 enclosures that are located there that are
23 surrounded by landscaping on two sides.

24 MR. MCKINLEY: It's the white area,

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2 Steve, right here.

3 MR. KESSLER: I got it, okay.

4 MR. KEHOE: But I think to the loading
5 document question, I think that would be
6 something Martin Rogers in code enforcement would
7 be commenting on, because I doubt -- they're not
8 going to be coming in the front. Somewhere by
9 that elevated patio in the back I would assume
10 there's --

11 MR. SINSABAUGH: Correct.

12 MR. KEHOE: -- some sort of service door
13 or something back there?

14 MR. SINSABAUGH: So you do have a
15 primary door that's there. It's a full walkout
16 from that basement level. That is where our
17 storage is. I'd have to confirm whether or not
18 there is like a service level door, like two
19 doors that are coming out of that. But that would
20 be primarily where your deliveries are going to
21 be. They won't be delivering through the front
22 door where the customers are in the main lobby
23 area.

24 MR. BIANCHI: Could you revise the plan

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2 if it's so noted that that's a loading area and
3 that there's a door access and then Martin Rogers
4 can --

5 MR. SINSABAUGH: Yes, sir.

6 MR. BIANCHI: -- handle that later.

7 MR. SINSABAUGH: We'll confirm that.

8 We'll have the information for you at the public
9 hearing as well as run that by Rogers.

10 MR. BIANCHI: And that dumpster area is
11 sufficient for a hotel of 93 rooms?

12 MR. SINSABAUGH: Well, I believe it's
13 enclosing two separate dumpsters in this area, so
14 I will confirm that is sufficient. But I will say
15 that we worked -- Keplinger Freeman Associates
16 worked very closely with the developer and the
17 developer has multiple hotels in the area, so he
18 is familiar with what he needs. And we will
19 confirm that for you just to make sure.

20 MR. BIANCHI: Okay. I appreciate it. So
21 our plan here is to set a public hearing. We have
22 a site visit coming up on the 13th of May at 9:00
23 in the morning, that's Saturday. Is there
24 anything -- is anything staked out there? Can

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2 there be?

3 MR. SINSABAUGH: So right now, we don't
4 have any stakes, but we did contact, I've been in
5 contact with our surveyor. He will be out there
6 the week of staking out the area. So if you do
7 come early, you may not see staking.

8 MR. BIANCHI: You can see where the
9 parking is, the corners of the hotel?

10 MR. SINSABAUGH: Exactly. So we'll be
11 showing the proximity of the limit of
12 disturbance, the proximity, the exterior of the
13 building as well as the exterior of the parking
14 area.

15 MR. BIANCHI: Okay.

16 MR. SINSABAUGH: That is our intention.

17 MR. BIANCHI: And then perhaps where the
18 retaining walls are going to be, those kinds of
19 things.

20 MR. SINSABAUGH: Yes, yes, we could do
21 that.

22 MR. BIANCHI: Okay. That would be
23 helpful. I mentioned at the last meeting that
24 would be helpful to have maybe you can float some

1 May 2, 2023

2 balloons in the corners of the property, of the
3 building I should say. That would help from a
4 distance view, so how --

5 MR. SINSABAUGH: Certainly.

6 MR. BIANCHI: -- impactful it is.

7 MR. ROTHFEDER: But they'd probably get
8 shot down anyway. [laughter]

9 MR. SINSABAUGH: So we did attempt to do
10 that actually last meeting, but we'll have to --

11 MR. BIANCHI: Not spy balloons.

12 MR. MCKINLEY: Maybe you could get your
13 drone to work.

14 MR. BIANCHI: Yeah.

15 MR. SINSABAUGH: Yeah, we had an issue
16 last time.

17 MR. MCKINLEY: [unintelligible]

18 [00:58:43] last time when we were there.

19 MR. SINSABAUGH: Yeah.

20 MR. BIANCHI: So in addition to the site
21 visit, we'll also be setting the public hearing
22 then for the 6th. I would imagine for the public
23 you'll do a comparable presentation in terms of
24 your video to set the stage for everybody as to

1 May 2, 2023

2 what the proposal is?

3 MR. SINSABAUGH: Yes, sir, yes, we will.

4 MR. KEHOE: And I'll leave it up to the
5 applicant and I'll talk to Mr. Ellis. It was
6 important for the traffic people to be here for
7 the board, but I know based on past experience,
8 sometimes public raises a lot of traffic issues
9 that we can't answer. Maybe you can appear by
10 Zoom, or you should be prepared to be at the June
11 6th meeting, either in person or via Zoom.

12 MR. BIANCHI: Yeah, I think a good
13 explanation of the adaptive traffic lights for
14 the public would be helpful, because I'm sure
15 that's going to be a new concept for them.

16 MR. SINSABAUGH: So just to confirm, is
17 it okay for Gordon, our traffic engineer to
18 appear via Zoom? Or are you asking that he be
19 here in person?

20 MR. BIANCHI: Zoom is kind of
21 problematic, you know, all the times that we used
22 it right now and it's, the acoustics aren't great
23 to hear the people, so yeah, if it's not onerous,
24 if they could make it that would be preferred.

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2 MR. SINSABAUGH: Right. He is coming
3 from Syracuse though. I just wanted to make sure.

4 MR. KESSLER: How bad do you want the
5 project? [laughter] So any other comments before
6 we move on? If not, who do we have? Nora?

7 MS. NORA HILDINGER: In regard to PB
8 2022-10, I'd like to make a motion for a public
9 hearing on June 6th.

10 MR. KESSLER: Great.

11 MR. MCKINLEY: Second.

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

14 MULTIPLE: Aye.

15 MR. KESSLER: Opposed? Alright, see you,
16 see you in a month. Well, see you at the site
17 visit.

18 MR. SINSABAUGH: Thank you very much.

19 MR. KESSLER: Thank you. Alright. The
20 next item under old business is the application
21 of Pomona Development for preliminary plat
22 approval and for steep slope wetland and tree
23 removal permits for a three-lot major subdivision
24 of an approximately 16.7 acre parcel of property

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2 located on the south side of Revolutionary Road,
3 500 feet south of Eton Lane, drawings latest
4 revised April 26, 2023. Good evening.

5 MR. JAMES ANNICCHIARICO: Good evening,
6 Jim Annicchiarico with Cronin Engineering, here
7 representing Mr. Cafo Boga, Pomona Development
8 LLC in this application. So, I see there are four
9 new board members since I've been last -- I've
10 last been here, so that's a surprise, kind of. So
11 I don't know how much everybody knows about the
12 project, history. I can do a little brief
13 synopsis of the history if you'd like.

14 So, this project, or this application
15 started out as a six-lot subdivision. Although
16 when you do the site capacity analysis, it yields
17 21-and-a-half lots. That's what I like to call
18 the buzz kill for the applicant. So we submitted
19 that application, don't ask me how many years
20 ago, but --

21 MR. KEHOE: In 2016.

22 MR. ANNICCHIARICO: Oh, okay, thank you,
23 Chris. I might have had hair back then. So there
24 were some issues with, I don't remember if Mr.

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2 Kessler had some issues with one of the lots or
3 two of the lots with some wetlands, up to the
4 right of the property. We ended up coming back
5 with a three-lot subdivision. There were some
6 also issues with, you know, we were going to have
7 to do a town standard road to do anything more
8 than three lots. There were issues of whether or
9 not we had the right to develop this stem that
10 was coming up, which was a right of -- which was
11 basically not our property, Revolutionary Road.
12 So after we straightened all those issued out,
13 and Michael Cunningham can attest to that we did
14 straighten that issue out of the access and the
15 utilities being able to be installed through the
16 stem, we came back with a three-lot subdivision.

17 We had tried to get a easement from one
18 of the neighbors to make a sewer connection so we
19 could avoid doing septic systems on the lots. We
20 tried very hard. Cafo tried very hard to get an
21 easement from at least two of the properties.
22 They have an existing sewer main in their rear
23 yard. When the easements were created for that
24 sewer main, it didn't extend to our property,

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2 which would have been a great thing even if it
3 was just for the homeowner who was there at that
4 time. After, you know, trying to do that, we kind
5 of threw in the towel and we came back with three
6 lots with septic systems on each.

7 Last November, we met with the health
8 department out there, we dug test holes, they
9 were favorable for septic systems and that's the
10 plan you see now in front of you. It is public
11 water, so we will have to extend the public water
12 main up Revolutionary Road. There will be a
13 hydrant located at the, at the end of the
14 driveway, the common driveway there. And each of
15 the houses are going to have to be sprinklered
16 based on the length of the road, the fact that it
17 doesn't really meet town code and things like
18 that. So, that's where we are.

19 I know one of the concerns was tree
20 removal. So we recalculated how many trees need
21 to be removed for the septic systems. Originally
22 for the sewer installation, we had 57 trees being
23 removed on lot one, 21 of those trees were due to
24 the installation of the sewer main. We had ten

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2 trees being removed on lot 2, nine on lot three,
3 and 11 on, in the right of way, to widen the
4 driveway to the requirement of 18 feet.

5 We recalculated those numbers for the
6 sewer, I mean for the septic systems for each
7 lot. We now have 58 trees to be removed on lot
8 one, 15 on lot 2, ten on lot 3 and still 11 in
9 the right of way. So we've got a net of seven
10 additional trees to be removed.

11 However, the good news is there were 968
12 trees located on this property and that was just
13 within 50 feet of the proposed limits of
14 disturbance, so there is 874 trees that will
15 remain, and that's not even including the
16 probably thousand more trees that are in the back
17 of the property, going up slope. So --

18 MR. ROTHFEDER: We had a tree survey
19 done?

20 MR. ANNICCHIARICO: Yes.

21 MR. ROTHFEDER: Obviously you do,
22 because of your numbers, but I mean did our --

23 MR. KEHOE: Yeah, Bartlett did it.

24 MR. ROTHFEDER: Okay.

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2 MR. KEHOE: Yeah, you have it. It's a
3 bit long spreadsheet with 880 some odd trees, but
4 I can get it to you again. This'll be similar
5 though I think to the Mahlab subdivision if you
6 recall that down in Teatown, because there are no
7 common improvements. So the replanting plans
8 would probably be governed by code enforcement at
9 the issuances of the building permit.

10 MR. ROTHFEDER: Right.

11 MR. KEHOE: Remember what they did for
12 Mahlab, I can get those conditions that we put on
13 that subdivision.

14 MR. ROTHFEDER: I do remember that,
15 okay.

16 MR. ANNICCHIARICO: When we were out
17 there doing septic investigation dig test holes,
18 you know, noticed that many of the trees that
19 were, that need to come down are already dead or
20 in bad shape.

21 MR. KEHOE: So as we discussed at the
22 work session, the last time this was on the
23 agenda was actually as a public hearing. Because
24 as Jim said, it had been worked and reduced and

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2 they got down to the three lots and you had a
3 public hearing. I can't remember, maybe one
4 person or no people came to the hearing.

5 MR. ANNICCHIARICO: Nobody spoke at the
6 hearing. Somebody, you know, approached us
7 outside after the meeting.

8 MR. KEHOE: And I talked to one or two
9 people about it as well.

10 MR. ANNICCHIARICO: And that person I
11 think lived down on the other side of the
12 property. I'm not sure what the name of that
13 street is down there. It's too small there.

14 MR. KEHOE: Eton Lane?

15 MR. ANNICCHIARICO: Yeah.

16 MR. KEHOE: But we discussed at the work
17 session, given the timing that we, rather than
18 bringing it back as a continuation of the public
19 hearing, we brought it back as old business, but
20 we think we should hold the public hearing again
21 in June.

22 MR. KESSLER: And readvertise it as.

23 MR. KEHOE: Yeah.

24 MR. KESSLER: Peter?

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2 MR. MCKINLEY: I move that we set a
3 public hearing for this application for June 6th,
4 next meeting.

5 MR. KESSLER: Second, please?

6 MR. BIANCHI: Second.

7 MR. KESSLER: On the question? All in
8 favor?

9 MULTIPLE: Aye.

10 MR. KESSLER: Opposed? Okay.

11 MR. ANNICCHIARICO: Anything that you
12 would, board members would like to see,
13 information next meeting, or we're good? Okay.

14 MR. KEHOE: Oh, Jim, I might have you
15 talk to Joe and/or Mike Preziosi just in between
16 now and the June 6th meeting just to double check
17 some of the engineering stuff, okay.

18 MR. ANNICCHIARICO: Sure. Want to speak?

19 MR. KESSLER: Alright, our final item on
20 the agenda --

21 MR. ANNICCHIARICO: I think Cafo just
22 might want to say --

23 MR. BOGA: No, I just wanted to ask
24 Chris, because I think we were beyond that point.

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2 We had the public hearing, no one spoke and then

3 we had other meetings. And the last meeting that

4 we had when we discussed this application, the

5 issue with one of the board members was because

6 we came before the board with two approaches,

7 one, will there be real hookups to the town sewer

8 system, or we will have a septic. One of the

9 board members, and I don't remember the name,

10 said no, we cannot approve both, you have to make

11 your decision whether you going to go septic or

12 whether you going to go hookup. Then we went to

13 work, I met with, well, first they wrote letters

14 to three property owners that we could have had a

15 hookup which I frankly don't understand why if

16 this is town sewer system that we don't have the

17 right to do that. And that's something that my

18 initial meeting with the board -- with the town

19 was led me to believe that yes, I do have that

20 right. But be as it may, we went back, I met with

21 them personally, for whatever reason, they

22 decided not, then we pursued this direction with

23 septic, which he explained where we stand with

24 that.

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2 Frankly, I don't see any, any, any
3 purpose of delaying, and as he stated, this has
4 been a long process for me, okay. When I met
5 Chris first time, he was much younger man, he
6 didn't wear glasses, and here I think I have seen
7 a turnover within the board a few times. And I'm
8 also not getting any younger and would like to do
9 this. This delay has cost me a lot. Okay. I am
10 responsible for financial consequences of this
11 delay. Needless to say whatever profit was to be
12 made is gone, and I'm just simply trying to cut
13 my losses.

14 I cannot blame Cronin or anyone else,
15 but I can say one thing, this is a process, this
16 is a collective process of all of us, and if we
17 prolong for six, seven years, something that is
18 such a simple subdivision, it does not reflect
19 good on me and it doesn't reflect good on Cronin
20 or anyone else. So, fine, we will have another
21 hearing if need be, that means another year will
22 be gone. I just wanted to reflect this to and my,
23 should I say aggravation at the process, but not
24 to really put this is a formal complaint. It's

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2 just for information especially for some of you
3 guys that are sitting for the first time on this
4 board.

5 MR. KESSLER: For the last year-and-a-
6 half, you are the one that has adjourned the
7 public hearings.

8 MR. BOGA: We had to, yes.

9 MR. KESSLER: I mean so you came to us
10 in '16 with an application. The first time it got
11 on the agenda was in June of '21, we had a couple
12 of, we had one public hearing, I believe at that
13 public hearing, we asked for a new wetland
14 delineation.

15 MR. KEHOE: Which we got.

16 MR. KESSLER: Which we got, and then
17 after that public hearing, you adjourned it for
18 the next year-and-a-half. We were ready to go,
19 but you, for whatever reason, and I'm not
20 faulting you, I'm just saying that we've had this
21 application and you were not ready to come before
22 us to finalize it.

23 MR. ANNICCHIARICO: Yeah, we were trying
24 to get the sewer.

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2 MR. BOGA: I understand.

3 MR. ANNICCHIARICO: And that was, it was
4 mainly that, it was trying to get the sewer.

5 MR. KESSLER: But it's been a year-and-
6 a-half, so now it's back, we'll have a public
7 hearing and hopefully we can close the public
8 hearing if there's little interest in this, and
9 in fairness, as you noted, there are four new
10 members of this board that are completely
11 unfamiliar with the application, so they need to
12 get up to speed as well.

13 MR. BOGA: So be it. Thank you.

14 MR. ANNICCHIARICO: Thank you.

15 MR. KESSLER: Jeff?

16 MR. MCKINLEY: I did it.

17 MR. KESSLER: Oh, that's right, okay.

18 Last item, application of Hudson Ridge Wellness
19 Center for site development plan approval and a
20 special permit for a hospital to be located at
21 the former Hudson Institute property to provide a
22 New York State Office of Addiction Services and
23 Support certified facility to treat individuals
24 with chemical dependency issues located at 2016

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2 Quaker Ridge. Latest drawings April 25, 2023.

3 MR. BOB DAVIS: Good evening. I'm Bob
4 Davis, attorney for the applicant. At the April
5 meeting, as you know, the board conducted and
6 closed the public hearing on this application and
7 then the board also indicated certain items
8 related to the site plan and neg dec conditions
9 that it wanted the applicant to address for this
10 meeting and so the applicant has endeavored to do
11 so in April 26th submission to the board. So
12 tonight, our engineer, Ralph Mastromonaco is
13 present, who prepared the site plan and also our
14 landscape architect, Lucille Munz from JMC,
15 they're both with me tonight and will be pleased
16 to answer any questions the board may have with
17 the hope that as the board indicated in April
18 that it may be able to consider a resolution at
19 the next meeting on June 6th. So --

20 MR. KESSLER: That is certainly our
21 intent. We received a draft resolution from staff
22 that we discussed at the work session. You were
23 there for that. I believe you'll be getting a
24 copy of that shortly and hopefully we can resolve

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2 it at the next meeting. But, yeah, there were
3 some issues that people raised about, about that,
4 what do you call that little wetland area that
5 you have?

6 MR. DAVIS: The rain garden?

7 MR. KESSLER: The rain garden, thank
8 you, the rain garden and water coming down the
9 driveway.

10 MR. DAVIS: Right.

11 MR. KESSLER: That was raised by Kevin,
12 so yeah, let's have that discussion.

13 MR. DAVIS: Yeah, so if you'd like to
14 have Mr. Mastromonaco address that, that would be
15 perhaps the next thing to do.

16 MR. KESSLER: Let's do that.

17 MR. RALPH MASTROMONACO: Good evening.
18 I'm Ralph Mastromonaco. And with regards to the
19 storm water system, we a while ago proposed in
20 the -- thank you, who's running that, Chris?

21 MR. KEHOE: Yes.

22 MR. MASTROMONACO: Okay. Can you zoom in
23 a little bit there?

24 MR. KEHOE: Yeah.

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2 MR. MASTROMONACO: Well, just very
3 briefly, that driveway used to run always, water
4 would run down the driveway and run right out
5 onto the main road. So we're now lowering that
6 entrance driveway and if you could really zoom
7 in, you'll see that there is a catch basin on the
8 left side going up and that the driveway is super
9 elevated such that water on the rest of the
10 driveway enters a cut in the curb and travels
11 along a swale into the rain garden. The rain
12 garden has an overflow bypass and all of the
13 water is, coming from uphill of that is captured
14 in that rain garden. I forget how many acres it
15 is, maybe an acre or two, including, if you want
16 to back out, Chris, it's also taking all of the
17 new real impervious areas, which are in front of
18 the building, you see that purple band there,
19 that's new parking, that's drained also to the
20 rain garden. So wherever we're adding new
21 impervious, that's, you know, traveling down to
22 that rain garden. And we actually have all the
23 calculations for that. And we never had a point -
24 - there was a never a time to submit those. I

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2 believe we did submit them in this latest -- I
3 don't know if we submitted or not. But we do have
4 all the calculations necessary and I will provide
5 those to Joe Fusillo or Mike Preziosi, whoever it
6 is.

7 MR. KEHOE: Yeah, Mr. Fuccillo is
8 recused on this case, so it would be going to Mr.
9 Preziosi.

10 MR. MASTROMONACO: Oh, he recused? Okay.
11 So it would go to Michael, yes. We have it --

12 MR. KESSLER: Ralph, both sides of the
13 driveway, so it would be upper part of the
14 driveway through what? The drainage off --

15 MR. MASTROMONACO: The drainage off
16 where?

17 MR. KESSLER: You mentioned that on the
18 lower part of the driveway, it's coming down into
19 the rain garden, right? Down there?

20 MR. MASTROMONACO: Yeah, if I had a
21 little laser, I could show you, but --

22 MR. KESSLER: Well, Chris has --

23 MR. MASTROMONACO: Yeah, right there. It
24 goes all, that whole driveway is coming down into

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2 the rain garden, including -- so there's a
3 certain amount, you know, there's some impervious
4 area there. But also that purple area, which is
5 the new parking in front of the building. There's
6 drain structures in that parking lot.

7 MR. KEHOE: I think you're showing
8 there's a catch basin there.

9 MR. MASTROMONACO: Right. Right.

10 MR. KEHOE: And then that's the pipe
11 across the parking lot, you know, to another
12 catch basin.

13 MR. MASTROMONACO: Right.

14 MR. KEHOE: And then it comes down.

15 MR. MASTROMONACO: So that's the real
16 impervious that we're adding. It's that parking
17 area and we're widening the road itself, so
18 there's a little extra impervious there, not
19 much. But it's taking all that impervious down to
20 the rain garden, as well as the land that's
21 upland right of the rain garden itself.

22 MR. KESSLER: The water from the road is
23 going to the lower part of the road.

24 MR. MASTROMONACO: Yes, yes.

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2 MR. KESSLER: It's, does the road --

3 MR. MASTROMONACO: There's a drain --

4 MR. KESSLER: -- have a --

5 MR. MASTROMONACO: -- on the road,
6 there's a catch basin on the road, so.

7 MR. KESSLER: On both sides?

8 MR. MASTROMONACO: You only need it on
9 the left side because on the right side, the road
10 is graded into a swale. It's, you have to look
11 really closely there. You'd have to look really
12 zoom --

13 MR. KESSLER: The right side being --
14 what about the upper portion, the upper blue part
15 there, the upper side of the road, the driveway.

16 MR. MASTROMONACO: That runs down the
17 side of the road and then into the swale that
18 runs parallel to Quaker Ridge Road.

19 MR. KESSLER: So there's a piping that
20 goes underneath or --

21 MR. MASTROMONACO: Yes, there's a pipe.

22 MR. KESSLER: Okay.

23 MR. MASTROMONACO: And there's also,
24 we're shaping it so it gets into that swale. Now,

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2 all that water used to go out directly onto
3 Quaker Ridge Road, so this is an improvement,
4 among other things, and I believe it also
5 satisfies, even though we're not required to do
6 it, it satisfies what's called 90 percent
7 capture, there's some storm water rules for
8 larger projects. But we have met those
9 requirements in this smaller project, even though
10 we didn't have to.

11 MR. KESSLER: And that, the rain garden
12 is designed to hold how much water?

13 MR. MASTROMONACO: One-and-a-half-inches
14 of rainfall. Not much, you know.

15 MR. BIANCHI: When we were there at the
16 site visit, the neighbor that lives across the
17 way from the entrance road, he -- I guess it was
18 that area there, he was concerned --

19 MR. MASTROMONACO: Yeah.

20 MR. BIANCHI: -- with water crossing the
21 road into his property.

22 MR. MASTROMONACO: That's what used to
23 happen, yes.

24 MR. BIANCHI: Are you saying that this

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2 improvement will stop that from happening?

3 MR. MASTROMONACO: Well, there's a
4 little piece that nobody can get, it's past -- in
5 other words, from the property line to the road,
6 I can't stop that from going there. But all of
7 the water from the top of that hill used to run
8 right down that driveway for the last 100 years.

9 MR. BIANCHI: Right.

10 MR. MASTROMONACO: It was running down
11 that driveway out onto Quaker Ridge Road. When we
12 redesigned the drainage system now, we're shaping
13 it so it doesn't.

14 MR. BIANCHI: What about water, rain
15 that's in excess of one-and-a-half inches, which
16 we see fairly often lately.

17 MR. MASTROMONACO: It still will go. I'm
18 sorry, Mr. McKinley, it still will go into that
19 swale. It just will bypass the rain garden
20 because it's --

21 MR. BIANCHI: And go where?

22 MR. MASTROMONACO: Into the wetland.

23 MR. BIANCHI: Where's that?

24 MR. MASTROMONACO: It's at the bottom of

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2 the hill.

3 MR. BIANCHI: Further down?

4 MR. MASTROMONACO: Right.

5 MR. BIANCHI: So again, it won't cross
6 the street when it's overflow?

7 MR. MASTROMONACO: No, no.

8 MR. BIANCHI: It will go into the
9 wetland.

10 MR. KOBASA: So the contours, the way
11 they're graded, you're just pushing it straight
12 down. Can you change them so that it pushes the
13 water to the south side I guess that is, of the
14 driveway?

15 MR. MASTROMONACO: It's doing that.

16 MR. KOBASA: No, it's not.

17 MR. MASTROMONACO: If you look at the
18 grade. You've got to really zoom in there.

19 MR. KOBASA: it's only 368 is the only
20 time where it turns and pushes the water towards
21 the swale. That's the only contour that does
22 that.

23 MR. MASTROMONACO: Yeah. Well, that's
24 what it's intended to do. It's intended to push

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2 that, it's intended to take that side of the road
3 and bring that over towards that swale.

4 MR. KOBASA: Okay. But you're talking
5 about water that's running at a 13 percent grade
6 for a couple hundred feet --

7 MR. MASTROMONACO: Right.

8 MR. KOBASA: -- 150 feet?

9 MR. MASTROMONACO: Right. And frankly --

10 MR. KOBASA: The velocity of that is
11 going to turn at 90 degrees?

12 MR. MASTROMONACO: Well, let's put it
13 this way. It would, if there was a catch basin
14 there, it would bypass it. So this is really the
15 most efficient way to capture it and direct it
16 into that swale.

17 MR. KOBASA: Yeah. I guess what I'm
18 saying is why not the three, let's see which
19 contours, the 370, the 372, the 374, the 376, you
20 have them a little cross pitched to the driveway.
21 Right now, your driveway doesn't have any cross
22 pitch to it.

23 MR. MASTROMONACO: Certainly. You know,
24 if, if we look at it and think that we need to

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2 make it a little bit more efficient, we would do
3 that. It's not a problem.

4 MR. KOBASA: Okay.

5 MR. KEHOE: Well, I just sent over
6 today, our engineer's memo with a lot of the
7 storm water questions and concerns, and he also
8 has comments about the grade of the driveway. So
9 I guess you're going to have to meet with him
10 between --

11 MR. MASTROMONACO: Yes.

12 MR. KEHOE: -- now and the June meeting
13 to flesh out, because I think the driveway -- I
14 think based on discussions with him, it was
15 reduced down to 13 percent. But I think his memo
16 has concerns that he wants it lower than that.

17 MR. BIANCHI: But you're talking the
18 grade. I think what Kevin is talking about is the
19 pitch of the driveway.

20 MR. KOBASA: Right.

21 MR. DAVIS: If, if I may, Chris, and you
22 may recall this. One of the issues with the memo,
23 and it's a reflection of the length of the
24 process. We've been here eight years, as you

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2 know. Back in 2017 and 2018, we had numerous
3 meetings with staff, which included yourself and
4 Mr. Preziosi and we spent a lot of time on that
5 grade. And we came to the conclusion and the
6 agreement with staff -- and we have memos that
7 demonstrate this, that we can use in response to
8 the memo, that we agreed on that 13 percent grade
9 and the other mitigation measures associated with
10 it. I don't think Mr. Preziosi may recall some of
11 those things. But we, we've dealt with that. Like
12 we, there's a number of issues in those memos
13 that we resolved five, six, seven years ago, the
14 fire access being one of them, we had the
15 opinion, the dispositive opinion of the head of
16 the code department, Erika Krieger at the State
17 Department and we provided that back in 2018.
18 We'll give you that again.

19 But the grade issue was something we
20 spent hours and hours and hours discussing with
21 Mr. Preziosi and he did sign off at that time on
22 the reduction to the 13 percent grade. And the
23 gradual, I think it becomes about five percent at
24 the, as it meets the street. So a lot of these

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2 issues have been dealt with at length. They're
3 reflected in memos with the staff meeting, and,
4 you know, we'll address them with the staff once
5 again and, you know, those will conditions of
6 approval to satisfy their memos. But I just want
7 to point out that these are not topics that are
8 new to us. We've discussed them at great length
9 for the most part.

10 MR. KEHOE: I think what the planning
11 board thought of doing would be attaching the
12 memos as conditions of approval. But between now
13 and towards the end of May, it's got to be before
14 June 6th, but if you write a response to those
15 memos, you know, bringing up the points that you
16 brought up to then maybe get another response
17 back from Martin and Mike, that might be what
18 ends up getting attached to the resolution,
19 because you need an opportunity to respond to
20 these memos.

21 MR. DAVIS: Well, we were thinking that
22 we might have the opportunity rather than to put
23 pen to paper first to meet with them to flesh out
24 their comments, deal with some of these things

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2 from the past that I've raised, and then maybe
3 then reduce it to a memo might be the more
4 efficient way to go about it.

5 MR. KEHOE: Okay.

6 MR. KESSLER: Unrelated, Mr. Davis, in
7 your filing with, your certificate of need, the
8 name of the company is the Behavioral Management
9 Group?

10 MR. DAVIS: Yes, Inc. I believe.

11 MR. KESSLER: Inc., yes.

12 MR. DAVIS: Yeah, there's, I think if
13 you look on the web, it's my recollection that
14 there's a couple other companies in the country
15 with a similar name, so.

16 MR. KESSLER: Yeah, I couldn't find
17 theirs. That's all --

18 MR. DAVIS: Yeah, I found it myself.

19 MR. KESSLER: I found an LLC one, out of
20 Atlanta, out of Georgia.

21 MR. DAVIS: Yeah, that's a different one
22 for sure. Actually when I looked it up first, I
23 came upon that as well. But I did find their
24 website and we can provide you with the link to

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2 that.

3 MR. KESSLER: Oh, yeah. That would be
4 great if you can send it to us, because I was
5 unsuccessful. So I'd be curious about them.

6 MR. DAVIS: Yeah, definitely.

7 MR. KESSLER: Not that that's in our
8 purview to have an opinion about their
9 capabilities, I'm just curious about them.

10 MR. DAVIS: Right.

11 MR. KEHOE: Well, we do have the
12 landscape architect here --

13 MR. KESSLER: Oh, yes.

14 MR. KEHOE: -- to discuss some trees.

15 MR. KESSLER: Yeah. And when you see the
16 memo from Preziosi, I think one of the issues
17 with some of the trees were that he thought they
18 were going to be too tall and infringe upon the
19 power lines or something.

20 MS. LUCILLE MUNZ: Good evening, my name
21 is Lucille Munz, I'm senior landscape architect
22 with JMC, chairman and members. So one of that
23 issue is those lines are being removed, so there
24 will be no -- they're going, yeah, along the

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2 property line, the lines are being removed,
3 utility lines.

4 MR. KESSLER: Oh, they are? Okay.

5 MS. MUNZ: Yes. So we have free reign to
6 put the trees there, which is great.

7 MR. KESSLER: Because the lines are
8 going to be relocated?

9 MS. MUNZ: Yes.

10 MR. KESSLER: Okay. I wasn't aware of
11 that, okay.

12 MR. KEHOE: Well, I think, you know, I
13 sent you Mr. Kobasa's comments and I --

14 MS. MUNZ: Yes.

15 MR. KEHOE: -- know Jeff Rothfeder
16 might, so if you could just sort of start at the
17 10,000 foot level and go through?

18 MS. MUNZ: So, I think it's also
19 important to note, and I said in my last memo
20 that I met individually with the property owners
21 on the north side. And I was in their living
22 rooms, I was on their decks, in their backyards.
23 I listened to them at length and we walked the
24 property, trying really to figure out a buffering

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2 system that was in everyone's best interest. And

3 Mr. Kobasa, I agree with where I can use natives,

4 I like to use natives. But I'll be totally

5 honest, Norway Spruce is one of the best

6 screening trees that we can use in this instance.

7 I call it a very well behaved non-native. And

8 what do I mean by that? It's not invasive, it has

9 habitat value, it grows very quickly, it's

10 lovely, it's beautiful, and provides massive

11 screening. We tried not to use -- I did update

12 the plan. I try to use more natives, more of the

13 white fir in some locations where it made sense.

14 I'm reluctant to change anything along

15 the northern property line because I did meet

16 with the property owners, and some of their

17 requests were the Norway Spruce and certainly the

18 arborvitae, the Green Giant Arborvitae. So I'd

19 like to try to stay with that. And where we can

20 change, we have tried to do that, and using the

21 firs, the junipers, which is basically the

22 Eastern Red Cedar, it's where we've used that.

23 And then we've put in 21 flowering trees that we

24 did not have previously to add habitat value. I'm

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2 sorry, that's Shadblow, native Dogwood and native
3 Redbud and to provide some habitat enhanced
4 value. And also, aesthetically, it would be very
5 nice for the property as well. So, that's kind of
6 where we're at in the grand scheme of the trees.

7 With regard to the pines, I agree that
8 they lose their lower branches, but in some
9 areas, it's actually quite nice, because you can
10 walk underneath them. And the other approach that
11 we did for landscaping was try to do what I call
12 the layering effect. So you have a heavy border
13 along the property line, that's what the folks
14 requested, then trying to have another layer
15 within the property and then another layer where
16 it mattered near the parking areas.

17 And the other thing about using the
18 oaks, is that they, they keep their leaves on for
19 a very long time, so they add another as well,
20 plus I happen to love white oaks. So that trying
21 to pull it all together, I think -- and they add,
22 oaks add tremendous habitat value as well.

23 So, and there's different heights with
24 different trees with different locations and I

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2 probably could have done a little bit of
3 organizing that so it was just a little easier to
4 read, to I do apologize for that. But yeah, and
5 then underneath the pines in the front, we've
6 added bayberry, Northern Bayberry, while it's not
7 evergreen, it's semi-evergreen and I think it
8 also has a lot of habitat value as well for the
9 berries. And it's a lovely plant.

10 So those are some of the changes we've
11 made. And I went through an extensive maintenance
12 review process during the environmental impact
13 statement of how this would be watered, managed
14 and maintained over a three year period as well,
15 that I would say would be implemented as part of
16 a condition of approval included, yeah.

17 And I guess the other, one of the other
18 questions was, you know, having to do with the
19 trees in the parking lot being too close to the
20 light bollards and trees. I think we can just
21 keep the -- it's important to keep the trees,
22 because the folks really wanted to screen the
23 parking, and we could scoot them to the left or
24 right as necessary. So I think it's important to

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2 keep that layering effect and keep -- there were
3 concerns about headlights from the parking, staff
4 parking, so it's important to keep the evergreens
5 there as well.

6 MR. KESSLER: Well, I think we were
7 talking at the work session about the reserved
8 parking area --

9 MS. MUNZ: Mm-hmm.

10 MR. KESSLER: -- moving those trees out.

11 MS. MUNZ: Yeah.

12 MR. KEHOE: Well, yeah, I don't know if
13 you heard that part that one of the comments is
14 that there's future parking shown that's not
15 going to be constructed.

16 MS. MUNZ: Okay.

17 MR. KEHOE: But in the area where it
18 might be constructed, you're proposing some
19 trees.

20 MS. MUNZ: Well, then, we'll have to
21 coordinate that.

22 MR. KEHOE: Right.

23 MS. MUNZ: Yeah.

24 MR. KEHOE: Okay

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2 MR. KOBASA: The whole property is it
3 all lit by bollards 42 inches high? There's no
4 taller structure?

5 MR. DAVIS: What was the question?

6 MS. MUNZ: The lighting.

7 MR. KOBASA: The lighting, is it all 42
8 inches high?

9 MR. DAVIS: Yes.

10 MR. KOBASA: It's all? Okay.

11 MR. KEHOE: And I thought someone
12 mentioned to me, maybe it was you, that some of
13 the bollards were changed, or, or the fixtures
14 were modified to Kevin's request?

15 MS. MUNZ: Yeah.

16 MR. MASTROMONACO: Yes, there are dozens
17 of these little lights and what we did was we put
18 shields when those lights are facing the northern
19 neighbors. So if you'll see it on the lighting
20 plan, you'll see that the lights would not glare
21 towards the northern boundary, there's special
22 shields. There were other requirements too, that
23 the windows are blacked out and any overhead
24 lighting would be for emergency use only. So

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2 that's on the plans as well.

3 MR. KOBASA: I just want to say I think
4 you did a good job on the landscape plan. I think
5 we've come down to something that's really going
6 to work and specifically the heights, the caliber
7 sizes, they're real trees.

8 MS. MUNZ: They're substantive.

9 MR. KOBASA: Yeah.

10 MS. MUNZ: Yeah, and it was really
11 important for in meeting with the folks and
12 walking their property, even as you, I was in
13 their living rooms and their kitchens. One house
14 I went into their second floor, because the
15 bedroom was very important, how they, their view
16 shed. So I tried to be very mindful of how we
17 were placing all the plant material.

18 MR. KESSLER: Any more comments anybody?
19 Are we satisfied? Alright, so as we said, we'll
20 refer this back and have staff prepare the
21 resolution. They'll send you a copy and hopefully
22 you can have a discussion in the interim so that
23 when we meet on the --

24 MR. KEHOE: Right, but I would --

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2 whatever that date is towards the end of May, I
3 need whatever is worked out or not worked out
4 with engineering to get that to me in time to add
5 to the resolution, if anything needs to be added.

6 MR. DAVIS: Right, I think it was
7 indicated Chris, correct me if I'm wrong, that
8 Mr. Preziosi might be available next week.

9 MR. KEHOE: May 9th.

10 MR. DAVIS: May 9th.

11 MR. KEHOE: Which is a Tuesday.

12 MR. DAVIS: We'll make sure that Mr.
13 Mastromonaco makes that arrangement.

14 MR. KEHOE: Okay.

15 MR. DAVIS: Thanks very much.

16 MR. KESSLER: Yeah, if nothing else,
17 then Tom.

18 MR. BIANCHI: Okay, thank you, Mr.
19 Chairman, I move that we, as you said, refer this
20 back to staff to prepare a final meeting for the
21 June 6th meeting.

22 MR. KESSLER: Second please.

23 MR. MCKINLEY: Second.

24 MR. KESSLER: On the question? All in

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2 favor?

3 MULTIPLE: Aye.

4 MR. MCKINLEY: The time is 8:10, meeting
5 adjourned.

6 (The public board meeting concluded at
7 8:10 p.m.)

CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of the Planning Board meeting of the Town of Cortlandt on May 2, 2023 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: May 17, 2023

GENEVAWORLDWIDE, INC

256 West 38th Street - 10th Floor

New York, NY 10018