

**Meeting Minutes**

THE REGULAR MEETING of the PLANNING BOARD of the Town of Cortlandt was conducted via Zoom on *Tuesday, May 5<sup>th</sup>, 2020*. The meeting was called to order, and began with the Pledge of Allegiance.

Loretta Taylor, Chairperson presided and other members of the Board were in attendance as follows:

- Thomas A. Bianchi, Board Member
- Steven Kessler, Board Member
- Robert Foley, Board Member
- Jeff Rothfeder, Board Member
- George Kimmerling, Board Member
- Valerie Myers, Board member

ALSO PRESENT:

- Michael Cunningham, Assistant Town Attorney
- Michael Preziosi, P.E., Director, Technical Services
- Chris Kehoe, AICP, Deputy Director, Technical Services

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**CHANGES TO THE AGENDA**

Ms. Loretta Taylor stated there are no changes to the agenda tonight.

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**ADOPTION OF THE MINUTES OF THE MEETINGS OF APRIL 7, 2020**

Ms. Loretta Taylor stated I'm going to call for a motion to adopt the minutes of April 7<sup>th</sup> please.

So moved, seconded with all in favor saying "aye".

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## CORRESPONDENCE

### **PB 13-05 a. Letter dated April 24, 2020 from Brad K. Schwartz, Esq. requesting the 16th, 90-day time extension of the Mill Court Crossing Subdivision located at the end of Mill Court.**

Mr. Steven Kessler stated Madame Chair I move that we adopt **Resolution 14-20**. This resolution, a generic resolution, resolves that all Planning Board approvals that were previously granted will be considered extended until October **2020** with no further actions being required.

Seconded with all in favor saying "aye".

### **b. Referral from the Town Board for Lead Agency designation for the Application of Hawthorn Devco, LLC, contract vendee for the property of Terrace Management Inc., for approval for a zoning text amendment, site plan approval, and other environmental approvals for a congregate care senior living facility consisting of a 3-story building with 152 resident suites and 3 staff/caretaker units with associated parking and landscape improvements on two parcels of property totaling approximately 9.8 acres located at 119 Oregon Road.**

Mr. Michael Preziosi stated we do have some attendees that have requested to speak. I'm going to authorize David Steinmetz, the attorney, to talk and introduce the project.

Mr. David Steinmetz stated good evening. Can you all hear me?

Members responded yes.

Mr. David Steinmetz stated terrific. Good evening. Good to see you Madame Chair, members of the board. Good to see all of you. I hope I find you all well and in these unique circumstances it's good to finally do a Zoom remote meeting with the Town of Cortlandt Planning Board since I've been doing these in a number of other communities and good to finally see all of you. I'm here tonight representing Hawthorn Development. I'm joined tonight by Mark Lowen and Kristi Neznanski, both also representing Hawthorn, along with my associate Matt Acocella. I'm going to try to be brief and I think we can present where we are in the process. Hawthorn, for those of you who may not know, is a nationally-recognized provider of congregate care senior housing throughout the nation. They're here tonight specifically in connection with Colonial Terrace which we all are quite familiar with at 119 Oregon Road. Colonial Terrace's property is approximately **10** acres, it's **9.8** acres located in the CC zone. Hawthorn is a contract vendee of the site. Mark is going to walk you through the details briefly of the project in a moment. I wanted to just set the stage procedurally. We have been working with the town for quite some time over the last several months in a pre-submission format. We actually submitted a rezoning petition and a conceptual site plan most recently after

having spent a great deal of time working with the neighbors. You may or may not know there had been a specific title issue that needed to be addressed by Colonial Terrace. My office, in connection with the owners of Colonial Terrace and their title company, were successful, basically in garnering the support of about a hundred of the neighbors in the Waterbury Manor subdivision and the immediate neighborhood to the south of Colonial Terrace. Once all of that was in order and Hawthorn was comfortable that those issues had been resolved, a formal petition was filed. We filed a petition and a zoning ordinance to allow this type of senior care use, which Mark will describe in a moment. The Town Board declared itself lead agency and we're here now on a referral to your board in connection with the proposed zoning. We have not formally filed a site plan application because we really can't file a formal site plan until zoning is amended to address the use but we, out of an abundance of caution, wanted to get in front of your board. We have met with the Town Board and we wanted to meet with the Planning Board now to just explain the site, explain the project, introduce you to Hawthorn and our team and get going in connection both with the rezoning and an explanation of the conceptual site plan. With that, I'm going to turn it over, if I can Michael, to Mark Lowen to allow Mark to just go through a brief explanation.

Mr. Michael Preziosi stated sure David. Mark, I'm going to allow you to talk and David you'll also be on, allowed to talk as well.

Mr. David Steinmetz stated thank you.

Mr. Chris Kehoe stated just one thing before we move on, just for the sake of clarity I believe the Town Board declared their intent to be lead agent. It's still in the time for other agencies to contemplate that and that's one of the main reasons I think why you're here tonight is obviously to introduce the project to the Planning Board and for them to send the form back to the Town Board if they're in agreement, that they have no objection to the Town Board being lead agent.

Mr. David Steinmetz stated agreed Chris, thank you.

Mr. Michael Preziosi stated Mark, David, the presentation is being screen-shared to the Planning Board and I believe the attendees can also see. Just let me know when you'd like me to switch to the next page.

Mr. Mark Lowen stated thank you very much. Let me introduce myself very quickly. I'm Mark Lowen and I am here on behalf of Hawthorn Senior Living. We are going to introduce this to you as a board. We've been working with the community. We have been working with David's team and we have been working with the Town Board for well over a year now. We're excited to be able to chat with you but first let me give you a little bit of history. Let's go ahead and move to the first slide and give you just a little bit of background of who Hawthorn is and where this all fits into what we are and where we're going with the site. Hawthorn has been around for over **30** years as it is today, and it's earlier iterations. They have truly been at the forefront of congregate care in senior living housing throughout the U.S. and Canada. We have well over **250** senior living

sites. In fact, Bill Colson, who was the founder way, way back when, shortly before he passed away in the mid **2000s** was given an award as basically the father of what we consider congregate care senior housing. Hawthorn and its family companies which is Hawthorn Devco, Hawthorn Construction, Hawthorn senior living develop, construct, own and operate each of our senior facilities. We don't come in put it up and flip it. We buy it. We build it. We operate it. Let's move onto the next slide real quick. Who are our residents? And I think that's probably the biggest things that we need to make clear because where we fit in the senior housing spectrum, keeping in mind that there's all kinds of different facets to it. We are not a medical facility. We are the step prior to assisted living or higher level of care. Our typical resident is in their early **80s**. They're in good health and they don't need a required medical assistance because we're not a medical facility. Our residents, our future residents, are your neighbors today. The residents, probably **80%** of them live less than **10** miles from the site we're looking at right now, the other **20%** are moving in the area because they have family within less than **10** miles of the site. A majority are single, possibly up to **20%** are couples and I guess one of the biggest tipping points to keep in mind is the majority of our residents do not drive. This is kind of the point in their life where it's time to give up the car keys and move into what we consider a catered lifestyle, giving them the opportunity to really enjoy their retirement. They move in to make new friends and hopefully they already have friends within our individual facilities and the community environment that goes with that because this is not a medical facility, this is a lifestyle choice versus a need to move into, for instance, assisted living because of a medical need. Next slide please. So I think it's important to discuss what our lifestyle is. Within our facility, each one of our residents is going to have what we call a suite. The reason we call it a suite is because it doesn't have a full kitchen facility to it. We have studio and one-bedroom, two-bedroom versions. Within that, they have a private bathroom and what you would consider maybe a kitchenette or half kitchen. So they've got a bar sink. They've got a three-quarter refrigerator and then they have a coffee pot but part of their monthly rent includes three meals a day, cooked in the central kitchen, seven days a week. Under normal circumstances, that's served restaurant style. We are currently not in normal circumstances so meals are delivered to their room. They also receive regular housekeeping and linen services. We have various social and physical activities that are available to them, under normal circumstances; every day. Probably one of the other issues that comes up that we can provide a whole lot of comfort for our residents and for their families is our on-site management. We, in this case, will have three manager couples that live on site in their individual apartments within the building. They are available for our residents **24** hours a day, seven days a week. Each one of our suites has pull cords in the bathroom and near the bed so in the event that there is an issue, they can notify the office immediately and we can check on them. The other thing, and we touched on it a little bit earlier in regards to the fact that the majority of our residents don't drive. We only find at about **20ish** percent that are going to bring a car with them. One of the amenities that we provide our residents is a luxury transportation van on demand to take them to their doctor, to church, to synagogue, to shopping, to pharmacy, wherever they need to go in the greater community, they just communicate with the office. Daily routes are set up to get them where they need to be and back home in a timely fashion. All these services, all utilities, all meals, transportation, everything is included in their monthly

rent. And this is set up on an annual lease, month-to-month payments. This is not a big six figure buy in like if they were looking at some sort of CCRC, continuing care type of facility. Next slide. What we look at within our sites and our site plan design, and this works out extremely well in this case, is we're looking for transitional site. The activity that we have on Oregon Road and on Eaton Downs is exactly what we need, and we then provide within our site buffering to the Waterbury residents behind us, kind of as that transition between the activity on Oregon Road and back into the Waterbury area. We want to be located near the single-family, multi-family neighborhoods because this is where they're living today and also hopefully they have family in the area. This is another great example, there's excellent access via our shuttle to all the local services and probably one of the biggest issue, or biggest points I like to emphasize is the fact that our traffic impact compared to just about anything else on a property of this size is substantially less. Number one, during peak hour times is breakfast and dinner so staff is on board as well as our residents are staying on site. And overall traffic impact is substantially less than just about anything else you would put on that site, again, emphasizing the – especially during peak hour. Peak hour traffic is substantially less. We are very careful to provide ample parking within our site for staff, residents and guests so we're not bleeding out into the surrounding community. This is going to be a beautiful site so far as landscaping opportunities, walking paths, seating and respite areas, garden setup. It's going to be a spectacular location in regards to that. We already have on our list for preserving as many of the existing trees as possible and part of that design is keeping that tree-lined driveway that's coming off of Oregon Drive even as we speak.

Mr. David Steinmetz stated Mark, before you go to the next slide, real quick just one quick – I want to make sure that the Planning Board does know that we need to do an initial traffic narrative that was submitted by Provident Design traffic engineers that was sanctioned by the town and they will be participating as our traffic engineers as we go forward in the SEQRA process and in the site plan before your board.

Mr. Mark Lowen stated thank you David. Anything else you want to touch on? What I'd like to do at this point with the next several slides is kind of just take you a walk around the building. I mentioned the tree-lined drive. This gives you an idea of what it's looking like from Oregon Road. The intent is to provide a replacement building that has a similar feel, similar impact to what is currently there. Driving down Oregon Road and looking at the hill towards Colonial Terrace and driving down the road two years from now looking in that direction, it's going to have the similar sort of feel, similar sort of exterior design. We really want to respect the history that goes with that site and provide something that fits well within the community. If you want to just slowly click through the next couple of three, four slides that just kind of takes you around the building. Let's go to the next one. This puts you on the corner of Eaton Downs and Oregon, taking a look diagonally up towards where the building would be located. Let's move to the next. This is taking you up into the site right where the entrance is. This is a preliminary rendering of the idea of what the building is actually going to look like, again, somewhat reminiscent of what we have with Colonial Terrace now. We're going to work our way around. This will take you to the back side of the building. One of the things we have been able to do in regards to so far as grading plan, finish floor is where we've been able to push the building

further away from the Waterbury subdivision behind us to give them additional space from our building and then we've lowered the finished floor so in actuality the ridge of the roof that we're looking at with Colonial Terrace right now and the ridge to the roof that we're going to be providing are pretty similar in height. This then takes you over for a view over on Eaton Downs. So far as a rendering, I believe that would be the end of our walk around the building. We may have a colored site plan. I believe that's already in the package you received. To give you an idea, we are continuing the access drive off of Oregon Road. That access point you see over off of Eaton Downs is emergency vehicles only. That's not going to be putting traffic out onto Eaton Downs whatsoever. One of the other things that we intentionally have done is we've removed any access from the Waterbury subdivision so there isn't going to be any cut-through access back there. I believe we're going to have a pedestrian access, but other than that there will be no other access back on the back side of the facility contrary to what's currently with, I believe they're doing various deliveries and that sort of thing with Colonial Terrace site right now. That takes you around the building. I threw in a conceptual site plan that pulls the color off and gives you some more of the dimensions diagrams and then we have a couple of cut sections. I believe you have at least one of those in your package now, comparing the location and the height of the existing building as well as the location and the height of our proposed building. That is, in a nutshell what we're looking forward to doing with the site. I'll be glad to answer any questions you may have, any follow-up but I wanted to get you guys introduced to what it was, what it looks like and what the use is and how it's going to impact the local community.

Mr. David Steinmetz asked Mark one quick question and then I think we can conclude. You could stop – go back one more slide Michael. Perfect. Mark, if you would just address the northeast corner and the existing home that's there and what you've got there.

Mr. Mark Lowen responded great thanks very much. As part of the purchase of this property, there is a single-family residence up on the northeast corner. We are going to be partitioning that off in creating a separate lot for that building and that is no longer going to be part of the site. If you look as it currently exists, the lot that house sits on goes all the way back, kind of a narrow thin lot, that's going to be annexed to the larger parcel and we're going to have approximately, I believe approximately a one acre parcel where that single-family home is going to be sitting and that's going to be totally separate from the facility.

Mr. David Steinmetz stated so I mention that Madame Chair, members of the board, because I do want the board to be aware that we likely, if we stick with this layout which I believe we will, we will be processing a minor subdivision to create that one lot. And also, while we're looking at this illustration, at the top of the illustration or the northerly property line where the convergence of Oregon Road and Old Albany Post and where it says "Donnelly Road", we have been asked by town staff to look at the pavement in that area and determine if it could somehow be essentially modified in some way and incorporated into the site. We are taking a closer look at that. Town professional staff asked Mark and his design team to take a look at that. There's an excess amount of impermeable surface area there that we think can be better utilized and we are working

on examining that. And again, when we come back on formal site plan, we'll be dealing with you on that as well.

Mr. Robert Foley asked Mark just said the home at the corner and what Dave spoke about, is that the Brown house on the, northeast corner?

Mr. Mark Lowen responded that's correct.

Mr. Robert Foley asked does that get demolished?

Mr. Mark Lowen stated sorry Bob, I couldn't quite hear you. Can you say that again?

Mr. David Steinmetz stated the question Mark from Bob was whether we were demolishing the house on that lot. I don't think Bob, at this point any kind of final decision has been made by Hawthorn what they intend to do with the structure. They definitely want to, at the moment, subdivide it off onto its own lot and we're going to review whether or not there's some merit in keeping the house or not and we'll certainly report back on that.

Mr. Steven Kessler asked but Chris, shouldn't this agenda item also then include a subdivision application?

Mr. Chris Kehoe responded well yes, definitely when it gets to the Planning Board. I wasn't aware, I may have heard in the past, but I wasn't aware of the decision to carve off that lot, but David has touched upon it and any future application to the board will include a subdivision. The agenda will be revised.

Mr. Steven Kessler asked a couple of questions.

Mr. Robert Foley stated I have a few more, but go-ahead Steve.

Mr. Steven Kessler asked is there any kind of body that does any kind of accreditation for this type of facility?

Mr. Mark Lowen responded this is not a licensed facility. Obviously, it will be subject to review from the Health Department so far as the kitchen and being licensed and inspected in regards to that, so far as any business licenses, but since it does not provide any medical staff it won't be accredited or have any like an assisted-living or memory care [other] facility. This is the step before that.

Mr. Steven Kessler asked one more. Just so I'm clear, Chris it's for you, so the Town Board wants to be lead agency for what aspect of this?

Mr. Chris Kehoe responded this use is not permitted by the underlying zoning so they have to create either new zoning or new special permit language and that was in the packet that went to you. So whether it was Cortlandt Crossing or some of the other things

they've done, typically when there's rezoning require their lead agent.

Mr. Steven Kessler stated but I understand that but the way I read your agenda item it looks like they want to be lead agent for the zoning text amendment, site plan approval and other approvals.

Mr. Michael Cunningham responded it will be considered one action under SEQRA, so they'll review everything environmentally and they'll take a look at what potential limits or impacts would occur with site plan review while they're looking at the rezoning.

Mr. Chris Kehoe stated yes, because don't forget, like even on Cortlandt Crossing that case had an environmental impact statement. That environmental impact statement went back to the Town Board. They held the hearings on that while you were holding hearings on the site plan. All of the approvals – well I guess all of the approvals are granted by the Town Board with the exception of you granting the actual site plan approval. So I can talk with Michael Cunningham to clean up the language to make it a little clearer.

Mr. Steven Kessler asked but ultimately what you're saying is the Planning Board will still have site plan approval for this application once the Zoning Board approves or the Town Board approves the zoning amendment.

Mr. Chris Kehoe responded yes.

Mr. Michael Cunningham stated correct. You'll have subdivision and site plan approval.

Mr. Steven Kessler stated subdivision and site plan.

Ms. Valerie Myers asked I have a quick question. Is the Colonial Terrace, is that building considered historical?

Mr. David Steinmetz responded no it is not.

Mr. Robert Foley asked that was my question I was going to ask.

Ms. Valerie Myers stated it goes back to the mid **1800s** from the research I've done, so it's not considered historical?

Mr. David Steinmetz responded it's not registered and what we're planning on doing Valerie is looking at various components of the building and trying to determine if aspects of it can be preserved and utilized. Mark and Christy and the design team and I have already talked about in other similar situations, in another particular senior facility what we ended up doing was creating, almost like a historical wall inside the property with photographs, narrative, preserving some artifacts. There are certain things that we definitely will take a look at and when we come back to you on site plan talk further about it, but we think it's a great idea. For those of us – I've explained this to Mark and Christy and others at Hawthorn, for those of us who have been there sometimes many



times – I had my oldest son’s Bar Mitzvah in that building, so there’s definitely some things that we’ve explained about the importance of that building to the community and we’d like to try to hang on to aspects of it.

Mr. Mark Lowen stated and we definitely want to respect that.

Mr. Robert Foley asked if I could jump in with the rest of my questions. On the historical, I know it’s been discussed, I believe at least within the neighborhood group there that David and your client had met with over the past year, and there had been some talk, from what I heard, that not much at all can be preserved. With the front pillars, your client’s entranceway that we all know there was some discussion, I thought, about the possibility of doing something with them whether they stay on site or whatever. And when I looked at your drawings here, you have an entranceway but those don’t look like the pillars.

Mr. Chris Kehoe stated but just Bob, to address that comment, all of those questions will have to be addressed as you review the site plan. They haven’t even made a site plan application yet. We really just want a brief introduction and then for you to decide whether you are okay with the Town Board being lead agent.

Mr. Robert Foley stated I brought it up because Valerie asked about the historical significance of the whole building. It may not be registered but there’s historical significance.

Mr. Michael Cunningham stated Bob, that’s going to be studied as part of SEQRA, installing columns will be studied as part of SEQRA like any other project.

Mr. Robert Foley stated when we discuss it further [inaudible] preserve the building and some other building. On the Donnelly – when David mentioned about a little island road that comes from the [inaudible] there’s a [inaudible] is that what you mean David? There’s a World War monument?

Mr. David Steinmetz responded I can’t speak to the monument. Maybe Mark can or Jerry Schwalbe who’s probably also listening and could raise his hand if we need it but Bob, just so you know, and Michael Cunningham maybe you can help here, Tom Wood is the one who specifically approached me and raised the question about whether we could make better use of the right-of-way of the town there and the town was interested in abandoning its right-of-way and eliminating that impermeable surface area. If there’s a monument there Bob, I apologize, I’m not aware of it.

Mr. Robert Foley stated I believe the Historical Society and I think it was turned over from, according to the Historical, to the town. I wasn’t involved in those discussions. It does have some significance reference to Donnelly family from the area. You had mentioned removing the pavement pavement.

Mr. David Steinmetz stated one thing that both you and Valerie and I guess others have

now effectively made clear, and I'm glad my client is hearing it right up front, I knew that this building mattered to the community, obviously and hearing this only means that Mark and Christy need to take a close look at how we can come back to you and address some of that. Really appreciate hearing that up front and we'll be back with more thought on that.

Mr. Robert Foley stated when I see the sketch, the picture that's up on the screen now, that's what made me think of the front pillars and I know that had been discussed a year ago about that. I know you can't preserve the whole building.

Mr. David Steinmetz stated no, and I promise we won't try to preserve the horrible red carpet either. I promise.

Mr. Thomas Bianchi asked Mark, can you talk a little bit about any other facilities that you have constructed and operate similar to this in this area or in the metropolitan area?

Mr. Mark Lowen responded you are actually our entrance into New York and so we're very excited about that. Nearest facilities we have are both in Massachusetts. We've got six sites in the greater Boston area, everywhere from Franklin to the south to Beverly to the north. We also have three sites in Pennsylvania; one is under construction but we do have one in Bethlehem which is probably the closest one to you and then one in Glen Mills, and another one in Montgomery Township that's currently under construction. That is the closest we have at this point in time. I would love to see you guys visit them but I'm going to tell you right now we have a no visitor policy. Once things get a little further down the road I hope you can have an opportunity if you're in the area and take a look at it but you are our first New York site. Congratulations.

Mr. Thomas Bianchi asked I just wanted to know that you have experience, your company has experience and are obviously operating these kinds of facilities.

Mr. Mark Lowen responded we've been doing this for the last **35** years. Like I say, we have well over **250** of these sites throughout North America and Canada. Hawthorn – I'd welcome you to check Hawthorn's website and make sure you don't put an 'e' on the end of Hawthorn. When you go in there you're going to get a hotel chain but check us out. Take a look at some of the pictures. Hear some of the stories. This has been a labor of love for these people for a very long time and the most successful thing we can have is happy residents. That's what makes us successful.

Mr. Thomas Bianchi stated and I think just to confirm what you said, you operate these facilities – you own and operate these facilities.

Mr. Mark Lowen responded that's correct. Hawthorn takes it from this point right now where they put a piece of property under contract. They work with us as their venues and architects to design the building. They then come in. They build it. They then own it and they operate it on an ongoing basis. That's the model.

Mr. David Steinmetz stated one quick thing Mark that I don't believe you said that to me makes this type of congregate care truly unique. Tom, I think you know, we represent a number of assisted and independent living providers throughout the county have handled a number of applications. What Mark's and Hawthorn's product is different in one very interesting way and that is, they have a full-time resident who lives and manages on site. And frequently – and Mark you can spend **30** seconds just talking about those three units, that is something that does really separate what Hawthorn is doing from what some of the other market leaders in assisted-living do. This is a little different.

Mr. Mark Lowen stated and thanks for the segue in that David, yes, one of the things that Hawthorn's developed over the years is the idea that we have a management team that lives on site. We, within this building, will have three individual apartments, full apartments that our management couples live in and they obviously work within shifts and they make sure, and they're there to keep our residents happy on a daily basis. In fact, the goal is for each one of our residents to have contact with one of those management people every day. The easiest way to do that is, when you show up for breakfast, lunch or dinner and look in there, you're going to see one of our managers pouring coffee, breakfast, lunch and dinner. They're going to work the tables. They're going to make sure that our resident's there. And if for some reason someone doesn't make it down for a meal, they're going to go knock on the door and check on them to make sure they're okay. That's part of it, because it's all about – we can build the most beautiful functional buildings in the world but if they're not operated properly, it really doesn't matter and Hawthorn has been extremely successful in honing, training their teams and putting together a very successful model and that's why we have so many of these throughout North America.

Mr. Robert Foley asked Mark, if I could finish my original questions and he just addressed it. Are the three managing quarters within the main building? They're not out of a [inaudible], what you just said that those managers are readily available.

Mr. Mark Lowen responded that's correct.

Mr. Robert Foley stated their quarters are right there, like similar to homes around here, right there on the main level or something.

Mr. Mark Lowen responded correct. If I understood your question correctly, our management couples live within the main structure – we have one main structure it isn't like spread out within various buildings and they live on site and someone is on duty of those. In this case we have six people, **24/7**. They're staffing the office. They're making sure that our residents are safe and comfortable and happy, and well cared for.

Mr. Robert Foley asked so they're in the building? they're not a walk away.

Mr. Mark Lowen responded that is correct. They're in the building.

Mr. Robert Foley asked I had a question if I could, Tom when you mentioned nearby

sites and there are no New York sites, you mentioned Franklin, Massachusetts and then where in Pennsylvania?

Mr. Mark Cohen responded Pennsylvania was Bethlehem and Glen Mills.

Mr. Robert Foley asked and what was the other one?

Mr. Mark Lowen responded we have one under construction in Montgomery Township but that's not operating at this point?

Mr. Robert Foley asked no the one in Mills. What was the one in Mills? The second place you mentioned Mark?

Mr. Mark Lowen responded Glen Mills.

Mr. Robert Foley stated Glen Mills. Can you provide some of those site's information or locations to Chris or someone?

Mr. Mark Lowen responded we can compile a list of addresses. Should I just send that to Chris? Is that okay?

Mr. Chris Kehoe responded that's fine.

Mr. Mark Lowen stated I'll get that out to you in the morning. Not a problem.

Mr. Robert Foley stated no rush. Okay thank you.

Mr. George Kimmerling asked I have a few questions, mostly clarification if that's okay? Thanks for this proposal, obviously it's something that a lot of communities need, but just to clarify a couple of things. It's called a congregate care senior living facility but there's really no medical care so what is the care part, simply that there's an on-site manager who will check in on people? What is the care component of this?

Mr. Mark Lowen responded care component really focuses on what our services are and one of the slides talked about it so far as providing them with three meals a day, providing them with transportation, providing them with housekeeping, linen services, activities. This is a pre-ALF is one way to take a look at it.

Mr. George Kimmerling asked so there's no nursing staff?

Mr. Mark Lowen responded that is correct.

Mr. George Kimmerling asked no medication management, no prescription?

Mr. Mark Lowen responded correct.

Mr. George Kimmerling asked in terms of the managers, you said it's three double residences for couples. Is that required that managers have to be couples or it can be a single person? I was a little confused. You said there would be six managers.

Mr. Mark Lowen responded my experience in the sites that I've visited it's typically a couple and the two of them have shifts that they share most of the time. In this case, because of the size of the building we actually have three in this case but I would expect we're going to have six people living on site.

Mr. George Kimmerling asked but you could have some units that are manager units that are occupied by one person or you require there to be six managers to be on site?

Mr. Mark Lowen responded I honestly don't have an answer for that. I have not seen that happen before but I guess that's potentially possible.

Mr. George Kimmerling asked but it could be three. And then these are actual rentals just rented out on a monthly basis?

Mr. Mark Lowen responded that's correct. It's an annual lease with a month-to-month rent, that's correct.

Mr. George Kimmerling asked what is the prospective income level?

Mr. Mark Lowen responded that's a great question. Our ideal demographic is we are geared towards providing affordable housing services and the whole program for a retired school teacher. If you took a retired school teacher with social security and their pension, they could very comfortably move in and afford to live in one of our units. And theoretically, all they would have to do other than paying their monthly rent because all their utilities, all their transportation, all their meals, activities are covered, they have to pay for their own phone bill. That's our typical demographic. People have asked me...

Mr. George Kimmerling asked would that be like a teacher retiring on a Town of Cortlandt pension or on a New York City pension?

Mr. Mark Lowen responded the market is going to fit that for whatever area you are in. It's market-driven but that's our typical demographic is a retired school teacher.

Mr. George Kimmerling asked can I just lastly, and thanks for your patience with these questions, I'm assuming that the development company is it a non-denominational outfit? I know there are lots of developers that are historically aligned with certain churches for example, like Quaker's, etcetera but I'm wondering about that in your case.

Mr. Mark Lowen responded this is a privately-owned originally family-owned company with no specific affiliations, no.

Mr. George Kimmerling stated great. Thank you.

Mr. Thomas Bianchi asked Mark, just to clarify one of George's statements, comments I should say, I was reading the Westchester County Department of Planning's letter and they are recommending a set aside of affordable units. You're hopefully going to be addressing that.

Mr. Robert Foley asked in Norma Drummond's memo, she mentions it.

Mr. Mark Lowen responded I'm going to let David chime in this too. Typically, our type of a use, since we're a private company, we don't have any government funds involved whatsoever in the fact that we are not dwelling units, we're typically not – we don't even fit the mold of affordable housing. I'm going to let David chime in a little bit on this as well. He might want to elaborate a bit.

Mr. David Steinmetz stated Tom I hear the question. I'm very well aware of Norma's letter. We did just see it. We will be addressing that. We've discussed it very briefly with the town's professional, in particular, legal staff. It is possible that Norma does not understand that this is not the standard AL or IL facility let alone a CCRC that she sees elsewhere in the county. Hawthorn's product is a different concept but we will address that with the town and the fact of the matter is, the good news is, I think the price point for Hawthorn is considerably below what we're seeing down county in a lot of the other AL and IL facilities. We'll come back and deal with that. We understand – we saw the comment. We understand the issue.

Mr. Thomas Bianchi stated well it has to be addressed one way or the other.

Ms. Loretta Taylor asked I have a question. I'm a little concerned about the fact that from time-to-time we have these major emergencies in various localities. I'm wondering, since the residents here do not drive, they probably won't have cars on site, in what way have you provided for a partial or even a total evacuation of these residents if something should happen?

Mr. Mark Lowen responded I am glad you asked that question because I have the best example I can possibly – first of all, Hawthorn has various contingencies to deal with situations whether – because we're in hurricane country, we're in blizzard country, we're in a lot of different places. Probably the best example I have is we have a site in Paradise California, and if you remember anything about what Paradise experienced almost two years ago now, we had an evacuation plan together and every single resident was safely removed from there without any problems at all. We have contingency plans. We have food in reserve that if for some reason let's say there is a situation where we don't have services for a couple of weeks, they have all of that in reserve. I think a good example right now, I know a lot of people, and this is a crazy example but it's pretty universal, where people are concerned having enough toilet paper. Our residents have enough toilet paper. We prepare in advance. We stock up for that sort of thing. Again, taking care of our residents is what makes us successful. I don't have all the specifics here in front of me but Hawthorn accounts for it and plans for that sort of stuff. And it actually has been

implemented and successfully so.

Ms. Loretta Taylor asked one of the things you do when you're coming back say before the Town Board or certainly before us for site plan approval, I would like some specificity about how you manage that particular aspect because these are older people and they are not, as you said, they don't drive so they're not entirely very mobile at all. If something should happen, how do you handle getting to all of these people and getting them out safely? What specifically – what do you do specifically? I think that's what I want to know. What kinds of units of transportation do you use?

Mr. Mark Lowen responded I have written it down and I'll get you some specific answers. I'll do some research between now and when I can hopefully meet you guys face-to-face in the future.

Mr. David Steinmetz stated Loretta, just one quick thing to just amplify that, Mark and I have talked about already proactively needing, as we typically do on applications of this nature with the first responders in terms of the local fire and police and working through some of these issues, each municipality has slightly different methodologies that they want to approach. So we're going to do that also before we come back to the Planning Board.

Mr. Robert Foley asked [inaudible] with Mohegan fire. And Mark when you mention Paradise California that was the [inaudible] right?

Mr. Mark Lowen responded that's correct.

Ms. Loretta Taylor asked can I finish? Bob, I want to just finish up my question. You mentioned that they have luxury transportation. I like that idea that you can call up and ask to be driven somewhere. That's wonderful. However, are they expected always to go in groups? When someone wants to go, say shopping for some reason. Does that person have to have a large group going out to shop at that place? How does this work? Say they get an invitation to go to some kind of a get together or family something and they don't have cars. I don't know exactly how you manage that because there are a lot of residents and they all go every – shouldn't be going everywhere all the time together.

Mr. Mark Lowen responded it's an on-demand shuttle. So, what they do is they set up daily routes. I know that from looking at – they try to encourage, for instance, that they setup doctor's appointments, for instance, on Tuesdays and Thursdays so they can be more efficient with it but if some people want to go to the shopping mall and some people want to go to watch a little league game or one person wants to go to the little league game then we're going to drop them off and pick them up and figure estimated times for drop off and pickup. No, you don't have to go as a group. A lot of times they do because keep in mind and important part of what Hawthorn does is creates that sense of community and they want to go out, and they want to go to various activities or different events to that sort of stuff as a group, from what I would call a field trip. And then if they want to, maybe two or three of them or one of them belongs to a bridge club so every

Thursday afternoon they go to bridge club, they have that route. And if something special comes up, they may need – actually one of the managers may personally drive them with a smaller vehicle or who knows, we may even Uber them from time to time if that's what's necessary to get them where they need to go. We try and make it efficient by providing a route on a daily basis but we're going to get them where they need to go and back safely in as efficient way as possible.

Mr. Robert Foley asked can I ask the last question of something George brought up about the management couple. I'm assuming that they would be accredited or certified in some form whether it's MSWs or some type of certification?

Mr. Mark Lowen responded I don't have a list of what different things that they are specifically qualified and accredited in. I know that they know CPR, first aid, that sort of thing. They also – one of the things that we try to emphasize is the fact that instead of, if you have these **150, 170** people living in individual homes throughout the greater Cortlandt area, you'd have individuals, if there was a situation where we needed the emergency services involved. Our residents are typically the first people who are going to assess the situation and help determine if it's necessary to even dial **911**. If they have fallen out of a chair then they need help getting up in that chair, if that can safely be done, they're going to help put them back in the chair. If it's a situation where they feel it's important or clearly necessary to get emergency services involved, they're going to be that filter, that conduit to help them do that. In some cases, they may not be able to do it successfully themselves, our resident managers are involved in part of that process.

Mr. Robert Foley asked what I meant is the resident managers would be tuned in to what the issue would be and would have to react. If they're not themselves certified in some form. In other words, are they more trained to manage a facility than to manage the people, the residents?

Mr. Mark Lowen responded if understood the question right, we're having a little bit of audio problem here. So first, resident managers, obviously they're trained by Hawthorn and they are part of – we also have other staff members that are involved so far as activities coordinators and other people within the building who also interact with our residents as well. They all specialize working with seniors. I'm not sure if I picked up all the bits and pieces of your question.

Mr. Robert Foley asked you opened the presentation that it's not a medical facility. I think I understand. So, these management couples are more like managing a facility than...

Mr. Mark Lowen responded correct. Managing the facility and making sure that keeping our residents comfortable, well cared for, not medically speaking but so far as activities and services that we provide within the site. That's correct.

Mr. Robert Foley asked and to do a comparison and maybe David would know, would this facility compare with let's say the Field Home or the separate home down by the



Field Home in Southern Cortlandt where it's an upscale or middle scale with a resident manager/concierge or the Atria in Ossining. Are those similar comparisons?

Mr. Mark Lowen responded I'm going to flip over to David. He's more familiar with the local community.

Mr. David Steinmetz stated so Atria in Ossining is definitely an AL facility. I think the Field Home in Yorktown, Bob, may be a combination of both IL, independent living and AL so they're very similar but they're not identical to what we're talking about here. I know you're all delving into these operational issues and we're happy to try to respond on them but we're really here tonight on a zoning referral and lead agency status. We want to oblige and respond on internal business operations but we're really here on something far more simple.

Mr. Thomas Bianchi stated exactly.

Ms. Valerie Myers asked are there any more questions? I'd like to make a motion to direct staff to prepare a memo to the Town Board not objecting to them being the lead agent.

Second with all in favor saying "aye".

Ms. Loretta Taylor stated thank you very much.

Mr. David Steinmetz stated thank you all. Stay well. We look forward to seeing you all soon.

Mr. Mark Lowen stated I appreciate your time and looking forward to meeting you face-to-face in the future.

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### **PUBLIC HEARING (NEW)**

#### **PB 2020-5 a. Application of Charles Machado for renewal of a previously approved Special Permit for an accessory apartment within an existing single-family residence located at 18 Harper Avenue.**

Ms. Loretta Taylor stated we have a resolution for this.

Mr. Michael Preziosi stated I'm going to allow Mr. Machado...

Ms. Loretta Taylor asked is there anybody here for the public hearing?

Mr. Chris Kehoe responded Mr. Machado is here in case you have any questions but

Mike would know if anyone from the public is signed in.

Mr. Michael Preziosi stated Mr. Machado was authorized to speak. He can introduce before the public hearing. If there is anybody in the list of attendees that would like to talk, just please use the “raise your hand” function on the Zoom panel and we will allow you to speak one at a time.

Mr. Charles Machado stated yes, how are you doing? Good afternoon everybody. Thank you for having me. I was seeking an approval on a previously issued special permit regarding an accessory apartment within my single-family home at 18 Harper Avenue. On the last hearing that we had I said I purchased the house from my mother and she had a permit for the accessory unit. Since I just recently purchased the house, I’m also trying to get the same approval if possible, please.

Mr. George Kimmerling asked and there’s no change to the floor plan or the structure?

Mr. Charles Machado responded no, it’s exactly the same just like you see it.

Mr. George Kimmerling stated great. Thanks.

Mr. Chris Kehoe stated we did a little bit of research. Actually, Ken Hoch helped me because if you recall with these cases the Zoning Board would have granted the original special permit and then immediately following that, the code office would have issued the building permits and certificate of occupancy. We were able to track down all the old drawings and all the old files and confirm – we did not do an onsite inspection. We did not go into the facility but based on the photographs and discussions with the applicants we’re satisfied that there are no changes and it’s the same unit that’s previously been approved.

Mr. Charles Machado responded yes, correct.

Ms. Loretta Taylor stated thank you.

Mr. Charles Machado responded thank you.

Ms. Loretta Taylor asked are there any other questions or concerns from staff, the public?

Mr. Chris Kehoe responded just obviously we’ve discussed this with the applicant and if there is a resolution approved there will be some conditions that need to be met, mainly working with the legal department regarding the declaration.

Ms. Loretta Taylor asked are there any comments from the board? Any concerns?

Board members responded no.

Mr. Steven Kessler asked Mike, nobody from the public?

Mr. Michael Preziosi responded no. I've been monitoring the attendee's tab. Nobody has raised their hand. Mostly it's the applicants for the next two cases.

Mr. Steven Kessler stated for the record we should just note that.

Mr. Robert Foley stated I make a motion, Madame Chair, to close this public hearing and adopt **Resolution 15-20**.

Seconded with all in favor saying "aye".

Mr. Chris Kehoe stated so Mr. Machado, you'll be getting an emailed version of this resolution emailed to you and then keep in touch with myself and the town attorney's office regarding the conditions.

Mr. Charles Machado stated thank you so much everybody.

Ms. Loretta Taylor stated you're welcome. Good luck.

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### **OLD BUSINESS**

**PB 2020-3 a. Application of Heike Schneider, R.A., on behalf of 3451 Lexington Avenue, LLC, for Site Development Plan approval and for Steep Slope and Tree Removal permits for a proposed 56,000 sq. ft., 2-story classic car storage facility, a 4,900 sq. ft. showroom and a 3,528 sq. ft. storage building on a 16.3 acre parcel of property located at 3451 Lexington Avenue. Drawings latest revised April 14, 2020 and April 17, 2020.**

Mr. Michael Preziosi stated we do have a couple of attendees representing the applicant. I will turn it over to whoever would like to speak. I see Heike is on as well as Tom from Joe Riina's office and Ben the landscape architect. Who would like to speak? Just use the "raise your hand" function and I will promote you to speaker. We'll be joined by Heike Schneider, the architect for the developer.

Ms. Heike Schneider stated hello. Good evening. I'm Heike Schneider, the architect for 3451 Lexington. I would like to give just a quick intro and then turn it over to Tom. I will just sum up again what it is we're proposing to do and give you a little more detail than last time. We are proposing a two-story classic car storage facility with a connected two-story showroom. The classic car storage facility is altogether **56,000** square feet and the facility is running along the north south access with a two-story showroom and member's lounge facing Lexington Avenue. The car storage facility is built into the steep terrain showing only one story: the storage facility in the front facing Lexington Avenue and two

stories in the back. The roof also follows the terrain: two shed roofs slopping in opposite direction with PV solar panels on the southwest facing roof slope. The solar panel system will take care of the power demand of the entire facility. Limited grid back metering is considered as the economical alternative to battery storage, but that still has to be decided. The storage facility is laid out such that it can store **200** cars on double auto stackers on the lower level with exit garage doors on the lower level or entrance garage doors on the lower level and about **150** cars on the upper storage level which brings the entire storage capacity to **350** cars. We are also proposing **24**-hour access private garages where cars can be picked up or dropped off with ping key access on the north facing side with access from the upper level. Those four private garages with keypad entry allow for after-hour car pickup. One of the garages serves as second entrance to the upper level storage facility providing a more energy-efficient way into the garage since the first garage door can be closed before the second one opens. The car storage facility will be offering carwash and detailing. The lower level has two carwash bays with oil-water separator and the carwash water reclaim system. In the front, along Lexington Avenue, we're proposing a **4,900** square foot showroom and connected offices on the first floor and a member's lounge area on the second floor. As part of the member's lounge, we are proposing a bar area, a small kitchen prep area, a conference room and a racecar simulator room. This two-story flat roof building connects to the storage facility for a feature wall and an open gallery space reaching into the upper level of the storage facility to allow full view into the space. The showroom will offer collectors the opportunity to display their classic cars. It serves as small scale classic car museum with private sales only. The member area on the second floor will be used for monthly breakfast car meetings, educational car race screenings. It will also be used for seminars, guest speakers such as a car reveal and mechanic classes. Those events will be held foremost on a Saturday or Sunday afternoon. Members can access the lounge during regular business hours only. The hard surface area on the east side of the showroom facing Lexington Avenue will be used for exterior classic car display. To accommodate for additional parking needs on special event days, the facility will offer valet parking on the lower level of the facility along the individual access aisles. No parking will be allowed on Lexington Avenue. In addition, members coming from New York City or river towns will be encouraged to take the train where they will get picked up by a private shuttle during event hours. We are proposing **88** onsite parking spaces: **41** in the front, and **47** in the rear. We're delineating the parking in the back facing the wetlands with a retaining wall following the outline of the wetlands and creating attractive landscaping. In the back of the property, south facing or I guess it's southwest, we are also proposing an accessory one-story building of **3,530** square feet. The structure will serve as protected indoor storage space during construction. After construction and landscaping has been completed, half of the building will be set up as an auto repair shop for members only. It will have two car lifts, an oil-water separator and special oil tanks for motor oil disposal. All requirements for an auto repair shop will be met although it will not be accessible to the general public. The overall business idea for the entire facility on 3451 Lexington Avenue is to create a luxurious car storage and membership club for every car enthusiast in the Westchester area. Westchester Classic Car Club and Storage will be targeting the elite car collector and offer the finest service and security. That's the overall idea.

Mr. Steven Kessler asked can you just tell me – you revised the drawings. What changed from the original drawings, simply put?

Ms. Heike Schneider responded so what I'm showing now and I have not shown the first time around is the additional storage building in the back, the south western corner. It's on a separate sheet and it's the **3,500** square feet storage building.

Mr. Steven Kessler stated it was on the original plan. You had a proposed accessory storage building in the last plan.

Ms. Heike Schneider responded yes it was on the site plan but I didn't show any elevations in the floor plan and so that's now attached.

Mr. Steven Kessler asked so that's the only fundamental change?

Ms. Heike Schneider responded yes.

Mr. Chris Kehoe stated Heike is speaking as the building architect. There are elevation issues, and signage issues, and floor plan issues but then the whole different set of drawings done by Joe Riina are the site plan drawings.

Ms. Heike Schneider responded exactly, yes.

Mr. Chris Kehoe stated so I believe, Heike, you have provided additional signage information, you provided additional details, floor plan information on that storage building in the back. We would need to refer these elevations over to our Architectural Advisory Committee but I think from an architectural perspective – and then you gave me, I guess would say, sort of minimal details with respect to the solar. I don't know if Mike Preziosi would say anything more about that but generally speaking the elevations are more or less the same that they were last month.

Mr. Michael Preziosi stated the only question or comment that I would have pertaining to solar is whether or not the solar services just the facility or if it's proposed to be a community solar because that would modify the type of facility and how we evaluate it under our town ordinances.

Ms. Heike Schneider responded the solar panels are mostly going to be for the facility itself because we're really trying to be fossil fuel free.

Mr. Michael Preziosi stated we just want to advise you that on what's considered a community solar in which residents and/or non-parcel related use of the power is proposed, it would fall under tier-3 requirements under the town's ordinance. I just want to make you aware of that.

Ms. Heike Schneider stated okay. Thank you.

Mr. Jeff Rothfeder asked can I ask about the auto repair part of this? As you said, it's not open to the public, right? People can do their own repair for their own cars there right, and – but I assume they can also bring in mechanics because they're not all mechanics. First of all is that correct?

Ms. Heike Schneider responded yes it is. It really is more for cars that might be for sale, like a collector's car that has a last minute issue or – I don't know if Jack is around if he would like to weigh in on this. Is Jack part of the...

Mr. Jeff Rothfeder asked what you just said feels to me like a big distinction between, as you said, just making a minor repair to make sure it's tuned well enough to try to sell to somebody as opposed to bringing a junker in there, even an expensive junker and spending the next six months repairing it. That's a big distinction, I think, in terms of use of the facility.

Ms. Heike Schneider responded the way I understand it is the emphasis is more on collecting cars and admiring cars than it is on repairing cars. I do think the auto repair shop is really just a necessity. It's a fairly small space in comparison to all the cars that will be stored on the site. That's how I understand it.

Mr. Jeff Rothfeder asked would you all be open, if we came up with some restrictions about the use of that part of the facility, let's say in terms of hours, in terms of the kinds of things that can be done or even how many mechanics you can bring in or something along the line but restrictions along the line of what you just discussed yourself, just mentioned yourself.

Ms. Heike Schneider responded yes, and also I think certain business hours because I do think there also are residences close by so I think when it comes to the repair shop, it would not be used on a Sunday for instance and we should have regular business hours for the repair shop.

Mr. Jeff Rothfeder stated thank you. Chris, that's something we should talk about at some point, about the kinds of restrictions that the board would want for a facility like that.

Mr. Chris Kehoe stated yes, because it would really have to be – it seems either, we'd have to talk about it, it seems either it's open to everybody or it's not open to everybody.

Mr. Jeff Rothfeder stated right, and the hours and all of that sort of thing.

Mr. Michael Preziosi stated repair shops, body shops, etcetera, they have different permitting requirements through the state as well so the clarification as to whether or not this is a body shop or a detailing shop, or even a paint shop; painting has been known to cause issues. If we're going to have this sort of operation we would need further clarity from the applicant as to what the intent is of that repair shop.

Ms. Heike Schneider stated it's not going to be a paint shop, absolutely not. It's really just repair shop. There are some body paint shops in the neighborhood, nearby so we already decided that that's not going to happen.

Mr. Robert Foley asked in reference to what Jeff was saying, if you have a guy with his car and they bring in a mechanic, there's no likelihood, you mentioned hours of operation, that this person could be working on the car or working with the owner into the night hours? Is that a possibility we could restrict all that and have specific protocol on that?

Ms. Heike Schneider responded excuse me, I didn't hear the question. It was difficult to understand.

Mr. Robert Foley asked if this is a club, a classic car place, and maybe a person has their car there and after work from the City or wherever, they come up with their mechanic to work on it. Could that go onto the late hours beyond a certain time, a certain hour of the evening? We would have to setup a protocol on that.

Ms. Heike Schneider responded if I did understand the question right, you were asking if the repair shop would work after hours as well. No. We think that should be limited.

Mr. Robert Foley stated there is that likelihood if you're a car collector or owner that happens sometimes. You're busy during the day and you come with your mechanic on a weekend or after hours. And also, as you mentioned in your memo that Mike's question and the tenants the fact that the storage initially that the utility or storage building that Steve mentioned down at the bottom there on the western side, western corner, after construction that would be used for storage during construction but then after the whole project's completed, then half of that building would still be storage but the other half would be for the mechanics to work on cars, correct?

Ms. Heike Schneider responded yes correct.

Mr. Robert Foley stated that was your point number **12** on your memo.

Mr. Thomas Bianchi asked Heike, I have a concern about the special event days. Given that you're going to have about **350** cars there and you have **88** parking spaces, and you mentioned that you're going to utilize valet parking. How many people do you expect to get there? I don't know if you can answer this now but I think I need to see what the maximum capacity of that facility is with respect to numbers of visitors.

Ms. Heike Schneider responded the capacity, you're saying the capacity of parking?

Mr. Thomas Bianchi responded for parking purposes, yes.

Ms. Heike Schneider stated I don't know if Tom would like to weigh in, because I think he also calculated how many cars could be parked in terms of valet parking within the storage facility during events.

Mr. Thomas Bianchi stated I want to know also how many people do you expect to get there? How many cars, how many people?

Ms. Loretta Taylor asked that's a question I have too. I'm terribly concerned. You know Heike, if you don't mind, I would like to have some sense of exactly how this operates. You gave a very detailed, and it seems a clear presentation, but the more I listen, the more confused I get. I suspect that this is a high end, or at least it came to me initially as a sort of high-end situation. People who own classic cars will come in and they will store their cars there, they may want to have a club where they can look at other cars and maybe buy some other cars, and if some small repairs need to be made they'll go over to the other building and the repair shop and fix them. Then you have these events. I'm not sure, and I think that's what's bothering Mr. Bianchi, Tom, what's going on exactly? How many people do you expect? What kind of events? What kind of people are coming, how many, that's what I mean by that? And do they own the cars there or are they just coming to see if they can buy something? I don't really understand that part of the proposal.

Ms. Heike Schneider responded the way I understand it, it is more collectors that have a really specialty cars and they would then come and probably unveil some of their newest acquisitions. It really is, it's more for the members and more often offered special car and elite group I'd say because not everybody can afford paying to store their car.

Mr. George Kimmerling stated but a lot of people would like to come and take a look at these cars and I think that's the question whether this is sort of advertisement of car enthusiast magazine, for example: come look at all these awesome cars and here's this one and that one and come and see it. I think sort of piggy-backing onto Loretta's question, there's a lot of stuff going on here. There's a lounge, and there's a bar, and there's 24-hour access but you're saying there would be certain things that would be just business hours. I do feel like you are in an unfortunate spot here as the architect trying to describe the business when that's probably not your primary role here. I do think it's a little awkward. I feel like you're doing a great job with the information you have but I do think we're going to need more information about the actual business activity, the marketing, how will this be advertised in terms of events, who will come, the capacity of the building, what is the space inside for people to congregate to view cars? Are there cars displayed outside? There are just so many questions because it is such a complex project.

Mr. Thomas Bianchi stated I'll be honest with you, this appears to me to be like an auto museum that's open to the public. That's my concern.

Mr. George Kimmerling stated but also, we could buy stuff.



Mr. Thomas Bianchi stated and purchase of course. It's a car dealership and a museum.

Mr. Robert Foley asked I brought up the special events at a previous meeting, kind of like George just said, how are they coming to special events? If you've never been to one of these things on flatbeds some of them drive their cars in. They used to have them on flatbeds. Some people come in RVs. It sounds more complicated the special events part of it...

Mr. Chris Kehoe stated and there may be a site plan solution to that in the sense that let's just say it's the Mercedes day, the Mercedes Saturday so anyone who's a Mercedes enthusiast gets notice of this, somehow there's **20, 30, 50** really old, beautiful Mercedes. Are they placed in a parking lot with their hoods open and then the people that drive there to look at them, where do they park? Maybe there needs to be a modification to the site plan to show how it is laid out for a typical Saturday event.

Mr. Robert Foley stated all you have to do is go to one of these events at fair grounds or even at the McDonald's parking lot which is a small scale, but it sounds like this is larger scale. The other question I had on your memo, to Chris, [inaudible] on page **2**. When you're talking about these special events and then the lounge area and so forth and the racecar simulator room, what is that? Is this like part of the club? Is this going to be a loud thing where they have lighting at night, and light flashes and reflections that might refract and affect the neighborhood? What exactly is that room?

Ms. Heike Schneider responded in the way I understand it, it's more of a computer game for adults. You sit inside a basically closed, sound-proof room that simulates sitting in a racecar. You don't hear a thing on the outside.

Mr. Steven Kessler stated like an arcade game.

Ms. Heike Schneider stated you might even have headphones on. It has nothing – you don't hear anything on the outside.

Mr. Chris Kehoe stated it seems to me though that we, Heike I think what George and Tom are getting at is whether - is Jack actually going to be the person sitting in there running the show or is he going to be hiring a company that's going to run the facility? And if he's hiring a company or even if he's not hiring a company we need somebody like that to explain to us how this works, maybe show pictures or images from other similar facilities. And George was saying that he understands that you're not the expert in the operations but they do need to hear from an expert.

Mr. Thomas Bianchi stated I agree.

Ms. Heike Schneider stated as far as I know, Jack's current map is the one that came up with the business plan. He also looked into the business in Bedford. There is one already. So if you'd like to understand the whole concept better, than I would look into that car storage facility because...

Mr. Chris Kehoe stated please provide us additional information on that and maybe if we do a site plan to this actual location prior to that site plan maybe you can provide us additional information about the Bedford location and maybe there's some time for people to be able to go out and take a look at that but it seems to me we need a pretty big, thick packet of information with illustrations, photographs, whatever, of the business plan to supplement your narrative.

Ms. Heike Schneider stated okay. I would also like to suggest something. First of all, when it comes to parking, we have a couple of ideas which I already told you about which first of all we have **88** parking spaces. We have **350** storage places which will not be occupied right away. We don't know how many years it's going to take until all of them are rented out. Then we have the valet parking. We're also thinking about shuttle services and I was wondering if maybe what should be done is to really calculate a limit that this property can take. And then if we are reaching that limit to then basically close the event. Make it a private event. If that's what kind of suits everybody better. Because I can see that it can be daunting to not knowing how many people are coming and especially in our internet age. Maybe that would be a solution which we still have to work on.

Mr. Michael Preziosi stated Heike, I think that's what the board is asking you to prepare is really you and Jack and his business partner to prepare a detailed narrative outlining the proposed use, the facility's proposed event dates, where you're proposing to jitney each individual from, what type of shuttle services, etcetera, and really get that all to the Planning Board to review and analyze. While I have you here, I know Tom is on as well from Joe's office. Do you two want to touch upon some of the environmental aspects of the project pertaining to steep slope disturbances, other environmental concerns, the constructability of the retaining walls without impacting the wetlands in the wetland buffers?

Mr. Tom stated I can speak to that. I'll start with some of the change since the last one. We've flushed out the storm water system for this project. It's all going to be collected and directed to a subsurface infiltration system which is on the bottom left part of the screens shown here. The retaining wall, which since the last submission we've expanded to provide more parking again in that bottom left part of the screen. The retaining wall has been put outside the buffer with a little bit of distance in between. We expect there to be no issue constructing this because the manner it will be built would be from the back side forward. They would start by working on the back side digging out the bottom and then layering in the retaining wall material which is a – which right now it's a proposed mesa block wall with a geo grid behind it. We don't expect to cause any issue [inaudible]. We are planning and testing is sort of ongoing for this, to have an onsite septic area. We don't expect there to be significant septic loads just because most of the time it's a very small group at the facility. We're looking into what will be done during events to make sure that the area is not inundated. We've made some changes to the plan regarding the driveways specifically the southern entrance has been expanded to allow larger vehicles to enter the site. We were imagining larger flatbed trucks that would have a vehicle to be

dropped off could enter at the southern entrance point, unload around the back and then exit through the northern driveway egress. Those are the bulk of the changes that we made. There were a few things here and there as far as correcting dimensions and things of that nature but those are the major changes since the last submission.

Mr. Michael Preziosi stated and Chris can you just give the Town Board - Planning Board excuse me, a quick update as to the environmental studies that are being performed by the town's consultant's environmental and tree?

Mr. Chris Kehoe responded both of those were delayed by the pandemic but I think it was probably about ten days or so ago I reached back out to both Trevor Hall who's doing the trees from Bartlett and Paul Janning who's doing the wetland work. They both intimated to me that they were fully prepared to get out in the field. I didn't check with them before this meeting but my expectation is they should be nearly done. As you can see in the response from the applicant, I think Ben, maybe Tom and Ben, both of them said they were waiting those studies. We expect them shortly. I think the wetland has pretty much been delineated. It would just be for Paul Janning to confirm that. And then I did notice that your site plans do show existing trees with access through them for trees to be removed. That is based on your land surveyor locating those trees?

Mr. Tom Kerrigan responded yes, that is based on the original survey showing the trees as well as our – looking at the trees that were within the limit of disturbance that would deal with significant grade change or cover type change. Those would result in those trees [inaudible].

Mr. Chris Kehoe stated and then Trevor, his responsibility is to get out there and confirm that they have noted that it's an **18**-inch tree and then he'll say that he agrees with that. He'll give us information on the species and then he'll give us his opinion about whether any other additional trees would be potentially threatened but we're waiting for those reports to come back.

Mr. Jeff Rothfeder asked landscape plan – you guys haven't put together a landscape plan yet, have you?

Mr. Tom Kerrigan responded yes we have.

Mr. Michael Preziosi responded there is one. I can share it.

Mr. Chris Kehoe stated I think that should have been emailed to you.

Mr. Jeff Rothfeder stated I probably got it. I looked for it but I couldn't find it.

Ms. Valerie Myers asked I have a couple of technical questions. The first thing, you talked about having a car washing facility in that facility. You talk about you're going to have an oil-water separator. Is that enough for having a carwash because I'm not too familiar with the codes? But does that suffice for processing the waste water?

Mr. Tom Kerrigan stated I'll let Heike go in more detail but the proposed septic system on the site will not be taking loads from either the carwash or an oil separator. It will be strictly sanitary waste.

Ms. Valerie Myers asked does that go into the storm drains? I'm just trying to figure out and make sure everything is up to code, up to what it needs to be.

Mr. Michael Preziosi stated waste water from any washing would not be allowed to be infiltrated into the storm water detention. It's waste water. So typically we would require a close to a hundred percent recycling of any grey water that's used for carwash, and any spillage, etcetera, would have to be sent to an oil-water separator then properly treated before it can be discharged. Typically, it goes to a sanitary system not to surface flow.

Ms. Valerie Myers asked Mike, you'll make sure that that's properly designed?

Mr. Michael Preziosi responded yes, we have a number of comments with the first plan set pertaining to the storm water system. We were concerned with the suitability of the soils for infiltration, the depth of the infiltrators, how they were being designed and buried. I know Tom and Joe in his office are redesigning that so we haven't had a full opportunity to vet the redesign but we've had conversations discussing storm water management and control.

Ms. Valerie Myers asked because that was my next question. Now the storm water runoff, that seems like it's going to be intense because your building is so huge that you don't have vegetation to taking all the storm water runoff and I understand from some of the topology that you do have a steep, not steep slope but it is steep there. I just want to make sure that, I guess you answered my question Mike, you guys are looking at erosion controls, making sure that they're acceptable, correct?

Mr. Michael Preziosi responded yes, they would be required for a full storm water pollution prevention plan which would be water quality and quantity controls due to the level of disturbance being proposed and we are in the process of reviewing it. It's a relatively thick submittal but it will take us a couple of weeks to look through it and we'll have a couple of conversations with Joe and Tom in order to flush it out and make sure it's consistent with the DEC storm water manual.

Ms. Valerie Myers asked and then my last question is; having solar being your primary or your only source of power for this huge facility, you're going to have to have a lot of solar panels. And I started looking into some of the stuff on the web about New York State. Do you have a decommissioning plan for all of these panels because they're only going to last about **20** years and it's going to be very costly to: one, get rid of that waste to make sure that it's off site and it's properly dealt with.

Mr. Chris Kehoe stated Mike Preziosi would have many more details on that but even if it's not considered a tier-3 system Mike, we would require decommissioning plan wouldn't we?

Mr. Michael Preziosi responded that's why I was asking Heike earlier in the conversation and discussion is whether or not the solar panels on site are being proposed just to service the building. That would fall under tier-2 rooftop mounted system, but if you were proposing solar that would service a community betterment then it would be a tier-3. A decommissioning plan would be required. Valerie, you make a very good point though. Even though it would not be required, it's still good to think of as to how you're going to dispose and replace solar panels as they become obsolete.

Ms. Valerie Myers stated it could cost up to over a **\$100,000**.

Mr. Michael Preziosi stated yes, it's quite costly. That's a good comment, maybe consideration for the Planning Board for a resolution item.

Mr. Robert Foley asked a few questions. Jeff had asked about the landscape plan. Chris, is that what you sent out via e-mail, the one-pager?

Mr. Chris Kehoe responded I'm looking, I believe...

Mr. Michael Preziosi stated it's on the screen.

Mr. Robert Foley asked yes, that one?

Mr. Chris Kehoe responded the email went out on April 27<sup>th</sup> at around 1:00 pm to everybody with several attachments. One of the attachments is the landscape plan.

Mr. Robert Foley asked second question, I'd like to go see similar things, as you all know, when you keep mentioning the Bedford Classic Car site, is that down by Bedford Hills train station in the industrial area, that Bedford Sand & Stones? Does anyone know? Heike, do you know?

Mr. Chris Kehoe responded I've looked it up and George gave us some information too: 341 Railroad Avenue.

Mr. Robert Foley stated okay, that's the one. Also, Mark and Heike too answering questions on both sides not only architectural but overall my observation and what everyone has said, the intensity of this could create a problem with the special events, the club owners coming in and out bringing cars in and all that has to be looked at because when you get approval and build it, what's the old saying: "if you build it they'll come". I'm just envisioning a lot of activity there and will the site hold it all.

Mr. Chris Kehoe stated since the landscape plan is up, one major difference is they did do a much better job of buffering along Lexington Avenue. It's supposed to be a **25-foot**

buffer but the Planning Board has always had the ability to modify that based on circumstances. So between the addition of proposed sidewalks, significant buffering and then changing those parking spaces to parallel porous pavers, we believe that landscape design is moving in the right direction. One other comment, which I'm not sure was a hundred percent addressed, was the parking lot does require internal landscaping which I can see in the parking lot, but that needs to be quantified on the plan to make sure we meet the required percentage of internal parking lot landscaping.

Mr. Robert Foley asked and also Chris, on what you just said, on that landscape plan, maybe it's on another site plan that I didn't see, does Lexington have to be widened at any point or even a turn lane, does that accommodate for that on the western side of Lexington?

Mr. Chris Kehoe responded well no, not as proposed. There's not – any widening there would require, I believe, and Mike Preziosi could correct me, but I think that would require some acquisition of this property.

Mr. Michael Preziosi stated correct, I don't think there's any intent to widen the road and that would be one of the questions or information that the applicant would need to address specific to the weekend events: how many vehicles would be entering and exiting the site? There's been stated that **350** cars could be stored internal to the building. I think another **90** or so surface parking spaces, plus any additional spaces that may be created for these special events. That would be something that would have to be addressed as to whether or not there's an impact to traffic along Lexington, especially at the intersection of Route 6 and also with West Road and Strawberry.

Mr. Chris Kehoe asked and Mike, where do we stand with any sort of traffic study?

Mr. Michael Preziosi responded we have preliminary comments with our consultant but we really need more so to have a conversation with the applicant, the design professionals and our traffic consultant as to developing a scope that the Planning Board could adopt. I don't know if it needs to be a full traffic impact study but we should at least look at special events, traffic generation, trip generation and distribution from the site and see if it would have any potential impact, at least at the Route 6 intersection and with Lexington and then potentially evaluate one of the side streets I just mentioned: either West Road next to the school or Strawberry as you head down Red Mill Road.

Mr. Chris Kehoe stated but what we're doing now is we're requiring the applicant to get their own traffic consultant. Maybe we'll help them develop the scope and then our traffic consultant will review their work.

Mr. Michael Preziosi responded correct.

Mr. Robert Foley asked Mike, that Strawberry Road, that one has to be included as an intersection. You know the area too. It's unbelievable. It's one of the most traveled roads

and studies have been done on the Yorktown side but [inaudible] Lexington on the Cortlandt side.

Mr. Michael Preziosi stated I agree and I believe, Chris referred this over to Yorktown since it's a few hundred feet from the municipal border. It would be something that they could potentially comment on as well, but I do agree with you Bob that Strawberry and Lexington should probably be looked into. I do not believe the town controls the intersection of Strawberry but it would be something we can work with Yorktown on.

Mr. Robert Foley asked is Lexington still a shared road between the two towns? Is it a town road?

Mr. Michael Preziosi responded yes, there's a maintenance agreement. I don't know the specifics but a certain portion is maintained by the Town of Cortlandt and another portion of it is maintained by the Town of Yorktown.

Mr. Robert Foley stated there would be residual effects if cars can't leave on Route 6 to get out of there, they're going to go down Strawberry either that or Red Mill, Lexington then Strawberry to go back east.

Mr. Michael Preziosi stated it's a major cut-through.

Mr. Robert Foley stated I live up here so I know.

Mr. Michael Preziosi stated it's a major cut-through, especially near the school as well. That's why, I wouldn't say it would be a full traffic impact study but there could be specifics that the Planning Board can consider; trip generations during special events, maybe an analysis of local infrastructure roads just to whether or not there's impacts for cut-through as we were just discussing and any impacts to evaluate if there could potentially be a limited traffic study on say a Saturday PM or Saturday peak period for impacts to Lexington and Strawberry.

Mr. Robert Foley asked and there were past studies on the northeast corridor, a traffic study **10, 20** years ago.

Mr. Michael Preziosi stated I think a traffic study is a little bit premature to talk in full detail but it will really depend upon the level of development that the applicant is proposing.

Ms. Loretta Taylor asked are we done with comments?

Mr. Thomas Bianchi asked I just want to be clear about what I think a summary of what we need for the next meeting here is someone to speak, or to provide, let me put it this way, provide a narrative or a complete story of what all is happening at this facility and someone that will be present that could answer questions regarding those operations.

Mr. Michael Preziosi stated so Heike, Tom, that would be Jack and/or his business partner. I think you mentioned his name was Matt.

Ms. Heike Schneider responded yes.

Mr. Chris Kehoe stated but we would also want to make sure it's not just them explaining verbally. Any examples, photographs, I can visualize some things of how other facilities do something like this, sort of try to provide the board a packet.

Mr. Thomas Bianchi stated a written form is preferable.

Mr. Steven Kessler stated Heike, their building this. They must have the business plan. That business plan must say – I mean you said you don't know how long it's going to take to fill up. I would bet their business plan has a number as to how long it takes, it's going to fill up. That business plan must have some estimate of how many people are going to come for – how often are they going to have shows? How many people are going to come? What kind of revenue is going to be generated by the bar? What kind of revenue is going to be generated by their conference room for special events? That's all got to be part of their business plan and that's what they need to come and present so that whatever they're thinking in their business plan that's causing them to invest this kind of money to build this kind of facility, explain that to us.

Ms. Heike Schneider responded yes. I was trying to get the two of them to come up with a business plan.

Mr. Steven Kessler stated I'm not blaming you but they must have a business plan. You don't make this kind of investment without knowing exactly what you're getting into.

Ms. Heike Schneider responded you can also be a passionate car collector, right.

Mr. Steven Kessler stated but ultimately you want to make money. It's not a charity.

Ms. Heike Schneider stated no it's not, but we will bring a narrative with pictures and a plan for next time. I'd say maybe we can present it as a Power Point so you get a better idea of what it is we would like to achieve.

Mr. George Kimmerling asked you should have some numbers in terms of you know, if you have the lounge open, and the bar, and the car racing, and you have an event, how many people does that total who could be there at one point? There's so much happening. What is the maximum occupancy, and this is part of the business plan, that all of these things if they happened at once would generate in this area on this site in terms of parking, and attendance, and traffic, and trailers coming in with cars for events. There's a lot happening.

Ms. Heike Schneider responded yes. We will supply you with more information. I completely understand.



Mr. Thomas Bianchi stated and I strongly urge you to consider renaming this something other than storage because it's not storage.

Ms. Heike Schneider stated it's called Westchester Classic Cars.

Mr. Chris Kehoe stated but that's interesting, the information that we were looking up on the webpage about Bedford Car, Bedford, which maybe you can provide some information next time if that's at all similar, that really seemed to me to be more geared just towards storage. It looked like an industrial building really for storage. This facility seems a little bit different, to Tom's point, where it seems like it's going to be much more of an activity center than just a storage place.

Mr. Robert Foley asked the Bedford one, if it's the one I'm thinking of down by the railroad station does not this as what you're planning there.

Mr. George Kimmerling stated Madame Chair if there are no more questions I have a motion.

Ms. Loretta Taylor stated I would appreciate it. Thank you so much.

Mr. George Kimmerling stated obviously the motion would include referring this back to staff. I know there's also some question about whether the motion should include a site inspection. Given the current circumstances, I don't know if that is the right thing to do this month.

Ms. Loretta Taylor stated I don't know if we can do that at this particular moment but I think it's certainly possible to do at some later date probably. I would suggest putting the motion – putting it out there without the whole business of a site inspection. We'll follow up on that at another time.

Mr. George Kimmerling stated Madame Chair I move that we refer this application back to staff and we [inaudible] more about this at the next meeting.

Seconded.

Mr. Michael Preziosi stated I would recommend that Heike reach out to us to set up a meeting within the next two weeks, give or take, to discuss the traffic impacts and the narrative so that we're prepared for the next board meeting.

Ms. Heike Schneider stated yes I will.

With all in favor saying "aye".

Ms. Loretta Taylor stated we will see this again. Is it going to be next month you think you'll be back?

Mr. Chris Kehoe responded we'll do our best.

Mr. Michael Preziosi responded I disabled Heike's talk but we'll do our best to get them ready for the June meeting.

Ms. Loretta Taylor stated thank you Heike and company.

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### **NEW BUSINESS**

**PB 2020-6 a. Application of Palisades Enterprises, LLC for Site Plan Approval, a Special Permit and for Tree Removal and Steep Slope permits for a proposed 2,940 sq. ft. gas station and convenience store with six fuel pumps on an approximately 1.7 acre parcel of property located at 2058 East Main Street (Cortlandt Boulevard). Drawings dated April 22, 2020.**

Mr. Michael Preziosi stated we do have two attendees on. If you wouldn't mind to raise your hand and I will promote to a speaker?

Ms. Loretta Taylor asked is Ralph here?

Mr. Michael Preziosi responded yes. There's just two Ralph's on the attendee's list. I want to make sure I have the right one. Ralph, you should be able to speak.

Mr. Ralph Mastromonaco responded can you hear me?

Mr. Michael Preziosi responded yes.

Mr. Ralph Mastromonaco asked is it loud enough?

Ms. Loretta Taylor responded yes.

Mr. Ralph Mastromonaco stated good evening. I think you might be familiar with this site. It is the resting place of the Popeye's Restaurant, an abandoned restaurant. There is a Sinclair gas station on the site and there is a small residence on the site. Our client is proposing to bring all of that to a more modern condition. There would be an increase in the number of fuel pumps, dispensers from two to six. Most of the site or much of the site will remain undeveloped or green, or landscaped. As you mentioned, we need a special permit. We're working right now on addressing some of the issues in the special permit. We have a traffic consultant, John Canning who is essentially awaiting to hear how we might go about a traffic study. We need Mike Preziosi's assistance on this because, in a sense, we are really replacing a gas station with another gas station. I don't believe

there's going to be – it's not like a vacant piece of property and we're adding a gas station here. We want to make sure that we focus the traffic study on really precisely for this particular project.

Mr. Michael Preziosi stated so Ralph, we'll be in touch with you to set up a meeting maybe next week with various consultant. It will be AKRF on our end and we'll meet with and John Canning and we can hash out what we would hope to be the basis of a limited traffic study for the development.

Mr. Thomas Bianchi stated I've got to say, at this point, we just approved a gas station across the street with massive traffic information and a lot of considerations, and now this is coming up.

Mr. Ralph Mastromonaco stated there's a gas station there now.

Mr. Robert Foley asked not as big as what's being proposed. What's there currently, is basically a few pumps.

Mr. Ralph Mastromonaco stated I don't know who's talking but...

Mr. Robert Foley responded Bob.

Mr. Ralph Mastromonaco stated oh hi Bob. I think you really have to drive past there. This is going to be a tremendous improvement to what you're looking at there right now. Right now you have an abandoned, a fairly large abandoned shell of a restaurant. You have a rundown house and you have a gas station that looks like it's from the **40s** and never maintained. This will be an improvement. I don't see anybody

Mr. Thomas Bianchi stated I'm not arguing that it's an improvement.

Mr. Robert Foley stated esthetically it would be an improvement just like the Gas Land [inaudible]. Tom has a good point, my point also. If I was aware of something was going to happen there and that's why we voted on Gas Land and I voted no. Yes, esthetically it would improve and then Popeye's I guess it was called a bar more than a restaurant in the earlier years...

Mr. Steven Kessler asked Ralph you're proposing the residence is going away in this?

Mr. Ralph Mastromonaco responded yes.

Mr. Steven Kessler asked what's the current footprint now in terms of development versus what the footprint's going to be for the proposal?

Mr. Ralph Mastromonaco responded it's difficult to answer that question because we're unsure of how you count the canopy over the gas station.

Mr. Steven Kessler asked I'm talking about the square footage on the ground.

Mr. Ralph Mastromonaco asked of what?

Mr. Steven Kessler responded right now the gas station is so many square foot.

Mr. Ralph Mastromonaco responded **2,900** square feet.

Mr. Steven Kessler asked and you're going to what?

Mr. Ralph Mastromonaco responded we're going to - we're putting basically **3,000** square of footprint of actual building.

Mr. Steven Kessler asked okay and what's it now?

Mr. Ralph Mastromonaco responded right now I don't have the number but there are three structures there. It's got to be more than there is now.

Mr. Steven Kessler stated I know it's more that's why I want to get an order of magnitude here.

Mr. Ralph Mastromonaco stated those numbers I'll have to get.

Mr. Steven Kessler stated this is very preliminary so clearly there are a lot of questions that are going to be asked and things you need to provide.

Mr. Thomas Bianchi asked as a starting point for traffic study, can we assume that all of the information that was gathered from Gas Land is the starting point for any traffic impacts here Mike?

Mr. Michael Preziosi responded that's why I said in my comment earlier, what I call a limited traffic study. We know off the Gas Land development that there's going to be significant amount of improvements being made: new traffic light at the off ramp, I think it's eastbound traffic but one of the concepts or questions that were left open-ended with the Gas Land approval would be the need for the westbound off ramp from the Bear Mountain onto Route 6 which is directly across from this gas station. And I think that's going to most likely be required and warranted with the increase of pumps. I think Ralph mentioned the proposal is to go from two pumps now which I think is four fueling stations to six pumps which would be twelve fueling stations.

Mr. Thomas Bianchi asked and what is the timing of these two projects? Gas Land I know is approved but what about the timing on this project? I don't want them to build something they have to wreck it and build it again because of this project. That's all I'm saying.

Mr. Michael Preziosi stated I think that your point is well heard and the traffic study that was completed for Gas Land would be the jumping or starting point for the study. Getting the background data, the traffic report, etcetera may be able to get taken from that report as far as reinventing the wheel but the improvements would definitely need to be added on, especially the safety improvements that was discussed in [inaudible] Gas Land.

Mr. Steven Kessler stated but Mike, Ralph mentioned Canning. Did they do the study for Gas Land?

Mr. Michael Preziosi responded I do not believe so.

Mr. Steven Kessler asked wouldn't they possibly have different expectations in terms of the extra traffic from Gas Land than perhaps Gas Land developed?

Mr. Michael Preziosi responded absolutely. So that's where we'll be juggling three traffic consultants so-to-speak as far as what the requirements are. They'll all be using the same IT trip generation, etcetera so I don't think that will be too much of a difference. Developments and any proposed mitigation measures are going to vary from consultant to consultant. We'll start with the traffic study that was completed for Gas Land, use it as a jumping point and then we'll have a pretty in-depth discussion with Ralph and his team in the following weeks.

Mr. Chris Kehoe asked one of the specific comments of the previous study was to investigate this necessity of a light at the Bear Mountain Parkway off ramp directly at this location?

Mr. Michael Preziosi responded yes, that's what I mentioned right across the street. That would be a warranted analysis...

Mr. Steven Kessler stated there's a lot of traffic lights in a row there then.

Mr. Michael Preziosi stated I think to Tom's point it would behoove everybody to maybe look at combining efforts to widen Route 6 if need be as opposed to having a construction project start and make improvements, stop, and then Sinclair comes aboard and has to extend or modify previous improvements. We want everybody to kind of work together on this, so I take Tom's point, and I'll try to bring Ralph and his team up to speed as to what's going on with the other development.

Ms. Valerie Myers asked in a short environmental assessment form, for question 8 alpha, you checked "there's no difference in the traffic". I don't know – I don't see how that would be because you've got six pumps. You've got more pumps now. You've got a drive through and office space compared to what you have there now.

Mr. Ralph Mastromonaco responded the way we look at that at that stage for that type of form to fill out is that this is not a destination. People aren't going to come from

anywhere to go here. They're going to be driving by and they're going to go in this gas station. In general, when we do this, we don't think we're really increasing traffic.

Mr. Robert Foley asked but you're also including a deli correct?

Mr. Ralph Mastromonaco responded there is a store there now so.

Mr. Robert Foley asked yes but Ralph, there's a difference in what the store is now is you can hardly get in the door [inaudible] fuel lanes for the gas [inaudible] you propose. That's why when we were just with Gas Land. They were aware. They were surveying this pump [inaudible]. Unfortunately, the night we got the Gas Land final disposition of the things that were going on from a legal standpoint really other than my no vote. I think [inaudible] impact that we should have been more aware of this. Other than what Dr. Grealy of the Gas Land traffic consultant said, we did a allude, as Chris said, to possible correction or improvement to the eastern side of the overpass. That's why I kept bringing it up at the meeting. [inaudible] anymore, maybe part of the solution [inaudible] traffic study would be a partial instead of having to going to the Bear Mountain coming westbound [inaudible] an entrance on your side of what you're proposing. It's a complicated thing and it's, in my view, I don't know. It's going to be called gasoline alley that whole area.

Mr. Michael Preziosi stated I put the site plan on the screen for the board to see. I know you have the hard copies in front of you. Ralph if you maybe want to discuss the onsite circulation and the onsite development with the board.

Mr. Ralph Mastromonaco responded very simply, you might not see it and I don't know if we provided it but we did all the turning movements to get into the site and to leave the site, including some trucks to get in and out of there. I don't know if we included it in the set Mike, I don't remember now but we have done all that work. This was a fully laid out plan before we submitted it. There is – the only real issue that we have that I see is that behind the current gas station there's a little elevation rise and there's a little steep slope there that has to be taken down. It's about **10** or **12** feet that has to be leveled out. The gas station itself will be relatively flat surface to two or three percent grade from front to back. In the rear of the convenience store, we are now providing – usually you don't see these but we're now providing this drive through and that may be more appropriate seeing what we're going through right now. They might be able to take care of some business without actually going in the store but other than that it's a fairly straightforward – all the turning movements are fairly straightforward.

Mr. Steven Kessler asked I know this is our only route but just so I understand, you're proposing that people coming west is a one-way but people coming east it's a two-way?

Mr. Ralph Mastromonaco responded yes.

Mr. Steven Kessler asked there's two bi-directional, the one on the left there and that is better than straightening out the one on the right and making it one way each way?

Mr. Ralph Mastromonaco responded that intersection that you're talking about that is two-way is exactly opposite the entry/exit to Bear Mountain Extension.

Ms. Loretta Taylor asked and so I suspect that that makes it easy for people, as they do now, to cross the road and go right up in there?

Mr. Michael Preziosi responded and that's the reason why we would be analyzing this for a warrant analysis for a traffic signal.

Mr. Steven Kessler asked but then they've got to cross four lanes of traffic to come off Bear Mountain and get into that place, right?

Mr. Ralph Mastromonaco responded they would make a right and a left if they wanted to do that.

Mr. Robert Foley stated unbelievable.

Mr. Jeff Rothfeder stated they turn right off of the ramp and then turn left into there.

Mr. Steven Kessler asked is that coming off the Bear Mountain there, the bottom middle there right?

Mr. Robert Foley stated it's also where you'd have to be making left to go westbound.

Mr. Ralph Mastromonaco stated it's a one-way.

Mr. Chris Kehoe stated but the geometry doesn't work to make a left in there, does it?

Mr. Thomas Bianchi responded no. It's a dangerous operation because you can make a left in there now, even with a traffic light, past that light, you're going to have to make a left.

Ms. Loretta Taylor responded yes. It's a problem.

Mr. Thomas Bianchi stated it's very dangerous.

Mr. Steven Kessler stated a lot of work Ralph that has to be done here.

Mr. Ralph Mastromonaco stated the reason we have a traffic consultant is to answer these questions in detail.

Mr. Steven Kessler stated I understand. I don't want to get too much into the weeds here but you know there's a lot going on here.

Mr. Michael Preziosi stated I think it's good for Ralph to hear the concerns of the board now early on especially with how the other gas station played out over the last year and a half.

Mr. Ralph Mastromonaco stated I sat through all of the Gas Land meetings.

Mr. Michael Preziosi stated you were part of it.

Mr. Robert Foley stated [inaudible]

Ms. Valerie Myers asked I have a quick question. They had to widen the road for Gas Land, correct? So then, if we have to widen the road for this project, you've got the construction of the tunnel, the bridge so that's going to be – I don't see how that's going to work.

Mr. Robert Foley stated it isn't going to work. The original plan years ago with the Sustainable Development and the state was have the Clover Leaf there but now between Gas Land being built and this possibility, there's no way there could ever be a Clover Leaf which would solve the whole problem with the Route 6 problem.

Mr. Michael Preziosi stated that improvement Bob was taken off of the state transportation improvement project's list.

Mr. Robert Foley stated I know.

Mr. Michael Preziosi stated so that's not a currently proposed project by the DOT but we're aware of the one you're referencing.

Mr. Steven Kessler asked Ralph was this purposeful that you submitted this application after the Gas Land approval?

Mr. Ralph Mastromonaco responded no, not at all. No.

Mr. George Kimmerling asked I have a quick question for Michael Cunningham. As we think about this proposal, obviously we think about this on its own merits regardless of Gas Land and all of those discussions and stuff, so I'm a little confused about – for example, I know we're talking about the traffic studies done for that proposal, but shouldn't this proposal be considered in light of, obviously Gas Land being built? We have to think of Gas Land existing when this exists, but doesn't this need its own full set of things like traffic and other kinds of things in order to support this proposal? Is it not like a self-contained application?

Mr. Michael Cunningham responded so it is, and I think, and Michael Preziosi correct me if I'm wrong, I think what he's sort of saying is we're going to take all the data from Gas Land and then as part of Sinclair's study, they're going to have to include traffic with Gas Land being built. That has to be added into the data Gas Land already compiled. They



have to review it as if it's its own standing application. They have to review all the impacts for this property and surrounding area as well.

Mr. George Kimmerling asked there's no legal, I guess it's precedent, the decisions on Gas Land should not bear positively or negatively on the decisions for this proposal? Is that correct?

Mr. Michael Cunningham responded there's certain things, like when we were deciding whether or not Gas Land can be open **24** hours a day; we looked at the other properties. We saw that another gas station advertises itself as **24/7** Mart. So we were like okay. But certain things, you're looking at a traffic – what you're going to have to do is look at the traffic individually for this property to see if it works. It's that you granted Gas Land approval so you have to grant this approval. It's sort of the same analysis for Gas Land. You realized after a year's worth of studying that you thought the Gas Land traffic improvements made the site work. It's the same sort of framework for this. If you look at these improvements, you think now this site works after all these studies and after all these improvements.

Mr. Steven Kessler asked but isn't also true you can't say: Oh my God there are too many gas stations let's not approve this?

Mr. Michael Cunningham responded that's accurate too. That's an accurate statement that Steve made.

Mr. Steven Kessler stated that almost became some of the arguments about Gas Land which in my mind was inappropriate.

Mr. Chris Kehoe stated and as you probably know, based on what happened with Gas Land, I think Mike Cunningham and Mike Preziosi and I did have a meeting with yet another gas station owner on this street about wanting to do a total rebuild of his gas station. It's sort of like a gold rush. I don't understand the gas business but to not allay Bob's concern but there's nothing stopping the gas stations down by Locust making an application tomorrow.

Mr. Michael Preziosi stated even though gas is, what, negative **60** cents now or a barrel of oil is.

Mr. Steven Kessler stated they're paying you to fill up.

Mr. George Kimmerling asked but at some point, as a Planning Board, and correct me if I'm wrong, we do consider the context for a specific application, or maybe I'm wrong. If we think that this proposal or any other proposal from another gas station or any other applicant would make Route 6 unusable in terms of local traffic or unsafe or whatever, we could say there's just too much going on here.

Mr. Steven Kessler stated traffic yes. That you can but you can't say if it's an approved use you can't build a gas station just because you have too many gas stations.

Mr. George Kimmerling stated yes, I understand. Thanks that was really helpful.

Mr. Thomas Bianchi asked just to follow up with that, if there's other projects going on down near Locust Avenue, wouldn't it be wise for us to know that now instead of waiting like Gas Land and then getting this one, and then having another one? We can incorporate all of the traffic that potentially from those two at one time.

Mr. Steven Kessler stated cumulative impact, yes.

Mr. Michael Preziosi stated we try our best when we do traffic studies to reach out to the surrounding community and the Town of Cortlandt itself as well. We provide development proposals up along the corridor within the limits of area that's being studied and you try your best to incorporate all the potential build out into the build year scenario. To George's point, to Tom's point, to Steve's point, everyone's point really, is you'll start at the build out with Gas Land along the corridor and then utilize this build out plus any additional development that may be proposed that wasn't incorporated in the DEIS that was done for the Gas Land application.

Mr. Chris Kehoe stated but there's a critical distinction there, we had a pre-application meeting with one of the other nearby gas stations. He never made an application so someone approached me and said give me information about pending applications. I would not say that that other gas station has a proposal. So, to me they don't have a proposal. They're thinking about it. I'm just worried three months from now when they try to get in on this race and they make an application, people are going to say: well you should have known about it. I'm telling you right now, I would expect all of these gas stations to want to be rebuilt to want to keep up with each other.

Mr. Robert Foley asked Chris, you can't say what gas station but there is a gas station down by the old Shop Rite. I would assume that that's going to come in eventually and that's why during the Gas Land process I was trying to present that issue.

Mr. Chris Kehoe stated I'm talking about a different gas station where we actually sat down with the owner of the gas station and an architect and he asked us all sorts of questions about this, and about that, and we left thinking he was going to make an application but he never made an application.

Mr. Robert Foley asked it's within that Locust half mile area?

Mr. Chris Kehoe responded yes.

Mr. Robert Foley asked I don't know, I think this board and the town has to look at this as a total cumulative impact. The fact that was I aware of a possibility of this project coming in, just like filling my gas tank [inaudible] surveyors three or four months ago

[inaudible] I thought they were surveying for Gas Land. And I said no [inaudible]. That's when I asked you Chris [inaudible] the other elephant in the room on this is some of our long-term board members, we have, and I hope this would be considered also but I have to say is the [inaudible] property. That proposal right across from the Gas Land. I don't think Marisa, the AKRF consultant had modeled that in when she was [inaudible] some of the traffic. Some of us will remember the Hersh, the mansion was knocked down – Ralph would know. He was the architect...

Mr. Ralph Mastromonaco responded engineer.

Mr. Robert Foley stated I'm sorry Ralph.

Mr. Chris Kehoe stated Bob, that's a little bit different because we know exactly the development proposal that they submitted. I don't think it's necessarily alive anymore but that would be an easy project to consider background traffic growth.

Mr. Thomas Bianchi stated I just think that we should try to assess cumulative impacts along Route 6 as we look at this application, as much as possible.

Mr. Robert Foley stated I agree.

Mr. Steven Kessler stated well you guys have to do a memo right. You guys are going to review it and we'll make sure that's in there.

Mr. Chris Kehoe stated yes.

Mr. Michael Preziosi stated we've been jotting down notes.

Ms. Loretta Taylor asked are we good?

Mr. Michael Preziosi stated Ralph, I marked on the map over here, I think there may be sewer along Route 6 in that area. You and I can discuss this off line but I think you might be better to connect to sewer rather than a subsurface system.

Mr. Ralph Mastromonaco stated I hear you.

Mr. Thomas Bianchi stated Madame Chair I move that we refer this case back to staff.

Seconded with all in favor saying "aye".

Ms. Loretta Taylor stated that's done.

Mr. Ralph Mastromonaco stated good night.

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**ADJOURNMENT**

Mr. George Kimmerling stated we're adjourned at **9:08**.

Mr. Chris Kehoe stated good night. See you next month.

Ms. Loretta Taylor stated be safe.

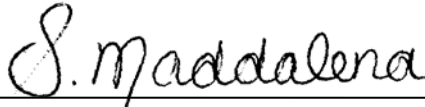
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**Next Meeting: TUESDAY, JUNE 2, 2020**

I, SYLVIE MADDALENA, a Transcriptionist for the Town of Cortlandt as a subcontractor, do hereby certify that the information provided in this document is an accurate representation of the Planning Board meeting minutes to the best of my ability.

x 

SYLVIE MADDALENA

Dated: May 29, 2020