

Meeting Minutes

THE REGULAR MEETING of the PLANNING BOARD of the Town of Cortlandt was conducted via Zoom on *Tuesday, July 7th, 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, Director, DOTS
- Chris Kehoe, Deputy Director, DOTS

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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 JUNE 2, 2020

Ms. Loretta Taylor stated I don't believe we have the minutes of the meeting of the June 2nd do we?

Mr. Chris Kehoe responded I thought I sent those along in all those emails I sent.

Mr. Steven Kessler stated you did.

Ms. Loretta Taylor asked did you?

Mr. Chris Kehoe responded yes.

Ms. Loretta Taylor stated okay, I guess I missed something. Is there anyone who would like to motion for the adoption of the minutes?

So moved, seconded.

Mr. Robert Foley stated on the question, I have them here. I read most of it. I'll submit the one correction to Chris.

With all in favor saying "aye".

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Mr. Michael Preziosi stated Loretta, I just want to mention that there are about **33** attendees on the Zoom meeting right now. So just so everybody is aware, during a regularly scheduled public hearing if any of the individuals that are on the call on the Zoom meeting would like to speak, use the 'raise your hand' function on the Zoom screen and if you're on a phone I believe it is 'star **9**' and then that will allow me to access and allow you to speak. But that's only for public hearings. The rest of the cases are just being discussed tonight with the board and staff.

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CORRESPONDENCE

- a. Receive and file the June 24, 2020 referral from the Town Board regarding proposed revisions to the Town Tree ordinance, Chapter 283 of the Town Code.**

Ms. Loretta Taylor asked were there any comments that you wanted to make regarding this? You know that I did have a couple of concerns regarding some areas in the ordinance. The ones I want to refer to occur fairly early on, page **5**, regarding activities permitted as-of-right. In the discussion prior to that, the little paragraph before that, it says that no property shall permit any kind of removal or clearing with regard to trees. It does say that a permit is required to be filed even, even, for as-of-right activities. There is a listing of specific things that are as-of-right. One of the things that concerns me though, before we get to that, is the sentence earlier in the paragraph which says that: When tree removal occurs pursuant to a storm event or other emergency condition or danger, work may commence immediately upon prior notification to the town. And then of course within **10** days after that removal then the person should present a letter stating exactly what was done. The point that I want to make here with respect to this particular paragraph and the sentence within it "upon prior notification to the Town." When you have a severe storm and there's a lot of impact on the trees in the area; they're broken, they're falling down, or whatever, you don't always have time to give prior notice to the Town before you deal with that tree. I really think that people should think about it because that tree could be in your driveway, preventing you from getting in and out of your place. They could be falling on some piece of structure on your property and you

need to get rid of it. I just think that to require that people give prior notification before they can deal with removing a tree in an emergency, doesn't seem to make a lot of sense. I want to point that out. I hope that whoever was working on this document will look at that. Another thing that sort of concerns me is that there is something in the fact that trees that fall sometimes hit an adjoining property, they destroy something, or even if they don't destroy something they're lying across a neighboring property. I went to the Town once before when this happened to me, this happened to me several times, I have a neighbor next door, why we call him a neighbor, the person is a non-resident of the Town and they don't do any clean up, maintenance or anything with that property, especially when the tree falls it's Loretta Taylor that has to go and pay to have some of that stuff removed because it's lying across on my property. When I had a problem with this and brought it up, I was told that there was really nothing in the Town ordinance that would allow for them to do anything about it. They couldn't force the neighboring property owner to do anything either. I thought that was very unfair. I'm not a billionaire. I can't run around cleaning up my property and cleaning up other people's property, and unfortunately for me, I live in a situation where there are several vacant lots on one side of me and several directly across from me so all the leaves that blow from all the trees I have to deal with on my own if I want to have a fairly decent looking property. This becomes very tiresome. When we have a tree ordinance that doesn't address issues like mine, and I know I'm not the only person in the town who has these issues, it becomes – you have to suck it up and I'm tired of sucking it up. I really would like something in the ordinance that says people who own a property, whether you live in the town or you don't you have to maintain your property and may mean picking up leaves during the fall season, cleaning up after a storm, even if something falls and there hasn't been a storm. If it's your property and it falls on somebody else's property, it is your responsibility to pay for whatever needs to be done to remove that tree. I would also hope that people would look at that aspect of the ordinance. I have a couple of other things but they're not as pressing, at least for me, as some of these, the two that I just mentioned. If there's nobody else, let me just ask in the affirmative. Is there anyone who has a concern regarding...

Mr. Robert Foley responded only as a comment. I agree with what you just said Loretta but again like real time over the 49 years I've lived in Cortlandt I've experienced a tree falling from a neighbor's property, out of sight, out of mind coming from their property onto mine. What I understood, from the Town at that time, I'm responsible for clearing it out of my yard which I've done over the years. So, yes, I would like to see maybe something in the ordinance along those lines. The property owner, where the dead or diseased tree falls or gets blown over onto the neighbor's property, who's responsible for the cleanup? And then my other question was answered in the work session by Mike in reference to the tree ordinance on getting rid of dead and diseased trees in the permitting process.

Mr. Jeff Rothfeder stated and just to point out that the – a key difference of this law and the one that's already in existence that I think is a real improvement is the mitigation plan for, especially for big projects, where like if you remember the golf course, the Hudson golf course, there was the mitigation – there was no room to do all the mitigation they had to do essentially. So this lays out a better plan to mitigate taking a lot of trees if

there's a development for example, and also it creates an environmental fund that the developer can put money into in lieu of trees if that is the case because they can't plant or it's agreed that they don't have to, and that fund can be used by the town to take care of other trees in the town, maintain trees that they're planting themselves. I think that's a really big difference and good progress.

Mr. George Kimmerling stated just in terms of the change, especially as Loretta pointed out, requiring a permit even for as-of-right, it is – I just want to make sure I understand it. It is the intent of this change to require a permit for anyone to cut down any tree.

Ms. Loretta Taylor stated yes, technically...

Mr. George Kimmerling stated that's how I read this.

Mr. Jeff Rothfeder asked I think you always needed a permit right Michael?

Mr. Michael Preziosi responded that's correct. The code did require a permit for removal of trees, the current code. Mitigation begins once three or more trees are removed from the site or if they're removed without prior authorization.

Mr. George Kimmerling stated my understanding of the tree ordinance, and I'll just say I was wrong, is that you could cut down certain trees and then you have to notify the town after the fact. You didn't need a permit to do it. You needed to notify the town after the fact.

Mr. Michael Preziosi stated yes, it was a little odd the way the current code is written because it does state that you're allowed as a property owner to remove three trees within a twelve-month period but it does not indicate or say whether or not a permit is or is not required. It just says you are allowed to remove three trees. So what typically happens is home owners, as current procedure go, will file for a permit, an application to remove the trees. We expeditiously review and approve them if it's three or less trees but a lot of the times what happens is three trees turns to five trees or ten trees which turns into clear cutting. That's what we're trying to mitigate and provide a little bit more leeway for a developed lot to be able to call the town, say I want to take down six or seven trees, be able to do so with a justified reason and get a permit so that they can begin the work within a week's time.

Mr. George Kimmerling asked as this proposed change to the tree ordinance, has this been a matter of public discussion?

Mr. Michael Preziosi responded no, not yet. The Town Board has to receive comments by the CAC, the Planning Board and other referred agencies and then they will look to schedule a public hearing in the near future.

Mr. Jeff Rothfeder stated this is an attempt to simplify it really for the residents so that they need to get a permit for each tree but they can come and say: we need to take down

six trees. Before they sort of had this three within twelve months and [inaudible].

Mr. George Kimmerling stated actually conscientious home owners do keep track of that so they know that they can take down three trees in a twelve-month period. I think this, I would say, if I'm overly bureaucratic that you would need to get a permit in advance of taking down one tree on your property even a dead one. That seems really a little extreme to me but I understand we have time to comment on that.

Mr. Robert Foley stated I brought that up at the work session, George, because I'm going through it now with the permit I need for three dead diseased trees which are a hazard on my property. So, I had to get the permit. I didn't have to pay a fee but I was told that if I go above three trees removed, I need to pay the \$50 permit, even if they're dead. That I think Mike answered my question in regard to that. Also, on the trees, Mike doesn't the caliper, the width of the tree come into play here? If it's a very small shrub tree, under three inches or four inches diameter...

Mr. Michael Preziosi responded one of the concerns or issues with the current ordinance is that all trees are sort of created equal. So if you remove an 80 inch oak, you only have to mitigate with one two-inch tree. So what we're doing with this proposed ordinance is putting together a sliding scale that kind of dictates and informs developers and applicants what the mitigation requirements would be so that if you're removing a large tree, you have to replant a percentage of that tree and we're going to be doing that by caliper, the diameter or caliper of the tree. So if you're taking down an 80-inch tree you may have to replant 10 inches of tree which could be five two-inch trees or one 10-inch tree, however you want to plant on your site.

Mr. Robert Foley stated but on that was little scrub trees.

Mr. Michael Preziosi stated no, four inch [DBH] is what we identify as a tree.

Mr. Jeff Rothfeder stated I would just add, George, that it doesn't seem too bureaucratic. If you want to put an addition on your property or anything else you have to go through telling the town and a tree is a big part of people's property and it's a big part of what the neighbors get to see. It's a big part of a community. I'm not sure going in for a permit and getting one is that bureaucratic. Just do it. And just to say too, obviously it's not the honest people that we're worried about.

Mr. George Kimmerling stated I just think it should be that the town should make the public aware of this change which I think is very big change in the current understanding of the tree ordinance and how it works. Everything needs a permit in advance versus you having a certain as-of-right removal allowed to remove certain things as-of-right without a permit, because that's how it's understood currently. Maybe that's poor wording.

Mr. Jeff Rothfeder stated absolutely but when the ordinance was first passed they had to put out an education program as well because people were just taking trees down as they wanted.

Ms. Loretta Taylor stated the first sentence of this activities permitted as-of-right section, the first sentence is: A permit is required, should be filed, even for as-of-right activities. Now, one of the as-of-right activities, and this will affect you too Bob, “the removal of a tree that is dead or so substantially diseased that it threatens the health of other trees or uprooted, diseased or dying trees”. That’s an as-of-right condition here. You would still have to get a permit to remove this dead or dying tree that’s affecting other trees, etcetera. The thing is that your no permit fee shall be assessed for this kind of an activity. They don’t have a restriction on how many. Let’s say you had three or four dead trees...

Mr. Robert Foley stated as I said at the work session, I was told last week up to three.

Ms. Loretta Taylor stated they didn’t say that in this ordinance here and maybe that ought to be made clear. I don’t think – if you had three or four dead ones, if you had five dead ones – I’m saying, this is my thought. It’s not in the draft, but what I’m thinking is when something is affecting your property and when the tree is affecting your property in a negative way, I think you should be allowed to remove it and, yes, I don’t think you should have to pay a fee. I don’t know what the problem would be with that.

Mr. Robert Foley stated I understand it. I just spelled it out. Up to three you need a permit...

Mr. Jeff Rothfeder stated this hasn’t been approved yet Bob.

Mr. Robert Foley asked what?

Mr. Jeff Rothfeder responded you’re dealing with the prior law when there was the limit of three.

Mr. Robert Foley stated I know, I know it was made clear at the work session so I’ll handle it. I don’t want to get into it any more but I would like to go back to what George said as part of education for the public and this was addressed at the Master Plan committee in the year **2000**. Why can’t, when a person buys a house in our town, can’t a realtor or if they get a welcome kit from the town have it spelled out the provisions of the tree ordinance and what they can or can’t do? I think that would make it clear to a new home owner who may not have lived where there were a lot of trees and starts cutting trees. So that could be communicated with a printed brochure or something that’s given to a new home owner by the realtor.

Mr. Michael Preziosi stated we found more success doing that with the actual tree removal companies because a lot of them will do the work even though they know they need a permit and have filed permits with us in the past but still go and take down trees without filing permits and...

Mr. Robert Foley stated I know that.

Mr. Michael Preziosi stated we'll do a public outreach if and when the ordinance is adopted.

Mr. Robert Foley stated but that's not important and you're right Mike, the tree cutters they don't check on tree permits, town-to-town.

Ms. Loretta Taylor asked can we move on at this point? Steve?

Mr. Steven Kessler stated I'd like to make a motion that we receive and file this memo and if any member of the board has any comments that they'd like to pass along to Chris so that he can forward them to the Town Board in advance of their review of this ordinance they should do so.

Ms. Loretta Taylor stated before we vote on it, I just want to remind everyone that the Town Board is expecting to have this on their agenda on the, what did you say Chris, the 17th or the 20 something?

Mr. Chris Kehoe responded 21st.

Ms. Loretta Taylor stated the 21st I'm sorry. Thank you. That's just a couple of weeks from now. You need to get on it. If you're going to pass along some comments for Chris to present to the Town Board, you probably should get it done within the next three or four days so he'll time to organize this and get it over to the Town Board.

Mr. Robert Foley asked in other words, other than what we've said tonight, we still should submit a written comment? Chris can't what's been said tonight on the tree ordinance be passed along to the Town Board?

Mr. Chris Kehoe responded I'll take everything that I heard tonight, put it into a memo. I'll wait three or four days to see if I get any additional comments and then I'll send that draft memo around.

Mr. Robert Foley stated excellent. Thank you.

Ms. Loretta Taylor stated okay so now we can vote.

Seconded with all in favor saying "aye".

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RESOLUTION

PB 2020-7 a. Application of Joan King, for the property Yorkcon Properties, Inc., for Amended Site Plan approval and a change of use for a family fun amusement center with a weekday school age child care program to be

located in the former Retro-Fitness tenant space at 3006 E. Main St. (Cortlandt Boulevard). Drawings latest revised June 18, 2020. (see prior PB 2017-12)

Ms. Loretta Taylor stated we do have a resolution for that. Does anybody have a comment or anything before we...

Mr. Robert Foley asked I can ask Mr. Basini. I visited the back part of the property on the weekend. I just drove through there. The Jersey barriers that are there, the fence will be put over and above them? And also, the Astroturf that's laid out there for the playground equipment on top; is that something that was already there or did you guys put it there?

Mr. Steven Basini responded the Astroturf was already there. That was part of Retro-Fitness so that's existing. The fence is actually being located just inside the Jersey barriers. Jersey barriers are there, I think primarily those were there originally for safety so cars weren't driving into the area.

Mr. Robert Foley asked and the fence you said would be at least six feet high?

Mr. Steven Basini responded correct.

Mr. Robert Foley stated and the debris that's around on the other side of the Jersey barrier that's not your property right?

Mr. Steven Basini responded no, that looks like maybe it's some sand from the winter or something. That's going to get removed by the landlord.

Ms. Loretta Taylor asked are there any other questions, concerns?

Mr. Thomas Bianchi stated Madame Chair I'll move that we adopt **resolution #16-20** granting the application for the [inaudible] for the change of use.

Seconded with all in favor saying "aye".

Ms. Loretta Taylor stated thank you.

Mr. Steven Basini stated thank you for your time.

Mr. Steven Kessler stated thank you.

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PUBLIC HEARING (NEW)

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.

Ms. Loretta Taylor asked is Ms. Schneider there?

Ms. Heike Schneider responded yes. Good evening. I'm Heike Schneider. I'm the architect for the Classic Car Storage Facility on 3451 Lexington Avenue. I would also like to introduce the entire team because everybody's going to be here tonight at the public hearing. Jack Ahearn is here, Matt Visconti. They are both co-owners of the property and the business end of this project. Then we have Ben Truitt from Sherwood & Truitt, landscape architects. And then Thomas Kerrigan from Site Design Consultant and probably also Joe Riina from Site Design Consultants. I would like to give a short intro; a description of the project. We are seeking site development plan approval for a proposed **56,000** square foot classic car storage facility with a two-story showroom and member's lounge on the second floor facing Lexington Avenue. In addition, an accessory storage building of **3,500** square feet is proposed at the rear of the facility. Ingress and egress to the facility is provided at two locations along Lexington Avenue. The site currently contains two abandoned residences that will be removed. The facility will provide storage for **350** cars: **200** on the ground floor level at the rear and **150** on the second floor level with entrance at [front]. The building is designed to follow the terrain which slopes significantly towards the west side, away from Lexington Avenue towards the wetlands. In addition to car storage, the facility will provide car washing and detailing and four bays with keypad entry for after-hour pickup. The **16.3** acre property is zoned HC which stands for Highway Commercial for the first **400** feet and **R40** after that. All work associated with the classic car storage facility is proposed to be located on the HC portion of the property. The site will be served by municipal water and an onsite subsurface sewage disposal system. The accessory storage building will also be used as an auto repair shop exclusively for cars stored at the facility. The repair shop is not open to the public. The sloped terrain of the property makes it impossible to see the auto repair shop from Lexington Avenue which was done intentionally. The emphasis of the facility is on providing air conditioned storage for luxurious and unusual cars, and a membership club for car enthusiast in the Westchester area. The facility will be powered by a solar panel system that feeds back into the local power grid at peak times. The solar panel system is facing west which means it cannot be seen from Lexington Avenue. We are currently proposing **88** parking spaces; **41** in the front and **47** spaces in the rear. Our site plan has been developed starting at the end of last year based on the flagged DEC wetlands map. We followed the outline of the wetlands buffer regarding the building and site layout, then at the beginning of June, the town's wetland engineer, Paul Jaehnig, provided us

with the town's wetlands map. The new map shows more wetlands foremost caused by a storm water drain pipe coming from Lexington Avenue. Our site and building layout is now causing a wetlands disturbance of close to **3,000** square feet and a buffer disturbance of **39,000** square feet. We had a meeting at the site on June 30th with Paul Jaehnig and the Cortlandt Town staff. We will be applying for a wetlands permit and work with Paul Jaehnig on a mitigation plan. At this point, I would like to call on Ben Truitt from Sherwood & Truitt, landscape design to give us a couple more details on our mitigation plan.

Mr. Ben Truitt asked can you hear me all right?

Mr. Steven Kessler responded yes.

Mr. Ben Truitt stated thank you Heike. We've received a survey of the wetlands, the town wetlands, that are now over and above the DEC wetlands and we're in the process of integrating that into our site plan and mitigating or relocating those wetlands and the disturbance to the buffer accordingly. Those plans are in process currently so you do not see them tonight. But that is being worked on currently. Heike would you like to take it from there? I believe that covers the disturbance for the current wetland.

Ms. Heike Schneider stated sure. I'm open for questions or we can also – I think I'd like to call on Matt Visconti to explain a little about the business plan because I know that has been a question from different board members and I would also like the public to know exactly what our classic car facility provides. Matt are you there?

Mr. Michael Preziosi responded Heike, I do not see a Matt as an attendee.

Ms. Heike Schneider asked Matt Visconti, no? Jack do you want to say a couple of words?

Mr. Jack Ahearn asked hello, can you guys hear me?

Mr. Steven Kessler responded yes.

Mr. Jack Ahearn stated hello.

Mr. Steven Kessler stated yes, we hear you.

Mr. Jack Ahearn stated Matt is more or less in charge of this. He had problems trying to get in on line. He was actually on the road and he couldn't connect with the site so I apologize for that. If there are any questions that anybody in particular has I will be happy to answer them if I am able to. I don't know if anybody has any questions on the building itself or the design of it or what our plan is to go forward.

Mr. Robert Foley stated I had a question I brought up at the work session. In your business plan you had noted two other facilities that were similar in the Bedford area. I

went yesterday and looked at the one on Railroad Avenue in Katonah really, North Bedford Hills. I believe your facility being proposed here is much smaller. Are you familiar with that facility on Railroad Avenue in Katonah?

Mr. Jack Ahearn responded I have not been to it. I've seen it on line but I have not visited it.

Mr. Robert Foley stated it's very impressive, very neat, well kept, clean, exterior and part of the interior. I happened to run across the site manager who was coming off duty and he was very cordial. I was impressed with the facility but it's on a different type of a road network, a clearer road. There's tree cover between the road and the large building which is like a barn color; one large building, two stories and then the back building which is up above it. So I was impressed with that but from what I understand your facility is going to be, square footage, much smaller. Heike would you know?

Ms. Heike Schneider responded I also have not been to the facility due to COVID but I also have just seen a couple of pictures on line.

Mr. Jack Ahearn asked do you know how much bigger it is? Did they tell you what the square footage of their facility was?

Mr. Robert Foley responded no they didn't. We were just outside in the parking lot. The site manager, who was leaving, and myself. I'm assuming, with the enormity of the building I saw in Katonah, from what I'm looking at your plans here, yours is much smaller. But they do everything there that you're proposing here except they do not have a bar in their lounge. They have outdoor events which are on the premises. Sometimes the parking spills out onto Railroad Avenue which is a very straight, clear delineated road and there's not a major problem over there. Here, there would be, in my opinion, if you had outdoor events that spilled out beyond your property.

Mr. Jack Ahearn stated if we had more cars than we had parking spaces, we would be able to open up the doors to the building because there are spaces that would be able to pull vehicles inside the building just on a temporary basis. Not that we would do it every day, rather than put the cars on the road, we'd put them into the building because there are aisles in between all of the lifts. We could probably bring another **75** or a **100** cars if we had to, not that we want to but we would be able to.

Mr. Robert Foley stated you wouldn't be able to park on Lexington if you had such events.

Mr. Jack Ahearn stated we know that. We'd have to bring the vehicles into our building.

Ms. Loretta Taylor stated this is the Chairperson. I wanted to take a moment to sort of follow up on that. When we first heard about the project I believe that I understood that you sort of send out invitations almost for people to come for whatever event that you're sponsoring there. Since you have a specific number of parking spaces that you can use,

you would probably accept the invites right up to the point where you would begin to go over the number of spaces that you had. That was my understanding. Was I incorrect on that? Because I don't see why you would have a hundred extra cars so [inaudible] except bring them into the building and where would you put them in the building?

Mr. Jack Ahearn responded no, I just answered the question because the gentleman said that the cars over there flowed onto Railroad Avenue which we don't have an area outside. We would not send out more invitations but for some reason if more cars showed up, we would put them in the building. We wouldn't expect them to be out on the street.

Ms. Heike Schneider stated I would also like to add that as we explained in the business plan, if we do have events, which I don't foresee in the near future, we would limit them to **75** people. That should easily be – we should easily accommodate those people with the parking spaces that we have, or, as Jack explained, we could do valet parking on the ground floor level in the aisles that lead to the auto stackers but we do want to limit the participants at events if we ever have events.

Ms. Loretta Taylor asked how would you do that? If you have **75** invitations go out and you get **75** responses, I would assume – well let me just say this, the only way you would know you are in the guidelines for parking is if you got responses and I don't know whether you expect people to RSVP for these particular events.

Ms. Heike Schneider stated yes we would.

Ms. Loretta Taylor stated so then you would know when you reach **75**. Some people always drop out at the last minute or something. You might go over an extra **10** but there really never should be even a hundred cars out there because you don't have the space to put these cars in if we're going to go by the parking layout that you presented to the board here to approve. So, I think I want to right at the beginning understand that we're not talking about having lots and lots of extra cars that you have to monitor or park or whatever. We expect that you would keep it within that **75** maybe as many as **85** simply because you will have some people who won't show up or whatever. But I really, I think I don't want to move this discussion into an area where it sounds like we're talking about a lot of extra cars.

Ms. Heike Schneider responded I agree. As we said at the prior, prior Planning Board meeting we would like to have an advance ticket sale so basically this way you can limit the participants because I do agree, because if all of a sudden a hundred cars show up that would be difficult to handle and that's not what we want. I think, you know frankly, if there are bigger events, they can be held someplace else. They don't have to be held at the facility. So that's how I would see it. There are parking lots somewhere up in Fishkill or places where nobody cares but I think we all agree, the team members, that we will limit the participants to **75**, max.

Mr. Jack Ahearn stated we're not going to send out more than **75** invitations.

Ms. Heike Schneider stated exactly.

Mr. Jack Ahearn stated and they have to be RSVP'ed and they have to be paid for so if there's no way of us getting more than 75.

Ms. Loretta Taylor stated well that's wonderful. I'm happy to hear that.

Mr. Robert Foley stated it's a public hearing right?

Mr. Steven Kessler responded yes.

Ms. Loretta Taylor asked are there any attendees who have a question about anything that they want to get cleared up?

Mr. Michael Preziosi stated I would just ask that since this is a public hearing that any of the attendees use again the 'raise your hand' function on the Zoom application and/or if you are via phone in, dial 'star 9' and that will enable me to allow you to speak. I have one hand raised right now, Kayla Able so I will allow them to speak.

Ms. Carol Travis introduced herself and stated and I'm using Kayla Able's computer. I don't know how to do it. I had sent an email to Chris with some questions on it. My biggest concern is traffic on Lexington Avenue. I live across from Mohegan Park which is adjacent to this property and as it stands, right now with nothing in the – without the car showroom there, there are cars honking and lined up to George Washington School and pulling in my driveway and driving across my lawn. Where are these extra cars going to go on Lexington Avenue? And if any of you ever travel on Lexington Avenue, you know what I'm talking about.

Mr. Robert Foley asked Ms. Travis, you're directly across?

Mr. Michael Preziosi stated our traffic consultant Melisa Tarallo. [inaudible] she can answer any of your questions after the public speaks as it pertains to traffic.

Ms. Loretta Taylor asked is there anyone else who wants to speak at this particular point?

Mr. Robert Foley asked or does Ms. Travis have any other questions? She sent us a memo.

Ms. Carol Travis stated it's all in the memo so.

Mr. Chris Kehoe stated just for the record, obviously it's a little difficult here because we're all separate. Any comments that you make at the public hearing obviously are heard by the Planning Board and applicant. They don't have to necessarily answer them right now but they're made part of the record and a memo or your email with your comments has also been provided to the Planning Board and the applicant.

Ms. Carol Travis stated okay thank you.

Ms. Heike Schneider stated I would like to give an answer actually to the traffic. Because I'm thinking – I understand that there is a lot of traffic because you have schools, you have the nursing, you have people that just use it as a shortcut to get to Route 6 and to avoid all the traffic lights but in the end, the storage facility is really a place where people know they want to go. It's not really passing. If you really want to store your car, you go there and you stay, you drop off your car. I think it's slightly different. It's not like it's constantly cars back and forth. People who drop off really luxurious cars, they don't come every weekend to visit the car. I'd say it's even less traffic than a regular furniture storage facility. But I don't know if anybody else wants to weigh in from the team.

Mr. Jack Ahearn stated I would also reiterate that just by the nature of the facility, it's likely to – the little traffic that it does draw is likely to be at off peak times because of its nature in storing classic cars or cars that are not driven on a daily basis.

Mr. Tom Kerrigan stated we did take a look at the traffic and everything that's been said so far is right. The nature of the business does not generate significant traffic over the course of a day. We came up with a number of an a.m. peak of eight cars; that's for a whole hour. The town did their own study and numbers that were not too dissimilar to that. So we're not looking at a substantial increase in traffic and I think you should, as Mike suggested, reach out and speak with the town's traffic consultant.

Mr. Robert Foley asked Tom, when you said you're familiar with – you've been up to the site, you've seen the traffic?

Mr. Tom Kerrigan responded yes.

Mr. Chris Kehoe asked you want to hear from Marisa now?

Mr. Robert Foley asked is there anybody else from the public?

Mr. Michael Preziosi stated again, if anybody would like to speak pertaining to this specific application, please use the 'raise your hand' function. I have a Keith and Anisa Rose Mofalvo that I'm going to promote. Keith is on the line. Keith, if you could unmute yourself and state your name for the record?

Mr. Keith Baisley asked can you hear me?

Mr. Michael Preziosi responded yes. State your name for the record.

Mr. Keith Baisley introduced himself and stated my concern with this would be – as they are classic cars, other than the weekend joy ride, are these going to be high enough end cars that they're going to be transported in car carriers where the type of traffic that's going to be going in and out isn't going to be the cars themselves the trailers or larger

trucks that are going to be carrying them. It creates a different type of traffic problem than your standard car just driving back and forth.

Mr. Robert Foley asked can the applicant answer?

Mr. Tom Kerrigan responded we did look at that but we don't expect that to be a frequent occurrence. We designed the site so that a truck of that nature could pull in and unload and pull out without – safely onto and off of Lexington Avenue but just the nature of this, because it's a storage facility, then that does happen it's not going to be a frequent occurrence, if it does.

Mr. Robert Foley asked Keith are you a resident of the area?

Mr. Keith Baisley stated right but you've seen Lexington Avenue. Whether or not a truck can turn around within a facility is one thing, whether or not it can pull out and make a turn left or right actually on Lexington Avenue without causing significant traffic is a different story. I'm a self-storage developer. This is an issue that I know well and Lexington Avenue, especially in that area, that would be a big issue.

Mr. Robert Foley stated I agree. I'm familiar with it and the condition of the road is such that it would be a problem getting in and out, elevation, bottoming out for the truck, everything.

Ms. Loretta Taylor stated this is the Chairperson. I have a question because I'm still trying to visualize what would be going on here with respect to the transport of these cars. There might be clearly some time I can see that you would have several cars that you would want to move in at one time but I don't know in my mind, and I kind of thought that individuals bring their car there to be stored. Am I mistaken in that or not?

Ms. Heike Schneider responded no you're not.

Mr. Keith Baisley stated I believe that's correct, yes.

Ms. Loretta Taylor stated it's correct.

Mr. Keith Baisley stated if you go to a classic car show outside of your local shopping center, people don't drive those cars on the road. The people who are going to be storing their vehicle in a facility like this are not going to be wanting to drive it necessarily on the road to get to where they're going to store it. They may not be going for joy rides. If this is a car show caliber car, they're going to bring it in, in an enclosed trailer. Isn't that the idea of the clientele that you're trying to attract with a facility like this? You're not going to have your local muscle car guy who tools around with it in his garage and brings it to the Cortlandt Town Center on a Friday night to hang out at McDonald's. That's not the clientele you're going for. You're going for someone who is going to bring it to – out to Pennsylvania, or up to Lake George for these larger car shows where they're trailering these things to bring them places.

Ms. Loretta Taylor stated when we speak of the trailer that the individual is bringing his car in, or is transporting his car in, what's the size of the thing that we're talking about? Give us a sense of what it's like in terms of the size by something we all see pretty regularly.

Ms. Heike Schneider responded Tom, you want to take this?

Mr. Tom Kerrigan responded I would say the size – picture a flatbed, like a tow truck. That's the kind of size truck you would get. It's like an **SW40** is the name of it. That would be the largest truck that we would expect. I wouldn't expect necessarily like a dealership tractor trailer loading up with cars.

Ms. Loretta Taylor stated that's why I'm asking because somehow I got the feeling from just something that was said a few minutes back that it was going to be a big old, like a car dealership towing bringing in a lot of cars for storage. Now this individual who's trailering his car, who's bringing in his car to be stored in a trailer, as you it. I'm trying to picture on how big this thing is. Is it the size of a UPS truck? Is it the size of a FedEx truck? What's the size of this thing so that I can figure out – is this something that really would always have a problem getting into Lexington Avenue?

Mr. Tom Kerrigan responded it's [inaudible] trailer.

Ms. Loretta Taylor stated it may not be as high or as tall as these trucks I'm pointing out but in terms of the bulk and the size of it, that's what I'm interested in.

Mr. Jack Ahearn stated picture a UPS truck pulling a second UPS truck, so truck and trailer. Two UPS trucks, one behind the other, you would see moving through, more-or-less.

Ms. Loretta Taylor asked and you would use that for one car.

Mr. Jack Ahearn responded there are all sorts of arrangements but ostensibly, yes.

Mr. Robert Foley asked you're talking the size of a UPS package delivery truck, not the tractor trailer feeder trucks. So you're talking a **P800** UPS truck, that size?

Ms. Loretta Taylor stated the kind that delivers in the neighborhood.

Mr. Robert Foley stated yes, the neighborhood package delivery truck.

Mr. Michael Preziosi stated and **SW40** truck is a semi trailer that has a **40** foot wheel base. That's what Tom Kerrigan had mentioned as the largest sized truck.

Ms. Heike Schneider stated but we're talking about extreme – this is the exception. Yes, we are catering to people who can afford paying about **\$400** a month for their car to be

stored, so yes it might not be somebody who just has one muscle car and wants to drop it off as Keith explained but I think in general, I expect people also individuals to actually bring their car maybe even from New York City to Cortlandt and because it's cheaper. It's cheaper to store it here than to have in a parking garage in the city. That could also be another case but frankly I don't see us having tractor trailers in the driveway on a regular basis but that said, the whole entrance and exit is set up to accommodate your largest fire trucks so yes, it also allows an entrance and exit for two UPS trucks.

Mr. Robert Foley stated that's addressed by Marissa in her memo as far as turn around, turning ratio, but also back to what someone said earlier, maybe George at a previous meeting, about the guy with the muscle car. He's not going to be revving up his engine and going for a quote-unquote joy ride in the neighborhood. He would be just displaying the car, storing and displaying it there, correct?

Ms. Heike Schneider responded you know Keith is not part of our team. He was painting a picture which is not...

Mr. Robert Foley stated no, no, I mentioned one of our board members at a previous meeting and I brought it up too. In other words, anyone who has a classic muscle car, Charger, a Challenger, whatever and they're storing it there for safety and everything else. They wouldn't be taking it out on the local road necessarily to run it around or display it. The reason I say it is because you know the road, Red Mill, Strawberry, Route 6. Route 6 is a traffic jam. Red Mill and Strawberry is like a hilly racetrack, single lane.

Ms. Heike Schneider stated I think to explain it some more I do believe that people who are collectors of luxurious cars, they don't go on the road when they're standing in traffic. They really don't. I think you would pick probably a time on the middle of a Saturday and you take a small tour or you drive towards Bear Mountain but I don't think you – you don't want to clog the street some more. You don't. I don't see the concern here but we are definitely willing to answer all the questions.

Mr. Michael Preziosi stated we do have another resident who would like to speak. I'm going to promote her to a speaker. Anisa you're on for comment.

Ms. Doreen stated I'm actually Doren, her grandmother and we're residents here of this area.

Mr. Michael Preziosi asked Doren can you just state your full name for the record?

Ms. Doren Lleras stated we're residents at Mill Court. I did have the same concerns as the gentleman before me regarding the large vehicles coming in to deposit these cars. Lexington Avenue, there's no sidewalks. So often as I drive there are people from the nursing there, there are people walking and there's no sidewalks. To bring extra traffic to a residential area to me is just another point of terminating this beautiful area that we have between this proposal and the solar. There's got to be a better commercial area, I think, that this should consider.

Mr. Tom Kerrigan stated to address, at least part of your concern, we are installing a sidewalk along the front of this property to help with pedestrian traffic around the site.

Ms. Doren Lleras stated that could be okay for the immediate location that you're talking about but what about this big trailer that's bringing cars down there? The entire length of that Lexington Avenue, there's no sidewalks there. It's very dangerous.

Mr. Tom Kerrigan stated but again, I kind of want to dispel this idea that this is a big trailer. It is essentially the size of a – picture a tow truck with a flatbed that when it's up on top it's not being dragged. It's on top of the flatbed. That is essentially the size of the truck we're talking about bringing cars in and out of the site. It is an enclosed box structure around it but it's not a tractor trailer that's coming in and out of the site.

Ms. Doren Lleras stated I understand that but I drive a regular Subaru and just coming down Lexington when people are walking in single files because there's no sidewalks, to me it's just a dangerous situation. Is there any guarantee that you're saying it'll only happen occasionally. The traffic will only be on occasionally on invitation. Is there any guarantee? What if you go beyond the occasional number that you're talking about?

Mr. Tom Kerrigan responded for events, that is a scheduled thing with a cap on the amount of traffic. For everyday operations, as I said, the expected traveling in and out of the site is only about eight trips per day and they wouldn't always be these trucks. Most of the time it really only would be initially as they're selling storage units spaces and that's the bulk of when these trips may happen. It's not going to be a constant affair where these trucks are exiting and entering the site.

Ms. Doren Lleras stated I won't be belaboring my concerns but once the school hopefully gets back and the kids are out, I just find it – I just wish and hope that this area remains residential and doesn't become a commercial nightmare. And thank you I'm done.

Mr. Robert Foley stated if I could weigh in to what the resident just said in reference to sidewalks. When we approved the Mohegan Park expansion, the assisted living, we were told there couldn't be a sidewalk along Lexington because of the slope and the barrier along the edge of the road. If you guys are going to put a sidewalk in front of your facility, great, but it has to lead to someplace because that road not only has the rehab center, it has the section 8 housing and people are walking along. There's no shoulder, very limited visibility if anyone who's not been there, go visit it, night or day. It's a dangerous road and I think I understand what this lady's talking about.

Mr. Tom Kerrigan stated I'd just like to point out, we added the sidewalk at the town's request. We can't really help with what goes on to the north of our property.

Mr. Robert Foley stated I understand. There has to be a continuation of it to Route 6 but it would be out of your hands once it's beyond your property. But it is a bad, dangerous road unless someone improves the road. I asked if a turn lane could have been put in but I

guess not. The road has to be resurfaced and widened, and I'm not sure whether it's Mike, whether it's just all Cortlandt Road or Cortlandt and Yorktown. I think I asked that at a previous meeting.

Mr. Michael Preziosi stated that portion of Lexington I believe the surface treatment is Town of Cortlandt and the utilities are the Town of Yorktown.

Mr. Robert Foley stated it needs resurfacing and shoulders.

Ms. Loretta Taylor asked Mike, are there any other people who are interested in making comments at this point?

Mr. Michael Preziosi responded there is a Joel that had indicated he wanted to speak but I don't see him on the call right now and I have Anisa again with her hand up so I will allow her to talk again.

Ms. Anisa Montalvo introduced herself and stated, I just wanted to ask, if it does by chance cause an increase in traffic and danger in the area, what will happen? Is there any plan for in case things do go south and there's more traffic?

Mr. Robert Foley stated maybe Marissa can address it.

Ms. Loretta Taylor stated I don't know that the applicant can address that adequately.

Mr. Michael Preziosi stated Marissa Torello who's our town's traffic consultant is on the call. I'm going to un-mute her to respond to any general traffic comments or any comments per the board. In the past, the board has requested or requires a condition of approval, a post-implementation traffic study to ensure that the trip generation that was approved is what is actually occurring on site. That's an option and a tool that the Planning Board has in their toolbox.

Ms. Marissa Tarallo responded I don't know if you want me to just briefly touch on what I heard on or if you have specific questions.

Mr. Robert Foley asked I have some questions but go ahead and address your memo.

Ms. Marisa Tarallo stated to the memo, we took the trip generation information that we were provided by the applicant and just checked it against what we would use in the trip generation memo as the applicant acknowledged that the numbers that we got are slightly higher but are very comparable. I want to point out that the trip generation national database that we all use as a traffic standard oftentimes does not contain very specialized uses and that is the case here at the classic car storage facility is not part of the database. So what they had recommended and we agree on is a mini warehouse use and what that's meant to be is individual storage base. You can think of it as your self-storage facility where people can come and access via the one communal entry point. That is very similar to this but I think to the applicant's point and just to the understanding of the site, how

often a particular bay that contains only a car and not a variety of stored items would be the difference. I think it's comparable but there are clearly some differences that we kind of have to cope with. From a traffic perspective I think it's comparable enough for this use. The other thing is that you can evaluate based on storage units or on total square footage. Usually I would say you have the known number of cars that you're storing so you should use storage units. I highlighted in this memo, however, that oftentimes certain rates are only based on one, two, three surveys and in this case I think it was five surveys, whereas square footage was based on more. So, we're more conservative looking at the numbers compared – I recommend that you evaluate this based on the square footage. As the applicant mentioned, I think that the maximum they have is a Saturday peak hour for typical use and that would be just less than **20** cars in a peak hour which doesn't usually trigger the need for a detailed traffic analysis. I do know that Lexington is particularly problematic but as far as we assess impacts, **20** cars will create potential for additional congestion on Lexington but not enough to rise to a level of mitigation, especially considering Lexington deficiencies with Route 6 and the fact that it's operated by an adaptive system, so it's not as if the applicant can suggest to change the timing and that that would improve the intersection. The intersection, in theory, should adapt to this traffic. How much it's capable of adapting with a given level of traffic I think is the board's concern. So, the only other thing in particular to highlight in the memo that came up with the car carriers; I think our recommendation is that the applicant go back and determine exactly what vehicle is used for this, the typical vehicle and what they expect based on their research and how they want their facility to operate and then to run the turning analysis which I know was done for fire trucks. However, fire trucks definitely have a different turning pattern than a trailer. I'm not going to say it's better or worse, it's just they're all different based on how they're designed. So I think because Lexington is narrow at this point, it is worth determining if a carrier vehicle, as infrequent as it may be, can get onto this road without needing to stop and reverse or adjust in the middle of Lexington Avenue because that's usually something that wouldn't be preferred, especially on a road like Lexington. That would be our recommendation as far as beyond what's already been done. The only other thing I would point out, I've taken a couple of notes, for the event, the last item; **75** vehicles for an event, and that would be assuming – I didn't quite understand whether **75** invitations go out but the invitation is maybe for a husband and wife or a family within that. I presume, and what we usually would do in an analysis is that the vehicle occupancy would be one family would take one car, unless that family was very large and I don't assume the invitation encompasses **10** people. I think it's fair to assume it's about **75** vehicles. Sometimes it could be less if you have two people that are traveling together to these events. That's why I think **75** is likely fair. What I think needs to be [inaudible] is how these events start and end. It seems like they have a lounge space and that would allow for people to trickle in if the start time was **5:00 pm** you maybe want to visit your car, and walk around, and meet someone in the club for a drink beforehand at that little bar or whatever, and that would prevent there being this spike in traffic. Seventy-five vehicles is not a lot across an hour. It's a lot across **10** minutes. So, that would be – I would advise that they try to take that into consideration in designing these events so that arrivals aren't all at once which would create, while it would be short term, it would create a traffic pain for **30** to **45** minutes

versus if it was spread out across an hour, **75** vehicles isn't a lot going in and out of a particular facility.

Mr. Robert Foley asked I have a few questions for Marisa but I'd rather have, if there's any more public, for them to weigh in since it's a public hearing.

Mr. Michael Preziosi stated yes I do have a few other people that have raised their hand. The first is Don Canfield so I've promoted him to speaker. Just un-mute your speaker.

Mr. Don Canfield stated thank you. I wasn't going to say anything on this but I wanted to point – as somebody who travels frequently on Lexington Avenue, I live on Red Mill Road right down around the corner on that thing, that's a pretty nasty road. I walk on that road out of necessity occasionally, it's taken my life in my hands. There are other people who walk on that road who live in some of that housing along there who don't have the choice of using a vehicle as I do. They're taking their lives into their own hands. That's one issue. The other issue is if you're traveling southbound on Lexington Avenue toward Route 6, there's a stoplight there and there is no turn on red, and that stoplight is timed so that it allows six, maybe seven cars to pass through before it shuts off again. Long lines develop along there on Lexington Avenue frequently. Lines long enough to cover the driveways that I see as drawn on the plan here. So you're talking about large vehicles and turning radius and all this and not wanting to jockey around and do multiple turns and stuff to get in there, that's a really good idea. That whole thing, I'm not a designer, but it almost has its own docking station so that they can turn in – but the other thing is this thing about how many people are going to be in there. On page four of the business plan, it says: We will offer a member's lounge equipped with a fully-stocked bar and common areas, couches and television. That doesn't sound like the kind of place that you're going to get eight cars a day into. Westchester County will create a community amongst all its members and grant access to private facilities once a month, **75** people advance ticket sales. Again, it's that light is allowing six people to go through there at a time before it shuts down and goes red again. The timing is something like – if you're coming down Lexington Avenue it's about two thirds of the time it's red, one third of the time it's green and that may even be generous. It may be red much longer than that. Someone who is making traffic plans needs to kind of go up there and sit there and watch the dynamic of that whole thing. Unfortunately, in this age of COVID you can't see the normal track of the traffic patterns there. That's all I have to say.

Ms. Loretta Taylor asked thank you. Mike, anybody else there?

Mr. Michael Preziosi responded I do see one other. I think it is [Jack Ahearn]. You may have been booted so I'm going to promote him to speaker. If there's anybody else that would like to speak in regards to this application, please use the 'raise your hand' function on Zoom.

Mr. Jack Ahearn stated Mike, I think I'd just like to reply in a minimum way and just say from the design team, we have heard the commentary and we have given consideration to the traffic. We've done things like including the sidewalk to help to make what

improvements we can to Lexington Avenue. I think of all of the available uses to the site this is certainly going to be one of the softest or lowest impact to Lexington Avenue and the greater community. I just want to say that we do hear the public's commentary and we are doing what we can to take that under advisement.

Mr. Robert Foley stated Mike, if there's no more public, I'd like to ask Marisa a few questions on her memo.

Ms. Loretta Taylor stated Bob, we still have a number of items left to go. Just pick among—

Mr. Michael Preziosi stated I do have a few other residents with their hands raised.

Ms. Loretta Taylor stated I think we need to sort of – maybe Bob can hold his questions or talk to Marisa.

Mr. Robert Foley stated I can call her and talk to her. There are some holes in it and more stuff was just brought up about the queue time on Route 6, the timing of the traffic light. I know all about that. It's a bad road. Route 6 gets priority moving east, west. The secondary road like Lexington has a longer queue time and yes, only four or five cars can go through on the green, then it's red again and causes bottlenecks all the way back to George Washington School. I'll submit my questions to Marisa.

Ms. Loretta Taylor stated thanks Bob.

Mr. Michael Preziosi stated there's Don Canfield once again with another comment.

Mr. Don Canfield stated I'm sorry. I must have clicked the wrong thing. I apologize.

Ms. Heike Schneider stated Michael? I would like to make one more comment just because it has come up a couple of times now; I think Carol had also asked. We are saying in our business plan that we have a fully-stocked bar and it might alarm some people that this is a late night thing and that it would also cause some other trouble but the showroom and the member's lounge closes at **8:00 pm** during the weekdays and it closes at **6:00 pm** on Saturdays, so just to put people at ease about the bar and the lounge area.

Ms. Loretta Taylor asked Heike, have you finished your comment at this point?

Ms. Heike Schneider responded yes I have. Thank you.

Ms. Loretta Taylor stated I think we are ready to have a motion.

Ms. Valerie Myers stated I'd like to make a motion to adjourn the public hearing to September.

Seconded.

Mr. Robert Foley stated on the question, I'll submit written questions to Marisa about some of the rationale and modeling in her memo.

With all in favor saying "aye".

Ms. Loretta Taylor stated thank you all for attending tonight. You already know exactly what you need to do with respect to some of the matters concerning the wetlands report and the tree issues. And there probably will be other things that you'll talk about with staff but we will be adjourning now to September. If you can get the information in and back to us before September we may be able to take a look at it and make some decisions. I would not encourage to think that you necessarily going to get an up or down vote in September. It may take until October depending on the amount of information you provide and the reports that come back, etcetera. But we do thank you for coming out tonight and being available to answer the questions.

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OLD BUSINESS

PB 2017-3 a. Application of VS Construction Corp., for the property of Roa Hook Road Associates, Inc. for Site Development Plan approval and a Special Permit rock crushing for an approximately 3.5 acre parcel of property located on the north side of Roa Hook Road. Drawings latest revised May 19, 2020.

Ms. Loretta Taylor stated we were out there last Sunday to see the site and I my best sense of it is that there weren't a lot of really serious concerns about them. There were some concerns. I have one other question that I would really want answered tonight. Others have some others. I was concerned about the trucks that we saw parked at the very top of a hill and it was all lose, well not lose, but it was sand and it didn't seem to have – I didn't see any way to keep those trucks from rolling off the hill should we have a serious problem with rain, or some other kind of weather event. I don't know whether those trucks are always parked there but I didn't see any kind of a guardrail or anything. I'd like to have somebody talk to me about that. What is the situation there? And then I have one other additional concern. Hello?

Mr. Mandy Santucci responded hello this is Mandy Santucci? How are you?

Ms. Loretta Taylor responded I'm fine thank you.

Mr. Mandy Santucci stated supposedly Dan Ciarcia, our engineer is supposed to be on the line as well.

Mr. Dan Ciarcia stated I'm here but maybe on the Chair's comment there, Mandy. The site has been used and large trucks have been stored there since the '90s. As far as the stability of that slope, there haven't been any problems with that. As far as the protection from the trucks advancing beyond the edge of the slope, I don't know if you can speak to that Mandy as to what's there.

Mr. Mandy Santucci responded that area's been there as long as I can remember. We've been there for about 10 years now. It is – I'm trying to see if Mike can find it. It looks like he's looking for it...

Mr. Robert Foley stated next to the building, there.

Mr. Mandy Santucci stated yes. So typically, yes, that is a parking area. During the day when the trucks are out to work, our employees park their cars there and then in the evening and obviously on the weekend we do park trucks there. We've never had a problem with that slope. Everything that's there has been compacted for years. There's never been an issue, through hurricane Floyd or Sandy or any of that effect. There's also a slight berm there as well that keeps the water from cascading down the hill and it goes down the roadway what would be the gravel travelled ways. We try to keep the water running on the roadway not the slope.

Mr. Robert Foley asked to Loretta's point, which I noticed those trucks that Sunday morning also, the heavy dump trucks parked neatly there on the edge, it looked like that salt is almost sand and it looked like something had been partially bulldozed up into it. I'm concerned also. There's always a first time. I know what you're saying. They've been there for years and there's been no problem. But is that slope really stabilized and compacted adequately?

Mr. Mandy Santucci responded I don't know what you saw on Sunday, but it's vegetated. It's definitely got heavy vegetation on it and it's been there for a long time.

Mr. Dan Ciarcia stated and the issue with slope failures like that, a lot of times it's really driven by excessive run off going over the edge but that parking area is sloped sort of to the north and that run off goes down the access drive. So you really don't have a situation where you have water cascading over the edge. I think to talk about the stability, we were talking about constructing this thing but this slope has been there for decades. In terms of slope failure I think there's been plenty of an opportunity for something to go wrong. I think it's proven itself through the years.

Mr. Robert Foley stated sometimes it takes decades. I'm talking about in the front there, not where the arrows are. Go down to the right more. I just noticed it too. I didn't say anything at the site visit. I don't remember a lot of vegetation on that Loretta called a sandy slope but maybe I'm wrong. Yes, that area there.

Mr. Santucci responded it's all vegetation there.

Mr. Robert Foley stated it's your trucks. It's your loss if something happens.

Mr. Mandy Santucci stated we understand.

Ms. Loretta Taylor stated I want to move this along a little bit. Let me get to my second concern. There is a section in the – actually it's almost at the end of the EAF that you prepared. I think it's one of the last question and it concerns hazardous waste. The question asks: If the site had been one where previous waste where hazardous waste had been stored. There's a question that you have to answer yes or no and you answered yes but there's no explanation for what type of remediation was done there. I was curious as to why you didn't answer the question or describe the – the question called for you to describe the nature of the remediation that had been performed to clear up that. You just left it blank and I was wondering why you did that.

Mr. Dan Ciarcia stated the way we had done the EAF we used what the DEC refers to as their environmental mapper. For certain types of habitats or wetlands and things of that nature, it does a map search to indicate if there's anything in the area. The map search did get a hit and basically said there was a remediation on site which we assume was the landfill previously owned by the town. I know there are monitoring wells out there. As far as I know the DEC checks those wells on a regular basis. I didn't know we were going to talk about this tonight. I certainly can look into it. I don't know, the town may be more familiar with the ongoing DEC work more so than we are but we can certainly look into it.

Mr. Mandy Santucci stated just to chime in, that's a separate tax map which is owned by Plymouth Realty has nothing to do with this application from what I know of the history of it correct. From what I know, the history of the landfill was capped as per guidance by the DEC. I don't know when but a long time ago. The current owner who owns Plymouth Realty has monitoring wells there. They are monitored by the DEC. As a matter-of-fact I saw them out there last week. They come out periodically but that site has nothing to do with this application as far as I know.

Ms. Loretta Taylor asked let me read you the question. It's question #20. It's the final question in the EAF: Has the site of the proposed action or an adjoining property been the subject of remediation for hazardous waste? And you checked yes. Then it says: If yes, describe and you left it blank and that's why I'm asking this question.

Mr. Dan Ciarcia responded we can certainly look into that. I don't have any data on it. To my knowledge, this is really – the DEC application picked it up because the adjacent site of the landfill was the subject of DEC remediation.

Mr. Steven Kessler asked you're saying there's no remediation that ever occurred on your site as far as you know?

Mr. Dan Ciarcia responded that's correct because the landfill was one thing. The site that's the subject of this application was really a transfer station.

Ms. Loretta Taylor stated the question specifically says...

Mr. Dan Ciarcia stated I understand. We'll get you some answers on that. That's not a problem. I just don't have them tonight.

Ms. Loretta Taylor stated it says: An adjoining property as well. That's why I'm asking and you left it blank. I would feel better, especially since in the end I end up signing off on this stuff, if you just put something in there so that it doesn't look strange. Hazardous waste, if it had to be remediated there should be something in here that says it was and specifically what kind of remediation was done. I'd feel better about that.

Mr. Robert Foley stated I agree. It's an official document and I think you have to explain.

Ms. Loretta Taylor stated those were my concerns. I thank you for taking time to go into it and find out what you can. Is there anybody else who has a concern here?

Mr. Jeff Rothfeder stated Madame Chair I move that we refer this application back to staff and direct staff to prepare an approving resolution for the September meeting.

Seconded.

Mr. Chris Kehoe stated on the question, there's plenty of time between now and the September meeting. This case came in way back in **2017** and then immediately sort of went on hold. It went through a Town Board process. I never sent it out for lead agency determination so I'd like to send this one out. There's plenty of time for the agencies to get back in touch. Please add that to your motion.

Mr. Jeff Rothfeder stated I add that.

Seconded with all in favor saying "aye".

Mr. Dan Ciarcia stated thank you. We'll get you some answers.

Ms. Loretta Taylor stated I appreciate that. Thank you.

PB 2020-6 b. 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. John Canning stated good evening Madame Chair.

Mr. Michael Preziosi stated John I think you have some feedback. If you could just mute any background noise.

Mr. John Canning stated good evening Madame Chair, members of the board. My name is John Canning. It's good to see many of you again. I work for Kimberly Horne and I'm here tonight to represent Palisades Fuel on their application to develop a gas station and convenience store at 2058 East Main Street. We worked with your Planning and director of Technical Services department, also with your traffic consultant to develop a scoping document so that we could study the potential traffic impacts of the proposed application and we'd like to discuss it with you this evening to see if you'd like to amend it and basically to discuss what's in it. It will basically study the existing traffic upgrading conditions; sidewalks, roadways, signs at the site as well as the round from the westbound and eastbound Bear Mountain Parkways. We'll perform intersection traffic upgrading conditions for both intersections. We'll conduct a crash history. We will grow the existing traffic volumes to future conditions, including the Gas Land project traffic and other projects in the area. We'll evaluate future traffic upgrading conditions without the redevelopment of the site then we'll generate traffic for the proposed six fueling positions and – for six fuel pumps and the convenience store. We'll add those to the background traffic volumes and evaluate it again to see what potential impacts will be at this location. We know that the town and the state are concerned about the operation of traffic conditions at this location so we will coordinate with the state in this matter revealing accident data and potential safety improvement measures. We'll also conduct a signal warrant analysis to see if a signal would be warranted at this location and how that would affect the operation of the intersection and finally, as part of the traffic study, we will outline a post-construction traffic monitoring plan. Depending on the outcome of the study as to how we will monitor operating conditions at this location in the future and potentially make other improvements if necessary. That's basically in a nutshell what is in the traffic scope. It was basically developed along the usual guidelines for your board and I'd be happy to entertain any questions you have.

Mr. Steven Kessler asked John, my only concern is, I don't know if existing conditions today are really the existing conditions.

Mr. John Canning stated we are basically taking advantage of the fact that Gas Land counted these intersections last year. So we will take their volumes from last year and increase them by, I think we agreed to **1%**. We coordinated with your traffic consultant, so that we can grow them from **2019** to **2020** and we'll use those as the existing conditions. It's the best we can do under the circumstances. Frankly, I think it's fairly reasonable.

Mr. Steven Kessler stated okay, thank you.

Mr. Thomas Bianchi stated on the same note, I have a concern about Gas Land is not even mentioned in this scope and it should be considered as you just said as a future condition. My concern is that anything that happens here; is it going to affect what we've already studied on Gas Land or vice versa? I think that there should be some reference

aiming specifically to the Gas Land traffic study and in comparison to or analysis of, something to that nature.

Mr. John Canning responded we will enter that in and with your permission, into the section that talks about future conditions without the proposed action and we will compare future conditions with Gas Land and without the project and then with Gas Land and with the project.

Mr. Thomas Bianchi stated thank you.

Mr. John Canning stated thank you.

Mr. Robert Foley asked I have a few questions on the scope.

Mr. John Canning responded yes, hi Bob.

Mr. Robert Foley stated hi John. Who prepared the outline? Did we or did you guys or both?

Mr. John Canning responded I'll be honest with you. I went to the Internet and I scraped off the scope that you had for the MOD and then I developed it based on that and I sent it to Mr. Preziosi, Mr. Kehoe and to Marisa. I'm sorry Marisa I can't remember your last name. I think it begins with a T. And they had some comments. I incorporated those comments and sent them back to Mr. Kehoe.

Mr. Robert Foley asked let me ask a few quick questions on this scope. On section **1A**: Existing Conditions, when you mention the LOS in the second paragraph, then you cite both ramps of the BMP, westbound and eastbound. Clearly, they're right in the middle of it, they have to be. What about – should Locust and Conklin intersections with Route 6 be considered also?

Mr. John Canning responded we believe that the greatest potential for impact is right at the site driveway for two reasons: one, it's already a complicated location and we're directly opposite the off ramp and number two, gas and convenience stores are very convenience-oriented which means that more than half of the traffic that visits them is already passing on Route 6, so it's already passing through Locust Avenue today or it would be if we didn't have this COVID condition and they just stop in on their way either to get gas because it's convenient or to pick up something from the convenience store. So, because this location is right at the critical intersection with the westbound ramp and because more than **50%** of the cars are already on the roadway, we don't believe that there'll be an impact at Locust Avenue.

Mr. Robert Foley stated okay. Then on section **B**, Future and proposed going to page **2**, the overlay project, top page **2B**, it says here: In sections described above in **A1B** the established future build intersection LOS and a few conditions. So, you just covered that by what you just said?

Mr. John Canning responded yes I did. I believe I did.

Mr. Robert Foley stated then down to Mitigation-F under Mitigation, page 2, when you mention that: vehicles will be able to circulate in the drive-through and justify the absence of a bypass lane. Are you talking about internal to the site or on Route 6?

Mr. John Canning responded internally on the site where we're talking about the drive-through lane.

Mr. Robert Foley asked so in other words, with that drive-through going around the back of the proposed convenience store and coming out right near the exit of your facility, just before Route 6, that's what you're asking now to be demonstrated how that's going to work?

Mr. John Canning responded yes. We'll demonstrate the cars will be able to drive onto the site, turn to the drive-through, pass around to the building and then drive out without wandering all over the site.

Mr. Robert Foley asked they wouldn't be – unless they're pumping gas to the right, they won't be going over to the right side of the complex? They would be going to the left side, to use the store.

Mr. John Canning responded correct.

Mr. Robert Foley stated on point A, existing conditions A and sub-A, number of lanes by direction and [inaudible]. That would cover the number of lanes on Route 6?

Mr. John Canning responded correct, on all approaches; number of lanes on the ramp...

Mr. Robert Foley stated as you know John, it's a very problematic – we brought this up last month when Ralph first proposed it and also with Gas Land in the previous months. I wish we had known definitively about this proposal. I knew they had surveyed the land and something was going to come in. But anyway, this is a very bad, problematic intersection, probably worse than where Gas Land is, because that can be mitigated more easily from Bear Mountain Parkway.

Mr. John Canning stated I look forward to working with you and with your consultants on reviewing this application and finding a solution that will make it a better...

Mr. Robert Foley stated it's going to be a challenge.

Mr. John Canning stated thank you. I like challenges Bob.

Mr. Robert Foley stated thanks John.

Ms. Loretta Taylor stated it's a challenge all right. Are we done here at this point? Bob, that's yours.

Mr. Robert Foley stated I make a motion that we...

Mr. John Canning stated amend the scope to include a reference to incorporating or comparing the Gas Land...

Mr. Robert Foley stated yes, for sure. I want to make a motion that we just refer this back.

Mr. Chris Kehoe stated and declare your intent to be lead agent.

Mr. Robert Foley stated oh that's right, we have to declare our intent to be lead agent on this.

Seconded with all in favor saying "aye".

Ms. Loretta Taylor stated all right. We're good.

Mr. John Canning stated thank you very much. Stay well. I'll see you soon.

Ms. Loretta Taylor stated thank you, you too.

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NEW BUSINESS

PB 2020-8 a. Application of NewYork-Presbyterian Hudson Valley Hospital for Site Plan approval for the redevelopment of an approximately 37,375 sq. ft. parcel of property currently containing an existing mostly asphalted parking area located at the site of the former Citron Building to provide 118 staff parking spaces in two phases and for a new walkway for pedestrian access to the main campus buildings for property located at 1970 Crompond Road. Drawings dated January 10, 2020. (see prior PB's 8-13, 23-04)

Ms. Loretta Taylor asked is somebody here from the hospital?

Mr. Michael Preziosi responded I'm looking to put them on. Chris, can you just let me know they brought their design professional.

Mr. Chris Kehoe stated I believe Chris Laporta from Chazen.

Mr. Michael Preziosi stated Chris you're going to be put on as a speaker. I believe there's a representative from the hospital as well, Tom Breglia.

Mr. Chris Laporta stated thank you. Good evening. Thank you for hearing us tonight. My name is Chris Laporta. I'm an engineer with the Chazen Companies representing the applicant, New York-Presbyterian Hospital and Tom Breglia is here with me as well. This is our first time in front of you with this project. I think that Loretta's summary was pretty straightforward. This is a pretty straightforward project what we're trying to do here. There's a need for additional parking at the hospital as you may know the hospital had a valet service going before COVID hit and parking has been a challenge for a number of reasons. We're here to improve the Citron Parasol which is already has parking facilities but the asphalt is dilapidated. What we're trying to do here is clean it up and add connectivity to the hospital campus to allow for staff parking in order to just provide more overall spaces and allow for the clients of the hospital to get the premium spaces. This plan here tells the story of what we're proposing to do. It's going to add **118** parking spaces in two phases. There's a thick dashed line there showing how we'd like to break it up. The first phase of **93** parking spaces could be accomplished by relocating the EMS facilities. The EMS team would relocate into the existing birthing cottage to allow the development of the first **93** spaces and then the second phase would begin after the EMS team from the birthing cottage moves to its permanent home and then the hospital would be able to develop the remaining **25** parking spaces. There's sidewalks shown connecting to the hospital center along to the property's frontage. Some of these improvements include landscaping and lighting. It's fairly straightforward. We're here today to kick this off and get the process moving. Our intention is to submit a full design development package in mid August, incorporating any comments and really getting to go with the nuts and bolts of the grading, the storm water and everything else to support this project. We're here tonight just hoping to hear any comments or just discuss the next steps and moving forward.

Mr. Steven Kessler asked just so I'm clear, so this is expected to be solely for staff?

Mr. Chris Laporta responded Tom, could you answer that question?

Mr. Tom Breglia responded sure. That's correct. This would be staff parking. It would allow us more visitor parking around the actual hospital, patients, to allow visitors and patients into the hospital a lot easier.

Mr. Steven Kessler asked but does this cover all your staff or your staff will still be parking in the existing area?

Mr. Tom Breglia responded no, there are other areas within the hospital facility, the garage and other surface lots that you have staff parking. The idea is, once this parking is developed, these two re-identify and clearly define there's a parking, a staff parking in a better manner than what we do today, that we could make sure that our patients and our staff and our visitors have clear access to the hospital. To Chris's point earlier, last year around this time, the hospital instituted a free valet service at the medical office building

because one of our number one patient dissatisfaction comments was their lack of parking. At certain hours, again, this was pre-COVID, somewhere around 11 o'clock in the morning it was almost impossible for our patients to find parking and in some cases people parking around the campus ring and in some other cases patients that actually left and got frustrated. So we developed this valet parking to allow patients, certainly oncology patients, that needed chemo treatment the ability to drop the car off right at that main entrance of the medical office building and the caregiver and bring the patient right into our oncology/infusion center and we valet and parked the car in the garage. We set aside some spaces within the garage for that function.

Mr. Steven Kessler stated thank you.

Ms. Loretta Taylor asked are there any other questions for...

Mr. Robert Foley responded yes I have. This will be permanent parking both phases, correct?

Mr. Chris Laporta responded yes.

Mr. Robert Foley stated not that you're going to come back in the future and say, propose another garage here at the hospital – there's definitely a need as we all know pre COVID, the situation with parking – I'm glad you instituted the valet parking. You're lucky you have a better site than over at Northern Westchester Hospital where it's totally built out and impossible to park. This would be permanent and the walkway was explained to me at the work session. It will be outdoor? It won't be enclosed.

Mr. Chris Laporta responded correct.

Mr. Robert Foley asked and it would be across the main road, coming in – where would the crosswalk be? It's not clear on this diagram. It would be down by the surgery building? No, by the medical office building or by the emergency room area? Where the employees would be crossing to go into the main building area? No?

Mr. Chris Laporta responded I believe that is the main building area.

Mr. Robert Foley stated and then the EMT people would move to the birthing center building?

Mr. Chris Laporta responded correct.

Mr. Robert Foley stated that was my question. Now I guess I'm okay.

Ms. Loretta Taylor asked anyone else with a question? Steve I guess you could go ahead.

Mr. Steven Kessler stated I'd like to make a motion that we declare ourselves the lead agency and refer this back to staff.

Ms. Loretta Taylor stated thank you.

Seconded with all in favor saying "aye".

Ms. Loretta Taylor stated we're done. Thank you guys.

Mr. Chris Laporta stated thank you. Have a good evening.

PB 2020-9 b. Application of CVE North America Inc., for the property of Kirquel Development, Ltd. and Patrick and Sharon Parr, for Site Development Plan approval and a Special Permit and for Tree Removal and Steep Slope permits for a proposed 3 MW solar energy production facility to be located on two (2) parcels of property located along Red Mill Road and at the end of Mill Court totaling approximately 43.12 acres. Drawings dated June 2020 (see prior PB 13-05)

Mr. Michael Preziosi asked Chris, this is Jared and Carson Weinand?

Mr. Chris Kehoe responded yes.

Mr. Michael Preziosi stated this is for the public that are listening in, this is not a public hearing. This is just the first meeting with the Planning Board for information purposes only.

Mr. Jared Lusk stated good evening. Michael, this is Jared Lusk with Nixon Peabody representing CVE. Carson are you on?

Mr. Carson Weinand responded yes I'm here. They just un-muted me.

Mr. Michael Preziosi asked I believe you had a video you wanted to share or PowerPoint?

Mr. Carson Weinand stated yes, it would be great to share my screen. It says: Host disabled participant screen sharing.

Mr. Michael Preziosi stated let's take a look. Try again.

Mr. Carson Weinand stated perfect, awesome. Can you guys see my screen?

Members of the board stated yes.

Mr. Carson Weinand stated you can see my PowerPoint right?

Members responded yes.

Mr. Carson Weinand stated I'm the business developer with CVE. Today I'll be presenting on our Cortlandt Mill Solar farm is at the end of Mill Court, that's how it got its name. I'm excited about this. This is my first Planning Board meeting in New York. I've done a bunch of work in Massachusetts but happy to be here tonight. Here's a quick overview of what I'll be talking about. It's about **12** slides. I know it's getting late so I won't take up too much time but I think it can be educational on solar in general in New York State in addition to taking a look at the project. We'll talk about our team that's got us here. We'll take a look at CVE. We'll talk about the incentives and the solar programs in New York State. We'll take a look at the project and why we specifically chose that site, what are some of the benefits and then what are some of the questions, what are some of the concerns that might come out of this. This is the team: myself, Carson Weinand. I'm the business developer. I work closely with Travis Scott who's the originator on this project. He executed the site control agreements with the property owner back in September of last year. Internally, we have Mehul, he's our engineer. He works with Con Edison on the interconnection. He helps draft our system layouts, things like that, and then David. He's our director hoping to manage the team. Outside of CVE, we've been working with Nixon Peabody and TRC, Jared Lusk has really helped us with all the land use and zoning issues. We put together our site plan application. He's been great and Steven Laura they handle all the civil and environmental engineering. Those binders that we mailed into you guys, they were key in all that [effort]. CVE is an international independent power producer. Essentially we develop renewable energy projects: solar, hydro and biogas and we're long term owner and operator in those projects. There's a lot of solar developers that are more flippers. They like to sell projects off prior to construction. That's not our business model. We're a long term partner in each one of these. We have over **180** employees worldwide. The headquarters is in Marseilles, France. The North American headquarters is in New York City and that's where I am right now. I am in midtown in my living room. We have over **300** megawatts in operation and construction and we're really going globally. A little bit about solar in New York State. I think this is a good background on what's going on in New York. It all started in **2014** where Governor Cuomo, he launched his program called "Reforming the Energy". Again, this really kick-started things. He set some ambitious goals to have **50%** of New York's power to come from renewal sources by **2030**. More importantly, it sort of established the mechanisms to incentivize all that development. It forced – it created these renewable energy credits which forced the utilities to cooperate, forces the utilities to procure renewable energy otherwise they face penalty pains. In **2019**, he launched the Green New Deal. Just recently it set even more ambitious goals, **70%** renewable by **2030** and **100%** carbon free by **2040**. By **2040**, New York State will be only operating off of wind, solar, biogas, hydro and nuclear. They're really making some huge strides now. NYSERDA is the New York State Energy Research and Development Authority. They've been put in charge of managing all these goals, managing all this renewable energy development. They've been the authority to design incentive programs and procure reps on behalf of the utilities, sort of one centralized agency into getting renewable policy for all utilities across the entire state, nationally, ConEd, PSEG, NYSEG, all of them. But with a few of our programs listed here: the New York Sun program. It's a lump sum upfront grant for solar developers, renewable energy developers

based on how large their system is. There's also the value of distributed energy resources tariff, the [VETER] tariff. Basically, we're getting compensated for the electricity that's generated and put back onto the grid to generate – a kilowatt of energy we would get a certain rate for that electrical generation. Then the community solar program. They introduced the community solar program which allows us to sell this electricity generation directly to local homes and businesses. It sort of helps the local community feel the benefits of all these distributed solar farm developments. We're able to sell the electricity to these homes and they receive discounts and credits on their monthly utility bills. This is the project, Cortlandt Mill. We call it Cortlandt Mill. It's at the end of Mill Court. We have an access road off of Red Mill Road. It's a **3 MW** project. The total property acreage is **43** acres. The total disturbed area is **19.4** acres that includes the fenced in solar area plus the tree clearing around it is **19** acres. The fenced in solar area is **12.5** acres and then that wetland area on the eastside of the property is about **7** acres and that's including the buffer. The wetlands itself is only about two acres. We executed site control on this coming up on **10** months ago now and we've been working hard with TRC and Nixon Peabody to get it to this point. It'll be community solar. We should be able to benefit, provide discounts to about **350** local homes. The point of interconnection where we're connecting to the utility grid is down by this access road off Red Mill Road. It's pretty much more or less where that access road meets the road. We've also chose to design the access road layout this way to avoid traffic on Mill Court. We're not – there's really no traffic that comes from this project at all anyway but I guess at least during construction, and the one electrician that shows up during the life of the project, they won't have to go down Mill Court. Why did we pick this site? There's definitely some site advantages with this specific site. Con Edison is a great utility for solar. All of the incentives that I just outlined: the New York Sun program, the VETER tariff, the community solar program, ConEd participates in and the incentives are even more favorable than other utilities. We're also right next to the distribution lines with ConEd. Like I said, that point of interconnection's right down there Red Mill Road. There's very, very close proximity to the three phase lines that we need to interconnect into so we can avoid a whole bunch of expensive utility work. The on-site conditions are favorable for solar too. It's generally low slopes all around. There's limited wetlands. There were no threatened endangered species, impacts. There were no cultural or historical impacts and there was sufficient acreage to build what we wanted to build and still consider all of the environmental issues like the wetlands and their setbacks, and then the property line setbacks and increased setbacks in certain areas to avoid abutters, things like that. Obviously, ConEd there's plenty of customers to take this electricity generation, large pool of potential community solar customers. The owner was motivated. He had the six vacant land. It's definitely under-utilized. He realized that solar is the best and highest use for this property and he thought he had a right to pursue that. We were able to come to a deal with him. And then finally, and very importantly it's obviously – solar's permitted by special permit and site plan approval. It's zoned **R40**. It's allowed in the code. This is a big factor for us. This is one of the things we check early on with all of our solar projects and certainly kills many projects and fortunately it lines up well here. What are some of the benefits? There'll be generous tax revenue that comes from this project. We're estimating **45** to **90** thousand dollars per year. This is something we're still working on though. And that revenue is even more impactful because it comes with no

demand for services from the town, very low impact on town services. There's no additional traffic. There's no additional kids in school. There's no additional crime on the streets. It's just very clean tax revenue. Construction should take about three months. We're going to hire about **50** workers for that time period, local workers; obviously the savings for the local homes, through the community solar program. We think we can distribute discounts to about **350** homes and if you do the math on that it comes to about **\$60,000** annually in utility savings for those homes in your community. We're avoiding a whole bunch of carbon dioxide from the electricity generation in New York State on the grid, avoiding brown power, replacing it with green power and we will, on all of our projects we install what we call pollinator friendly vegetation. Underneath the solar panels, it's not going to be asphalt, it's not going to be rocks, it's going to be a nice green bed of grass and flowers. It's pollinator friendly. It will nurture the ecosystems on site. It will not be a harsh environment. I know that's a lot of information but maybe what are some of the concerns that can come from this project? I know you see **40** acres and you think it's going to be a big intrusive property but that's not the case. There's really no traffic impact at all from any solar farm. Once it's operational only one electrician per month will come out for maintenance and repairs and then we've even taken steps to avoid traffic on Mill Court by, like I said, routing the access road down the secondary parcel off of Red Mill Road. Noise? Noise is not an issue either. The panels themselves create no noise and the inverters. The only thing on site that's creating any sort of noise are the inverters and they're very quiet. The noise study done on these inverters – the noise study for the inverter we're going to use says it's rated for **47** decibels background noise at **10** feet away. That's equivalent to a quiet office setting. You move **50, 100** feet away, you can't even hear the inverters. It won't be disturbing the neighborhood. Visually there's no impacts. No neighborhood impacts either. You'll have **200** feet thick forest on all sides of the solar array. This solar array, the way its positioned, the way its designed, is hidden away into the woods. They'll be naturally screened by existing vegetation. The only way you could see it is if you drive down that access road and probably a quarter mile you can get to the gate where the panels are. Glare: I think this is common misconception about solar panels. All modern day solar panels are coated with antireflective coating. They're designed to absorb light rather than reflect them. There's studies on this as well. It's shown that they, on average, reflect only about **1.5%** of the light that hits them. It's actually technically less reflective than grass, water and the glass that you use in your residential windowpanes. Some other concerns, we're going to avoid the use of any harmful materials. I know this PFOS, this PFACS chemical has come up recently in the solar world and we will avoid that. We're not disturbing any wetlands. We're taking ample measures for erosion control and storm water practices. The soil will not go anywhere. Decommissioning: we're a long term owner and operator of these assets so we hope to get **30 to 40** years of useful life out of this plant. We'll report an extensive decommissioning plan upfront with the town. It will be coupled with a hefty bond which is equal to the cost to remove the panels at the end of its useful life. And then if we do decide to remove them, we will take measures to restore the property to its original state. We're definitely taking large upfront efforts to avoid issues at the end of its useful life. Then property values: we, at CVE, we believe there should be no negative impact on property values especially with this project where it'll be completely out of view. It will be quietly hidden in the woods. There won't be any additional traffic on Mill

Court, hopefully it's actually could be seen as a positive alternative to the residential subdivision at this property is what we were thinking. That's more or less everything I have to say for now on the project. Hopefully, we're looking forward to taking these next steps: declaring lead agency, reviewing with the county, double checking our wetlands and tree survey with the town, the pending public hearings, and finally moving to our permits. That's it. Carson Weinand with CVE. Let me know if you have any questions.

Mr. Robert Foley asked I have a few Carson. The access road would come out onto Red Mill but where? Across from Stonefield Court or further down and is it on a straightaway?

Mr. Carson Weinand responded that's a good question.

Mr. Robert Foley asked do you know exactly?

Mr. Carson Weinand responded I don't know exactly.

Mr. Robert Foley stated there is a straightaway when you leave Mill Court, there were issues with the Mill Court sight line for the previous proposal.

Mr. Carson Weinand stated it's right at that – right when it turns straight. You can sort of see the curve...

Mr. Robert Foley asked about how many feet from the Mill Court intersection?

Mr. Carson Weinand responded can you see my cursor?

Mr. Robert Foley responded yes. Mill Court would be to the right correct?

Mr. Carson Weinand responded right. It's to the east. Our access road will be to the east of Mill Court.

Mr. Robert Foley asked how could it be to the east of Mill Court? Not to the west.

Mr. Carson Weinand stated I'm taking a look at the diagram. Here's the compass on this layout. Mill Court is where my cursor is right here. I don't know, maybe a thousand feet west of our access road.

Mr. Robert Foley stated Red Mill Road, Mill Court comes out. If you go east on Red Mill, you're coming to McArthur Boulevard but if you went westbound on the west of the flat portion, that's probably where you're talking about but then you come to the steep curve and hill. So you're talking about west of Mill Court, no?

Mr. Chris Kehoe responded Bob, the road is east of Mill Court.

Mr. Robert Foley asked there's not a lot of room there. I guess there's a small tree area. Before that red barn property?

Mr. Carson Weinand stated you know. I don't have that information. The access road is about **20** feet wide. It's gravel. It's pretty non-intrusive. There's a gate.

Mr. Robert Foley stated as long as it's east. It's not going down the hill. In other words then, there is a root cellar or a stone thing along the edge of the road that came up when we were reviewing the original Mill Court housing proposal. It would be to the west of that I assume, and that wouldn't be destroyed.

Mr. Chris Kehoe stated Bob, this is Chris. I thought that that was located very close to Mill Court.

Mr. Robert Foley stated yes it is.

Mr. Chris Kehoe stated but I would say that was – I can't remember if that was a little west or east of the entrance to Mill Court but this is east.

Mr. Robert Foley stated east.

Mr. Chris Kehoe stated yes, this is far away from that.

Mr. Robert Foley stated so it's after that and before you get to the red barn, the old Ferrara property. And then on security, you mentioned it would be hidden away in the woods. You mentioned a gate. There would be fencing around the complex or cameras?

Mr. Carson Weinand responded yes. There will be fencing around the array with a gate that's locked. I don't believe there'll be cameras though.

Mr. Robert Foley stated and then you mentioned the pollinator friendly vegetation, the ground cover. We asked about that when we site visited the Millbrook School last year for another solar proposal down here and between the arrays or panels there's not a lot of room. There would have to be – the vegetation would have to be maintained or treated or cut occasionally?

Mr. Carson Weinand responded sure, yes, so it lives underneath the panels too.

Mr. Robert Foley asked so in other words then, if God forbid there was ever a fire generated from reflection from the arrays onto the surface to the ground vegetation, could that happen and then how would that be extinguished if it happened?

Mr. Carson Weinand responded sure, yes so these panels, they're made with tempered glass. They're about **125** degrees Fahrenheit during peak hours, during the summer and then they cool off very quickly.

Mr. Robert Foley asked so you've never had experiences with ground fire in your other array farms?

Mr. Carson Weinand responded no we have not.

Mr. Chris Kehoe stated and Bob, this similar to the other projects, gets referred to our Building Department and fire departments and they require, which they're showing something here obviously I don't know if it's to the satisfaction of the fire department, but there has to be access roads and the ability to pull the hoses throughout the array.

Mr. Robert Foley stated I see a lane down the middle of the arrays. I just wondered, when we visited Millbrook school I wondered about that also because again, I don't know, you said that the arrays are made – they're not made of toxic material, they're environmentally friendly but if there was ever a fire from ground vegetation would they emit any kind of toxic fumes. That's been a question we've had all along. Then, the tree removal, we have that in our packets Chris?

Mr. Chris Kehoe responded well yes, they have done sort of an analysis, a mathematical formula. They've got a couple of areas that they've examined to come up with some estimates of tree removal. They paid the required escrow account and our arborist will go out there and complete the entire tree inventory.

Mr. Robert Foley asked so there may be less tree removal than the **13** houses or so that were proposed?

Mr. Chris Kehoe responded it's similar to Hanover. There'll have to be comparisons. As you know that you approved tree removal permits and wetland permits years ago for the subdivision similar to what happened at Hanover. And as we go through the review of this project, I'm sure the applicant will be comparing the environmental impact of this project to the previous one.

Mr. Robert Foley stated and then, you mentioned the PFOs, I think you explained that. I hope. There was also a letter submitted or something from a resident on Arthur Street that I want to make sure it's entered into the record.

Mr. Chris Kehoe stated yes, that letter was also shared with the applicant's team.

Ms. Loretta Taylor asked does anyone else have comments or questions?

Ms. Valerie Myers responded yes I do. I have a couple of questions. You talk about this being **3** megawatts of power. Are you going to have batteries on site?

Mr. Carson Weinand responded our inverters are coupled with batteries, with storage.

Ms. Valerie Myers asked when the sun comes in and out of the cloud cover, that's not going to cause a huge fluctuation to the grid, correct?

Mr. Carson Weinand responded that's correct. If there's any excess electricity generated from this system it's going to be captured by the storage on site.

Ms. Valerie Myers asked so ConEd can handle that type of fluctuation right?

Mr. Carson Weinand responded yes. We've been working with ConEd for about four or five months now. We've just received a CESIR which is an infrastructure impact study from ConEd. They estimate the scope of work needed to connect to the grid and make sure everything is okay and allowable.

Ms. Valerie Myers asked exhibit **D**, you project compliance; it states that you'll increase employment in the town. Does that mean that you'll hire strictly local laborers to do the install? What do you mean by that statement, that you'll increase employment in the town?

Mr. Carson Weinand responded yes, that's something we can hone in a little closely with one of my colleagues named Arthur. He's in charge of all of our construction management. We try to hire locally as best we can and they'd be paid full wages, full prevailing wage.

Ms. Valerie Myers asked is that union labor or would that be – how does that work?

Mr. Carson Weinand responded in this case I think it would be.

Ms. Valerie Myers asked so you go to the local union halls and you bring in local people then to do this work?

Mr. Carson Weinand responded I would have to double check with Arthur but I know we're doing our best to source these workers locally.

Ms. Valerie Myers asked just a couple more questions. In decommissioning in your slides you talked about decommissioning and you said that you would restore if you're not going to replace the panels in **40** years that you would maintain the area or you bring it back as best as possible. What does that mean as best as possible?

Mr. Carson Weinand responded there's really not going to be any impact if you think about the structure of our array. We have steel racking that's probably about an inch wide every maybe four or six feet that's drilled into the earth a little bit. So we'd remove that racking. The land would be covered with that pollinator friendly vegetation. We can take efforts to fill in any holes the racking made or remove the storm water basins if needed or even maybe plant trees.

Ms. Valerie Myers asked can you put all that into your – can that be one of your stipulations then?

Mr. Carson Weinand responded yes, we haven't submitted a decommissioning plan yet, that was going to be a supplement but we can definitely talk about some of this stuff in there.

Ms. Valerie Myers stated if you could elaborate on what "as best as possible" means that would be good. Another part in exhibit **D** you talk about requiring sufficient sunlight. How is that defined given where we are?

Mr. Carson Weinand responded I'm sorry, where you're...

Ms. Valerie Myers responded we're in northern Westchester and it's cloudy, it's sunny, it's cloudy, it rains a lot. During the winter you don't have a lot of sufficient sunlight. How are you defining sufficient sunlight?

Mr. Carson Weinand responded what's the context of that? I'm sorry.

Ms. Valerie Myers stated that's in your exhibit Delta. It talks about project compliance and it says that in order to install these panels you have to have sufficient sunlight and you said you do have sufficient sunlight. I was just wondering how you're defining it.

Mr. Carson Weinand responded the more southern you are in New York State you get slightly better production and sun exposure. Long Island was the best area for sun exposure in New York State. I think that talks more though to shading. A lot of times these **50** foot trees surrounding the projects cast shadows and really limit the production in the evenings and the mornings. So in our lay out here we've clipped a hundred foot buffer around the array to take that into consideration.

Ms. Valerie Myers stated it is part of the town code. I'm sorry, it's from NYSERDA I believe that says you have to have sufficient sunlight and I'm just wondering how that is defined. That's not just what you think. It's a definition [inaudible]. I would like to know how you're meeting that.

Mr. Carson Weinand responded a lot goes into our production estimates, our electricity production estimates, clearing the trees around the array up to a hundred feet is a big factor. We get much more production in the mornings and evenings like I just said. Our estimates are coming from historical meteorological data that we've purchased, that we run through computer software to come up with figures to estimate how much sunlight, or how much electricity will be generated based on the intensity of the sun, the latitude, the cloud cover, all this historical data that gets run through our modeling to give us a figure.

Ms. Valerie Myers asked so there's no limit or – I don't – it's required that you have sufficient sunlight and you're just saying "yes, we have sufficient sunlight" and there's no kind of proof there. Is this actually going to produce the electricity that makes this project worthwhile? That's what I'm trying to get at.

Mr. Carson Weinand responded yes, definitely. I guess we can provide estimates on our production, show you the reports that we've generated. I know there's software that's industry standard, it's called PVSYST and this production in ConEd is higher electricity production from these solar farms in Con Edison's higher than what you find in upstate New York. We have a whole bunch of projects under development around Syracuse, Rochester, Buffalo...

Ms. Valerie Myers stated if you could provide some more information just to make sure that this project is worthwhile.

Mr. Carson Weinand responded yes.

Ms. Valerie Myers asked you did say that you were going to put antiglare or antireflective coating on the panels in your presentation but in exhibit Delta in what you provided us, it states that glare does not need to be considered. But if you go to the NYSERDA documentation it says it does need to be considered. Maybe you want to just update your documentation to say that you will put antiglare, you will use antireflective panels.

Mr. Carson Weinand responded sure. We will do that.

Ms. Valerie Myers asked under safety: how are you going to maintain safety? Snow removal; you talk about how you're going to have batteries there. How are you going to make sure that batteries all stay in good condition, they stay up to fire codes, all that? Can you talk a little bit about that?

Mr. Carson Weinand responded I think that gets back to our O&M team, our operations and maintenance team. So we have a whole in house team that monitors the production, and the health of all of these facilities remotely. We'll know immediately if there's an issue. On top of that though, like I mentioned, once a month we're sending out local trained electrician to take a look at the site.

Ms. Valerie Myers asked how often will these site visits happen?

Mr. Carson Weinand responded that site visit is the one electrician monthly. It's nothing intensive. During the winter we let the snow stay on the panels. We let it melt naturally. We're getting a little bit of production in the winter but the big months for us are obviously in the summer.

Ms. Valerie Myers asked so this electrician then will be well versed in battery health and the whole nine yards?

Mr. Carson Weinand responded yes.

Ms. Valerie Myers asked so they can detect if there are any leaks or anything like that, going into the ground?

Mr. Carson Weinand responded yes.

Ms. Valerie Myers asked will the batteries be enclosed?

Mr. Carson Weinand responded yes, they will be enclosed.

Ms. Valerie Myers asked so they won't be subject to the elements?

Mr. Carson Weinand responded no. They have a rated long term life of **20** plus years too.

Ms. Valerie Myers stated I have seen batteries before that have leaked even though they're rated for **20** or **40** years. That does happen.

Mr. Carson Weinand responded all of these procedures for operations and maintenance and what we install upfront has to be investment grade. It has to be able to be accepted by financing partners we collaborate with. Everything is very well wrapped up.

Ms. Valerie Myers stated I'm not so concerned about your investment partners. I'm really concerned about the local – the people who live around this area and make sure that they are safe and they're not – that this battery acid or anything else, nothing gets into their water or anything like that. That's really what I'm concerned about.

Mr. Carson Weinand responded that's a good point. I didn't really address the storage in this presentation too much. We can talk about that later.

Ms. Valerie Myers asked in your submittal, if you could talk more about the battery storage I would appreciate that, and the maintenance and then the periodic walk downs, that would be good.

Mr. Jared Lusk stated I just wanted to respond to one question, exhibit **D** regarding the glare. I think what you read from, I think you may have been in the section dealing with **tier 1** and **tier 2** solar energy systems. I said that provision wasn't applicable because we're doing a **tier 3** and then when you go to page **6** of exhibit **D**, the glare is discussed and I report it to exhibit **H** and say the proposed panels are non-reflective and referred to the plan where there are detailed sheets of the panel. Just to be clear, I did address it. I said it wasn't applicable in **tier 1** and **2** because we're not proposing a **tier 1** or **2** facility.

Ms. Valerie Myers stated maybe that's what I read. Thank you.

Mr. Thomas Bianchi asked Carson, a couple of questions on the generation and distribution. In other projects, my understanding is that you mentioned batteries, I guess that's what triggered my question. Are you going to be feeding off of the batteries in times when you can't generate enough power or are you going to be just letting ConEd – the electrons flow into the system and nobody knows where it comes from, it just goes into the system. Are you just going to be letting ConEd make up the difference when you

don't have enough power generation, or are you going to be taking it from your battery storage bank?

Mr. Carson Weinand responded we will control when we discharge the storage systems. They'll be charged and discharged remotely. I'm not a hundred percent sure I understand your question but we have control over that and the electricity that comes out of the storage on site will be compensated at the same rate in the same way as the solar electricity.

Mr. Thomas Bianchi asked you will not be, in times of lower energy production, you will not be tapping into ConEd to make up the difference? You will make it up with your battery bank?

Mr. Carson Weinand responded right.

Mr. Thomas Bianchi stated because other projects, I don't know if they do that. They sort of feed off of ConEd and make up the difference if they don't have enough power and they just let ConEd feed into the system.

Mr. Carson Weinand responded that's a good point and those are stand alone storage projects and they're charged from the grid and discharged back into the grid. They essentially charge during off-peak hours and discharge during peak hours. It all comes from ConEd. What we're doing is charging the batteries, the storage, from the solar panels and discharging the storage, when we choose to, when the production is low from the solar panels.

Mr. Thomas Bianchi stated also I can see a little bit more about your battery bank and details about where it's located...

Mr. Steven Kessler asked just so I'm clear to Tom's question, for the **350** homes that you project will be utilizing your solar array, a hundred percent of their electricity will be coming from your operation and they will be off the grid with ConEd?

Mr. Carson Weinand responded no, we're able to send them credits. We're able to distribute credits to their bill that show up as a deduction from the amount that they owe Con Edison.

Ms. Valerie Myers asked basically what happens is; on a nice sunny day you're going to be pushing energy out onto the grid and then you'll have your battery as your buffer. If it's a rainy day or overcast, you just won't have anything going out to the grid correct?

Mr. Carson Weinand responded yes there'll be less...

Ms. Valerie Myers stated so it's an on-demand type system with a battery kind of as a buffer so you're not jumping the system up and down constantly. That's why I asked the

question about ConEd being able to handle these [deprivations] on the grid but you're saying they can.

Mr. Carson Weinand responded yes. ConEd has very stringent guidelines for interconnection and we've been adhering to all of them. It's been a four, five month process, cost over **\$10,000** just to get to that point with them. The storage is more to just flatten our production curves, flatten how much revenue is coming from the project. We're essentially putting back into the grid and we're able to sell some of that to these homes where it eventually shows up as a credit on their bill and they owe less.

Mr. Jeff Rothfeder asked so your contract is with the customer?

Mr. Carson Weinand responded correct.

Mr. Jeff Rothfeder asked and you guarantee them a certain price for the electricity, right?

Mr. Carson Weinand responded yes.

Mr. Jeff Rothfeder asked and then shows up on their bill...

Mr. Carson Weinand responded there's a whole division of our company that we call Halo and it helps us with marketing for these community solar off-takers. We work out a month-to-month agreement with them and they can subscribe and unsubscribe however they want. We can push these credits to their bill.

Mr. Jeff Rothfeder stated then they see on the bill how much of it – what kind of credits they got from the solar as opposed to from ConEd itself. Right?

Mr. Carson Weinand responded their charges from ConEd remain the same and then the – I want to circle back on this but then the credits show up and the overall amount is reduced. It's a separate mechanism.

Ms. Loretta Taylor asked are there any other questions or concerns?

Mr. Robert Foley asked I had one follow-up. I'm sorry, I apologize when I took the time to find out where the road would come out on Red Mill. I do see in the fine print on your facts and figures where you specify it's **400** feet east. You were correct and I was wrong. Second, similar sites, you mentioned some sites. Are there any similar operations you have nearby or within the region?

Mr. Carson Weinand responded we have **31** megawatts under construction in Massachusetts. We have a couple of other projects upstate. Like I was mentioning around Syracuse.

Mr. Robert Foley asked but none in this immediate...

Mr. Carson Weinand responded not operational in New York yet.

Mr. Robert Foley asked not Hudson Valley? Okay. Thank you.

Mr. Jared Lusk stated Mr. Kehoe, you indicated, and I heard it mentioned in the workshop about us making a presentation to the Town Board. How should we arrange that? Is that something that you can help get arranged or how should we do that? Obviously try to get on their agenda and make a very similar presentation we made to you be made to them?

Mr. Chris Kehoe responded yes, you can coordinate that with me, but I don't attend all the Town Board meetings so I work with the legal department and they have to check with the Town Supervisor to make sure she wants a presentation but keep in touch with me and we'll see if we can get you in front of the Town Board.

Mr. Jared stated thank you sir.

Mr. George Kimmerling stated Madame Chair I'd like to make a motion that we declare ourselves lead agency on this and we refer this back to staff for further review.

Ms. Loretta Taylor stated thank you.

Seconded with all in favor saying "aye".

Mr. Carson Weinand stated thank you very much.

PB 2020-10 c. Application of Cortlandt CSG, LLC, for the property of 202 Cortlandt, LLC for Site Development Plan approval and a Special Permit and for Tree Removal and Steep Slope permits for a proposed 2.3 MW community solar power system located on an approximately 33.86 parcel of property located on the north side of Route 202, west of Lexington Avenue. Drawing dated June 19, 2020.

Ms. Loretta Taylor asked do we have – there's no one here for this application?

Mr. Michael Preziosi responded there are. I'm just getting them set up. Kieran Siao? Kieran can you hear us?

Mr. Chris Kehoe stated he just is in the webinar chat. He asked if we can hear him which apparently we can't.

Mr. Michael Preziosi responded no. Let's try this again.

Mr. Chris Kehoe asked are you there Kieran?

Mr. Michael Preziosi stated it doesn't look like it's going through.

Mr. Chris Kehoe stated he said he's having issues with his mike and can you see the message Mike, the **631** phone number?

Mr. Michael Preziosi stated I'm going to put that on.

Mr. Kieran asked hi, can everybody hear me now?

Mr. Michael Preziosi responded yes, there's feedback.

Mr. Kieran asked is that better?

Mr. Chris Kehoe responded no.

Mr. Kieran asked can you hear me now?

Mr. Michael Preziosi asked Kieran, only your phone is on the call. I'm not able to get you to not have feedback.

Ms. Loretta Taylor asked Michael is this a problem that you have to resolve or is it more for the applicant?

Mr. Kieran asked can everybody hear me now? Is that better?

Mr. Michael Preziosi responded yes, we can hear you.

Mr. Kieran stated sorry about the technical difficulties. I just exited out of the Zoom itself now I'm only on my phone. So I can't see you but I can hear everybody. Again, apologies for that. But it's great to see everybody again. I hope everybody is doing well and had a happy Fourth of July. I think I've met most of you by now because as a quick refresher, my name is Kieran Siao. I'm a project development manager with Dimension Energy. We are a community solar and battery storage developer. We're headquartered in Atlanta and I sit out of our New York City office as lead development for New York State. I'm here tonight because we are proposing a new ground mounted community solar project. It's located on Lexington Avenue between Dyckman Road and Crompond Road. Before I get there, I thought the board may be interested in hearing a few updates about our other project that the board approved back in January that's the Croton Avenue solar project located on Croton Avenue. Just at a high level, since the site plan approval was granted back in January, Dimension Energy has closed on the project with our financing partner Algonquin Power and Algonquin and Dimension have been working closely with the town to execute our pilot agreement. I'm excited to say that that is form final. It has been signed by both the Algonquin as the project owner and Dimension as the land owner. It's currently sitting with the town for counter signature and file execution which I expect to be executed later this week. That's a very exciting update that I was looking forward to sharing with all of you. And then on the development side, Algonquin and

their EPC, that stands for Energy Procurement and Construction contractor, CS Energy has been working closely with Mike and his team at DOTS to make the final changes to the site plan, to prep the plans that we're building and electrical permits. As I understand, that is being finalized, being submitted back to the town and provide it as approved. The intention is to mobilize the site late August to start work in September and expect the project will be operational by February. That's just really exciting news. I know this Planning Board sees a lot of projects in their beginning stages and I thought you might like to hear this project has progressed past discretionary permits. And it's because, I think that our teams Dimension Energy and the Town of Cortlandt worked so well together that we went back to the drawing board to see if there's any other sites that could be viable for solar development in the Town of Cortlandt. I think one thing that we really like about working with the town is, of course, this board is very well organized and you have this very clear ordinance, but further I think we share and are aligned on our view of solar development. I heard on the work session before this meeting, comments about, concerns about there being many, many solar projects developed in the Town of Cortlandt. Dimension shares that view that we're probably supportive of solar of course provided that it's located in the right location and not every location is a good candidate for solar development. When we went back to the drawing board to look for other candidate sites, we looked diligently with that lens to see where are the sites that can avoid impact to environmental resources, where are the sites that can be developed without having an impact on the overarching character of the neighborhood and community and then further, what sites make sense from an interconnection standpoint where they can be interconnected back to ConEd's grid? I've got to tell you, that narrows the scope significantly and ensures that you can't just put these projects anywhere. There are certain limitations and there are only sites that make sense. We were of course looking for the next Croton Avenue. That was the ideal project site. Of course those are few and far in between. I don't think we'll see one of those again in the town, however, the project site that we're going to be discussing tonight I think is a great candidate, is a great fit for solar development. Mike I was able to get back on the Zoom without feedback. So I see you're sharing the layout of the project. So just for context here, this project is located on Lexington Avenue. Like I mentioned, it's bordered to the north by Dyckman Road. To the south, it's bordered by directly the Crompond Road right-of-way and much further south of that, Crompond Road itself. To the east, of course, Lexington Avenue, and then to the west Baron De Hirsh properties. When we originally found this site, one thing that we liked about it, obviously right off the bat, is it's not in a very residentially dense area. It's good to have neighbors like Crompond Road to the south where there are few residential properties. Of course we see the ten or so homes along Baron De Hirsh and otherwise the residential homes are relatively sparse. After an amount of course it's the size that can benefit a solar development. This is currently **15** parcels in total which we would seek to consolidate into a single parcel and around **34** acres in size. The last thing we liked about it, it was zoned Design Commercial which we think is a really a great candidate for solar development. When we found the site, Chris and I spoke a couple of months ago when we were considering it and a major question I had was – it's interesting that we have this great site that's zoned commercial, hasn't been proposed in the past. And from what I understand, it's historically, perhaps back in the '90s this site was considered for Home Depot and of course that has moved to

Cortlandt Town Center and since then there haven't been that many proposals for commercial development. That struck me as curious until we were doing the actual due diligence and initial field work and we found of course, as you see, to the west and south of the solar array, we have a handful of wetlands that border the boundaries of the property. And then from there we did assess the topography of the site using desktop [inaudible] data and we found that while the area that the solar array is currently sited on is relatively consistent; it's a gentle south facing slope, there are more dramatic slopes to the east and west towards Baron De Hirsh and Lexington Avenue. And that elevation difference, for example, from the Baron de Hirsh properties to where you see our solar array is around **50** feet. It's very substantial. So it became clear that this site couldn't be developed for other commercial uses because they would be either limited in space or to justify the development, the amount of tree clearing and wetland impact that would be required for development would be a mess and essentially eliminates alternate commercial uses. Where those are fatal flaws for various other commercial developments, like shopping centers, and manufacturing facilities, we actually view this as an asset for solar development. Of course in a perfect world we'd like to have a larger site where we can have a larger capacity but certainly given these existing natural constraints of the site, the wetland, the topography, we can use them in our favor to maximize our setbacks from neighboring properties as a way to screen our site from those neighboring properties. For example, because the site is zoned Design Commercial and in accordance with the solar ordinance the minimum setback is around a **100** feet. As you see on the northern portion of the parcel to the Dyckman Road properties we're maintaining around a **100** feet to around **120** feet to our panels themselves. However, given these constraints to the west, the south, and the east, we're able to enlarge those setbacks even further. For example, you see the **200** foot setback that they're showing for reference but indeed to our panels themselves from the west to the Baron De Hirsh properties we're actually looking at more like **390** feet. To the east with Lexington Avenue we're looking at over **300** feet, and then to the south, of course we have, if you look in the area, we have this closer commercial property southeast of us and we're maintaining **330** feet from that property. However, to the actual true southern boundary of the property to the Crompond Road right-of-way, we're maintaining **435** feet, and even past that, because that area is completely forested, the distance from our panel to pavement of Crompond Road itself is over **650** feet. We think we can use these as great advantages of our development of the parcel because we're able to site and design our project in a way that makes sure that the neighboring properties never see this project once they're built because they are set, not only so far back from the parcel boundary but at such a higher elevation it will be out of the [current] view. In summary, at a high level from a siting perspective, we think this is a great candidate because it does not impact the neighboring properties and the character of the neighborhood. We're designing a property in a way that avoids impacts to the wetlands and the wetland buffer themselves. With rapport to commercial development as this property is Design Commercial, if there was ever to be a commercial use for this site to be able to generate that additional tax revenue for the town, this is the use which has the least impact to the environment and to the natural landscape of the area. If we were looking at more traditional commercial uses, there'd be a lot more impact with regard to tree clearing, grading and impact to wetlands. With that, that's the high level of our project. As Chris mentioned at the beginning of this

call, we have presented the project to the Town Board at their workshop on June 22nd. For all the reasons we've just discussed, they viewed it as very favorably. So, you're interested in hearing the thoughts of this board for how we can use your feedback to further refine our design and answer any questions you have at this point. Outside of that, with regards to the actual design of the site itself, I know we're relatively late on time here so I won't reiterate a lot of the same information that my colleague at CVE just provided but at a site level of course the project is going to be surrounded by a fence to be compliant with NEC and a locked gate. The access road which we currently show off of Lexington Avenue would be of a width and turning radius to accommodate emergency response vehicles, and for fire and safety purposes, of course we would meet with the first responders and the building electrical permit process as well as perhaps put a [knocks box] on the gate to ensure they had proper entry into the site in an emergency situation. And then from an off-take of the project, CVE mentioned this is a community solar project so we would subscribe residential customers to be credited for the power produced. One note that's a little different between our project and CVE's is we have elected to not include a battery as part of our site. So this is just a solar only project which we viewed as a way of making this project more stream lined. With that, at a high level, that's the project. I'm happy to answer any questions you have.

Ms. Valerie Myers asked I have a bunch of questions. So you're not going with the battery and you're dealing with **2.3** megawatts so you're not really tempering like on and off. ConEd can handle that type of high gyration.

Mr. Kieran Siao responded to answer your question Valerie, when we talk about the capacity of the system, there's DC capacity and AC capacity. DC is what's produced in the panels themselves and then we have these inverters which CVE discussed in their presentation which convert the power from DC to AC and then there's an AC capacity which is actually what goes out to the grid. Those capacity numbers are different. For example, on our project, the DC capacity is **2.3**; the AC capacity is **2.1**. And part of that reason is not only because of course the grid operates with AC and the panels operate in DC, but it's to accommodate that curtailment, that fluctuation and actual productivity of the system. At times, the system may generate **2.3**. At times it may generate **2.1**, but that difference in capacity ensures that **2.1** is what consistently goes out to the grid.

Ms. Valerie Myers asked it's not consistent right because if you don't have sunlight you're not going to be consistently pushing out **2** megawatts, correct?

Mr. Kieran Siao responded the limit would be **2.1** and if it's sunnier, certainly you would produce more than **2.1**. It would be **2.3** which is our maximum but because the inverter is what dictates the AC capacity you lose that extra **200** kilowatts and that's what's called curtailment.

Ms. Valerie Myers stated I understand what an inverter does but what I'm trying to get the point at, solar is not a constant power supply, right. You're going to fluctuate depending on the sunlight in the area. I just want to make sure that ConEd can handle those fluctuations where you're tying into their system.

Mr. Kieran Siao responded yes, absolutely. And similar to CVE, we're going through the coordinated electrical system interconnection review process, the CESIR, with ConEd and we expect to have our results back by September and that will show the project can be appropriately interconnected to the grid.

Ms. Valerie Myers asked really quickly, you might have said this, but how many acres of trees are you going to have to remove for this installation?

Mr. Kieran Siao responded yes thank you, I did, and that's a great question. The entire property is **34** acres. Our limit of disturbance is around **11** acres which include both the array itself and tree clearing and then the array itself is about **7** acres.

Ms. Valerie Myers asked NYSERDA requires that in exhibit **D**, these are the same questions I asked people presenting before, that you will increase employment in the town but you're having an EPC so that's Engineer, Procure, Construct. Are they from the town or how are you going to meet that requirement?

Mr. Kieran Siao responded the EPC is the manager that oversees the process of driving engineering and procuring our equipment, and then constructing. The EPCs typically don't have the installation crew to self-perform so they would typically sub that work out to a general contractor and the various other specialty subs. CVE mentioned it only works in our favor to source these contractors as local as possible because it saves on mobilization process. It's a more efficient way of constructing a project. So while I can't guarantee that these contractors would be local to the Town of Cortlandt, because of course there can be limits in availability of these specialty contractors. Certainly it works in our benefit to contract out as locally as possible at the county level, at the regional level, at the town level if available as practical.

Ms. Valerie Myers asked will you be using union labor?

Mr. Kieran Siao responded no, it's typically proposed standard labor, standard wage.

Ms. Valerie Myers asked so no union. Again, requires sufficient – NYSERDA requires you to prove that you have sufficient sunlight. Have you done that?

Mr. Kieran Siao responded yes, so similar to CVE, we also perform this energy modeling to assess what the production of the system will be. As they mentioned, that report is called a PVSYST and the data that goes into the PVSYST to generate that productivity is called an **8760**. There are **8760** hours a year and what this does is it takes historical meteorological data to model what that productivity would look like. We'd be happy to provide that to the town. To the question about whether or not the area has sufficient sunlight, one thing I'd mention is that globally the leader in solar development is Germany which is certainly much cloudier than the Hudson Valley. Within our country, the United States, of course the big names for solar development are of course California,

New York, Arizona, but certainly there are other large community solar markets in states like Minnesota, Illinois, where solar irradiance is less than that of the Hudson Valley...

Ms. Valerie Myers stated I understand that, but you have to look to what NYSERDA is asking you to produce right, so...

Mr. Kieran Siao responded one thing I'll say is that when we submit for incentives, NYSERDA receives all this similar project data and if they didn't think that the project met the requirements we wouldn't have received the incentive and there wouldn't be a project. So similar to our application process with the town, we similarly submit applications to NYSERDA where they review and approve our project and part of that is showing there's sufficient productivity of the system.

Ms. Valerie Myers asked you'll provide documentation for that?

Mr. Kieran Siao responded sure. I'm happy to provide the PVSYST on the subsequent application.

Ms. Valerie Myers stated and then we didn't see anything about your decommissioning plan.

Mr. Kieran Siao stated I did submit a decommissioning plan as part of our application. Very similar to CVE, the average project lifespan of a solar facility is around **40** years. At the end of its natural project life, the panels and various meter equipment like the low voltage switchboards, and ConEd's transformer would be recycled at an e-waste facility. The racking equipment is made of galvanized steel; that would be removed from site and similarly recycled. Any equipment pads would be broken up and excavated. I think typically two feet below grade, and removed. And then the access road, if there's still good use for it on site, it would stay in place but if not, happy to remove that as well. Once these are removed the site would be stabilized again post decommissioning.

Ms. Valerie Myers asked you'll have a bond to fund all this? Is that how that goes?

Mr. Kieran Siao responded yes. That's a requirement of the town's ordinance that we issue a decommissioning security. Indeed that's what we've done on the Croton Avenue project.

Ms. Valerie Myers asked how are you going to address the safety concerns: snow removal, batteries, you said no batteries, but any fire codes? Are you going to have anybody come out and do inspections like the other installation?

Mr. Kieran Siao responded yes, we need to do operations and maintenance throughout the year. Our project will similarly have low-growth native pollinator species that are low growth so they don't require much maintenance but certainly periodically through the year there would be some seasonal mowing. If there were any issues electrically that were picked up by our various meter equipment on site, a technician would be dispatched

to attend to that issue. And similar to CVE, if it snows, we include in our model times of year where snow would be on the panels but certainly that would melt off.

Ms. Valerie Myers asked how often do you think you'd be doing maintenance visits to the site?

Mr. Kieran Siao responded I can't say it's every month. It's typically on an as needed basis. Certainly, seasonal mowing I imagine three to four times a year. And then periodic electrical inspections, similarly, a handful times a year and as needed in response to detections and deficiencies picked up by our remote meter equipment.

Ms. Valerie Myers asked and then you're talking about your setbacks, you said that sometimes you only have setbacks of a hundred feet but when I looked up at NYSERDA it looks like you're required to have **200** feet because you're a **tier 3** project, correct?

Mr. Kieran Siao responded well no, I don't think NYSERDA dictates what the local setbacks are. In the Town of Cortlandt's solar ordinance the town requires **200**-foot setbacks if your project is in a residential district but because we're in a commercially zoned district, the minimum setback is **100** feet which is what we're maintaining in the north side but because we have this extra room on the east, west, and south we're able to maximize those setbacks to make a much larger than what the town's required setback is.

Ms. Valerie Myers asked Michael Preziosi, is that correct, that they only have to go to a **100** feet?

Mr. Michael Preziosi responded yes there are different setback requirements from residential and commercial sites.

Ms. Valerie Myers asked and then it looks like your property line goes in the northwest corner goes into almost the backyard by somebody's swimming pool. Is that a correct representation of the property line?

Mr. Kieran Siao responded that is, as we understand the property boundary as indicated by the boundary survey we had performed on site.

Ms. Valerie Myers asked that's not a problem we don't think? I'm sorry, northwest, corner on the other side.

Mr. Kieran Siao responded yes, I see the swimming pool. That's of course not on our property. This is simply where our property boundary is.

Ms. Loretta Taylor asked are there any other questions tonight?

Mr. Thomas Bianchi asked yes two things. I'd like to do a site visit whenever it's appropriate to do so just to get a feel for the land.

Mr. Robert Foley stated I agree.

Mr. Kieran Siao stated we'd be happy to take a look at that.

Mr. Thomas Bianchi stated and also just to confirm, just to be clear about what you said, there's no batteries, other than batteries for voltage leveling or whatever, there's no batteries for storage of energy here. Is that a correct statement?

Mr. Kieran Siao stated correct, we're not proposing a battery energy storage system with our project.

Mr. Robert Foley asked I have a question on the setback from Route 202. On the schematic that you had up on the screen it's to determine where 202 is. Is it off the bottom part of the page?

Mr. Kieran Siao responded yes, it's to the south from our panels to pavement, it's around **650** feet.

Mr. Robert Foley asked so it's ample room in case 202 is ever widened, knock on wood.

Mr. Kieran Siao stated that's something we did discuss in the Town Board meeting and the Town Board was happy to see that we're not proposing our array south of the existing actual natural gas right-of-way that you see on site because if there ever was a widening of 202 if needed, that the additional area is there.

Mr. Robert Foley asked for **20** years it's been discussed and it's been planned but unfortunately there's been no progress.

Mr. Kieran Siao stated that's what I've heard.

Ms. Valerie Myers asked are you allowed to butt up right up to the gas line property there?

Mr. Kieran Siao responded yes. The gas line I believe is the hundred-foot right-of-way so we're able to build outside of their existing right-of-way.

Ms. Loretta Taylor asked any other questions for tonight?

Mr. Thomas Bianchi stated Madame Chair I move that we declare ourselves lead agency on this application and refer back to staff for additional evaluation, and set a site visit at a date to be determined. I'm not sure if we can do that right now or not.

Ms. Loretta Taylor stated I don't know. Would it be okay to do one by September or something so that when we get back, October, we can start to look at this as we are moving...

Mr. Steven Kessler stated honestly, I would much prefer to see where the Town Board's going on this before we get too deep into this, honestly.

Mr. Chris Kehoe stated well on this one though, this is the one that the Town Board has already seen it. I can't speak for the Town Board but my understanding is they did not raise any concern that caused Kieran to say: Whoa, I better slow down. It's the other one that hasn't been to the Town Board yet.

Mr. Kieran Siao stated and to answer that, I'd say the major feedback from the Town Board is that they like the idea of solar development at this property because, of course, it'll generate additional tax revenue above and beyond what's currently collected in property taxes in a way that you'll minimize environmental impacts to the existing topography of the land.

Mr. Chris Kehoe stated the possible date for the site inspection would be Sunday, August 30th, if you wanted to do it then.

Ms. Loretta Taylor stated that's not a problem for me but I don't know what the rest of the board...

Mr. Steven Kessler responded yes, we can set that.

Mr. Chris Kehoe stated we'll try that date, the 30th of August.

Mr. Kieran Siao stated okay Chris, we can coordinate that with the land owner. Thank you.

Seconded with all in favor saying "aye".

Ms. Loretta Taylor stated thank you very much.

Mr. Kieran Siao stated thank you very much. It was nice seeing you all again and talk to you again soon. Bye now.

Ms. Loretta Taylor stated bye, bye.

PB 2020-11 d. Application of Ryan Main, LLC for amended Site Development Plan approval to build two garage buildings in front of buildings 6 & 7 at the Pondview Commons Development to provide for 16 covered parking spaces with associated landscape modifications for a 19.3 acres parcel of property located at 3195 E. Main St. (Cortlandt Boulevard). Drawing dated June 23, 2020. (see prior PB 3-09)

Ms. Loretta Taylor asked are you there Chris?

Mr. Chris Kehoe asked are you there Brad?

Mr. Brad Schwartz responded good evening. Can everybody hear me?

Members responded yes.

Mr. Brad Schwartz stated terrific. Good evening. It's Brad Schwartz. Nice to see all of you. It's been a while I think since I'm here before your board. I am pleased to tell you I am not here on a solar project tonight.

Ms. Loretta Taylor stated thank you.

Mr. Brad Schwartz stated we're not going three in a row. I am here on behalf of Ryan Main, LLC the owner/applicant on the Pondview Commons project. I'm joined by Elliot Senior, the new project engineer for this project.

Mr. Elliott Senior responded good evening.

Mr. Brad Schwartz stated as many of you will recall, this project has already gone through your board's approvals back in about **2011**. Your board granted a negative declaration under SEQRA as well as a site plan. The Town Board issued a RUSP special permit for this project. It's **56** units that's replacing the **56** units that was previously on this site. It was a tear-down and a rebuild of all the units. Construction is underway, so it's an active construction site as we speak. I'm sure many of you drive past it and you've seen that for yourselves. Right now a real quick update is that the buildings are up and are on their foundations. The applicant is working on the interior finishes. A lot of the curbing has been installed. The roadwork is well underway. I understand there's additional [binder] layers being installed this week. Eleven planting beds have been installed around the pond for wetland mitigation. The sewer and water lines have been installed and awaiting DOH approval. So there's a lot happening at the site. Construction is progressing nicely. This application, I think is fairly straightforward. It's simply proposing two new garage buildings containing eight covered parking spaces in each for a total, obviously of **16** altogether and Chris if you zoom in. Thank you. Chris I think it's your cursor, right, the board can't see my cursor? Is that...

Mr. Chris Kehoe responded right.

Mr. Brad Schwartz stated so the two garages are now in front of you. Thank you for circling them and they're located over areas that were previously approved for surface parking and with some reductions, and changes in the parking lot layout and sidewalk adjustments, overall, it's a net reduction of pavement by about **2,200** square feet. That's also allowed for more landscaping to be proposed and we also submitted a landscape plan together with this application. That's what this is about. I know that Elliott and Chris Lapine who is a reviewing engineer for this board on this project. I've already gone back-and-forth a little bit on some technical comments. Chris, I heard your comment during the work session that we expect some additional comments from Chris in the coming days.

Happy to have Elliott and Chris continue to work out whatever technical details are required and we'll work on that over the summer and see your board back in September. I assume you just want to receive and this file tonight. Unless there are any questions, that's the extent of the presentation.

Ms. Loretta Taylor stated I don't have any questions regarding this? Does anybody have questions?

Mr. Elliott Senor stated I just wanted to correct one thing if I may. The second set, the garages on the left, aren't on existing pavement. Part of it is on existing pavement. We are extending the pavement there but overall we are reducing the pavement. The parking lot – there was parking opposite building, the middle building there, but it didn't extend all the way to the left that we're showing now. I just wanted to make sure that we clarified that.

Mr. Robert Foley asked show me where the garages are located. I looked at the architectural rendering on this thing that's up on the screen now. You're entering the project, are the garages up – no the building's already on the side of the hill. Where are they located exactly?

Mr. Elliott Senor responded if you zoom out a little bit, the buildings up on top of the hill is to the bottom of the screen a little bit. You see there.

Mr. Robert Foley asked Regina Avenue is where?

Mr. Elliott Senor responded Regina is at the very bottom of the screen.

Mr. Robert Foley asked so these garages will be where?

Mr. Elliott Senor responded between the two rows of building at the lower level site. So just in front or just ...

Mr. Robert Foley asked in the middle of the development?

Mr. Brad Schwartz asked Chris, do you mind circling them again in red? Perfect. Bob, right there.

Mr. Robert Foley stated okay, I see. Right in the middle of the development. Why garages now? Is it because of inquiries about housing there that people want garages or what? I'm curious.

Mr. Brad Schwartz responded so there were garages that were approved as part of the original project that have not been constructed. The whole goal Bob is to have some covered parking available for folks to rent if they want to have spaces that are covered and protected from the [inaudible].

Mr. Robert Foley stated I was curious. Put a better sign up there that could be read. People are asking me how they can sign on to get housing there.

Mr. Chris Kehoe stated a quick comment is that I've been getting inundated with phone calls from people interested in these units. Since there's currently no affordable component the town really has no role. If there was an affordable component, I'd have a bunch of information, maybe we'd be putting up stuff on our website, but I just direct them to PondviewCommons.com or try to give them a phone number. I just think that you guys might want to talk to the developers and do a little bit more outreach because a lot of people have interest.

Mr. Robert Foley stated people are asking me and you can't read the sign. You can't stop on Route 6 to write the phone number down. From a marketing standpoint, get a better location for your sign.

Mr. Brad Schwartz stated thank you for the comment. I will certainly report that one back.

Mr. Chris Kehoe stated just sort of in closing, Chris Lapine, I just found out has met out on the site, in fact I think today, he's working pretty closely with Elliott, the engineer. There are a lot of very detail engineering comments but then there are some general comments that will get to the board regarding the size of the garages and a lot of comments regarding landscaping and suggestions about maybe changing out the landscaping. There are a few components. I think there's the general components that the Planning Board would be interested in and then there's a lot of minutia and detail that we'll leave up to the engineer.

Mr. Robert Foley asked also, someone from the CAC asked me about the pile of fill and dirt by the pond on the entrance road, is that going to be part of the landscaping around the pond? That doesn't leech into the pond does it?

Mr. Elliott Senor responded certainly any fill piles are properly maintained for runoff. They have sill fence on the bottom. That's one of the things that Chris Lapine does is I do it on a daily or bi-weekly, twice a week and he comes once a month to make sure everything's there.

Mr. Robert Foley stated you can't see from – you can't drive on the site so you can't see if there's a protective thing there by the pond but the pile has been there for months and months.

Mr. Elliott Senor stated there's one pile just to the north of building 8 which is the last building, has been removed and stirred around.

Mr. Robert Foley stated no, this is as you drive in on the entrance road.

Mr. Elliott Senor stated that's down by...

Mr. Robert Foley stated by the pond.

Mr. Elliott Senior stated there's an area that's not well – by the entrance, there's an area where it's not wetlands or wetland buffer. There was material that was stock piled there to be used for the plantings. I'm not sure what's going on there.

Mr. Robert Foley stated just curious.

Ms. Loretta Taylor asked are there any questions, concerns?

Mr. Brad Schwartz responded Madame Chair, what I would respectfully ask, if I'm hearing correctly from Chris, that's a lot of technical engineering details that need to get worked out. Elliott and Chris Lapine can certainly work on those over the summer. If it's okay with the board, I would ask that staff have a resolution prepared for your board's consideration in September and assuming those engineering details get worked out over the next two months. It would be great if we can get this approved in September given where construction is so that way this can get sort of folded in on the schedule for the early part of fall.

Mr. Steven Kessler asked staff?

Mr. Chris Kehoe responded as I said, I'm not the engineering expert on this. My opinion is the typical planning comments: building elevations, the look of the garage, the landscaping, that can be resolved. To Brad's point, as well as Chris Lapine and Elliott can work out the engineering details. Chris is very thorough, if you remember him from Gas Land. I think there'll be a lot of back-and-forth but I think there's a possibility that Chris Lapine will be satisfied by September.

Mr. Elliott Senior stated I will do my part for that, yes.

Mr. Jeff Rothfeder stated it's okay with me.

Ms. Loretta Taylor stated I don't have anything to do with that particular element so if you guys can work it out so that we can do what we need to do and do it without great haste, but yes I'll go for that. But please, get materials sooner rather than later because everybody will want to reappear for September and we don't want to get information that just because the last filing date is whatever it is, everybody pours the material in and then they expect that we're going to sit and read all of this in two or three to seven or eight days. Not happening, okay? Please, Jeff if you will.

Mr. Jeff Rothfeder stated Madame Chair I move that we refer this back to staff and direct staff to have an approving resolution for the next meeting.

Ms. Loretta Taylor stated we need to declare lead agency as well.

Mr. Jeff Rothfeder stated and that we declare lead agency, sorry.

Seconded with all in favor saying "aye".

Ms. Loretta Taylor stated thank you Brad, etc.

Mr. Brad Schwartz stated good night. Thank you.

Mr. Robert Foley stated before we close out. See you in September.

Ms. Loretta Taylor stated have a good rest of the summer.

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ADJOURNMENT

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Next Meeting: TUESDAY, SEPTEMBER 1, 2020

