

TOWN OF CORTLANDT
PLANNING AND ZONING BOARDS

BOARD MEETING

Town Hall
1 Heady Street
Cortlandt Manor, New York 10567

January 10, 2023

6:30 p.m. - 7:08 p.m.

January 10, 2023

MEMBERS PRESENT:

Thomas A. Bianchi, Vice-Chairman

Suzanne Decker, Member

Nora Hildinger, Member

Steven Kessler, Member

Peter McKinley, Member

Jeffrey Rothfeder, Member

ALSO PRESENT:

Chris Kehoe, Deputy Town Planner

Michael J. Cunningham, Deputy Town Attorney

Michael Musso, RF Consultant

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

MR. THOMAS BIANCHI: Okay. I'd like to welcome everybody to the January 10, 2023 planning board meeting for the town of Cortlandt. Please rise for the pledge.

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

MR. BIANCHI: Roll call.

MR. CHRIS KEHOE: Ms. Hildinger?

MS. NORA HILDINGER: Here.

MR. KEHOE: Mr. Rothfeder?

MR. JEFFREY ROTHFEDER:

MR. KEHOE: Mr. Kessler?

MR. STEVEN KESSLER: Here.

MR. KEHOE: Mr. Bianchi?

MR. BIANCHI: Here.

MR. KEHOE: Mr. McKinley?

MR. PETER MCKINLEY: Here.

MR. KEHOE: Ms. Decker?

MS. DECKER: Here.

MR. KEHOE: Just for the record, currently, this constitutes a full board. There are six members, there are two vacancies.

MR. BIANCHI: Okay. Thank you. Changes to the agenda, we have one change. Hudson Wellness will be adjourned to the next meeting, on February, February 7th, at the request of the applicant, so if you're here to hear that application, we will not be discussing it tonight. I'll take a motion to adopt the minutes of the December 6, 2022 meeting.

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2 MR. ROTHFEDER: So moved.

3 MR. BIANCHI: Do I have a second?

4 MR. MCKINLEY: Second.

5 MR. BIANCHI: On the question? All in favor?

6 MULTIPLE: Aye.

7 MR. BIANCHI: Opposed? Okay. Alright. We go to the
8 resolutions section of the agenda. We have case number 2019-5,
9 application of Homeland Towers, LLC and New York SMSA Limited
10 Partnerships dba Verizon Wireless for the property of Bezo
11 Enterprises, LLC for site development plan approval and a
12 special permit a proposed public utility, personal wireless
13 facility telecommunications tower on a portion of a six-acre
14 parcel of property located at 52 Montrose Station Road, drawings
15 latest revised September 28, 2022. Good evening.

16 MR. MICHAEL SHERIDAN: Good evening. Michael Sheridan
17 from Synder & Snyder. We're the attorneys for the applicant,
18 Homeland Towers, LLC and New York SMSA Limited Partnership dba
19 Verizon Wireless. As was just stated, we're here tonight in
20 connection with the installation of a 140-foot monopole tower,
21 52 -- and related facility at 52 Montrose Station Road. My
22 understanding is that a resolution has been prepared for this
23 evening, and we're here to answer any questions you may have and
24 request that this board adopt the resolution and approve the
25 fact.

26 MR. BIANCHI: Okay. You've seen the draft resolution?

27 MR. SHERIDAN: I have. We received it late this
28 afternoon, reviewed it quickly.

29 MR. BIANCHI: We discussed it at length, as you may
30 have heard at the work session.

31 MR. SHERIDAN: We did.

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2 MR. BIANCHI: And there are some changes that we all
3 discussed and agreed upon. Our consultant, Mike, could you maybe
4 go over some of these changes that we discussed to the
5 resolution?

6 MR. MICHEAL MUSSO: Yeah, sure. Yeah, there was two
7 items in particular, and these are borne from planning board
8 comments, public comments and our technical reviews made it into
9 the -- to this overall file. So one of the items, it's condition
10 number 13 currently, talks about height extension. The draft
11 resolution had some extra information in there about what's
12 called an eligible facilities request. The change that's been
13 made is just to say in no uncertain terms 140 feet is the
14 height. It didn't defer back to say the building department. It
15 would keep everything with the planning board for any kind of
16 height increase with that. So that was, that was one of them.

17 It also clarifies potential co-location in the future
18 and that process and abiding to what FCC calls substantial
19 changes, which are say co-location of other antennas below at
20 lower heights, where there's really no material change to the
21 aesthetics that you're considering for approval tonight.

22 The other item was something that was brought up I
23 think at the meeting in December, the idea about Verizon
24 confirming their documented services that would be provided,
25 their incremental services, in remedying the gap in service
26 that's been documented during this application. There were some
27 bullets for conceptual scope of work, planning board, the town
28 DOTS and wireless consultant would be involved in that scoping,
29 clarity has been added that the planning board would approve
30 that scope or, or look at the final and have feedback on that
31 final scope of work during the building permit phase of the

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2 project, and that would be, the scope would include things like
3 compiling baseline Verizon information on coverage, on service
4 and capacity of surrounding sites, looking eternally at
5 available FCC or New York State broadband maps that might change
6 over time when new facilities come on air, and also a process
7 for canvassing citizens about improvements in service. It's
8 really looking at baseline conditions either now or before
9 construction and then looking at post operation conditions and
10 being able to provide that to the planning board's satisfaction.
11 That would happen, you know, with final report. We have a year
12 after a certificate of compliance. Again, that would be well
13 after a building permit is issued, but within a year of the site
14 being built and going on air, you would see that report and that
15 would have to come back to you for that.

16 MR. BIANCHI: Thank you. I think the important thing
17 is the scope, the scoping document needs to be submitted to us
18 as soon as its available by the applicant ahead of the one year
19 so that we can comment on it. Is there any comment or questions
20 from the applicant, Mr. Sheridan, on that?

21 MR. SHERIDAN: Well, just to clarify, Mr. Musso, are
22 you saying the scoping document is due at the building permit
23 stage?

24 MR. MUSSO: Yes.

25 MR. BIANCHI: Yes.

26 MR. SHERIDAN: Yeah, so it would be due at the
27 building permit stage. It should be long before --

28 MR. BIANCHI: Right.

29 MR. SHERIDAN: -- the facility is, you know, finally
30 constructed, a CO is issued and, and that the year that it would
31 take before we'd come back with that report, so --

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2 MR. KEHOE: But I think the board wants to see, say
3 that happens in the next three or four months, the board will
4 want to see that scope.

5 MR. BIANCHI: Right, not, not in a year. We'd want to
6 see it in --

7 MR. ROTHFEDER: So the year begins when --

8 MR. BIANCHI: When the C of O or whatever --

9 MR. ROTHFEDER: Right. One the certificate, the CO is
10 given, right?

11 MR. SHERIDAN: Yes. Yes.

12 MR. VINCENT XAVIER: During the building permit
13 phase, we'll provide the scope.

14 MR. SHERIDAN: Right, that's --

15 MR. XAVIER: Either together with or shortly with
16 when I'd have to submit the site plans to you for sign off
17 anyway.

18 MR. ROTHFEDER: Right.

19 MR. XAVIER: I'll work on the scoping document now
20 and get to you during that time, so it'd be before I get a
21 building permit, you'll have the scoping document worked out.

22 MR. ROTHFEDER: Yeah, that's good.

23 MR. MUSSO: So two documents for this board, a final
24 scoping document with your feedback and then a year plus in the
25 future will be a report.

26 MR. BIANCHI: A report.

27 MR. MUSSO: That gives the before and after data.

28 MR. BIANCHI: Alright. Okay. Any comments from board
29 members or anything or discussion before we vote? Okay.

30 MR. KESSLER: Mr. Chairman, I move that we adopt
31 Resolution number 1-23, approving the application.

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MR. BIANCHI: Okay. Thank you. Do I have a second?

MR. ROTHFEDER: Second.

MR. BIANCHI: I have a second. Okay. On the question?

All in favor?

MULTIPLE: Aye.

MR. BIANCHI: Any opposed?

MS. HILDINGER: Opposed.

MR. BIANCHI: One opposed. Okay. Poll the board,
please.

MR. KEHOE: Ms. Hildinger?

MS. HILDINGER: Opposed.

MR. KEHOE: Mr. Rothfeder?

MR. ROTHFEDER: Aye.

MR. KEHOE: Mr. Kessler?

MR. KESSLER: Aye.

MR. KEHOE: Mr. Bianchi?

MR. BIANCHI: Aye.

MR. KEHOE: Mr. McKinley?

MR. MCKINLEY: Opposed.

MR. KEHOE: Ms. Decker?

MS. DECKER: Aye.

MR. KEHOE: Motion carries four to two.

MR. BIANCHI: Thank you for your time.

MR. XAVIER: Thank you.

MR. SHERIDAN: And that includes the vote on the
negative declaration that's [unintelligible] [00:08:36] that?

MR. KEHOE: That's within the resolution.

MR. SHERIDAN: That's within the resolution, so --

MR. KEHOE: Yes.

MR. SHERIDAN: -- that's confirmed, neg declaration,

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2 special permit, tree?

3 MR. KEHOE: Yes.

4 MR. SHERIDAN: All the requirements, thank you very
5 much. I appreciate it.

6 MR. BIANCHI: Okay. Moving on to our public hearing
7 for the application of Gurdjieff Foundation of New York for the
8 property of the Danish Home for the Aged, Inc. for site plan
9 approval and a special permit for a non-school curriculum
10 program use of property located at 1065 Quaker Bridge Road East,
11 drawings latest revised November 21, 2022.

12 MR. MATT STEINBERG: Good evening, members of the
13 board, members of the board, Matt Steinberg, DTS Provident, on
14 behalf of the Gurdjieff Foundation. So we, we recently
15 submitted, the applicant submitted a letter on January 5th to
16 this board, detailing specifically its proposed program to
17 address the open to the public nature of the private nature
18 preserve. That was detailed on page two of their letter,
19 essentially sections A through F. They went through and
20 described the, the various organizations in the community that
21 they intend to work with to provide that access on a, on a set
22 basis. It described their, how they would go about doing that.

23 So we anticipate that those could be incorporated
24 into, into the approval, in the resolution as conditions.
25 They've also since then, continued to speak with other, other
26 possible organizations. They, they believe this is a very unique
27 site, which is why they were drawn to it and for the same
28 reason, it's unique to other organizations.

29 The applicant has also been speaking and listening to
30 its future neighbors, which I believe we, we spoke about at the
31 last meeting. And they've worked to clarify some of the, some of

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2 the stuff that was described in their previous -- in the
3 previous submissions. And they agreed to a number of measures
4 that could also be incorporated into this board's approval
5 resolution as additional conditions. So I'm going to read those,
6 so that they're into the record, and then I can provide them to
7 Mr. Kehoe in writing, so that he has them and then he can share
8 them with this board.

9 So, and what I'm going to read now, when I use the
10 term vehicle, that's going to mean cars, passenger vans,
11 minibuses. The term maximum vehicles would mean the total number
12 of vehicles that could arrive and depart for any given event
13 that the foundation holds on the property. So for -- this was
14 also previously, some of this was submitted to the board as
15 well.

16 So activities that have fewer than 20 attendees or
17 people, that would be limited to 50 of those events throughout
18 the year. The maximum vehicles for any one of those events would
19 be 15. For 21 to 50, for activities of 21 to 50 participants,
20 those would be eight times a year, with a maximum vehicles of
21 20. For 51 to 75 participants, that would be limited to 12
22 events in the year, with the maximum vehicle of 25 per event.
23 Activities that have 76 to 100 participants, there would be two
24 events that would have about 30 vehicles and then two events
25 that would have a maximum of 50 vehicles. And then one time per
26 year, and they've expressed that this is very infrequent, they
27 would have an activity that would be one to 300 participants and
28 the maximum vehicles would be 50 associated with that.

29 They've also, the foundation has also agreed that
30 they would limit new buildings or future buildings to 6,000
31 square feet and that would be solely meeting room, conference

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2 room or assembly space. There would be no residential use in
3 that proposed space and that this space would be not rented to a
4 third party for use. And of course, any future, future work
5 would have to come back to this board for site planning, because
6 we're not proposing anything specific at this time.

7 So the organizations that I, that were discussed in
8 that -- in our letter on the, on January 5th, they've also been
9 speaking with Teatown Lake Reservation, who has expressed
10 interest. So organizations that are similar to that in the
11 community would collectively have the right to conduct their
12 programs up to a maximum of two times per month on the property,
13 with the maximum of five vehicles and 20 people for each
14 program. We believe that that hopefully satisfies that, that
15 open to the public requirement of the special permit. The
16 foundation is looking forward to using the facility for
17 themselves but at the same time, you know, allowing other
18 members that, that also, you know, respect the beauty of the
19 property. I can answer any questions.

20 MR. BIANCHI: Just on those numbers, you said you can
21 supply this to us in writing?

22 MR. STEINBERG: Yes, yes. Those numbers, we can, we
23 can provide those.

24 MR. BIANCHI: I guess you lost me a little bit on
25 going through the numbers, the parking requirements versus
26 traffic requirements and parking. Is there a way -- you provided
27 A through F, I think commendable items as to allowing public
28 access and addressing that issue. Could you attach to those
29 items the, the traffic impacts and parking impacts and just
30 separate them out or is that not possible to do?

31 MR. STEINBERG: Uh, well, essentially those events,

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2 which would be in partnership with other organizations, those
3 are the ones that they've identified as the no more than two
4 times a month and that those organizations they would work with
5 so there were five, five vehicles and 20 participants,
6 specifically for those.

7 The other items that I went through, the other
8 numbers would be, are the ones that they've previously shown you
9 on a calendar in summary for their own events.

10 MR. BIANCHI: Okay. So, my question still is though
11 is there a way to access the parking impacts to these items A
12 through F, to make sure you have sufficient space for these
13 programs?

14 MR. STEINBERG: Yes, we can certainly do that. I
15 think we had previously gone through that there's just at the,
16 at the front of the building along, the kind of the first
17 parking lot that those folks would enter, there's about 37
18 spaces. So that's kind of what this is tied to, that those
19 spaces would be adequate.

20 MR. BIANCHI: For any of these items that are listed
21 here?

22 MR. STEINBERG: Yes, I can, we can --

23 MR. BIANCHI: Okay.

24 MR. STEINBERG: -- kind of clarify that again.

25 MR. KEHOE: Well, with respect to the parking, it's
26 the two events of 76 to 100 people or the one event of 100 to
27 300 where you might have to be using the overflow parking on the
28 grass, down along the road, which was shown on a previous site
29 plan.

30 MR. STEINBERG: Yes, right.

31 MR. KEHOE: You said maximum 50 vehicles, so that

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2 wouldn't, they wouldn't all be able to fit up above.

3 MR. STEINBERG: Right, right. so there are 35, there
4 are 35 permanent paved spaces. So then that additional overflow
5 to get to the 50, so that additional would be along that, along
6 the roadway, correct.

7 MR. KEHOE: But that's new, the idea that even your
8 biggest event that you're only going to hold one time a year,
9 would cap at 50 vehicles, the commitment to capping it at 50
10 vehicles.

11 MR. STEINBERG: Correct.

12 MR. BIANCHI: How do you control that?

13 MR. STEINBERG: Well, I mean we had gone through a
14 number of the measures in our, in one of our previous
15 submissions, the different tools that they would use with a,
16 having a coordinator that would help coordinate folks that would
17 be carpooling, so they would identify folks that are coming up
18 alone, and that they could stop and either carpool from one of
19 their other, from a home or their sites, or pick up folks from
20 the train station, or they would rent or have a bus to do that.
21 I think, I believe at the last meeting, we also talked about
22 that your approval would incorporate some kind of reporting or a
23 monitoring protocol. So obviously, they would have to, you know,
24 they would keep that, and whatever period you would specify that
25 would be submitted and that would show you that they were
26 abiding or complying.

27 MR. KESSLER: One more question, Mr. Steinberg. So
28 you gave us this, this calendar.

29 MR. STEINBERG: Yes.

30 MR. KESSLER: Were all the things you just mentioned
31 on this calendar, or are you redoing this calendar?

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2 MR. STEINBERG: So, yeah, so generally those are on
3 there.

4 MR. KESSLER: My problem here is though, the numbers
5 don't match up. You know, here you talk about 40 to 60 people.
6 In the things you enumerated, there was no 40 to 60 people.

7 MR. STEINBERG: So, yes, right. So what we can --

8 MR. KESSLER: [unintelligible] [00:18:22].

9 MR. STEINBERG: -- so what we can do is submit a --

10 MR. KESSLER: So redo the calendar with the things
11 you enumerated.

12 MR. STEINBERG: Right.

13 MR. KESSLER: And then to the chairman's point, maybe
14 just also include the number of cars on the calendar as well, so
15 everything is in one place.

16 MR. STEINBERG: Sure. We can certainly do that. And
17 the summary sheet is essentially what summarizes all, you know,
18 the number of events for the year. And then the per month is a,
19 obviously is a sample.

20 MR. KESSLER: Right.

21 MR. STEINBERG: Because that's based on, you know,
22 what they're anticipating.

23 MR. KESSLER: Yeah, but just slot it in anyway, just
24 so that we have the complete picture of, on the calendar of
25 what's happening, how many people, how frequent and the number
26 of cars.

27 MR. STEINBERG: Yeah, we can make sure those conform
28 to these numbers I just presented.

29 MR. BIANCHI: Alright. This is a public hearing. If
30 anybody would like to speak on this application, please step up
31 to the podium and state your name and address.

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2 MS. MICHELLE MYARD: Good evening.

3 MR. BIANCHI: Good evening.

4 MS. MYARD: My name is Michelle Myard. I live at 1059
5 Quaker Bridge Road East, just next door to the current Danish
6 Home. My husband and I share a full 860 feet of property line
7 and we strongly support the sale of the Danish Home to the
8 Gurdjieff Foundation. My husband and I have been extremely
9 impressed how over recent months the foundation has really
10 endeavored to meet the wishes and ideals of this community,
11 which, to be fair, and we're still relatively new, is unlike
12 many others. That is, we, all of us, who live in the area, very
13 much value our green spaces, dark skies, clean air, quiet nights
14 and wildlife, even the occasional bear.

15 And when we started this process, the Foundation, I
16 don't think they necessarily knew how passionate some among us
17 would be about things that are very important to us.
18 Nevertheless, at every turn, members of the board, of the
19 Foundation, have really sought to understand and fully
20 appreciate what matters to this community. We believe their
21 application additions and clarifications with respect to many of
22 the various concerns from the community show just how much they
23 are committed to being good neighbors. For these reasons, we
24 support the sale of the Danish Home to the Foundation and hope
25 to be able to shake hands with them as neighbors very soon.
26 Thank you.

27 MR. BIANCHI: Thank you.

28 MR. MYARD: Good evening, I'm [unintelligible]
29 [00:21:03] Myard, 1059 Quaker Bridge Road and we already shared
30 our story. We came here before. Just again, to confirm our very
31 strong support to the application of the Gurdjieff Foundation,

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2 given all the conversations we had with them over the last few
3 months, given how much progress we've seen, and give the numbers
4 for traffic, for instance, which compares to even the Danish
5 Home, we run the number many times, will be better. And so, us,
6 as well as, they will confirm for us, 100 percent of the
7 abutting neighbors are in strong support, more than 20 other
8 neighbors who live nearby, not two or three miles away, nearby,
9 are all in favor, strong favor, strong support. It just tells so
10 much about how we managed to raise our trust for this applicant,
11 the Gurdjieff Foundation and their plan. So yes, thank you so
12 much for your time again.

13 MR. BIANCHI: Thank you.

14 MS. MARGUERITE PITTS: I'm Marguerite Pitts at 1031
15 Quaker Bridge Road and I share about 550 feet with the Danish
16 Home. I've lived there since '86. The Danish Home itself has been
17 a great neighbor and we totally expect Gurdjieff to do so. They
18 have been cooperative, very cooperative, and have really tried
19 to meet our requests.

20 I want to speak about the nature part, because I am a
21 member of Teatown and the Sawmill Audubon. I know both
22 directors, I've talked to them about sharing these programs, and
23 they are quite enthusiastic about it. And I think with the
24 experts from Teatown and Sawmill and possibly others, we'll have
25 high quality and we'll have control of crowds and traffic, etc.

26 Also very important to me is the 22 acres of forest.
27 It is, abuts the Old Croton Aqueduct Trail and it abuts the park
28 that's around the reservoir. So it's a critical forest and it
29 would be terrible to have a developer come in there or some
30 other user and destroy the forest and develop it.

31 So I'm in favor of it both from traffic control, from

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2 program and from the fact that it really is acting like a nature
3 preserve.

4 MR. BIANCHI: Thank you.

5 MR. KESSLER: Just a question, Chris, special
6 permit's for how long on this? Is it --

7 MR. KEHOE: I've got to -- I don't even think the
8 special permit is defined, but I'll find out for you. I mean
9 that was one of the issues, a private nature --

10 MR. KESSLER: But my question is will it come back
11 again for a renewal of special permit like we have with other?

12 MR. MICHAEL CUNNINGHAM: We can make that a
13 condition.

14 MR. KEHOE: Yes. I don't think the code specifies if
15 it's a three-year or a five-year permit, but you can decide.

16 MR. KESSLER: Okay. And another question, I guess
17 should this go forward, you know, it would be nice to get a
18 report back, like I think we did with Teatown in terms of the
19 number of events that they had?

20 MR. KEHOE: Well, I would think you can work on the
21 language of the resolution. But you might ask them to come back
22 after the first year to give a report to see how it's going.

23 MR. KESSLER: Yeah, I suppose I -- okay, thank you.

24 MR. BIANCHI: Yes?

25 MR. ZACH GREENBERG: How you doing, good evening,
26 Zach Greenberg, 1047 Quaker Bridge Road East, a few hundred feet
27 away from the Danish Home driveway and, you know, in proximity
28 to all of the abutting neighbors, and have interest myself in
29 what's going on there. Myself and Tom Secunda, as well, have had
30 close conversations with the foundation. Our major request was
31 around traffic, the preservation, and you know, and also the

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2 events, and also the use for the community, following that it's
3 a preserve.

4 Through multiple conversations with the Foundation
5 and as Matthew spoke earlier, we've come to an agreement on the
6 numbers per event in terms of max vehicles. We've come to an
7 agreement on future building on the property of 6,000 square
8 feet, with no -- solely for meeting and conference room or
9 assembly space. And we've also, you know, from the last meeting,
10 where they discussed putting in, I don't know the proper terms,
11 but the perimeter of untouched area to all the abutting
12 neighbors. They've met the request of many of the members of the
13 local community, and, you know, that's just what I want to
14 share, and also from my point, my grace is well for them.

15 MR. BIANCHI: I wish all application went this well
16 between the community and the applicants.

17 MR. GREENBERG: Yeah, and just, you know, from my
18 standpoint, we don't, from my seat, and I can't speak for
19 everyone here, but no need for any more public hearings, I'll
20 leave that to you guys to make that decision, but --

21 MR. BIANCHI: We'll address that. Thank you. Thank
22 you. Anyone else like to speak on this application? Okay. Any
23 other comments from board members? I think you wanted to make it
24 clear that we get a report in at the end of a year?

25 MR. KESSLER: Yeah, so if we get something before,
26 well let's make a motion, let's do it on the question. Let's,
27 let's --

28 MR. BIANCHI: Okay, right. I believe we're going to
29 close the public hearing tonight. Nora, would you like --

30 MS. HILDINGER: Okay. I move that we close the public
31 hearing and direct staff to prepare a resolution for the next

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2 meeting.

3 MR. BIANCHI: Thank you.

4 MR. ROTHFEDER: Second.

5 MR. BIANCHI: Second. On the question?

6 MR. KESSLER: So, on the question, so the resolution
7 will build in something about getting a report back, but
8 hopefully we can also get back the schedule with the parking and
9 everything before we vote on that --

10 MR. KEHOE: Yeah, I have a good relationship on that.

11 MR. KESSLER: -- well in advance of the next meeting,
12 so that we can be sure we're comfortable with what you're
13 proposing so that we can vote on the resolution.

14 MR. STEINBERG: Yeah, we'll get that right to Chris.

15 MR. KESSLER: Okay, well I --

16 MR. ROTHFEDER: So the report will both tell us the
17 kinds of events they've had and, and the traffic and parking
18 issues.

19 MR. KESSLER: Parking and traffic.

20 MR. ROTHFEDER: Okay.

21 MR. KEHOE: I was, I apologize Matt. I was taking
22 notes. When you started talking about less than 20 attendees,
23 the less than 50 attendees, did you preface that by saying that
24 was just recently negotiated? And that you haven't presented
25 that to me yet, correct?

26 MR. STEINBERG: Correct, right, we haven't, right.
27 That was literally today.

28 MR. KEHOE: So they presented all of the calendar,
29 and that what you were asking that these things sort of be
30 incorporated into the calendar.

31 MR. STEINBERG: Correct, right. So we --

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2 MR. KEHOE: And you'll get that to me as soon as
3 possible.

4 MR. STEINBERG: -- will update the materials you've
5 seen, so you've seen the format, we'll update that with what was
6 discussed.

7 MR. KESSLER: I'm not going to hold you to specific
8 weeks, but I just want to see everything in one place.

9 MR. STEINBERG: Yeah, no, we can put it all back
10 together and get that to Chris.

11 MR. BIANCHI: Okay. Thank you. Is there one more
12 comment before we --

13 MR. GREENBERG: Sorry, I just want to be clear, the
14 numbers I brought are the ones that Matthew read earlier, just
15 so everyone's aware, and those are the numbers that we're
16 expecting to be sent in.

17 MR. BIANCHI: Okay. Thank you. I think we're on the
18 question? All in favor?

19 MULTIPLE: Aye.

20 MR. BIANCHI: Opposed? Okay, thank you and we'll see
21 you next month. Alright, moving ahead to old business,
22 application of Bilal Ahmad, for the property of Ace/Sport Realty
23 Holding Corp. -- I'll wait until the room clears just a minute.
24 Please, please, please converse outside, thank you. Application
25 of Bilal Ahmad for the property of Ace/Sport Realty Holding
26 Corp. for site development plan approval and for steep slope,
27 tree removal and wetland permits for a proposed five-story, 93
28 room hotel for property located at 2054 East Main Street,
29 Cortlandt Boulevard, drawings dated October 19, 2022. Is the
30 applicant present tonight?

31 MR. KEHOE: We believe the applicant's attorney is on

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2 Zoom.

3 MR. BIANCHI: Okay. Can we bring him on?

4 MR. KEHOE: I don't know if he feels that he needs to
5 speak.

6 MR. CUNNINGHAM: If anyone from the applicant wants
7 to speak, please raise your hand?

8 MR. KEHOE: He was there, but I don't think he's
9 there anymore. Maybe it was a different Brian. But as we
10 discussed at the work session, I've had a lot of conversations
11 with the applicant and they are perfecting an application to the
12 zoning board as a new business item in January, then a public
13 hearing in February. All you need to do tonight is to declare
14 yourselves lead agent under SEQR. If you recall, you declared
15 your intent, we circulated to interested and involved agencies.
16 I did get some comments back. I can't remember, the county
17 commented. I think I gave you that one. The county, I guess --

18 MR. BIANCHI: Yeah.

19 MR. KEHOE: -- didn't like the orientation of the
20 building.

21 MR. BIANCHI: Yeah, we got that.

22 MR. KEHOE: Some things like that, but no one
23 objected to being lead agent.

24 MR. BIANCHI: Okay. Alright. Unless there's any
25 discussion, I'll turn it over to Peter.

26 MR. MCKINLEY: Sure. I'd like to motion that we
27 declare that we, that the planning board be the lead agent on
28 this.

29 MR. ROTHFEDER: Seconded.

30 MR. BIANCHI: Okay, thank you, do I have a second?

31 MR. ROTHFEDER: Yeah.

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2 MR. BIANCHI: On the question? All in favor?

3 MULTIPLE: Aye.

4 MR. BIANCHI: Opposed? Thank you. Next application,
5 as I indicated at the beginning of the meeting, has been
6 adjourned until next month, Hudson Wellness Center. Moving on to
7 new business, we have an application of Howard Pearlman for a
8 special permit for a proposed accessory apartment locating in an
9 existing residence at 285 Furnace Dock Road, drawings received
10 by the planning department on December 16, 2022. Good evening.

11 MR. STEVEN BASANI: Good evening, Steven Basani, from
12 SJB Architecture, representing the applicant, Mr. Howard
13 Pearlman, who's here tonight as well, resides and owns the
14 property at 285 Furnace Dock Road. As you see in the narrative I
15 presented to the board, a little description of the property,
16 but I'll just bring you briefly through it. The house, the
17 property has been in this family since the house was built back
18 in the '50s by his father and his family has lived there ever
19 since. Back in the '50s or the '60s, the apartment downstairs,
20 which has existed since the time it was built and the kitchen as
21 well, was used by his paternal grandparents when they came up
22 for the summer, and then after that, when his paternal
23 grandparents, they moved into the apartment as well, and it's
24 always been used by the family.

25 Since then, in the '80s, '90s, his mother was renting
26 it out to two people, and until recently it was rented. And
27 we're here now though to make that a legal use, realizing that
28 it needs a special use permit, so we're here before the board to
29 request that special use permit to allow Mr. Pearlman to rent
30 the basement apartment that exists to supplement income.

31 The drawings, you will see, the site plan and the

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2 floor plans. The site, just to give you briefing, is on the
3 corner of Furnace Dock Road and Hillside Drive. I think you know
4 where it is. It abuts Cook Pool and also on the, it's on the
5 east side of Furnace Dock. There is a list of criteria in the
6 town code that I show in my drawing on the upper right corner
7 that this application meets. And just briefly, the hot points on
8 that, it meets the minimum size of an apartment, which is 400
9 square feet, and then the maximum is 25 percent of the gross
10 floor area, which exceeds the maximum in the code, which is 600
11 square feet. Our apartment as it exists, is 496 square feet, so
12 we fall right between those two criteria. The parking that's
13 required, there was two spots you see on the site plan in front
14 of the house and there are three spots existing on the back,
15 enough parking for the single family residence and the accessory
16 apartment use.

17 One of the important criteria is, just to keep the
18 semblance of a single family residence, the entrance you'll see
19 on the plan, I have a little triangle pointing there, the main
20 entrance to the principal residence is off of Furnace Dock Road
21 on the west side of the house and on the rear is the entrance
22 dedicated to the accessory apartment. There's a walkway from the
23 lower driveway around the back of the house. But you can't see
24 that entrance from the street, or even from Hillside. So it is -
25 -

26 MR. KESSLER: Is that walkway shown on this --

27 MR. BASANI: It is not, I'm sorry, it's not, but it's
28 right off the edge of those three cars --

29 MR. KESSLER: Yeah.

30 MR. BASANI: There's a walkway that goes around to a
31 small patio off the back.

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2 MR. KESSLER: So your arrow is for the entrance?

3 MR. BASANI: Correct, yes.

4 MR. KESSLER: Oh, that's on the Furnace Dock side?

5 MR. BASANI: I'm sorry?

6 MR. KESSLER: The Furnace Dock road side is the
7 entrance?

8 MR. ROTHFEDER: No.

9 MR. BASANI: No, no. The main entrance is off Furnace
10 Dock Road where the two parking spots are.

11 MR. KESSLER: Yeah.

12 MR. BASANI: There's a little arrow there that says
13 main entry to principal dwelling.

14 MR. KESSLER: Yeah.

15 MR. BASANI: And then on the back of the house,
16 you'll see another arrow --

17 MR. KESSLER: Oh, dedicated entrance.

18 MR. BASANI: -- that says dedicate entrance to the
19 accessory apartment.

20 MR. KESSLER: Okay, I see it, yeah, yeah.

21 MR. BASANI: Okay. So that's visible from Furnace
22 Dock or Hillside, or really even from the pool. It's in the back
23 there, so it, it is a single family residence by all concerns,
24 you know, visually from the streets.

25 As far as any other criteria, I mean I list them all
26 here. It's understood that this does not ride with the property
27 if there is a special use permit that you grant, it runs with
28 the applicant in his name, and he realizes that if anybody else
29 takes ownership, he needs to, they need to reapply for that. Mr.
30 Pearlman intends to live in the house, continue living in the
31 house so that we meet that criteria and he would not be renting

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2 any other rooms in the house or subletting or anything in this
3 apartment. It's a one-bedroom, one kitchen and living room,
4 single bath. It meets all requirements of New York State
5 building code. It has egress windows, light and ventilation,
6 insulation. Again, this is all pre-existing, predating in fact,
7 even though some of the criteria for emergency escape was not
8 the same back in the '50s, it does currently meet that criteria
9 today.

10 MR. KESSLER: I'm just again back to the walkway, I
11 mean, it's even hard to see it on your aerial view here. So
12 you'll give us a new plan with the walkway?

13 MR. BASANI: If you'd like, I'll show you the
14 walkway, sure.

15 MR. KESSLER: And is there lighting along that
16 walkway, is there lighting at the entrance to the accessory
17 apartment?

18 MR. BASANI: At the garage there, there's lighting on
19 the face of the garage as the driver pulls into the house there,
20 so as you start your entrance, there's lighting, and Mr.
21 Pearlman, if you could tell me, there's lighting --

22 MR. HOWARD PEARLMAN: Yes, there's lighting at the
23 corner as you walk on from the driveway to the walkway, then
24 there's another light halfway down the walkway and another light
25 at the end of the walkway, and then another light over the
26 doorway into the apartment.

27 MR. KESSLER: Thank you.

28 MR. PEARLMAN: On the patio.

29 MR. BASANI: I knew they were there, but he's got a
30 better idea?

31 MR. ROTHFEDER: Are these sensor lights or this is

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2 real lighting?

3 MR. PEARLMAN: The two first lights are sensors,
4 motion sensors.

5 MR. ROTHFEDER: The first two you mentioned?

6 MR. PEARLMAN: The first two I mentioned.

7 MR. ROTHFEDER: Yeah.

8 MR. PEARLMAN: The, the second two are controlled by
9 a switch in the apartment, which, you know, they can turn on and
10 off.

11 MR. ROTHFEDER: Yeah.

12 MR. KESSLER: Okay, thank you.

13 MR. BIANCHI: Okay. Any other questions from board
14 members on this?

15 MR. KEHOE: The code does require a public hearing.

16 MR. BIANCHI: With this?

17 MR. KEHOE: Yeah. So, that should be [unintelligible]
18 [00:36:57].

19 MR. BIANCHI: So I think we'll schedule that.

20 MR. MCKINLEY: Steve, there was a mention of the
21 plans being dated. I'm not sure if someone mentioned that
22 earlier.

23 MR. KEHOE: Yeah, I don't think there's a date on the
24 plans.

25 MR. BASANI: There isn't. Thank you for pointing that
26 out. I'll correct that.

27 MR. BIANCHI: Okay.

28 MR. ROTHFEDER: So we can schedule the public hearing
29 and the resolution?

30 MR. KEHOE: Resolution.

31 MR. BIANCHI: Okay, so.

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2 MR. BASANI: We'd appreciate that, thank you.

3 MR. BIANCHI: I turned it over to Suzanne.

4 MS. DECKER: Oh, motion to schedule public hearing
5 on, and right?

6 MR. KEHOE: And direct staff to prepare --

7 MS. DECKER: And direct staff to prepare a
8 resolution.

9 MR. BIANCHI: Thank you, second.

10 MR. KESSLER: Second.

11 MR. BIANCHI: Do I have a second, on the question?
12 All in favor?

13 MULTIPLE: Aye.

14 MR. BIANCHI: Opposed. Good evening.

15 MR. BASANI: Thank you very much. I appreciate your
16 time. Good night.

17 MR. BIANCHI: Is that it? Nora?

18 MS. HILDINGER: Oh, a motion to adjourn the meeting.

19 MR. BIANCHI: Thank you.

20 (The public board meeting concluded at 7:08 p.m.)

CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of the planning board meeting of the Town of Cortlandt on January 10, 2023 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: January 23, 2023

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