

TOWN OF CORTLANDT
PLANNING AND ZONING BOARDS

PLANNING BOARD MEETING

Town Hall
1 Heady Street
Cortlandt Manor, NY, 10567
April 5, 2022
7:00 p.m. - 7:40 p.m.

April 5, 2022

MEMBERS PRESENT:

Loretta Taylor, Chairperson

Thomas A. Bianchi, Vice-Chairperson

Suzanne Decker

Robert Foley

Steve Kessler

George Kimmerling

Jeff Rothfeder

Chris Kehoe, Deputy Director, Planning

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2 (The board meeting commenced at 7:00
3 p.m.)

4 MS. LORETTA TAYLOR: Okay. Please stand.

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

10 MR. CHRIS KEHOE: Mr. Kimmerling?

11 MR. GEORGE KIMMERLING: Here.

12 MR. KEHOE: Mr. Rothfeder?

13 MR. JEFF ROTHFEDER: Here.

14 MR. KEHOE: Mr. Kessler?

15 MR. STEVE KESSLER: Here.

16 MR. KEHOE: Ms. Taylor?

17 MS. TAYLOR: Here.

18 MR. KEHOE: Mr. Bianchi?

19 MR. THOMAS BIANCHI: Here.

20 MR. KEHOE: Ms. Decker?

21 MS. DECKER: Here.

22 MR. KEHOE: Mr. Foley?

23 MR. ROBERT FOLEY: Here.

24 MS. TAYLOR: Alright, tonight we have a

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2 couple of changes to the agenda. We are going --
3 well, 2020-19 has been removed, per the applicant
4 I suppose. The second one, 2019-10, that one --

5 MR. KESSLER: No, not that one.

6 MS. TAYLOR: Yeah, okay, so we so, I'm
7 sorry, that's not the one. I'm getting a little
8 shoved around with my paper. PB, what is it,
9 2020-10, and PB 1-16, I'm very sorry, that one
10 has been removed as well. So I'm going to need
11 people to -- they haven't been removed, they've
12 been adjourned.

13 MR. BIANCHI: Adjourned.

14 MS. TAYLOR: Please, Tom, can you give
15 me and adjournment for 2020-10?

16 MR. BIANCHI: Yeah, Madam Chair, I move
17 that we adjourn this application to the May
18 meeting, per the applicant's request.

19 MR. KIMMERLING: Second.

20 MS. TAYLOR: Thank you. On the question,
21 all in favor?

22 MULTIPLE: Aye.

23 MS. TAYLOR: Alright. Opposed? All
24 rightie. The second, the second item, PB 1-16, is

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2 also adjourned --

3 MR. FOLEY: I make a motion.

4 MS. TAYLOR: This one is adjourned to
5 June, July.

6 MR. FOLEY: I make a motion that we
7 adjourn PB 1-16 to July 12th at the request of
8 the applicant.

9 MR. KESSLER: Second.

10 MS. TAYLOR: Thank you. On the question,
11 all in favor?

12 MULTIPLE: Aye.

13 MS. TAYLOR: Opposed? Alright. So we are
14 moving down to the next area of your agenda,
15 which is the subject of old business, and the
16 application of James Connolly for preliminary and
17 final subdivision approval.

18 MR. FOLEY: No, we have to go back.

19 MR. KEHOE: You have a time extension
20 resolution?

21 MR. FOLEY: Yeah, we have --

22 MR. KESSLER: Yeah. Madam Chair --

23 MR. FOLEY: We've got to go back to page
24 one.

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2 MS. TAYLOR: Oh, I'm sorry. Yes. Okay.
3 Sorry, okay. We do have a time extension and who
4 is to do that? You, Steve?

5 MR. KESSLER: Yeah, Madam Chair I move
6 that we approve a three-month time extension,
7 resolution 5-22.

8 MS. TAYLOR: Thank you.

9 MR. ROTHFEDER: Second.

10 MS. TAYLOR: Thank you. On the question,
11 all in favor?

12 MULTIPLE: Aye.

13 MS. TAYLOR: Opposed? Alright. We're
14 good. Alright. We're down to the item of the
15 first of several items under old business.

16 MR. BIANCHI: We still have
17 correspondence.

18 MS. TAYLOR: Excuse me, did I skip
19 something?

20 MR. BIANCHI: Correspondence? No?

21 MS. TAYLOR: Uh --

22 MR. BIANCHI: Mine does.

23 MS. TAYLOR: Yeah, that was Keith's, the
24 time extension, time extension, so Keith you're

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2 going to get a time extension for what was it,
3 three months or so?

4 MR. KESSLER: Three months, yes.

5 MS. TAYLOR: Yes. Okay. No, I did not --
6 I wasn't diligent in putting that -- who was
7 supposed to take that one.

8 MR. KESSLER: I did, we just voted on
9 it.

10 MS. TAYLOR: Okay.

11 MR. KESSLER: Yeah, Resolution 5-22.

12 MS. TAYLOR: Very good, we're good.

13 MR. BIANCHI: Okay, sorry.

14 MS. TAYLOR: Okay, so I think we're done
15 with that, right? Yes, or no?

16 MR. KEHOE: Yes.

17 MS. TAYLOR: We're down to the final
18 three items of the night and they're all under
19 old business, it's PB 2022-3, the application of
20 James Connolly for preliminary and final
21 subdivision approval for a 2-lot minor
22 subdivision of an approximately 1.49 acre parcel
23 of property, located at 49 Dutch Street, the
24 latest drawings were revised as of March 21,

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2 2022. Alright.

3 MR. KEHOE: So, I apologize. Normally, I
4 would be able to show the image on the screen,
5 but we're having technical difficulties. All of
6 the planning board members would have gotten the
7 revised drawings in their packets.

8 MS. TAYLOR: Yeah, well, you have to
9 bring us up to date on what's in the package and
10 what's going on there.

11 MR. KEITH STAUDOCHAR: Okay, good
12 evening, Keith Staudohar, Cronin Engineering,
13 we're here representing the applicant Connolly.
14 This is a 2-lot minor subdivision located on
15 Sycamore Court, which is formerly known as
16 Radzvilla Road. It's a private road. The property
17 in question contains an existing family house and
18 an existing asphalt driveway out to Dutch Street.
19 We're splitting the 1.49 acre lot roughly in
20 half. We're going to have a new lot accessing
21 onto Sycamore Court. There are no steep slopes or
22 wetlands associated with this project and there's
23 only two trees to be removed, one which is a
24 small maple and the other is about an eight to

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2 ten inch juniper, red cedar. We are replanting
3 seven trees in a staggered row between the new
4 house and the existing house. We received a staff
5 memo subsequent to last month's meeting. We
6 revised our subdivision and site development
7 plans to address those comments. And so we're
8 here tonight to further the project. We believe
9 that we are ready for a site inspection and
10 public hearing in May.

11 MR. ROTHFEDER: You increased the
12 caliper of the trees, right?

13 MR. STAUDOCHAR: We did, to I think
14 three-and-a-half or four, I can't read it, it's
15 too small.

16 MR. ROTHFEDER: I can't either.

17 MR. STAUDOCHAR: Three-and-a-half. I
18 added a tree and we staggered them on that
19 northern boundary line.

20 MR. ROTHFEDER: Okay. That's good.

21 MR. KEHOE: Okay, and then also as we
22 mentioned at the work session, our consulting
23 engineer will draft a review memo. I think you'll
24 noticed on the site inspection, it is relatively

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2 flat, but I think there are some concerns that
3 the house lot is a little higher up and there
4 might be some drainage. I think Keith has already
5 attempted to address some of the drainage
6 concerns. But our engineer might have more
7 comments.

8 MR. STAUDOHAR: Well, we provided
9 subsurface infiltrators for the roof leaders. So
10 that should account for quite a bit. The driveway
11 drains down to Sycamore Court, so it has its own
12 drainage system, so it'll flow into that. It's
13 not a lot going on here. It's just a single
14 family house, so I'll be glad to work with the
15 consulting engineer to resolve that, but we'll
16 see what happens at the public hearing.

17 MR. ROTHFEDER: Okay. So we're going to
18 set a site visit for May 1st?

19 MS. TAYLOR: Yeah.

20 MR. ROTHFEDER: Madam Chair, I move that
21 we set a site visit for this application for May
22 1st.

23 MR. KESSLER: Second.

24 MR. KEHOE: And then also schedule a

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2 public hearing if you want, for May 3rd?

3 MR. ROTHFEDER: Oh, sorry, yeah.

4 MS. TAYLOR: Okay. On the question? All
5 in favor?

6 MULTIPLE: Aye.

7 MS. TAYLOR: Opposed. Okay.

8 MR. ROTHFEDER: And Madam Chair, I move
9 that we schedule a public hearing on this
10 application for the next meeting of May 3rd.

11 MR. KESSLER: Second.

12 MS. TAYLOR: Thank you. On the question,
13 all in favor?

14 MULTIPLE: Aye.

15 MS. TAYLOR: Alright.

16 MR. STAUDOCHAR: Thank you. Good night.

17 MS. TAYLOR: Alright. Good night. The
18 next item on the agenda is PB 6-15, the
19 application of Hudson Ridge Wellness Center,
20 Inc., for site development plan approval and a
21 special permit for a hospital to be located at
22 the former Hudson Institute property to provide a
23 New York State Office of addition services and
24 support, certified 92-bed facility to treat

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2 individuals with chemical dependency issues
3 located at 2016 Quaker Ridge Road, drawings last
4 revised March 21, 2022.

5 MR. BOB DAVIS: Good evening. I'm Bob
6 Davis, attorney for the applicant. I know the
7 board is considering a draft resolution of a
8 negative dec tonight. I can say a few words if
9 you wish.

10 MS. TAYLOR: Yes, please.

11 MR. DAVIS: Okay. Just briefly, since
12 the March 1st meeting, you've received our
13 submission of March 24th, which among other
14 things, answered questions raised by Mr.
15 Kimmerling at the last meeting. We also provided
16 a simplified chart showing all vehicle trips,
17 employees on site and parking utilization for all
18 hours, weekdays and weekends, and in short, we've
19 reduced the maximum number of beds by 43 percent,
20 92 to 52 with a corresponding reduction in staff.
21 There will be a maximum of 23 staff members on
22 site and that's just for a few hours per weekday,
23 along with the reduced number of patients. That
24 would amount to about 75 people, which is one-

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2 third of the 225 people permitted by the town for
3 the IBM and Hudson Institute uses when they
4 occupied the site and for the brain trauma
5 hospital in 1989 that was approved.

6 The maximum weekday parking utilization
7 is now only ten parking spaces. That would
8 increase for a few hours on Saturday to 19 during
9 the weekly visitation. Given the use of vans in
10 particular and the decrease in patients and
11 staff, the number of vehicle trips two and from
12 the site during any shift is now minimal. I think
13 the maximum number of vehicles entering or
14 exiting the site at any given time ranges from
15 five to 12.

16 As you know, your independent experts
17 have already signed off on traffic and well
18 monitoring issues and that was even before the
19 large reduction in staff and beds. We've provided
20 to you now with a substantial landscape screening
21 plan, especially along the northern boundary,
22 over 140 trees, substantial lighting mitigation
23 plan. We'll also be preserving, as we have from
24 the outset, over 40 acres of open space which

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2 won't be divided up for use. Our reduction in the
3 size of the septic system has ensured that now it
4 will be located outside of the Indian Brook
5 watershed, before only a bit of the active part
6 of the septic was, but now none of it is.

7 We of course will be making very
8 significant contributions to the community by way
9 of taxes, over half a million dollars a year, and
10 also providing care for its residents. We've
11 offered dozens of mitigative conditions of
12 approval as part of our applications.

13 So accordingly, we provided you an
14 extensive detailed analysis of the SEQR criteria
15 for determination of non-significance and we
16 believe our entitlement to a neg dec and it bears
17 emphasis apropos the discussion, the public
18 discussion at the work session that we've worked
19 extensively with the neighbors counsel and the
20 neighbors directly to some extent. And it was
21 that collaborative effort that came up with the
22 34 conditions that Mr. Wood referenced to
23 mitigate any possibility of any significant
24 adverse impacts. That's been going on since last

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2 December and untold hours spent on that effort
3 with Mr. Schwartz and his clients.

4 So for those and many other reasons, we
5 would again respectfully ask for the board
6 tonight to render its neg dec and to allow us to
7 proceed to the zoning board. We believe the
8 negative declaration is more than amply supported
9 by the record before you. And as Mr. Wood pointed
10 out, the board would not obtain any meaningful
11 additional information by way of a positive
12 declaration. And notwithstanding that, the board
13 is going to have further ample review of this
14 project to obtain a variance from the zoning
15 board during the site plan review process, which
16 of course, entails another public hearing. Thank
17 you.

18 MS. TAYLOR: Okay. Alright. We will have
19 a negative declaration for you tonight, but
20 obviously we will have to vote on that. I don't
21 know whether any of the members want to say
22 anything at all?

23 MR. KESSLER: Just to be clear on the
24 conditions -- conditions is probably not the

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2 right term, the addendum. You still remain
3 agnostic as it relates to the pool and the tennis
4 court in your proposal?

5 MR. DAVIS: Well, the, as you know, and
6 I think as you alluded, Mr. Kessler, during the
7 work session, we hadn't originally proposed a
8 tennis court and, and pool. We're hoping this
9 doesn't result in a typical case of no good deed
10 goes unpunished. We didn't propose one initially
11 because we were making every effort to mitigate
12 impacts on the neighbors. Through the extensive
13 discussions with the neighbors and their counsel,
14 and, and we're not purporting that all neighbors
15 agree or they've agreed on anything, but
16 leadership of the neighbors spoke to us about the
17 desire of everyone that this be an upscale type
18 facility and a certain members, certain people
19 thought that having a tennis court and a pool
20 would help that. And we were able to, as we
21 agreed to most everyone of those requests, we
22 acceded to that request and we placed those,
23 those two amenities on the far southern side of
24 the property behind the main building. They're

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2 amply screened from the neighbors to the north.
3 They're a couple football fields away. They're
4 about 540 feet from the house across from the
5 entrance on Quaker Ridge Road. They'll be no
6 night play of course. The hours are limited. You
7 can see that in the conditions. With the tennis
8 court, if it remains, we're willing to provide
9 additional screening, as we pointed out in the
10 conditions, which we discussed with neighbor's
11 counsel, we'll endeavor to move that as far as we
12 can, you know, away, even further away than the
13 540 feet. It's kind of difficult there with the
14 topography and there's wetlands and wetlands
15 buffer in that area. And, you know, which made it
16 hard to locate, for example, some of the septic
17 system in that area. We endeavored and we
18 succeeded so far staying out of wetland buffers,
19 let alone wetlands. So that was something that
20 was proposed in good faith. It's not something
21 that's been thrust on you as a surprise but it
22 came out of the discussion, direct discussions
23 with the neighbors and their counsel. And we were
24 willing to, you know, provide that, because it

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2 seemed that the people wanted that to make this a
3 better -- a more upscale type of facility.

4 MS. TAYLOR: Anyone else have something
5 to say before we make a motion?

6 MS. DECKER: Motion to adopt --

7 MR. KIMMERLING: Sorry, I didn't know if
8 Mr. Schwartz wanted to speak? Do you have
9 anything to say? Okay. Great, thanks.

10 MR. DAVIS: Thank you.

11 MS. TAYLOR: Alright. Very good.

12 MS. DECKER: I move we adopt the
13 negative declaration.

14 MS. TAYLOR: Okay. I need a second on
15 that.

16 MR. ROTHFEDER: Second.

17 MS. TAYLOR: Thank you. On the question,
18 all in favor?

19 MULTIPLE: Aye.

20 MS. TAYLOR: Opposed?

21 MR. KIMMERLING: No.

22 MR. KEHOE: Mr. Kimmerling?

23 MR. KIMMERLING: No.

24 MR. KEHOE: Mr. Rothfeder?

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2 MR. ROTHFEDER: Aye.

3 MR. KEHOE: Mr. Kessler?

4 MR. KESSLER: Yes.

5 MR. KEHOE: Ms. Taylor?

6 MS. TAYLOR: Yes.

7 MR. KEHOE: Mr. Bianchi?

8 MR. BIANCHI: Yes.

9 MR. KEHOE: Ms. Decker?

10 MS. DECKER: Yes.

11 MR. KEHOE: Mr. Foley?

12 MR. FOLEY: Yes.

13 MR. KEHOE: The motion passes six to
14 one.

15 MS. TAYLOR: Alright. Thank you.

16 MR. DAVIS: Thank you very much for your
17 time and consideration.

18 MS. TAYLOR: Thank you. We'll be seeing
19 you again.

20 MR. DAVIS: Yes. You will.

21 MS. TAYLOR: Okay. I think we're at the
22 last item on our agenda today, thankfully. It's,
23 it's a referral from the Town Board of the
24 FGEIS/FEIS and MOD, M-O-D, local law for the

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2 proposed medical oriented district located on
3 Route 202 in the vicinity of the New York
4 Presbyterian/Hudson Valley Hospital Center. Okay.

5 MR. KEHOE: Sorry, I got a little bit
6 disheveled at the beginning of the meeting.

7 MS. TAYLOR: No, it happens.

8 MR. KEHOE: You should have had those
9 beforehand. What I just distributed is your memo
10 that you wrote back on the DEIS and then I took
11 just some pages from the FEIS to show you their
12 DEIS plans and their proposed FEIS plans.

13 As we discussed at the work session, the
14 town board is the lead agent on this project.
15 They will be holding a public hearing on Monday,
16 May 2nd. You're an involved agency, so your next
17 meeting is May 3rd. At that meeting, I think we
18 should have a little bit more detailed discussion
19 maybe presentation, I don't know if it would be
20 with the applicants or whether we would have
21 staff make the presentation, and then for you to
22 comment in the form of a memo back to the Town
23 Board.

24 And it was also mentioned at the work

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2 session the Town Board is considering two
3 separate development proposals as well as zoning
4 language that would create the MOD. And in that
5 zoning language are specific bulk and area
6 requirements, height requirement, things like
7 that, which you should definitely opine on.

8 In your package you received the notice
9 of completion. That has the link to the FEIS.
10 You're not getting a hard copy of the FEIS.
11 That's on the town's website, so click the link
12 and you can see the whole document.

13 MR. FOLEY: I have a question. Back,
14 when it comes back to us for site plan, correct,
15 what -- has there been any discussion at all
16 about, especially in view of any five-story
17 building or whatever, large components of three
18 dimensional models or something that would show
19 us better the impact of a five-story building on
20 that site?

21 MR. KEHOE: You mention that in the memo
22 you have in front of you.

23 MR. FOLEY: Yeah. Okay.

24 MR. KEHOE: And it was not provided in

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2 the context of the DEIS or the FEIS. You could
3 make that comment. I would imagine that at some
4 point, either the Town Board or the Planning
5 Board has got to get a good idea of the visual
6 impact of a five-story building on adjacent
7 properties.

8 MR. FOLEY: Yeah, I think that's
9 important.

10 MR. KEHOE: Another way to do it is to
11 say that you don't think a five-story building is
12 something that fits in that neighborhood and
13 actually comment on the zoning that would permit
14 it.

15 MR. FOLEY: I just think it's a good
16 tool using three dimensional.

17 MR. KESSLER: Yeah, but as part of our
18 site plan review, couldn't we request that?

19 MR. KEHOE: Yes.

20 MR. FOLEY: Okay.

21 MS. TAYLOR: I think the largest
22 building thus far, the hospital is what three?
23 Three or so floors?

24 MR. KEHOE: It might be more than three

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2 but less than five, so maybe that makes it about
3 four. It doesn't seem to me to be five, but it's
4 taller than three, so.

5 MS. TAYLOR: Alright.

6 MR. BIANCHI: They don't use all the
7 floors [unintelligible] [00:21:22].

8 MS. DECKER: High ceilings.

9 MS. TAYLOR: Does anybody have anything
10 else that they want to say at this point?

11 MR. KESSLER: But for the record, we are
12 not the lead agency.

13 MR. WOOD: If you want, just so --

14 MR. KESSLER: Yeah, please, well just --

15 MR. WOOD: -- as you know, so I added a
16 master plan Envision Cortlandt, one of the
17 concepts was to establish a medically oriented
18 district to be located around the hospital. It
19 would be, it would also repel a special permit in
20 our zoning ordinance that allows for hospitals by
21 special permit on state highways. So that will go
22 away and medically orientated district will
23 provide the medical needs of the town. So the
24 vision was that it would be a mixed district,

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2 uses supportive of the hospital as well as
3 residential component to assist in the workers at
4 the hospital and the area and assisted living and
5 other uses like that.

6 So about two-and-a-half, almost three
7 years ago, the Town Board started a process of
8 considering adopting the medical orientated
9 district and as circumstances had it, the
10 property immediately across from the hospital,
11 which is now the Cortlandt Medical Center,
12 applied to be considered as part of the MOD and
13 the Evergreen property, as you are familiar with
14 from past applications, came on board.

15 So the Town Board commenced the SEQOR
16 process and it's twofold. There's a generic SEQOR
17 process to analyze the impact of amending the
18 zoning ordinance and then there's the site
19 specific part of it with these two proposals. So
20 it certainly is helping in the environmental
21 analysis.

22 The Town Board held a series of public
23 meetings, where the public was allowed to
24 comment, meet with developers, understand the

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2 project, culminated in a public hearing about a
3 year-and-a-half ago. Extensive comments, the
4 [unintelligible] [00:23:17] two property owners
5 as well as the town's consultants have been
6 working on answering all the questions that came
7 in at that process. And that leads us to May 2nd,
8 when the Town Board is going to conduct a public
9 hearing on the proposed final environmental
10 impact statement.

11 It was a pos dec project, studies on all
12 issues conceivable have been done. So it just
13 come down to the May 2 and we'll be holding a
14 public hearing to get final comments on the SEQOR
15 process. They also are holding a legislative
16 public hearing on the law that would amend the
17 zoning ordinance, which you can have a copy of.
18 And that's the medical orientated district, which
19 as this board would be aware, sets all the
20 dimensional standards, setbacks, height, etc. So
21 comments would be sought on that.

22 And then a third aspect of it is that
23 the project has already been given review by the
24 Department of Transportation as part of the SEQOR

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2 process and is proposed that over five million
3 dollars worth of traffic improvements to the
4 Route 202 corridor from the city Peekskill line
5 to the Bear Mountain Parkway would be
6 incorporated into this project. It would include
7 signalization at Dayton Lane, the realignment at
8 the hospital entrance and Lafayette, a turning
9 lane at Lafayette, modification to the Conklin
10 Avenue traffic light, some signage down the road
11 and some reconfiguration of the left turn onto
12 the Bear Mountain Parkway.

13 That cost would be done through what's
14 known as a traffic improvement assessment area.
15 So cost of it is proposed to be borne solely by
16 the two properties that would be participating
17 and those two properties would be the cost of
18 that over a period of years, but the work would
19 be done up front. No C of Os could be issued
20 until all the traffic improvements are in place.

21 So in this process already the
22 applicants have changed their applications. There
23 was originally proposed a hotel to be supportive
24 of people coming to the hospital for stay. It's

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2 been eliminated. There's still an assisted living
3 facility, there's some apartments. Where the
4 hotel was, they're asking for condos, so that
5 there would be a continuum of living facilities
6 55 and older, assisted living, with the hospital
7 medical facilities across the street.

8 On the other parcel, the existing
9 medical center would be demolished, all those
10 medical offices would be moved into a new
11 building which is now proposed initially to be
12 100,000 square feet. There's about 57,000 square
13 feet of existing medical office space, so it
14 would be a net increase up to 100,000. There's
15 also an alternative where they would also seek
16 some residential park.

17 So that's the puzzle and picture right
18 now. And the board, obviously, you're a part of
19 the process, and your comments are being sought
20 by the Town Board in their role as lead agent on
21 all that. So that's a brief nutshell. It would,
22 if the findings statement is adopted and the
23 zoning ordinance is amended, they would then come
24 to you with a site plan application for, a

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2 subdivision and site plan, because the parcels,
3 the Evergreen parcel will be divided into three
4 or four separate lots to accommodate the
5 different ownership of the proposed uses.

6 MS. TAYLOR: Question, they have decided
7 they won't do, they won't do like a hotel. They
8 don't want that kind of thing. They just want to
9 --

10 MR. WOOD: During the public hearing
11 process, the community was very much opposed to
12 the hotel.

13 MS. TAYLOR: Okay.

14 MR. WOOD: So the developer has
15 withdrawn that part of it and instead has
16 proposed I think they're townhouses actually in
17 design.

18 MR. KEHOE: Yes.

19 MR. WOOD: Owned units though, not
20 rentals.

21 MS. TAYLOR: Townhouses for?

22 MR. KESSLER: Are they senior or?

23 MS. TAYLOR: Seniors?

24 MR. WOOD: Well they wouldn't be age

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2 restricted, but part of them, that part of them
3 might be age restricted. That's still being
4 fleshed out. And then there are apartments which
5 would contain an affordable element. They would
6 also be pre-offered to hospital workers in the
7 hopes that they would rent there, and then there
8 would be a pre-offering of 55 and older and
9 keeping the, you know --

10 MS. TAYLOR: Did they --

11 MR. KEHOE: -- continuum of care.

12 MR. WOOD: -- the next step of the
13 assisted living.

14 MR. FOLEY: So when you say apartment,
15 you mean that could be the five-story, the so
16 called five-story?

17 MR. WOOD: That's the, that's what's
18 proposed now, to be up to five stories, yeah.

19 MR. FOLEY: Okay.

20 MR. KEHOE: One other thing that, at the
21 time of the DEIS, there was no affordability
22 component. Now it's been written into the
23 ordinance, there's a ten percent requirement of
24 affordability.

1 April 5, 2022

2 MS. TAYLOR: Okay.

3 MR. FOLEY: And can I ask, as far as,
4 it's May 2nd, Monday, and our meeting is May 3rd,
5 the next night. As far as our posture and
6 protocol for planning board as individuals or as
7 a board, attendance at the May 2nd meeting?

8 MR. WOOD: You're certainly permitted,
9 it's a --

10 MR. FOLEY: Welcome, but, okay.

11 MR. WOOD: It's a public meeting. The
12 board, the Town Board is going to keep a time
13 period for written comments up through I believe
14 it's May 16th.

15 MR. KEHOE: Yes.

16 MR. WOOD: And that would be where your
17 comments would come in after.

18 MR. FOLEY: Yeah, I don't mean to
19 comment.

20 MR. WOOD: I understand.

21 MR. KESSLER: So board comments are due
22 -- I'm sorry.

23 MR. FOLEY: No, but then what could be
24 the disposition after the culmination after the

1 April 5, 2022

2 May 2nd meeting?

3 MR. WOOD: Well, what would happen then
4 is that at some point, if the Town Board wants to
5 address it --

6 MR. FOLEY: They could call us?

7 MR. WOOD: -- they would consider a
8 findings statement under SEQR and in that they
9 can either endorse it as is, they would shrink
10 it, they could modify it.

11 MR. KEHOE: But they could close the
12 hearing on May 2nd, or continue the hearing
13 whenever they close it, there will be a comment
14 period beyond that date.

15 MR. FOLEY: Then finding, okay.

16 MR. KESSLER: So our comments are
17 requested by when?

18 MR. KEHOE: Well, we'll talk about it on
19 May 3rd.

20 MR. KESSLER: May 3rd?

21 MR. KEHOE: And I'll have to have
22 something back to the Town Board by May 16th, but
23 so, I'll --

24 MR. KESSLER: When do you need them from

1 April 5, 2022

2 us I guess?

3 MR. KEHOE: Well, you can send them to
4 me between now and May 3rd. I'm also, I have it
5 here, I just didn't get it to you, you know, as
6 Tom already touched upon, the size of the MOD was
7 reduced from 105 to 69 acres. I've gone through
8 with all the changes.

9 MR. KESSLER: Okay.

10 MR. KEHOE: I want to get that to you,
11 I'll email that to everybody. Then you can look
12 at it, look at it online, informally get me
13 comments or wait to discuss it on May 3rd.

14 MR. KESSLER: So the original document
15 we received two years ago or whenever, that's
16 changed?

17 MR. KEHOE: Yes. That was the DEIS.

18 MR. KESSLER: Looking at that point is
19 useless.

20 MR. KEHOE: Correct. Yeah.

21 MR. KESSLER: So we have to look at the
22 --

23 MR. KEHOE: At the FEIS.

24 MR. KESSLER: The FEIS?

1 April 5, 2022

2 MR. KEHOE: Which is online,
3 townofcortdlandt.com/projects/MOD I think. The
4 link is -- you got the document where the link
5 is.

6 MR. FOLEY: As far as our memo of two
7 years ago, I realize March 2020, to the Town
8 Board, did we get any feedback from the Town
9 Board?

10 MR. KEHOE: They added affordable units
11 to, you know.

12 MR. FOLEY: Oh, okay.

13 MR. KEHOE: So.

14 MR. WOOD: Well, to terminate you would
15 have to look at the FEIS to see if those
16 comments, how they were responded to.

17 MR. FOLEY: Okay.

18 MR. WOOD: All comments have to be
19 either acknowledged or responded to.

20 MR. FOLEY: Right.

21 MS. TAYLOR: I'm good. Anything else
22 from anyone? Okay, great. Okay, then.

23 MS. DECKER: Motion to adjourn at 7:40 -

24 -

1 April 5, 2022

2 MR. KEHOE: Well --

3 MS. DECKER: No motion, but --

4 MR. KEHOE: Well, hang on, but I don't
5 know if you have to do anything, but just with
6 respect to the MOD.

7 MS. TAYLOR: Tom?

8 MR. BIANCHI: I'll take this one. Madam
9 Chair, I move that we refer consideration of the
10 MOD district back to staff for review and further
11 discussion and comments from the planning board.

12 MR. FOLEY: Second. Second.

13 MS. TAYLOR: Alright. On the question,
14 all in favor?

15 MULTIPLE: Aye.

16 MS. TAYLOR: Good.

17 MR. FOLEY: Did we do the minutes?

18 MR. KEHOE: Yeah, I don't think you did
19 the minutes at the beginning.

20 MS. TAYLOR: Okay.

21 MR. KEHOE: But you can always do them
22 at the end.

23 MS. TAYLOR: This is ridiculous. We're
24 not doing minutes. We have one minute, I think.

1 April 5, 2022

2 We did get one bunch --

3 MR. KEHOE: You got two minutes.

4 MS. TAYLOR: We did get, we have them?

5 Okay, both. Alright then. Alright, let me do
6 that. Let me find the paper. That was for March
7 and for --

8 MR. KEHOE: The special meeting on
9 January 26th and the March 1st meeting.

10 MS. TAYLOR: Let me just do this then.
11 Can I have a motion please to adopt the minutes
12 of January 26th and March 1st?

13 MR. KESSLER: So moved.

14 MS. TAYLOR: Thank you.

15 MR. KIMMERLING: Second.

16 MR. FOLEY: Second.

17 MS. TAYLOR: Thank you. On the question?

18 MULTIPLE: Aye.

19 MR. BIANCHI: Oh, no, on the question.
20 I'm sorry. We jumped it.

21 MS. TAYLOR: Okay. We'll pull it
22 together. Okay.

23 MS. DECKER: Are we adjourned, it's 7:40
24 p.m.

1 April 5, 2022

2 MS. TAYLOR: Okay.

3 MR. KEHOE: I think you more or less
4 adopted the minutes.

5 MS. DECKER: Are we adopting the
6 minutes? I move to adopt the minutes.

7 MR. KESSLER: No, that was --

8 MS. DECKER: I can do anything you guys
9 want.

10 MR. FOLEY: It's 7:40.

11 (The public board meeting concluded at
12 7:40 p.m.)

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CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the board meeting of the Town of Cortlandt on April 5, 2022 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

Claudia Marques

Date: April 18, 2022

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