

TOWN OF CORTLANDT
PLANNING AND ZONING BOARDS

BOARD MEETING

1 Heady Street
Cortlandt Manor, New York 10567

January 10, 2023

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

February 7, 2023

MEMBERS PRESENT:

Steven Kessler, Chairman

Thomas A. Bianchi, Vice-Chairman

Suzanne Decker, Member

Nora Hildinger, Member

Peter McKinley, Member

Jeffrey Rothfeder, Member

ALSO PRESENT:

Chris Kehoe, Director of Planning

Michael J. Cunningham, Deputy Town Attorney

Joseph Fusillo, Consulting Engineer

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

3 MR. STEVEN KESSLER: Alright, thanks for coming to
4 the February 7, 2023 planning board meeting. Could you please
5 rise for the pledge.

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

10 MR. KESSLER: Thank you. Chris, roll, please.

11 MR. CHRIS KEHOE: Ms. Hildinger?

12 MS. NORA HILDINGER: Here.

13 MR. KEHOE: Mr. Rothfeder?

14 MR. JEFFREY ROTHFEDER: Here.

15 MR. KEHOE: Mr. Kessler?

16 MR. KESSLER: Here.

17 MR. KEHOE: Mr. Bianchi?

18 MR. THOMAS BIANCHI: Here.

19 MR. KEHOE: Ms. Decker?

20 MS. SUZANNE DECKER: Here.

21 MR. KEHOE: Mr. McKinley?

22 MR. MCKINLEY: Here.

23 MR. KEHOE: And then we're short two members.

24 MR. KESSLER: Thanks again for coming. We have no
25 changes to the agenda this evening. Can I please have a motion
26 to adopt the minutes from our meeting of January 10th?

27 MR. BIANCHI: So moved.

28 MR. KESSLER: Thank you.

29 MR. MCKINLEY: Second.

30 MR. KESSLER: Second, on the question? All in favor?

31 MULTIPLE: Aye.

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2 MR. KESSLER: Opposed? Our first item tonight is the
3 correspondence to receive and file the 2022 Planning Board
4 Annual Report, prepared by staff, which shows all the work we
5 did in the past year, as well as a summary of the last, I think
6 it's 23 years.

7 MR. KEHOE: I knock off the oldest column each year I
8 add a new column, so it's roughly 20 years, I don't know.

9 MR. KESSLER: Yes, so can I please have a motion?

10 MS. HILDINGER: I give a motion to receive and file
11 the '22 Planning Board Annual Report.

12 MR. KESSLER: Thank you, second, please.

13 MR. BIANCHI: Second.

14 MR. KESSLER: On the question? All in favor?

15 MULTIPLE: Aye.

16 MR. KESSLER: Opposed? Next item is a resolution.
17 It's the application for the Gurdjieff Foundation of New York
18 for the Property of the Danish Home for the Aged, for site plan
19 approval and a special permit for a non-school curriculum
20 program use of the property located at 1065 Quaker Bridge Road
21 East, drawings latest revised November 21, 2022. We have a
22 resolution. There have been some changes to the resolution, the
23 draft resolution, Chris you want to go through those?

24 MR. KEHOE: Right. So the largest change, which I
25 think the applicant and everyone aware, is aware of, I think is,
26 is the change of the language of condition two, talking about
27 providing the calendar each year for us to actually compare. But
28 at the work session, we wanted to add, in addition to showing
29 the actual events and the number of attendees and the vehicular
30 trips and the onsite parking, also an update on the public
31 events that you've committed to. So we're going to add that

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2 language about public events to condition number two.

3 And as discussed with the applicant, we are in
4 agreement that the escrow will only be refunded in 2028 if it's
5 determined at that time that it's necessary and we reduce the
6 site security from 5,000 down to 2,500.

7 MR. KESSLER: Okay, thanks Chris. So just to be
8 clear, so you represented to us the number of people and the
9 number of events you were going to have during the year. You'll
10 come back during the year, and you'll come back next year and
11 show us actually what occurred in terms of the number of events,
12 the number of people, the number of cars that took place at your
13 place, as well as, you know, since it is open to the public,
14 what other public programs you will, you will entertain there.

15 MR. MATTHEW N. STEINBERG: Yes, thank you, Mr.
16 Chairman, we understand.

17 MR. KESSLER: Okay, we appreciate that.

18 MR. KEHOE: And just in addition to that, as I'm sure
19 you'll advise your clients, there are conditions of the
20 resolution that need to be met, some legal documents that need
21 to be filed, you know. There's a process, and I need to get my
22 checks, then the chairwoman will -- sorry, the chairman will
23 sign the plan. And until that time, you're technically not
24 approved, you're only conditionally approved. But you can keep
25 working with Martin on whatever permits you might need from the
26 code enforcement office.

27 MR. STEINBERG: Correct. Right. We can start with
28 them and we'll continue with you, yeah, sure.

29 MR. KESSLER: So I guess that brings a question, when
30 does the year start in terms of them to come back? So it doesn't
31 sound like they're going to be -- you won't have a full year of

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2 programs.

3 MR. KEHOE: Well, yeah. I still think they should
4 come back a year from now, but they'll only, hopefully, they'll
5 be in soon, but, you know, maybe they don't get in this year
6 until May and start up then, who knows.

7 MR. KESSLER: Okay. So we'll have half a year's worth
8 of programs and events for you to report on.

9 MR. STEINBERG: Right, whatever, whatever they can
10 report whatever they've accomplished so far.

11 MR. KESSLER: Okay. Perfect.

12 MR. KEHOE: And that will be under correspondence. No
13 fees or application, just, you know, you'll write me a letter
14 and with the calendar and we'll put you on as a correspondence
15 item.

16 MR. STEINBERG: Understood.

17 MR. KESSLER: Okay. Thank you. Any other comments
18 from the board? If not, Mr. McKinley.

19 MR. MCKINLEY: I'd like to make a motion for approval
20 of Resolution Number 2-23.

21 MR. KESSLER: Second, please.

22 MR. ROTHFEDER: Second.

23 MR. KESSLER: On the question? All in favor?

24 MULTIPLE: Aye.

25 MR. KESSLER: Opposed? Good Luck.

26 MR. STEINBERG: Thank you very much.

27 MR. KESSLER: Next item is a public hearing. It is
28 the application of Howard Pearlman for special permit for a
29 proposed accessory apartment located in an existing residence at
30 285 Furnace Dock Road, drawings latest revised January 15, 2023.
31 Good evening.

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2 MR. STEVEN BASANI: Good evening, Steven Basani, the
3 architect for Howard Pearlman. I know we are now opening a
4 public hearing. Chairman Kessler, would you like me to represent
5 the application for the public or should I just address the
6 revisions?

7 MR. KESSLER: It doesn't look like -- I don't know if
8 we have anybody on the video that is looking to comment, but
9 yeah, you have a little thumbnail sketch of it, sure.

10 MR. BASANI: I can make something up, sure, no. So,
11 here tonight to request a special permit for an accessory
12 apartment at 285 Furnace Dock Road. It is a preexisting single
13 family house, two-story. The apartment is located in the
14 basement and it meets the requirements for it exceeds the
15 minimum square footage and is under the maximum square footage
16 for an accessory apartment in the town code. On the drawings, I
17 list the other 12 requirements and we meet or exceed each of
18 them including parking. The entrance is in the rear, private,
19 it's not visible from the street, and at the last meeting, there
20 was a request to show the pathway from the driveway to the rear
21 entrance, so on the drawings you'll see a revision date of
22 January 15th. I show on the ground floor plan the location of
23 that walkway. And there's also a patio off the back.

24 And so we are again, asking for a special use permit.
25 There's no zoning, there's no changes to the exterior. I don't
26 believe there's any other requirements, there's obviously a
27 building permit as some interior changes need to be made as far
28 as, you know, for fire code, and we need to prove out the
29 separate electrical panel as far as the building department is
30 concerned. But as far as planning, I think we've met all the
31 requirements.

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MR. KESSLER: Staff, any issues?

MR. KEHOE: No. I'm just trying to get the plan up before the meeting is over. But, no, in addition to some building permit stuff, there's some legal documents that need to be filed as per the special permit section of the code and you can work with Michael Cunningham in filing those.

MR. MICHAEL CUNNINGHAM: I'll draft the declaration for your client.

MR. BASANI: I appreciate that.

MR. CUNNINGHAM: And your client will just fill it out.

MR. BASANI: And of course, there's also health department approvals required for creating this apartment, so we had preliminary approval a couple of months ago. We're waiting for formal approval right now. Things are taking a little slow over there, but we all have our paperwork in and expect it will be following the preliminary approval.

MR. KESSLER: This is on septic or sewer?

MR. BASINI: It's on septic. There's a five-bedroom septic that was approved many years ago when it was built and we're not exceeding that.

MR. KESSLER: Okay. Any comments from the board?

MS. HILDINGER: No. I move to close the public hearing and adopt Resolution Number 3-23.

MR. MCKINLEY: Second.

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

MULTIPLE: Aye.

MR. KESSLER: Opposed? Alright. Good luck.

MR. BASANI: Thank you for your time. I appreciate it. Good night.

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2 MR. KESSLER: Last item of business is old business.
3 It's the application of Hudson Ridge Wellness Center, for site
4 development plan approval and a special permit for a hospital to
5 be located at the former Hudson Institute property to provide a
6 New York State Office of Addiction Services and Support for a
7 certified facility to treat individuals with chemical dependency
8 issues located at 2016 Quaker Ridge, drawings latest revised
9 October 24, 2022. Chris?

10 MR. KEHOE: We had discussions with the applicant and
11 as you know, this is just for the record, you are awaiting them
12 to provide you additional information about their discussions
13 with the state licensing agency, the Office of Substance Abuse.
14 They do not have that documentation yet. We did agree that we
15 will not put them on future agendas. They will get me the
16 information and when they get me something, they'll come back.
17 So they will not be attending tonight's meeting, obviously.

18 MR. KESSLER: Okay. Sounds great, Chris, Thank you.
19 So with that --

20 MR. BIANCHI: Question, in the process going forward
21 on this, we've already had a public hearing on it, so is that
22 been closed?

23 MR. KEHOE: No. So they're an old business item,
24 they're going to provide you information from OASAS. If you deem
25 that acceptable, then you will open up a public hearing. That
26 was another thing I discussed with the applicant. He wanted to
27 know why he couldn't just come back as a public hearing, and I
28 guess I could, but I thought it would be better for an old
29 business discussion because as Steven reminded me several months
30 ago, you closed the public hearing on the environmental and
31 adopted a negative declaration, but you kept it open on the site

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2 plan.

3 MR. BIANCHI: Okay. Alright. I just forgot. I didn't
4 remember. Okay.

5 MR. KESSLER: Any other comments on this? Alright. So
6 you'll send the letter to, to the applicant --

7 MR. KEHOE: Yes.

8 MR. KEHOE: In addition to -- I know you spoke with
9 him, but you'll tell him --

10 MR. KEHOE: Yeah, I'll make sure, since we're dealing
11 with the attorneys, Michael Cunningham and I will draft
12 something up.

13 MR. KESSLER: It's up to them to come back to us
14 rather than keeping it on the agenda.

15 MR. KEHOE: Okay.

16 MR. KESSLER: So with that, Mr. Rothfeder?

17 MR. ROTHFEDER: No, Ms. --

18 MS. DECKER: Oh, so there's no new business, so I
19 make a motion to adjourn the meeting.

20 MR. KESSLER: Well, don't we have to -- is there
21 anything to refer --

22 MR. ROTHFEDER: Oh, you want me to make --

23 MR. KESSLER: -- refer this back, yeah.

24 MR. ROTHFEDER: Oh, sorry. I make a motion that we
25 refer this back to staff.

26 MR. KESSLER: Second?

27 MR. MCKINLEY: Second.

28 MR. KESSLER: Okay. On the question? All in favor?

29 MULTIPLE: Aye.

30 MR. KESSLER: Opposed? Now.

31 MS. DECKER: Okay, now I make a motion to adjourn the

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meeting.

MR. KESSLER: Meeting adjourned. Thank you all.

(The public board meeting concluded at 6:41 p.m.)

CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of the Planning Board Meeting of the Town of Cortlandt on February 7, 2023 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: February 17, 2023

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