

June 25, 2021

By E-Mail and Regular Mail

Hon. Loretta Taylor
Chairperson of the Town of Cortlandt Planning Board
and Members of the Planning Board
Town Hall
1 Heady Street
Cortlandt Manor, New York 10567

**Re: Hudson Ridge Wellness Center, Inc.; Case No. 6-15
Fourth Supplemental Public Comments on behalf of CRHISD**

Dear Chairperson Taylor and Members of the Planning Board:

This submission is made on behalf of CRHISD in advance of the continuation of the Public Hearing on July 6th.

1. Application Process – CRHISD looks forward to the Board establishing a schedule for the public to review and comment on the Applicant’s forthcoming written responses to all public comments to date.

CRHISD also urges the Board to keep the Public Hearing open to allow the public to have an opportunity *in person* to address the Applicant’s responses during at least one Board meeting. Given that this is one of the biggest and most controversial projects currently in front of the Planning Board, and that community members have been civil and well-informed, and in fact on many occasions have brought new information to light, this is a reasonable request. To ensure that only the most pertinent topics are presented during a meeting—and are not repeated—the Board can continue its practice of announcing that the meeting will end at a certain time. This is a crucial and fair request because of CRHISD’s concern that understandably it can be challenging for the Board to review and pick up on the key issues from the large volume of written materials that is often submitted.

This procedure would also be consistent with the Board's past practices. During all the years our firm has represented applicants before your Board, we have never experienced an application where the public did not have a chance to stand at the podium and react to new information submitted by an applicant—whether revised drawings, updated traffic, stormwater, visual simulation and other technical studies, or other materials that purported to respond to comments by the public (and the Planning Board). This has happened in every single application that generated significant interest from the public. We cannot think of one instance where the public made substantial comments during a public hearing, and then was told that all further input on the applicant's responses would be confined to writing without any public discussion. We acknowledge that toward the end of an application process, after there has already been movement by the applicant to address the community's and Board's concerns, that the final public comments may be limited to writing. But this application is still in the first round of public hearing comments, and a lot of critical questions and missing information remain outstanding. The Board may not like hearing that, but it is where this matter currently stands.

2. OASAS Documentation – During the May 4th meeting, the Board asked the Applicant's consultant, Brian Baldwin (Cicero Consulting), to submit all communications with OASAS to confirm Mr. Baldwin's representations that OASAS knows about the extent of the residents' concerns, and that OASAS advised the Applicant to "resolve the local issues" prior to beginning the OASAS review process. Board Member Kessler explicitly requested each communication—emails, texts, letters, phone calls, etc. It is our understanding that almost 2 months later the Board still has not received this information. Why not?

CRHISD is eager to see this information because Mr. Baldwin's remarks contradicted the information that OASAS provided to CRHISD in response to a FOIL request a few months ago. For example, we know that OASAS advised Cicero Consulting in a letter dated August 23, 2019, that "To date, *OASAS has not seen any proposal from Hudson Ridge* and as such, cannot make a determination whether certification is required." (See copy attached) (emphasis added) (this was the most recent letter we received). This makes it readily apparent that OASAS does not know much about this project. We also have not seen anything from OASAS that prohibits the Applicant from beginning to have a conceptual discussion with OASAS until after the Town's review processes are complete. Perhaps OASAS did not provide us with all the records it has on file, but we will not know that until we review Mr. Baldwin's response to the Board.

3. Town's Review – CRHISD further urges the Planning Board Members (and Staff) to discuss in public their own questions and concerns, including about the impacts to community character/quality of life of the area residents, and siting a commercial facility on a local road in violation of the Town Board's special permit requirement that a hospital be located on a State road. The Board should also ask the Town's traffic consultant to opine on the issues raised in Mr. Adler's report submitted on behalf of CRHISD and any other open traffic/parking items. The public hearing sessions thus far have mostly provided an opportunity for the public to weigh in. CRHISD appreciates that the Board asked the Applicant about the OASAS process, and the access easement that was not disclosed by the Applicant. But the Board should also raise its own technical engineering, zoning, planning and other comments, as well as seek guidance from Town Staff/Officials and its outside consultants, just as the Board has always done on all other projects.


4. The Easement – CRHISD and many neighbors not affiliated with CRHISD have asked that the easement between two LLCs with overlapping interested parties be included as part of the Hudson Wellness site plan. The applicant itself has even admitted that the easement plays a role in how the property may be used in the future. Thus, the site plans need to be revised to reflect this additional land use and an assessment on the environmental impacts, including community character, need to be taken into consideration. Again, this is a reasonable request from community members.

Thank you for the Board's continued attention.

Respectfully submitted,

ZARIN & STEINMETZ

By:



David S. Steinmetz
Brad Schwartz

Encls.

cc: Thomas F. Wood, Esq.
Joshua B. Subin, Esq.
Chris Kehoe, AICP
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CRHISD
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**Office of Alcoholism and
Substance Abuse Services**

ANDREW M. CUOMO
Governor

**ARLENE GONZÁLEZ-SÁNCHEZ, M.S.,
L.M.S.W.**
Commissioner

August 23, 2019

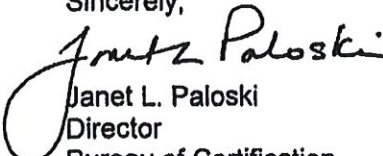
Mr. Frank M. Cicero
Cicero Consulting Associates
Suite 201W
701 Westchester Avenue
White Plains, NY 10604

Dear Mr. Cicero:

This letter is in response to your letter dated August 7, 2019 requesting advisement that the proposed services by Hudson Ridge Wellness Center (Hudson Ridge) requires OASAS Certification. **To date, OASAS has not seen any proposal from Hudson Ridge** and as such, cannot make a determination whether certification is required. The only information we have on Hudson Ridge is a need for OASAS Certification Questionnaire in which Steven Laker stated that he is not currently providing services but was interested in seeking OASAS approval to establish a Chemical Dependence Residential Program under Part 820. In a letter dated July 11, 2019, Dena Holmes directed Mr. Laker to the OASAS Certification website for the steps to obtain certification.

Once a completed Certification Application is received from Hudson Ridge, OASAS Certification will review and determine whether the services proposed in the application require OASAS Certification.

Sincerely,


Janet L. Paloski
Director
Bureau of Certification

cc.: Mark Boss
Dena Holmes
Trishia Allen
Brian Baldwin, Cicero Consulting Associates