

TOWN OF CORTLANDT
PLANNING AND ZONING BOARDS

BOARD MEETING

Town Hall
1 Heady Street
Cortlandt Manor, New York 1057
February 3, 2026
6:20 p.m. - 7:28 p.m.

February 3, 2026

MEMBERS PRESENT:

Steven Kessler, Chairman

Thomas A. Bianchi, Vice Chairman

Nora Hildinger, Member

Kevin Kobasa, Member

Peter McKinley, Member

Jeff Rothfeder, Member

Kellan Cantrell, Alternate

ALSO PRESENT:

Chris Kehoe, AICP, Director of Planning

Michael Cunningham, Esq., Deputy Town Attorney

Heather LaVarnway, CNU-A, Planner

Chris Lapine, P.E., Engineer

Catherine Brosnan, P.E., Assistant Civil Engineer

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2 (The board meeting commenced at 6:20 p.m.)

3 MR. STEVEN KESSLER: All right, we're
4 going to get started. Welcome to the planning
5 board meeting for February 3rd. Please rise for
6 the pledge.

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

12 MR. KESSLER: Roll please, Chris.

13 MR. CHRIS KEHOE: Mr. Kobasa?

14 MR. KEVIN KOBASA: Here.

15 MR. KEHOE: Ms. Hildinger?

16 MS. NORA HILDINGER: Here.

17 MR. KEHOE: Mr. Rothfeder?

18 MR. JEFF ROTHFEDER: Here.

19 MR. KEHOE: Mr. Kessler?

20 MR. KESSLER: Here.

21 MR. KEHOE: Mr. Bianchi?

22 MR. BIANCHI: Here.

23 MR. KEHOE: Mr. Cantrell?

24 MR. KELLAN CANTRELL: Here.

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2 MR. KEHOE: Mr. McKinley?

3 MR. PETER MCKINLEY: Here.

4 MR. KESSLER: Thank you. So this
5 evening, one change to the agenda which we
6 notified the public about, we'll be not, having
7 the yeshiva tonight on the agenda. Chris sent out
8 notifications to interested parties and it was in
9 the town newsletter, the weekly newsletter, also
10 made note of that. So, if there's anybody here
11 for the yeshiva, we will not be discussing that
12 this evening. It'll be back on the agenda for our
13 March 3rd meeting. Can I please have a motion to
14 adopt the minutes from our meeting of January
15 6th?

16 MR. MCKINLEY: So moved.

17 MR. KESSLER: Thank you. Second?

18 MR. KOBASA: Second.

19 MR. KESSLER: And on the question, all
20 in favor?

21 MULTIPLE: Aye.

22 MR. KESSLER: Opposed? First item is to
23 receive and file the 2025 annual report of the
24 planning board.

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2 MR. ROTHFEDER: Mr. Chair, I move that
3 we receive and file this report.

4 MR. KESSLER: Okay. Second, please.

5 MR. BIANCHI: Second.

6 MR. KESSLER: And on the question. All
7 in favor?

8 MULTIPLE: Aye.

9 MR. KESSLER: Opposed? Okay. First item
10 is a resolution, it's the application of 2051
11 Cortlandt Holding, LLC, for amended site plan
12 approval for the addition of five parking spaces
13 at the existing gas station located at 2051 East
14 Main Street, drawing latest revised December 22,
15 2025. Kevin?

16 MR. MCKINLEY: I'd like to make a motion
17 to adopt resolution 5-26.

18 MR. KESSLER: Thank you. Second, please.

19 MR. ROTHFEDER: Second.

20 MR. KESSLER: And on the question, all
21 in favor?

22 MULTIPLE: Aye.

23 MR. KESSLER: Opposed? Okay. Next item
24 is adjourn, as I mentioned, we're skipping over

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2 the yeshiva this evening. The next item is an
3 adjourned public hearing. It's the public hearing
4 for the application of VS Construction
5 Corporation for site plan approval and for tree,
6 wetland and steep slope permits for a proposed
7 96,850 square foot assisted living facility
8 located in the medical oriented district at 2003
9 Crompond Road, latest drawings November 20, 2025.
10 Mr. Steinmetz, good evening.

11 MR. DAVID STEINMETZ: Good evening, Mr.
12 Chairman, members of the board, David Steinmetz
13 from the law firm of VS -- from the law firm of
14 VS, law firm of Zarin and Steinmetz --

15 MR. KESSLER: It might as well be.

16 MR. STEINMETZ: -- representing VS
17 Construction. Maybe Mr. Santucci would like me to
18 join his law firm but, the good news is I have
19 Mr. Schwartz as a partner rather than Mr.
20 Santucci. Here tonight in connection with the
21 assisted living application that we have
22 previously appeared on, our client has a
23 development site that we have explained to you.
24 Benchmark Senior Living is interested in placing

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2 a 100-unit, 118-bed assisted living facility. I
3 believe William Cook from Benchmark is on screen
4 if we have any specific questions.

5 This is a continuation of our public
6 hearing on this project, and I'm going to take
7 one step back. As I mentioned in the work
8 session, this site was the subject of a
9 comprehensive review pursuant to the New York
10 State Environmental Quality Review Act, SEQRA, in
11 connection with the medical oriented district,
12 the MOD rezoning process. We are now here
13 specifically in the northeast corner of the MOD
14 with regard to this particular site.

15 We have presented this to you. As we
16 indicated at the last, the kickoff session of the
17 public hearing, we had received a number of
18 comments from your board and from staff about
19 reorienting, reorienting aspects of that
20 building. We have done that. We have also
21 conducted a fairly comprehensive site inspection
22 with your board and staff, where we looked at the
23 site, the trees, the wetland area, and in
24 particular, the corner of the property where

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2 there are some retaining walls.

3 We, my client and Benchmark's design
4 team have attempted to be responsive to the
5 concerns that have been raised. And we're here
6 tonight, Matt Steinberg is going to do a brief
7 presentation. We have responded to comments that
8 we have received from DOTS, from your outside
9 engineering consultant and most recently we have
10 received some comments from the Westchester
11 County planning department under Section 239M of
12 the general municipal law.

13 We understand that there may still be
14 some technical issues that are going back and
15 forth between our consultants and the town. But
16 we're pleased that we're making significant
17 progress. And I can tell you that Benchmark and
18 VS Construction are anxious to bring this to
19 fruition.

20 This is one of the linchpins of what
21 Envision Cortlandt had in mind 10 years ago when
22 your comprehensive planning committee wanted to
23 bring medical uses that combined both residential
24 accommodation, i.e. housing for seniors, as well

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2 as the provision of activities of daily living
3 support and services. Benchmark is one of the
4 preeminent providers of senior services in this
5 region, and they are very excited as, as are we,
6 to bring them to the Cortlandt community. So,
7 with that, I'm going to turn it over to Matt.

8 MR. KESSLER: Just one question before
9 you do that.

10 MR. STEINMETZ: Sure.

11 MR. KESSLER: The plans we received this
12 evening, those are in response to Mr. Lapine's
13 memo of January 21st?

14 MR. STEINMETZ: So the plans that are,
15 that you have this evening are probably from the
16 last round of comments that we got from Chris. I
17 would --

18 MR. KEHOE: Yeah. Just, the planning
19 department issued a review memo January 16th, and
20 Chris Lapine issued one January 20th.

21 MR. STEINMETZ: Correct.

22 MR. KESSLER: 21st.

23 MR. KEHOE: Yeah.

24 MR. STEINMETZ: So we're good. But we

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2 didn't turn it around that quickly. We just got,
3 we just got his, his memo like a week and a half
4 ago.

5 MR. KESSLER: Okay. So, basically more
6 revisions to come is my point.

7 MR. STEINMETZ: Which is why I said we
8 know there are still some technical issues that
9 have to be addressed. But the, we appreciate the
10 fact that staff has been moving with us and, and
11 proceeding. As we generate more iterations,
12 they're conducting their review and getting back
13 to us, again, all in an effort to finally bring
14 the MOD to fruition.

15 So there's a number of technical issues
16 that have been confronted. We, I think, addressed
17 and got rid of the wetland concern that, that
18 arose several months ago. We addressed, and we
19 think we got rid of the retaining wall issue that
20 arose several months ago. So we are, we're sort
21 of down to the short straws at this point, but
22 that remains to be seen. And at least allow Matt
23 to respond to some of these comments and address
24 some of the county comments as well.

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2 MR. KESSLER: Okay. I also, we wanted, I
3 thought the fire department was also going to go
4 out there. Has that happened?

5 MR. KEHOE: No. Fire department did the
6 yeshiva.

7 MR. STEINMETZ: Yeah, we did, we talked
8 about that on other matters. Katie, you would
9 know better than I. I thought we were talking
10 about that on the --

11 MS. KATIE BROSANAN: On the, the fire --

12 MR. KESSLER: It was on the yeshiva?

13 MR. STEINMETZ: On the, on the yeshiva
14 and the self-storage.

15 MR. KESSLER: Oh, okay.

16 MS. BROSANAN: Yeah. But they haven't, I
17 don't think they've gone to self-storage.

18 MR. KESSLER: Okay. Okay. Then --

19 MS. BROSANAN: But they did the yeshiva.

20 MR. KESSLER: -- we'll deal with that
21 next time.

22 MR. STEINMETZ: Got it. Got it.

23 MR. CHRIS LAPINE: I think you're, Mr.
24 Chairman, I think you're referring to the fire

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2 department reviewing the slopes at the main
3 entryway into the site, you wanted that
4 revisited.

5 MR. KESSLER: I'm sorry, I missed that?

6 MR. LAPINE: I think you're referring to
7 the slopes at the front of the site.

8 MR. KESSLER: Yes.

9 MR. LAPINE: For this application, it
10 was about 10 percent slope and you wanted to
11 confirm from the fire department that they can
12 make those slopes, so.

13 MR. STEINMETZ: I thought that issue was
14 addressed in SEQRA, Chris, but we can confirm.

15 MR. KESSLER: Okay.

16 MR. MATT STEINBERG: Thank you, David.
17 Matt Steinberg, DTS Provident. So yeah, we are in
18 the process of responding to the planning
19 department's comments and to the engineering
20 department, engineering comments. So we're, you
21 know, we will be submitting another set of plans
22 to address those comments. Regarding fire, we had
23 addressed that in the previous set, but
24 obviously, you know, if there's additional

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2 comments to be had from the fire department,
3 we'll obviously address them. But, we did address
4 their comments regarding, slopes into the site,
5 through the parking lot. And then, a fire truck
6 in this instance can circulate all the way
7 through the site, out the emergency access back
8 to Crompond Road.

9 What we did submit to this board is,
10 response to the Westchester County comments. They
11 had a number of comments. Some of them had to do
12 with the overall Evergreen site, so we tried to
13 be responsive to those. One in particular had to
14 do with parking spaces. So the number of parking
15 spaces is a little bit over what is required
16 under the code.

17 This was just, essentially based to be
18 consistent with ITE, the Institute of
19 Transportation Engineers, requirements or
20 suggestions, along with what Benchmark feels
21 comfortable with for their staff and guests. It's
22 only, it's not a ton, 66 parking spaces, 59 are
23 required. So, it's not an excessive amount over.
24 We did actually remove some spaces to provide

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2 additional room for maneuvering in response to
3 some of the comments that we're working through
4 from staff.

5 We'll take another look whether or not
6 any other spaces would be removed. Essentially
7 the parking lot though, the way it's configured,
8 there's really, we wouldn't be reducing the
9 impervious as part of that though. That was
10 really, I mean, I'm happy to answer any questions
11 if you have.

12 MR. KESSLER: Well, I guess the other
13 comments from the county regarding the bus stop
14 and the sidewalks, right. Those are the other two
15 issues that they raised?

16 MR. STEINBERG: They did, They did raise
17 that. So there was a bus stop as part of the
18 overall transportation improvements along the
19 corridor. So the bus stop that's actually closer
20 to the hospital is going to be relocated slightly
21 and improved. So it'll have an improved turnoff
22 for buses. That --

23 MR. KESSLER: You had that discussion
24 with the county?

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2 MR. STEINBERG: We have not had a
3 discussion further with the county as far as a
4 bus stop closer to our site. We're going to try
5 to set that up with them.

6 MR. KESSLER: Okay.

7 MR. STEINBERG: In previous --

8 MR. KEHOE: But Matt, is some of the bus
9 stop stuff worked in with what Colliers is doing
10 on the transportation improvements?

11 MR. STEINBERG: Correct.

12 MR. KEHOE: Right.

13 MR. STEINBERG: Correct, right. As part
14 of those overall improvements, there's an
15 improvement to the existing bus stop that serves
16 an existing line.

17 MR. LAPINE: And, and Matt, if I'm
18 correct from the meeting that we had, some of
19 this is related to existing utilities that are
20 prohibiting relocation of that bus stop even
21 closer to the site? From what Colliers explained
22 to us during that meeting?

23 MR. STEINBERG: Yes. Yes. There are
24 some existing poles, not in front of the VS site,

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2 but in front of the Gyrodyne site that actually
3 serve the hospital and they can't be relocated
4 readily. So --

5 MR. KESSLER: The bus stop is currently
6 at the Gyrodyne site?

7 MR. STEINBERG: It's closer to the
8 Gyrodyne site.

9 MR. KESSLER: But You mentioned you were
10 going to move it?

11 MR. STEINBERG: It was going to slightly
12 move a little bit closer to our site, but still
13 in front of the Gyrodyne site, that's still where
14 it makes sense.

15 MR. KESSLER: The county has to approve
16 that movement.

17 MR. STEINBERG: Hmm?

18 MR. KESSLER: Doesn't the county have to
19 approve moving the bus stop?

20 MR. STEINBERG: Um --

21 MR. KEHOE: I think the county Bee-Line
22 might have to.

23 MR. STEINBERG: They, yeah, they might
24 as part of the review of the Collier's

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2 transportation plans. But overall, the intent is
3 to, to improve it so it'll have a larger pull off
4 for a bus as part of that. So I, you know, we're
5 hoping that that is seen as a benefit. The --

6 MS. HILDINGER: It still west Of
7 Lafayette though?

8 MR. STEINBERG: It is west of Lafayette.

9 MR. MCKINLEY: It's where the
10 [unintelligible] [00:12:11] are.

11 MR. STEINBERG: Yep. And it is, I think
12 I, we included --

13 MR. KESSLER: It's basically across from
14 the hospital right now.

15 MR. STEINBERG: Yes. Which, you know,
16 the, the hospital certainly has the larger
17 ridership.

18 MR. KESSLER: Sure.

19 MR. STEINBERG: In past, and we'll try
20 to have a discussion with, with the Department of
21 Transportation at the county. In the past,
22 obviously these lines are very long, these Bee-
23 Line buses. Obviously, adding additional stops
24 adds additional times to very long lines.

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2 MR. KESSLER: Sure.

3 MR. STEINBERG: They tend to typically
4 do not just do that without, you know, having a
5 known ridership. You know, the, while there will
6 be a population at this site, it probably does
7 not warrant another stop at this time. The Bee-
8 Line obviously will investigate that. But we'll
9 have that discussion with them.

10 MR. KESSLER: But there will be a
11 sidewalk going from your side to that bus stop?

12 MR. STEINBERG: Correct, which doesn't
13 exist today. So there'll be that new sidewalk.
14 The county kind of mentioned crosswalks, so part
15 of this, there would be crosswalks, there'll be
16 new crosswalks across Lafayette. There'll be a
17 new crosswalk across Crompond Road to the
18 hospital. So there's a, there's a number of
19 improvements in the, in the roadway improvement
20 plans.

21 MR. KESSLER: But they also raised the
22 issue of the sidewalk going east?

23 MR. STEINBERG: They did.

24 MR. KESSLER: And your position is?

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2 MR. STEINBERG: That it does not really
3 provide additional access to anywhere else. It
4 would get to the end of our site, perhaps. The
5 likelihood of putting another crosswalk to the
6 nearby commercial is probably very difficult.
7 That would be a midblock crossing on a state
8 road. We just don't see that that would happen.

9 MR. KESSLER: Would that be by Conklin
10 or?

11 MR. STEINBERG: Further east of Conklin.
12 I don't, sorry, I'm not sure, I don't remember
13 the road.

14 MR. KESSLER: Will there be a crosswalk
15 going to Conklin or from your site, no?

16 MR. STEINBERG: No. There will not be --
17 I don't think there's a crosswalk proposed there.

18 MR. KESSLER: So the only crosswalk will
19 be across Lafayette into the hospital?

20 MR. MCKINLEY: Right here.

21 MR. KOBASA: Across Crompond?

22 MR. STEINBERG: Yes. To the hospital and
23 then again, over by the Gyrodyne entrance, I
24 think there's another set of crosswalks. So

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2 there'll be additional crosswalks, additional
3 sidewalks, additional, definitely additional
4 mobility between our site, the future Gyrodyne
5 and the hospital itself plan.

6 MR. MICHAEL CUNNINGHAM: Matt, isn't
7 Collier's engineering working on the plans too,
8 and, and speaking with the county and the state
9 about that as well? Or is that just your team
10 specifically?

11 MR. STEINBERG: No. Colliers is the one
12 working on the roadway improvements. They are
13 definitely in concert with the state, because it
14 obviously is a DOT road, but also with the county
15 because Dayton Lane, that intersection, the
16 existing, and I think the light after that is
17 county. So there's a coordination between all
18 parties, both the town, the county, and the
19 state. Our understanding is that the lights will
20 all be hooked to the same system so that they
21 will communicate with each other. So that's being
22 discussed now so that they're coordinated between
23 the county's and the state's highway signal
24 system.

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2 MR. CUNNINGHAM: And, just by way of
3 review too, the Colliers is a town retained
4 consultant and it's being funded by VS
5 Construction and Gyrodyne. So they're the one
6 that's overseeing all the developments and the,
7 all the improvements to the road and the
8 sidewalks and the crosswalks and the corridor,
9 because it had to be aligned. You couldn't just
10 ha look at each project piecemeal, because then
11 it would end up with just, with improvements that
12 didn't make sense for the whole corridor.

13 MR. STEINMETZ: So, very much appreciate
14 Michael's comments and taking a step back,
15 because more than half of this board was not
16 sitting on this board at the time we went through
17 the MOD, a four-year SEQRA process, which
18 culminated in a finding statement that Michael's
19 alluding to with literally several million
20 dollars of offsite improvements that are required
21 to be made at neighboring intersections,
22 crosswalks, road widenings, et cetera.

23 But the most important point Michael
24 made is it took into account not only the

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2 Evergreen site and everything we're talking about
3 tonight, the assisted living, and you heard
4 during the work session, 96 townhouse lots as
5 well as a 10,000 square foot commercial building,
6 which we'll get to later on the agenda. But it
7 also took into account a rather sizable project
8 at the Gyrodyne property. So all of those
9 improvements were all mandated mitigation as part
10 of the full SEQRA process. And yes, the
11 applicants, Gyrodyne and VS Construction are
12 required to implement those.

13 MR. KESSLER: Okay. Go ahead. Sure, Tom?

14 MR. BIANCHI: Is Crompond Road a state
15 road? Okay. Has there been, or have you received
16 comments from the DOT on traffic mitigation
17 measures that, except for, I know there's
18 Lafayette, there's modifications going on there,
19 but --

20 MR. STEINMETZ: So we received --

21 MR. BIANCHI: I don't recall seeing
22 them.

23 MR. STEINMETZ: So Tom, that was all
24 baked into, literally two years of your

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2 consultants working with DOT during the SEQRA
3 process.

4 MR. BIANCHI: Okay.

5 MR. STEINMETZ: So DOT, everything that
6 I just referred to in terms of the, the several
7 million dollars of offsite improvements, those
8 are mandates from DOT.

9 MR. BIANCHI: Okay.

10 MR. STEINMETZ: They were coordinated
11 with the town's consultant. The town at that time
12 was utilizing AKRF as its traffic consultant and
13 its SEQRA consultant. So all of that was studied
14 in the DEIS, the FEIS and the town board as lead
15 agency under SEQRA, mandated those mitigation
16 measures and they're baked into the finding
17 statement that bind all of us.

18 MR. BIANCHI: Okay. Are there, I don't
19 recall. I'm not doubting you, I just don't recall
20 seeing them, but are there measures --

21 MR. STEINMETZ: You ask Michael, you
22 don't have to ask me. C

23 MR. BIANCHI: -- at the cross section,
24 the intersection of the site and Crompond Road

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2 other than Lafayette? Are there any --

3 MR. STEINMETZ: Dayton Lane --

4 MR. BIANCHI: -- additional light, near
5 Conklin, for instance?

6 MR. STEINMETZ: Dayton Lane, Lafayette
7 Conklin, road widening on 202, crosswalks.

8 MR. STEINBERG: And the Bear Mountain
9 Parkway --

10 MR. BIANCHI: Okay.

11 MR. STEINBERG: -- intersection.

12 MR. BIANCHI: Those were all addressed,
13 okay.

14 MR. STEINMETZ: All studied and all
15 mitigated.

16 MR. BIANCHI: All right. Thank you.

17 MR. KESSLER: Okay. Any other questions
18 from the board or staff? And it's, this is a
19 public hearing, is there anybody that wishes to
20 comment in the audience?

21 MR. LAPINE: Mr. Chairman, just for your
22 benefit and the benefit of the board, we made one
23 aesthetic comment that maybe you can guide the
24 applicant on. At the northwest corner of the

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2 facility at the entry road, there is a retaining
3 wall that's being proposed, it's 14 foot in
4 height. Our office, I think along with planning,
5 recommended the terracing of that wall so that we
6 can incorporate some greenery there. Maybe if you
7 can give the applicant some guidance, as that's,
8 that's something that you wish to see.

9 MR. KESSLER: That's on, the wall's on
10 Crompond Road?

11 MR. LAPINE: Yeah, it's the, at the
12 intersection of the main entryway.

13 MR. KESSLER: Okay.

14 MR. STEINMETZ: So before Matt speaks to
15 that, I just want to state for the record that
16 just because I want to make a record on this,
17 it's the second public hearing in a row that
18 nobody spoke to the assisted living. So I'm
19 pleased to see that. And, and I just want the
20 record to reflect that. But on the, the terracing
21 of the retaining wall, Matt, I thought we had
22 incorporated that?

23 MR. STEINBERG: Well, we've, right. We
24 have incorporated some terracing. That front wall

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2 obviously is, as it appears in the image. So we
3 were asked to investigate it. We are, we're all
4 looking at options. You know, this is, it's a
5 tight site, between the building and the setback.
6 So there's a limit of where we can set the wall
7 and terrace it. There's also a limit of how much
8 planting we can do in the terracing itself,
9 between each terrace. Obviously we, we would not
10 be able to plant trees, those wouldn't work, but
11 they would've to be shrubs, whereas we could try
12 to put larger trees at the bottom of the base.
13 The further we move those terraces out, it just
14 limits how much space we have for those larger
15 trees. So we're looking at it now so we can
16 present that back to staff.

17 MR. KESSLER: Okay. And before Jeff
18 raises it, the county also raised the issue of
19 green building technology. Any, any thoughts, any
20 plans?

21 MR. STEINBERG: So we've asked
22 Benchmark, if there's anything specific, so we
23 can get back to you about that, yeah.

24 MR. KESSLER: Okay.

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2 MR. ROTHFEDER: Thank you.

3 MR. KESSLER: Okay. Yeah, I think that
4 would be something to look into.

5 MR. STEINMETZ: Understood. We know Jeff
6 would've raised it.

7 MR. ROTHFEDER: It was on my mind.

8 MR. KESSLER: Okay. Any other comments
9 from the board of staff? So as, as you mentioned
10 David, so this, obviously still some work to be
11 done, so, we'll be, adjourning this public
12 hearing to the March 3rd meeting. So, no other
13 comments, Kellan?

14 MR. KEHOE: Just, you know, what, what,
15 what we're talking about a lot recently is that
16 the, your team should get those revised drawings
17 back to us in advance of the deadline, not use
18 the deadline as their goal.

19 MR. STEINMETZ: I got, I hear you.
20 You've been making that very clear to us on a
21 number of different applications to make sure you
22 have time to review it, and we can actually
23 accomplish something at the next meeting, got it.

24 MR. KESSLER: Okay, motion, please.

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2 MR. CANTRELL: Motion to adjourn the
3 public hearing to the March planning board
4 meeting.

5 MR. KESSLER: Thank you. Second, please.

6 MR. BIANCHI: Second.

7 MR. KESSLER: And on the question. All
8 in favor?

9 MULTIPLE: Aye.

10 MR. KESSLER: Opposed? Okay.

11 MR. STEINMETZ: Thank you all.

12 MR. KESSLER: See you then. All right,
13 moving on to old business this evening, it's the
14 application of 70 Roa Hook Realty, LLC for, site
15 development plan approval to redevelop the site
16 of the partially constructed Crystal Clean
17 Carwash facility to a proposed vehicle showroom
18 and service facility for the property located at
19 70 Roa Hook Road, drawings dated January 22,
20 2026. Good evening.

21 MR. BRAD SCHWARTZ: Good evening. Mr.
22 Chairman, members of the board and staff, Brad
23 Schwartz from the law firm still known as Zarin
24 and Steinmetz. So we're here for an application

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2 for, to allow part sales and service repair of
3 Peterbilt trucks at the property. When we were
4 here in December, we had talked about bifurcating
5 the approvals for those two operations. As you
6 discussed in your work session, we talked to
7 staff and we are now combining it. It's one
8 complete application covering both operations. We
9 submitted a full site plan application covering
10 those uses with a full set of site plans. And we
11 look forward to comments and review by staff.

12 You should know that John Canning is now
13 also part of our team. I'm going to be submitting
14 a traffic parking report in the next day or two,
15 concluding that this will be a, a lesser impact
16 from traffic and parking as compared to the
17 proposed car wash.

18 MR. KESSLER: He's with you guys now?

19 MR. SCHWARTZ: He's with us, yeah, part
20 of the law firm too. Wow.

21 MR. KEHOE: Oh, we used to use John
22 Canning, but I don't think he was ever uniformly
23 on the municipal side. I do think he had been
24 representing private clients as well. He was

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2 never our personal consultant, so to speak.

3 MR. CUNNINGHAM: He represented the gas
4 station recently on Route 6.

5 MR. KESSLER: Okay.

6 MR. KEHOE: Yeah.

7 MR. CUNNINGHAM: The one, the Sinclair
8 station.

9 MR. KESSLER: Hmm. Okay. So as you said,
10 we're going to refer this back for staff to --

11 MR. SCHWARTZ: John Gilchrist is here
12 tonight to make a brief presentation if you would
13 like.

14 MR. KESSLER: Oh, sure.

15 MR. SCHWARTZ: So, just to point out the
16 modifications from the approved car wash and to
17 show you what we're proposing to install.

18 MR. KESSLER: Sure.

19 MR. JOHN GILCHRIST: Good evening. I'm
20 John Gilchrist. I was the architect and engineer
21 for the car wash project. And the current owners
22 were good enough to rehire me to work with them
23 on this remodeling and addition of the project.
24 And, I wonder if you could put up my zoning plan,

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2 who's in charge there? And then, yes, over to
3 the, nope, the site plan part.

4 Anyway, we, if you're probably familiar
5 with the car wash, it's 90 percent complete and
6 abandoned for several years. Our proposal is to
7 remove, towards the front, two of the car wash
8 bays and the rotunda, and then create a new
9 building in addition that would serve as four
10 service bays.

11 Unfortunately, the car wash was designed
12 to accommodate a truck, but these service bays
13 need to fit a truck plus a crane rail above the
14 truck so that we could lift motors if necessary.
15 To the right and the rear, we have car wash bays
16 that will remain. We're going to make them, the
17 two leftmost bays longer, again to accommodate a
18 longer truck. But otherwise, those bays will
19 stay, the existing office space will stay and
20 there's, another wash bay that will remain that
21 we will use for parts storage.

22 MR. KESSLER: So that's seven bays
23 altogether, is that --

24 MR. GILCHRIST: We have seven new bays,

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2 yes.

3 MR. KESSLER: Okay.

4 MR. GILCHRIST: Seven service bays.

5 According to the letter produced by the operator,
6 we have a very low incidence of trucks coming and
7 going to the tune of 14 a month. That's two per
8 bay per month. When it was a car wash, we were
9 anticipating at the peak morning hour, 20 cars
10 per hour and then evening peak hour, 40 cars per
11 hour, so easily in excess of a hundred cars a
12 day. So our traffic volume is greatly reduced.

13 Number of employees is about six, with
14 one guy who's going to deliver parts. So our
15 parking requirement is reduced. We tried to fit
16 15 cars on the site, which is what was approved
17 for the car wash. We don't need the 15 cars.
18 Otherwise that's, that's, pretty much what it is.
19 The, the site --

20 MR. ROTHFEDER: Is of the business
21 deliveries?

22 MR. GILCHRIST: We deliver parts. We'll
23 receive parts and deliver parts.

24 MR. ROTHFEDER: And then deliver?

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2 MR. GILCHRIST: So if another service
3 facility needs a specific part --

4 MR. ROTHFEDER: Right.

5 MR. GILCHRIST: -- we'll, we'll have it
6 and we'll deliver it.

7 MR. ROTHFEDER: Okay.

8 MR. GILCHRIST: May we're not doing
9 small services on trucks, we're doing major
10 services.

11 MR. ROTHFEDER: Mm-hmm.

12 MR. KESSLER: So those trucks would
13 probably stay there for a number of days before
14 they leave?

15 MR. GILCHRIST: They could be there for
16 two weeks.

17 MR. KESSLER: Weeks, okay.

18 MR. GILCHRIST: Yes.

19 MR. LAPINE: Do you have to change any
20 of the, mitigation of the water, the drainage
21 because of a car wash would take water in? This
22 is going to be, you want to avoid that with oils
23 and other things.

24 MR. GILCHRIST: We, we have, you know,

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2 all the underground stuff is done. The well is
3 in, the septic is in all of the rainwater
4 detention is in. We don't need it. We don't need
5 the rainwater detention, but we have it, so that,
6 all that stuff will work. The drainage of the
7 site, the grading of the site will remain pretty
8 much the same. It all drains through an oil water
9 separator and then to an existing pipe under Roa
10 Hook Road out into Anneville Creek. So the
11 coverage of the site changes very little. The
12 drainage characteristics of the site changes very
13 little. The use of the site is way diminished.
14 And --

15 MR. KESSLER: I'm out of my depth here.
16 But do you require additional oil separators or
17 something because of the work that you're doing
18 on these trucks? I mean a car wash is one thing
19 where you're just recycling the water. Here,
20 there'll be other liquids that are going to be
21 generated and have to be captured and disposed
22 of?

23 MR. GILCHRIST: It's in, that'll all be
24 inside the building.

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2 MR. LAPINE: Interior.

3 MR. GILCHRIST: But yeah, we, we'll do
4 oil changes and we'll have to capture the oil,
5 certainly. And that'll be done according to state
6 laws. There should be no, you know, less, we're
7 not going to have cars come out onto the parking
8 lot to drip dry. It's nothing like that.

9 MR. KESSLER: Is there a state review
10 process of this at all? Or of the facility or?

11 MR. GILCHRIST: Certainly, you know, I'm
12 not aware, to tell you the truth.

13 MR. ROTHFEDER: So we don't know. Do
14 they come out and inspect like once a month or
15 that like the separators are working and that
16 sort of thing?

17 MR. GILCHRIST: Are you subject to it?

18 UNIDENTIFIED MALE: There's a state
19 licensing requirement.

20 MR. GILCHRIST: Yeah, so there's a state
21 licensing requirement for this operation.

22 MR. ROTHFEDER: But ongoing inspections
23 by the state?

24 UNIDENTIFIED MALE: I don't think so.

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2 MR. GILCHRIST: No.

3 MR. ROTHFEDER: That's great.

4 MR. KEHOE: But I think Katie do, do we
5 do something with oil and water? Do we mandate
6 reports from them or something like that? Okay.
7 We'll get that answer to you.

8 MR. KESSLER: Okay.

9 MR. KEHOE: Because they only work well
10 if they're maintained.

11 MR. ROTHFEDER: Yeah, exactly.

12 MR. LAPINE: There's in the building
13 code, this is similar to what we had to do with
14 the Hertz Rent-a-Car. There's a whole process for
15 how they design these oil water separators, in
16 each particular bay and what their capacity is.
17 And then there are maintenance requirements that,
18 similar to Hertz we make them put them on the
19 plan. So that gives you some bite.

20 MR. ROTHFEDER: But if that's our
21 building code, I mean?

22 MR. LAPINE: Yeah. Well, no, it's a
23 state building code, state building code
24 requirement for how you size these.

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2 MR. KESSLER: Right.

3 MR. LAPINE: And then the maintenance
4 requirements, you could require them to place
5 these on the plan so that it gives you the bite
6 in the event you want to make sure that they're
7 being constantly maintained. So you can go and
8 you could check on them by having those
9 maintenance requirements on the plans.

10 MR. KESSLER: Okay. But that doesn't
11 happen routinely?

12 MR. LAPINE: I can't answer it to DOTS.

13 MR. KESSLER: I mean, once they're
14 developed according to, rules, regulations,
15 whatever --

16 MR. ROTHFEDER: Right.

17 MR. KESSLER: -- after that, anything,
18 anything goes.

19 MR. KEHOE: We'll get you an answer.

20 MS. BROSANAN: I'll get you a more
21 thorough answer from the code.

22 MR. ROTHFEDER: And it'd be good if we
23 could put something in the resolution.

24 MR. KESSLER: Any, any, Tom?

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2 MR. BIANCHI: Under the previous
3 application for this facility, I remember that
4 there was a lot of discussion about the traffic
5 flow, especially in the northbound traffic flow.
6 And this is, we're talking cars at that time and
7 how they would access this facility. Now we're
8 talking about trucks. So could you describe how
9 that's, how northbound, I guess it's northbound.
10 Yeah, northbound traffic will access this
11 facility? Do they have to go to the intersection
12 further north and then turn around and come back
13 down?

14 MR. GILCHRIST: No. And the driveway
15 that's there was designed to accommodate trucks
16 and it was approved by the DOT, and, you know,
17 rigorously studied. There's, there was a
18 requirement, we're allowed left turns in, and
19 there's a requirement that it would be revisited
20 to see how it's working. So, as part of the car
21 wash approval, left turns into our driveway and
22 right turns out only.

23 MR. BIANCHI: There'll be a left turn
24 allowed in going north?

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2 MR. GILCHRIST: From the northbound,
3 yes.

4 MR. BIANCHI: Into the facility?

5 MR. GILCHRIST: Yes.

6 MR. BIANCHI: And you said, what did DOT
7 say about that?

8 MR. GILCHRIST: I have, there's a note
9 right on my drawing.

10 MR. BIANCHI: Did they approve that or
11 did they --

12 MR. KEHOE: Well, there's a prohibition
13 right now for no left turn in the morning rush
14 hour, and on weekends, in the afternoon and
15 there's -- weekdays. And there's signage supposed
16 to be put out there.

17 MR. KESSLER: That was with the car
18 wash.

19 MR. KEHOE: That was with the car wash.
20 But as they said, they're going to retain John
21 Canning and we'll have our own traffic person --

22 MR. KESSLER: Okay.

23 MR. KEHOE: -- to see if that changes.

24 MR. BIANCHI: Okay. That's, that's what

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2 I was getting to, just to review that again.
3 Because now we're talking trucks versus cars, and
4 that was my concern.

5 MR. GILCHRIST: Yeah. So the, the notes
6 on the drawing, as, as Chris says, no, left turn
7 7:00 a.m. to 9:00 a.m., 4:00 p.m. to 6:00 p.m.
8 weekdays, if safety or operational issues arise,
9 the time restriction on northbound left turn
10 entering may be removed and all left turns
11 prohibited.

12 MR. BIANCHI: Okay.

13 MR. GILCHRIST: So that was, that was
14 language on the drawing that was required.

15 MR. BIANCHI: But that was on the
16 previous application.

17 MR. GILCHRIST: Yes.

18 MR. BIANCHI: Not this one.

19 MR. GILCHRIST: With the car wash at a
20 hundred, over a hundred cars a day.

21 MR. BIANCHI: Right. But again, they
22 were cars, not trucks. But you're saying 14
23 trucks in and out of the shop per month.

24 MR. GILCHRIST: That, that's right. And

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2 six employees coming in and going per day.

3 MR. LAPINE: We want to make sure that
4 they can accommodate whatever the trailer that's
5 delivering.

6 MR. SCHWARTZ: [unintelligible]
7 [00:32:33] deliveries, like the first one is at
8 5:00 in the morning, so as you'll see, and it's
9 in the narrative that we submitted, and it'll be
10 in John's report also. It's not even during the
11 peak times, the traditional peak times, like the
12 first delivery at 5:00 a.m., the next one goes
13 out, comes in, I think at 11:00 a.m. So it's not
14 the traditional peak periods.

15 MR. KESSLER: Okay.

16 MR. BIANCHI: I'd like to see maybe John
17 Canning can appear at the next meeting, at our
18 next meeting just to discuss that a little bit
19 more and review what the DOT's take is on it, now
20 that we're talking about trucks, We'll have him
21 here.

22 MS. BROSAN: What is the maximum size
23 truck that you anticipate for deliveries?

24 MR. GILCHRIST: Thirty. No trailers.

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2 MS. BROSANAN: Thirty feet, no trailers?

3 MR. GILCHRIST: No trailers. You know,
4 it's --

5 MR. ROTHFEDER: So it's a box truck?

6 MR. GILCHRIST: Well --

7 MR. SCHWARTZ: Sprint trucks, like --

8 MR. GILCHRIST: Tractors for tractor
9 trailers, cement trucks, any kind of big, big
10 trucks.

11 MS. BROSANAN: What, what side of the
12 building do you anticipate delivery?

13 MR. GILCHRIST: Excuse me?

14 MS. BROSANAN: What side of the building
15 do you anticipate delivery.

16 MR. GILCHRIST: You know, delivery.

17 MS. BROSANAN: Do they offload behind the
18 building?

19 MR. GILCHRIST: Yes.

20 MS. BROSANAN: Okay.

21 MR. KESSLER: So your bays can
22 accommodate a 30 foot truck is what you're
23 saying?

24 MR. GILCHRIST: Yes.

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2 MR. KESSLER: Okay.

3 MR. SCHWARTZ: Many of the trucks will
4 be smaller and that's all in the project
5 narrative that we submitted.

6 MR. GILCHRIST: Right. The largest would
7 be 30.

8 MR. KESSLER: Okay. Any, any other
9 comments from the board, staff? Yeah, sure.

10 MR. MCKINLEY: Would there ever be a
11 time when some of these trucks or parts or frames
12 would be, sorry, frames would be in, in storage
13 behind? Or is everything contained inside the
14 building? Like all the repair work is done inside
15 the building?

16 MR. GILCHRIST: All the, all the repair
17 work is done inside, yes.

18 MR. MCKINLEY: Okay. So it's not a
19 salvage or --

20 MR. GILCHRIST: No.

21 MR. SCHWARTZ: Not stockpiling, no.

22 MR. GILCHRIST: No.

23 MR. MCKINLEY: That's my question. Okay.

24 MR. SCHWARTZ: No.

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2 MR. MCKINLEY: Great.

3 MR. KESSLER: Anything else?

4 MR. SCHWARTZ: Mr. Chairman, if I could
5 just procedurally before you conclude?

6 MR. KESSLER: Sure.

7 MR. SCHWARTZ: If there's no other
8 substantive comments tonight, and we'll have Mr.
9 Canning here next time and we'll respond
10 obviously to any comments we can get back from
11 staff. If your board would, please just declare
12 your intent to serve as lead agency tonight, at
13 least start that process, that would be
14 appreciated.

15 MR. KESSLER: Okay. We'll add that to
16 the, to the motion. So, who has this? Peter?

17 MR. MCKINLEY: I do. Okay. Mr. Chairman,
18 I'd like to refer this back to staff for further
19 discussion and in addition, we'd like to, declare
20 that the planning board would be lead agent for
21 PB 2025-18 for Roa Hook Realty, LLC, site
22 development.

23 MR. KESSLER: Thanks. Second, please.

24 MR. KOBASA: Second.

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2 MR. KESSLER: On the question.

3 MR. CUNNINGHAM: It just, we're
4 circulating for now the notice to be lead agency
5 and then at the next meeting likely be able to
6 declare lead agent.

7 MR. KEHOE: Yeah. So technically you're
8 only declaring your intent to make sure no one
9 objects.

10 MR. KESSLER: Right.

11 MR. KEHOE: And then at a later meeting,
12 you'll actually declare yourself lead agency.

13 MR. CUNNINGHAM: Actually you'll
14 probably to wait until April because it's not 30
15 days given that February's a short month, so
16 it'll probably be in April meeting you could
17 actually declare lead agency.

18 MR. KESSLER: Thank you. All right,
19 we're on the question. All in favor?

20 MULTIPLE: Aye.

21 MR. KESSLER: Opposed? Okay. Thank you.

22 MR. SCHWARTZ: Good night. Thank you.

23 MR. KESSLER: Okay. Moving on, the
24 second item under old business, it's the

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2 application of Dakota Recycling Service, LLC and
3 Dakota Concrete Services, LLC for the property of
4 Briga Enterprises Incorporated, and Bilotta
5 Realty of Westchester, Incorporated for amended
6 site plan approval for the existing Dakota
7 Recycling Services and Dakota Concrete Services
8 for property located at 2099 Albany Post Road,
9 drawings dated January 20, 2026. Mr. Steinmetz,
10 good evening again.

11 MR. STEINMETZ: Good evening, Mr.
12 Chairman, members of the board, I'm here this
13 evening also on behalf of Bilotta and Dakota and
14 Briga. As we indicated briefly at the work
15 session, as you heard from Chris, we are not
16 planning on making any kind of comprehensive
17 presentation. I do believe Peter Loyola from CLA
18 engineering should be on if the board has any
19 specific questions. We thought, and I don't want
20 to speak for Chris, but Chris reached out and
21 indicated that there might be a benefit to just
22 appearing before your board to let you know that
23 although this application was filed last summer,
24 there has been quite a bit of work going on

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2 between staff and our technical consultants. They
3 are addressing a number of issues between them.
4 We expect to hopefully have most of those issues
5 answered and be back before you at the next
6 meeting.

7 I did want to address just briefly
8 something that I heard come up at the work
9 session, so that you don't leave tonight with any
10 kind of misimpression. It is our understanding,
11 both my client and my firm, that the uses on this
12 property are not an issue and have not been an
13 issue, and then have not been raised by staff and
14 your outside consultants as an issue.

15 As Mr. Lapine, prompted you with his
16 question during the work session, there, there
17 have been some technical questions raised by DOTS
18 and Chris about whether the areas on the site
19 have possibly moved to some extent. Although, I
20 think Mr. Bilotta feels that that's not accurate.

21 In terms of the uses, as you indicated,
22 Mr. Chairman, this board did grant approval over
23 20 years ago. This is a lawful concrete plant as
24 well as a recycling facility and contractor's

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2 yard. And as you heard me say, probably at the
3 beginning of 2025, at some meetings, there have
4 been numerous litigations commenced against the
5 town, specifically against the planning board by
6 a neighboring property owner. And in each of
7 those litigations, the town, I believe, took the
8 position that the use was lawful and was
9 permitted.

10 So the reason that we're here, in my
11 opinion on the back of the property, is that,
12 taking a step back with you, we had filed an
13 application to construct a metal butler building
14 for storage on what I consider the front of the
15 property, along Albany Post Road. That prompted a
16 number of questions during our deliberation,
17 during your deliberations and our discussion of
18 that.

19 And we were asked by DOTS and staff to
20 examine the back of the property, in particular
21 with regard to SWIPP and storm water, storm water
22 management. So during the processing of what was
23 a modest storage building at the front of the
24 property, we sort of walked into the notion of

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2 making sure that your board had a good clean
3 record of the back of the property and the storm
4 water management that was occurring there.

5 Unfortunately, over a year ago, I guess
6 it's now over a year ago, there was then a fire
7 that on the property and that kind of got in the
8 way and delayed some things and at least raised a
9 number of issues for the building department that
10 had to be answered.

11 So long and short, Bilotta, Dakota,
12 they're operating, they've been operating for
13 over 25 years, or 20 plus years. They believe
14 they've been operating lawfully. It's a pretty
15 critical industry and business here in your
16 community in terms of recycling asphalt and rock
17 used in construction jobs, including on Route 9
18 quite regularly. So, long story short, I hope
19 that staff is getting the information it needs
20 from Peter Loyola and, and staff and our
21 technical team. We look forward to continuing to
22 work with DOTS.

23 But I did not want your board to leave
24 tonight thinking we had tacitly acknowledged the

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2 chairman's comment about uses, because we, we
3 actually quite vehemently disagree. The uses are
4 lawful. You've permitted them. They've operated
5 for over 20 years. We're trying to clean up some
6 technical issues and leave you with a good site
7 that has a good clean site plan.

8 MR. KESSLER: Any comments from the
9 board?

10 MR. CANTRELL: I think it, I think it
11 would be good to understand what the existing
12 permit outlines and what's allowed and make sure
13 that you all are in compliance with that. I think
14 it would be good to hear from staff on that to
15 see what they think of it. And then, you know,
16 just some questions about the detention pond
17 outlets and so forth, so.

18 MR. STEINMETZ: Okay. Understood.

19 MR. CANTRELL: Thank you.

20 MR. KOBASA: I'm just going to bring up
21 the drainage that's along the access easement,
22 the road that the concrete trucks used to get to
23 the plant, that I raised while we were out there,
24 just to make sure that that's addressed, the idea

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2 that water was not making it into the drains, as
3 we could see when we were out there.

4 MR. STEINMETZ: So, Peter Loyola is on
5 screen, and Kevin, unless you want an answer
6 tonight, I'm going to ask, I'm going to ask --

7 MR. KOBASA: I don't need an answer
8 tonight.

9 MR. STEINMETZ: I figured that.

10 MR. KOBASA: I just want to make sure.

11 MR. STEINMETZ: I'm going to ask Peter
12 and CLA to respond to both your comments and,
13 and, and Kellan's question as well.

14 MR. KOBASA: Okay.

15 MR. MCKINLEY: I was just, I would like
16 to just go on the record. So I did attend the
17 site visit and, I was pleasantly surprised to see
18 it was a well run operation, excuse me. It was an
19 operation. It had some rigor to it. So when we
20 walked through, it wasn't haphazard. It didn't
21 look like it was strung together. I don't know
22 much about the construction industry, but I do
23 want to say that I was pleasantly surprised to
24 see that there was a logic to it and there was

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2 discussion about the recycling and the benefits
3 of that. So I do want to say that. But, to
4 Kevin's point, there was some considerable water
5 that was moving down that kind of didn't look
6 like it was being addressed, or excuse me, it was
7 out of, out of bounds, in the roadway.

8 MR. STEINMETZ: So, Peter, we will make
9 sure we answer the technical question and I
10 appreciate you stating for the record what you
11 did.

12 MR. CANTRELL: I just have one more
13 question that, do you, do you have a DEC permit
14 to operate?

15 MR. STEINMETZ: Yeah, there's a, a part
16 360 registration as I understand it. I think,
17 Chris, am I right about that?

18 MR. LAPINE: You're correct.

19 MR. STEINMETZ: Yeah.

20 MR. CANTRELL: And do they do
21 inspections to ensure that you're in compliance?

22 MR. STEINMETZ: As I'm sure you know,
23 Kallen, based upon your professional expertise,
24 the DEC and Region Three come out periodically

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2 and conduct inspections? There are part 360
3 inspectors that go out, and do those little forms
4 that you probably know better than I do, where
5 they check the boxes on compliance, so yes.

6 MR. CANTRELL: Okay. I often drive by
7 the, on Albany Post, and there's, a lot of times
8 there's debris in the roadway from the plant. And
9 I don't know if, you know, if there's any, any
10 way to prevent that in the future from coming,
11 because it's across the street from the VA there.
12 You know, and I worry that, you know, the wrong
13 kind of debris will be in the roadway. So it's
14 just something that --

15 MR. STEINMETZ: Total, I -- obviously
16 that can be a condition of approval. But one of
17 the things, and, and you all can help me because
18 you know, the geography better than I. My
19 understanding is board members went out during
20 the site inspection and were surprised that stuff
21 that they thought was Bilotta Dakota was actually
22 Peckham. Am I correct about that?

23 MR. MCKINLEY: Which one's Peckham?

24 MR. BIANCHI: The house next to it?

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2 MR. KESSLER: Peckham is down by the
3 railroad, right?

4 MR. BIANCHI: Yeah.

5 MR. STEINMETZ: Correct. And people
6 thought that was all part of this. So I, so I
7 don't know what debris you're talking about. I
8 just, I know that, that I've heard more than once
9 that everybody kind of thought, well, there's
10 this, all this industrial stuff. It's all one
11 operation. It's not, there, so I, I can't tell
12 you what you observed and, but I absolutely
13 believe you have a right to impose conditions
14 that, nothing drifts off the site.

15 MR. CANTRELL: I just wanted to
16 understand if that's, that's something that
17 anyone else has seen, or if, you know, any of the
18 other board members witnessed that.

19 MR. KEHOE: Meaning drainage or like
20 aggregate?

21 MR. CANTRELL: No, it's aggregate.

22 MR. KOBASA: I think it's the dust on
23 the aggregate that you can see.

24 MR. CANTRELL: It's on Albany Post --

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2 MR. KOBASA: When you --

3 MS. LAVARNWAY: Okay, So that's not
4 Peckham.

5 MR. CANTRELL: When it immediately comes
6 out?

7 MR. KOBASA: No, it's when you come out
8 of the train station, if you come out there and
9 make the left right at that intersection, you can
10 see a lot of dust, construction, like concrete
11 cement, like, I mean, I don't want to say it's
12 [unintelligible] [00:44:06] so that it would form
13 a cement, but, you know, the refines and
14 everything from all of that --

15 MR. CUNNINGHAM: Got it.

16 MR. KOBASA: -- drifts down there,
17 whether it's on the trucks when it comes and
18 settles, but mine is the, it's not Peckham, it's
19 the stuff that I'm concerned about starts from up
20 there and goes down through the Peckham site.

21 MR. STEINMETZ: I appreciate The
22 Clarification. Again, Peter, who's listening, I
23 will ask Peter to take a look at that and make
24 sure we address that in our next submission.

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2 MR. KESSLER: So the question is, is it
3 the trucks going in or is it trucks coming out?

4 MR. KOBASA: My guess it's the trucks
5 coming out, would be my assumption.

6 MR. KESSLER: Any other comments?

7 MR. KEHOE: Uh -- oh, sorry, go ahead.

8 MR. KESSLER: Go ahead.

9 MR. KEHOE: No, just I'll say something
10 on the question.

11 MR. KESSLER: Okay. So, we'll be, as we
12 said, referring this back. So, Mr. Bianchi?

13 MR. BIANCHI: Mr. Chairman, I move that
14 we declare our intent to be lead agent and to
15 refer this back to staff for continued review.

16 MR. KESSLER: Second, please.

17 MR. ROTHFEDER: Second.

18 MR. KESSLER: And on the question?

19 MR. BIANCHI: Tom took care of it.

20 MR. KESSLER: Oh, he did?

21 MR. KEHOE: Yeah.

22 MR. KESSLER: I see. All in favor?

23 MULTIPLE: Aye.

24 MR. KESSLER: Opposed?

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2 MR. STEINMETZ: Thank you.

3 MR. KESSLER: Thank you. Okay. Moving on
4 to new business this evening, two items, the
5 first one is the application of Oregon Homes for
6 preliminary plat approval and for steep slope and
7 tree removal permits for a proposed seven-lot
8 major subdivision for six residential lots and
9 one mixed use parcel for property located at 1127
10 Oregon Road and 2 Red Mill Road, drawings dated
11 November 5, 2025. Good evening.

12 MR. JOSEPH RIINA: Good Evening. Joseph
13 Riina, principal site design consultant
14 representing Oregon Homes, Inc. With me tonight
15 are the owners and sponsors of the project, John
16 Gerbino, Mike Mazzola, and Mike Lowe. Also with
17 me, is, Allison Marino from my office, one of my
18 engineers.

19 The parcel as, Chris had explained, is
20 at the intersection of Oregon Road and Red Mill.
21 And I apologize that the, the roads are not
22 labeled on the plan. We'll get that on there.
23 But, the road at the bottom of the sheet is
24 Oregon, and to the right of the site is Red Mill.

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2 So altogether there are two parcels there. The
3 smaller of the parcels is right on the corner.
4 And, that's, that's just under, that's 0.4 acres,
5 just under a half acre. And the larger parcel is
6 just over two acres altogether, it's 2.4 acres,
7 2.48 acres, sorry. The site is zoned CC,
8 community commercial and, what we're proposing is
9 permitted in this zone.

10 So, currently, this is, as explained,
11 this is currently the Carvel site. There are the
12 remains of a driveway and two curb cuts that
13 connect both roads. And you could see it there,
14 it kind of loops across the front of the, across
15 the corner there. And, about a third of the site
16 is open and clear, and the remainder of the site
17 is lightly wooded. On the left side of the
18 property, running parallel to that property line,
19 we have a 60-foot, deeded restriction or a buffer
20 zone that we cannot clear or, do any development
21 within.

22 So, the proposal has two aspects to it.
23 One is the smaller, corner piece. We are going to
24 go with a mixed use on that, which would be

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2 retail, a 2,600 square foot retail space with two
3 residential apartments above. The larger parcel,
4 we're looking to subdivide into six single family
5 residential lots. The, as you could see, we're
6 proposing a roadway coming in off of Red Mill,
7 terminating in a cul-de-sac and each of the lots
8 coming off of that. Again, we're respecting that
9 60-foot buffer on the, on the, left side of the
10 property there.

11 The lots all comply to the zoning
12 standards. We have, we're demonstrating
13 sufficient parking on the commercial site, and
14 we've provided two different concepts for the
15 residential site and, you know, get to give you a
16 different look and based on some suggestions also
17 from the staff. And at this time, we're want to
18 give you a first look at this and get some
19 impressions, if you have any impressions or any
20 comments. And we're really looking to move in a
21 direction with the residential concept, so we
22 were hoping we could flush a little bit of that
23 out tonight.

24 And, we also hear staff's comment about

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2 having two separate curb cuts, one for the
3 commercial and one for the road servicing the
4 residential site. And the owners of the property
5 have no objection to eliminating the one curb cut
6 and having it, having just the single curb cut
7 for the main roadway and coming off of that to
8 access the commercial site.

9 MR. KESSLER: Will that affect the
10 parking for the commercial at all?

11 MR. RIINA: We'll have to, we'll have to
12 lay that out and, and see that, but we're
13 definitely open to doing that.

14 MR. KESSLER: I haven't seen this in a
15 while. What, what is the, lot area for CC, what's
16 the requirement?

17 MR. KEHOE: 7,500.

18 MS. LAVARNWAY: 7,500.

19 MR. KEHOE: About 7,500?

20 MR. RIINA: It's, it's on the, should be
21 on the zoning table there.

22 MS. LAVARNWAY: I think it's 7,500.

23 MR. KEHOE: Yeah, 7,500.

24 MR. KESSLER: Oh, there it is, 7,500,

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2 thank you. 7,500.

3 MR. KEHOE: And I don't know how much
4 you've focused on the difference between one and
5 two, but I don't think a planning staff is much
6 of a fan of number two.

7 MR. KESSLER: Yeah, I agree with you.

8 MR. KEHOE: Okay.

9 MR. KESSLER: So I mean, obviously we'll
10 refer this back, they'll do a review memorandum.

11 MR. RIINA: Yep, mm-hmm.

12 MR. KESSLER: You know, I, certainly
13 we'll have to have fire look at this with the
14 cul-de-sac as well.

15 MR. KEHOE: Yeah. And, and then one
16 thing is, I, you know, you've got time, but I
17 think the elevations of the proposed mixed use
18 building will be very important to the
19 neighborhood out there, what it's going to look
20 like.

21 MR. RIINA: Yeah, of course, yeah.

22 MR. MCKINLEY: I'm, I'm familiar with
23 the, the area, but do more people use Oregon Road
24 or do people just go up to the town of Cortlandt?

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2 Is that a heavily trafficked roundabout position
3 in the street?

4 MR. KOBASA: I would say Red Mill is
5 kind of a cut through.

6 MS. BRASNON: Oh yeah.

7 MR. KEHOE: It's busy.

8 MR. KOBASA: That's a cut through from
9 strawberry.

10 MR. KESSLER: And undersized.

11 MR. KOBASA: Yeah.

12 MR. MCKINLEY: So it's not just
13 bypassed?

14 MR. KESSLER: Right.

15 MR. KEHOE: Right. And then, you know,
16 it's a mountable roundabout, you know, so you can
17 sort of, you know, but it, it's a busy, active
18 location.

19 MR. RIINA: Yeah, sure.

20 MR. KOBASA: It's busy all day.

21 MS. HILDINGER: It's always busy.

22 MR. BIANCHI: At the appropriate time,
23 maybe a site visit is something you want to
24 consider.

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2 MR. KESSLER: Yeah. We'll wait for the
3 review memorandum, but yes. So any other
4 comments? So I think clearly one's better than
5 two, in terms of your two proposals --

6 MR. RIINA: Two or --

7 MR. KESSLER: -- but there's still work
8 to be done on one I'm sure.

9 MR. KEHOE: We don't really like that
10 sort of flag lot in back.

11 MR. RIINA: One?

12 MR. KESSLER: Yeah.

13 MR. KESSLER: Yeah. Your first plan,
14 yeah, as compared to two.

15 MR. RIINA: Okay.

16 MR. KESSLER: And, yeah, I think door
17 number one. But, there'll be more review and --

18 MR. RIINA: Of course.

19 MR. KESSLER: There'll be more detailed
20 discussion, I'm sure about the placement of the
21 houses, as you propose them. So, if there's no
22 other comments, then, Jeff?

23 MR. ROTHFEDER: I move that we declare
24 the planning board's intent to be lead agent and

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2 refer the application back to staff.

3 MR. KESSLER: Thank you. Second, please.

4 MR. BIANCHI: Second.

5 MS. HILDINGER: Second.

6 MR. KESSLER: And on the question, all

7 in favor?

8 MULTIPLE: Aye.

9 MR. KESSLER: Opposed?

10 MR. RIINA: Thanks very much.

11 MR. KESSLER: Thank You.

12 MR. RIINA: Okay, goodnight.

13 MR. KESSLER: Final item this evening,
14 it's, new business, the application of VS
15 Construction for site development plan approval
16 and for steep slope and tree removal permits for
17 a proposed 9,600 square foot commercial building
18 located on future parcel three within the medical
19 oriented district for a property located at 2003
20 Crompond Road, drawings dated January 21, 2026.

21 MR. STEINMETZ: Good evening.

22 MR. KESSLER: Hello again.

23 MR. STEINMETZ: Mr. Chairman, members of
24 the board, we are ex extremely pleased to be here

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2 tonight in connection with the kickoff of this
3 particular future lot within the proposed
4 subdivision. This parcel alongside Lafayette was
5 studied during the MOD review. It was always
6 contemplated to be the commercial potential
7 property. The town spent, a great, the town board
8 spent a great deal of time determining what they
9 wanted to see on this particular parcel.

10 And we are here tonight with a 9,600
11 square foot commercial building and the concept
12 would be for this to be a pharmacy or medical
13 retail, medical supply type operation. There is a
14 lovely building that has been designed by Sal
15 Coco and his office. Matt Steinberg is going to
16 walk us through the site plan. What we have
17 before you tonight is the beginning or initiation
18 of a site plan review to the extent that you need
19 to, and Michael and Chris, I don't even know
20 whether they are doing a lead agency --

21 MR. CUNNINGHAM: No.

22 MR. STEINMETZ: -- or not. No, I didn't
23 think so, as I started to say it. So really this
24 is, this is legitimately a pure planning and

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2 engineering exercise. We have filed our
3 materials. We're going to be working with staff
4 to look at the retaining wall, the setbacks.
5 Obviously, as you mentioned in the work session,
6 the one gentleman who spoke at last month's
7 public hearing with regard to the Benchmark
8 Assisted Living really was talking about this
9 parcel, and as you mentioned, at the work
10 session, his, irrigation well.

11 I will defer to the technical folks, but
12 as one or more of you indicated at the work
13 session, that particular property is on municipal
14 water so there is no, adverse impact to that
15 property in terms of potable water supply,
16 irrigation water supply or otherwise.

17 And again, this site and this use was
18 specifically approved during, or analyzed and
19 ultimately determined to not have a significant
20 adverse environmental impact, during the SEQRA
21 process. So with that --

22 MR. KESSLER: Wait, just one question.
23 You said, so it's a, a pharmacy and a what, a
24 medical office use?

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2 MR. STEINMETZ: Medical Supply, medical
3 supply.

4 MR. KESSLER: Oh, supply, you said
5 medical office use.

6 MR. STEINMETZ: I said medical supply or
7 retail, medical retail.

8 MR. KESSLER: Like a DME kind of place
9 or a --

10 MR. STEINMETZ: Well, I don't --

11 MR. KESSLER: Like medical equipment,
12 durable --

13 MR. STEINMETZ: Medical equipment,
14 walkers, wheelchairs.

15 MR. KESSLER: It's DME, the term is DME.

16 MR. STEINMETZ: Thank you for the
17 acronym, What does it stand for, Mr. Chairman,
18 just so we all get educated?

19 MR. KESSLER: Durable medical equipment.

20 MR. STEINMETZ: Okay. Thank you. So,
21 with, with that, there, there is nothing like
22 that in the town currently that we're aware of,
23 medical.

24 MR. KESSLER: I thought there was one up

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2 by King Buffet.

3 MR. BIANCHI: Yeah.

4 MR. STEINMETZ: Medical Equipment?

5 MR. BIANCHI: Yeah, there is.

6 MR. STEINMETZ: Okay. Well, there may be
7 another one.

8 MR. KESSLER: Medical supply. I got
9 crutches there once, I remember.

10 MR. STEINMETZ: Oh, is that right?
11 Interesting. We'll let Matt talk about the site
12 plan.

13 MR. STEINBERG: Thank you. Matt
14 Steinberg, DTS Provident. So the parcel, which we
15 call parcel three as part of the Evergreen Manor
16 site, it's at the northwest corner of the site.
17 It's at the intersection of Crompond and
18 Lafayette. It's right on that corner. The future
19 subdivided lot will be approximately two acres in
20 size and that includes an access drive that goes
21 back out to the, the main Evergreen Manor
22 roadway. The access out to Lafayette is emergency
23 only, so it wouldn't be open to the, to the
24 general public. It'd be a gated access.

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2 The topography, so at the top of this
3 plan, we created a section which we can provide,
4 to the board. It shows the existing topography,
5 so Crompond Road is about, approximately
6 Elevation 360, it kind of changes along the
7 frontage and rise, the property rises from there,
8 back to elevation 390 at the rear of the parcel.

9 So the proposed project would set the
10 parking lot and building at approximately
11 elevation 370, so it'll create a building pad.
12 And the building is proposed to set into the
13 hillside essentially, become part of the
14 retaining wall system.

15 So just to clarify, so the building is
16 approximately 9,600 square feet. So it's been
17 designed as 8,000 square feet for the pharmacy
18 and another 1,600 square feet for a medical
19 office.

20 MR. KESSLER: Why?

21 MR. STEINBERG: We've designed it so
22 that the, it would meet the medical office --

23 MR. KESSLER: Medical supply?

24 MR. STEINBERG: No, general medical

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2 office under the code.

3 MR. KESSLER: That's not what David just
4 said.

5 MR. KEHOE: So, no, so the 8,000 is
6 either a pharmacy --

7 MR. STEINBERG: Yes.

8 MR. KEHOE: -- or a medical equipment
9 sales. They haven't settled on that yet.

10 MR. KESSLER: Right. So what's the
11 1,600?

12 MR. STEINBERG: The 1,600 is the, yeah,
13 1,600 is medical office space. So a --

14 MR. KEHOE: A doctor office.

15 MR. STEINBERG: -- a physician's office.

16 MR. KESSLER: Okay. Like, like what
17 exists across, on the Gyrodyne site?

18 MR. STEINBERG: Right, but obviously, at
19 a much smaller scale. So the parking, there's 43
20 at grade parking spaces that accommodates both
21 uses based on the requirements of the MOD zoning.
22 So it's 32 for the pharmacy, and another 11 for
23 the medical office, so a total of 43. So during,
24 during the SEQRA review, this building,

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2 essentially it's, the overall building envelope
3 and parking is very similar to what was studied
4 during the SEQRA review, but at that time, the
5 building was pulled closer to the front, and the
6 parking was also on the side, but around the rear
7 of it. During that process, there were a number
8 of uses that were contemplated during the MOD.

9 Ultimately, the town board adopted a
10 code that really only allowed for the medical
11 use. So in, you know, looking at the site plan,
12 and we met with staff, it made sense to try to
13 push it to the back, so that the building could
14 act partly as the retaining system into the
15 hillside and to have parking along, essentially
16 the front and side of the building. Part of this
17 is also due to just the topographic change and
18 what kind of the circumstances that changed,
19 during that overall, MOD review.

20 The site has a 30, so, if you remember
21 the, the east side of the site has a hundred foot
22 non-disturbance buffer. This side of the site has
23 a 30-foot version of that. So the, the idea is to
24 place that retaining wall at the 30-foot mark and

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2 then there's a number of, it's a wooded area
3 behind. There'd be additional planting and
4 screening added to supplement that at the top,
5 above that wall.

6 Heather, if you could go to the last
7 slide. And there's a conceptual landscape plan in
8 the set that we had submitted. So there's,
9 there's existing wooded area along the front,
10 along Crompond Road, which we would try to
11 maintain as much as we can and then supplement
12 around the parking lot. The architecture has been
13 designed, as it's essentially a retail
14 storefront, a mix of light colored brick and
15 hardy siding. There'd be the storefront opening
16 for the pharmacy and then obviously for the
17 medical office, you know, the entry, their entry
18 lobby essentially.

19 And then, you know, we'll be continuing
20 to study this further. There's obviously tree
21 removal, steep slopes, wetlands that we will
22 continue to study. But we had met, had a pre-
23 application with staff and they suggested that
24 we, you know, we had enough at this time to

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2 obviously present it to the board to get the
3 initial feedback, so we can continue to review.

4 MR. KESSLER: And the gentleman that,
5 his house is shown here, he's behind you?

6 MR. STEINBERG: He is directly, right,
7 he is behind.

8 MR. KESSLER: And what's his, what's his
9 elevation compared to yours?

10 MR. STEINBERG: So he's at
11 approximately, so his property line's at the 390
12 mark, and then essentially it levels out from
13 there on Lafayette.

14 MR. KESSLER: And you're at 370, you
15 said?

16 MR. STEINBERG: The building would be
17 set at 370, so essentially the top of the
18 building would be at that 390. So by setting it
19 closer to that, closer to him, you know, he would
20 obviously look over it, if he can even see
21 through the trees and the additional planting.

22 MR. KESSLER: Are, are you making any
23 modifications to Lafayette at all or?

24 MR. STEINBERG: So Lafayette is part of

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2 that overall roadway improvement that we talked
3 about earlier this evening. So there will be a
4 new right turn lane added to Lafayette. So
5 there's a, there's a, a portion of the Evergreen
6 site that's being dedicated to the town to create
7 that right turn lane. Right now it's a single
8 turn, single lane that handles all, all
9 directions. So there'd be a new, one first lane
10 and then a right turn lane.

11 MR. KESSLER: It certainly needs it
12 there.

13 MR. BIANCHI: Yeah.

14 MR. KOBASA: All of your mechanical, is
15 that all going to be on the roof? Where is that
16 going to be? Is that going to be internal?
17 Because I'm thinking if your mechanical's on the
18 roof and that guy's property is level with the
19 roof, he's staring at a lot of HVAC.

20 MR. STEINBERG: Yeah. So, right now the
21 logical place is to place it on the roof. That's
22 so that it doesn't have to be placed somewhere
23 else on the site. But we can continue to talk to
24 the architect about how that would be screened.

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2 MR. KOBASA: Okay.

3 MR. STEINBERG: You know, with a parapet
4 or other fencing. And then we are proposing some
5 additional plantings within that buffer area.

6 MR. KESSLER: So you think the
7 screening, those trees that you're showing there,
8 will block his view of the roof of your building?

9 MR. STEINBERG: Well, we can, we can
10 obviously use a mix of, of evergreens. There's
11 also a significant amount of trees in that spot
12 today, but obviously --

13 MR. KEHOE: Well beyond that landscaping
14 that you're showing, there is a 30-foot no
15 disturb buffer.

16 MR. STEINBERG: That's within the 30-
17 foot, those that planting is within the 30-foot
18 buffer.

19 MR. KEHOE: Oh, all right. So that
20 planting's within the buffer?

21 MR. STEINBERG: Within the 30, yes.

22 MR. KEHOE: Okay.

23 MR. STEINMETZ: However, Chris, my
24 understanding and Craig and Manny, we were both

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2 saying there's presently a hundred foot
3 separation between where we are and where the
4 gentleman's property.

5 MR. KEHOE: Well, between where, where
6 his house is.

7 MR. STEINMETZ: Correct. Where his house
8 is, correct. So my understanding is there is a
9 fair amount of vegetation there now, and, and
10 Chris, Chris beat me to what I was going to say,
11 which is responding to Kevin, there is a 30 foot
12 area of non-disturbance where there will be a
13 vegetative, a buffer maintained. And we certainly
14 can look at and enhance it if -- we'll do a line
15 of sight analysis to analyze the HVAC questions.
16 And it's a legit question that we have to
17 understand. You have to understand, and I think
18 we can, as a result of the orientation of the
19 building, we should be able to mitigate that.

20 MR. KESSLER: Right.

21 MR. KOBASA: Okay.

22 MR. STEINMETZ: But let us look at that.

23 MR. KESSLER: And certainly some sound
24 bafflers, I would think you have part of this so

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2 that the sound goes --

3 MR. STEINMETZ: Correct.

4 MR. KESSLER: -- not in his direction.

5 Any other comments? And this is, I know very
6 preliminary. Staff will get this back and review
7 it.

8 MR. STEINMETZ: Correct.

9 MR. KESSLER: You'll come in with a
10 three-lot subdivision at some point?

11 MR. STEINMETZ: Absolutely. And, and
12 just so you understand why the medical building
13 has now been submitted. We spent a fair amount of
14 time with staff, and I can let them speak to
15 their own comments and suggestions. The way the
16 MOD zoning was written by the town board, we are
17 required to have a medical use in there before
18 certificates of occupancy can be issued for any
19 residential use.

20 As I, as I foreshadowed at the last
21 meeting, and it's, everybody knows one of the
22 nation's preeminent home builders, Lennar Homes,
23 wants to come in and begin processing a townhouse
24 project. In order for them to do that and to make

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2 that a reality, we need to have some sense of the
3 timing. Because, if they come in and are ready to
4 build and sell townhouses, people may be lining
5 up in Cortlandt saying, I want to buy one of
6 these. Why won't the town let me get a CO and
7 move in? So we have attempted to determine that
8 building the 10,000 square foot medical building,
9 the medical supply, and the small medical office
10 will allow a much more rapid construction and
11 potential, CO on that building than would a
12 96,000 square foot assisted living. We're excited
13 about Benchmark, but Benchmark's going to take a
14 longer period of time. And the Santucci team
15 believes that they can get this building in
16 rapidly once it's approved.

17 So that's why we're here with this one
18 now, and we appreciate the fact that your board
19 is beginning its review even though you do not
20 have a three-lot, or a 100-lot subdivision yet in
21 front of you. So thank you.

22 MR. MCKINLEY: So this will be your,
23 this will be your first building operational?

24 MR. STEINMETZ: That's, I -- the first

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2 vertical building --

3 MR. MCKINLEY: First Building, to get --

4 MR. STEINMETZ: First vertical.

5 MR. MCKINLEY: -- a CO?

6 MR. STEINMETZ: Yes.

7 MR. MCKINLEY: Right. Yeah.

8 MR. STEINMETZ: The first construction
9 operation will be clearing and grading for the
10 road.

11 MR. MCKINLEY: Yes, Yeah, yeah.

12 Understood.

13 MR. STEINMETZ: Thank you all. We have
14 nothing else for you affirmatively tonight.

15 MR. KESSLER: Okay, if there's nothing
16 else. Kevin?

17 MR. KOBASA: I'd like to make a motion
18 to refer back to staff for memo.

19 MR. KESSLER: Second, please.

20 MR. MCKINLEY: Second.

21 MR. KESSLER: And all the question. All
22 in favor?

23 MULTIPLE: Aye.

24 MR. KESSLER: Opposed?

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2 MR. STEINMETZ: Thank you.

3 MR. KOBASA: The time is 7:28. Meeting's
4 adjourned.

5 MR. KESSLER: Adjourned, thank you.

6 (The public board meeting concluded at 7:28 p.m.)

CERTIFICATE OF ACCURACY

I, Juliana Castano, certify that the foregoing transcript of the Board meeting of the Town of Cortlandt on February 3, 2026 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

Juliana Castano

Date: February 17, 2026

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