

TOWN OF CORTLANDT  
PLANNING AND ZONING BOARDS

PLANNING BOARD MEETING

Town Hall  
1 Heady Street  
Cortlandt Manor, New York 10567  
January 6, 2026  
6:30 p.m. - 8:45 p.m.

January 6, 2026

MEMBERS PRESENT:

Steven Kessler, Chairman

Thomas A. Bianchi, Vice Chairman

Peter McKinley, Member

Kevin Kobasa, Member

Katen Timko, Alternate

MEMBERS ABSENT:

Jeffrey Rothfeder, Member

Nora Hildinger, 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 6:30 p.m.)

3 MR. STEVEN KESSLER: Everybody, welcome  
4 to the planning board meeting for January 6th. If  
5 you're able, please rise for the pledge.

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

11 MR. KESSLER: All right, thank you. Roll  
12 please, Chris.

13 MR. CHRISTOPHER KEHOE: Mr. Kobasa?

14 MR. KEVIN KOBASA: Here.

15 MR. KEHOE: Ms. Timko?

16 MS. KAREN TIMKO: Here.

17 MR. KEHOE: Mr. Kessler?

18 MR. KESSLER: Here.

19 MR. KEHOE: Mr. Bianchi?

20 MR. THOMAS BIANCHI: Here.

21 MR. KEHOE: Mr. McKinley?

22 MR. PETER MCKINLEY: Here.

23 MR. KEHOE: Mr. Rothfeder, Mr. Cantrell  
24 and Ms. Hildinger noted as absent.

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2 MR. KESSLER: Thank you. We have no  
3 changes to the agenda this evening. Can I please  
4 have a motion to adopt the minutes from our  
5 meeting of December 2nd?

6 MR. BIANCHI: So moved.

7 MR. KESSLER: Thank you. Second, please?

8 MR. MCKINLEY: Second.

9 MR. KESSLER: And on the question, all  
10 in favor?

11 MULTIPLE: Aye.

12 MR. KESSLER: Opposed? Okay. First item  
13 tonight is under correspondence, it's a letter  
14 dated December 23, 2025 from David Steinmetz,  
15 requesting the eighth 90-day time extension of  
16 final plat approval for the Evergreen  
17 Subdivision, located at 2003 Crompond Road.  
18 Kevin?

19 MR. KOBASA: I'd like to make a motion  
20 to adopt Resolution 1-26 for the 90-day time  
21 extension of the final plat approval.

22 MR. KESSLER: Thank you. Second, please?

23 MR. BIANCHI: Second.

24 MR. KESSLER: On the question, all in

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2 favor?

3 MULTIPLE: Aye.

4 MR. KESSLER: Opposed?

5 MR. DAVID STEINMETZ: Thank you.

6 MR. KESSLER: Thank you. Next item is a  
7 resolution. It is the application of Teatown Lake  
8 Reservation, Incorporated. For the record, Ms.  
9 Timko is recusing herself from this application.  
10 It's the application of the Teatown Lake  
11 Reservation for renewal and medication of a  
12 special permit for a private nature preserve to  
13 conduct summer camp programs and weekday public  
14 programs and for a tree removal permit to  
15 implement a meadow management plant at Cliffdale  
16 Farm for property located on the north side of  
17 Teatown Road, approximately 3,000 feet east of  
18 Quaker Ridge Road. Good evening, I think we have  
19 a resolution for you. Peter?

20 MR. MCKINLEY: Yes, thank you, Mr.  
21 Chairman. I'd like to adopt Resolution 2-26, for  
22 the Teatown Lake Reservation special permit to  
23 conduct summer programs, camp programs.

24 MR. KESSLER: Second, please.

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2 MR. BIANCHI: Second.

3 MR. KESSLER: And on the question, all  
4 in favor?

5 MULTIPLE: Aye.

6 MR. KESSLER: Opposed? Okay, good luck.

7 MR. ALAN SORKIN: Thank you.

8 MR. KESSLER: Thank you. Next item, also  
9 a resolution, it's the application of 77 Montrose  
10 Station, LLC for preliminary plat approval and  
11 for tree removal and steep slope permits for a  
12 proposed three-lot major subdivision of  
13 approximately 9.7-acre parcel of property located  
14 at 77 Montrose Station Road, latest drawings  
15 dated November 20, 2025. Good evening, David. We  
16 have a resolution, we discussed this at the work  
17 session. There were a number of changes that we  
18 made during that. I don't know if you've had a  
19 chance to see it?

20 MR. STEINMETZ: I did the resolution and  
21 I did hear Katie's suggestion regarding the bond  
22 requirement.

23 MR. KESSLER: Yes, so just for the  
24 record, Katie, do you want read that into the

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2 record? We're going to add this to condition  
3 number eight.

4 MS. CATHERINE BROSNAN: Sure. So, is  
5 this on?

6 MR. STEINMETZ: You're on.

7 MS. BROSNAN: The landscape security  
8 shall be two times the cost of plant material and  
9 labor. Trees and shrubs shall grow for two  
10 growing seasons and they, if any die, they should  
11 replaced at a ratio of one to one.

12 MR. KESSLER: Okay, thank you.

13 MR. KEHOE: And then also, I didn't send  
14 David the resolution again. There were some  
15 whereas clauses that were changed, but no  
16 conditions, some additional information at the  
17 request of the board.

18 MR. STEINMETZ: Appreciate the  
19 correction or the acknowledgement and I  
20 appreciate the courtesy of seeing the resolution  
21 before you voted on it.

22 MR. KESSLER: Okay, so we have a  
23 resolution in front of us. Tom?

24 MR. BIANCHI: Mr. Chairman, I'll move

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2 that we adopt Resolution number 3-26 --

3 MR. KESSLER: Can I have a second?

4 MR. BIANCHI: -- with changes that we  
5 discussed in the draft resolution.

6 MR. KEHOE: I'll, sorry, go ahead. On  
7 the question, I'll say something.

8 MR. BIANCHI: Okay. I was just going to  
9 say to approve the three-lot major subdivision.

10 MR. KESSLER: Second, please.

11 MR. MCKINLEY: Second.

12 MR. KESSLER: And on the question?

13 MR. KEHOE: So, David, at the last  
14 minute, Chris Lapine did send over two additional  
15 conditions that he wanted. They're not  
16 substantial, but I just want to read them.

17 MR. STEINMETZ: Would you read those,  
18 yes?

19 MR. KEHOE: Yeah, the applicant is to  
20 provide a comprehensive tree planting plan for  
21 lot one, which incorporates the required  
22 plantings as part of ZBA case 25-5 and permit A-  
23 24-739 for review and acceptance by the planning  
24 department. And I don't know if you were involved

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2 in the ZBA case associated with the garage.

3 MR. STEINMETZ: I was not, but I'm  
4 familiar with and Jim Annicchiarico --

5 MR. KEHOE: But there's some additional  
6 plantings --

7 MR. STEINMETZ: -- our project engineer  
8 is here.

9 MR. KEHOE: Yeah, and then a general  
10 comment that, to address all the comments to the  
11 town planning board engineer, consulting engineer  
12 dated December 22, 2025. Is that what --

13 MR. STEINMETZ: I assume all of this is  
14 before the chair would sign the final plat map?

15 MR. KEHOE: Yes.

16 MR. STEINMETZ: Understood.

17 MR. KESSLER: Okay. We're on the  
18 question, all in favor?

19 MULTIPLE: Aye.

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

21 MR. STEINMETZ: Thank you.

22 MR. KESSLER: All right, we're on to, oh  
23 no, one more resolution, I'm sorry. It's the  
24 application of Richard Williams on behalf of JAM

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2 Storage, LLC for the property of Francisco  
3 Portillo, for site plan approval and for wetland,  
4 steep slope and tree removal permits for the  
5 construction of an approximately 60,000 square  
6 foot self-storage facility and related site  
7 improvements for property located at 2059 Albany  
8 Post Road, drawings latest revised October 23,  
9 2025. Okay, we do also have a resolution for  
10 that. So with that, Kevin?

11 MR. KOBASA: Yeah, I'd like to make a  
12 motion to adopt Resolution 4-26, with a change  
13 added to advise that final fire department  
14 signoff will be needed for site plan approval.

15 MR. KESSLER: Second, please.

16 MR. BIANCHI: Second.

17 MR. KESSLER: And on the question? All  
18 in favor?

19 MULTIPLE: Aye.

20 MR. KESSLER: Opposed?

21 MR. STEINMETZ: Thank you.

22 MR. KESSLER: One second. Okay. On to  
23 the public hearing portion of the agenda, our  
24 first public hearing is an adjourned public

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2 hearing. It is the application of Yeshiv Ohr  
3 Hameir for site plan approval and amended special  
4 permit for a university, college or seminary and  
5 a wetland permit for a proposed 51,730 square  
6 foot dormitory building, the repurposing of other  
7 buildings on site, and site improvements,  
8 including stormwater, landscaping and building  
9 façade renovations located at the existing  
10 Yashiva Ohr Hameir campus at 141 Furnace Woods  
11 Road, latest drawings dated December 17, 2025.  
12 Mr. Steinmetz, good evening again.

13 MR. STEINMETZ: Good evening, Mr.  
14 Chairman, members of the board, David Steinmetz  
15 from the law firm of Zarin and Steinmetz, pleased  
16 to be here for the continuation of the public  
17 hearing on behalf of Yeshiva Ohr Hameir. I'm  
18 joined by our entire development team. My client,  
19 Rabbi Yaakov Rothberg, the executive director of  
20 the yeshiva, my colleague Vincent Pedone, our  
21 project engineer, Dan Ciarcia, our project  
22 architect Chana Weisz and our project  
23 environmental and wetlands consultant, Steve  
24 Marino.

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2 We conducted the initial session of the  
3 public hearing, we received comments from your  
4 board, we received comments from the public. We  
5 received comments from staff. We made submissions  
6 to your board for the record. Number one, we  
7 submitted a legal response largely for purposes  
8 of answering things that had been raised for  
9 purposes of addressing it in the record. I'm not  
10 here tonight to go into that in any detail unless  
11 you wish. I did feel compelled in light of the  
12 petition your board received to correct the  
13 record, to make sure that the adequate case law  
14 and statutory references were cited and that we  
15 responded to some of those issues. We felt  
16 largely they were not relevant to the ultimate  
17 disposition of the matter and the issues before  
18 you, but they were raised. And they ought to be  
19 addressed and closed out in the record.

20 More importantly, we did make a rather  
21 extensive submission on some site plan  
22 improvements, a pedestrian pathway or walkway on  
23 the property was shown, a parking table was  
24 illustrated. We updated the occupancy chart to

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2 address questions that your board raised at the  
3 meeting, and staff raised in a technical  
4 discussion.

5 I know you discussed in your work  
6 session the question of fire access and fire  
7 turnaround. Dan Ciarcia did utilize standard  
8 truck, fire truck templates and placed those on  
9 his site plan. That information is on the plan.  
10 It has been submitted to DOTS. I understand from  
11 the work session that that is still going to be  
12 reviewed by the fire department and the fire  
13 district. You should know we have reached out,  
14 where is Dan sitting, why am I like, there he is.  
15 We have reached out several times to the fire  
16 department trying to get some input. I guess  
17 somebody was out. I appreciate Katie you sharing  
18 that during the work session. We were wondering  
19 why we were not hearing back. We're perfectly  
20 fine and we'd like the fire department to review  
21 and sign off on that material.

22 We also updated our environmental  
23 assessment form. I heard some questions from  
24 Chris Lapine this evening about some narrative or

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2 some further explanation that he wants in the  
3 EAF. And one of you responded, it might have been  
4 Chris, that we did submit all of the updates for  
5 the entire campus on the plans. But if there  
6 needs to be something somehow built into the EAF,  
7 we can do that. I don't see that as a problem.

8 And lastly as the result of some  
9 discussions with your professional staff, we  
10 realized that we needed to identify a maintenance  
11 or storage building on the property. That has  
12 been shown on the site plan as well as an  
13 architectural illustration of that.

14 So as far as we're concerned, Mr.  
15 Chairman and members of the board, you now do  
16 have everything from us. We believe you have a  
17 complete submission in terms of engineering,  
18 architectural, Steve Marino in wetlands. We think  
19 you've got it all. Whether your staff has  
20 completed its review, that's obviously between  
21 you and staff. We're hoping that you have gotten  
22 some meaningful input from staff. But we are here  
23 tonight, Mr. Chairman, to progress with the  
24 application and to address any issues your board

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2 may have that you wish to discuss.

3 MR. KESSLER: Okay. Well let's open it  
4 up to the public. Okay. So again, it's a  
5 continuation of the last public hearing, is there  
6 anybody that wishes to comment on this  
7 application? Please come on up to the microphone.  
8 Yes, your name and address for the record please.

9 MR. GREGORY GALE: Gregory Gale, 80  
10 Furnace Woods Road. Good evening. I was here,  
11 excuse me, a little frog in my throat. I was here  
12 at the last meeting that we discussed this. And I  
13 remember there was a discussion about how many  
14 students there was going to be there. And that  
15 they want, the applicant wants to open it up to  
16 more than is currently there. And I think, it  
17 seemed like they had the hardware, or the space,  
18 to put up to 450 kids in there, you know. I don't  
19 remember the exact number, but it seemed like it  
20 was over 400. And they currently have, I think  
21 it's around 250.

22 And I think the question is, you know,  
23 do we want to give them basically carte blanche  
24 pretty much whatever they want. Or do we want to

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2 keep the restriction? I would say, from my  
3 perspective, I'm comfortable with it the way it  
4 is.

5 I mean I can tell you that recently  
6 there hasn't been much pedestrian traffic. But in  
7 the past, there's been plenty of it. And, you  
8 know, and when I say recently, I mean within the  
9 last couple weeks, maybe a month, when the  
10 weather gets cold. But when the weather gets  
11 warm, those kids are walking up and down the  
12 road, three or four abreast, you know, and  
13 there's no street lights. And I really think it  
14 would be a hazard to have a whole lot more  
15 students walking up and down around there.

16 I mean if they want to build what they  
17 want to build, I would say have them come back  
18 and we can revisit it. But to just do it now, I  
19 think that we need to wait and see what happens.

20 And secondly, I know that the fire  
21 department or somebody does inspections there. I  
22 think it's the town does inspections. And I guess  
23 my question is how often are they done and is  
24 there notice that the inspections are being done?

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2 I would say there shouldn't be notice. They  
3 should just, you know, arrive on site whenever  
4 they feel that it's warranted. I don't see --  
5 because if we give them notice and they are  
6 violating it, they've got plenty of time to hide  
7 whatever they want to hide.

8 So I would say if we're going to go  
9 forward with this, keep the cap as it is, we can  
10 revisit it in due time. And as far as the  
11 inspections go, there should be no notice. The  
12 town shows up when the town wants to show up.  
13 That's pretty much it for now.

14 MR. KESSLER: Thank you. And just so  
15 we're all on the same page here in terms of the  
16 numbers. Let's just be clear. So currently the  
17 population of the yeshiva is 217 students. The  
18 proposal for the dormitory right now, with their  
19 96 -- I'm sorry, your 64 rooms with four people  
20 in a room would be 256 people. So 217, 256, all  
21 right, two key numbers. They are also proposing  
22 that they have the ability to put five beds into  
23 those 64 rooms, which would then make a  
24 population of 320. So what we're discussion here

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2 are the merits of 217, 256 and 320.

3 MR. GALE: Wasn't there a question of  
4 another building?

5 MR. KESSLER: Yes. That --

6 MR. GALE: That is currently empty and  
7 that they had the ability to put other students  
8 in that?

9 MR. KESSLER: You know, this would be a  
10 good time to go over that chart. Do you have that  
11 chart, David, to show?

12 MR. STEINMETZ: So maybe you want to let  
13 the public finish their comments and then we can  
14 go over it?

15 MR. KESSLER: Well, but there'll be  
16 other --

17 MR. STEINMETZ: Whichever way you wish.

18 MR. KESSLER: I think we should, this is  
19 an important issue here. I think if you have that  
20 chart, I think it would be instructive for  
21 everybody to see that charge, and understand what  
22 you're proposing in terms of both the student  
23 population and the staff and support staff  
24 population.

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2 MR. STEINMETZ: When Mr. Gale is  
3 finished, I'm happy to do that.

4 MR. GALE: Go ahead.

5 MR. CHRIS LAPINE: David, we brought  
6 that up, the chart for you.

7 MR. STEINMETZ: Got it.

8 MR. KESSLER: That's easy to see.

9 MR. STEINMETZ: I can't see it, so if I  
10 can --

11 MR. KESSLER: Cover your right eye and  
12 read it.

13 MR. STEINMETZ: You should definitely  
14 come up here in case I need you. So, Mr.  
15 Chairman, you're correct. We are proposing a  
16 dormitory building, as the board well knows, and  
17 as the chair indicated both in the work session  
18 and now, just now, 64 rooms, all of which meet  
19 New York State building, fire and dormitory  
20 regulatory codes for five beds and a maximum of  
21 320 students inside that dormitory building. That  
22 is, that is what we are seeking, is to build a  
23 building that would accommodate 320 students in  
24 that building.

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2 MR. KESSLER: You want to talk about  
3 their other buildings, please?

4 MR. STEINMETZ: Sure.

5 MR. KESSLER: Just so that everybody is  
6 on the same page here.

7 MR. STEINMETZ: I kind of definitely  
8 would love some participation here. Got it. So we  
9 have the pool building, which is, which has in  
10 the past been used as a dormitory and we have  
11 talked about it throughout this application as  
12 being the building that would accommodate three  
13 staff members who would reside full-time on the  
14 property with families. That's indicated in the  
15 chart. You can see it would be approximately  
16 three, three staff members and roughly 22 family  
17 members.

18 MR. KEHOE: And currently, that building  
19 has 101 students in it?

20 MR. STEINMETZ: Correct.

21 MR. KEHOE: Yeah.

22 MR. STEINMETZ: The sanctuary is also  
23 known as the chalet, that building does have  
24 historically some sleeping rooms in it. It is

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2 really primarily utilized as the primary  
3 sanctuary or place of education and prayer. It is  
4 proposed to now be exclusively the sanctuary.  
5 Chana explained at prior meetings, how we were  
6 moving the, how we were improving that building,  
7 making it more functional, taking some of the  
8 office space and moving it into the dormitory  
9 building. So the sanctuary now would have no  
10 residential space, sleeping quarters inside that  
11 building.

12 The Dallas building is presently a  
13 dormitory. It has 16 rooms, currently  
14 accommodating 80 students. We have talked about  
15 that being essentially a staff and guest  
16 building. It would be a building that would be  
17 allowed for many of the staff come on occasion.  
18 Why do they come on occasion? They attend Sabbath  
19 throughout the year on occasion and they attend  
20 the high holidays. When they come, they will come  
21 with family members and they would have a place  
22 to reside.

23 I would note, and we can go into the  
24 weeds if we need to. My understanding from our

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2 architect, and this has been discussed at a  
3 technical meeting with staff, that constitutes an  
4 R-2 classification under the New York State  
5 building code. That is the same classification as  
6 the dormitory building. That too is being built  
7 to an R-2 standard. That building, we are not  
8 proposing any students to be in that building.

9 And as the chair indicated in the work  
10 session, I will start by saying I stand by my  
11 proposition that I put in writing and that I made  
12 before your board, that I don't believe you have  
13 the legal authority to impose a cap on students  
14 under New York State law unless you can  
15 demonstrate by empirical evidence that there is a  
16 life safety issue.

17 Having said that, as the chair  
18 indicated, there have been a series of  
19 discussions that I've conducted over the last  
20 several weeks with the town's attorney's office  
21 and the yeshiva is prepared to accept  
22 voluntarily, as it did 15 years ago, a voluntary  
23 cap on student residential occupancy of 320  
24 students. Why, 320 students are precisely the

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2 number that would fit inside the dormitory  
3 building. Do we want to max, do we want to  
4 indicate that students would only be in the  
5 dormitory building? We believe they will be. But  
6 whether they, whether 280 are in the dormitory  
7 building and 40 end up in the Dallas building, it  
8 is the same use classification.

9 So as I said to you two months ago, we  
10 don't believe that we would need a change of use.  
11 I'm not, Mr. Chairman, I don't want to argue the  
12 point, because I want to get an amended special  
13 permit that you know we have discussed and you  
14 apparently have discussed with the town attorney,  
15 an amended special permit with a cap of 320. That  
16 is a rational and fair number that we are  
17 voluntarily willing to accept despite the fact  
18 that Summit School v. Nugent and a host of cases  
19 that are not related that are not RLUIPA cases,  
20 they are New York State law cases that go beyond  
21 RLUIPA and that tell us quite clearly that you,  
22 as a planning board, can't impose the cap.

23 The building department may be able to.  
24 They may even be able to look at things that you

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2 can't in terms of life safety, etc., but from a  
3 special permits standpoint, I actually don't  
4 think you have the authority to do it. I told you  
5 that 15 years ago. But 15 years ago, as you put  
6 in your negative declaration 15 years ago,  
7 whereas in conjunction with and in consultation  
8 with the town, the yeshiva has voluntarily capped  
9 its student population at 225.

10 Once again, with the cooperation of the  
11 executive director of the yeshiva, in light of  
12 the fact that it's a new building, fully  
13 sprinklered, designed by an architect to have  
14 adequate ingress, egress, doors, windows, and a  
15 sewer system that now allows them to have  
16 effluent that is not capped at 225. We are  
17 prepared to have an understanding of a student  
18 cap at 320. So I hope that's clear. I hope, Mr.  
19 Chairman that is what you heard from the town  
20 attorney, because that is the discussion that has  
21 been taking place.

22 MR. KESSLER: Just to follow along with  
23 that, David. If you're suggesting we have no  
24 authority on the cap and you could have come in

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2 here with a 10-story building? That's what you're  
3 saying?

4 MR. STEINMETZ: No. I couldn't come in  
5 with a 10-story building because Chris Kehoe told  
6 me when we first met with him what my maximum  
7 height was, so and it's not 10 stories.

8 MR. KESSLER: Okay. So there are  
9 limitations then.

10 MR. STEINMETZ: That has nothing to do,  
11 that has nothing to do with Summit School v.  
12 Nugent and student cap. That has to do with  
13 zoning parameters.

14 MR. KESSLER: I thought, I thought  
15 RLUIPA sort of eliminated all zoning issues.

16 MR. STEINMETZ: So, no. And it's --

17 MR. KESSLER: It does.

18 MR. STEINMETZ: Let me, let me, I don't  
19 want to have a debate with you, but I will if you  
20 wish. I'm not standing here, Mr. Chairman and  
21 members of the board and town attorney's office  
22 arguing RLUIPA. I don't need to argue RLUIPA. The  
23 Religious Land Use and Institutionalized Persons  
24 Act was codified in the '90s. New York State law,

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2 Cornell v. Bagnardi and a legion of cases that  
3 your town attorney's office is familiar with go  
4 back well before RLUIPA.

5 So it's New York State law that tells us  
6 that religious and educational institutions are  
7 entitled to a degree of leniency. They are  
8 favored under the law. They're allowed to be in  
9 residential areas. We're not discussing that  
10 right now because right now, what we're  
11 discussing is whether or not we can have a cap of  
12 320. I don't think you have the authority to  
13 mandate it. You absolutely can ask for it. And  
14 more importantly, my client can voluntarily offer  
15 it. We are prepared, Mr. Chairman to do that.

16 And I understand your concept of the  
17 256. Let's talk about that. I heard from the town  
18 attorney's office that you had raised that issue.  
19 And you talked about that in the work session.  
20 Yes, the current occupancy of -- the current  
21 student enrollment is 217. It's not, even if the  
22 building was built today, it's not jumping to 320  
23 any time soon. It may never jump to 320. It may  
24 not jump beyond 250, 260, 280. It will, if it

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2 happens, like any school, it will happen and  
3 absorb gradually, intelligently.

4 So what are prepared to acknowledge, I  
5 know you made, someone made the request, 256  
6 occupants once the building is completed. And  
7 there would be a subsequent administrative review  
8 in the future, if at any point in time the  
9 yeshiva said, you know, we actually would like to  
10 put the fifth bed in there. Chana, can you speak  
11 just very briefly to the dormitory regulation and  
12 the building cod as to why we can put five beds  
13 in each of those rooms?

14 MS. CHANA WEISZ: Good evening. The  
15 building code requires us to classify every  
16 building by its use and occupancy. The use of the  
17 space determines how many students we have to --  
18 how many people we would have to account for in  
19 every space. Once we have that occupancy number,  
20 the rest of the building elements, such as path  
21 to egress, distance to egress, parameters for  
22 whether or not a sprinkler system would be  
23 required, what then capacity of means of egress  
24 to stairs, all of these items, even plumbing

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2 fixtures, is based on the determined occupant  
3 count of a building.

4 So if we wanted to submit a building  
5 just say for eight students per room, and say  
6 that these were bunk beds, right, and not change  
7 the building footprint, and not change the  
8 building height, but say we can provide adequate  
9 exit doors, adequate corridor widths, not exceed  
10 maximum required travel distances, meet  
11 thresholds for whether or not sprinklers are  
12 required or not required, which sometimes is  
13 related to occupant number, all of those code  
14 requirements, which are determined by occupant  
15 count, if we could meet those for pretty much any  
16 occupant number and demonstrate compliance with  
17 safety, that's what caps a building.

18 So there's no limit in the code other  
19 than saying that I believe you need to have a  
20 minimum of seven square foot per person, just for  
21 not having like overcrowding which would become a  
22 safety issue. But other than that, if you have a  
23 building and you can accommodate a number of  
24 occupants with your egress components, with your

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2 other code required components, again, it  
3 requires us to do certain things and upgrade  
4 certain systems. For example, you may need an  
5 extra staircase for 300 that you didn't need when  
6 you had 150 students. But assuming that we are  
7 providing all of those accommodations which the  
8 code now requires because you're at a higher  
9 occupant level, there's nothing in the code that  
10 says you cannot take a room and put more students  
11 into it, provided all of those new occupancy  
12 requirements are then met.

13 MR. STEINMETZ: Does the building, as  
14 you've designed it, safely and lawfully  
15 accommodate five students per room if there were  
16 five students per room?

17 MS. WEISZ: Yes, yes. And just for  
18 argument's sake, even if you had a number of 256,  
19 and you had say a certain number of ninth graders  
20 or tenth graders and you didn't want to mix, one  
21 room has four beds in it and the next room has  
22 four, but you wanted to say you have an odd  
23 number of ninth grade students, you could put a  
24 fifth bed into a ninth grade class dorm room and

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2 keep four beds or three beds even in the tenth  
3 grade. So saying that 256 number still doesn't  
4 limit you to four beds in a room. So if you were  
5 to say we're going to volunteer to a cap of 256,  
6 that still doesn't give us a code requirement  
7 that says you now cannot have five beds in this  
8 room. If the room can safely accommodate more  
9 occupants --

10 MR. STEINMETZ: And that's the question  
11 before the board.

12 MS. WEISZ: Which it can, which is the  
13 way that it's designed.

14 MR. BIANCHI: I think that statement has  
15 to be backed up by our fire department inspection  
16 when they do it.

17 MR. STEINMETZ: That's fine.

18 MS. WEISZ: It's going to be backed up  
19 by the building department when --

20 MR. BIANCHI: You can go on about what's  
21 safe, but I don't listen to it unless I hear it  
22 from the fire department.

23 MS. WEISZ: Yeah, well we would never be  
24 able to get building permits for a set of

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2 drawings that did not -- we put an occupant chart  
3 on a drawing set and then we have to be governed  
4 by the parameters which we set.

5 MR. STEINMETZ: Tom, we agree with you.  
6 We welcome the fire department inspection. You  
7 may not realize, but there was a rather extensive  
8 that was meeting by the technical folks, no  
9 lawyers, just technical people analyzing DOTs,  
10 your outside engineering firm, your in-house  
11 planners, we all there. We're all well aware that  
12 the yeshiva does not want to operate, and this  
13 building will not be designed by a professional  
14 architect, that doesn't meet code. So please help  
15 us, help Katie to get somebody to return the  
16 phone call that you heard in the work session  
17 we're all waiting to get so that these various  
18 fire inspections can take place on these  
19 projects. I totally agree, we are together on  
20 that. It's going to be a safe, lawful and  
21 extremely attractive building. It's going to be  
22 designed to accommodate up to 320 students.

23 If the town is asking for us to  
24 acknowledge 256 when it's completed and have some

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2 administrative review process that would be  
3 undertaken by DOTS to confirm lawful occupancy,  
4 everything in the plans that was designed by the  
5 architect was actually fully completed to the  
6 satisfaction of the building department, we're  
7 fine with all of that. At which time, once you  
8 complete, once DOTS completes that administrative  
9 review, the building would be allowed to be used  
10 as its been designed, for up to 320, because Mr.  
11 Chairman, we are prepared to acknowledge a cap of  
12 320. Your hypothetical about the 10-story  
13 building is sort of off track, because I can't  
14 build a 10-story building. I could build higher  
15 than we're proposing. But more importantly, we're  
16 not seeking to put 400, 500 students in the  
17 building, even if she tells me we possibly could.

18 MS. WEISZ: Even if our rooms could  
19 potentially accommodate more students and we had  
20 enough egress and stairs and we met all the  
21 requirements for, just for argument's sake, eight  
22 students in a room, that's not the intention,  
23 that's not what the yeshiva wants, and that's not  
24 what we're going to design the building to,

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2 because that's not how they want to set this up.

3 That's why they're offering a voluntary cap.

4 MR. STEINMETZ: And maybe one of the  
5 more important issues that we made at the last  
6 meeting and I hope it didn't fall on deaf ears.  
7 Programmatically, it's a school. It's an  
8 intensive school. It's a school. It doesn't have  
9 the other space for hundreds of people to come  
10 there and be educated. The cafeteria is only so  
11 large. The administrative is only so large. The  
12 on campus supervision in terms of professors or  
13 teachers is only so large. So the number of  
14 classrooms that are being designed that you know  
15 exist on the property and will be in the building  
16 are only so large. It can only accommodate a  
17 certain number.

18 And there was, someone made a comment  
19 about, and Tom I think it was you during the work  
20 session, about periodic inspections. I just want  
21 to remind you and make the record clear,  
22 especially for the public. This, in the 15 years  
23 since I received the original approval from your  
24 board, there are annual inspections. Holly Haight

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2 goes out there and she's no long with the DOTS.

3 MR. BIANCHI: Fire inspections.

4 MR. STEINMETZ: Fire inspections take  
5 place every single year. Every year, I have to  
6 come before this board and get renewals. Every  
7 three years, I have come before this board and  
8 got, received special permit extensions. Because  
9 we come before this board, you get a report from  
10 your staff and you determine and you learn that  
11 there have been no violations, there are no life  
12 safety concerns. And somebody has actually gone  
13 through and counted the beds on the campus. So,  
14 having said all of that, and I don't want to  
15 belabor the point, there would be no other  
16 students in other buildings on the property.  
17 There would be a maintenance building, the  
18 rabbis' building, Texas would remain as is. We've  
19 already talked about the staff housing.

20 So in terms, and I should say and I  
21 think you all saw this in our submission, state  
22 law, I was surprised to see this when I did the  
23 research and response to some comments that were  
24 made, state law, actually court cases say

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2 universities, campuses, seminaries, churches,  
3 convents, are expected to have guests, they're  
4 allowed to have guests. It's actually, the word  
5 guest is in the case law, because having this  
6 accommodation is contemplated under New York  
7 State law.

8 So we're not asking for anything  
9 improper, we're not asking for anything that  
10 violates state code in terms of building, fire,  
11 etc. And whether you all want to agree with my  
12 characterization, we are, the yeshiva is  
13 voluntarily agreeing to cap its student  
14 residential occupancy number at 320.

15 MR. KESSLER: Mm-hmm.

16 MR. STEINMETZ: It can absolutely be  
17 accommodated safely. Who knows if they'll ever  
18 get there. I hope they do. I hope they're  
19 successful. I hope the town feels the same way.

20 MR. KESSLER: Okay. Can we go back to  
21 the chart please, David?

22 MR. STEINMETZ: Yes.

23 MR. KESSLER: So, it looks though, in  
24 looking at this, you have three staff members

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2 today and no change. But it also says you have no  
3 staff family members there today on the chart in  
4 the existing. And you have 22 proposed in the --  
5 are you suggesting --

6 MR. STEINMETZ: Yep, correct.

7 MR. KESSLER: So you're saying there's  
8 no family staff members there today?

9 MR. STEINMETZ: Correct, because if I  
10 understand it correctly, it's because they've  
11 largely aged out of the family. So, in the 15  
12 years, those staff members have had children who  
13 have grown up and they have left, they are no  
14 longer residing with their parents. There are  
15 younger staff members who actually now can reside  
16 on campus rather than commuting to campus and  
17 they can actually reside there with their  
18 families. It's not a static world. And some of  
19 the rabbis, Mr. Chairman were probably a little  
20 younger than we are now when we got these  
21 approvals 15 years ago, and they are now older  
22 than we are now, and they don't have any family  
23 living with them.

24 MR. KESSLER: Okay. And just clarify

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2 again, for the public hearing please, the  
3 weekend, holiday staff housing. So you expect  
4 people to come up on weekends --

5 MR. STEINMETZ: Yeah.

6 MR. KESSLER: -- and certain religious  
7 holidays?

8 MR. STEINMETZ: Correct. And that is  
9 again, that is a number that it fluctuates.  
10 There's the capability of having these people  
11 remain and stay as guests on campus. They don't  
12 come every weekend, they don't want to come every  
13 weekend. As you all either know or should know, a  
14 staff member who arrives Friday late in the day  
15 and remains for the Sabbath cannot, for religious  
16 purposes, leave and drive off the campus from  
17 Friday at sundown until Saturday at sundown. So  
18 having a safe accommodation is what this is for.

19 And some of the older staff members, who  
20 now will reside elsewhere and want to visit the  
21 campus and see the students that they have been  
22 training for some time and know, will want to be  
23 able to come and experience the Sabbath on  
24 campus. That's been happening for decades at the

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2 yeshiva. So none of that's changed.

3 MR. KESSLER: Yeah, and just to put a  
4 fine point on it, you're comfortable designating  
5 the usage of each of the building as you've  
6 designated them here?

7 MR. STEINMETZ: Yeah. I think that, the  
8 answer to that is yes, we're comfortable  
9 designating the use. I want to say something that  
10 I raised about ten minutes ago, and maybe saw  
11 some eyebrows raised. We're agreeing to a 320  
12 cap. I can tell you that -- student cap, Rabbi  
13 Rothberg would like the flexibility, if we can  
14 get that flexibility in the R-2 Dallas building  
15 to, if he decided that the older students, 40 of  
16 them should be in that building, and 280 of them,  
17 if we had maximum student occupancy, should be in  
18 the new dormitory, that he as the executive  
19 director should have the ability to do that.  
20 Note, if he does that, he's essentially  
21 eliminating rooms that would otherwise be  
22 available to visiting staff and guests.

23 But the 320 student cap I think is what  
24 you all have been focused on, have signaled to us

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2 that you're focused on, and you have a right to  
3 do it and to ask. That should be the governing  
4 issue, not whether we call Dallas the guest  
5 building and we call Dodge City the primary 320  
6 dormitory.

7 So you heard me saw that at a prior  
8 meeting. It has been explained to me more  
9 clearly. And again, Chana explained to me, both  
10 buildings, I did this on the fly two months ago,  
11 and I apparently was right. Both buildings are  
12 constructed to the same R-2 classification. As  
13 such, there is no use change. It's sleeping  
14 accommodations that are allowed. So, and that's  
15 different from the pool building which is going  
16 to have families and firewalls dividing that  
17 building. That is a different building with a  
18 different use category.

19 MS. WEISZ: That is not a different use  
20 category. It's constructed in a way that it  
21 doesn't have fire separation between every  
22 bedroom, it would be between every unit.

23 MR. STEINMETZ: Every unit.

24 MR. KESSLER: Do you file a report with

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2 the state on the student population periodically.

3 MR. STEINMETZ: Yes, beds and a FISP  
4 report if I recall correctly, rabbi? No  
5 [unintelligible] [00:37:39] we file annually with  
6 the state in terms of students' enrollment?

7 MR. YAKOV ROTHBERG: Yes.

8 MR. STEINMETZ: BEDS and FISP.

9 MR. ROTHBERG: BEDS and FISP.

10 MR. KESSLER: It's an annual report?

11 MR. STEINMETZ: Yes. And that's  
12 something that you may remember from 15 years  
13 ago. That's when I learned it. But you had asked  
14 that, that question was asked by the town 15  
15 years ago, and every year, we have submitted BEDS  
16 and FISP reports.

17 MR. KESSLER: Really, I've never seen  
18 that. Have we seen those?

19 MR. STEINMETZ: No?

20 MR. KEHOE: No.

21 MR. KESSLER: Well, we should.

22 MR. STEINMETZ: We submit it to the  
23 state.

24 MR. KESSLER: To the state?

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2 MR. STEINMETZ: Yes.

3 MR. KESSLER: I thought we asked, I  
4 thought we were going to get a copy of those  
5 also?

6 MR. KEHOE: You might have gotten BEDS  
7 reports earlier.

8 MR. ROTHBERG: Okay, so last time  
9 around, the problem with the BEDS and the FISP is  
10 it becomes quite confusing. The BEDS report is  
11 the high school. FISP is the, is the seminary and  
12 they, they're filed at two different times of the  
13 year. The 12th grade of the high school, for  
14 example, halfway through the year, they become  
15 part of the seminary. So they get -- if you're  
16 looking at a calendar year, they end up getting  
17 counted twice, which happened last time and  
18 they're saying they have X amount, but if you  
19 look at the BEDS and you look at the FISP,  
20 there's another 35 boys here, what's going on.  
21 And it gets to be confusing. Those are things  
22 that we have to file, for regulatory reasons,  
23 with the state and with the federal government.  
24 It's not our registration, you know, that doesn't

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2 accurately depict the exact registration, if  
3 that's what you're asking.

4 MR. KESSLER: Is there an actual  
5 registration report that's issued, that you issue  
6 to any governing body?

7 MR. ROTHBERG: No.

8 MR. KESSLER: State body, nothing?

9 MR. ROTHBERG: It's BEDS and FISP.

10 MR. KESSLER: Well we're still, let's, I  
11 don't want to shortchange the public here. Is  
12 there anybody else from the public that wishes to  
13 comment? Yeah, please come on up.

14 MR. BIANCHI: Before we leave the  
15 subject, could I --

16 MR. KESSLER: Tom, yeah, sure.

17 MR. BIANCHI: -- just to continue on  
18 this one subject.

19 MR. KESSLER: You can come on up,  
20 please.

21 MR. BIANCHI: There seems --

22 MR. KESSLER: One second, please. Tom,  
23 go ahead.

24 MR. BIANCHI: Just to continue on this

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2 subject, there seems to be two sizes of dorm  
3 rooms. 298 square feet and a few that are 391 I  
4 guess square feet. Could we get, include it maybe  
5 on sheet D3, or D4, a typical layout --

6 MS. WEISZ: There's a few -- there are a  
7 few rooms --

8 MR. BIANCHI: -- of the room with four  
9 and with five beds?

10 MS. WEISZ: I believe we've had a blowup  
11 submitted at one point showing both  
12 configurations. Some of the rooms are bigger  
13 because they're in the corners.

14 MR. BIANCHI: Right.

15 MS. WEISZ: So just to access the door  
16 to the room. But we've submitted a layout for the  
17 room with four and five beds I believe.

18 MR. BIANCHI: Are they in, in this  
19 drawing packet?

20 MS. WEISZ: If they're not in this one,  
21 they're in previous ones. We could resubmit  
22 those.

23 MR. BIANCHI: Okay. Yeah, I'd like to  
24 see that.

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2 MS. WEISZ: Just practically, five was  
3 the maximum number that made any sense for the  
4 students to still have storage space.

5 MR. BIANCHI: You have show beds, desks,  
6 chairs?

7 MS. WEISZ: Yes, exactly. We have a full  
8 furniture closet.

9 MR. BIANCHI: And this may help the fire  
10 department too, for that matter.

11 MS. WEISZ: Yes, furniture, closet,  
12 desk, whatever it is for the students to store  
13 their belongings.

14 MR. STEINMETZ: But you have those,  
15 correct? They were, we did a whole architectural  
16 layout submission.

17 MR. KEHOE: Previous?

18 MS. WEISZ: Yes, previously.

19 MR. KEHOE: Yeah, because the one that I  
20 have currently have I don't think has that.

21 MS. WEISZ: Yes, it may have been on a  
22 previous -- it got so confusing when we were  
23 showing four beds and we were talking about five,  
24 that we removed it, but we can certainly --

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2 MR. STEINMETZ: It would be the October  
3 submission.

4 MR. KEHOE: Okay. I'll track that down,  
5 and if I sent it to you all, I'll let you know  
6 that I sent it.

7 MS. WEISZ: Because we were showing the  
8 layout with four not intending to be misleading  
9 about the --

10 MR. BIANCHI: It should be part of this  
11 drawing set.

12 MS. WEISZ: -- potential for five, it  
13 caused so much confusion that we --

14 MR. STEINMETZ: Tom, I'm happy to make  
15 sure that it's part of the record.

16 MR. BIANCHI: It should be part of this  
17 drawing set that was just sent out to us.

18 MR. STEINMETZ: Got it, no problem.

19 MR. BIANCHI: Okay, thank you. We can  
20 continue with the -- I'm sorry, the public  
21 hearing.

22 MR. KESSLER: Yes, please.

23 MS. LINDA MCMANN: Linda McMann, 14  
24 Lakeview Avenue West. Good evening, chairperson

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2 and members of the board. Thank you for the  
3 opportunity to speak this evening. I've been a  
4 resident of this community for over 25 years and  
5 live in close proximity to the subject property.  
6 I am here to respectfully oppose this  
7 application. My opposition is based entirely on  
8 land use, environmental, fiscal and neighborhood  
9 impact concerns, not the identity or mission of  
10 the institution.

11 This property is located in an area that  
12 is overwhelmingly single family residents in  
13 character. Residents purchased homes here with  
14 the reasonable expectation that future  
15 development would reflect that character. The  
16 proposed expansion, particularly a large multi-  
17 story dormitory constructed in a brick and mortar  
18 style is fundamentally inconsistent with the  
19 surrounding neighborhood.

20 The existing buildings, dating back to  
21 the property's use as a dude ranch blend into the  
22 area due to their scale, architecture and setback  
23 from the road. An institutional structure that's  
24 proposed does not fit that character. Approving

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2 this amendment would permanently alter the visual  
3 and functional character of the neighborhood in a  
4 way that cannot be done.

5 The proposal requires a wetlands permit,  
6 which raises serious concerns. Historically, this  
7 property has experienced septic system failures,  
8 including leaching that impacted Lake Rose and  
9 the fields in front of the middle school. It took  
10 years to remediate this problem, polluting these  
11 areas the entire time.

12 These impacts demonstrate the site  
13 conditions and sensitive and vulnerable.  
14 Construction, especially in our near wetlands  
15 creates a risk of contaminating Lake Rose and  
16 middle school fields again. Any construction  
17 errors or problems put public property and  
18 children at risk.

19 Separately, it is important to note that  
20 there are mature trees along the roadway. These  
21 serve as a critical visual and environmental  
22 buffer that helps soften the impact of the  
23 existing buildings. If trees are removed, the  
24 character of the street is permanently changed.

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2 I'm not sure if the application adequately  
3 addresses what trees on the property will be  
4 removed, how long replacement landscaping would  
5 take to mature, whether the neighborhood would be  
6 exposed to direct views of large building  
7 structures.

8 There's also concerns regarding family  
9 housing and the potential of school aged  
10 children. If families reside on site and children  
11 attend private schools, taxpayers are required to  
12 fund the transportation of these students to the  
13 private schools. This represents a direct cost to  
14 the Hen-Hud taxpayers without any offsetting  
15 community benefit. Speaking of community  
16 benefits, this expansion provides no clear  
17 benefit to the surrounding community. It does not  
18 improve public infrastructure, aside from a few  
19 who may tap into the new sewer line. It does not  
20 expand public access and it does not contribute  
21 meaningfully to the tax base. Instead, it risks  
22 lowering surrounding property values, increasing  
23 municipal service costs, setting a precedent for  
24 continual expansion.

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2 History suggests that approvals of this  
3 nature are rarely the final request. Once  
4 expanded, they will inevitably be pressured to  
5 expand again until all available land is built  
6 upon. Residents who currently live here accepted  
7 living near the dude ranch buildings. They did  
8 not agree to live next to large institutional  
9 dormitories.

10 While I understand the desire of any  
11 institution to grow, growth must occur in the  
12 appropriate location. A one family residential  
13 neighborhood with wetlands and small, narrow  
14 roads is not that location. I ask the board to  
15 consider this question. If this expansion were  
16 proposed next to your home, or a block away from  
17 your neighborhood, would you support it?

18 Respectfully, this proposal is not  
19 suitable for this area and approving it would  
20 have lasting negative impacts on environmental  
21 safety, neighborhood character, municipal costs  
22 and quality of life. Thank you for your time and  
23 consideration.

24 MR. KESSLER: Thank you. [applause]

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2 MS. SHERI ANN COOK: Good evening ladies  
3 and gentlemen of the town of Cortlandt planning  
4 board. My name is Sheri Ann Cook, I live in the  
5 town of Cortlandt, as you are all aware. I was  
6 glad and hopeful with some of the discussions I  
7 heard with the working session. I wanted to have  
8 a couple of -- I have a couple of questions. One  
9 is I am still waiting for my FOIL request from  
10 the Department of Health, Westchester County, and  
11 the Department of Homeland Security for the  
12 grants that were applied. I would like to reserve  
13 my rights to submit any documents that I receive  
14 in response to those. Homeland Security isn't  
15 responding to me until January 28th, allegedly.  
16 I'm still waiting for the Department of Health.  
17 So I would like the, to reserve my right to  
18 submit for the paperwork.

19 But I'm glad to see that some questions  
20 that were raised have been addressed or discussed  
21 and it seems that some things are still up for  
22 debate. So I was pleased with hearing that.

23 My daughter went to Binghamton  
24 University. Her first year was in dorms. Okay.

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2 Five students in the room, two bedrooms. It was  
3 insanity. While we can talk about maximum  
4 capacity per room per building code, you have to  
5 understand that these kids are going to be coming  
6 in with all of the things that they have to live  
7 their lives with. And while the building code  
8 might be there, I don't believe it might be  
9 functional. It certainly wasn't in my daughter's  
10 situation. There were two bedrooms, five  
11 students, two students in two bedrooms, one  
12 person had the pull out couch, which was the  
13 community living space. It ended up being a  
14 horror. So are there going to be separate  
15 bedrooms with certain amount of students per  
16 bedroom and a community living space? I mean is  
17 that even been addressed or requested or  
18 articulated?

19 MR. KESSLER: Well, they can respond if  
20 they want. Why don't you put all your questions  
21 out there and --

22 MS. COOK: With regard to their plans,  
23 what I'm still hearing is they're going to be  
24 looking for eventual 320 students. But with the

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2           other buildings still being operational, what is  
3           the total number of human beings to be on the  
4           property at all times? Because maximum occupancy  
5           about my understanding was 250 total was, was the  
6           standard before this current petition. So I'm  
7           unsure if that has been taken off the table. And  
8           I'd like to know. And those were my questions,  
9           but thank you for your time.

10                   MR. KESSLER: Thank you.

11                   MS. COOK: And thank you for your  
12           consideration of everything.

13                   MR. KESSLER: Okay.

14                   MS. COOK: Good day.

15                   MR. KESSLER: Anybody else wish to  
16           speak? Yes. Well, it's up to the applicant if  
17           they wish to answer, but yeah. But please, come  
18           on up.

19                   MR. JOEL BENEDICT: Joel Benedict, 11  
20           Lakeview West. I have some questions. Oh, there's  
21           Chris. Can someone tell me the difference between  
22           the lot's zoning designation and what a property  
23           site class and a site class listed on the  
24           property card is? What's the difference between

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2 those? It's in an R-40 class. If you look at the  
3 property class --

4 MR. MICHAEL CUNNINGHAM: R-40 is the  
5 zoning district.

6 MR. BENEDICT: Is the zoning. But the  
7 property site class is religious and property  
8 class states religious. What's the difference and  
9 what are the implications to that?

10 MR. CUNNINGHAM: On the property card?

11 MR. BENEDICT: Yes.

12 MR. CUNNINGHAM: We can take a look at  
13 that for next. I don't know on the fly right now,  
14 but we could take a look at that before the next  
15 meeting.

16 MR. BENEDICT: All right. So it's still  
17 R-40.

18 MR. CUNNINGHAM: Mm-hmm.

19 MR. BENEDICT: That's never changed. I  
20 imagine there would be hearings if they were  
21 going to try and change the zoning on the  
22 property?

23 MR. KESSLER: That would be a town board  
24 issue.

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2 MR. CUNNINGHAM: That would be the town  
3 board.

4 MR. KESSLER: The town board changes  
5 zoning. We do not.

6 MR. BENEDICT: Okay. Is this board still  
7 lead agency on this matter?

8 MR. KESSLER: What's that?

9 MR. BENEDICT: Are you still the --

10 MR. KESSLER: Yes, we are the lead  
11 agency, yes, yes.

12 MR. BENEDICT: You're still the lead  
13 agency. I previously inquired in writing about  
14 the anticipated power requirements for these  
15 buildings. I don't know if we're going to have  
16 electric heat, electric hot water, oil heat, oil  
17 water. How much of a drain is this going to be on  
18 the infrastructure and what would be the cost of  
19 improvements to satisfy that? How much power is  
20 this place going to suck up from the  
21 neighborhood? We don't have the best utility  
22 lines in the area, we're subject to frequent  
23 blackouts. Is there any solar component to the  
24 plan? I don't see any obviously solar panels and

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2 I'm wondering if there's any battery storage  
3 that's going to be on, or if they do plan to do  
4 solar.

5 The sewers, for years we've been talking  
6 about putting in a four-inch sewer main. Now I  
7 see it's a six-inch main. When was that changed?  
8 Who made that change and why was that change  
9 made?

10 MR. KESSLER: It's a town board issue,  
11 not -- we don't approve sewers.

12 MR. BENEDICT: So there's no explanation  
13 as to why this is there? How many sewer districts  
14 in this town have four-inch mains and how many  
15 have six-inch mains?

16 MR. CHRIS LAPINE: I think the main  
17 you're referring to is a force main.

18 MR. BENEDICT: Yeah, force main.

19 MR. LAPINE: Not the gravity main.

20 MR. BENEDICT: Yeah, how many, how many  
21 districts have four-inch force mains and how many  
22 have six-inch force mains?

23 MR. LAPINE: I couldn't tell you.

24 MR. BENEDICT: And then how many people

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2 are serviced by each of those?

3 MR. LAPINE: I think in terms of a six-  
4 inch force main, it's based upon what an  
5 anticipated flow is, based upon a sewer district  
6 that would flow to it, and that's probably how it  
7 was sized accordingly.

8 MR. BENEDICT: So then they're  
9 anticipating a lot larger of a sewage flow than  
10 what was originally called for?

11 MR. LAPINE: No, what I'm saying is if  
12 it's a six-inch force main --

13 MR. BENEDICT: Yeah.

14 MR. LAPINE: -- based upon a certain  
15 size of the sewer district. So if you, your sewer  
16 district is not only this project area, it would  
17 include a number of other parcels in the area  
18 that may contribute to it.

19 MR. BENEDICT: That's if anyone is going  
20 to hook up to this, which is to me, to pay two to  
21 three times as much to hook up to this sewer line  
22 as opposed to getting a new sewage field and then  
23 have the privilege of paying yearly taxes, I  
24 really wonder how many people are going to be

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2 hooking up to this sewer line.

3 MR. LAPINE: I can only tell you from a  
4 technical perspective why the line was sized. I  
5 can't speak to the cost implications of  
6 connecting to it versus your sewer. That was a  
7 town board action. But, you know, obviously, to  
8 go from four to six is typically proper planning  
9 for future use, if people do decide they want to  
10 connect to it.

11 MR. BENEDICT: Well let's say like Red  
12 Oak sewer district.

13 MR. LAPINE: I'm sorry, if you could  
14 repeat.

15 MR. BENEDICT: The Red Oak sewer  
16 district.

17 MR. LAPINE: Okay.

18 MR. BENEDICT: Does that got a four-inch  
19 force main?

20 MR. LAPINE: I could not tell you off  
21 the top of my head. I'm a consultant engineer.  
22 I'm not in the sanitary department.

23 MR. BENEDICT: Can someone tell me how a  
24 sewer district is financed?

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2 MR. KESSLER: We're here --

3 MR. CUNNINGHAM: By the users, but I  
4 mean that's not an issue before the planning  
5 board right now.

6 MR. KESSLER: The issue here is not the  
7 sewer district, obviously.

8 MR. BENEDICT: The issue here is the  
9 expansion and the cost that's going to be borne  
10 by the residents of the town of Cortlandt.

11 MR. KESSLER: My understanding, and  
12 again, this was a town board decision to create  
13 the sewer district and build the sewer, which was  
14 done, I'm understanding without town funds. Is  
15 that correct?

16 MR. CUNNINGHAM: There was one, the town  
17 board only attributed 500,000 so others on the  
18 route could connect, because that led to some  
19 design differences then if it was just the  
20 yeshiva being able to connect into the county  
21 infrastructure.

22 MR. KESSLER: They, you know, I can make  
23 a joke here.

24 MR. CUNNINGHAM: Besides that, I mean

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2 the only user right now on the sewer improvement  
3 area is the yeshiva, so they're bearing all  
4 costs.

5 MR. BENEDICT: So if there's only one  
6 user in that sewer district, they've got to pay  
7 the whole cost.

8 MR. CUNNINGHAM: They pay all the costs.

9 MR. BENEDICT: Pay the whole cost for --

10 MR. CUNNINGHAM: They're paying the  
11 whole cost and --

12 MR. BENEDICT: -- the pump house.

13 MR. KESSLER: Right.

14 MR. BENEDICT: They pay labor.

15 MR. CUNNINGHAM: They're paying the  
16 whole cost.

17 MR. BENEDICT: Everything like that.

18 MR. CUNNINGHAM: They put up escrow  
19 payments, they put up almost a million dollars to  
20 start, plus they have to pay all the financing  
21 costs.

22 MR. LAPINE: And the ONM.

23 MR. BENEDICT: I have heard several  
24 times, it's 19 years we've been doing this.

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2 Steven and Tom, you've been here the whole time.

3 MR. KESSLER: Yep.

4 MR. BENEDICT: I'm constantly hearing, I  
5 know the student cap isn't going to be  
6 [unintelligible] [00:55:53]. But I'm constantly  
7 hearing that that student cap was based upon  
8 sewage requirements. That was never based on  
9 sewage requirements. That was an accepted number  
10 based upon FISP and there was BEDS reports.  
11 That's how that number came up. It had nothing to  
12 do with we were limited to this many students  
13 because of a sewage cap. That's totally false.

14 There's been no pushback on that at all.  
15 It's always been about a density issue. Has any  
16 other proposal for this site been given to the  
17 board? Have we seen plans for a smaller building?  
18 No.

19 MR. KESSLER: They, we are evaluating  
20 what they proposed. That's what they proposed.

21 MR. BENEDICT: I think the building  
22 needs to be smaller than it's proposed as now.  
23 There would be one legal way to limit the number  
24 of students that could be in this building. It's

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2 by reducing the number of rooms. I also see  
3 there's a big push to get the wetlands re-  
4 designated. Is that merely because we're inching  
5 into the buffer zone, or is it for some  
6 alternative future plans?

7 MR. KESSLER: The plans are the plans.  
8 Future plans would come back to this board. If  
9 there was any change to what they're proposing --  
10 suppose we'd approve this tonight, which we're  
11 not. But if we were, if there were any changes to  
12 that plan, they would have to come back and  
13 reapply to this board for an amended site plan.  
14 So what we're evaluating tonight is exactly what  
15 they proposed, with the changes that have taken  
16 place over these many months based upon  
17 discussions with the planning staff and the  
18 technical staff, you know, which led to a number  
19 of changes that Dave outlined tonight and there  
20 are other changes that were made in previous  
21 meetings in terms of encroachment on the wetlands  
22 and other things, reducing the scale of some  
23 buildings, like the sanctuary. So there were  
24 other changes that were made based upon

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2 discussions with staff and the applicant. And now  
3 we have the latest revised plans and that's what  
4 we're discussing together with of course the  
5 student cap, which is obviously a key issue.

6 MR. LAPINE: And the wetlands that  
7 you're referring to, I think what you're  
8 referencing is that they're DEC wetlands?

9 MR. BENEDICT: Yes.

10 MR. LAPINE: Yes. And that was due to  
11 the DEC site visit and flagging of the wetlands.

12 MR. BENEDICT: And they want to reduce  
13 the size of the wetlands?

14 MR. LAPINE: What you're seeing on the  
15 plans is based upon the DEC's field visit and  
16 flagging of the wetlands.

17 MR. BENEDICT: But there's a push to  
18 reduce the wetlands.

19 MR. KESSLER: To remove encroachment  
20 into the wetlands.

21 MR. LAPINE: That's what the applicant  
22 said at the last meeting.

23 MR. BENEDICT: I know what they said at  
24 the last meeting.

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2 MR. LAPINE: The DEC, and it's reflected  
3 on their plans, that they were asked to remove  
4 some of the encroachments within the buffer.

5 MR. BENEDICT: All right. There's no  
6 plans to close this hearing tonight?

7 MR. KESSLER: No.

8 MR. BENEDICT: Okay. So the loophole,  
9 you don't want to get into that? We're not. I'll  
10 save it for another day.

11 MR. KESSLER: No.

12 MR. BENEDICT: I will save that for  
13 another time then. Thank you.

14 MR. KESSLER: Okay. Thank you. Anybody  
15 else wish to comment? Come on up.

16 MR. JOHN DEBENEDICTUS: Good evening,  
17 John Debenedictus. I am still unclear as to who  
18 is going to live in this thing? In other words,  
19 the instructor ratio of instructor to students  
20 and family living situations and how many, and  
21 how does that change as the number of students  
22 increases, which, I mean the way I'm  
23 understanding it and I could be wrong on this  
24 one, you're not going to have much to do with the

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2 capping of this. So as, if it increases in  
3 student population what is the ratio? I mean is  
4 it, you know, is there ten students to an  
5 instructor?

6 And I know, I think I heard this right,  
7 but, you know, sometimes I may not have. It  
8 happens once in a while. But it seems like Mr.  
9 Steinmetz said they would be younger instructors,  
10 so of the impression I got, you know, that they  
11 wouldn't have a family. Well, that works for a  
12 while, but young instructors get married, okay.  
13 And are they going to live there? And what  
14 happens to their families? And as you go down the  
15 road, and I asked the question last meeting, what  
16 happens to the children in this family situation?  
17 And I'm not clear as to how many people or  
18 families, units, are going to live there? And  
19 what happens with the increase in students as it  
20 goes along?

21 Because I don't know, again, I'm not a  
22 legal eagle or nothing. But we talk, I've, you  
23 know, there's a lot of talk about what New York  
24 State says you've got to have, you've got to

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2 have. I also think New York State says you've got  
3 to educate children, okay. And if there was young  
4 children there, or middle school children, I  
5 don't know what age they are, I would think that  
6 the state would say you have to educate these  
7 people.

8 And it runs back to what I said last  
9 time at the meeting. Those of us who are  
10 strapped, living in the Hendrick Hudson school  
11 district, which is completely out of control, it  
12 doesn't take a lot of students to go in there and  
13 have it, the budget go sky high, okay. All you've  
14 got to do is have one kid walk in there, it hits  
15 the cap, and now you've got another teacher that  
16 has to be hired. And if you have two or three, I  
17 mean we, you know, it just snowballs.

18 So like I say, I don't seem to have a  
19 good handle as to how many families, quote, are  
20 going to live there and the size of those  
21 families and what happens to the children? And  
22 like I said, if you're strapped living in the  
23 Hendrick Hudson school district, this is  
24 something you want to know, because they're out

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2 of control as it is and I don't think that's been  
3 addressed here, tonight.

4 MR. KESSLER: Okay. Thank you.

5 MR. DEBENEDICTUS: Okay. I mean that's  
6 it. I don't, I haven't heard is there going to be  
7 for every 250 students, are there 15 instructors,  
8 are there 20 instructors?

9 MR. KESSLER: Okay.

10 MR. DEBENEDICTUS: And are they going to  
11 live there? I mean, I've had to put three kids  
12 through college. And I've yet to have, you know,  
13 any one of those schools house the instructors,  
14 okay. And, you know, so this here now is you're  
15 setting up to have instructors live there, and  
16 again, I repeat and I don't want to keep  
17 repeating it, but that means families. And  
18 families mean children and children mean schools  
19 and that means a district like Hendrick Hudson  
20 will just want to build another school district  
21 for that. I mean they're crazy over there. So,  
22 again, that hasn't, in my opinion, it hasn't been  
23 addressed and you haven't, you haven't gotten a  
24 real answer on that.

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2 MR. KESSLER: Okay, thank you.

3 MR. DEBENEDICTUS: I'd like to know.

4 MR. KESSLER: Okay. I mean --

5 MR. DEBENEDICTUS: Thank you.

6 MR. KESSLER: -- in a second, I will  
7 rephrase your question and ask it.

8 MR. DEBENEDICTUS: I'm sorry?

9 MR. KESSLER: I'll rephrase your  
10 question and ask it in a minute once we hear from  
11 everybody else.

12 MR. DEBENEDICTUS: Thank you.

13 MR. ROBERT McMANN: Yes, good evening.  
14 My name is Robert McMann. I live at 14 Lakeview  
15 Avenue West and I'm objecting to the proposed  
16 expansion of the Yeshiva Ohr Hameir and  
17 requesting that the planning board deny the  
18 application based on a documented history of  
19 inconsistent representations, unresolved  
20 infrastructure impacts and clear public safety  
21 concerns.

22 Over the course of many years, the  
23 applicant has made varying and inconsistent  
24 representations to the town regarding the number

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2 of students housed at the property and the  
3 intensity of its use. A review of prior planning  
4 board minutes and application materials reflects  
5 ongoing disagreement and the lack of clarity  
6 concerning actual onsite residency levels. These  
7 discrepancies raise serious concerns about  
8 whether prior approvals were granted based on  
9 complete and accurate information and whether  
10 current representations can be relied upon.

11 Despite these unresolved issues, the  
12 applicant is now seeking approval for additional  
13 residential housing as part of a proposed  
14 expansion. Allowing new dormitory or residential  
15 facilities before the town has conclusively  
16 determined existing compliance would effectively  
17 reward past ambiguity and eliminate meaningful  
18 oversight of occupancy levels. Residential  
19 housing is not an incidental issue. It directly  
20 drives population density, traffic,  
21 infrastructure demand and neighborhood impact in  
22 a district zoned primarily for single family  
23 residential use.

24 In addition, the board must address the

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2 ongoing public safety impacts that already exist  
3 under the current operations. On Saturdays, large  
4 numbers of students regularly walk along local  
5 residential roads outside the yeshiva grounds.  
6 These roads are narrow, curving and lack  
7 sidewalks. The volume of pedestrian traffic under  
8 these conditions creates a foreseeable and  
9 ongoing safety hazard for both pedestrians and  
10 motorists. Any expansion that increases onsite  
11 residency will necessarily intensify this risk,  
12 yet no adequate mitigation has been demonstrated.

13 Compounding these concerns is the  
14 current sewer installation project associated  
15 with the yeshiva. Public roads have been  
16 excavated and to date, have been inadequately  
17 repaved. The condition of the roadways reflect  
18 substandard restoration and raises additional  
19 safety concerns. It's inappropriate to consider  
20 expansion while the infrastructure work tied  
21 directly to the applicant's use remains  
22 incomplete, poorly executed and unacceptable.

23 The planning board is obligated to  
24 ensure that the special use approvals are based

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2 on accurate information, the conditions are  
3 enforceable and that public safety is protected.  
4 The record here demonstrates unresolved  
5 compliance, questions ongoing adverse impacts and  
6 a pattern of expanding intensity before prior  
7 obligations are fully satisfied.

8 So for these reasons, I respectfully  
9 request that the planning board deny the proposed  
10 expansion application, decline to approve  
11 additional residential or dormitory housing,  
12 required a fully accounting and verification of  
13 existing onsite residency levels and require  
14 complete, permanent and town-approved restoration  
15 of all impacted roadways before entertaining any  
16 future expansion proposals, and to fully evaluate  
17 pedestrian and traffic safety impacts under both  
18 the current conditions before considering any  
19 increase in use. So thank you for your  
20 consideration and for ensuring that zoning  
21 standards and public safety protections are  
22 meaningfully enforced. Thank you.

23 MR. KESSLER: Thank you. [applause] Any  
24 other comments from the public?

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2 MS. VALERIE FRISCIA: Good evening. My  
3 name is Valerie Friscia. I reside at 19 Shaw  
4 Highway and I oppose the expansion of -- the  
5 removal of the special cap. I know that you're  
6 discussing that they're voluntarily going to keep  
7 256. The lack of their adhering to the cap has  
8 caused the problems that exist today. Their  
9 septic system failed. Their septic system failed  
10 due to the lack of adhering to the number of  
11 students that resided there. And this septic  
12 system is being replaced by their sewer. And this  
13 sewer has been a terrible disruption to the  
14 community, and we are now left with uneven roads  
15 and potholes that we have to get through, through  
16 the winter until they complete this project in  
17 the spring.

18 I think that the biggest thing is that  
19 the lack of communication that this sewer project  
20 was going to be done, that we were told four  
21 months after the fact that the sewer was being,  
22 was happening. We already knew that because we  
23 see the construction. On Lafayette is a parking  
24 lot of huge machinery that we have to drive past

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2 and look at. I just thank God I don't live next  
3 door to them.

4 I don't oppose the yeshiva being in  
5 existence. I think it's wonderful that they are  
6 religious and that they want to instruct young  
7 men to have a strong foundation in religion. I  
8 really believe everyone should have some kind of  
9 religious basis.

10 What I do oppose is the impact on the  
11 community. The traffic studies, we need traffic  
12 studies, the septic has ruined our wetlands, and  
13 I want a guarantee, you know, that they're not  
14 going to build something else on this property  
15 later on.

16 The other thing is that I think the  
17 building is way out of sorts for the area. I  
18 think it's way too big. The middle school, it's  
19 almost the size of the middle school, which is  
20 right next door. I want to know what the traffic  
21 studies are going to be. I'd like to know if  
22 anybody visited the site as it is right now and  
23 gone into the dormitories and guaranteed that  
24 these young men are safe as it is right now, you

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2 know, that there's no fire hazard and I mean I've  
3 met them on the street. They're lovely young men.  
4 I haven't, I'm not opposed to them. You know,  
5 they chit-chat, they're very friendly. They're  
6 very nice, you know. I'm concerned about their  
7 safety, you know. Are they safe in where they're  
8 living right now?

9 The other thing is that their septic  
10 failed in 2006. So while we're waiting for this  
11 sewer to be installed and their septic has  
12 failed, where is their waste products going? So,  
13 I'm trying to keep this brief, because I know  
14 everyone has, everyone that has spoken already,  
15 you know, I firmly support, you know, that the  
16 town stays on top of this.

17 I recently received a fine for \$100  
18 because I put in a driveway without getting a  
19 permit. I had no idea I needed one. My neighbor  
20 also got a fine. So we as residents do what we  
21 have to do. I was wrong. I came, I paid my fine.  
22 And I expected the same thing to be upheld  
23 throughout the community. And their institution  
24 is the only institution that has people living

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2 there. There's other churches in the area. They  
3 do not have residents. So, with that being said,  
4 I really hope that you're going to give this  
5 serious thought and really look into this. Thank  
6 you.

7 MR. KESSLER: Thank you. [applause]

8 Anybody else wish to speak? So David, a question.  
9 Again, going back to the population table and to  
10 what Mr. Benedict has said, currently you have  
11 nine staff members there for 217 students. You're  
12 proposing, if you take out the weekend and  
13 holiday staff, which I presume are not part of  
14 the staffing, you still have nine people for 320  
15 people. So you're saying that you're existing  
16 staff, well, not you, but the rabbi, you're  
17 saying the existing staff of nine people for 217  
18 people is sufficient to teach, instruct 320  
19 people?

20 MR. STEINMETZ: I'll let the rabbi  
21 respond to that.

22 MR. ROTHBERG: Good evening once again.  
23 No, we have traveling staff members as well, that  
24 come every day. So we have currently three that

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2 live on site, three staff members with their  
3 spouses that live on site. There are instructors,  
4 rabbis. We're proposing for three more on site.  
5 And then there will be, there's also continuous -  
6 - there's about I think roughly 28 or 29, I  
7 forget the exact number, it should be on this  
8 table, 28 or 29 staff members that commute daily  
9 at different times of the day, some in the  
10 morning, some in the afternoon, some in the  
11 evening. They're not all there at the same time,  
12 but those would be the rest of instructing staff.

13 MR. STEINMETZ: Approximately how many  
14 additional staff, if any, as a result of the  
15 increase in student cap?

16 MR. ROTHBERG: I don't think any, as of  
17 now, no.

18 MR. STEINMETZ: I think that was really  
19 the question.

20 MR. ROTHBERG: No, there's no.

21 MR. KESSLER: Okay. So now again, we're  
22 back to not having complete information here I'm  
23 sorry to say. So you have three, you have three  
24 instructors that come in traveling every day? Is

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2 that what I'm hearing?

3 MR. ROTHBERG: We have, right now, what  
4 we -- okay. Currently, we have three instructors  
5 living on campus. We are proposing for another  
6 three instructors to move on campus.

7 MR. KESSLER: Okay.

8 MR. ROTHBERG: But in addition to that,  
9 we have roughly 28 staff members that commute  
10 daily, some in the morning, some in the afternoon  
11 and some of them in the evening. Some of that is,  
12 you know, cleaning staff, but for the most part  
13 it's instructors that teach at different times of  
14 the day. This is a very long day, some in the  
15 morning, some in the afternoon, some at night. So  
16 with the new three homes that we're proposing for  
17 three of the instructors, that would bring down  
18 the traveling staff by three.

19 MR. KESSLER: The three existing staff  
20 members are in Dakota, that live there?

21 MR. ROTHBERG: Two live in Texas, and  
22 one lives in Dakota.

23 MR. KESSLER: Two live in, Texas is  
24 listed as your residence?

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2 MR. STEINMETZ: That's, no, that's Rabbi  
3 Kanarek.

4 MR. ROTHBERG: That's Rabbi Kanarek.

5 MR. KESSLER: Okay.

6 MR. STEINMETZ: There's one there,  
7 there's two in the other, and now there would be  
8 three in the new pool -- in the revised pool  
9 building.

10 MR. KESSLER: In the revised pool  
11 building.

12 MR. ROTHBERG: The Dakota has two.

13 MR. STEINMETZ: Correct.

14 MR. ROTHBERG: No, Texas has two. Dakota  
15 has one, I'm sorry.

16 MR. KESSLER: Texas has two, Dakota has  
17 one, three are going in there. But you also said  
18 you are going to have three new ones.

19 MR. ROTHBERG: In the pool building.

20 MR. STEINMETZ: When you just said three  
21 going in there, that's the, that's the pool  
22 building.

23 MR. KESSLER: And the others stay where  
24 they are in Dakota and Texas?

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2 MR. STEINMETZ: Correct.

3 MR. ROTHBERG: Correct.

4 MR. KESSLER: Got it. Okay.

5 MR. KOBASA: And then you have  
6 approximately --

7 MR. KESSLER: And then you have 28 staff  
8 commuting currently?

9 MR. ROTHBERG: At different times,  
10 correct.

11 MR. KESSLER: Which is not shown  
12 anywhere here, correct?

13 MR. STEINMETZ: Because they don't  
14 reside there.

15 MR. ROTHBERG: Right. They don't reside  
16 on campus. It was shown on a chart, I think  
17 Heather asked for how much traveling staff we  
18 have at the last technical meeting.

19 MR. KESSLER: And then there's parking  
20 shown on the plans for those 28 staff  
21 sufficiently I would think.

22 MR. STEINMETZ: Yes, because they're not  
23 all there at the same time, and we've never had a  
24 parking, anyone who has ever visited the campus

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2 knows there's never a parking issue.

3 MR. KESSLER: Okay.

4 MR. STEINMETZ: None of the students  
5 have cars.

6 MR. KESSLER: So the 28 staff, what is  
7 that two shifts, three shifts?

8 MR. ROTHBERG: I would characterize it  
9 as three shifts.

10 MR. KESSLER: Three shifts, okay. Okay.  
11 That was my question. Any --

12 MR. STEINMETZ: Mr. Chairman, I want to  
13 just respond. You had asked some of the public to  
14 finish their comments. I just wanted to respond  
15 to some of them.

16 MR. KESSLER: Oh, I'm sorry, thank you  
17 for reminding me.

18 MR. STEINMETZ: I think it would be  
19 useful for the record. In no particular, probably  
20 in reverse order, the last speaker, and I didn't  
21 get Valerie's last name, I apologize. There was a  
22 reference to not adhering to the cap. I want to  
23 just state categorically for the record, in the  
24 15 years that I've been involved in this matter,

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2 never once, never once has there been an  
3 allegation or an assertion by the town that there  
4 was a failure to adhere to the cap. So I don't  
5 know where that information comes from, but I  
6 don't want the record to contain false  
7 information.

8 MS. FASCIA: No, but that was --

9 MR. STEINMETZ: In terms of traffic  
10 studies, we submitted information to the town  
11 about the number of commuters and the number of  
12 vehicles and there are no students that drive. In  
13 terms of Mr. McMann's comments, and hers as well,  
14 I think the record needs to be clear, that the  
15 sewer work --

16 MR. KESSLER: Please.

17 MR. STEINMETZ: Thank you. That the  
18 sewer work is all being done not by the yeshiva,  
19 it's being done by the town and the town's  
20 contractor. It is a public process and a public  
21 bid project. And it is being supervised by the  
22 town and its professionals. The infrastructure  
23 work may be incomplete, but it's underway at a  
24 substantial expense to the yeshiva. And whoever

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2 said it, I think it might have been maybe one of  
3 the staff people, it might have been Mr.  
4 Cunningham, at the moment, the entire cost of  
5 that, servicing that bond by that sewer district  
6 falls solely on the yeshiva until such time as  
7 anyone else joins that district.

8 My understanding and I would defer to  
9 Chris Lapine and others, and Katie, my  
10 understanding from my involvement in this is that  
11 the town, its professionals and the county health  
12 department required the sizing of that pipe. So  
13 the six-inch pipe was not something that the  
14 yeshiva said hey, let's spend even more money and  
15 have a six-inch pipe. It was foist upon this  
16 project by a series of professionals.

17 And in terms of public safety, we keep  
18 hearing this issue about students walking and  
19 obviously public safety is as important to the  
20 yeshiva as it is to the town and the community.  
21 We appreciate the fact that the town has finally  
22 and recently installed signage on Furnace Woods  
23 Road indicating that there's a school zone in  
24 that area. And that's something that probably was

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2 a long time coming and we all probably should  
3 have dealt with that. The town has now  
4 implemented that.

5 And my understanding is that the yeshiva  
6 is prepared, Mr. Chairman and members of the  
7 board, and this is the first time you're hearing  
8 this, because I don't think I put this in my  
9 written submission, we are, the yeshiva is  
10 prepared to fund the installation of one of those  
11 speed signs on Furnace Woods Road that would be  
12 solar powered and indicate when folks in the  
13 community might be driving along those winding  
14 roads a little quicker than maybe they should be,  
15 so happy to deal with that.

16 In terms of Mr. Debenedictis' question,  
17 I think we got an answer to the ratio to the  
18 ratio of students to instructors. But the only  
19 thing I would mention is in terms of school  
20 children, if this property were developed in  
21 accordance with the R-40 within which it is  
22 located and houses were built and students were  
23 residing in those houses, I think there would be  
24 a far, far, far greater impact to the Hen-Hud

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2 school district than the zero number of students  
3 who will matriculate in the Hen-Hud school  
4 district as a result of --

5 MR. KEHOE: David, I think that was  
6 mentioned last meeting as well. I just want to  
7 clear that up. I think what the question is would  
8 staff members at the yeshiva have children that  
9 would attend the public school system.

10 MR. ROTHBERG: No. And the three staff  
11 members that are currently residing on campus all  
12 had large families years ago, 40 years ago when  
13 we moved on to the -- when we moved into  
14 Cortlandt. None of their children attended the  
15 school system. They have gone to Monsey, Mt.  
16 Kisco, wherever they've gone and our, we took  
17 care of that. Nothing on the town, no busing,  
18 none of that, none of that, and none of that is  
19 proposed right now either.

20 MR. STEINMETZ: When you say you took  
21 care of that, no busing, you mean it was all --

22 MR. ROTHBERG: It was all the yeshiva  
23 that took care of it. We pay for our own  
24 transportation, yes. There's nothing on the town.

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2 MR. STEINMETZ: And I was going to ask  
3 that and I appreciate getting that cleared up.  
4 So, the school issue is sort of a bit of a red  
5 herring. On the issue of the reduction of the  
6 wetlands, Steve will correct me if I'm wrong,  
7 that came from the town's wetland consultant.  
8 That was the town's wetland consultant who came  
9 out and said I actually think the wetlands have  
10 gotten smaller in the last 15 years. That  
11 differed from what the DEC said. The DEC was more  
12 conservative. But the notion of the reduction in  
13 the wetland line, and we talked about that  
14 probably three meetings ago, four or five months  
15 ago, that was Paul Jaehnig's re-designation of  
16 the line. And I just wanted the record to be  
17 clear about that.

18 Another comment that was made by Ms.  
19 Cook was about a total number of 250 people. The  
20 existing special permit that we have today is for  
21 225 students and 75 staff and family members, for  
22 a total of 300. And the other thing that I  
23 probably should have stated at the outset,  
24 especially for folks who spoke tonight who may

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2 not have been here at prior meetings, this is an  
3 application for an amended site plan approval. We  
4 have, and have had for 15 years, approval to  
5 build the dormitory building. I see the chair  
6 nodding. The chair obviously knows. He voted in  
7 favor of that 15 years ago. We went through the  
8 SEQR process 15 years ago. We went through the  
9 site plan review process 15 years ago. We went  
10 through the special permit review 15 years ago.

11 So why are we back? We're back as I  
12 said, and you've heard it, but I've got to say it  
13 again for people who may not have heard it,  
14 because the night I got my approval, the vice  
15 chairman of the planning board said don't build  
16 the onsite sewage treatment plant, please try to  
17 build a sewer line. And we have spent ten years  
18 working with the county, the town, the state,  
19 trying to effectuate the improvement in this  
20 section of Cortlandt with a sewer line that may  
21 well service 135 other properties that are  
22 currently on the same aged and aging septic  
23 systems that the yeshiva is on. So we're really  
24 pleased that the town chose to do it. And we are

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2 unfortunately saddled with all of the expense for  
3 the time being. So that having been said, Mr.  
4 Chairman, we are happy to answer any further  
5 questions. I know the public hearing is going to  
6 be held over.

7 MR. KESSLER: Yes.

8 MR. STEINMETZ: I understand Mr. Bianchi  
9 asked for some information from the architect.  
10 You've all provided us with some questions. I  
11 believe we've answered the fire issue, but we  
12 need to confirm that with the fire chief, and I  
13 will look forward to working with Katie to try to  
14 effectuate that as soon as possible and certainly  
15 before the February meeting. And I did hear  
16 Chris' lamentation earlier about they're going to  
17 get us a memo and we're going to have to respond  
18 to the memo and it'll come in right about at the  
19 same time as the meeting. As soon as you can  
20 possibly, all of you, provide us with any more  
21 technical information and comments, our team will  
22 be charged by the yeshiva to deal with that as  
23 soon as possible and get that back to all of you.  
24 And I hope at the February meeting, we're able to

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2           answer your questions and you all have enough  
3           time to study that. We appreciate your time, we  
4           appreciate your patience. And Mr. Chairman, I  
5           look forward to working with staff and with the  
6           town attorney's office to see if we can tease out  
7           the details of the student cap issue, which I  
8           understand is important to your board.

9                   MR. KESSLER: Yeah.

10                   MR. LAPINE: David, there was one  
11           comment.

12                   MR. KESSLER: It's important to the  
13           residents as well.

14                   MR. STEINMETZ: Understood.

15                   MR. KESSLER: Not just this board. And  
16           this board is reflecting the concerns of the  
17           residents, so let's be clear.

18                   MR. STEINMETZ: I see the reflection.

19                   MR. KESSLER: Good.

20                   MR. LAPINE: There was one comment from  
21           the public, if you were considering solar for  
22           this project.

23                   MR. STEINMETZ: Chana, or anyone? Any  
24           solar installation?

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2 MR. ROTHBERG: We're willing to look  
3 into it.

4 MR. STEINMETZ: We'll respond in writing  
5 in our next submission. I think we are looking  
6 into it, we do have flat room capability. I will,  
7 I hear the question.

8 MR. LAPINE: I know there's a study that  
9 you have to do, an economics study for it and it  
10 takes a little time, that's why I was just asking  
11 the question --

12 MR. STEINMETZ: Understood.

13 MR. LAPINE: -- because someone brought  
14 it up.

15 MR. STEINMETZ: Yeah.

16 MR. KESSLER: Okay. Any last questions  
17 from the staff or the board?

18 MR. KOBASA: No, I'm good.

19 MR. KESSLER: No? Great. So let's move  
20 on. Karen?

21 MS. TIMKO: Hi, I'd like to make a  
22 motion regarding the application of the Yeshiva  
23 Ohr Hameir to adjourn this matter to the February  
24 3, 2026 planning board meeting.

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2 MR. KESSLER: Thank you. Hope to see you  
3 all then. Can I have a second please?

4 MR. KOBASA: Second.

5 MR. KESSLER: And on the question, all  
6 in favor?

7 MULTIPLE: Aye.

8 MR. KESSLER: Opposed? Thank you. All  
9 right. Wow.

10 (CROSSTALK)

11 MR. KESSLER: Okay, let's, if we can,  
12 let's move on. Our next item is another public  
13 hearing. It's a brand new public hearing. It's  
14 the application of VS Construction Corporation  
15 for site plan approval and for tree, wetland and  
16 steep slope permits for a proposed 96,860  
17 assisted living facility located in the Medical  
18 Oriented District at 2003 Crompond Road, drawings  
19 latest revised November 20, 2025. Mr. Steinmetz,  
20 good evening again.

21 MR. STEINMETZ: Good evening, Mr.  
22 Chairman and members of the board. David  
23 Steinmetz here on behalf of VS Construction and  
24 one of the critical lots in their Evergreen Manor

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2 proposed subdivision to be developed, as you  
3 indicated, by an assisted living provider. This  
4 is not the first time we've talked about this  
5 particular issue. But we're really pleased to be  
6 here tonight, specifically with regard to  
7 proposed future lot one, which is in the south,  
8 the northwest, northeast corner of the Evergreen  
9 Manor property, which is within the medical  
10 oriented district.

11 The proposal is for one of the  
12 preeminent providers of assisted living and  
13 senior care in the region, Benchmark Senior  
14 Living. And I'm pleased that Eric Gardner, one of  
15 the principals of Benchmark Senior Living, along  
16 with his project architect, Michael Stein, are  
17 present. We have talked about this previously.  
18 I'm going to let Matt Steinberg from our project  
19 engineering and planning firm go through the  
20 details. But we are here to present a state of  
21 the art senior assisted living residence of 100  
22 units, 118 beds. We have provided you with a  
23 number of materials throughout the last several  
24 months. There is, continues to be strong demand

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2 in the Cortlandt area for a state of the art  
3 modern assisted living facility.

4 This is not skilled nursing care. This  
5 is an assisted living residence, which provides  
6 assistance with the activities of daily living,  
7 distribution of medication, assisting folks who  
8 may need work with dressing, toileting,  
9 activities can be conducted in terms of fitness,  
10 meals, congregating within the building. This is  
11 a rental model program and this is not  
12 Benchmark's first rodeo. They have a substantial  
13 number of facilities and residences throughout  
14 the northeast, are very excited to enter the  
15 Cortlandt market.

16 And the only other thing I will say and  
17 kind of hand it off to Matt, we presented this  
18 application initially, or the proposal of the  
19 location of this building, we walked the property  
20 with a number of you several months ago. Comments  
21 were provided by your board about the location of  
22 the building, its importance relative to Route  
23 202 and the entrance to this subdivision. And  
24 together, DTS and Eric's team were able to modify

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2 the building's orientation. We think it works  
3 better. We think it's far more attractive and I  
4 will let Matt talk about those details.

5 MR. MATT STEINBERG: Good evening, DTS  
6 Provident. So as David mentioned, so this project  
7 is located along Crompond, the Crompond Road  
8 portion of the Evergreen Manor site. The, it's  
9 approximately six acres of the site. The building  
10 is pulled to the front of the site, near Crompond  
11 Road, which is consistent with the MOD zoning and  
12 what was reviewed during the SEQOR process, the  
13 extensive SEQOR process. And the site is largely  
14 influenced by the site's topography and a number  
15 of zoning constraints.

16 One of the key ones is the 100 foot non-  
17 disturbance buffer along the eastern side of the  
18 property. As you can see, it might be a little  
19 hard to see, but that strip along that side of  
20 the property is 100 foot non-disturbance area,  
21 that the trees within that area will be  
22 preserved.

23 The steepest sections of the site are  
24 within that eastern portion of the site and then

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2 on the western side, along the proposed Evergreen  
3 Manor roadway. The elevations of the site go from  
4 approximately elevation 350 near the Crompond  
5 Road intersection of Evergreen Manor to about 430  
6 along the eastern property line. So you can get a  
7 sense of the topographic change. By pulling that  
8 building forward, it gives us a chance to place  
9 that parking to the rear and side of the  
10 building.

11 As David mentioned, one of the other  
12 redesigns that we went through was to move the  
13 loading area to that rear portion behind the  
14 building as well. So essentially the building  
15 screens the parking and the loading. Access would  
16 be from the Evergreen Manor roadway. You can see  
17 it, it's sort of at the top of this screen. That  
18 provides access to the parking lot, to a covered  
19 entryway at the back of the building, which  
20 essentially is the main entrance to the site, a  
21 series of sidewalks that would connect to the  
22 rest of the Evergreen Manor development, along  
23 with a series of outdoor patios and garden spaces  
24 for the residents and their guests to enjoy.

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2 Heather, if you could move on to the  
3 next? So the building complies with the maximum  
4 45 foot maximum under the MOD zoning. The  
5 building was designed to fit into that Evergreen  
6 Manor site that I was talking about with that  
7 stepping topography, so that it appears as a  
8 three-story building on the Crompond Road side,  
9 and a two-story side and a two story building on  
10 the reverse.

11 The building, as you can see, it's  
12 articulated in a number of materials and  
13 features, such as stone and siding. But as, you  
14 know, I discussed, a number of retaining walls  
15 are required in order to make that site work and  
16 provide that access to the front. So those block  
17 retaining walls, which were shown partially in  
18 this image and the image before would be done in  
19 a natural earth tone color to complement the  
20 site's architecture. The applicant proposes to  
21 carry that throughout the site to have a cohesive  
22 master plan.

23 At the top of the wall, where it faces  
24 Crompond Road, it would be topped with a metal

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2 decorative fence. And as this depicts, a use of  
3 plantings, both evergreen and shrubbery would be  
4 placed at the bottom of the walls to partially,  
5 to screen that and soften the look.

6 The parking, there are 66 parking spaces  
7 are proposed, 59 are required. This is also  
8 consistent with the Institute of Transportation  
9 Engineers parking standards. The parking layout  
10 has been refined as we've gone through this  
11 process, to accommodate fire apparatus and to  
12 respond to comments that we received from the  
13 fire department.

14 There would be a gated emergency access  
15 to Crompond Road from the parking lot. The  
16 lighting would be a full LED lighting system.  
17 We've provided photometrics in our latest  
18 submission. It shows that there would be no  
19 spillover into any adjacent properties,  
20 particularly because of that 100 foot non-  
21 disturbance area. The landscaping would be  
22 predominantly native plantings, a number of new  
23 trees, plus extensive shrub plantings and as I  
24 mentioned, evergreen wall -- evergreen trees

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2 along the front of the walls to soften that look.

3 The project is consistent for coverage  
4 both on its own and as part of the overall master  
5 plan. The coverage is considered based on the  
6 master plan. And that's essentially that's an  
7 overview of the project. I'd be happy to answer  
8 any questions, or obviously, this is a public  
9 hearing.

10 MR. KESSLER: Just again, how far is the  
11 building from Crompond Road?

12 MR. STEINBERG: The setback is 30 feet,  
13 so it's at least 30 feet back.

14 MR. KESSLER: Thirty feet from Crompond  
15 Road?

16 MR. STEINBERG: Correct.

17 MR. MICHAEL STEIN: The retaining wall  
18 is 30 feet from the right of way and then the --

19 MR. KESSLER: I don't see a retaining  
20 wall in the front. Can you go back to the front  
21 of the building? Oh, that retaining. So now I'm  
22 talking when you go to the building, that  
23 building, you know, the building, you're saying  
24 is 30 feet from Crompond Road?

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2 MR. STEINBERG: The retaining wall  
3 itself is 30 feet to the right of way to the  
4 road.

5 MR. KESSLER: Okay.

6 MR. STEINBERG: So it fluctuates  
7 probably between 20 to 24 feet.

8 MR. STEIN: Right, sorry, yes. Right.  
9 The retaining is 30 feet from the proposed right  
10 of way. And the building is another 20 feet back.

11 MR. STEINBERG: Twenty to 24 feet.

12 MR. KESSLER: So basically 50 feet from  
13 the road?

14 MR. STEINBERG: From Crompond Road, yes.

15 MR. KESSLER: Okay.

16 MR. STEINBERG: Sorry, I stand  
17 corrected.

18 MR. KESSLER: All right, so you guys  
19 done, so we can open it up? Yeah.

20 MR. STEINMETZ: The only thing I want to  
21 add, we're not here on anything else in the MOD  
22 on the Evergreen Subdivision, but I want you all  
23 to know, because you've heard us talk about it a  
24 little bit. As a result of attracting Benchmark

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2 and this assisted living of this quality to the  
3 site, VS Construction has also been successful in  
4 attracting Lennar Home Builders, one of the  
5 nation's largest home builders, branded by the  
6 name U.S. Homes. Actually the branding is Lennar,  
7 U.S. Homes owns Lennar. We will be coming in  
8 shortly and staff knows this, with a townhouse  
9 proposal that's consistent with what we studied  
10 under SEQR and went through the whole MOD.

11 I wanted you to know that, because we  
12 have the ability now bring high quality  
13 developers, high quality product to the town and  
14 it's something that I think both Lennar and the  
15 town should be extremely pleased. They were happy  
16 to see that Benchmark was coming in with this  
17 building. And that allowed for the synergy that  
18 the Santuccis have brought to the Evergreen  
19 Manor.

20 MR. KESSLER: Hopefully, you'll file a  
21 two-lot subdivision before you do that?

22 MR. STEINMETZ: We, so we've been -- in  
23 fairness, we've been working and I heard some of  
24 this in the work session and I don't want to

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2 overstate it.

3 MR. KESSLER: All you have to do is say  
4 yes.

5 MR. STEINMETZ: Steve, we've been  
6 working with DOTS and waiting for some input on  
7 some things for a while, which we finally got. We  
8 are working with Katie, Mike and Chris. And we're  
9 spending a lot of time trying to get that  
10 subdivision finalized so that we can come back --

11 MR. KESSLER: That's my point.

12 MR. STEINMETZ: -- with another 96 lots.

13 MR. KESSLER: Maximum of, yes. Right,  
14 that was the town board approval, maximum of?

15 MR. STEINMETZ: Ninety-six lots.

16 MR. KESSLER: Maximum of, yes, thank  
17 you, maximum of. Okay. So this is a public  
18 hearing. Who wishes to comment on this  
19 application? Oh, come on. Yes, come on up,  
20 please.

21 MR. SALVATORE FARINA: Hello everyone.  
22 My name is Salvatore Farina. I'm a resident of  
23 the town of Cortlandt since 1986. I've raised two  
24 children here. In the Hudson Valley Hospital they

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2 were born, which is now Presbyterian Hospital.  
3 And now I'm raising two grandchildren here in the  
4 Presbyterian Hospital.

5 It's hard to believe that so many years  
6 have gone by already, being involved with the MOD  
7 project. As a resident, I expressed concerns,  
8 along with my fellow residents, about the scale  
9 and the scope of the project. I spoke with fellow  
10 residents on many occasions. I invited some to my  
11 yard to discuss their concerns. I, at one point,  
12 invited Supervisor Becker and town board member  
13 Creighton to come and look first hand at my  
14 concerns, living so close to the project.

15 Through the years, I have expressed my  
16 grievances here in this room before the board. I  
17 discussed these concerns with our previous  
18 supervisor, Linda Puglisi, and continue with our  
19 present supervisor Richard Becker. They were  
20 willing to listen and understood the seriousness  
21 of those grievances and expressed their own  
22 reservations and concerns.

23 Our present supervisor and town  
24 officials through emails and face to face

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2 meetings, listened and had positive feedback. We  
3 spoke about what we seen as overreach and need  
4 for modifications in these conversations. They  
5 were always informative and constructive,  
6 constructive meetings and I thanked them.

7 A fellow resident involved with the  
8 town, Mr. Tom Walsh, reached out to me, speaking  
9 with one of the builders involved with the  
10 project, Val and Armando Santucci, and if I was  
11 interested in speaking with them. And of course,  
12 I said yes.

13 After that initial meeting, we continued  
14 to speak on many occasions. In those  
15 conversations, I told them my grievances and  
16 concerns. They took the time to listen and  
17 understood my view in this situation.

18 Since then, there have been many changes  
19 to the initial plans presented. I have two quotes  
20 that I use in my way of thinking, one by John  
21 Peters, who said if you always say no, you killed  
22 a good idea. And one by John F. Kennedy who said  
23 change for the sake of change is not good.

24 I think the willingness to exchange our

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2 ideas and produce a responsible compromise was  
3 achieved. Like I said in the beginning, I felt  
4 the scope of the project would change the  
5 complexion of the town too much. But changes have  
6 been made and there have been amendments to the  
7 plan. I think we've reached an inflection point  
8 where the town is ready to step and create  
9 something that's for the betterment for the town  
10 and the residents of Cortlandt.

11 The first step is the assisted living  
12 project. We have a responsible town board  
13 overlooking that project. We have a responsible  
14 builder overlooking that project. Everyone has  
15 been working together, businessmen, town  
16 officials and fellow residents. I think the  
17 project is on the right track and thank you.

18 MR. KESSLER: Thank you.

19 MR. FARINA: And Happy New Year.

20 MR. KESSLER: Happy New Year. Anybody  
21 else wish to speak? Any other comments from staff  
22 or the board?

23 MR. KEHOE: Well, I think, as we  
24 discussed at the work session and I think Chris

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2 Lapine mentioned and Chris and Katie correct me  
3 if I'm wrong, but this one is a little further  
4 along in your engineering review than the  
5 yeshiva?

6 MR. LAPINE: Yes.

7 MR. KEHOE: But I still think there's  
8 some more technical review work that needs to be  
9 done. And plus, even though there is very little  
10 public comment, a project like this size and  
11 scope probably should get a second opportunity  
12 for a hearing.

13 MR. KESSLER: Yeah, I agree.

14 MR. KEHOE: So, with that, I just want  
15 to reiterate that I think we're going to  
16 recommend that this be adjourned for one more  
17 month.

18 MR. KESSLER: Sounds fine to me. Any  
19 last comments from anybody before we do that? No.  
20 Okay.

21 MR. STEINMETZ: I think, before you,  
22 before you move on and I'm not here to oppose the  
23 adjournment, I heard you say you were going to do  
24 it in the work session. You've got one of the key

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2 representatives of Benchmark here who came in  
3 from Massachusetts. If you have questions about  
4 assisted living and operation, feel free to ask.  
5 If you want to ask it at the next session, that's  
6 fine. I hate to make him come out, especially  
7 since there was literally no public comment  
8 besides Mr. Farina. If you have any additional  
9 continued concerns about the retaining walls, we,  
10 those of us who walked the property several  
11 months ago, we talked about it, we went out  
12 there. I know you were concerned. Mr. Santucci  
13 took great pains to erect strings and posts to  
14 depict it. We have since really broken it into  
15 two terraced areas and landscape. I hope we've  
16 assuaged and addressed your concerns, those of  
17 you who raised them.

18 And I guess I'd love Mr. Stein and Mr.  
19 Gardner to go away thinking the planning board  
20 seemed with what they're seeing in this Benchmark  
21 building. If you're not willing to do that,  
22 you're not. But I made them come so I'd like you  
23 to tell them you like their building.

24 MR. KESSLER: Honestly, I don't know

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2 enough to know to ask a question about, you know,  
3 the assisted living. As you said, they've been in  
4 the business for a while, and far be it from me  
5 to question how they run their business.

6 MR. STEINMETZ: Fair enough. I'll make  
7 one editorial comment. Some of you have heard  
8 this, others probably haven't. As someone who had  
9 a parent go into independent living, graduate to  
10 assisted living and to memory care, and for  
11 someone who, I'm involved in a number of  
12 different assisted and independent living  
13 applications elsewhere in our county, you all  
14 should know that the demographics show that there  
15 is a tremendous, continued demand for beds in our  
16 county and in our region. And that's why I said  
17 something that may have kind of passed over. You  
18 kind of deserve something like this in the town  
19 of Cortlandt and I'm really happy that Eric and  
20 Benchmark are here.

21 MR. KESSLER: Okay.

22 MR. KEHOE: Just also, with respect to  
23 the architecture, this has all been referred to  
24 the ARC, they've commented positively, there's

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2 been some back and forth with the project  
3 architect.

4 MR. KESSLER: Great. Okay. Last call?  
5 Oh, wait. Oh we do, see.

6 MR. STEINMETZ: Second round.

7 MR. KESSLER: Let's get it over with.

8 MR. DEBENEDICTIS: John DeBenedictis  
9 again. This really is going to help the town,  
10 okay. Let's face it. This isn't going to hurt the  
11 town at all. And it's not some big housing  
12 development that'll dump a hundred kids into the  
13 school district and your taxes will go up 25  
14 percent. And there's a need for this kind of  
15 stuff. And everyone of us in this room probably  
16 can use it in the next, near future, you know,  
17 myself included. I'm hoping to get a discount.

18 MR. STEINMETZ: Just leave your address  
19 with him. [laughter].

20 MR. DEBENEDICTIS: But it is, it's a  
21 good project and, you know, I hate to  
22 [unintelligible] [01:45:03], you know, the  
23 envisionaries of the town, I mean this MOD thing  
24 has been going on for how many years, right. And

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2 so the envisionaries sat down and said this is  
3 what should go on. And this is what it is.

4 They're doing it. So, I mean I think it's just --

5 MR. KESSLER: Great.

6 MR. DEBENEDICTIS: -- it's something  
7 that will help.

8 MR. KESSLER: Thank you.

9 MR. DEBENEDICTIS: And there just really  
10 hasn't, shouldn't be a lot of mumbo jumbo going  
11 on here. Just let it go. Thank you.

12 MR. KESSLER: We just want to make sure  
13 it's planned correctly. That's all. Yeah.

14 MS. JANET FALK-KESSLER: Janet Falk-  
15 Kessler on Washington Street. I don't know if my  
16 question, it's for the planning board, I look at  
17 the design and I think all the time of whenever I  
18 have passed independent living spaces, assisted  
19 living, etc., hospitals, I drive by and I see the  
20 residents through the windows. And I keep  
21 thinking that whoever designed these buildings  
22 did not think about their integrity, you know, we  
23 have to preserve their dignity. So I'm just  
24 hoping that either where the residents' rooms are

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2 that they're not facing, they're not on Crompond  
3 Road, where you not only have the noise, but  
4 everyone driving by could look in, that they get  
5 an opportunity to look out at the trees that are  
6 being preserved instead. Or if the windows  
7 themselves can somehow be darkened so that nobody  
8 can see in, but they can see out. That's just one  
9 of the things I have always had a concern about  
10 and I just wanted to raise it.

11 MR. KESSLER: Thank you. Anybody? Yes,  
12 sir, come on up.

13 MR. MICHAEL PARISH: My name is Michael  
14 Parish. I live at 204 Lafayette. And the last  
15 meeting you had that was public, I came up and I  
16 posed several questions and I followed up in  
17 writing. And I haven't heard a response from  
18 either. I have a well on the corner of my  
19 property. It is the northeast corner of my  
20 property and when you start your mitigation for a  
21 wetland, and you put your road in, you're going  
22 to impact the water level in my well. And I've  
23 requested that somebody look at it and decide or  
24 ensure me that when you're done working I'm still

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2 going to have water in the well. I haven't heard  
3 a thing. It's been almost a year.

4 MR. KESSLER: Who did you write you?

5 MR. PARISH: The board.

6 MR. KESSLER: The town board?

7 MR. PARISH: I'm not, well, whoever was  
8 at the meeting got the letter.

9 MR. KESSLER: Well, a lot of this is  
10 done at the town board and this is --

11 MR. PARISH: Okay, so, well don't, well,  
12 you know --

13 MR. KESSLER: This is the first time,  
14 recently we got it.

15 MR. PARISH: The last time I was up here  
16 and somebody made a comment like that, I told you  
17 that when it's all said and done and something  
18 happens to the well and I don't have the water in  
19 it, then the lawyers are going to get involved.  
20 And that's all I said. I said I just want  
21 response, I want somebody to look at it and get  
22 back to me.

23 MR. KESSLER: Okay.

24 MR. PARISH: I don't care which part of

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2 Cortlandt does that. I don't care if it's the  
3 planning board or whatever, but --

4 MR. KESSLER: Well, now --

5 MR. PARISH: -- it's a public meeting,  
6 and I'm making it known that I want to know what  
7 you're going to do about the well.

8 MR. KESSLER: Okay. You've raised the  
9 issue and now it's the applicant's responsibility  
10 to respond to that.

11 MR. PARISH: Now, second item.

12 MR. KESSLER: You'll get your answer.

13 MR. PARISH: Second item, I requested  
14 that the buffer zone be moved from 25 feet to  
15 maybe 100 foot, like you did on the other project  
16 across the street from Lafayette. And I was  
17 wondering if it's possible to increase it so I'd  
18 have a little bit more room before, before I run  
19 into either a parking lot or a building.

20 MR. KESSLER: The buffer?

21 MR. PARISH: And I haven't heard about  
22 that either.

23 MR. KEHOE: I've spoken with Mr. Parish.  
24 His house is off of Lafayette and it would be the

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2 house immediately adjacent to where the  
3 commercial establishment would be proposed, which  
4 is not before the board now. And apparently isn't  
5 the next phase. It might be the phase after that.  
6 And Mr. Parish is correct. There's a 30 foot no  
7 disturbance buffer between his property and  
8 whatever building happens on there. That was set  
9 by the town board, the 30 feet.

10 MR. KESSLER: Okay. So I think when the  
11 applicant comes in with a proposal for that lot  
12 that abuts your property, that is the time that  
13 we will evaluate your concerns.

14 MR. PARISH: Okay. Very good, thank you.  
15 Just to step back, the well impact will happen as  
16 soon as you start to mitigate the wetlands for  
17 the road you're going to probably put in first  
18 for this project, for this section that we're  
19 talking about.

20 MR. KEHOE: Yeah, the well concern is  
21 legitimate with this phase that's going on now  
22 and will be addressed.

23 MR. PARISH: Thank you very much.

24 MR. KESSLER: Thank you. Thanks for

1 January 6, 2026

2 coming. Okay, last call? Nothing else from the  
3 board, so if not, let's move on. Peter?

4 MR. MCKINLEY: Mr. Chairman, I'd like to  
5 adjourn the public hearing proposed for the  
6 assisted living facility.

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

8 MR. BIANCHI: Second.

9 MR. KESSLER: And on the question? All  
10 in favor?

11 MULTIPLE: Aye.

12 MR. KESSLER: Opposed? Okay, so we'll  
13 see you in February. Okay. Last two items of the  
14 evening, old business, it's the application of  
15 2051 Cortlandt Holding LLC for amended site plan  
16 approval for the addition of five parking spaces  
17 at the existing gas station located at 2051 East  
18 Main Street, drawing latest revised December 22,  
19 2025, for, that's the Parkland Gas Station on  
20 Route 6 by the Bear Mountain Parkway, right,  
21 that's what we're talking about?

22 MR. KEHOE: Yes.

23 MR. KESSLER: So we discussed this at  
24 the work session. Staff does not seem to have an

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2 issue with adding those five parking spaces, so  
3 Tom's going to make a recommendation, a motion  
4 please.

5 MR. BIANCHI: Yes, Mr. Chairman, I'll  
6 move that we refer this back to staff and ask  
7 that a proposal be --

8 MR. KEHOE: A resolution.

9 MR. BIANCHI: -- resolution, resolution  
10 be prepared for the next meeting.

11 MR. KESSLER: Thank you.

12 MR. BIANCHI: I couldn't think of the  
13 word.

14 MR. KESSLER: Second, please.

15 MR. MCKINLEY: Second.

16 MR. KESSLER: And on the question? All  
17 in favor?

18 MULTIPLE: Aye.

19 MR. KESSLER: Opposed? Okay. Final item  
20 of the evening, it's the application of BEB  
21 Capital LLC for property of Skyview/Westview LLC  
22 and Eastview/Southview LLC for site plan  
23 approval, a residential reuse special permit and  
24 for tree removal and steep slope permits for a

1           January 6, 2026  
2           proposed 70-unit residential development located  
3           on East Main Street, Regina Avenue and Lexington  
4           Avenue, drawings latest revised December 23,  
5           2025. Hello again, Mr. Steinmetz.

6                   MR. STEINMETZ: Hello again Mr. Chairman  
7           and members of the board. Very briefly, we have  
8           previously talked about this --

9                   MR. KESSLER: Excuse me. Could you take  
10          that into the hallway please? Thank you.

11                  MR. FARINA: Oh, I'm sorry. I thought it  
12          was over.

13                  MR. KESSLER: We all did.

14                  MR. STEINMETZ: We previously talked  
15          about this RRUSP, the Residential Reuse Special  
16          Permit associated with this project at the  
17          intersection of Regina and Route 6. As you talked  
18          a little bit at the work session, again, this was  
19          the subject of a rather extensive site inspection  
20          that we conducted several months ago as a result  
21          of that site inspection. I appreciate some of the  
22          comments that were made at the work session. Ray,  
23          I don't know whether you were here for that  
24          portion? You heard the whole work session?

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2 I am joined this evening by Ray Beeler,  
3 our project architect, Matt Steinberg from DTS  
4 Provident, our engineering, traffic and planning  
5 consultants. And a lot of time was spent by our  
6 team and our client in redesigning. That's why  
7 we've been gone for several months. A lot of time  
8 spent on trying to reorient and relocate some of  
9 the buildings, and some of the retaining walls.  
10 You talked a little bit in your work session  
11 about the impact of slopes. This is an existing  
12 development that has been there for decades on  
13 these slopes.

14 And the one thing I can tell you,  
15 because this project started, as it must, in  
16 front of the town board. The town board was  
17 rather pleased to hear that there would be a  
18 number of affordable housing units associated  
19 with this project, that, so much so that one of  
20 the town board members suggested at a work  
21 session that we file a petition for a text  
22 amendment allowing for slightly larger units than  
23 are there, because the town board felt that if  
24 there were going to be affordable housing units

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2 in the town of Cortlandt, they ought to  
3 accommodate families and not just be a modest,  
4 really small two-bedroom bungalow.

5 So that is what we are really talking  
6 about here. We're talking about bringing in a  
7 wonderful product on a challenging site. Nobody  
8 is going to say it isn't a challenging and  
9 challenged site. But what DTS and Ray's firm have  
10 been able to do is try to work some magic with  
11 entrance points from both Regina, Route 6 and  
12 from Lexington and to bring 70 townhouses -- 69,  
13 I knew I, that's why I turned, 69 townhouse  
14 units. I'm going to turn it over, whichever one  
15 of you guys goes next.

16 MR. RAY BEELER: Thank you, David and  
17 good evening everybody. Heather, could you bring  
18 up the slide deck that starts with the site plan?  
19 Is that possible? Anyway, so what I'm going to do  
20 is just do a very recap of what we presented in  
21 October. And more importantly, go over what the  
22 changes are.

23 So as you all recall, I'm sure, we have  
24 two separate building areas. That's because of

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2 the steeply wooded area in the middle of the  
3 property. There was a separate slide deck that we  
4 sent yesterday. That's it, great, thank you.

5 So this is the overall site plan, which  
6 shows the north site, which is off of East Main  
7 and the south site, which is off of Lexington,  
8 separated by the heavy wooded area in the middle.  
9 Let's go to the next one. Now, this is a blowup  
10 of the northeast main development site. As David  
11 mentioned, vehicular access and egress is from  
12 two different locations, both off East Main and  
13 Regina Avenue.

14 We have now at the end of the main  
15 access road, there's a cul-de-sac that's sized  
16 for fire truck turnaround. The unit counts have  
17 changed a little bit and now we have 38  
18 townhouses in nine separate clusters on this  
19 site. Each cluster has four or five units each.  
20 And the mix of units is a little bit different  
21 also. Before, we had two different types of  
22 units, which I described, uphill units and  
23 downhill units. Now we have uphill, which are in  
24 yellow. We have downhill units which are the unit

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2 in red, reddish, and now we have also at-grade  
3 units, which are in blue. The uphill units and  
4 downhill units are all three-bedroom units and  
5 the at-grade units are two-bedroom units.

6 So staying on this one the big change  
7 that David mentioned, and I think we all  
8 discussed this as we were doing the site  
9 walkthrough, was to move everything west, which  
10 is down the hill. So townhouses, access road,  
11 everything moved to the west. And that's yielded  
12 many, many benefits which Matt is going to go  
13 into in detail in a minute. And we can go to the  
14 next one.

15 So then now, this is the Lexington  
16 Avenue development site, similar arrangement to  
17 what we had before, but it's been fine tuned with  
18 the topography. We have vehicular access and  
19 egress and the new access road, which is directly  
20 opposite Lawrence Road. Again, the same  
21 configuration of a cul-de-sac at the end of the  
22 access road, sized for a fire truck turnaround.  
23 Here we have 31 townhouse in eight separate  
24 clusters, and the same mix of uphill, downhill

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2 and at-grade units.

3 As David mentioned then, the overall  
4 number of units has been reduced by one. If you  
5 recall, the RRUSP calculation was 58 times 1.2,  
6 which is 69.6. Before we had 70 and now we've  
7 reduced that to 69. The breakdown now that we  
8 have is 52 three-bedroom units and 17 two-bedroom  
9 units. And we can go to the next one.

10 So now this is an aerial view of the  
11 north area. One thing you can see now is a little  
12 bit of the architectural articulation we're  
13 starting to develop. All of the units have south  
14 facing roofs and that's with the idea of  
15 maximizing the solar panels. Every one of the 69  
16 units is going to have solar panels on the roof.  
17 And all of the roofs, no matter what the  
18 orientation of the townhouses, will be facing  
19 south.

20 Here you can see a little bit more  
21 information about the retaining walls that David  
22 mentioned. Now, they've been brought down in  
23 height. The most extreme -- before you go to that  
24 one, let's go back -- the most extreme area of

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2 retaining walls is at the end of the access  
3 drive. And you can see then that the retaining  
4 walls now have setbacks. The maximum height is  
5 six foot with a setback with landscaping. And  
6 that's the, in the upper left-hand corner, you  
7 can see a blowup of, that's the highest retaining  
8 wall that we have in the whole project.

9 MR. STEINMETZ: Can you describe quickly  
10 the height that the retaining walls were  
11 previously?

12 MR. BEELER: Matt can --

13 MR. STEINMETZ: Matt can do that? I just  
14 want to make sure they get that. That's fine.

15 MR. BEELER: Okay. Matt will address  
16 that when he talks in a minute. So now we can go  
17 on to the aerial view of the Lexington site,  
18 which is the next one. Yes, so similar idea then  
19 here on the Lexington site with all of the south  
20 facing roofs designed for solar panels. And here  
21 you can see retaining walls that are lower but  
22 there are some retaining walls behind the uphill  
23 units on the Lexington site. And we can go to the  
24 next one.

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2 So just, I just want to make a couple of  
3 comments about the architectural design of the  
4 units. We're designing these townhouses to  
5 incorporate passive house characteristics. And  
6 the architecture is, the architectural design is  
7 being informed by what we're doing with the  
8 passive house.

9 Building features include solar panels  
10 on all the south facing roofs, triple-paned  
11 windows, concrete brick made with recycled glass.  
12 We have engineered wood siding, which is going to  
13 look like natural wood, but it's 95 percent  
14 recycled material. And then we have electric heat  
15 pumps.

16 And the next one. And this is an image  
17 that shows the different units. The upper left is  
18 a typical downhill cluster, the upper right is an  
19 at-grade cluster and the lower image is an uphill  
20 cluster.

21 So this approach with incorporating  
22 passive house characteristics will result in  
23 ultra-low energy use, thermal comfort, high  
24 indoor air quality, limited or maybe no use of

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2 fossil fuels and reduced carbon footprint. And at  
3 that, I'll turn it over to Matt to go into some  
4 of the site plan issues in more detail.

5 MR. STEINBERG: Thank you, Ray. Matt  
6 Steinberg, DTS Provident. You know, so as Ray and  
7 David talked about, there are significant  
8 topographic constraints, along with geometric  
9 constraints just in the shape of the property  
10 that have kind of shaped how this has come  
11 together.

12 So part of getting those roadways and  
13 those building pads in, we've not only had to  
14 comply with the various standards, we've also  
15 tried to comply with requests obviously from the  
16 fire department. There's maximum grades and cross  
17 slopes of those roadways, so getting those to  
18 meet at the correct angles at the existing  
19 roadways and then throughout the site has  
20 obviously been a challenge. But we've been able  
21 to make that happen, so we've been able to  
22 accommodate those required slopes and grades, the  
23 internal roadways, the utility infrastructure and  
24 the building footprints.

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2 As was discussed during the work  
3 session, we have worked to pull that, as Ray  
4 mentioned, pull that development, especially in  
5 the north side further to the west. That has  
6 allowed us to tier those retaining walls. So  
7 there are still significant retaining walls. Some  
8 of them were up to I think about 40 feet in total  
9 in the original couple of versions of this. In  
10 this case, there are still some overall heights  
11 tiered to 30 feet. But it's given us a chance to  
12 tier those so that we can have plantings between  
13 those tiers, so we can put shrubs that will break  
14 those up and in some cases, cascade over the top  
15 of the walls.

16 And in most cases, the retaining walls  
17 are located behind, behind units so that they are  
18 screened from the exterior. So that 3-D image  
19 that Ray had shown didn't show all the  
20 landscaping because the intent of that was to  
21 show the relationship of the site buildings and  
22 the retaining walls to the exterior perimeter  
23 planting, which we've got a significant amount of  
24 trees that are being protected along the

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2 perimeter of the site.

3 Heather if you could scroll to the next  
4 one, I think the landscape plan is -- yeah, it's  
5 a little hard to see but this is the landscape  
6 plan in the north area. We proposed evergreen  
7 trees, six to eight and eight to ten foot height  
8 at installation along the base of the retaining  
9 walls. That would continue to grow up and help  
10 soften the view of the retaining walls from  
11 within the site along with slope plantings,  
12 restoration of certain slopes that are already  
13 existing and shrubs at the top of walls and in  
14 between.

15 The water and sewer utilities would be  
16 routed along the front of the townhomes. The  
17 sewers conveyed, all conveyed to East Main Street  
18 from both portions of the site. There's a utility  
19 corridor between the two sections, and then water  
20 would be fed from East Main Street and from  
21 Lexington Avenue.

22 So that's kind of an overview of some of  
23 our site plan changes that we've been making over  
24 this period. And we can certainly answer any

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2 questions, both Ray and I.

3 MR. KESSLER: Obviously, the issue is  
4 going to be steep slopes on this site.

5 MR. STEINBERG: Mm-hmm.

6 MR. KESSLER: Chris, what's our  
7 requirement in terms of providing a map showing -  
8 - did they have the steep slopes here showing  
9 zero to 15, 15 to 30, 30 and up. I thought we had  
10 more gradations on those?

11 MR. KEHOE: Yeah. I think it's, there  
12 are a lot of gradations. A lot of people don't  
13 necessarily do it. I think it's 15 to 20, 20 to  
14 25, 25 to 30 and above 30.

15 MR. KESSLER: So if you could redo this  
16 map with greater detail in gradations of steep  
17 slopes, that'll be helpful, because what I'm  
18 seeing here is your disturbance -- 60 percent of  
19 your project is going to be on slopes of 15  
20 percent or more disturbance, which is significant  
21 and probably more than we've ever considered in  
22 terms of an application. So that's going to be a  
23 high bar, no pun intended here, but a high  
24 threshold to convince us, or at least me.

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2 MR. STEINBERG: Mm-hmm.

3 MR. MCKINLEY: The addition of solar, is  
4 that a new development? I didn't remember that  
5 detail last time. I applaud it.

6 MR. BEELER: Yeah, I hadn't really  
7 addressed the sustainable characteristics yet, so  
8 tonight, I'm starting to talk about what we're  
9 looking into, so yes.

10 MR. MCKINLEY: Okay. And I heard you say  
11 something about south facing roofs. Is this  
12 inclusive of every unit or just --

13 MR. BEELER: Yeah, every unit, no matter  
14 what the orientation, the roofs are facing south.

15 MR. MCKINLEY: Okay.

16 MR. BEELER: So we're designing it  
17 intentionally to maximize the efficiency of the  
18 solar panels.

19 MR. MCKINLEY: Okay. Small detail, but  
20 do these come with battery backups inside the  
21 unit as well, or is it just --

22 MR. BEELER: We don't know yet. We'll  
23 have that information in the future.

24 MR. KESSLER: There will be battery

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2 backups or no?

3 MR. BEELER: No, we don't --

4 MR. MCKINLEY: No, he doesn't know.

5 MR. BEELER: -- we haven't gotten to  
6 that yet.

7 MR. KESSLER: Okay. What type of heating  
8 did you say there was in these units?

9 MR. MCKINLEY: Electric heat pumps.

10 MR. KESSLER: Heat pump?

11 MR. BEELER: Yeah, heat pump, electric  
12 heat pumps. The goal will be to use no fossil  
13 fuels.

14 MR. KESSLER: Usually, they're only  
15 effective down to a certain temperature like 30  
16 degrees or 25 degrees? What do you do if it goes  
17 lower?

18 MR. BEELER: Well we'll get into all of  
19 that. This still needs to be engineered so we'll  
20 have answers to those questions in the future.

21 MR. KESSLER: All right. Okay. Any other  
22 comments? Chris?

23 MR. KEHOE: And maybe more so for David,  
24 you know, he has mentioned the affordable units.

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2 And I think that this is not, it's not a  
3 subdivision, so these will either be for rent or  
4 condo'd.

5 MR. BEELEER: Correct.

6 MR. KEHOE: And it's not decided yet,  
7 but they may be for sale units.

8 MR. STEINMETZ: They may be. I don't  
9 believe they will be, but they may be. There's  
10 nothing that would preclude them from being for  
11 sale.

12 MR. KEHOE: Okay. So if they're not for  
13 sale units, it's a little bit easier, but we  
14 asked, we still have concerns about a high end  
15 project like this, about the affordability  
16 component and how to ensure that that happens.  
17 And you answered the questions that you're in the  
18 process of determining how the units will be  
19 marketed. We're getting to the point now where I  
20 think this is moving along. So if we, whether  
21 it's a meeting or whether we get in touch with  
22 someone from Westchester County. The county  
23 letter directed us to their model ordinance to  
24 help.

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2 MR. STEINMETZ: Correct.

3 MR. KEHOE: But I'd really like to flesh  
4 out some more about the thought process of how  
5 these affordable are going to work.

6 MR. STEINMETZ: So we should certainly  
7 have a meeting offline.

8 MR. KEHOE: Okay.

9 MR. STEINMETZ: Whenever you're ready,  
10 we're happy to do that. It's been a while since  
11 we've done that together. I did do that with the  
12 town at the Cortlandt Ridge project off of Croton  
13 Ave., which was a Toll Brothers project where we  
14 had seven affordable units in the middle of that  
15 project in the townhouse component. We will have  
16 affordable units if as and when Matt and I show  
17 up with the Lennar project, which I think will be  
18 in the next couple of months. And they're going  
19 to be a number of affordable units there. Same  
20 kind of thing, they will be townhouses and there  
21 will be an affordability component. So while it  
22 may be a little novel for Cortlandt, we're doing  
23 this elsewhere throughout the county and we have  
24 a choice.

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2 MR. KEHOE: We've all been, or most of  
3 us have been around long enough that some of the  
4 affordable units are no longer mandated to be  
5 affordable. There was only a 20 year requirement  
6 that they stay affordable. And so we were  
7 notified by the Housing Action Council for me to  
8 take those off of my list.

9 MR. STEINMETZ: Interesting.

10 MR. KEHOE: So I guess I don't know if  
11 it's standard 20 years or 30 years or 50 years.

12 MR. STEINMETZ: So I think the county  
13 model ordinance, I can stand corrected. I think  
14 it's a 50 year recommendation in the county  
15 model. And look, right now, these are all  
16 affordable rentals. Some of them are Section  
17 Eight rentals. To the extent that we had  
18 conversations earlier tonight about properties in  
19 the town with code violations, this 56 units has  
20 been kind of pretty sad for a number of years.

21 Our client stepped in through financing  
22 and ended up owning the property. So our client  
23 would like to eliminate some of those problems.  
24 One of the first things I had to do was deal with

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2 your code enforcement department because one of  
3 the buildings needed to be condemned. So if we do  
4 nothing, if we all decide you don't want to  
5 approve this and the RRUSP can't be implemented  
6 and we do nothing, you're not left with a good  
7 situation in terms of housing, code compliance  
8 and satisfying what I think the town's goals are.

9 I started with it, I'm going to end with  
10 it. You have a very unique statute here in  
11 Cortlandt that was adopted by the town board, the  
12 Residential Reuse Special Permit. It was  
13 specifically adopted in connection with Pondview,  
14 which is next to this, which we all -- which some  
15 of us worked on together about ten, 12, 14 years  
16 ago. And this, to the extent that Cortlandt has  
17 old bungalows that might be reused in some way or  
18 repurposed, this was what it had in mind. So  
19 yeas, there are steep slopes. I know it's  
20 challenged. Mr. Chairman, I don't know if you  
21 were on the site walk with us.

22 MR. KESSLER: I was not. I was on one  
23 of the, the earlier one, not the last one.

24 MR. STEINMETZ: Right. So this one, we

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2 all walked it. There are definitely slopes, but  
3 when you get onto the building pad area, it's  
4 actually a buildable site, once we got up that,  
5 Kevin, Peter and Tom, we were still together, we  
6 lost you after this site inspection.

7 MR. KESSLER: You can't forget that, can  
8 you?

9 MR. STEINMETZ: I can't. I was the one  
10 wondering what happened to you. In any event,  
11 this is a project that I think really does  
12 require some of your thought and attention. In  
13 addition, I said at the outset there are text  
14 amendments. So we're talking about the site plan,  
15 which is great. But Chris and Michael probably  
16 won't let me forget you have a recommendation  
17 back to the town board you're supposed to give  
18 them about the text amendments that we proposed,  
19 sort of at the encouragement of the town board.  
20 So don't lose sight of the fact that you're  
21 supposed to chime in at some point on yeah, we do  
22 think the units being a little bit bigger and it  
23 accommodating families and having slightly larger  
24 coverage capability, right. It was coverage and

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2 number of bedrooms. We tweaked, we're proposing  
3 to tweak those to allow for these to be three-  
4 bedroom units, as you heard from Ray, 52 threes,  
5 17 twos.

6 MR. KESSLER: Okay.

7 MR. KEHOE: In the context of the  
8 affordable too, the other component, which has  
9 been sort of put on the back burner is a  
10 relocation plan for the people that are there.  
11 You know, as we're moving along, we've got to  
12 start thinking about these things.

13 MR. STEINMETZ: Absolutely. So I mean  
14 the planning board should hear that I think, we  
15 may have talked about it, we certainly got hit by  
16 the town board on that. If in fact the folks who  
17 are residing there don't end up renting or buying  
18 a unit here, they're going to need to be  
19 relocated.

20 MR. KESSLER: Sure.

21 MR. STEINMETZ: So we, as a team, were  
22 directed by the town board to reach out to  
23 Housing Action Council and do what we can to  
24 begin to facilitate that at such time as this

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2 project ever really came to fruition.

3 MR. KESSLER: Thank you. All right,  
4 anything else?

5 MR. MCKINLEY: Just something small, it  
6 seems academic now because you're talking about  
7 bigger pictures here. But can you just flash up  
8 the section where you show the garage door and  
9 then sort of a narrow parking spot. Just  
10 something to consider, I mean if we're thinking  
11 about this. Some of these things will be three  
12 bedrooms.

13 MR. BEELER: These, what you're talking  
14 about I believe is the lower image.

15 MR. MCKINLEY: Yeah.

16 MR. BEELER: Which is the uphill unit.  
17 That's where the unit is buried into the hill, so  
18 there's an internal garage in the uphill units  
19 that the other units have onsite parking. So the  
20 uphill unit are the only units that have an  
21 internal garage.

22 MR. MCKINLEY: Okay.

23 MR. BEELER: And that's what you're  
24 seeing with the garage door.

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2 MR. MCKINLEY: I was simply expressing  
3 that I mean I see it everywhere in neighborhoods.  
4 I mean we have two, three, four cars for a single  
5 family, something you might have to consider as  
6 you do a three-bedroom or multiple three  
7 bedrooms. I understand this is a garage for that  
8 one piece, but it seems very narrow, it seems to  
9 be a lot of jockeying around, very academic,  
10 early, early on, as you said. Just consider  
11 parking as far as a growing family, especially  
12 one for apartments.

13 MR. BEELER: Okay. Thank you. We will.

14 MR. KESSLER: Thanks. Anything else?

15 MR. KOBASA: I just have one other,  
16 along the affordable aspect, are you only looking  
17 at the two bedrooms as the affordable units, or  
18 it will be a mix of the three and two bedrooms?

19 MR. STEINMETZ: Well, under, certainly  
20 under the county regs and we're trying to abide  
21 by that here in Cortlandt even though I don't  
22 think you have an express mandate, it has to be,  
23 Kevin, a proportionate allocation.

24 MR. KOBASA: Okay. All right.

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2 MR. STEINMETZ: So several of the three

3 --

4 MR. KOBASA: Some three, some two?

5 MR. STEINMETZ: Mostly threes.

6 MR. KOBASA: Mostly threes, cool.

7 Thanks.

8 MR. STEINMETZ: And that was, again, I  
9 want to make sure that my point was -- it fell if  
10 you asked that question. I got the question from  
11 two town board members at a work session, why  
12 can't we have three bedroom affordable?

13 MR. KOBASA: Got you.

14 MR. STEINMETZ: And Matt and I  
15 explained, because the RRUSP doesn't allow for  
16 it. So we were told by the town board to file a  
17 text amendment request so that you can get three  
18 bedrooms in here and that's why --

19 MR. KOBASA: Sorry, I missed that.

20 MR. STEINMETZ: -- I hope you will  
21 support that request.

22 MR. KOBASA: Thank you.

23 MR. KESSLER: Okay.

24 MR. MCKINLEY: It's me. I'd like to make

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a motion to refer back to staff for additional review.

MR. KESSLER: Thank you. Second, please.

MR. BIANCHI: Second.

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

MULTIPLE: Aye.

MR. KESSLER: Kevin, take us home.

MR. KOBASA: No, not me.

MR. KESSLER: What?

MR. KOBASA: No.

MR. KESSLER: I thought you still wanted to do it.

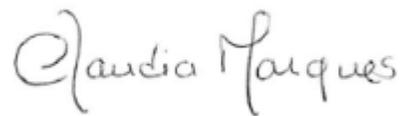
MR. KOBASA: Oh, fine. The time is 8:45, the meeting is adjourned.

(The public board meeting concluded at 8:45 p.m.)

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board meeting of the Town of Cortlandt on January 6, 2026 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

A handwritten signature in cursive script that reads "Claudia Marques".

Date: January 22, 2026

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