

TOWN OF CORTLANDT
PLANNING AND ZONING BOARDS

BOARD MEETING
SEPTEMBER 2025 PLANNING BOARD

Town Hall
1 Heady Street
Cortlandt Manor, NY 10567

September 4, 2025
6:28 p.m. - 7:51 p.m.

September 4, 2025

MEMBERS PRESENT:

Steven Kessler, Chairman

Thomas A. Bianchi, Vice Chairman

Jeffrey Rothfeder, Member

Nora Hildinger, Member

Peter McKinley, Member

David Douglas, Member

Kevin Kobadsa, Member

MEMBERS ABSENT:

ALSO PRESENT:

Chris Kehoe, AICP, Director of Planning

Michael Cunningham, Esq., Deputy Town Attorney

Heather LaVarnway, CNU-A, Planner

Chris Lapine, P.E., Engineer

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2 (The board meeting commenced at 6:28 p.m.)

3 MR. STEVEN KESSLER: Welcome, everybody,
4 to the Planning Board meeting. Will you please
5 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: Thank you. Role, please,
12 Chris?

13 MR. CHRIS KEHOE: Mr. Kobadsa?

14 MR. KEVIN KOBADSA: Present.

15 MR. KEHOE: Ms. Hildinger?

16 MS. NORA HILDINGER: Present.

17 MR. KEHOE: Mr. Rothfeder?

18 MR. JEFFREY ROTHFEDER: Here.

19 MR. KEHOE: Mr. Kessler?

20 MR. KESSLER: Here.

21 MR. KEHOE: Mr. Bianchi?

22 MR. THOMAS BIANCHI: Here.

23 MR. KEHOE: Mr. Douglas?

24 MR. DAVID DOUGLAS: Here.

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2 MR. KEHOE: Mr. McKinley?

3 MR. PETER MCKINLEY: Present.

4 MR. KESSLER: Alright. Good evening
5 again. We have no changes to the agenda this
6 evening. Can I please have a motion to adopt the
7 minutes from our July 1st meeting?

8 MR. BIANCHI: So moved.

9 MR. KESSLER: Second, please?

10 MR. MCKINLEY: Second.

11 MR. KESSLER: And on the question? All
12 in favor?

13 MULTIPLE: Aye.

14 MR. KESSLER: Opposed? Okay. Alright,
15 first section, correspondence. First item, a
16 letter dated August 13, 2025, from James
17 Annicchiaricci [phonetic]. I should practice.

18 MR. JAMES ANNICCHIARICO: Annicchiarico.

19 MR. KESSLER: Requesting the fourth six-
20 month time extension for preliminary plat
21 approval for the Pomona development subdivision
22 located on the south side of Revolutionary Road,
23 south of Eton Lane. Good evening.

24 MR. ANNICCHIARICO: Good evening. How

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2 are you?

3 MR. KESSLER: Good. So, we have a
4 resolution. Anything you care to say?

5 MR. ANNICCHIARICO: We continue to work
6 with the Health Department to try to get it
7 through them.

8 MR. KESSLER: Sure.

9 MR. ANNICCHIARICO: So, we'll, we
10 anticipate being back to you before the end of
11 this time extension.

12 MR. KESSLER: Okay, appreciate it.
13 Nora?

14 MS. HILDINGER: I'd like to make a
15 motion to adopt Resolution 17-25 to grant the
16 fourth six-month time extension.

17 MR. KESSLER: A second, please?

18 MR. BIANCHI: Second.

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

21 MULTIPLE: Aye.

22 MR. KESSLER: Opposed? Okay, thanks.

23 MR. ANNICCHIARICO: Thank you very much.

24 MR. KESSLER: Next item is a letter

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2 dated August 20, 2025, from David Steinmetz
3 requesting the second one-year time extension of
4 conditional site development plan approval for
5 Bilal Ahmad for the proposed hotel located at
6 2054 East Main Street. Mr. Steinmetz, good
7 evening.

8 MR. DAVID STEINMETZ: Good evening.
9 Good evening, Mr. Chairman, members of the Board.
10 David Steinmetz on behalf of Bilal Ahmad. As you
11 heard at the work session, the good news is my
12 client has addressed and resolved a number of
13 title and acquisition issues that had been kind
14 of kicking around for a period of time. He
15 closed on the property a couple of weeks ago, so
16 I can assure you that, now that he has spent the
17 time, effort, and the money not only to go
18 through the process, but to acquire the property,
19 we will be in with the staff and advancing in
20 connection with the site plan approval and to try
21 to get our building permit. So, we're, we're
22 finally ready to move forward.

23 MR. KESSLER: Okay. So, with that,
24 Peter?

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2 MR. MCKINLEY: Mr. Chairman, I would
3 like to propose that we adopt the Resolution 18-
4 2-, 18-25 for a one-year time extension at 25054
5 East Main Street for the proposed hotel.

6 MR. KESSLER: A second, please?

7 MR. BIANCHI: Second.

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

10 MULTIPLE: Aye.

11 MR. KESSLER: All opposed?

12 MR. STEINMETZ: Thank you all.

13 MR. KESSLER: Alright, thank you. Next
14 item under correspondence, it's the receive and
15 file the traffic monitoring program dated June
16 27, 2025, prepared by Colliers Engineering, as
17 required by condition 7 of Planning Board
18 Resolution 6-20 for the Gas Land project located
19 at 2051 East Main Street. As I just stated, part
20 of the approval process was for the, for them to
21 come back and do an actual traffic count compared
22 to what they've proposed, what they expected the
23 traffic count to be. And I think it's fair to
24 say that the traffic volume is, seems like about

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2 40 percent lower than what they projected. But,
3 nevertheless, we need to have our consultants
4 complete their review of their traffic study.

5 MR. MICHAEL CUNNINGHAM: Correct.

6 MR. KESSLER: So, we will have AKRF do
7 that for us. And, in the meantime, Jeff?

8 MR. ROTHFEDER: Yes, Chair, I move that
9 we receive and file the report.

10 MR. KESSLER: Second, please?

11 MS. HILDINGER: Second.

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

14 MULTIPLE: Aye.

15 MR. KESSLER: Opposed? Okay. Onto
16 public hearings. It's a new public hearing.
17 It's the application of PSW Realty for site plan
18 approval and a special permit for a specialty
19 trade electrical contractor for property located
20 at 2015 Albany Post Road, drawings latest revised
21 August 21, 2025. Good evening again.

22 MR. ANNICCHIARICO: Good evening. So,
23 since the last Planning Board meeting, the
24 Planning Board and I met, and the applicant met

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2 at the site, went over some of the more important
3 issues, which I think were landscaping, the
4 parking area up behind the building, and, and
5 really just those two main items.

6 There were some trees that were planted,
7 I think as part of the C of O closeout before --
8 let me back up a minute. The applicant has
9 actually purchased the property, they've closed
10 on the property now.

11 MR. KESSLER: Okay.

12 MR. ANNICCHIARICO: So, before that, you
13 know, I believe the Building Department had to
14 give a CO for the property. As part of that, I
15 think they made the previous applicant plant some
16 of the trees that were part of the old site plan
17 that was approved. So, there, I think everybody
18 remembers seeing some, five, about five trees
19 that were planted right about in the area where
20 we were showing the proposed parking. So, we can
21 relocate those. We, we, we'll do, you know,
22 we're ready to do whatever the Board really wants
23 us to do with pla-, any additional plantings.

24 I do think there's plenty of vegetation

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on the site. There, the members that were there saw there were substantial plantings in the islands up front, both sides of the driveway going up to the back. There's some plantings just beyond the parking spaces, in the front of the parking spaces to the side of the building. So, you know, the applicant has every intention of cleaning that up. There's, you know, there's a lot of overgrowth, weeds and things, so we have, you know, they, they will clean that up, probably mulch those beds. I think it'll look nice after that.

And then we're, you know, willing to, like I said, plant anything in the back that you really want, but there's some, you know, there's a solid fence to the, I guess that's the east side of the property, and that adjacent property owner has some fairly significant trees on the other side of the fence. So, I don't think there's any screening issue to that, to that side.

And then, there's a substantial wooded buffer at the very rear of the property. So, as

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2 I said, we're willing to do, you know, what the
3 Board or staff would recommend that we do, but --

4 MR. KESSLER: Alright. Before we get to
5 the public, a number of the Board members were at
6 the site. Anybody have any comments about their
7 site visit? No?

8 MS. HILDINGER: No.

9 MR. KESSLER: Okay. So, this is a
10 public hearing. Is there anybody that wishes to
11 comment on this application? Yes, sir. Please
12 come up, identify yourself, and where you reside.

13 MR. MIKE BELDOTTI: Good evening, Board.
14 Mike Beldotti, 2017 Albany Post Road. We're 447
15 Associates. My brother and I have owned the
16 building for decades. We're excited about having
17 Carrie and John, the new owners, come in and
18 clean up the property and really revitalize the,
19 you know, sort of that area.

20 I think it's important that Cortlandt
21 does their part to keep businesses in the
22 community. These are local folks. Let's get 'em
23 in here, let's get 'em up and running. So, I
24 urge you guys to basically approve the site

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2 development plan and issue the special permit as
3 soon as possible. And we're looking forward to
4 working with them. Thank you.

5 MR. KESSLER: Thank you. Anybody else
6 wish to comment on this application?

7 UNIDENTIFIED MALE 1: Excuse me, Board.
8 Can you turn up the PA system so we can hear
9 what's going on?

10 MR. KESSLER: Okay. Well, I can't, but
11 --

12 UNIDENTIFIED MALE 1: Get closer to the
13 mics?

14 MR. KEHOE: Yeah, maybe it's just closer
15 to the mic.

16 MR. KESSLER: Oh, me? You think it's
17 me? Is that better?

18 MR. KEHOE: Yeah.

19 UNIDENTIFIED MALE 1: Yes.

20 MR. KESSLER: Okay, yeah. Anybody else
21 wish to comment on the application? If not, I
22 think we're ready to close the public hearing,
23 then. Tom?

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

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2 this application that we close the public
3 hearing.

4 MR. KESSLER: And prepare a resolution?

5 MR. BIANCHI: And, and, and prepare a
6 resolution for the next meeting.

7 MR. KESSLER: Sec--

8 UNIDENTIFIED MALE 2: All of you, nobody
9 can hear what you're talking about.

10 MR. KESSLER: You want to say the motion
11 again, please, Tom?

12 MR. BIANCHI: Yeah, I'll repeat. Is
13 that okay? Can you hear me now?

14 UNIDENTIFIED MALE 2: It's a little
15 better.

16 MR. BIANCHI: Okay. Mr. Chairman, I
17 move, I move that we close the public hearing and
18 request staff to prepare a resolution for the
19 next meeting.

20 MR. KESSLER: Alright. Second, please?

21 MR. DOUGLAS: Second, second.

22 MR. KESSLER: Thank you. And on the
23 question, all in favor?

24 MULTIPLE: Aye.

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2 MR. KESSLER: Opposed? Okay, thank you.

3 MR. ANNICCHIARICO: Thank you very much.
4 Appreciate it.

5 MR. KESSLER: Alright. The next public
6 hearing is the application of Richard Williams on
7 behalf of JAM Storage, LLC, for the property of
8 Francisco Portillo for site plan approval and for
9 wetland, steep slope, and tree removal permits
10 for the construction of an approximately 60,000-
11 square-foot self-storage facility and related
12 site improvements for property located at 2059
13 Albany Post Road. The latest drawing is August
14 21, 2025. Good evening, Mr. Steinmetz.

15 MR. STEINMETZ: Good evening, Mr.
16 Chairman, members of the Board. David Steinmetz
17 from the law firm of Zarin & Steinmetz, here this
18 evening on behalf of JAM Storage and the proposed
19 self-storage building.

20 This site, as you all know, many of you
21 did a site inspection. We did a site inspection
22 together, I think last year. We talked at that
23 time --

24 MR. CHRIS LAPINE: The system, is

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something wrong with the system? It just got much softer.

MR. KEHOE: Oh, Allen's doing something.

MR. LAPINE: Yeah?

MR. STEINMETZ: We good?

MR. LAPINE: Are you good? Okay.

MR. STEINMETZ: We, we did a site inspection last year. And, at that time, your Board had suggested that we explore an alternative access to the site, not down Ferris Lane from Albany Post Road, but possibly coming from Memorial Drive. We have done that. We have reported to your Board. We have been working somewhat with staff and discussing the possibility of acquiring either an easement from the town of Cortlandt or a fee acquisition to get from memorial drive to this particular site. I think our engineer is here, Rich Williams is here, as well as my client, Tim Fisher from JAM. We, we believe that is a, a better location. It is a more environmentally sensitive location to access the site and would eliminate a tremendous amount of work on Ferris Lane that

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could otherwise be avoided.

That having been said, at the last meeting, you were all kind enough to schedule this public hearing at my urging, despite the fact that you did not have architecturals at the time. I assured you you would get the architectural drawings. You did.

Staff was good enough to reach out to me and share some candid thoughts about the architectural design. There also was a technical level discussion that I, I can defer to Chris and Michael and others between your technical staff and my client group about whether or not a mezzanine level of this building could be constructed. And I, I will allow others to explain the roofline and where that would be.

I believe it has been concluded that if we pursued the mezzanine level and, and an additional 15,000 square feet of space, your building inspector has concluded that, from a Code standpoint, it would require a second means of ingress and egress, which probably would mean we're going back to Ferris Lane again. And I

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think my client has concluded that that's not a prudent course of action.

So, we're now back to the design of the building. I'd like Tim to help explain the revised design of the building. And I, and I know Chris passed those materials out, so we have materials that we can, we can share with you.

We also got specific comments from staff about the colors that were shown on the conceptual illustrative architectural. As Tim will tell you, and, and I'm going to state for the record, they're prepared to do the building in any color scheme that the Town reasonably requires. So, whatever was presented, if some people didn't like a green color a light banding around the building, the good news is that Tim has a tremendous amount of flexibility.

As I think you know from prior meetings, this group has an interest in numerous other self-storage facilities in Westchester and the surrounding area. They have numerous contacts in terms of different end operators. So, they have the flexibility to pivot in one direction or

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2 another.

3 But what I think would be helpful, Tim,
4 is if we discuss the architectural modifications.
5 And is Mark on, or no, Mark is not on?

6 MR. TIM FISHER: I don't think Mark is
7 on. But do we have access to those -- Tim Fisher
8 from the development group. I think I met some
9 of you, most of you, all of you at the site
10 meeting. Thank you for having us today.

11 So, this is the two-story, this is the
12 two-story version here. Right, Chris? I don't
13 know if we want to -- so, what we submitted
14 officially had a pitched roof that --

15 MR. KEHOE: And just for the record, you
16 all, in your packets, would have gotten the
17 original drawings, showing that rendering. And
18 that was the one that caused technical issues
19 with respect to the height in the mezzanine and
20 the need to possibly improve Ferris Lane. Plus,
21 we had concerns that it didn't actually, the
22 height was too tall for our Code. So, based on,
23 you know, productive discussions with the
24 applicant, they submitted the revised

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2 alternatives.

3 MR. STEINMETZ: So, this is what was
4 originally in your packet and what you all should
5 have.

6 MR. KEHOE: Yep.

7 MR. STEINMETZ: And this was designed to
8 be, you know, sort of residential looking, and
9 that's why it has the pitched roof, and it
10 provided some additional space in the mezzanine,
11 because our architect interpreted the Codes
12 possibly somewhat differently from Martin.
13 Regardless, we now -- and you may want to switch
14 to the other.

15 MR. MILLER: Yeah. So, we came back
16 yesterday with removing the pitched roof, having
17 a flat roof and, you know, two stories. So,
18 there is, on this, I think also the pitched roof
19 with the, the stair tower removed, which I think
20 was what was causing the issues. But, again, you
21 know, we're trying to have the, avoid the second
22 entrance improvement. I think there's some
23 speculation that we could, you know, go to a
24 different Code where we put in drywall. But,

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2 again, that would be, you know, we're moving back
3 towards this to, to avoid the, the added
4 complexity of Ferris Lane.

5 MR. STEINMETZ: So, reminding the Board,
6 especially those of you who might not have been
7 at the site walk, this particular site is rather
8 well hidden, kind of down in a hole behind Ferris
9 Lane off of Albany Post Road. It is sort of
10 tucked in behind the wetland area that is behind
11 the New York State Police barracks that's
12 proximate to the train station. It, it is a
13 location in Cortlandt that Tim and his group
14 think does have a, a need and a demand for self-
15 storage. And, again, we have the ability to, to
16 fenestrate and color the building in a fashion
17 that, that you all and, and your architectural
18 review committee, when they chime in, desire.

19 So, we're excited about this. We think
20 we're at an important point, now that we have
21 been able to explain to you the wetland, the
22 reduction in impact to wetland buffer and wetland
23 as a result of this redesign. And we're prepared
24 to advance with the Town attorney's office and

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2 try to finalize whether it's a fee acquisition or
3 an easement, and, and resolve this access point
4 for Memorial Drive.

5 MR. KESSLER: And that would probably be
6 a part of a conditional approval?

7 MR. STEINMETZ: That, that's correct. I
8 mean, at the moment, our application is not to
9 use Ferris and to come in off of Memorial. And
10 if Michael and Tom tell us, for some reason, that
11 we're not going the direction of using Memorial,
12 then we have to go back to Ferris. But my
13 understanding is that we are prepared to pursue
14 this.

15 MR. FISHER: Correct.

16 MR. KESSLER: Okay. Well, this is a
17 public hearing. Is there anybody that wishes to
18 comment on this application? Any comments from
19 the Board as to the site visit or any other
20 issues, as they see it? No?

21 MR. DOUGLAS: No.

22 MR. STEINMETZ: We would request, Mr.
23 Chairman, that the Board close the public
24 hearing, if that's the case.

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2 MR. KESSLER: Well, I think the staff
3 still needs to review the revised drawings. Is
4 that true?

5 MR. KEHOE: Well, we wanted you to look
6 over the elevation drawings. We have just found
7 out that the New York State DOT has, or DEC has
8 made a jurisdictional determination about the
9 wetlands on the site, so the applicant has
10 provided some information. But we need to get
11 more information from DEC about their role. But
12 I would have no objection to closing the public
13 hearing. I just, I don't think that we should
14 commit to a resolution next month. You'd start
15 the 62 clock if you close the hearing.

16 MR. KESSLER: Right. And if things
17 don't get resolved, you would agree to extend the
18 62 clocks, the 62 clock?

19 MR. STEINMETZ: Absolutely. It's in our
20 interest to -- we're, we're not trying to get a
21 default approval. We're trying to get a
22 legitimate approval that we're all proud of and
23 comfortable with. And if that means we have some
24 issues with DEC or, or otherwise. I know I have

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issues I've got to resolve with the Town attorney's office on Memorial Drive. so I, I just, from a procedural standpoint, I would suggest that there is no reason that you can't close the public hearing. People can submit public comments, if they wish. But it allows us to now focus on the technical issues and begin moving towards a neg dec and a resolution.

MR. KESSLER: So, a hearing close and hold in abeyance a resolution at this point?

MR. CUNNINGHAM: Right. David, would you consent, on behalf of your client, to holding the period open, at least through December, the December meeting? Just so we don't get, have an issue with [unintelligible] [00:18:37]?

MR. STEINMETZ: No problem at all, no problem at all. Happy to accommodate. Thank you for asking.

MR. KESSLER: Okay. Alright, fair enough. So, again, last call for comments on this application. If not, Nora?

MS. HILDINGER: Are we adjourning it or closing it?

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2 MR. KESSLER: We're going to close it
3 and --

4 MS. HILDINGER: Oh, we're going to close
5 it? Okay.

6 MR. KESSLER: But no resolution at this
7 point.

8 MS. HILDINGER: We went back and forth.
9 Okay, I'd like to make a motion to close the
10 public hearing for Planning Board 2024-6.

11 MR. KESSLER: Second, please.

12 MR. MCKINLEY: Second.

13 MR. KESSLER: Thank you. And on the
14 question, all in favor?

15 MULTIPLE: Aye.

16 MR. KESSLER: Closed? Okay. Alright,
17 thank you.

18 MR. KEHOE: And just, also, you're
19 referring it back to staff. It'll probably be on
20 the next agenda, hopefully as an old business
21 item.

22 MR. KESSLER: Okay, thank you. Alright.
23 Moving on to old business, the first item is the
24 application of 77 Montrose Station for

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2 preliminary plat approval and for tree removal
3 and steep slope permits for a proposed three-lot
4 major subdivision of an approximately 9.7 acre
5 parcel of property located at 77 Montrose Station
6 Road. The latest drawings revised August 20,
7 2025. Good evening.

8 MR. ANNICCHIARICO: Good evening again.
9 So, yes --

10 MR. KEHOE: Could you just state again
11 your name for the record? Sorry.

12 MR. ANNICCHIARICO: I will.

13 MR. KEHOE: Okay.

14 MR. ANNICCHIARICO: Jim Annicchiarico
15 with Cronin Engineering, yes. So, we, we were
16 before you quite a while ago. We were, we stayed
17 away. Not stayed away, but we were away, just
18 trying to wait until the dust settled for the
19 development or the, the, the re- renovation that
20 was going on on the existing house on the site.

21 We had to get a new septic permit for
22 that parcel. There was landscaping plans, Zoning
23 Board, lots of things involved. It seems like
24 that's all been -- well, definitely the septic

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2 system permit was issued. A septic system was
3 installed and finalized. I believe, you know,
4 some work on the house continues, but it seems
5 like, you know, that's on its way to being closed
6 out fairly soon.

7 MR. KESSLER: Just, but all the work
8 currently going on is on, is happening on the,
9 with the current --

10 MR. ANNICCHIARICO: With the current --

11 MR. KESSLER: -- existing house?

12 MR. ANNICCHIARICO: -- existing house,
13 correct.

14 MR. KESSLER: Okay.

15 MR. ANNICCHIARICO: So, we are now back.
16 We made a new submission that took into account a
17 lot of the comments that we received from staff.
18 One of the main things was we relooked at the
19 proposed limits of disturbance and the number of
20 trees that were to be removed. We, we have
21 reduced them, we believe fairly substantially.

22 We looked at drainage. We, we've
23 basically provided drainage for the driveways on
24 each lot and the, and the common portion of it,

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in the form of a, of an infiltration trench along the side of the, the driveways. We will, well, we have. We've shown individual lot drainage that will capture the roof, roof areas, the impervious areas for each of the proposed houses, and we'll route them to subsurface CULTECs. So, drainage wise, we think we're okay.

There was a question about drainage onto Montrose Station Road itself from the driveway. We believe we've shown on the plans a system to, to pick that up and run it to an existing catch basin that's to the west, near the driveway that feeds, that, that serves the existing house.

There seems to be, some of the -- there seems to be confusion in the SavATree report about the tree removals. Even, I read it and I, I was kind of confused by some of it. We, we've, we've, like I said, we've shown a chart on the, on the site plan that shows exactly how many trees we're proposing to remove, and how many we're proposing to remove on each of the two new lots. We're not proposing, you know, there are no tree removals on the existing lot, so we think

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2 we've clarified that a lot.

3 SavATree, in their report, they did
4 mention that there were many dead trees that they
5 would recommend to be removed. We have shown
6 those with a green circle around them. Many of
7 them are in areas that were, you know, not
8 proposing to disturb anyway and not, not
9 proposing to remove any trees in those areas.
10 So, I don't know how, how to best go about that,
11 but it may be to meet with staff and, and, you
12 know, go over that. But I, I think we've, you
13 know, made a very good effort to reduce the
14 number of trees to --

15 MR. KEHOE: What we can do with respect
16 to that is, since SavATree is our arborist, they
17 work for you, they're suggesting more trees be
18 removed than you want to remove because of the
19 health. So, we can send over the latest plan to
20 SavATree to get a some sort of memo or something
21 back from them that they agree with your thoughts
22 on those.

23 MR. ROTHFEDER: And, and could we get a
24 clear answer to how many trees are being removed?

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2 I mean, after we do this.

3 MR. ANNICCHIARICO: Sure.

4 MR. ROTHFEDER: Because it's kind of
5 confusing now. There's --

6 MR. ANNICCHIARICO: I think if you look
7 on, on this plan, probably, right here, there
8 should be a chart.

9 MR. ROTHFEDER: Yeah.

10 MR. ANNICCHIARICO: You know, we, we
11 obviously delineated each tree to be removed with
12 a, with a red X. And the, and they are in areas
13 where there's either grading, proposed grading,
14 the driveway, the house, or the septic area. So,
15 you know, the -- we're not, we're not removing
16 trees for, you know, absolutely no reason in
17 those areas.

18 MR. ROTHFEDER: But you, you say you're
19 thinking of removing fewer trees than the
20 SavATree listing, or?

21 MR. ANNICCHIARICO: SavATree, the
22 SavATree report recommends removal of additional
23 trees that we've delineated on there with a green
24 circle around them. Many of those trees are

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2 outside of our limited disturbance, so we
3 wouldn't be removing them anyway.

4 MR. ROTHFEDER: Okay.

5 MR. ANNICCHIARICO: But they are, in the
6 report it does recommend that those trees would
7 be removed because of their health, so.

8 MR. KESSLER: Okay. So, maybe, maybe to
9 follow up with Jeff, maybe it would be helpful
10 if, lot by lot, you say how many trees you are
11 removing and how many trees SavATree thinks
12 should be removed.

13 MR. ANNICCHIARICO: I do say that on
14 there.

15 MR. KESSLER: Was it --

16 MR. ANNICCHIARICO: It does say that on
17 there, yes.

18 MR. KESSLER: Wh- where?

19 MR. ANNICCHIARICO: I believe the last -
20 -

21 MR. ROTHFEDER: Is your sheet 1 of 1-TP?
22 Tree removal overlay?

23 MR. ANNICCHIARICO: Yeah, it's the tree
24 removal plan that we enclosed in this latest.

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2 And at the bottom of the tree table, trees
3 recommended to be removed that are not proposed
4 to be removed by us. So, there's 15 on lot 2 and
5 there's 32 on lot 3.

6 MR. KEHOE: And, and that exists -- I
7 don't think that was part of the drawing set.
8 That was part --

9 MS. HILDINGER: It's a separate --

10 MR. KEHOE: It's a separate sheet.

11 MR. ANNICCHIARICO: A separate sheet
12 that we re-, that we submitted.

13 MR. KEHOE: Which is TP #1, tree removal
14 plan. I don't think it's like the last sheet in
15 your drawing set.

16 MR. KESSLER: TP number -- is this it?
17 Oh.

18 MR. BIANCHI: All I have is this.

19 MR. KESSLER: TP #1?

20 MR. BIANCHI: This is not the -- is this
21 the same thing? Chris, is this the same thing?

22 MR. KEHOE: No.

23 MR. BIANCHI: No? Oh, it wasn't in
24 there.

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MR. KESSLER: Oh, I got. Okay, I think -- okay. Yeah, it's, it's this one.

[OFF MIC CONVERSATION]

MR. ROTHFEDER: Okay, thanks.

MR. KESSLER: They recommend to be removed. So, it looks like, according to the chart, there are 15 trees on Lot 2 that SavATree is recommending to remove that you --

MR. ANNICCHIARICO: That we would not --

MR. KESSLER: That you would not.

MR. ANNICCHIARICO: No, we're not --

MR. KESSLER: And 32 on the other one. So, a total of 47 trees between the two lots.

MR. ANNICCHIARICO: Correct.

MR. KESSLER: Am I reading this correctly?

MR. ANNICCHIARICO: That's correct.

MR. KEHOE: But those are 47 dead or diseased trees.

MR. KESSLER: Per SavATree.

MR. KEHOE: Per SavATree.

MR. KESSLER: That's right.

MR. KEHOE: So, we get them out there.

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2 We send them this plan for them to confirm that
3 they agree with that.

4 MR. KESSLER: Okay. Well, our plan for
5 this is to set aside inspection, and then, for
6 the public's benefit, we will then, once we have
7 the site inspection, it'll come back on the
8 agenda and we'll set a public hearing where
9 interested parties will have an opportunity to
10 comment on this application. But, for now, we're
11 still in the preliminary stages. We've received
12 the drawings, we've reviewed them, and now the,
13 this Board will go out. I think we've picked a
14 date of September 25th. And the public is,
15 unfortunately, not invited to that site
16 inspection. So, we will, we will set that up.

17 Before we do that, any other comments,
18 questions, from the Board?

19 MR. LAPINE: I think it's important to
20 note, I think Kevin --

21 MR. KESSLER: You've got to get a little
22 closer to the --

23 MR. LAPINE: Kevin and Jeff requested a,
24 the tree removal plan be scrutinized a little bit

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2 more at our last Planning Board agenda on this
3 item, and we did that at your request. We
4 identified about another 30 trees that could be
5 saved.

6 MR. KESSLER: Okay.

7 MR. LAPINE: They have saved a majority
8 of those. Some of them cannot be, cannot be
9 saved because they're within 10 feet of the
10 septic system, which the Department of Health
11 requires them to remove, so.

12 MR. KOBADSA: Okay. I just, the two new
13 driveways that you're putting in, is that a
14 trench drain that you're catching that water
15 with? How are you capturing that water coming
16 off those driveways?

17 MR. ANNICCHIARICO: At the very bottom,
18 where it meets with Montrose Station Road?

19 MR. KOBADSA: Yeah.

20 MR. ANNICCHIARICO: We have, there'll
21 be, on the one, on the right side of the, of the
22 driveway, there'll be a catch basin there. And
23 it'll be piped from that point underneath the
24 driveway, and it'll run to an existing basin

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2 that's just to the right of the driveway all the
3 way to the left that, that services the existing
4 house and another house in the back, and adjacent
5 parcel.

6 MR. KOBADSA: Alright. The slope of
7 those driveways, the fact that it's asphalt, that
8 one catch basin is going to capture all that
9 water?

10 MR. ANNICCHIARICO: Well, we have most
11 of it going into a trench, an infiltration trench
12 along the side of the driveways.

13 MR. KOBADSA: Okay.

14 MR. ANNICCHIARICO: So, some -- you
15 know, not all the water will get, have to, you
16 know, will get down there. But the driveways
17 will obviously be pitched towards the, towards
18 the infiltration trenches along the sides of the
19 driveway.

20 MR. KOBADSA: Okay.

21 MR. ANNICCHIARICO: So, we have --

22 MR. KOBADSA: I would just suggest you
23 adjust your grading so that it shows that it's
24 going to those.

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2 MR. ANNICCHIARICO: Sure. Okay.

3 MR. KESSLER: Any further comments from
4 the Board or staff? If not, Peter?

5 MR. MCKINLEY: Mr. Chairman, I'd make,
6 make a motion to set a site inspection Thursday,
7 September 25th at 5:30 p.m. at 77 Montrose
8 Station Road.

9 MR. KESSLER: Thank you. Second,
10 please.

11 MS. HILDINGER: Second.

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

14 MULTIPLE: Aye.

15 MR. KESSLER: Opposed? Okay.

16 MR. ANNICCHIARICO: Thank you very much.

17 MR. KESSLER: Thank you. Our next item
18 under old business is the application of Yeshiva
19 Ohr Hameir. The site plan approval and amended
20 special permit for a university, college, or
21 seminary, and a wetland permit for proposed 5-
22 51,730-square-foot dormitory building, renovation
23 of staff housing, and the enlargement of the
24 existing sanctuary located at the existing

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2 Yeshiva Ohr Hameir campus at 141 Furnace Woods
3 Road. The latest drawing is dated August 19,
4 2025. Good evening again, Mr. Steinmetz.

5 MR. STEINMETZ: Good evening again, Mr.
6 Chairman, members of the Board. David Steinmetz
7 from the Law Firm of Zarin & Steinmetz. Pleased
8 to be here this evening representing Yeshiva Ohr
9 Hameir. I'm joined this evening by my client,
10 Rabbi Yaakov Rothberg from the Yeshiva.

11 UNIDENTIFIED MALE 1: Excuse me. Can
12 you speak into that mic?

13 MR. STEINMETZ: Certainly.

14 UNIDENTIFIED MALE 2: Thank you.

15 MR. KESSLER: Get a little closer, yeah.

16 MR. STEINMETZ: I'm joined this evening
17 by my client, Rabbi Yaakov Rothberg from the
18 Yeshiva, our project architect, Chana Weisz,
19 Steve Marino from Tim Miller Associates, our
20 project planning and wetlands and environmental
21 consultants, and our project engineer Dan Ciarcia
22 from Ciarcia Engineering.

23 This site, as your Board all knows, is
24 located on Furnace Woods Road in the R-40 zoning

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2 district and has a special use permit, and it has
3 been operating as a Yeshiva and seminary lawfully
4 at this property for 30 -- since 1985, 40 years.
5 We are here to kind of fulfill and complete
6 something that I started with the Yeshiva 15
7 years ago when, in 2010, we received approval for
8 the construction of a new dormitory building.
9 And one of the critical elements of that
10 application, as we have discussed in prior
11 meetings, was the need to address effluent
12 discharge. And I'll hold, I'll pause for a
13 moment.

14 Despite the fact that the project, at
15 that time, had been approved with a su-, a
16 surface effluent discharge system, as you've
17 heard me say, the night of the approval, we were
18 told by one of the Planning Board members, then
19 vice-chair John Bernard. I think John was vice-
20 chair at the time, right, Tom?

21 MR. BIANCHI: No.

22 MR. STEINMETZ: No? Alright, he was a
23 Board member. John said I want you to do
24 everything you can to try to connect this to a

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sewer system. So, the, the ensuing 15 years was a lot of effort on the part of the town, the yeshiva, and a lot of technical consultants to ultimately realize a way to erect and construct a sewer system that would not only benefit the yeshiva, but would actually run up Furnace Woods, Maple, Lafayette, and provide the possibility for 135 other properties that have failing, some of which have failing septic systems, to connect to a sewer system.

So, roll forward. Here we are in 2025. The yeshiva funded \$1 million towards this project and had committed to pay the debt service on a bond that the Town floated. That project was put out to bid. The sewer is under construction. We are pleased to see the yeshiva donated a portion of its property to the Town for purposes of a Town-operated sewage pump station, and, as I said, provided substantial funding toward the construction of this sewer system. So, we're now ready to finish what we started in 2010 in terms of the development of a dormitory building for the existing yeshiva.

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Since that time, the yeshiva has been successful in not only retaining a terrific architect to re-examine the design, but to provide the funding to do all of the buildings in terms of all of the buildings are going to be refaced and redone, and Chana will talk about that. And despite the fact that we conducted a site inspection six weeks ago and looked at the wetland buffer on this property and the sanctuary extension that was going to be proximate to the wetland buffer, I'm here tonight, and I announced it in, in my cover letter to you, as a result of efforts of Chana, Dan, and Steve, the yeshiva has been able to eliminate the sanctuary extension toward the wetland. We're going to explain some of the reconfiguration and how we make use of the existing space.

The yeshiva is also able to take the, the temporary guest accommodations that were located in the chalet or in the sanctuary building and have them relocated, or proposed to be relocated, into the Dallas building, which had and has dormitory rooms that could be relocated

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into the dormitory classroom building. And we're also able to modify the roofline on the existing cafeteria building to improve it, make it more suitable for a large group to have meals at one time, rather than multiple iterations of cafeteria usage, all of which we discussed with those of you who were on the site inspection.

So, we're here tonight to walk you through some of the architecturals, some of the design changes, and most importantly, for those of you who were concerned about the wetlands, Steve is here, as well as Dan, to explain that we are reducing the wetland buffer impact that was originally proposed.

Since we met, the Town's wetland consultant, Paul Jaehnig, finally was able to go out onsite. Steve will explain it in greater detail, but we're pleased. Mr. Jaehnig actually concluded that the DEC's wetland delineation was overly broad. He, the Town has now officially declared that the wetland line is not where the DEC, for its purposes, ha- has maintained it is. And as a result of which we have no impact to the

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2 wetland on the south side of the property, or the
3 far side of the sanctuary building.

4 So, what I would like to do is ask Chana
5 to come up and, and walk through -- oh, we're
6 going to Steve? That's right, we're going to go
7 to Steve first. My apologies. We're going to
8 have, we're going to riff off of the comments on
9 wetlands and let Steve just bring that to life.
10 I know I did get a comment from the Town staff.
11 We just got some of this information from Paul
12 Jaehnig, so Steve and Dan are both going to be
13 updating their plans and depicting the new
14 wetland boundaries and the wetland buffer.

15 MR. STEVE MARINO: Good evening. Steve
16 Marino, principal with Tim Miller Associates.
17 Chris, if you could bring up that one, that one
18 drawing. David stole most of my thunder in, in
19 his presentation. But what we do -- and I can
20 just give you a quick background on the wetlands,
21 as they've been depicted over the years, and, and
22 where we are now with the wetlands.

23 The wetlands were originally flagged in
24 the early 2000s by Steve Coleman on behalf of the

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2 Town, and by myself in dealing, in working with
3 the DEC. I, I don't think that's the right one,
4 Chris.

5 MR. KEHOE: The next on is Paul
6 Jaehnig's.

7 MR. MARINO: That one. That's the one
8 we want.

9 MR. KEHOE: Oh, this one? Okay.

10 MR. MARINO: Yeah. So, two years ago, I
11 went out and reflagged the wetland to update the
12 delineation. It had been over 15 years since we
13 had looked at the wetlands on the site. And I
14 came up with a wetland that was significantly
15 smaller than what had historically been shown on
16 the maps.

17 At that time, I invited the DEC back out
18 to the site to take another look. DEC
19 acknowledged that the wetlands had gotten smaller
20 over the years, but that their regulations and
21 the way they interpreted the previous signed
22 maps, they would prefer to maintain at least some
23 of those wetlands that were previously flagged.

24 So that, you see the dark, the black

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2 dashed line there is what represents what the DEC
3 wetland boundary works out to be at this time.

4 So, as we were having the previous
5 discussions about the expansion of the sanctuary
6 building, that's the DEC wetland that we were
7 talking about onsite during the site walk and
8 the, the expansion of the sanctuary was extending
9 to within five feet of that DEC well. Now,
10 acknowledging that that wetland doesn't really
11 function as wetland, that there are issues with
12 that wetland there, but we still acknowledge that
13 we needed permits, both from the Town and from
14 the DEC based on that line.

15 As David mentioned, recently, Mr.
16 Jaehnig went out and delineated the wetland on
17 behalf of the Town, independent of anything we
18 had to do. I didn't, I didn't even know Paul had
19 been out to the site until the report was
20 actually submitted to us and we found out he had
21 been out there. He did flag the wetland, and if
22 -- Chris, if you can just go back to that one,
23 that other one, just for a second. The wetland
24 lying there shown in red is a, is a

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representation from Paul's map in his report. We are in the process of having his flags surveyed and put on the final site plan as we move forward. But, as you can see, his wetland line, again, is more reflective of what I found earlier last year, and he does not show the wetland going up what we've been calling the ski hill there to the, on the south part of the site. So, from a Town standpoint, the expansion of the sanctuary building would no longer be in the Town buffer.

However, recognizing that DEC is just as important as the Town in terms of wetlands and environmental preservation, we have gone ahead and changed the plan -- Dan and Chana will talk about that in a moment -- to eliminate that expansion of the sanctuary building to the south. And, therefore, that encroachment into the buffer, regardless of who, who owns it, will no longer occur.

As you'll see from the dis-, the succeeding, well, the discussion that comes next, there are, there has been some movement of the building on the site and some other areas that'll

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2 be disturbed within the DEC wetland buffer. It's
3 to be determined yet whether it will be in the
4 Town buffer. But there has been changes to the
5 site plan, primarily in areas of current
6 impervious surface that will be disturbed as a,
7 as a result of these changes to the site plan.

8 But I just wanted to bring you up to
9 date and kind of, just kind of conclude that Mr.
10 Jaehnig, on behalf of the Town, has concluded
11 that the wetland, as it exists today, is smaller
12 than what we've been mapping and what we've been
13 working with up to this point.

14 MR. KEHOE: Could, could you just,
15 Steve, put on the record what happens next with
16 respect to the, the disagreement of the
17 boundaries between the DEC and our consultant?
18 We have to get DEC back out there?

19 MR. MARINO: No, we won't get DEC back
20 out there. We'll just go ahead and, and apply
21 for DEC wetlands permits for those areas that we
22 still, where we still need a permit. There will
23 be some construction in existing impervious
24 surfaces, some disturbance within the 100 feet,

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2 although those areas will be outside -- well,
3 those, those areas will be impervious, but still
4 within their buffer. So, we will still be
5 applying for DEC permits. But the encroachment
6 is significantly less. The disturbance of virgin
7 land will be substan- substantially less.

8 MR. LAPINE: So, is the --

9 MR. MARINO: We will, we will still
10 apply for the DEC permits.

11 MR. LAPINE: Is it accurate to say that
12 there's no increase in impervious area in the
13 buffer zone?

14 MR. MARINO: No, in the end, it's going
15 to be approximately, it'll be approximately the
16 same.

17 MR. LAPINE: Yeah, it's probably a
18 decrease.

19 MR. MARINO: The, the areas that are no,
20 that are not currently impervious, as Dan will
21 show you when he talks about the site plan, are
22 areas that have been maintained historically as
23 lawn adjacent to the existing septic system,
24 which will be abandoned once the connection to

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2 the sewer line.

3 MR. STEINMETZ: Steve, one extra thing.
4 Just in answering Chris's question, Chris Kehoe's
5 question, I think, as a result of Jaehnig's
6 efforts, Chris, and members of the Board, it
7 actually changes what we need a wetlands permit
8 from the Town for. So, our Town wetlands permit
9 application has been changed because the Town has
10 reconcluded where its wetland boundaries are.

11 MR. STEINMETZ: Are we going to Dan or
12 Chana? So, well, I'm going to ask Chana Weisz,
13 our, our project architect, to come up. One
14 thing that I want to make sure I said in my
15 opening, and I don't know if I did, the site does
16 have a special use permit and it has had a
17 special use permit since 2010. We have been
18 subject to periodic review and inspection, as you
19 all know, because I appear in front of you every
20 three years to renew the special permit, and I
21 think we're here every year, annually, for you to
22 receive a fire inspection and code inspection
23 report. And we have been successfully, my client
24 has been successfully operating the yeshiva for

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2 the period of time during which that special
3 permit was in effect.

4 So, let's, I guess, go to the site plan?

5 MR. BIANCHI: Before, before you do
6 that, just a question on this. What does the
7 broken black dotted line signify? Is that the
8 old wetlands? Is it --

9 MR. MARINO: The broken black dotted
10 line is the wetland line, as it's been determined
11 by the DEC.

12 MR. BIANCHI: And the red one is the
13 revised one by Paul ?

14 MR. MARINO: that's the revised, that's
15 the revised one for the Town, yes.

16 MR. BIANCHI: Okay.

17 MR. MARINO: Yeah. As you can see,
18 there's that, see where it says Upland? Just
19 above that, there's that kind of narrow, that's
20 where the old riding ring was, historically.

21 MR. BIANCHI: Right.

22 MR. MARINO: But, again, we tried to
23 talk the DEC out of that. And while they
24 recognize it is no longer wetland, somehow, in

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2 their regulations, because it was mapped and
3 signed off on at some point in the past, they,
4 they conclude that it still remains wetland
5 there.

6 MR. BIANCHI: And, and as a percentage,
7 I'm sorry if you said this already, but as a
8 percentage, what's the reduction, about?

9 MR. MARINO: Reduction of wetland? We
10 haven't calculated that yet, because we haven't
11 actually had the new, the new flag surveyed yet.

12 MR. BIANCHI: Okay.

13 MR. MARINO: Yeah, we're in the process
14 of doing that, yes.

15 MR. BIANCHI: Alright. And the part of
16 the building that's going to be reduced, the
17 sanctuary building, is roughly 3,000 square feet,
18 is no longer needed?

19 MR. MARINO: Correct.

20 MR. BIANCHI: Right.

21 MR. MARINO: We've eliminated that
22 expansion of 3,000 square feet in the direction
23 of the wetland.

24 MR. BIANCHI: Okay.

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2 MR. MARINO: We're going to walk through
3 that right now with Chana.

4 MR. BIANCHI: But the dormitory -- okay.
5 The dormitory and the classroom building is going
6 up 2,000 square feet.

7 MR. MARINO: So, we'll explain that
8 momentarily.

9 MR. BIANCHI: Okay. Alright.

10 MR. STEINMETZ: The, the rendered site
11 plan, Chris.

12 MS. CHANA WEISZ: Yeah, right here.

13 MR. MARINO: Thanks.

14 MS. WEISZ: Good evening. Chana Weisz
15 from Weisz Architects, representing Yeshiva Ohr
16 Hameir.

17 MR. STEINMETZ: Speak up as much as you
18 can.

19 MS. WEISZ: Sorry. Okay. As David
20 already started to explain, we have presented to
21 this Board a couple of months back our plan for
22 the expansion of the yeshiva. That plan included
23 an expansion of -- so, up here is the previous
24 site plan. It included the expansion of the

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sanctuary building to the south part of the site, as well as the construction of a new three-story dormitory classroom building on the site, as well as some other minor modifications. Most significantly, the expansion of the sanctuary building to the south part of the site encroached on the wetlands DEC buffer, as Steve just explained.

In response to those wetlands concerns, as well as the feedback that we've received from this Board, we've been exploring alternatives to minimize the environmental impact while still meeting the yeshiva's functional requirements. We're now proposing to keep the sanctuary building substantially intact.

The sanctuary itself will be expanded by removing the existing support spaces, which are currently located at the first floor of the sanctuary building. We're also going to be removing the dormitory rooms on the second floor of the sanctuary building. So, right now, the existing chalet, or sanctuary building, is about, I would say 60 percent sanctuary, 40 percent

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support spaces. By eliminating all of those support spaces from the first floor and the dormitory rooms above, we can expand the sanctuary itself within the footprint of the existing building. Those support spaces and dormitory rooms will be relocated to the new building, the new dormitory classroom building. So, in order to accomplish that, we've made a couple of adjustments to the dormitory classroom building.

So, as you mentioned, the footprint has increased approximately 2,000 square feet in order to accommodate those functions. We are shifting the dormitory building to the northwest -- go back one slide. Yeah. So, you can see from the red dotted outline where the building is getting shifted to the northwest of the site. We're also adding an enclosed connection between the two buildings for a direct flow from the first floor of the dormitory classroom building to the first floor of the sanctuary building.

MR. STEINMETZ: So, just so the rec-, the record is clear and the public is clear, we

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2 have red dashed lines, and then we have the, kind
3 of the beige-ish color. What, which is the old
4 and which is the new design?

5 MS. WEISZ: Okay. So, the solid red
6 line and the solid black are all existing
7 footprints on the campus. The dashed red lines
8 represent what we were previously proposing for
9 our expansion and are no longer proposing those
10 areas to be built on. And the shaded footprint
11 is where we are now proposing to place the
12 dormitory classroom building with the revised
13 updated footprint size. And this dormitory
14 classroom building is now going to house all of
15 the dorm rooms on the campus.

16 So, right now, there are dorm rooms, 16
17 dorm rooms on the Dallas building, which is --

18 MR. STEINMETZ: Immediately above, to
19 the upper right.

20 MS. WEISZ: To the east, yeah. So, all
21 of those Dallas dorm rooms will be relo-
22 relocated to this dormitory building. There are
23 eight dormitory rooms on the second floor of the
24 existing chalet sanctuary building, so all of

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2 those get moved to this dormitory building, as
3 well as what we've previously presented, the
4 entire pool building dorm will now be converted
5 to staff housing and all of those dorm rooms
6 moved into this new classroom dormitory building.

7 MR. STEINMETZ: I just want to add one
8 other thing -- I'm just going to put it here for
9 us to share. We said it earlier, but I think
10 this is the drawing that really depicts it. On
11 this, you can see the dashed red line -- Chris
12 will help me -- on the right side or, exactly,
13 that, that was the proposed sanctuary expansion.
14 That dashed line, which is probably like 60, 70
15 percent, maybe even more, of the existing chalet
16 footprint, has been eliminated. So, that, that,
17 everything you see there in red dashed was
18 proposed, none of it is being constructed any
19 longer, or being proposed any longer.

20 MS. WEISZ: So, as Steve and David have
21 mentioned, this revised plan significantly
22 reduces the encroachment on the DEC wetlands
23 buffer, which is at the south part of the
24 property.

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2 Additionally, so I guess, let's go to
3 the next slide. So, this is the updated proposed
4 site plan. All of the buildings that are shaded
5 in gray are existing footprints on the property,
6 and the area that is shaded in black is the new
7 building which we're proposing on the campus.
8 You can go to the next slide, yeah.

9 MR. MCKINLEY: And the size of the new
10 building changes to how much?

11 MS. WEISZ: By approximately 2,00 square
12 feet.

13 MR. KESSLER: Okay. From what you
14 originally proposed?

15 MS. WEISZ: From what we originally
16 proposed, correct. As well as the enclosed
17 connection between the two buildings.

18 MR. KESSLER: And right now, there is
19 just a foundation there?

20 MS. WEISZ: That's correct.

21 MR. STEINMETZ: And, and the building
22 itself is entirely zoning compliant in terms of
23 its bulk, in terms of its height, etcetera.

24 MR. KESSLER: And how many dormitory

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2 rooms are you proposing in that building?

3 MS. WEISZ: We're proposing 66 dorm
4 rooms.

5 MR. KESSLER: And how many people per
6 room?

7 MS. WEISZ: Four.

8 MR. STEINMETZ: And, as I've said
9 repeatedly, and just, just so that everybody is
10 clear, we have conceded that the site must be
11 entirely lawful with regard to occupancy. So,
12 whatever state and local occupancy requirements
13 are, both New York State dormitory requirement,
14 town code, fire code, every one of these rooms
15 will have a maximum occupancy. So, that will
16 determine the maximum number of individuals.

17 We were asked last time, and I'm sure
18 there are people who are, who remain interested
19 in it. There would be no intent to increase
20 occupancy beyond 300 to 325 students. That's
21 basically what the site can accommodate. And the
22 good news is, now, it can accommodate it in a
23 safe, attractive, and, as Chana is about to
24 explain, far more functional version of what has

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2 existed for 40 years.

3 MR. KESSLER: Okay. Can you reconcile
4 that for me, David? So, you have 66 rooms at
5 four per room. That's 264 students.

6 MR. STEINMETZ: Correct.

7 MR. KESSLER: So, where, where are you
8 getting 325 to 350?

9 MR. STEINMETZ: So, we were asked what
10 the -- so, is the maximum occupancy or was that,
11 was it the proposed occupancy?

12 MS. WEISZ: Yes. But we can, we can, we
13 can legally have, in each dorm room up, to five
14 students. Right now, we're proposing to put four
15 students per room.

16 MR. STEINMETZ: I think she answered it
17 differently. Maybe she wasn't clear on the
18 question. You had, I don't think you asked her
19 what maximum legal occupancy is. Maximum legal
20 occupancy --

21 MR. KESSLER: I didn't ask that.

22 MR. STEINMETZ: Right. So, but that's
23 what I gave you, because I know everybody in the
24 room wants to know what the maximum student count

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2 is.

3 MR. KESSLER: Yeah, we, we do, too.

4 MR. STEINMETZ: So, and but you've heard
5 that at the prior meetings. So, this is not the
6 first time you're hearing that, Mr. Chairman.

7 MR. KESSLER: No, no. But I'm just
8 saying that you, you're saying four per room.
9 That's 264. But you're also saying you can
10 squeeze another person into that room and, in
11 effect, another 66 people.

12 MR. STEINMETZ: Correct.

13 MR. KESSLER: And that's your intent?

14 MR. STEINMETZ: No. So, bear with me,
15 bear with me.

16 MR. KESSLER: I try to.

17 MR. STEINMETZ: As you've, you've tried
18 for 30 years.

19 MR. KESSLER: Thirty-five.

20 MR. STEINMETZ: Who's counting? Right
21 now, the yeshiva, as we've spoken to you, as
22 we've started this application, has been doing
23 well, and it had a student occupancy cap of 225.
24 That was predicated largely on the fact that we

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had a failing septic system and we were trying to rectify an effluent discharge issue. And once we did so, and we have now done so, then we're going to be governed like any other property in the Town. We're going to be governed by lawful occupancy limits. Lawful occupancy limits, Mr. Chairman, are approximately 325. You've got the math in front of you, I don't. The current proposal is for no more than 260-some-odd, probably there aren't even enough enrollees to hit that number right now. But we're here, trying to plan for a building to be successful, for the yeshiva to continue to be successful, and, answering your question thoroughly, as we always do, there's nothing unlawful about putting a fifth individual in each of those rooms. There's enough space in each of those rooms under your building code, state building code, fire code, and New York State dormitory requirements.

And I realize you weren't here at the last meeting when Mr. Bianchi was serving as acting chair and we did spend a while discussing these numbers. So, I apologize. I forgot you

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2 were not here at that meeting.

3 MS. WEISZ: So, right now, the dormitory
4 rooms are designed for four students. And, as
5 David mentioned, or explained, they could
6 technically fit five students, but that's not our
7 current plan.

8 MR. STEINMETZ: Let's show the
9 architecture, because I don't think the chair saw
10 the architecture, either.

11 So, we discussed on the Board site visit
12 that we are proposing improvements to the overall
13 campus appearance. We plan to update the
14 exteriors of all of the existing campus buildings
15 with a uniform pallet of materials and colors.

16 The cafeteria building, in addition,
17 this was constructed as a number of buildings
18 that are sort of combined together. So, what
19 we're proposing, and as David touched on earlier,
20 is to streamline this roof here. So, right now,
21 you have a prefab building that's adjacent to a
22 silo building, and they're connected. And the
23 silo portion serves as the canteen, and the
24 prefab building serves as the main cafeteria.

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2 We're proposing to remove the roof of the silo
3 building to extend this as one uniform roof line,
4 as well as to update the exterior material, so it
5 will function better as one dining room for all
6 of the students. And the campus itself will have
7 an overall better appearance, more cohesive.

8 Yeah, so if you go to the next slide,
9 this is our proposal for the dormitory classroom
10 building. The appearance of it hasn't changed
11 based on these adjustments that we've discussed.
12 So, this would still have the classrooms and
13 sanctuary support spaces at the first floor with
14 dormitory rooms on the upper levels.

15 MR. STEINMETZ: Can you explain how the
16 dormitory building interfa-, interacts with the
17 sanctuary and how the students can gain access?

18 MS. WEISZ: So, the intention of
19 shifting the building on the site is so that the
20 center entrance of this dormitory building will
21 align to where the existing center line of the
22 sanctuary is. So, the idea is that this
23 dormitory entrance will effectively serve as the
24 entrance to the sanctuary, as well. it will

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2 function like one building. So, this is the
3 central entrance. You'll come into a two-story
4 lobby and go straight through with support spaces
5 in this building to the sanctuary, which is
6 essentially moving closer to this building
7 because we're removing the existing support
8 spaces from the front portion of that building.

9 MR. STEINMETZ: Just, if I can add. And
10 we've talked about this in the past, but I want
11 to make sure it's clear in this record. In a, in
12 a residential yeshiva like this, the sanctuary
13 serves two functions. Obviously, it serves a
14 function for religious prayer, but it's also the
15 primary room for educational activity. So, so
16 this is a religious educational building. And
17 one of the things that Chana and, and Rabbi
18 Rothberg had stressed to me that they were trying
19 to accomplish was trying to make this as
20 conducive as possible for the boys and young men
21 who are immersed in learning to be proximate to
22 that area and not scattered throughout the
23 campus, as they kind of have been for 40 years.
24 So, when you hear us talk about two primary

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goals, the primary goal being aesthetics and second primary goal being functionality, as a result of Chana's design and her realignment of the building, she's accomplished both in terms of making what we think is a magnificent building with lovely colors and fenestration, as well as an access to the sanctuary building that currently is far more haphazard in terms of how it's functionally.

MS. WEISZ: And, in general, in general, that's really how the whole campus is functioning now, with bits and pieces throughout that we're hoping -- and we discussed this on the site visit, as well -- to centralize where the students are sleeping. We don't want classrooms in the dining room building anymore. The learning takes place in one central building adjacent to the sanctuary. The dormitory is in one location. And we have, really, the students centralized, which will improve the function and running of the yeshiva. That's it.

Well, yeah, there's just the, the chalet building rendering. And this is our proposal for

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2 the chalet sanctuary building finishes. As
3 you've seen before, this building footprint does
4 not get extended anymore into the wetlands DEC
5 buffer, but we're still proposing to improve its
6 appearance with updated materials and colors, and
7 windows.

8 MR. STEINMETZ: If you all have
9 questions, I guess the only thing we didn't
10 specifically speak to, so I want to make sure
11 that everybody who is here this evening hears it,
12 we talked about the pool building. The pool
13 building currently has 16 dormitory rooms.

14 MS. WEISZ: Seventeen.

15 MR. STEINMETZ: Seventeen dormitory
16 rooms.

17 MS. WEISZ: Those rooms range from four
18 to nine.

19 MR. STEINMETZ: They are being relocated
20 into the, into the dormitory building, and the --

21 MR. KESSLER: I'm sorry. Where, where
22 is the pool building on that?

23 MR. STEINMETZ: Let's go back to the
24 site plan, Chris. That's fine. Stay right

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2 there. It's the one on the left, right there.
3 That building has been historically referred to
4 as, as the pool building, because it did have a
5 pool at one point in time. It has subsequently
6 served as a dormitory building, and it will no
7 longer be a dormitory building. However, it will
8 be repurposed, and we have submitted plans to
9 that effect for the three staff members who would
10 have staff housing in that building. So, instead
11 of those three staff members commuting to and
12 from the yeshiva every day, they will now be in
13 residence there. And we have submitted plans to
14 that effect already.

15 So, I think all of those architectural
16 plans have now been submitted. I don't know
17 whether you've gotten full color plans on all of
18 this, because we have not yet completed our
19 renderings. But one of the questions, Mr.
20 Chairman, that we got from the Board, I think
21 during the site inspection and at one of the
22 meetings, was, are you just resurfacing or
23 refacing the front side of the existing
24 buildings? Answer, no. Every building will be

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2 refaced entirely, 360 degrees, and plans to that
3 effect either have been or will be submitted.

4 MR. BIANCHI: Okay. The views from
5 Furnace Dock Road, you showed those, I think at
6 the last meeting.

7 MR. STEINMETZ: Correct.

8 MR. BIANCHI: And I --

9 MS. WEISZ: Those, those don't change
10 with this, with this change.

11 MR. BIANCHI: Well, yeah, that was my
12 first question. Is there any change to that? It
13 might be useful, and not to prolong this, but it
14 might be useful, since there might be some people
15 here interested in that, do you have them
16 available to show, show now?

17 MS. WEISZ: We've had them submitted.
18 Chris, are you able to --

19 MR. STEINMETZ: Unless Chris can dig
20 them --

21 MR. KEHOE: Heather's, Heather's doing
22 all the work. So, I just don't want --

23 MR. STEINMETZ: No wonder everything is
24 going so smoothly tonight, Chris.

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2 MR. KEHOE: I'm just, yeah, and I'm just
3 relaxing over here. We can dig them up --

4 [CROSSTALK]

5 MR. STEINMETZ: Otherwise, Mr. Bianchi,
6 we'll certainly make sure that we have them in
7 the slide deck for the public hearing.

8 MR. BIANCHI: I was going to say, if not
9 tonight, definitely have to do a --

10 MR. STEINMETZ: I, I think at the public
11 hearing, it makes sense for us to go through it.

12 MR. BIANCHI: -- a presentation, from A
13 to Z, before the public hearing.

14 MR. STEINMETZ: That's what we will do.

15 MS. WEISZ: And that, that hasn't
16 changed with these proposed modifications. If
17 anything, the dormitory building is further from
18 the street, but the height of the building is not
19 changing. And the change in footprint size
20 wouldn't impact its visual impact from the
21 streets.

22 MR. KESSLER: Just, just so I'm clear,
23 David. So, the existing students, you have them
24 currently in the sanctuary building, in the

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2 Dallas building, and in the pool house?

3 MR. STEINMETZ: You got it.

4 MR. KESSLER: What?

5 MR. STEINMETZ: Yes.

6 MR. KESSLER: That's it?

7 MR. STEINMETZ: Yes. And obviously --

8 MR. KESSLER: And, and that's 235 people
9 in those buildings?

10 MR. STEINMETZ: Two hundred and twenty-
11 five.

12 MR. KESSLER: Two hundred and twenty-
13 five?

14 MR. STEINMETZ: Yes. Not all rooms are
15 quads, Mr. Chairman. Some of them accommodate,
16 some of them are larger rooms. Some of the rooms
17 accommodate up to nine individuals lawfully.
18 Holly and your subsequent fire inspectors are
19 there every single year, --

20 MR. KESSLER: No, we're not
21 [unintelligible] [01:02:14].

22 MR. STEINMETZ: -- measuring and
23 counting beds.

24 MR. KESSLER: I'm, I'm not suggesting

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2 that there's something untoward going on.

3 MR. STEINMETZ: I just want to make sure
4 that that's clear.

5 MS. WEISZ: Just, if you're calculating
6 the number of rooms and comparing that to the
7 proposed number, it's that the existing rooms are
8 not quads, so.

9 MR. KESSLER: That, that's what I'm
10 missing. Thank you.

11 MR. BIANCHI: Well, if you do five per
12 room and you have 66 rooms, that's 330 people.
13 That's close to what you said would be the --

14 MR. STEINMETZ: It's almost to the note.

15 MR. BIANCHI: -- permitted.

16 MR. STEINMETZ: That's why we said to
17 you, and, and I think Rabbi Rothberg actually
18 spoke to this directly at the last meeting, that,
19 you know, theoretically, maybe the yeshiva would
20 be successful enough to accommodate 300 to 325.
21 That, that's, that's quite a ways off and that's,
22 you know, that's maxing out.

23 MR. KESSLER: What's the, what's the
24 current student count?

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2 MR. STEINMETZ: Two hundred and, two
3 hundred, under 220.

4 MR. KOBADSA: Is there anything that's
5 preventing you from putting students or using the
6 other buildings for housing in the future? I
7 know you're pulling all these build-, all these
8 other buildings, you're pulling the housing out
9 of it, right, and you're putting them all in this
10 one. Say you max out your occupancy in the new
11 building. Is there anything preventing you from
12 going back to the other buildings and using them
13 as dormitories?

14 MR. STEINMETZ: So, the only things that
15 would be preventing us from doing that would be
16 (a) we'd have to come back to your Board and, and
17 seek a site plan modification; (b) we'd have to
18 have boys that don't want to go to a cafeteria
19 and eat; and (c) we'd have to eliminate the rabbi
20 and the, the head rabbi and all of the staff.

21 MR. KOBADSA: Okay, okay.

22 MR. STEINMETZ: So, I haven't been to
23 too many universities, Kevin, where there's no
24 food --

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2 MR. KOBADSA: I just --

3 MR. STEINMETZ: I'm just responding to
4 your question.

5 [CROSSTALK] [01:03:56]

6 MR. STEINMETZ: I found it to be an
7 interesting question and I'm responding. Dallas
8 -- Rabbi Rothberg is suggesting, certainly, the
9 Dallas building could be dormitories, but it's
10 proposed to be simple guest accommodations.

11 MR. KOBADSA: Okay, that's what I'm
12 getting at.

13 MR. STEINMETZ: Gotcha. I understand
14 your question.

15 MR. KOBADSA: So, at some point if you
16 decide to expand --

17 MR. STEINMETZ: Correct.

18 MR. KOBADSA: -- and you want to, you
19 can go --

20 MR. STEINMETZ: That would be the most
21 likely.

22 MR. KOBADSA: So, you still have
23 existing dormitory space outside of this new
24 space?

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2 MR. STEINMETZ: I wouldn't call it
3 existing dormitory space.

4 MR. KOBADSA: Not existing, but could be
5 future --

6 MR. STEINMETZ: Right, residential
7 space, residential space.

8 MR. KOBADSA: -- residential space?

9 MR. STEINMETZ: Absolutely.

10 MR. KESSLER: Well, let's be clear,
11 then. Are you suggesting that if this were to go
12 forward and be approved, that we would designate
13 each building as to what can go into it? So
14 that, if it's staff housing and, at some point,
15 you want to turn that into dormitory, you would
16 come back here and say we want to convert that
17 building?

18 MR. STEINMETZ: Answer, you know, let
19 me, let me discuss that with your staff. Let me
20 think about that question and in terms of how,
21 how best to handle that. I, I -- this, really, I
22 don't have a negative reaction to that, but I
23 want to make sure I think that through.

24 MR. KESSLER: But you're clearly

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2 designating each building for a specific use.

3 MR. STEINMETZ: Without question.

4 MR. KESSLER: Okay. So, why wouldn't
5 that then be what you would agree to and, if that
6 changes, you would have to come back here for
7 dispensation?

8 MR. STEINMETZ: The only reason that I'm
9 pausing, Mr. Chairman, is that I don't know
10 whether you're asking me something that you can
11 or should be asking me. I don't know whether you
12 have the right to, to impose that requirement,
13 and I want to think it through.

14 MR. KESSLER: Well, we're setting up
15 here what each building is, are, are we not, on
16 your site plan?

17 MR. STEINMETZ: Correct. Absolutely.

18 MR. KESSLER: You're design-, your site
19 plan is designating a usage for each of those
20 buildings.

21 MR. STEINMETZ: Absolutely.

22 MR. KESSLER: And that is the site plan.

23 MR. STEINMETZ: So, so --

24 MR. KESSLER: That, that gov-, that

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2 governs. That site plan governs.

3 MR. STEINMETZ: Exactly. So, if, so, if
4 your code and the law says that we have to come
5 back and change something in order to change
6 something, we would come back in accordance with
7 the law and do that.

8 MR. CUNNINGHAM: it can be a condition
9 of any approving resolution, too.

10 MR. KESSLER: Any other comments from
11 the Board, staff?

12 MR. KEHOE: Well, well, just one thing.
13 We, we spent a lot of time talking about the
14 elevations in the wetlands, but Chris Lapine has
15 a very detailed technical engineering memo, then
16 I know Dan Ciarcia is over there. So, but I
17 think staff believes that between now and the
18 eight weeks until the November Planning Board
19 meeting, it'll be sufficient time for technical
20 level meetings between Chris and Dan for, you
21 know, for the pipes and, you know, those types of
22 details.

23 MR. KESSLER: Yeah. So just, so just to
24 be clear, so, we're going to set a public hearing

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2 two months hence from today in deference to some
3 holidays that are coming up in October. And
4 that'll be the opportunity for another
5 presentation --

6 MR. STEINMETZ: Correct.

7 MR. KESSLER: -- by, by the applicant,
8 as well as the opportunity for the public to
9 weigh in with their comments about the proposal.
10 So, between now and then, staff will work with
11 the applicant, but certainly we'll hope to see
12 you all again in two months. I think it's
13 October the 7th. Or not, I'm sorry, November --

14 MR. KEHOE: It's the Thursday.

15 MR. KESSLER: November?

16 MR. KEHOE: It's not -- the first
17 Tuesday is Election Day.

18 MR. KESSLER: November 6th, November 6th
19 will be the hearing. Okay. So, any other
20 further comments, anything? So, if not, why
21 don't we close this out? Jeff?

22 MR. ROTHFEDER: Mr. Chair, I move that
23 we set a public hearing for this applicant on
24 November 6th.

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

4 MR. BIANCHI: Second.

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

7 MULTIPLE: Aye.

8 MR. KESSLER: Opposed?

9 MR. DOUGLAS: Steve, before you
10 officially wrap up, I've got, I've got one
11 comment.

12 MR. KESSLER: Thanks.

13 MR. STEINMETZ: Thank you.

14 MR. DOUGLAS: I have, I have, I have
15 one, one brief comment.

16 MR. STEINMETZ: Oh, I'm sorry.

17 MR. DOUGLAS: Okay. We received a
18 letter from one of the neighbors with a question,
19 a very legitimate question, and I just wanted to
20 make it clear here so that [unintelligible]
21 [01:07:47] in the minutes, if people have access
22 into the minutes, to what the answer is. And she
23 pointed out that this, we are zoned for
24 university, seminary and the like.

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2 MR. STEINMETZ: Correct.

3 MR. DOUGLAS: No, let me just say. We
4 use it for --

5 MR. STEINMETZ: University and seminary.

6 MR. DOUGLAS: -- for university and
7 seminary. And, technically, this didn't sound to
8 her like it, that this fell under the thing. So,
9 I just want to let her know that, on the most
10 recent previously application the yeshiv- yeshiva
11 had, the Zoning Board ruled on that question and
12 we determined -- I say we, because, at that
13 point, I was on the Zoning Board -- and we
14 determined that under the definitions, as written
15 in the Code, yes, this yeshiva falls into that,
16 into that category. So, I just wanted to, to
17 answer her question so that she has an answer and
18 doesn't need to wonder about this or, or be upset
19 about it for another day, or whenever she first
20 goes to the minutes, or whatever.

21 MR. STEINMETZ: Thank you, David, for
22 reminding me about that interpretation. I think
23 that was 16 years ago.

24 MR. KEHOE: And just one thing that,

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2 also, David touched upon, which I should mention.

3 MR. DOUGLAS: if you can get, if you can
4 get Steve's tenure wrong, I can get that wrong.
5 Maybe you were mixing him up with me. I'm 30
6 years.

7 MR. KEHOE: But, as David pointed out,
8 we did get several pieces of correspondence,
9 mainly e-mails. The Board got all of those e-
10 mails and the applicant's team got all of those
11 e-mails. You're not expected to respond to them
12 now.

13 MR. STEINMETZ: Thank you.

14 MR. KEHOE: But I just want it on the
15 record that anything that I get in, I give to the
16 Board and the applicant.

17 MR. KESSLER: And it will be responded
18 to at the public hearing.

19 MR. KEHOE: Yes.

20 MR. STEINMETZ: Appreciate it. And if
21 there's anything -- I mean, several of the
22 comments that, that Chris forwarded did not
23 appear to warrant a response. But if there's
24 anything that the Board wants us to respond to at

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2 the public hearing, I'm sure you'll let us know.

3 MR. KESSLER: Will do. Thank you,
4 David.

5 MR. STEINMETZ: Thank you.

6 MR. KESSLER: Alright. Next item under
7 old business is the application of BEB Capital
8 for property of Skyview/Westview, LLC, and
9 Eastview/Southview, LLC, for site plan approval,
10 a residential reuse special permit, and for tree
11 removal and steep slope permits for a proposed
12 70-unit residential development located on East
13 Main Street, Regina Avenue, and Lexington Avenue,
14 drawings latest revised May 22, 2025. David,
15 good evening again.

16 MR. STEINMETZ: Good evening again.
17 David Steinmetz from the Law Firm of Zarin and
18 Steinmetz here, representing BEB Capital. I
19 think this one will be quite brief, as was
20 indicated at the work session. We have an
21 application for a residential reuse special
22 permit in connection with an existing bungalow
23 development on Regina and off of Lexington
24 Avenue.

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2 We did a really interesting site walk on
3 this property a while back. It was important and
4 illuminating in terms of understanding the
5 property, how it functions. It clearly has some
6 existing, long-term challenging topography. And
7 the Board and staff made some specific
8 suggestions, both at the site inspection and
9 through staff, about some concerns, at least as I
10 understand it, of one of the, in particular,
11 Regina Avenue buildings closest to Route 6 based
12 upon topography and a retaining wall structure
13 that would have to be behind it, possibly, in a
14 setback.

15 Long story short, our architects and
16 engineers and clients are working on redesign of
17 that, some modification of the road, so that we
18 can come back with what we hope will be a
19 somewhat more environmentally sensitive
20 redevelopment.

21 Again, for those of us who walked it, we
22 know it's all, it is a challenged site in terms
23 of topography. But once you get up onto the
24 plateau, there is a, a rather nice, buildable

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plateau.

So, we look forward to advancing the application. I appreciate the fact that the Board kept us on the agenda. I am not asking for the scheduling of a public hearing, unless you want me to do it just for the fun of it. But I won't do that, because we have to resubmit.

MR. KESSLER: Right. Tom?

MR. BIANCHI: Mr. Chair, I will move that we refer this back to staff for further review.

MR. KESSLER: Second, please.

MR. MCKINLEY: Second.

MS. HILDINGER: Second.

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

MULTIPLE: Aye.

MR. KESSLER: Opposed? Thank you. Alright. Last item under old business is an application of VS Construction for a site development plan approval for tree, wetland, and steep slope permits for a proposed 97,700-square-foot assisted living facility located at the

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2 medical oriented district, MOD, at 2003 Crompond
3 Road. Drawings latest revised May 22, 2025. And
4 you are?

5 MR. STEINMETZ: I forget, at this point.
6 David Steinmetz from the Law Firm of Zarin &
7 Steinmetz, representing VS Construction Corp.
8 Mr. Chairman, members of the Board, good to see
9 you all.

10 We have been processing this application
11 in connection with the medical oriented district
12 for quite some time in front of the Town Board,
13 as well as your Board, and we were pleased when
14 we were finally able to file one new component
15 of, of our application, and that was in
16 connection with a proposed assisted living
17 building on the front lot on the left-hand side.
18 We refer to it as Lot 1. And, and this would be
19 a proposed sort of state-of-the-art contemporary
20 assisted living that, at the moment, is proposed
21 to be owned and operated by Benchmark Senior
22 Living. Eric Gardner from Benchmark appeared in
23 front of you several months ago and answered some
24 of your questions. And since that time, Mr.

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2 Santucci, Val Santucci, Mandy Santucci, and our
3 project engineers, DTS Provident, have been
4 working on grading, utilities, and redesign.

5 I know that there are materials that
6 your professional staff are waiting for from our
7 team, specifically Chris and Michael, and Chris
8 and Heather will remind or confirm, I think
9 you're still waiting for some technical answers
10 on the subdivision road infrastructure and some,
11 some materials that we got there, all of which
12 were essentially conditions to the final
13 subdivision plat approval you all granted to this
14 project. You granted a two-lot subdivision, and
15 that required a number of things to be addressed
16 technically by our team. That's still underway.
17 And we have not gone to the Health Department
18 yet.

19 Second, we also got some technical
20 comments from Chris's office, I think in April,
21 with regard to the Benchmark project, and that is
22 also being worked on by DTS.

23 My primary reason and, and my client's
24 primary reason for asking to be on tonight's

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agenda, (a) we did the site inspection since we last were on your, your agenda, and (b) there had been a number of questions that were raised during the site inspection and by staff in advance of the site inspection about the proposed retaining wall on the Benchmark lot as you enter the site. And I, Chris or Heather, if you, I don't know if you have the subdivision plan or anything that I, that I can just use to make sure the Board knows what I'm talking about. But, as you enter the proposed subdivision cul-de-sac road, on the left-hand side at the front, what I would call the northwest corner of the Benchmark lot, there is a retaining wall. Mr. Chairman, you were not there, but we, during our site inspection, we made sure to fully depict that in the, in the real time for the Board members who were there, and staff, with rope and posts, etcetera. And Mr. Santucci explained how it would be constructed and how it could be adequately landscaped.

We really wanted to make sure we got any feedback you wanted to give us, because that,

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that particular structure and its location are really import-, are an important point for designing everything else from there. So, we'd love to know we have closure from your Board on you get where it is, you understand why it would be there, and, and you understand why it is not as significant as it may have otherwise appeared on the plan or based upon numbers.

The other thing that I want to make sure we address tonight, to make sure it's clear on the record --

MR. LAPINE: Hang, hang on. We just -- that's the revised rendering that was shown, I believe --

MR. STEINMETZ: There we go.

MR. LAPINE: -- either as an outgrowth before the site inspection or right after the site inspection.

MR. STEINMETZ: Thank you, Chris and Heather.

MR. LAPINE: But that was in response to our comments.

MR. STEINMETZ: Thank you, Heather.

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2 MR. KESSLER: And that, that's facing?

3 MR. STEINMETZ: That, that's, Steve,
4 that is facing the intersection of the entrance
5 road to the subdivision on the right, right in
6 there. And, and that, we're right now, we're
7 standing --

8 MR. KESSLER: That's 202 --

9 MR. STEINMETZ: -- on Crompond Road, on
10 202, kind of, sort of in front of the hospital,
11 looking at the site. And that, we are looking
12 simply at the Benchmark, the proposed Benchmark
13 Senior Living building. And, as you can see, the
14 grade does climb from that intersection to the
15 building. There is a retaining wall, and we were
16 asked to depict it, we were asked to walk it.
17 And, and I think, I think everybody that was out
18 there understands why that wall needs to be
19 constructed. And we're prepared, my clients are
20 prepared to make sure it's done not only
21 structurally well, but in an, in an aesthetically
22 pleasing fashion. There are a number of
23 different colors and materials they can use.

24 The other thing I wanted to make sure we

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touched on, Chris mentioned it to you in the work session. And Steve Marino is still here. We were alerted that Chris Lapine's office, LaBella, determined that there may be a wetland on the Benchmark lot that, in the 15 years that Steve and I have been on the property, was never identified.

What we are suggesting, as you heard a little bit in the work session, we want to go out there and make sure we understand why, not Chris, but one of the colleagues from his office fought that. And I've already suggested to, it was either Michael Cunningham, Chris Kehoe, or both, that maybe Paul Jaehnig should be asked to go out there, as well, since Paul has regularly been the Town's wetland consultant for quite some time, and maybe he could help break the tie or lend some additional expertise.

I will tell you that Steve Marino, who can speak for himself more eloquently on this topic than I, does not believe there is a wetland on that site. There may have been an isolated pocket of a hydric soil, but we do not believe

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2 that there is a wetland on that property in the
3 middle of that building. But we know it's got to
4 be confronted and addressed, and we, we would
5 ask, Mr. Chairman, that staff be allowed to do
6 whatever they need to do to get to the bottom of
7 this.

8 MR. KESSLER: So, you're willing to fund
9 Ms. Jaehnig to go out and --

10 MR. STEINMETZ: Without question.

11 MR. KESSLER: -- and review that? Okay.
12 Fine.

13 MR. STEINMETZ: Absolutely.

14 MR. KEHOE: Well, we're not 100 percent
15 sure Chris's work needs to be peer reviewed, but
16 we'll, we'll --

17 MR. KESSLER: No.

18 MR. KEHOE: -- we'll discuss that.

19 MR. LAPINE: And I, I, I think it's
20 important to have a dialogue with the consultant
21 before you decide to hire, retain another
22 consultant.

23 MR. STEINMETZ: That's fine. Yeah, I
24 have no desire to do that if we can, if, if we

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2 can let Steve confer with your colleague and, and
3 find out why they --

4 MR. LAPINE: Yeah, we, we, we've, we've
5 offered to have that dialogue for the last week
6 and a half.

7 MR. STEINMETZ: Perfect. Okay, Steven,
8 did you --

9 MR. MARINO: Sorry, I'll --

10 MR. STEINMETZ: -- did you know that?

11 MR. MARINO: I didn't.

12 MR. STEINMETZ: So that, because that's
13 -- I want him to answer that, because that's the
14 second time tonight I've heard that. And he
15 ought to say, nobody told me.

16 MR. MARINO: Yeah, and I, and I'm
17 actually fine with doing that, as well. I just
18 hadn't heard that there was an invitation at this
19 point. Yeah, at this point.

20 MR. LAPINE: Yeah, we've offered. You
21 were copied on the e-mails, as well. I have them
22 --

23 MR. MARINO: I will, I will double
24 check. I don't remember seeing that, Chris, but

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2 I'm, I'm on board with that.

3 MR. STEINMETZ: Thank you. We
4 appreciate that.

5 MR. MARINO: That's fine with us, yeah.

6 MR. LAPINE: You're welcome.

7 MR. MARINO: Yeah, we weren't trying to
8 say otherwise.

9 MR. KEHOE: Yeah, we'll set that up
10 quickly.

11 MR. KESSLER: Let's just get it done,
12 yeah. Yeah, good. Okay. So, you know,
13 obviously, things to be done here, so we'll be
14 referring this back. And --

15 MR. STEINMETZ: Yeah, I want to, I want
16 to go one more step forward, and I'll be brief.
17 But this is important, and I did discuss this
18 with both Chris and with Michael so that they
19 knew. I want to make sure your Board knows that
20 we are, hopefully, sometime in the fall, towards
21 the end of this year, going to come back to you
22 with the residential component, which, which will
23 be a townhouse community consistent with the MOD
24 of 96 single -- 96 multi-family townhouses,

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consistent with the MOD. And I'm pleased to announce -- and you, Mandy and Val, you have no problem with my announcing the --? Since we last met with you, the Santuccis believe they have secured a medical supply/pharmacy use that would be located on the Lafayette, or third lot.

So, we will be coming in at some point to take the two-lot subdivision and turn it into at least a three-lot subdivision, if not a three-lot subdivision, one of which will have 96 smaller lots within it, because your code requires fee simple lots for the townhouses. I tell you that just because I want you to know what's coming, but I want to make this part totally clear. We need to finish the two-lot subdivision, because we need to have the two-lot subdivision plat filed so that the road can begin construction, hopefully in 2026. So, I'm telling you that there's a three-lot subdivision coming. Staff knows that. I think they're pleased that we have located another medical type use for the property. But I just, I feel like they know what's happening. I want to make sure your Board

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knows what's happening, as well.

So, we, we look forward to continuing to advance on the Benchmark Senior Living building, we look forward to com-, to advancing with staff on all the technical work that has to happen on the subdivision engineering, and the, and the Benchmark engineering. And we're going to be coming in to work with you all on, on additional subdivision.

MR. KESSLER: Thank you.

MR. LAPINE: David, you may want to --

MR. KESSLER: Nora?

MS. HILDINGER: Okay. For PV-2025-5, I'd like to make a motion to refer this 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: Opposed? Alright, thank you, David.

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2 MR. STEINMETZ: Goodnight. Thank you.

3 MR. KESSLER: Goodnight. That's it?

4 You're not, you're not on the last one either?

5 New business, the final item this evening. It's
6 the application of MCAS Roofing & Contracting for
7 a renewal of a special permit for a specialty
8 trade contractor located at 2006 Albany Post
9 Road, and it's shown on a drawing entitled
10 Amended Site Plan for MCAS Roofing & Contracting,
11 prepared by Joseph Riina [phonetic], dated
12 October 7, 2020. Good evening.

13 MR. MICHAEL CASOLARO: Good evening.

14 How you doing?

15 MR. KESSLER: You are?

16 MR. CASOLARO: I'm Michael Casolaro, the
17 president of MCAS Roofing & Contracting.

18 MR. KESSLER: Welcome.

19 MR. CASOLARO: Thank you.

20 MR. KESSLER: So, we'll be pretty
21 straightforward. We'll be setting a public
22 hearing for the next meeting and hopefully get
23 this thing closed and a resolution prepared.

24 MR. CASOLARO: Sounds good.

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2 MR. KESSLER: Okay?

3 MR. KEHOE: Yeah, just for the record.
4 As you know, I think this is your either second
5 or third time here to renew your special permit.

6 MR. CASOLARO: I'm not even sure. I
7 think it's the second renewal.

8 MR. KEHOE: Alright. So, we'll do a
9 quick review with Code, make sure there's no
10 issues out there. The Code does require the
11 special permits to have a public hearing, but we
12 could also have a resolution and approval ready
13 at the next meeting, as well.

14 MR. KESSLER: Alright. So, with that,
15 let's -- Peter?

16 MR. MCKINLEY: Mr. Chairman, I'd like to
17 make a motion to set a public hearing on 10/7 at
18 2006 Albany Post Road. Is it beneficial to say
19 the --

20 MR. KEHOE: And also mention, direct
21 staff to prepare an approving resolution.

22 MR. MCKINLEY: As Chris said, direct
23 staff to create a resolution for the next, the
24 next meeting.

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MR. KESSLER: Alright. Second, please?

MR. DOUGLAS: Second.

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

MULTIPLE: Aye.

MR. KESSLER: Opposed? Kevin?

MR. CASOLARO: Thank you.

MR. KOBADSA: The time is 7:51. The
meeting is adjourned.

MR. KESSLER: Thank you.

(The public board meeting concluded at
7:51 p.m.)

CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of the Board meeting of the Town of Cortlandt on September 4, 2025, was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: September 18, 2025

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