

TOWN OF CORTLANDT  
PLANNING AND ZONING BOARDS

PLANNING BOARD MEETING

1 Heady Street

Cortlandt Manor, New York 10567

July 25, 2023

6:30 p.m. - 8:42 p.m.

July 25, 2023

MEMBERS PRESENT:

Steven Kessler, Chairman

Thomas A. Bianchi, Vice-Chairman

Kevin Kobasa, Member

Peter McKinley, Member

ALSO PRESENT:

Chris Kehoe, AICP, Director of Planning

Michael J. Cunningham, Deputy Town Attorney

Joseph Fusillo, P.E., Planning Board Engineer

1 July 25, 2023

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

3 MR. STEVEN KESSLER: Thank you all for  
4 coming. We're going to get started. Please rise  
5 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. Chris, roll  
12 please.

13 MR. CHRIS KEHOE: Mr. Kobasa?

14 MR. KEVIN KOBASA: Here.

15 MR. KEHOE: Ms. Hildinger?

16 MS. HILDINGER: Here.

17 MR. KEHOE: Mr. Kessler?

18 MR. KESSLER: Here.

19 MR. KEHOE: Mr. Bianchi?

20 MR. THOMAS BIANCHI: Here.

21 MR. KEHOE: Mr. McKinley?

22 MR. PETER MCKINLEY: Here.

23 MR. KEHOE: Mr. Rothfeder and Mr.

24 Douglas noted as absent.

1 July 25, 2023

2 MR. KESSLER: So again, welcome. We have  
3 one change to the agenda this evening, and that  
4 is, under all business, PB number 2023-2, the  
5 application of Jenny Thomas of JJM Summit Realty.  
6 They've asked for us to remove this from the  
7 agenda this evening, and we'll do so. May I  
8 please have a motion to remove that from the  
9 agenda?

10 MR. BIANCHI: So moved.

11 MR. KESSLER: Second?

12 MS. HILDINGER: Second.

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

15 MULTIPLE: Aye.

16 MR. KESSLER: Opposed? Thank you, motion  
17 please to adopt the minutes from our meeting of  
18 June 6th.

19 MR. KOBASA: So moved.

20 MR. KESSLER: Second?

21 MS. HILDINGER: I second.

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

24 MULTIPLE: Aye.

1 July 25, 2023

2 MR. KESSLER: Opposed? Alright, first  
3 item tonight under correspondence is the letter  
4 received by the planning department on June 29,  
5 2023 from Rebecca Policello of Teatown  
6 transmitting the Cliffdale Meadow Revegetation  
7 report as required by Planning Board Resolution  
8 4-21.

9 MR. MCKINLEY: Motion to receive the new  
10 file.

11 MR. KESSLER: Second please.

12 MR. BIANCHI: Second.

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

15 MULTIPLE: Aye.

16 MR. KESSLER: Opposed? Our next item  
17 under correspondence is a letter dated June 20,  
18 2023 from David Steinmetz updating the planning  
19 board on the status of the VS Construction  
20 Contractor's Yard at 180 Roa Hook Road. Mr.  
21 Steinmetz, good evening.

22 MR. STEINMETZ: Good evening. Good  
23 Evening. Mr. Kessler, Mr. Chairman, and members  
24 of the board. We are here, Mr. Chairman, as I

1 July 25, 2023

2 indicated in my correspondence, simply to request  
3 a renewal and reissuance of the special use  
4 permit for VS Construction to operate a  
5 contractor's yard on the Roa Hook Road property,  
6 as well as an extension of the site plans that  
7 had been also approved several years ago.

8 As, as you may know, Mr. Chairman, and  
9 some of the board members may know, I was not  
10 originally involved in this application, but I  
11 have been brought in by the Santuccis and VS. I  
12 am working with Dan Ciarcia, our project  
13 engineer. I have been brought up to speed on some  
14 of the prior materials that were generated by  
15 staff, in particular, a memo from the engineering  
16 department. We are working on responding to some  
17 of those comments. And most importantly, staff is  
18 aware that since this application has last been  
19 before your board, the New York State DEC did  
20 issue a formal registration to VS in connection  
21 with the processing operation on the property.  
22 That was one of the critical conditions or  
23 critical preconditions in, in Mr. Preziosi's  
24 letter.

1 July 25, 2023

2 So there are a number of other technical  
3 items that we need to address, but the site has  
4 been in operation for several years. It's  
5 continuing in operation presently, and we'd like  
6 to simply get a reissuance and a renewal. And we  
7 -- from what I understand from staff, we'll be  
8 coming back in probably in October, Chris, to  
9 continue the review of the application.

10 MR. KESSLER: So Mr. Steinmetz, your  
11 letter says you're working to satisfy all the  
12 conditions. How many conditions have you met so  
13 far?

14 MR. STEINMETZ: I can't answer that off  
15 the cuff.

16 MR. KESSLER: I think there were 12  
17 conditions in the resolution originally. So what  
18 we talked about this at the work session, so we  
19 approved this, almost three years ago.

20 MR. STEINMETZ: Correct.

21 MR. KESSLER: The resolution, you're  
22 entitled to two extensions.

23 MR. STEINMETZ: Correct.

24 MR. KESSLER: The second extension would

1 July 25, 2023

2 expire in October? So the intent here is to give  
3 you the retroactive extensions to expire in three  
4 months.

5 MR. STEINMETZ: Understood. And we will  
6 be back before you, we will probably be making a  
7 submission in September. We will make a  
8 submission in September, and either we will ask  
9 for modification of those conditions, or we will  
10 have demonstrated satisfaction.

11 MR. KESSLER: Okay. That, that would be  
12 helpful if you would tell us what conditions are  
13 --

14 MR. STEINMETZ: Yes.

15 MR. KESSLER: -- what conditions are  
16 still outstanding.

17 MR. STEINMETZ: Understood. Just, just  
18 so that -- so you and the board are all aware  
19 there was a series of 12 conditions, but there  
20 was a rather lengthy additional memo that was  
21 generated by DOTS, which is far more complex than  
22 the conditions.

23 MR. KESSLER: There was limits on how  
24 much rock crushing you could do, right?

1 July 25, 2023

2 MR. STEINMETZ: Correct.

3 MR. KESSLER: Do we know if you've been  
4 operating within those limits?

5 MR. STEINMETZ: We have absolutely been  
6 operating within. In fact, there's been no  
7 crushing going on, no crushing going on at all.

8 MR. KESSLER: That's well within the  
9 limits then.

10 MR. STEINMETZ: Yes. If zero is within  
11 the limit, we're within the limit.

12 MR. KESSLER: Any, any questions for --

13 MR. BIANCHI: Operations continue on the  
14 site? Is that correct?

15 MR. STEINMETZ: That's correct.

16 MR. BIANCHI: Why weren't the renewals  
17 requested in the proper timeframe?

18 MR. STEINMETZ: One of the reasons Ms.  
19 Bianchi, that I indicated that I had just been  
20 brought in into the matter is because I, I wanted  
21 the record to reflect that I, I had not been  
22 involved for the prior two years when that might  
23 have needed to occur. So all I can tell you, sir,  
24 is that it's happening now, and I will make sure

1 July 25, 2023

2 that it --

3 MR. BIANCHI: Well, I, I would expect by  
4 October that all 12 conditions in one way or  
5 another --

6 MR. STEINMETZ: Will either be addressed  
7 or modified.

8 MR. BIANCHI: Because I'm reluctant to  
9 go any further than that --

10 MR. STEINMETZ: Understood.

11 MR. BIANCHI: -- until I see that  
12 progress, right.

13 MR. KESSLER: Ultimately, that would  
14 mean a re-approval.

15 MR. STEINMETZ: Understood.

16 MR. KESSLER: I mean a, a reapplication  
17 a new application.

18 MR. STEINMETZ: That's fine.

19 MR. KESSLER: Okay, with that  
20 understanding. Okay, so any other questions? If  
21 not, Peter?

22 MR. MCKINLEY: Sure. Make a motion to  
23 extend two retroactive time extensions, which  
24 will expire October 6, 2023 for the VS

1 July 25, 2023

2 Construction Contractor's Yard at 180 Roa Hook  
3 Road.

4 MR. KESSLER: Second, please.

5 MR. KOBASA: Second.

6 MS. HILDINGER: Second.

7 MR. KESSLER: On the question?

8 MR. KEHOE: So just on the question,  
9 that will be in incorporated into Resolution 8-23  
10 23. It's a bureaucratic resolution. It will be  
11 prepared and certified and sent out.

12 MR. KESSLER: Okay. Thank you.

13 MR. STEINMETZ: You'll send us a copy of  
14 that --

15 MR. KEHOE: Yes.

16 MR. STEINMETZ: -- bureaucratic  
17 resolution, Chris?

18 MR. KEHOE: Yes.

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

21 MULTIPLE: Aye.

22 MR. KESSLER: Opposed?

23 MR. STEINMETZ: Thank you.

24 MR. KESSLER: Thank you. Next item is a

1 July 25, 2023

2 resolution. It's the application of Pomona  
3 Development for preliminary plat approval and for  
4 steep slope wetland and tree removal permits for  
5 a proposed three-lot major subdivision of an  
6 approximately 16.78 acre parcel of property  
7 located on the south side of Revolutionary Road  
8 500 feet south of Eaton Lane. Drawings latest  
9 revised April 26, 2023. Nora?

10 MS. HILDINGER: I make a motion to refer  
11 back and prepare resolution.

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

13 MR. BIANCHI: Second.

14 MR. KESSLER: On the question? Chris.

15 MR. KEHOE: Yeah, Jim Annicchiarico from  
16 Cronin Engineering is supposed to be here. I  
17 guess he's not here yet. He'll be here later for  
18 another case. This requires an extension of the  
19 62-day clock for the planning board to approve  
20 it. We did receive an email from the applicant  
21 consenting to that 62 days, so I just want to put  
22 that on the record.

23 MR. KESSLER: Okay. And, and, and we  
24 still -- what's outstanding still is some wetland

1 July 25, 2023

2 mitigation --

3 MR. KEHOE: Yes, yes.

4 MR. KESSLER: -- issues?

5 MR. KEHOE: Right. And the, and the  
6 extension would take you to the day past the next  
7 meeting, which is September 6th.

8 MR. KESSLER: Okay. So with the, the  
9 written approval of the applicant to extend the  
10 clock, we'll refer this back. We're on the  
11 question. So all in favor?

12 MULTIPLE: Aye.

13 MR. KESSLER: Opposed? All right. The  
14 next item is an adjourned public hearing. One  
15 second, the application of Bilal Ahmad for the  
16 property of Ace Sport Realty Holding Corporation  
17 for site development plan approval and for steep  
18 slope tree removal and wetland permits for  
19 proposed five-story, 93 room hotel for property  
20 located at 2054 East Main Street, drawings latest  
21 revised July 19, 2023. Good evening, Mr.  
22 Steinmetz again.

23 MR. STEINMETZ: Good evening, Mr.

24 Chairman, again, members of the board, David

1 July 25, 2023

2 Steinmetz from the law firm of Zarin and  
3 Steinmetz. I'm pleased to be here tonight  
4 representing Bilal Ahmad and our hotel  
5 application. I'm joined tonight by my colleague  
6 Brian Sinsabaugh, Peter Gregory and Matt  
7 Steinberg from DTS Provident, our project  
8 engineers, I believe virtually on screen and  
9 Michael or Chris can confirm this for me, should  
10 be Christian Freeman, our landscape architect  
11 from Keplinger Freeman.

12 MR. STEINMETZ: We've been before the  
13 board numerous times. We've made several  
14 presentations. We're here on a continuation of  
15 the public hearing, so I'm going to try to be  
16 brief and not go through, Mr. Chairman,  
17 everything that we have previously submitted as  
18 part of our public hearing presentation. In  
19 summary, our client is looking to build a four  
20 story 93-room, or 93 key, hotel on the subject  
21 property. It is an as of right use on the site. I  
22 think all of us, actually everyone here has seen  
23 the property. We all did a site inspection  
24 together several months ago. This is proposed to

1 July 25, 2023

2 be a Marriott Hotel, a Marriott Courtyard with a  
3 variety of amenities, a restaurant, an outdoor  
4 courtyard deck, a fitness center.

5 The site, as we all know from having  
6 walked it, has some topographic challenges from  
7 Route 6 going into the site. However, as a result  
8 of some creative grading and some retaining  
9 walls, the site will be able to be functional. It  
10 has been reviewed by the fire department, by the  
11 building department, and we actually think the  
12 site lays out quite well.

13 We last appeared before your board on  
14 June 6th. We received a number of comments from  
15 you that we have attempted to address. First and  
16 foremost there has been some attention paid to  
17 the, the wetlands. Everyone will recall that  
18 there is a wetland and stream area in front of  
19 the property. We spent a great deal of time  
20 looking at that. Your consultant, Paul Jaehnig,  
21 has been out to the site, with our engineers,  
22 fairly recently.

23 We also have Danna Cuneo from B. Laing  
24 Associates. She has been working to analyze the

1 July 25, 2023

2 functional assessment of the wetlands and submit  
3 additional material. And she has also been to the  
4 site with the arborist that the town has  
5 retained. Peter Gregory has been working with Mr.  
6 Fuccillo and his firm to address his comments and  
7 Mike Preziosi's comments and if they need to be  
8 addressed tonight, we certainly can speak to  
9 those.

10 We have submitted to your board some  
11 revised site plans. You all ask questions last  
12 time about what would be visible and some of the  
13 neighbors did as well, on the roof of this  
14 building. So we have submitted a roof plan with  
15 detailed explanation of the roof, the parapet,  
16 the HVAC and the various items that are on the  
17 roof.

18 We've also addressed some of the  
19 sustainability questions. Mr. Douglas in  
20 particular, and I discussed last time, the number  
21 of EV charging stations and whether they could be  
22 located more proximate to the building. The  
23 number of EV or electric, electric vehicle  
24 charging stations have been increased to a total

1 July 25, 2023

2 of six. They have been brought closer to the  
3 building, near the dumpster enclosure and visible  
4 from the front entrance. So we have placed them  
5 in a location that makes much more sense. We  
6 appreciate the board's comment on that.

7 We have updated the landscaping plan in  
8 response to comments that were received from  
9 SavATree. And, and Matt Steinberg, if you wish  
10 can help walk us through maybe with Christian's  
11 help online, we're now proposing the extensive  
12 landscaping of 72 new trees, 225 shrubs, 387  
13 perennials and grasses. So we are attempting to  
14 do what you all asked in terms of providing some  
15 attractive landscaping.

16 We did do, and I should state again for  
17 the record, a visual analysis that we shared with  
18 you at the last session. We believe the site is  
19 minimally visible from our surrounding neighbors.  
20 We took shots and visual analysis from multiple  
21 vantage points that were requested by the town.  
22 We shared those with you and walked through them  
23 last time.

24 The other thing that I would mention,

1 July 25, 2023

2 the landscaping that has been proposed is minimal  
3 maintenance landscaping. It is a requirement of  
4 Marriott that they try to achieve net zero value  
5 chain greenhouse gas emissions by 2050. So, in  
6 addition to our client wanting to be sustainable  
7 and your board telling us you want to see this  
8 thing, if it gets approved as a sustainable site,  
9 Marriott has that as its own corporate policy. So  
10 the solar panels on the roof are part of the  
11 sustainability program and part of Marriott's  
12 encouragement. We are intending to provide a  
13 minimum of 30 percent of our energy needs on site  
14 by our own solar panels, as well as some  
15 requirements for hot water to be heated through  
16 thermal collectors. The EV charging stations I've  
17 already mentioned.

18 And interestingly enough, the plants  
19 that are being installed would have minimal  
20 maintenance and therefore minimal irrigation,  
21 requiring less water demand. And while it may  
22 sound like something small for those of us who  
23 have been to hotels over the last several  
24 decades, instead of those plastic containers with

1 July 25, 2023

2 the little shampoo and the little conditioner and  
3 the little moisturizer that everybody sees, and  
4 had seen in their hotel rooms, historically,  
5 Marriott has a requirement that these now be the  
6 larger devices inside the showers so that people  
7 are not leaving with them and we are not throwing  
8 out plastic every single time somebody spends one  
9 evening in a hotel room. And that, again, is a  
10 Marriott policy.

11 We are happy, Mr. Chairman, to walk  
12 through the plans, if you wish, we've done this  
13 previously. We're happy to share more detail on  
14 the drainage, the landscaping. I should mention  
15 there has been some modification of the exterior  
16 wall that faces the Bear Mountain Parkway. That  
17 was also requested. It came up with your board.  
18 It came up with, I believe the ARC as well. There  
19 have been fenestration or window cuts on that  
20 side of the building to break up the wall itself.  
21 So we think the building remains attractive and  
22 is in that instance less, there's less of a mass  
23 of one solid structure.

24 It's a high quality attractive building.

1 July 25, 2023

2 This is a use, again, that's as of right. We  
3 think there's a strong need and demand for this  
4 use in the town. We have been supported by the  
5 business community. We're very pleased that we  
6 have. And we're here this evening to conduct, and  
7 we would like to close the public hearing should  
8 your board be so inclined.

9 We were told at the last meeting that  
10 you might have staff drafting a proposed  
11 resolution. I don't know whether that occurred  
12 and we're happy to answer any questions that you  
13 may have.

14 MR. KESSLER: Just one question on the  
15 landscaping. There was an issue about you wanting  
16 to plant trees in the DOT right of way by Bear  
17 Mountain. Is that part, when you rattled off the  
18 number of trees did that -- was that area  
19 included in that?

20 MR. STEINMETZ: Matt or Brian, does  
21 anybody know whether my -- the number that I have  
22 of 200 and -- 72 trees and 225 shrubs, are any of  
23 those in the DOT right of way? Those are all on  
24 our property.

1 July 25, 2023

2 MR. KEHOE: Right? We, we mentioned that  
3 at the work session. Our arborist went out there  
4 and said some trees that originally you thought  
5 could be preserved had to come down. And I think  
6 your new plans reflect those trees having to come  
7 down.

8 MR. STEINMETZ: Correct.

9 MR. KEHOE: And he made a recommendation  
10 that to further buffer from the Bear Mountain  
11 Parkway, additional planting should be done. But  
12 that would need to be done in the New York State  
13 DOT right of way, where we would need their  
14 permission. So correct me if I'm wrong, Matt, you  
15 don't show any new plantings in the New York  
16 State DOT right of way?

17 MR. STEINBERG: Right. We do not go show  
18 tat.

19 MR. KEHOE: Right. So we -- that would  
20 have to be worked into an approving resolution to  
21 get some sort of approval from the DOT.

22 And certainly should the, should the  
23 planning board in the town require that, we would  
24 ask that the planning board and the town assist

1 July 25, 2023

2 in encouraging DOT to grant that use permit for  
3 us to install them.

4 MR. KESSLER: Okay. But at the very  
5 least, I think you should contact them about the  
6 ability for you to do that.

7 MR. STEINMETZ: Understood.

8 MR. BIANCHI: I guess, a question, since  
9 you brought up the large facade wall facing the,  
10 Bear Mountain Parkway, what will you submit to  
11 have our architectural advisory board look at  
12 what you've modified so they can agree to it?

13 MR. STEINMETZ: Absolutely. Brian, have  
14 we submitted that, that actual architectural plan  
15 or can you or Christian address that? If anybody  
16 knows. We, we will, we will certainly Mr. Bianchi  
17 be submitting the plan that I know I've seen  
18 internally. Has that not been made part of the  
19 record?

20 MR. SINSABAUGH: It has not.

21 MR. STEINMETZ: Okay. So, so we will, we  
22 will be submitting -- I, I, I appreciate the  
23 question. I thought that, that, that had been  
24 submitted. It may have been generated after the

1 July 25, 2023

2 submission deadline for this July 25th meeting.  
3 We have an elevation of that side of the building  
4 with those windows or that fenestration that I --  
5 that I have discussed. So that will be made part  
6 of the record, that will go to Art Clements and  
7 the ARC as well.

8 MR. BIANCHI: Right. I'd like to get  
9 their okay on it.

10 MR. STEINMETZ: Sure.

11 MR. SINSABAUGH: Can, can Christian show  
12 their rendering now if he's on Zoom?

13 MR. STEINMETZ: If he's there and he  
14 can, that would be great.

15 MR. KEHOE: Let's see if he raises his  
16 hand.

17 MR. STEINMETZ: Does anybody know if  
18 Christian --

19 MR. KEHOE: He's on, he's on the Zoom.

20 MR. STEINMETZ: Alright.

21 MR. KESSLER: Why don't we, it's a  
22 public hearing, so why don't we see if anybody  
23 from the public wishes to comment on the  
24 application. Please come up to the microphone.

1 July 25, 2023

2 State your name and address for the record.

3 MS. LORRAINE LEVINS: Good evening.

4 Lorraine Levins, 2207 Jacobs Hill Road, Woodcrest  
5 at Jacobs Hill Condominiums. First and foremost,  
6 I would like to bring to your attention a  
7 misstatement in Rick Pezzullo's article in the  
8 July 4th - 10th issue of the *Northern Westchester*  
9 *Examiner*. It stated that, and I quote, several  
10 residents who live in the Jacobs Hill affordable  
11 senior apartments complex near the property where  
12 the hotel would be situated spoke out against the  
13 proposal, end quote. Everyone that spoke at the  
14 June 6th planning board meeting referenced in  
15 that article, including myself, do not reside in  
16 that affordable senior apartment complex which is  
17 way up Jacobs Hill Road. Each of us that spoke  
18 that evening are owners of the 58 fair market  
19 value condominiums in buildings one and two at  
20 Woodcrest at Jacobs Hill. Our condominium  
21 buildings are in very, very close proximity to  
22 the hotel that is being proposed. Hence, this is  
23 why we have been present at the meetings and  
24 wanting our voices heard.

1 July 25, 2023

2 I'm reiterating to all of you some very  
3 strong concerns. This will be a Route 6 traffic  
4 nightmare, especially coupled with the soon to  
5 open mega gas station right across the road. Mr.  
6 Baker pointed out when he spoke at the June 6th  
7 meeting, that he counted 16 sets of traffic  
8 signals, some operational, some not, when exiting  
9 the Bare Mountain Parkway on to Route 6 across  
10 from the gas station. I took, took the time to  
11 count them myself recently. Sure thing, 16  
12 traffic signals. The traffic will further impede  
13 the timing and ease of entry and egress to Jacobs  
14 Hill Road, which as you've heard time and again,  
15 it's one way in and one way out.

16 What is sure to be a noise issue cannot  
17 be ignored. What are the plans for noise  
18 abatement should that -- that should be well in  
19 place while in advance?

20 Most importantly, the question remains  
21 regarding sufficient water pressure to the very  
22 top of Jacobs Hill Road in the event of fire. I  
23 don't think this is being taken seriously enough.  
24 Has the town of Cortlandt ascertained that there

1 July 25, 2023

2 is sufficient pressure at the present time, if  
3 needed? Is regularly scheduled hydrant flushing  
4 and testing being done?

5 And once again, we have to ask the  
6 question, what attractions, seriously, what  
7 attractions would make this a positive welcome  
8 addition to this area? If this proposed hotel  
9 were to be approved to move forward, could it  
10 possibly be repurposed into other types of  
11 housing in the event doesn't generate the  
12 occupancy and revenue that the developer is  
13 relying on?

14 This is not the appropriate location for  
15 the building of a hotel. Please consider that I  
16 come before you here tonight on behalf of the  
17 homeowners, on behalf of the homeowners,  
18 homeowners, and yes, taxpayers in the town of  
19 Cortland, not as renters of affordable senior  
20 apartments.

21 This proposed hotel would diminish the  
22 real estate value of our homes. Surely you would  
23 be opposed to such a construction if it were on  
24 your road and close in proximity to your home.

1 July 25, 2023

2 Thank you for the opportunity to address the  
3 board this evening. [applause]

4 MR. KESSLER: Anybody else from the  
5 public wish to Comment? Good, go ahead.

6 MR. MICHAEL MARKS: My name is Michael  
7 Marks, 2102 Jacobs Hill Road. I recently moved  
8 there, so I'm just getting up to speed on the  
9 project. My questions are as follows. Do we have  
10 a full, full environmental impact statement?

11 MR. MICHAEL CUNNINGHAM: No, It's --

12 MR. MARKS: And the question is, why  
13 not?

14 MR. KESSLER: It was determined that one  
15 was not needed.

16 MR. MARKS: And how is that determined?

17 MR. KESSLER: By Staff review and  
18 consultant review of the property and the, the  
19 impacts? I mean, we did do traffic studies. We  
20 did do -- help me out. Chris, what other things  
21 have we done?

22 MR. KEHOE: Traffic study, tree  
23 inventory, wetland inventory, and visual  
24 representations, referral to the Architectural

1 July 25, 2023

2 Review Council, referral to the DOT.

3 MR. KESSLER: It's not, it's not an  
4 environmentally sensitive area, except for the  
5 wetlands down below.

6 MR. MARKS: I understand. So the, the  
7 traffic study, did it include all of the other  
8 projects --

9 MR. KESSLER: Yes, it did.

10 MR. MARKS: -- already approved?

11 MR. KESSLER: It, it, it includes all  
12 the projects that exist and it, it builds in  
13 anticipated traffic for future developments. And  
14 we also compared the traffic studies to others  
15 that were done for like with Parkland Gas --

16 MR. KEHOE: Gasland and Sinclair.

17 MR. KESSLER: Gasland, thank you,  
18 Gasland.

19 MR. MARKS: And, And how far out was  
20 that traffic study done on 6, for instance?

21 MR. KESSLER: We, we had, we had the  
22 whole traffic study, presented at the last  
23 meeting. You mean how many intersections? They  
24 probably went down to --

1 July 25, 2023

2 MR. MARKS: No, no. Out on 6, both east  
3 and west, how far out did it go? What street  
4 intersections?

5 MR. KESSLER: I don't recall, but I  
6 would imagine it went down towards Burger King  
7 and probably down towards the town center.

8 MR. MARKS: That's it?

9 MR. KEHOE: Well --

10 MR. MARKS: That's, that's Peekskill.

11 MR. KESSLER: And, and then also north  
12 south as well.

13 MR. MARKS: Right. And on this north and  
14 south ends, that went down to 202 and --

15 MR. KESSLER: I, I, we'd have to find  
16 the traffic study and see.

17 MR. CUNNINGHAM: The applicant's  
18 engineers can present on that too, since there  
19 was a, a formal presentation last meeting. But we  
20 also have some engineers who are here on behalf  
21 of the applicant, so they can answer your  
22 questions as well.

23 MR. MARKS: I'm sorry, I didn't hear  
24 that.

1 July 25, 2023

2 MR. CUNNINGHAM: We -- there are some  
3 people from the engineering team of the applicant  
4 here, so they can answer those questions  
5 specifically about what they studied.

6 MR. KESSLER: Yeah, I, I, I have it  
7 here. The traffic study included the following  
8 five intersections, 6 and Jacobs Hill Road, 6 and  
9 and Bear Mountain Parkway eastbound ramps and the  
10 approved Gasland access, Route 6 at Bear Mountain  
11 Parkway westbound ramps and approved Palisades  
12 access, another gas station there; Jacob Jacobs  
13 Hill Road and South Plaza Access, and Jacobs Hill  
14 Road and North Plaza access.

15 MR. MARKS: That seems rather limiting  
16 to me. With all the flow on Route 6 now, I  
17 suspect you're going to find diversions over  
18 Oregon Road as a result of the overflow that I  
19 project of traffic on 6, I project.

20 MR. KESSLER: Well, yeah, but we had our  
21 experts project that and they did not see any  
22 deterioration in service on 6. And keep in mind  
23 also that there is a major change taking place on  
24 Route 6 in terms of the adaptive traffic lights

1 July 25, 2023

2 so that they'll all be now timed so that they  
3 monitor the traffic and, and, fire up, if you  
4 will, to keep the traffic moving. So, and so that  
5 goes all the way from Peekskill border all the  
6 way down past the Cortland Town Center. All those  
7 traffic lights are now going to be adaptive  
8 traffic lights.

9 MR. MARKS: I understand what understand  
10 I, I've seen many times where DOT changes the  
11 lighting and it's staggered. So it can see a lot  
12 of problems if they change it.

13 MR. KESSLER: Yeah, but this is  
14 adaptive. I think that this isn't just setting  
15 the timing on the lights. This is actually  
16 monitoring the traffic.

17 MR. MARKS: Okay.

18 MR. KESSLER: And setting the timing on  
19 the lights.

20 MR. MARKS: Have you considered a  
21 separate road off Bear Mountain Parkway into the  
22 hotel?

23 MR. KESSLER: We have not. You know, it  
24 is not -- it is, it is state property. It would

1 July 25, 2023

2 take relief off 6.

3 MR. KESSLER: I, I understand, but it's  
4 state property.

5 MR. KEHOE: That, that would have to be  
6 addressed by the applicant. I, I spoke with you  
7 today.

8 MR. MARKS: Yeah.

9 MR. KEHOE: And that, that is a question  
10 and I, I'm not sure. I mean, we can't really  
11 answer, but it would be I'm not sure you can get  
12 another access off of the Parkway, but that would  
13 be DOT's call.

14 MR. MARKS: Well, even if you ran it  
15 where they're currently doing the project on the  
16 exit, even if you had a sign right off there  
17 feeding into the hotel, it would take some relief  
18 off 6.

19 MR. KEHOE: Meaning you're coming  
20 eastbound off of the Bear Mountain Parkway on  
21 that ramp?

22 MR. MARKS: Correct.

23 MR. KESSLER: But there's a right turn  
24 lane there now, or is is that --

1 July 25, 2023

2 MR. MARKS: That's right. So if you had  
3 a feed off right from that point right into the  
4 hotel, it would make sense.

5 MR. KESSLER: But you make the right  
6 turn and you turn right into -- to --

7 MR. MARKS: You got the idea, the sign  
8 is going to say immediately first right, hotel.

9 MR. KESSLER: Oh, coming off of 6 and  
10 make the first right? Is that what you're saying?

11 MR. MARKS: Yeah, as you come off the  
12 exit, there's going to be a sign to say, go, go  
13 immediately into the hotel on the first right.

14 MR. BIANCHI: I think the applicant  
15 would've to answer that. There's topographic  
16 issues with that --

17 MR. KEHOE: Well, but I, I guess the  
18 question is, are you saying that you would  
19 actually get on Route 6 and then take your first  
20 right into the hotel?

21 MR. MARKS: Not Route 6, Bear Mountain.

22 MR. KEHOE: Okay. Well, that's  
23 different. To Mr. Bianchi's point, the hotel is  
24 going to be significantly higher than Route 6. So

1 July 25, 2023

2 topographically, that connection wouldn't work.

3 MR. MARKS: I don't see why not. It's  
4 right at the same level.

5 MR. KESSLER: Once they're done  
6 constructing it, it's --

7 MR. KESSLER: Oh, you, you want another  
8 entrance going over the wetland? At the bottom  
9 at, at --

10 MR. MARKS: At the exit, at the exit.

11 MR. KESSLER: So as soon as you, soon as  
12 you get off onto 6, you'd turn right in?

13 MR. MARKS: Not 6, talking about route -  
14 - off --

15 MR. KESSLER: Bear Mountain.

16 MR. MARKS: -- the Bear Mountain  
17 Parkway.

18 MR. KESSLER: Oh, never making --

19 MR. STEINMETZ: Before you get to 6.

20 MR. MARKS: Before you get to 6, an  
21 immediate right off the -- as you go into the  
22 exit.

23 MR. STEINMETZ: Brad can speak to it,  
24 Mr. Chairman, when he's done.

1 July 25, 2023

2 MR. KESSLER: Sure, sure. Okay.

3 MR. MARKS: Say again.

4 MR. KESSLER: Let the applicant address  
5 that when you're done.

6 MR. MARKS: Fair enough. Now on the exit  
7 is, it's currently planned to go into Jacobs Hill  
8 Road, correct?

9 MR. KESSLER: Yes.

10 MR. MARKS: Is there not feasibility of  
11 having a road below, just before that on 6,  
12 feeding into 6 alone?

13 MR. KESSLER: Well, again, we'll have  
14 them address that, but I think there's a wetland  
15 there that, that creates issues.

16 MR. MARKS: All right. Have you already  
17 looked at the impact on an Annsville hotel that I  
18 understand is in the prospect of being  
19 introduced?

20 MR. CUNNINGHAM: The Annsville potential  
21 hotel is much more speculative. There isn't even  
22 sewer capacity there at this point.

23 MR. MARKS: And there won't be any  
24 relationship to Marriott in any way?

1 July 25, 2023

2 MR. CUNNINGHAM: Not that I've heard.

3 MR. MARKS: Okay. How about the  
4 overflow? I don't, I don't know how else to  
5 define it, but what they call, what you would  
6 call banking space for parking. That banking  
7 space, is there enough when there's a huge  
8 conference in the hotel?

9 MR. KESSLER: We'll have, we'll have  
10 them address that.

11 MR. MARKS: I mean, I don't know what  
12 the factor is, but there has to be one.

13 MR. KESSLER: There's a parking  
14 requirement for a hotel and they meet the parking  
15 requirements for a hotel. I mean that's the best  
16 I can say.

17 MR. MARKS: We're talking about a  
18 conference as well, so.

19 MR. KESSLER: But the requirement takes  
20 into account, I think all aspects enough of --

21 MR. MARKS: Okay. Fair enough.

22 MR. KESSLER: -- events.

23 MR. MARKS: I think -- I'm not finished,  
24 but I do believe that further public dis- --

1 July 25, 2023

2 MR. KESSLER: By the way, I don't think  
3 they have like a ballroom to do conferences and  
4 things. That's not proposed at this hotel, you  
5 know.

6 MR. MARKS: So, so it's just going to be  
7 meetings?

8 MR. KESSLER: It's just going to be  
9 rooms and a small restaurant is my understanding.

10 MR. MARKS: Fair enough.

11 MR. KEHOE: There, there, there may be a  
12 conference room or two, but --

13 MR. KOBASA: Not a trade show.

14 MR. KEHOE: Yes.

15 MR. MARKS: I, I do believe though, that  
16 with all of these questions arising, that we  
17 should have further discourse, further public  
18 discourse beyond this, despite Mr. Steinman's,  
19 request. What sound levels have we introduced?  
20 do we have in the studies, sound levels,  
21 decibels?

22 MR. KEHOE: Just, just typically you  
23 would ask the questions. It, it, it's not a back  
24 and forth with the board. You would state your

1 July 25, 2023

2 concerns and questions and the applicant would  
3 have to answer them. The board doesn't have to  
4 answer the questions, then --

5 MR. MARKS: Then let's --

6 MR. KEHOE: -- you should put them on  
7 the record and then the applicant would --

8 MR. KESSLER: They're taking notes.

9 MR. STEINMETZ: Yes.

10 MR. MARKS: Alright.

11 MR. KESSLER: Are you taking notes?

12 MR. MARKS: I, I'm also concerned about  
13 the time of deliveries of the jack hammers in  
14 the, from the construction crew, what time they  
15 go in, etc. Maybe that can be suggested as well  
16 by the applicant. Have you considered a mini  
17 master plan in view of all these projects that  
18 are going in?

19 MR. CUNNINGHAM: Well, the town adopted  
20 a master plan in 2016.

21 MR. MARKS: You're staying with that and  
22 no, no other master plan?

23 MR. KEHOE: Well, the master plan in  
24 2016, specifically directed development to the

1 July 25, 2023

2 Route 6 corridor, given the fact that it has the  
3 utilities, the infrastructure, the wide highway.  
4 So this, this plan is in conformance with the  
5 master plan. Now, one thing that the town has  
6 done is given the preponderance of gas stations,  
7 they have changed the code to permit no more gas  
8 stations on Route 6. You know, one could argue  
9 that's after the horse is out of the barn, but  
10 the, you know, they did take into account all of  
11 the gas stations and change the code to not  
12 permit additional ones. But the master plan has  
13 four areas where they, the town board, in 2016  
14 wanted to direct development Annsville, the  
15 waterfront, the Medical district, and Cortlandt  
16 Boulevard, Route 6.

17 MR. MARKS: Thank you, Chris. The, the  
18 five story feature, I thought it was -- the  
19 applicant suggested it was four stories. I  
20 thought it was five stories. Are we including the  
21 basement as well?

22 MR. KESSLER: It, it, It's been  
23 determined it's five story.

24 MR. MARKS: Oh, okay. Now Ace Sports

1 July 25, 2023

2 Realty, they -- I heard originally the project  
3 was introduced by Ace Sports Realty. Now I hear  
4 it's Ahmad. What, what is the, is there a  
5 different owner?

6 MR. CUNNINGHAM: The, the medical  
7 oriented district, the MOD is on 202.

8 MR. MARKS: I'm sorry?

9 MR. CUNNINGHAM: The Medical oriented  
10 district, did you say the mod?

11 MR. MARKS: A-H-M-A-D. That's what I

12 MR. CUNNINGHAM: Oh, oh, Ahmad. Sorry.

13 MR. MARKS: What is --

14 MR. CUNNINGHAM: I believe he's the  
15 contract vendee and Ace Sports Realty is the  
16 actual owner.

17 MR. MARKS: But only one can introduce  
18 it.

19 MR. KEHOE: Well, ACE Sport Realty owns  
20 the property and Mr. Ahmad is under contract to  
21 purchase it from ACE Sport Realty.

22 MR. MARKS: So you're taking in  
23 executory contracts as part of the, of the -- of  
24 the project?

1 July 25, 2023

2 MR. KEHOE: Well, the, the attorney can  
3 address that.

4 MR. CUNNINGHAM: What do you mean by  
5 that?

6 MR. MARKS: Executory means it hasn't  
7 been in, it hasn't been perfected.

8 MR. CUNNINGHAM: Well, there, I think  
9 there could be a valid contract. It would just be  
10 the money being paid and actual owner should be  
11 contingent upon some event. I, I think it's a --  
12 I understand it to be a perfectly valid contract.

13 MR. MARKS: Stipulated agreement. Okay,  
14 I understand. Now, is there a Mr. Cunningham on  
15 the board?

16 MR. KESSLER: No.

17 MR. CUNNINGHAM: I'm not on the board.  
18 I'm, I'm here.

19 MR. KESSLER: He's our counsel. He's our  
20 attorney.

21 MR. CUNNINGHAM: I'm, I'm the lawyer.

22 MR. MARKS: Alright. Does he vote in  
23 these matters? Not at all? Thank you. Oh, you  
24 also, you have a hotel tax that was introduced by

1 July 25, 2023

2 the town council already to the state, almost  
3 suggesting and perhaps even exerting some  
4 pressure on you people to approve it. Why would  
5 that have happened?

6 MR. KESSLER: I, I don't, I don't think  
7 it's a town board issue. We have nothing to do  
8 with that.

9 MR. MARKS: Well, why would they  
10 introduce a hotel tax request?

11 MR. KESSLER: You telling me that is the  
12 first time I've heard that. The town board makes  
13 their decisions, the planning board deals in  
14 different perspective.

15 MR. MARKS: I thank you very much.

16 MR. KESSLER: Thank You.

17 MR. MARKS: Yeah.

18 MR. KESSLER: Anybody, before we have  
19 those items addressed, anybody else? [applause]

20 MR. KESSLER: Yeah, sure, come on up  
21 sir.

22 MR. ROBERT MOON: Okay. My name is  
23 Robert Moon. I live at 1107 Jacobs Hill. Can you  
24 turn the microphone down a little bit? There you

1 July 25, 2023

2 go. I live at 1107 Jacobs Hill Road in Woodcrest.  
3 And I am an owner. I, now that we know it's five  
4 stories, not four, was a variance needed to build  
5 that because I'm a newly owner there.

6 MR. KESSLER: The variance was done by  
7 the zoning board.

8 MR. MOON: I'm just asking, was a  
9 variance needed for that?

10 MR. CUNNINGHAM: A variance is needed.  
11 It has not been granted yet.

12 MR. MOON: Okay. I'm just asking.

13 MR. CUNNINGHAM: Sure. No, No, no. I  
14 know. And I'm just explaining.

15 MR. MOON: I'm newly here.

16 MR. CUNNINGHAM: That's a separate board  
17 from this board.

18 MR. MOON: Have you considered anything  
19 about the entrance on Jacobs Hill from Route 6?  
20 Because in the past three or four months, the way  
21 that entrance is with that little island and the  
22 trees, nobody can see which way to go. I've been  
23 hit almost three times by people coming up the  
24 wrong way.

1 July 25, 2023

2 MR. KESSLER: Excellent point. We --

3 MR. MOON: And with increased traffic, I  
4 think it's going to get worse if that's the only  
5 way you can get in and out. We have trucks there  
6 and everything.

7 MR. KESSLER: We have the same concern,  
8 We have the same concern, as part of our  
9 reviewing the application was for the applicant  
10 to, to do something with that so that it's, it's,  
11 it's, it's more flared.

12 MR. MOON: It's also dark at night. You  
13 can't see, you know, when you're making the turn  
14 also.

15 MR. KESSLER: That would, that would be  
16 a DOT issue though. lighting on --

17 MR. KEHOE: Yes.

18 MR. MOON: I'm just saying with all the  
19 increased traffic coming up the road. And that's  
20 going to be the only way in and out for anything  
21 coming into the hotel.

22 MR. KESSLER: Yeah.

23 MR. MOON: Okay. And since I've been in  
24 the fire service forever, is there room around

1 July 25, 2023

2 the whole building for apparatus to get around  
3 the whole building adequately? Because I've seen  
4 in the past, in my previous town, I was on the  
5 board and they only had a six foot drive around.  
6 We couldn't fit a ladder back there. So you're at  
7 a lost or fire service and we wouldn't sign off  
8 on that matter. And, I'd just like to end with,  
9 since all the plans you asked are not presented  
10 here, how can we close the session tonight if you  
11 don't have the plans? What else we're doing with  
12 the planting and this and that, that the  
13 developer wants to do?

14 MR. KESSLER: We, we do have the  
15 landscape plan. I thought he just said, he's  
16 going to have to provide some plans for  
17 something.

18 MR. KEHOE: The, the, the new elevation  
19 closest to the Bear Mountain Parkway.

20 MR. KESSLER: Right. Just have the  
21 building -- one aspect of the building, how it's  
22 going to look. That that's the only piece we're  
23 missing.

24 MR. MOON: But before closing, just to

1 July 25, 2023

2 make sure that everything is within standards.

3 MR. MOON: Thank you.

4 MR. KESSLER: And, as to your other  
5 question, we refer all applications to the fire  
6 department for them to review the site plan to  
7 make sure that the apparatus can safely maneuver  
8 around the building.

9 MR. MOON: I'm just, just asking, that's  
10 all.

11 MR. KESSLER: No, I'm just saying. But  
12 no, it's a good point. And all I'm saying is that  
13 we have, you know, the fire department look at  
14 that to make sure that they're comfortable with  
15 design.

16 MR. MOON: Okay. Thank you.

17 MR. KESSLER: Thank you.

18 Ms. COLEEN SIDORIK: Hi, my name is  
19 Colleen Sidorik. I am a homeowner. I live at 1107  
20 Jacobs Hill Road, Woodcrest. I just want to say I  
21 am not a retiree living in affordable housing. I  
22 am very much an active working nurse, okay. I  
23 love my home. One of the things that attracted me  
24 to Jacobs Hill was the quietness, the property,

1 July 25, 2023

2 the landscaping, the trees. It, it was a plus  
3 that you could live up there and in two minutes,  
4 be down to Route 6, get to all your shopping,  
5 and, and you, you never even realized how close  
6 you were to all the mayhem. I want to reiterate  
7 everything that was said here tonight, I can say  
8 my concerns all over again. But you've heard it  
9 before. You've heard it multiple times before,  
10 the noise, the air quality, the congestion, the  
11 water pressure. I can foresee when they exit out  
12 of the hotel, instead of making a left, going up  
13 the hill and landing in -- on our property. Now  
14 there are two signs. They're very small and  
15 they're on the left hand side when you go up  
16 Jacob's Hill. You have to literally stop the car  
17 to read them. But it says private residence, you  
18 know, whatever, whatever. They, they don't work.  
19 They're not a deterrent.

20 Case in point Saturday, we had a couple  
21 on motorcycles go up Jacob's Hill, park in our  
22 parking lot, to which, where a fight ensued  
23 between the two of them, where the male kicked  
24 the female's helmet and then slapped her, okay.

1 July 25, 2023

2 They left before we could call the police, but  
3 this is what we saw Saturday, all right. We fear  
4 that traffic coming out of the hotel is going to  
5 end up going up the hill, not out, not down the  
6 other way.

7 So I think to Mr. Mark's point about an  
8 entrance, not up Jacobs Hill Road, that entrance  
9 and exit would certainly be in good order if that  
10 is possible to be done. The second thing, if  
11 there's any way to put larger signs, you know,  
12 when you come to a stop sign, it's clear, stop  
13 means stop. You see it, there's no, no  
14 questioning it. You know, you need to not go  
15 further, if somebody can just maybe think about  
16 what we could do about those signs. But I, I,  
17 again, to Mr. Mark's point, I really think that  
18 entrance -- I think that's what's bothering a lot  
19 of us too, is the entrance. Am I correct? Do I  
20 have my -- yeah, that's a big part of what's  
21 bothering most of us and I, I think that would be  
22 helpful.

23 How far up does it go? Now, King Buffet,  
24 I can't really see that too well up there. Is it

1 July 25, 2023

2 parallel to King Buffet or is it, how much  
3 further up? Can anybody tell me that? I can't  
4 really see that far.

5 MR. KEHOE: Well, this parking lot here  
6 is ac is parallel with the upper parking lot of  
7 Jacobs Hill. So this is the upper parking lot of  
8 the medical buildings, the MRI.

9 MS. SIDORIK: Okay,

10 MR. KEHOE: So it doesn't go any higher  
11 --

12 MS. SIDORIK: -- And where will that  
13 hotel be?

14 MR. KEHOE: Well the hotel is down here  
15 closer to Route 6.

16 MS. SIDORIK: Okay.

17 MR. KEHOE: This is the parking. So, and  
18 this would be a retaining wall. So this wall is  
19 pretty much equal to the back wall of the upper  
20 parking lot of the Pikes Plaza Medical Building.

21 MR. KESSLER: Chris, you want to move it  
22 up a little and just show where Route 6 is there?  
23 There you go.

24 MR. KEHOE: So here's Route 6. So then

1 July 25, 2023

2 when you go up Jacob's Hill, I believe that is  
3 the turn into King Buffet, the lower level. This  
4 is the turn into sort of the upper level, or you  
5 would, you could come down here and I think this  
6 is where the Domino's Pizza is down here. So it -  
7 -

8 MR. KESSLER: Just point out the hotel  
9 entrance there.

10 MR. KEHOE: Oh, sorry.

11 MR. STEINMETZ: It's directly across.

12 MR. KESSLER: Directly across, right.

13 MS. SIDORIK: Alright. So, okay.

14 MR. KESSLER: There you go.

15 MS. SIDORIK: But there's still going to  
16 be the noise issues. And I guarantee you we're  
17 going to have a lot of through traffic up there.  
18 I don't know how you're going to get around that  
19 other than to put the entrance more, you know,  
20 like off Route 6. So again, just to reiterate, we  
21 love our home. We worked very hard, just like you  
22 do you love your home, okay. You like the peace  
23 and quiet that your home provides you, right. We  
24 pay taxes. We work hard. I, I am very happy

1 July 25, 2023

2 living at Woodcrest and I want to keep what I had  
3 when I first moved in there. Do I have support?  
4 [applause]

5 UNIDENTIFIED FEMALE: Yes. Yes.

6 MS. SIDORIK: Thank you all for your  
7 time.

8 MR. KESSLER: Thank you. Sure.

9 MS. KAREN VOGEL: Hi, I'm Karen Vogel. I  
10 live on Floral Road, which is directly across the  
11 Bear Mountain from this development. My concern  
12 is drainage for one. When they built Jacob Hill,  
13 we were residents here. And while I'm sure there  
14 were lots of plans for drainage, I welcome  
15 anybody here to come to Floral Road on a rainy  
16 day. There is a river that runs down our street.  
17 In the summer, in the spring, not a big deal.  
18 When it's frozen, the bus has almost crashed  
19 several times coming up, because I don't know if  
20 anybody's familiar with Floral Road. It's a J  
21 shape. So you get to the top of that hill where  
22 the water is draining, slick ice. So I welcome  
23 anybody to come to Floral Road. I live at 15,  
24 knock on the door. I'm there. It is a solid sheet

1 July 25, 2023

2 of ice anytime it rains and in the winter.

3 MR. KESSLER: So you said it's across  
4 the Bear Mountain?

5 MS. VOGEL: Right across Bear Mountain.  
6 It's, you know, as soon as they started building,  
7 tearing down the, the trees that were there to  
8 build Jacob Hill, it immediately started. And it  
9 has been like that for 20 years. We've been here  
10 20, 23 years. Okay. So I welcome anybody to come.  
11 I, I'm sure that they thought that they addressed  
12 drainage when they built Jacob Hill. And I'm sure  
13 you think you're, you know, dealing with it for  
14 this project. But I guarantee you it's going to  
15 add water to my backyard. Okay. So that's one  
16 thing.

17 There are many accidents at that gas  
18 station, right at the, at the overpass, right at  
19 Route 6, where Bear Mountain crosses Route 6. I,  
20 I think probably 15 to 20, at least two or three  
21 deaths since we've moved here. I can't imagine  
22 adding more traffic is going to help that  
23 situation. The visibility getting off coming east  
24 on Bear Mountain to make that left to go to this

1 July 25, 2023

2 hotel is very difficult. I'm sure everybody here  
3 is aware of that. That's, that has to be  
4 addressed. The lights that are going to be on  
5 this, I'd like to know where the signage for this  
6 hotel is going to be. Are they going to be  
7 shining right into my back window? My bedroom's  
8 in the back of the house. So I'd really like to  
9 know if I'm going to be seeing, you know, hotel  
10 signs in my, in my window.

11 So those are the things I'd like to hear  
12 being addressed. Drainage, please come visit  
13 Floral Road, because I -- right now I can tell  
14 you there's a little river that's running down  
15 it. Signage, lights and accidents at that, that  
16 intersection, I'd like to hear it resolved. Thank  
17 you. [applause]

18 MR. KESSLER: Thank You.

19 MR. BOB BAKER: Good evening. My name is  
20 Bob Baker, 1310 Jacobs Hill Road. I think the  
21 young lady who just spoke did a very good job  
22 with, with the traffic. I, previously to living  
23 at Jacobs Hill, we lived on Jerome Drive. We've  
24 lived there for over 50 years, right along Route

1 July 25, 2023

2 6. I've been to multiple planning board meetings  
3 where they've explained how they're going to  
4 address the traffic. None of them have ever come  
5 true. The traffic is worse no matter what. I  
6 don't care what your adaptive traffic lights can  
7 do. When the traffic gets backed up from Locust  
8 Avenue to Conklin Avenue, you come down Jacobs  
9 Hill, you cannot make a left turn. No smart  
10 traffic light is going to solve that problem.

11 My other issue here this evening is  
12 security. What kind of security is, you know,  
13 like is this hotel going to give? There are  
14 certain crimes that come along with that are  
15 associated with hotels, particularly car theft  
16 and car parts. You know, like is there anything  
17 that's going to be done to, you know, to address  
18 that issue? Do we know what the security is going  
19 to be?

20 MR. KESSLER: Well, we'll have, we'll  
21 have, once you're done, we'll have the applicant  
22 address many of these issues.

23 MR. BAKER: Okay. I just like, yeah, I  
24 would like to hear what their --

1 July 25, 2023

2 MR. KESSLER: Alright, once we hear from  
3 everybody, we'll have the applicant --

4 MR. BAKER: -- security plan is.

5 MR. KESSLER: Sure.

6 MR. BAKER: Thanks. [applause]

7 MR. KESSLER: Thank you.

8 MS.: Hi. I'm a 50-year resident of  
9 Durrin Avenue, 34 Durrin. So I'm a further a  
10 neighbor of these people. But I'm, I question the  
11 need for a hotel in general, because there is a  
12 hotel on Louisa Street. The Abbey is, you know,  
13 right above where Dr. McGurdy lives or used to  
14 live. And also that proposed hotel on  
15 [unintelligible] [00:48:39]. I can tell you  
16 they're not taking reside reservations because  
17 they're convinced they're going to be a hotel, if  
18 you eat there locally as a, you know, a resident.

19 I'm also concerned about the traffic. I  
20 live off of Oregon Road and I can tell you the  
21 traffic diverted from Route 6 impacts me getting  
22 out of my street and getting into my street at  
23 night because the light on Locust and Durrin and  
24 it's backed up from the nursing home. People

1 July 25, 2023

2 can't always make that turn. I can't get into my  
3 street at times and getting out is a problem. So  
4 in truth, I would look at further diversions. I  
5 mean, the five intersections you looked at may  
6 not be enough.

7 Also, I would just throw this out as a  
8 thought. All the lovely sidewalks that are being  
9 built, this is now going to create pedestrian  
10 traffic. Have you ever seen a poor person trying  
11 to cross Route 6 currently? So can you imagine if  
12 there really is pedestrian traffic, what the  
13 delays will be for the traffic there waiting for  
14 people to cross the road?

15 Also I just would ask in that traffic  
16 study, if you considered the effect of sun glare  
17 going west, especially, you know, in the  
18 evenings, because you really can't see. The, the  
19 sun is just horrific. So that would definitely  
20 slow people down as well. And just a thought, but  
21 should this project not be a success, you know,  
22 there are other hotels. We, you know, Courtland  
23 already has a number of vacant buildings and  
24 vacant spaces. What are the contingent plans?

1 July 25, 2023

2 What would happen to a vacant five story 93-room  
3 structure in, in the area?

4 And in truth, this is no reflection on  
5 all the kind and dedicated people who serve on  
6 the board. But I know there were retirements and  
7 there were new appointments to the planning  
8 board. And I question if anybody was appointed  
9 from the Northeast quadrant because we're the  
10 ones who live with this traffic on a daily basis.  
11 And we are the ones who have to deal with the  
12 possible overbuild in the area. And it affects  
13 our quality of life. And the reason we moved up  
14 here, which is the beautiful open space and the,  
15 and the loveliness of the area. So we realize  
16 things have to change, but it does seem that this  
17 is the quadrant that takes much of the -- much  
18 of, you know, this is where they're putting  
19 everything and the, the roads just can't support  
20 the traffic. And, you know, people moved here  
21 because they love this place. So I respectfully  
22 submit my comments and I thank you.

23 MR. KESSLER: Thank You. [applause]

24 MS. MICHELE MAZERES: Michele Mazerres, I

1           July 25, 2023

2           live at 1208 Jacobs Hill Road, Woodcrest. And I

3           just would like to say to the planning board that

4           I realize that people have land and they have the

5           right to develop it as the town has codes. Now,

6           if the town has a code that you're not supposed

7           to have a five-story building, I don't understand

8           why you're giving, you know, maybe it's not

9           you're -- you're the planning board. Maybe it's

10          the, the other board that gave the go-ahead to

11          have the five-story building. I don't think there

12          should be a five-story building. Let the hotel

13          build within the codes of the town. I don't see

14          why we're bending. The town is bending over

15          backwards to get this hotel in that piece of

16          land. There's other pieces of land if Marriott

17          needs to have a hotel here so desperately that

18          might accommodate it better than this particular

19          piece of land where it's squeezed in, where you

20          only have one place to exit on Jacobs Hill Road

21          with a lot of senior citizens coming down that

22          road. You have to make a left turn on a road

23          that's really not built for having all of that

24          traffic on it.

1 July 25, 2023

2 And the other thing is also the  
3 drainage. The drainage, yes, you're building  
4 parking lots in a hotel practically on that whole  
5 piece of land. And where is the drainage going?  
6 There's never going to be enough drainage so that  
7 those people don't have more problems than  
8 they're already having. And that's all I want to  
9 say. [applause]

10 MR. KESSLER: Thank you. Anybody else  
11 wish to talk? Sure.

12 MR. MARKS: I missed one question --

13 MR. KESSLER: Sure.

14 MR. MARKS: -- I'd like to ask. What  
15 assurances do you have if approved, that these  
16 premises will not be used to house illegal  
17 aliens? Do you have any?

18 MR. KESSLER: No.

19 MR. MARKS: All right. I suggest that  
20 your consideration in the resolution when you  
21 finally come up with it, recognize that that  
22 illegal aliens are not intended to be in this  
23 hotel. So that's a legal, term illegal, as  
24 opposed to non-citizens. [applause]

1 July 25, 2023

2 MR. KESSLER: Anybody else?

3 MS. TONY MCELROY: Hi, my name is Tony  
4 Mcelroy and I live in the town of Cortland on Old  
5 Oregon Road. I have been here for over 50 years.  
6 I have seen progress going forward. I've seen  
7 everything going back, where stores are closing.  
8 The JV Mall has been bankruptcy. I want to know,  
9 I'm coming late to this because of the death of  
10 my family. You decided on 93 rooms. Are we going  
11 to become a tourist attraction all of a sudden? I  
12 mean, there's something going on that I'm not  
13 aware of? Why do we need 93 rooms? For who?  
14 People are not even getting married anymore.  
15 They're eloping, they're just living together.  
16 What, why do we warrant a 93-room hotel off Route  
17 6? Is there a reason that I'm not aware of? I  
18 mean, I'd love it if it became a tourist  
19 attraction because we'd have more business and  
20 more beautiful things would be happening, but  
21 they're not.

22 What about, have you considered all the  
23 trucks that are going to be on Route 6, together  
24 with us driving on Route 6, to deliver your

1 July 25, 2023

2 linens, to deliver your food, to deliver your  
3 alcohol? What is that going to mean for us on  
4 Route 6? I will not go on Route 6 on the weekend.  
5 I will not do it. I think it's I'm taking my life  
6 in my hands. Put that on top of it. I won't be  
7 even able to go out during the week.

8 And I do feel bad for people with  
9 drainage. I've seen what's happened on Trolley  
10 Road because they didn't do proper drainage.  
11 People are suffering, and you can't add more to  
12 people's sufferings. It's just not right. And you  
13 need to fight for us. You really do need to fight  
14 for us. [applause]

15 MR. KESSLER: Thank you. Anybody else  
16 wish to speak? If not, David, you want to start  
17 addressing some of the issues that were raised?

18 MR. STEINMETZ: Sure. So I'm going to  
19 try to address Mr. Chairman and members of the  
20 board the issues that, that seem to be salient  
21 here and you can certainly ask me to go backwards  
22 and hit others. As far as the traffic, several  
23 people hit the traffic issue and it's, it's very  
24 important and we, we acknowledge that. I think we

1 July 25, 2023

2 of us who have been involved in this from the  
3 inception, which is even before an application  
4 was filed, knew how important it was to deal with  
5 the traffic analysis.

6 The starting point clearly was the  
7 rather extensive traffic analysis that the town,  
8 the board and staff and outside consultants dealt  
9 with, with regard to the gas station. And I  
10 appreciate Mr. Chairman, you are referencing the  
11 rather substantial adaptive traffic mechanisms  
12 that are being implemented and the computer  
13 programming that we all learned about on that  
14 application.

15 In addition, I also appreciate the fact  
16 that you or others on the board mentioned the  
17 additional turning lanes and intersectional  
18 improvements that are being made at the Bear  
19 Mountain Parkway.

20 But really most importantly you required  
21 and your staff required that our team submit a  
22 rather detailed traffic analysis. It did look at  
23 accident data. It did look at the -- all of the  
24 projects that preceded us. It did analyze the

1 July 25, 2023

2 Gasland improvements and it did talk about the  
3 traffic that is generated by a 93-room hotel.  
4 This is not Marriott's first hotel, nor is it my  
5 client's first hotel. And there's tremendous  
6 amount of empirical data of the temporal or time  
7 distribution of vehicles coming and going from a  
8 hotel. It is not 93 cars coming in the peak hour  
9 and 93 cars leaving in the PM peak hour.

10 But most importantly, you hired your own  
11 traffic consultant at my client's expense to  
12 review our traffic analysis. On December 14,  
13 2022, Martin Evans from HVEA, your consultant  
14 wrote a letter to your town planner, Chris Kehoe,  
15 acknowledged the methodology that we used in our  
16 study, the data that we assembled in our study,  
17 the intersections that we assembled in our study.  
18 And he and they HVEA, your town consultant,  
19 signed off on our study.

20 So I am pleased to state for the record  
21 that it is to the best of my knowledge, our  
22 professionals and your professionals' conclusion  
23 that there is no significant adverse  
24 environmental impact associated with traffic

1 July 25, 2023

2 associated with the hotel.

3 Existing conditions on Cortlandt  
4 Boulevard, no question, a challenged street. It's  
5 also clear and we learned, and those of us who  
6 were at those meetings, learned from the traffic  
7 consultants that the adaptive traffic mechanisms  
8 that are going to be implemented are designed to  
9 reduce what you're currently experiencing.

10 I also appreciate the comment, and I'm,  
11 I don't know which, which, it was, I think it  
12 was, if I heard the name correctly, Mr. Moon  
13 talked about the traffic island on Jacobs Hill  
14 Road. Everyone who was on our site inspection  
15 knows we saw the wrong way movement coming off of  
16 Route 6. So I, I hope that our neighbors at  
17 Jacobs Hill will be pleased that that condition,  
18 which was presumably created by either the  
19 developer of Pike Plaza or the developer of  
20 Jacobs Hill or both, is going to be rectified by  
21 my client.

22 So my client is going to be involved in  
23 dealing with the landscaping, dealing with the  
24 island, and possibly dealing with the

1 July 25, 2023

2 implementation of what we all learned are called  
3 cat tracks to stripe the road. And we all know,  
4 when I was out there with you walking the side, I  
5 said, I hope DOT lets us stripe the road so  
6 people do not turn the wrong way into Jacobs Hill  
7 Plaza traffic.

8 Noise, this, this site is going to be  
9 required to comply with the town's noise  
10 ordinance. The town has a very well established  
11 noise ordinance. We know that we have to comply  
12 with it both in terms of the operation of the  
13 hotel, as well as the construction times of day  
14 and the construction noise. So this construction  
15 site will be no different from any other  
16 construction site in the town. We'll be subject  
17 to your jurisdiction and your regulation.

18 Water pressure, the engineer, our civil  
19 engineers are here, I believe Mr. Chairman, that  
20 issue was addressed at the last session of the  
21 public hearing. The town's engineer knows the  
22 sizes of the pipes and the pressure in the pipes,  
23 and we have been through that already as part of  
24 our environmental assessment form.

1 July 25, 2023

2 In terms of land banking parking  
3 associated with conferences, we wish that were  
4 going to be conferences at this hotel. There are  
5 not going to be conference. There's a very small  
6 conference room that's a lot smaller than the  
7 distance from me to your dais there, that would  
8 probably accommodate 15, 20 people sitting around  
9 a table. This is not a hotel that one would  
10 conduct a conference. It is a 93-key off a small  
11 highway hotel. That is what it is designed to be.  
12 That is what it will be.

13 And I very much appreciate Mr. Kehoe, I  
14 think saying that this is actually entirely  
15 consistent with Envision Cortlandt. One of the  
16 reasons that Marriott and my client were  
17 attracted to this site is because your town's  
18 master plan, your comprehensive plan, called for  
19 something like this on the Route 6 Cortlandt  
20 Boulevard corridor. You do not have a high  
21 quality hotel, in my client's opinion, in the  
22 town. And maybe in fact, this will spur  
23 development and commerce in the town so that the  
24 shuttered and dark stores elsewhere in the town

1 July 25, 2023

2 will have some degree of vibrancy.

3 The comment about Ace Sports, I think  
4 Mr. Cunningham addressed it. But I still, I still  
5 want the record to be clear. Even if there's an  
6 executory contract, which has not yet closed,  
7 there's nothing inappropriate about doing a land  
8 use application. In fact, I would say 95 percent  
9 of my land use applications, and I've been doing  
10 this over 30 years, are all predicated upon  
11 development agreements or development contracts  
12 that are not yet closed because deals are  
13 contingent. So there's nothing unlawful, un-  
14 American. It's allowed, we're here lawfully  
15 processing the application.

16 Both, I'm proud to say, with the consent  
17 of the landowner, Ace Realty -- or Ace Sports,  
18 and Mr. Ahmad, the contract vendee. I just wanted  
19 the record to be clear. I didn't want anyone to  
20 think there was something improper going on  
21 between landowner and applicant.

22 As far as the access off of Route 6, I  
23 skipped past that. So the way I understood, Mr.  
24 Marks' comments, Mr. Chairman he was trying to

1 July 25, 2023

2 promote or, or propose the possibility of a quick  
3 right off of the exit ramp coming off the Bear  
4 Mountain Parkway into the site. I totally  
5 understand why he would say that and the fact  
6 that he did. I think he may not fully understand  
7 your answer about grading. So there is clearly a  
8 grading challenge there. And the irony is your  
9 board and your staff has been telling our team to  
10 landscape that area as much as possible, not to  
11 cut a road in through there.

12 Be that as it may, I believe, and I'm  
13 not a traffic consultant, I believe that would  
14 create an absolute traffic, serious danger  
15 condition on the exit ramp as vehicles are  
16 exiting at 60, 50, 45 miles an hour, down to 35  
17 miles an hour hopefully, to hang a quick ride.  
18 Moreover, and again, most importantly, your  
19 traffic consultant has already signed off on our  
20 tie-in to Jacobs Hill Road.

21 So we can talk about the off ramp at, at  
22 the Bear Mountain Parkway. Not a good idea. We  
23 could talk about crossing from Route 6 directly  
24 onto the site through a wetland, a DOT easement

1 July 25, 2023

2 area. Those of us that walk the site know that's  
3 not something that you want to cut into. It would  
4 create an environmental impact associated with  
5 that stream that DOT created by constructing  
6 Route 6.

7 So we stand by the propriety of a  
8 connection to Jacobs Hill Road. Most importantly,  
9 you know, your consultants requested that we  
10 align the entrance to this hotel directly across  
11 from Pike Plaza to form a T-intersection there,  
12 so that it would be as safe as it could be, as  
13 opposed to possibly putting it at a different  
14 location on Jacobs Hill Road.

15 Moving along, fire access. Fire access,  
16 we've been through this already. The fire  
17 department, the building department, they have  
18 all reviewed this. In fact, we spent a great deal  
19 of time making sure, because Marriott requires  
20 it, a full 360 degree place of access all around  
21 this building. In fact, there's a gentleman who's  
22 attended every single one of our meetings, but I  
23 don't think he's here tonight, who has raised a  
24 number of fire access questions and is a former

1 July 25, 2023

2 New York City firefighter and addressed us both  
3 publicly and took us in the hallway and asked us  
4 privately some questions to make sure it would be  
5 safe.

6 There's a comment about closing the  
7 hearing before the plan was submitted. I'm going  
8 to tell you now what I'm going to say at the end  
9 of the meeting and then I'm going to respectfully  
10 request that you close the public hearing because  
11 this, the second session of the public hearing.  
12 This is probably the seventh or eighth time this,  
13 this application has been before a board in the  
14 town. And if the only thing that you do not have  
15 is the picture of the side of the building that  
16 shows the fenestration and windows facing the  
17 Bare Mountain Parkway, that canon will be  
18 something that you will insist upon before you  
19 ever possibly vote on a resolution of approval.

20 So to me, we've, I've been through this  
21 drill with you enough. You've made it very clear  
22 that you need that. I know that ARC needs to sign  
23 off on that. That is not a basis under New York  
24 State law to refuse to close the public hearing.

1 July 25, 2023

2 A fascinating comment from Ms. Sidorik  
3 about vehicles kind of wandering up to Jacobs  
4 Hill Road up, up Jacobs Hill Road. I, I didn't  
5 realize how difficult it gets up there. I didn't  
6 realize how it was developed up there. And it  
7 sounds a little dark and maybe less than  
8 navigable, but assuming a hotel patron can't  
9 safely find their way out of that and come back  
10 down the road, I have two simple comments. One,  
11 somebody going to the hotel is probably going to  
12 know how to leave the hotel, but let's assume  
13 they don't know how to leave the hotel. I think  
14 it would be great if you would require a  
15 condition on your approval that makes it clear as  
16 you exit, you must turn left. So exit Route 6,  
17 left turn. I leave it to staff to figure out what  
18 that signage looks like, but I certainly don't  
19 think my client wants its patrons wandering up  
20 into Jacobs Hill. So I think adequate signage  
21 should cure that situation.

22 Drainage conditions that the woman, I  
23 didn't get her last name, from Floral Road is  
24 experiencing across the Bear Mountain Parkway,

1 July 25, 2023

2 I, I can only assume that our civil engineers and  
3 yours have very carefully drainage. We are not  
4 allowed to take our drainage and send it offsite.  
5 We have spent a great deal of time, money, and  
6 are prepared to spend a lot of money on  
7 improvements on site with subsurface drainage  
8 features that will handle the drainage associated  
9 with our roof, our leaders, and our parking lot.  
10 So assuming your engineer and ours did their job  
11 correctly, and I have no reason to believe they  
12 have not the drainage will be properly addressed.

13 Security, Marriott does not let us  
14 announce publicly the security measures that they  
15 require implemented at a hotel. They wouldn't be  
16 that secure if we announced everything that was  
17 being done. Having said that, there is full-time  
18 staff, there are full-time folks at the front  
19 desk and all I believe I'm authorized to say,  
20 because they're on plans, is that there are  
21 security cameras installed in and around the  
22 building. So Marriott and our client remain quite  
23 confident that it and its patrons should not have  
24 car break-ins or issues because they're trying to

1 July 25, 2023

2 ensure the safety of this hotel. In addition, and  
3 I mean no disrespect to other hotels and other  
4 brands, I think the town of Cortland should be  
5 really happy that it, it may well get a Courtyard  
6 by Marriott, because there are a lot of other  
7 brands, and I've heard this from other officials  
8 in the town, that the town was hoping this hotel  
9 would not be the other brands, that it would be  
10 something of this stature.

11 In terms of demand, I mean the last  
12 comment that I, that I have here, my client would  
13 not be spending tens of millions of dollars,  
14 Marriott would not be signing off on franchising  
15 and permitting its name on this hotel if, if they  
16 all had not done the market analysis and  
17 concluded that Cortlandt Boulevard, the town of  
18 Cortlandt and this immediate area needs and  
19 deserves another hotel even with 93 keys.

20 I can't speak to attractions in the  
21 area, though I've seen them in the materials.  
22 There are what others believe are tourist  
23 attractions in and around the immediate area.  
24 There are places to go. There are also businesses

1 July 25, 2023

2 that would probably very much like to have a  
3 decent hotel in the area.

4 And as someone who lived in the area for  
5 over 20 years and had large gatherings of family,  
6 there was never a really good hotel to send  
7 family to. You had to send them typically down to  
8 Mount Kisco. That predates the Peekskill hotel.  
9 So personally I think that's why your Chamber of  
10 Commerce has been supportive of this and why your  
11 Envision Cortlandt master plan has been  
12 supportive.

13 In sum, we are really pleased that this  
14 is an as of right application. It's already been  
15 concluded by the town that this is zoned  
16 appropriately for a hotel. We are really pleased  
17 that we processed in front of the zoning board,  
18 though we did not yet get a vote, and they  
19 understood why we designed the hotel the way they  
20 did. And I apologize at the outset. I called it a  
21 four-story hotel. I know better. It's four  
22 stories on top of a basement, which your building  
23 inspector has concluded constitutes a fifth  
24 story. Unfortunately, my notes from my first

1 July 25, 2023

2 appearance, which I cut and paste into in my  
3 intro, still refer to it as a four-story  
4 building. I stand corrected. It is technically  
5 under the town's code, a five story building.  
6 There are only four stories of rooms. So it's  
7 really only a four story hotel with some fitness  
8 center stuff below, but it's a five story  
9 building. So I apologize for those folks who --

10 MR. KESSLER: David, I I'm glad you  
11 addressed pretty much everything, one, one last  
12 issue that was raised in terms of lighting.

13 MR. STEINMETZ: Lighting.

14 MR. KESSLER: Lighting?

15 MR. STEINMETZ: Lighting around the site  
16 itself?

17 MR. KESSLER: Yes, yes.

18 MR. STEINMETZ: I actually, I believe  
19 we've reflected on the plan, the lights that we  
20 propose in terms of stanchions or poles and  
21 exterior lighting. I'm not the architect, unless  
22 Matt or, or Peter, if, if, if you guys are able  
23 to address light? Or, or Chris Christian. Is, is  
24 he there?

1 July 25, 2023

2 MR. KEHOE: Yes.

3 MR. STEINMETZ: I know that a fair  
4 amount of time and energy was spent by our  
5 architect to, to lay out the lighting. Chris, is  
6 he there?

7 MR. KEHOE: Yeah.

8 MR. KESSLER: Yeah, I just want to be  
9 clear to the public what --

10 MR. STEINMETZ: Totally, I think it's a  
11 great question. We don't want it too bright, but  
12 we certainly want it bright enough to be safe.

13 MR. KESSLER: Right. In terms of the  
14 height of the lights and how they face downward.

15 MR. STEINMETZ: Correct.

16 MR. KESSLER: There was the issue about  
17 the woman who lives across, you know, is there  
18 going to be lights from the hotel?

19 MR. STEINMETZ: I don't think there's  
20 any hotel signage. There's no Marriott signage  
21 facing back towards Floral. But let Christian  
22 address that.

23 MR. CHRISTIAN FREEMAN: Matt, I don't  
24 know if you guys want to take it away. I know

1 July 25, 2023

2 that photometric plans require very strictly  
3 lighting to not go over the property lines and  
4 not be over certain brightness or standards that  
5 are followed within the lighting industry.  
6 Everything that we show will be compliant. That's  
7 pretty much all I have to say.

8 MR. STEINMETZ: Christian, do you know  
9 the height of our light poles? And can you at  
10 least confirm that they're all down light with no  
11 light pollution or light seepage off site?

12 MR. FREEMAN: Yes, so, so since 2010 or  
13 so, all light features are now required to be  
14 dark sky compliant. That used to be an upgrade,  
15 now it's standard. It's standard in the industry.  
16 So you don't have light pollution, you don't have  
17 lights going up, you don't have lights pointed  
18 offsite with a specific glare to them. In terms  
19 of that detail, I don't have my hands on that  
20 right now.

21 MR. KEHOE: Christian, he mentioned it,  
22 but a requirement of approval is a photometric  
23 plan.

24 MR. FREEMAN: Exactly.

1 July 25, 2023

2 MR. KEHOE: Which shows that, you know,  
3 you'll, you'll see the light, but it won't be  
4 bleeding off of the property. You've all seen the  
5 photometric plans and they'll have to provide  
6 that.

7 MR. STEINMETZ: Christian, one last  
8 question, putting you on the spot. Can you  
9 confirm that there is no Marriott signage facing  
10 the Bear Mountain Parkway through the woods  
11 towards Floral?

12 MR. FREEMAN: Yes, I can, correct.

13 MR. STEINMETZ: Thank you. Okay. That's  
14 all I've got, Mr. Chairman. I would request  
15 respectfully that the board close the public  
16 hearing. That does not conclude this process. Um,  
17 this is the second session. We've heard the,  
18 primarily the same issues this evening that we  
19 did at the last session. The public has had a  
20 fair and full opportunity to speak and I believe  
21 your board is in a position simply to advance the  
22 process.

23 MR. KESSLER: Thank you, David. Just let  
24 me just, does anybody else want to come back and

1 July 25, 2023

2 make any more comments?

3 MR. KEHOE: Sorry, just one thing for  
4 the record. There was a person on Zoom.

5 MR. KESSLER: Oh.

6 MR. KEHOE: But she wrote a comment and  
7 I guess I'll state her name for the record.  
8 Barbara Halecki. I know Barbara, and she stated a  
9 comment, you know, raising the similar concerns  
10 that the residents have raised. And we responded  
11 to her that her comment will be provided to the  
12 board and made part of the record. She didn't  
13 really want to necessarily speak, but it's  
14 expressing concerns about the project and  
15 agreeing with the people that have already  
16 spoken.

17 MR. KESSLER: Okay. So before the one,  
18 any more, you know, you want to make another  
19 comment?

20 MS. Just, I just want to make one  
21 comment

22 MR. KESSLER: Come up to the mic. You  
23 got to come to the microphone, please.

24 MR. KEHOE: Yeah. They, they tape it.

1 July 25, 2023

2 MR. KESSLER: Yeah, I know. That way you  
3 get on TV also.

4 MS. SIDORIK: Okay.

5 MR. KEHOE: You just have to state your  
6 name again, sorry.

7 MS. SIDORIK: Carleen Sidorik. Yeah,  
8 there's going to be a bar in this hotel, yes. Is  
9 there?

10 MR. KESSLER: We'll let --

11 MS. SIDORIK: Is there going to be a bar  
12 in this hotel?

13 MR. KESSLER: Ask, ask your questions  
14 and then -- why don't you ask your questions and  
15 then they'll come back up and answer them.

16 MS. SIDORIK: Okay. My question is this.  
17 Because I know all of this traffic issue and the  
18 concern of patrons coming up the hill and parking  
19 in our lot, we're not so much opposed -- we're  
20 not so much concerned about the patrons of the --  
21 the guests at the hotel, but it's going to  
22 attract a lot of other people who, who has no  
23 place else to go. And they just want to go and  
24 have a couple of drinks at the Marriott. And

1 July 25, 2023

2 that's a different crowd potentially altogether.  
3 I guarantee you we will have issues with that  
4 particular crowd. Okay.

5 MR. CUNNINGHAM: Okay.

6 MS. SIDORIK: All right. There's not,  
7 not a lot of nightlife in Courtlandt Manor, so,  
8 which is attractive to most of us, but people are  
9 going to look for a place to go and party and  
10 have a few drinks. That's what we're concerned  
11 about. Okay.

12 UNIDENTIFIED FEMALE: Good point.

13 MR. KESSLER: Yeah. Yes ma'am. Come up.  
14 [applause]

15 MS. LINDA BREMNER: Linda Bremner, I  
16 don't know if this is appropriate, but I'd like  
17 to ask that you don't adjourn this hearing  
18 because I think [unintelligible] [01:16:50]  
19 [applause] comment had, had started and then I  
20 think the public, is strangely enough, is just  
21 getting aware of what's happening. Because the  
22 *Examiner* reports on it, does *lohud* report on it?  
23 Of course not. So I think more people are finding  
24 out about it. And I mean, which is the reason I

1 July 25, 2023

2 came out. And I'm just thinking that perhaps, you  
3 know, this summer everybody's on vacation, that  
4 if you wait until September and, and hear and  
5 hear what other, you know, people may want to  
6 come back up.

7 And, and also I respect what the  
8 Marriott representative has to say about the  
9 traffic studies and everything else. Well, guess  
10 what? People make mistakes. Perhaps you need to  
11 look at it again, because we are the ones who are  
12 going to suffer. And we live here. I mean, you  
13 live here and, and the Northeast quadrant is  
14 beaten to death. And that's where this is  
15 happening. And thank you again. And I don't know  
16 if it was appropriate, but I've said it.  
17 [applause]

18 MR. KESSLER: So in terms of the signage  
19 was put up advertising the public hearing outside  
20 the site, correct?

21 MR. KEHOE: Yes.

22 UNIDENTIFIED MALE: Back in June.

23 MR. KESSLER: Back in June? you know, so

24 --

1 July 25, 2023

2 UNIDENTIFIED MALE: Actually in May  
3 before the June 16th.

4 MR. KESSLER: So the orange signs that  
5 we put up that was outside on the road there  
6 advertising the public hearing is for everybody  
7 to be aware of the application. You know, not  
8 necessarily, you know, certainly it's advertised  
9 in the newspapers as well.

10 MR. KEHOE: Yes.

11 MR. KESSLER: Public hearings, but, you  
12 know, hopefully people see the signs and know  
13 that there's an application pending and that  
14 there'll be a public hearing on it.

15 MS. SIDORIK: If you don't drive by  
16 here, you don't necessarily see it. That's the  
17 issue. And I don't know why *lohud* doesn't get  
18 these stories out. It's local news. And if you  
19 don't get the *Examiner*, you haven't heard it.

20 [CROSSTALK]

21 MS. SIDORIK: You know, I mean sadly,  
22 that's the state of affairs.

23 MR. KESSLER: Thank you. David, you want  
24 to just address this last issue?

1 July 25, 2023

2 MR. STEINMETZ: Yeah, I, I don't know if  
3 it's good news for Cortlandt or bad news for  
4 Cortlandt. Apparently you'll be able to order a  
5 drink at the bistro, but it closes at 10:00  
6 o'clock. So this is not designed to be an  
7 afterhours place to go. So Cortlandt may need to  
8 head down to Peekskill and find one of the  
9 restaurants that may stay open a little later.  
10 This is, this is, it's, it's, it's termed a  
11 bistro. If you've been in one of these size  
12 Marriotts, they're the little food service areas  
13 that are designed to serve 50 of the 93 people  
14 who stay in the hotel who might not want to  
15 venture out at some point. But the answer is, as  
16 I understand it, yes, there probably will be a  
17 liquor license. Yes, there'll be beer and wine.  
18 Maybe there'll be, you can order a drink, but it,  
19 the data shows that it closes at 10:00 o'clock.

20 More importantly, I appreciate you  
21 clarifying. We noticed this, we noticed this  
22 hearing in accordance with the town code back in  
23 May. We did both mailing, as well as posting.  
24 And, and I also think the record should be clear

1 July 25, 2023

2 on folks who were stating that they had not heard  
3 about it, we actually also conducted lawful  
4 public hearings in front of the Zoning Board of  
5 Appeals earlier this year. So we have had, I  
6 believe, at least four sessions of a duly noticed  
7 due process of law, public hearing. And in  
8 accordance with your code, I would request that  
9 you close the public hearing. It does not --  
10 leave the public record open for whatever time if  
11 people want to submit written comments, but you  
12 scheduled this meeting for this point in the  
13 summer because you concluded this was a rational  
14 time to do so.

15 MR. KESSLER: Alright, good. Tom?

16 MR. BIANCHI: Yeah, just one additional  
17 point to our observation maybe just to add on  
18 this, traffic being such a big issue here. At our  
19 last public hearing, did we not have our traffic  
20 consultant and the applicant's consultant present  
21 to review their work?

22 MR. KEHOE: Yes. The applicant's traffic  
23 consultant did a lengthy presentation and our  
24 traffic consultant, didn't give a lengthy

1 July 25, 2023

2 presentation, but concurred with their findings.

3 MR. BIANCHI: Okay. So I think a lot of  
4 the questions that were asked here, I don't know  
5 if the people that are here tonight heard those  
6 presentations or not, but a lot of the questions  
7 that were brought up were answered by that person  
8 at the last public hearing. I just want to make  
9 that observation.

10 MR. KESSLER: Thank you. Any other  
11 questions or comments from board members? Last  
12 call, any more comments from the audience? Oh,  
13 sure. Bar closes at 10:00, so last call.

14 MS. REGINA BAKER: Hi, Regina Baker, 13  
15 --

16 MR. KESSLER: Just pull the microphone  
17 down a little, please. Thank you.

18 MS. BAKER: Okay. Regina Baker, 1310  
19 Jacobs Hill Road, Cortlandt Manor. I'm part owner  
20 of one of the condos. Please keep these open. It  
21 was the first time I heard of the public hearing  
22 was last time we had it, and that was a letter  
23 that was sent to everybody in the area that this  
24 was going to be a, a public hearing. After that

1 July 25, 2023

2 we have not received anything. It was only  
3 through the *Examiner* article that I realized that  
4 this was going to be a public hearing. So and  
5 then I had called up Chris about it yesterday and  
6 he said, yes, there is a public hearing. So that  
7 was the first time, you know, it was in the paper  
8 two weeks ago. And then, you know, but we, if we  
9 did, I don't think there was anything mentioned  
10 about the big orange sign or at all. I don't  
11 remember seeing it. So please keep this open  
12 because as someone said, this is the summer  
13 months. A lot of people -- well, I also have to  
14 say a lot of senior citizens don't like to drive  
15 after 6:00 o'clock. So, but, you know, we try to  
16 get them out, but please keep this open so we can  
17 keep this going. Okay. Thank you. [applause]

18 MR. CUNNINGHAM: Okay. One potential  
19 solution, which I know we've done in the past,  
20 especially given that I -- I know that you just  
21 said some seniors don't like to drive at night.  
22 If the board would consider it, you could  
23 potentially close the verbal public hearing, but  
24 leave written comments open for a specific period

1 July 25, 2023

2 of time. And that'll also give everyone  
3 opportunity to -- it will give the applicant an  
4 opportunity to submit the rendering and it will  
5 give the public an opportunity to submit written  
6 comments on the rendering.

7 MR. KESSLER: That's 30 days, right?

8 MR. CUNNINGHAM: We could do, we could  
9 do it until 30 days.

10 MR. KESSLER: And certainly closing the  
11 public hearing doesn't mean we're rendering a  
12 decision at this point. We're just, you know, we  
13 have all the information we think we need, you  
14 know, from -- we're thankful to the public and to  
15 our consultants and what the applicant has  
16 submitted. And I think, you know, I don't see  
17 that there's going to be any more information  
18 that we're going to receive by keeping the public  
19 hearing open, quite frankly, because, you know,  
20 we have volumes of papers here that we've  
21 reviewed and discussed here over the last several  
22 meetings and over these two public hearings. So,  
23 you know, I, I think it's, you know, time to, you  
24 know, sit back, you know, close the public

1 July 25, 2023

2 hearing and review the materials and have the  
3 board decide on how they want to proceed in terms  
4 of approving this application or not.

5 UNIDENTIFIED FEMALE: I had one more  
6 question.

7 MR. KESSLER: Okay, one more.

8 UNIDENTIFIED FEMALE: Are there any  
9 plans to, to lengthen the time that the light  
10 that you can make a left turn on Jacobs Hill?  
11 Because the amount of time that you have to make  
12 a left turn is very, very short and I can just  
13 anticipate people wanting to get back on the Bear  
14 Mountain Expressway, and you're going to have a  
15 backup there because you have very, very little  
16 time to make a left turn.

17 MR. KESSLER: Somebody, I don't know if  
18 it was you, but somebody else raised that at the  
19 last meeting. And again, now you, I, I can't, I'm  
20 not the technical person that can speak about  
21 these adaptive headlights, but presumably there's  
22 some intelligence in these things that's going to  
23 measure the traffic and make a determination how  
24 long to keep the light going for whatever turns

1 July 25, 2023

2 that need to be made. But, you know, it remains  
3 to be seen. You know, I, I'm not the expert on  
4 this by any means, and, but from everything  
5 that's been presented to us and the DOT is the  
6 one that's doing this along Route 6, you know,  
7 supposedly there's going to be a real improvement  
8 seen in the flow of traffic along Route 6 and for  
9 the people trying to get onto Route 6. But again,  
10 you know, the proof is when it's built and we'll,  
11 and we'll measure it from there. Any other last  
12 comments before we have a motion here? If not,  
13 Mr. Bianchi.

14 MR. BIANCHI: Okay. I'm going to make a  
15 motion that we close the public hearing now. I  
16 don't know how the rest of the board is going to  
17 feel about that, but I'm going to move that we  
18 close the public hearing as my first motion.

19 MR. KEHOE: Do you, in that motion, do  
20 you want to put the --

21 MR. BIANCHI: And develop a resolution.

22 MR. KEHOE: -- written comment?

23 MR. BIANCHI: And written comments will  
24 be allowed for, I guess we like 30 days?

1 July 25, 2023

2 MR. KEHOE: Well, you usually do 20.

3 MR. BIANCHI: Twenty?

4 MR. KEHOE: Well, but let me see.

5 MR. KESSLER: Oh, wait, we have a longer  
6 -- the meeting's in a longer time. You could  
7 probably do 30.

8 MR. KEHOE: The meeting is Tuesday,  
9 September 5th.

10 MR. CUNNINGHAM: I think I think 30  
11 would be appropriate.

12 MR. KEHOE: Thirty's fine.

13 MR. KESSLER: No, there's the 25th, so  
14 yes, yes.

15 MR. CUNNINGHAM: There's about 10 days  
16 in between the end of the comment period and the  
17 meeting. And then it'll also give the public  
18 plenty of time to comment on the rendering that  
19 the applicant's going to submit.

20 MR. BIANCHI: Okay. So, we'll, I'll move  
21 that we receive comments for the up to the next  
22 30 days and that we prepare a resolution for the  
23 next meeting.

24 MR. KESSLER: Second, please.

1 July 25, 2023

2 MS. HILDINGER: I second.

3 MR. KESSLER: Okay, we're on the  
4 question. All in favor?

5 MULTIPLE: Aye.

6 MR. KESSLER: Opposed? Okay. Motion  
7 carries. Alright, Thank you all for coming.  
8 Appreciate it. Let's see where are we? Okay, next  
9 item is under old business. It's the application  
10 of NK Electric for site development plan  
11 approval, and a special permit for a specialty  
12 trade electrical contractor located in an  
13 existing building at 465 Yorktown Road, Route  
14 129, drawings latest revised July 19, 2023. Good  
15 evening.

16 MR. JIM ANNICCHIARICO: Good evening,  
17 Jim Anaco with Corona Engineering. So, since the  
18 last time we were here last month, we have  
19 prepared responses to the comments that we  
20 received from the planning department. And  
21 additionally we've also addressed a few comments  
22 that we received from DEP. They were all tallied  
23 in the, in the same memo addressed to the  
24 planning board.

1 July 25, 2023

2 Additionally in that, in that response  
3 memo, we went through all of the special permit  
4 requirements of Section 307-65.6 in the town code  
5 that, that outlines certain things that are  
6 required for special permit for a specialty trade  
7 contractor.

8 I could answer any questions or I can  
9 go over -- let me, some of the big, some of the  
10 more important items in those were landscaping  
11 the septic system, the existing septic system,  
12 one, one of the comments in Chris Kehoe's memo,  
13 was the handicapped parking space. We've added  
14 that to the plan. One of the questions was were  
15 we proposing any signage, we're not proposing any  
16 signage, it's simply just an office for the  
17 applicant's electrical contracting business.

18 We were asked to provide information for  
19 the company vehicles, the vans. We've done that.  
20 There are two Ford 250 medium height vans, two  
21 Ford 250 low top vans, and two Ram ProMaster high  
22 top vans. So, there's a total of six, six vans  
23 for the, for the contracting company. There is  
24 some office staff as well. Mr. Clevis has three

1 July 25, 2023

2 office staff. They're not all there at the same  
3 time. They're basically staggered. There's a,  
4 there's a -- Wednesdays, two of the two of the  
5 staff are there at the same time.

6 MR. KESSLER: Our, our intention here is  
7 to set a public hearing. I guess one issue that  
8 you have to do before that is convince the DEP  
9 that parking on the gravel will not in any way  
10 interfere with the septic system.

11 MR. ANNICCHIARICO: Right. We have to  
12 obtain a change of use as well from the health  
13 department.

14 MR. KESSLER: Okay.

15 MR. ANNICCHIARICO: We're working on  
16 that. And we will certainly try to determine  
17 that, that the septic area is, you know capable  
18 of H2O loading for traffic to, to drive over it.

19 MR. KESSLER: Okay.

20 MR. KEHOE: Yeah, Jim, just at the work  
21 session, we reminded ourselves that since this is  
22 a special permit, the code requires a public  
23 hearing, unlike some other cases. So that's why  
24 the board is going to go ahead and schedule it

1 July 25, 2023

2 for next month.

3 MR. ANNICCHIARICO: I was a little taken  
4 aback by that.

5 MR. KESSLER: Alright, so, with that,  
6 Kevin.

7 MR. KOBASA: Alright. I'd like to make a  
8 motion to schedule a public hearing next meeting.

9 MR. KESSLER: Second, please.

10 MR. BIANCHI: Second.

11 MR. MCKINLEY: Second.

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

14 MULTIPLE: Aye.

15 MR. KESSLER: Opposed?

16 MR. KEHOE: So in, you know, within a  
17 week or 10 days before that meeting, you know,  
18 hopefully you'll have some answers from DEP?

19 MR. ANNICCHIARICO: Yep.

20 MR. KEHOE: Okay. Thank you.

21 MR. KESSLER: Alright, thanks.

22 MR. ANNICCHIARICO: Thank you very much.

23 MR. KESSLER: Alright, onto new  
24 business, two items under new business. This is

1 July 25, 2023

2 the first one, the application of Cronin  
3 engineering for the property of Riverview  
4 Industrial Park for amended site development plan  
5 approval for modifications to the existing  
6 industrial building and the site located at 260  
7 6th Street. Drawings dated July 17, 2023. Good  
8 evening.

9 MR. KEITH STAUDOHAR: Keith Staudohar,  
10 Cronin Engineering representing the applicant,  
11 Riverview Industrial Park, LLC. The project site  
12 is at 260 6th Street in Verplanck. It's zoned MD  
13 Industrial. There is currently a 40,000 square  
14 foot industrial building on the site. The  
15 applicant recently purchased the property, within  
16 the last year or two and has invested a lot of  
17 money into fixing up the place, redoing the  
18 interior, fixing the outside, making it more,  
19 much more aesthetically pleasing than what it was  
20 when they purchased it.

21 In my cover letter, I indicated what the  
22 site plan amendment involves, and basically I'll  
23 just run through these real quick. So, there will  
24 be the removal of the doggy daycare from the

1 July 25, 2023

2 site, the relocation of the rescue dog run to  
3 another location on the site, the addition of  
4 nine contractor storage units on the rear side of  
5 the building. The contractor storage units will  
6 each have a garage door and a separate man door,  
7 an access road and parking area to accommodate  
8 the contractors getting into their garage spaces,  
9 storage spaces. There's like a storm water  
10 management facility for this small parking area  
11 that we're putting in.

12 We're designating an area on site where  
13 we could potentially store some machines or  
14 equipment. There's no intention of doing that,  
15 but we figure we'd show it on the plan now in  
16 case a small machine or some small equipment  
17 needed to be stored on site.

18 And they're currently repurposing the  
19 northern, the northwest portion of the building  
20 for contractor storage and storage units. So,  
21 basically this amendment is to provide a parking  
22 area and nine garage doors on the rear side,  
23 south side, southeast side of the building. If  
24 you have any questions, I'd be happy to answer

1 July 25, 2023

2 them.

3 MR. KESSLER: No, I mean, we're going to  
4 refer this back to staff for their review but --

5 MR. BIANCHI: Just one question.

6 MR. KESSLER: -- before that, Tom?

7 MR. BIANCHI: Are there interior  
8 renovations --

9 MR. STAUDOCHAR: Well, right now --

10 MR. BIANCHI: -- that are going to take  
11 place?

12 MR. STAUDOCHAR: There are currently  
13 there's a lot of interior renovations going on.

14 MS. HILDINGER: I, I didn't hear that,  
15 what?

16 MR. STAUDOCHAR: What?

17 MS. HILDINGER: I didn't hear what you  
18 said. I'm sorry.

19 MR. STAUDOCHAR: Oh, I'm sorry. Yeah,  
20 currently there is interior alterations being  
21 conducted on site to redo the whole interior of  
22 the building basically.

23 MR. BIANCHI: Now what, what do you mean  
24 by phase one and phase two? On your drawing, you

1 July 25, 2023

2 show a phase one and phase two master plan.

3 MR. STAUDOHAR: Phase one was approved  
4 several years ago and phase two is what we're  
5 proposing now.

6 MR. BIANCHI: And the difference is?

7 MR. STAUDOHAR: Well, phase one, yeah.  
8 This is Adam Garber, one of the principals,

9 MR. ADAM GARBER: How you doing? So  
10 phase, phase one was approved by the town of  
11 Cortlandt and we were issued a building permit.

12 MR. KEHOE: Right. And, and that, that  
13 was outside the purview of the planning board. It  
14 didn't raise to the level of having to come to  
15 your board.

16 MR. GARBER: It didn't require the  
17 planning board. So we were issued a building  
18 permit for that, which is, we're doing interior  
19 renovations to the interior of the building where  
20 we're creating what I'm going to call garage  
21 storage, contractor storage units, along with  
22 self storage units. So that's what's there now.

23 As part of phase two, phase two will  
24 incorporate, which is currently now, what's the

1 July 25, 2023

2 name of the dog?

3 MR. KEHOE: Canine.

4 MR. GARBBER: Canine Kindergarten. I  
5 always get confused, Canine Kindergarten's  
6 existing space. I have an agreement in place, a  
7 legal document that they, they should should be  
8 moving out at the end of this month. And as part  
9 of phase two and the expansion to where their  
10 existing outdoor dog runs are now, they would be  
11 removed. We would add overhead doors with also a  
12 man door to expand on that self-storage and  
13 contractor use.

14 So, if you're looking at the phase two  
15 plans and you look at the northeast side of the  
16 building, which as a reference, faces Madeline  
17 Avenue, those are the overhead doors, which I'm  
18 going to refer to as the storage or contractor  
19 storage units.

20 MR. KEHOE: And that, that's on the  
21 screen now, correct?

22 MR. GARBBER: Yes.

23 MR. KEHOE: That's the building  
24 elevation?

1 July 25, 2023

2 MR. GARBER: Yes. That is, that is the  
3 northeast elevation. Currently, what is, what is  
4 there now would be the dog runs for Second Chance  
5 Rescue, which we would like to relocate and the  
6 existing Canine Kindergarten dog run.

7 MS. HILDINGER: So basically it's just  
8 fencing now?

9 MR. GARBER: It's, it's fencing and  
10 it's, and it -- there's also poured concrete  
11 slabs.

12 MS. HILDINGER: It's concrete slabs with  
13 fencing?

14 MR. GARBER: Correct.

15 MS. HILDINGER: And you're proposing to  
16 put roofs to --

17 MR. GARBER: No.

18 MS. HILDINGER: No?

19 MR. GARBER: We're proposing to remove,  
20 remove those slabs.

21 MS. HILDINGER: To remove the slabs?

22 MR. GARBER: Remove the slabs, put in a  
23 parking area and a loading area and overhead  
24 garage doors, just like we're doing on the west

1 July 25, 2023

2 end, the west elevation, which faces towards the  
3 river.

4 MS. HILDINGER: So the overhead garage  
5 doors, would go on the existing building?

6 MR. GARBER: Yes, ma'am.

7 MS. HILDINGER: Okay.

8 MR. BIANCHI: Now, you talked in your,  
9 in your master plan you showed where the doggy  
10 daycare is currently, I guess is tenant A, tenant  
11 B, tenant C, tenant D. So you're going to have  
12 different tenants in there?

13 MR. KESSLER: Chris, can you fit this  
14 one up?

15 MR. GARBER: Floor plan, phase two floor  
16 plan?

17 MR. CUNNINGHAM: What you looking for?

18 MR. KESSLER: Wait, Wait.

19 MR. GARBER: I think you're referencing  
20 the, the -- either the phase one or phase two  
21 floor plan.

22 MR. KEHOE: Which ones?

23 MR. BIANCHI: I just wondered. It says  
24 tenants in it. I just --

1 July 25, 2023

2 MR. KESSLER: Yeah, the, the whole floor  
3 plan, Chris.

4 MR. GARBER: Yes.

5 MR. KEHOE: The phase --

6 MR. GARBER: Phase two.

7 MR. KEHOE: Phase two?

8 MR. KESSLER: This one, this one? The  
9 one that says re Riverview Industrial Master  
10 Plan.

11 MR. KEHOE: Phase one and two I got  
12 here.

13 MR. KESSLER: Phase one and two.

14 MR. KEHOE: Okay. So hang on.

15 MR. GARBER: Phase one's approved. Phase  
16 two would be proposed. Yes. So this is, this is  
17 the proposed floor plan.

18 MR. KESSLER: Right.

19 MR. GARBER: So, as you can see, where  
20 you have the -- if you put the, the cursor kind  
21 of on --

22 MR. KESSLER: On the -- on the right  
23 side.

24 MR. GARBER: I, I just need to walk up

1 July 25, 2023

2 to see the units here. If you, if you go to the  
3 left facing me. Okay. So over on the left side,  
4 yes. So no, that's the second floor of the  
5 building.

6 MR. CUNNINGHAM: Oh, second.

7 MR. GARBER: All over there, that whole  
8 side basically going down to the orange to the  
9 orange.

10 MR. KEHOE: You, you need to speak into  
11 the mic. Sorry. You can take it with you if  
12 that's --

13 MR. GARBER: So, so going down over here  
14 on this side, which I'm going to refer to as the  
15 east elevation facing Madeleine Avenue, That's of  
16 reference to the elevation you saw of the  
17 proposed garage doors. The, the other units,  
18 just, which I'm going to say on the west  
19 elevation that you see, are smaller units. Those  
20 are self-storage units. So they would be -- four  
21 of those units would be accessed from an interior  
22 hallway, and then four of those units would be  
23 accessed from the outside. That doesn't have  
24 direct road access. That would just be a walkway

1 July 25, 2023

2 for traditional kind of self storage.

3 MR. KESSLER: And wait, where is the  
4 doggy daycare now in there?

5 MR. GARBER: So the doggy daycare now is  
6 exactly where you have the cursor.

7 MR. KESSLER: Okay.

8 MR. GARBER: See the two spaces.

9 MR. KESSLER: Okay.

10 MR. GARBER: And then bring it, bring it  
11 down the screen.

12 MR. KESSLER: And the cages in the back?

13 MR. GARBER: Yes. The cage, the cage is  
14 in the back.

15 MR. KESSLER: Okay. That's not shown?

16 MR. GARBER: No.

17 MR. KESSLER: Okay. So you're taking  
18 down those cages.

19 MR. GARBER: Yes.

20 MR. KESSLER: And --

21 MR. KEHOE: Well, I'll, I'll put the  
22 site plan up, because then --

23 MR. KESSLER: Oh.

24 MR. KEHOE: Hang On. Sorry. So you were

1 July 25, 2023

2 just looking at -- it's hard with the cursor, but  
3 you can see little squares there. Those are, I  
4 guess the garage doors --

5 MR. GARBER: Yes.

6 MR. KEHOE: -- that are, they're going  
7 to be opening up to this new parking area. And  
8 this is the parking area where the dog runs were  
9 or are?

10 MR. GARBER: Yeah, the dog runs are  
11 where we're showing those infiltrators.

12 MR. KEHOE: Right.

13 MR. GARBER: So roughly right around  
14 those infiltrators is where the current cages  
15 are.

16 MR. KEHOE: So on your aerial, you, you,  
17 which I gave you, you can see the dog runs sort  
18 of, and then those will be eliminated with this  
19 parking area. And then garage doors opening  
20 directly into the parking area. Those things that  
21 -- those are underground drainage structures.

22 MR. GARBER: Right.

23 MR. KEHOE: So it's all parking lot up  
24 there.

1 July 25, 2023

2 MR. GARBER: Chris, I'd just like to  
3 clarify one thing. The Second Chance dog run --

4 MR. KEHOE: Oh, sorry.

5 MR. GARBER: -- which is also located  
6 adjacent to Canine Kindergarten, we're proposing  
7 to relocate that to the southeast section of the  
8 property, adjacent to where the garbage enclosure  
9 is.

10 UNIDENTIFIED MALE: Move the curser to  
11 the left.

12 MR. GARBER: Yep, yep.

13 MR. KEHOE: Right here.

14 MR. KESSLER: That's where the dogs are  
15 going?

16 MR. GARBER: Yes. But, but this is only  
17 for Second Chance Rescue.

18 MR. KESSLER: Right.

19 MR. GARBER: And I just want to state  
20 one thing about the difference in the dog runs as  
21 it pertains to Second Chance Rescue versus Canine  
22 Kindergarten. Canine Kindergartner is a for-  
23 profit dog kennel, okay, where multiple dogs are  
24 outside at one time. Second Chance Rescue is

1 July 25, 2023

2 exactly what it is, says. It's a, it's a rescue  
3 facility. And over the last two years, I've  
4 really kind of administered kind of how they  
5 function, both businesses and, and kind of their  
6 impacts. Being that it's a dog rescue and not  
7 knowing when you take dogs in what their  
8 temperament is necessarily with other animals,  
9 they typically only have one dog outside that  
10 I've noticed with the trainer. Have they had more  
11 than one dog? Yes. I've noticed when families go  
12 to adopt dogs and they have an existing dog,  
13 they'll bring a dog in and introduce it. But  
14 from, from an impact of the kennel itself and  
15 relocating it with their business, they don't  
16 have, I'm going to say a pack of dogs, where the  
17 existing kennel, where Canine Kindergarten is,  
18 they had numerous dogs outside at one time.

19 MR. KEHOE: So any noise complaints  
20 recently about dogs were associated mainly with  
21 Canine Kindergarten or totally with Canine  
22 Kindergarten?

23 MR. GARBER: That, That based upon my  
24 observations, as a property owner and spending --

1 July 25, 2023

2 we've owned the property since April of 2021, and  
3 I've spent a lot of time over there as the owner,  
4 the GC overseeing the construction and I've just  
5 witnessed how the, how the d different operations  
6 function outside.

7 MR. BIANCHI: So my original question on  
8 the right side of the building, I don't know what  
9 east, west, north, south, but it's, you have a  
10 tenant A, B, C, and D there. Are those current  
11 tenants that remain?

12 MR. GARBER: I, I, I need to see -- I  
13 don't have a plan in front of me to --

14 MR. KEHOE: Hang on.

15 MR. BIANCHI: You have to bring up that  
16 plan again.

17 MR. KEHOE: Yep.

18 MR. BIANCHI: Yeah. So to the yellow  
19 line.

20 MR. KEHOE: Oh, sorry. Sorry.

21 MR. BIANCHI: To the right of the yellow  
22 line when it comes back up,

23 MR. GARBER: If I, if I could just look  
24 at one of your plans because I can't see the

1 July 25, 2023

2 numbers on or the letters on here, I could tell  
3 you. Thank you.

4 MR. BIANCHI: I just want to get a  
5 sense, are those current tenants?

6 MR. GARBER: Tenant A, see, these are  
7 all, so so --

8 MR. BIANCHI: On the right side of the  
9 plan.

10 MR. GARBER: So yes, so tenant C is a,  
11 is a current tenant at the property that's  
12 staying. Tenant B was a tenant that was in  
13 another part of the building, which we're now  
14 renovating that we've gotten building permits and  
15 we've moved over, we've relocated.

16 MR. BIANCHI: Okay. So --

17 MR. GARBER: And --

18 MR. BIANCHI: -- you're, you're doing  
19 renovations in both areas basically, and --

20 MR. GARBER: Yes.

21 MR. BIANCHI: -- on the left side and  
22 the right side of the yellow line?

23 MR. KEHOE: Yes. But the main, I, I  
24 could be wrong, but the main redevelopment and

1 July 25, 2023

2 the changing of the floor plan is all these up  
3 here, right? It's, it's 22, 20, 19?

4 MR. GARBER: Correct.

5 MR. KEHOE: Those are going to be all  
6 the new contractors with the garage doors?

7 MR. GARBER: Correct.

8 MR. KEHOE: Right.

9 MR. GARBER: Which, which is basically,  
10 I'll say the, the northeasterly side of the  
11 building. So if you see where the intersection of  
12 the common area hallway is depicted in orange,  
13 basically from -- yeah, it's, it's actually two  
14 units past that, but yeah, that's, that's all  
15 what's proposed.

16 MR. KOBASA: You mentioned, sorry, you  
17 mentioned some storage, self-service, self-  
18 storage. Is that for tenants only or is that for  
19 public as well?

20 MR. GARBER: Both. Both. So we've had  
21 some existing tenants that have expressed,  
22 expressed interest in having some storage units  
23 there. And, and then we would also be open to the  
24 public as well.

1 July 25, 2023

2 MR. KOBASA: Okay.

3 MR. BIANCHI: Are you proposing any  
4 signage?

5 MR. GARBER: There's an existing four by  
6 eight sign, that's a pylon sign at the entrance  
7 of the 6th Street ingress and egress. We would  
8 just repurpose that sign.

9 MR. BIANCHI: Okay.

10 MR. KEHOE: So, you know, I did talk  
11 about this with a little, with Joe and the  
12 engineering department. There's some landscape  
13 questions, some drainage questions. We'll address  
14 all those in a review memo.

15 MR. KESSLER: Okay. Alright, so, any  
16 other comments? If not, Peter?

17 MR. MCKINLEY: That's me. I make a  
18 motion to refer back to staff, staff for the  
19 application of the Riverview Industrial Park, LLC  
20 in Verplanck.

21 MR. KESSLER: Second, please.

22 MS. HILDINGER: I second.

23 MR. KOBASA: Second.

24 MR. KESSLER: And on the question. All

1 July 25, 2023

2 in favor?

3 MULTIPLE: Aye.

4 MR. KESSLER: Opposed? Okay.

5 MR. ANNICCHIARICO: Thank You.

6 MR. KESSLER: Thank you.

7 MR. GARBER: Thank you.

8 MR. KESSLER: Alright. Final item this  
9 evening under new business is the application of  
10 VS Construction Corporation for preliminary and  
11 final plat approval for a six-lot subdivision,  
12 five building lots, for property located at 2003  
13 Crompond Road, drawing dated July 18, 2023, Mr.  
14 Steinmetz, all again.

15 MR. STEINMETZ: Well, again, Mr.  
16 Chairman, members of the board, David Steinmetz  
17 from the law firm of Zarin and Steinmetz, I'm  
18 very pleased to be here this evening,  
19 representing Val and Mandy Santucci and VS  
20 Construction in connection with the Evergreen  
21 Manor Project as part of the town's newly adopted  
22 MOD or medical oriented district. I'm joined  
23 tonight by my colleague Brian Sinsabaugh, as well  
24 as by, where did he go, Matt Steinberg. Oh, I'm

1 July 25, 2023

2 sorry. I got scared you abandoned me, last on the  
3 agenda. He decided he was out of here.

4 MR. KEHOE: Do you want me to show this  
5 now? Oh, Hold it?. Okay. He just gave me a new  
6 plan, but I'll, okay, that's fine.

7 MR. STEINMETZ: He'll, he'll, he'll tell  
8 us what we want to show at what time. I, I'm  
9 going to try to be brief, but we're here largely  
10 to be introductory on this. Let's take a giant  
11 step back. I'm very well aware, as are my  
12 clients, that three of you have not lived through  
13 this with us. I'm sad to say that two of you have  
14 lived through this with me and Val and Mandy, how  
15 many years, Val? Six, seven? So it's -- we've  
16 been waiting a long time to get to this point in  
17 the process. We're very happy to have gotten to  
18 this point in the process. And it was originally  
19 started with Envision Cortlandt many years ago,  
20 before the seven years ago.

21 Envision Cortlandt contemplated creating  
22 this new district surrounding the Hudson Valley,  
23 then the Hudson Valley Hospital, and creating  
24 what I consider to be a hamlet for both medical

1 July 25, 2023

2 oriented uses as well as residential uses and  
3 complimentary commercial retail, even restaurant  
4 uses and walkability, etc. And that, that was the  
5 original concept. And Mr. Santucci decided back  
6 in 2017ish to file an application in connection  
7 with what now has become a 28-acre site directly  
8 across from the hospital that we refer to as  
9 Evergreen Manor.

10 Evergreen Manor is 28 acres. It's  
11 currently comprised of three different tax lots.  
12 We're really happy that it was zoned into and  
13 mapped into the MOD. Evergreen Manor itself, and  
14 this is important for, for the three of you who  
15 have not lived through this with us, it went  
16 through quite a bit of evolution. We have looked  
17 at a variety of uses on this site, and you  
18 probably know some of that, from a multifamily  
19 apartment, which ultimately was not approved by  
20 the town board. By a hotel, ironically, a hotel  
21 was originally proposed, a 100-key hotel on that  
22 site and the community and the town board  
23 ultimately decided that would not be appropriate.  
24 We had looked at one point at a medical, kind of

1 July 25, 2023

2 a medical service type building with a pharmacy,  
3 maybe some medical research or a medical lab. We  
4 had talked about a restaurant. All of those  
5 things have been contemplated and studied.

6 The good news for your board, and I  
7 think certainly the chair and Mr. Bianchi know  
8 this, the SEQRA process was conducted already. We  
9 spent multiple years in front of the town board  
10 as lead agency doing a draft environmental impact  
11 statement, a final environmental impact  
12 statement, a tremendous amount of public  
13 involvement.

14 Footnote, it's probably the only  
15 entirely remote DEIS public hearing that I will  
16 ever do in my career and I would not recommend  
17 anyone try to do a DEIS public hearing on Zoom  
18 with Michael, Chris, what did we have, 180 people  
19 in attendance.

20 But to the credit of the town, the town  
21 pulled that off. We ultimately arrived at the  
22 conclusion of the process. The town board as lead  
23 agency, adopted a finding statement concluding  
24 the SEQRA process and finding that there was no

1 July 25, 2023

2 significant adverse environmental impact provided  
3 a whole bunch of things happen.

4 Relative to Evergreen Manor, it meant  
5 that Evergreen Manor was going to have an  
6 assisted and independent living use on the site  
7 for 120 units or 120 beds. It would also have  
8 upwards to 99 fee simple townhouses and some  
9 community amenities associated with that. And  
10 there would still be an area for a seven to  
11 10,000 square foot commercial type use.

12 We're here tonight to start the process.  
13 We're here tonight largely to talk about the  
14 subdivision of the site, and I'll explain why in  
15 a moment. But I want to make sure that you're  
16 entirely clear, we expect to be back here in  
17 September with our site plan submission for the  
18 assisted living. We are in final, Mr. Santucci --  
19 both Mr. Santucci and Mandy Santucci are in final  
20 negotiations with an assisted living provider, a  
21 major regional assisted living provider.

22 And until that is consummated, I am not  
23 allowed to let that one completely out of the  
24 bag. The good news is, I can tell you it's

1 July 25, 2023

2 entirely consistent with everything that we've  
3 studied and designed, 120 units, appropriate  
4 parking. And for those of you that -- and, and  
5 with all the stuff, Steve and Tom that I've done  
6 in front of this board over 30 years, we've never  
7 done, nor have you ever done really a state-of-  
8 the-art assisted and independent living facility.

9 I have done assisted and independent  
10 living facilities throughout this county for  
11 Brightview Senior living, Sunrise Senior Living,  
12 Capital Senior Housing, Hawthorne Senior Living,  
13 Maple Senior Living, I'm probably the -- National  
14 Development, so I've lived through this in a lot  
15 of communities.

16 Cortlandt deserves, and I think Envision  
17 Cortlandt knew that, Cortlandt deserves a state-  
18 of-the-art assisted and independent living  
19 facility. I'm going to give you three minutes on  
20 that so that you know it's really coming, 120  
21 units, the exact division of, of units the  
22 provider will have to identify, I'm going to say  
23 it's probably in the neighborhood of 90  
24 independent and 60 assisted. I actually did my

1 July 25, 2023

2 math wrong there on the fly. It's probably 70  
3 independent and 50 assisted. It's usually a  
4 larger number of independent living units that  
5 then feed into the assisted. But the provider  
6 will let us know that.

7 What's the difference? Independent  
8 living units are for folks who need less  
9 assistance. They are typically units that will  
10 have kitchen capability or cooking capability  
11 within them, though you can still buy into and  
12 probably receive at least one, if not two meals a  
13 day and you have use of the onsite facilities,  
14 which I'll get to.

15 The assisted living units typically are  
16 no cooking facilities for those folks. They, they  
17 need additional assistance for the -- the phrase  
18 in the industry -- activities of daily living  
19 that's getting dressed, moving around, possibly  
20 bathing and toileting. And those folks will  
21 typically be somewhat older. They don't have to  
22 be. But the average age of an IL resident is 82,  
23 the average age of an AL resident is usually 86.  
24 Almost universally, nobody is really driving

1 July 25, 2023

2 though your parking ratios will have to be  
3 complied with.

4 I lived through this myself personally  
5 with my own father who went originally in  
6 independent living and did really well for a  
7 while until he needed more help and was  
8 forgetting things like taking medication. And in  
9 the assisted living units, there can be  
10 medication supervision where they actually  
11 provide you with your meds each day and make sure  
12 you take them. And you graduate, as my dad did  
13 into AL. And you can then be in assisted living  
14 for a period of time.

15 And I did leave out a component of AL is  
16 also what we refer to as ALZ or Alzheimer's, or  
17 memory care. There will be a memory care wing  
18 associated with this building, which will be a  
19 secure wing that you'll hear more about when we  
20 come back with the actual site plan for the  
21 building. But suffice it to say that on lot  
22 number one, which is the -- Chris, if you can  
23 curse it to it -- it's the, it's normally what I  
24 would consider the bottom left, but the

1 July 25, 2023

2 orientation with Crampond Road there, it's that  
3 one right there.

4 It is the first lot one will come to  
5 when you enter the site, when you enter this 20  
6 acre site directly across, across from Conklin  
7 Street, there will be a signaled intersection  
8 with a driveway. It will be built to municipal  
9 specifications. And that road, that cul-de-sac  
10 road, will provide access to everything inside  
11 Evergreen Manor. It's going to be built to  
12 municipal specs. It's going to have sewer, water,  
13 all necessary utilities, and it will have  
14 sidewalks, lighting, landscaping, etc.

15 So, lot number one, lot number one,  
16 probably just over six acres, 6.03 acres is  
17 intended to accommodate the assisted living use.  
18 And as I said, because I know some may be  
19 curious, why did we file this subdivision plan  
20 without having the site plans here? Because we  
21 wanted to start the subdivision process, as I  
22 will explain, and we know fully well that the  
23 site plan for that assisted living use, Matt  
24 Steinberg, DTS, and the anticipated contract

1 July 25, 2023

2 vendee provider have studied that 6.03 acres and  
3 know it fits onto that 6.03 acres.

4 MR. KESSLER: We don't know that though.

5 MR. STEINMETZ: I didn't ask whether you  
6 knew that.

7 MR. KESSLER: Well, does it matter?

8 MR. STEINMETZ: The good -- well, of  
9 course it matters. And the good news is for you,  
10 Mr. Chairman, you're going to have a couple of  
11 months to do the review and confirm that it's  
12 going to fit on there. So you don't have to  
13 believe me that it's going to fit on there  
14 tonight, but I promise you, in September,  
15 actually sometime next month, you'll probably see  
16 drawings that show you it fits on there. And  
17 you'll have an opportunity, as we go through the  
18 process to study that and confirm it does.

19 MR. KOBASA: David, you used the word  
20 state of the art and I think you used that  
21 specifically. What, what, can you expand on that  
22 just very briefly?

23 MR. STEINMETZ: Sure. So look, you have,  
24 you have some senior oriented facilities here in

1 July 25, 2023

2 the town. They're, they're older. They're an  
3 older model. They probably have less amenities  
4 inside and they are probably not built to the  
5 level of finish that this would be. This would  
6 have a fitness area, this would have a bistro  
7 area where folks can actually congregate and  
8 enjoy themselves. They're, they're beautifully  
9 and tastefully done. They're designed to make  
10 aging seniors feel like they're in a really nice  
11 place that they're going to spend hopefully a  
12 number of years.

13 So, some of the older facilities feel  
14 and look and are marketed more like nursing  
15 homes. What we all grew up, what I grew up with  
16 as, as more of a nursing home. This is not a  
17 nursing home. This is not a skilled nursing  
18 licensed facility. I'm sure the chair probably  
19 knows more about those specifications than I do  
20 professionally having, well, I guess we all  
21 learned a little bit about licensing on another  
22 application. But this would not be licensed for  
23 skilled nursing.

24 Second the lots that are shown there as

1 July 25, 2023

2 two, three, and four, two, three and then four,  
3 all of those will more than sufficiently  
4 accommodate what was studied in the DEI, or in  
5 the FEIS as -- and, and actually -- maybe that,  
6 maybe if we could go to this?

7 MR. KEHOE: I have that. Just give me a  
8 sec.

9 MR. STEINMETZ: Thank you. Not that.  
10 Perfect. If you can, Chris, if you can click it,  
11 blow it up a notch or two without going off the  
12 page, it'd be great. If you can't, it's fine.

13 MR. KEHOE: Well, they gave me a big  
14 drawing that --

15 MR. STEINMETZ: Let's just leave that so  
16 that we don't have any difficulty. So that's,  
17 that's our master site plan, master site plan  
18 that lays out for the site with Compond Road at  
19 the bottom, west to your right, east to your  
20 left. The site, as we look at it, is going from  
21 north at the bottom of the page to south at the  
22 top of the page. And in it you can see in the, in  
23 the bottom left hand corner, the assisted and  
24 independent living building. Again, that's not a

1 July 25, 2023

2 final design. You will get a different design and  
3 a final design of a building when we make our  
4 formal submission. But that is the assisted  
5 living pad.

6 You then see an array of townhouses  
7 spreading out around what I just described as  
8 lots two, three, and four. There are 99 different  
9 townhouses. The, the town's MOD required, and  
10 this is important for us to hear day one,  
11 required that these be fee simple absolute lots.  
12 What does that mean? These are not going to be  
13 condominium units. They are actually going to be  
14 subdivided lots. So at some point in the process,  
15 I'm telling you on day one, we will be back with  
16 a 99-lot subdivision of the big lot that we will  
17 probably be, or big lots, that we will be  
18 creating with you. That is a requirement of your  
19 MOD, that these be fee simple. Why did the town  
20 board do that? I can only speculate that they did  
21 that because it results in a higher tax valuation  
22 for the town of Cortlandt. And that is a better  
23 thing for the town.

24 The units are arranged and when we

1 July 25, 2023

2 ultimately submit our site plan, they will be  
3 arranged in groupings of, Mandy three packs and  
4 four packs, primarily three packs and four packs.  
5 What do I mean by that? That's three units in a  
6 group, two ends in a middle, four units, two  
7 middles, two ends. That's --

8 MR. KESSLER: Just, just, let's stop for  
9 a second. You're only coming in for assisted  
10 living next time? Is that --

11 MR. STEINMETZ: No. I hope no, I'm, we  
12 we're, no, I hope that we're coming in next time.

13 MR. KESSLER: Okay. Can we get back to  
14 six lots? Seven lots here? It sounds like  
15 you're, you're giving us the presentation that  
16 you're going to do in September.

17 MR. STEINMETZ: No, because in --

18 MR. KESSLER: Explain to, just explain  
19 to me --

20 MR. STEINMETZ: Sure.

21 MR. KESSLER: -- why you have townhouses  
22 and the need to have that over three lots. So  
23 Why, if they're all townhouses, Tell me the --  
24 educate me as to why you need three, that has to

1 July 25, 2023

2 be three lots.

3 MR. STEINMETZ: So one of the reasons  
4 that we are contemplating that as a three-lot is  
5 that it can be financed and conveyed in three  
6 different groupings. So nothing precludes us --

7 MR. KESSLER: I don't know what that  
8 means.

9 MR. STEINMETZ: So rather than  
10 potentially selling all 99 and closing on all 99  
11 at one time, we could close on those lots that  
12 fit, with those smaller unit lots, that fit  
13 within the larger lot. So, those three in the  
14 back, the 99 townhouses theoretically could be 33  
15 in the first lot, 33 in the second lot, and 33 in  
16 the third lot. And that would not require the  
17 Santuccis to convey all 99 or make somebody pay  
18 for all 99 in one fell swoop. So we would like  
19 them to be in three different lots.

20 MR. KESSLER: How's that different than  
21 just phasing the construction? What am I missing?

22 MR. STEINMETZ: Because we actually need  
23 lots in order to convey it.

24 MR. KESSLER: Convey --

1 July 25, 2023

2 MR. STEINMETZ: This is for conveyancing  
3 purposes.

4 MR. KESSLER: Conveyance, help me out  
5 here, conveyance to whom?

6 MR. STEINMETZ: To the ultimate builder  
7 of the subdivision.

8 MR. KESSLER: I see.

9 MR. STEINMETZ: I can state for the  
10 record that --

11 MR. KESSLER: So you, it is possible  
12 that three different builders would build the  
13 three different lots?

14 MR. STEINMETZ: It's possible. It's more  
15 likely that a single builder acquiring 99 units  
16 would not take down all 99 at the exact same  
17 time. So by creating lots, we have the ability to  
18 sell them and actually sell them a lot that has  
19 within it 33 of the units.

20 MR. KESSLER: Pre-approved units?

21 MR. STEINMETZ: Correct. And we're not,  
22 we're not at that juncture yet. But, so let's,  
23 let's take your question, Mr. Chairman, and let's  
24 reel it back a notch, as I think you probably

1 July 25, 2023

2 have some sense. More important than lots two,  
3 three, and four is the creation of lot one. We  
4 are on the threshold of executing a contract  
5 regarding that area.

6 That area is not presently a subdivided  
7 lot. My client has a contract vendee that wants  
8 to know that there is a subdivided lot there. So  
9 for legal financing and conveyancing purposes, we  
10 are processing, starting this evening, a  
11 subdivision application. Whether it's for the one  
12 lot and the balance of the property or if it's  
13 for the five lots with the road and the drainage  
14 area, we need to begin processing the  
15 subdivision. And Mr. Chairman, while I, I mean I  
16 know you cut me off and I obviously, you know,  
17 I'm going to do what you ask. I wanted, we're  
18 here tonight to introduce the entire project,  
19 even if we haven't submitted the final site plan,  
20 I can tell you that your --

21 MR. KESSLER: Our expectation from the  
22 agenda item is to talk about --

23 MR. STEINMETZ: The subdivision.

24 MR. KESSLER: The subdivision. Yes.

1 July 25, 2023

2 MR. STEINMETZ: That's fine. And I  
3 didn't want to talk about a subdivision with  
4 three new members who actually don't realize what  
5 we've lived through for seven years. And that  
6 would be unfair to the Santuccis.

7 MR. KESSLER: Okay. So, so I understand,  
8 from what you're presenting here, you, you need  
9 to get this lot one done. And in, in fact, what  
10 you're going to be doing is if you have lot one,  
11 you're also going to be -- perhaps the wrong  
12 choice of words, guaranteeing them 120-bed  
13 assisted living approval.

14 MR. STEINMETZ: No, I don't think we  
15 guarantee, I'm going to use your phrase. I'm not  
16 guaranteeing anyone anything. I'm in the town of  
17 Courtlandt. You can't even guarantee that there's  
18 water in the hallway, so.

19 MR. KESSLER: But you, so you're going  
20 to guarantee them, you, you're going to, it  
21 sounds like you have somebody that's willing to  
22 build an assisted living?

23 MR. STEINMETZ: A hundred percent.

24 MR. KESSLER: And the expectation is

1 July 25, 2023

2 that they're going to build 120-bed assisted  
3 living?

4 MR. STEINMETZ: Absolutely. Because it's  
5 already been found to be of no significant  
6 adverse environmental impact, and it fits on the  
7 lot and it's been designed for it. So I expect it  
8 to happen.

9 MR. KESSLER: But again, my first point,  
10 you know, we haven't determined that it fits on  
11 the lot. You have. We have not.

12 MR. STEINMETZ: I understand that.

13 MR. KESSLER: Okay.

14 MR. STEINMETZ: And nobody's asking you  
15 to determine that tonight.

16 MR. KESSLER: I, I completely -- we  
17 finally agree.

18 MR. STEINMETZ: And in fairness, if we  
19 are beginning to promote the creation of a 6.03-  
20 acre lot that you ultimately determined is  
21 insufficient, it's our risk. We, we blew it. We,  
22 we shouldn't be doing it. But I can tell you that  
23 before Val and Mandy had their surveyor prepare  
24 that, and before Matt Steinberg and DTS Provident

1 July 25, 2023

2 does, did, did their initial cut, fill and  
3 grading analysis and drainage analysis, and  
4 before my contract vendee started negotiating a  
5 contract, with all due respect, Mr. Chairman I  
6 could tell you a lot of people and a lot of brain  
7 power went into, does that 6.03-acre lot actually  
8 work? I wouldn't be sitting here citing the  
9 number that I'm citing if we hadn't spent the  
10 last three months doing this. If I, if I had a  
11 signed agreement, I probably would be, I'd have a  
12 site plan in front of you.

13 MR. KESSLER: So your immediate need is  
14 to get a subdivision for lot one?

15 MR. STEINMETZ: And the immediate need  
16 is to introduce this because you only have one  
17 meeting in the summer of 2023. So I had no  
18 choice. I get, I was here in on June 6th and, and  
19 David, you can come back on July 25th and the  
20 next time you can come back is in September. So  
21 why am I here? I'm here so that I can make sure  
22 you all know what what's yet to come.

23 Because throughout the fall of 2023, I  
24 want to try to go through the site plan process

1 July 25, 2023

2 after seven years and we ought to be able to do  
3 that fairly expeditiously. So the first thing  
4 that I was able to file so that I didn't just  
5 walk in here with nothing was a, was a  
6 subdivision because I know where my lots lay out  
7 and I wanted to have an intelligent and  
8 meaningful conversation with, and I wanted,  
9 Steve, you, you know me way too well. I wanted to  
10 introduce the project, with all due respect to  
11 three new board members who haven't lived through  
12 this.

13 MR. KESSLER: Yeah. But again, that,  
14 that's not what's presented on our agenda  
15 tonight, that project.

16 MR. STEINMETZ: So I think our cover  
17 letter introduced the fact that we were going to  
18 be conceptually discussing it. So I can't tell  
19 you how your staff prepared the agenda, but I  
20 announced in my cover letter what we were coming  
21 in to do tonight. So we're here to talk about the  
22 subdivision and conceptually discuss the uses  
23 within it so that the folks on the board did not  
24 think we were wasting their time just whacking up

1 July 25, 2023

2 28 acres because it's fun to come to a planning  
3 board meeting. We're here because I know  
4 ultimately I'm going to have to have a 6.03-acre  
5 lot for an assisted living and I'm going to need  
6 the balance of the property subdivided so that I  
7 can ultimately develop the lots that the town  
8 board concluded were appropriate and did not  
9 cause an a significant adverse impact.

10 So I don't want to talk in circles and I  
11 don't want to create problems for the board and I  
12 hope I'm being fairly clear to the others who  
13 are, are not climbing on me like the chair. But  
14 you know, it's another night in Courtlandt for  
15 me, so.

16 MR. KESSLER: Okay, well obviously we  
17 have to refer this back to staff.

18 MR. STEINMETZ: Yes.

19 MR. KESSLER: To review. Yes. And  
20 obviously revisit this at the next meeting.

21 MR. STEINMETZ: So we look forward to  
22 coming --

23 MR. KESSLER: And, and with your full  
24 presentation.

1 July 25, 2023

2 MR. STEINMETZ: We look forward to  
3 coming back with our full presentation. We hope  
4 that your board understands --

5 MR. KESSLER: But these are two, two  
6 separate applications, I understand that.

7 MR. STEINMETZ: Of course.

8 MR. KEHOE: But, but I guess one thing  
9 that I'm wondering about and I think this was  
10 maybe mentioned at the work session, is you've  
11 now underlaid the subdivision, but if you come  
12 back next month with the site plan, the, the two  
13 things will just sort of run concurrently.  
14 There's no necessity that the site, that the  
15 subdivision be signed off and approved before  
16 they start analyzing the assisted living.

17 MR. STEINMETZ: So the answer to that,  
18 and I very much appreciate that, because I think  
19 that is certainly a germane question. In light of  
20 the legal situation with the contract vendee and  
21 other situations impacting the property, if I  
22 learned that the review of the site plan was  
23 going to take longer than we all think it, it  
24 will or should, then I might ask to complete the

1 July 25, 2023

2 subdivision piece first. And I'm allowed to do  
3 that. I own -- my client owns the real estate,  
4 I'm going to comply with the town's code. I'm  
5 going to comply with town law, New York State  
6 Town law section 276. And I have every legal  
7 right to ask you to create lots, even if I  
8 haven't finalized my site plan. I'd rather they  
9 dovetail and be working together. And I had hoped  
10 that we could file our site plan application  
11 formally on the assisted living at a minimum  
12 tonight.

13 But again, and I, I mean no disrespect  
14 and I'm not trying to be difficult to you, Steve,  
15 I only had one meeting in the summer and we  
16 didn't want to waste the opportunity to come here  
17 and have a dialogue and, and introduce this so  
18 that when we get here in September, at least  
19 everybody has an understanding of Evergreen  
20 Manor, an understanding of the uses that are  
21 going to be on this site, understands what we've  
22 been through.

23 We, we've spent a ton of time on traffic  
24 and adaptive, adaptive traffic signals at

1 July 25, 2023

2 multiple intersections, which you don't need to  
3 concern yourselves with. But if people wanted to  
4 ask about that and wanted to understand this, I'm  
5 not going to preclude them from doing that. And I  
6 had one meeting in a 60-day period and my clients  
7 are paying taxes and have been waiting seven  
8 years to get to this moment in time.

9 MR. KESSLER: Well that was with the  
10 town board, not with us.

11 MR. STEINMETZ: I, I you said it not me.

12 MR. KESSLER: Okay. No, you, you raised  
13 the seven year issue, I didn't.

14 MR. STEINMETZ: So, we will be back in  
15 September. If anyone has questions on, on our  
16 lots, or on the road or on the sidewalk or the  
17 lighting, those are all subdivision issues. Matt  
18 Steinberg is more than happy to discuss the road,  
19 the grade of the road, why it's located, why it  
20 has the little curve, why it has a cul-de-sac,  
21 the fact that the cul-de-sac meets municipal  
22 specifications, the fact that a fire engine can  
23 get in, turn around and get out. I'm happy to hit  
24 all of that. But if you're all good with that,

1 July 25, 2023

2 then that I can check off is one of the reasons  
3 why we showed up on July 25, 2023 so that in  
4 September we can hit third gear or maybe fourth  
5 gear and move forward on the site plans.

6 MR. BIANCHI: This is not a subdivision  
7 issue I guess, but has the question of  
8 affordability come up?

9 MR. STEINMETZ: If the chairman allows  
10 me to answer it, I'm happy to.

11 MR. KESSLER: Whatever I say, never  
12 stops you.

13 MR. STEINMETZ: For the three new board  
14 members, in fairness, I should say Steve and I  
15 have been doing this together for how, for, for  
16 way too many years, over 30. The answer Mr.  
17 Bianchi is yes, we are required to have a ten  
18 percent affordability on --

19 MR. BIANCHI: That's, I thought, okay.

20 MR. STEINMETZ: On the on the, on the --

21 MR. BIANCHI: Townhouse.

22 MR. STEINMETZ: -- townhouse unit lots.  
23 We are also going to have issues to deal with  
24 with your board and the town and staff on

1 July 25, 2023

2 recreation fee and the recreational amenities  
3 that will be incorporated into the assisted  
4 living that I'm not allowed to talk about. So  
5 I'll talk about those, I'll save that for  
6 September when I have a good full list of all  
7 those amenities. But --

8 MR. KESSLER: Coming attractions.

9 MR. STEINMETZ: Exactly. Why, why not  
10 leave a little cliffhanger? We're really excited  
11 to talk about -- sorry, I can't talk about it.

12 MR. KESSLER: Alright. Any, any more  
13 comments from staff or the board? If not, Nora?

14 MS. HILDINGER: I make a motion to refer  
15 back.

16 MR. KESSLER: Second please.

17 MR. BIANCHI: Second.

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

20 MULTIPLE: Aye.

21 MR. KESSLER: Opposed?

22 MR. STEINMETZ: See you in September. Is  
23 that like a song or something?

24 MR. KESSLER: Always a pleasure, yes.

1 July 25, 2023

2 MR. STEINMETZ: Always a pleasure, same  
3 here.

4 MR. MCKINLEY: The time is 8:42, the  
5 meeting is adjourned.

6 MR. KESSLER: Thank you.

7 (The public board meeting concluded at 8:42 p.m.)

CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of the planning board meeting of the Town of Cortlandt on July 25, 2023 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



---

Date: August 24, 2023

GENEVAWORLDWIDE, INC

256 West 38th Street - 10th Floor

New York, NY 10018