

TOWN OF GREENBURGH
PLANNING BOARD

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1. ROLL CALL

6. ITEMS FOR PUBLIC HEARING/PUBLIC DISCUSSION

- a) Case No. PB 20-01, Bastone
185 Chelsea Road (P.O. White Plains, N.Y.)
- b) Case No. PB 20-08
Greystone-on-Hudson PUD
Carriage Trail (P.O. Tarrytown, N.Y.)
- c) Case No. PB 19-27
Manhattan Avenue Senior, LLC.
48-58 Manhattan Avenue (P.O. White Plains, N.Y.)

7. ADJOURNMENT

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Greenburgh Town Hall
177 Hillside Avenue
Greenburgh, New York 10607
July 1, 2020

Meeting conducted via Zoom Video Conference

A P P E A R A N C E S:

WALTER SIMON, CHAIRMAN

JOHAN SNAGGS, Board Member
KIRIT DESAI, Board Member
HUGH SCHWARTZ, Board Member
MONA FRAITAG, Board Member
MICHAEL GOLDEN, Board Member
THOMAS HAY, Board Member

ALSO PRESENT: AARON SCHMIDT,
Deputy Commissioner of The Department of
Community Development and Conservation

DAVID R. FRIED, ESQ.
First Deputy Town Attorney

MATTHEW BRITTON,
Assistant Planner to the Department of
Community Development and Conservation

BARBARA MARCIANTE,
Official Senior Court Reporter

Public Hearing Case PB 20-08

1 CHAIRPERSON SIMON: We will go into the Public
2 Hearing Session of the Planning Board meeting. Okay, I
3 guess for the record, the matter -- we're going into the
4 Public Hearing Session, we should take the minutes -- I'm
5 sorry, have a roll call again.

6 DEPUTY COMMISSIONER SCHMIDT: Sure. Chairperson
7 Simon?

8 CHAIRPERSON SIMON: Here.

9 DEPUTY COMMISSIONER SCHMIDT: Mr. Golden?

10 BOARD MEMBER GOLDEN: Here.

11 DEPUTY COMMISSIONER SCHMIDT: Mr. Desai?

12 BOARD MEMBER DESAI: Here.

13 DEPUTY COMMISSIONER SCHMIDT: Mr. Hay?

14 BOARD MEMBER HAY: Here.

15 DEPUTY COMMISSIONER SCHMIDT: Mr. Schwartz?

16 BOARD MEMBER SCHWARTZ: Here.

17 DEPUTY COMMISSIONER SCHMIDT: Ms. Fraitag?

18 BOARD MEMBER FRAITAG: Here.

19 DEPUTY COMMISSIONER SCHMIDT: Mr. Snaggs?

20 BOARD MEMBER SNAGGS: Can you guys hear me?

21 DEPUTY COMMISSIONER SCHMIDT: Yes, we can now.

22 Thank you. All Board Members are here and present for this
23 evening. Thank you.

24 CHAIRPERSON SIMON: Before we go into that,
25 seeing how the Greystone is being postponed, I would just

Public Hearing Case PB 20-08

1 like to go straight to the PB 20-08 Greystone and announce
2 that it's being postponed and take that off for tonight's
3 activity.

4 Okay, so the first item on the agenda is PB
5 20-08, Greystone. The applicant has asked that we postpone
6 that until July 15th and so I'm asking -- We have to take a
7 formal vote on that?

8 DEPUTY COMMISSIONER SCHMIDT: Yes, Chairperson
9 Simon.

10 CHAIRPERSON SIMON: Okay. So I'll entertain a
11 motion to postpone the Hearing on PB 20-08, Greystone, to
12 July 15th.

13 BOARD MEMBER DESAI: So moved.

14 CHAIRPERSON SIMON: Do we have a second?

15 BOARD MEMBER SNAGGS: Second.

16 CHAIRPERSON SIMON: All in favor?

17 BOARD MEMBER SCHWARTZ: No. I have a discussion
18 before we vote, please?

19 CHAIRPERSON SIMON: Yes.

20 BOARD MEMBER SCHWARTZ: I think it should be to a
21 date to be determined. The reason being, we have now
22 delayed this three straight meetings. And until we know
23 what's going on with Tarrytown, it should not be taking up
24 our schedule.

25 So I don't think until they resolve things with

Public Hearing Case PB 20-08

1 Tarrytown we should be scheduling this meeting. Three
2 straight meetings we've done this with them.

3 CHAIRPERSON SIMON: Any other discussion on the
4 point? If not, call the motion, all those in favor?

5 DEPUTY COMMISSIONER SCHMIDT: I'm sorry, the
6 motion was made by Mr. Desai and seconded by whom?

7 TOWN ATTORNEY FRIED: Who seconded it?

8 BOARD MEMBER SNAGGS: I did.

9 DEPUTY COMMISSIONER SCHMIDT: Thank you, Johan.

10 CHAIRPERSON SIMON: Any other discussion on the
11 motion? If not, I call the vote, all those in favor of
12 moving it to the July 15th Public Hearing? Aye.

13 BOARD MEMBER FRAITAG: Aye.

14 BOARD MEMBER GOLDEN: Aye.

15 BOARD MEMBER DESAI: Aye.

16 BOARD MEMBER HAY: Aye.

17 BOARD MEMBER SNAGGS: Aye.

18 CHAIRPERSON SIMON: Oppose?

19 BOARD MEMBER SCHWARTZ: No.

20 CHAIRPERSON SIMON: Abstain?

21 (Whereupon, there was no response.)
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1 CHAIRPERSON SIMON: Okay. We will move it to the
2 15th. Okay, so the next thing on the agenda is then PB
3 20-01, Bastone, 185 Chelsea Road. Is there a
4 representative for that application?

5 MR. MATTHEW VANAGAS: Yup, I'm here.

6 BOARD MEMBER SNAGGS: I keep having Internet
7 activities issues. I'm going to log out and dial back in
8 and call for audio so in case my screen goes blank, that's
9 what's going on. So I'll be right back.

10 CHAIRPERSON SIMON: Okay.

11 DEPUTY COMMISSIONER SCHMIDT: Mr. Vanagas, we've
12 enabled the share screen function so you can share the
13 plans for the benefit of the Board Members and the public.
14 If you don't have that capability I -- looks like you do.

15 MR. MATTHEW VANAGAS: There it is. That's the
16 updated plan, Aaron and I had revised. I sent it back to
17 you based on, you know, the three or four comments that we
18 had from the last Planning Board session.

19 DEPUTY COMMISSIONER SCHMIDT: Yes. If you would,
20 thank you, Mr. Vanagas, if you would just walk us through
21 the revisions made. I know you sent me an email, which I
22 forwarded it out to the Board Members so they should be
23 aware. But for the benefit of anyone from the public
24 watching, I think if you can just quickly walk us through
25 the proposal and then the revisions made. Thank you very

1 much.

2 MR. MATTHEW VANAGAS: So we revised maximum
3 height of the wall to three feet, I believe. It had gone
4 from four, I think at the highest. So we're down to around
5 three feet.

6 And then for this section of the wall that was
7 the highest kind of just in front of the pool, we added a
8 fence. So our client chose to go with the fence option
9 just as a safety as opposed to the shrubs. So we will
10 install a fence there just as a safety precaution. We
11 updated the section, just to give everybody a better idea
12 of what's going on --

13 DEPUTY COMMISSIONER SCHMIDT: Would you be able
14 to zoom into that a little bit more, just for everyone? So
15 we have the back of the house, yup. Thank you.

16 MR. MATTHEW VANAGAS: All right. So back of the
17 house with the existing deck, we show the fence here. We
18 show our wall, the pool, the fence around the pool. And
19 then the retaining wall on the edge of the property line on
20 the right side.

21 CHAIRPERSON SIMON: Okay.

22 DEPUTY COMMISSIONER SCHMIDT: Okay. And
23 Mr. Vanagas, would you be able to just give a quick
24 overview of the proposal for the benefit of anyone, any
25 members of the public watching the meeting?

1 MR. MATTHEW VANAGAS: Yup. So the plan is to
2 just, it's a simple backyard renovation. We will be
3 regrading and installing two retaining walls, a shed.
4 Here's, the retaining walls run basically split the
5 backyard into two L-sections.

6 So the upper elevation here where we will have a
7 patio just on the deck, the right of the deck, with a
8 walkway down to some steps, another patio. We will be
9 installing a pool, with a fence around the pool, and then a
10 storage shed over here just to the left of the pool.

11 We don't -- I know one of the other concerns was
12 the line of sight on the right side of the backyard here to
13 the neighbors. There is an existing line of trees there.
14 Aaron, I had sent you pictures on that also of the
15 backyard. There should be no privacy disturbance.

16 DEPUTY COMMISSIONER SCHMIDT: Right. Those were
17 forwarded out to the Board Members. So there is a line,
18 it's not picked up in the survey or the site plan in this
19 case, but there is an existing row of vegetation that
20 really does fully screen the neighboring property to the
21 right-hand side of the screen from the applicant's proposed
22 to do this.

23 CHAIRPERSON SIMON: Aaron, a question. Based
24 upon your evaluation, are there any spots in that screening
25 that need to be filled in or you feel that it's a

1 complete -- what's there now could provide sufficient
2 screening?

3 DEPUTY COMMISSIONER SCHMIDT: It's pretty dense,
4 yes.

5 CHAIRPERSON SIMON: Okay.

6 DEPUTY COMMISSIONER SCHMIDT: I don't really
7 think there is much opportunity there to enhance.

8 CHAIRPERSON SIMON: Okay.

9 DEPUTY COMMISSIONER SCHMIDT: It will be in the
10 benefit of the neighbors.

11 MR. MATTHEW VANAGAS: There is the vegetation.

12 CHAIRPERSON SIMON: Yeah, that is pretty steep.
13 Are there any other questions by Board Members?

14 (Whereupon, there was no response.)

15 CHAIRPERSON SIMON: If not, do we have any
16 members of the public who wish to speak? I think,
17 Mister --

18 DEPUTY COMMISSIONER SCHMIDT: There was one
19 member of the public signed up to speak, but not
20 particularly on this project. I believe he was interested
21 in a different project so.

22 CHAIRPERSON SIMON: Okay, fine. Specifically on
23 this project, is there anyone of the public who would like
24 to speak on this project?

25 (Whereupon, there was no response.)

1 TOWN ATTORNEY FRIED: It would appear not.

2 CHAIRPERSON SIMON: Pardon me?

3 TOWN ATTORNEY FRIED: It would appear not.

4 CHAIRPERSON SIMON: Yeah, okay. And if that's
5 all the questions from the Board, so I recommend that we
6 close this Hearing, keep the record open until, what would
7 be that date, Aaron?

8 DEPUTY COMMISSIONER SCHMIDT: It would be one
9 week from today, July 8th.

10 CHAIRPERSON SIMON: Okay, July 8th. Do we have a
11 motion for that?

12 BOARD MEMBER HAY: So moved.

13 CHAIRPERSON SIMON: Second?

14 BOARD MEMBER GOLDEN: Second.

15 CHAIRPERSON SIMON: All those in favor indicate?
16 Aye.

17 BOARD MEMBER HAY: Aye.

18 BOARD MEMBER FRAITAG: Aye.

19 BOARD MEMBER SCHWARTZ: Aye.

20 BOARD MEMBER SNAGGS: Aye.

21 BOARD MEMBER GOLDEN: Aye.

22 BOARD MEMBER DESAI: Aye.

23 CHAIRPERSON SIMON: Oppose? Abstain? Okay.

24 (Whereupon, there was no response.)

25 CHAIRPERSON SIMON: So we will make a decision on

1 that on the 15th. Okay, the next thing on the agenda is PB
2 19-27, Manhattan Avenue Senior Citizens facility.

3 MS. JANET GIRIS: Thank you, Mr. Chairman,
4 Members of the Board. For the record, my name is Janet
5 Giris. I'm a parter with DelBello, Donnellan, Weingarten,
6 Wise & Wiederkehr. I'm here this afternoon on behalf of
7 the applicant.

8 As you know, we were before you, we've been
9 before you a couple of times now on this particular
10 project. This is the redevelopment of 48-58 Manhattan
11 Avenue, which is currently developed, owned by the
12 Greenburgh Housing Authority and developed with six
13 buildings that are intended to be demolished. And the
14 property will be redeveloped with a three-story, 70-unit
15 building, which will be offered to seniors 62 years of age
16 and over, at 60 percent or less than area median income.

17 So when we were last before you, we talked to you
18 about different changes that we made to the site plan in
19 response to comments that we received from your Board, from
20 the Town's professionals staff, as well as from the CAC.

21 We showed you the landscape plan when we were
22 before you last to show you how we were able to reduce the
23 impervious surface of the proposed emergency access road
24 around the building. And we also showed you the additional
25 landscaping that we're intending to provide on the site.

1 One of the things that we talked about when we
2 were with the Board last was the addition of a sidewalk
3 connection between the Theodore D. Young Community Center
4 and the site. As we mentioned to you last time, there is
5 an existing gate, access between properties via a gate.
6 That's intended to remain and the plan has now been revised
7 to include a sidewalk on our property and through that
8 area.

9 So we had the remainder of the plans set revised
10 to reflect those modifications to the plan that was
11 resubmitted to you. You had also asked for some noise
12 information, which we also submitted to you.

13 Since we also met with you last, we have met with
14 the Town Board. The Town Board, as you know, is the
15 approving agency for the third story of the building that
16 we're requesting. Two and a half stories is what is
17 permitted. But you can go to three or four stories and up
18 to 50 feet provided that the Town Board grants approval for
19 that extra story.

20 So we were before the Town Board for that. I'm
21 pleased to advise you that the Town Board closed its Public
22 Hearing on that application at their meeting last week.

23 As I mentioned, we've submitted to you the
24 information that you've requested. We hope that we have
25 been able to answer all of the outstanding issues that

1 you've raised. And we're hoping that you are able this
2 afternoon to close the Public Hearing once you're satisfied
3 and that we can continue to move the project along.

4 As you know, we've talked to you about the
5 critical timing of the project so we're very hopeful that
6 we can get there. We've got our entire project team here
7 with us this afternoon to answer any additional questions
8 that you might have on the application.

9 CHAIRPERSON SIMON: I have a procedural question
10 for David and Aaron. The Town Board have not made a
11 decision. So can we, do we have the option to legally
12 close the Hearing and keep it open to some date or what
13 exactly is the procedure we should be following? What are
14 our legal options in terms of the closing?

15 TOWN ATTORNEY FRIED: Okay, well, one reason the
16 Town Board couldn't act is that we have not completed
17 SEQRA, which a recommendation is that that be completed
18 today. So that once a SEQRA determination can be made, the
19 Town Board can make its action. But to answer your --

20 CHAIRPERSON SIMON: Okay.

21 TOWN ATTORNEY FRIED: -- really, your overall
22 question is that once the Town Board takes that action, we
23 can, you know, the Planning Board can take its own action.
24 So the answer is, you can close the Public Hearing.

25 However, if the Town Board delays its action, you

1 would wait until the Town Board did its action with respect
2 to the story, you know, the third story. You can close the
3 Public Hearing and leave the record open for seven to eight
4 days.

5 I think that's what Aaron and I were thinking.
6 So you get it past what you would think would be the Town
7 Board date to make their decision.

8 BOARD MEMBER SCHWARTZ: Dave?

9 CHAIRPERSON SIMON: Okay. Question. Let me
10 finish. What if we close the Hearing and the Town Board
11 doesn't make their decision, then --

12 BOARD MEMBER SCHWARTZ: Then you can get an
13 extension. That's the point.

14 TOWN ATTORNEY FRIED: Then we would await until
15 the Town Board made their determination.

16 CHAIRPERSON SIMON: Before we make a final
17 decision.

18 MS. JANET GIRIS: So if I can just add to that a
19 little bit. There is no reason why this Board could not
20 close the Hearing. The Hearing that you have before you is
21 in connection with the site plan. The Town Board has
22 closed its Hearing with regard to the proposed height of
23 the building.

24 They were unable to take action on that
25 additional story because the Planning Board is the lead

1 agency for SEQRA, for environmental review of the project.
2 And until the SEQRA process is completed, none of the other
3 involved agencies can take action.

4 So, you know, with regard to the site plan, we
5 would ask that you close the Hearing. There is no reason
6 that the Hearing should remain open. The Board can then
7 consider the adoption of the negative declaration, thereby
8 concluding the SEQRA process.

9 Then we can go back to the Town Board. The Town
10 Board can make its decision with regard to the height of
11 the building. Then we can come back to this Board for this
12 Board's consideration of site plan approval.

13 BOARD MEMBER SCHWARTZ: The only problem with
14 that, Janet, and I think it's very simple to solve. I
15 believe when we close the Hearing, there's actually, we
16 have a time limit by which we have to make a decision,
17 unless you agree that the time is pending approval of the
18 Town Board. Am I correct on that, Dave?

19 TOWN ATTORNEY FRIED: Well, yeah, but I think
20 what you're going to determine if the Town Board doesn't
21 make a determination, you know, one of two things -- well,
22 if they don't make a determination, there is some other
23 legal ramifications I don't necessarily want to go into.

24 But if there is no approval from the Town Board,
25 then, you know, then it will be very difficult for this

1 Board to make an approval on the site plan because the site
2 plan relies on the third story.

3 BOARD MEMBER SCHWARTZ: I understand that, but I
4 think --

5 MS. JANET GIRIS: In addition to that, Hugh --

6 CHAIRPERSON SIMON: Wait a minute. Wait a
7 minute. Okay, Janet.

8 BOARD MEMBER SCHWARTZ: Janet, go ahead.

9 MS. JANET GIRIS: In addition to that, there is
10 nothing that precludes this Board from reopening a Public
11 Hearing at any time should there be some issue raised that
12 the Board needs to consider additional information on. You
13 know, under the law, you've got 62 days after the close of
14 the Hearing to make the decision.

15 But as you and I know that that default provision
16 really never comes into play. And you know, as I mentioned
17 if we need to wait 62 days from now before this Board makes
18 a decision, there won't be a project here.

19 BOARD MEMBER SCHWARTZ: Janet, the problem isn't
20 us, okay. We don't control the Town Board's schedule. I
21 think what we should be doing tonight is, is finishing the
22 SEQRA process, obviously. And when we close the Public
23 Hearing, leave it to -- you can put date open pending
24 decision on height in the record, Dave, put pending a
25 decision by the Town Board on the height for decision.

1 That's all.

2 That way at least it's on record and that's what
3 we're waiting for, and it's recorded. We have situations
4 here unfortunately where we've had to have asked for an
5 extension from -- because --

6 CHAIRPERSON SIMON: From the applicant.

7 BOARD MEMBER SCHWARTZ: Yeah, for 62 days.

8 MS. JANET GIRIS: If it helps saying to the
9 Board, I would prefer that the Hearing be closed. If for
10 some reason we need to waive a 62-day period, you know,
11 that's something that can be discussed at that time. I
12 don't think that anybody is looking for any sort of default
13 approval here. But I think that with regard to public
14 input on the site plan, I don't think that there is any
15 reason from a legal perspective to keep the Hearing open.

16 BOARD MEMBER SCHWARTZ: You're answering
17 something that I didn't ask. You didn't hear what I said.

18 TOWN ATTORNEY FRIED: He said close the Public
19 Hearing.

20 BOARD MEMBER SCHWARTZ: I said close the Public
21 Hearing. And just, Janet, all I want to do is say schedule
22 it for decision pending approval of --

23 MS. JANET GIRIS: Understood. I apologize.

24 BOARD MEMBER SCHWARTZ: -- decision, that's all.
25 I'm agreeing with you.

1 CHAIRPERSON SIMON: That's the key point. We
2 just want to make sure that we don't make a decision,
3 prematurely shut down the Public Hearing when we still have
4 an outstanding issue floating around. So at least we
5 should make reference to that in our decision --

6 BOARD MEMBER SCHWARTZ: Okay.

7 CHAIRPERSON SIMON: -- on an outstanding issue.
8 And then the applicant recognizes the outstanding issue.
9 And it is not the Planning Board who's trying to hold
10 things up. We just want to be sure that we follow the
11 rules, and cross the T's and dot the I's.

12 TOWN ATTORNEY FRIED: In essence, Mr. Schwartz,
13 that's what we do because even we close, there is no --
14 we're never giving a guarantee that at the next available
15 meeting where there is going to be a decision rendered.
16 Sometimes there is not. But I have no problem with the
17 added language that you have to state that so it's clear to
18 everyone what the intentions are.

19 CHAIRPERSON SIMON: Good.

20 TOWN ATTORNEY FRIED: Obviously, if we have a
21 decision from the Town Board, then because the
22 scheduling --

23 BOARD MEMBER SCHWARTZ: Dave, I think we
24 understand each other. I think we can move on.

25 TOWN ATTORNEY FRIED: Okay. I just wanted to

1 clarify. Okay, great.

2 DEPUTY COMMISSIONER SCHMIDT: (Speaking but
3 inaudible.)

4 CHAIRPERSON SIMON: I can't hear you. Aaron,
5 you're speaking, you came across muddled. I didn't hear
6 you.

7 DEPUTY COMMISSIONER SCHMIDT: Okay.

8 MS. JANET GIRIS: It's just like being at home,
9 right.

10 CHAIRPERSON SIMON: I wasn't implying that. I
11 didn't say that.

12 MS. JANET GIRIS: That's how it is in my house.

13 BOARD MEMBER HAY: But we did miss whatever you
14 said.

15 TOWN ATTORNEY FRIED: I think he was saying that
16 we have a member of the public who wishes to speak.

17 DEPUTY COMMISSIONER SCHMIDT: Yes.

18 TOWN ATTORNEY FRIED: I read lips.

19 MR. MURRAY BODIN: My name is Murray Bodin. I've
20 been following this and I've learned a lot. I am
21 completely in favor of this project going forward as
22 quickly as possible. The information that I gained today
23 and we're living in the society that is changing so rapidly
24 that I will hold all of my thoughts for a future date and
25 encourage you all to move this project forward as quickly

1 and as expeditiously as possible.

2 Any ideas of what I have learned today and on
3 other times, I will tackle in the future. This is such a
4 changing world that what I wrote yesterday may not be
5 relevant today. So I encourage you to move this as quickly
6 as possible. And it is an excellent project. And I think
7 they have done their homework very well.

8 And I thank you all for one, letting me speak and
9 two, for the excellent education I've gotten from watching
10 all of these Board meetings. It has been terrific. And
11 welcome to the new world. It's here.

12 CHAIRPERSON SIMON: Thank you. Do we have any
13 other comments from the public?

14 (Whereupon, there was no response.)

15 CHAIRPERSON SIMON: None? Okay, so we're in
16 the -- let me get my file.

17 BOARD MEMBER SCHWARTZ: SEQRA first, Walter, I
18 think. Right, Aaron, SEQRA now?

19 CHAIRPERSON SIMON: Okay, so --

20 DEPUTY COMMISSIONER SCHMIDT: Yes.

21 CHAIRPERSON SIMON: Okay. So a draft neg. dec.
22 SEQRA determination, neg. dec.

23 BOARD MEMBER SCHWARTZ: What type is it first?

24 CHAIRPERSON SIMON: Okay, a neg. dec., right?

25 BOARD MEMBER SCHWARTZ: Don't we have to vote on

1 what type it is first, Aaron?

2 DEPUTY COMMISSIONER SCHMIDT: Yes.

3 CHAIRPERSON SIMON: Yes. I'm just referring to
4 the document. I'm not there yet. Saying that we have to
5 draft a neg. dec., which is classified as a Type I and I'm
6 asking if anyone has any comments on the document?

7 BOARD MEMBER SCHWARTZ: I would like to move that
8 this is a Type I Action under SEQRA.

9 BOARD MEMBER HAY: Second.

10 CHAIRPERSON SIMON: We have a second?

11 BOARD MEMBER HAY: Second.

12 CHAIRPERSON SIMON: All in favor? Aye.

13 BOARD MEMBER HAY: Aye.

14 BOARD MEMBER FRAITAG: Aye.

15 BOARD MEMBER GOLDEN: Aye.

16 BOARD MEMBER SCHWARTZ: Aye.

17 BOARD MEMBER DESAI: Aye.

18 BOARD MEMBER SNAGGS: Aye.

19 CHAIRPERSON SIMON: Oppose? Okay. Abstain?

20 (Whereupon, there was no response.)

21 CHAIRPERSON SIMON: And the second vote we have
22 to take is to declare a negative declaration on this
23 application. Any discussion on that? If not, we will
24 entertain a motion to do the neg. dec. this application?

25 BOARD MEMBER HAY: So moved.

1 BOARD MEMBER SCHWARTZ: Second.

2 CHAIRPERSON SIMON: All in favor? Aye.

3 BOARD MEMBER GOLDEN: Aye.

4 BOARD MEMBER FRAITAG: Aye.

5 BOARD MEMBER SCHWARTZ: Aye.

6 BOARD MEMBER SNAGGS: Aye.

7 BOARD MEMBER DESAI: Aye.

8 CHAIRPERSON SIMON: Abstentions, objections?

9 (Whereupon, there was no response.)

10 CHAIRPERSON SIMON: Okay. So the next thing is
11 to close the Public Hearing. Now, the comments that Hugh
12 made and Dave followed up, do I incorporate that into
13 closing the Hearing at this point or not?

14 BOARD MEMBER SCHWARTZ: Walter, can I make a
15 motion that I think that will do it?

16 CHAIRPERSON SIMON: Sure.

17 BOARD MEMBER SCHWARTZ: Okay. I move that we
18 close the Public Hearing, keep the record open. How long
19 do you want, eight days?

20 TOWN ATTORNEY FRIED: I would suggest July 10th.

21 BOARD MEMBER SCHWARTZ: Keep the record open to
22 July 10th.

23 TOWN ATTORNEY FRIED: No, Aaron, is shaking his
24 head.

25 BOARD MEMBER SCHWARTZ: What date do you want?

1 DEPUTY COMMISSIONER SCHMIDT: I would say
2 July 9th, if you can hear me.

3 BOARD MEMBER SCHWARTZ: Okay. So I move that we
4 close the Public Hearing. Keep the record open to
5 July 9th. And schedule a vote pending decision by the Town
6 Board on the height requirement for this project.

7 BOARD MEMBER DESAI: Second.

8 CHAIRPERSON SIMON: All those in favor? Aye.

9 BOARD MEMBER FRAITAG: Aye.

10 BOARD MEMBER GOLDEN: Aye.

11 BOARD MEMBER SCHWARTZ: Aye.

12 BOARD MEMBER DESAI: Aye.

13 BOARD MEMBER SNAGGS: Aye.

14 CHAIRPERSON SIMON: Oppose?

15 BOARD MEMBER HAY: Aye.

16 CHAIRPERSON SIMON: Who opposed?

17 BOARD MEMBER HAY: No, I was just late saying
18 aye.

19 CHAIRPERSON SIMON: Okay, abstain?

20 (Whereupon, there was no response.)

21 BOARD MEMBER SCHWARTZ: Better late than never,
22 Tom.

23 BOARD MEMBER HAY: I was muted.

24 CHAIRPERSON SIMON: Okay, so with that said, that
25 is the end of our --

1 MS. JANET GIRIS: Thank you very much.

2 CHAIRPERSON SIMON: -- Public Hearing.

3 BOARD MEMBER HAY: You're welcome.

4 CHAIRPERSON SIMON: And yes.

5 MR. BISHOP WILBERT PRESTON: Thank you very much.

6 Looking forward to it.

7 DEPUTY COMMISSIONER SCHMIDT: Have a good evening
8 all.

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15 CHAIRPERSON SIMON: Okay, that closes the Public
16 Hearing on this topic. Not closing the Public Hearing
17 perse. Before we officially close the Public Hearing, are
18 there any other comments or anything we wish to just bring
19 up. Yes, David?

20 TOWN ATTORNEY FRIED: Just a reminder that our
21 next meeting will be on the 15th, it will be at 5:00 p.m.

22 CHAIRPERSON SIMON: 5:00 p.m. yes. And also, I
23 spoke to Garrett. He said that I think about a dozen
24 applications for the position of business, whatever the
25 final title will be, and he said he didn't get a chance to

1 look closely at every one, but he said, you know, you can
2 do them, he said, he feels that we got some good, possible
3 candidates.

4 BOARD MEMBER SCHWARTZ: With regard to the
5 applications for our Alternate Planning Board member,
6 Walter?

7 CHAIRPERSON SIMON: No, we still have not gotten
8 any responses for an Alternate Planning Board Member. I'll
9 ask Paul to at the Town Board meetings and his network to
10 put that out again.

11 So I think we really need that, especially now
12 that summer, summer vacations and everything else, and the
13 possibility of a Planning Board member not being around
14 becomes, you know, a real increased possibility.

15 Okay, so yeah, so that's the answer. So we still
16 need to push forward on that. Any other things we need to
17 discuss before?

18 BOARD MEMBER SCHWARTZ: I move to close the
19 Public Hearing portion of tonight's meeting.

20 BOARD MEMBER HAY: Second.

21 DEPUTY COMMISSIONER SCHMIDT: We had to do that.

22 TOWN ATTORNEY FRIED: Who seconded it.

23 BOARD MEMBER HAY: I did.

24 CHAIRPERSON SIMON: All in favor? Aye.

25 BOARD MEMBER GOLDEN: Aye.

1 BOARD MEMBER DESAI: Aye.

2 BOARD MEMBER HAY: Aye.

3 BOARD MEMBER FRAITAG: Aye.

4 BOARD MEMBER SCHWARTZ: Aye.

5 BOARD MEMBER SNAGGS: Aye.

6 CHAIRPERSON SIMON: Okay, thank you, everyone.

7 TOWN ATTORNEY FRIED: Thank you, Barbara.

8 COURT REPORTER: Thank you.

9 (Whereupon, the Planning Board Public Hearing was
10 concluded.)

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15 C E R T I F I C A T I O N

16
17 Certified to be a true and accurate transcript
18 of the stenographic minutes of proceedings taken by the
19 undersigned, to the best of her ability.

20 *Barbara Marciante*
21 _____

22 Barbara Marciante,
23 Official Court Reporter
24
25