

TOWN OF GREENBURGH
PLANNING BOARD

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1. ROLL CALL

5. ITEMS FOR PUBLIC HEARING/PUBLIC DISCUSSION

- a) Case No. PB 20-10, Carabello
33 Lark Avenue (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 19-30
Splash Carwash
208 Tarrytown Road (P.O. White Plains, N.Y.)

7. ADJOURNMENT

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Greenburgh Town Hall
177 Hillside Avenue
Greenburgh, New York 10607
July 15, 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: So let's now go into Public
2 Hearing. And we should take the minutes -- I'm sorry --
3 take the roll call again.

4 DEPUTY COMMISSIONER SCHMIDT: Yes. So I did
5 confirm with Barbara that she's ready for us.

6 COURT REPORTER: Ready.

7 DEPUTY COMMISSIONER SCHMIDT: Thank you. I'll
8 call the roll. Walter Simon?

9 CHAIRPERSON SIMON: Here.

10 DEPUTY COMMISSIONER SCHMIDT: Hugh Schwartz?

11 BOARD MEMBER SCHWARTZ: Here.

12 DEPUTY COMMISSIONER SCHMIDT: Michael Golden?

13 BOARD MEMBER GOLDEN: Still here.

14 DEPUTY COMMISSIONER SCHMIDT: Thomas Hay?

15 BOARD MEMBER HAY: Here.

16 DEPUTY COMMISSIONER SCHMIDT: Kirit Desai?

17 BOARD MEMBER DESAI: Here.

18 DEPUTY COMMISSIONER SCHMIDT: Mona Fraitag?

19 BOARD MEMBER FRAITAG: Here.

20 DEPUTY COMMISSIONER SCHMIDT: Johan Snaggs?

21 BOARD MEMBER SNAGGS: Here.

22 DEPUTY COMMISSIONER SCHMIDT: Thank you.

23 CHAIRPERSON SIMON: Let me first dispose of the
24 Case PB 20-08 and PB 19-30. Greystone-on-Hudson, we have
25 given a number of postponements and there is still work to

Public Hearing Case PB 20-08

1 be done in the coming up for Greystone and Tarrytown to
2 come up with an agreement. They are still doing additional
3 work.

4 So at this point, what I would like to do is to
5 postpone it to a date uncertain and when they get all their
6 ideas --

7 BOARD MEMBER SCHWARTZ: Great idea.

8 CHAIRPERSON SIMON: -- in, then we will put it
9 back on the agenda. What it will mean, that they have to
10 renotice, but I think we've been doing this several times.
11 So they'll just have to be re-noticed. So I'm proposing
12 that we postpone this to a date uncertain. Is the formal
13 vote required for this, Aaron?

14 TOWN ATTORNEY FRIED: Yes.

15 BOARD MEMBER SCHWARTZ: I'll move that. I think
16 it's a terrific idea.

17 BOARD MEMBER HAY: Second.

18 CHAIRPERSON SIMON: All in favor? Aye.

19 BOARD MEMBER SCHWARTZ: Aye.

20 BOARD MEMBER DESAI: Aye.

21 BOARD MEMBER HAY: Aye.

22 BOARD MEMBER GOLDEN: Aye.

23 BOARD MEMBER SNAGGS: Aye.

24 BOARD MEMBER FRAITAG: Aye.

25 CHAIRPERSON SIMON: Oppose?

1 (Whereupon, there was no response.)

2 CHAIRPERSON SIMON: A similar situation, PB
3 19-30, Splash Carwash. The issue there is they are going
4 back and forth with the DOT, but I think there is something
5 like seven or eight curb cuts and the DOT wants them to
6 reduce that. And the property is owned by two different
7 owners, and so it's becoming very complicated.

8 And so until they can work out something between
9 the two owners and the DOT, I would like to just postpone
10 the Hearing to a date, again, uncertain until they can work
11 everything out.

12 And then we will stick them back on the agenda.
13 So I'm asking for a motion to postpone the Hearing on PB
14 19-30 to a date uncertain.

15 BOARD MEMBER DESAI: So moved.

16 BOARD MEMBER SCHWARTZ: Second.

17 CHAIRPERSON SIMON: All in favor? Aye.

18 BOARD MEMBER DESAI: Aye.

19 BOARD MEMBER SCHWARTZ: Aye.

20 BOARD MEMBER GOLDEN: Aye.

21 BOARD MEMBER HAY: Aye.

22 BOARD MEMBER FRAITAG: Aye.

23 BOARD MEMBER SNAGGS: Aye.

24 CHAIRPERSON SIMON: Oppose?

25 (Whereupon, there was no response.)

1 CHAIRPERSON SIMON: Okay, so the only thing on
2 the Hearing now is Case PB 20-10, 33 Lark Avenue. So if we
3 can do that, and we will go back to the work session. So
4 do we have a representative for --

5 DEPUTY COMMISSIONER SCHMIDT: We do. And before
6 we do that, I just want to announce to the Board that we
7 have at least one member of the public that has signed on
8 and wishes to speak. So we will have the applicant walk us
9 through, again, the proposal. And we do have the share
10 screen function available for the applicant's
11 representative.

12 We will see if there are any follow-up questions
13 from the Board Members and then we will have an opportunity
14 to hear from any members from the public that wish to
15 speak. Thank you.

16 MS. CHRISTINE BRODA: Hello, everyone.

17 DEPUTY COMMISSIONER SCHMIDT: Ms. Broda.

18 MS. CHRISTINE BRODA: Yes. Hello, everyone. My
19 name is Christine Broda. I'm the architect for the
20 Carabello family. And I'll share my screen now and show
21 you the project and we will take a look at that.

22 CHAIRPERSON SIMON: Any possibility making that a
23 little bigger?

24 MS. CHRISTINE BRODA: Let's see. You can't see
25 this too well?

1 CHAIRPERSON SIMON: Well, yeah, I can -- okay,
2 that's a little better.

3 MS. CHRISTINE BRODA: Is that good? Okay. Yeah,
4 I got you on the bigger screen here. I was hoping it would
5 look bigger.

6 TOWN ATTORNEY FRIED: Excuse me, Walter, there
7 may be a way that you can slide the participants over on
8 your screen as well that you might be able to make your
9 screen larger.

10 CHAIRPERSON SIMON: Okay.

11 DEPUTY COMMISSIONER SCHMIDT: Yeah, I just did
12 that.

13 CHAIRPERSON SIMON: Yeah, I'm at max.

14 TOWN ATTORNEY FRIED: Okay.

15 CHAIRPERSON SIMON: Okay, thank you.

16 MS. CHRISTINE BRODA: Okay. So just to give you
17 a quick walk-through. Let me take a clipping of this. And
18 that's not going to work. If you give me a second, I'm
19 going to switch back to the other screen because that way I
20 can sketch on it. Okay, here we go.

21 Now, this is the boundary of the property right
22 here. This is Lark Avenue down here, driveway, and the one
23 and a half story home or two-story home. The project is to
24 build a patio with a pool. So here would be the pool.
25 Here is the patio along the back of the house. Our stream

1 is here on the neighboring properties. And as you can see,
2 here's our property boundary line.

3 The wetland that we suspect is there. According
4 to the maps, the wetland boundary is this line here. I'm
5 going to erase these guys. The wetland boundary is here,
6 but in actuality, from the planting, it looks like it's
7 actually much closer, to somewhere around here.

8 And our watercourse and wetland boundaries, the
9 watercourse boundary for the buffer zone is here. The
10 wetland boundary would be here, according to the maps.

11 So essentially, the entire property lies within a
12 buffer zone and certainly the entire extent of the project
13 we're going to be doing lies within this buffer zone. So
14 there are some areas of steeper slope which encompass this
15 area here. We're staying away from that. So we're not
16 encroaching on anything that is of steep slope.

17 We are planning to, in addition to having this
18 pool, which is a semi-below ground pool, which means it is
19 about two feet below grade, two feet above. This is not
20 one of the deep eight-foot pools with a diving board.

21 This is more of a wading swimming pool that will
22 put the floor of the base, the patio would be even with the
23 top of the pool. And then along this area here, this slope
24 drops off enough that we have a little bit of a retaining
25 wall and we have the pool sitting about two feet above the

1 ground in this case.

2 And in addition, we have some planting buffer
3 zones. If I give you a look at the three-dimensional
4 images, this could may be clarify it a little bit better.
5 So here you can see that we have -- we have the pool. This
6 is Lark Avenue is up here. This is the house, the proposed
7 patio and you can see it's just a step or two down to the
8 ground level. And these are our planting beds here.

9 We also intend to put a fence along the property
10 as is required by building code in order to block any
11 potential animals or unknown, you know, strangers or kids
12 wondering in from the neighborhood from being able to come
13 in and go into the pool.

14 Here's another 3D view of it, taken from sort of
15 the deep corner looking back into the house. And you can
16 see here that we have a carport at this side of the house.
17 We're going to be fencing it here and here so that, again,
18 there is a gate here. Nobody can enter the property
19 without getting proper allowance or permission.

20 The pool equipment and some storage, the
21 condensers for the HVAC system will be located over here.
22 Right now the condenser is located here. We're going to
23 move it over to here. So, and a third view of it from the
24 other corner, this is looking back, again, at the property
25 and at the proposed pool.

1 There are some trees along the property. I'll
2 bring up the landscaping plan. These trees, as you can see
3 here, are from really along the boundary of the other side
4 of the watercourse. There is some trees along the property
5 here.

6 We're proposing to put up, there is an existing
7 fence here, we're proposing to put up some arborvitaes for
8 privacy screening. There is a Cherry tree currently
9 located here -- I'm sorry, not Cherry, Red Maple, that
10 we're going to move to over here in this location.

11 We also have gotten approval from the Engineering
12 Department pending, of course, Planning Board approval, to
13 do a drainage system for the additional impervious
14 surfaces. We're capturing all the water with a curtain
15 drain along the perimeter of the patio. The patio will
16 slope towards that perimeter.

17 We're capturing that and bringing that into three
18 dry wells here. We've already done a perc test and we've
19 gotten approval for the three dry well system. These
20 plantings here are existing, here is existing, but all of
21 these planting beds here and here are intended to be added
22 as part of this project.

23 Oh, and one other thing, we're going for a nice
24 point of view kind of look. We're going to add a River
25 Birch tree here in the corner of the property, so that it's

1 kind of a nice little long distance over the view here.

2 And if I give you one more 3D, you can see here,
3 if you rotate this along here, that's where the proposed
4 River Birch would be. So as you're sitting here, you got a
5 nice little distant view over towards that.

6 So are there any questions?

7 DEPUTY COMMISSIONER SCHMIDT: I just wanted to
8 bring up one item that was discussed in the work session,
9 if I may. So during a site inspection conducted by Town
10 Staff and a couple of Planning Board Members, it was
11 observed that there is an outlet pipe from what is believed
12 to be a sump pump.

13 MS. CHRISTINE BRODA: Yes.

14 DEPUTY COMMISSIONER SCHMIDT: I believe you went
15 on record as stating that that could be tied into the
16 proposed dry well system.

17 MS. CHRISTINE BRODA: Yes, it will be. The dry
18 well system is sized well enough to be able to accept it.
19 So yeah. There is not a lot of water that comes from that
20 system. It's just an occasional high water. It rarely
21 pumps, but we will put that into the dry well system.

22 And we also agreed that we would have the water
23 of the pool removed through pumping it and taking it off
24 site, not dumping into the property, obviously, and not
25 dumping it into the sanitary sewer lines.

1 DEPUTY COMMISSIONER SCHMIDT: Thank you.

2 CHAIRPERSON SIMON: Are there any other questions
3 from Board Members?

4 BOARD MEMBER DESAI: Yeah. I have --

5 DEPUTY COMMISSIONER SCHMIDT: We have a request
6 from Mr. Desai.

7 BOARD MEMBER DESAI: Yeah. When you said the
8 curtain drain, so it's like kind of, like it's similar to
9 what you have at the end of the driveway?

10 MS. CHRISTINE BRODA: No. A curtain drain is an
11 underground pipe that is sloped so that it gets to the dry
12 well and it collects water as it goes through. It's a pipe
13 that is a perforated pipe that is placed in a gravel sort
14 of bed with some filter fabric wrapping around it so that
15 the surrounding dirt doesn't come into it.

16 So as the water pours over the edge of the patio,
17 it falls on to a little layer of gravel. And that layer of
18 gravel then leads the water down, percolates it down into
19 this pipe, which then takes it and drains it away. It's
20 similar actually to a footing drain that you would put in
21 at the base of a foundation.

22 BOARD MEMBER DESAI: Okay. So this drain is all
23 around the patio?

24 MS. CHRISTINE BRODA: Yes.

25 BOARD MEMBER DESAI: Okay.

1 MS. CHRISTINE BRODA: Yes. And my client has
2 expressed a desire to have what she would call more of a
3 Zen garden look, which means that there's actually, as you
4 can see here on the images of our planting beds, some of it
5 is with dirt and then some of it is with this white imagery
6 here is really gravel.

7 So that you get sort of a little raked gravel
8 affect and raked stone. So it's in keeping with -- the
9 curtain drain will actually be in keeping with the
10 landscape scheme. So it's not something that's going to be
11 planted over or anything of that. It actually keeps in
12 with the theme.

13 BOARD MEMBER DESAI: Okay.

14 CHAIRPERSON SIMON: Okay. Are there any
15 additional questions from Board Members?

16 (Whereupon, there was no response.)

17 CHAIRPERSON SIMON: If not, I believe there is
18 someone from the public who would like to speak on this
19 application.

20 DEPUTY COMMISSIONER SCHMIDT: There is. And
21 before I announce Ms. Foster-Osborne to speak, I just want
22 to note for the record that the applicant's proposal
23 involved a wetland watercourse permit and potentially a
24 minor project, if the Board agrees.

25 The applicant is proposing 4,944 square feet of

1 disturbance within the wetland watercourse buffer and the
2 applicant proposes approximately 77.47 cubic yards of
3 excavation in order to carry out the project. There is no
4 imported fill required in connection with the proposal.
5 Thank you. And I believe we have Ms. Foster.

6 MS. CHRISTINE BRODA: May I add one thing to
7 that?

8 CHAIRPERSON SIMON: Please do.

9 MS. CHRISTINE BRODA: Yes. As we had discussed,
10 it was asked in the Working Session what would happen to
11 the fill because we're excavating for a pool. Because of
12 the downslope from the house to the end of the pool, we're
13 going to actually use that fill to build up underneath
14 where the patio will be.

15 So we're actually going to take that same fill,
16 spread it out and then compact it and use that as a base
17 for the patio.

18 CHAIRPERSON SIMON: Okay.

19 DEPUTY COMMISSIONER SCHMIDT: Thank you.

20 CHAIRPERSON SIMON: If there is no other
21 questions, then please allow a member of the public to
22 speak.

23 DEPUTY COMMISSIONER SCHMIDT: Yes. We have
24 Ms. Foster-Osborne. Can you hear us?

25 MS. FOSTER-OSBORNE: Yes, I can.

1 DEPUTY COMMISSIONER SCHMIDT: Okay. I believe
2 you had a question.

3 MS. FOSTER-OSBORNE: Yes. I have a question
4 about the boundaries. I'm on the opposite side of 33 Lark.
5 And I'm looking at the scale of the map. And it doesn't
6 match the survey that we have. Our line does extend a
7 little over and this one looks like it extends into our
8 yard. So it doesn't really match.

9 DEPUTY COMMISSIONER SCHMIDT: So I do have that
10 document available. There it is that was sent. Ms. Broda,
11 I did forward it along to her.

12 MS. CHRISTINE BRODA: Yes.

13 DEPUTY COMMISSIONER SCHMIDT: So maybe she can
14 respond to that.

15 MS. CHRISTINE BRODA: Yes. The property line
16 that the two properties share is this one right here. And
17 you can see that the dimension is 111.15 with a direction
18 of this. My client's property is the one that's right
19 here. Oops, let me put you all over here. It's to the
20 right over here. So you can see Lark Avenue as it curves
21 this way.

22 So when you look at my site plan, you'll see that
23 that actually corresponds to this property line here. And
24 if you look at the number here, it's also the 111.15 with
25 the same direction.

1 So it's just that your survey, ma'am, is oriented
2 on the page a little bit differently from this one. And
3 this property is actually a bit larger. And your house is
4 over here. So this line here is the same one as this one
5 on your site plan.

6 CHAIRPERSON SIMON: Okay.

7 DEPUTY COMMISSIONER SCHMIDT: It's just kind of
8 rotated differently it looks likes.

9 MS. CHRISTINE BRODA: Yes.

10 BOARD MEMBER SCHWARTZ: Hold on, Christine,
11 Ms. Broda.

12 MS. CHRISTINE BRODA: Yes.

13 BOARD MEMBER SCHWARTZ: Where is the front of the
14 house --

15 MS. CHRISTINE BRODA: The front of the house --

16 BOARD MEMBER SCHWARTZ: -- on this schematic?

17 MS. CHRISTINE BRODA: On this one, this is Lark
18 Avenue. So my client's house is over here and this is the
19 front of their house. So they are on this curve.

20 BOARD MEMBER SCHWARTZ: This is the front of
21 their house, okay.

22 MS. CHRISTINE BRODA: This house is the
23 neighbor's house. And this is her front. Lark Avenue,
24 there is a curve, Lark Avenue this way. My client is
25 oriented sort of a 30-degree, 35-degree kind of tilt.

1 BOARD MEMBER SCHWARTZ: I see, yes. Can you go
2 back to your drawing then for a second, please?

3 MS. CHRISTINE BRODA: Yes.

4 BOARD MEMBER SCHWARTZ: Does your property end at
5 the corner there on the upper left that we're talking
6 about?

7 MS. CHRISTINE BRODA: Yes. This 111.15, that is
8 the shared property with this neighbor.

9 BOARD MEMBER SCHWARTZ: What happens, that
10 corner, go up to the end of that line?

11 MS. CHRISTINE BRODA: Yup. Her property ends
12 here and that line continues through and forms her
13 property.

14 BOARD MEMBER SCHWARTZ: Okay. That's why it
15 looks like a different shape on this. Got it.

16 MS. CHRISTINE BRODA: If you don't mind, I'll
17 grab the location plan. Hold on one second. This would
18 give you a better view. So here is the tax map. So this
19 is -- is it Ms. Osborne, I'm sorry for --

20 MS. FOSTER-OSBORNE: Yes.

21 BOARD MEMBER SCHWARTZ: I see, okay. I got it.

22 MS. CHRISTINE BRODA: Okay. That's her property
23 and this is my client's. So as you can see, as Lark Avenue
24 is here, it goes around a curve. So my client's property
25 tilts over to the side.

1 BOARD MEMBER SCHWARTZ: That's why they get the
2 little bump out because of the angle. Okay, I got it.

3 MS. CHRISTINE BRODA: Yup. And this is the
4 shared property line, that's the 111.15 foot property line.

5 BOARD MEMBER SCHWARTZ: Okay, thank you.

6 MS. CHRISTINE BRODA: You're welcome.

7 CHAIRPERSON SIMON: Is there any other -- did
8 that answer your question, Ms. Osborne, Foster-Osborne?

9 MS. FOSTER-OSBORNE: I guess it does. It just
10 looks different on our survey, that's all.

11 TOWN ATTORNEY FRIED: Yes. It's only because of
12 the orientation. If you took the one of your survey and
13 turned it at an angle, you know, sort of to rotate it
14 counterclockwise a little bit, it would line up.

15 MS. FOSTER-OSBORNE: Okay.

16 BOARD MEMBER SCHWARTZ: You can tell by the meets
17 and bounds, that's the best way to tell actually, better
18 than the drawing itself.

19 TOWN ATTORNEY FRIED: This is the one thing we
20 cannot do very well on the Zoom.

21 MS. CHRISTINE BRODA: I may be able to help you
22 with that. If I orient this to true north, you can see
23 where north is, now. You see this is the shared property
24 line. And if I take, I'll see if I can take the other
25 image.

1 So if the north arrow is here, if I tilt this a
2 little bit, if I were to rotate this just a little bit,
3 then if I tilted this one over to the right a little bit,
4 then you would see that it too shares that line.

5 BOARD MEMBER SCHWARTZ: It looks like a big
6 greater angle if you tilt it is what you're saying?

7 MS. CHRISTINE BRODA: Yes.

8 CHAIRPERSON SIMON: Okay.

9 DEPUTY COMMISSIONER SCHMIDT: Correct.

10 MS. FOSTER-OSBORNE: All right. Thank you.

11 CHAIRPERSON SIMON: Okay. Are there any other
12 questions from the public on this? Okay, if not, then I
13 will entertain a motion to close the Hearing and keep the
14 record open until, what date is it?

15 DEPUTY COMMISSIONER SCHMIDT: Well, we have an
16 extra week. I would suggest leaving the record open
17 through Friday, July 24th.

18 CHAIRPERSON SIMON: Okay.

19 BOARD MEMBER GOLDEN: So moved.

20 BOARD MEMBER SCHWARTZ: Second.

21 CHAIRPERSON SIMON: All in favor? Aye.

22 BOARD MEMBER GOLDEN: Aye.

23 BOARD MEMBER SCHWARTZ: Aye.

24 BOARD MEMBER DESAI: Aye.

25 BOARD MEMBER HAY: Aye.

1 BOARD MEMBER FRAITAG: Aye.

2 BOARD MEMBER SNAGGS: Aye.

3 CHAIRPERSON SIMON: Okay. Oppose?

4 (Whereupon, there was no response.))

5 BOARD MEMBER SCHWARTZ: Walter, you're on mute.

6 Walter, you're on mute.

7 BOARD MEMBER HAY: You're muted, Walter. We

8 can't hear you.

9 CHAIRPERSON SIMON: Okay. Okay. If there is no
10 other questions, can I have a motion to close the Public
11 Hearing and keep the record open until July 27th, you said?

12 TOWN ATTORNEY FRIED: We got that already.

13 DEPUTY COMMISSIONER SCHMIDT: 24th.

14 BOARD MEMBER SCHWARTZ: You're just closing the
15 Public Hearing, right? That's what we're doing now. I
16 move that we close the Public Hearing.

17 CHAIRPERSON SIMON: Wait, wait -- yeah.

18 BOARD MEMBER GOLDEN: So moved.

19 BOARD MEMBER FRAITAG: Keep the record open.

20 BOARD MEMBER DESAI: Second.

21 BOARD MEMBER SCHWARTZ: There is no record to
22 keep open. We don't have to keep the record open. That
23 happened with the case --

24 TOWN ATTORNEY FRIED: Just for clarification, we
25 already closed this case.

1 BOARD MEMBER SCHWARTZ: Right, because of the
2 Hearing.

3 TOWN ATTORNEY FRIED: We were able to hear that
4 and so that will carry. And now we're just going to close
5 the Public Hearing, the whole Public Hearing.

6 CHAIRPERSON SIMON: Okay.

7 BOARD MEMBER GOLDEN: We have a motion on the
8 floor.

9 CHAIRPERSON SIMON: Wait a minute. On these
10 minor wetlands, don't we have to determine to turn it over
11 to the wetland inspector?

12 DEPUTY COMMISSIONER SCHMIDT: So you're
13 absolutely right. You have that opportunity. So in my
14 report to the Planning Board, and thank you for bringing
15 that up, Chairman, in my report to the Planning Board, the
16 project does qualify under the Code as a minor project
17 wetland watercourse permit.

18 If the Board wishes and agrees, you can agree
19 that it qualifies as a Type II Action under SEQRA. And
20 then following the closure of the written record, you can
21 essentially turn the decision over to the Town Wetland
22 Inspector to make the decision. So once the record
23 closes --

24 BOARD MEMBER SCHWARTZ: That would not be done
25 until the decision, until our next meeting, though, any of

1 that?

2 DEPUTY COMMISSIONER SCHMIDT: No. It can be done
3 right now, in fact.

4 CHAIRPERSON SIMON: For a minor wetland, you can
5 do it now. But we have to declare it a minor wetland. If
6 we don't declare it a minor wetland, then we can't make the
7 decision tonight.

8 BOARD MEMBER SCHWARTZ: So we can't declare it a
9 minor wetland without doing SEQRA, can we? We have to do
10 SEQRA first?

11 BOARD MEMBER GOLDEN: I move to declare it a Type
12 II.

13 BOARD MEMBER SCHWARTZ: Hold on, Michael. We
14 have to do SEQRA first, right?

15 CHAIRPERSON SIMON: Yes.

16 DEPUTY COMMISSIONER SCHMIDT: You're absolutely
17 right. It qualifies as a Type II.

18 BOARD MEMBER SCHWARTZ: Thank you. Michael, what
19 were you going to say? Go.

20 BOARD MEMBER GOLDEN: I move we designate it a
21 Type II.

22 BOARD MEMBER SCHWARTZ: Second.

23 CHAIRPERSON SIMON: All in favor? Aye.

24 BOARD MEMBER HAY: Aye.

25 BOARD MEMBER SCHWARTZ: Aye.

1 BOARD MEMBER GOLDEN: Aye.

2 BOARD MEMBER DESAI: Aye.

3 BOARD MEMBER SNAGGS: Aye.

4 BOARD MEMBER FRAITAG: Aye.

5 BOARD MEMBER GOLDEN: I move that we declare it a
6 minor wetlands and send it over to Aaron.

7 BOARD MEMBER SCHWARTZ: Second.

8 CHAIRPERSON SIMON: All in favor? Aye.

9 BOARD MEMBER SCHWARTZ: Aye.

10 BOARD MEMBER DESAI: Aye.

11 BOARD MEMBER HAY: Aye.

12 BOARD MEMBER GOLDEN: Aye.

13 BOARD MEMBER FRAITAG: Aye.

14 BOARD MEMBER SNAGGS: Aye.

15 CHAIRPERSON SIMON: Oppose?

16 (Whereupon, there was no response.)

17 CHAIRPERSON SIMON: Okay, thank you. That closes
18 that.

19 BOARD MEMBER SCHWARTZ: I move that we close the
20 Public Hearing.

21 BOARD MEMBER DESAI: Second.

22 CHAIRPERSON SIMON: Go ahead.

23 BOARD MEMBER SCHWARTZ: We have a motion on the
24 floor. It's been seconded.

25 BOARD MEMBER FRAITAG: All in favor?

Case PB 20-10

1 BOARD MEMBER HAY: Aye.

2 BOARD MEMBER FRAITAG: Aye.

3 CHAIRPERSON SIMON: Wait a minute, who seconded
4 it?

5 BOARD MEMBER SCHWARTZ: Kirit.

6 CHAIRPERSON SIMON: Kirit, all right. All in
7 favor for closing the Public Hearing? Aye.

8 BOARD MEMBER SCHWARTZ: Aye.

9 BOARD MEMBER GOLDEN: Aye.

10 BOARD MEMBER HAY: Aye.

11 BOARD MEMBER DESAI: Aye.

12 BOARD MEMBER FRAITAG: Aye.

13 BOARD MEMBER SNAGGS: Aye.

14 (Whereupon, the Planning Board Public Hearing was
15 concluded.)

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

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

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Barbara Marciante

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Barbara Marciante,
Official Court Reporter

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