

**TOWN OF SOUTHEAST
PLANNING BOARD / ARB MINUTES
February 8, 2021**

Present: Chairman Thomas LaPerch; Vice Chairman David Rush; Boardmembers Jim King; Mike Hecht; Eric Cyprus; and Lynne Eckardt; Town Planner Ashley Ley; Town Attorney Willis Stephens; Secretary Victoria Desidero; Absent & Excused: Boardmember Dan Armstrong

Pledge of Allegiance

Introduction

Chairman LaPerch opened the meeting with the Pledge of Allegiance, a roll call vote (results above) and introduced the agenda items.

PUBLIC HEARINGS:

- 1. ACE ENDICO EXPANSION, 71-81, 91 & 80 International Blvd., Tax Map IDs 45.-1-31.2, 31.1 & 29** – Public Hearing to Review an Application for Site Plan, Subdivision, Wetland Permit and Conditional Use Permit. Tim Allen and Rick Lamontagne of Bibbo Associates, Michael Endico and Harold Lepler appeared before the Board. The motion to Open the Public Hearing was introduced by Chairman LaPerch, seconded by Boardmember King and passed all in favor.

Chairman LaPerch: All right. Good evening. This is a Public Hearing. Who do we have making the presentation for this application please?

Tim Allen: Good evening. My name is Tim Allen, Bibbo Associates.

Chairman LaPerch: Welcome, Mr. Allen. Mr. Allen, this is a Public Hearing so please direct your... your presentation to the public and then we'll open it up to the public. Who's controlling your visuals here?

Mr. Allen: Rick Lamontagne in the other office.

Chairman LaPerch: OK. Let's get going here.

Mr. Allen: We'll start with the presentation then Mike's going to make a brief presentation. Also on the line is Mike Galante and Ted Cutler, consultants-at-large.

Chairman LaPerch: All right. Well, welcome. What have you got for us tonight?

Michael Endico: Good evening. It's an honor. Thank you. I just wanted to give a quick presentation. Let you know my name is Michael Endico. I'm one of the owners of Ace Endico. We're a family business. I am the third generation and actually my son who is 20 years old has just entered... entered the business so we have the fourth generation coming up. Back in 2005, we built our building in Southeast. We came up from Elmsford. We were under 100 employees. Today, we've managed to navigate the pandemic and have over 500... we're right around 500 employees; not quite over it yet. So, we are now planning for the future and years ago we purchased the property across the street from our existing building on International Boulevard and we're now looking to add onto our existing building and in order for it to be contiguous, we're looking to move International Boulevard. This will allow us to be efficient. Without efficiencies, honestly, we can't survive in a super competitive business. It is one of the major reasons... We will be swapping... we will not be generating anymore impervious surface than which was proposed in the swap. We'll actually be slightly less. I believe the building will be slightly less and the parking area will be about the same. That's...

Chairman LaPerch: OK.

Mr. Endico: That's it very quickly.

Mr. Allen: Let me go through it real quick. You all know the project. Certainly (inaudible) went public but the new building will be 117,000 sq. ft. which basically mimics the three properties that Michael has purchased on the... on the bottom side of that plan you're looking at right now. So, basically, the building square footage that was already approved is a wash. International Boulevard will be relocated to the... the lower side of that building as we show on this plan. We've got... at our last meeting, we went through a... a very long discussion with... with (Boardmember) Lynne (Eckardt) about the landscaping. I think we've incorporated every... all her recommendations onto this plan. So, it'll be phased in terms of relocation of the road, parking structure, then building... is

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how we anticipate this... this project going through. It's been thought out. The drainage is all in place so again, it's... it's... it's a net... actually net less impervious surface than what was approved by this Board many years ago.

Mr. Endico: (Inaudible.)

Mr. Allen: So, we're looking for approval of this project. Public Hearing... we have to go to the Town Board to relocate the road... and a Special Permit. We're looking for number one, we ask you if there's no real substantive comment tonight from the public, to close the Public Hearing and then refer us to the Town Board so we can wrap that up and come back to your Board for final approval.

Chairman LaPerch: OK. Thank you. Appreciate that, Tim. Tim, I... I will tell you that I guess some of your documents got to our consultants late in the game here. So, we might have a problem closing this Public Hearing. Now, that's if, you know, there's any issues other than the fact that I was advised earlier this evening that the documents were received late and there's a... a couple things they wanted to confirm traffic-wise. So, let me get through the Public Hearing and I'll kind of let you know what's going on in terms of the... the issue that we need just to have further discussion on with the Department of Transportation. I have no further questions. I'm seeing this as a great... you're a great neighbor, Mike. You've done a great job and I like the fact you're using the land the right way here and I appreciate you going... getting online with Lynne and doing the landscaping off... offline on a Zoom meeting which was a big help for us. So, I have no further questions. I think it's a good-looking project, and I don't see any problems other than the one issue that was...

Multiple Unknown: (Inaudible.)

Chairman LaPerch: Please... please mute yourself if you're not on. Please mute yourself. OK. Ms. Eckhardt, can you start us off here? Any questions for this applicant please?

Boardmember Eckardt: I do want to thank them. They were really wonderful to work with. They really listened and I think we all were happy with the outcome. I certainly am. I think it's going to be a much more attractive project and so I want to thank them for working on that. And I did have concerns about the traffic letter but you'll address that at the end. So, for me, I have no further questions right now.

Chairman LaPerch: Thank you. Thank you, and thanks for doing that, Lynne. Mr. King, any questions for this applicant please?

Boardmember King: No questions at this time.

Chairman LaPerch: Thank you, sir. Mr. Hecht, any questions?

Boardmember Hecht: No questions. I'll just echo your comments. I thought this was done very well, so...

Chairman LaPerch: Thank you. I do. We think it's a good project. Mr. Cyprus? (Pause.) Are you unmuted, Mr. Cyprus?

Boardmember Cyprus: Sorry about that. Slow on the draw I'm good, Tom, thanks. Actually...

Chairman LaPerch: Hi, Eric. OK. Thanks.

Boardmember Cyprus: ...if you don't mind, how... how would the moving of the road work? Can I just get a brief...?

Chairman LaPerch: Sure.

Boardmember Cyprus: ...brief part of... from the applicant how... how you see that happening?

Chairman LaPerch: Sure. Tim?

Mr. Allen: Well, it'll start at the beginning, obviously, right at the front entrance there, and that'll have to be done immediately, and then we plan to have that done... It's the first... first phase of this project is to move the road. So, essentially, as long as we still have access to the front... which is the front entrance, that road will be progressively moved immediately.

Harold Lepler: (Inaudible.)

Boardmember Cyprus: And the Town... the Town has no expense in... in the road work, right?

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Mr. Endico: Correct. Ace Endico is taking that expense on.

Boardmember Cyprus: Yeah. OK.

Mr. Endico: We're doing the work.

Mr. Lepler: (Inaudible.)

Chairman LaPerch: Are you good, Eric?

Boardmember Cyprus: Yeah. I'm good. Thank you, Tom.

Chairman LaPerch: OK. Thank you. All right, Mr. Rush, any questions for this applicant please?

Boardmember Rush: So, at this point, we're not at all concerned with the heights of the buildings or any of that? It's just the site plan, correct?

Chairman LaPerch: That is correct.

Boardmember Rush: OK.

Town Planner Ashley Ley: You... you could discuss the height of the building now if you wanted to because now that the... the Planning Board has taken over the Architectural Review Board responsibilities...

Boardmember Rush: Well, that's...

Ms. Ley: Bringing it up earlier is better.

Boardmember Rush: Yeah. Are they...?

Chairman LaPerch: Good point.

Boardmember Rush: ...going to be prepared to show us... are they going to be prepared to show us... you know... I'm trying to visualize how all this kind of layers together and how they, you know, marry one building to the other and then you've got the parking structure.

Chairman LaPerch: Tim, can you... Tim, can you bring... do that tonight for us?

Mr. Allen: Yeah. The elevations.

Boardmember Rush: Are you creating any outdoor space for the staff to go out to enjoy the outdoors?

Mr. Allen: Actually, we're proposing a green roof on the... on the new addition where they can actually get out onto the roof and enjoy the outdoors. Right now, if you remember, the property as it has got a nice little patio.

Boardmember Rush: I remember we talked about that. That... that's what I was trying to pull back on my memory here.

Mr. Allen: Here you go. This is the...

Boardmember Rush: Right.

Mr. Allen: ...the elevations of the building.

Boardmember Rush: OK. Then they have access to the green roof. That's so cool. I remember it was one of these projects. Great... and... all right, I was... that was my main question. Obviously, at the right time, when you come to us, we're going to want to see anything sticking out of the roof so that we can... you know, like HVAC equipment, things like that. We can go over that when you're ready, and I don't think I have any other further questions.

Chairman LaPerch: OK.

Mr. Lepler: If I can speak to the question from Mr. Rush. David, when we did this original approval....

Chairman LaPerch: Excuse me, Mr. Lepler? Mr. Lepler, we're a Public Hearing so can you just announce who you are for the record please?

Mr. Lepler: Harold Lepler, consultant to Ace Endico. When we did the original approvals, the question of this ability of mechanical equipment on the roof was raised, and by design and commitment, no equipment has been put on the roof at all and none would be proposed in the coming additions.

Chairman LaPerch: That's good news.

Boardmember Rush: All right. Make sure your roof is accessible by all with elevator or lift or if they have to have, you know, handicapped accessibility to that roof.

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Mr. Lepler: Understood.

Chairman LaPerch: OK. All right. If there are no further Board questions at this time, this is a Public Hearing. I'd like to open it up to the public. Once again, we're in a Zoom meeting here. We have a chat. You can raise your hand through the chat. You can visually put your hand up and hopefully we'll recognize you. So, at this point I'd like to open it up to the public, and at this point, if you are recognized, please state your name and address for the record if you don't mind. So, at this point, do I have any questions from the public please (Pause.) Can we go to a full screen? Can I see everybody?

Secretary Victoria Desidero: Can I ask Mr. Lamontange to let go of the screen to stop sharing please?

Chairman LaPerch: Yes. Good question. Thank you. All right, we'll recognize anybody with their hands up or... or chat area.

Ms. Ley: The Bolnicks have their hand raised.

Chairman LaPerch: Mr. Bolnick?

Jack Bolnick: Hi. How are you?

Chairman LaPerch: Good evening.

Mr. Bolnick: I'm Jack Bolnick, 39 Old Doansburg Road. That's down Route 312. I think some of you are familiar with me. I'd just like to say I think Ace Endico has been a great neighbor for Brewster, Town of Southeast, and they were there for the pandemic. They seemed to really be very, very helpful in any way. I would like as a landowner and also as a resident of Brewster to accommodate them in any way just to keep them here because I... I can't say enough about them. That's my comment and I'd like this to go through.

Chairman LaPerch: Thank you, Mr. Bolnick for your comments. Anybody else have any comments regarding this application? (Pause.) Victoria, Ashley, do we see anybody?

Ms. Ley: No.

Chairman LaPerch: OK. I don't see anybody myself, so at this point let's address the issue why we might need to continue the Public Hearing. Ashley, you want to take this regarding the traffic... last piece of traffic we need to kind of resolve?

Ms. Ley: Sure. So, we... we did get the package last Wednesday. We had a chance to go through it and generally agreed with the conclusions. We haven't had an opportunity to write it all up yet, but one of the... our comments is that we think that the Town should reach out directly to the Department of Transportation. We know that the applicant forwarded the Traffic Impact Study but we're recommending that the Planning Board send its own letter to the Department of Transportation that asks... that identifies that the proposed project would generate a maximum of 45 peak hour trips that would be added to the Route 312 corridor, which as everyone knows is a very busy corridor, and then specifically to ask the Department of Transportation if any low cost communication or controller upgrades would be required at the two intersections of International Boulevard and the westbound I-84 ramp as part of the proposed project. We just want to specifically ask those questions to get a 'yes' or 'no' from the Department of Transportation.

Chairman LaPerch: All right, and do you think this can be accomplished by the 22nd of February?

Ms. Ley: Well, I think we can send out the letter immediately, and I think you could close the Public Hearing either this meeting or the following meeting. I am concerned that the Town Engineer hasn't had a chance to review the revised plans.

Chairman LaPerch: And why? Did it come in late? I mean, you know, is it...

Ms. Ley: Yes, they arrived on Wednesday before the Monday meeting and our... the consultant memos are due the Tuesday before the Monday meeting.

Chairman LaPerch: All right. Listen, this is one of the bigger projects in the Town. I'd just like to kind of maybe hold off until the 22nd. Let's get that letter out there. Unless I hear from the Board, I... I think we should hold off until we get the letter out there, and I will call the Department

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of Transportation myself next week to make sure we get some feedback from Mr. Zimmer. So, at this time, I'd like to make a motion to continue the Public Hearing until February 22nd, 2021. The motion to Continue the Public Hearing to September 22 was introduced by Chairman LaPerch, seconded by Boardmember Eckardt and passed all in favor.

Chairman LaPerch: All right. Thank you. See you on the 22nd.

REGULAR SESSION:

1. **BREWSTER HONDA SERVICE STATION, 2-4 Allview Avenue, Tax Map ID 68.-1-4** – This was a Review of a Request for Release of a Performance Bond. Attorney Rick O'Rourke of Keane & Beane appeared before the Board. Chairman LaPerch said this is a motion to release a performance bond; I don't have any issues and I spoke to (Town Engineer) Tom Fenton and I don't have any problems with his recommendation. Boardmember Eckardt said I would be curious to hear from David (Rush); my concern has always been people shooting out of the driveway and I know this is not totally performance bond related but has that been cleaned up pretty well? It is just a safety concern, she said. Boardmember Rush said they do have a Stop sign; do people miss it? A few people miss it, he said. The bigger problem, Lynne, is that the intersection is a disaster, he said, the pavement is... it is not in the Town of Southeast it is in the Village so we can't fix it and it would be great if Brewster Honda could somehow get it cleaned up for their customers. He said if it was re-done it could be striped a little better and people would feel safer. Chairman LaPerch said thank you; that is helpful. The motion to Recommend Release of the Performance Bond to the Town Board was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by all in favor.

2. **DREW REALTY/SITE ONE, 160 & 170 Fields Lane, Tax Map IDs 78.-2-5 & 4** – (This was handled after number 4 below.) This was a Review of an Application for Final Approval of Site Plan, Conditional Use Permit, Wetland Permit and Lot Line Adjustment. Jamie LoGiudice of Insite Engineering appeared before the Board. Chairman LaPerch asked her to provide the Board with an overview since it has been so long since the last time it was in front of the Board. Ms. LoGiudice shared her screen and summarized all of the outstanding agency approvals they have received since last before the Board. She said she did receive some comments from (Wetland Inspector) Steve Coleman and incorporated those into the plans, as well as ARB approval and Town Board approval of the ARB recommendation. Ms. LoGiudice gave a high-level overview of the project using the site plan to show the 10,500 sq. ft. building, parking area, the fenced in outside storage area, stormwater management and landscaping. Chairman LaPerch asked for a rendering which she showed and outlined the colors and materials being used. Chairman LaPerch explained to the Board what happened with the DEC (Department of Environmental Conservation) and how long it took to obtain comments. He polled the Board for questions. Boardmember Eckardt said I looked it up today and it was all approved by the ARB so I am fine with it. Boardmember Cyprus asked what the covered section on the side was to be used for and she said it was a covered walkway to the entrance in the front from the parking. The motion to Grant Final Site Plan, Conditional Use Permit and Wetland Permit Approval was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed by a roll call vote of 6 to 0 with 1 absent. The motion to Grant Final Subdivision Approval was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 6 to 0 with 1 absent. The motion to Recommend a Performance Bond to the Town Board based on the Town Engineer's report was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor.

3. **GAS LAND SOUTHEAST, 3411 Danbury Road, Tax Map ID 68.-2-69** – Review of an

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Application for Final Approval of Site Plan Amendment and Conditional Use Permit and Recommendation of a Performance Bond to Town Board. Samantha LoVerne of The Chazen Companies appeared before the Board. Chairman LaPerch said I am recusing myself from this application due to a business relationship with the owner. Acting Chairman Rush asked for an overview of the project. Ms. LoVerne shared her screen and gave the Board a summary of the changes being proposed to an existing gas station on Danbury Road. She noted the variances were granted and the architectural approved by the ARB (Architectural Review Board), which she showed the Board. Acting Chairman Rush polled the Board for questions. Boardmember Eckardt asked about what was going to be on the roof and she said she thinks it is important that the Board gets to see that. Ms. Ley said I think they said at the last meeting that there would be no rooftop mechanicals. Boardmember Cyprus said there was something on the visual Samantha just showed. The Board discussed that there is a stainless-steel vent on the back side of the roof and verified that version of the elevation is referenced on the approval. Boardmember King said he really likes this building and thinks the changes will be great. The motion to Grant Final Approval of a Site Plan Amendment and Conditional Use Permit was introduced by Acting Chairman Rush, seconded by Boardmember Eckardt and passed by a roll call vote of 5 to 0 with 1 recused and 1 absent. The motion to Recommend a Performance Bond to the Town Board was introduced by Acting Chairman Rush, seconded by Boardmember Eckardt and passed all in favor.

4. **LAW OFFICES OF ANDRES GIL, 973 Route 22, Tax Map ID 68.5-2-1** – Architectural Review of an Application for a Sign as referred by the Building Department. Andres Gil appeared before the Board. Chairman LaPerch welcomed Mr. Gil and Ms. Ley shared the application on her screen. Mr. Gil explained that his business took over an additional suite in his building so he is extending the sign to twice its size. Chairman LaPerch polled the Board for questions. Boardmember King said the sign is essentially staying the same but is just extending the full length of the sign? Mr. Gil said yup, so we had to get a variance for the footage based on the size of the building and we are basically using the same sign box and just replacing the facia on the ‘Styles by Monica’ sign. Boardmember Eckardt asked if this will be the entire length and Mr. Gil said yes. She said I am not a fan of light box signs but it is there and approved so that’s it. Boardmember Rush asked why it was approved as a backlit sign? Ms. Ley said he got a variance to be able to fill up the whole box. Boardmember Rush said I thought our sign ordinance said no internally lit signs are allowed? Ms. Ley said that was rescinded by the Town Board a couple of years ago. Ms. Desidero said it is also important to understand this sign is part of a Multi-Tenant Sign Program so the signs were all approved at some point by the ARB and now he is changing out that one light box section. The motion to Grant Architectural Approval of the Sign as submitted was introduced by Chairman LaPerch, seconded by Boardmember King and passed by a roll call vote of 6 to 0 with 1 absent.
5. **COMMERCIAL CAMPUS AT FIELDS CORNER, 51 Pugsley Road** – This was on the agenda for Consideration of Approval of Minor Subdivision for the NYSDOT Road Donation; Consideration of Approval of Preliminary Plat for the Major Subdivision; and Review and Discussion of the DRAFT Resolution of Approval for Site Plan, Wetland Permit & Architecture. Dan Richmond and Kate Roberts of Zarin & Steinmetz; Rich Pearson and Kevin Masciovecchio of JMC Engineering; Chuck Dietz of the Dietz Partnership; and Peter Gilpatric appeared before the Board. **The transcript of this portion of the meeting follows as ATTACHMENT A.** The motion to Grant Minor Subdivision Approval for Lots to be Donated to the New York State DOT was introduced by Chairman LaPerch, seconded by Boardmember King and passed by a roll call vote of 4 to 2 with 1 absent with Boardmembers Eckardt and Hecht voting no. The motion to Grant Approval for a Preliminary Plat for a Major Subdivision was introduced by Chairman

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LaPerch, seconded by Boardmember Cyprus and passed by a roll call vote of 4 to 2 with 1 absent with Boardmembers Eckardt and Hecht voting no.

- 6. ROUTE 22 MASTER PLAN AND ZONING UPDATE** – This was a continued discussion of this Planning Board initiative. Chairman LaPerch said we are at the final stages of our recommendation for the Route 22 Master Plan so Ashley can you walk us through what are looking to do tonight. Ms. Ley said at the last meeting we went through all of the comments that were raised at the Public Hearing and written comments; I polled the Board on a couple of the more controversial issues such as self-storage, motor vehicle dealerships and the bike path. Based on those recommendations, she said, there is an updated draft that was circulated last week that incorporates all of those comments. She said it also incorporates a number of landscaping changes as a result of comments from DEP that Lynne (Eckardt) and I worked on last week. Ms. Ley said what is before the Board this evening is the recommendation to the Town Board for the consideration of their adoption of the Route 22 Master Plan. Once it gets to the Town Board, she said, they will do SEQRA, have their own Public Hearing, make any additional changes and then consider it for adoption. Chairman LaPerch said would you just put the map up? Ms. Ley shared the map on the screen and pointed out the sections of Route 22 that the Board looked at and detailed the changes being recommended in each. Chairman LaPerch said I think we did a good job and polled the Board for questions. Boardmember Eckardt said I'm fairly happy overall with the plan and would like to make sure that the Board is happy with what we did with the landscaping and the intent of those recommendations. Chairman LaPerch said you did a great job on that so thank you. Boardmember King said I think the recommendations are great. Boardmember Hecht said going in the right direction, a lot of work, we've got to recognize Ashley for that. Boardmember Cyprus said I printed this out for the first time and it is really an impressive document; you captured the comments from the last meeting well so I am happy about that. He said one small thing relative to the bike path is there has been a lot of chatter recently about revitalizing the Maybrook train line and we reference it in here as part of the bike path. They discussed this briefly. Boardmember Rush said it looks great; thank you. Chairman LaPerch said this is not a Public Hearing but I would give some of the residents on the call the chance to speak briefly. Brief comments were received by Mr. Wallach; Mr. Martabano; Mr. O'Rourke and Ms. LoGiudice. The motion to Recommend the Adoption of the Route 22 Master Plan to the Town Board was introduced by Chairman LaPerch, seconded by Boardmember Cyprus and passed 6 to 0 with 1 absent. Chairman LaPerch asked what the timeline is for adoption and Ms. Ley said depending on scheduling probably two to three months at the Town Board. Chairman LaPerch thanked everyone for their efforts and said I am going to see if we can get the Town Board to look at our Sign Code next.

The motion to approve the Meeting Minutes of January 25, 2021 as written was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor.

Chairman LaPerch asked about the next meeting and Ms. Desidero said at the next meeting we have the Ace Endico and Commercial Campus at Fields Corner coming back; we have a new application for a Lot Line Adjustment for Waltz on Echo Lane and Guinea Road and the Lakeview Plaza Playground for final approval. He said we have no Staff reviews and she said no sir.

The motion to Close the Meeting was introduced by Chairman LaPerch, seconded by Boardmember Rush and passed all in favor.

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THE FULL VIDEO RECORDING OF THIS MEETING IS AVAILABLE AT:
<https://www.southeast-ny.gov/337/Planning-Board-Audio-Files>

ATTACHMENT A

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PLANNING BOARD
TOWN OF SOUTHEAST, NEW YORK

-----X
VIRTUAL BOARD MEETING:
COMMERCIAL CAMPUS AT FIELDS CORNER
-----X

February 8, 2021
Videoconference Hearing
7:39 p.m.

BEFORE:
TOM LaPERCH, Chairman
DAVID RUSH, Vice Chairman
DANIEL ARMSTRONG, Member (Not present)
ERIC CYPRUS, Member
MICHAEL HECHT, Member
JAMES KING, Member
LYNNE ECKARDT, Member

PRESENT:
ASHLEY LEY, Town Planner

FOR THE APPLICANT:
PETER GILPATRIC, Advisor to Applicant
RICH PEARSON, JMC
CHUCK DIETZ, Dietz Partnership
KEVIN MASCIOVECCHIO, JMC

DANIEL RICHMOND, ESQ.
ZARIN & STEINMETZ
81 Main Street
White Plains, New York 10601

1 COMMERCIAL CAMPUS

2 MR. LaPERCH: Number 5, Commercial Campus
3 at Fields Corner, 55 Pugsley Road. Good
4 evening, Mr. Richmond. Unmute yourself, Dan.

5 MR. RICHMOND: Yes. Okay. Thank you. I
6 just got permission.

7 MR. LaPERCH: There you go. Welcome.

8 MR. RICHMOND: Thank you, Mr. Chair.

9 MR. LaPERCH: All right. In front of us
10 here, right, to kind of see if we could get to
11 some of these action items tonight. So why
12 don't you give us an update since our last
13 meeting, please.

14 MR. RICHMOND: Sure. Can I also ask if
15 Rich Pearson, Kevin Masciovecchio, and Chuck
16 Dietz be unmuted as well. We have a brief
17 PowerPoint we would like to give.

18 MR. LaPERCH: Okay. There you go.
19 Kevin's unmuted. Mr. Dietz.

20 MS. DESIDERO: You can Kevin.

21 MR. LaPERCH: Why not Kate. Let Kate talk
22 too.

23 MR. RICHMOND: Okay.

24 MR. LaPERCH: All right. You're on.

25 MR. RICHMOND: Thanks. Is Kevin give you

1 COMMERCIAL CAMPUS

2 a --

3 MR. LaPERCH: Kevin, you driving?

4 MR. MASCIOVECCHIO: Yes. I think it's
5 still the same. It's not letting me share
6 right now.7 MS. LEY: Kevin, you are co-host so give
8 it one second. Sometimes it just takes a
9 second.

10 MR. MASCIOVECCHIO: There we go.

11 MR. RICHMOND: Thank you. So good evening
12 Chairman LaPerch, members of the board. As you
13 recall, for the record, my name is Dan
14 Richmond. I'm a partner with Zarin Steinmetz,
15 the applicant of the commercial campus at
16 Fields Corner. With me from JMC, the planning
17 engineering consultant are Rich Pearson, and
18 Kevin Masciovecchio, and Chuck Dietz, the
19 project architect is here as well.

20 Kevin, go to the next slide.

21 So the applicant has heard the concerns
22 about the location of the loading docks at the
23 ends of the buildings and in response is
24 reverting to the site plan that locates all
25 loading docks for both buildings on the eastern

1 COMMERCIAL CAMPUS

2 sides of them consistent with the final
3 environmental impact statement adopted by your
4 board on July 27, 2020, and the SEQRA finding
5 statement adopted by your board on September
6 28th, 2021. As such your board has already
7 determined that the use presented tonight
8 avoids or mitigates potential impacts to the
9 maximum extent practical as SEQRA requires.

10 The only modification to the project as
11 proposed that have been made since the FEIS
12 involve refinements and improvements primarily
13 based on the comments of this board such as
14 additional noise and visual measures. They are
15 outlined in this slide, and as we'll be
16 discussing tonight, the -- loading spaces are
17 on the east side of the building which is
18 involved at 12,000-square foot reduction in
19 Building B. The exact same number of truck
20 parking and loading spaces as contained in the
21 FEIS are set forth in this plan. Since the
22 FEIS, we've also added six-foot high fencing
23 for noise and visual improvements and are also
24 proposing ten-foot high screening walls with
25 accents on the buildings, again, to improve

1 COMMERCIAL CAMPUS

2 noise and visuals. As you know, as we've been
3 discussing with you over the past couple
4 meetings, we've made revisions to the project's
5 architecture including its colors as Chuck
6 Dietz will be presenting tonight. We've also
7 revised the landscaping comments including
8 through comments based on your board. We've
9 added employee break areas as requested by your
10 board. We've identified potential tenant
11 locations. Some modification have been made to
12 subsurface utilities, including the SWP [ph.]
13 Again, mostly based on technical comments from
14 agencies. Utility poles are shown along
15 Pugsley Road, and we've included
16 non-illuminated signage. As you are aware, the
17 town board on December 3rd, 2020, issued a
18 special permit for the project. That decision
19 which was not challenged is now final and
20 unappealable. Even before the town board's
21 action by law the inclusion of the proposed use
22 as an allowed use in the town's OP3 district
23 was a -- tantamount to a legislative finding
24 that the permitted use is in harmony with the
25 general zoning plan and will not adversely

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2 affect the neighborhood. Now, that the town
3 board has offered us this particular use at
4 this site by special permit for warehouse and
5 distribution. This maxim applies with even
6 greater force. Accordingly, we submit based on
7 the evidence contained in your board's
8 environmental review which will serve as the
9 basis for your board's permitting decisions and
10 the town board's special permit approval. We
11 submit the project merits the issuance of a
12 requested subdivision site plan wetlands
13 approval. I'm going to hand it over now to
14 Rich Pearson who will walk you through the
15 final building design that we are presenting
16 this evening.

17 MR. PEARSON: Good evening. Rich Pearson
18 with JMC. Just starting with Building A, we
19 are providing a comparison, but it's
20 essentially the same plan based on the FEIS
21 plan and the current plan. The only
22 difference is we have now added ten-foot high
23 screen walls in the picnic area on the
24 southwest corner of the building as well as in
25 the northeast corner of the building by the

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2 area between the loading docks and the employee
3 parking. The employee parking is consistent on
4 the north side and west side of the building on
5 both the FEIS plan and the current plan and all
6 the trailer parking and loading docks are the
7 same on both plans.

8 Next screen, please. Building B, as Dan
9 mentioned, we heard your concerns at the last
10 meeting regarding proposed loading on the north
11 side of the building. Which is to the right of
12 the drawing. We have since gone back to what
13 we did previously had in the FEIS plan. So
14 now, the trailer parking is proposed on the
15 north side of the building as it was in the
16 FEIS plan. The employee parking continues to
17 be, excuse me, on the west side of the building
18 on the top of the page on both the FEIS plan
19 and current plan. And the difference with the
20 trailer loading and parking on the east side of
21 the building is in the FEIS plan there were
22 some trailer spaces on the right portion in the
23 northern portion of the east side of the
24 building and then everything to the south of
25 that, along the east side was the loading

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2 docks. In the current plan, we've
3 re-distributed the loading and trailer parking
4 areas and provided loading spaces in the
5 northeast portion there by reducing the
6 building by 12,000 square feet and recessing
7 the proposed loading docks in that area. This
8 provides consistent loading for all of the
9 potential tenants that would be in that
10 building, otherwise the northern portion of the
11 building did not have as -- as nice of a layout
12 for the loading docks. The building was
13 recessed for the loading in that area rather
14 than pushing out the development towards the
15 wetland buffers over in that area. So we -- we
16 also proposed since the FEIS the six-foot high
17 solid fence that we discussed at the last
18 meeting on both the northwest portion as well
19 as the southwest portion of the building, and
20 we provided 10-foot high screen walls between
21 those areas as -- as being shown there on the
22 south side of the building by the employee
23 picnic areas. So the fence and -- and the
24 screen walls helped to further reduce the
25 potential noise and visual aspects of the

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2 project. Next screen.

3 MR. RICHMOND: So again, just to
4 summarize: We've addressed Hunters Glen's
5 concern and have relocated the docks to the
6 eastern sides of the building facing away from
7 them. Again, the same numbers of employee
8 parking, truck loading docks, and trailer
9 storage spaces are presented tonight as they're
10 in the FEIS SEQRA findings. At the request of
11 Hunters Glen and as we've agreed with them, the
12 applicant has committed to a cash payment to
13 Hunters Glen of 40,000 for landscaping on their
14 property at their discretion. This surpasses
15 the planning board's findings requirement which
16 originally -- which in itself required that 50
17 trees be distributed between Hunters Glen and
18 Twin Brooks. We are providing Twin Brooks with
19 \$15,000. So by letter, Hunters Glen attorney
20 stated to the town board as a result of the
21 developer agreeing to provide Hunters Glen with
22 these funds, Hunters Glen no longer request a
23 denial of the application. Again, as Rich has
24 discussed, we've added additional noise and
25 visual measures include the six-foot solid --

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2 six-foot solid fences and the ten-foot screen
3 walls. And again, no material changes have
4 been made to the plans as presented in the FEIS
5 and the planning board's SEQRA findings.

6 Thanks. Kevin.

7 MR. LaPERCH: Okay.

8 MR. RICHMOND: The project's noise impacts
9 were studied comprehensively in the EIS.

10 Including using data from multiple locations in
11 the nearest residential areas, including five
12 locations in Hunters Glen as well as from the
13 nearest residence along Fields Corner Road in
14 Paterson as well as in Twin Brook Manor. The
15 findings required the applicant to conduct
16 noise monitoring at those locations within six
17 months of full occupancy for two consecutive
18 days and nights. The applicant has already
19 voluntarily agreed to exceed the town's nightly
20 noise restriction by nine decibels. The
21 planning board's finding conclude that the
22 project will not exceed all noise restrictions
23 enacted at the state and federal level.

24 Including by taking advantage of line to site,
25 distance, traffic circulation, topography, a

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2 12-foot berm at the north side of Building B,
3 operations and operating hours. As such as the
4 findings conclude any faint truck noises that
5 could be audible outside the residence in those
6 developments will be similar in nature, but not
7 as loud as the peak noise traffic from I84. It
8 would not wake up a person sleeping even with
9 an open window.

10 The EIS also comprehensively studied the
11 project's potential visual impacts including
12 ground photos taken from within Hunters Glen,
13 including from the closest units and drone
14 photos taken from the height of the proposed
15 Building B which showed that the vast majority
16 of the units could not be seen and relatively
17 few windows would be visible from the upper
18 most point of that building. As such, the
19 findings set forth substantial mitigation
20 measures which the applicant again as we have
21 just discussed has already gone beyond. Again,
22 the findings contemplated 50 trees between
23 Hunters Glen and Twin Brooks Manor. We've
24 already agreed to \$55,000. 40,000 to Hunters
25 Glen, 15,000 to Twin Brook Manor. And the

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2 applicant has already, again, the visual, the
3 additional visual barrier measures that we have
4 talked about this evening.

5 The findings further require, again, just
6 to remind your board that 172 acres of this
7 site be preserved as no build. Landscaping
8 around the stormwater management basins, the
9 12-foot berm at the north end of Building B.
10 No circumnavigation of the buildings by trucks.
11 No wall packs and lighting on the western side
12 of the building. Parking lot poles and 20-foot
13 or lower. And evergreen plantings around the
14 water tank. As such, as your findings
15 conclude, the project would not be visible from
16 the vast majority of the units within Hunter's
17 Glen and Twin Brook Manor. And that with the
18 conditions and mitigation measures described,
19 the action's potential significant adverse
20 visual impacts have been voided or minimized to
21 the maximum extent (indiscernible).

22 I'm going to now hand it over to Chuck
23 Dietz who will walk you through some
24 architectural refinements that we've
25 accomplished since last appearing before your

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2 board.

3 MR. DIETZ: Good evening. Mr. Chairman and
4 members of the board. Chuck Dietz, the Dietz
5 Partnership.

6 This was the updated material board that
7 we presented at the last hearing. My
8 recollection is the board was pleased with the
9 revised colors. They are more harmonious to
10 the natural view of all the trees and wooded
11 areas in both this property and the residential
12 properties. So we have not made any changes to
13 this board.

14 Next slide.

15 Again, this is the same slide we presented
16 last time. It just shows the board the three
17 different types of hatch patterns that we've
18 shown on the drawings that we previously
19 submitted and what color they would be. The
20 solid hatch at the bottom, 14-feet tall, is the
21 ombre gray, which is a very earth tone gray
22 color to represent more of the natural feel of
23 the tree or something coming out of the earth.
24 The stipple pattern which is the dominant color
25 of the building and pattern is attitude gray

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2 which is a nice softer green-gray than the
3 evergreen we showed on the original design.

4 And the third color we introduced based on some
5 comments from the board is magnetic gray which
6 is a hollow open non-hatched color on the black
7 and white drawing.

8 Next slide, please.

9 Again, this just shows you based on the
10 board's comments and especially Mr. Rush and we
11 appreciate all the help and positive feedback
12 we've gotten from Mr. Rush on the past two to
13 three meetings, it was determined that the
14 pattern that we had come up with was a very
15 rigid geometric pattern across all the faces of
16 the building. And what we decided to do based
17 on Mr. Rush's comments was to try to break that
18 pattern up with the open hatch areas not being
19 so regimented, and adding the colors from the
20 base ombre color into those patterns which now
21 give you a little more -- a little free flow
22 pattern across the facade interrupts that hard
23 geometric pattern that we have presented
24 previously.

25 Next slide.

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2 So we have updated the rendering of
3 Building A based on this pattern. So as you
4 can see, we no longer have a regimented more
5 orderly geometric pattern across the building.
6 We interrupted the accent colors with the base
7 color, and the main body colors to come up with
8 a new pattern. And again, based on the visuals
9 from the residential areas which are going to
10 be minimized to begin with, I think these
11 colors and this pattern will flow nicely and
12 reflect the nature that will be inhabited in.

13 Next slide.

14 This is our updated night shot, again, the
15 same view, north elevation Building A. This is
16 the main drive aisle coming in from Pugsley
17 Road. As you can see with this color pattern,
18 it really blends in nicely from the nighttime
19 hours, and there are no windows up high on the
20 west elevations. So there will even be less of
21 a view of the building from either of the
22 residential neighborhoods.

23 Next slide.

24 Building B gives you a little bigger realm
25 of wall area. Looking again from -- towards

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2 the west elevation. So that you could see this
3 non-geometric linear pattern. I think flows
4 more nicely with the introduction of the base
5 color within the accent color band. And you
6 can see that both on the north and west
7 elevations. And like I said, it's basically
8 meant to reflect the changing colors of the
9 leaves and the seasons with the tree lines and
10 the wooded areas that is between this complex
11 and the residential neighborhoods. Thank you.

12 MR. RICHMOND: The other -- we are also
13 before this evening requesting minor
14 subdivision approval. As your board will
15 recall, we are looking to handle this to get
16 this done as soon as possible so we can
17 commence the donation process to DOT, which is
18 required for the improvements along Route 312
19 that were contemplated by your board, required
20 by your board's SEQRA findings.

21 Kevin, if you go to the next slide.

22 Again, we're just talking about a 4,000 --
23 approximately, 4,000-square foot piece of
24 property along the west, to the west of Pugsley
25 Road on 312 and a 2,400-square foot portion

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2 that we'll be donating to DOT along to the east
3 of Pugsley Road along 312. And I think, Kevin,
4 that's it. Oh, we are also -- again, we are
5 also asking your board to act to -- take the
6 action and to a preliminary subdivision plat
7 approval this evening, again, as a prerequisite
8 to hopefully adopting a final plat approval at
9 your next meeting.

10 MR. LaPERCH: Okay.

11 MR. RICHMOND: We are available for any
12 questions.

13 MR. LaPERCH: Yeah. Listen, I would like
14 to just ask Ashley to kind of just run through.
15 Ashley, can you just -- last time through we
16 had some issues with the resolutions. They had
17 some easement issues. Can you kind of clear up
18 the -- for us some of the issues that they
19 addressed here tonight just to make sure we are
20 talking the same language.

21 MS. LEY: Sure. So in regards to the
22 resolution, they did -- there was a minor typo
23 issue on the minor subdivision plat. It showed
24 some easements listed that were for the major
25 subdivision approval as opposed to the minor

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2 subdivision. Those easements have been
3 removed, and so the plat is now fine in its
4 present condition, and there is a draft
5 resolution available for adoption this evening
6 for the minor subdivision approval.

7 There's also a draft resolution for the
8 board's consideration for a preliminary
9 subdivision approval which would be the for the
10 major subdivision. Also, in your packet is a
11 draft resolution for site plan conditional use
12 permit, I'm sorry, not conditional use permit.
13 Site plan and wetland permit approval for the
14 larger project. That is just a draft for
15 discussion purposes which can be considered at
16 the next planning board meeting. The other big
17 issue that was covered in the presentation that
18 was a big discussion at the last meeting was a
19 location of the parking, or the loading docks
20 for the trucks which in the -- as was noted in
21 the presentation in the FEIS was behind the
22 building. At the last meeting, they were
23 talking about having it on the side of the
24 building. And as of now, all been removed back
25 to the back of the building so it's consistent

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2 with the plans that were evaluated in the FEIS.

3 MR. LaPERCH: Okay. That was the
4 important part of this. Good. Okay.

5 Let's open up to the boards. Ms. Eckardt,
6 any questions regarding this?

7 MS. ECKARDT: I'm still not there with the
8 architecture. That's probably just me. It
9 looks like either a secret code or it just -- I
10 don't think it was what David was getting at
11 totally, but I could be absolutely off base on
12 that. So I'd like to hear if everybody else.
13 Everyone else might be very happy with it. I'm
14 just not there yet.

15 MR. LaPERCH: Okay.

16 MS. ECKARDT: Okay.

17 MR. LaPERCH: Thank you. Mr. King.

18 MR. KING: I'm with Lynne on this one.
19 The building looks like it's trying to give out
20 a secret code now. And I thought it looked
21 pretty darn good last time. But I also
22 understand the randomness concept now. So I
23 was fine with it before. I kind of liked it
24 better the way it was. But I also understand
25 it looks a little busier now I think, but

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2 that's just me.

3 MR. LaPERCH: Okay. Well, thank you. All
4 right. Mr. Hecht.

5 MR. HECHT: Pretty much the same comments
6 as the others.

7 MR. LaPERCH: Okay. Thank you. Eric, any
8 comments, sir?

9 MR. CYPRUS: Yeah. I'm pretty much a
10 boring symmetrical kind of guy myself.

11 (Indiscernible.) I guess I'll just defer to
12 David on that one and see if that --

13 MR. LaPERCH: We're all punting here.

14 MR. CYPRUS: One other thing, and it's
15 probably directed to Ashley. So the lawyer,
16 and I'm sorry, I couldn't find the letter
17 handy, but the lawyer from Hunters Glen had
18 been asking for additional sound testing, I
19 believe. And I thought you had said that there
20 was covered some place else. And I thought
21 when we moved the docks around the building
22 that that would satisfy that, but he seemed to
23 bring it up again if I recall. So do you feel
24 that this sound testing is covered elsewhere in
25 this or --

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2 MS. LEY: Yes.

3 MR. CYPRUS: Or is that going to be a
4 problem for him?

5 MS. LEY: In the finding statement, there
6 is a requirement that new baseline acoustical
7 monitoring be done prior to the certificate of
8 occupancy.

9 MR. CYPRUS: Okay. And do you think he
10 agrees with that or he's looking for something
11 else still? And I know you are putting you on
12 the spot. Just for --

13 MS. LEY: I think the difference was they
14 want the baseline acoustic monitoring done
15 today or right now. And the finding statement
16 is after construction is complete and prior to
17 certificate of occupancy.

18 MR. CYPRUS: Okay. Theoretically could be
19 the same, I would think, but okay.

20 MS. LEY: Yeah. I mean, it's a little
21 farther into the future (indiscernible) when
22 the finding statement requires it so that we
23 can really look at the net change between the
24 buildings being occupied versus not being
25 occupied.

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2 MR. CYPRUS: Yeah. That was helpful.

3 Thank you. Nothing else then.

4 MR. LaPERCH: Good question. Good pick up
5 on that. Thanks, Eric.

6 So David, we are back to you again, my
7 friend, the master of taste.

8 MR. RUSH: Chuck, you are killing me.
9 You're putting me on the spot here.

10 I understand the comments of my fellow
11 board members and I'm not disagreeing with the
12 long elevation, Chuck is still feeling a little
13 bit like a Fortran punch card. And -- and
14 maybe that's what we're sort of not comfortable
15 with. But if the colors are great. If you go
16 to the front elevation as you are driving up,
17 that has a completely different feel than the
18 long elevation. I think if you wanted to pull
19 that up, whoever had it, Kevin, since this is
20 what we're talking about. Again, this is just
21 paint at this point, people, it's not the
22 building. Go to the other elevation. Okay.
23 So all right. So with this one, it's a little
24 -- the shorter distance gives you a little more
25 of a clean scale, right, but then when we flip

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2 other side this same thing, it -- it's massive,
3 right. How long is that building, Chuck?

4 MR. DIETZ: 2,000 feet.

5 MR. RUSH: It's a long, long building. So
6 I think what we're finding or at least my
7 difficulty here is not the color pallet, I love
8 the colors. It's just that this facade is so
9 rigid and two dimensional still. The goal was
10 to try to give it some kind of a
11 three-dimensional feeling with the colors, you
12 know, that you got. So that it felt a little
13 more -- you know, the word "biomimicry," right,
14 Chuck. So it's like that's something that's
15 flipping into the earth natural. And that was
16 the only thing. So I don't know how to -- I
17 don't know how to make any more comments on
18 this fellow board members, you know. Short of,
19 if you want to go back to the way it was, I
20 just think that that by making the imprints
21 going down, it makes it even more of a long,
22 long building. So I think that -- it's -- I
23 think we got to get out of the rigidity of
24 this. It's a big, long building and maybe the
25 facade would even look better if it just had

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2 the two bands, the one gray on the top and
3 other gray on bottom and there was nothing
4 there. Because now, it's getting so busy. The
5 scale is my biggest problem with this. I don't
6 know if anybody --

7 MR. LaPERCH: Can I make a recommendation
8 here, tonight's actions have nothing to do with
9 the architectural. If we could take this
10 offline again, Chuck and Dan, with David, if
11 you are kind enough to give us some more time
12 with Lynne to kind of see if we could get in
13 between here because we could go on forever
14 tonight just kind of.

15 MR. RUSH: I would agree, Mr. Chairman. I
16 don't think this should hold the application at
17 all.

18 MR. LaPERCH: No. I want to get to the
19 other stuff, and I think there's just a little
20 more work to be done here and I think going
21 offline if Lynne can join in on that with you I
22 would appreciate it. By next meeting, maybe we
23 can come to a consensus with the board. But I
24 think, you know, what the board's, you know,
25 looking for, David. So if you could work with

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2 them on that. Dan, do you have any problem
3 with that?

4 MR. RICHMOND: No. I think, actually I
5 was going to suggest the same thing, Mr. Chair.
6 I think that, you know, we are very eager to
7 try and accommodate the board --

8 MR. LaPERCH: Yes, you are.

9 MR. RICHMOND: -- work with you. And so,
10 yes. I think it would be good to have some
11 offline meeting where we just could hopefully
12 knock it out.

13 MR. LaPERCH: Yeah. I think that's
14 appropriate.

15 Listen, this is a not a public hearing but
16 this is a very massive project and a big
17 project in our town, and Mr. Kenny, I will give
18 you the floor for one minute here to kind of --
19 kind of tell us what you thought about their
20 comments. I think they did a great job
21 addressing all the concerns that we had
22 earlier, last meeting. So I'll give you one
23 minute, but this is not a public hearing but it
24 is a big project.

25 MR. KENNY: Thank you for the opportunity

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2 to speak, and for the record, my name is David
3 Kenny. I'm an attorney with Snyder & Snyder,
4 represent Hunters Glen Homeowners Association.
5 We appreciate that the applicant is moving the
6 truck loading bays back to the east side of the
7 building. And we just continue our request for
8 the recommended conditions of approval that we
9 believe are necessary to protect Hunters Glen
10 Homeowners Association. Those conditions of
11 approval are contained in our November 13th
12 letter as well as our most recent February 3rd,
13 2021, letter.

14 MR. LaPERCH: Thank you. Okay. Thank you
15 very much.

16 Dan, any comments before I move on here?

17 MR. RICHMOND: No. I think we've gone
18 very far in accommodating Hunters Glen. I
19 think we, you know, again we reached agreement
20 with them, and I think we're eager to continue
21 to conversation with them and see if we can --
22 you know, looking forward to have them as a
23 neighbor.

24 MR. LaPERCH: Fair enough.

25 I appreciate that, and I agree with that.

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2 Okay.

3 MR. DIETZ: Mr. Chairman.

4 MR. LaPERCH: Yes.

5 MR. DIETZ: Chuck Dietz again. If I could
6 just leave you one thought. We really
7 appreciate all the feedback we've gotten from
8 yourself and all the board members and Mr.
9 Rush. As an architect, I think Mr. Rush can
10 understand this: A, the building will never be
11 visible in that respect and that view.
12 Because, again, remember, we took all the woods
13 and the forest away so that you can see the
14 facades of the building.

15 And B, Mr. Rush, I'm sure, can understand.
16 In architecture, in a flat kind of elevation
17 and the hatching, it makes things stand out
18 more than they really will be. But again, we
19 are here to help and resolve this amicably with
20 everybody. So I'm here --

21 MR. LaPERCH: We're close. And I
22 apologize. This is a big project and the last
23 thing we want to do is run up costs for the
24 applicant. But this is a -- this is a big
25 project for us. And this is I think the last

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2 part of the discussion that we need to get
3 right. And if we could spend a little more
4 time on it, I think it will go a long way for
5 the town of being proud and what we are doing
6 here. Okay?

7 MR. DIETZ: Thank you.

8 MR. LaPERCH: All right. Well, thank you.
9 I have two actions here tonight.

10 First one is I'd like to make a motion to
11 grant minor subdivision approval for lots to be
12 donated to New York State DOT. I will make
13 that motion. Do I have a second, please. Do I
14 have a second?

15 MR. KING: I'll second.

16 MR. LaPERCH: Second by Mr. King.

17 This is a roll call vote.

18 Ms. Eckardt, how do you vote?

19 MS. ECKARDT: Still no. Sorry.

20 MR. LaPERCH: Mr. King. Unmute yourself.

21 MR. KING: Yes.

22 MR. LaPERCH: Mr. Hecht.

23 MR. HECHT: No.

24 MR. LaPERCH: Mr. Cyprus.

25 MR. CYPRUS: Yes.

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2 MR. LaPERCH: Excuse me?

3 MR. CYPRUS: Yes.

4 MR. LaPERCH: Oh. Thank you. Mr. Rush.

5 MR. RUSH: Yes.

6 MR. LaPERCH: Mr. LaPerch votes yes. So
7 it passes three to two. Okay.

8 Second action, I'd like to make a motion
9 to approve the preliminary plat for the major
10 subdivision. I will make that motion. Do I
11 have a second, please.

12 MR. CYPRUS: I will second.

13 MR. LaPERCH: By Mr. Cyprus.

14 This is a roll call vote. Ms. Eckardt,
15 how do you vote?

16 MS. ECKARDT: No.

17 MR. LaPERCH: Mr. King.

18 MR. KING: Yes.

19 MR. LaPERCH: Mr. Hecht.

20 MR. HECHT: No.

21 MR. LaPERCH: Mr. Cyprus.

22 MR. CYPRUS: Yes.

23 MR. LaPERCH: Mr. Rush.

24 MR. RUSH: Yes.

25 MR. LaPERCH: Mr. LaPerch votes yes. So

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2 it passes three to two. Thank you.

3 Next step. Ashley, please.

4 MS. LEY: So the last step for the board
5 is to consider the final site plan and wetland
6 permit approval. You have a draft resolution
7 in your packet. If you have any comments, you
8 can email them to me over the next two weeks.
9 And we'll have a final draft available for the
10 board's consideration at the next meeting.

11 MR. LaPERCH: Okay. Well, thank you. Any
12 other comments; if not we'll see you at the
13 next meeting, and thank you for your
14 presentation.

15 MS. ECKARDT: Tom, did I hear, and this
16 could just be me down here, but did you say it
17 was three to two because it was really four to
18 two, wasn't it. Did anyone else hear that?

19 UNIDENTIFIED SPEAKER: It was four to two.

20 UNIDENTIFIED SPEAKER: I heard that as
21 well.

22 MR. LaPERCH: My math is wrong. You're
23 right. Absolutely.

24 MS. ECKARDT: Okay. I just wanted to make
25 sure.

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2 MR. LaPERCH: Yes. My math is wrong.

3 Thank you for picking that up.

4 MS. ECKARDT: You're welcome.

5 MR. LaPERCH: Okay. All right. Yes,

6 David.

7 MR. RUSH: Sorry. Chuck, if this is okay
8 for you just so we can to try to help each
9 other faster, if I could get those two
10 elevations so that I can make better comments
11 to you rather than not being able to touch it
12 -- you know, how we like to touch things,
13 right, Chuck. So -- so if I could just ask for
14 that that would be great. And then, you know,
15 we'll figure out something in the next few days
16 and we will just knock this thing out. Thank
17 you.

18 MR. LaPERCH: All right. Good stuff.

19 Thank you.

20 MR. RUSH: We'll bring like a couple
21 options to the board. You guys make a
22 decision. It will be the best or final.

23 MR. LaPERCH: All right.

24 MR. RUSH: Chuck and I are both -- we're
25 done, right, Chuck?

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2 MR. LaPERCH: All right. Mr. Richmond,
3 any final comment here, sir?

4 MR. RICHMOND: No. I just wanted to make
5 sure that there is -- we would get in touch
6 with David Rush so we could bring this to
7 closure. And I would just add to Ashley that I
8 guess we are also looking for final subdivision
9 plat in the major --

10 MS. LEY: Yes.

11 MR. RICHMOND: In the next meeting too.

12 MR. LaPERCH: There you go.

13 Okay. Well, thank you all for your great
14 get presentation. We'll see you at the next
15 meeting.

16 MR. RICHMOND: Thank you very much, Mr.
17 Chair.

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21 (Time noted: 8:11 p.m.)

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C E R T I F I C A T E

I, Douglas F. Colavito, a Certified Court Reporter and Notary Public of the State of New York, do hereby certify that the transcript of the foregoing proceedings, taken at the time and place aforesaid, is a true and correct transcription of my shorthand notes.

DOUGLAS F. COLAVITO