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CONDENSED

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In Re:
TOWN OF HAVERSTRAW PLANNING BOARD MEETING

-----X

September 11, 2024
7:30 p.m.

Planning Board Meeting held at One
Rosman Road, Garnerville, New York, before a Notary
Public of the State of New York.

DRAFT

SANDY SAUNDERS REPORTING
254 South Main Street, Suite 216
New City, New York 10956
(845) 634-7561

Page 2 1 2 3 APPEARANCES: 4 5 SAL CORALLO, CHAIRMAN 6 7 ANTHONY GIZZI 8 WILLIAM RICCALDO 9 GLENN WIDMER 10 ROBERT SAMBRATO 11 GLENN MCCREEDY, CONSULTING ENGINEER 12 MICHAEL D. KAUKER, PLANNING CONSULTANT 13 CHRISTIE ADDONO, PLANNING BOARD ATTORNEY 14 15 16 17 18 19 20 21 22 23 24 25	Page 3 1 Proceedings 2 CHAIRMAN CORALLO: Good evening, 3 everyone. Welcome to the Town of Haverstraw 4 Planning Board, September 11th, 2024. Would 5 everyone please stand for the Pledge and a 6 moment of silence for 911. 7 (Pledge of Allegiance.) 8 (Moment of Silence.) 9 CHAIRMAN CORALLO: Thank you. I'll 10 call the roll call this evening. 11 Sal Corallo. Present. 12 Glenn Widmer. 13 MR. WIDMER: Here. 14 CHAIRMAN CORALLO: Robert Sambrato. 15 MR. SAMBRATO: Here. 16 CHAIRMAN CORALLO: Anthony Gizzi. 17 MR. GIZZI: Here. 18 CHAIRMAN CORALLO: William Riccaldo. 19 MR. RICCALDO: Here. 20 CHAIRMAN CORALLO: Quorum is 21 present. Would someone approve for the 22 adoption of the minutes of July 10th, 2024 and 23 August 14th, 2024? 24 MR. WIDMER: I'll move that. 25 CHAIRMAN CORALLO: Moved by
Page 4 1 Proceedings 2 Mr. Widmer. 3 MR. SAMBRATO: I second. 4 CHAIRMAN CORALLO: Second by 5 Mr. Sambrato. All those in favor signify by 6 saying "Aye." 7 (Whereupon all the Board members 8 responded "Aye".) 9 CHAIRMAN CORALLO: Opposed? 10 So carried. 11 First item on the agenda is BNE 12 Letchworth, 100 Secor Road, Thiells. Section 13 19.16, Block: 01, Lot: 14. Site Plan 14 Approval. Proposed Multi-Family dwellings. 15 Approximately 300 units. Considering the 16 adoption of the SEQRA Scoping Document for the 17 applicant to prepare an Environmental Impact 18 Statement. 19 MR. EMANUEL: Good evening. Ira 20 Emanuel, Emanuel Law, PC, attorney for the 21 applicant. 22 Mr. Chairman, as you and the board 23 may recall, we were here last month at which 24 time the board conducted a hearing on the 25 scoping outline. Comments were received,	Page 5 1 Proceedings 2 certain additional comments were received in 3 the week after that. We then had a workshop 4 meeting with your consultants and yourself 5 that resulted in a revised draft which has 6 been submitted and massaged and we're hoping 7 that the revised draft meets with the board's 8 approval and that it can be accepted tonight. 9 If you'd like, we can give you some of the 10 highlights of what the changes were. That's 11 up to you. 12 CHAIRMAN CORALLO: Can you do that 13 so people know what we're doing here. 14 For the record, the public, this is 15 Letchworth Village, to give you an idea where 16 it is, well, you used to be able to go up 17 Suffern Lane and go up the hill, you can't do 18 that today, but when you get to the top there 19 where they used to play baseball or there's a 20 church at the stop sign, that's the area that 21 we're talking about right now. 22 MR. EMANUEL: So I'm going to turn 23 it over to Diego who is the main author of the 24 scoping outline. That way you get it from the 25 person who actually knows what he's talking

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2 about.
3 CHAIRMAN CORALLO: Very good. Thank
4 you.
5 MR. VILLAREALE: Thank you. Good
6 evening. For the record, Diego Villareale,
7 the planning and engineering consultant for
8 the applicant.
9 As Ira had indicated, we did make
10 some modifications to the scope primarily on
11 the comments that were received by staff,
12 county, etc., since the last meeting. And
13 again, there really wasn't substantial changes
14 made. I really focused in on a couple of
15 specific areas.
16 The first one was under the zoning
17 and land use section. There was a couple of
18 modifications made to that really specific to
19 the zone change that's part of this
20 application process. So that there will be a
21 clearer discussion on how the zoning is being
22 adopted and is going to be implemented as part
23 of this project.
24 In addition to the zone and land use
25 section there was a new section that was added

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2 A revised scope was submitted a
3 part of the package that went in. It was red
4 lined so you can very clearly see all the
5 modifications that were made to the scoping
6 document itself.
7 CHAIRMAN CORALLO: Thank you very
8 much. I don't have any questions this
9 evening. We went over everything at the last
10 meeting and we're here to adopt a SEQRA
11 declaration this evening and I will have my
12 attorney read the resolution.
13 MS. ADDONA: So just to be clear,
14 the board already adopted the resolution.
15 What is before you tonight is the scoping
16 document which is pretty much the outline of
17 all of the issues that will be substantively
18 addressed in the Draft Environmental Impact
19 Statement and once that document is completed
20 and submitted by the applicant, there will be
21 a public hearing process to obtain feedback
22 from the public on the substance of the
23 document.
24 So really what we're just talking
25 about tonight are the issues to be addressed

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2 for Flora, Fauna and Habitat. So just to in
3 response to the comments that were received to
4 address vegetation, tree clearing, anything
5 that will occur on the property from that
6 standpoint.
7 The most significant change is
8 probably under the traffic section. As this
9 board is aware, the town did retain its own
10 traffic consultant to review the scope and
11 will be reviewing the traffic study going
12 forward. We went through and commented on the
13 scope and we basically copied it verbatim and
14 inserted that into the scope. So he updated
15 it to include the various intersections that
16 they want analyzed, the hours, traffic,
17 parking, etc. All of that was incorporated
18 into the document itself.
19 In addition to that, there was a
20 section that was added regarding air quality
21 and noise that was not included in the last
22 scope, but there were comments from the
23 county, etc., that included that. So there
24 will be a separate dedicated session to the
25 air quality and noise section of it.

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2 as part of that substantive analysis and so we
3 did hold a public hearing on August 14th. The
4 written comment period was left open for an
5 additional week and that's the basis for the
6 revisions that the applicant has made which
7 have been reviewed by all of your consultants.
8 It has also been circulated to the planning
9 board and it has been posted on the website as
10 part of the meeting materials for the agenda
11 this evening. I'll just read the resolution.
12 "Town of Haverstraw Planning Board
13 Resolution Adopting SEQRA Scoping Document.
14 WHEREAS, Haverstraw Group LLC and
15 BNE Acquisitions, LLC ("Applicant") submitted
16 applications to the Town as it relates to an
17 approximately, 23-acre portion of the former
18 Letchworth Property (Tax Lot 19.16-1-14) to
19 the Town Board for a zone change for this
20 portion of the Property from the R-120 zoning
21 district to the LA-17 zoning district; and to
22 the Planning Board for subdivision approval
23 from the remainder of the former Letchworth
24 Property and site plan approval to construct
25 approximately 300 residential units in seven

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2 buildings and related amenities, including
3 parking, internal roads and recreational
4 facilities; and
5 WHEREAS, the Planning Board, as lead
6 agency for a coordinated review pursuant to
7 the State Environmental Quality Review Act
8 ("SEQRA"), adopted a positive declaration
9 requiring the preparation of an environmental
10 impact statement and as its August 14, 2024
11 meeting held a duly-noticed public hearing on
12 the draft scoping document; and
13 WHEREAS, the Applicant has revised
14 the scoping document based upon comments
15 received from the Planning Board, its
16 consultants and the public; and
17 NOW THEREFORE.
18 BE IT RESOLVED, the Planning Board
19 hereby adopts the final scoping document last
20 revised September 9, 2024."
21 CHAIRMAN CORALLO: Can I have a
22 motion to accept this?
23 MR. GIZZI: Make the motion.
24 MR. WIDMER: Second.
25 CHAIRMAN CORALLO: Motion made by

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2 Here for Site Plan Approval. P
3 Hearing this evening is for ground mounted
4 Solar Array to generate electricity delivered
5 directly to Orange & Rockland grid.
6 I'll ask our attorney to read the
7 proof.
8 MS. ADDO: Yes, Mr. Chairman, the
9 applicant has provided proof of the public
10 hearing mailings as required by the town code
11 and they've all been submitted and added to
12 the file.
13 CHAIRMAN CORALLO: Okay. Good
14 evening, both of you. Give your name and
15 everything.
16 MS. KNARICH: Thank you very much,
17 Mr. Chair. Jennifer Knarich from Price, Meese,
18 Shulman & D'Arminio, on behalf of the
19 applicant Core Development Group.
20 We're here before this board this
21 evening on a public hearing for a proposed
22 minor subdivision, as well as site plan. The
23 applicant is seeking to subdivide the property
24 in order to install a proposed ground mounted
25 solar array system of which said proposed

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2 Mr. Gizzi. Second by Mr. Widmer. All those
3 in favor signify by saying "Aye."
4 (Whereupon, all the Board members
5 responded "Aye".)
6 CHAIRMAN CORALLO: Opposed?
7 So carried.
8 MR. EMANUEL: Thank you very much.
9 CHAIRMAN CORALLO: Ira, I know it's
10 going to take you a couple of months to put
11 this together.
12 MR. EMANUEL: Maybe next week.
13 CHAIRMAN CORALLO: I just want you
14 to think about before Thursday, it's
15 Thanksgiving, before Thursday of December the
16 day after Christmas. Anyway, we need the
17 material.
18 MR. EMANUEL: Thank you.
19 CHAIRMAN CORALLO: See you next
20 week.
21 Next item on the agenda is Marian
22 Shrine, 174 Filors Line, Stony Point, Section
23 20.13, Block: 01, Lot: 01, Haverstraw.
24 Section 20.09, Block: 01, Lot 33, Stony
25 Point.

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2 installation would be located entirely on a
3 portion of the Marian Shrine property located
4 in the Town of Haverstraw.
5 In addition, as mentioned, the
6 applicant is seeking site plan approval before
7 this board. We submitted for this evening's
8 public hearing, civil engineering plans
9 prepared by Mainstay Engineering. We also
10 submitted the stormwater management narrative,
11 as well as an updated project narrative and
12 supporting documentation prepared by Core
13 Development Group. I have with me this
14 evening Kai Nybro who is the representative of
15 Core Development Group and he will take over.
16 MR. NYBRO: Thank you. Good
17 evening, board members. As you all know, I'm
18 Nybro from Core Development Group. I'm also
19 joined today by civil engineer Justin Ruby
20 with Mainstay Engineers. He's here to answer
21 any technical questions that may come up
22 regarding the plans that we submitted.
23 I'd like to start by summarizing
24 some really substantive changes that we've
25 made in the design of our solar project.

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2 First, I'll ask if you want me to have the

3 drawings facing the public or would you rather

4 have it facing the board?

5 CHAIRMAN CORALLO: Put it more to

6 that right side so we can see it at the same

7 time.

8 MS. ADDONA: All of these plans are

9 also available on the town's website and the

10 building department for any member of the

11 public who may want to see a copy.

12 MR. NYBRO: I hope that helps.

13 Since we last were here before the

14 board, we've had multiple negotiations with

15 the host, that is the Marian Shrine leadership

16 about what portions of their property are

17 going to be made available for this project.

18 That was in response to feedback from both the

19 board and community members. So the results

20 of those negotiations and what you see in the

21 plans that have been submitted is a revised

22 design. That design shows an increase in the

23 setback from adjacent neighbors of a minimum

24 of 150 feet now. The prior versions were a

25 100 feet. So we've given an additional buffer

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2 infrastructure that's required to install

3 order to make sure that any water on-site

4 remains on-site and does not impact any

5 neighbors.

6 Those were the most critical items

7 that we saw after receiving all of the

8 comments. In addition, we have submitted an

9 itemized list of answers to all of the Part 2

10 DAF items that were marked by the board as

11 being major impacts. You'll find that in the

12 supplemental document package that we

13 submitted. And in addition, there are

14 supporting documents within that package to

15 point out exactly where some of those items

16 are addressed. So that might be certain pages

17 in the civil plan set.

18 There is also a map of the wetlands

19 that was designated when we had our Phase I

20 ESA completed. We've also provided our letter

21 that we received from New York State SHPO

22 determining that there's no impact on

23 archeological or historical resources due to

24 this potential project.

25 And we've also provided a series of

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2 there.

3 What that will do, there's a couple

4 of different impacts there. One, it will

5 decrease the visual impact from the adjacent

6 neighbors. Two, it will decrease the amount

7 of street clearing required in order to

8 accommodate the project, and three, the

9 maintenance of those existing trees will

10 create an additional buffer for any potential

11 stormwater or drainage on the site. More

12 buffer from the adjacent properties.

13 Now, we've received lots of feedback

14 from the board about the requirement for

15 specific civil design plans that outline

16 exactly how we will achieve the goal, which is

17 to have zero additional run-off leave this

18 property as a result of the project. The

19 plans that we have submitted to achieve that

20 and that is supported by the SWPPP document

21 which has been submitted. It is a 300 page

22 document and it's a lot to get through, but it

23 was submitted both electronically and a single

24 printed copy, and a 31 page civil plan set

25 which outlines all of the underground

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2 images, historical images, aerial photos that

3 indicate the past usage of some of these areas

4 on the property which were essentially

5 farmland on the western side of the open

6 field. As recently as 2006 that was open land

7 and the tree survey that we've had completed

8 supports that there are very few mature trees

9 in that area. It's mostly shrub brush that's

10 been allowed to grow over the last 20 years or

11 so.

12 Also included in the plan set is a

13 tree removal plan which indicates the number

14 of trees in the clearing area, the types of

15 trees and the size of trees that will be

16 needed to be removed in order to achieve this

17 project.

18 CHAIRMAN CORALLO: Excuse me, we're

19 talking about this last thing that you sent us

20 that we got, dated 9/4 that you sent us?

21 MR. NYBRO: Correct. That's what

22 outlines the different items that were

23 submitted. I'll pause there for questions. I

24 know there hasn't been a large amount of time

25 to review the civil plan set to come up with

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2 detailed technical questions, but we do have

3 an expert here in order to field any of those

4 if you have those questions tonight.

5 CHAIRMAN CORALLO: I'd like to start

6 from the beginning. You've been here many of

7 times. The public is waiting to speak and

8 they will speak later on. We're going to

9 start. I want to start with what we're doing.

10 We're going to do a subdivision, right?

11 MR. NYBRO: Correct.

12 CHAIRMAN CORALLO: Now, I want to

13 straighten out because I'm a little confused,

14 one time we said the subdivision is going to

15 be the line above the array up there which

16 goes from the back of Woodlake Drive and the

17 back of Lilburn and that goes right down to,

18 what point everything, I'm going to say south

19 of that, which goes to Bubanco, does that

20 include the subdivision that's going towards

21 the part that goes down, goes towards Suffern

22 Lane, that whole trail where you're going to

23 bring the electrical line?

24 MR. NYBRO: That's correct.

25 CHAIRMAN CORALLO: It's part of the

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2 agreement with Marian Shrine is an entr

3 from Stony Point, is that correct?

4 MR. NYBRO: Variance.

5 CHAIRMAN CORALLO: They give you a

6 right of way to come in for this project.

7 MR. NYBRO: From Filors Lane.

8 CHAIRMAN CORALLO: From Filors Lane.

9 If we give you a variance on Filors Lane, I

10 want to make sure that that variance is only

11 for the use of what you're leasing and it's

12 not that because if they decide to want to

13 develop the rest of Marian Shrine, they have

14 they can't I don't want them to use the

15 variance that's going to be maybe approved by

16 the zoning board, that they don't have to come

17 back again. That's one.

18 All right. Now, just for the public

19 to know, the Planning Board is viewing it as a

20 subdivision and a site plan and then this has

21 to go for a special permit which has to be

22 approved by the town.

23 MR. NYBRO: Right, yes.

24 CHAIRMAN CORALLO: It's the first

25 time everyone is listening to what's happening

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2 subdivision?

3 MR. NYBRO: It is.

4 CHAIRMAN CORALLO: I want to make

5 sure that when we approve, or not approve,

6 whatever the case is, what we're covering. So

7 that's the subdivision. The center piece is

8 part of the subdivision. You're only leasing

9 a certain part of the property. You're

10 leasing the two arrays, I guess you're leasing

11 that whole thing down going down, yeah, going

12 down towards Suffern Lane, that's all part of

13 your lease agreement with the Marian Shrine?

14 MR. NYBRO: Correct. There is no

15 anticipated change of ownership for any of the

16 property. Marian Shrine maintains ownership

17 of the entire parcel, even the subdivided

18 parcel. The newly designated subdivided

19 parcel is, I believe it's 38 acres total in

20 size. Of that new parcel, proposed new

21 parcel, we have a lease agreement that amounts

22 to about 13 or 14 acres of that parcel. It's

23 just a lease so they remain ownership of the

24 entire --

25 CHAIRMAN CORALLO: And part of your

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2 here, so I want to bring it all together.

3 MR. NYBRO: We have had one

4 preliminary workshop meeting with the town

5 board to make them aware of the project as we

6 progress through here and hopefully get

7 approval from the planning board, we will be

8 approaching the town board again for the

9 actual vote on the special use permit.

10 CHAIRMAN CORALLO: Anybody else want

11 to say anything right now?

12 MR. McCREEDY: I just got the plans

13 four days ago. I got nothing for you.

14 CHAIRMAN CORALLO: You responded to

15 what we have from the Highway Department? We

16 have two letters from the Highway Department.

17 The latest one is I guess November 23rd,

18 Rockland County Planning Department. You

19 responded to those letters also?

20 MR. NYBRO: Correct, and the

21 responses to the short EAF Part II, we've

22 readdressed the issues within the Rockland

23 County concerns.

24 CHAIRMAN CORALLO: You have the

25 drainage agency you responded to.

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2 Now, my question is, now we'll go

3 into -- you've changed the location over the

4 past few months as we've had some discussions

5 of where the actual location of the -- from

6 Bubanco Drive, you kind of westbound and then

7 the one on the left-hand side and I guess you

8 left it where it was put, but you picked up

9 the difference, whatever, and you put this

10 little, I'm going to call it a 7 backwards, a

11 dog leg I guess in golf.

12 MR. NYBRO: That's correct. In

13 order to achieve the 100-foot setback we added

14 a small section up to that northwestern part

15 of the array in order to make up the

16 difference.

17 CHAIRMAN CORALLO: I'm not happy

18 with that, but that's besides the point.

19 Now, we talked about -- I have a

20 question. Everything I've read or looked at,

21 these are built in open fields. I haven't

22 read anything where you started cutting trees

23 down and so on. And you're coming in here and

24 you're going to cut approximately 18 acres of

25 trees and we have a nice big open field here

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2 and that's due to requirements by the host by

3 the Marian Shrine leadership who have

4 explained to us that they could potentially

5 continue to use the open field. It is now

6 used for certain activities and they would

7 like to maintain that area for future use for

8 their activities. They have groups who come

9 and visit them, they have pilgrimage groups

10 who come and they walk that portion of the

11 property. So their requirement in order to

12 allow the solar portion to be leased and used,

13 is that we leave this area untouched.

14 Now, I will say that they've made a

15 concession. You can see that the eastern

16 array has moved away, as somebody mentioned,

17 from Lilburn Drive in order to achieve that

18 additional 50 feet. That was something the

19 Marian Shrine leadership was willing to

20 accommodate.

21 So they've given us use of some of

22 the open field, that small sliver that you'll

23 see on the western side of the east array. So

24 we're dealing with the parameters given to us

25 by the host and trying to make this work from

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2 that can be used without cutting all those

3 trees down. I don't know what agreement you

4 have with the Marian Shrine that you have to

5 do X number of acres or so many pounds to make

6 this thing work for you, but we want it to

7 work for all of us.

8 MR. NYBRO: Of course.

9 CHAIRMAN CORALLO: When you built

10 these things in other places, you've cut in a

11 community like ours surrounded on three sides

12 by homes, that you knock down all these trees

13 and so on?

14 MR. NYBRO: Well, I can say that it

15 is certainly standard practice within the

16 industry to take down trees in order to

17 accommodate projects like this. Now from a

18 development prospective, it's always

19 preferable to use an open field, even just

20 from a cost prospective, right? As a

21 commercial business we want to be able to

22 build this as easily and as cost efficient as

23 possible. That would be the first choice for

24 any development like this.

25 In this case, it is not an option

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2 a commercial prospective as well.

3 MR. WIDMER: Have you brought up to

4 the Marian Shrine instead of having two

5 rectangles, take some of them at the

6 southern -- they won't go for that either?

7 MR. NYBRO: Yes, we looked at a

8 number of different options including one

9 single array that's pushed more towards the

10 south and went across that and that was not

11 acceptable. The Marian Shrine leadership,

12 they also deal with the allegiance board,

13 that's their governing body above the local

14 level in Haverstraw and so they've discussed

15 this as a board and this is the extent of what

16 they're willing to allow us.

17 MR. WIDMER: It seems like putting

18 it in the middle with the open field would be

19 the home run and lot less work for you.

20 MR. NYBRO: Yes, understood.

21 CHAIRMAN CORALLO: I know they use

22 the field for entertainment because about two

23 weeks ago I sat in my backyard and I watched

24 the fireworks there and it was nice because I

25 didn't have to go drive anywhere, I could see

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2 it from my home.

3 Anyway, did you see a letter from a

4 woman named Christine Tota from the

5 Conservation Chair of the Rockland County

6 Audubon Society? Did you see that?

7 MR. NYBRO: I believe we did receive

8 that. That was a while back.

9 CHAIRMAN CORALLO: To reach this

10 point we had to get the public hearings

11 session.

12 MS. ADDONA: It's from June.

13 CHAIRMAN CORALLO: June of this

14 year. I got this. There's no trees around,

15 nice open field and it makes more sense to try

16 to do it in an open field than cut trees down.

17 I received two letters here. I'm not going to

18 go over them, I hope that they're here today,

19 Catherine John and John Lynch.

20 I'm not going to read your letter,

21 I'm going to let you do that.

22 You received those letters? One is

23 dated February 25th and another one I think

24 was later. One in May. May 1st. I'll let

25 them when they come up I'll let them speak to

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2 slope because of the structural

3 characteristics of the rack.

4 In our previously submitted grading

5 plans it did include the cuts and fills. It's

6 really minimal. So for the entire array I

7 think it was 80 cubic yard of cuts and fills.

8 It was really minimal. The overall

9 characteristics of the site are fairly evenly

10 sloped, but there are a couple of areas where

11 there's mostly drop offs. Those are the spots

12 that were indicated as requiring a grade.

13 I will add to that that the plans

14 that we just submitted do include extensive

15 underground water retainage structure for the

16 stormwater drainage. So that also requires I

17 would say, subsurface excavation, installation

18 and then refill and compaction. So that's not

19 exactly the same as creating for cuts and

20 fills but it is subsurface infrastructure.

21 CHAIRMAN CORALLO: You're cutting

22 the trees down, you have stumps. I think you

23 have? Some kind of a number of 303. You're

24 going to remove all of those stumps and take

25 them off the property?

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2 that issue.

3 Anybody on the board have anything

4 they want to say right now?

5 MR. NYBRO: I'll add one comment,

6 that one of the other issues that we know has

7 been raised was the visual impact from the

8 neighboring properties. We have engaged with

9 a landscape architect. We expect to have the

10 site work done for in the next two weeks. So

11 that is pending. It was not prepared and

12 ready for this meeting, but that is on its

13 way. It's in the works.

14 CHAIRMAN CORALLO: One of my other

15 questions then, the people are interested in,

16 you're cutting fills. Property looks flat,

17 but it curves as you go down. I haven't seen

18 the field. You're cutting fill operation, are

19 you going to try to level this property off or

20 there's going to be --

21 MR. NYBRO: So the solar racking is

22 actually very accommodating of the terrain.

23 So the solar arrays will actually follow the

24 terrain as it slopes away from the center in

25 this case. That is up to a maximum allowable

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2 MR. NYBRO: Stumps will either be

3 ground with a like a tow grinder for temporary

4 stabilization or will be removed from the

5 site. They will not be left in the ground.

6 CHAIRMAN CORALLO: The height of

7 these solar panels, they're on a slope.

8 What's the high part on the grade?

9 MR. NYBRO: Sure. As I said, the

10 racking follows the slope of the terrain. So

11 there is a natural variation in that, but for

12 the most part, the low edge of the angle of

13 the panels is about 2 feet above grade and the

14 panels are installed at a 15 degree tilt and

15 that means that at the highest edge I think

16 they're just over 8 feet tall. So fairly low

17 structure.

18 CHAIRMAN CORALLO: At this point I

19 don't have any more questions. What I'm going

20 to do is open it up to the public.

21 I think some of the items you have

22 in your letter might be answered. If we don't

23 have the answers today, we'll have them for

24 you in the future.

25 MR. LYNCH: No problem. John Lynch,

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2 1 Hemlock Lane, Thiells, New York.

3 When my wife and I first heard about

4 this back in February of '24, we sat down and

5 we said, oh, my God, it's happening again. So

6 our first letter went to Howard Phillips, the

7 Marian Shrine director, the planning board,

8 the town board, and that pretty much explained

9 the conditions.

10 All the families and homes on

11 Hemlock Lane, Pine Drive, a little bit on

12 Woodlake and Margaret, went through 35 years

13 ago when the Marian Shrine hired a contractor

14 and it was Smith Farms, right, it was Smith

15 Brothers, to come in and clear all the land

16 and put in crops. Fine. And he did. But

17 they never told us. The first time we found

18 out about it was when bulldozers and tractors

19 went through here, wiped everything out, made

20 it barren and what happened? The rain came,

21 the summertime rains came down and we had

22 water all throughout our subdivision if you

23 will. Some of the houses that have basements

24 had water in their basement for the first time

25 in decades, right?

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2 know this is yesteryear, but I'm getting a

3 point.

4 So then a couple of weeks go by, two

5 dogs on the street die up in the fields. They

6 put bait traps down, poisonous bait traps for

7 woodchucks, raccoons, chipmunks squirrels that

8 eat all the seed and stuff. We said, Jesus,

9 how about our wells? We had to have them

10 tested. Everybody had the county come

11 periodically and test them because we didn't

12 know. It's an aquifer. All the water wells

13 are here. Most of Woodlake doesn't have that,

14 you have city water but ours is older, your

15 block and your houses, so we had aquifers.

16 And so we had to do all that and nobody ever

17 told us nothing. And we were young, stupid

18 and we allowed it to happen, right?

19 When he took all the debris, he

20 pushed it all down to the rock wall because it

21 was easy coming down the big hill, push it all

22 down there. So I said to the farmer, what in

23 the hell are you doing? Get this shit out of

24 here. Put it off to side because all those

25 fields are surrounded by rock walls. So he

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2 Also, we have wells, nine houses

3 have wells on Hemlock and Pine Drive. So what

4 happened as the summer went on, the farmer

5 used spray, aerial sprays to stop the birds

6 coming down. Thousands of black birds coming

7 down on the corner. I don't know if you've

8 ever seen. We said, okay, that's fine. Then

9 I walked up and I seen old man Smith. I said,

10 what kind of chemicals you use? Oh, I don't

11 know, it's what I always use. I said, you

12 know, you're within 30 feet of the property

13 line where my kids play and all that. My wife

14 called me up and said the smell is horrendous.

15 I came running home from work, Orange and

16 Rockland, right, and I said what the hell is

17 going on here? I went to the town, I said to

18 the town, did you ever check on the chemical

19 spray in here? We didn't even know about it.

20 So they came and changed the spray,

21 right? Okay. Fine. All the stuff in the

22 backyards couldn't use it, all the kids'

23 playground equipment, the picnic tables,

24 everything was covered with crap. Marian

25 Shrine said, oh, we just lease it to them. I

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2 did it for me, right, and I gave him a few

3 bucks to say thank you because that's what you

4 did back then. You had nobody to back you up,

5 you had to do it yourself. So now, we're

6 getting to 2024 and all I ask is that --

7 CHAIRMAN CORALLO: Let me ask you

8 this one question. The field that they used,

9 is that the open field that's there now?

10 MR. LYNCH: No.

11 CHAIRMAN CORALLO: Where was this

12 plant going on?

13 MR. LYNCH: Right behind Hemlock

14 going all the way up to the top field. The

15 field was where the football field was. All

16 those fields going from Margaret Lane all the

17 way as far as you can go to where -- all the

18 way there into Woodlake going whatever that

19 would be west, right, and all those fields

20 were covered with corn and it was great, but

21 we paid the price, we, the residents along

22 those roads, Hemlock, Pine, a few on Woodlake

23 and Margaret Lane. No other places went

24 through this.

25 Now, we're going through that again.

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2 The other houses, South Lilburn, with the

3 pitch going down and all that. So does

4 Bubenko there. We lived through this and we

5 don't want to live through it again. You may

6 approve it, they may go in, but hold their

7 feet to the fire so they do the right thing

8 this time because it's Marian Shrine again

9 getting a contractor clearing everything and

10 we can't trust them because last time they

11 weren't honest. Nobody was. And they just

12 did it and we took the brunt of it. So that's

13 it and that's in both letters.

14 CHAIRMAN CORALLO: You want to go

15 over your letter at all? Thank you very much.

16 MR. LYNCH: No that says everything

17 right there. thank you.

18 CHAIRMAN CORALLO: Thank you.

19 Anyone else would like to speak,

20 please come up and state your name and address

21 for the record.

22 MS. ADDONA: I just want to state

23 for the record, nothing is going to be

24 happening tonight. This is just the start of

25 the Planning Board's Public Hearing process.

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2 solar farm defeats the purpose of the so

3 power. Trees and shrubs remove carbon dioxide

4 from the air along with other pollutants and

5 exhale oxygen. People always comment on how

6 fresh the air smells in a natural area. That

7 is not only because of less industry, but

8 because of the trees. The trees need the

9 ecosystem they belong to. The trees cannot be

10 reproduce without the animals, including the

11 birds and insects and the animals cannot exist

12 without the trees and bushes.

13 The animals passing through my

14 property attest to the fact that there is a

15 driving ecosystem across from my property

16 which is Marian Shrine. And there are many

17 mature trees on that stone wall also.

18 Removing the trees and undergrowth will

19 destroy the entire ecosystem on this property.

20 It will not only destroy our view from our

21 back windows, the 50 yards I don't think makes

22 much of a difference, lower our property value

23 and possibly cause flooding in areas downhill

24 from this project, but it will also impact

25 many people in the area with decreased air

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2 So this is not going to be like last time in

3 that regard. There have been multiple

4 meetings where there was not public comment

5 allowed, but that happened in public in this

6 room where anyone was welcome to listen and

7 that process will continue until it ends one

8 way or another.

9 CHAIRMAN CORALLO: Thank you.

10 Go ahead.

11 MS. RIBA: My name is Netta Riba. I

12 live at 5 Margaret Lane, Thiells, New York.

13 I've spoken on this before at this town hall,

14 but I'm going to say some of it again and I

15 can mail it to you and some other things.

16 I'm not a scientist, but I'm

17 interested in biology and now climate science

18 and I have very good layman's knowledge of the

19 topics. We also reached out to the

20 environmental organizations. Audubon sent you

21 a letter at my urging.

22 Solar power is a wonderful thing.

23 It will decrease our carbon footprint and help

24 prevent global warming, but clear cutting 15

25 acres of trees and underbrush to put up a

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2 purity. Removing the rock walls to run the

3 electricity tables will also add to the

4 destruction of the ecosystem as the rock walls

5 provide homes for animals and insects that

6 help the ecosystem.

7 We are told that the area around and

8 under the panels will be planted with native

9 plants. That is good. But not as good as a

10 wooded area.

11 Let me read a paragraph in a

12 recently published New York Times article

13 about this topic. The title of the article is

14 Solar Farms Have A Superpower Beyond Clean

15 Energy. It is in the September 5th, 2024

16 issue of the New York Times. "In measuring

17 ecological value, the starting point is

18 fundamental scientists say. Replacing a field

19 of row crops with solar panels and clover

20 would provide a net benefit for pollinators,

21 even without a mix of native species.

22 On the other hand, no amount of

23 high-quality seeding will match the ecological

24 value of an intact ecosystem, especially in

25 places where solar panels would require the

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2 removal of trees and shrubs."
3 As I said, the solar power is a
4 wonderful thing, but replacing trees with a
5 solar farm is not a good thing. There are
6 many beneficial places where solar farms can
7 be placed. We have many shopping center,
8 stores and parking lots in this county. A
9 solar farm raised above a parking lot is a
10 wonderful thing and I have seen this done
11 elsewhere. People love parking under the
12 solar panels as they provide shade in the
13 summer and keep the snow off the cars in the
14 winter. This has got to be cheaper than clear
15 cutting 15 acres of trees and putting solar
16 power in these areas will help decrease
17 utility costs as well as this project will.
18 There are also many stores with flat
19 roofs, and I'm sure the owners would
20 appreciate the extra revenue from renting
21 their roofs. Even the schools have parking
22 lots and flat roofs and the district can
23 certainly use the extra money. The only ones
24 who will benefit from this project is the
25 Marian Shrine. By renting the ground to the

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2 originally envisioned, the solar arrays
3 on the fields which would be obviously easier
4 for them and it wouldn't require the extensive
5 deforestation and potential drainage problems,
6 but Marian Shrine had second thoughts and I'm
7 not quite sure why, but maybe Netta is right,
8 that they didn't want to have to look at the
9 solar array, but they didn't care about what
10 it did to the character of the neighborhoods
11 around.
12 I did want to address something that
13 hasn't been touched upon and it's of special
14 concern to the residents on Margaret Lane
15 because the electric transmission line runs
16 behind the houses to the north and right now
17 there are two stone walls there and my
18 understanding is that they would be all taken
19 down and not restored, which certainly would
20 affect the character and look, in particular
21 my partner's family. When they moved in there
22 was a pile of rocks there and they paid a lot
23 of money to make a beautiful stone wall and if
24 you look to the west there's rocks and if you
25 look to the east there are rocks, but for that

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2 utility company they will benefit financially,
3 but they refuse to put the solar panels closer
4 to their main area where there is a cleared
5 area as they don't want to create an eyesore
6 near their beautiful grounds as their website
7 says. They would rather create an eyesore
8 behind our homes.
9 I hope that the Town of Haverstraw,
10 Core Development Group, Orange and Rockland
11 and the Marian Shrine will consider these
12 issues and reject this project. Many voters
13 in this district will not be happy if this
14 project goes down. Thank you for your
15 attention and I will try to mail a letter to
16 the board.
17 CHAIRMAN CORALLO: Thank you. Is
18 there anyone else who wants to speak?
19 MR. HORN: Good evening. My name is
20 Andrew Horn, 3 Margaret Lane, Thiells, New
21 York.
22 I don't want to repeat what Netta
23 said, but Mr. Nybro was good enough to meet
24 with a group of residents at Marian Shrine and
25 he was quite candid that when this project was

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2 extent of the property they had done
3 substantial improvement and that's something
4 I'd just like to point out.
5 In addition on, their deeds it
6 indicates that the town had reserved an
7 easement on that same portion of the property
8 10 feet to be part of possibly a 50-foot
9 public way. And on the deed for the property
10 for the developer it indicates the town has
11 reserved a 50-foot portion, and it's not clear
12 to me, but it seems to be exactly the same
13 area where this transmission line would be
14 buried and it's not clear if, in fact, the
15 Marian Shrine has clear or total title to that
16 area and that's something I would like the
17 town to look at if, in fact, the town is
18 giving up something that's an easement that
19 exists for the town.
20 I did bring just a copy of my
21 family's deed and the town's deed if anybody
22 wanted to look at it.
23 CHAIRMAN CORALLO: Tell me where
24 exactly you think that easement was along that
25 strip.

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2 MR. HORN: On the property it says

3 subject to 10-foot possible future road

4 widening easement affecting the north portion

5 of the premises. So that would be the

6 northern portion is the portion that would

7 then go into the stone wall. And then on the

8 deed for the development it does say 10-foot

9 wide strip to be preserved for dedication to

10 the Town of Haverstraw for purposes of

11 creating a 50-foot public way providing no

12 private access shall be permitted on either

13 side of said public way along its length

14 between lots 1 through 6. 1 through 6 would

15 be 1 Margaret Lane, 3,5,7, 9 and I think 11.

16 So all of us who have houses on that side of

17 the street. And previously we were told there

18 would be a tree survey because the previous

19 tree survey only dealt with this part of the

20 project and was left empty for this side, but

21 I don't think we've ever seen that.

22 CHAIRMAN CORALLO: I just got the

23 tree survey the other day. I don't recall

24 exactly. I know you're talking about the two

25 where the solar panels go. I know the power

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2 different approach to the concept. I'm not

3 going to reiterate what everybody said. I did

4 about a half hour of research just in solar

5 farms over all and a couple of things popped up

6 including Inside Climate News.Org, which is a

7 government site. Average property value goes

8 down approximately 5 percent. That's based

9 off of 1.8 million homes near solar farms in

10 just six states alone. According to Greek

11 Codes.Org, they're telling me that, it says

12 that living next to a solar farm could be

13 harmful to your health in terms of the

14 electromagnetic radiation which reduces life

15 expectancy. The radiation does not come from

16 the panels themselves, but rather the

17 industrial equipment that's used to store the

18 energy panels that's produced. The habitat

19 degradation in terms of the wild life and

20 everything else that everybody talked about.

21 I understand that the gentleman said

22 that all the water will be contained in that

23 area, however, we all know water does not go

24 straight down, that water does go left, right,

25 forward, backward, for lack of better words in

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2 there. I just got it yesterday, so I can't

3 tell you.

4 MS. ADDONA: If you want to contact

5 the building department they can set up an

6 opportunity for you to take a look at

7 everything that's been submitted and it should

8 be available on the website.

9 MR. HORN: Okay, thank you. I

10 looked and tried to download what was put up

11 most recently, but I didn't see it.

12 MR. McCREEDY: Can you submit that

13 documentation as well, sir, to the planning

14 clerk?

15 MR. HORN: Oh, sure.

16 MR. McCREEDY: Thank you.

17 MR. NYBRO: Just to quickly respond

18 to the direct question, the tree survey on the

19 western side of the proposed area has been

20 complete and has been submitted to the board,

21 so that is available.

22 CHAIRMAN CORALLO: Go ahead.

23 MR. PERRY: Steve Perry, 6 Hemlock

24 Lane, Thiells, New York.

25 I'm going to go a little bit of a

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2 the environment. So the run-off within the

3 150 feet, all the areas on Hemlock Lane would

4 cause a signature impact to our wells, which

5 is also very concerning.

6 And the manufacturing of solar

7 panels which include hazardous materials such

8 as hydrochloric acid, sulphuric acid, hydrogen

9 chloride, 111 triethylene and acetone which is

10 all very flammable. Myself being a combat

11 veteran in and around burn pits for a very

12 long time who is suffering from the results of

13 a respiratory illness from it, those are some

14 of the chemicals that I realize result in

15 burning and we know how a chemical burn is not

16 put out in a timely fashion. Let alone does

17 not take a signature -- sorry, it does take a

18 significant amount of time to put that out.

19 In terms of fire suppression, also

20 being a volunteer fireman a long time ago, I'd

21 be concerned if I'm tracking and I don't know

22 this for sure, Thiells Fire Department only

23 has two foam canons, five gallon jugs for

24 electromagnetic issues in terms of fire

25 suppression. I know traditionally they use

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2 water, however, this big of a solar array farm
3 I can only imagine how long it would take to
4 burn and be put out by fire suppression. The
5 battery fumes and the gases generated between
6 necrose materials and enviromental impact can
7 be breathed in obviously.
8 And ironically July 28th of 2022, it
9 took crews days to put out chemical burn at a
10 solar farm near Chaumont, County Rt. 17,
11 upstate, New York. Families had to shelter in
12 place for one mile due to toxic fumes and
13 water run-offs. Battery fire location caused
14 heath risks and significant impacts to the
15 local community and it took four days to
16 extinguish the solar farm and I think it was
17 only 1200 solar panels at that location and
18 from what I understand, we're looking at 5200
19 here. And they still don't know about the
20 water contamination at that location.
21 Just one month ago there was another
22 solar array farm in Schenectady, New York, and
23 as a result of this and others in New York
24 alone, on July 31st Governor Hochul has
25 decided to launch a special task force to

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2 basically before some 35 years ago
3 The other piece I have is from what
4 I understand, and again this is hearsay, so I
5 apologize, but this was originally requested
6 in terms of Stony Point's geographical area
7 and it was turned down because it was a
8 potential tax issue that they would lose 5.13C
9 status for the tax issue. So I don't know if
10 that's going to address on the Haverstraw side
11 and the impact and/or cause that would have an
12 affect to the Haverstraw side even though
13 Marian Shrine resides at the geographical
14 address in Stony Point.
15 As well as from what I understand,
16 when solar farm arrays are put in these areas
17 there is some kind of tax incentive or
18 reimbursement to local surrounding residential
19 areas, but being that it's in Stony Point, my
20 guess is it probably is not even going to end
21 up here. It will probably end up in Orange
22 County or something like that. So those were
23 my thought processes as to that.
24 CHAIRMAN CORALLO: Okay. Thank you.
25 MR. PERRY: Thank you.

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2 investigate the safety of battery and these
3 storage facilities near solar farms concerning
4 the toxic fumes and the smoke that billows
5 causes significant health impacts to that
6 area.
7 It was already mentioned the well
8 water impact and so on so forth.
9 And another quick research, like I
10 said, I'm still in the military, did some
11 research with some colleagues that are in the
12 Corp. of Army Engineers, and please don't
13 quote me if this is correct, it's completely
14 hearsay, but on military installations
15 averaged locality that has over 50 solar
16 panels is required to be .303 miles away from
17 residential or office spaces on military
18 installations, i.e. open field areas where
19 there is no inhabitable area for .303 miles.
20 And again, don't quote me on that. You can
21 quote me on that but that's just what I've
22 been told.
23 And to answer the other questions
24 about the trees not being mature, as we
25 learned now from Mr. Nix, my neighbor, it was

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2 MS. ADDONA: I just want to state
3 for the record, there is a distinction between
4 battery energy storage systems and solar
5 energy systems and it seem likes some of the
6 issues that were raised by the last speaker
7 may have been conflated and I think that they
8 did relate to battery energy storage systems,
9 which is not what is being proposed here.
10 MR. NYBRO: I'd like to quickly
11 comment on that. Just to be clear, there's no
12 battery storage on this project at all. It is
13 just a solar energy facility system. Any
14 energy produced by the system will immediately
15 be deployed to the O&R grid. There is no
16 storage.
17 And quickly, I will just mention a
18 few other items. Number one, the overall
19 topography as I mentioned of the site is not
20 changing. Of course, the trees are being
21 proposed to be removed, but the terrain itself
22 will remain substantially as is.
23 The tax issue, I'll just quickly
24 mention that. So the project company, so
25 essentially what we're proposing at Core

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2 Development Group would be liable for all

3 taxation increases on the leased property

4 because of the facility. So that would not

5 impact the Marian Shrine's tax status at all.

6 They would maintain their tax status. The

7 project itself would pay any applicable taxes

8 to the town which has been discussed and

9 negotiated through the town's legal

10 consultant. So that has been. We have

11 discussed that. I think I'll stop right

12 there.

13 CHAIRMAN CORALLO: Thank you.

14 Anyone else would like to speak?

15 Okay.

16 Seeing nobody, I think we'll leave

17 the public hearing open for our meeting in

18 October. We'll try to put all the information

19 that we have we'll get into the water

20 situation of the underground and storage and

21 so on. We just received the plans. Our

22 engineers will look at that and be ready to

23 hopefully at the next meeting to make comments

24 on all that with the water and grading and

25 etc., etc.

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2 (Whereupon, all the board members

3 responded "Aye")

4 CHAIRMAN CORALLO: Opposed?

5 So carried.

6 Thank you very much.

7 MR. NYBRO: Thank you.

8 MS. ADDONA: We're just going to

9 take a two minute break to give our wonderful

10 stenographer's fingers a chance to relax.

11 (Whereupon, a brief recess was

12 taken.)

13 (After the recess the following

14 occurred:)

15 CHAIRMAN CORALLO: Excuse me. We're

16 going to go back into session. If you want to

17 stay you can stay. If you want you can sit.

18 We would like to continue.

19 Next item on the agenda is number

20 three, Garnerville Mini Storage, 3 W. Ramapo

21 Road, Garnerville. Section 26.09, Block: 04,

22 Lot: 33. Site Plan Approval. Continuation of

23 Public Hearing. Proposed Mini Storage/Self

24 Storage Facility. 3 stories - total of 36,200

25 square feet. Adoption of the resolution.

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2 MS. KNARICH: Mr. Chairman, says the

3 women I also have been in contact with

4 Christine with regard to a work session for

5 that, for technical review of those plans with

6 your engineer.

7 MS. ADDONA: If they want to come to

8 the September 26th workshop.

9 CHAIRMAN CORALLO: We might have

10 something by then so we can discuss all the

11 issues that are open that we haven't gotten

12 into. There's a number of other things.

13 MS. KNARICH: Understood.

14 CHAIRMAN CORALLO: You're going to

15 fence in the property, etc., and how we're

16 going to do things. So let's do that. I'll

17 leave the public hearing open.

18 Motion to adjourn the public hearing

19 to be continued at our meeting October 9th.

20 Can I have a motion on that?

21 MR. SAMBRATO: I'll move that.

22 MR. RICCALDO: Second.

23 CHAIRMAN CORALLO: Moved by

24 Mr. Sambrato. Second by Mr. Riccaldo.

25 Signify by saying "Aye".

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2 Ira, we're here. We've been

3 together for a long time on this one item. I

4 have no more questions on it.

5 Anybody have any questions at all?

6 MR. MCCREEDY: We're good.

7 MR. EMANUEL: If the board has no

8 questions, I got nothing to say.

9 CHAIRMAN CORALLO: Anybody from the

10 public want to say anything on the storage

11 facility, the one on 202 and Central Highway

12 going over the mountain?

13 I see no one has anything.

14 MR. WIDMER: Are we good with the

15 hours of operation?

16 MS. ADDONA: Yes. I did prepare a

17 resolution for the board's consideration based

18 upon the comments and the discussion that has

19 been had at various prior meetings. It was

20 recommended by certain members of the board

21 that the hours of operation be restricted from

22 seven A.M. to nine P.M. That was also

23 conveyed to the applicant who has consented to

24 that condition and so it is in the draft

25 resolution that has been circulated to this

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2 board in advance of the meeting and also
3 posted on the website.
4 The other substantive condition in
5 addition to complying with any outstanding
6 comments related to the GML review, is that
7 the applicant will have to go to ARB for their
8 review and sign off on the design of the
9 building.
10 MR. EMANUEL: And on behalf of the
11 applicant, I will confirm the applicant is
12 willing to accept those conditions.
13 CHAIRMAN CORALLO: Can I have a
14 motion to close the public hearing?
15 MR. WIDMER: I'll move that.
16 MR. GIZZI: Second.
17 CHAIRMAN CORALLO: Moved by
18 Mr. Widmer. Second by Mr. Gizzi. All those
19 in favor signify by saying "Aye."
20 (Whereupon, all the Board members
21 responded "Aye".)
22 MS. ADDONA: So, Mr. Chairman, as I
23 noted, the resolution was prepared for the
24 board's consideration for approval of the site
25 plan for the proposed self storage facility at

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2 reading.
3 TOWN OF HAVERSTRAAT PLANNING BOARD
4 RESOLUTION.
5 Primespace Capital L.L.C.
6 3 West Ramapo Road, Garnerville
7 (Tax Map No. 26-09-4-33)
8 WHEREAS, the applicant, Primespace
9 Capital LLC ("Applicant"), proposes to convert
10 a 2.28-acre vacant lot (formerly containing a
11 single-family residential home that has since
12 been demolished) to a 108,600-square foot
13 self-storage facility ("Proposed Project");
14 and
15 WHEREAS, the subject property is
16 located at 3 West Ramapo Road in the
17 unincorporated Town and is shown on the Tax Map
18 as 26.09-4-33 ("Property"); and
19 WHEREAS, the Applicant, with the
20 consent of the owner of the Property, 31
21 Collins LLC, submitted the following
22 applications to the Town:
23 1. Application to the Planning
24 Board for site plan approval dated August 7,
25 2023.

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2 3 West Ramapo Road, Garnerville, Lot number
3 26.09-4-33. This has been circulated to the
4 board and has also been circulated to the
5 applicant and it was also available on the
6 town's website.
7 One other thing I will note for the
8 record is that we did receive a response from
9 the David B. Roche Volunteer Fire Company
10 which advised the Thiells Fire Department has
11 reviewed the projected site plan for 3 West
12 Ramapo Road, Garnerville, New York. We do not
13 have any comments, concerns or requests in
14 this staging of this property which is
15 something that I know the chairman had been
16 asking for for quite a while. And because
17 it's a rather lengthy resolution, six or seven
18 pages, with the consent of the applicant and
19 since there's no one here from the public who
20 wishes to speak on this application, perhaps
21 we can waive the reading of the resolution in
22 its entirety and the board can just vote on.
23 MR. EMANUEL: If the resolution is
24 the same as what was posted on the website as
25 of today, we have no problem with waiving the

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2 2. Petition to the Town Board dated
3 December 21, 2023 seeking to rezone the
4 Property from the R-15 zoning district to the
5 C zoning district.
6 WHEREAS, while processing these
7 applications, it came to the Town Board's
8 attention that the Town Code does not have
9 regulations directly applicable to
10 self-storage facilities, particularly as it
11 relates to parking and, therefore, at the Town
12 Board's April 9, 2024 meeting it proposed:
13 3. Local Law to regulate
14 self-storage facilities in the unincorporated
15 Town's C and PIO districts.
16 WHEREAS, the Planning Board served
17 as lead agency for a coordinated review of
18 this Type I action pursuant to the State
19 Environmental Quality Review Act ("SEQRA"),
20 which review included the zone text amendments
21 and zone change, as well as the proposed site
22 plan; and
23 WHEREAS, at its July 10, 2024
24 meeting, the Planning Board (1) adopted a
25 SEQRA negative declaration finding the

Page 58 1 Proceedings 2 Proposed Project did not have the potential 3 for any significant adverse environmental 4 impacts, thus ending the SEQRA process and (2) 5 issued a zoning report to the Town Board 6 favorable of both the zoning petition and the 7 zone text amendments; and 8 WHEREAS, at its September 10, 2024 9 meeting, the Town Board adopted Local Law #1 10 of 2024 implementing zoning restrictions on 11 self-storage uses in the C and PIO zoning 12 districts and Local Law #2 of 2024 rezoning 13 the Property from the R-15 to the C zoning 14 district; and 15 WHEREAS, in connection with the 16 Proposed Project, the Applicant submitted the 17 following signed and sealed plan set prepared 18 by Atzl, Nasher & Zigler P.C. dated December 19 14, 2023 and last revised August 29, 2024 20 (except otherwise noted) consisting of: (1) 21 Site Plan, (2) Existing Conditions Plan, (3) 22 Grading Plan, (4) Erosion and Sediment Control 23 Plan, (5) Details, (6) Details, (7) Tree 24 Preservation Plan, (8) Landscaping Plan, (9) 25 Planting Details, (10) Lighting Plan, (11)	Page 59 1 Proceedings 2 Wall Profile and Details (dated August 29, 3 2024), (12) Wall Notes & Specifications (dated 4 August 29, 2024), (13) Drainage Map Existing 5 Condition (Sheet E-1) and (14) Drainage Map 6 Developed Conditions (Sheet D-1) 7 (collectively, hereinafter referred to as the 8 "Approved Plans"); and 9 WHEREAS, in accordance with General 10 Municipal Law Seciton 239-m, the site plan 11 application was referred to the Rockland 12 County Department of Planning, in response to 13 which the Planning Board received a response 14 dated March 6, 2024 recommending certain 15 "modifications", which are addressed as 16 follows: 17 1. The zone text amendments 18 implemented by the Town Board as part of Local 19 Law #1 of 2024 address all bulk regulations 20 related to the Proposed Project and render it 21 conforming. 22 2. The Applicant has submitted 23 responses to the Rockland County Highway 24 Department's letter dated February 22, 2024 to 25 the satisfaction of the Planning Board's
Page 60 1 Proceedings 2 consultants. As a condition of his 3 resolution, the Applicant shall comply with 4 any and requirements set forth by the Rockland 5 County Highway Department. 6 3. The application was submitted 7 to the New State Department of Transportation 8 as part of the GML referral, and more than 30 9 days have elapsed without a response. 10 4. This application was sent to the 11 County of Rockland Department of Health as 12 part of the GML referral, and more than 30 13 days have elapsed without a response. 14 5. The Village of West Haverstraw 15 submitted a letter to the Planning Board dated 16 April 9, 2024 in response to the Applicant's 17 self-storage proposal. To the extent the 18 comments are substantive and were not already 19 contained in the application materials the 20 Village received, these comments were 21 addressed by the Applicant's engineer to the 22 satisfaction of the Town's engineer. 23 6. This application was sent to the 24 County of Rockland Office of Fire and 25 Emergency Services as part of the GML	Page 61 1 Proceedings 2 referral, and more than 30 days have elapsed 3 without a response. 4 7. Prior to the start of 5 construction or grading, the Town will ensure 6 that all soil and erosion control measures 7 that must be in place meet the latest edition 8 (November 2016) of the New York State 9 Standards for Erosion and Sediment Control. 10 8. A stormwater pollution 11 prevention plan ("SWPPP") has been submitted 12 by the Applicant that conforms to the current 13 regulations and local ordinances. 14 9. The SWPPP establishes there will 15 be no net increase in the peak rate of 16 discharge from the site. 17 10. As a condition of this 18 resolution, for the installation of the 19 sanitary sewer system the engineering plans 20 and specifications shall be reviewed and 21 approved by the Rockland County Department of 22 Health. 23 11. The parking requirements have 24 been modified by Local Law # 1 of 2024 and the 25 proposed parking is now zoning compliant.

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1 Proceedings
2 Based upon the studies submitted by the
3 Applicant and reviewed by the Town's traffic
4 engineering consultant, the Planning Board is
5 satisfied that there is sufficient parking for
6 the Proposed Project.
7 12. The Planning Board is satisfied
8 that the three snow storage areas shown on the
9 site plan are sufficient.
10 13. As a condition of this
11 resolution and as required by the Town Code,
12 all signage shall comply with the Town's
13 requirements.
14 14. The Planning Board overrides
15 this comment because native plantings are more
16 likely to be eaten by wildlife known to be in
17 the area - such as deer - and screening is
18 very important for this project because of the
19 nearby residential properties. However, to
20 the extent practicable, as determined by a
21 landscape architect, the Planning Board agree
22 the Applicant should try to incorporate native
23 plantings.
24 5. The Planning Board encourages,
25 but does not require, the Applicant to

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1 Proceeding
2 application for the Property was submit
3 County Planning and a response was received by
4 the Town date April 1, 2024.
5 WHEREAS, the David B. Roche
6 Volunteer Fire Company advised "the Thiells
7 Fire Department has reviewed the projected
8 site plan for 3 West Hamapo Road, Garnerville,
9 NY. We do not have any comments, concerns or
10 requests in the staging of this property."
11 WHEREAS, the Planning Board held
12 multiple duly-noticed public hearings on the
13 application and members of the public having
14 the opportunity to attend and be heard, the
15 public hearing was closed on September 11,
16 2024; and
17 NOW THEREFORE,
18 BE IT RESOLVED, based upon the
19 foregoing, the application for preliminary and
20 final site plan approvals for the Proposed
21 Project in accordance with the Approved Plans
22 are granted with the following limitations and
23 conditions:
24 1. Prior to the signing of the
25 Approved Plans by the Planning Board Chairman,

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2 consider renewable energy, including solar
3 panels, as part of the Proposed Project.
4 16. Because of the Town Board's
5 adoption of Local Law # 1 of 2024, a parking
6 variance is not needed.
7 17. As a condition of this
8 resolution, the Applicant shall ensure that
9 the retaining walls are designed by a licensed
10 New York State Professional Engineer and the
11 plans shall be in compliance with the NYS Fire
12 Prevention and Building Code.
13 18. This resolution will be
14 submitted to the County Commissioner of
15 Planning.
16 19. As a condition of this
17 resolution, the Applicant shall comply with
18 Executive Order 01-2017.
19 20. The comments in paragraph 20,
20 which are observational and not part of the
21 GML review are duly noted. However, the
22 Planning Board notes that this application was
23 circulated to the Rockland County Department
24 of Health and Rockland County Highway
25 Department. Further, a zone change

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1 Proceedings
2 the following conditions must be met:
3 A. Applicant shall comply with all
4 rules, regulations and requirements of any and
5 all agencies, entities, departments, boards
6 and municipalities with jurisdiction over the
7 Proposed Project, and this approval is
8 conditioned upon the Applicant receiving any
9 and all approvals/permits required by such
10 agencies without material deviation from the
11 Approved Plans.
12 B. The Applicant shall comply with
13 all of the conditions noted in this Resolution
14 in the discussion of County Planning's GML
15 comments.
16 C. The hours of operation of the
17 self-storage facility approved herein are
18 limited to 7:00 a.m. to 9:00 p.m. and prior to
19 signing by the Chairman, the Applicant shall
20 include a note on the site plan stating such.
21 D. The Applicant shall obtain
22 approval by the Planning Board shall take
23 effect until (1) all of the above-stated
24 conditions are met, (2) the Approved Plans are
25 signed by the Chairman of the Planning Board

Page 66 1 Proceedings 2 and (3) the Approved Plans signed by the 3 Chairman of the Planning Board are filed with 4 the Building Department. 5 2. Prior to issuance of a building 6 permit, the Applicant shall complete the 7 following: 8 A. In accordance with Town Code 9 Section 137-92(A) and Section A173-10(D), the 10 Applicant shall provided a performance bond in 11 a form satisfactory to the Planning Board 12 attorney and in an amount satisfactory to the 13 Town Consulting Engineer based upon the cost 14 estimate of the site improvements can be 15 inspected for compliance with the Approved 16 Plans. 17 B. In accordance with Town Code 18 Section A173-16(B), the Applicant shall 19 provide escrow established based upon a 20 percentage of the Town Consulting Engineer's 21 cost estimate to ensure the site improvements 22 can be inspected for compliance with the 23 Approved Plans. 24 C. The Applicant shall pay all 25 outstanding monies owed to the Town	Page 67 1 Proceedings 2 connection with the Planning Board and its 3 consultants and staff processing, reviewing 4 and preparing documentation on this 5 application and the conditions of the Planning 6 Board application and this Resolution. 7 3. The granting of this application 8 shall not be deemed to relieve the Applicant 9 of the need to obtain approvals or permits of 10 any other board, agency or officer as 11 prescribed by law or ordinance with regard to 12 the Approved Plan or construction or any other 13 phase of the project. Further, the granting 14 of this application shall not be deemed to 15 relieve the Applicant of the need to comply 16 with any and all other local, state and 17 federal requirements, including but not 18 limited to compliance with the New York State 19 Uniform Code and any applicable regulations 20 related to the proposed use, location or 21 construction. 22 4. All work shall be in strict 23 compliance with the Approved Plans and all 24 rules, regulations, laws and ordinances 25 governing the Site Plan and construction on
Page 68 1 Proceedings 2 the site. In the event the Town Consulting 3 Engineer, Superintendent of Highways and 4 Building Inspector agree that, as a result of 5 conditions in the field, field changes are 6 necessary to complete the work of the Site 7 Plan and if in the opinion of the Town 8 Consulting Engineer and Building Inspector 9 such field changes are minor and do not have 10 any material negative impact on the overall 11 design of the Site Plan, traffic circulation 12 and/or drainage of the site, including but not 13 limited to roads, sewers and drainage, then 14 the Town Consulting Engineer and Building 15 Inspector may, upon the filing of amended 16 plans which reflect such field changes, allow 17 such changes. In all other circumstances any 18 deviation from or change in the approved plans 19 shall require application to this Board for 20 amendment of this approval. 21 5. No work may be commenced on any 22 portion of the site without first contacting 23 the Building Inspector and Town Consulting 24 Engineer to ensure that all permits and 25 approvals have been obtained and all permit	Page 69 1 Proceedings 2 fees paid and to establish an inspection 3 schedule. Failure to comply with this 4 provision shall result in the immediate 5 revocation of all permits issued by the Town 6 along with the requirement to reapply 7 (including the payment of application fees) 8 for all such permits, the removal of all work 9 performed and restoration to its original 10 condition of any portion of the site disturbed 11 and such other and additional civil and 12 criminal penalties as the courts may impose. 13 6. The Property shall be inspected 14 by the Building Inspector, the Town's 15 Consultant Engineer, and any other consultants 16 or professionals deemed necessary or 17 appropriate by the Building Inspector to 18 ensure that all construction, improvements and 19 modifications were done in accordance with all 20 applicable Federal, State and Local laws and 21 regulations and all professional standards and 22 guidelines prior to the field being 23 operational. 24 8. This Resolution shall be of no 25 force or effect unless and until there is full

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2 compliance with all of its requirements and
3 conditions.
4 BE IT FURTHER RESOLVED, by a
5 supermajority vote the Planning Board hereby
6 overrides the Rockland County Department of
7 Planning's comment 14 for the reasons stated
8 herein.
9 Dated as of September 11, 2024.
10 CHAIRMAN CORALLO: Thank you.
11 Can I have a motion to accept the
12 resolution to approve the Primespace Capital
13 LLC, 3 West Ramapo Road, Tax Map No.
14 26.09-4-33 known as the Storage Facility? Can
15 I have a motion to approve the resolution?
16 MR. RICCALDO: I'll move that.
17 MR. SAMBRATO: Second.
18 CHAIRMAN CORALLO: Mr. Riccaldo.
19 Second by Mr. Sambrato. All those in favor
20 signify by saying "Aye."
21 (Whereupon, all the Board members
22 responded "Aye".)
23 CHAIRMAN CORALLO: Next item on the
24 agenda, Eastgate, 321 Rt. 202, Pomona.
25 Section: 25.19, Block: 01. Lot: 19 and 20

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1 Proceedin
2 parking variance has been decreased.
3 As we indicated before the Zoning
4 Board, that we're willing to stipulate there
5 will not be any type of medical use and it
6 will be for office use where our client is
7 going to have at least 50 percent of the
8 building which he has ten employees for the
9 office and his office is for a company with
10 the import and export of children toys, not
11 the storage for them.
12 As to what the concerns that this
13 board raised at our June 26th workshop meeting
14 was the ingress and egress which is the second
15 variance that we're going to be asking for
16 from the Zoning Board, but it relates to this
17 application for site plan before the Planning
18 Board is that we have moved the ingress and
19 egress or vehicular access to the east to
20 allow some room for the left-hand turns onto
21 Rt. 202 as there was a concern for exiting the
22 property and making the left, they'd be headed
23 westbound on 202.
24 Initially we did try with the
25 Department of Transportation a two lane exit

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2 Site Plan Approval. Continuation of a Public
3 Hearing. It says on here it's a proposed
4 two-story office building with 17,000 square
5 feet. Revised plan submitted showing 15,500
6 square feet. The applicant representative,
7 come up.
8 MR. PHILLIPS: Good evening,
9 Mr. Chairman Corallo. Frank Phillips, Law
10 Office of Phillips and Millman, on behalf of
11 the applicant, Eastgate, Haverstraw. Present
12 with me is Jason Rashford from Eastgate Group,
13 Zack Sabo, project manager and most
14 importantly for our purposes is Harry Baker,
15 the traffic consultant, because there were
16 issues I believe that were raised since this
17 application has been before the board since
18 July of 2024.
19 A I indicated to the Zoning Board
20 at the meeting earlier tonight, is that the
21 plan was reworked and updated even as late as
22 August, late August, relating to the traffic
23 study that the building has been scaled down
24 to 15,500 square feet. So for the zoning end
25 of this application, the magnitude of the

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2 with right and left, but the department as we
3 updated our application, did not want to do
4 that. So we are going before the ZBA for a
5 variance because we are less than 50 feet from
6 the property line and we're before this board
7 because we have updated the traffic study,
8 we've updated the gap study and changed the
9 location of the curb cut and there's been
10 correspondence back and forth which I will
11 have the professionals detail with Jason
12 Brenner from the New York State Department of
13 Transportation as to what we're doing. And as
14 I indicated to the ZBA and you are aware of
15 that, this is a coordinated review.
16 So right now we're stuck in a Catch
17 22 because we're before the Zoning Board of
18 Appeals, they can't act and actually, they
19 weren't going to act today anyway, but we gave
20 them an updated plan to show -- we have to
21 re-notice one of the variances and the
22 variances are not as extreme as were requested
23 before, is that they can't act until there's a
24 Negative Declaration by this board and my
25 notes show that there has been progress over

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2 the years of reducing gradually the size of

3 the building.

4 So this application has been before

5 this board since July 15th of 2022 and six

6 meetings. So we're going to have Mr. Harry

7 Baker, from Harry Baker & Associates, our

8 traffic consultant, he will provide you

9 information on the traffic report that he's

10 given, the traffic study, and show how now the

11 gap study, the results of the gap study. So

12 if Harry wants to come up and detail that

13 because that seems like the most important

14 issue at least for the chairman.

15 CHAIRMAN CORALLO: I just want you

16 to know something you keep on mentioning July

17 or whatever, 2022, you make it sound to me

18 that it started to come here. But it wasn't

19 our delay of this.

20 MR. PHILLIPS: I'm not saying that.

21 CHAIRMAN CORALLO: I want to make

22 sure that you're not saying that.

23 MR. PHILLIPS: Okay.

24 CHAIRMAN CORALLO: You've said

25 you've been here six times.

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2 close.

3 Let's go.

4 MR. BAKER: Harry Baker, Harry Baker

5 & Associates. Good evening, members of the

6 board.

7 So the last time we were here, we

8 were discussing a couple of issues. One was

9 the parking. Two, was the left turn, the

10 movements out of the driveway. So a couple of

11 things have happened since we met the last

12 time. I'd like to deal with the traffic part

13 first and then we'll deal with the parking

14 second if that's okay with you.

15 CHAIRMAN CORALLO: Fine.

16 MR. BAKER: So we had initially

17 submitted to the DOT the plan you see in front

18 of you here which shows a left and right out

19 of the driveway. That was submitted to Jason

20 Brenner who is the permit engineer up at

21 Region 8. His boss is Lance Korney

22 (phonetic). Jason reviewed the project,

23 reviewed the traffic study and said that the

24 DOT wants a single driveway out because they

25 found historically with un-signalized

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2 MR. PHILLIPS: Well, that's what my

3 notes say.

4 CHAIRMAN CORALLO: Well, we've been

5 here a lot. A couple of times you didn't show

6 up.

7 MR. PHILLIPS: No, no, that time --

8 CHAIRMAN CORALLO: Not you. Prior

9 to that. We've had a lot of meetings and a

10 lot of workshops. I just want to, you know,

11 that we're doing our job. First time I heard

12 about this, they came up with 45,000 square

13 foot. I just laughed at them. 45,000 square

14 feet. Their engineer came in and walked out

15 and never came back again. This thing has

16 been going on for a long, long time and I want

17 to get it off of my plate, too. Come up here.

18 Let's talk about traffic and I'll have my

19 consultant here confirm everything you say.

20 MR. PHILLIPS: We've come along way.

21 We're down to 15.5.

22 CHAIRMAN CORALLO: I know and you're

23 still not there.

24 MR. PHILLIPS: We're there.

25 CHAIRMAN CORALLO: You're getting

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2 intersections like this and they put a left

3 and a right turn in, it actually caused more

4 accidents and it was less safe. Even though

5 with my facilitated traffic movements, they

6 felt overall it was not a safe operation.

7 So we have gone back. This plan

8 will obviously be changed. So we went back

9 because I got his comments just towards the

10 end of August. He sent an e-mail with a list

11 of things that we needed to do and one was to

12 change the driveway to a single driveway,

13 which we've done. And in the August 27th

14 study that the board has and Mr. Herman has,

15 that's been updated and we redid the traffic

16 analysis and so forth and so on.

17 As far as the left turn movements

18 go, I went out and I did do a gap study. I

19 was actually out there about an hour and 15

20 minutes on May 8th. I was there from

21 basically five o'clock to 6:15 because that's

22 really the peak time on 202. And basically

23 what you do is you have two stop watches and

24 you're timing the gaps where the driveway

25 would be so it opens up and you have to not

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2 only count the gap going this way, but you
3 have to count the gap going the other way.
4 Over that hour and 15 minute period there was
5 actually eight gaps that met the seven and a
6 half second requirement.
7 There were another group of gaps, 6
8 or 7, that came in around 7, between 6.5 and
9 7, 7.2. And then the rest were 5 and 6 and
10 others obviously were like 2 and 3 seconds
11 because cars were passing each other. But
12 there were other things that I noticed while I
13 was out there and I was literally parked right
14 across the street. I can't remember, there's
15 like a little office building there right next
16 to Old Country Road that I parked in. So I
17 was literally facing it.
18 I also watched what happened at Old
19 Country Road with the cars trying to make a
20 left turn to go east on 202. So many times
21 there was a big gap in one direction, but
22 there wasn't enough of a gap in the other
23 direction, the flow of traffic, and even
24 though you have the signal at 45 and 202, it
25 didn't always create enough gaps between them

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2 50 percent of the building. He has ten
3 employees. They're basically coming up Rt.
4 45, they're coming from the Monsey area. So
5 they would come 45 North, Old 202, the
6 intersection, make a right and those people
7 have to go left to go back home. The other
8 50 percent of the building, Mr. Herman and I
9 had agreed on what the trip distribution would
10 be when we did the building originally, the
11 two different sizes, the big size and then the
12 17.7.
13 So I took that traffic and
14 redesigned it based on what we had agreed to
15 previously. So it turns out that in the PM
16 peak 18 cars want to make a left turn out of
17 the driveway.
18 Now, we're going to have, if you're
19 coming west on 202 to go into the property,
20 there's enough room for us to re-stripe the
21 stripped out island that's there because it
22 creates, if you go further west there's left
23 turn lanes and so forth and so on. We're
24 going to be able to create a left turn lane
25 in. So we're going to put in a 50 to 75 foot

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2 because on Old 202, you make that right turn
3 and keep going, and people are coming on Rt.
4 45 most of the people they don't go down to
5 the intersection, they actually cut around the
6 signal.
7 What I observed was the following.
8 People, if there was a gap in one direction
9 and the traffic was backed up in the other
10 direction, so let's say you were proceeding
11 west on 202 and there was nobody coming east
12 on 202, car one would make a left turn out of
13 Old Country Road, the cars would stop and let
14 these people out. There were probably eight
15 or nine cars in the hour and 15 minutes that I
16 was there that made that movement.
17 The other thing I noticed, and this
18 is typical of any kind of a signalized
19 intersection, people don't also wait for the
20 right gap and if in their estimation they look
21 at what the gap is and they think they can
22 make it, they're aggressive and they do
23 proceed through the intersection.
24 So when we redid the traffic study
25 as was alluded to, the owner is taking

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2 lane which will give us three cars to go in.
3 There's no problem making the left in. The
4 level of service is not an issue. It's A and
5 B. So there's no issue at all.
6 But what I surmised from the gap
7 analysis was if you look at these 18 cars when
8 they leave, there are eight gaps that meet the
9 7 and a half seconds or more of those 18.
10 There's another gap that's right around 7
11 seconds that would allow another 6 to 7 cars
12 leaving. Which means if you take the 18 cars
13 over the hour, it would leave about somewhere
14 between 2 to 3 cars, possibly 4, that would
15 have to find a gap to get out when they make
16 the left turn. Based on my observation of
17 what I saw out there, I believe they will be
18 able to do that and be able to do that safely
19 because people are stopping to let people make
20 left turns out of these streets.
21 We have submitted the plans and the
22 study to DOT. Jason Brenner asked that we
23 update the crash data to post-Covid. So I
24 foiled New York State DOT to get that
25 information. So I'm asking for '21, '22 and

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2 '23 for all these intersections similar to

3 what I did in the previous study and I'm just

4 waiting for that information to come so I can

5 do that. He's asked us to submit the Synchro

6 files and Synchro is a highway capacity

7 software program that takes the data you put

8 in, the traffic counts, the peak hour factors,

9 the truck factors and so forth and what it

10 does is it calculates the level of service on

11 how the intersections are operating. So we're

12 going to provide that to him as well.

13 We explained, in the report it

14 explains very specifically about the trips of

15 the owner versus the typical generation using

16 IDE and how they get combined together and so

17 that's what we did for the traffic and that's

18 been submitted. It will be resubmitted to

19 Mr. Brenner because now we've gone done it

20 with a single driveway.

21 As far as the parking goes, the

22 original building I believe we were 39 spaces

23 deficient so that the variance we're asking

24 for is a pretty big variance. Now we're 20

25 spaces deficit. We're providing 84, the

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2 about what went on during the week. If you

3 look at the sales department sales offices

4 in it, you'll see during the week that the

5 number of trips generated from that place

6 actually go down during the week because once

7 they have their general meeting on Monday,

8 everybody is fettered out to do what they need

9 to do for their business.

10 So we believe that the 84 parking

11 spaces would be more than enough to handle

12 whether they have a meeting, people come for

13 meetings, people come for whatever, because

14 the owner is only going to take ten and having

15 74 spaces for 700 square feet is like

16 monstrous.

17 We would love to land bank spaces to

18 be quite honest. I don't know if you'll

19 permit it or you'd allow us to do it. If you

20 could we would because I don't believe we need

21 anywhere near that. We could easily get away

22 with probably 60, 65, which would mean even

23 though they got to design the system if these

24 spaces are ever built, the drainage has to be

25 designed, there's no reason to rip out grass

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2 requirement is 104. But the game has changed

3 a little bit for this reason. The owner is

4 now going to have ten employees there on a

5 daily basis which now leaves 74 parking spaces

6 for 7700 square feet for anybody else based on

7 rentable space and this is based on gross

8 space, not on leasable space. Everything we

9 do is based on gross, not how many offices

10 there are, not on square footage, taking out

11 bathrooms and hallways and mechanical systems

12 and whatever. It's based on the gross.

13 So based on the fact that the owner

14 would take ten and we don't know that

15 everybody will be there everyday. If you

16 understand, and I think I explained this the

17 last time I was here, office buildings today

18 and businesses today are operated very

19 differently than they were pre-Covid. To give

20 you an idea, I work for an engineering

21 company. The engineering staff is only in two

22 days a week. They work from home three days a

23 week. Many companies have their staff come

24 in, typically if it was a sales office usually

25 Monday is a big day. They come in, they talk

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2 and whatever to put in pavement if you don't

3 need it.

4 So that's a decision between the ZBA

5 and this board as well, but that's kind of

6 where we're at at the moment.

7 MS. ADDONA: But nothing has been

8 presented in terms of like a sketch plan or

9 anything like that as to what that would look

10 like; is that correct, the land banking?

11 MR. BAKER: No, because I don't know

12 if that's something the board would even be

13 interested in. To be honest, I didn't discuss

14 it with them, but I personally feel -

15 MS. ADDONA: Why don't you guys have

16 an internal conversation and if that's

17 something you want to pursue, we can certainly

18 have a conversation about it. It wasn't

19 something brought to the Zoning Board's

20 attention.

21 MR. BAKER: I didn't get a chance to

22 speak, but that's okay. I think the point is

23 this, if we built all the parking spaces the

24 way the project currently shows, there's more

25 than enough parking. I think as an engineer,

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2 it's our job to put in what's required and if

3 we can get away with less, we should put in

4 less. Many projects I work on are land

5 banking 50, 60 spaces for warehouses.

6 CHAIRMAN CORALLO: We had asked that

7 question on this, can you land bank. There's

8 no place to land bank.

9 MR. BAKER: Maybe, maybe not. I

10 don't know.

11 MR. SABO: Can I speak to that?

12 Zack Sabo, Engineering Properties.

13 When we discussed the land banking

14 of the parking originally it was to meet the

15 requirement. We're speaking about land

16 banking the parking spaces we're currently

17 showing and reducing even further what is

18 being built. Not necessarily getting the 104

19 spaces, but actually reducing it and only

20 building 65 instead of 84. If there were

21 space to show 104 spaces, we would show it as

22 land bank spaces. Unfortunately, that's

23 not -- we don't have the area.

24 CHAIRMAN CORALLO: I heard what

25 said. What guarantee does the town have that

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2 it started out, which I agree was a lot,

3 initially 22,700 feet. Now down to 17,714 and

4 now 15.5. What the 15.5 was necessary to be

5 able to satisfy this board and for our expert

6 here to go through a traffic study in

7 consultation with your experts to say, yes,

8 the concern that you had which was paramount,

9 was the left hand turn, which is

10 understandable. Rt. 202 is a parking lot

11 nowadays. So we understand that. But now

12 this is what we can do to make it an

13 economically viable venture.

14 If you look back at, our client

15 bought it 16 years ago and I'm not painting

16 him as an angel, a savior. This property is a

17 dumb. I was afraid of things falling on my

18 head when I would go purchase autos part. Now

19 you'll have a building that's modernized,

20 looks a lot nicer and it's an office building

21 where it's not going to create the traffic

22 that any other building would. So this is the

23 best you're going to get at this location for

24 a use that existed before which was Godar

25 (phonetic) and some other halfway house or

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2 you're not going -- that you're going to have

3 half the building with only ten employees and

4 the other half is opened up? There's no

5 guarantee to that. You know that and I know

6 that. That's why we talk about the medical

7 all the time because if you open it up to

8 medical you'd be way out of proportion.

9 There's one other thing. You keep

10 on talking about people working from home. If

11 people are working from home you don't need a

12 building this big. Make it smaller. You're

13 telling me one thing, I'm telling you the

14 other.

15 MR. BAKER: We reduced the building

16 by approximately 7,000 square feet already. I

17 think -- I'm not here to be argumentative.

18 MR. PHILLIPS: The bottom line is

19 this building over the course of time, and I

20 didn't state six meetings to be critical of

21 anyone. I'm looking back at minutes that I'm

22 catching up because this is my first time

23 here. That wasn't meant to be critical. It's

24 just stating a fact.

25 So the fact is over a course of time

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2 something I think was on there.

3 MR. WIDMER: I just have two

4 comments. One was you keep saying ten parking

5 spots, but they're going to use half the

6 building. That doesn't make sense.

7 MR. BAKER: They have ten employees.

8 MR. WIDMER: Doesn't make sense.

9 MR. BAKER: Okay, but even if you

10 said they're going to use 15 parking spaces,

11 okay.

12 MR. WIDMER: For 7500 square feet?

13 MR. BAKER: Right. Yes.

14 MR. WIDMER: It's just straight

15 office?

16 MR. BAKER: Right, general office.

17 It's just general office. To give you an

18 idea, the other 50 percent will generate 18

19 vehicular trips in the morning and 19

20 vehicular trips in the afternoon in the peak

21 hour, okay? So let's assume for the moment --

22 MR. WIDMER: I understand all that,

23 but logically ten parking spots for half the

24 building isn't logical. It doesn't add that

25 up.

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2 MR. BAKER: It may not seem logical,

3 but you have to understand how the building is

4 being used. I understand your point, but you

5 also have to understand from our point of view

6 how the building is being used. If you had a

7 building and you owned a company and you had

8 20 employees let's say and everybody drives,

9 you know you need a minimum of 20 parking

10 spaces, right, if they're coming everyday.

11 You might have some meetings in the office

12 during the day, some people go to lunch

13 everyday, somebody even though you have 20

14 employees probably over the course of the week

15 there's going to be one or two days where not

16 all 20 are there. Some people are on

17 vacation, some people are out sick, some

18 people are at doctor's appointments, some

19 people are at meetings at another place and so

20 other people come to a meeting at your

21 facility, right? So there's a balance. So

22 maybe you need 20 for your company and over

23 the course of the day you might use another

24 five or six out of there because people are

25 coming and going to meetings. This is the

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2 understand your point about land banking has

3 merit, can be discussed at another moment.

4 Right now we're looking at a point that doesn't

5 present the idea. Let's table that

6 discussion.

7 MR. BAKER: Well, that's fine. I'm

8 forgetting about land banking all together.

9 MR. McCREEDY: Let me just finish my

10 point.

11 MR. BAKER: I'm sorry.

12 MR. McCREEDY: Also, the discussion

13 about the deficiency in parking when it comes

14 to variances, that conversation needs to be

15 had with the Zoning Board of Appeals, not this

16 board. So right now we're running a circle

17 around something that's really not applicable.

18 We have a plan in front of us, presents 84

19 parking spaces, correct?

20 MR. BAKER: Yes, sir.

21 MR. McCREEDY: It's deficit by how

22 many?

23 MR. BAKER: 20.

24 MR. McCREEDY: That's for the zoning

25 board to deal with.

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2 same situation. There's really no difference.

3 All I'm trying to point out is that

4 we have 84 parking spaces, and I've done

5 enough of these studies to know that the codes

6 whether it's an office or a shopping center or

7 whatever you want to call it, the current

8 codes are overstating the parking. They just

9 are. I've done probably 20 or 40 studies that

10 have this information. That aside, I think

11 the point I'm trying to make to you is the 84

12 parking spaces are way more than enough

13 because if it's going to generate 18 trips in

14 the morning, that's 18 spaces. So if you take

15 the 18 and the 10, that's 28. Even if you

16 double it, you're only at 56.

17 MR. McCREEDY: I think we're going

18 off on a tangent here that's not really

19 applicable to this board at this point. So

20 the analysis has to be undertaken to evaluate

21 the building, not necessarily as your owner

22 occupied residency in that building. It has

23 to be evaluated for the zoning implications

24 that it has per the code.

25 Now, that being said, I do

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2 MR. BAKER: Correct.

3 MR. McCREEDY: So right now why

4 don't we just keep the conversation based upon

5 what we see and not speculate about what

6 tenants are going to be in there, how much

7 they're going to need and how much they're

8 going to use, because it's really not of any

9 merit for this board anyway.

10 MR. BAKER: I agree.

11 CHAIRMAN CORALLO: My whole thing

12 was getting out of in and out of this place.

13 What you showed me there I like. I said that

14 from day one.

15 MR. McCREEDY: The DOT does not like

16 that.

17 MR. BAKER: We tried. We sent it to

18 them.

19 MR. WIDMER: Two questions on the

20 traffic part. One, was you're saying, I don't

21 think you can count on it especially these

22 days, on people letting people in anymore.

23 That doesn't happen anymore. That being said,

24 my other point was I think you said the peak

25 hours were like five to six. I was wondering

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2 if you did it when school gets out. I think

3 202 is worse at four o'clock than six o'clock.

4 MR. BAKER: So I did it based on the

5 peak hours of the office building, not the

6 peak hours of school or anything else because

7 that's really the time when people are going

8 to be leaving. So that's why I chose those

9 times. Your point is well taken.

10 MR. WIDMER: Thank you.

11 MS. ADDONA: I should have mentioned

12 this earlier, and I apologize, but we do also

13 have our traffic consultant, Josh Herman from

14 Stonefield Engineering here with us this

15 evening who sat through a lot of applications.

16 So if the board has any questions for him or

17 if Josh has anything to add to the

18 conversation, we can certainly address that

19 while we're talking about this.

20 MR. BAKER: Thank you very much for

21 your time.

22 CHAIRMAN CORALLO: Can you comment

23 on anything their consultant said?

24 MR. HERMAN: Josh Herman with

25 Stonefield Engineering. Good evening, members

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2 parking spaces that are provided on the plan

3 as shown, should be sufficient to accommodate

4 the peak demand.

5 In terms of the New York State DOT

6 comments, as Mr. Baker mentioned, I have not

7 seen the formal comment letter from New York

8 State DOT, but Mr. Baker indicated that the

9 State Department of Transportation does not

10 want to see a two lane, two exit lanes coming

11 out of the property. So I would defer to the

12 State Department of Transportation to make

13 that call.

14 CHAIRMAN CORALLO: The other

15 question I had was on 202 when you make the

16 left hand turn, is the state going to give

17 them two lanes, a middle lane, where they can

18 go into the middle lane and then get over to

19 the right rather than try to swing over.

20 That's where the problem comes in because I

21 see it all the time. I see it everyday. A

22 car goes out, there's no room, some people are

23 nice, some aren't, but I see what happens.

24 They'll go across there, they'll block the

25 road and the cars wanting to go eastbound on

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2 of the board.

3 So I did review the traffic study

4 that was provided by the applicant and I agree

5 with the findings of the study.

6 CHAIRMAN CORALLO: Is that latest

7 one?

8 MR. HERMAN: Yes. That's the one,

9 August 27th of '24. So I agree with the

10 findings of the traffic study that was

11 provided by the applicant.

12 In terms of the gap study that was

13 provided, Mr. Baker indicated there were eight

14 gaps in traffic that will allow for traffic to

15 exit the property at the standard 7.5 seconds;

16 however, as he also noted, it's fairly common

17 for drivers to accept a smaller gap than a 7.5

18 second standard gap per code. So I would like

19 to note that.

20 And in terms of the parking study

21 that was provided, I agree with the findings

22 of that study as well. Based on the ITE

23 parking demand that was calculated and

24 provided in the study, the maximum parking

25 demand would be 68 parking spaces. So the 84

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2 202 can't go there because somebody don't want

3 to let them in. So I figured if they gave

4 them two car lengths where they can get into

5 the middle lane, it helps out. That's all.

6 If the state will do it. If they don't do it,

7 you know.

8 Listen, I'll tell you what. You can

9 go down to 45, Thiells Mount Ivy Road and so

10 on, the state tried to do a good job, I don't

11 think they did the best job over there because

12 when you get off Thiells Mt. Ivy Road and you

13 want to get into the left lane, I got less

14 room from that wall to that wall. It's two

15 car lengths. If I don't get over to the left

16 I'm stuck in the right side going on the

17 Palisades Parkway. There's no room. The guy

18 coming down 202 going westbound, you have a

19 problem. So I'm not saying -- the state does

20 their job. I'm just trying to get them out of

21 there with the three lanes, so the lane on the

22 right that wants to go eastbound can go all

23 the time. The cars that want to go westbound

24 and he can't get out, it backs up onto the

25 applicant's property. That's happened to me

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2 and I was just trying to make it easy. I

3 think safer.

4 MR. HERMAN: So, Mr. Chairman, just

5 to clarify, so you're referring to on the west

6 side of the driveway a lane in the median to

7 turn into and then merge into the westbound

8 traffic; is that correct?

9 CHAIRMAN CORALLO: Yes.

10 MR. HERMAN: So I have not been part

11 of the conversations with State DOT and that's

12 not shown on the plan. So I think the

13 applicant can speak to that.

14 CHAIRMAN CORALLO: Kind of merge

15 into that and work their way in so they don't

16 block the road. I don't care about the

17 parking and size of the building.

18 MR. HERMAN: That would definitely

19 be at the discretion of the New York State

20 Department of Transportation.

21 CHAIRMAN CORALLO: Of course. T

22 state on 202 is going to put an area in there

23 with no curb with a firehouse. They have to

24 for the trucks to go in. That can be 200

25 people, whatever it is. Whoever buys th

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2 have had discussions with the DOT in regards

3 to the left-turn lane the two-way exit and

4 the potential of having a merge lane.

5 There's something that you brought

6 up in the past couple of times. I think it

7 was probably from the beginning of this

8 project and we haven't proposed it. I did get

9 ahold of the DOT, Jason Brenner who is part of

10 that regional office, and he said that the DOT

11 wouldn't entertain the idea of having

12 something like that there because it only

13 benefits our site and if we were to do a

14 left-turn lane in either direction, there's no

15 left turn to be made. So it didn't really

16 make sense for the DOT to change the type of

17 structure there. That is from discussions

18 that I've had with the DOT. They haven't

19 provided a comment letter. That's why Josh

20 hasn't received anything. It was just an

21 e-mail which we can provide to him.

22 But I've had these discussions and I

23 expressed your concerns to the DOT, but that

24 is not something that they would be looking to

25 improve on their right-of-way.

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2 property will put a curb in there. That's all

3 I'm interested in, getting in and out of there

4 safely with the people driving up and down.

5 You can't look at it today. That's a disaster

6 since they started that roundabout up by where

7 I live and everybody is going all this other

8 way. Traffic jam all over the place.

9 MR. SABO: So I'm just going to give

10 a little brief history of this specific

11 submission. We made this submission back in

12 beginning of July and that submission was

13 presented to the board. We adjourned to this

14 meeting. So this submission hasn't changed

15 since that point. When we did put together

16 this plan, we submitted it to DOT for concept

17 approval. We moved the entrance to the east

18 and we were proposing that left turn lane and

19 the right turn lane. It took a while for the

20 DOT to get back to us. They got back to us at

21 the end of August.

22 In the text Harry was able to update

23 his plan, but the engineering work that is in

24 front of you here, we did not have time to

25 update to present to the board tonight. But I

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2 CHAIRMAN CORALLO: Would they send

3 us a letter on that?

4 MR. SABO: I can certainly ask for

5 it.

6 MR. PHILLIPS: We have an e-mail.

7 CHAIRMAN CORALLO: I want a letter.

8 MR. McCREEDY: I will attest to that

9 as well that Jason Brenner is notorious for

10 just doing emails lately. So I can't hold the

11 applicant responsible for something that

12 they're not going to get.

13 MR. SABO: We will certainly request

14 it.

15 MR. McCREEDY: If you could provide

16 the e-mail that would at least, the context.

17 MR. SABO: Of course.

18 MR. PHILLIPS: But they don't give

19 letters anymore. It's crazy.

20 MR. McCREEDY: Not as common as they

21 used to.

22 MR. SABO: I just want to give a

23 little brief history. That's why the traffic

24 report that was provided at the end of August

25 is inconsistent with the layout that you see

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2 here and it only has to do with that right out

3 of the entrance. We do intend to revise it to

4 just have two lanes at the entrance and

5 probably move further away from the property

6 line so we would lessen the variance on the

7 ZBA.

8 CHAIRMAN CORALLO: Thank you.

9 Anyone from the public want to say

10 anything on this particular project?

11 Hearing none, okay. Do you have

12 anything else to say?

13 MR. PHILLIPS: Yeah, can we have a

14 Negative Declaration?

15 MR. KAUKER: We still haven't

16 received the Part III. We gave you a Part II

17 probably a year ago. The board adopted a Part

18 II. We didn't receive a Part III response

19 yet.

20 MR. PHILLIPS: We'll have to provide

21 it. Address Part II and add traffic.

22 MS. ADDONA: If Mr. Baker and

23 Mr. Herman can continue to coordinate so that

24 Josh can get whatever he needs from traffic

25 prospective, that would be helpful too

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2 application. This is the first cannabis

3 dispensary that the board has seen. It's the

4 first one that's come into the Town of

5 Haverstraw. We recognize that being first,

6 being a pioneer, always raises more questions

7 than if you are familiar with the type of use.

8 The building that we're talking

9 about is the old Commerce Bank or TD Bank

10 building right down the road here on 202 next

11 to the firehouse right down the street from

12 the police department. The applicant is

13 proposing to use approximately one-third of

14 that building including the drive-through

15 window for a recreational cannabis use

16 dispensary. As stated in the introduction,

17 there will be no on-site consumption. There

18 will be no on-site production. Everything

19 that is going to come into the facility and go

20 out of the facility will be in sealed

21 packages.

22 I have with me this evening, and

23 I've asked them to keep it short because we

24 will be coming back on a more formal basis, I

25 have the consultants who are more familiar

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2 MR. PHILLIPS: No problem.

3 CHAIRMAN CORALLO: Can I have a

4 motion to continue the public hearing to

5 October 9th.

6 MR. WIDMER: I'll make that motion.

7 MR. GIZZI: Second.

8 CHAIRMAN CORALLO: Motion made and

9 seconded to continue the public hearing. Made

10 by Widmer. Second by Mr. Gizzi.

11 Next item on the agenda, number 5,

12 Blaze 420.LLC, 81 West Ramapo Road,

13 Garnerville, Section: 26.09, Block: 04, Lot:

14 01. Site Plan approval in the New York State

15 Licensed Adult Recreational Use Cannabis

16 Dispensary. Partial building will be

17 utilized. No on-site consumption or

18 production proposed.

19 Mr. Emanuel.

20 MR. MANUEL: Good evening, again.

21 Ira Emanuel, attorney for the Applicant.

22 Mr. Chairman, I realize it's late,

23 you've had a long evening. We'll keep this

24 brief. The purpose of this is to give the

25 board a brief introduction to this

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2 with the operation of the proposed facility.

3 They also have extensive experience with the

4 regulations. They were planning on, for

5 Christie's benefit they were planning on going

6 to do a deep dive in the regs, but we'll save

7 that for another time.

8 I also have the operators who are

9 local folks who want to introduce themselves

10 to you and then if there are questions that

11 you have as of now, please let us know.

12 Obviously, there will be another opportunity

13 for you to ask other questions or ask

14 follow-ups. Again, in the interest of

15 brevity.

16 MR. SHERATON: Planning board

17 members, very nice to meet you. My name is

18 Ben Sheraton, CEO of Platform Cannabis

19 Advisors, formerly an employee of the New York

20 State of the Office of Cannabis Business

21 Management, whereas Ira alluded to, I was part

22 of the team helping to write the regulations

23 for cannabis legalization here in New York

24 State and with me tonight is my business

25 partner, Matt, also a former employee of the

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2 Office of Cannabis Management and then Greg
3 and Milka who are our clients and who will be
4 opening up a cannabis dispensary, licensed,
5 legal adult use dispensary as Ira said, over
6 at 81 West Ramapo Road.
7 Our background as a company, we help
8 cannabis, legal cannabis dispensaries
9 exclusively here in New York State finance
10 their real estate, their opening operations,
11 and give them advisory board rules and
12 business operations. Our entire raison d'etre
13 (sic), I'd say is we really went to these
14 folks to get open without having to go through
15 the predatory practices that most people in
16 cannabis have to go through nowadays.
17 So our model is really supposed to
18 be allowing these folks to get their
19 businesses open and thrive without having to
20 go through the gauntlet that is normally a
21 very unregulated predatory lending space.
22 I'll let Greg and Milka introduce themselves
23 because they're going to be here every day.
24 They're, our clients. They're going through
25 the process as the applicants and they

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2 provide instructions on regulations, po
3 procedures for school age directors and we
4 teach CPR and first aid
5 We want to be good neighbors. We'd
6 like to have a high quality efficient location
7 that fits in with this community. Even our
8 name is going to change. We don't like the
9 name for this community.
10 Just to add really quickly, is that
11 we'd like your support and again, I know it's
12 a lot of milestones to overcome being first
13 in, first entry into this and I guess I'll
14 leave the rest to these fine folks.
15 MR. EMANUEL: Very simply, the way a
16 dispensary works, it's a very, very, very
17 highly regulated industry as you might expect,
18 but also the operations are very strictly
19 monitored. It's more strict, far more strict
20 than a liquor store for example. Far more
21 strict than a pharmacy. In order to gain
22 entry, you have to present, you have to get
23 into a secure vestibule, present ID,
24 prove that you're of age, and at that point
25 you would be allowed into the store. Once

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2 amazing people.
3 MR. PEREIRA: Good evening. Thank
4 you for letting us present ourselves. My name
5 is Gregory Pereira, resident of Rockland
6 County, and again, thank you for allowing us
7 to present ourselves on this summer day with
8 remembrance and reflection and I know it's
9 kind of late and I'll make it very brief.
10 Just quickly about myself, as I
11 explained last time, my wife and I moved into
12 our home. My wife Milka, she has a back
13 injury. We moved into our home in
14 October 2006. We've been residents of
15 Rockland County, proud members of our home.
16 We do have businesses in the city. I deal
17 with vehicular crimes for the New York City
18 Court. We provide instruction on impaired
19 driving, Department of Motor Vehicles. We
20 work hand in glove with Mothers Against Drunk
21 Driving.
22 We also have a business where we
23 work predominately with the Offices of Child
24 Family Services and the Department of Health
25 and we help people open up childcare programs,

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2 you're in the store there is no product on
3 display with the store. You will order either
4 from a kiosk or a sales person. At that point
5 somebody will go into the back into a secured
6 room, obtain the product, which again is in a
7 sealed package. It will come out, you'll make
8 your purchase, take it out and still in the
9 sealed package, not allowed to open it up even
10 in the parking lot. Take it into your car,
11 drive away.
12 Similarly with the drive-thru you
13 know, any transaction would be through the
14 drive-thru. Again sealed packages, no product
15 is opened, no product is available for
16 consumption, no product is available, no odors
17 for example. It's going to be very, very
18 tightly regulated and operated.
19 The bank, because it's a bank
20 building, many of the security features that
21 you would want are already in place. The
22 cameras, the lighting, all that sort of thing
23 is there. We have a security proposal that
24 we're going to be presenting to you which is
25 required under your site plan regulations --

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2 your special permit regulations, excuse me,

3 and we will be presenting that to you.

4 We will also be presenting a full

5 operational narrative to you so you have a

6 good understanding of what is going to happen

7 here. Hours of operation will be consistent

8 with what the codes requires and we're hopeful

9 that you'll have a good understanding of

10 what's going on. We wanted to come to you so

11 that you had an understanding of what was

12 happening before it started going out on the

13 street. You run into somebody in Shop Rite

14 and somebody comes to you all upset and

15 worried and saying they're opening up a pot

16 store next door. Yeah, okay, but you got

17 control. You know who it is. You now met the

18 folks who are behind it, okay? Greg and Milka

19 are local folks. It's not like they're

20 swooping in from the city or out of town.

21 They're local people. They live here, you

22 live here and we're hoping that this is going

23 to be a good venture for everyone.

24 CHAIRMAN CORALLO: Your going to

25 take half the building?

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2 that's reflected in your local rules as w

3 and daycares I believe are also in your local

4 rules. None of those are near this location.

5 MS. ADDONA: I believe we discussed

6 this at the workshop, when you're looking at

7 like traffic and parking and all that stuff,

8 you're going take into account the entire

9 building and the vacant space as well in

10 assessing that you will comply with the

11 parking requirements, right?

12 MR. EMANUEL: We did an analysis and

13 it's standard under your zoning code for a

14 bank, for offices and for a retail cannabis

15 facility, are one parking space for 150 square

16 feet. We complied with all of that. We are

17 putting together as discussed at the

18 workshops, some information on similar

19 facilities in the New York/New Jersey area.

20 CHAIRMAN CORALLO: One more.

21 MR. SAMBRATO: I see you're going to

22 be open until twelve o'clock on Saturday

23 nights?

24 MR. EMANUEL: No, that was a wish

25 and then we took a good look at your code. We

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2 MR. SHERATON: About a third, yes.

3 CHAIRMAN CORALLO: Is there a thing

4 like what kind of operation will be next door

5 to this thing? I mean I'm not the owner of

6 the building, so I don't want whoever owns this

7 building to come back and say I can't rent

8 this half and so on, I can't put this hear

9 because you're there. I don't know what the

10 rules are. I'm just throwing this out. You

11 don't have to answer.

12 MR. EMANUEL: No, we do have

13 information on that.

14 MR. SHERATON: It's currently

15 unoccupied space. It's set up as an office.

16 It's the kind of private banking offices for

17 the former Commerce Bank. Our understanding

18 is the plan on keeping it as professional

19 offices which will be daytime offices. From

20 my understanding the tenants they're looking

21 at, no weekend traffic or evening traffic or

22 anything.

23 From a use standpoint, there are no

24 state regulations pertaining to what you can

25 do and can't do. Schools and churches however

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2 will comply with your code.

3 MR. SAMBRATO: How much could

4 somebody buy? Is there a limit on how much

5 they can go in and buy?

6 MR. EMANUEL: That's why we got a

7 regulator here.

8 MR. SHERATON: It depends on the

9 type of product you're buying. To keep it

10 simple, if you're buying cannabis flower

11 product so what you would expect to look at as

12 a cannabis plant, three ounces per day per

13 customer. That tracks across the dispensaries

14 in the state as well to prevent the idea of

15 somebody going out and buying a lot and

16 breaking it down and selling it on the

17 traditional market which we're here to

18 replace, folks. That's what we want to do, we

19 want to take away that illicit gray market

20 traditional market, whatever you want to call

21 it, and make sure that regulated cannabis

22 that's taxed with money coming back to you

23 guys to this town. That's the name of the

24 game.

25 CHAIRMAN CORALLO: Anybody have any

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2 questions?

3 MR. RICCALDO: How many times a week

4 can they go there?

5 MR. SHERATON: There's no limit.

6 You can go seven days a week as long as you're

7 not exceeding your amount. Say anecdotally in

8 other stores you have your customers who will

9 come in once a week and get that full amount

10 and you'll see them the next week and that's

11 their business. And you also have people who

12 stop by and spend \$10 after work everyday or

13 they buy a \$5 beverage and they go home with

14 it everyday. So it really just depends on the

15 customer.

16 CHAIRMAN CORALLO: Do they have to

17 show you proof who they are each time you buy?

18 MR. SHERATON: Yes.

19 CHAIRMAN CORALLO: I know every time

20 you go to a ballgame you have to show them

21 your license to get a beer.

22 MS. ADDONA: I guess the only other

23 thing we talked about the workshop to bring up

24 for the benefit of the board, from an

25 operational standpoint is the drive-thru and

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2 You said you have to be 21 to get into the

3 building?

4 MR. SHERATON: No, I just want to

5 clarify that. We borrowed from alcohol. So

6 first and foremost, operator prerogative to

7 card people on their way into the building.

8 The state rule is you have to be 21 to buy

9 cannabis and you get carded at the point of

10 sale. You all I assume have been to a liquor

11 store or know someone who has. You don't

12 leave your child in a car, you don't leave the

13 stroller outside at the front door. If you're

14 with a parent you can bring a child into the

15 store. That is compliant with state rules.

16 MR. WIDMER: I was going to ask how

17 do you enforce that in a drive-thru?

18 MR. SHERATON: Yes, so on our

19 preorder website you have to show your ID

20 before you place the order and then to have

21 the order you have to show it to pick it up.

22 MR. WIDMER: I'm saying if a minor

23 wasn't allowed in the store, they can go

24 through the drive-thru.

25 MR. SHERATON: Hopefully that answer

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2 how the use in this format would compare as to

3 how it was used as a bank, especially since

4 there are some houses behind it. So that's

5 something you guys are going to be looking

6 into as well.

7 MR. EMANUEL: That's part of the

8 operational narrative we're putting together.

9 MR. SHERATON: I can give two very

10 brief notes on that. A transaction amount

11 volume what we're talking about going through

12 our drive-thru on a daily basis is between 20

13 and 40 cars. We would have plans to require

14 preorder with a certain minute threshold

15 before that order can be picked up in the

16 store, make sure people are planning in

17 advance and by the time they show up at the

18 store it's a really quick transaction. No

19 ordering on-site, no going to the parking lot

20 and ordering, getting in your car and moving

21 around. So we're borrowing those practices

22 from the half or dozen operational

23 drive-thru's in the immediate region. We know

24 it works from them.

25 MR. WIDMER: I have one question.

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2 to the other question of being with a person

3 who is 21.

4 MR. WIDMER: I'm done.

5 MS. ADDONA: So you guys will be

6 submitting an application?

7 MR. EMANUEL: We're in the process

8 of putting a formal application together. We

9 hope to get it into you sometime next week so

10 it will be on time for your October meeting.

11 MS. ADDONA: We won't have GML done

12 by then. But the board at that point could if

13 so inclined declare their intent to be lead

14 agency and we can get that circulation

15 started. If the board is okay with that. I

16 think the intention at this time if there's

17 nothing to continue because this is an

18 informal conversation, the applicant has not

19 yet submitted an application, so I think for

20 now we just say we'll see you when we see you.

21 We apologize that you guys had to sit here.

22 This was an unprecedentedly long meeting. We

23 do hope to not have to do that again. So

24 hopefully, we got some of those applications

25 out of the way so it should be a more

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2 streamlined process. So tentatively we'll see
3 you on October 9th and if anything changes
4 we'll talk before then.
5 MR. EMANUEL: Thank you for your
6 time.
7 MR. SHERATON: They you all.
8 MR. PEREIRA: Thank you.
9 CHAIRMAN CORALLO: Motion to
10 adjourn.
11 MR. SAMBRATO: I'll make the motion.
12 MR. GIZZI: Second.
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1 Errata Sheet
2
3 NAME OF CASE: In Re: TOWN OF HAVERSHAM PLANNING BOARD MEETING
4 DATE OF DEPOSITION: 09/11/2024
5 NAME OF WITNESS:
6 Reason Codes:
7 1. To clarify the record.
8 2. To conform to the facts.
9 3. To correct transcription errors.
10 Page ____ Line ____ Reason ____
11 From ____ to ____
12 Page ____ Line ____ Reason ____
13 From ____ to ____
14 Page ____ Line ____ Reason ____
15 From ____ to ____
16 Page ____ Line ____ Reason ____
17 From ____ to ____
18 Page ____ Line ____ Reason ____
19 From ____ to ____
20 Page ____ Line ____ Reason ____
21 From ____ to ____
22 Page ____ Line ____ Reason ____
23 From ____ to ____
24
25

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2 CERTIFICATION
3
4
5 Certified to be a true and accurate
6 transcript of the stenographic minutes taken
7 within.
8
9 Debbie Kline
10 Debbie Kline,
11 Senior Court Reporter.
12
13 Dated: September 17, 2024
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