

Planning Board Meeting Minutes – November 4, 2024

A meeting of the Town of Yorktown Planning Board was held on Monday, November 4, 2024, at 7:00 p.m. in the Nutrition Room located at the Albert A. Capellini Community and Cultural Center.

Chairman Rich Fon called the meeting to order at 7:00 p.m. with the following Board members present:

Aaron Bock
Rob Garrigan
Bill Lascala
Bob Waterhouse, Alternate

Also present were:

John Tegeder, Director of Planning
Robyn Steinberg, Town Planner
Ian Richey, Assistant Planner
David Chen, Esq.

Correspondence

The Board reviewed all correspondence.

Motion to Approve Meeting Minutes of October 21, 2024

Upon a motion by Aaron Bock, and seconded by Bill Lascala, and with all those present voting “aye”, the Board approved the meeting minutes of October 21, 2024.

Motion to open Regular Session

Upon a motion by Chairman Fon, and with all those present voting “aye”, the Board opened the Regular Session.

REGULAR SESSION

Lamp Subdivision

Discussion: Public Informational Hearing
Location: 70.08-1-8; 357 Crow Hill Road
Contact: Zarin & Steinmetz
Description: Proposed subdivision of a 4.463-acre lot in the R1-80 zone
Comments:

Upon a motion by Rob Garrigan, and seconded by Bill Lascala, and with all those present voting “aye”, the Board opened the Public Informational Hearing.

Jody Cross, Esq. of Zarin & Steinmetz; Paul Lynch, P.E.; and Evan Lamp, property owner were present. Cross stated that the proposal is for a minor 2-lot subdivision of the property located at 357 Crow Hill Road. The property is currently improved with an existing single-family house and is zoned R1-80 on a total of 4.46 acres. The existing home would be on 2.6 acres, and the proposed new lot would be on 1.837 acres which meets the 80,000SF code requirement. The access is off of Crow Hill Road via a common driveway that is shared by 355, 367, and 271 Crow Hill Road residences with access easement rights over the driveway. The proposed new lot will have the driveway and the existing house will have easement rights over the driveway as well. The easement agreement submitted to the Board does contemplate that Lamp can further subdivide his property. The lots are consistent with the surrounding lots. There is sufficient space for septic and well; the stormwater run-off will be mitigated to the satisfaction of the Board and Town Engineer. The existing driveway is 16FT wide with 25FT frontage. The R1-80 zone has a 200FT frontage requirement so they will need two variances – one for the frontage of the new lot and another for the frontage of the existing house as they will no longer have frontage. They received correspondence from the Building Department with respect to the fire apparatus access road and will address this with the Board and if necessary the Zoning Board. They are here this evening to hear all comments and are seeking a referral to the Zoning Board so they can move the process forward.

Fon asked the public if there were any comments and there were none.

Fon asked the Board, Planning Department, and Counsel if there were any comments. Tegeder informed the Board that a 5-lot subdivision is a major subdivision in particular if it has a town road. This application doesn't have a town road but when there are 5-lots you start to consider those issues. He noted that work has commenced at the site and is not sure if the Board has seen the photos. He added that the Fire Commission memo dated 9/27/24 requires a 20FT wide driveway for the first 500FT increasing to 26FT for the remaining length with a turn-around at the end of the road. These items should be seen on the plan prior to a Zoning Board referral.

Fon noted that work was done for the sight distance and asked if there was other work done on the road. Cross responded that they performed regular maintenance work on the road, and expanded it from 14FT to 16FT understanding that it is not what the Building Inspector asked for. Cross noted that they had photos taken at the site today showing the paved road at 16FT with the new sight line for the Board's review. Fon asked if the Town Engineer had any comments. Tegeder responded that the Town Engineer would like to see some stormwater measures to prove out the subdivision. The Board advised the applicant to meet with the Planning Department and Town Engineer to go over the details before moving further.

Upon a motion by Bob Waterhouse, and seconded by Aaron Bock, and with all those present voting "aye", the Board closed the Public Informational Hearing.

Jacob Road Solar

Discussion: Adjourned Public Informational Hearing
Location: 35.16-1-4; 1805 Jacob Road
Contact: Nicholas Vamvas
Description: Seeking site plan and special use permit approval to develop a 3.125 mega-watt AC solar facility on a 15 acre portion of Lot 4 of the Colangelo Subdivision.

Comments:

Upon a motion by Bill Lascala, and seconded by Rob Garrigan, and with all those present voting "aye", the Board re-opened the adjourned Public Informational Hearing.

David Cooper, Esq. and Jaclyn Cohen, Esq. of Zarin & Steinmetz; Nick Vamvas, P.E. of Labella Associates; Ryan Hutcherson of Freestone Renewables; and John Colangelo, property owner, were present. The 10/7/24 hearing was adjourned as a result of insufficient mailing notices; the notices were resent to the abutting properties and the affidavit of mailings was submitted to the Planning Department. Cooper stated that Freestone Renewables is the contract lessee of a 15-acre parcel that is zoned R1-160 and owned by Featherbed Properties. The proposal is to develop a 3.125 MW AC solar facility on the site. A site plan application was submitted in February of this year. Initially they were proposing to preserve a 20FT wooded buffer area from the property line inward to the property as well as provide plantings of about 6FT tall trees around the perimeter of the solar facility for screening on day one. After discussion with the Board and Planning Department, the plans have been revised to increase the wooded buffer area to 80FT from the property line and provide plantings of 12FT tall trees mostly on the western side to provide screening. The line of sight analyses shows that the buffering and trees will provide adequate screening of the solar panels. There were questions at the last meeting with respect to stormwater management, tree removal, woodland habitat, and project benefits which will be addressed this evening. Trees are proposed to be removed and replanted with a loss of 274 trees on the property. They will go thru the woodland habitat on the site and within a 3-mile radius of the area to show that the tree removal is not significant when they look at the overall area available for the habitat. Additionally, the proposal will change this portion of the project to a pollinator habitat.

Vamvas showed the landscape plan. The site is bound by the north on Jacob Road, to the west with residential properties in the Town of Cortland, to the south with more residential properties but directly south is mostly open space, and to the east is a nature preserve. Since tree loss and visibility is a major concern they wanted to provide a robust landscape plan in order to hide the panels as best they can. As mentioned previously, they are leaving an 80FT buffer of existing vegetation and proposing a mix of evergreen plants tightly spaced along the eastern side to provide a green wall as suggested by the Board. Many of the trees proposed will be 12FT in height at planting in order to mitigate the views from the neighbors directly to the left. The green wall continues around to the north as they do abutt some residential properties directly north. To the east, they are proposing typical spacing of evergreen plants at a height of 6 to 8FT on day one in order to screen views from the site of a proposed trail.

With respect to the stormwater, there was concern about the tree removal and an increase in run-off. NYS requires that they look at the treatment of the water quality volume and peak rate control to ensure that the run-off isn't greater after construction than what it is presently. Based on their model submitted, they were able to demonstrate that the run-off rate drops for a 10-year storm. The site does slope generally northwest to southeast. There are existing wetlands and watercourses on the site that will be collecting everything. They were asked to look at the analysis point where the run-off is leaving the site which they did. Discussion followed with respect to the stormwater management practice and it was noted that they don't foresee any impact.

Vamvas continued that there was also concern about the tree removal and habitat loss. The net loss of trees is less when they are taking into account that they are proposing to plant over 700 new trees. Labella's wetland scientist looked at the species potentially using the property and according to occurrence records they are within range of the northern long-eared bat and bog turtle. Their wetland scientist found no bog turtle habitats on the property. The loss of trees won't have a significant effect on the northern long-eared bats as there is a significant amount of vegetation to remain so there will be no significant effect on endangered species. The only other species that came up during their search was the monarch butterfly which is not officially listed and not technically regulated. Currently there is no habitat for the monarch because they prefer meadow. After the site is operating, they are creating a meadow and would be happy to provide a pollinator friendly mix. The proposal is to cover the entire area with grass not just for the monarch butterflies and other pollinator friendly species but for erosion sediment control and stormwater mitigation as well. An overlay of the public lands and conservation easements showing a significant amount of land within a 2 ½ mile radius of the site that will remain untouched was shown to the Board.

Hutcherson spoke about the benefits of community solar projects. Community solar facilities generate clean electricity that is fed into the local grid but it also allows multiple participants to use it. The town will have access to the electrons from this project directly and is designed to be locally used. This differs from rooftop and utility scale solar in which only one individual or group benefits; and no one in the case of large utility scale projects. The community solar will benefit renters, homeowners, businesses, low and middle income individuals. The economic benefits of the project include reduced energy costs; job creation through construction, operations, and maintenance; and increased property tax revenue. The environmental benefits of this project include the contemplation of a trail donation through the property; five acres designated as a conservation easement; and a reduction in carbon emissions. There will also be erosion control to protect the wetlands and surface water as well as plenty of habitat especially for the pollinators. The social benefits include solar access for diverse residents by allowing those that don't have access to rooftop space such as renters, condos, etc. Educational opportunities could include installing solar educational programs on the trails and possibly partnering with local schools. Lastly, it will help to reduce stress from the local grid and our dependence on fossil fuel.

Colangelo, property owner, gave a brief history of the property. This property was purchased by his father and uncles in the late 1970s. The property was a former farm owned by Jacob Dalton who was the caretaker for Catherine Field. This farm was used for the main house (Fieldhome). The property was then purchased by the Constable family and was farmed until his family bought it in the late 1970s. They had the anticipation of building six homes and was reduced to five. They need a partner to build the road with them due to the cost. They still would like to farm a portion of the property. The portion of the property proposed for the solar is sloped away from the residential properties. There are some residences that abutt the property on the Cortland side but he feels that the buffer and proposed trees will screen the solar array. He noted that if anyone should have any questions he would be happy to discuss the project with them.

Fon asked the public if there were any comments. Public comments as follows:

1. Jay Kopstein, resident – Kopstein stated that at the last meeting he presented information on usage of electricity and pointed out that those questions were not answered this evening. He feels that this should be considered by the Board.
2. Resident - Dalton Drive – Resident asked if this was something that the town would profit from; if it was necessary; if we needed additional electricity; and how long the lease is for. He also noted that he couldn't locate the property.
3. Brian Mahoney, 10 Southgate Drive, Cortland Manor – Mahoney stated that he and his family have lived in their home for the past 11 years and love the location due to the lush woods and wildlife. The families and individuals on Glassbury Court, Catherine Street, Croton Avenue, Field Street, Jacob Road, Jordan Road, Mountainview, Oscar Court, Nathalie Court and Southgate Drive, will all be affected by replacing trees with solar. He feels it is not fair to the animals or them. He understands that the trees are being replaced but they are still being removed. He

noted that the Croton train station recently installed solar in their parking lot in a commercial district and feels that this is where they belong not in a forest in a residential neighborhood. He said that the plans submitted shows that the solar farm begins 193FT from the corner of his home but he feels it is so much closer to his property line, pool patio and where his son plays in the back yard. It is also closer to the homes on Nathalie Court and Jacob Road. They also don't know what the long-term health effects are for these facilities as well as the safety of the battery storage. He is concerned that this will greatly affect the value of their homes. He is aware of the solar benefits but would prefer it to be located in an industrial, commercial space not residential zones. He also noted that it benefits Yorktown not Cortland. He added that meadows aren't trees. He is concerned about the construction. The land owner stated that the panels won't be seen but they don't want to take that risk. He feels it could be placed elsewhere and the neighbors agree.

4. Dan Strauss, 58-year resident. – Strauss stated that his comments have not changed since the last meeting. When developers or owners are proposing solar they talk about its greatness; and when it's a subdivision for housing they also tell you how great it is. Either way, in both cases they cut trees. This is a commercial use in a residential zone. He agrees with the speaker before him and feels this does not belong in a residential zone. He understands that the Planning Board distances themselves from the Town Board but they also work in conjunction with the Town Board. He feels that the Planning Board has the right to say no. The phrase used is that they have the right to do this but he doesn't think they have the right. It is simply the same as the transfer station with a commercial use in a residential area for comparison. He feels that the solar farms on Foothill Street and Jefferson Valley are disasters. He said that the slope issue was not addressed and questioned if the residents will see it. He believes that this facility does not belong in this location.
5. Mike Vecchiolla, 2266 Dalton Drive – Vecchiolla stated that he is a 10-year resident on the Cortland Manor side. Hunterbrook is an iconic neighborhood in this town – it is bucolic, rural and country. In his opinion, they have three abominations of solar farms in the town (Cortland, Kitchawan and Route 6). He feels this is a residential area and it should be kept that way. The Kitchawan solar farm is 4x smaller and it still can be seen. They all can be seen; keep Hunterbrook as is.
6. Susan Siegel, resident – Siegel stated that she is speaking as a resident and not as a Town Board member. She would like to follow up on the slope issue. She asked if either the applicant or Planning Board could clarify as to whether there has been any revision to the visual assessment based on the issue that came up at the previous meeting. She looked at the correspondence and saw that there was a letter from the DEP that mentioned the battery storage facility portion of this project and said that she was wasn't aware of the battery storage. All of the discussion has been about the visual impact and trees and none about the battery storage portion. She added that the town also has a moratorium on battery storage facilities. She said that the letter talks about the issue of locating a solar facility such as this in a residential neighborhood being counter intuitive and the state's energy goal. She asked Bock to look at this. It's a short paragraph but she thinks it is the essence of this application and the concern of the residents. this. It's a short paragraph but thinks it's the essence of this application and the concerns of the residents.
7. Randy Pratt, resident (8 Nathalie Court, and owner of Wilkins Fruit Farm) – Pratt stated that he is concerned about the drawings submitted because they don't show the proposed residences as part of the subdivision. At the previous meeting, Tegeder said that the applicant was planning to do this. The drawings give them the impression that the access road is through the wooded area and apparently it won't be. He feels that the drawings should be modified to show the residential subdivision as they will be visually impacted as well. He feels that there are things that should be considered during the moratorium in review of the statute. There is the issue of security; should the lease turn over who will be responsible for the upkeep, annual inspections, etc. With respect to the meadow discussion, he visited the installation on Croton Avenue and Furnace Dock Road and he doesn't think it will ever be a meadow. It will never grow milkweed which is what is needed for monarch butterflies to be pollinators. They are required to cut the grass 4x a year to keep it from growing into the panels. He doesn't see how this could ever turn into a meadow for butterflies. He also questioned the noise with respect to the inverters and noted they don't know where they are. With respect to the line of sight issue, a representative from Labella took photos from his deck that was never presented to the Board. Also, this proposal has no connection with Yorktown; the solar company is from Colorado and the engineer is from Latham, NY. There is no interest in what happens in Yorktown or Cortland; it is a financial interest not a community interest or how it will affect their neighborhood. The applicant mentioned that there is a nature preserve on the east side and he is not sure if they are referring to the linear park which is south of the parcel. To the east is Mark Wallack's property and he doesn't know if Wallack has an intention to further develop his property. With respect to the tree loss, if you look at the aerial photos of this property over the last two

years you will see the number of trees already cut down on the property. The habitat will be affected. He hopes that the Board considers the comments from the Conservation Board.

8. Laura Martin, resident – Martin noted that she submitted correspondence to the Board on another agenda item but wanted to voice her opposition to the proposed solar farm as well. She is opposed to any solar farm installation in residential areas in Yorktown. She lives above Foothill Street and sees the solar farm every day. There has to be consideration with respect to the buffer zones and types of trees as deciduous and non-deciduous trees are not created equally. They are currently in “stick” season now that all the leaves are gone. People hundreds of feet away from these developments are affected. Furthermore, the USDA states that milkweed matures at 5FT and she doesn’t know of any solar farm installation that allows their weeds or growth to achieve 5FT. She believes that the panels are installed at 3 ½ to 4FT off the ground so the 5FT growth would obstruct the solar collection so they are mowing it. She feels the meadow information is false.
9. Pat Lecci, 2263 Dalton Drive – Lecce stated that her backyard abuts Jacob Road. One of the previous speakers mentioned a noise issue and questioned if this facility will emanate any type of noise.
10. Dan Strauss, resident – Strauss said that it was unfortunate that when the previous facilities came to light that more people were not getting up and stating what these people are saying tonight. He thinks we would not have these disasters destroying the character of Yorktown.

Bock stated that he reviewed the Westchester County Planning Board letter dated 10/28/24 and the DEP letter dated 10/17/24. He asked if the visual survey was revised in light of the commentary from the previous meeting and if not is this something that the applicant is intending to do. He noted that the DEP raises significant comments with the first being that this Board adopt a positive declaration with a series of support for this recommendation. A primary reason was the impact of the tree removal. He asked if the EIS was updated or complete because they are going on the basis that it is insufficient and the impacts are greater than what could be dealt with properly in an EAF. He feels that these are important points for the SEQRA review especially in light of what they have learned from other approved projects as they are now seeing those impacts. Garrigan stated that he doesn’t recall any discussion about the battery storage component.

Cooper stated that he thinks that the 4-page DEP letter is commenting on the Somers battery storage facility and not their project. The battery storage facility mentioned in the letter is proposing a 116 MW system which this proposal is not. He noted that this project is proposing a small battery storage component in concept should the moratorium be lifted and allowed but at this point there is no battery storage permitted with their proposal. However, if there was it would be about 30SF with fire protection. With respect to the comments on the determination of significance under SEQRA he doesn’t believe they are at this point as they went from a conceptual review into the initial public review. He noted that they haven’t made a submission since the public informational hearing started as they would like to hear all of the comments and will then respond all at once in a comprehensive way. Again, he feels that the DEP letter is not commenting on the correct application as the comments are for a 116 MW battery storage system that is not proposed (comment #24) for this project. Fon stated that it made sense to respond all at once as there has been quite a bit of correspondence both verbally and written. He noted that it seems there are questions with respect to the DEP letter that needs to be cleared up on both sides.

Fon asked if there were any other comments and there were none.

Upon a motion by Bill Lascala, and seconded by Aaron Bock, and with all those present voting “aye”, the Board closed the Public Informational Hearing.

Motion to close Regular Session and open Work Session

Upon a motion by Chairman Fon, with all those present voting “aye”, the Board closed the Regular Session and opened the Work Session.

WORK SESSION

Envirogreen Associates

Discussion: Site plan Amendment
Location: 15.16-1-30 & 31; 1833-1875 East Main Street, Mohegan Lake
Contact: Site Design Consultants
Description: Proposed amendment to site plan previously approved by Resolution #21-22 dated 9/37/22.
Applicant is proposing two smaller buildings, one being 6,284SF and the second being 4,100SF in place of the approved 13,278SF building.

Comments:

Joseph Riina of Site Design Consultants was present. Riina stated that the approved site plan shows the existing building on the west side of the property and the new building (13,278SF) on the east side with all the proposed parking. They received the DEC, Army Corp, and DOT approval for the new entrance. The applicant is proposing to amend the approved site plan by splitting the approved single commercial building into two smaller buildings (6,284SF and 4,100SF) that will remain within the same footprint with less square footage. Two of the current uses on the property in the existing building on the west side, Dunkin Donuts and the hair salon, will be moving to one of the proposed buildings; the Dunkin will have a drive-thru component. The entrance will remain the same with one way circulation with a drive-thru lane around the back of the building and a pass through lane as shown on the plan. The pervious area and wetland disturbance are the same. There will be a reduction of two parking spaces but have more than adequate to support what is being proposed. The pass through does not line up with the entrance but is where the DOT approved. The front of the site will remain the same with the 8FT sidewalk and landscape median. The extent of the development has not changed. Bock asked if he could superimpose the new plan on the original. Fon noted that this project has been going on since 2014 with lots of review prior to approval. Steinberg asked if the buildings could be switched and leave the center green as it will be a restaurant; it would also help with the entrance. Riina responded that they could look into this and will discuss it with his client. Steinberg stated that she will reach out to Riina.

Par 3 Golf Course

Discussion: Site Plan Amendments
Location: 16.07-1-38; 795 Route 6
Contact: Matthew Behrens Architect
Description: Proposed amendments to site plan previously approved by Resolution #21-30.
Comments:

Matt Behrens, Architect, was present. Behrens stated that the applicant is proposing amendments to the previously approved site plan for the patrons of the golf course. The proposed improvements include some outdoor lounge seating areas integrated into the landscape; and a new stand-alone snack bar that is about 240SF with a covered patio. They installed a frame and vinyl cover over the existing patio slab that will act as an overflow for the restaurant. It's a minimal impact to the environment and no trees were removed. They received the Planning Department's comment this past Friday to which they will address with their next submission.

Fon asked if the improvements were already in place and Behrens responded that they were. Waterhouse asked if the Planning Board was still the Lead Agency. Tegeder responded that the Planning Board approved the site plan so if they are proposing an amended site plan they are eligible to be the the Lead Agency and will be. Waterhouse asked if they were the Lead Agency from inception and Tegeder responded they were for their action. Tegeder asked Behrens if there was exterior lighting. Behrens repoded that there was and will add it to their next submission.

Fon noted that the golf course formerly known as Par 3 is now known as the Tee Bar and is a very popular and well used site. Fon stated that this is town owned property with an agreement from the owner and asked if they needed to go to the Town Board. Tegeder responded that he will address this with the Town Board and noted that they are aware of the amendments and want to have the amenities legal and approved. Fon requested that the Planning Department schedule a site visit with the applicant since there have been a few changes from the originally approved site plan. Bock requested for the Planning Department to send a copy of the approving resolution and site plan for review prior to the site visit.

Town Board Referral - Foothill Street Subdivision

Location: 15.07-1-7; 3850 Foothill Street

Contact: Peder Scott, P.E., R.A.

Description: Requested rezone of a 16.8 acre lot in the R1-40 zone to facilitate the development of a 20-unit multi-family rental property.

Comments:

Peder Scott, P.E. was present. Scott stated that the property is located at 3850 Foothill Street on the east side on a 16.8 acre parcel. The property is wooded with remnants of past activities such as foundations and other structures that were removed over time. Across the street from the property to the south is the Yorktown solar farm aka Foothill Street solar farm; to the north is the Strawberry Hill Park half acre subdivision which overlooks the property; and to the east is NYSDEC wetlands that has been flagged by Environmental Services which is their wetland consultant. They have not yet been to the DEC. It's a hilly site between 10 and 15% slope. They are present this evening on a referral from the Town Board for a requested rezone of the property. In compliance with the current zoning, the proposed plan layout (feasibility option) would consist of a 7-lot subdivision with a 654 linear foot town road and 5 acres of disturbance. The project would be served by individual subsurface septic systems and either private or municipal water. The septic systems comply and testing was performed.

Scott explained that they are constrained with putting in single-family homes mainly due to the fact there is a solar farm across the street with no real buffering between the properties. They feel there is a better way to do this project and noted that there is a methodology in the Town of Yorktown to convert a standard subdivision into multi-family units to make it more compact. The applicant is proposing a 20-unit multi-family rental project that includes 4 buildings (multi-family option). The multi-family option would use on-site water lines on Foothill Street and bring the sewer up to their property eliminating the subsurface sewage disposal proposed for the 7-lot subdivision. The disturbance would be reduced to 3.5 acres as opposed to 5 acres. The stormwater management plan would be similar with much less impervious area. The buildings could be densely compact on the far left corner; all the tree buffers would be maintained around the property and could be enhanced if required. They are proposing an opening in the woodland and leaving the perimeter intact. A rendering and elevations of the multi-family option was shared with the Board. The rear elevation would face Foothill Street. The property is slightly sloped and they will work with the terrain.

Fon stated the 7-lot subdivision proposal shows the grading but it is not shown for the multi-family proposal. He noted that the grading for the homes is extreme and questioned if it was the same for multi-family units. Scott replied that it was not as they are out outside the steep slope areas and will provide this information to the Board.

Bock asked why they didn't consider clustering for the 7-lot subdivision. Scott replied that clustering would still require separate septic systems; the multi-family proposal would bring sewer to the site. Bock asked if there was any density comparable in the surrounding properties to this proposal. Scott replied not really and noted it was half acre zoning on top of the hill.

Scott showed the multi-family unit layout to the Board. The units consist of two-bedroom townhome units with square footage between 1,200 and 1,500sf. A number of units will have an affordable component associated with the proposal. He noted that they need the unit count for the sewer hookup. They did look carefully at reducing the impervious area which was the premise of the proposal.

Fon asked if the street for the 7-lot subdivision would be public and Scott replied that it would. Fon noted that the Town of Yorktown would then be responsible for plowing and maintaining that road. Fon stated that if there is no impact on the town and the facilities they should see it. Fon asked about lighting for the street, buildings and rear yards and how it will impact the neighboring properties. Scott replied that their intent is to nest the proposal into the forest cutout with 13 acres of open space.

Fon advised the applicant to provide a detailed comparison to show the difference between the two proposals with respect to the septic versus sewer, tree buffer and removal, grading, stormwater, lighting, impervious area, public vs private, disturbance, etc. in order for the Board to have a better understanding of what is being proposed. Scott replied that he had a 3-D model prepared but didn't have it this evening. He will also provide the stormwater management plan as well. Fon advised the applicant to meet with the Planning Department and Town Engineer to go over the details.

ZBA Referral #35/24 - Poggioreale

Discussion: Special Use Permit

Location: 26.20-2-3; 2829 Crompond Road

Contact: Vincent & Christina Poggioreale

Description: Proposed Day Care Center/Preschool on a 33,403 SF lot in the R1-80 zone.

Comments:

No representative was present. Tegeder informed the Board that the application is on a referral from the Zoning Board. The Zoning Board believes that the Planning Board is better equipped to handle the SEQRA process and perform the formal site plan review and approval. The Planning Board will be the Lead Agency; it is also in the DEP's jurisdiction as well. The Board felt that this made sense and had no issues. The Planning Department will submit a memo to the Zoning Board agreeing to their comments. Bock stated that the memos should be sent to the applicant as well for their information.

Meeting Closed

Motion by Aaron Bock, and seconded by Rob Garrigan, and with all those present voting "aye", the meeting closed at 8:51 PM.