

MINUTES of the Village of Montgomery Planning Board meeting held in the Meeting Room of the Village Hall, 133 Clinton Street, on Wednesday, April 27, 2022, at 7:30 pm.

ATTENDANCE: Chrm. Conero, Mbr. Romano, Mbr. Crowley (Absent), Mbr. Steed, Mbr. Meyer, Vlg. Atty. Stephanie Midler, Vlg. Eng. Scott Sicina of Lanc & Tully, Jay Samuelson of Engineering Properties, Deborah Delgado (Village PartTime Clerk), Tom Olley of Olley Architects, Robert Reynolds Sr., Cynthia Reynolds, Vincent Satriano, Monroe Zafir, Sarah Labar, Walt & Mary Ann Lindner.

OPEN: Chrm. Conero opened the meeting with the Pledge of Allegiance.

RE: ONE ADJOURNED PUBLIC HEARINGS

RE: 105 WARD SREET 202-9-1/109 WARD STREET 202-9-2

Chrmn. Conero said the first order of business for a public hearing we had for 105/109 Ward Street and we held it open to find additional information out. Is that correct?

Jay Samuelson said yes. We held it open to have further discussion with the neighbor and have the attorney's talk about the 3 square foot overlap we had. We added a note for the meeting last month. I know Attorney Midler has a couple of minor changes and we have no issues making those changes to the note.

Atty. Midler shared I'm asking to specifically call out that the Village of Montgomery is not accepting and responsibility or liability to the deed description.

Jay Samuelson shared; we are good.

Atty. Midler, and that has to put on the site plan.

Jay Samuelson shared, and we are just noting that there is a deed overlap for this and has nothing to do with your approval.

Atty. Midler shared; the applicant represented to the attorney that she had not returned any communication to them. Obviously, they have not had representative or come to the public hearings. I'm recommending to the board that it is approved at this time of course subject to; applicant is aware and understands they are taking the risk with any future potential issues with the owner and that line. We are not approving the line as part of the approval. We are just approving the other items. I find that sufficient for the Board to be able to move forward.

Chrmn. Conero, ok. At this time, if anyone else from the public has any comments on the 105 Ward Street/109 Ward Street lot line change, state your name for the record. We didn't have anyone from the last meeting that brought it up, so I want recommend we close the public hearing.

A MOTION was made to CLOSE THE PUBLIC MEETING FOR 105 WARD/109 WARD STREET - 202-9-1 & 202-9-2 at 7:40 pm by Mbr. Romano, seconded by Mbr. Steed and carried 4 Ayes 0 Nays

Chrmn. Conero shared, that Atty. Midler came up with two documents: one is a negative declaration and one is an approval for this. Therefore, if we could go through the negative declaration?

Atty. Midler shared; she can completely summarize. The main points of the negative declaration in here are simply:

- *Lot Line Change* which is treated as a minor subdivision in the Village
- There is *no construction proposed* so that *eliminates* a lot of the potential for any *adverse environmental impacts*
- With regards to the impact on zoning or character community those are *uses already are existing*. They are permitted, they are all staying 'as is.'

I recommend to the board that you can adopt a negative declaration, stating there are no significant adverse environment impacts as a result of these actions.

A MOTION was made to DECLARE A NEGATIVE DECLARATION UNDER SEQRA FOR 105 WARD/109 WARD STREET - 202-9-1 & 202-9-2 at 7:42 pm by Chrmn. Conero, seconded by Mbr. Steed and carried 4 Ayes 0 Nays.

Chrmn. Conero shared the next agenda item is the preliminary approval.

Atty. Midler shared, that is correct.

Chrmn. Conero this was pretty straight forward. There is a note in the resolution so the Village of Montgomery does not have liability in the overlap of the deeds.

Atty. Midler shared, correct. The approval resolution is standard for subdivision even if shorter because there is not any construction going on/also due to this project. There was a condition that, within approval is not an approval of that portion of the rear property line for SBL 202-9-2 that displays discrepancies with the deed description for SBL 202-9-13. The Village takes no position as to the accuracy of either deed description submitted by the Applicant and said portion of the property line that is in dispute shall not be changed, altered, or in any way authorized with this approval. I recommend to the Board that you can adopt the preliminary approval resolution.

A MOTION was made to ADOPT THE PRELIMINARY APPROVAL RESOLUTION FOR 105 WARD/109 WARD STREET - 202-9-1 & 202-9-2 at 7:45 pm by Chrmn. Conero, seconded by Mbr. Meyer and carried 4 Ayes 0 Nays.

Chrmn. Conero asked if this preliminary is subject to final approval?

Atty. Midler confirmed, yes.

Chrmn. Conero asked where does it have to come back?

Atty. Midler once I get the outstanding items.

Jay Samuelson said he will modify the note.

Atty. Midler shared, once you're ready for that you can just submit in writing to the Board for the final approval. I don't think you need to appear for that.

Jay Samuelson asked, Planning Board or the Village Board?

Atty. Midler confirmed, the Planning Board. This is not subject to Village Board approval as there is no multiple dwelling. I would suggest that.

Jay Samuelson shared, I will send you a PDF showing you the revised note, and once you say it's ok, then I will submit a letter and plans requesting the final approval.

Atty. Midler shared; she suggests to the Board that this application does not require it to come before us (the Board) as they can do it as administrative.

Jay Samuelson that's good. Thank you.

OLD BUSINESS

Dunn Road 213-3-4.22

Chrmn. Conero next business we have is Dunn Road with Mr. M. Zafir which SBL is 213-3-4.22 that was before us, the Board 2 meetings ago, I believe.

Tom Olley introduced himself as the Engineer representing Zafir LLC., on this application. As the Chairman stated, we were before the Board a couple of months ago presenting a site plan. We had a lengthy discussion about the configuration of the loading docks and the internal operation of it. I sat down with applicant and we worked out how we could rearrange how they are conceptually handling material inside the building. What we have done, we came up with this layout and still keep the office in front. We would place the loading dock at the very back left corner of the building.

Mbr. Romano asked if there was only one?

Tom Olley stated there is one dock with two doors. They would be side by side.

Mbr. Romano asked if there would be any on the other side?

Tom Olley stated there would be nothing on the other side. There would be an overhead door here but it would not be a loading dock. They would be able to move by forklift any materials for one building to this building. That way we were able to eliminate having to have anything more there with a ramp. I am not prepared to deal with Scott Sicina's comments, because some of those were carryover from the meeting before; but I do want to represent to the board that coming up with this – we took a very hard look at the maneuvering room we would need for the trucks. The vast majority of the trucks that are coming in are single unit trucks or what they refer to as the 28 ft. pups (lesser truck load) typical of ABF or some of the other companies where you're not getting the 48-53 ft. trailers. Once or twice a month, they may get those. We can easily accommodate the single unit trucks with how we rearranged this – we actually provided an area in here so that a tractor trailer can pull in and back – and more or less do a three-point turn, so they can back into that area. A single unit truck would just come in, turn around and back in. A tractor trailer would need to do a three-point turn.

Chrmn. Conero asked if your lot can accommodate a 53 ft. trailer?

Tom Olley confirmed, yes. They would not have to back in from here, they would pull the nose in this way and back out; we were able to simulate that. I will provide you with the simulations, because it was a 3 or 4 turn maneuver and if I tried to represent it on one drawing it would look like spaghetti.

Chrmn. Conero asked if you want to go through comments? There is a lengthy list of comments on there.

Scott Sicina (L&T) there is only one new comment. All are previous comments from the last time. I did take out the ones that are no longer applicable.

Chrmn. Conero asked what was the new one added?

Scott Sicina (L&T) shared, the new one added was for the drainage to be revised to provide a minimum of 1% slope. There is an ability to potentially layout the drainage in a manner that gets us 1% slope and not half a % in order to make sure we get good drainage out of the sewer. We are proposing pipe from the left corner of the building over by the loading dock towards the catch basin that is in the center of the parking lot near the wetland area and it discharges there.

Tom Olley confirmed they would take a look at that. We will work with the architect to see what we can do there.

Scott Sicina ((L&T)) shared a couple of the items that were asked that Tom actually addressed. He said he will provide more information for such as the:

- Size of the trucks being accessed to the site.
- I asked that turning motion be provided to show there is no (inaudible) when they may get a truck in.
- Parking loading calculations we are asking to include the existing facility
- Ask for additional information on the well to show it has capacity to support the new building and how that connection would be made
- Note that they would have to get an HMI Permit for wetlands disturbance
- Applicant will submit a note seeking to waive requirement for curbing on the site. I don't believe there is curbing on the site as is. Such as the note, they will probably be looking for that.
- Sewer pump station design
- Couple of notes to be added to the plan
- Most of it, is just other minor notes
- Road and erosion control plan
- Landscaping

Tom Olley shared, what we did, because we would have the loading dock on that side. We will heavily screen that property line. The house sits quite a distance away but we want to be a good neighbor. Again, because we are near the airport, we are using the same species that were required, because they only grow so high and don't tower to 40-50 ft. They are fat alberta spruce trees.

Chrmn. Conero are they bermed at all?

Tom Olley shared, no. It actually sits down a little bit and we will be cutting into the hill side a little bit, so the property line will be sitting up a bit. We will plant on that slope.

Chrmn. Conero shared, he had a conversation today with the Orange Country Airport Director who is concerned about applying for the correct FAA because they need an aeronautical study done.

Tom Olley indicated, right, which is a very daunting sounding process, but it's simply the same process we did for this building and we won't be any higher and we are actually farther removed from the chapter 77 of the FAA regulations.

Chrmn. Conero right, whatever they say. You will probably have to provide lighting on top of the building.

Tom Olley shared, no we wouldn't as it's actually lower than and the only intrusions that we had were the peaks in and there. We have the lights at both ends of that building. This one will actually be below the obstruction height. We will go through that, but we can't do that until we get to the point with Planning that we're in agreement with the

building location and the height of the building. When we do that, we have to basically provide them the coordinates and elevations at 6 points on the building – the 4 corners and the 2 peaks ends. We can't do that yet.

Chrmn. Conero, are you looking for conceptual ok from the Planning Board?

Tom Olley confirmed, yes. That's because we had the discussion on what the Village was looking for with the new commercial design standards for the warehouses and are trying to be very literal with interpretations of the regulations, but also wanting to be sensitive to what the Planning Board is looking at.

Chrmn. Conero shared, we went over our warehouse criteria that was adopted by the Village Board and that's why we reconfigured the lot. Does anyone have any questions about this?

Mbr. Meyer asked, what is the proposed height of the structure?

Tom Olley indicated, the (inaudible) line is going to be about 20 ft. because it will be a metal building. The ridge line will be lower than what we have out there so it will be around the 24-26 ft range vs. 32 now.

M. Zafir shared, it's 34 now.

Chrmn. Conero asked is it 34 or 24?

M. Zafir shared, it's 34, I believe.

Tom Olley shared, that's the existing building.

M. Zafir shared, it's 34 now as we are under 35 ft.

Tom Olley shared; the existing building is under 35 ft.; the new building is the 24-26 ft.

Mbr. Romano shared; she likes the new rendering.

Chrmn. Conero shared, it's much better.

Mbr. Romano shared, it's much better. The parking is easier to get into the office. Are you going to do an architectural rendering?

Tom Olley confirmed, yes. We will provide you with that, but before we embark on it, we want to get a head nod that yes – we are in the right direction.

Chrmn. Conero shared, I think you are.

Mbr. Romano reiterated; we think you are.

Chrmn. Conero, we are looking forward to seeing how some of the warehouse (inaudible – criteria or interior) we had. The Planning Board gets to review the façade and landscaping in more detail than we did before from the last project. We look forward to seeing what you guys come up with with an architect.

Tom Olley shared, we are being sensitive and trying to screen it as much as we can; more like having the screening towards the road where it would be more effective than a small structure in front of a big building.

Mbr. Romano shared; it will look nice. You do see it (building) from 211. I'm glad you changed it.

Chrmn. Conero asked the board, are we good?

Tom Olley shared, the thing they have to work out with Scott Sicina, I think I mentioned it during the last meeting, I'm not sure if we will be able to get our hands on the well log, because the driller has gone out of business so I don't know if we can get that info. We can certainly do some testing. We are not adding many employees so we will use less than half of what a house would use.

Chrmn. Conero asked the attorney if all is, ok?

Atty. Midler shared; she is good.

Chrmn. Conero indicated to have a good day to applicant.

88 CHARLES STREET – 202-3-10.2

Chrmn. Conero shared, the next item is 88 Charles Street. Did we have a public hearing?

Jay Samuelson shared, we have not yet.

Chrmn. Conero shared, Jay can go ahead.

Jay Samuelson introduced himself and shared, this is 88 Charles Street. This is the site plan with a couple of modifications to the parking area and the installation of the cooler at the rear of the building to store the food and a small lot line change with 77 Clinton Street. Remember, this site plan has been before you as well. They are pretty much waiting for the lot line to be final so they can come back and get their approval. That's the extent of this, is just the minor parking lot changes. If you remember, the original access way came right alongside of the building; they have since added a patio there for outdoor dining. We created an access way next to that. It (the access) continues back and provides access to all three parcels that are back there. Then there will be the proposed

cooler in the back of the property and a lot line change to clean up the crooked angles that are in the back.

Chrmn. Conero asked if they went to the ZBA?

Jay Samuelson shared, he went to the ZBA and got the necessary variances and now we have to set up the public hearing for the lot line changes.

Chrmn. Conero shared, he thinks they are ready to go to the public hearing.

Atty. Midler shared; the only thing you have to do is refer to the County.

Chrmn. Conero asked Deborah to work with Tina so she can refer to the County.

Scott Sicino shared with Jay, there was a discussion with 77 Clinton Street's application about the planter wall (box). Is there any determination on what's going on with what's going on with that?

Jay Samuelson, I don't have the answer to that, but I will have one for you at the public hearing.

Scott Sicina ok – thanks. (Inaudible)

Jay Samuelson, it's centered on the property line in a lot of areas and affects 71-73, it affects 77, it affects this one. I will have a conversation about them regarding what we're are going to do about that.

Chrmn. Conero asked, why does it have to go to the County?

Atty. Midler, it is within 500 feet of 211. I know these minor lot line changes are minor to us, but they touch the subdivision code.

Chrmn. Conero asked if it has to go to any other agency?

Jay Samuelson shared, ZBA was the only other agency.

Atty. Midler shared, at the initial you checked off SHPO because of the location of the property.

Deborah Delgado asked if to include?

Atty. Midler said, never mind (directed Deborah to remove the SHPO).

Chrmn. Conero shared, no other agency defined.

Atty. Midler indicated they would have already received it.

Chrmn. Conero shared, let's get to the public hearing for next month at our regular scheduled meeting which will be May 25th.

A MOTION was made to PROPOSE A PUBLIC HEARING AT THE NEXT SCHEDULED MEETING ON MAY 25, 2022 AT 7:30PM FOR – 88 CHARLES STREET 202-3-10.2 at 8:00 pm by Chrmn. Conero, seconded by Mbr. Romano and carried 5 Ayes 0 Nays.

Chrmn. Conero shared with applicant to get the mailings out.

KSH Route 211 – 211-1-29.22

Chrmn. Conero shared, the next item is KSH Route 211.

Jay Samuelson shared, this one is for KSH, 211-1-29.22, and indicates the week all submissions were due, both Ross and I were on vacation and the landscaping plans came into our office and then were dropped off here for submissions. It's good that we got a preliminary review of this from your end. We know that there are some issues that need to be resolved with some conflicts and changes we had discussed in the last meeting, that have not taken effect into this. At least this gives you an overall perspective of what the landscaping will look like. There are a few things we need to correct. This has also been given to Jason Anderson, he is updating all the renderings that he presented last month to include these. I know we had talked about a bunch of trees and everything that were down along the property line, so we're trying to shield as much of it as we can from 211. I know there are some comments that you have and specific questions you have about landscaping – we can discuss it. Overall, I think this is to show you guys what we were planning.

Chrmn. Conero shared, he appreciated that you bring up the landscaping design that you have now because it is going to be important because of the warehouse criteria. He's looking forward seeing what your architect has to make it look more historical and blend into the area as much as you can. What is the road on top (of the plans)?

Jay Samuelson shared, that is the loop around the back. That is the access road around the back that comes around the parking lot. This is the back half of the property; the other page is the front half. I can show you the other page.

Chrmn. Conero ok. The back half is towards the neighbor's yard?

Jay Samuelson confirmed yes. The neighbors are on this side. They are over here (pointing to the plans). This area is going to remain all wooded here and there are a bunch of additional trees planted on this side where all the employee parking is. The loading is in the middle. These were storm water facilities on the end of the building.

Chrmn. Conero asked if the road on the left side there, is that their main one?

Jay Samuelson shared, this is the main one, it goes right down to 211. To update you on that, they are working on the traffic study – that’s almost done. They are still working on negotiations with the neighboring property owner so we can shift that road and line it up with Chandler Lane.

Mbr. Romano asked if they are doing it?

Jay Samuelson shared; they are trying.

Mbr. Romano asked if they are almost there?

Jay Samuelson shared; they are almost there.

Chrmn. Conero shared, that’s important.

Jay Samuelson shared; we are trying to make sure that entrance line goes directly with Chandler instead of having that offset.

Chrmn. Conero we probably want to refer whatever the architect comes up with and the landscaping plan – refer to an outside agency to look at it. He asked Walter for an update on the outside agency?

Walter Lindner shared; we have one.

Chrmn. Conero asked if they are a new agency?

Walter Lindner shared, there is a company we contracted with that is called Johnson-Schmidt & Associates, Elise the principle. We met with her in the past and I just sent you a note as we have a conference call with her on Friday morning to talk about the details and to talk to our attorneys. We will go ahead and be on the same kind of basis we are with Lanc & Tully. We will get the submitted drawings and renderings for the buildings and landscaping to them for comment – similar to what Lanc & Tully does.

Chrmn. Conero asked, so we use them as a reference for us or an advisory group to us, as they design the new buildings coming up in the Village?

Walter Lindner confirmed, yes.

Chrmn. Conero shared, they are looking forward to that.

Walter Lindner, we are excited about it.

Jay Samuelson shared; he doesn’t think he wants to share these plans with them. I want to get a couple of tweaks done and get the revised renderings done that show the findings. Then we can send them that finished product rather than this interim product.

Jay Samuelson asked, if there were any other questions on this one tonight?

Chrmn. Conero shared, he didn't think so.

Mbr. Meyer, at the last meeting we may have discussed requesting architectural renderings, as if you were looking from Weaver Street.

Jay Samuelson confirmed, yes. He's working on all those. That's why we didn't submit those as they were not done. We have just gotten this the day before the submission deadline, so they were not able to be incorporated into those. They are working on those. When we come back, we will have the additional rendering's locations plus the other ones and we will have the landscaping built into them as well.

Chrmn. Conero thanked Jay Samuelson for the update.

NEW BUSINESS

76-78 Weaver Street - 208-1-49

Chrmn. Conero shared, moving along we have new business for 76-78 Weaver Street, and asked Robert (Bob) Reynolds if he was representing himself here tonight?

Robert Reynolds confirmed, yes.

Chrmn. Conero asked if he received the letter from our engineer about the surveyor?

Robert Reynolds confirmed, yes. I sent it to the surveyor.

Scott Sicina asked if he needed a copy of it?

Robert Reynolds shared, Tina sent a copy of it to me, too.

Chrmn. Conero asked to confirm application was for basically a lot line change, correct?

Robert Reynolds responded, correct.

Chrmn. Conero there were 6 different things on here that you worked out. Scott, can you go over them?

Scott Sicina the 6 (six) comments here, basically are:

1. Both lots remain consistent with the zoning and no variances are required
2. No anticipated impacts or changes will occur to drainage, utilities, access or surrounding properties

3. Applicant is to complete a short EAF and should be submitted to initiate the SEQR process
4. As there is no provision for a lot line change in the Village Code, this application is considered a subdivision
5. The project is more than 500 feet from the Village boundaries and 211 so there is no required GMO referral
6. The only real comment is that Planning communicates there is an existing chain-link fence located on tax lot #208-1-49, it's noted it is "to be moved." The plan should indicate whether it is to be moved or where it is to be moved to.

Robert Reynolds shared; it is to be moved to the new lot line.

Scott Sicina asked for confirmation, if it is to be moved right on the lot line?

Robert Reynolds confirmed, yes. It probably is going to be replaced because it's there from the 1950's.

Scott Sicina, yes, that's fine. It should be noted that it will be moved to the new lot line.

Chrmn. Conero asked if it should be noted that it will be moved to the new lot line or just replaced?

Scott Sicina shared, they are going to put one in, it should be noted.

Robert Reynolds asked, what if we don't want to put one in?

Scott Sicina shared, if you don't want to put one in – then it should be noted "to be removed"

Chrmn. Conero shared, if you want to put one back in at a later time, you have to go back to the building inspector.

Scott Sicina shared, you have to have the surveyor make the note - no fence or fence.

Robert Reynolds shared, for right now we will remove it.

Chrmn. Conero shared, either way you can show where it will be removed or just delete it.

Scott Sicina stated, make sure the surveyor makes that note "to be removed."

Robert Reynolds shared, ok. That fine, we will change that.

Scott Sicina shared, as far as the short EAF, you can go online as there is a program and it will automatically fill in a lot of the information for you/the pertinent information and then you can go in and fill in the rest of the form.

Robert Reynolds said, OK. Then asked if he had to redo a survey?

Scott Sicina confirmed, no. You just need to change this note right here on the survey, from “To be moved” to “To be removed.”

Robert Reynolds said, OK, good.

Chrmn. Conero shared, the EAF is to start the SEQR process, as we can’t really schedule a public hearing process yet until that’s done.

Robert Reynolds said, OK.

Chrmn. Conero ask us how we can help with the EAF. You probably can do it yourself as the program makes it pretty easy to do.

Scott Sicina shared, if you have any questions, give us a call.

Robert Reynolds said, thank you.

Atty. Midler shared; the only comment is if you can get a verification signed off on by Mrs. Sweet. I think both the Reynolds have signed off on the application, but because her property is involved too, can we get that?

Robert Reynolds shared; he actually owns that property. It’s Big Blue Property.

Atty. Midler, ok. Then the records are listed as owner. So, is she not the record owner?

Robert Reynolds shared; she is the occupant.

Scott Sicina asked how long ago did that happen?

Robert Reynolds shared, about 3 (three) years ago.

Scott Sicina, he will probably need to update that survey too. That information on the survey shows who the actual owner is.

Robert Reynolds shared, it might be under the deed as her right now, because she has rights to live there.

Sarah Labar, the deed is in Big Blue Properties. She has a life estate on the deed. The deed will be relinquishing her life estate before the deed is transferred.

Atty. Midler ok. I will let you know whether or not I need her to sign off on it. Life estate is very rare, so I want to have technicalities noted (inaudible).

Sarah Labar, we don't want people to think we are taking anything from her.

(Inaudible)

Atty. Midler shared, if she's ok and there are no issues with her.

Robert Reynolds said, absolutely

Atty. Midler ok, so let's just says she's talking about the owner's endorsement, that she's residing there and she's allowing you to move forward.

Robert Reynolds ok, so you need her to sign off on it.

Atty. Midler, I will share it for her to sign off on it to allow you to move forward. You can say (Inaudible) you are the stakeholder. Actually, I will fill it in for you and send it to Tina, so she can forward to you and that way you don't have to guess what I'm talking about. OK?

Robert Reynolds, perfect.

Chrmn. Conero shared, just so I have your name for the record.

Sarah Labar shared her name.

Chrmn. Conero asked if ok?

Robert Reynolds said, yes, we are good, Thank you.

Chrmn. Conero, Thank you.

9 BRIDGE/62 CLINTON STREET – 202-2-1 & 202-2-3

Chrmn. Conero, we have another item of *new business* which is 9 Bridge Street. This is new.

Mbr. Romano shared; I'm trying to figure which one it is.

Chrmn. Conero shared, there is a lot of stuff going on around here. Give me a second.

Mbr. Romano asked if that is behind the purple one?

Jay Samuelson shared his name for the record. This is a lot line change and an amended site plan for 9 Bridge Street. 9 Bridge Street is the building that's on the corner of 17K and Bridge Street. This is Clinton Street. The existing property was 62 Clinton, that comes from Clinton all the way down to 17K. What we are proposing to do is remove

this lot line and create it here, so 62 Clinton will have the existing house on it with their parking behind it. No proposed changes to anything that is there now. The site plan changes would be in addition to the building that is on the corner that currently has the hair salon and apartment above. There will be an expansion of the commercial area downstairs, an additional apartment upstairs and the parking area would be expanded to what it is now. I know it looks like a lot, but not really a lot. But once you explain it, it makes sense.

Chrmn. Conero asked for confirmation if Barracuda Real Estate owns this entire piece down from Clinton Street down to 17K.

Jay Samuelson confirmed, yes. Currently Barracuda owns 62 Clinton which is the property that spans all the way down to Clinton Street to the lot. We are going to remove the lot line and change between that one and 9 Bridge which is here, and create a new lot line here that matches the lot line for the lot on the corner; still get the same amount across.

Chrmn. Conero asked, Barracuda doesn't own the corner?

Jay Samuelson shared, no. That's a different applicant. He's basically buying this land from Barracuda and they are changing lot lines.

Jay Samuelson shared, there are some other agreements in place between the ownership of this, but it's listed on the deed as Barracuda.

Chrmn. Conero, ok. We had a few items on the engineer's report on this. Do you want to go through each one of them or is this it?

Jay Samuelson shared; he does not have issues with any of them. I don't think we have any issues as we've gone through all of them. Yes, that building on the corner is in the historic district; when we did the changes there originally, that all went through SHPO, so that's not a problem. The rest of the information we can do. There are no new curb cuts for drive curbs. There are no new access points, so there is the current access from Bridge Street into the parking lot and they will continue into the new parking lot. There are no new curb drops or driveway proposals. It's just an extension to the one that is there.

Scott Sicina asked if they are adding a handicap access to that addition?

Jay Samuelson shared, my guess is that is going to be through the building, but if I have to put a sidewalk or add a handicap space in the back I will. I will talk to Marc on what the configuration of the place will be.

Chrmn. Conero asked if the garbage pick up will be out in the street?

Jay Samuelson confirmed, yes. It's currently what they use. They have Village receptacles on the street. I will find out where they store them and make sure they can shield them. There will not be a dumpster. I will find out where they store them and what we can do with them.

Chrmn. Conero, so a lot of these things will be taken care of, when you look at this list. There is landscaping lighting, erosion settlement controls and those types of things. OK.

Jay Samuelson shared, he knows this is the first application/the first time you've seeing it, so I think the only thing we can do tonight is declare your intent from your agency and then we can advise the client and go from there.

Chrmn. Conero asked Attorney Midler, does this application look complete and does everything look ok?

Atty. Midler confirmed, yes. I think you're are good enough to (inaudible interim...), we can see if we can distribute the notice of intent. I would say, preliminary would be an unlisted action. Probably coordinated because of SHPO.

Chrmn. Conero asked if we could get a motion on that?

Jay Samuelson added to send to County Planning, too, because it's on 17K.

Atty. Midler agreed.

Mbr. Romano asked if we could do that now or no?

Atty. Midler asked if applicant wants to send it to them already?

Jay Samuelson shared he didn't think any of these comments will change what they made comments on. It's not going to change any of the layout or anything.

Atty. Midler shared, she's fine with that.

Scott Sicina shared, the one thing he would say that he knows would change the layout would be the number of units that are in the existing dwelling on the Barracuda property to meet the lot area for dwelling units. I don't want you to send something to the County and then retract.

Jay Samuelson shared yes, he has to figure out because I remember talking to Bernie (Barracuda property) about that it's 3 or 4 units in there. I will confirm that.

Chrmn. Conero asked, is the back of the lot in the Barracuda lot? The new lot, is that going to be parking back there at some point?

Jay Samuelson shared, that is parking and I will make sure that our survey is updated to show that. I thought it was. Apparently, it didn't get on this. There is paved parking area back there and there is actually a retaining wall that's about 2-3 ft high that runs across the back there. I thought that was on there. I will make sure that's on there as well. I will confirm the lot area because it is an existing multiple dwelling.

Chrmn. Conero asked if we could get a motion on that. Share the intent to be the lead agency.

A MOTION was made to DECLARE INTENT TO BE LEAD AGENCY, PRELIMINARY UNLISTED ACTION – 9 BRIDGE STREET 202-2-3 at 8:05 pm by Mbr. Steed, seconded by Mbr. Romano and carried 4 Ayes 0 Nays.

Chrmn. Conero asked if we are going to send to the County the way it is?

Jay Samuelson shared, let me confirm that first and I will shoot you an email. If it's not going to be an issue, I would like to send it as it is, then we will figure out what else we have to do. Is that alright?

Atty. Midler said, that's fine. If the board wants to leave it, refer to the County based on the Attorney's final review of it.

Chrmn. Conero shared, that's fine.

Jay Samuelson, No problem.

Chrmn. Conero said that's fine with him and it has to go to the County anyway.

Mbr. Romano asked if it needs a public hearing too right, but not now?

Atty. Midler said, not now.

Chrmn. Conero reiterated, not now.

Chrmn. Conero shared, the airport director asked me about the food bank, KSH, all those properties and I explained to them, that I refer them to the FAA. We have to refer them.

Atty. Midler shared, they are going through the files we need, FAA Review, the correspondence from the (inaudible) so we can move forward (inaudible).

Chrmn. Conero shared, the director basically said if you don't do it, you have to decrease the length of the runway.

(Inaudible)

Jay Samuelson shared, my comments were, we need to be closer to final plans before we submit that to the FAA, which is why I have not submitted it. I am waiting to get through more design on that one and get back to you guys to discuss that before I submit that to the FAA. I have gone through the FAA; because I have gone through part of the allocation and there is a lot of information there that I don't want to commit to yet, until we have had more discussions.

Chrmn. Conero said. OK.

Atty. Midler, certainly I will take a look with Scott and it's on our radar.

Jay Samuelson shared, it's on our radar.

PATHWAY PLACE DISCUSSION

Chrmn. Conero shared, the last item on our agenda to night is Pathway Place on Factory Street. They missed the deadline for today to be formal, so I had told Taylor Palmer that I would be more than happy to put this on the agenda. I also said it would be better if we did it in a meeting as we have our engineer, Lanc & Tully here; and we have our board members here. We ask you state your name for the record.

Taylor Palmer, I am a partner with the law firm, Cuddy and Fader on behalf of the applicant. I figured at this point, I will let Jay take a breather as he was on the last couple of items and we will throw him on the back end because of his breath. Before I mention, we do appreciate the Board putting us on. We know we did submit the application past the deadline. We are only here really for an informational update about where we are since we last appeared before you. The Chairman mentioned we are here for you in connection with our continued review of the site plan and subdivision application and I will explain that in a minute on how the layout of the site it working. We did provide you with a supplemental submission of the layout of the changes and the updates on where the project is going. The intent today again, it's not an engineering review, it's just an informal presentation about the reduced development proposal that we've been working on. Just by way of a brief background as it's been a minute since we've fully been before you. It's the first time you're seeing me with the application, since the application has been before your board, back in 2019 when this was originally submitted – the proposal was to construct a 2 (two) story, 22 (twenty-two) units-multifamily building on the property adjacent to the existing residential which is lightly highlighted (which is 13 total units). Subsequently, we did update the building program, so there was a prior supplemental submission to your board, that had reduced that significantly in response to the Village Board adjusting to the zoning regulations in this area. It affected the density, not the density – excuse me – it affected how and where the building could be designed on the lot. So, that reduction actually resulted in the building being reduced to 10 (ten) units. The original proposal that was submitted in 2019 was for 22 units, further reduced to ten (10). Since that time, we have further defined the development to be a townhouse development with 8 (eight) total units. We've gone from 22, down to ten and now we are

at 8 total units. A lot of the design and redevelopment of this program is in response to the Village and Zoning board amendment. We have also taken comments from your Board and from the State Historic Preservation Office, SHPO, to try and make sure we are accounting for any concerns about the adjacency to historic buildings or other general characters of the area. The applicant is also changed and not here tonight. We will be making a more formal submission to your board. We wanted to make sure to make this presentation and kind of get your feedback before we did that. We have retained **Best Selling**, as they changed their name from Hudson Valley Cultural Resources Consultants to Hudson Valley Cultural Services that would help us coordinating additional responses and communication with SHPO. The idea there of course is to incorporate additional landscaping components. We adjusted the building façade. There are a lot of changes we've done to soften and mitigate the program. Jay will then talk to how we incorporated the changes to an open parking area, the garage units and a number other things, of course recognizing the Crabtree House and otherwise. For tonight, at some point after Jay does present, we would like to ask you to have a discussion about procedure, whether it's the SEQR process.

Jay Samuelson shared; they need to submit sub application. More information was provided by Cuddy & Feder with SHPO. They hired a consultant and a majority of change occurred with the size and design given zoning. They are within 100 ft from the river. There is a retaining wall which is within 100 ft. They shortened the depth of the development and removed parking. They are creating town house styles that have peaks and additional landscaping. They have reviewed the design of the building and need to work on renderings. The main reason they made changes is for financing in the future.

Taylor Palmer shared; they are working with the banks.

Chrmn. Conero shared, one of the comments from SHPO was to ensure they could shield sufficiently among other factors such as traffic, given the increase due to City Winery. What is the building height?

Jay Samuelson shared, <35 ft., 2-story.

Chrmn. Conero asked about the 4-5 items on the letter of concern.

Taylor Palmer shared; they will provide a formal report to the Board. She provided the applicant with guidance; screening and façade are in the plans. They also reduced the development area significantly.

Mbr. Meyer shared; a big area of concerns was the fire access.

Jay Samuelson shared, they have to still discuss if the townhouse is required to have sprinklers or not.

Atty. Midler asked the square footage minimum for each floor.

Jay Samuelson shared, it's above 1,100 square feet. It's about 2200-2400 square feet for the 2-story townhouses.

Taylor Palmer shared, they have to prepare to submit all updated forms (e.g., EAF) and asked at what point do we do it?

Atty. Midler, depends on the submission to Planning. That's when we decide on SEQR and we nail down the structure of the site.

Jay Samuelson shared that they are not sure about the lead agency and need to research.

Mbr. Romano shared, is there a subdivision?

Atty. Midler shared; they can include in subdivision during SEQR process.

Taylor Palmer shared it's a unique issue.

Chrmn. Conero asked if you can add the development onto the existing building?

Jay Samuelson shared, there is a 15-20 ft slope.

Chrmn. Conero asked if they can add 4 units to existing structure?

Jay Samuelson shared; they have to consider a fire access with a different style. The fire access will negate the screening.

Chrmn. Conero commented to move the building south. This is something an engineer can change or consider. In addition, since the development is adjacent, and on the same street to a historic site, they will be required to go to the AHRB for review. You will need their approval, Planning and then the Village Board.

Chrmn. Conero shared that the Deputy Clerk shared the submission dates, to be aware of those dates.

Taylor Palmer asked if he had any questions could he call?

Chrmn Conero shared, feel free to call Attny. Midler.

Taylor Palmer thanked the board.

RE: MINUTES

A MOTION was made to APPROVE THE MINUTES OF FEBRUARY 23, 2022 By Mbr. Romano, seconded by Mbr. Steed and carried 4 Ayes 0 Nays.

A MOTION was made to APPROVE THE MINUTES OF MARCH 23, 2022 By Mbr. Meyer, seconded by Mbr. Steed and carried 4 Ayes 0 Nays.

RE: ADJOURNMENT:

A MOTION was made to ADJOURN THE MEETING AT 8:40pm by Mbr. Steed, seconded by Mbr. Romano and carried 4 Ayes 0 Nays.

Deborah Delgado, Clerk