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VILLAGE OF WASHINGTONVILLE PLANNING BOARD MEETING

3

4

April 25, 2023 at 7:00 p.m.

5

Village of Washingtonville

6

9 Fairlawn Drive

Washingtonville, New York

7

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9

BOARD MEMBERS

BOB BUCHALSKI, Chairman

PRESENT:

TOM GILDEA

10

JOANNE WILEY

JACQUELINE DAVIS-NORRIS

11

ABSENT:

CHERINE CUESTA

12

13

14

ALSO PRESENT:

STEPHEN HONAN, ESQ.,

Planning Board Attorney

15

JOHN PETROCCIONE, P.E.,

Planning Board Engineer

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REPORTED BY:

Michelle L. Conero

Court Reporter

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1 4 / 2 5 / 2 0 2 3 P L A N N I N G B O A R D M E E T I N G

2 CHAIRMAN BUCHALSKI: All rise,
3 please.

4 (Pledge of Allegiance.)

5 CHAIRMAN BUCHALSKI: Good
6 evening, everyone. Thank you very
7 much for coming out this evening.
8 We're going to call this to order and
9 get started.

10 *****

11 CHAIRMAN BUCHALSKI: Announcement
12 this evening. Tonight there's a
13 public hearing of the Village of
14 Washingtonville Planning Board.
15 Public comments must be specific to
16 the 61 East Main Street project or
17 the Casazza project. Comments are
18 requested to be limited to three
19 minutes per person. The Chairperson
20 reserves the right to allow extended
21 time and/or additional comment as
22 time and schedule permit.

23 Public comments submitted in
24 written form were distributed to all
25 Village Planning Board Members for

1 4 / 2 5 / 2 0 2 3 P L A N N I N G B O A R D M E E T I N G

2 review and consideration.

3 We did receive a note from Mr.
4 William F. Hurley, thank you very
5 much, and it has been distributed.

6 If there's anyone who would like
7 to public speak, I don't know that we
8 have a list out just yet, we have a
9 new court stenographer, but we'll
10 circulate a list or a piece of paper
11 so you can put your name on it to
12 public speak.

13 *****

14 CHAIRMAN BUCHALSKI: The next
15 Village Planning Board meeting is
16 scheduled for Tuesday, May 9, 2023 at
17 7 p.m. in the Village Hall, unless
18 otherwise noticed.

19 *****

20 CHAIRMAN BUCHALSKI: Line item 4
21 we cannot do this evening because we
22 only had three Members at the 28 March
23 2023 meeting, and one of those members
24 is absent this evening. That will
25 have to wait until the next meeting.

1 4 / 2 5 / 2 0 2 3 P L A N N I N G B O A R D M E E T I N G

2 *****

3 CHAIRMAN BUCHALSKI: Line item 5,
4 I need a motion to accept adjournment
5 orders of 4/11 for 61 East Main Street
6 and the Casazza public hearing to be
7 held on 4/25 at 7 p.m.

8 MS. WILEY: I'll make the motion.

9 MR. GILDEA: I'll second.

10 MS. DAVIS-NORRIS: Aye.

11 CHAIRMAN BUCHALSKI: Aye.

12 MS. WILEY: Aye.

13 MR. GILDEA: Aye.

14 CHAIRMAN BUCHALSKI: Four ayes.

15 The motion carried.

16 *****

17 CHAIRMAN BUCHALSKI: Okay. 6,
18 public hearing. We need a motion to
19 open the public hearing for James
20 Casazza, subdivision/lot line change,
21 section block and lot 118-1-1,
22 118-1-3, 121-1-1.1.

23 A motion, please.

24 MR. GILDEA: I'll make the motion.

25 CHAIRMAN BUCHALSKI: A second?

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 MS. WILEY: Second.

3 MS. DAVIS-NORRIS: Aye.

4 CHAIRMAN BUCHALSKI: Aye.

5 MS. WILEY: Aye.

6 MR. GILDEA: Aye.

7 CHAIRMAN BUCHALSKI: Four ayes.

8 The motion is carried.

9 Okay. Do we have anyone who
10 wishes to speak on the Casazza lot
11 line change?

12 MR. PETROCCIONE: Should we
13 bring the applicant up here?

14 CHAIRMAN BUCHALSKI: Mr.
15 Casazza, please.

16 MR. CASAZZA: I'm right here.

17 CHAIRMAN BUCHALSKI: Thank you.

18 MR. CASAZZA: I just didn't
19 want to be limited to three minutes.

20 MR. PETROCCIONE: Maybe to
21 start, just a brief presentation of
22 what he's doing.

23 CHAIRMAN BUCHALSKI: Okay. Mr.
24 Casazza.

25 MR. CASAZZA: Okay. What I'm

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 proposing is a lot line change
3 between two parcels which are owned
4 by myself and other family members.

5 What we're doing basically is
6 expanding a lot which is currently
7 1.55 acres. We're adopting some area
8 from the two adjacent parcels so that
9 the final lot will be 3.43 acres,
10 approximately doubling in size. The
11 reason for that is the 1.55-acre
12 parcel currently has a residence on
13 it. It's occupied by my brother-
14 in-law. We have an adjacent parcel
15 on which there's a garage which is
16 used as an adjunct of the house, and
17 there's also a storage building where
18 we keep lawn mowing equipment and
19 also some of the farm equipment that
20 we have for the parcel. So by making
21 the entire parcel larger, we incorporate
22 those two buildings into the parcel.
23 Other than that, there's no
24 other change.

25 We are cutting off the end of

1 C A S A Z Z A S U B D I V I S I O N / L O T L I N E C H A N G E

2 one lot. That would be lot 118-1-3.
3 That's going to be merged into the
4 121-1.1 lot so that we don't have any
5 issue about an isolated non-road
6 frontage parcel. So that's what's
7 being proposed.

8 The new lot lines are all in
9 compliance with the exception of one
10 of the existing lot lines which we're
11 adopting as part of our new parcel,
12 and there was a setback issue there.
13 I have gone to the ZBA, presented the
14 information to the ZBA. They could
15 not take formal action because you
16 haven't acted yet as a Planning
17 Board, but they did take a straw
18 poll in which they indicated they
19 would grant the variance. Once this
20 Board acts and issues a negative dec,
21 gets the feedback from Orange County
22 and adopts the plan here, it can be
23 subject to final approval by the ZBA.

24 Any questions, Board Members?

25 MS. DAVIS-NORRIS: I have none.

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 MR. GILDEA: No.

3 CHAIRMAN BUCHALSKI: I have no
4 questions.

5 Does anyone in the public wish
6 to speak on Mr. Casazza's lot line
7 application?

8 We have nothing from the public
9 -- oh, we have one in the back. Go
10 ahead. State your name and address,
11 please.

12 MS. ZARRA: Do I have to come
13 up and speak or can I speak from here?

14 CHAIRMAN BUCHALSKI: You can
15 speak from there. Just make sure we
16 can hear you.

17 MS. ZARRA: Can you hear me okay?

18 CHAIRMAN BUCHALSKI: Yes, we can.

19 MS. ZARRA: My name is Joely
20 Zarra and I live at 71 West Main
21 Street and I have a question.

22 I think I'm okay with math, but
23 I'm adding these and I don't -- it
24 doesn't add up, so I just want a
25 clarification. It says that -- at

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 least this is what was written for
3 the public meeting tonight. It says
4 that you're going to enlarge an
5 existing 1.55-acre lot to be a total
6 of 3.43 acres. That's almost a full
7 2 acres, right, if my math is right?
8 1.55 to 3.43 is almost 2 acres.
9 Right?

10 CHAIRMAN BUCHALSKI: Just under
11 2. Yes.

12 MS. ZARRA: Thank you. But
13 then it says that he's going to be
14 moving -- reducing 1.7 to 1.04.
15 That's less than an acre. 1.7 to
16 1.04. So if you carry the 0, it
17 would be 70 minus 4 is .66. Right?

18 MR. CASAZZA: I can answer that.

19 MS. ZARRA: Hold on. It's the
20 other one, too. It's just like that.
21 The next one goes from 88.6 to 88.4.
22 Again, .2 of an acre. It doesn't
23 equal almost 2 acres. I don't
24 understand.

25 MR. CASAZZA: What we're doing

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 is we're taking .62 acres from lot
3 118-1-3 and we're taking 1.26 acres
4 from lot 121-1-1.1. That adds up to
5 1.8 acres, which is what we're
6 adding. The reason why the balances
7 don't add up is because the 118-1-3
8 lot is disappearing. So what was
9 left of that, 1.04 acres, is being
10 added to 121-1.1.

11 That's why her calculations
12 weren't adding. She did not realize
13 that we're adding what's left of the
14 1.04 acres left in 118 to 121.

15 CHAIRMAN BUCHALSKI: Acknowledged.
16 Engineering, your comments?

17 MR. PETROCCIONE: I agree.

18 CHAIRMAN BUCHALSKI: Okay.

19 MS. ZARRA: Okay. I still
20 don't understand it. I have to go
21 back to first grade math.

22 MR. PETROCCIONE: There are
23 three tax lots and at the end of the
24 project there will be two tax lots.
25 So they're transferring land from a

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 third smaller parcel into each of the
3 two larger parcels. That's what
4 you're not seeing in that reduction,
5 because --

6 MS. ZARRA: I only see 118.1-4
7 getting a little bigger. I guess
8 you're saying that 118-1-3 is going
9 to disappear?

10 MR. PETROCCIONE: Correct.

11 CHAIRMAN BUCHALSKI: That is correct.

12 MS. ZARRA: It says 1.7 to 1.04. That
13 only goes --

14 MR. PETROCCIONE: No. It says 1.7
15 with .62 acres being transferred to
16 parcel B and 1.04 acres being
17 transferred to parcel C.

18 MS. ZARRA: Okay. Parcel C is
19 121-2-1.1?

20 MR. PETROCCIONE: Correct.

21 MS. ZARRA: So how does it go
22 from 88.6 to 88.4 if you're
23 transferring over an acre?

24 MR. PETROCCIONE: 88.6, they're
25 taking out 1.26, but then they're

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 adding from that third parcel 1.04,
3 so the net change is .22.

4 MS. ZARRA: Okay. I don't see
5 anything with 1.26, but I guess it's
6 in there. I just see --

7 MR. PETROCCIONE: Parcel A is
8 shown on the map as 1.26 acres.

9 MS. ZARRA: So where does the
10 1.26 come from?

11 MR. PETROCCIONE: 1.26 --

12 MR. CASAZZA: If you come up
13 here and look at the map, it would be
14 much easier to see.

15 MS. ZARRA: Okay.

16 MR. CASAZZA: Here's the
17 original 1.55 acres. We're taking
18 .62 acres and adding it over here.
19 See the .62?

20 MS. ZARRA: Yeah, but where is
21 it coming from on here?

22 MR. CASAZZA: It's coming out
23 of this piece here --

24 MS. ZARRA: Oh, I see. Okay.

25 MR. CASAZZA: -- which is 1.7

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 beginning. It subtracts .62, leaving
3 1.04, but that 1.04 gets added into
4 this parcel here --

5 MS. ZARRA: Got you.

6 MR. CASAZZA: -- parcel C.

7 MS. ZARRA: Okay. Because this
8 is missing on our paperwork, the
9 middle piece. That's why I didn't
10 understand. All right. Thank you.

11 CHAIRMAN BUCHALSKI: Thank you.

12 Is there anyone else with any
13 questions from the public?

14 MR. GRAZIANO: I have a question.

15 CHAIRMAN BUCHALSKI: Go ahead.

16 MR. GRAZIANO: Mike Graziano.

17 Just a quick question. As far
18 as moving acres, parcels and stuff,
19 combining them, like what's the
20 purpose of all this stuff? Is there
21 any answers as far as what's being
22 developed there? It's changing. Is
23 it going to change anything as far as
24 zoning or anything like that?

25 CHAIRMAN BUCHALSKI: No zoning

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 or use or anything like that. There's no
3 construction. There's no excavation.
4 Mr. Casazza did state the reason when
5 he opened.

6 Would you care to restate it?

7 MR. CASAZZA: Sure. We're just
8 taking two buildings that are
9 currently on different parcels and
10 adding them to the house parcel
11 because they are used as supplements
12 to the house.

13 MR. GRAZIANO: For lawn equipment?

14 MR. CASAZZA: There's no zoning
15 change being requested. No
16 construction being done. Nothing.
17 It's just a matter of changing a line
18 on a map.

19 MR. GRAZIANO: Will that -- I
20 mean, is it being planned on being
21 sold, that parcel? Is there a bigger
22 plan than just combining these? Why
23 would he go through all this? Why
24 would he want to combine --

25 MR. PETROCCIONE: There are no

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 plans that have been submitted to the
3 Village for any development or change
4 of ownership or anything further than
5 what you're hearing about tonight.
6 If there were something proposed in
7 the future, they would have to
8 reapply to the Village for a new --

9 MR. GRAZIANO: I understand that.

10 MR. PETROCCIONE: -- permit or
11 application to do whatever it is they
12 intend.

13 MR. GRAZIANO: All right. Thank you.

14 CHAIRMAN BUCHALSKI: Thank you.

15 Any other questions from the public?

16 MS. RIVERA: I have a question.

17 CHAIRMAN BUCHALSKI: Please stand and
18 state your name and address, please.

19 MS. RIVERA: Diane Rivera, 24
20 Woodcock Mountain Road.

21 My question is, and I don't
22 know if this is the right question,
23 but with merging the parcels
24 together, does that change anything
25 as far as it being residential versus

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 -- what is it classified --

3 CHAIRMAN BUCHALSKI: No.

4 There's no zoning, no use change.

5 Nothing. Nothing changes. All it
6 does is change the size of the parcel
7 on the map.

8 MS. RIVERA: So what is it
9 classified as now?

10 MR. CASAZZA: Part of it is a
11 BG Zone, part of it is an RA Zone.

12 CHAIRMAN BUCHALSKI: So part of
13 it is BG, part of it is RA. The
14 zoning lines are not being changed or
15 being requested to change.

16 MS. RIVERA: Thank you.

17 CHAIRMAN BUCHALSKI: Thank you.
18 Anyone else?

19 (No response.)

20 CHAIRMAN BUCHALSKI: Okay.

21 Legal. Mr. Honan, welcome to your
22 first meeting with the Board. Do you
23 have --

24 MR. HONAN: Thank you, Mr.
25 Chairman.

1 C A S A Z Z A S U B D I V I S I O N / L O T L I N E C H A N G E

2 CHAIRMAN BUCHALSKI: Do you
3 have anything for Mr. Casazza?

4 MR. HONAN: I'm sorry?

5 CHAIRMAN BUCHALSKI: Do you
6 have anything for Mr. Casazza?

7 MR. HONAN: No, I don't. I
8 think it's pretty clear. The
9 application is for a lot line change
10 or re-subdivision or something else?

11 MR. CASAZZA: Just a lot line
12 change.

13 MR. HONAN: Essentially you're
14 going to be consolidating?

15 MR. CASAZZA: Yes.

16 MR. HONAN: Eliminating one of
17 the tax lots?

18 MR. CASAZZA: One tax lot will
19 be eliminated. What I had done
20 earlier for the Board, because it's a
21 confusing map because there's so many
22 different lot lines and slope
23 easements and so on -- basically what
24 we're doing is we're taking this
25 green lot, which is the current 1.55,

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 we're adding this to it, and so the
3 final size will be 3.44. We'll be
4 removing a lot of the superfluous
5 lines there.

6 MR. HONAN: Where is the second
7 lot?

8 MR. CASAZZA: It's over here.
9 You don't see it on this map. This
10 is it here. It actually runs --

11 MR. PETROCCIONE: He's showing
12 you the limits up to this red line.

13 CHAIRMAN BUCHALSKI: Anything
14 further?

15 MR. HONAN: No.

16 CHAIRMAN BUCHALSKI: Last call
17 for the public. Anything? Anyone?

18 (No response.)

19 CHAIRMAN BUCHALSKI: Okay. I
20 didn't see any hands.

21 MS. ZARRA: I have one other
22 question. So is this -- so with the
23 bigger -- it was 1. something --
24 1.55. Now it's going to be 3 acres,
25 correct, one of the new parcels?

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 CHAIRMAN BUCHALSKI: Approximately.

3 MS. ZARRA: So in the future, if
4 that's a standalone piece of acreage,
5 what's the stipulation on that going
6 to be compared to what it was at 1.55
7 acres? A much bigger house can be
8 built on it, or can it be subdivided
9 eventually again, because now you've
10 got maybe an acre and-a-half for
11 each? How does that acreage, you
12 know, go in the future from 1. --

13 CHAIRMAN BUCHALSKI: John, do
14 you want to do this one?

15 MR. PETROCCIONE: I mean, it
16 would be large enough that it would
17 meet the zoning requirements to be
18 able to subdivide it in the future.
19 That's a possibility. The applicant
20 is asking to make the lot bigger to
21 have it as part of the house lot, so
22 he's not really --

23 MS. ZARRA: Right. I understand
24 moving the line itself with things, I
25 guess, close -- built on it or close

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 to it. It also just leaves that
3 open-ended that you can subdivide it
4 again and put another home or
5 something in the future.

6 MR. PETROCCIONE: Yes, that's
7 possible. I mean, if he left it as
8 part of the larger parcel, it would
9 really be the same thing. He would
10 just carve one extra lot out of the
11 larger parcel, if that was the
12 intention.

13 MS. ZARRA: Well, you can't --
14 I don't think you can really cut out
15 one and-a-half acres, can you, in
16 today's zoning? That's just a
17 hypothetical.

18 MR. PETROCCIONE: The minimum
19 without variances is 40,000 square
20 feet.

21 MS. ZARRA: Okay. That is -- I
22 don't think -- I think I'm 42,000, or
23 something like that. Okay. So it
24 doesn't really --

25 MR. PETROCCIONE: There's no

1 C A S A Z Z A S U B D I V I S I O N / L O T L I N E C H A N G E

2 proposal in front of the Board that
3 we're evaluating to do anything.

4 MS. ZARRA: I know.

5 MR. PETROCCIONE: All he's
6 doing is moving property lines.

7 MS. ZARRA: I understand --

8 MR. PETROCCIONE: There's no
9 physical change.

10 MS. ZARRA: -- but I just
11 wanted to, you know, ask that
12 question. Thank you so much.

13 CHAIRMAN BUCHALSKI: Thank you.

14 Okay. I'm not hearing any or
15 seeing any other hands. I need a
16 motion to close the public hearing,
17 please.

18 MS. WILEY: I'll make a motion
19 to close.

20 MR. GILDEA: Second.

21 MS. DAVIS-NORRIS: Aye.

22 CHAIRMAN BUCHALSKI: Aye.

23 MS. WILEY: Aye.

24 MR. GILDEA: Aye.

25 CHAIRMAN BUCHALSKI: Four ayes.

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 The motion carries. The public
3 hearing is closed. Thank you.

4 At this point we need to make a
5 SEQRA determination for Mr. Casazza.
6 With all the information we have, the
7 SEQRA form filled out, everything
8 that we've heard, you're in favor of
9 a negative or a positive declaration?

10 MS. DAVIS-NORRIS: Negative.

11 MR. GILDEA: Negative.

12 MS. WILEY: Negative.

13 CHAIRMAN BUCHALSKI: Negative.

14 I need a motion to declare a
15 negative declaration for SEQRA for
16 the Casazza lot line project.

17 MS. WILEY: I'll make the motion.

18 CHAIRMAN BUCHALSKI: A second?

19 MS. DAVIS-NORRIS: I'll second it.

20 CHAIRMAN BUCHALSKI: A vote.

21 MS. DAVIS-NORRIS: Aye.

22 CHAIRMAN BUCHALSKI: Aye.

23 MS. WILEY: Aye.

24 MR. GILDEA: Aye.

25 CHAIRMAN BUCHALSKI: The motion

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 carries for a negative declaration
3 for the Casazza lot line project.

4 I think at this point I'm
5 supposed to ask Mr. Honan to write up
6 a negative declaration for Mr. Casazza.

7 MR. HONAN: Very good.

8 CHAIRMAN BUCHALSKI: Thank you.

9 MR. CASAZZA: Are you able to
10 act at tonight's meeting or do we act
11 at the next meeting, because I will
12 have to go back to the ZBA for a
13 final vote?

14 CHAIRMAN BUCHALSKI: I need
15 legal counsel on this one.

16 MR. HONAN: I'm sorry?

17 CHAIRMAN BUCHALSKI: Can we
18 refer Mr. Casazza back to the ZBA
19 right now or do we have to wait for
20 the SEQRA declaration to be written
21 and signed?

22 MR. HONAN: You can make the
23 referral now. He's not going to go
24 tomorrow. It will be in the pipeline.
25 Generally once a matter is before the

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 Planning Board, we refer it to the
3 Zoning Board and it will be dual
4 tracked. He can actually be
5 appearing before the Zoning Board,
6 they just can't act. They can do the
7 hearings, they can consult and they
8 can review the plans, but they can't
9 act.

10 CHAIRMAN BUCHALSKI: He's been
11 to the ZBA.

12 MR. CASAZZA: I've been to the
13 ZBA, presented everything. They had
14 no further questions, but they cannot
15 act until the Planning Board acts.
16 That's what I was told by the --

17 MR. HONAN: Just with respect
18 to SEQRA. Correct.

19 MR. CASAZZA: Right. So now
20 that we have a negative dec, I can go
21 back to the ZBA, they can take a
22 final vote, and then the Planning
23 Board can act based on the variance
24 that's granted. They can issue an
25 approval or a denial, whatever is

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 their pleasure.

3 CHAIRMAN BUCHALSKI: Does he
4 need to wait for the piece of paper
5 to be signed for the negative dec
6 before he goes to the ZBA?

7 MR. HONAN: You're splitting
8 hairs, really. You can give him the
9 referral now. By the time he gets
10 there, he will have the written
11 negative dec. If for any reason they
12 don't have it, the ZBA clerk can call
13 us and say please forward it to us.

14 CHAIRMAN BUCHALSKI: Do I need
15 to do a motion for the referral to
16 the ZBA?

17 MR. HONAN: I think he was
18 already referred by this Board.
19 Basically he'll be going back. He's
20 before the Board already. He'll be
21 returning.

22 MR. CASAZZA: Thank you very
23 much. After I speak to the ZBA, I'll
24 get back in touch and advise you of
25 what's going on. Thank you for your

1 CASAZZA SUBDIVISION/LOT LINE CHANGE

2 time.

3 CHAIRMAN BUCHALSKI: Thank you.

4 MR. HONAN: Just for my own
5 edification, was there a full EAF
6 submitted on this or just a short
7 EAF?

8 MR. CASAZZA: Short form.

9 CHAIRMAN BUCHALSKI: Short form.

10 MR. HONAN: We determined this
11 was an Unlisted action, I take it?

12 CHAIRMAN BUCHALSKI: Correct.

13 MR. HONAN: Very good.

14 CHAIRMAN BUCHALSKI: Again, there
15 was no construction or excavation.

16 *****

17 CHAIRMAN BUCHALSKI: Line item
18 7, public hearing, applicant - 61
19 East Main Street, LLC, site plan and
20 subdivision/lot line change, 61 East
21 Main Street, section, block and lot
22 114-1-3.22 and 113-2-31.

23 Good evening.

24 MR. MORGANTE: For the record,
25 my name is Michael Morgante, I'm the

1 61 EAST MAIN STREET ASSOC., LLC

2 engineer for this application that's
3 before the Planning Board.

4 Last we were here, one of the
5 outstanding items for us to do a
6 little research or homework on was
7 the water and sewer usage in the
8 Village of Washingtonville. We went
9 on the New York State DEC website
10 which contains the SPDES permit,
11 which is the actual permit that's
12 issued by the State for discharge
13 limits associated with the Village
14 wastewater treatment plant, and what
15 we found was that the permitted
16 monthly average for sewage is 850,000
17 gallons per day. That's what they
18 permitted. That's what they can
19 handle. They're currently receiving
20 an average monthly flow of about
21 521,000 gallons per day. There's an
22 abundance of capacity there on the
23 order of about 329,000, it looks
24 like, gallons per day. This project
25 will be contributing about 6,060

1 61 EAST MAIN STREET ASSOC., LLC

2 gallons per day, if I remember
3 correctly from the site plan.

4 We also took a look at what the
5 water usage rates were in the
6 Village. It turns out that the
7 permitted average day water
8 withdrawal is about 500,000 gallons
9 per day with a maximum day withdrawal
10 of 1,200,000 gallons per day. Again,
11 we're only 6,060 gallons per day,
12 which actually represents about 1.2
13 percent of 500,000 gallons per day.
14 There is adequate -- there's an
15 abundance of capacity for both water
16 and sewer within the Village as it
17 relates to this proposed project.

18 So that was, according to my
19 records, I think one of the last
20 items we needed to address with this
21 Board. I don't believe there is
22 anything else outstanding.

23 If there's any additional
24 questions or concerns from the Board
25 or public, we would certainly be glad

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2 to review that and answer that the
3 best we can tonight.

4 CHAIRMAN BUCHALSKI: Thank you.

5 John, do you have anything to
6 say on the water and sewer numbers?

7 MR. PETROCCIONE: I did receive
8 the same numbers that Mike has. We
9 reviewed with the Water Department
10 and the Sewer Department, and they've
11 confirmed that the numbers they
12 provided are accurate.

13 CHAIRMAN BUCHALSKI: Okay. I
14 have to throw a question in there.
15 We get water restricted every summer.
16 What is that water restriction based on?

17 MR. PETROCCIONE: Between the
18 DEC and the Health Department, there
19 are requirements that the Village
20 maintain a large reserve of water.
21 You're not allowed to use a hundred
22 percent of what you have available.
23 Once you hit that reserve, the
24 restrictions kick in. It doesn't
25 necessarily mean you're out of water.

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2 It means you're at a level where
3 they've determined you should be
4 concerned.

5 CHAIRMAN BUCHALSKI: Thank you.

6 Legal, do you have anything for
7 Mr. Morgante right now?

8 MR. HONAN: I do not.

9 CHAIRMAN BUCHALSKI: Thank you.

10 At this time we need a motion
11 to open the public hearing for public
12 comment.

13 MR. GILDEA: Motion to open for
14 public comment.

15 MS. DAVIS-NORRIS: I'll second.
16 Aye.

17 CHAIRMAN BUCHALSKI: Aye.

18 MS. WILEY: Aye.

19 MR. GILDEA: Aye.

20 CHAIRMAN BUCHALSKI: The motion
21 is carried to open the public hearing
22 for 61 East Main.

23 From the public, anybody?

24 MS. WIGGINS: My name is Denise
25 Wiggins, I live at 66 Goshen Avenue.

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2 My question is, how does this
3 benefit the Village of Washingtonville?
4 As you drive through the Village into
5 the outskirts, there are numerous
6 houses that are empty, for rent, for
7 sale. People are leaving our Village
8 because we're being priced out. What
9 is the point of putting more dwellings
10 when we don't have people to live here?
11 Dwellings that are not needed. They
12 don't look like anything else in the
13 Village. I just don't see the point
14 of putting this extra burden on the
15 people that are still here, trying to
16 survive, aging out. Families are not
17 moving in. It used to be people from
18 New York City would move up here and
19 commute. They're not doing that
20 anymore. What's the benefit to the
21 Village of Washingtonville to have
22 this situation happening?

23 CHAIRMAN BUCHALSKI: Thank you
24 for your comment.

25 In the back.

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2 MR. HURLEY: Hi. I'm Bill
3 Hurley. You mentioned earlier that
4 you received my letter. I got an
5 e-mail from you.

6 I guess my question is, how do
7 I get responses to my questions?

8 CHAIRMAN BUCHALSKI: Go ahead, Mike.

9 MR. MORGANTE: We have our traffic
10 consultant here tonight. I'd be glad
11 -- Mr. Phil Grealy is here. I'd be
12 glad to let him speak and work
13 towards answering your questions, if
14 you'd like.

15 MR. HURLEY: Fine.

16 CHAIRMAN BUCHALSKI: At this
17 point I need to drop in here with one
18 thing. At a point since I've been
19 Chair, and even before me, the chair
20 before me, we do try and get answers
21 out to the public. There is not a
22 question/answer format that we're
23 actually allowed to do for legal
24 reasons and other things, but when we
25 get questions, and in particular the

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2 ones that are submitted in writing, I
3 try and work them into the questions
4 for the applicant. We do send them
5 to the applicant, so when they show
6 up, hopefully the questions are
7 answered during meetings. This
8 particular project, because traffic
9 and water mitigation was so big on
10 everyone's concern, we actually
11 produced a supplement that was given
12 out to the public in terms of what
13 mitigation processes were going to be
14 used for this project. So those
15 questions are answered with technical
16 data. Again, the questions are not
17 going to be -- the questions are not
18 going to be answered directly in the
19 format that you placed them, but
20 there are answers to a lot of the
21 questions out there.

22 Okay. Let's turn it over to
23 Mr. Grealy. You'll get another
24 chance to speak also.

25 DR. GREALY: Good evening.

1 61 EAST MAIN STREET ASSOC., LLC

2 Philip Grealy, Colliers Engineering &
3 Design. Many of the questions that
4 Mr. Hurley had in his letter, I did
5 get to read his letter today, were
6 previously asked and are in the
7 record, but I'll give a quick
8 synopsis, just to try to get you the
9 latest information that's in the record.

10 So one of the questions was how
11 do we account for background growth
12 in terms of what other traffic would
13 occur in the area. A growth factor
14 is used in that case, and it's looked
15 at based on DOT, New York State DOT,
16 because this is a State highway, a
17 growth factor of 2 percent was used
18 in projecting background. Again, that's
19 based on DOT historical information.

20 There was a second question
21 relative to the size and width of the
22 connection through Route 94 to East
23 Main Street. The driveway is a 26-
24 foot wide driveway, one lane entering,
25 one lane exiting. New York State DOT

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2 criteria in terms of curbing, drainage,
3 sight distances, those have all been
4 provided. We are in the permit
5 process with New York State DOT,
6 actually since last April. We've
7 received numerous comments. The
8 plans have been revised to address
9 those comments, everything dealing
10 from ADA compliant items relative to
11 sidewalks, right-of-ways being located
12 relative to mitigation that they've
13 asked for by this development, including
14 some upgrades to traffic signals at
15 Brotherhood Plaza Drive and at Route
16 208 and Route 94. Those are going to
17 be requirements of the permit from
18 DOT, that the applicant will pay for
19 and install new video detection to
20 improve the efficiency of that
21 operation.

22 And then there's also -- we had
23 looked at the existing crosswalk on
24 Route 94. I think that was one of
25 your other questions. So we have to

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2 bring that up to current ADA compliance
3 with respect to the curb ramps, the
4 sidewalk.

5 We had recommended what is referred
6 to as an RRFB, a rapid rectangular flashing
7 beacon. That is subject to DOT's
8 permitting. We have committed to do that.
9 At this point in time, DOT has indicated
10 that they don't believe it satisfies
11 their warrants, but they would be
12 open to an after-study, and we would
13 bond that improvement, if the Village
14 so required, so that that could be
15 done in the future.

16 Your next item was a definition
17 of what levels of service are, A, B,
18 C, D, E, F. It's just like in school.
19 It's a grading system and it's tied
20 to average vehicle delays. Of course
21 the A is the best. That's where you
22 have very little delays. As those
23 delays increase, those levels of
24 service are assigned. There's more
25 detail in the record. The analysis

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2 procedures that are used are based on
3 New York State DOT criteria for evaluating
4 intersections.

5 There were questions relative to the
6 effect of school buses. This Board had
7 asked, last year actually, for us to
8 provide more information and the breakdown.
9 I think in the highest time -- in traffic
10 studies you look at one-hour periods in
11 terms of analysis. I believe -- I'm
12 going from memory here. I believe the
13 highest time period had nine buses on
14 East Main Street, in the highest fifteen-
15 minute time period, which we do data
16 collection in fifteen-minute periods
17 to identify where the peaks occur.
18 We observed, you know, the cues that
19 occur when the buses are picking up
20 and dropping off. That information
21 was submitted, I believe, May 19th of
22 2022 to the Board. So that's all in
23 the record.

24 There were some questions about the
25 traffic generation for the site. Again,

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2 we have to use standards that DOT
3 requires, they're published by what's
4 called the Institute of Transportation
5 Engineers, and that determines what
6 the trip generation is. For a multi-
7 unit building like this at 28 units,
8 the rates are actually a little lower
9 than what we used in our analysis.
10 We used the higher range of rates,
11 and DOT was okay with that, just to
12 see what the potential impacts would
13 be. During the highest time period,
14 I believe we're generating approximately
15 30 trips in a one-hour period, is the
16 highest time period. The reason is
17 people say, well, people have two
18 cars, and some people have three cars,
19 people are visiting. It's spread out
20 over a several hour period. So this
21 is, you know, based on, as I said,
22 the requirements that we have to
23 provide based on DOT requirements.
24 For any development on any State
25 highway in the State of New York, the

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2 same standards are used.

3 In terms of, I mentioned the
4 improvements. That's a requirement
5 of New York State DOT, to improve the
6 video detection at the existing
7 signals to try to improve the
8 efficiency of the operation, and that
9 will be at the expense of this
10 applicant.

11 In terms of the time periods,
12 we identify peak one-hour periods.
13 That's the time there's the highest
14 total volume on the roadways. We
15 don't just look at that one time
16 period. We look at DOT data that
17 covers all 24 hours of the day in
18 terms of seeing patterns. The
19 specific counts for this project,
20 which, again, are in the town files,
21 we did counts from 6:30 to 9:30 a.m.
22 and, I believe, from 2:30 until 6:00
23 p.m. to capture the mix of traffic.
24 Again, this is all in the record, and
25 those were the points in your letter.

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2 I just got it today. We can submit
3 another letter, what I just read into
4 the record, if you would like.

5 MR. HURLEY: I did submit it
6 here April 4th.

7 DR. GREALY: Understood.
8 Unfortunately, I didn't get a copy
9 until last night. I read it today,
10 so -- and, you know, again, those are
11 good comments. A lot of them were
12 already in the record, and the Board
13 had asked some of the same comments.

14 MR. HURLEY: I read the reports
15 that I believe were available to us --

16 DR. GREALY: Yes.

17 MR. HURLEY: -- and I didn't
18 see where it was studied, our traffic
19 from 6:15 onward. I didn't see that
20 in the reports.

21 DR. GREALY: No, it wasn't
22 6:15. 6:30. Copies of the counts
23 are actually in the files. The
24 actual raw counts.

25 MR. HURLEY: Do you have the

1 61 EAST MAIN STREET ASSOC., LLC

2 date of that, that you studied that?

3 DR. GREALY: Off the top of my
4 head, the initial counts were done in
5 December of '21, okay. The Board
6 asked us to do supplemental counts.
7 Those were done, I'm going to say
8 last May of 2022. We also had
9 historical data from New York State
10 DOT that they collected on their own.
11 But again, the more recent counts
12 were, I believe, May of last year. I
13 can get the exact date in a second.

14 MR. HURLEY: My problem with
15 them is I am out on Route 94, okay.
16 I don't need to be out there until 10
17 of 7 every morning to get to my
18 destination timely. I have to leave
19 at 25 of 7 to get ahead of all the
20 high school traffic that is coming in
21 there. I'm often -- if I do leave
22 that late, I'm often stopped. I
23 can't imagine more cars coming out of
24 61, trying to cross the traffic
25 that's coming this way, because the

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2 majority of our traffic in the
3 morning goes to 208.

4 DR. GREALY: Correct.

5 MR. HURLEY: They're crossing
6 eastbound traffic to get to the
7 westbound traffic, which is going to
8 be a disaster.

9 My other situation is, you talk
10 about formulas, okay. Now, you are
11 saying that in both May and December,
12 those dates, people physically studied the
13 traffic?

14 DR. GREALY: Correct.

15 MR. HURLEY: May I ask who they
16 were -- who they represented?

17 DR. GREALY: My company. Yeah.

18 MR. HURLEY: I would ask that
19 we have a more neutral counting of
20 traffic. I would volunteer to sit
21 there three mornings a week with
22 someone from the Board, someone from
23 your company, et cetera and get a
24 neutral study. All the studies that
25 are done are presented to us by the

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2 applicant.

3 DR. GREALY: One item. The
4 traffic counts also include video
5 data collections so that we have a
6 record of it. That's provided in --
7 the breakdown is from that, okay.

8 MR. HURLEY: Have you shared
9 that with anybody?

10 DR. GREALY: The breakdown and
11 summaries have been submitted to this
12 Board, and it's also been provided to
13 New York State DOT.

14 MR. HURLEY: I'm talking about
15 the video.

16 DR. GREALY: I'm sorry?

17 MR. HURLEY: I'm referring to
18 the video.

19 DR. GREALY: Not to this Board,
20 no.

21 MR. HURLEY: Okay. Can I ask
22 that the Board be given a copy of the
23 video to see for themselves?

24 DR. GREALY: If the Board would
25 like that, we can provide that. Just

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2 for your own edification, the video
3 does show when the school buses are
4 stopping and the cues that occur
5 that you're referring to. So we --

6 MR. HURLEY: Coming home from
7 that daily destination everyday at
8 approximately 8:30 when I am always
9 stopped on 94. I live at 128 Lewis,
10 okay. I'm coming down 94. I'm
11 always stopped for school buses. Two
12 school buses stop along there, and
13 the traffic behind them daily is
14 approximately 50 to 60 cars, backing
15 up well past the Village line every
16 morning that the school is open,
17 okay. I'd like to see where that is
18 accounted for in your studies.

19 The other thing that --

20 MS. GESNER: Let me help you.
21 My name is Patrice Gesner at 7 Puritan
22 Lane --

23 CHAIRMAN BUCHALSKI: Excuse me.
24 Can we let Mr. Hurley finish, please?

25 MS. GESNER: Certainly.

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2 CHAIRMAN BUCHALSKI: Thank you.

3 MR. HURLEY: My other question
4 is, I read the report from Orange
5 County and I read the report from New
6 York State. They're very similar in
7 wording and probably copying from the
8 application or from some information
9 that was given to them. I ask that
10 both of those entities be asked to
11 come to a public hearing, because,
12 one, you talk about the use of
13 formulas. We cannot -- something
14 this important to us cannot fit into
15 a formula. I very much question
16 Orange County, when I look at what's
17 happened down in Palm Tree --

18 CHAIRMAN BUCHALSKI: We have to
19 stay on the subject, please.

20 MR. HURLEY: There are 20 buildings
21 now on the side of a mountain.

22 CHAIRMAN BUCHALSKI: Mr. Hurley, we
23 have to stay on subject right now. We
24 have to stay on 61 --

25 MR. HURLEY: I'm saying --

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2 CHAIRMAN BUCHALSKI: I understand.

3 We have to stay on the subject. We
4 have to stay on 61 East Main.

5 MR. HURLEY: I don't trust their
6 approval of this. I want to ask them
7 questions face to face, okay, because
8 I do not trust either organizations'
9 approval. It looks -- if you read
10 them, they're pat answers.

11 CHAIRMAN BUCHALSKI: Thank you
12 very much for your comments this
13 evening.

14 DR. GREALY: Just one response.
15 In terms of New York State DOT is who
16 we have to get our permit for for our
17 driveway. For this size development,
18 the amount of mitigation that they
19 are requiring of the applicant is in
20 acknowledgement of the conditions
21 along 94 regardless of this project.
22 It's an existing condition. We're not
23 causing that condition, but DOT is
24 requiring us, and it's in writing
25 what they're requiring us to do, to

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2 help the situation. So they have
3 reviewed it in detail. The
4 mitigation that they're asking for is
5 -- I think we provided some rough
6 numbers last meeting -- is very
7 expensive to do this work, and it's a
8 part of our requirement before
9 they'll give us a permit for our
10 driveway or before they'll allow
11 units to be occupied, that work has
12 to be completed.

13 MR. HURLEY: And a flashing
14 light is going to be a deterrent to
15 people living on Route 94. Would you
16 like a flashing light all night long?

17 DR. GREALY: The flashing light
18 has not been approved by New York
19 State DOT. The improvements that
20 they're requiring are for the signal
21 systems and to improve the video
22 detection. The statement that I made
23 about the flashing light, which the
24 flashing light is called a rapid
25 flashing beacon, is only activated

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2 when a pedestrian makes a call. It's
3 not flashing all the time. That's
4 their standard. We had identified
5 that. If the Board so desires, it
6 would be a condition of our approval
7 to study that. At this point in
8 time, New York State DOT is not
9 approving that because they feel that
10 there's not enough pedestrian volume
11 at that location to warrant that.
12 That was in their letters.

13 MR. HURLEY: Once again, I just
14 want it on the record that --

15 CHAIRMAN BUCHALSKI: Mr.
16 Hurley, I've given you a lot of time
17 this evening. I'll say thank you.

18 Mr. Grealy, you're complete?

19 DR. GREALY: I'm done.

20 CHAIRMAN BUCHALSKI: The next
21 person from the public that would
22 like to speak?

23 MS. GESNER: First of all, I
24 apologize for interrupting.

25 Patrice Gesner, 7 Puritan.

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2 CHAIRMAN BUCHALSKI: Thank you.

3 MS. GESNER: Sir, can you
4 answer the question as to whether or
5 not they'll be making a left-hand
6 turn out of that parking lot? Has
7 that been decided?

8 DR. GREALY: Yes. There is no
9 restriction placed on exiting the
10 site. Traffic will be allowed to
11 make a left turn or a right turn from
12 the driveway at this point in time.
13 DOT always reserves the right, at any
14 point in time in the future, to
15 restrict movements to a State
16 highway. They've reviewed it,
17 they've looked at the information,
18 and, just like other locations and
19 other intersections, there are no
20 restricted movements at the driveway.

21 MS. GESNER: I'm going to
22 submit these pictures. I should have
23 sent them to the Board the day after
24 I took them. On March 30th, I'm
25 sitting at the light, right before

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2 Brotherhood Plaza, and I took a
3 video. There's tons of cars behind
4 me, there's tons of cars in front of
5 me. I'm at a green light. The
6 intersection to Brotherhood is
7 blocked. There's probably about six
8 cars on Brotherhood, and that goes
9 all the way into town. I'm going to
10 send the pictures in so it's on
11 record.

12 Second of all, again I'm going
13 to reiterate, 6,000 gallons of water
14 a day is over 2,000,000 gallons of
15 water. 2,200,000 gallons of water. I
16 think there was a deli that caught on
17 fire down the road that had to bring
18 other fire departments in because it
19 didn't have sufficient water for
20 them. What's stopping that from
21 happening here? Our homes are in
22 danger by putting up this building.

23 The only other thing I wanted
24 to make note is, if you haven't been
25 to the property before the beautiful

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2 foliage goes away and before they
3 knock down the trees, take a look at
4 how pretty it is.

5 CHAIRMAN BUCHALSKI: Thank you
6 for your comments this evening.

7 The next person from the public
8 who would like to speak?

9 MR. PALMER: William Palmer --

10 CHAIRMAN BUCHALSKI: Please stand.

11 MR. PALMER: William Palmer, 10
12 Decker Drive, Washingtonville.

13 I always get back to small
14 village law about one of the most
15 important powers and duties granted
16 to the legislature, to the Village
17 government, is the authority and
18 responsibility to undertake the
19 Village comprehensive planning to
20 regulate land use for the purpose of
21 protecting the public, the safe and
22 general welfare of its citizens.

23 This project, we all became
24 really aware of it last summer, most
25 of the people in here. If we'd

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2 become aware of this project a lot
3 earlier, and you could say you posted
4 everything to where you were legally
5 required to post it, there's not one
6 person in this Village, of the 2,000
7 residences that we visited, okay,
8 that wants this project to go through
9 because it's not in the general
10 welfare and interest of the public.
11 It's contrary to that. It's a flood
12 hazard. No matter how high you build
13 it, it's going to divert water. It
14 would have been dead on arrival on my
15 desk if I were the mayor at the time,
16 with no questions asked. You got the
17 property, do something else with it
18 or go build that 28 apartments
19 further into town somewhere. So this
20 might be belated, but it's also
21 belated -- I know a lot of the people
22 that are on the Board. Nobody ever
23 came up to me and told me this was
24 going on. I have my own life. I'm
25 busy with lots of other stuff besides

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2 the local town.

3 If you took a count right now,
4 if you put this up to a vote to the
5 citizens, because it's for the
6 general welfare of all the citizens,
7 I think we should vote on whether we
8 want this project done. That's the
9 way I feel. I want a vote, a
10 referendum on it.

11 CHAIRMAN BUCHALSKI: Thank you
12 for your comments this evening.

13 Would anyone else from the
14 public like to speak?

15 You had your hand up. You can
16 be after.

17 MR. ZARRA: That's okay. I
18 stood up when he was talking. Okay.

19 UNIDENTIFIED SPEAKER: I can
20 wait. Go ahead.

21 MS. ZARRA: Mine are written
22 down. It's okay.

23 CHAIRMAN BUCHALSKI: Someone
24 speak.

25 MS. ZARRA: Joely Zarra, 71 West Main

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2 Street.

3 So listening to the traffic
4 study information that came out, it
5 was like December and May, again that
6 was from 2022 and 2021. We've now
7 had a new little strip mall that's
8 opened on the other side of the light
9 in town that adds at least 10 more
10 minutes to my commute to just pick up
11 my child at Taft Elementary School in
12 the afternoon from latchkey. We're
13 talking after 5:00. Between 5:00,
14 5:15 when I leave my house, it takes
15 me over 15 minutes to get to her.

16 Now, about two weeks ago there
17 was a sports bus going into the high
18 school, or some kind of traveling
19 bus, and it just conked out right in
20 the middle of the road. The police
21 had to come down and divert traffic
22 around into like the parking area.
23 So what happens in any traffic
24 studies when somebody is making a
25 left turn, and they try and hurry up

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2 to make that left turn out of this
3 parking area and traffic is already
4 backed up, there's a red light and
5 people are waiting in line and
6 they're trying to jam themselves in
7 there because they've got three or
8 four people behind them trying to
9 leave for work? Where is the traffic
10 study on that? When there's an
11 accident right there. Or, who knows,
12 maybe two or three cars will be in an
13 accident. Has anybody looked into
14 that, sir? Traffic, sir? Okay.
15 Anyway, so I have a big concern over
16 that.

17 Including, we also had a fire
18 recently right off of 94 on that
19 side, down by the sewer plant.
20 Again, you know, it's more slowing of
21 traffic, okay.

22 Parking. Now, I think the
23 whole Village knows I was sued over
24 my front parking area at my house.
25 Parking is supposed to be behind

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2 buildings. Apartment complexes here
3 in the Village, you don't see the
4 parking. It's tucked away behind the
5 buildings. Why is this going
6 forward, or trying to go forward,
7 when the parking is right there? You
8 see it. I didn't even see any plans
9 where they were putting bushes up or
10 planting more trees or anything like
11 that to even try to hide it or make
12 it pleasant.

13 By the way, mine was like this
14 fictitious business I was running,
15 but this is office/residential. It's
16 not even zoned properly for just
17 residential. But again, in the
18 zoning right now there shouldn't even
19 be parking out in the open. If
20 anybody knows that, it's me, because
21 I just got sued over this, granted it
22 will be dismissed. But still, I
23 mean, if someone is going to pick on
24 me for a little four-car parking area
25 when there's no existing business

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2 even being run, this was all created
3 out of, you know, fake dreaming up
4 stuff. This is a serious parking
5 lot. I think 56 spots. Can somebody
6 confirm that? Right, 56 parking
7 spots out in the middle of the whole
8 complex, is what they're calling it?
9 And it's not even zoned properly.

10 CHAIRMAN BUCHALSKI: Your time
11 is up. Thank you.

12 MS. ZARRA: Excuse me. I have
13 one more thing. Thank you.

14 CHAIRMAN BUCHALSKI: One more.
15 Go ahead.

16 MS. ZARRA: Does the Village
17 have any set things on, you know, any
18 builders or, you know, development
19 people adding to recreation? You
20 know, ever since COVID, there's a lot
21 of expenses out there, and having,
22 you know, one -- I think it was said
23 one to two kids per apartment
24 possibly. The average in America is,
25 what, 2.2 kids. Now you're adding,

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2 you know, over 50 kids. What is this
3 person doing for recreation on their
4 own property? What are they adding
5 to the Village to add more, you know,
6 recreation availability to kids, if
7 that's what they're saying, that
8 they're getting one to two kids per
9 apartment or so? The current mayor
10 had been mayor before, and what I
11 understand is when he was mayor
12 before and developers came in, there
13 was money set aside to add to the
14 parks and such.

15 CHAIRMAN BUCHALSKI: Okay.
16 Thank you very much. We appreciate
17 your comments.

18 Sir, you're next.

19 UNIDENTIFIED SPEAKER: She
20 covered my traffic situation. I
21 don't want to repeat it.

22 CHAIRMAN BUCHALSKI: Thank you.

23 Is there anyone else who would
24 like to speak? Last call for the
25 public.

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2 (No response.)

3 CHAIRMAN BUCHALSKI: Okay. I'd
4 like to thank everyone.

5 I just have one question for
6 Mr. Grealy. Could you explain the
7 difference in the way the traffic
8 lights that we have now work as
9 compared to the traffic lights that
10 are being proposed? And again, as I
11 understand it, do the traffic lights
12 that we have now contribute to help
13 our traffic condition?

14 DR. GREALY: The existing
15 traffic signals, when they were
16 installed, were installed with what
17 are called loop detectors which are
18 placed in the pavement. They
19 sometimes fail, which creates issues.
20 They're not as responsive as video
21 detection, because video detection
22 allows the pickup of vehicles on each
23 approach and can adjust more
24 efficiently to those flows. So
25 there's two reasons why New York

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2 State DOT is asking this applicant,
3 as part of his permit, and he just
4 happens to be the one here at this
5 point in time in front of them,
6 number one, is it helps them with
7 maintenance going forward. If there
8 is an issue with the loop, they don't
9 have to have a crew come out and
10 repair that, number one. Number two,
11 if the signal goes out of sync with
12 the video detection, they're tied in
13 remotely to the DOT. So again, they
14 don't have to have someone come out
15 in the field. They can go on the
16 computer, see what's happening and
17 adjust to it immediately.

18 In this particular case, these
19 are designed to also be expanded to
20 what's called an adaptive -- fully
21 adaptive system, which is used on
22 really main corridors such as Route
23 211 in the Town of Wallkill, in
24 Poughkeepsie on Route 9. This
25 doesn't really qualify for that at

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2 this time, but it's in -- once you
3 have the video detection, it's the
4 piece that would allow that to be
5 added in the future, if the
6 department wanted to.

7 From an efficiency standpoint,
8 it will improve traffic flow. The
9 stopping of buses is still going to
10 occur during those time periods when
11 the buses stop and there's a backup,
12 but it will tweak out a little bit
13 more of the efficiency of the current
14 signal systems in terms of being
15 reactive to individual cycles of the
16 signal.

17 CHAIRMAN BUCHALSKI: Thank you.

18 Any questions from engineering?

19 MR. PETROCCIONE: Nothing new.

20 We do have some previous outstanding
21 technical items.

22 CHAIRMAN BUCHALSKI: Understood.

23 Any questions from you, Mr. Honan?

24 MR. HONAN: Other than a
25 suggestion. I am new to the Board

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2 and new to the review of this
3 particular application. In advance
4 of the meeting, however, I did have a
5 number of conversations with
6 different Village representatives, as
7 well as this Board and Consultants.
8 I did learn that the Village has
9 taken steps to retain a professional
10 planner.

11 I would suggest that we adjourn
12 the public hearing, keep it open
13 until such time, which I think would
14 be by the next meeting the planner
15 would be onboard to review this
16 application in total and give us any
17 feedback that might be necessary for
18 the Board's consideration. That
19 might be nothing, quite frankly. But
20 I think it would be prudent and
21 reasonable to do that, as well as one
22 of the members of the public today
23 indicated that they had additional
24 information by way of videos of the
25 traffic that they'd like to submit to

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2 this Board. So I would urge that the
3 public hearing not be closed, that it
4 be kept open until the next meeting.

5 I just have some questions also
6 for the planner and also for -- I
7 think they also may be bringing in an
8 engineer as well to have some fresh
9 eyes on the project.

10 One of those concerns that I
11 have is, I haven't gone through the
12 entire code, but with respect to the
13 number of units that are being
14 proposed for this piece of property,
15 it's 28 units, as I've heard from the
16 public, but if you do the math, I
17 believe that as of right, under the
18 code right now, about half of that
19 would be permitted. About 14. I
20 think the calculation is actually
21 less than 14. That's based upon that
22 lot, I believe, that's closer to the
23 Moodna Creek and that actually -- I
24 didn't realize until today, actually
25 straddles the creek and goes to the

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2 other side of that river. My
3 understanding was that the
4 calculation for the bulk of this was
5 done on not only that land but also
6 the bed of the stream. Our code in
7 the Village I think is silent on the
8 calculation. Most of the time you
9 have an adjustment of the
10 calculation, the square footage and
11 how much of that bulk you can use
12 towards the residences. There's also
13 a provision of our code, which I just
14 saw just this afternoon, with respect
15 to subdivision developments for
16 residential purposes. Particularly
17 I'd like to talk to a planner about
18 that, particularly Section 150-17
19 Subparagraph E with respect to
20 flooding lands. I believe I heard
21 testimony from the public hearing
22 that there was a problem with, in the
23 past, flooding of this particular
24 area. The Planning Board does
25 reserve the rights to disregard land

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2 and its computation of buildable area
3 that's subject to flooding.

4 So, I mean, I think, just to be
5 prudent, I would like a fresh set of
6 eyes that are coming in to take a
7 look at this, issue a report and then
8 move forward with this application.

9 I thought Dr. Grealy's
10 presentation was excellent today, but
11 I still would like to see and I would
12 urge this Board to continue the
13 public hearing for that purpose.

14 CHAIRMAN BUCHALSKI: The land
15 that floods in the back is basically
16 going to be dedicated as a non-
17 building parcel. It's going to
18 remain green forever.

19 MR. HONAN: Right. I think it
20 actually has to be because there is a
21 river there and there's also a
22 required setback from it.

23 CHAIRMAN BUCHALSKI: That's
24 been known since day one on this
25 project. It's not new.

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2 MR. HONAN: The question is
3 whether the use of it for bulk
4 purposes is an appropriate thing to
5 be doing.

6 CHAIRMAN BUCHALSKI: Orange
7 County --

8 MR. HONAN: I would like a
9 planner to weigh in.

10 CHAIRMAN BUCHALSKI: Orange
11 County Department of Planning was
12 okay with it, or is okay with it, and
13 they recommended that we --

14 MR. HONAN: Right. County
15 Planning does look at it with respect
16 to the County impacts. I'm more
17 concerned about the Village.

18 I'm respectfully just requesting it.
19 It's -- I just think it would be a
20 prudent thing to do.

21 With respect to the long EAF
22 that I looked at today, it was dated
23 August of 2022, so that has been
24 before the Board for about eight months.

25 CHAIRMAN BUCHALSKI: We were

1 61 EAST MAIN STREET ASSOC., LLC

2 ready to decide on this back then.

3 MR. HONAN: Right. That's just
4 my position. I was just respectfully
5 asking that the court -- rather, the
6 Board extend the public hearing and
7 just delay the SEQRA conclusion until
8 we've had the planner weigh in and
9 the new engineer weigh in on these
10 issues.

11 CHAIRMAN BUCHALSKI: John, do
12 you have anything to say?

13 MR. PETROCCIONE: We've been
14 through this many times over the last
15 three years. We have new counsel.
16 He's giving his opinion. Our
17 previous counsel disagreed.

18 CHAIRMAN BUCHALSKI: Understood.
19 Let's have a discussion with
20 the Board. Tom, you had something.
21 I'm sorry. I apologize. Did I miss
22 something?

23 MR. MORGANTE: No. Go ahead.

24 MR. GILDEA: Mike, just a
25 question. Let's assume they started

1 61 EAST MAIN STREET ASSOC., LLC

2 building, okay. How soon are those
3 traffic lights going to be installed?

4 MR. MORGANTE: That would be a
5 better question, actually, for Phil.

6 DR. GREALY: The video detection
7 would be part of the permit
8 requirements, so it would be done
9 concurrent with the -- usually it's
10 tied to the COs. The DOT would issue
11 a permit after SEQRA is complete with
12 the lead agency, and those would be
13 installed, you know -- typically just
14 getting a contractor onboard and
15 putting them in. That would be part
16 of the requirements of the permit of
17 the applicant. So they would have to
18 be in place before any COs could be
19 issued. So before any traffic is
20 generated, the improvement has to be
21 in place.

22 MR. GILDEA: Thank you.

23 MR. ROSBOROUGH: Mr. Chairman,
24 Robert Rosborough, an attorney on
25 behalf of the applicant.

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2 As you well know, this project
3 has been before the Board for eight,
4 nine, ten months now. Public
5 hearings have been open since last
6 fall. Every question that the
7 applicant has been asked has been
8 answered, including the issues about
9 the flooding area, and the Moodna
10 Creek, and the height of the
11 buildings, and all the traffic issues
12 have been, over and over again,
13 answered. It's our position that,
14 you know, the Board is -- it's up to
15 the Board to make the call on whether
16 to close the public hearing. It's
17 time to close the public hearing and
18 move this project forward. The
19 issues with respect to -- that have
20 been raised with respect to the
21 number of units and the other things
22 have been addressed before and will
23 be addressed by the Zoning Board of
24 Appeals as this project review
25 continues. Closing the public

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2 hearing certainly isn't the end of
3 the site plan review, we certainly
4 acknowledge that, but it's time for
5 the public hearing portion of this
6 review to be concluded. We'd ask
7 that the Board do that tonight.

8 CHAIRMAN BUCHALSKI: Thank you.

9 Mr. Honan, I understand your
10 position. Many of the topics that
11 you brought up, we've been through
12 like seven times already. I'm quite
13 confident of where we're at with
14 that.

15 I'm going to have a discussion
16 with the Board. Does any other Board
17 Member have any questions for the
18 applicant?

19 MS. DAVIS-NORRIS: The question
20 I have probably doesn't have anything
21 to do with this. I know we were
22 talking about 61 Main. I remember
23 vaguely somebody saying something
24 about another path to Route 208, 17
25 to avoid that traffic.

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2 CHAIRMAN BUCHALSKI: That's in
3 the comprehensive plan. That's not
4 here.

5 MS. DAVIS-NORRIS: That's not
6 this. Okay. I just wanted to make
7 sure.

8 In terms of what the lawyer was
9 speaking about, I was very concerned
10 that he was just coming onboard and
11 that he didn't get time to review
12 whatever is happening. That's all I
13 have to say.

14 CHAIRMAN BUCHALSKI: Tom?

15 MS. DAVIS-NORRIS: I understand
16 we've been through this many times.

17 CHAIRMAN BUCHALSKI: Tom?

18 MR. GILDEA: No.

19 CHAIRMAN BUCHALSKI: Joanne?

20 MS. WILEY: No.

21 CHAIRMAN BUCHALSKI: All right.
22 The public hearing, open or closed?

23 MS. ROYSTER: I have a question.

24 CHAIRMAN BUCHALSKI: This lady
25 in the front.

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2 MS. ROYSTER: My name is
3 Marilyn Royster. I would just like
4 to say the Planning Board is here
5 working for our Village. We can't
6 just have him close it down on us
7 when people really have to have a say
8 in what's going on in this town.
9 We've seen so many changes in this
10 town. I live on Goshen Avenue. If
11 they start all this traffic down here
12 and back it up where we live -- we
13 can hardly get out of our driveways
14 now. It's pretty unsafe if a lot of
15 traffic is going to build up on 208
16 where there's many senior citizens
17 and sick people on that route.

18 UNIDENTIFIED SPEAKER: Kids
19 walking to school.

20 MS. ROYSTER: Kids walk to
21 school from there, from the Moffat
22 Road area.

23 The Town Board is working for
24 this Village, and I don't think it
25 would be fair if they want us to be

1 61 EAST MAIN STREET ASSOC., LLC

2 shutdown.

3 MR. DROPKIN: Mr. Chairman, my
4 name is Philip Dropkin. I'm with the
5 Frishberg law office.

6 I went back and I looked at the
7 videos for the 1/24 meeting, the 2/4
8 meeting and the 3/28 meeting. The
9 same questions are being asked in
10 each of the meetings, the same
11 questions are being answered in each
12 of the meetings. I don't see how the
13 public is served by yet another round
14 of the same questions with the same
15 answers being given.

16 I would encourage you, respecting
17 new counsel's advice, to close the
18 meeting in as much as we're not
19 asking any new questions. They're
20 the same ones with the same answers.

21 CHAIRMAN BUCHALSKI: We have a
22 question. If we close the public
23 hearing today, my understanding is
24 that this then goes to the ZBA.

25 MR. HONAN: No.

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2 CHAIRMAN BUCHALSKI: Excuse me.

3 After our SEQRA declaration, it would
4 go to the ZBA for a determination,
5 then it would come back to us?

6 MR. HONAN: Correct. It would
7 come back to you.

8 CHAIRMAN BUCHALSKI: Would
9 there be an additional public hearing
10 for the ZBA?

11 MR. HONAN: Most likely. I
12 don't know what the status of the
13 application is before the ZBA,
14 whether they had a dual track and
15 they're just waiting at this point
16 for us to conclude the SEQRA here in
17 the Planning Board as lead agency. I
18 just don't know off the top of my
19 head because I just haven't had the
20 conversation yet with the ZBA.

21 My request to the Board to keep
22 the public hearing open -- I can
23 understand there have been a number
24 of public hearings, and I'm sure
25 there's a great deal of repetition on

1 61 EAST MAIN STREET ASSOC., LLC

2 some of the --

3 CHAIRMAN BUCHALSKI: It's only
4 repetition at this point. Only.
5 Only. I want to stress that point.
6 Only.

7 MR. HONAN: I'm trying to be kind.

8 MR. HURLEY: We're not getting
9 answers to our repetitive questions.

10 MR. HONAN: My request is only
11 with respect because there's going to
12 be a new set of eyes, professional
13 set of eyes on the application. For
14 that limited purpose is why I wanted
15 the public hearing to stay open.
16 It's my concept that a professional
17 planner would look at the
18 application, the status of it, and if
19 there's something that needs to be
20 brought to your attention, it would
21 be done in a memorandum type of
22 submission, which the public would
23 have access to and maybe have comment
24 on. It is speculation. I just don't
25 know how the planner would do it.

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2 That's generally the way it would
3 generally be, in a memo form to the
4 Board. I didn't want to shut off the
5 ability of the public to comment on
6 anything that might be brought up in
7 a professional planner's memo on the
8 application.

9 I think, yes -- would it delay
10 it by 30 days, yes, but I don't think
11 it's an unreasonable delay, and only
12 because of what has happened in the
13 last couple of days and what I've
14 learned is that there's new
15 professionals coming onboard that
16 might be able to assist the Planning
17 Board in making the decision on this.
18 It appears to be a highly emotional
19 application, as I can tell from my
20 attendance here tonight.

21 CHAIRMAN BUCHALSKI: Joanne has
22 something.

23 MS. WILEY: My concern is this:
24 I think people are very, very,
25 rightfully so, looking for full

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2 disclosure, and they're looking for
3 best ways to build their knowledge
4 base, okay. I think that's something
5 we can all understand. We all live
6 here, we want to make sure that this
7 is fully disclosed. You're new and
8 this is a very deep process that's
9 been going on for a long period of
10 time.

11 Are you suggesting that the
12 previous advice that we moved on from
13 the professionals might have been
14 deficient?

15 MR. HONAN: No. I am saying
16 that a new set of eyes by a
17 professional planner, which I don't
18 believe has weighed in on this
19 project. I'm on other boards that I
20 deal with, they're extremely
21 insightful on applications, things
22 that many engineers and attorneys and
23 planning boards don't normally think
24 of. I think it's enlightening.
25 Since the Village has gone to the

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2 expense of actually voting and, I
3 believe, in the process of retaining
4 one, I think we should just make use
5 of that resource and have a one-month
6 delay. If by that time, one month
7 from now, there's nothing new in what
8 the planner is telling us, by all
9 means move this application along.

10 MS. WILEY: I would like to
11 follow that question with you. You
12 are bringing forward what? You're
13 bringing forward a recast of the
14 entire process? What are you
15 suggesting?

16 MR. HONAN: I'm suggesting that
17 the person that is being retained by
18 the Village be given an opportunity
19 to review and report to you on the
20 application, and that since it would
21 most likely be in a written form,
22 that the public have an opportunity
23 to review it. As they can under the
24 Freedom of Information Law, they can
25 review everything and make further

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2 comment.

3 MS. WILEY: Okay. Let me ask
4 you another question, just so we all
5 know what we're all hearing, okay.
6 Is there a standard for challenge
7 that this person would be bringing
8 forward?

9 MR. HONAN: I don't understand
10 the question.

11 MS. WILEY: Well, you're saying
12 that perhaps the previous advice that
13 we received and was disclosed on all
14 sides may have overlooked something,
15 there may have been something that
16 escaped discovery, there may be
17 another approach to it that is still
18 valid. So what's the standard?

19 MR. HONAN: The standard is
20 this Board, as the Planning Board,
21 needs to hear from, you don't have to
22 accept everything, but to hear from
23 the public through public hearings
24 and its consultants so that the
25 decision of the Board, when they do

1 61 EAST MAIN STREET ASSOC., LLC

2 come to a decision, will be properly
3 backed up.

4 MS. WILEY: Okay. Okay.

5 MR. HONAN: I tell you this
6 because my goal is not to advise
7 anyone else but to advise the Board.

8 MS. WILEY: And our goal is to
9 provide information based on
10 professional opinions. I mean, I
11 can't sit here and say I don't like
12 that so I won't do it. I have to
13 listen to the regs that we're handed.
14 We have to set aside personal likes
15 or dislikes. We can -- we must rely
16 on professional standard, opinion,
17 et cetera. I can't make up a traffic
18 study. Right. I can't do that.

19 MR. HONAN: I agree completely
20 with what you're saying.

21 MS. WILEY: So I'm saying this.
22 Are you saying that this will be a
23 timely review? You're recommending a
24 30-day pushback. Are you saying that
25 these comments would be available for

1 61 EAST MAIN STREET ASSOC., LLC

2 us to review and look at, to be
3 responsive for the public also at the
4 next meeting?

5 MR. HONAN: My understanding is
6 that the -- I don't want to tell you
7 what my understanding is. What I've
8 learned secondhand is that the Board
9 of Trustees has indicated that they
10 are going to retain a professional
11 planner to assist the Planning Board,
12 and the Town, I believe, also in the
13 comprehensive plan rewrite as well,
14 and that this Board -- I suggest that
15 it would be a good idea to have a
16 planner look at this so that this
17 Board can be assured that the
18 decision that it ultimately makes in
19 this -- on this application is fully
20 informed, and the rights of the
21 applicant are fully protected, and
22 the rights of the Village residents
23 are fully protected as well. That's
24 the only -- I'm not looking to delay
25 for delay sake, if this is a delay.

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2 I mean, this is my first meeting
3 here, so I don't have the track
4 record that --

5 CHAIRMAN BUCHALSKI: It's a
6 delay, but --

7 MR. HONAN: I'm sorry?

8 CHAIRMAN BUCHALSKI: It's a
9 delay if we do it. I should say it
10 in a different way.

11 MR. HONAN: It is new information.
12 I expect it will be new information,
13 and that's the only reason I'm asking.

14 CHAIRMAN BUCHALSKI: Thank you
15 for your input.

16 I will get to you, sir.

17 I'm sure no matter how many
18 people, planners, whoever we get up
19 here, will have an opinion. People
20 may see things, may see different
21 things, may see other options. We've
22 been living this for a really long
23 time, and the questions from the
24 public are traffic, water, water,
25 traffic, traffic, water, water,

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2 traffic. We've submitted written
3 documents to that effect. We've
4 brought in professionals. There's
5 nothing else going on. There's
6 nothing at all. I'm kind of sold
7 there, but --

8 MR. ROSBOROUGH: If I might
9 clarify just one piece. The closure
10 of the public hearing has no impact
11 on the Board's ability to listen to a
12 planner's review of the project. The
13 Board itself is more than capable of
14 reviewing whatever a planner might
15 have to say during this process and
16 make its own call. What we don't
17 need is another round of the same
18 comments based on the same review.
19 Let's end the public process of this
20 and let the Board make the call based
21 on the consultants that it hires.

22 CHAIRMAN BUCHALSKI: Thank you.

23 I have a question for you. The
24 public hearing, can we close the
25 verbal public hearing this evening

1 61 EAST MAIN STREET ASSOC., LLC

2 and leave it open for written comments
3 for a week or some period of time?

4 MR. HONAN: You can. That's an
5 option, for written comments, and
6 then close it and then -- yes, that
7 is -- without a doubt, that's an
8 option. However long, one week, ten
9 days, that's up to the Board. At
10 that point, after not receiving after
11 a certain date, date certain, it
12 would be deemed closed. Yes.

13 CHAIRMAN BUCHALSKI: Another
14 question. If and when this planner
15 comes onboard, if and when this
16 planner gets familiar enough with the
17 project to go through it, because it
18 is a complex project, and they issue
19 a written report to the Board, we're
20 going to get this back after wherever
21 else it goes or whatever else we do.
22 We'll still have time to act on that
23 and so on?

24 MR. HONAN: Yes, you will. My
25 only issue was that the public

1 61 EAST MAIN STREET ASSOC., LLC

2 comment period would have been
3 closed. That's my only --

4 CHAIRMAN BUCHALSKI: Are we
5 able to reopen the public hearing?

6 MR. HONAN: It's unusual.

7 CHAIRMAN BUCHALSKI: I like
8 unusual. This is an unusual project,
9 and I like unusual.

10 MR. HONAN: I don't think
11 there's any prohibition against it,
12 but I would definitely ask the
13 applicant if that were to come -- if
14 that were to occur, would they have
15 any objection to it now. I'm not
16 sure if they're going to answer that
17 question now, but if the applicant
18 said they have no objection to
19 closing the oral portion of the
20 meeting now, having it open for a
21 week for receipt of the video and any
22 other comments, but with the proviso
23 that once the professional planner
24 weighs in and gives a memo, if in the
25 Board's discretion a further public

1 61 EAST MAIN STREET ASSOC., LLC

2 hearing would be needed, would there
3 be any objection to that.

4 CHAIRMAN BUCHALSKI: Thank you.

5 MS. WILEY: Hi. Am I doing
6 this right or wrong now?

7 CHAIRMAN BUCHALSKI: A little
8 closer and a little louder.

9 MS. WILEY: You keep referencing the
10 planner, the planner and 30 days. Do
11 you mean 30 days that the planner is
12 going to have to look at it or he or
13 she gets in there and within 30 days
14 brings his comments or passes on
15 comments in time for the next
16 scheduled meeting? I mean, if he
17 gets hired on the 29th day of the
18 30-day window, he's going to need 30
19 days to become familiar, and this
20 becomes 60, 90. There may be other
21 tolling items that push it very far
22 out. I know that as a lawyer. So
23 this 30-day window, if the guy or
24 girl was sitting right here, working
25 on it now, I think it's a marvelous

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2 idea. My concern is this: It will
3 be pushback and pushback, and when it
4 has to go back to Zoning, the public
5 has another opportunity to see more
6 information. I mean, this isn't over
7 because we're doing this. It's going
8 to keep progressing. I want to make
9 sure people get more opportunity.

10 MR. HONAN: Right. More
11 opportunity is --

12 MS. WILEY: More opportunity is
13 more opportunity. Move the thing
14 along so they have the opportunity to
15 come to more meetings, sit and talk,
16 and come back here when this thing is
17 moving along, because as long as it's
18 in conjecture, cloud land, they're
19 not going to get resolution.

20 MR. HONAN: And that's why I
21 made the request and suggestion to
22 the Board, because my understanding
23 is it's not conjecture about the
24 planner being hired. The planner is
25 being hired. But you're right, I

1 61 EAST MAIN STREET ASSOC., LLC

2 don't have control, --

3 MS. WILEY: So we don't know
4 when --

5 MR. HONAN: -- the Village
6 Board has the control. My
7 understanding was that there was a
8 resolution to that effect and it was
9 adopted. That means it's -- the
10 search is on right now or someone has
11 been contacted. I don't know. I
12 can't speak for what the Board of
13 Trustees does, I was not at their
14 meeting. I heard that secondhand. I
15 apologize, I really can't tell you.

16 CHAIRMAN BUCHALSKI: Thank you.

17 I just want to make one other
18 note. In order for this project to
19 have continuity, we maintained our
20 existing village engineer so we
21 wouldn't have extra eyes, new eyes,
22 somebody starting anew on this
23 project. I'm very thankful that this
24 Board kept John with us to get
25 through this. For me, it seems

1 61 EAST MAIN STREET ASSOC., LLC

2 counterproductive to try and bring in
3 another set of eyes.

4 MR. HONAN: I have no idea, Mr.
5 Chairman. I talked to John. He was
6 extremely helpful today on the phone.

7 CHAIRMAN BUCHALSKI: I'm just
8 giving you an explanation. A lot of
9 eyes have looked at this and a lot of
10 legal eyes before yours. This
11 project is just going on and on and
12 on. This public hearing has been
13 open since last June. We've had
14 numerous meetings talking about
15 flooding, talking about traffic and
16 mitigation as to what is going to
17 happen. We've gotten the DOT
18 involved. We've gotten the reports
19 back from the police. We've gotten
20 reports back from the fire, from EMS,
21 et cetera. So they've all weighed in
22 on this project at this point. The
23 applicant has literally said yes to
24 Orange County Department of Planning,
25 yes to the police recommendations,

1 61 EAST MAIN STREET ASSOC., LLC

2 yes to the fire recommendations, yes
3 to extra parking that we mandated
4 that was above and beyond. They have
5 said no to nothing. So anybody else
6 who looks at this, what are they
7 actually going to say to these
8 people? We want more what? They
9 haven't said no to anything. I
10 really find it difficult to not make
11 a determination this evening.

12 Now, I'm not the whole Board.
13 We're going to ask the Board what
14 they would like to do.

15 Tom, public hearing open or
16 closed?

17 MR. GILDEA: Closed.

18 CHAIRMAN BUCHALSKI: Joanne?

19 MS. WILEY: Closed.

20 MS. DAVIS-NORRIS: It's
21 difficult. I want to close it. I
22 want to close it, but I do want --

23 CHAIRMAN BUCHALSKI: We're
24 going to get it back.

25 MS. DAVIS-NORRIS: I'm

1 61 EAST MAIN STREET ASSOC., LLC

2 concerned about the Zoning Board of
3 Appeals and what happens.

4 CHAIRMAN BUCHALSKI: That's them.

5 MS. DAVIS-NORRIS: Right. My
6 question is -- I'm not sure about
7 this. I'm kind of new to this. When
8 it goes to the Zoning Board Of
9 Appeals, is there a public -- is
10 there opportunity for the public to
11 voice their concerns with the Zoning
12 Board of Appeals?

13 MR. HONAN: I don't know that,
14 because I don't know where the Zoning
15 Board of Appeals is with respect to
16 the application, if they've already
17 conducted those. They might have
18 already conducted a public hearing
19 and closed it sometime ago and
20 they're waiting for the Planning
21 Board, as lead agency, to make a
22 SEQRA determination, because they
23 can't act until this Board makes
24 their SEQRA determination.

25 MS. DAVIS-NORRIS: Got that.

1 61 EAST MAIN STREET ASSOC., LLC

2 MR. HONAN: So I don't know.

3 Maybe yes or maybe not. I just can't --

4 MR. PETROCCIONE: The Zoning
5 Board normally does have their own
6 public hearing.

7 Have you guys had a public
8 hearing at the Zoning Board yet?

9 MR. MORGANTE: We have not.
10 They were waiting for the
11 determination from this Board as part
12 of the coordinated review. We most
13 likely will have another one at the
14 ZBA at this point.

15 MS. DAVIS-NORRIS: So then I'll
16 say we close.

17 CHAIRMAN BUCHALSKI: I need a
18 motion to close the public hearing
19 this evening.

20 MR. HONAN: Mr. Chairman, would
21 that still be with the proviso of a
22 week from now receipt of the video
23 someone mentioned or just completely
24 closed?

25 CHAIRMAN BUCHALSKI: Excuse me.

1 61 EAST MAIN STREET ASSOC., LLC

2 I'm okay with additional written
3 comments for a week.

4 MR. GILDEA: I'll make a motion
5 that we close the public hearing and
6 allow for written comments and that
7 video for a week.

8 MS. DAVIS-NORRIS: Second.
9 Aye.

10 CHAIRMAN BUCHALSKI: Aye.

11 MS. WILEY: Aye.

12 MR. GILDEA: Aye.

13 CHAIRMAN BUCHALSKI: The motion
14 is carried.

15 At this point we can adjourn or
16 we can discuss the SEQRA process.

17 MR. HONAN: I would suggest
18 that since technically the meeting --
19 the public hearing is still open so
20 we still have that time for the video
21 and for the written comments, that we
22 leave the SEQRA determination until
23 the next meeting, and that way we
24 will then hopefully have our planner
25 on board and commented to everybody

1 61 EAST MAIN STREET ASSOC., LLC

2 timely, so quickly it will make your
3 head spin I think. I don't know.
4 I'm hoping.

5 CHAIRMAN BUCHALSKI: Mr.
6 Grealy, as far as the videos go, how
7 would we gain access to those and
8 make them available to the public?
9 Do they go in a Dropbox?

10 DR. GREALY: Yes, or we can
11 just provide them to the Village and
12 you can put them on the website.
13 Either way.

14 CHAIRMAN BUCHALSKI: If someone
15 could get them to me.

16 DR. GREALY: I'll coordinate.

17 CHAIRMAN BUCHALSKI: Just get
18 them to me and I'll make sure that
19 they get on the Village website with
20 the Village Board.

21 I just need a motion to
22 adjourn.

23 MS. WILEY: Motion to adjourn.

24 MS. DAVIS-NORRIS: Second.

25 CHAIRMAN BUCHALSKI: All in

1 61 EAST MAIN STREET ASSOC., LLC

2 favor?

3 MS. DAVIS-NORRIS: Aye.

4 CHAIRMAN BUCHALSKI: Aye.

5 MS. WILEY: Aye.

6 MR. GILDEA: Aye.

7 CHAIRMAN BUCHALSKI: The motion
8 is carried.

9 Good evening, and thank you.

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11 (Time noted: 8:27 p.m.)

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

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do
hereby certify:

That hereinbefore set forth is a true
record of the proceedings.

I further certify that I am not
related to any of the parties to this
proceeding by blood or by marriage and that
I am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 30th day of April 2023.

Michelle Conero

MICHELLE CONERO