

STATE OF NEW YORK : COUNTY OF ORANGE

VILLAGE OF WASHINGTONVILLE PLANNING BOARD

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In the Matter of

JAMES CASAZZA, ESQ.

(Final Approval for  
Subdivision/Lot Line Change)  
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Date: August 8, 2023  
Time: 7:00 p.m.  
Place: Village of Washingtonville  
9 Fairlawn Drive  
Washingtonville, NY 10992

BOARD MEMBERS: NANCY COMERFORD, Chairperson  
WILLIAM JONES  
CHERINE CUESTA  
EDDIE CEREZO (Not Present)  
JACQUELINE DAVIS-NORRIS  
(Not Present)

ALSO PRESENT: FEERICK, NUGENT & MacCARTHY  
Village Attorneys  
96 South Broadway  
Nyack, New York 10960  
BY: STEPHEN M. HONAN, ESQ.  
E-Mail: fnmlawfirm.com

DONNA JACARUSO, VILLAGE TRUSTEE  
SUSAN WALSKI, DEPUTY MAYOR

APPLICANT'S REPRESENTATIVE: JAMES CASAZZA, ESQ.

REPORTED BY: Patrick DeGiorgio, Court Reporter  
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1 CHAIRPERSON COMERFORD: We will  
2 start with the Pledge of Allegiance.

3 (Pledge of Allegiance)

4 CHAIRPERSON COMERFORD: Thank  
5 you all for coming to our monthly  
6 meeting. One announcement I will  
7 share with my colleagues here is I see  
8 that trustees, Donna and Susan, let us  
9 know that in terms of office staff we  
10 are going to have Megan who is going  
11 to be helping, and thankfully we have  
12 somebody who is a former employee of  
13 ours who works now for the Village of  
14 Chester and she lives in  
15 Washingtonville and she is going to  
16 help train Megan in supporting the  
17 board. So Sandy as I mentioned.

18 MR. HONAN: I did reach out to  
19 Sandy when I saw her and mentioned it  
20 to her.

21 CHAIRPERSON COMERFORD: So Sandy  
22 VanRiper is going to help on a  
23 temporary basis to get some things  
24 organized for the Planning Board and  
25 Zoning Board, ARB and Board of Ethics.

1           Good. I had past experience years ago  
2           with Sandy. She was super organized  
3           and Steve has experience with Sandy so  
4           we are very thankful that not only is  
5           she skilled and will help out, and  
6           that she is a local resident too, so  
7           that's great.

8                     Okay, so the application on the  
9           agenda. Mr. Casazza, you have been  
10          patiently waiting.

11                    MR. CASAZZA: Thank you. Good  
12          evening everybody.

13                    CHAIRPERSON COMERFORD: Yes.  
14          Could you give us just a synopsis of  
15          what the requested change is?

16                    MR. CASAZZA: It's a busy map  
17          because the surveyor did a very  
18          thorough job showing all of the  
19          relevant information, but it also  
20          makes it somewhat confusing. What is  
21          really happening is it's a very simple  
22          lot line change. We have a parcel  
23          that we own. It used to be occupied  
24          by my wife's parents until they passed  
25          away and it is now occupied by her

1 brother at 19 South Street.

2 CHAIRPERSON COMERFORD: Is that  
3 the white house?

4 MR. CASAZZA: It's the white  
5 house up on the hill there. And it  
6 sits now on a 1.55-acre parcel.  
7 However, over the years when my mother  
8 and father-in-law were there we took  
9 what used to be a horse barn and made  
10 it into a garage for the car that they  
11 had so it would be out of the weather.  
12 And then there's another building that  
13 has been developed into a storage  
14 building for the lawn equipment and so  
15 on. Neither of those two buildings  
16 are on the lot where the house is  
17 located. What this lot line does, it  
18 modifies the lot lines so that the  
19 building that now operates as the  
20 garage for the house and the building  
21 that operates where we have our lawn  
22 equipment and some farm equipment  
23 stored are part of that house lot  
24 which would increase in size from 1.5  
25 acres to 3.4 acres. We are borrowing

1           some land from the two adjacent  
2           parcels which we also own. When we  
3           went to the Planning Board they raised  
4           two issues. One was one of the lines  
5           we adopted, we didn't draw this line  
6           new, it was an existing line, but we  
7           adopted it as part of the house lot.  
8           It has a violation in the setback  
9           requirement, so the Planning Board  
10          wanted us to go to the ZBA and seek a  
11          variance. The other issue was because  
12          we are cutting off the end of one of  
13          the adjacent parcels they were afraid  
14          that we were creating a landlocked  
15          parcel. I addressed that by saying  
16          that we are going to merge the  
17          remainder of that parcel into one of  
18          the other two parcels. So that parcel  
19          will disappear completely. Part of it  
20          will become part of the house lot and  
21          the rest of it will become part of the  
22          remaining parcel.

23                 We went to the ZBA on July 6th,  
24                 I believe. The ZBA voted unanimously  
25                 3 nothing to grant the variance. In

1 the meantime the Planning Board has  
2 heard back from Orange County because  
3 they referred it to the county. The  
4 county had no issue of it being  
5 raised. And so the Planning Board now  
6 has declaration of lead agency.

7 CHAIRPERSON COMERFORD: Right.

8 MR. CASAZZA: Input from Orange  
9 County and a variance granted by the  
10 ZBA. So my application is to request  
11 that you approve this lot line change.  
12 Importantly we are not creating any  
13 new lots, we are not creating any  
14 parcels that can be developed.

15 There's one house on it and it will  
16 remain as one house. Any questions?

17 CHAIRPERSON COMERFORD: So it's  
18 19 South Street. And the lot then  
19 that is expanding is which lot, 118-4?

20 MR. CASAZZA: 118-1-4.  
21 Currently 1.55 acres, it will become  
22 3.43 acres.

23 CHAIRPERSON COMERFORD: And 1-3  
24 and 1-1.10 are what?

25 MR. CASAZZA: 118-1-3 is

1 disappearing. Part of it is being  
2 absorbed into the house lot and the  
3 rest is being absorbed into 121-1.1.

4 CHAIRPERSON COMERFORD: Okay.

5 MR. CASAZZA: When I first went  
6 to the Planning Board I made this up  
7 as a reference to make it a little  
8 easier for the board to understand.  
9 Route 208 runs along the bottom here.  
10 The green area is the existing lot of  
11 where the house is located.

12 CHAIRPERSON COMERFORD: Right.

13 MR. CASAZZA: What we are doing  
14 is we are adding this red area to the  
15 green area because this building is  
16 the garage and this building over here  
17 has the lawn equipment and the farm  
18 equipment stored. This was a little  
19 hand sketch to make it a little  
20 easier.

21 CHAIRPERSON COMERFORD: That's  
22 helpful. Thank you.

23 MR. JONES: Can you show me  
24 where the second lot would be?

25 MR. CASAZZA: The second lot?

1 MR. JONES: The 121-1.

2 MR. CASAZZA: 121-1-1 is the  
3 major 84-acre parcel. It runs from  
4 here all the way down behind what used  
5 to be Spear Lumber and runs all the  
6 way down to Woodcock Mountain Road.  
7 This map here, this is Route 208 over  
8 here. The house I'm talking about is  
9 here. This big lot, 121-1-1 runs from  
10 here all the way down to Woodcock  
11 Mountain Road. What we are doing is  
12 we are borrowing a little bit of that.

13 CHAIRPERSON COMERFORD: Not  
14 borrowing.

15 MR. CASAZZA: Right. We are  
16 grabbing it.

17 CHAIRPERSON COMERFORD: Right.  
18 Borrowing tends to infer --  
19 (interrupted)

20 MR. CASAZZA: We are  
21 transferring a portion of that large  
22 88-acre parcel to the 1.5-acre parcel.  
23 This long narrow strip along the side  
24 here is the one that is being  
25 reabsorbed into 121-1-1. There's some



1 history on that. It goes back to the  
2 late '70s. All right?

3 CHAIRPERSON COMERFORD: So it's  
4 going to have, that large lot, has  
5 frontage all the way down?

6 MR. CASAZZA: It has frontage  
7 beyond Spear's. That big hay field  
8 that you see, that's all part of the  
9 large lot and all the way down  
10 Woodcock Mountain Road down to the  
11 bottom of that first hill.

12 CHAIRPERSON COMERFORD: That's  
13 the one that is for sale?

14 MR. CASAZZA: Yes, it is. That  
15 and the other parcel. About 150 acres  
16 total. I'm accepting offers.

17 CHAIRPERSON COMERFORD: Okay.  
18 Any comments?

19 MS. CUESTA: No.

20 CHAIRPERSON COMERFORD: Steve?

21 MR. HONAN: I just have a couple  
22 questions.

23 CHAIRPERSON COMERFORD: Please.

24 MR. HONAN: The map I'm looking  
25 at now, the plat, is entitled Sketch

1 Map of Lot Line Revision Between Lands  
2 of Casazza, etcetera. I don't see the  
3 date and last revised on it. I see a  
4 date of May 2, 2022, but is there a  
5 more revised map?

6 MR. CASAZZA: This one is  
7 revised as of December 13th, 2022.

8 MR. HONAN: Okay, I'm sorry. I  
9 do see that now. There's different  
10 colors that is throwing me.

11 MR. CASAZZA: Yes.

12 MR. HONAN: What I have asked is  
13 that we have a proper map for filing  
14 purposes. My understanding is that  
15 the county clerk will require a plat  
16 and the plat cannot be in multi-colors  
17 I believe. So whatever the  
18 requirements are of the county clerk,  
19 we need that map in that form from the  
20 applicant with the appropriate boxes  
21 for sign off which will have to be the  
22 chairman of the Planning Board.

23 CHAIRPERSON COMERFORD: Right.

24 MR. HONAN: As well as any other  
25 -- I don't know if the Department of

1 Health has to sign off on this or  
2 someone else. I believe all owners  
3 will have to sign as well.

4 MR. CASAZZA: I have an  
5 authorization from all the owners to  
6 allow me to sign on their behalf. I  
7 have copies of that and I can provide  
8 that to you.

9 MR. HONAN: Yes. I saw that  
10 with respect to the application. I  
11 just don't know if that will cover the  
12 plat that has to be filed with the  
13 county clerk.

14 MR. CASAZZA: I can get an  
15 additional one for that as well. I  
16 worked with this surveyor with a lot  
17 line change in the Town of Blooming  
18 Grove. The same question came up as  
19 to the color on the map. She is aware  
20 that her final mylar and paper copies  
21 cannot be in color, they will be in  
22 black. There's a block here already  
23 for the Planning Board endorsement if  
24 and when it's approved, and also I'm  
25 going to request that the surveyor

1 show the date of the ZBA grant of the  
2 variance to wipe out this one issue  
3 here where there was a potential  
4 setback violation. There should be a  
5 note on the map saying ZBA granted  
6 variance, July 6th, 2023.

7 MR. HONAN: Right. That will  
8 entail a further revised map.

9 MR. CASAZZA: Right.

10 MR. HONAN: I want to do a  
11 resolution and I want to make  
12 reference to the most recently revised  
13 map.

14 MR. CASAZZA: Right. When that  
15 map gets prepared it will be sent to  
16 you for your review and the Planning  
17 Board for their review and if  
18 everything is fine on that, then they  
19 can sign off on it and it can then be  
20 delivered to the county for filing.

21 MR. HONAN: Realizing that in  
22 order for me to get the actual  
23 resolution of this board, assuming  
24 that the board approves the resolution  
25 tonight, I have to include in it the

1 most recently revised plat which I  
2 will wait for Mr. Casazza's surveyor  
3 or his office.

4 MR. CASAZZA: I will contact the  
5 surveyor by e-mail tonight. And I'm  
6 sure she can prepare the map. I will  
7 tell her that the ZBA granted the  
8 variance on July 6th.

9 CHAIRPERSON COMERFORD: Right.  
10 Let's have a motion first. Oh, the  
11 ZBA granted that?

12 MR. CASAZZA: Yeah, the ZBA  
13 granted that and that's what has to go  
14 on the map.

15 CHAIRPERSON COMERFORD: Right.

16 MR. CASAZZA: And I will have  
17 her send a copy directly to your  
18 attorney.

19 MR. HONAN: By pdf will be fine.

20 MR. CASAZZA: Right, that's what  
21 she will do.

22 MR. HONAN: And also for this  
23 board, I will also need to remind the  
24 board that there is a moratorium in  
25 effect with respect to -- that was

1 issued by the Board of Trustees. I  
2 believe it's Local Law Number 2 of  
3 2023 with respect to a six-month  
4 moratorium prohibiting the review and  
5 approval of certain land development  
6 applications in the Village of  
7 Washingtonville. However, my review  
8 of the language of that moratorium as  
9 enacted indicates to me that this is  
10 outside of that moratorium and that is  
11 based upon my review of the particular  
12 language that the Village Zoning Board  
13 of Appeals and the other boards shall  
14 not accept any application or grant  
15 any approval for a variance or other  
16 permit that would have as a result the  
17 permitting, construction and  
18 development of any use in any village  
19 district -- any district within the  
20 village. This application is merely a  
21 lot line change which I think under  
22 our code may be considered a  
23 subdivision, but there is no  
24 construction being proposed. No  
25 development, no change, physical

1 change of the land, so therefore my  
2 interpretation of it, and I would ask  
3 the board to agree or not agree, that  
4 this application can move forward  
5 because there is no construction being  
6 sought.

7 MR. CASAZZA: Right.

8 MS. CUESTA: I agree.

9 CHAIRPERSON COMERFORD: So we  
10 can put the motion then to move  
11 forward if we are to do that.

12 MR. HONAN: Yes.

13 CHAIRPERSON COMERFORD: And  
14 pending the submission as you  
15 stipulated.

16 MR. HONAN: Right. And for the  
17 board, they can note also that the  
18 last time this was before the board  
19 back on April 25, 2023, a negative  
20 declaration was issued by the board  
21 and a written negative declaration has  
22 been issued and I believe signed by  
23 the prior chairman.

24 CHAIRPERSON COMERFORD: Yeah, I  
25 saw that.

1 MR. HONAN: So there's no reason  
2 why we can't move forward with the  
3 application at this time.

4 CHAIRPERSON COMERFORD: Can we  
5 have a motion to approve this lot line  
6 change application?

7 MR. JONES: Motion to approve.

8 CHAIRPERSON COMERFORD: Second?

9 MS. CUESTA: Second.

10 CHAIRPERSON COMERFORD: Second  
11 by Cherine. All in favor?

12 MR. JONES: Aye.

13 CHAIRPERSON COMERFORD: Aye.

14 MS. CUESTA: Aye.

15 MR. HONAN: Will the board  
16 authorize me to prepare a written  
17 resolution for the chairman's review  
18 and consideration and signature? And  
19 if that's the case, I will do so.

20 CHAIRPERSON COMERFORD: Do you  
21 want a motion for that?

22 MR. HONAN: No, I think if you  
23 just authorize me to do it, that  
24 should be fine.

25 CHAIRPERSON COMERFORD: You are



1 authorized to do that.

2 MR. HONAN: Thank you.

3 MR. CASAZZA: Thank you very  
4 much.

5 CHAIRPERSON COMERFORD: All  
6 right.

7 MR. HONAN: Do we have any  
8 minutes or anything to approve?

9 CHAIRPERSON COMERFORD: No, we  
10 don't. So the next meeting, if we  
11 have any agenda items, would be  
12 September 12th. One of the things  
13 that we have done with the  
14 coordination of the trustees was that  
15 as what had previously been calendared  
16 as two meetings a month. As Steve  
17 pointed out to the moratorium, it  
18 seems that two meetings a month for  
19 this board will not be necessary, so  
20 we will look at calendaring the first  
21 Thursday of the month. As things  
22 transpire and we get busier and we  
23 will need a second meeting, we can  
24 always do that. The 12th will -- if  
25 any matters come before us that we do

1           need to do. And the other thing would  
2           be training. I think some of you took  
3           training. Did you take anything?

4                   MS. CUESTA: No.

5                   MR. JONES: Yes. I still have  
6           some.

7                   CHAIRPERSON COMERFORD: So maybe  
8           we will use the 12th to see if we can  
9           do -- we will look and see if we can  
10          get some video training here. Maybe  
11          we can do it here.

12                  MR. JONES: I was looking at one  
13          of the classes that we have to take  
14          and one of them was up near Lake  
15          Placid.

16                  CHAIRPERSON COMERFORD: We are  
17          going to look into doing it here and  
18          maybe we might do that on the 12th.  
19          We can see if we can get the  
20          technology and spend an hour or two  
21          and do some training. The second  
22          Tuesday.

23                  Any other thoughts, matters,  
24          questions? Anything from the public?  
25          Can we have a motion to adjourn?

1 MR. JONES: Motion to adjourn.  
2 CHAIRPERSON COMERFORD: Motion  
3 by William. Second?  
4 MS. CUESTA: Second.  
5 CHAIRPERSON COMERFORD: Second  
6 by Cherine. All in favor?  
7 MR. JONES: Aye.  
8 CHAIRPERSON COMERFORD: Aye.  
9 MS. CUESTA: Aye.  
10 MR. HONAN: Thank you. Good  
11 meeting. Very efficient.  
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1 STATE OF NEW YORK )

2 ) ss:

3 COUNTY OF ORANGE )

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6 I, PATRICK M. DeGIORGIO, a Shorthand

7 Reporter and Notary Public within and for the

8 State of New York, do hereby certify that the

9 foregoing is a true and accurate record of the

10 minutes having been stenographically recorded by

11 me and transcribed under my supervision to the

12 best of my knowledge and belief.

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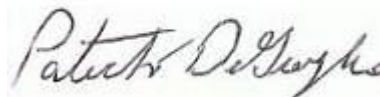
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23 Dated: August 11, 2023

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X



PATRICK M. DeGIORGIO