

The minutes of the Village of Haverstraw Planning Board Meeting held on Monday, September 10, 2018, beginning at 8:00 PM.

PLEDGE OF ALLEGIANCE

ROLL CALL	Joseph Natale-Chairman	- Present
	Gil Carlevaro	- Present
	Diogenes Dominguez	- Present
	Edwin Molina	- Present
	Danny Scaffidi	- Present
	Ruben Berrios, Bldg. Inspector	- Present
	Eve Mancuso, Village Engineer	- Present
	Dennis Michaels-Attorney	- Present
	Michelle Ventura	- Present

Chairman Natale introduced the first item on the agenda, Hudson Senior Day Care, 45 Hillside Avenue, Haverstraw, NY 10927. **26.42-1-9**

Amy Mele, 4 Laurel Road: I'm representing Hudson Senior Daycare. My client and the principal of the Senior Day Care is Manny Sanchez. Mr. Sanchez owns a similar facility nearby. It has many other features other than just the adult day care but it does have an adult daycare component. He's owned this property for some time and would like to expand the adult day care to this parcel here. This is on the corner of Hillside and Fairmount. There's a little alley here that has a private road that Dave Zigler is talking about tonight as well as Jorge Lopez and explain some more what we will be doing on the site. We are not expanding the footprint of the building at all so there's no physical construction to the building. We will be reconfiguring the parking lot area for better pick up and drop off. There will be I think better ingress and egress. This is a special permit use by the Village Board and we appeared before them last month and referred us to you. That is why we're here before you this evening. There were some questions in Mrs. Mancuso's memo that I'd like to address. I spoke with my client this morning and the connection wasn't great but the answers to some of the questions I do have. One of the questions was how many staff members are they planning to have? The short answer is 2 really, one supervisor and 1 activity director who will be there all day long. There will also be 1 food service professional who would go over during lunch. They will be bringing meals over from the other facility to this facility. So while we'll have a sort of modest reheating kitchen, it won't be a full service catering kitchen facility. Generally the residents are going to be bused in. There was a question about hours of operation and he told me busing would be between 9:30 and 10:00 am. I personally thought it would be earlier but I think it's a better time so they don't compete with the school buses. Then pick up would be around the area of 2:00 pm. There's also a modest recreation area. There was a question from the deputy supervisor about whether or not there will be a nurse on staff? There will not be a nurse on staff. This facility is purely a social adult day care facility and not a medical adult day care facility so they don't need to have a nurse on staff. Although, if medical attention was needed clearly they could call for some or

they can call their nearby facility and rely upon some of the medical staff they have there. With that I'm going to hand it over to Dave to actually walk you through the mechanics of what it is we're looking to do and then Jorge can talk to you about the interior changes.

Dave Zigler, Atzl, Nasher and Zigler: Basically Amy covered everything. There was 2 other questions on Eve's comments. One was the access in the alley, we have it as 20 foot and we are going to widen it to 22 feet to meet the code for 2 way. The other comment had to do with the parking. There's actually 2 parking spaces up here off the edge of the road right before you get to the top of the hill on Hillside. We wanted to leave those there.

Joseph Natale: They're out on the roadway though.

Dave Zigler: A little bit, yes.

Dave Zigler: So if you let us leave it we will if not we will remove it. There's a proposed fence on the west side and the parking in the back. It will come in and drop off and we even put back up space here in a no parking zone. That's about it on a plan. There's no reason to do a utility because there's no sewer connection or water connection being proposed.

Ruben Berrios: They just installed the fence around the whole property so that's already done. It's a nice fence.

Dave Zigler: We'll share that on the next map.

Danny Scaffidi: So right now this is a residential home?

Dave Zigler: That's what it was but it's being converted.

Danny Scaffidi: So you want a zone change?

Amy Mele: No, it's an allowable use in the zone by a special permit of the Village Board.

Danny Scaffidi: So if we allow you to do this, what's stopping anyone else from doing this?

Jorge Lopez: Nothing if it's a permitted use.

David Zigler: Just like the kids that go to day care developments for day care, but this is for a Senior day care.

Joseph Natale: We're not allowing them to do this; we have to make a recommendation to the Village Board. So they will allow it if they approve it.

Dennis Michaels: It's not a use variance at least not yet.

Ruben Berrios: I just had one question, on the second floor what are the 9 offices for?

Jorge Lopez: They're for support according to the client.

Amy: So I don't know why there are 9 and I wish Mr. Sanchez was here to answer some of your questions but we can give that testimony at a future meeting. What I understood was that they need 2 full time staff and then there will be people popping back and forth I guess from the main facility for the food service.

Ruben Berrios: Well that's what I'm getting at, they're not bringing the use from the other building to this one right?

Amy Mele: No. To be completely accurate as I understand it from Mr. Sanchez there might be some residents that are currently at that residence that might come here if they're full at the other residence but they have a need for more adult day care. So it's not a shift if that's what you were asking.

Ruben Berrios: Yes I was. If you are going to be putting offices for the use next door that might not work.

Amy Mele: Yes and it could affect the parking calculations too because of the number of staff. How many spaces do we have Dave?

Dave Zigler: We have 5 not counting this which is the back up.

Amy Mele: So from what I understood couple will be filled by staff and the others will be dropped off?

Dave Zigler: Either that or the staff can park over at the hospital.

Amy Mele: Oh and walk over, yes.

Joseph Natale: It doesn't make sense to have all those offices. You're going to use them for something. He doesn't want to put 9 offices in there for no reason. That wouldn't make any sense. What's the rate of return for a day care center with that all that square footage if you're making 9 spaces and only using one floor? We really need to know what the real plan here is. It doesn't look like we're getting the real story to me.

Amy Mele: Right. I can certainly ask him to elaborate on why he needs 9 offices. I'm totaling surmising which I should never do. The day care can really only be on one floor and so he was just putting office space upstairs because that's the only thing it can really be used for. If you prefer not to have it I don't think we have a problem with that.

Danny Scaffidi: How much square footage is the property?

Jorge Lopez: Total is 2105 net area on the bottom and same on the second floor.

Gil Carlevaro: Well if you take out the office space upstairs, what would you use the upstairs for?

Joseph Natale: Why can't they use the upstairs? You can use a second level.

Eve Mancuso: They probably need an elevator.

Amy Mele: I'm not sure how ambulatory the seniors are.

Jorge Lopez: You also have 2 feet from the ground to the step.

Joseph Natale: There's only one step and it's a ranch house. He lived upstairs and his sister lived downstairs. They entered the downstairs and lived in the downstairs apartment, and he entered through the upstairs apartment. Granted there is stairs in the back where the porch is but the front you walk up a ramp and there was one step and you were on the level so just 1 step to the house. We just need to know the real use of the 9 offices.

Amy Mele: We will get you an answer to that question. Like I said he is in Manila but he thinks he's returning on the earlier side so the times that we get to talk are 9:00 pm his time and 9:00 am my time. I will try and catch him tomorrow and I will try and write a narrative back to both Eve's questions and to some of the questions that you had tonight to elaborate on your questions.

Eve Mancuso: SO you did see my letter from July 18, 2018?

Amy Mele: Yes I did.

Eve Mancuso: Ok because you mentioned it was one administrative type person and one program type person?

Amy Mele: Yes.

Eve Mancuso: There seems to be a lot of spaces. There's a wellness space and an activity space. So I'm not sure of the size of the group, the number of adults who would be attending and what their needs are? So maybe they can describe that as well.

Amy Mele: I will work on getting you a better narrative. I know he did speak to me this morning about the different stations and I guess the trend in adult day cares is to make it as though you're visiting one place to another. So one station might be like the coffee shop area, or the exercise area, and another more of an entertainment area. I don't think its different groups occupying the different stations but the same group going through the different stations at different times of the day.

Eve Mancuso: In terms of the drop off, are you suggesting the van will pull up to one of the spaces opposite the no parking area?

Dave Zigler: That was my intention so I would make the first one wider.

Eve Mancuso: No, I would shift it down a bit or flip it around.

Dave Zigler: Oh ok, I counted from the wrong end so I'll flip it around.

Joseph Natale: I was also concerned with this Eve, I don't know if you saw that? I'm sure you did. Where the arrow is, is that going to present a problem in the winter?

Eve Mancuso: Additional drainage will be directed towards the road. The facility is existing and there's a lot of pavement existing so there will have to be some drainage for any increase of impervious area but they can potentially put a seepage pit or two in the yard area.

Joseph Natale: It says here it will be directed to the road.

Eve Mancuso: Well we didn't get to the site plan yet.

Joseph Natale: Ok.

Danny Scaffidi: How many parking spots are you required for this amount of square footage?

Dave Zigler: We have a parking calculation on the bottom left side. So 1 van 3 employees and 1 handicap and that's it.

Danny Scaffidi: I thought you need parking spots in regards to the square footage.

Dave Zigler: No, the daycare is for the use and the use is defined by the employees. You have to understand, most of this is set up for kids and kids don't drive.

Ruben Berrios: Its mostly drop off. This is similar to the one they have on Broadway.

Dave Zigler: Exactly so this is the same thing and a van will most likely stay until they're done.

Joseph Natale: How many people use that facility?

Ruben: Quite a few and they use 2 vans and that's it. If it's a similar use, you really don't need too much parking.

Joseph Natale: Do they use both floors over there?

Ruben Berrios: It's the same thing; they have offices upstairs and downstairs is where they have the main rooms.

Jorge Lopez: But they have an elevator.

Danny Scaffidi: How big are the vans? Can they make this swing?

Dave Zigler: Sure I mean it's a normal van.

Edwin Molina: Is the drop off and pick up once a day and not multiple pickups?

Amy Mele: Ultimately it might be 2 vans that drop off but I'm not sure. There won't be evenings or weekends.

Edwin Molina: Would it be at the same time or would they be staggered throughout the day?

Amy Mele: No, no staggering. It would be the program starts at one time and ends at a different time.

Dennis Michaels: Correct me if I'm wrong Ruben, you're treating this as a Special Permit Use under Village Zoning Code §245-14G* and I believe Eve also mentioned that in her July 18, 2018 report to the planning board correct?

Eve Mancuso: Well yes I suggested it but it's up to Ruben to categorize it.

Dennis Michaels: So members of the board, as of now Ruben is treating this as an application for the Special Permit Use under §245-14G* which is family-care and group-care facilities. Procedurally, as I think Eve mentioned in her report, it first comes to you for a referral only or rather a recommendation advisory opinion to the Village Board of Trustees and it doesn't come back to you for site plan approval until the Special Permit Use is granted by the Village Board of Trustees. So it's here first and when you're ready and you may not be tonight, you'll formulate a recommendation to Village Board. Lastly from me, the State Environmental Quality Review Act (SEQRA) in my opinion there's an exemption under SEQRA known as a Type 2 exemption or replacement rehabilitation or reconstruction of a structure or facility in kind on the same site including upgrading buildings to meet building or fire codes. This could be considered that since they're not building anything outside the existing structure. They're reconfiguring the parking layout. I don't believe that paved black top is considered a structural facility. That's why I'd like to hear Eve's thoughts. I'm not 100% on this yet but I'm leaning towards this possibly being exempt under Type 2 item that I just referred to; replacement rehabilitation or reconstruction of a structure or facility in kind on the same site. Again, I think the idea of exemption under the Type 2 of SEQRA list is essentially what you're doing here. The building envelope is not changing at all but the use is changing but it's a permissible use.

Danny Scaffidi: This would then make it a commercial.

Dennis Michaels: But they're both municipal uses Danny. You're going from a permissible residential use to a permissible special permit use. They're both permissible in other words, there's nothing that's being proposed here to what's contrary to what our zoning regulation allows as a permitted use.

Danny Scaffidi: I understand but what I'm saying is you're modifying the inside of the structure. You're modifying the inside or not?

Joseph Natale: Yes.

Danny Scaffidi: So as far as the commercial end of it, which is what it would be right?

Dennis Michaels: I suppose, I don't know that's a good question.

Danny Scaffidi: So for something like that, wouldn't you have exit signs and handicap ramps and whatever else you need?

Dennis Michaels: It's an engineering planning legal question that's why I want Eve to answer this. We're talking about the potential for significant adverse environmental impact. So the keyword is environmental. So what you're talking about is, is there going to be requirements for exit signs and the inside is changing? There are not really potential adverse environmental impacts. Adverse environmental impacts is when you're doing something big outside like digging holes or enlarging buildings or constructing buildings or doing massive grading. This is where I'll have Eve help. If there is massive regarding going on for this reconfigured parking lot then it will become more potentially impactful to the environment, so Eve thank you for waiting.

Eve Mancuso: I would suggest it's unlisted due to the fact you're going from a single family with 2 units because Joseph mentioned an apartment on the bottom and one on the top and due to the fact that the nature of the use is changing may be intensified so it might be appropriate to require some sort of buffering. Ruben just mentioned a fence was put on the property already so that could have been one of the additions when you look at special use permits on how to mitigate the change and the use. Another thing might be landscaping in terms of buffering noise, activity, parking. In terms of building the parking lot, I don't see that a lot of grading has to be done. Certainly some grading has to be done. You will need storm water management to some degree and some lighting depending on the hours of operation to make it safe for the adults to get in and out. There are some items in terms of site plans that should be looked at so I would prefer to do it as unlisted and have the opportunity to do that rather than Type 2 it and say no impact.

Danny Scaffidi: Absolutely there are still many things missing.

Dennis Michaels: Since the Village Board of Trustees has to be the lead agency on this because you cannot grant Site Plan approval until the Village Board of Trustees grants a Special Permit Use approval you cannot be a special lead agency. So I would ask that somebody like the applicant or Eve or Michelle or Ruben communicate to the Village Board of Trustees that they will be SEQRA lead agency and may want to get Max Stach involved. So you are relieved of that duty because the way I look at this procedurally is, you cannot grant Site Plan approval until the Village Board of Trustees grants a Special Permit use approval. If the Village Board tries to smack the ball back to you and say no we want you to be SEQRA lead agency you can't because no other board can approve any part of an application until the SEQRA lead agency issues a Negative Declaration. Legally there's no other way than that the Village Board be lead agency.

Amy Mele: So I have just 2 quick comments, not being argumentative at all because I think we're going to get bounced back and forth so I don't think I'm losing my client any time. So, as the lead agency, the only board that can take action whether or not it's an unlisted or Type 2 would probably be up to that board right? So the next time we appear before them, they would have to make their own determination. I don't have a big problem with it being called unlisted but I can make an argument that actually having residents in there from only 9am-2pm everyday is less intensive than what a single family or 2 families could be. But I understand your concerns and I'm not afraid to address them. I think they all can be addressed. My concern is not losing my client time. I'm assuming you're not in position to make a recommendation of a special permit to the Village Board tonight is what I'm hearing?

Dennis Michaels: I don't know. Do you have enough information Eve?

The board members don't feel they have enough information.

Amy Mele: Ok so you need an explanation on the office spaces before you feel comfortable making that recommendation. So with that, why don't we give you the explanation that you're asking for and we'll go back to the Village Board as soon as humanly possible and get them to declare lead agency under SEQRA if their opinion of this is unlisted that's fine and we will come back to this board with an explanation then hopefully at the next meeting, you'll be in a position to make a recommendation and come back to deal with Site Plan issues. Does that sound reasonable?

The board members agreed.

Dennis Michaels: I don't know if you're suggesting this but I have no problem with it unless someone else has a problem with it. Ruben, I would think that if this is subject to SEQRA and the Village Board says, ok if our Village Board Engineer feels that it's unlisted they should issue that Notice of Intention for them to be lead agency under SEQRA as soon as possible, Administratively, I have no problem with the Village Board at least doing that to get the 30 day clock running. I don't know if that's what you were suggesting?

Amy Mele: No actually I'm just racking my brain trying to remember. I don't think they made any lead agency declaration at their first meeting. We've already been to them.

Dennis Michaels: Ask Jay that Dennis suggested ministerially at least to get the 30 day clock running, to issue the notice of intention for the Village Board to act as SEQRA lead agency.

Amy Mele: Ok then we can go back to them and get the determination and come back to you hopefully a little after the 30 day period. So thank you for that.

Danny Scaffidi: Dave are you changing anything on this or no as far as landscaping, lighting?

Dave Zigler: I will probably change something's because we will be back. So we will add lights and landscaping.

Amy Mele: I don't think there are any evening activities but I'm sure lighting would be nice anyway.

Danny Scaffidi: I'd like to see concrete curbs. You have asphalt curbs there now.

Dave Zigler: Yes. We have some up in Rosman road but we'll look into it.

Eve Mancuso: So the parking on the edge of the road, I'm not wild about that.

Dave Zigler: Do you want us to eliminate that?

Eve Mancuso: Well it depends on if you don't need them I'd prefer to see it return to one area. I went by in a couple of occasions and there were vehicles parked there.

Dave Zigler: That will help us with our coverage anyway.

Eve Mancuso: It was an awkward spot when you come around the corner.

Ruben Berrios: So do we send these plans to the County Planning Department or wait for the updated plans?

Dave Zigler: If we send it out after its modified we won't have time to review it.

Ruben Berrios: I'm trying to make it as quick as possible.

Amy Mele: We appreciate that so maybe if we are all in agreement to the parking maybe make that one change and send it? That seems like the one change we are all agreeing with.

Eve Mancuso: Well you're going to get back a lot of comments from the planning department if you send only this. You need to show the landscaping the grading.

Dave Zigler: I know but if we're going to make changes to this map, we should bring it back to the board and then you can't circulate. We will lose 30 days before you start so that's why I really want to circulate this copy. If we circulate with changes, we will end up with 20 comments and if we circulate without the changes we will end up with 26. I'd rather just deal with the other 6.

Dennis Michaels: I think Dave is right, that you can make those additional "26" conditions of the approval. So how Eve pointed out, there's a lot of details that need to be included and either Eve will make those conditions of your site plan approval or the County Planning Department will make them side conditions.

Joseph Natale: So I just want to be clear, she will send that out for the Planning Board even though we didn't really receive it yet?

Ruben Berrios: We do have it.

Joseph Natale: Well they don't have the ok.

Dennis Michaels: So one of the first steps a Land Use board should take is sending the submissions even if they're not finalized. They will never be finalized when they go to the County Planning Department because they're going to be changed as a result of the County's comments anyways.

Eve Mancuso: This is listed as an informal submission and typically you don't submit informal submissions.

Joseph Natale: I understand that but if they send it out after doing all that work and then the Village Board doesn't give them permission, they've done all those reviews for nothing.

Amy Mele: Well maybe that's a question for Jay Hood because I can't remember did we do a formal submission for the Village Board?

Dave Zigler: That was a formal.

Amy Mele: So maybe that should be the formal submission that should be reviewed. Ok so we know what we're doing. Thank you all for your time tonight.

Chairman Natale introduced the next item on the agenda, HFTU LLC, 7 Fourth Street, Haverstraw, NY 10927. **27.45-1-22**

Christie Rothstein, Representative for HFTU: I'm a representative and was told to show up so I'm here. But basically, they want to renovate the existing building into luxury apartments. There are no outside renovations to be done, it's all internal.

Ruben Berrios: So what they're doing is changing the whole interior, they're renovating by adding bedrooms, so that's why they're here.

Danny Scaffidi: So this is only renovations?

Christie Rothstein: Correct.

Joseph Natale: Do you have any plans to renovate the outside at all?

Ruben Berrios: Not outside of the footprint at all.

Joseph Natale: I mean as far as cleaning up the lot?

Christie Rothstein: Yes we will clean up the lot.

Ruben Berrios: There's a layout of what's being proposed what's existing. The basement isn't changing so that's why its cut off on your copy there.

Gil Carlevaro: So the boilers are in the basement.

Ruben Berrios: Yes so there's nothing changing.

Eve Mancuso: So it's coming to this board because it's 3 units?

Ruben Berrios: Correct.

Eve Mancuso: Ok so they exist as 3 units and are still being proposed as 3 units?

Ruben Berrios: Correct.

Joseph Natale: Looks nice to me.

Ruben Berrios: They are renovating this building and bought the building next door which is a 2 family but they're not required to be here because that building is a 2 family. They are taking both buildings and renovating both of them; interior and exterior and calling them luxury rentals.

Joseph Natale: The bedrooms are a nice size.

Eve Mancuso: Very nice.

Christie Rothstein: Yes luxury rentals. We want to drive up the economy and drive up the area. We want to make it more desirable.

Eve Mancuso: Is this the red building?

Christie Rothstein: Correct yes.

Christie Rothstein: We want to create a better place for Haverstraw. We will also be buying the Rockland Motel. We will be making that into luxury apartments as well.

Gil Carlevaro: I'm looking at the existing floor plan and there are 2 bedrooms and you're going to put in 3 bedrooms? Is that correct? If there's more bedrooms will they need more parking?

Eve Mancuso: Yes parking space is based off bedroom count for singles right Ruben?

Ruben Berrios: Yes but there is no parking. So the only thing that there is, is the municipal lot across the street.

Eve Mancuso: Is that sticker parking for residents?

Ruben Berrios: Correct, overnight parking.

Edwin Molina: But the overall bedrooms don't change. They're taking bedrooms from some of the other floors.

Christie Rothstein: Correct.

Edwin Molina: So you're not increasing the amount of bedrooms.

Christie Rothstein: Our assumption is one family per unit which is an average of 2 cars.

Joseph Natale: They've been finding parking for forever so they'll be fine.

Eve Mancuso: There should be plenty of space to park down there.

Gil Carlevaro: Just wanted to make sure.

Joseph Natale: I don't have any other questions. They said they were going to do outside work so the ARB will address that.

Christie Rothstein: Pointing and roofing. That's pretty much and cleaning up the outside, might as well.

Danny Scaffidi: I don't know what it looks like now.

Christie Rothstein: Do you want to go inside? It looks like crap.

Ruben Berrios: Well put it this way, I went into the 2 family and it was like stepping back into time. They haven't done anything in there in probably 60-70 years.

Danny Scaffidi: Do you plan on doing any outside, like a landscaping plan?

Christie Rothstein: We can create one absolutely.

Ruben Berrios: They're right up to the sidewalk. Most of those properties come right up to the sidewalk.

Eve Mancuso: Is there anything in the back?

Ruben Berrios: Yes there's a small yard in the back. I spoke to the other fellow and he has intentions of doing the facade as well. He would have to come in front of the ARB when they do that.

Eve Mancuso: Do you know if you're going to get rid of the red?

Christie Rothstein: That's external stuff. We're not sure about that yet. Basically we are generating the economical growth is what we're concerned about and giving rental space to people. It's a beautiful place and that's the thing. Historical, this village is lovely and we want to bring these homes up to date.

Joseph Natale: We could approve the plan and make it subject to come back and show us what the front and back will look like

Danny Scaffidi: Yes because they're renovating the outside too.

Christie Rothstein: So listen, I'm getting married tomorrow. I'm here tonight because he's in Ukraine so whatever you want, sold.

Joseph Natale: Well they can do that right Dennis? We would like to see them come back with something that way Ruben can view it.

Ruben Berrios: You don't need to do that because they don't need to do anything.

Eve Mancuso: They're not obligated to do that.

Joseph Natale: I understand but we would like to see a little bit of a cleanup.

Christie Rothstein: So we will clean up. We have no issue doing that. I invested in this as well; I'm just on the back end.

Ruben Berrios: Right now they're just looking for permits to renovate the interior.

Danny Scaffidi: Listen I just think an improvement would be nice.

Christie Rothstein: I agree, that's what we want to do. That's the entire point. If we're trying to do this to generate revenue for the entire town, of course the outside is part of that. Why would I leave it looking like crap and just do the inside? What's that going to do for anyone? No one is going to rent it if they're scared to walk through the door. Of course the outside is getting done as well, that's not an issue.

Dennis Michaels: If it's very important that you see architectural elevations, you can only have them come back as a continued item or as a formal application I suppose. I have no problem with you approving it tonight because as you know a Planning Board site plan approvals are not subject to public hearing. So you can approve it, but to condition it on making the outside look nice is a little too vague.

Joseph Natale: I didn't mean it for it to look "nice" but if they're going to make some changes we'd like to see that's all. It would've been nice to have it tonight.

Christie Rothstein: Absolutely however there's no obligation to do so. So you're telling them to do something that they're not obligated to do. We're telling you that we're going to do it because there's no point otherwise.

Dennis Michaels: I'm sorry Ms. Rothstein you're wrong. You are required to get site plan approval from this board under 245-16. If this board wants to see architectural elevations as part of their site plan review then you have to give it to them.

Christie Rothstein: I understand that and we will.

Dennis Michaels: Ok but they're thinking about giving you an approval tonight that's the thing.

Christie Rothstein: Correct because we are not obligated to show you the outside.

Dennis Michaels: They're not obligated to grant an approval either.

Christie Rothstein: I understand that I'm not arguing with you.

Dennis Michaels: You are.

Christie Rothstein: I'm giving you a side, that's what I'm doing.

Dennis Michaels: Ok so here are your options now. You can grant this application tonight, you cannot make it subject to the applicant returning to show what the outside is going to look like that you'll be satisfied with because that's not a final approval. You're still exercising future discretion as to the exterior that you may not end up liking. So that's why you can't make it a condition of the approval tonight. If you do want to see what the outside is going to look like as part of your site plan review which you are

empowered to do and it's in your jurisdiction the aesthetics, you can require the applicant to come back with architectural elevations showing what the outside is going to look like. So you can review it and approve it if you like it. Those are your two options.

Edwin Molina: One question, you said they have to go before the ARB right?

Ruben Berrios: Correct.

Edwin Molina: So if they change anything on the outside that would be for that board right?

Ruben Berrios: Correct.

Joseph Natale: Well Dennis said we can stop the whole thing.

Dennis Michaels: Is this going to the ARB? Obligated?

Ruben Berrios: Yes.

Edwin Rivera: So why would we need to stop it?

Danny Scaffidi: We just want to see it.

Joseph Natale: We want to do a complete review.

Dennis Michaels: I didn't hear Ruben earlier that they this is subject to review by the ARB. So why don't you entrust your concerns about the outside with the ARB members?

Joseph Natale: Because one of my board members was questioning it and I try to work within my board members. Mr. Scaffidi questioned it.

Dennis Michaels: So it's definitely going to the ARB Danny.

Edwin Molina: We are overstepping our boundaries.

Danny Scaffidi: What you're saying is we can approve it tonight or wait for the ARB to show us what it's going to look like?

Dennis Michaels: No not quite. I didn't realize earlier when I was yelling at Ms. Rothstein and screaming at others that this was required to go to the ARB. So Christie it's required to go to the ARB and I wasn't aware of that. It still doesn't change my legal opinion but it may comfort Danny, why don't you leave the outside aesthetics to the ARB.

Joseph Natale: I have no problem with that but I want to see how my board members feel. Do you all feel comfortable granting it or doing the whole site plan review. I mean clearly she's not going to be here for another month.

Christie Rothstein: Clearly we'd be an idiot if we fixed the inside and not the outside. Why would we have a hood looking place and then it be beautiful on the inside. There's no point in that. Obviously we are fixing all of it.

Diogenes Dominguez: I think we should approve it tonight based on what was submitted and said.

Joseph Natale: Right, the bedrooms are remaining the same and she's not changing the footprint.

Christie Rothstein: I built Woodbury Commons I know trust me.

Dennis Michaels: I don't know why you'd spend a quarter of a million dollars to renovate the interior and not do the outside.

Joseph Natale: Ok so we are all good to go.

Christie Rothstein: I can go get married now?

Edwin Molina made a motion to approve

Dennis Michaels: Let me reference the plans so we know what you're approving. It sounds like there's a consensus from the board to approve the site plan application submitted pursuant to the Village Code 245-16.

Eve Mancuso: We don't have a sealed set of plans.

Christie Rothstein: I will have them to you on Wednesday.

Dennis Michaels: We can make that a condition.

Ruben Berrios: I told them it was ok. They just came in a few days ago and I tried to squeeze them in.

Eve Mancuso: Ok I just didn't know if you had another set.

Ruben Berrios: We won't be issuing any permits without any sealed plans.

Dennis Michaels: What was reviewed this evening and potentially being approved are 2 sets of drawings numerated page A1 and A2. They're most recently dated August 22, 2018 on drawing A1 and A2 is most recently dated September 3rd 2018. They're by Gustavo Jara, 9 Hather Lane, Orangeburg NY.

Eve Mancuso: The title block needs to be upgraded to reflect the correct address.

Christie Rothstein: Yes because we bought next door, got a little confused, got a little lazy. Sorry about that.

Eve Mancuso: So the address is 7 Fourth Street.

Christie Rothstein: Correct.

Eve Mancuso: That drove me a little crazy today when I was trying to figure out what was going on.

Dennis Michaels: So one proposed condition from our Engineer Eve Mancuso that the title block on the drawing needs to show the correct address as 7 Fourth Street and sign and sealed plans. There's an acknowledgment, I guess it's not a condition it is subject and must go to the ARB.

Joseph Natale: Does someone want to move on that motion?

Edwin Molina made a motion to approve the renovations on 7 Fourth Street as recited by Counsel with conditions given.

Joseph Natale: Do a roll call Michelle.

ROLL CALL	Joseph Natale-Chairman	- Yes
	Gil Carlevaro	- Yes
	Diogenes Dominguez	- Yes
	Edwin Molina	- Yes
	Danny Scaffidi	- Yes

RESOLUTION 41-2018

Motion Passed

Dennis Michaels: So we are going to go back to the senior day care thing. I just want to point something out for you. Procedurally you can require a public hearing on this. You don't have to decide that now because they will come back to you at least one more time informally I think and you'll schedule the public hearing for the site plan if you want. You don't have to have one. Think about that because its in the Mountain Protection Overlay District so you can require a public hearing if you feel it's a good idea. Another thing I wanted to point out about that is

Chairman Natale announced that the approval of the minutes will be postponed into next month.

Ruben Berrios: Just a side note, I got a call from the DOT and they were asking me what's going on with the development on the corner, some sort of self storage and if we sent them anything? I said yes we did and Michelle was nice enough to have proof of that. Then he asked me if we got a response and I said no we didn't.

Eve Mancuso: But the applicant said they've been coordinating directly with them. So now I'm curious. They did testify they had discussions with DOT because we asked that question.

Ruben Berrios: Yeah well he said and something about they have to get the permit from the drainage agency. I was just taken back by it. They didn't even review it I guess.

Dennis Michaels: DOT is an independent governmental agency than you so if they don't satisfy the NYS DOT that's the applicant developers problem. You don't have to worry about it. So if they lied to you and said they did they're only hurting themselves. The DOT will not issue a permit without receiving any information.

Joseph Natale: Did you think of the other thing you wanted to bring up?

Dennis Michaels: I can't think of it.

Danny Scaffidi: When's our next meeting date?

Michelle Ventura: October 8, 2018. So the Village Board is sending the application for the Hudson Senior Day Care to the County Planning Department or I am?

Dennis Michaels: We are for ourselves. They have to do their own.

Michelle Ventura: Could they send it and "cc" us?

Dennis Michaels: No. I know it seems duplicative. Each Land Use has to send their own information separately.

Eve Mancuso: Wait the next meeting is on a national holiday?

Dennis Michaels: Is the Village Hall open on Columbus Day?

Joseph Natale: Should we change it to Tuesday the 9th?

Dennis Michaels: I can't make it the 9th.

Ruben Berrios: Yes we are closed on Columbus Day.

Dennis Michaels: So let's keep going until we find a date that works for most.

Eve Mancuso: Want to do the following Monday the 15th?

Dennis Michaels: I am available on the 15th.

Joseph Natale: I'm not sure if I'm available that day yet.

Gil Carlevaro: I don't know either; I don't have my schedule with me.

Dennis Michaels: Why don't we say tentatively the 15th so we can all put it in your calendars now and when you all go home look at your calendars and confirm if you will be available or not.

With no further business to be conducted by the Planning Board, Chairman Natale entertained a motion to adjourn the meeting.

RESOLUTION 42-2018

Motion by: Edwin Molina:
Seconded by: Gil Carlevaro
Carried by: All

The Clerk Typist to the Planning Board is hereby authorized, directed and empowered to sign these Minutes, and file a copy thereof in the office of the Village Clerk:

Michelle Ventura, Clerk Typist