

Town of Yorktown Planning Board

# Meeting Held April 20, 2020

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## SUMMARY KEYWORDS

site, joe, trucks, area, trees, wetland, property, building, proposed, loading dock, mitigation plan, road, plan, point, front, town, elevation, emilio, route, line

## SPEAKERS

Richard Fon, Chairman; William LaScala, board member; John Kincart, board member; Robert Garrigan, alternate board member; John Tegeder, Director of Planning; Robyn Steinberg, Town Planner; Tom D'Agostino, Assistant Planner; James Glatthaar, Planning Board Counsel; and Paul Dumont, Anthony Russo, Joseph Riina, Steve Marino, Mark Lieberman, George Campolo, Frank Giuliano, Susan Siegel, Emilio Diaz, Chris Orifici, Gene Vetrano, Various, Unknown.

### 1961 COMMERCE STREET (in progress)

**John Kincart** 00:01

All right, and no other questions.

**Richard Fon** 00:03

John outside anything else, john?

**John Tegeder** 00:05

Just a point, where you say reset existing brick as required that's actually stamped concrete.

**Paul Dumont** 00:12

Okay

**John Tegeder** 00:14

Just for your own info.

**Richard Fon** 00:15

Yeah, I think there's some construction details that we got to add in there. Yeah. So contractors are aware of exactly what they got to do.

**John Tegeder** 00:24

Yeah. And Paul I did speak to Jim Ryan one or two weeks ago and told him that we do have details for that, that construction so

**Paul Dumont** 00:35

Okay, we can, we can, we can coordinate that. Yes.

**Richard Fon** 00:41

Okay, Jim, you have anything?

**James Glatthaar** 00:42

No.

**Richard Fon** 00:46

Agreements, everything looks good?

**James Glatthaar** 00:48

Everything looks good.

**Richard Fon** 00:50

Thomas everything was duly noticed? Advertised you got all the everything back there?

**Tom D'Agostino** 00:55

Yes. All, public hearing notices are accounted for.

**Richard Fon** 00:58

All right, this point that I'd like to open it up to the public. Is there anybody from the public that has any concerns or questions about the application in front of us right now? Again, you have to wave or send an email or a chat chat to Robyn.

**Robyn Steinberg** 01:19

I don't see anyone with their hand up.

**Richard Fon** 01:21

We'll give them a minute just in case. Still quiet?

**Robyn Steinberg** 01:52

Yeah.

**Richard Fon** 01:55

All right. I'm going suggest we close the public hearing, but not vote on the not deal with the resolution yet. And we'll leave it if it's alright with the board for a 10 day open comment as been recommended.

**Robyn Steinberg** 02:13

Written comment.

**Richard Fon** 02:15

What's that?

**Robyn Steinberg** 02:16

Written comment.

**Richard Fon** 02:17

Written comment. Thank you, Robyn. Just in case someone wasn't able to advise us during this meeting. Do I have a motion?

**William LaScala** 02:25

Motion.

**Richard Fon** 02:27

All in favor?

**Various** 02:29

Aye. Aye.

**Richard Fon** 02:30

Thank you. All right, we're gonna move on to the next public hearing.

**Paul Dumont** 02:35

Thank you.

### **ATLANTIC APPLIANCE**

**Richard Fon** 02:37

Thank you very much, guys. Oh, wow, that changed quick. We're gonna move on to the next public hearing we have tonight which is Atlantic Appliance location is 2010 Maple Street. Do I have a motion to open the hearing.

**John Kincart** 02:55

So moved.

**Richard Fon** 02:56

A second?

**William LaScala** 02:57

Second.

**Richard Fon** 02:58

All those in favor.

**Various** 02:59

Aye.

**Richard Fon** 03:01

Thank you, Joe. You're on. Still muted. You're muted. There you go.

**Joseph Riina** 03:16

I just need one second.

**Richard Fon** 03:17

No problem.

**Joseph Riina** 03:41

Can I share Robyn?

**Robyn Steinberg** 03:43

Yes.

**Joseph Riina** 03:55

Everybody on board?

**Richard Fon** 03:56

Yep.

**Joseph Riina** 03:59

Okay. Good evening, I'm Joseph Riina the principal of Site Design Consultants, the project engineer for Atlantic Appliance. We are here tonight for a public hearing for a proposed commercial building, which will be the new home of Atlantic Appliance which is currently in the Triangle Shopping Center. As you know, Atlantic appliance has been a business in town for 45 years. And it's recently changed owner the new owner is Joey Vukoj. And with me tonight, also presenting are, our environmental consultant, which is Steve Marino from Tim Miller Associates, our landscape architect, Frank Giuliano, our architect Gene Vitrano, and myself. So the project consists of two parcels one One is located at 2010 Maple Hill Street and the other is at 2015 Greenwood Street. The main the subject parcel we're all the development is taking place is on the 210 Maple Hill Street parcel is located between the Post Office and the professional building to the right as you make your way south on Veterans on Maple Hill Street. The rear parcel is going to be mainly dedicated for mitigation, which will be detailed much later much later on in the presentation by Steve Marino. So that the 2010 property is zoned C-2 and the 2015 property is zoned C-4 so the proposed uses Consistent with the zoning that we're proposing. The site is currently This is the site on Maple Hill Street which is currently all wooded. You can see the trees located on there it it gently to moderately slopes in the northeast direction. The other parcel which is on Greenwood Street, consists of also a wooded parcel, except there is a stream running through the property which is the Hallocks Mill, which runs south to north and then you have some wetland areas over in this area here which Steve Marino will explain in more detail. There is a sewer easement at this edge of the property and and public sewer goes through here which eventually makes its way to the Greenwood street plant. So the project is proposed is to construct a building that has a square foot footprint square footage of 9720 square feet. on the main level, it's going to be retail. On the lower level

which is access to the rear is going to be warehouse. And on the second level, there's seven that 6270 square feet which is going to be dedicated probably to office it hasn't been finally decided on what it's going to be but, but for now, it's so we're considering it, that it's going to be office space. I'm missing a slide here. In development in the site, we're going to eliminate 167 trees, which are within the limited disturbance 12 of which are compromised, and Steve Marino will give you a little more detail on that. So the project is proposed again, is for this 9720 square foot building, the main entrance for employees and customers is going to be the most southerly entrance here. There's going to be parking in front of the building and to the side of the building here. There are two areas that we are reserving as banked land banked parking, which means we're not going to develop those spaces currently. And they're going to be landscape. So that's this area right in here or this area right in here. At some point in the future, they may be needed. The property owner is convinced that you know based on his current foot traffic in and out of his store and the number of employees that he has this should be adequate for for what he needs at this point. There's the laser. Okay. This entrance here is is going to be dedicated to the service vehicles and delivery trucks. So delivery trucks will come in from Route 35 which is to the northwest coming in this direction loop into the site back into a loading dock which is as I said at a lower level and deliver its goods there. Deliveries usually occur between 9:30 and 10am and it's only one delivery per day. This area here will be the dedicated to these delivery and service trucks. Where, for the most part, they'll be gone all day, doing their deliveries, doing a service calls or return at the end of the day, late afternoon. Altogether, we've got 66 parking spaces shown. And as I said 22 of those are going to be land banked spaces. So that's this area here and this area here. The staffing up is going to be typically one person in the warehouse and five sales staff seven of managerial managerial staff. handling the back office workings as well as keeping an eye on and making sure all things are operating properly on the on the showroom floor. So to improve the site, first of all, we're connecting to public sewer the public sewers located right here in the front and public water. We're going to have to service connections one for domestic supply and one for fire supply. Existing water main is located right in front of the property here. The as I said the site slopes in a northeasterly direction. However, to achieve the grades that we need to achieve ADA access, when you come in initially come into the site and you turn left in the parking lot which is an area is going to be slightly raised. This drops off in this area here. So in order to accomplish that, we're going to have a retaining wall along this edge here. And it's going to be six to six and a half feet at its highest point. As you work your way around, this site slopes downward and the same with the other entrance as you work your way into site slopes downward. All the drainage collected on the site will be brought to the rear of the site to stormwater management area, which I'll explain. So, in order to this, this project is located in a Designated Main Street Area in New York City watershed. So there's certain criteria we need to meet and so we have to get a permit from the New York City DEP as well as the MS4, which is the town of New York town. which needs to comply with the New York State DC regulations. So to accomplish that, we have to prepare a full stormwater pollution prevention plan, which we have already and it's been submitted. And part of the part of the analysis that we have to do is we have to provide what's called a runoff reduction. And what that is, is to take as much of those storm water and treat it for water quality with green infrastructure practices. So the green infrastructure practices that we've selected for this site is a partial green roof. On the rear of the building. We've got stormwater planters on different sides of the building along the driveway here. We've got porous pavers, along this edge of the parking lot here. This hatched area here is going to be either a rain garden or some type of stormwater planter. And ultimately, everything ends up in our stormwater basin which is a pocket wetland. And because of high

groundwater conditions here, this is the most conducive form of treatment that we could provide for for this site, and what happens is this is a this is a fourbay here. Initially all the water gets discharged into this, it acts as a settling basin. Then it follows this vegetated, shallow channel here into a final polishing basin, which is at the far end of the pocket wetland. These areas in between or a low marsh area. So this this, this mimics a wetland, but it's design and there are specific plantings that go in there and specific hydraulics that take place that provide the necessary treatment. In addition, we sized this in act to have an excess in capacity. In order to be sensitive to the downstream condition where this area is known for flooding, the Hallocks Mill, especially, you know, as you head north, there is a flooding situation there. So, what we've done is oversized this for all the storm events to decrease the the amount of peak volume that leaves our basin therefore providing a benefit to the stream and to the, to the flooding conditions in the stream. So this, this represents what what the percent reduction that we're going to have and as you could see, it ranges from, you know, sixty 62% reduction in the lower storm events to a little over 10% in the hundred year storm event. So again, this is providing benefit to the to our downstream neighbors. As I stated that there's going to be retaining walls along certain areas and I forgot to mention this one here, there's gonna be a retaining wall here and another one here where you have that drop in, in elevation in the parking lot. To the rear of the site, this is going to be our primary trash containment area. And this is going to be a cardboard compactor. There's a lot of cardboard, that waste that comes out of the warehouse, and that's going to be compacted in this and then disposed of picked up on on a regular basis. This our erosion and sediment control plan. This deals with how we're going to maintain the site and keep it stable during construction to avoid any off site impacts, especially since since the Hallocks Mill in the rear here. These dark X's that you see those are the trees that are going to be removed that are eight inches or greater. We've got stabilized construction entrances, soil stockpile areas, silt fence, which is is kind of difficult to see at this at this scale, but there's silt fence all around the site and this area is going to act as a sediment basin. So any turbid water from the site will go in here and settle out before it has any any point of discharge off, off site. We prepared a lighting plan. These are the, this is the style fixture for the light post fixtures. It's it has a colonial type look. These are wall packs that are going to be more for security lighting around the back of the building and sides of the building. So these here are pole lights are going here 1-2-3-4 their building has an overhang here and it has a portico that over the front door is going to be lighting underneath that casting down, which is represented in here. As you can see, we don't have extremely high lot high light level so the site we believe complies with the town code as far as lighting is concerned. There are additional couple poll lights here and here. Oh, okay. This figure is represents our truck movements to demonstrate that the trucks can enter the site without any obstructions, can get into the loading dock area, can exit the site. We've agreed to mandate that the trucks will only go out to the right and make their way straight up to 35 and not go up Maple to Veterans Road and through town. These are profiles and details. This is a cross section of the pocket wetland so you can see how it's going to work forbay. This is a low marsh area this is the micro pool at the end and this is a typical stormwater planter. So to date, we we've addressed most comments during this during the route the SHPO reviewed SHPO returned a response that they that this site is within an archaeologically sensitive area, and they record a Phase A archeological study, which we have underway. Otherwise, we've addressed all the memos and comments that we received. All our forms and applications are up to date and all our fees are in place. At this point, I'm going to turn over the mic to Steve Marino, and I'm going to let him take you through the mitigation plan. And we'll go to Frank Giuliano and then Gene Vitrano.

**Steve Marino** 21:53

This is Steve, can you hear me okay?

**John Tegeder** 21:55

Yep.

**Steve Marino** 21:56

All right, great. Joe, can you put up this is this is my first sheet.

**Joseph Riina** 22:01

Yes.

**Steve Marino** 22:02

Okay. Good evening, Steve Marino, Tim Miller associates here to talk about proposed mitigation for the Atlantic appliance property. As Joe mentioned, there is a wetland on the side, it's actually on that Greenwood Street parcel. The line for intents purposes, the line of the wetland is about the eastern property line of the Maple Hill Street parcels there's a little a little notch in there. Generally, it's just off the property, the wetland boundary, the 100 foot buffer, therefore, those extend onto the property. The limits of that buffer are basically what's shown as the parking for the delivery vans. That's essentially the 100 foot buffer so none of the development hardscape will be occurring in the in the in the buffer or the wetland, there'll be no wetland disturbance and no buffer encroachment with hardscape. It will be planted detention basin areas etc. As part of that plan, therefore, Joe had requirements that he needed to meet with DEP. And as part of the SWPPP. He's accomplished that since the last time you saw this plan he has, he has added that stormwater planter for additional runoff reduction, and we've then we've adjusted the landscape plan to accommodate that. Both that planter the basin itself will be heavily planted. And then we've proposed additional trees and shrubs in the buffer to further enhance that buffer. That buffer area back there is relatively open with trees, there aren't a lot of trees in that back part of the property. So we will be adding more trees to that area. And you know, this heavy deer browsing this whole neighborhood and that property. Basically this parcel and the adjacent parcel are trees. There's very little in a way of shrubs, except for the invasive honeysuckle shrubs that are back there. So we're proposing to add native shrubs, as well as native trees ever both evergreens and deciduous trees. And as part of that, then we will fence off that back area with deer fencing to make sure that that our new plantings have a chance to grow and mature compared to what the existing condition is. A second part of our mitigation we do again recognize that we're in buffer. Second part of our mitigation you see there to the right of the screen will be an invasive species monitoring and control plan. That area there if you see on the on the survey itself was a sewer easement. So during the time of the sewer installation there, there must have been some disturbance in that area. So that's almost entirely phragmites at this point. I know we're all familiar with the phragmites than the invasive and invasive I guess, manner in which it spreads through areas that have been disturbed. So we have a detailed proposal you can see this notes there on the right of the plan is a detailed proposal to go in and clear out the phragmites, clear out vines and other things, non native vines and things that might be growing in there, and then give the native vegetation an opportunity to re establish in there. And the third facet of our mitigation plan is there on the south side of the Greenwood Street parcel. As Joe

mentioned, Hallocks Brook does flow through the Greenwich Street parcel, it exits the Junior Lake, which is just to the south there off the map, goes underneath veterans road through a large culvert and enters this site and then meanders through and continues to the north. Again, Joe mentioned that there's a history of flooding problems in the neighborhood. What we're proposing is if you if you look at that plan, you'll see this the number 13 there that's flag number 13b right Adjacent to that is what used to be a swale that overflowed down into the the Hallocks Mill Brook and drained that area of wetland. Whether it was a tree falling down or some disturbance to the site, that swale is now blocked off and causes when that basin fills up, it then flows to the north and creates some of that wetland that you see further to the north. What we're proposing is to reopen that swell to lower the water level a little bit in that area. And then clear out the phragmites and dead vegetation that's in there now. Joe, do you have my my four page PDF queued up there at all?

**Joseph Riina** 26:44

This one?

**Steve Marino** 26:45

Go one more page Joe. Oh, back. Let's keep going back. Back one more, I think oh, there was one with photographs of the site and the neighboring. Yeah, I don't have that one. Okay. That's fine. Okay, all right. So just a quick history of the site. And you look at that 1947 aerial photo there that's on the top of the screen. This site, pre-dating the Triangle Shopping Center and post office and etc. This site was agricultural, most of the neighborhood was at that time you can see the clear areas at first cleared area and right in the center of the property is the existing location of the post office. And those two professional buildings are development parcel is centered in the middle of that patch. And then just to the right of that where the brook flows through is the Greenwood Street parcel. And you can you can see again it was had recently been cleared and it was just some vegetation starting to grow back there. When you then get to the 1976 photo you can see the shopping center, see the two professional buildings to the south veterans road they're now. Greenwood Streets developed through their But both both these both the subject parcels remained undeveloped and had now developed a forest condition there. Go down to the more recent the 2018 photo. And you can see now the post office is in place. So we're basically a last little island of wooded vegetation in the neighborhood with the Greenwood Street parcel and Hallocks Mill Brook, the more sensitive parcel just there to the east. Joe, if you go back to the big the first screen. Yes, thank you. So that that wetland at the south end of the site coming in off veterans road. I know I showed it the last meeting photographs of that it's entirely phragmites is at this point. There's some dead standing red maples that used to be growing in that area have now flooded out do the closer That that little weep off there the swale and as well as you have couches, we have sofas, we have shopping carts, etc. Typical urban wetland indicator species in there. So our proposal then is to clean that area out, lower the level of the wetland in there while, maintaining wetland well and conditions and and re vegetating that area, removing the phragmites and providing an overflow for that area. to drain it down a little bit. What we've done is we've designed the out of the elevations of that area, so that in the case of the hundred year storm in Hallocks Mill Brook is a little bit of an area now for the water to back up into this here, we're creating an extra two feet of freeboard in that area to control additional flooding that might occur in the neighborhood. So that in addition to the overcapacity that Joe has in his basin, on the development site, I think is going to be a nice little contribution to the

neighborhood to keep to maintain some of the the cure some of the flooding problems that are happening downstream further to the north.

**Joseph Riina 30:08**

Steve, I have the photos.

**Steve Marino 30:10**

Okay, good. Thanks, Joe.

**Joseph Riina 30:15**

You see them?

**Steve Marino 30:16**

No.

**Joseph Riina 30:19**

Oh, okay. Hold on.

**Steve Marino 30:26**

No worries. There we go. Thanks. So that upper left hand shot there. That's the wetland right off of veterans road. You can see there's a ponding area and just beyond that all phragmites. The lower left is a shopping cart in Hallocks Mill Brook, that center photo is a recliner that we found in that wetland again, adjacent to veterans. I guess it's a convenient place to park and throw things over the bank. The only upper right hand corner is the foot is that sewer easement on Greenwood Street. Again, since the installation of the of the sewer line through there, there must have been, again enough disturbance to get phragmites in there get that have to get ahold and now that's entirely phrags. So we'll go in there and clean that out. And that bottom right hand shot is again is the Veterans Road wetland with with the density of phragmites so again this was taken in the winter so you don't get the full effect. In the summertime both of these areas are eight to 10 feet of Caribbean. There we go. Okay. Eight to 10 feet of fragment is growing entirely through those areas. I Joe, if you want to go to the that last that last screen there's the blow up of that.

**Joseph Riina 31:59**

Something happened here, okay. Okay.

**Steve Marino 32:05**

There you go. So this is just a blow off of the the existing wetland line on the Greenwood Street parcel, the area that we're proposing to clear out the phragmites as well as expand that wetland you can see there on the right hand side right there, you can see that that upper line to the wetland, we're going to be expanding that further to the east to make the wetland larger there as well again, it's it's more area for store flood storage, as well as creating a larger, more vibrant wetland by removing the phrags and putting native species back in there. Then you can see there the proposed outflow channel that will allow that area to drain down for the most part still be wet enough to be wetland but drain down so that there's a storage available should the stream come up and overflow its banks. We have some room for

the water to back up into this area here. Let's go back to that main screen. Yes, thank you. As Joe mentioned, we did a tree survey we just recently in the last month updated that tree survey to include all the trees eight inches and greater on the site. We did find a total of 182 trees, some of which were dead. A large number of trees were also covered with vines. Since since deer have been going in there and chewing all the vegetation out all the like, again, no shrub layer, very little and herbaceous layer. It's all just trees. Things that are left are things like climbing bittersweet, which have gone in and covering a good deal of the trees out in the site. 90% or more of the trees are red maples. They're not it's not a long lived species. So there's a lot of standing dead out there a lot of dead branches. It's not really what you'd call a high high value forested area. We did find some hemlocks and oaks out there very few, but want to identify that they are out there. So I think a total of about 160 to 170 trees will be coming out. We're proposing as part of our mitigation 30 trees, 60 something shrubs, additional trees will be planted in the, in that stormwater planter. We'll put some additional trees in that area phragmites with a sewer line one where the sewer line is, as soon as we know what's growing in there, but this time until we can clear that phrags out and get a better idea of what's actually growing there. We don't know what needs to be replaced. And then, as you'll hear from Frank in a couple of minutes, we will be there is a landscape plan on file for the developed portion of the property will include clearly more vegetation. So again, that will add back to the to the tree count and vegetation on the property. Looking at the town's tree code, it does seem that this project as part of a commercial site plan does fit under the tree law in terms of an approved landscape plan. So the discretion is with the Board issuing the approval to decide how many trees need to go back there in there and of what type and size. So, you know, we've made our proposal here and we'll I'm sure we'll continue to talk about the landscape plan and tree and the tree code as it applies to this site.

**Richard Fon** 35:19

Steve, not to interrupt, have you seen the memo today from the tree commission?

**Steve Marino** 35:25

No, I have not Rich.

**Richard Fon** 35:28

All right. We're gonna have to get your copy that.

**Steve Marino** 35:31

Okay. Yes, please.

**Richard Fon** 35:32

Thank you.

**Steve Marino** 35:35

All right, Joe. So I think that wraps it up. I think Frank is cued up next.

**Joseph Riina** 35:38

Yeah. Okay. Frank, you on?

**Frank Giuliano** 35:51

Yes, is Frank Giuliano, landscape architect. Joe, you're working it from your end?

**Richard Fon** 35:58

Yes. So tell me where you want to go.

**Frank Giuliano** 36:01

Alright, first, let me just explain that we did appear in front of ABACA. And there was only one comment after the review that we attended, and that was to add some screening in front of the wall between the wall and Maple Hill Street, which we did do. What this plan is we've added as many large trees in to the site as possible without hindering view lines or anything for the cars. The other thing is that we've only used 100% of the plantings are native material. The if you look at the banked parking areas, the one on Maple Hill Street and then the one backing up to the medical building, those are all heavily planted. There is some lawn area in the front of the building and the reason that this lawn area and also the area in the second banked area by the building where there's some Juniper is very low so that there's some areas to push snow. Otherwise, if it was all heavily planted it there would be nowhere on the site to plow snow and stock pile it without using up parking spaces. The north end which abuts the post office is planted pretty heavily. There's nothing there's no windows on that post office side however, we felt that it should be screened so that we don't look at the the kind of no man's land between this property line and the post office. And the maintenance on the post office side is not is not very aesthetic. The on the opposite side for the rear adjoins the medical buildings, we're providing as much screening as possible so that when the parking the parking lot from the medical building has some screening into our parcel. The streetscape is pretty heavily planted, again, all native material. There's a short wall that comes from the truck access area. And that's screened. And then the street trees that are consistent with whatever else is on Maple Hill Street. The sizes of the trees are substantial. Three and a half to four inch caliper trees. And the size of the plantings are pretty substantial. So whatever green space is left on this site will be heavily planted. It probably will be the greenest spot. Definitely on Maple Hill, but probably in the entire downtown area once it's completed. If there's any questions?

**Richard Fon** 38:52

Thank you involved in the roof top?

**Frank Giuliano** 38:56

Yes, the roof top, the roof, the roof top There's going to be, you know, green roofs in this area of the country are the only feasible plant are sedums. And there are companies on Long Island who grow the sedums specifically for our northeast climate. And they come in actual on pallets. And once the soil is put down, which is only four to six inches of, of a light pack soil, these matts will be delivered, and basically the day it's installed, it's done and it needs to be irrigated. The good thing about the sedums are that they do stay succulent, meaning they have moisture in them all year so that there's no chance of a fire the plants won't be dried out like a normal planting in a wetland. The sedums have proved in this climate to be the most adaptable and long lived, we have sedums moves that go back up in the county of Scarsdale that go back six years and there's no issues with them at all.

**Richard Fon** 40:14

Okay, thank you.

**John Tegeder** 40:16

I have a couple questions. Is that okay, Rich. Frank, what is the species that you're using for screening on the north side that looks as though it's sort of pink colored?

**Joseph Riina** 40:30

Okay. Joe, could you highlight the plant list? Are you able to enlarge that? Yep, it's there viburnum den Kadim which is a native viburnum. But the Chicago luster is a very upright variety of it. So they are not evergreen. But remember that's also in the wetland planter. So To viburnum that will take the wet conditions. It gets very thick and a lot of basil growth, it's not a tree, they very heavily their shrubs that will grow up to six to eight feet tall. And the Chicago luster is upright and a very shiny green leaf in a mild winter like we just had, it will remain evergreen. In a normal winter, they'll lose their leaves in November and regain them again by this time of year.

**John Tegeder** 41:30

Okay, so it will appear to be hedge like and can be maintained as a hedge more or less.

**Joseph Riina** 41:34

That's exactly it.

**John Tegeder** 41:36

Yeah. Okay. Secondly, in the front of the building the plantings there, except for the plants that are in front of the wall. Those are actually most of that stuff is behind the wall right on.

**Frank Giuliano** 41:51

Yes.

**John Tegeder** 41:52

And up, elevated three or four feet or whatever it is correct.

**Frank Giuliano** 41:56

That's right.

**Joseph Riina** 41:57

Actually not not quite John it's a little less than three or four as you get towards this end, this is

**John Tegeder** 42:02

a little higher. Okay,

**Joseph Riina** 42:04

higher than you're almost you're at grade level.

**John Tegeder** 42:08

So I assume that between the wall and the edge of the sidewalk as shown is his lawn or grass.

**Frank Giuliano** 42:16

Yes.

**John Tegeder** 42:17

Okay. I'm suggesting that we think about moving the sidewalk in and creating a buffer strip, you know, a planting strip that could we can do some street trees, and then keep it a little bit for snow storage. So this way you can clean and clear up the sidewalk a little bit easier during heavy snows. And then my last question for you, Frank is on the south side, above the wall where there you're actually building parking. What is the treatment there? I know it's very close to the property line. But what is going to happen in there? Yeah, right in there.

**Frank Giuliano** 42:56

There's nothing there because of the wall comes almost right up to the property line.

**John Tegeder** 43:00

Right, but you're going to do something with it after construction of the wall.

**Frank Giuliano** 43:06

Oh, well I'll be graded unseeded.

**John Tegeder** 43:09

Okay, it'll be seeded then, then right?

**Frank Giuliano** 43:11

Because the their parking lot comes almost right up to the property line as well, at the medical building.

**John Tegeder** 43:16

It'll be seeded with grass?

**Frank Giuliano** 43:18

With grass.

**John Tegeder** 43:20

Okay, and so you'll have

**Frank Giuliano** 43:22

and the reason is that right now, all their snow is piled right there too. So, anything we do plant if we did, we've got Joe, how much room do we have between the wall and the property line there?

**Joseph Riina** 43:36

About maybe at 18 inches to a foot.

**Frank Giuliano** 43:39

Yeah.

**John Tegeder** 43:40

Okay. All right. So you'll have how that's going to be maintained on your maintenance plan, right?

**Frank Giuliano** 43:46

Yes.

**John Tegeder** 43:47

Okay.

**Frank Giuliano** 43:47

We'll have a maintenance plan that goes along with this as usual.

**John Tegeder** 43:50

Okay. And then I have a question for Steve, which is on this southern wetland that you're improving?

**Steve Marino** 43:59

Yes.

**John Tegeder** 43:59

So you said you're going to lower it a little bit. I want to be clear, you're lowering the water level to a certain extent?

**Steve Marino** 44:07

We're lowering water level, John and as part Yes. Right, right. By reopening that swale, we'll be lowering the water level a little bit, at the same time when we pull the root masses out for the phrags. Because once we cut the phrags, you know, if you leave the roots in there, in a situation like this, it's just going to grow back. So the proposal is to probably go in there with a small machine and take the the root clumps out and by pulling those out, that will also lower it 6 inches to a foot by just getting those roots out.

**John Tegeder** 44:37

So you'll you'll lower the water level, but you'll also deepen it?

**Steve Marino** 44:41

Deepen it a little bit. Yes.

**John Tegeder** 44:43

Is that clear? Okay.

**Steve Marino** 44:44

Yes.

**John Tegeder** 44:44

So what you're doing will actually improve the function of the wetland, correct?

**Steve Marino** 44:48

That's the plan. Yes, exactly.

**Joseph Riina** 44:50

Okay. All right. That's all I had on that. And then just one other comment point, actually, for Joe is on the lighting plan, I think the wallpacks specify the specified wallpack there is probably not supported by the lighting code. And it looks as though it does have a horizontal throw to a certain extent. And that should probably be fully shielded. That that looks like the standard security light. Okay, so we'll maybe We'll address that.

**John Tegeder** 45:26

In particular, since you have some polls around it. I'm not sure you need to throw light all over the place.

**Joseph Riina** 45:31

Yeah, I mean, this is more, as I said, around the sides and back of the building.

**John Tegeder** 45:40

Okay, that's all I have.

**Joseph Riina** 45:44

Okay, so we'll move on to the Gene. So Gene, you need to share your screen.

**Gene Vetrano** 45:54

Joe, I will but can you put your site plan back up for a minute. I just want to discuss the the entry portico and also where we're going to locate the emergency generator. So again, Joe, if you can point out, I don't know if you could see my mouse on there, where the, so the entry portico is going to extend into the setback window. So we're going to request a zoning variance for that canopy. We mentioned that at the working meeting for planning last month and also at ABACA. And then also Joe, if you can show where the emergency generator is going to be behind the trash container, lower south, east corner southeast, keep going right back in there. Right. We're going to provide proper screening around that. Those were two issues that we mentioned that ABACA and also at the planning work meeting. I don't have those on my drawing. So I just wanted to bring them up while you were there. I'll bring my screen up now. Joe thank you. Yes.

**Joseph Riina** 47:09

I have to stop sharing okay there you go

**Gene Vetrano** 47:14

Let me see if I can figure this out I'm a bit of a dinosaur here so you have to bear with me. Can you see that? Yes?

**Robyn Steinberg** 47:24

No.

**Gene Vetrano** 47:24

Yet?

**John Kincart** 47:24

No.

**Gene Vetrano** 47:27

No could be my daughter just coming in let me have her come. Oh, Alex. I want to bring up my I want to bring up my PDF.

**John Tegeder** 47:42

Okay, it's coming up now.

**Gene Vetrano** 47:45

I got it now. Okay. I have it now?

**John Tegeder** 47:48

Yep.

**Gene Vetrano** 47:49

Thank goodness for daughter number three. Thank you. My name is Gene Vetrano I'm with Sal Mancini architect and Gary Spilotro architect. We have as I said, appeared before the Planning Board at a workshop and also ABACA of the workshop. I will go over the five architectural sheets and then I have the rendering that we did not have available at those meetings. Again as Joe mentioned the building is 108 by 90. The lower level which I will zoom in on will be warehouse space. Will have a entry stair elevator shaft storage for records, payroll and so on in the front right corner of the building somewhere in the back, not sure location yet we'll have a break room toilet for the warehouse man and at the loading dock, separate exit for the warehouse men and then also a small office with a window viewing out where the trucks will be backing in and out of that space. That has not changed from our last appearance. The roof plan has remained the same except for the fact, and I'll show you when we get to the second floor plan, that now we have a large section of that space that's going to be the green roof. We'll also have mechanical equipment stored up there. And then based on recommendations from John and ABACA, this wall now will actually be a full gambrel roof. And once I have the size of the mechanical equipment, if we have to add additional screening, we will along the top of that gambrel roof. Let me go to the next drawing. Okay. Start with the second floor again second floor plan. These are the stairs. Second means of egress from the second floor that will go down to the first floor. There will also be a hallway that will allow the owner to access this back flat roof. We propose to put a patio up there with some screening. This will be the green roof, and then mechanical will be at the south end

of the second floor. as Joe mentioned, we have no tenants in mind for the second floor yet. So we're just going to build that out as a white box. We have the elevator, stairs, and we'll designate the entire south section of that second floor for office break room and necessary toilets. And we just developed a range poll here to make sure that we didn't exceed the recommended height of the building. First floor, let me remove this, apologize. All right first floor again this is our portico are covered canopy in the front with the roof that extends across the entire front of the building to protect any grills, barbecue, any summer appliances that may be displayed out there, we recessed the entry, we have two areas in the front that we're going to display kitchens, one of the right one on the left and they'll both be completely visible from the under that front canopy. We've established a separate entrance to the second floor. Again elevator, elevator also goes to the basement besides second floor, the staff for Atlantic Appliance will have access in the back of the elevator so that they're the only ones that can get downstairs to the warehouse. It'll be locked out for anyone entering from the second floor lobby, stairs to the second floor and then again stairs down from the Atlantic Appliance, we haven't established the layout yet of displays. We will do that once I have an opportunity to meet with Mr. Vukoj and his suppliers, and then we'll establish how we're going to display and again, the entire floor will be for retail display. Let me blow it up a little bit and I'll walk you through the office space. So again, everything remains at the south portion of that floor. We'll have a service and parts section just next to it service parts, check out employee break room. I'll have a small Dwyer unit kitchenette, ADA unisex restroom. upkeep, a general manager will have her own space. This will be the administrative staff which I call the sisters office. They also storage and storage will have custodial and cleaning supply cabinet accessible from the retail space provided to ADA unisex restrooms, drinking fountains, slop sink. And then off of the administrative offices. I apologize. Let me go back. We will have a break room with a kitchenette, a changing room they'll have a private toilet, storage, and then the owners office, again private office with his own toilet. Let me go back now. Front elevation. And I do have a perspective. So I didn't do this in color. We modified the signage a little bit and speaking with the owner and his his his daughters. They thought perhaps if we had block letters that stood out and were pinned to the building, it may be a better effect. So what we did, I reached out to Tim at Signs Ink. He's presently working on three variations of signage for us. Once I have that I understand I have to go back before a backer and do a separate science submission. So once we have that, then I get I'll give it to this board also. So again, Atlanta Appliance if we do pinned letters would look something like that. And then what I did is I went back to the original site that I presented to planning. And just so that Tim at Signs Ink had a better feeling for what we were looking for, who were going to put logo with the bouquet building beneath it, I gave him all the dimensions. This is the logo that will be in this placard. And if that's the direction we go, that will be up here with this gable end. If we go with the pin letters, we'll move the Vukoj building down at the portico canopy, and then we'll just leave the logo of Atlanta Appliance which is the two blue triangles at Two gables had the gable of the portico. On the south elevation, and again when we get to the sorry when we get to the rendering as the south elevation, these windows are all the offices that exist in the south portion of the main floor. These are the proposed windows for the second floor and again the logo up at the upper upper gable roof based on a suggestion of ABACA and we widen this space to create a little bit of a break and rather than having full horizontal siding, the same color from the front to the back, they suggested we put in a banding to tie in the blue with the gray so this is a fascia but along the entire South side of the building. They also suggested that we try to create a return that a hip roof that this ends here and here. And after we played around with it, we just really weren't comfortable with it. So we left it at the just the gable again, I think when you see the the rendering,

you'll appreciate, appreciate what it looks like. But they also suggested that we widen the columns, which we did. So we widened all the columns. We took the pediments up, and then you'll see in the rendering, we continue that line up underneath the eaves of the gable roof. We also are going to match the stone base wall will be the same stone that we're using for the landscaping walls. And it was discussed and suggested at the ABACA meeting that that's going to be a cut going on in the gray family. So once we've established that and picked out that material, again, we'll present that back to the board. With that, also John suggested that we put together a proposed North elevation Facing the post office, we didn't have initially to put some windows on it or break it up. I like to explain how the windows ended up at this configuration. These windows on the second floor, match the windows on the south elevation, there is a fourth window here. If we put this fourth window here, this fits right in line with the demising wall between the second means of egress from that second floor and the second floor white box, so we left it out. John also suggested that we put in some clear story windows, we put in a series of four not knowing the exact location yet because I think this is going to be dependent upon how we display the the appliances inside the showroom because again, we'll have some kitchenette kitchens, actually laid out and then based on their layout, we may slide these you know back and forth of that. This door is the second means of egress from the the main floor. I cannot go towards the front of the property because what happens is the driveway is too close to the building for me to allow for an ample width for the set of stairs. So we elected to let that stairs run towards the back of the property and then we just develop the rear elevation. Again, this is the entire back of the showroom on main floor. The only window right now is in the owner's office. These are windows that we proposed for the second floor and again this is the the full gambrel roof. As I said once we established the height of the mechanical equipment if we have to apply and we will. Right now it's five feet above the finish elevation. This is the loading dock and again, you can see as Joe laid out, the truck will back down so that the bed of that tractor, I apologize, the trailer will be level with the loading dock. This is the door exit for the warehouse man and that's the one that one is office. Now, I don't want that one. I want this one. This, let me see if I can get this, right so this is the proposed street elevation. Portico with the logo again logos. This particular rendering shows the signage as we had it before we discussed with Mr. Vukoj and his staff, the possibility of pitting the letters out there. So if that were the case, this is out, the Vukoj building signage will go here. This logo will be smaller and then obviously whoever the tenant or tenants are on the second floor, their signage will be here. Again we beefed up all the columns we carry the lineup. Initially, you know go back to the first rendering. Initially the rendering we had the stone wall up high and it was just too intrusive. So what we did is we went back we revisited and we determined to lower that wall. I think Joe did you say was going to be at 22 inches above grade?

**Joseph Riina** 60:34

The wall is going to be 12 inches above grade.

**Gene Vetrano** 60:36

12 inches All right. So this will be 12 inches and the stone will match. Right stone on the front, our base and the stone wall will be the cut granite. Right now we're looking at the blue and white. Again, when we went to a backer they suggested that or blue and light gray they suggested that rather than having this all light gray that we break this up so we created with vertical lines, a blue section in the center under that gable roof, and then the rest of it will be gray. The bottom is going to be stuccoed. I'm assuming we'll let that be a gray similar to the horizontal siding. The materials we're working with right

now, we're proposing a horizontal hardy board with a seven inch exposure. All the trim will be in AZEK. We'll use AZEK on the columns, corner boards or the freeze boards. The slate roof we're proposing right now we're looking at Da Vinci Roofscape, which is a composite roofing material. And we're proposing that to be a slate slate gray. That's about it. If you have any questions? I'm open to them.

**Richard Fon** 61:55

Thank you. What else you got Joe?

**Joseph Riina** 61:59

Okay. Gene, could you unshare?

**Gene Vetrano** 62:06

Say that again Joe.

**Joseph Riina** 62:08

Just do a stop share.

**Gene Vetrano** 62:11

Stop share. Okay, so let me see how to stop share. Stop share. Okay.

**John Kincart** 62:18

Bravo.

**Gene Vetrano** 62:19

I'm sorry, but I'm a dinosaur. I have to call my daughter to come running back down.

**Joseph Riina** 62:28

Yeah, so just a couple things. Gene, Gene hit on the need for variance. So the, the front of the building comes out beyond the setback line. So we're going to need a 10 foot variance for for basically from this point on the portico, you know, the closest point so they need a variance for that. We're also going to need a special use permit for exterior displays. We're going to use this area in front of the building for, you know, occasional displays, mostly in the grill weather. So they'll probably be grills out there and whatnot that will be brought out in the morning and returned at night. So with that said, the only thing that we we feel we haven't addressed yet and we, we have to take care of which if you to choose to close public hearing, we don't think would affect your doing that is is the SHPO request to do a Phase A archeological study, which we're hoping and anticipating that it's not going to be it's not going to yield anything of concern.

**Richard Fon** 63:58

John, I would ask you how do we, how we handle that.

**John Tegeder** 64:04

The phase one?

**Richard Fon** 64:06

Yes.

**John Tegeder** 64:07

That should be done probably before you're done here.

**Richard Fon** 64:10

All right, so we should no matter what, keep it open.

**John Tegeder** 64:13

I would say,

**Richard Fon** 64:14

Okay. Does the sofa fall into that category of? I'm surprised Frank Giuliano replant it.

**Joseph Riina** 64:24

That's circa Archie Bunker.

**Richard Fon** 64:25

Yeah. I like it.

**John Tegeder** 64:28

Just one other thing, Joe, I think it's probably wise to apply for the zoning variance as soon as possible, right?

**Joseph Riina** 64:37

Yes. I am not sure how they're operating or if they're operating. I don't know if you know,

**John Tegeder** 64:43

They will be at some point soon sooner than later.

**Joseph Riina** 64:47

Okay. So so that, you know, if the Planning Board is okay with with are going for the variance than we would surely like to get a letter of endorsement from you to the zoning board.

**Richard Fon** 65:02

I think we talked about that at the last meeting we had. Any objections from the board?

**William LaScala** 65:10

No none here.

**Richard Fon** 65:14

Done with your presentation? Go ahead John sorry,

**Joseph Riina** 65:17

Yes.

**Richard Fon** 65:17

All right.

**John Tegeder** 65:18

Just one last minor thing in the rendering on the lower retaining wall that's close to the building. It shows a fence. Is that the fence that you'll be using? And can you put the detail on your set?

**John Kincart** 65:31

There's a, there's a guardrail there actually, Joe said last time.

**Joseph Riina** 65:34

Yeah, there's actually

**John Kincart** 65:39

because there's a drop behind it.

**Joseph Riina** 65:42

There's actually what the renderer didn't pick up, John is a guardrail there

**John Tegeder** 65:46

Yea

**Joseph Riina** 65:47

in front of the railing. So we will be using yes, that's the railing we were going to be using. We will add a detail to the plan for that.

**John Tegeder** 65:56

And you'll have a guardrail in front.

**Joseph Riina** 65:58

And there'll be a timber going rail in front there. So and there's also a timber guardrail at the end of the the access aisle here as well as in this area facing Maple Hill. And it's all timber guardrail, but, but everywhere we have an elevation difference. So this, this railing is going to wrap all around this section in the parking lot, all the way to the end of the building here. And here, it's just going to run this stretch here.

**John Tegeder** 66:35

Okay.

**Richard Fon** 66:37

All right. Thank you, Joe and team.

**Gene Vetrano** 66:40

Thank you.

**Richard Fon** 66:41

Any members of the Planning Board have any concerns questions?

**William LaScala** 66:47

None here.

**John Kincart** 66:47

Nope.

**Richard Fon** 66:48

All right, John. I know we spoke anything else?

**John Tegeder** 66:52

No, I don't have anything else at present.

**Richard Fon** 66:54

Thomas everything duly notice.

**Tom D'Agostino** 66:58

Yes, sir.

**Richard Fon** 66:59

Okay Jim, any issues.

**James Glatthaar** 67:01

No issues from me.

**Richard Fon** 67:03

Robyn ready to go to the public?

**Robyn Steinberg** 67:07

Yes.

**Richard Fon** 67:08

All right. So do we have any comments, concerns or questions from the public for the applicant?

**Robyn Steinberg** 67:15

I'll invite Susan Siegel would like to speak.

**Richard Fon** 67:19

Welcome, Susan.

**Susan Siegel** 67:21

Yes. Hello there. Okay.

**Richard Fon** 67:23

I hope you're well.

**Susan Siegel** 67:25

Okay. Yes, I am and I hope you're all well. Just to clarify, judging by what I've heard and seen the members of the planning board present are you Rich, Bill LaScala, and John Kincart? Is that correct?

**John Kincart** 67:41

And John Savoca and Rob garrigan were here also.

**Richard Fon** 67:46

The only one who is not here is Aaron Bock.

**Susan Siegel** 67:49

Okay. I could couldn't say this. This is all very new to me. And I'm not very technical, and Robyn knows. Okay, Let me just make it clear that I'm speaking as a resident and not as a member of any group. All right. In general, I support the application and I believe that this new home for Atlantic Appliance will be a very welcome addition to the Yorktown Heights, business family. I've been a customer of Atlantic for more years than I'd like to think about, but I do have some concerns about whether the plan as it was presented in a very, very thorough presentation conforms to the town's tree law. And the law is very specific and very clear requirements for a tree permit. As some of you know, I've been involved with the tree permit issue for basically since 2010. Specifically, the tree law requires the applicant to submit a tree mitigation plan that addresses and compensates for the impact of the removal of protected trees. And also, and this is critical, the removal of disturbance of protected woodlands. The mitigation plan requirement is a shall not a may. Mitigation is not optional. It is required. The law also clearly very clearly requires that the mitigation plan shall, again shall not may, be submitted to both the Conservation Board and the Tree Commission where they review and comment. I heard you say, Rich that it was a memo from the Tree Conservation Board. And I think it might be helpful if that can be read out at as part of this hearing, so that his comments can be shared by by other people like wetland or like wetlands, but as

**Richard Fon** 69:44

I said, we could do that or probably have Thomas do it.

**Susan Siegel** 69:47

Okay. Yeah, I did. It's probably very short, like wetlands, trees and woodlands, as I'm sure you know, provide multiple functions and benefits to the town. That's why when trees and or woodlands have to be removed or disturbed to make way for development. The loss of those functions needs to be mitigated. The key word is the functions that these trees and woodlands provide. We've done this for decades

with wetlands. But since 2012, The town has recognized the need for mitigation when trees and woodlands are removed or disturbed. But there's no record that this is a separate and distinct distinct tree mitigation plan has ever been prepared as part of the Atlantic Appliance development plan for either tree removal or woodlands, removal or disturbance. In all the planning board sessions leading up to this hearing, I don't recall any discussion about the extent to which a protected woodland would be removed or disturbed. The applicant has submitted a landscape plan that's been very carefully reviewed today that identifies some new plantings, both trees and shrubs. But as Planning Board knows a landscape plan is not a mitigation plan. And a landscape plan isn't a substitute for a tree mitigation plan that addresses the lost functions of removed trees and disturbed woodlands. Again, if I repeat the word lost functions, many times it's because that's the critical essence of the tree law. Mr. Marino did an excellent job of describing the wetlands mitigation plan. But it really wasn't clear that that was a substitute for a separate and distinct tree mitigation plan. Again, that deals with the functions not of the wetlands, but of the trees and the woodlands. Also, the stormwater plan doesn't address all the lost functions that we that we need to talk about. The mitigation section of the tree law is very flexible, and it gives the planning board the ability to work with the applicant to develop a very reasonable and In a meaningful and cost effective mitigation plan that is very custom tailored to the site. And the mitigation plan isn't just the replanting of a fixed number of trees. The plan, as the board knows, can be a combination of measures, some of which don't necessarily involve replanting. And the plan could also those measures could be on site, but they could also be off site.

**Richard Fon** 72:27

Susan,

**Susan Siegel** 72:28

You're yeah, I just have a few more comments.

**Richard Fon** 72:30

Not to cut, not to cut you off. We, we, we're aware of the tree law. I don't think we want to go through the whole purposes of tree law right now. But to your point, and we'll have Thomas read it in the TCAC did issue a letter. Unfortunately, the applicant hasn't had the chance to take a look at it yet. So what I would say is hold tight as this is why these things get, you know, sent out to the various boards and we look forward to the the team for Atlantic Appliance to come up with those plans as you stated. So we appreciate your comments not to cut you off, but we don't need to go into the I think the with all due respect the history of the law and it will get addressed.

**Susan Siegel** 73:16

Okay, well, I'm glad that you

**Richard Fon** 73:18

want to talk to that real quick. Have you

**Susan Siegel** 73:21

No, but I'm glad that you rec you recognize that that before you issue a tree permit, it needs a mitigation plan. And that that mitigation be

**Richard Fon** 73:31

that's why we send it to the board Susan, so

**Susan Siegel** 73:34

Okay, so just adjourn

**Richard Fon** 73:36

Go ahead. I'm sorry.

**Susan Siegel** 73:38

Yeah. If you just adjourn the hearing, and we'll let them

**Richard Fon** 73:42

We're gonna make that decision as a board.

**Susan Siegel** 73:45

Alright, because the town worked for more than two years. You know, on this

**Richard Fon** 73:51

Susan with all due respect

**Susan Siegel** 73:52

You were a part of it Rich.

**Richard Fon** 73:54

I listen, I appreciate what you're saying. But we don't need to get into that here. We understand that's why we forwarded off to these other agencies. That's why they take a look at it. We've got the memo back, we will address it. And I appreciate your input. Thank you. You ave anything else?

**Susan Siegel** 74:11

Okay. And just, just one other thing. Was the application back in, I think in December when the application first came in, that also should have been referred to the Tree Commission and was it?

**Richard Fon** 74:24

I believe it was, we will double check that.

**Susan Siegel** 74:27

I appreciate that because I think there have been some other applications currently before the board that I am concerned about that they're not being properly referred out to the Tree Commission.

**Richard Fon** 74:37

We will certainly make sure that's done if it hasn't.

**Susan Siegel** 74:40

Okay. Thank you. Thank you so very much. And thank you, Steve and Joe for a very good presentation.

**Richard Fon** 74:46

Yeah, well done, gentlemen.

**Unknown** 74:47

Yeah well, good, very good.

**Richard Fon** 74:49

All right. So if there's nothing else from the board, anybody else from the public? Robyn, do we say anything?

**Robyn Steinberg** 74:58

I do not.

**Joseph Riina** 75:01

All right,

**Richard Fon** 75:02

I'm gonna make the motion to adjourn the public hearing until we cross some T's and dot some I's. Any objections?

**William LaScala** 75:13

Why are we adjourning it? Why can't we close it?

**Richard Fon** 75:15

Cuz there's too many details that haven't been addressed yet.

**John Kincart** 75:20

We especially that historical

**Richard Fon** 75:22

Yes, that's the state. We can't we can't just that's got to be something that's got to be addressed.

**John Kincart** 75:28

But we can move it along, Bill because we're having meetings every week now.

**Richard Fon** 75:33

I have to say personally, I like the application, I think was very well presented.

**Mark Lieberman** 75:40

Excuse me, I sent in a comment to Robyn.

**Robyn Steinberg** 75:44

Yes, Mark just sent me a message.

**Richard Fon** 75:48

Mark?

**Robyn Steinberg** 75:49

Lieberman.

**Richard Fon** 75:50

Oh, okay.

**Robyn Steinberg** 75:52

He would like to know, how can you change a wetland and still call it a wetland?

**Richard Fon** 76:01

I would leave that to Steve.

**Steve Marino** 76:02

I get to where I guess we're probably talking about the wetland along on Veterans than that South wetland. Well, I mean, a wetland is an area that's wet, that has a certain type of soil and has certain kind of vegetation growing out of it. Our proposal is to maintain the wetness, which is what drives everything else, but clean out the nuisance vegetation and invasive vegetation that's growing there and replace it with native vegetation that will provide a better function as a wetland in in our kind of ecosystem here. If we leave it the way it is, animals don't use it. The vegetation is a monoculture of one species, which is a nuisance and gets into everything. The fact that this area has become flooded has already killed the trees that were growing in there previously. So our plan is to modify it, not to replace it. It's to modify what's there and enhance it in a way that makes for a better wetland.

**John Tegeder** 77:04

Joe? Yeah, Steve, you're actually expanding the wetland or you're not?

**Steve Marino** 77:07

And we are expanding the wetland by about 50%. Yes.

**Richard Fon** 77:11

I think what's important about this application? Is the benefit that work in that wetland is going to have towards that area that we've heard about with other applications.

**John Kincart** 77:22

Correct.

**Steve Marino** 77:23

I call that application on Greenwood Street. A lot of the concern was regarding flooding from the brook on their side of the street, and how would that property affect the flooding? So we're sure the same questions exist here. And we have a kind of a two prong approach to try to help with that condition.

**Richard Fon** 77:40

What's nice about your presentation, Steve, is you go back to the county site and get those old aerials, which really tells the tale there, especially with history.

**Steve Marino** 77:53

Sure, it does. Yeah.

**Richard Fon** 77:54

And we appreciate that.

**John Kincart** 77:55

There we are. Let's look at that top photo.

**Steve Marino** 77:58

Yeah

**John Kincart** 77:59

Amazing.

**Richard Fon** 78:01

Mr. Lieberman, does that answer your question?

**Mark Lieberman** 78:06

No, it's not my expertise. It's just a curiosity. Cuz everything I heard in the past during the wetlands hearings this was it takes decades the form of wetlands and changing the wetlands. It's no longer a wetlands it's it's a man made project.

**Steve Marino** 78:30

And I've been working on projects similar to this and expansion and restoration of existing wetlands for many years over 20 years now. And and I can tell you that as long as you have the right base conditions, then we know this area is wet. We know that the soils are organic and hold a certain amount of nutrients in the soil. As long as we can maintain those conditions and revise the plant community there we can we can certainly make an existing wetland better. And in this particular case, we're not trying to take an area that isn't wetland and making wetland that's a little bit more of a complicated process. Here we have an area that's already wetland and we just want to clean it out and improve it.

**John Kincart** 79:09

And change the furniture.

**Steve Marino** 79:10

And change, and change the furniture.

**Mark Lieberman** 79:13

Okay, well, thank you.

**Richard Fon** 79:15

Thank you for the question.

**John Kincart** 79:17

Thanks Mark.

**Richard Fon** 79:19

All right, we're missing anything. So the hearing is adjourned. Can I have a motion?

**John Kincart** 79:26

Motion.

**Robert Garrigan** 79:26

Second.

**Richard Fon** 79:30

All those in favor?

**Various** 79:31

Aye.

**Joseph Riina** 79:33

Thank you very much.

**Richard Fon** 79:34

Thank you guys. Frank. Good seeing ya.

**Frank Giuliano** 79:37

Thank you. Hope to see you soon.

**Richard Fon** 79:39

I hope so too.

**Frank Giuliano** 79:40

At a real live meeting.

**William LaScala** 79:42

Good night.

**John Kincart** 79:43

That'd be nice.

### **NESTLE WATERS**

**Richard Fon** 79:45

All right. We have one more public hearing. This is the Nestle Waters but before we get to the public hearing, we have to talk about waiving the Public Informational Hearing for this. I think what we discussed at the last meeting due to the nature of what's going on here, that the public hearing itself would, would cut it. So if there's no objection from the board do I have first a motion to waive the Public Informational Hearing for the Nestle Waters?

**William LaScala** 80:19

Motion.

**John Kincart** 80:20

Second.

**Richard Fon** 80:21

All those in favor?

**Various** 80:22

Aye. Aye.

**Richard Fon** 80:24

That cover that Robyn?

**Robyn Steinberg** 80:26

Yes.

**Richard Fon** 80:27

All right. Then I'm going to make a motion to open the public hearing for Nestle Waters located at 3775 Crompond Road. Do I have a motion?

**John Kincart** 80:39

So moved.

**Richard Fon** 80:40

Is there a second?

**William LaScala** 80:42

Second.

**Richard Fon** 80:43

All those in favor?

**Various** 80:44

Aye.

**Richard Fon** 80:45

Joe, you're on. Okay.

**Joseph Riina** 80:50

I'm gonna share Robyn.

**Robyn Steinberg** 80:52

Go ahead.

**Richard Fon** 80:54

Joe, just for a point of interest too we got on I forgot to read that tree memo in the last application. We got two emails from residents about the about the project. Have you seen those?

**Joseph Riina** 81:12

No.

**Richard Fon** 81:14

Thomas, is there any way to get those to Joe?

**Robyn Steinberg** 81:17

I just forwarded them to him.

**Richard Fon** 81:19

Thank you, Robyn. And I apologize, Susan. I was going to read that memo in and we'll have to get that out to her. All right, Joe.

**Joseph Riina** 81:37

Do I need to look at these emails right now, Robyn?

**John Kincart** 81:39

Well, Mr. Campolo is here with us tonight. He was the author of one of them. Correct. Mr. Campolo?

**George Campolo** 81:45

That is correct.

**John Kincart** 81:46

Yeah. So

**Richard Fon** 81:49

Hello, there he is.

**George Campolo** 81:50

Good evening all.

**Richard Fon** 81:51

How are you sir?

**George Campolo** 81:53

All right. Should I express my concerns?

**Richard Fon** 81:55

No, wait, we're gonna let the applicant do that presentation. Just like the other applications. And then we'll ask if there's any input from the public and then we'll talk to you.

**George Campolo** 82:04

Okay, I'll wait.

**Richard Fon** 82:05

Just hold tight. Thank you. We appreciate you being here.

**George Campolo** 82:10

Pleasure.

**Richard Fon** 82:11

All right Joe.

**Joseph Riina** 82:12

Okay. Good evening Joseph Riina, the principal Site Design Consultants and project engineer for Nestle's Waters North America. The proposed project here is re occupying of a site that that has been vacant for several years. Historically, this site was the location of the Verizon or prior to that Bell Telephone line crew at headquarters, and they did all their pole repair and transformer repair wire work. Out of this facility for the region. The so as you can see from this photo, this is what the site looked like when Verizon was occupying the site. The site's located on on the south side of Crompond Road almost at the Lexington border. This is Garden lane coming out here. This is a Requa Road which is a paper road that goes out behind the property. And this is the Town of Yorktown here in the county bus garage is across and on its way over there next door to it is the little cabin and and the medical building after after that. So as I said the proposed project is post properties. This site here. It's 1.9 acres. It's in Zone C-4 commercial. Nestle's is a lessee. They are not the owners of the property. You're entering into a long term lease to use the property for the distribution of bottled water. The current zoning is

consistent with the proposed use of the property. The the north side of the property is bound by 202. As you get behind as I said, Requa Requa Road is a paper road that goes out to two. That's a wet area there's there's a watercourse that runs basically across and parallel to the property and comes across and has its way and goes under 202 into the wetland which is across the street. That's a state when there. The area behind the property you can see there's about 200 feet of woodland vegetation. And then on the beyond that on Old Crompond Road, you have a residential neighborhood where you have a mix of residences, and some residences that are being used as commercial properties. At the edge of the wood line would line here, which is elevated above the property. So this is this is fairly flat in here. And then basically, in this area here, you've got a rise that goes from moderate to steep. In some areas, it's not even navigable by foot. And then you've got the rear yard and the properties in here. So the site as it exists today, there's the existing building here, which is approximately 25,000 square feet. The majority of the site other than this portion in front of the building is covered with asphalt pavement and has been the applicant has in in the last several months repaved the portion of it, this portion here as well as did some work to the existing fences. They replaced the chain link fence along the front of the property with new fencing, I'm sorry, from here to here, as well as install some rolling, rolling gates that they're going to use for security, and they added a gate back in this portion here. Again, to secure the site, this portion of the site it's still open. It's still an open lawn area. There's drainage on the property that exists. For the most part, we've managed to clean out and video most of the pipes that are underground. They eventually discharge across to Route to cross Route to to the to the state wetland. Some of the lot lines were clogged, we needed to get them clean. And there's an existing oil water separator on the property which is located right here. That picks up all of the floor drains inside the building. There is a pump a small pump station here. This building right into the low pressure sewer main the town low pressure sewer main which running right across the front of the property, and it's connected to town water. There's an existing loading dock on the back of the building which is destined to come down. The entire site is in an A zone as determined by FEMA. The proposed building will be not the proposed building, the existing building will be fitted with flood gates at all the openings, which are removable and could be installed at a prediction of any type of flooding. From what we've been able to find out, there's never been a history of the site being flooded. So, as I said the the project in the property is being adapted to distribute water. The building will be retrofit with interior loading docks, which are located in this back right corner here. The existing loading dock which I pointed out, which is here is, as I said, is to come down. Trucks will enter the site from this location here and back their way into the loading docks. These are the source trucks for the water. They deliver water to the site between 8 and 2am. Once they're parked, the staff inside the building, typically it's four individuals will unload the trucks for movement of the water into onto the the service, the delivery trucks which are parked out in this area here, which I'll get to that operation in shortly. So as these trucks leave the site, they're going to make their way around the building and out this security gate here. There'll be a all the gates there will be a FOB sensor to open the gates. When an employee or truck is entering or leaving the site. All vehicles leaving the site will be mandated to make a right hand turn out only. There'll be no left hand turns allowed out of the site. The so as I, as I mentioned, you have the route trucks which will all be parked here. And essentially the way the operation is going to work is at 6am in the morning, half of the route drivers will arrive at the site. Right so that's these gold colored spaces here. They will arrive at the site and they will park using these existing parking spaces here. Typically you'll have as I said, you'll have four individuals inside the building, doing the loading, I'm sorry the unloading and loading and you'll have one or two managerial, managerial persons in the building is also making sure that

everything is running smoothly and everyone has their route instructions. So, these individuals arrive at 6am. They make their way into the building. They have a separate gate here which is only going to be, Hold on a second we just so this gate is strictly going to be for vehicle traffic, automobile traffic, only. They are on site safety protocols which are very strict and it required to be adhere to. Nestle does under all under any circumstance wants to avoid mixing the commercial traffic with the automobile traffic. So this area in here is going to be dedicated to your automobiles. Again this will be gated and they'll have a FOB entry gate. So once these individuals arrive, they will walk there's a designated walkway that takes them into the building they pick up their route instructions and they're ready to go. Meanwhile, during the evening hours after a while these will late early morning hours while these trucks were being loaded to of the delivery trucks or backed into the building, they're loaded and put back in into position and parked. This goes on all night until all these trucks are full and ready to go. So now these drivers pick up their instructions, get in their trucks, these trucks here, exit the site and make a right turn only out of the site and get on their way to to their delivery route. Those trucks will be off the site by 6:30. As those trucks are leaving, the next shift comes in the other half of the route drivers. So they'll come in. They'll park in these empty spots here where the route trucks that have already left or whatever spaces are available in this area here. Same routine these these drivers will enter the building, pick up their route instructions. Their trucks are already loaded and ready to go. They will exit the site exit right only, they'll be off the site by 7:30. They'll return in the middle of the afternoon, park their trucks, back them into their spots, as shown here. And then that same routine will happen every night of the week, except for the weekend. As far as, as far as other improvements expected to be made here as part of this application. It's been a lot of discussion with the planning board about the aesthetics of the chain link fence along the front here. The applicant has agreed to replace that with a picket style fence. Which will look something like this. It'll be 8 foot high to match the existing fence. However the rolling gates will still remain in place and also will be chain link. In addition to that, there'll be some low plantings on the front of that area. Those plants will generally be kept 30 to 36 inches high. The plants selected are hardy plants and they're tolerant to to road salt so they should survive. Easily survive in this in this area here. The, there's existing lighting on the site which For the most part we're abandoning, and we're putting in some new lighting up. There'll be two new poles installed one here, and one here. Those lights will be directed inward and downward as as agreed to avoid shedding too much light towards the back. We've got enough light in here to provide safety for the workers to get around and for trucks to maneuver around the site without any mishaps. There'll be one, two wall packs. Here again, as discussed, those will be pointed downward to avoid any glare leaving the site. We've provided cut sheets and details of that lighting. This is the truck turning movement diagram. This is how the trucks will be entering the site and backing in each of their respective loading docks. Can show these are 53 foot trailers. So they're their big trucks. And there's no no issue with them being able to make the maneuvers they need to get into the into the loading docks. This shows the truck making a left out. This has never updated since we've agreed to to making that right hand turnout, but we'll get that we'll get that taken care of. But you certainly have agreed to that and we are going to stick with that. I think we've lost we've even added some stuff signage, we've added some signage here, which indicates that there'll be no left turn out. That is right turn out only. This is the signage for the building. As you can see, it's got the Ready Fresh Nestle logo that's going to go on the front of the building face facing 202 which is this elevation here. It's going to go somewhere right on, you know, right in the midpoint of the roof parapit. One of the other modification that's being made is the front elevation or route or to elevation the windows are being replaced to something more statically pleasing,

rather than the industrial warehouse type look, which exists in the other parts of the building. So lastly, we were asked to provide some additional information. We were asked to provide Phase One study. So the fortunately the property owner had one done in 2016, which is fairly recent. We've supplied that and in summary that showed that there are no environmental concerns on the site. As I said, we we've cleaned out, completed the cleaning out of the storm water lines, and we'll be able to provide a report on that also. The other point discussion was the noise factor. And the board asked for us to do a noise assessment of the trucks maneuvering on the site, especially during the early morning hours. So we brought in consultant, Tony Russo from Environmental Compliance Services, Inc. Who did his noise assessment, we submitted the report and Tony's on to explain that. So I'm going to bring that up. And I'll I let Tony go.

**Anthony Russo** 101:07

Okay, thank you, Joe.

**Joseph Riina** 101:10

Just give me a second Tony so I can get the report up. Can you see that?

**Anthony Russo** 101:29

Yep.

**John Tegeder** 101:31

We got it.

**Joseph Riina** 101:32

You got it? Okay.

**Anthony Russo** 101:34

Yeah, there's a figure, figure 4-1. If we can go there. It's about the third one in.

**Joseph Riina** 101:42

Tony you have to introduce yourself.

**Anthony Russo** 101:45

Yes, Tony Russo of Environmental Compliance Services Incorporated in Middletown, New York. We were asked to come in and do a noise assessment of residents in particular there nearest property lines and the residence themselves that is residential properties we can gain access to. And we conducted a survey between the hours of 9:15 to 12:30, midday. And what we did. And looking at this image this arial, we utilize a single delivery route truck, backed it up on two routes. You can see that up on the north side of the top side of the figure. You see the Nestle's what is facility building. There's Backup Beeper Route 1 and Beeper Route 2. What we, the concept was is to establish noise assessment locations and measure sound pressure levels when the delivery route truck was backing up along those two routes. And also obtain ambient sound levels. And the idea was to initially for the first three locations locate those, those points for assessment nearest south prop boundary line of the facility, which is more or less the northwest corner of the residence of 3074 and these are residences that are

on Old Crompond Road and number two was at the northeast corner of address 3780 and number three was up on the northwest side of 3756. Pretty much a little west onto 3766. And this is on the tail end developed portion of those properties. The idea for these three was to see what the noise levels were relative to increases over ambient. And we also thanks to Tom D'Agostino, you know, we're able to gain access to to residences, noise assessment location four and five four is pretty much set up between a midpoint point closest to the property line that that South pounder facility property line. For 3780 and 3784 and noise assessment location five is pretty much very near the back door or at least a stairway leading to the back door of that residence and as I said, we we initially set up NAL, one, two and three, two to measure sound pressure levels when the backup beeper was activated along Route 1 and then Route 2. So we took 30 measurements, at 10 second intervals, slow response Type A meter, decibel meter, and we recorded those measurements for each of those locations, and then we had gone back and did ambient also, and ambient pretty much was what was in the immediate area of land use activities including traffic along primarily traffic on Crompond road. And for noise assessment locations four and five, we did the same thing we measured ambient and we made The the sound of the backup is running across those routes. And what we what we learned was that and if we move along, just be on page six chose a tabulation. One more there you go, okay. You see in this table and I have some qualifications down on the notes, we have the different noise assessment locations across the top, and then I'm vertically on the left this ambient background Backup Beeper Route 1 and Backup Beeper Route 2. So at noise assessment location one, you can see the ambient level is for Backup Beeper 1, Route 1 and Route 2. Now keep in mind, these are level equivalence which is a calculation that's recognize two by planning boards and pretty much regulatory agencies to measure sound levels, various sound levels over a period of time, which, when assessed will give you a good idea as to whether or not you're going to get complaints from residents. And so that's highly recognized. So that was what calculating we included the calc sheets for those Leq's that were calculated. And looking at ambient of course, those levels are low. And across the board and for Beeper Route 1, NAL 1, which is close to Beeper Route 1, and when you think about it, looking back on that image we were just looking at and so that was high. Also, NAL number 1 was 60.32, which was the max and on and on and as you get to noise assessment locations, four and five, you can see those drops because they were further back as you would imagine they're further back. And so there's distance in a little bit, something to do with elevation. And we noticed that also the existing building acts as a barrier at NAL 1, partially a 2, 3 is kind of wide open. And the same, you know, goes for NAL 4 and 5, you know, there was a little bit of a barrier for by the building that is, and 5, there really wasn't a building. And so it's kind of straight out. You can see Crompond Road and so you had some influence there by traffic noise for the most part. And so I'm looking at Backup Beeper Route 2 as you go through the max, there was a max on that as well. And then of course, they will less so for 4 and 5, and in particular, at NAL 5, we had a spike because a helicopter flew overhead it was low flying. So I basically took maximum 30 minute period and through that 61.6 and it's noted in the notes and I plug that into the two points of recording to kind of get some kind of consistency to bring it down. The actual level is 58.66, with the helicopter without the helicopters 56.78. So it's just an effort to kind of bring this closer to reality using the maximum which was caused by a sizable truck on Crompond Road. And so, again, you can see somebody influences here and there and it worked out pretty good and you know, looking at this table, you can see that the amount or the change or the delta, you know, the increase is, is noticeable in some cases and in some other cases, it's not as noticeable. And what we did is we, we took this information and using the DEC's noise assessment of mitigating noise and, you know, monitoring noise, assessing noise and so on and

so forth their Policy Program, guidance document, we were able to compare these levels and make some sort of evaluation as to whether or not we're looking at any impacts. And so, Joe moving down to Section six, we get down to Section six. And incidentally, there's a lot of write up here on each of these results for the set the assessment that you might find interesting. And what I've done is on this page nine on the on the subject of a section of noise impact analysis, I included from the DEC manual or rather the guidance document was a human reaction to increases in sound pressure level, you can see, you know, we have an increase or change, that's under five, it's a claim human reaction is unnoticed or tolerable, five to ten, it's intrusive, and so on and so forth. Joe, if you scroll to seven, page seven, I also included something from OSHA to give you an idea of what sound levels typical sound levels are, which certain activities, you know, quiet room, 40 decibels, so on and so forth. So, basically, just to kind of give you another reference, no, that'd be OSHA as to what You can expect relative to sound pressure levels with different actions or activities. You know, keep in mind when we were looking at noise assessment locations, one, two and three, I personally was looking to see how close we were getting to 62 to 65 decibels because typically surrounding municipalities and of ordinances that have thresholds for the nearest residential property of 62 or 65 decibels. And so, you know, back on looking back on that table, we never exceeded you know, the 62 or the 65. We said we had to max levels that was 60 points, something around it. And, you know, looking down the page on page 10. You see the deltas for each of those three noise assessment locations and thinking back on the page prior, you know, zero to five human reactions zero to five, it's unnoticed or tolerable. And then five to ten. Thank you, Joe is in. Can't see that. But let me blow it up on my side. It's intolerant, it's intrusive. That's the word. I'm very sorry. And so looking back on those deltas, we have values that are zero to five and also not intrusive. But at no time did they exceed the 62, typical 62 to 65 decibel threshold level, which for me, personally is a good indication. And Joe moving down to the next page.

**Richard Fon** 113:50

Mr. Russo?

**Anthony Russo** 113:52

Yes.

**Richard Fon** 113:52

If I can interrupt for one second.

**Anthony Russo** 113:54

Yes.

**Richard Fon** 113:55

This is unbelievable information. If you're Mr. Campolo, up in his house at two o'clock in the morning on January 20th, and they're backing trucks up. Are you gonna hear it?

**Anthony Russo** 114:12

It's hard to say because I don't I don't know where he is. If he's part of that group, there is a possibility typically windows are closed. That's what they say these guidance documents.

**Richard Fon** 114:22

Right.

**Anthony Russo** 114:23

You know, we we didn't measure sound levels at you know, in in the morning.

**Richard Fon** 114:28

Right.

**Anthony Russo** 114:28

What we tried to do is to put those that truck right up against the line and have it be continuous. Now, you know, trucks are not going to drive back and forth along the south property boundary. They're going to be more a little bit internal. And in the case of the tractor trailers, the maximum would be two trucks arriving over a period of time staggered, so they leave and then two others will show up staggered and and then when the delivery route trucks are finished being loaded, they'll be backed up into those areas that Joe described. And so it's not a bunch of trucks, it's just one at a time because they can't move more than one at a time after its loaded. So, it's hard to say I mean, I, I, you know, it's, you know, average temperature when you know, or variations. The positive thing about this is the distance, a little bit of elevation, as I noted in my report, but also you have that buffer, or that vegetated area, at that makes a difference.

**Richard Fon** 115:36

Right.

**Anthony Russo** 115:37

When the leaves are out. Sure that that'll help. But we did this when there are no leaves on the trees. As I said, and you know, putting those trucks up against the south boundary line best we can. Again, that was between the hours as they said, it was roughly 9:15-9:30 to 12:35 something thereabouts.

**Richard Fon** 115:58

No I understand. So in the middle of night when there's nothing else going on?

**Anthony Russo** 116:02

Right.

**Richard Fon** 116:03

Are we going to?

**Anthony Russo** 116:04

Yes? Can you hear me?

**Richard Fon** 116:06

Yep, are we gonna hear that beep if we're at his house?

**Anthony Russo** 116:11

I would imagine you will. But to what extent it's fine to say it's not going to be, it's not going to be you know, it's not gonna be like, what we're seeing at the property boundary.

**Richard Fon** 116:23

Hang on Mr. Campolo. All right. I'm sorry. George, if you could just hang on until he's done with the presentation.

**George Campolo** 116:33

Okay.

**Richard Fon** 116:34

All right.

**Various** 116:35

Right. Sorry. That's, I'm sorry.

**Anthony Russo** 116:37

The way to determine that is to you know, do it during the evening during the you know, 10 to 6am if you will.

**Richard Fon** 116:46

Right.

**Anthony Russo** 116:49

You know, they get the sound levels that could be expected. Now keep in mind this is, you know, a land use talking residential against commercial and part of it and it's a good part of his traffic and certainly traffic it's less so during that time in the evening.

**Joseph Riina** 117:11

Rich, Rich, you know, I want to say that I was out there for a good part of this study and so was Tom, Tom, Tom was a real trooper. Anyway, and at at the rear property lines where the edge of the wood line was. Remember now we were running the trucks back and forth many times constantly along the fence. And it was not. You can hear it, but it was in the background. It was not something that was like, you know, when you're at standing out the truck, hear that beep it was something more in the background. If I could If I could phrase it that way.

**Richard Fon** 118:01

No I understand.

**Tom D'Agostino** 118:02

If I may also, am I on? If I may, if I may also, in a nutshell to Joe's point, yes, there obviously is a lot of traffic on Route 202 Crompond Road where the trucks backing up will more for blend with that sound.

So it really is not much higher. In a nutshell, your windows are open, you may hear it if your windows are closed, your definitely not.

**Richard Fon** 118:33

Allright so your opinion Thomas, your professional opinion is in the middle, generally in the wintertime your windows are not open.

**Tom D'Agostino** 118:41

Correct.

**Richard Fon** 118:42

Unless you're my wife, and people are not going to hear the beeping from 300 feet away.

**Tom D'Agostino** 118:51

No, they will not.

**Richard Fon** 118:53

Okay. Joe not to cut your presentation short or Mr Russo. Brilliant information. Are we missing anything?

**Joseph Riina** 119:04

Tony, you, you, are you done?

**Anthony Russo** 119:07

Well, I just wanted to just reiterate that. If you go up one, one page, Joe to 11. Okay, those are the noise assessment. Those levels for four and five, you can see a comparison, the background is a negligible increase. I mean, I mean, that's what we're looking at based on distance. Now, again, we were only able to get on to properties. There are reasons for that. We had some obstacles, we had dogs barking now, we had to take care of thanks to Tom. And so, thank goodness, Tom was able to get us at least on few sites. So it worked out pretty good relative to that, you know, that that situation or those situations? That's basically it.

**Richard Fon** 119:58

Okay. Thank you.

**Joseph Riina** 120:00

Ah, Rich?

**Richard Fon** 120:01

Yes, sir.

**Joseph Riina** 120:02

Also joining us is Emilio Diaz. He's the regional warehouse process & supply manager. You've met Emilio a few times. He's come to the meetings a few times.

**Richard Fon** 120:13

And he works in Elmsford? What's that? He's the guy in Elmsford, right?

**Joseph Riina** 120:18

Yep. No, he's, he's actually more regional.

**Richard Fon** 120:23

Okay.

**Joseph Riina** 120:26

And also Chris Orifici is on he is the he's with Construction Associates. He's the project manager for the project. So I'd like to throw it out to them just to see if they have anything else they want to add.

**Richard Fon** 120:38

Absolutely.

**Emilio Diaz** 120:42

Thank you, everyone. Know, Joe, I think I think, Tony and you covered it. I know. Why don't one of our supervisors would be based out of this location was also on site. He was responsible for being in the vehicle. And he shared with us the same impression as you did.

**Joseph Riina** 121:05

Thank you, Emilio. Chris, you want to say anything?

**Chris Orifici** 121:09

I got one clarification, Joe. Can you hear me? Is everybody hear me?

**Joseph Riina** 121:13

Yes.

**Chris Orifici** 121:14

I'm

**Joseph Riina** 121:15

Just identify yourself, Chris.

**Chris Orifici** 121:16

Chris, this is Chris from Construction Associate I'm Nestle's national project management for these type projects. Just want to clarify, Joe, you had mentioned that, you know, make important for the planning board to understand. You mentioned operator on the trucks in the cars. But actually, most trucks and vehicles will be equipped with RFID where the gate will actually start opening. You're not going to be sitting in the road, like waving a FOB. It'll it'll actually start opening as they approach or as written to make the turn in. So just to set my thinking about something that they may want it to understand that it

wouldn't be trucks, you know, the gate would generally the opening before they pull in one other point on the fence that we were actually trying to request to stay with the team. I'm not sure how much the Planning Board understood about that. But there's a just a security concern on that pick of typing. It's just not as simple as the chain link and easily bendable and people to get through but Nestle's willing to do, it doesn't meet their standard for security purposes.

**Richard Fon** 122:35

What security that they're worried about people breaking onto the site and vandalizing the trucks?

**Chris Orifici** 122:42

Well, the trucks are loaded with product and water and, you know, stuff can be put in, you know, cases of soda that to be passed through a fence like that cases of San Pellegrino. So you know, that's why their statement requires a chain link and it's easily it's easily bendable in passed down to a picket fence.

**Richard Fon** 123:03

Well, I think and I appreciate you guys bending your rules we have full faith in the Yorktown Police Department. They're always on the streets. They're always present. And they do what I want to say is unbelievable job in the town. I think you're gonna be very happy with them.

**Chris Orifici** 123:24

I'm sure yeah. The clarification why we wanting something different.

**Joseph Riina** 123:35

So, that's it then. Rich, we're pretty much done with the presentation unless you have any questions.

**John Kincart** 123:42

Joe can you speak you know, because if anybody's listening in on the presentation, just talk about the lighting quickly and how it was modified so we didn't have lights shining in the easterly direction to the oncoming traffic and not shedding light off the site. You make some modifications based on our prior comments. All thoughts that arise on great point.

**Joseph Riina** 124:12

Right. Yeah, the previous iteration of the lighting plan we had a wall packs along this entire length the wall here. So we've eliminated most of them this quarter here because we just need to get this spot in here but essentially what we've done in order to meet the lighting, then Nestle has and to as closely as possible comply with the, with the standards in the town code. We've installed an additional light pole on this on this frontage here facing in. So these these lights facing in and downward. So we get the effect that we need to get the lighting in the middle of the parking lot here. In addition, by eliminating these wall packs, we've eliminated any potential for glare on on traffic on to two that might be heading westbound they would not be looking into those lights. So that that's that's the that's the change that's represented on this lighting plan here.

**John Kincart** 125:29

Right. And just to be clear, all loading and unloading of trucks is done inside the building.

**Joseph Riina** 125:36

That's correct. Yeah. Once the trucks into the site and they back in to the loading docks, everything is done internally.

**Richard Fon** 125:45

So I think that was a question that John tagged or had to see the building the inside build out design, is that such that the truck will completely pull into the building, right?

**Joseph Riina** 125:58

Yeah, I mean, as you can see, As you can see by that you can see this right the plan.

**Richard Fon** 126:04

Yes, yeah.

**Joseph Riina** 126:06

So as you can see, you know, only the head of the truck is sticking out.

**Richard Fon** 126:08

John, if I'm speaking please let me know.

**John Tegeder** 126:11

No, not at all. So Joe, what's the state of the construction inside there?

**Joseph Riina** 126:19

I'll have to let Chris respond to that.

**Chris Orifici** 126:27

As far as the state in

**Joseph Riina** 126:29

Of the loading dock,

**Chris Orifici** 126:31

Um, they're, they're pretty much in place. Now they're, they're probably, I'd say 80% complete.

**John Tegeder** 126:42

Is that a column line that it butts up against?

**Chris Orifici** 126:48

In what their east to west or north to south?

**Joseph Riina** 126:51

The back of the trunk?

**Chris Orifici** 126:54

Yeah, actually, we had to actually relocate. We did some structural work and relocated some columns. So that it wouldn't interfere with the doors.

**John Tegeder** 127:04

Wouldn't it? What about where the actual dock is? You did you move some columns there as well.

**Chris Orifici** 127:11

In the exterior?

**John Tegeder** 127:14

The interior of the building where the where the back of the trailer connects up to the, to the dock to the floor.

**Chris Orifici** 127:22

I think we relocated one column in that area.

**John Tegeder** 127:24

One column.

**Chris Orifici** 127:26

Out at the front, we didn't relocate any columns because the wall openings were panels were. One thing, most of these trucks it's there's dropping hook, so they won't be sitting there with the trailer sticking out there's overhead doors, and the trailers will be inside with closed doors.

**John Tegeder** 127:46

So you're going to drop the trailer and the tractor will drive off and how's that going to work?

**Chris Orifici** 127:53

No they drop, well, what will happen is the product will come in and they'll they'll empty a trailer and as the trucks unload the empty water bottles, they go into trailer. So when in the during the day when the trucks coming, they'll drop a full trailer. They'll drop an empty trailer, a full trailer of water and pull the pull the empties out.

**John Tegeder** 128:19

So in essence the, for the most part, their garage doors will be closed most of the time when they're loading and unloading.

**Chris Orifici** 128:27

Oh yeah, yeah, because in the winter you want you don't want the water to freeze or the product. Well, it's it's it can be a heated space at this point. We have an alternate we're not for now we're not installing the heat in that area, but it may it may happen eventually just because of budget. Okay,

**John Kincart** 128:46

Chris, so those the tractor and the trailer will both fit inside the building?

**Chris Orifici** 128:52

No, no, no they dropped the trailer and the tractor hooks up but you know, takes the other trailer out.

**John Kincart** 128:58

Got it.

**Chris Orifici** 128:59

load and then it looks Leaves he goes back in. And so there's, you know, there's never a trailer sitting on the other drivers. They don't the drivers don't sit there they drive. It's called dropping hook.

**Joseph Riina** 129:09

Yeah.

**Chris Orifici** 129:10

They hook, and another one leaves.

**John Kincart** 129:11

I just want to, you know, have the public have a clear understanding that there won't be trucks sitting there idling with the headlights on shining up, you know, into the southerly direction toward the residential properties for extended hours at a time, correct?

**Chris Orifici** 129:28

And honestly, Emilio you may want to just correct me on this. I believe those deliveries happened during the day. Not at night, correct Emilio?

**Emilio Diaz** 129:37

No, they happen. Those they they've those big deliveries happen overnight.

**Chris Orifici** 129:42

Okay.

**Emilio Diaz** 129:43

Yeah.

**John Tegeder** 129:44

So that's, that's something that may go on the actual site plan as an operational condition. I think that that's worthwhile. I have another I have a question for Joe too.

**Chris Orifici** 129:55

I just want to Emilio, I think there's only two deliveries at this site, right?

**Emilio Diaz** 130:03

I'm sorry, what was that Chris?

**Chris Orifici** 130:05

Two deliveries per day? You can only get two trailers this site.

**Emilio Diaz** 130:10

I think it would be closer to four. But they'll happen throughout the night time because that's when the warehouse crew is working there.

**Chris Orifici** 130:17

Okay. All right. Yeah, you're more up to speed on that piece of it so.

**Joseph Riina** 130:21

What is it John?

**John Tegeder** 130:23

So the right turn out only, that is for all vehicles?

**Joseph Riina** 130:28

Yes.

**John Tegeder** 130:30

So the delivery trucks, I'm assuming that they are delivering in the area, not just to the east, right?

**Joseph Riina** 130:42

That's correct.

**John Tegeder** 130:44

So how, where are they going to be turning around?

**Joseph Riina** 130:48

They will find a route to which they will have to turn around. Maybe they're going to go get a coffee at dunkin donuts. I don't know how they're gonna do that. They may have to make a left on to Stony and then come back on the Bear Mountain.

**John Tegeder** 131:04

Ah uh, because if they're leaving, if they're leaving, you know, like 6 or 6:30 in the morning, at least half of them, is there traffic to be concerned with in terms of making left?

**Joseph Riina** 131:19

My understanding is based on past discussions we we've had together, you know, with the Board, that that's kind of starting to end up that's starting to be a peak time for traffic.

**John Tegeder** 131:33

Okay

**Joseph Riina** 131:34

It's starting to pick up around then. I'm never down there at that time. So I don't know, I don't use that route. But based on discussions we've had that that seems to be the start of the peak time. So the right terms make sense.

**John Tegeder** 131:50

Right. The only thing is like if they decide to if they need to go towards the Peekskill area to go to the west. I don't think it would be a good idea to have have six or eight or ten trucks using, for instance Old Crompond Road to get back to go west as a residential road?

**John Kincart** 132:09

Mm hmm.

**Robert Garrigan** 132:11

John, are you familiar at all? Is there anybody else along that corridor where we, I'll call it a hardship, you know, where we kind of impose that kind of a hardship on the tenant?

**John Tegeder** 132:23

On this road? There, there might be other

**Robert Garrigan** 132:27

you know, commercial delivery vehicles, pulling in and out of the everything on the shell station, everything else that's there seemingly they're free to make a left turn when it's safe to make the left turn.

**John Tegeder** 132:40

Yeah, I think I think most of them are. Certainly it is. It's a, it's a problem on that corridor. I don't think that, to my recollection, maybe Robyn can remember when I don't remember that we have that on to, you may have it on the Taco Bell that you're that's in front of you right now. They are proposing that one right out You know, cars are a little different and in the times of operation here are a little different. So I wouldn't want to see like I said, eight or ten trucks getting to the west by using old crop on road.

**Robert Garrigan** 133:15

Right and did we ever, I know there was discussion one point that the Bear Mountain extension for some hours of the evening allows commercial traffic is that accurate?

**John Tegeder** 133:25

It was, I believe it is accurate. Now, I don't know if that's the little extension that we have, but certainly over going into the Peekskill area and crown pond area, that section, I believe seven to seven to seven or something like that trucks can use it. At least it was that way for a while.

**Chris Orifici** 133:47

And Emilio Can you weigh in on how many routes may go westbound because I believe my understanding of this facility, that most of the, you know being up against the river that most of the stuff is eastbound and south so,

**Emilio Diaz** 134:02

Yeah, I was just I was just looking at the notes. Yeah. And that is, and that is correct the majority of the routes, I cannot, I cannot tell you exactly how many of them but I can get back to you on that are going that way. That's correct. And they're local folks. They just happens that the folks that will be based out of here, they were the leaders and the supervisors that are local to the area. So they're very familiar. They're actually the ones who suggested we should only do right turn, right turns out the location because they know the area and they're familiar and they know that that could represent some issues and they are also working on on their plan, because that adds time to their to their to their route time of course to the service time. So they're there they're working on on what are going to be the efficient and safe route to get the teams that need to go back the other way to get that done.

**Chris Orifici** 135:04

And then, you know, there's a safety concern too, as far as on their part, making that left turn.

**Joseph Riina** 135:17

Sounds like

**Richard Fon** 135:18

well, I missed it on your own Joe.

**Joseph Riina** 135:21

I was just gonna just follow up, you know, John, it just it sounds like the amount of trucks that are going to need to circle back aren't, aren't that many.

**John Tegeder** 135:32

Okay, well, that's good news. And if, if Emilio could give us the data for the file, that'd be helpful.

**Richard Fon** 135:41

All right, Joe, anything else?

**Joseph Riina** 135:44

I'm fine unless you have something for me.

**Richard Fon** 135:46

Any comments from the Board?

**William LaScala** 135:49

Yeah, I have a comment. I think that is very erroneous to have no left turn if your those tractor trailers coming out of there, 53 footers, where are they going to turn around? You're going to go down to the

BJs and go in and come back. I mean, I drove a trailer once and you're very conscious of what's going on. I mean, what don't these guys give them to give them the benefit of doubt they'll they'll move into traffic when they know they can. And if you try to get out from any one of those, like McDonald's, and you want to go towards Peekskill, there's a light on it, it stops to traffic when, when a traffic you know, towards peak signal is a light. I don't know the name of the street, maybe it's Stony. I know it's not Stony, but whatever it is, it's a light and you get a break and the traffic will really, really good break into traffic. And waves can tractor trailers to come into a, I don't know, I don't understand how they're gonna do it. You know, you've got a big truck, they gotta turn them around. We're gonna turn around?

**John Kincart** 136:54

That's a good point if we're limiting the hours of the deliveries of the tractor trailer to the middle of the night, there's probably not going to be a lot of traffic there and they probably be easier to go left and go right and turn around. You know, I think you're thinking about the light at Lexington, Bill.

**William LaScala** 137:14

Yeah, right. That's Lexington.

**John Kincart** 137:16

But now that I'm hearing about the restricted delivery times, you know, there's probably not going to be and maybe Emelio can speak to this. Are they going to be between eight o'clock and 12 o'clock primarily or between 12 o'clock and 8 o'clock? What is it 10:00 o'clock at night to eight o'clock in the morning?

**Joseph Riina** 137:38

8 to 2pm, 8 to 2am.

**John Kincart** 137:40

Eight to two, so we will have traffic in the evening hours.

**Chris Orifici** 137:45

And John the, the from my understanding is the trailers actually are going to be coming down 684. They're coming from Massachusetts. So we're actually going to be coming from the east and going back to the east.

**John Kincart** 137:55

Oh, okay.

**Chris Orifici** 137:56

I mean, you may you know, you may get one that's going to go west, but I don't know but

**John Kincart** 137:59

Right.

**Chris Orifici** 138:00

What's all the products coming from 684.

**John Kincart** 138:03

Oh okay.

**Emilio Diaz** 138:04

Yep.

**Chris Orifici** 138:04

So as far as trailers, but Will did make a good point because I've been there a lot and they do notice that break in the traffic from that traffic light that's up, you know, towards the west, you do get that. You do get that break when that from that read on that light for whatever time that is so it is a point.

**John Kincart** 138:24

Right.

**Richard Fon** 138:27

Okay. Joe, anything else?

**Joseph Riina** 138:31

Nope.

**Richard Fon** 138:32

John?

**John Tegeder** 138:34

I'm good for right now.

**Richard Fon** 138:36

Okay. Thomas, everything noted?

**Tom D'Agostino** 138:40

Yep. All the neighbors have been notified.

**Richard Fon** 138:43

Okay. Jim, any issues?

**James Glatthaar** 138:46

No issues.

**Richard Fon** 138:48

All right. Robyn we'll open it up to the public. I know. Mr. Georgen has been waiting very patiently there. So

**George Campolo** 138:56

That's quite all right. Can everyone hear me?

**Various** 138:58

Yes, we can make

**George Campolo** 139:00

I would like to ask Mr. Russo to put that aerial photo showing the noise assessment locations back up on the screen.

**Anthony Russo** 139:09

Joe you got that?

**Joseph Riina** 139:10

Yeah, hold on.

**Anthony Russo** 139:12

Okay.

**George Campolo** 139:14

Just so everyone can gain perspective on where I am

**Richard Fon** 139:18

You know in some aspects this works easier than the board room.

**John Kincart** 139:26

You gotta use a magnifying glass on the screen here.

**George Campolo** 139:30

Okay, so I am the house to the west of 3784. I'm at 3790. And all those woods back to the property line of the subject building is my property. From Old Crompond Road to the property is a total of about 400 feet. Now all those woods look wonderful in the aerial photo, but if you come here right now before another week or two passes, you can stand on my deck and count the bricks in the back wall of the Verizon building. My time in this house goes back to when the Verizon building when Verizon was very active in the property, and they had 10 or 12 or 15 line trucks going out mostly in the morning. And in the cold weather they would they would go out and start them up and let them run and it would shake my house. The the bulldozer that they've been using on the property the last two months, they starts up 7:30 every morning, if you were sitting in my living room in the front of the house, 40 feet from Old Crompond Road, you can feel the vibration in the house. So you'll see my property lines up directly with those loading docks. So I'm a little concerned about the noise of the truck motor itself. The backup alarm and the headlights for one. And then did those wall pack lights at the back of the building? Were they also changed? Or are those still going to be there? Verizon a couple of years ago, when they were still there had put new lighting in and it was hideous at night.

**Joseph Riina** 141:21

So those lights along the back of the building are being replaced with being replaced with with lighting it also could be pointed downward away from or not, you know directly towards towards your property.

**George Campolo** 141:40

You wouldn't believe the light I get here from the diner. No joke. What about I mean, can they put up some type of a wall like you'd have along you know, Route 287 like a sound barrier. It's like 12 feet high or something that would block the light and the sound possibly.

**John Tegeder** 142:00

Well, the lights the wall packs, and Joe and I discussed this I think the wallpacks should be pointed down. And I'm more in favor of ones that are not adjustable and that are fully shielded, you know, and are in full compliance with the lighting code.

**Joseph Riina** 142:15

That's fine.

**George Campolo** 142:17

What about poles

**John Tegeder** 142:17

about the

**George Campolo** 142:18

at the back of the property?

**John Tegeder** 142:22

Say again

**George Campolo** 142:24

Lamp posts at the back of the property up against the fence between my property and theirs pointing toward the building?

**Joseph Riina** 142:31

Those are being eliminated.

**John Tegeder** 142:36

Any lighting should be fully shielded, so you can't see the light source with your eye. That's the code.

**John Kincart** 142:43

And what happened with the discussion Joe with the webbing on the chain link fence?

**Joseph Riina** 142:48

Well, we when you're out there and you see the topography, clearly the the, you know you have a site that's very flat, almost completely flat and the angle of those headlights in comparison to where those homes are located because they're quite there's quite an elevation difference I think I want to say we checked and it was maybe 50 feet elevation difference between the base of our parking lot and some of the back home so the lights are not going to be pointed directly at those homes so I don't think any any slatting in the fence is going to change anything there.

**George Campolo** 143:39

How about lining that back property line with arborvitaes?

**Joseph Riina** 143:45

There's there's there's no place to put arborvitaes.

**George Campolo** 143:49

You can put them you could put them on my property behind the fence.

**John Kincart** 143:54

That's the paper road, George I think.

**George Campolo** 143:56

Well no, it's my I don't believe so. I think my property goes on all the way back to the fence between Nestle and me. I don't believe so.

**Joseph Riina** 144:05

Yeah, no, it does not because there's a paper road in between.

**John Kincart** 144:10

There's a lot that you own, I'm assuming behind your house lot, but it ends at the 50 foot wide paper road.

**George Campolo** 144:20

Oh, I see what you're saying, okay, so the 50 foot wide paper road would actually be what butts up gets the Nestle property.

**John Kincart** 144:30

Correct.

**John Tegeder** 144:31

And that's owned by a town of Yorktown, right?

**Various** 144:35

Yes.

**George Campolo** 144:37

The town could give permission to put up some trees, some arborvitaes.

**Richard Fon** 144:41

Do we do we have confirmation on that because paper roads are a very iffy situation. It could be half the property is owned by

**John Tegeder** 144:53

Correct.

**Richard Fon** 144:53

3775 Crompond and half are owned by the other. It's very iffy.

**George Campolo** 144:59

I can try to find my survey but I wouldn't expect you to wait for me to do that now.

**Richard Fon** 145:03

No but I, Mr. Campolo, it wouldn't be on there. It's where you have a road that's not been dedicated to town, and sometimes it falls back to the middle of it. And it's split by the two adjacent property owners.

**George Campolo** 145:17

Yeah, I remember when they came, they were talking about buying my second a lot to put that low income housing in about seven, eight years ago, nine years ago.

**John Tegeder** 145:26

Never low. We never, the town was never doing low income housing.

**George Campolo** 145:30

Not low income. I'm sorry, affordable. The development went in across from BJs.

**John Tegeder** 145:35

Right. Exactly. That's it. Yep.

**Joseph Riina** 145:38

Yeah, Rich. When we did, we did the the MRI building which is on the on the other side of the little cabin.

**Richard Fon** 145:50

Yes.

**Joseph Riina** 145:53

We we studied that as matter of fact, we had an exit for future discharge point coming out onto Requa Road. The Planning Board into that, at that point. I don't know, John, I don't know if you remember, but I kind of remember. It was still a town. It was still in the town's possession at that point.

**John Tegeder** 146:18

Yeah, we are information that isn't a town's possession. But we haven't really looked that deep into it. But we'll we'll try to do a little research on it. But I, I believe it's in town ownership. And if, you know there's always those conditions where people that are a bud paper road sometimes have certain rights that go to the middle of the road, which would then possibly give Nestle rights to the middle of the road to but I don't think that the town gives up their rights even if that's the case.

**John Kincart** 146:53

Yeah. And I think it came up in the Kia application. Wasn't there something yet well, we at the moment Have it Yeah. And Yorktown medical. We actually did the site plan in a with an eventual an eventual connection to the rear in anticipation of that becoming a road.

**Richard Fon** 147:12

Jim any input?

**James Glatthaar** 147:14

Yeah, I've had a lot of experience with paper roads. And you're right. The ownership is always somewhat nebulous. That a road is mapped on a town map means there's an offer of dedication hanging out there. That's generally never been accepted. And it can be accepted by the municipality at any time, unless all property owners on both sides broke their offer of dedication. There's also a lot of cases that if this road appeared on the subdivision map, the filing of that is an implied offer a dedication to the municipality of the road bed. So it may be owned by other parties with what for lack of a better term, I'll say, an unaccepted but potentially accepted easement for road purposes, hang over it.

**Richard Fon** 148:24

Okay. So at some point the town decides they want to build that road. Ultimately, the town can accept to do that. That's correct. Okay. Thank you. Alright, Joe, you got anything else?

**George Campolo** 148:40

No, that's it.

**Richard Fon** 148:41

John?

**John Tegeder** 148:43

No, I have nothing else at this time.

**Richard Fon** 148:46

Thomas, you said everything has been noted correctly. Right.

**Tom D'Agostino** 148:48

That is correct.

**Richard Fon** 148:50

All right. Rob, open up to the public outside of Mr. Paulo. Anybody else have anything to say?

**Robyn Steinberg** 148:59

I don't see anyone we did have on the other email just asking if the distribution center would operate during overnight hours? And if so, what will Nestle in the town of Yorktown do to mitigate the noise including the truck reverse warning sound. So that was one of the other neighbors Mark Iocco of 3756 Old Crompond. So the other direction.

**Richard Fon** 149:24

Okay. I think Mr. Campolo has made some interesting and very to the point arguments. Um, I think there's still some things we have to work out. So I would recommend at this point that we close the hearing and move it into the work session and not deal with the resolution at this point anybody have any thoughts?

**John Kincart** 149:48

So moved.

**John Tegeder** 149:49

You going to keep it open for 10 days written comment? Yes please. Thank you, John. Is there a second?

**William LaScala** 149:56

Second.

**Richard Fon** 149:57

All those in favor?

**Various** 149:59

Aye. Aye.

**Richard Fon** 150:00

Mr. Campolo, please keep in touch with the planning department and stay in tune to what's going on.

**George Campolo** 150:07

Do I do that through Robyn?

**Richard Fon** 150:09

Yes, that would be best. Really appreciate you staying up so late for us.

**George Campolo** 150:13

That's okay. I appreciate all of you and thank you for your attention to this.

**John Kincart** 150:17

Thank you for your patience.

**Robyn Steinberg** 150:19

Rich?

**Richard Fon** 150:19

Thank you very much for your very, very descriptive words. It's something else.

**George Campolo** 150:29

Thank you very much.

**Richard Fon** 150:30

We appreciate you. All right,

**Robyn Steinberg** 150:32

Rich?

**Richard Fon** 150:33

Yes.

**Robyn Steinberg** 150:34

Can I just ask one more question?

**Richard Fon** 150:37

Sure. Robyn.

**Robyn Steinberg** 150:39

I just got a late question. Just asking if there'd be fueling on the site.

**Joseph Riina** 150:46

Emilio

**Richard Fon** 150:46

I think he's gone.

**Robyn Steinberg** 150:50

I don't think you had that on the plan.

**John Tegeder** 150:52

No, no. Emilio is muted.

**Emilio Diaz** 150:57

Sorry, I'm here, yeah Hello. Yes there will be there will be fueling at the site. The majority of these trucks are propane powered trucks. So there will be vendor coming into fueling on site.

**John Tegeder** 151:17

Okay, that's interesting. What are we doing? Only propane will you be doing or are gasoline and propane?

**Emilio Diaz** 151:26

I seem that my dirtier the trucks are propane I can also get back to you with actual makes the out of the I think about 28 trucks I believe 20 or 25 of them are all propane. There might be some other small number of trucks that are diesel trucks.

**Robert Garrigan** 151:46

You're basically what you're saying it doesn't sound like you're planning on on site storage or any fuel it's

**Emilio Diaz** 151:52

No no no, no, no.

**Richard Fon** 151:53

Oh okay.

**Unknown** 151:55

Wet fueling.

**Emilio Diaz** 151:56

Correct.

**Richard Fon** 151:58

All right, we're

**George Campolo** 151:58

Thank you all goodnight, thank you.

**Richard Fon** 152:01

Bye George.

**Joseph Riina** 152:04

Can we discuss this at your next meeting?

**Richard Fon** 152:07

Absolutely not very good idea.

**Joseph Riina** 152:09

Okay.

**Richard Fon** 152:11

All right. Any other issues? Comments? Thomas, thank you very much for going that extra mile and really, you know, getting into these backyards.

**Tom D'Agostino** 152:21

Yep.

**John Kincart** 152:21

Yeah that was a good job.

**Richard Fon** 152:22

We appreciate that.

**Joseph Riina** 152:24

He's got away with dogs.

**Richard Fon** 152:28

He's a credit to the town. He should have been working for Greenburgh. Alright guys, anything else?

**John Kincart** 152:36

Nope.

**James Glatthaar** 152:37

Nope.

**Richard Fon** 152:37

Nancy, did you want to speak? Nancy? Sure? All right. Do I have a motion to close the meeting?

**William LaScala** 152:47

Motion.

**John Kincart** 152:49

Second.

**Richard Fon** 152:50

All those in favor

**Various** 152:51

Aye. Aye.

**Richard Fon** 152:52

Thank you all have a good night.

**John Kincart** 152:54

All right good night, everybody. Thank you Robyn.

**Richard Fon** 152:59

Thank you, Robyn.

**Robyn Steinberg** 153:00

Bye.

**John Tegeder** 153:00

Good night everybody.

**Richard Fon** 153:01

All right, guys.