

Planning Board Meeting Minutes – May 9, 2022

A meeting of the Town of Yorktown Planning Board was held on **Monday, May 9, 2022 at 7:00 p.m.** in the Town Hall Boardroom.

Chairman Rich Fon called the meeting to order at 7:00 p.m. with the following Board members present:

- Aaron Bock
- Rob Garrigan
- Bill LaScala

Also present were:

- John Tegeder, Director of Planning
- Nancy Calicchia, Secretary
- Dan Ciarcia, Town Engineer
- James Glatthaar, Esq.
- Councilman Sergio Esposito, Town Board Liaison

Correspondence

The Board reviewed all correspondence.

Motion to Approve Meeting Minutes of April 25, 2022

Upon a motion by Bill LaScala and seconded by Aaron Bock and with all those present voting “aye” the Board approved the meeting minutes of April 25, 2022.

Motion to Open Work Session

Upon a motion by Chairman Fon, and with all those present voting “aye”, the Board opened the Work Session.

WORK SESSION

Martinez Subdivision

Decision: Mitigation Plan
Location: 35.16-1-2 & 2.1; 1767 Jacob Road
Contact: Site Design Consultants
Description: Proposed field changes to approved wetland mitigation plan.
Comments:

Joseph Riina, P.E. of Site Design Consultants was present. Mr. Riina stated that he is present as a follow up to the discussion at the previous Board meeting. The proposal is to phase the approved wetland mitigation plan for the Martinez subdivision, now owned by Jay Levy, to correspond with the disturbances related to the two different lots. He reviewed the draft resolution and had no issues. Chairman Fon asked the Board and Counsel if there were any comments and there were none.

Upon a motion by Bill LaScala, and seconded by Aaron Bock, and with all those present voting “aye”, the Board approved the resolution approving a phased wetland mitigation plan for the Martinez subdivision.

Lakeview Estates Lot #6

Discussion: Site Plan
Location: 47.11-1-15; 1102 Gambelli Drive
Contact: TJ Engineering, LLC
Description: Proposed residence on the last subdivision lot in the Lakeview Estates subdivision.
Comments:

Item withdrawn at the applicant’s request.

Staples Plaza Battery Energy Storage System Expansion

Discussion: Special Use Permit

Location: 36.06-2-76; 3333 Crompond Road

Contact: Mayflower Energy Engineering

Description: Proposed installation of 3 additional Tesla megapack units with a total energy capacity of 9,438 kWh, to be connected to the main utility grid and assist with electrical demand.

Comments:

Maziar Dalaeli of IPP Solar; and Bernardo Borges of Mayflower Energy Engineering were present. Mr. Dalaeli stated that IPP Solar Integration LLC is a solar power development company and has been in business since 2008. They currently own and operate the existing Battery Energy Storage System (BESS) located at the Staples shopping center. The existing system was approved by the Planning Board in 2019 and was the first community solar plus energy storage project to be installed in New York State. He noted that NYS has very high targets for battery energy storage and solar. They are now proposing to install three (3) additional Tesla megapack units at the same site.

Mr. Borges stated that the existing Tesla powerpack system is located behind the Staples shopping center and has an energy storage capacity of about 1,900 kWh. The system has been up and running with no issues. It was noted that the existing system is considered to be outdated as the technology keeps improving. The current proposal is for the installation of three (3) Tesla megapack units with a total energy capacity of 9,438 kWh. The units are more compact and will provide more energy storage within the footprint. The proposed systems will be located in the rear lot at two different locations as shown on the plans. The proposal does not require any changes to the building usage or structures on the site.

Chairman Fon stated that the existing system was the first one in New York State. He noted that the codes were new at that time and there were concerns with respect to fire safety. Mr. Borges responded that the proposed Tesla megapack system is a more modern product with a UL listing and has the ability to store more power than the Tesla powerpack. He noted that the Tesla powerpack system is no longer available. Mr. Dalaeli stated that the existing system will operate for another ten years but it is possible that it may be replaced with a Tesla megapack to be more efficient and noted that this would not affect the footprint. Mr. Dalaeli stated that they were before the Board a while ago with the current proposal and there was discussion at that time with respect to the proposed locations. The systems are proposed to be installed to the rear of the building with a fair amount of setback. There is a grassy area near the property to the south, but the general comments from the Board at that time were to stay away from the property line and the neighbors. Mr. Bock questioned the proposed locations and what exists currently. Mr. Dalaeli responded that to the right there is the storage facility with a parking area and to the left is the back wall of the Staples loading dock. Mr. Borges noted that the closest setback is 110-ft from the property line. Mr. Bock questioned if they will lose any parking. Mr. Dalaeli responded that the parking count will not be affected. Mr. LaScala questioned if the landlord will pay for this. Mr. Dalaeli responded that he wasn't sure and that they are working on the financing. Mr. LaScala questioned how the company benefits from the installation. Mr. Dalaeli responded that they generate a fee as the developer and installer. The power will be sold to the Con Edison residential customers similar to the first project.

Mr. Tegeder stated that he is not sure about installing the proposed system so close to the building structure and noted that there was much discussion during the first installation with respect to fire safety and emergency response. His understanding is the way to handle an emergency for these systems is to form a perimeter to make sure nothing else catches on fire and thinks that placing them so close to the building structure may not be wise. Mr. Bock questioned if there were any rules on structure setbacks for these types of installations. Mr. Tegeder responded that he didn't think so but would have to look at the special permit and noted that they followed the NYS model law for the batteries. Chairman Fon questioned if the the NYS code addresses the proximity to buildings. Mr. Borges responded that there is nothing specific and noted that they followed the model law. Mr. Tegeder stated that alternate areas on the site should be explored that would not impact the neighbors and also take into consideration the fire safety with respect to the proximity of the building. Mr. Dalaeli stated that they are willing to work with the Board and will comply with any new requirements. With respect to the locations, he doesn't think there are other areas on the site that would be suitable but would be happy to review the site with the Planning Department. He noted that the system located to the right is not that close to the building and could be moved out 10-ft. With respect to the system on the left, they could build a concrete wall to create a layer of protection.

Mr. Tegeder stated that one of the requirements for the first installation was training for the Fire Department and noted that he was informed that the training was not provided. Mr. Dalaeli responded that they paid the bill for the training and to his knowledge it was completed but will verify it with the company. Mr. Tegeder stated that this will need to be confirmed. Discussion followed with respect to the containment for the batteries and setbacks for the battery locations. Mr. Bock questioned if the new systems could be placed next to the existing system. Mr. Dalaeli responded that they will lose parking spaces. Mr. Bock stated that he recalled that this site had reserved parking along the back in the conservation strip which could provide additional spaces if necessary. Mr. Dalaeli responded that he will speak with the landlord, however, he is not sure if they are already below the parking ratio. Mr. Tegeder responded that he didn't think so but will have to review the plans. Mr. Bock stated that it might be desirable for the units to be grouped together. Mr. Dalaeli thought that this may be debatable with respect to fire safety as well as the aesthetics. Mr. Borges stated that it may be a good idea to move the single unit closer to the building if they could get more parking spaces. The double unit is far from the building but can be moved a little south.

Chairman Fon suggested that the Board visit the site individually and noted that he is concerned with the screening for the neighboring properties. He added that the application should be referred to the Building Inspector and Fire Commission. The applicant was advised to work with the Planning Department. Mr. Tegeder stated that they will continue to develop the proposal with the applicant.

Town Board Referral - Arroyo Stormwater Permit

Location: 27.09-2-45; 2823 Hickory Street

Contact: Westchester Modular Homes

Description: Request for stormwater permit for proposed residence. Existing home will be demolished.

Comments:

No representative was present. Mr. Ciarcia informed the Board that since the application is over the threshold that requires Town Board review it was referred for comments. The applicant is proposing to construct a new single-family residence and is requesting a stormwater permit. The existing residence is proposed to be demolished. Chairman Fon asked the Board and Counsel if there were any comments. Mr. Garrigan questioned if there were any concerns with respect to the septic system. Mr. Ciarcia responded that new applications will have to go through the Health Department. Mr. Tegeder stated that he had no concerns with the application. The Board had no issues and requested for the Planning Department to submit a memo to the Town Board.

Town Board Referral - LaCalamito Stormwater Permit

Location: 17.11-1-7; 3628 Flanders Drive

Contact: Westchester Modular Homes

Description: Request for stormwater permit for proposed residence. Original home already has been demolished.

Comments:

No representative was present. Mr. Ciarcia informed the Board that since the application is over the threshold that requires Town Board review it was referred for comments. The applicant is proposing to construct a new single-family residence and is requesting a stormwater permit. The existing home was destroyed in a fire and has since been demolished. Chairman Fon asked the Board and Counsel if there were any comments. Mr. Tegeder stated that he had no concerns with the application. Since this is an older subdivision, his recommendation to the Town Board would be that the characteristics of the neighborhood are followed with respect to front yard setbacks and design. The Board had no issues and requested for the Planning Department to submit a memo to the Town Board.

Pied Piper Preschool

Discussion: Parking

Location: 37.14-2-8; 2090 Crompond Road

Contact: Site Design Consultants

Description: Proposed modification to a row of parking to accommodate existing play area.

Comments:

Chairman Fon recused himself from this item. Joseph Riina, P.E. of Site Design Consultants; Kathleen Dineen; and Minnie Dineen-Carey, property owners were present. Mr. Riina stated that the project is currently under construction and nearly complete. During the construction process the owner realized that one of the modifications to the site plan

would eliminate an outdoor play area that they would like to maintain. Six head on parking spaces were originally proposed along that side of the building. They are now proposing an amendment to maintain the play area and existing fence line. The six parking spaces will be reduced to 4 angled parking spaces to accommodate backup space. The reduction in spaces will not affect the ability for the site to accommodate drop-offs and pick-ups. He noted that he met with the Planning Department staff at the site to review the proposed amendment.

Cathy Dineen stated that the plans were prepared pre-covid when outdoor space was not as important. Since the pandemic, outside areas have become valuable especially to their school. This space was used as an extra handwashing station and screening area and they would like it to remain inside the fenced area if possible. They feel that the loss of the two parking spaces will not have an impact to their school. Mr. Bock noted that the area is immediately adjacent to the angled parking and questioned if there were any safety measures proposed between the play area and the parking. Mr. Riina responded that the existing chain link fence will remain and noted that the space is currently used as parking. Mr. Bock questioned if a chain link fence is sufficient separation between the parking spaces and play area and thought there should be something more substantial. Ms. Dineen responded that there will be a curb cut. Mr. Tegeder proposed installing a small timber guardrail in front of the fence. Discussion followed with respect to the guardrail or bollards as a precautionary safety measure. Ms. Dineen agreed to the installation of timber bollards. Discussion followed with respect to fire truck movement.

Chairman Fon asked the Board and Counsel if there were any other comments. Mr. Tegeder stated that if the Board was satisfied with the reduction of the two spaces and the addition of the bollards, they can then move forward. Mr. Glatthaar stated that the application will need a Public Hearing to amend the site plan. Mr. Bock questioned if the hearing could be waived as this is a minor change. Mr. Glatthaar responded that it is required under the Town code. Mr. Tegeder stated that the question is the use and does this change the impact of the use as established in the original approval. Mr. Garrigan stated that it is the same use. Discussion followed. The Board agreed to schedule a Public Hearing.

The Board continued their discussion with respect to the code requirements for site plan amendments and public hearings. The Board requested that the Planning Department submit a memo to the Town Board to consider amending the code to make the process more efficient as it is causing unnecessary hardship for some of the applications before them.

Dorchester Glen Subdivision

Discussion: Subdivision
Location: 15.20-3-6; 1643 Maxwell Drive
Contact: Site Design Consultants
Description: Proposed 4 lot subdivision on 24.26 acres in the R1-20 zone.
Comments:

Joseph Riina, P.E. of Site Design Consultants was present. Mr. Riina stated that at their meeting of 4/11/22, the Board requested that the application be referred to the Conservaton Board and Tree Commission. He has since received their comment memos. As discussed at that meeting, the applicant is seeking to utilize the Town's flexibility standards and requested for the Planning Board to submit a letter of recommendation to the Town Board. Mr. Riina also requested to schedule a Public Informational Hearing.

Chariman Fon asked the Board and Counsel if there were any comments. The Board had no issues and requested for the Planning Department to submit a memo to the Town Board requesting authorization to utilize the Town's flexibility standards for this subdivision. The Board agreed to schedule a Public Informational Hearing.

Underhill Farm

Discussion: Site Plan
Location: 48.06-1-30; 370 Underhill Avenue
Contact: Site Design Consultants
Description: Proposed mixed use development of 148 residential units, 11,000 SF retail, and recreational amenities. Original main structure to remain and to be used for a mix of uses. Development is proposed on a 13.78 acre parcel in the R1-40 with Planned Design District Overlay Zone authorization from the Town Board.

Comments:

Joseph Riina, P.E. of Site Design Consultants; Dr. Phil Grealy, Traffic Consultant of Colliers Engineering; and Beth Selig of Hudson Cultural Services were present. Mr. Riina stated that Ms. Selig will review the historical aspect of the project in more detail this evening. Additionally, a traffic summary report dated 4/26/22 and a response letter to the MTA dated 4/27/22 was submitted to the Planning Department and will be discussed by Dr. Grealy.

Dr. Grealy stated that at the previous meeting they were asked to provide a traffic summary report. The report submitted provides a summary evaluating existing traffic volumes for the site and future traffic conditions in the area of the proposed Underhill Farm project. The analysis accounts for traffic from other previously approved developments in the area as well as anticipated traffic to be developed by the Underhill Farm development. Various improvements are proposed by the applicant in association with the development and are shown in the diagrams submitted. The study also identifies improvements to address future conditions if and when other potential developments occur in the area (Kmart redevelopment, Roma building redevelopment and the re-occupancy of the Uncle Guissepe's space).

The initial traffic improvements proposed as part of the development include pedestrian and traffic signal upgrades to improve the efficiency of the Underhill Avenue intersection; signing and striping improvements; sight distance and drainage improvements; and traffic calming measures along Underhill Avenue. Pedestrian improvements on Underhill Avenue include a crossing from the site to the existing sidewalk on the south side of Underhill Avenue as well as the installation of a rectangular rapid flashing beacon (RRFB). The project is also designed for a full traffic and pedestrian access connection through Beaver Ridge which connects to Allen Avenue. Traffic calming and control measures are proposed between the two developments which include signing, striping and intersection controls to function adequately. There would be no real through traffic but would provide connectivity similar to other areas in town with connections through commercial properties, etc. Traffic signal timing and equipment upgrades including new video camera detection at the Route 118 and Underhill Avenue intersection is also proposed to offset any affect of the development's traffic at this intersection but noted that it would not solve the traffic for future proposals. The applicant is also proposing to dedicate land along Underhill Avenue to accommodate future widening improvements at the NYS Route 118 intersection; and provide funding in the amount of \$450,000 toward the design and future reconstruction of the intersection. Two design plans were created for the intersection.

The second set of improvements for the intersection is estimated to be about \$800,000 to construct. This plan will provide pedestrian crossing on all four corners; separate left turn lane on Underhill Avenue on both approaches at the intersection; a formal dedicated right turn lane on the NYS Route 118 southbound approach in lieu of the shoulder lane that is currently used; and traffic signal upgrades to accommodate these movements. The applicant is proposing to fund \$450,000 toward the design and construction for this intersection with the understanding that this plan will accommodate the additional traffic.

The third, and most comprehensive plan for the intersection improvements is estimated to be about 1.5 million and will include all the improvements. In addition to providing the turning lane on Underhill Avenue, this plan provides separate left turn lanes on NYS Route 118. In order to install the lanes, most of the widening would have to occur on the Town Hall side and in front of the Caremount property. On the south bound approach, they would have a right turn lane, a through lane and a dedicated left turn lane. On the north bound approach, they would have a dedicated left turn lane and a through right lane.

Dr. Grealy noted that the improvements could be done in two phases but the design would be such that all the signal poles including the pit poles would be placed for future improvements. If money became available, it could all be done under one contract.. The remainder of the funding could come from tax rebates, and as other projects come along they would also contribute into the fund. There is also state funding, but to access those funds they would need a set of design plans. Mr. Tegeder asked if the \$800,000 plan included everything except the dedicated left turn lane in each direction on NYS Route 118. Dr. Grealy responded that it did. Mr. Tegeder asked to summarize what the traffic operation differences were between the two. Dr. Grealy responded that without the left turn lanes on NYS Route 118 the ability to accommodate more through traffic and turning movements starts to diminish. Future development will add turning movements and increase the through traffic which supports the need for the turning lanes on NYS Route 118. He noted that the current traffic on 118 is less than Underhill Avenue in peak hours and is why they would do the Underhill Avenue improvements first as there are more turning movements. Mr. Tegeder asked if it would help the operation on

Underhill Road. Dr. Grealy responded that it will because they can now reallocate the timing even further. Mr. Glatthaar questioned if land will be required for these movements. Dr. Grealy responded that it will and the applicant is dedicating land along Underhill Avenue to accommodate future widening improvements at the NYS Route 118 intersection. Discussion followed with respect to the \$800,000 plan. Mr. Tegeder questioned what the overall level of service for the intersection was currently. Dr. Grealy responded that the intersection is operating a level service D, but in the afternoon there is a level F service on Underhill. Mr. Tegeder questioned what the level of service would be after completion of the first phase of the project. Dr. Grealy responded that it will be better than what it is today. Mr. Tegeder questioned what level of service would the \$800,000 plan provide. Dr. Grealy responded that it will get rid of the level F service. Mr. Tegeder questioned the traffic numbers through Beaver Ridge. Dr. Grealy responded that during peak hours there are fewer than 30 vehicles total both directions. The afternoon rush hour for the total development would be about 180 total trips which is about 15%. Mr. Tegeder asked if there were any discussions with Beaver Ridge as yet. Dr. Grealy responded that he believes there were conversations and that this was what the Town Board was working on in terms of the plan. Mr. Tegeder stated that the Planning Board should not wait or rely on what the Town Board is doing with the senior center in order to plan for this site and thinks they should move forward as if that agreement has no affect on that connection. Chairman Fon stated that he feels that they opt for the \$800,000 plan as this will help the area and future developers. Councilman Esposito asked about the funding. Dr. Grealy responded that there are tax rebates or abatements but noted that it depends on future developments. There is funding available through the state but a set of design plans would be required. He noted that his experience in other municipalities is that they go with a design plan for their improvement project and then petition for funding. They can either go the state route or have the developer pay up front. If no other development comes along, he would get a tax credit and if a development does come in, the town could require a mitigation fund for reimbursement. Mr. Glatthaar stated that they would need state legislation approval to set up a fund. Mr. Glatthaar asked Dr. Grealy to prioritize the improvements for the development proposal. Dr. Grealy responded that the left turn on Underhill Avenue would help the situation. In terms of the overall plan for the area, there is a plan for the middle of town and what could be done but a right-of-way is needed which is a major undertaking. Some of the land dedication along Crompond Road has been completed with the Weyant development which has progressed almost to the point of completion with the DOT. At this intersection the advantage is that this applicant controls two sides of the road and the town controls the third. The fourth side would be avoided as there are a lot of utilities but there is some right-of-way. He noted that they have an applicant that controls much of the land that is needed and would design the master plan. If the town can't figure out the funding, they could do the first phase as part of the full design. If no other development comes along they will still have something that functions.

Chairman Fon stated that the Board asked the applicant to come up with a master plan for the traffic impacts to the area and due to the property ownership there seems to be a real solution not just for this project but for future development as well. He feels that they may have to regroup with the Town Board and Engineering Department to figure out how to implement this plan. He noted that if the town was the applicant on this project, the utility companies would have to do the work and they would save money not just for the development but for the town. Dr. Grealy stated that the utilities come into the 1.5 million improvement plan. Under the first plan most of the utilities are on the south side of Underhill and the widening is being done on the north side of Underhill. Mr. Tegeder stated that the site plan approval will include the road widening dedication as a matter of course. Discussion followed with respect to the design plan options. Dr. Grealy stated that the applicant is willing to work with the town and if the concept is acceptable the details can then be worked out. Mr. Garrigan asked about the impact of the 30 cars through Beaver Ridge through the access road. Dr. Grealy responded that most of the trips would be to get to Kear Street and noted that it is laid out to be pedestrian and vehicular friendly. Mr. Garrigan asked about the pedestrian access to the sidewalks. Dr. Grealy responded that the improvements on Underhill Avenue include a crossing from the site to the existing sidewalk on the south side of Underhill Avenue crossing 118. He noted that the other three legs of that pedestrian crossing don't exist. Once that plan is put into effect where the gates are there could be a pedestrian connection to that corner. They don't want that connection in the beginning as there is no control for the pedestrians. Discussion followed with respect to the pedestrian connectivity in a phased approach. Chairman Fon stated that part of the goal for the area is to create walkability and feels that the connection to the opposite side is important.

Mr. Bock questioned if the project layout, design and density is what they want to move forward with. He believes that the Overlay District allows them to depart from the traditional zoning and offers them a range or flexibility to work with unit counts, density, etc. Mr. Tegeder responded that the unit counts and density can be up to .55 FAR and noted that this project is at .50 which is less than the maximum allowed in the Overlay District. Mr. Bock asked if there was a minimum and Mr. Tegeder responded that there wasn't. Mr. Tegeder stated that the R-3 zone is between 9 and 12 units per acre depending on certain aspects of the property.

Councilman Esposito questioned if the applicant would consider the 1.5 million plan for the intersection. Dr. Grealy said typically it could be done with an additional density bonus and noted that it has happened with other projects. This improvement will accommodate other developments. This project started with 165 units and was scaled down to 148 units. This would have to be discussed with the applicant.

Dr. Grealy stated that with respect to the discussion about the pedestrian access onto NYS Route 118 on the project side they are limited to coming out either at Underhill Avenue or Kear Street. The frontage along NYS Route 118 is called "without access" which means without access for anyone - vehicles or pedestrians. Mr. Bock asked what he meant by pedestrians. Dr. Grealy responded that legally they are not permitted to have a pedestrian or vehicle crossing of that line to the state highway. Mr. Bock questioned how rigid that requirement was given that is in an overlay zone. Dr. Grealy stated that if they did install a sidewalk on that side of 118, they would have to remove the entire stone wall and grade back into the property and noted that the DOT want pedestrian crossings to be at controlled intersections. Mr. Garrigan asked if there was a way to take the foot traffic from the development through the Beaver Ridge property to the corner of Kear Street and 118. Dr. Grealy responded that it could be done since Allen Avenue has access to the state highway right-of-way. Mr. Tegeder asked if the "without access" is along the frontage of NYS Route 118 with the exception of Underhill Avenue and the intersection and Dr. Grealy responded that it was. He noted that there is a sidewalk built on the other side of 118 and when that was done there was a change in the mapping. This side of 118 is totally without access.

Mr. Bock stated that he would like to get away from sites that have street, parking and buildings and questioned if it were possible to install a sidewalk where the parking is located on 118 and place the parking inside of the site with the buildings toward the edge for better integration. Mr. Garrigan noted that right now with the elevation you see the stone wall and the parking but you also see the mansion and thought that this suggestion would block the view of the mansion.

Ms. Selig presented a historical overview of the project to the Board. A map showing the layout of the existing structures was distributed to the Board. An 1886 photo for the Edward B. Underhill Estate was shown to the Board. On the original estate, there were a number of barns and buildings. The Flora Villa estate was originally built by Abraham and Edward Underhill in 1828 with expansions over the years and completion in 1886. In 1907, the farm was purchased from Henry and Katherine Kear by Gilbert and Anna Beaver and was operated as a dairy farm. After Anna Beaver passed away, Gilbert Beaver established the Beaver Conference Farm on the property. The conference farm operated until the late 1980s. After Gilbert Beaver's death, the property was then deeded in part to his daughter and the other part to the conference farm organization. The organization was still operated by Reverend Schuyler Barber Rhodes and his wife after Gilbert's death. In 1989 to 2020 the Soundview School was operated on the site. A subdivision plat from 1979 depicting the buildings on the property at that time was shown to the Board. Various historical aerials were also shown to the Board. In 1941, the aerial showed that there were two large long barns to the north of the pond. Those barns were presumably the dairy barns that were later demolished and it was noted that the pond is a focal point to the west of the mansion. In 1962, the aerial shows some of the demolition as you can see exposed foundations of the barns. In 2018, the aerial showed the barns are completely removed in addition to a small wooden structure that was to the north of the chapel and barn.

Photos of the mansion, both exterior and interior, were shown to the Board. The mansion was constructed over a period of 60 years. The low portion of the building is part of the original portion of the mansion. The western side of the building was built later between 1860 and 1880. A much later addition was either added at the end of the Beaver Conference farm tenure or during the Soundview tenure. To the rear of the building, you can see part of a root cellar. The original stone mantels and flooring within the interior are still in place. The older portion of the building had some significant changes and much of the historic details were lost. Huge blocks of cut stone make up the foundation and it was noted that some of the stone was quarried by other Underhill owned properties and brought in. The basement on

the eastern side of the house served as an access point for the operation of the mansion but was primarily used as a root cellar and food storage.

Structure B – This building was used by the Soundview School as a classroom and is located on the road behind the mansion. Historically this building was used as a summer kitchen, root cellar, and storage. The basement is a wood frame around fieldstone and may date to the mid 19th century during the Underhill tenure. There was some work done to the building which suggests that there may have been some structural deficiencies. The building has been substantially modified on the second story. Much of the historical integrity has been lost due to the changes over time.

Structure G – Small barn located on the northern side of the pond. This structure had many uses over the years. Based on the wood beam construction it dates back to the Underhill tenure. There have been many modifications to the barn which are visible on the exterior of the structure. The interior does not appear to be weatherproof. She noted that renovating this structure to create some form of adaptive reuse would result in a loss of the historic integrity.

Structure H – Chapel. Based on the standardized lumber that was used, this structure was constructed during the Beaver Conference Farm tenure. The structure features a wood frame foundation that has been built into the hill. The windows are mid 20th century. There was a note that this structure was used as an ice house by the Underhills. Ms. Selig stated that this structure would not have served as an ice house. Ice houses were generally built subterranean for the cooling process and would have had a stone and brick foundation. This foundation is exposed on three sides. Having a wood frame structure that is exposed to the elements would not have worked as an ice house.

Structure I – Soundview School playhouse. The pews in the playhouse were originally in the chapel but were moved to the playhouse by the Soundview School. This structure may date back to the Underhill tenure but it has been substantially modified. It features post and beam construction but they have 2x6 built into them so either they were beams that were re-purposed or this was a barn that was substantially rehabilitated in the mid 20th century to make it into whatever the Beaver conference farm used it for.

Structure J – Residential cottage located northwest of the pond. This structure dates to the mid 20th century based on the standardized lumber and exterior window styles. It features a painted brick foundation. Ms. Selig noted that she did not walk through this building because of the safety hazard. This structure was primarily used for storage by the Soundview School.

Structure E – Soundview School science building. The exterior of the building was substantially renovated and no longer retains its original form. All the windows have been replaced with modern inserts. The exterior siding has been replaced. The lower level of the building interior has been completely renovated. The upper level was first renovated by the Beaver Conference Farm and then later by the Soundview School. As a result of all the changes, it is difficult to know what the original construction was. Most likely this was built during the Beaver Conference tenure. Looking at this building outside of the context of this property, a barn would not be the the first thing that comes to mind and noted that this building has lost its historic integrity as a 19th centry barn.

Structure C– Residential cottage located on the northeastern corner of the property. This structure served as the Soundview middle school building and was built in the 1940s and has been recently converted into a residential structure.

The existing pond has a masonry border on the northern side with a small bridge. Based on the construction materials for the bridge, it was created during the Soundview School tenure. The stone walls and several main gates are still existing. The stone walls are late 19th century and it was noted that the cut and type of the stone in the walls match the stone on the eastern side of the foundation. Chairman Fon asked about the stone wall across from the property. Ms. Selig responded that there was a lot of stone on the property and noted that the Underhills owned hundreds of acres and had many enterprises in town which included quarries, mills, etc. She stated that he would have used the stone everywhere. She noted that the Beaver Conference Farm was much larger than what it is today.

Mr. Bock asked Ms. Selig to explain the process with respect to the OPRPH. Ms. Selig responded that the applicant cannot get the DEC permit required for the wetlands until there has been a review and sign-off by the OPRPH. Additionally, because it has been declared eligible by OPRPH, it does come under the historical and cultural resources in the SEQRA review. Mr. Bock stated that he saw a letter of resolution (LOR) and questioned if it was entered into as yet. Ms. Selig responded that it has not as yet and will follow up with the project's counsel. She noted that OPRPH has

opted to not execute the LOR until the SEQRA process is closed but that may be problematic in the sense that a lot of things outlined as mitigation steps in the LOR happen as part of the SEQRA process and site plan approval. Generally speaking they close out and then move into SEQRA. Mr. Bock questioned what the plans were for the structures. Ms. Selig responded that the mansion will be saved and rehabilitated by the applicant. The remaining structures are currently proposed to be removed. However, as part of the mitigation steps in the LOR, they have to offer them for salvage to a historical salvage company for reuse or reclaimed barn wood. They also have to offer them to any interested entities such as a historical society or preservation group. Additionally, before any changes are made to the property, they have to prepare a state level documentation packet for the structures. Mr. Bock questioned if she was in touch with the town's Historical Preservation Commission. Ms. Selig responded that she has not but noted that the Commission has been in contact with OPRHP and she has been receiving correspondence via OPRHP. Mr. Bock stated that the structures will be removed under the plan but not necessarily destroyed. Mr. Tegeder stated that this will have to be closed out through the planning process to a certain degree. He suggested that the chapel could be saved and moved on the site and thinks it may augment the development with the pond and walking trails. The LOR is worthwhile for review by the Board within the process. Ms. Selig stated that this was an unusual step in the process and added that this has never happened before in her experience. She noted that she received a response from the director stating that they understood there was a SEQRA review and wanted to make sure that the public had an opportunity to be heard. Mr. Tegeder stated that the SEQRA process guarantees public input regardless and noted that the Planning Board does this very well with all developments as a matter of course. Ms. Selig added that there are a few other steps in the LOR with respect to the existing mature trees. The stone walls will remain and the pond will be rehabilitated and brought back to a park like setting. Mr. Tegeder stated that it seems to be counter-intuitive that it happens outside or post SEQRA in his view. Discussion followed with respect to property landscape. Chairman Fon thanked the applicant for the detailed presentation.

Mr. Riina stated that during the next meeting, there will be a presentation on the environmental aspect of the project as well as the fiscal impacts. He requested to move forward with a Public Informational Hearing. Chairman Fon asked the Board if there were any comments. Mr. Tegeder stated that the hearing is intended to make the public aware of the proposed project and had no issues. The Board agreed to schedule a Public Informational Hearing for the June 13th meeting. Mr. Bock noted the WCPD letter with respect to the parking and questioned the front yard. Mr. Riina responded that there are two front yards. Mr. Bock asked for the applicant to address their concerns at a future meeting.

Motion to Close Meeting

Upon a motion by Bill LaScala and seconded by Aaron Bock, and with all those present voting "aye", the Board closed the meeting at 9:30 p.m.