

# Planning Board Meeting Minutes – January 27, 2025

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A meeting of the Town of Yorktown Planning Board was held on Monday, January 27, 2025, 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  
Bill Lascala  
Bob Waterhouse  
Judy Reardon, Alternate

Also present were:

John Tegeder, Director of Planning  
Robyn Steinberg, Town Planner  
Ian Richey, Assistant Planner  
Nancy Calicchia, Secretary  
Rudy Zodda, Esq.  
Councilman Sergio Esposito, Town Board Liaison

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Chairman Fon informed the public that the February 10<sup>th</sup> meeting will be held at the Albert A. Capellini Community and Cultural Center building. Additionally, Teatown has requested to be withdrawn from the agenda this evening as they are working on a response submission.

## Correspondence

The Board had no comments.

## Motion to Approve Meeting Minutes of January 13, 2025

Upon a motion by Bill Lascala, and seconded by Bob Waterhouse, and with all those present voting “aye”, with the exception of Aaron Bock who abstained as he was not present during this meeting, the Board approved the meeting minutes of January 13, 2025.

## Motion to open Regular Session

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

## REGULAR SESSION

### Underhill Farm

Discussion: Public Hearing - Minor Subdivision  
Location: 48.06-1-30; 370 Underhill Avenue  
Contact: Site Design Consultants  
Description: Proposed minor subdivision of site plan approved by Resolution #24-13 dated 7/15/24.

#### Comments:

*Upon a motion by Bob Waterhouse, and seconded by Aaron Bock, and with all those present voting “aye”, the Board opened the public hearing.*

Mark Blanchard, Esq.; Joseph Riina, Project Engineer of Site Design Consultants; and Paul Guillaro, property owner, were present. Blanchard stated that since they were last before the Board, they met with Counsel and the Planning Director to go over the concept for the Property Owner’s Association (POA) for the two property ownerships (condo/townhome portion and rental/commercial portion). Both owners will be equal members of the POA. POA’s are formed under the New York Not-For-Profit corporation law with articles of incorporation and governing documents that are recorded with the state. The declaration will have a reference to the 7/15/2024 approving site plan resolution and subdivision resolution should it be approved. Both of these references will also be included on the final plat. Within those documents there will be cross easements so that the parcel is treated as a whole. The easements for the open space, utility, and emergency access for Beaver Ridge will all be recorded; anything that happens with the subdivision is subject

to the easements as they move forward. At no time will the two parcels once subdivided be able to act independently of each other; they will be reliant upon each other in perpetuity. They believe that they have addressed the town's concerns outside of this Board.

Bock asked Blanchard to explain the function of an easement and how it runs with the land. Bock also asked if the Town Board accepted and approved the easements. Blanchard responded that they have been accepted and approved and are in his possession for recording. He added that an easement is a recorded document and explained the process; once an easement is filed anything that happens on the property is subsequent to the easement. The map for the open space easement showing the preserved area shaded in green was shown to the Board. Blanchard stated that this map will accompany their open space easement showing the preserved area along with the metes and bounds and will be recorded in the Westchester County Clerk's Land Records Division. This easement will govern the preserved area for that particular use as per the Planning Board's requirements in perpetuity.

Tegeder stated that they need to be clear on how these two future properties will work as a single property regardless of whether there is one or two owners and added there doesn't seem to be any disagreement on this. The POA language that he has seen so far starts to speak to this which is good. He feels that the resolution and plat should have descriptive notes that detail that the two properties are still required to follow the site plan so that the intent and final approval of the Planning Board is clear. The actual language hasn't been detailed as yet and remains to be done. All the documents relating to the property, site plan and subdivision, should reflect all of the duties and responsibilities of whoever is in ownership. Bock asked who drafts the resolution. Tegeder responded that the Planning Department will draft the resolution with the help of Counsel and shared with the applicant. Once complete, it will be submitted to the Board for final approval. Blanchard stated they had no objection to this.

Riina stated that the proposal is to subdivide the parcel into two lots as outlined in blue on the plan shown. 9.9 acres of the site will contain the townhomes and condo portion of the development and the other lot will be about 3.9 acres containing the apartment building and small commercial space. The proposed subdivision will not affect the approved site plan. All conditions will remain the same and they are still able to comply with the bulk standards. Bock asked if there were any site plan modifications in connection with the subdivision application. Riina responded that there are none with the subdivision application but they are proposing amendments to the original site plan as discussed at previous meetings.

Fon asked the public if there were any comments. Public comments as follows:

1. Jay Kopstein, resident – Kopstein stated that at the 12/23 meeting, the applicant's counsel requested an amendment to the approved site plan and a proposal to subdivide the property. He understands the need to make simple and insignificant modifications to site plans. He is not happy with the addition of more housing units and the relocation of parking spaces but understands this. He is opposed to the elimination of the footbridge with the replacement of a culvert and feels it will change the ambiance of the public access area. At the current time, he is opposed to the subdivision as he feels it could have a significant impact on the public access area. Who will maintain the public access area and access route? The developer states that the POA will maintain it but what if they don't. The town cannot enter private property to do maintenance unless a public nuisance is declared. The Planning Board should require the developer to submit rules and regulations for the public access area. For example, access should mimic town parks (Monday thru Sunday, sunrise to sunset); closures only due to emergency and maintenance and with approval from the Parks and Recreation Superintendent. The dedicated parking for the public access area should be prohibited to owners and their guests and should have signage stating such. Parking spaces in the public access area should be reserved for handicapped parking and also have signage. Local law enforcement should be authorized to issue summons for violations of handicapped parking on private property. The developer and POA should be made aware of this in writing. He does not recall a subdivision discussion during the course of the site plan review. He feels that the Board should refrain from granting the subdivision until all other requirements have been met.
2. Susan Siegel, resident – Siegel stated that she is speaking as a resident and not as a Councilwoman. She appreciated the open space easement explanation but she has concerns about the stormwater because the site plan covers the

entire parcel and now it is proposed to be subdivided into two parcels. She is aware of the utility easement. She doesn't know if this includes the stormwater and is a legal question. She feels that the pond is an integral part of the stormwater plan and will be owned by the townhome/condo portion and wonders if it would make more sense, especially since the condos are phase 2 of the project and that area will have to be maintained, to redraw the subdivision line so that the developer owns the pond and open space area. She feels it may be simpler and neater. A lot of the management of the POA deals with the open space and stormwater. She thinks it's a novel concept and not sure if they ever dealt with this before. They have the concept and questioned if the Board should wait for more details. She doesn't have an opinion one way or another just questions.

3. Matt Talbert, Chairman of the Parks & Recreation Commission – Talbert stated that he would like to ensure that the public access is maintained and open to the public in perpetuity and to possibly incorporate permanent signage. He noted that sometimes HOA's become territorial especially when they are maintaining the area.

There were no other public comments. Fon asked the Board and Counsel if there were any comments. Zodda, Esq., stated that he understands the proposal and agrees with it in principal but absent of receiving the proposed POA and reciprocal easements he would suggest the Board issue a conditional approval or delay until the time they can approve the documents. Tegeder agreed and noted that most of their approvals have planning conditions and thinks that the language for the resolution, plat and POA are important. Bock stated that the proposed subdivision line cuts across the open space area and asked if it made more sense to redraw the line as suggested by Siegel for management. Blanchard responded that everything that is not a building or structure on that parcel once subdivided will be the obligation of the two-member POA so even if the pond is fully on one side the other side will have an obligation as well. For example, if the condos went bankrupt and the pond was fully on that side, the value to the town of the POA is that it becomes the other member's responsibility to maintain; the town would have an extra layer of protection. From a practical standpoint, if they move the line it throws off the calculations and is where it needs to be but the town is protected through the POA's obligations. Bock's understanding is that they have a situation where the land is split into two with two owners but will come back together for the purposes of ownership of the two parcels for the easement piece. Blanchard responded that they will come together for their legal obligations of the road maintenance and public access. Bock stated that with respect to Siegel's other comment, it doesn't matter that the condos aren't built yet because they still have the other party to the agreement that stands behind it. Blanchard responded that this was correct.

Blanchard added that to Counsel's point, they are asking the Board to condition their approval as done with the site plan approval in order to take the next consecutive steps. They will then return to the Board to show the cross easements and draft POA. Bock asked if they could put together language for a draft POA for review. Blanchard stated that they need to have the approval in order to move forward with the next steps. Bock stated that he wanted to ensure they have the opportunity to implement their recommendations before approving this. Guillaro stated that they could submit the draft at the same time they submit to the Attorney General so that the Board could do their review. Bock asked when it would be ready and Guillaro responded about 45 days. Blanchard stated that having them wait doesn't increase their ability to see it as they would be conditioning their approval and they are obligated to share it with the Board. Bock asked what their impact was once this happens. Blanchard stated that it is the same impact they have complying with the site plan resolution (certificate of occupancy and use of property). They could have a condition that they have to approve the draft POA and as they move forward they have to come back. Bock asked what if the Board decided the language is insufficient and Blanchard stated then they would have to change it subject to their approval, it would be a condition of the Board's approval. Councilman Esposito asked if they would then have to resubmit to the Attorney General. Blanchard responded that it is a draft of a living document that would be subject to changes and they would know that the Board's approval is another condition. Zodda stated that the approval would be conditioned upon the Town's approval of the POA, so they couldn't act on the approval until the POA was executed.

Bock stated that they are not interested in picking through an agreement that has nothing to do with the easement as they are purely private agreements between the landowners that doesn't affect their concerns. He questioned if it was possible to extract the sections dealing with the maintenance of the common areas for review and approval stating that

that this language meets their goals and the rest could be flushed out later. Blanchard felt it was inefficient and not practical to do it this way as they will have a stand-alone paragraph for a stand-alone section; they want to create a single document for the Attorney General and the Board. He noted that they need the subdivision to move forward and the approval could be conditioned with this Board of which they have no objections. They would like to have the subdivision finalized with the draft coming out of the subdivision. There are many documents associated with this that will be conditioned to come back.

Fon asked about the sequence of events for clarity. Blanchard stated that when the subdivision is finalized they will then have a finite area of acreage and square footage for the condos to move forward and show the metes and bounds with the final plat. Fon's understanding was that once the subdivision has gone through the process they then add it to their agreement for the Attorney General. Blanchard responded that this was correct; they need to show they are in ownership of the divided piece of property in order to move forward with all the actions. Bock stated that he understood and supports what is proposed but just wants to ensure that their interests are properly handled. He feels that the conditional approval will work if it gives them the ability to go through the documents and ensure that the representations made are within the documents. Blanchard stated that they have no objection to that level of review. Tegeder stated that the explanation highlights that the subdivision plat, easements and resolution will govern what takes place here. He felt that moving forward they need to concentrate on the language for the resolution and plat and also take a look at the easements to ensure that other easements aren't necessary pursuant to the subdivision although he doesn't think so. Tegeder informed the Board that the SEQRA referrals are currently under way so the hearing should remain open until they receive the response letters. Blanchard stated that they will work with staff relating to language for the subdivision plat. *Upon a motion by Aaron Bock and seconded by Bill Lascala, and with all those present voting "aye", the Board adjourned the public hearing.*

#### Motion to close Regular Session and open Work Session

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

### WORK SESSION

#### 401 East Main Street

Discussion: Site Plan

Location: 6.17-1-42 & 44; 401 East Main Street

Contact: Hildenbrand Engineering, PLLC, Rich McHale

Description: Proposed 24'x30' office building with associated parking, septic, and stormwater system on a 0.38 acre site in the Country Commercial zone.

#### Comments:

Brian Hildenbrand, P.E., and Rich Mchale, property owner, were present. Hildenbrand stated that they are here this evening as a follow-up with respect to the stormwater. They submitted a SWPPP and revised plan showing the floodplain boundary and off-site drainage ditch to the Planning Department for review. Based on the SWPPP calculations they are reducing the peak flows from the 1-year, 10-year and 100-year storm by using the rain garden and infiltration system. The idea is to not impact the down-stream neighbors or have any negative impact to the lake. They are currently under review by the Health Department.

Fon asked the Board and Counsel if there were any comments. Ciarcia, Town Engineer, stated that they still need to review the SWPPP and hear back from the Health Department. From the first flush, it seems like most of the information is there but it will require a thorough review and he will report back to the Board. Tegeder felt that they could move forward with a public hearing. Tegeder advised the applicant to provide more information with respect to the landscaping and exterior lighting for the building and to apply these items to the site plan. The applicant agreed to do this. Tegeder asked the applicant about the overhead access door with respect to whether a curb cut or apron was shown. Hildenbrand responded that they will clarify this on the plan. Bock asked about the purple line cutting through the property on the left side of the plan. Hildenbrand responded that it was the FEMA flood plain and is noted in the legend. The Board agreed to schedule a hearing for the February 24<sup>th</sup> meeting. The applicant was advised to work with the Planning Department.

### Jacob Road Solar

Discussion: Site Plan and Special Use Permit

Location: 35.16-1-4; 1805 Jacob Road

Contact: Nicholas Vamvas

Description: Seeking site plan and special use permit approval to develop a 3.125 megawatt AC solar facility on a 15-acre portion of proposed Lot 4 of the Colangelo Subdivision.

#### Comments:

David Cooper, Esq.; Jaclyn Cohen, Esq.; Nick Vamvas; and Ryan Hutcherson were present. Fon asked Councilman Esposito for an update on the moratorium. Councilman Esposito stated that the Town Board is still in discussion and there is no outcome at this time. Cooper stated that they are here this evening to update the Board on the proposed project. A submission was made to the Planning Department on 1/15/2025 providing responses to comments received at the Public Informational Hearing. The applicant has not updated their visual studies as they are waiting to see what the zoning regulations will be and they understand that there won't be next steps until this is determined. There was a question from a SEQRA perspective as to whether there were any significant adverse impacts that may require a positive declaration. They went through the various impact areas of concern to show that the record demonstrates from quantification and quality standpoints that there would not be any significant adverse impacts associated with this project. The first topic is the project benefits. The site is privately owned and will be developed one way or the other. Some of the benefits associated with this project is that there will be no school children, no traffic, and no demand on sewer and water. It will also generate tax revenue as provided in their fiscal analysis a while back. Additionally, the site will not include a battery storage component. There was a question if Yorktown needed more solar so they provided links to data and sources within their submission letter. The electricity generated from this site will go into the Buchanan network which services portions outside of the town including Shrub Oak, Mohegan Lake, Crompond and Cortland Manor which is adjacent to the site. The peak demand for this network is 113MW; currently that network only generates 12.75MW, the remainder of the electricity is purchased from other generators outside the state, upstate, wherever it may be. Details were submitted from the U.S. EIA which is the government's tracking agency for energy. The two major generators of power for NYS are nuclear and hydropower. Nuclear used to come from Indian Point but it is now off-line. There are other nuclear plants but they are way upstate. There are hydropower plants but they are far outside of the network. Currently Con Edison has to transport electricity from far off locations which is not efficient. The benefit of community solar projects like this that would be tapped into the Buchanan network is that Con Edison would then have a local source to serve up to 550 homes within the network. The 3.125MW system generally serves about 550 homes and is straight from the EIA data. Another question was if the electricity generated at this facility will go elsewhere and the answer is unlikely as it is cheaper to transmit within the network. Also, because it's a community solar project people using Con Edison within the network would have the option to purchase their electricity from this site and receive a discount for using local solar. More local generators will create more options for consumers. The benefit of this project is that it will be serving the local community. Reardon asked how many homes from Yorktown are within the network. Cooper said he didn't have the exact number but would get it from Con Edison.

Cooper stated that the next topic of discussion was the habitat and trees and potential impact to the wildlife. They cited the DEC EAF workbook that is prepared for Lead Agencies as they work through their projects. The existing conditions of the site was shown; quantification has to start with a survey of the existing resource. The resource itself is an overgrown private farmland that will not be vacant forever. Most of the property is covered in overgrowth and invasives. There are no endangered protective species or habitats. The only concern is the Indiana bat habitat but they can be anywhere there are trees in the Hudson Valley and there are already measures to ensure that there won't be an impact. This habitat is used by the typical suburban species – deer, coyote, squirrels, skunk, etc. The question is does the loss of this area result in an impact to their habitat that could be quantified as significant. They submitted an aerial showing miles of woodland area directly connected to the site, adjacent of nearby. There is about 6.7 miles of wooded areas that could be used by these species and are already used so they feel that the tree removal will not be an impact. Reardon

asked if the referenced woodland area was under their control. Cooper responded that most of it was a conservation area. Reardon asked about the zoning. Cooper said it was R-180 and 2 acres. Cooper stated that from a SEQRA perspective the habitat is not an adverse significant impact. With respect to the tree removal, there would be a different type of habitat on the site with the panels and meadow. 1,141 trees are proposed to be removed (85 are dead, 1,056 are living); and 782 trees are proposed to be replanted. The question is the impact of the tree removal and how do they quantify whether or not there is an impact. A carbon sequestration study was submitted earlier in the process using the EPA standard of methodology. Those trees sequester about 17.89 metric tons of carbon out of the atmosphere annually; the addition of the solar panels and the renewable energy source at the site would remove 3,103 metric tons of carbon from the atmosphere annually which is an exponential increase in the amount of environmental benefit. From a SEQRA perspective, the tree removal doesn't equate to a significant impact. You have to be able to quantify this from a carbon sequestration and habitat analysis and they respectfully submit it does not support a quantification of a significant impact. Cooper continued that there were questions about the decommissioning plan. The town code and most codes in NYS require a decommissioning plan be provided as part of the proposal. A plan is proposed for the removal of the infrastructure at the end of the facility's life (about 25 years). Most of the materials can be recycled and will not end up in a landfill. As required, a decommissioning bond will be put in place to cover these costs. The applicant is willing to review the bond in 5-year increments to increase the amount should construction costs rise. Tegeder asked if restoration was part of the decommissioning plan. Cooper thought it was in terms of replanting and leaving it in its natural state. Reardon asked who would be responsible. Cooper responded that the tenant would be responsible and post the bond. Cooper continued that they wanted to address the comparable solar facilities (Old Hill solar farm, Hemlock Hills solar farm) within the area that some residents stated were not attractive. They took photos of public viewsheds to see the difference. A major difference between their project and those facilities is the screening. None of those projects have the type of screening that they are proposing for the view sheds. This project is proposing to plant trees at a certain height that will block the view at Day 1. They feel that their project is not comparable to the other sites from a visual impact perspective and screening. They hope to come back soon with an updated visual analysis. Waterhouse asked about the potential new residences proposed in the area with respect to the viewshed. Cooper responded that the only new residences proposed for the area are part of the approved subdivision by the property owner and they were included to be screened.

Bock stated that he read the workbook and asked how they were to deal with the benefits of the projects as they consider the impacts under SEQRA. Cooper responded that they are supposed to balance the benefits versus the impacts so if a project has various benefits but doesn't have a significant adverse impact then they can account for that. Bock noted page 81 of the workbook states "may an action with one or more significant adverse environmental impacts receive a negative declaration if there are balancing social and economic benefits" and the answer it gives is no. Cooper said they are evaluating potential significant adverse impact and are determining whether or not there is evidence in the record that would support a quantification as adverse. Cooper stated that from a Planning Board and SEQRA perspective to look at the impacts and not the benefits is not the charge of the Board as they would look at the benefits of any project during the review process.

Reardon noted the System Monitoring, Seasonal Considerations, Summer Operations reference (page 1.4.2) with respect to the roadways being sprayed regularly to prevent weed growth and ensure clear access for maintenance activities and asked what kind of spray was to be used. Vamvas responded that they hadn't selected anything as yet but this could be discussed. Reardon noted that there was data based on existing solar farms and asked what quantifiable data have they submitted and what time period has it covered on individual projects. Cooper said it would depend on the area of concern she was asking about. For example, the data that they submitted on the Buchanan network is from the Con Edison site and EIA. Reardon stated that she is concerned about the decommissioning aspect of the project as to the process and what is left behind. She also questioned the bond amount and how to ensure the value of the bond going forward. Cooper

responded that the performance bond would be determined by the Board and as stated previously the applicant is willing to return in 5-year increments to increase the bond if necessary. The decommissioning aspect was discussed previously but could be discussed further. Reardon's concern was if the applicant couldn't come up with more money during the incremental bond reviews if it was deemed necessary. Cooper responded that it would be highly unlikely but the town would have other enforcement mechanisms in place. Bock asked Tegeder if they ever performed incremental bond reviews for other solar projects and Tegeder responded that they had not. Reardon asked when the zoning was changed to R-180 for this area; Tegeder responded in 2010. Reardon asked Cooper if he analyzed the environmental review conducted for the zoning change to see if it comports with their SEQRA analysis as to whether there is an impact. Cooper responded that this is not typically how SEQRA reviews are undertaken but if in 2010 the town evaluated the potential impacts of a solar facility they will look at it. Reardon stated that the zoning was evaluated and it was decided that the impact of any activity in that area was extensive and important enough to change the zone to R-180. Cooper noted that solar is permitted in the R-180 zone and from a zoning perspective tantamount to a legislative determination, the proposed use is an appropriate use in that district. From a SEQRA perspective the question is if it is consistent with land use plans and the answer is yes. Going back to 2010, he doesn't believe there was an analysis for this site as to what they are proposing. Tegeder stated that there was no analysis done at that time for solar installations. Reardon felt that there was an analysis of the area that resulted in the zone change and would like to know why this was done and if it is consistent with the applicant's proposal.

ZBA Referral #41/24 - Teatown Campus Renovation

Location: 69.14-1-5, 7; 1600 Spring Valley Road

Contact: DTS Provident

Description: Variance request regarding mandatory sprinkler system requirements for a proposed one-story, 5,920SF education building to be located north of the Teatown Nature Center.

Comments:

Item withdrawn and placed on the next meeting agenda at the request of the applicant.

ZBA Referral #39/24 - Panbar Realty

Location: 16.17-4-20, 22; 3301 & 3307 Lookout Street

Contact: Panbar Realty

Description: Request to combine two lots to create one single lot requiring a variance for a total amount lot area of 10,000 sq. ft where 20,000 sq. ft is required.

Comments:

Lou Panny was present. Panny stated that there are two existing residences each with rear half lots that house their septic systems. The proposal is to tie the two residences into the sewer system and combine the two rear lots to create a new building lot. Currently, each residence with their rear lot total 15,000SF that will be reduced to 10,000SF once the two rear lots are combined thereby creating three 10,000SF lots where 20,000SF is required.

Fon stated that his understanding is that there are four lots (lot 20 owned by lot 19; and lot 22 owned by lot 21); the septics are proposed to be removed off lots 20 and 22 and then those two lots are proposed to be combined to create a separate building lot. Panny responded that this was correct and noted that this area used to be zoned 10,000SF but since the septics were failing they expanded it to 20,000SF. He feels that since there is sewer in the area they could go back to 10,000SF. Waterhouse asked about the size of the proposed new house. Panny responded that it would be comparable to the homes in the area. Tegeder noted that some of the lots in the area are 20,000SF. Panny agreed and noted that most were 10,000SF but they own the 10,000SF lot next to them as well. Tegeder stated that under the current law the lots are required to be combined if they are undersized in order to get as close to compliance as possible. Bock stated that this proposal would then create three substandard lots. Tegeder agreed and noted that the two existing lots would become further substandard as they are now at 15,000SF and would be reduced to 10,000SF. He feels that these type of actions begin to set up a defacto zoning change in the neighborhood and should be a consideration in terms of planning. The neighborhood is old and most likely started out at 10,000SF maybe even 5,000SF in some instances and for a long

time it didn't have sewer and can surmise it went to 20,000SF to accommodate septic systems. He feels that in terms of lot size and the character it is mixed; the road network shows its age as well and should be considered. Waterhouse's concern was how does it become substandard if they allow other neighbors to do it. Bock noted the intent of the law. Tegeder stated that this is the question, if you allow this based on the sewer then why is the zone not changed and is it appropriate to change it back to 10,000SF with the current issues. If they allow this to happen they end up not following what is allowed by the zoning code. Fon asked what the ZBA looks at in their determination. Tegeder thought that they would look at the balance between the public and the applicant and doesn't think this proposal is a hardship. Panny felt that there was a hardship as the property owners can't afford to tie into the sewer system. Bock stated that this wouldn't be considered a hardship for a variance. Reardon asked if the septic systems failed and Panny responded no. Tegeder stated that the rezoning was done pursuant to the comprehensive plan with respect to density, traffic, etc. and all ties into this discussion. Zodda, Esq. agreed with Tegeder's comments and thought they should include the topics discussed within their memo to the ZBA. The ZBA will make their final decision and the Planning Board will provide their input from a planning perspective. The Planning Department will prepare a memo for the ZBA.

#### Town Board Referral - Chapter 300 – Tobacco

Description: Proposed local law to amend the town zoning code in order to restrict where tobacco and related products may be sold.

#### Comments:

The Board had no planning issues with the proposed amendment. The Planning Department will submit a memo to the Town Board.

#### Meeting Closed

Upon a motion by Bob Waterhouse, and seconded by Aaron Bock, and with all those present voting "aye", the meeting closed at 8:43PM.