

VILLAGE OF BUCHANAN

BOARD MEETINGS

ZONING BOARD MEETING

Municipal Building

236 Tate Avenue

Buchanan, NY 10511

June 10, 2026

7:00 p.m. - 7:41 p.m.

June 10, 2026

MEMBERS PRESENT:

Gary Bell, Chairman

Marmen Bakker, Member

March Funchion, Member

Marco Pinque, Member

ALSO PRESENT:

Marcus Serrano, Village Administrator

Cynthia Kempter, Village Clerk, Treasurer

Sharon Murphy, Deputy Clerk

Peter Cook, Building Inspector

OTHERS:

Aaron Warner, Zarin & Steinmetz

Jim Annicchiarico, Cronin Engineering

Joseph Thomas, Architect

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2 (The board meeting commenced at 7:00 p.m.)

3 MR. GARY BELL: Good evening everyone
4 and welcome to the zoning board of appeals June
5 meeting, June 10th. Would you all please stand
6 for the pledge?

7 MULTIPLE: I pledge allegiance to the
8 flag of the United States of America and to the
9 republic for which it stands, one nation under
10 God, indivisible with liberty and justice for
11 all.

12 MR. BELL: Yeah, I'm good. I just like
13 everything in order. That's it. Okay. Before we
14 start the meeting tonight, I want to take a
15 moment and recognize Ed Mevec, who sat here for
16 as long as I've been back on the zoning board. He
17 was always professional, always came up with good
18 ideas, good questions. He moved on to a different
19 position. So, I appreciate the time that he
20 worked with us in the village for the residents,
21 thank you. Okay. So, tonight we have a new
22 business for the zoning board, calendar number --
23 oh, yeah, fire, okay. I'm sorry, if there's fire
24 stairs, please or there, the door. No elevator.

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2 Thanks. Anyway, new business, calendar number 01-
3 2026-ZBA, it's an application for two front yard
4 setbacks at 3222 Albany Post Road.

5 MR. PETER COOK: [unintelligible]
6 [00:01:59]?

7 MR. AARON WARNER: Yes, I'll get to
8 that. Good evening, Chairman Bell and members of
9 the zoning board. My name is Aaron Warner. I'm an
10 attorney with the law firm Zarin and Steinmetz on
11 behalf of the applicant Steve Giordano Builders.
12 Mr. Cook is correct and I apologize for the late
13 submission. In our initial submission, we
14 inadvertently left out an additional area
15 variance to permit the planning board to consider
16 an additional three bedroom or two additional
17 three-bedroom units for the project. So, I will
18 go into more detail about what exactly that
19 variance is and what we're asking for, but first
20 a little bit of housekeeping.

21 So, the applicant intends to submit a
22 special permit and site development plan
23 application to the planning board tomorrow. And
24 as the permitting authority for the multifamily

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2 dwelling special permit, we intend for the
3 planning board to serve as lead agency for SEQOR
4 review. And in addition, I will note that all of
5 the variances, the two front yard setbacks and
6 the area variance to permit the planning board to
7 consider granting two additional three-bedroom
8 units are all classified as type 2 actions
9 pursuant to SEQOR, which do not require any SEQOR
10 review. I can explain more on that if you'd like,
11 but I'd just like to go through some of the
12 background details and history of the property
13 first. May I interrupt you just real quick.

14 MR. MARCO PINQUE: Just for the record,
15 I'm being represented by your firm for a personal
16 matter, but I just want to put it on the record
17 that that exists.

18 MR. MARCUS SERRANO: And so, for the
19 record, he's not your attorney.

20 MR. PINQUE: You're not my attorney.

21 MR. WARNER: That's correct. Yeah. Thank
22 you. So the property is currently owned by the
23 village. However, at the Board of Trustees June
24 2nd meeting, we were expressly granted permission

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to make applications both to your board as well as the planning board pursuant to a commitment of sale where the village would sell the applicant the property conditioned upon the project receiving zoning and planning approvals. And I will mention that the commitment of sale and resolution authorizing the applicant to make these submissions is not in it of itself an approval for the project. I have supplied the resolution authorizing this application, albeit a little bit late, a couple hours earlier today and the hard copy application, supplemental ZBA application that I've dispersed today.

So now, going into the variances regarding the two front yard setback variances, there are two buildings, as our architect and engineer will walk you through a little bit later. There are two buildings that contain two units that require each a front yard setback variance, one for unit number one and one for unit number 11. Where the C-1/C-2 zoning district depends on the underlying zoning district for its bulk regulations, the underlying zoning district

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requires 30-foot minimum front yard setback variances. For unit number one, the applicant is proposing a 10-foot front yard setback, and for unit number 11, the applicant is proposing a 15-foot front yard setback. Moving on now to the --

MR. PINQUE: I'm sorry, that's reversed?

MR. BELL: Is that switched?

MR. PINQUE: Unit one, I think, is 15?

MR. WARNER: And unit 11 is 10?

MR. PINQUE: Eleven is 10. I believe that's the plans.

MR. WARNER: That may be. Yeah, I think -- yes, that's correct. My apologies.

MR. PINQUE: No, no worries.

MR. WARNER: So, just for clarity, unit number one proposes a 15-foot front yard setback and unit number 11 proposes a 10-foot front yard setback. Moving on now to the additional area variance that we requested in our submission earlier today, this variance would permit the planning board to consider approving additional three-bedroom units. The C-1/C-2 overlay district permits up to 12 one and two-bedroom multifamily

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1 dwellings. However, at the sole discretion of the
2 planning board, up to 20 percent of the total
3 dwelling units may be three-bedroom. Our project
4 proposes a total of 11 units, 20 percent of 11 is
5 two. Therefore, our project proposes four three-
6 bedroom units, which requires relief from your
7 board. So specifically, the applicant is
8 requesting that the -- requesting an area
9 variance to increase the percentage of three-
10 bedroom units that the planning board could
11 approve to 40 percent of the total units. This
12 would allow the planning board the ability to
13 approve up to four three-bedroom units, meaning
14 two additional three-bedroom units in the
15 proposed development. I'm going to save walking
16 through the balancing test under village law. I
17 think now might be a good time for the project's
18 architect and engineer to walk through the
19 details and to show you the details of the
20 proposed development.
21

22 MR. BELL: Quick question, have you been
23 in front of the planning board already?

24 MR. WARNER: We have not been in front

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2 of the planning board already. We intend to make
3 our planning board submission tomorrow. This is
4 for a special permit and site development plan
5 approval.

6 MR. BELL: Okay. Usually, it's kind of
7 they go there first and then if they need,
8 suppose they find something else, you know, in
9 the plan. This happened to us a couple years ago
10 and the guy the people had to pay \$1,000 for our
11 board, go back to the planning board, paid
12 another thousand, and then they got sent back
13 here for another thousand, just trying to cut
14 that off, if you will.

15 MR. SERRANO: Yeah. Chairman, that was
16 discussed with the applicant. The issue was that
17 they knew exactly what variances they're seeking
18 now. If they would have waited for the planning
19 board, they would have lost this meeting. They
20 would have lost a month. They already know what
21 variance they're seeking at this point, which are
22 the ones in front of you. So, they and they go to
23 the planning board. If they do find something
24 else, they will have to come back to the zoning

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2 board. But I think they believe they have all
3 their variances ready to go.

4 MR. BELL: Okay. But you realize if the
5 planning board finds something else, you'll be
6 back.

7 MR. WARNER: Yes, we understand.

8 MR. BELL: You know.

9 MR. WARNER: Thank you. So with that --

10 MR. JIM ANNICCHIARICO: Hello.

11 MR. SERRANO: Make sure we get the green
12 light on. There you go.

13 MR. ANNICCHIARICO: Can you hear me?

14 MR. SERRANO: Yes.

15 MR. ANNICCHIARICO: Hi everyone. Jim
16 Annicchiarico with Cronin Engineering. Yeah. How
17 about that? Can you hear me now? Is that better?
18 I think I'll hold it.

19 MR. BELL: Can you hear me now? Okay.
20 It's got to be right up to my mouth then. Okay.

21 MR. ANNICCHIARICO: How's this? Can you
22 hear me?

23 MR. BELL: No.

24 MR. PINQUE: I can hear you, but I don't

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hear you as a mic.

MR. ANNICCHIARICO: Got it. How about now? It sounds like it is. All right. All right. So, Jim Annicchiarico with Cronin Engineering, it's nice to be back here. So I'll just run you through a bit of the site, some specifics of the site. So, the site is on the west side of Albany Post Road, corner of Bleakley Avenue. It is, although this is the survey that the village got, it's my understanding that these two tax lots are actually one tax lot now. It's tax lot six. So this line really doesn't exist anymore.

MR. SERRANO: I'm sorry, zoom in a little bit more so the public can see it. Thank you. And you can, and if you want to, you can come in a little bit.

MR. ANNICCHIARICO: I'll give you this. We are, the project's located here. As Aaron mentioned it's in the C-1/C-2 overlay district the underlying district is C-2. Here's a aerial map of the of the property. You can see in relation to the residential houses on Bleakley and some residential houses here on Albany Post

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2 Road. We're across from Dewitt [phonetic]
3 Building to the east and Pacific Auto to the east
4 as well and, yeah, I'm not sure what it's called
5 anymore, but the Apollonio property as I remember
6 it to the north and --

7 MR. SERRANO: Point out the Verizon
8 property.

9 MR. ANNICCHIARICO: That's right --

10 MR. SERRANO: No, to the right.

11 MR. ANNICCHIARICO: Oh, you're talking
12 about over here?

13 MR. SERRANO: Verizon.

14 MR. ANNICCHIARICO: Verizon. Where?

15 MR. SERRANO: Verizon.

16 MR. ANNICCHIARICO: Verizon. Oh, right
17 here. Right there.

18 MR. BELL: Whose property is that again?

19 MR. SERRANO: Verizon.

20 MR. ANNICCHIARICO: So, let me move on
21 to the --

22 MR. SERRANO: Go to the bottom right.

23 MR. ANNICCHIARICO: Bottom right. Yep.

24 Sorry.

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MR. SERRANO: See number two. Number one and number two, the arrow to the right.

MR. ANNICCHIARICO: Yeah, sorry. Yeah. So, here's the proposed layout. There's a 8-unit building to the, on the west portion of the property and a three-unit building to the north end of the property. Our, the one variance that Aaron mentioned is right here, 15 feet from the property line to the rear corner of that 8-unit building. For you to consider, one of the mitigating factors that you might consider for this variance would be that the actual distance from the edge of the pavement to the corner of the building is 35 feet in that area, the property line setback fairly far from the edge of the road. And the other the other variance is this corner to the rear of the building, the three-unit building. To the property line is 10 feet. And this distance from the corner of the building to the edge of Albany Post Road is 40 feet.

In addition to that, the grade down here in Albany Post Road is about 14, elevation 14 and

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our garage elevation up here at the building is 38 and a half, so, it's about 25 feet difference in height. So, that might that, you know, granting that variance may not, you know, seem very much in your face, if you will, because it's so much higher than the road itself and set back actually 40 feet from the edge of the road.

I give you some oversight into the, or you know, some insight into the layout. You know, the driveway would come off of Bleakley Avenue at about elevation, what's this, 30 and would continue through the site to the north building. Like I said, elevations, you know, garage elevations for this building are about 38 and a half, 39 and 39 and a half. So there's about a gradual nine foot difference between here up to there to the building. And these buildings are set back, as I mentioned, towards the western portion of the property. Each unit will have a garage for a car to park in and a space out front. You know, a driveway, if you will, for a second parking space. I'm happy to answer any questions you might have.

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2 MR. PINQUE: Yeah, Jim, just on the 9A
3 side that was 38 feet high, you said, the corner
4 of that garage? Or the corner right here?

5 MR. ANNICCHIARICO: Yeah, the elevation,
6 the garage elevation. The, so these are garage
7 under with a first floor elevation of 47. So this
8 garage elevation is 38.5 and the elevation down
9 here in Albany Post Road adjacent to that
10 building is elevation 14.

11 MR. PINQUE: And what is it on the
12 Bleakley Avenue side?

13 MR. ANNICCHIARICO: Over here Bleakley
14 coming into the site is 30 right at the driveway.
15 And the elevation here off the back corner of
16 this building is about almost 34, 33 really. And
17 then this garage is 33 as well. So that that's
18 fairly flat right there.

19 MR. PINQUE: Yeah.

20 MR. ANNICCHIARICO: But again, it's 35
21 feet from the from the curb line to the corner of
22 the building, it's set back 35 feet.

23 MR. PINQUE: And that gray line that
24 goes around the complex, what is that?

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MR. ANNICCHIARICO: This dotted line.

MR. PINQUE: No, the --

MR. SERRANO: The heavy gray.

MR. PINQUE: The heavy gray one.

MR. ANNICCHIARICO: Oh, so, this is the property. Sorry.

MR. PINQUE: No, the -- oh, the heavy gray one?

MR. SERRANO: The gray line right behind the building. You go right.

MR. ANNICCHIARICO: Oh, I'm sorry. I'm sorry. I'm sorry. This is the retaining wall that we have to install. That'll wrap around all the way up to this point.

MR. PINQUE: So, like on the 9A side, how high is that retaining wall?

MR. ANNICCHIARICO: This retaining wall on this corner is two foot high. It goes to five foot high here. It goes to 7 foot high here. And at the, over here there's a big ledge. There's a lot of ledge rock right here. This is 10 foot high.

MR. SERRANO: You want to show the

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2 rendering that Joe did?

3 MR. ANNICCHIARICO: Sure.

4 MR. SERRANO: The other rendering. On
5 the top where it says -- there you go. And show
6 his new rendering.

7 MR. ANNICCHIARICO: I'm stealing your
8 thunder, Joe. Sorry. So this is the newest
9 rendering from the vantage point of the, you
10 know, basically the intersection of Bleakley and
11 Route 9A. Driveway being up here into the site,
12 we see the retaining wall, which will be along
13 the front.

14 MR. PINQUE: So, right where your finger
15 is, is where it's 10 feet?

16 MR. ANNICCHIARICO: That's correct.
17 Right over there is the 10-foot setback variance
18 that we're seeking. And over here, this back
19 corner here would be the 15 foot.

20 MR. PINQUE: And how much of the steep
21 slope are you taking down to create that
22 elevation?

23 MR. ANNICCHIARICO: I think I -- yeah,
24 sorry.

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2 MR. SERRANO: It's all right. The middle
3 one.

4 MR. ANNICCHIARICO: We did we did a
5 steep, you know, we did an analysis on the
6 existing slopes. The slopes on site zero to 15
7 percent and there's about 11,000 and change
8 square feet, 15 to 30 percent, there's only about
9 almost 7,000 square feet and 30 percent and
10 greater there's 20,000 almost 20,400 square feet.
11 Now, I don't know if we have that on here.

12 MR. SERRANO: That was it.

13 MR. ANNICCHIARICO: Yeah, I don't I
14 don't believe we have the slope disturbance
15 information on here yet. That is in the planning
16 board submission tomorrow, that we're making
17 tomorrow. But it just didn't, you know, didn't
18 seem pertinent to the zoning board.

19 MR. PINQUE: I was just curious.

20 MR. ANNICCHIARICO: Yeah, sure.

21 MS. MARY FUNCHION: And just to confirm,
22 you said the retaining wall in front of that 10
23 foot variance is how high?

24 MR. ANNICCHIARICO: Ten foot high.

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MS. FUNCHION: Ten feet?

MR. ANNICCHIARICO: Yep.

MR. BELL: And you're not going to need a variance for a 10 foot high wall?

MR. SERRANO: No, it has to be engineered.

MR. BELL: I'm sorry?

MR. SERRANO: It has to be engineered.

MR. BELL: Of course it does, but it's higher than -- I'm not sure what the --

MR. PINQUE: Anything over three feet, you have to get a variance, right?

MR. COOK: Four is engineering.

MR. PINQUE: Four is engineering?

MR. ANNICCHIARICO: Yeah, typically it's --

MR. COOK: Four is our maximum.

MR. BELL: Well I get four, okay, but he said ten here.

MR. COOK: Yeah.

MR. BELL: So --

MR. COOK: You're given higher.

MR. ANNICCHIARICO: I guess I would say

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to you if we get into the planning board application and this is something that they approve or close to it and we have to come back to you for variance for the walls, we would have to do that.

MR. COOK: Yeah.

MR. ANNICCHIARICO: Yeah.

MR. BELL: I mean that that's basically in a code. It's four foot front. Well, for residential.

MR. ANNICCHIARICO: Residential.

MR. BELL: I'm not sure about this overlay zone on off the top of my head, but we have granted some six footers, but no higher than that.

MR. ANNICCHIARICO: Right.

MR. PINQUE: Yeah we did.

MR. ANNICCHIARICO: Eight foot maybe?

MR. PINQUE: Pacific Auto, didn't we?

MR. COOK: That was fencing.

MR. PINQUE: Fencing. Yes.

MR. ANNICCHIARICO: That was fence, right.

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2 MR. PINQUE: Yes. Sorry. Yes.

3 MR. ANNICCHIARICO: Right. Right. Right.
4 Right. That was a 10-foot high fence.

5 MR. COOK: Alterations [unintelligible]
6 [00:20:58]. We made them terrace back. We made
7 them terrace back. We made them go up and go back
8 and go up because we didn't -- the height of the
9 wall, because that was residential though.

10 MR. SERRANO: That's what this meeting
11 is about. It's great that you bring up these
12 questions now before the public hearings are
13 [unintelligible] [00:21:11].

14 MR. BELL: Here's an example. When AMS
15 was before us, they came in and wanted a variance
16 between the hardware stores. Everybody know where
17 I'm talking about?

18 MR. PINQUE: Yep.

19 MR. BELL: Between the AMS property and
20 the hardware store. And they wanted to put a
21 four-foot wall up and then put a six-foot fence
22 on top of it. And we went along with that, but
23 told them they couldn't fill the wall up to the
24 height of the 4 foot.

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2 MR. ANNICCHIARICO: Understood.

3 MR. BELL: I get for aesthetic and for
4 everything else, I get that. And I have no
5 problem with that. But I didn't want them to be
6 able to create property for more parking or
7 whatever.

8 MR. ANNICCHIARICO: Right.

9 MR. BELL: You know, that would have
10 something have to have been done at the site plan
11 hearing for more parking.

12 MR. ANNICCHIARICO: Right.

13 MR. BELL: You know that.

14 MR. ANNICCHIARICO: Yeah, understood. I
15 guess the, yeah, I guess like I answered, if we
16 have to come back to you for variances for the
17 wall, you know.

18 MR. BELL: That's why I asked the
19 question in the beginning.

20 MR. ANNICCHIARICO: Yeah.

21 MR. BELL: What happened with the
22 Calabros, to me it should have never happened.
23 You go to the planning board, you get your site
24 plan and they point out some deficiencies that

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2 they might need variance for and then usually you
3 come to the zoning board. Now I understand you
4 want to get this project off the ground and I'm
5 happy to sell the property. I was on the board
6 when we voted to put it up for sale. So, I have
7 no problem with that. But, you see where I'm
8 coming from, Jim, with this?

9 MR. ANNICCHIARICO: Yep, yeah.

10 Understood.

11 MR. BELL: I just -- it's your money. I
12 mean --

13 MR. ANNICCHIARICO: Yeah. I mean making
14 a second ZBA application wouldn't be the end of
15 the world for the project. It's a --

16 MR. BELL: Well, hey.

17 MR. ANNICCHIARICO: Exactly. But, you
18 know, we still, you know, there's still got to be
19 some a lot of things worked out on the site. You
20 know, obviously we need, you know, to get the
21 planning board's, you know, blessing and whatnot.

22 MR. BELL: Your ten buildings, how far
23 away are they from the property line in the rear?

24 MR. ANNICCHIARICO: Oh, these? The 11 up

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2 here?

3 MR. BELL: Yeah. I know the
4 [unintelligible] [00:23:14] wall.

5 MR. ANNICCHIARICO: We got, we got,
6 we're 20 -- right here is 20 feet from the rear
7 of this portion of the building to the property
8 line. Over here, it's, you know, I mean, here
9 we're 80 feet from here to here. We're probably
10 about 60 feet, 70 feet from this corner to the
11 rear. But and you got to remember there's no --
12 we don't have any structures or residential
13 neighbors behind, you know, to that side or
14 really to the north as well.

15 MR. BELL: What kind of height are you
16 talking about with the retaining wall?

17 MR. ANNICCHIARICO: For up here?

18 MR. BELL: In the back.

19 MR. ANNICCHIARICO: Oh, in the back,
20 those retaining walls are a bit higher over here.
21 But again, this is what we've laid out now with,
22 you know, the first shot at it. We don't know --
23 it's kind of like the Jung property on Bleakley.

24 MR. BELL: Yeah.

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MR. ANNICCHIARICO: If you're familiar with that.

MR. PINQUE: I'm very familiar.

MR. ANNICCHIARICO: Yeah. So, me too. So we don't know what -- we're going to, you know, we're going to have to get a geotechnical engineer involved in this project for the excavation of the rock behind this building. You know, we know here that we need to bring the grade up and we need these, you know, we know we need this these sized retaining walls in the front. The back is kind of up in the air at this point, because we're just not sure how, you know, what we're going to encounter back there. It may be that we don't need a retaining wall at all. We may be able to just do a rock slope as it is now. You know, obviously we're going to have to excavate it, but we may, it may end up being stable enough for us to actually not do a retaining wall as we're showing here.

MR. PINQUE: So, with not knowing what you can will encounter, this whole design may change where you don't need the variances at all

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because everything could be possibly shifted back on the property?

MR. ANNICCHIARICO: I don't think that that's the case. I think our, you know, the site is limited in size this way.

MR. PINQUE: That way, right.

MR. ANNICCHIARICO: So, you know, the only real logical spot for the drive is here. You know, the logical spot for the buildings are where they are. There's not a lot of options here for this site. So, I don't I don't see that changing at all. The only thing I see possibly changing is the height of this wall, if we need a wall, whether it's a tier wall. So that's what I'm saying is may change.

MR. BELL: But this is the plan you're going to prevent, present, excuse me, to the planning board tomorrow night?

MR. ANNICCHIARICO: Yes, we --

MR. BELL: The plan right now that we're looking at?

MR. ANNICCHIARICO: It's a little bit more developed than this, but nothing changes as

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far as the variances that we've, you know, shown you. Nothing changes in that regard. We've just advanced it a little bit more for the planning board review itself, such as, you know, the sewer and the manholes where they are, drainage, things like that. So yes, that was sent to the printer today by me at 6:00 o'clock. So we're making that submission tomorrow. But yes, essentially this is, it's the same layout. It's the same variances.

MR. BELL: Okay. I'm, you know, these things are these things will be hashed out at the planning board and I have no problem giving some variances here. Don't get me wrong.

MR. ANNICCHIARICO: Right.

MR. BELL: I'd love to see this property developed. But, you know, I just want to see it done the right way.

MR. ANNICCHIARICO: Understood. Understood. If you, happy to answer any other questions or I can turn it over to project architect Joe Thompson. You want to --

MR. JOSEPH THOMPSON: Good evening,

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board. Joseph Thompson, architect for the property. So what we've tried to create is an architecture that'd be complimentary to the village that responds to the overlay district and presents itself in a way that despite the variances being requested, engages the streetscape but doesn't overwhelm it. So when you look at that rendering which is to scale perspective from Albany Post Road, it doesn't feel like the 10-foot and 15-foot yard, front yard variance. And a big part of that is the property line, the buffer or right of way between the street, the edge of asphalt and the property line is significant. I think at some point you pointed out it's up to 25 feet of a buffer. So we're able to set the development back, or it is set back just based on the geometry of the property, which is challenging, which is the primary reason we're here before the board. If it were easy property, if it were a flat property, if it had more regular geometry, we wouldn't need to seek the variances. But to make a viable development, we're proposing the density that we

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are, which is only 11 units. It's not a high density development, but it gives enough that it makes it viable to construct. And again, the character of it, I don't believe, in my opinion to be detrimental, as far as how it engages the setbacks and how that's perceived from the street as you experience it when you'll either be walking by or traveling by vehicle.

The number of three bedrooms too, which is the other variance, typically it's almost the other way around. It's usually hard to get development with three bedrooms. Usually developers create proposals that are generally one and twos. So it's often, you know, more attractive and rare commodity to see new three-bedroom developed units on the market. The other unique attribute to, unique in that there's not a lot of condo development, is that the intent is that this would be for home ownership, you know, not rental like some of the other developments that are recent. And so there's an opportunity for ownership here, which I think is a nice attribute. It takes a property that's not

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currently productive on the tax roles and would bring it on if it's to be redeveloped.

And we're grappling with a number of different aspects here where we tried to place the buildings as far back as we can, trying to respect the setbacks, but also trying to respect how much we're impacting the steep slopes and to mitigate the cost of dealing with that steep slope. You know, if we're able to further terrace those retaining walls, I think we're going to look at that to try to break down the scale of any sheer faces. That may be part of development where we may be able to reduce that as we continue to work on it. If we're not, there may be other things we can do with landscaping in front of it. We're starting to show, you know, the start of a landscape layout in the front of the property. We would include a lot of decorative planting, shrubs that would, you know, and we may go heavier with some of the shrubs that would disguise the retaining wall and lessen the impact of it, some new street trees that again will soften the feel of the development

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from the street. And we may even be able to create like cascading vines that come over the top of those walls. So, there's things that we can do with the landscaping if we can't actually reduce the height of those walls, but I think we're going to make an effort to do that, a, because I think it'll present better, it won't be as severe of a sheer face and b, it's also more cost effective for us to do it. So, it's in our own interest as well. But some of that might be guided by the geotechnical report that will come later on. So again, a lot of positive aspects I believe to the development and we're hoping the board will consider relief on some of these items to make this viable.

MR. SERRANO: Chairman, if I may, one thing, if I may, one thing that you might want to consider for your next rendering is you should add the Verizon building that's in there. That's not going to go anywhere. So, that actually will block a little bit of that wall as well. So --

MR. THOMPSON: Okay.

MR. SERRANO: So, because I know that

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might come up during the planning phase, and how that would affect your landscaping plan because, you know, as we all know, you don't own the property in front.

MR. THOMPSON: Right.

MR. SERRANO: That's Verizon. So I think you got to show that in your renderings, have a realistic rendering with the Verizon building still there. It's sitting a little bit by the trees and stuff like that, which it will remain there. So those trees and the building will block some of that wall as well.

MR. THOMPSON: We'll make sure that's in the next rendition. And there may be some coordination too with DOT with the plantings to find out what we'll be allowed to do and not allowed to do. I know with the Village Square project, we were project architect for that as well. We were able to incorporate street trees along with the sidewalks. So we would be hopeful that the same thing could happen here and that, you know, there would be no objection to you know decorative landscaping in the front.

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2 MR. PINQUE: And the landscaping would
3 be maintained by, by the village?

4 MR. THOMPSON: If we're allowed to do
5 it, it would be part of the HOA.

6 MR. PINQUE: Part of the HOA?

7 MR. PHOMPSON: Yeah, we would assume
8 that responsibility, not offload that to the
9 village.

10 MR. SERRANO: And that's private
11 property so, yeah.

12 MR. PINQUE: I figured as much but I
13 just wanted to throw it out there.

14 MR. SERRANO: Yeah.

15 MR. BELL: Is that going to be private
16 carding too?

17 MR. SERRANO: Absolutely.

18 MR. BELL: Okay.

19 MR. THOMPSON: Yeah, probably.

20 MR. BELL: You know, snowplowing?

21 MR. SERRANO: We did, we've been doing
22 that on every single development.

23 MR. BELL: And rightfully so.

24 MR. SERRANO: Absolutely.

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2 MR. BELL: So you fellows would probably
3 like to set up a public hearing for next month?

4 MR. THOMPSON: Yes sir.

5 MR. BELL: To hear these variances.

6 MR. SERRANO: Do you want to add the
7 wall into that?

8 MR. ANNICCHIARICO: I'm, I mean if we
9 have to, yeah. I mean, I guess if we --

10 MR. SERRANO: You should discuss that.

11 MR. ANNICCHIARICO: Yeah.

12 MR. SERRANO: So, you have a new --

13 MR. BELL: Well, it's not a public
14 hearing though.

15 MR. PINQUE: Right.

16 MR. BELL: Yeah.

17 MR. ANNICCHIARICO: Can we make that
18 determination between now and when it has to be
19 not noticed?

20 MR. SERRANO: It has, well you're going
21 to get the public notice probably in two days,
22 and the public notice goes out and then you
23 should -- the public notice goes out for the
24 public hearing, we need to know your final

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determination at least 10 days before the public hearing so we can post it on the website. So we're discussing the additional wall height, if they want to add that on there, that should be noticed as part of the public hearing, if that's something you want to consider now.

MR. ANNICCHIARICO: Right so that would be part of our deadline to get the next submission in --

MR. SERRANO: Correct.

MR. ANNICCHIARICO: -- we'd have to, we'd have to make that determination by that point.

MR. SERRANO: Correct. And it has to be at least 10 days.

MS. SHARON MURPHY: What about the sign that I have to order?

MR. SERRANO: Yeah, the sign will be on both sides. Yeah.

MS. MURPHY: Will the, will it matter, the timeframe?

MR. SERRANO: No. No. That will post on the, we'll post on the website before the public

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2 hearing. The idea is to get the notice out and
3 let the public know what's going on and we can
4 add that as part of the public notice.

5 MR. PINQUE: Just a question, just to
6 make sure I comprehended what I heard earlier. So
7 the property is still owned by the village.
8 You're a contract to buy it. If everything goes
9 through, then you'll buy it. If we have some
10 hiccups and you guys can't get everything you
11 want or a satisfactory amount of variance and
12 what have you, it probably squashes the deal.

13 MR. SERRANO: That's correct.

14 MR. PINQUE: Okay. I just wanted to make
15 sure.

16 MR. SERRANO: That's correct.

17 MR. BELL: So, going back to what I
18 said, I know you'd like to schedule a public
19 hearing for next month, but realistically, you
20 really don't think you're going to flip this
21 through the planning board in one night, do you?

22 MR. ANNICCHIARICO: Oh, absolutely not.

23 MR. WARNER: No.

24 MR. BELL: So before we act on a, on a

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public hearing for whatever variances you need, I think we need the input from the planning board for that. I don't I don't think you guys disagree with that. I think it's the right way to do it. So if we have -- listen if you want a public hearing next month, we can do that. They'll probably have to suspend it --

MR. SERRANO: Yeah.

MR. BELL: -- for a month or so for the planning board to get theirs done because they're going to have to set a public hearing, too. So, you guys know how this works. I mean, I'm not I'm not inventing a new wheel here or anything, but I'm just saying. I mean, if you want to set up a public hearing for next month, I'm -- does anybody on the board have a problem with that?

MS. RUNCHION: No.

MR. PINQUE: I don't have a problem.

MR. HARMEN BAKKER: Just timing.

MR. ANNICCHIARICO: Yeah, I think we're running, you know, parallel paths, you know, between you and the planning board, which is fine. You know, we're not having to stop and come

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to you and then go back, you know. So I think whatever transpires in the planning board, you know, I don't -- let's put it this way. I don't think there's anything going to happen in the planning board process that requires us to seek a variance less than what we're seeking now. I think that's -- we're at about the point where, you know, that's the most we need. If anything happens goes a little bit further --

MR. SERRANO: A good point, they've asked for the variances, you have the public hearing you could adjourn the public hearing.

MR. BELL: Absolutely.

MR. SERRANO: Absolutely. I agree I agree with the chairman 100 percent. And then if they don't need the variance for the for the walls, that can come off, They're still going to need the other two variances no matter what as far as I can understand it. And then when the planning board acts and there's no more variances then you can act.

MR. BELL: You came in looking for two variances and seriously with the 10 foot wall

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2 that's at least another one.

3 MR. SERRANO: Yes.

4 MR. BELL: I mean --

5 MR. SERRANO: Yeah. And the three
6 bedrooms, right, yeah.

7 MS. FUNCHION: So it's four.

8 MR. BELL: Well, the area variance comes
9 from the planning board, right? Or no?

10 MR. SERRANO: No, that comes from you.

11 MR. BELL: Oh, we do that, too?

12 MR. SERRANO: Yeah.

13 MR. BELL: Oh, Okay.

14 MR. SERRANO: They can't, they cannot
15 entertain the additional apartments, the three
16 bedrooms, without your approval.

17 MR. BELL: Right, that's correct.

18 MR. ANNICCHIARICO: So it would be four
19 total if we needed the two front yards, the area
20 variance for the bedroom count and --

21 MR. BELL: The wall.

22 MR. ANNICCHIARICO: -- the wall.

23 MR. BELL: Correct. I'm okay with
24 setting -- I thought -- I'm okay with setting a

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2 public hearing. I just, you guys realize you got
3 a lot of stuff to happen.

4 MR. ANNICCHIARICO: Absolutely.

5 MR. BELL: Before this time period, you
6 know.

7 MR. ANNICCHIARICO: No, we understand
8 that fully.

9 MR. BELL: Nice rendering, by the way.

10 MR. THOMPSON: Thank you.

11 MR. BELL: Beats the heck out of what's
12 there.

13 MS. FUNCHION: That's true.

14 MR. BELL: I voted to sell that piece of
15 property.

16 MR. PINQUE: How many years ago?

17 MR. BELL: As soon as they came before
18 us when I was a trustee, yes.

19 MR. SERRANO: How long ago was that,
20 Garrett?

21 MR. BELL: I don't know. Twenty years
22 ago, something like that.

23 MR. WARNER: Just out of curiosity --

24 MR. BELL: It was a piece of property

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2 that we acquired, I believe, for tax default,
3 right?

4 MR. SERRANO: Correct.

5 MR. BELL: Over the years. So there,
6 believe it or not, there used to be two houses up
7 there. Maybe Eileen knows that. She might
8 remember that. But a lot, there isn't many people
9 in this room that would remember there was two
10 houses up there. So --

11 MR. SERRANO: That's right.

12 MR. WARNER: Just out of curiosity, when
13 is your board's next meeting?

14 MS. KEMPTER: July 8th.

15 MR. WARNER: July 8th. So we are making
16 our planning board submission tomorrow and we're
17 going before the planning board on June 25th.

18 MR. SERRANO: Correct.

19 MR. WARNER: So, we would have the
20 benefit of having heard from the planning board
21 before a zoning board public hearing.

22 MR. SERRANO: Yeah.

23 MR. BELL: Again, I have no problem
24 setting a public hearing. I just, you know, you

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guys know what you got to do here, so. You get it done the right way. I mean --

MR. SERRANO: I think I think your suggestion is very good, the way you said it. Let them call for the public hearing. You can adjourn it so you can hear back from the planning board.

MR. BELL: Yeah. Then you're on the agenda. If next month, if we if we have to adjourn it, we could check with Stephanie to see if we have to have a meeting or we could do it, you know, without having a meeting.

MR. SERRANO: Right.

MR. BELL: But either way, I have no problem. I just want to know that what the planning board is sending us is what --

MR. SERRANO: Is any more, exactly.

MR. BELL: I mean, and it's the right way.

MR. SERRANO: Give that to the chairman. Before you close this matter, just the bolded section just read that when you're ready, whenever you're ready. But the idea is to go to the planning board for SEQOR process, but you

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2 don't have to do it right now, but when you're
3 done with your discussions.

4 MR. BELL: Does anybody have any more
5 questions.

6 MR. PINQUE: I'm questioned out. Yeah.

7 MR. BELL: I know everybody wants to get
8 out of here and watch the Nicks game. So let's be
9 realistic here. So Marcus handed me this piece of
10 paper. ZBA proposes that the planning board
11 assume role of lead agency for this coordinated
12 SEQR review. The planning board is best suited to
13 evaluate the broader environmental impacts of
14 this development including traffic, drainage and
15 neighborhood character. I can tell you
16 neighborhood character has taken a big plus, that
17 I can tell you.

18 MR. SERRANO: So the board just has to
19 take a motion and second and move that as a
20 motion if you don't mind.

21 MR. BELL: And all fees are paid, right?

22 MR. SERRANO: Yes.

23 MR. BELL: Okay. Can I get a motion to
24 set a public hearing?

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2 MR. PINQUE: I'll make a motion to set
3 I'll make a motion to set a public hearing.

4 MS. FUNCHION: Second.

5 MR. BELL: For June 8th.

6 MR. PINQUE: For July 8th.

7 MR. BELL: July 8th, I'm sorry.

8 MR. HARMEN BAKKER: Do we want to talk
9 about the date? I may not be here July 8th. I
10 think it's fine if the three of you are there.

11 MR. SERRANO: As long as you have a
12 quorum. Is everybody else available?

13 MS. FUNCHION: Yes.

14 MR. BELL: I think to be honest with
15 you, and don't take this the wrong way, I think
16 you have a better chance of seeing white
17 blackbirds before they'll be ready next month. I
18 mean, let's be fair about this.

19 MR. BAKKER: I just want to throw it out
20 there.

21 MR. BELL: Yeah. I mean, I have no
22 problem with it. All in favor?

23 MULTIPLE: Aye.

24 MR. SERRANO: And then what you read

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2 that's has to be a little motion what you just
3 read.

4 MR. BELL: A separate motion?

5 MR. SERRANO: Yes, for that one, yes,
6 thank you. Just to get the SEQR process started.

7 MR. BELL: Yeah. Did everybody hear what
8 I read?

9 MULTIPLE: Yes.

10 MR. BELL: Do you have any problem with
11 it? So I'll make a motion that planning board
12 become lead agency. Excuse me. Second?

13 MR. BAKKER: I'll second.

14 MR. BELL: All in favor?

15 MULTIPLE: Aye.

16 MR. WARNER: Thank you very much.

17 MR. THOMPSON: Thank you.

18 MR. BELL: No problem.

19 MR. SERRANO: Have a good night
20 everybody.

21 MR. WARNER: Good night.

22 MS. FUNCHION: You have to close the
23 meeting.

24 MR. SERRANO: Marco is ready to go.

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MR. BELL: Motion to close the meeting.

MR. BAKKER: I make a motion.

MR. BELL: Second?

MS. FUNCHION: Second.

MR. BELL: In favor?

MULTIPLE: Aye.

MR. BELL: Good night.

(The public board meeting concluded at
7:41 p.m.)

CERTIFICATE OF ACCURACY

I, Juliana Castano, certify that the foregoing transcript of the Zoning Board of Appeals meeting of the Village of Buchanan on June 10, 2026 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

Juliana Castano

Date: July 22, 2026

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