

VILLAGE OF BUCHANAN

BOARD MEETINGS

ZONING BOARD MEETING

Municipal Building

236 Tate Avenue

Buchanan, NY 10511

July 8, 2026

7:00 p.m. - 8:15 p.m.

July 8, 2026

MEMBERS PRESENT:

Gary Bell, Chairman

Vito Calcutti, Member

Mary Funchion, Member

Marco Pinque, Member

ABSENT:

Marcus Serrano, Village Administrator

Harmen Bakker, Member

ALSO PRESENT:

Stephanie Porteus, Village Attorney

Cynthia Kempter, Village Clerk, Treasurer

Sharon Murphy, Deputy Clerk

Peter Cook, Building Inspector

OTHERS:

Aaron Warner, Zarin & Steinmetz

Jim Annicchiarico, Cronin Engineering

Joseph Thompson, Architect

Tina Zerello, 239 Westchester Avenue

Eileen Absenger, 138 Tate Avenue

Greg Lebowitz, 235 Westchester Avenue

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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 meeting of July
5 8, 2027 (SIC). Would you please stand for the
6 pledge?

7 MR. PINQUE: Sixth.

8 MR. BELL: Sixth, I'm sorry. Sixth.

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

14 MR. BELL: So, in case of a fire, use
15 this brown door here, the stairs going out or the
16 stairs alongside the elevator. Do not use the
17 elevator. Before we get going, I want to
18 introduce our newest member, Vito Calcutti.
19 Welcome aboard.

20 MR. VITO CALCUTTI: Thank you.

21 MR. BELL: Congratulations. And he's
22 been a longtime village resident. I've known him
23 for a long time and I think he'll be a great
24 addition. You know, like I told him, ask many

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2 questions as you want, it doesn't really, you
3 know. So we're here tonight to have a public
4 hearing for, sorry -- for what is the name of
5 this company?

6 MR. PINQUE: Giordano.

7 MR. BELL: Giordano, for Giordano
8 Builders. It's a public hearing for an
9 application that's before us. So, I just want to
10 say old business, we have none. I'm sorry that we
11 don't have minutes from last meeting, but
12 hopefully we'll have them for the next meeting.
13 So, in opening tonight, this is calendar number
14 01-2026-ZBA. It's a public hearing for an
15 application for variance for two front yard
16 setbacks, percentage of three-bedroom units that
17 may be allowed at the planning board's discretion
18 and accessory structures shall conform to the
19 minimum yard regulations at 3222 Albany Post
20 Road.

21 So, the builder's here and excuse me,
22 not the builder, but their attorney, their
23 engineer, and the architect is here, but before
24 we do that, this is a public hearing, so I'd like

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to have a motion to open up the public hearing.

MS. MARY FUNCHION: So moved.

MR. PINQUE: Second.

MR. BELL: All in favor?

MULTIPLE: Aye.

MR. BELL: Good evening. Your turn.

MR. AARON WARNER: Good evening,

Chairman Bell and members of the board. My name is Aaron Warner. I'm an attorney with the law firm Zarin and Steinmetz. With me tonight is Jim Annicchiarico with Cronin Engineering and Joseph Thompson of Joseph Thompson Architect, representing the applicant Steve Giordano Builders for the development of an 11-unit condominium at 3222 Albany Post Road in the C-1/C-2 overlay zoning district where multifamily dwellings and development is permitted by a special permit from the planning board. We were last before your board on June 10th to initially discuss the project and the requested variances. At that meeting, your board made us aware of the fourth variance regarding the retaining walls. We, and also your board indicated that it would

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be wise to be before the planning board before we proceeded with the variances.

Since then, we've submitted a revised submission to include that additional variance on June 15th. We were also before the planning board on June 25th. And we're happy to report that the planning board took no issue with the variances that we're seeking tonight. And the planning board also declared their intent to be lead agency for SEQR review.

On that point, we, we're here for a public hearing tonight. We would ask that we conduct the hearing tonight and hold a straw poll vote, so a nonbinding vote so that we can report back to the planning board with your initial opinions on these variances and that your board would reserve a decision until the completion of SEQR. So we anticipate being able to obtain a negative declaration from the planning board on the board's July 23rd meeting. We are planning to submit an updated submission to the planning board tomorrow. The planning board did give us comment on the site plan which Jim will walk

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2 through with you. And we would return to your
3 board at your board's August 12th meeting after
4 hopefully we get a negative declaration and
5 complete SEQR. So before I go through or discuss
6 the balancing test for the five factors under New
7 York State village law, does your board have any
8 initial questions?

9 MR. BELL: I don't really have any
10 questions. As I indicated last month, we're going
11 to wait until the site plan basically is done
12 with the planning board before we issue any
13 variances. And that's the right way to go about
14 it. And as you said, we pointed out a couple
15 things last month and you say you have adjusted
16 them in a new plan or is it a whole new whole new
17 plan or just added those items?

18 MR. WARNER: No, it's majorly the same
19 site plan. Jim will go over it with you. It's
20 just a few minor revisions from their comments.
21 Anything else? Not for me. Do you --

22 MR. PINQUE: Yes, just to be clear. So
23 we're the four variances. One is a variance for a
24 front yard setback from 30 ft to 15, and I

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2 believe that's on the Albany Post Road side.

3 MR. WARNER: That's, the 15 is for unit
4 number one which is facing Bleakley.

5 MR. PINQUE: On Bleakley Avenue.

6 MR. WARNER: And the 10 foot setback
7 variance is for unit 11 facing 9A.

8 MR. PINQUE: Right. So that's the second
9 variance there.

10 MR. WARNER: Mm-hmm.

11 MR. PINQUE: The first variance would be
12 a 50 percent variance from code. The second one
13 is a 66.66 percent variance. And then you want to
14 change the percentage of three-bedroom units?

15 MR. WARNER: That's correct. So under
16 the C-1/C-2 overlay, the planning board at their
17 sole discretion can permit up to 20 percent of
18 the total units. We're seeking a variance to
19 increase that percentage to 40 percent to allow
20 them to grant two additional three-bedroom units.

21 MR. PINQUE: Because the code right now
22 allows two three-bedroom units?

23 MR. WARNER: Yeah. For our total is 11
24 units.

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2 MR. PINQUE: Right.

3 MR. WARNER: So 20 percent is two units.

4 MR. PINQUE: Right.

5 MR. WARNER: So at 40 we could have four
6 units which is two additional.

7 MR. PINQUE: You would have 40, so
8 that's a 100 percent variance.

9 MR. WARNER: Yeah.

10 MR. PINQUE: Okay. And then the
11 retaining wall height, normally it's six feet.
12 And you're looking for what is it up to, 15 feet?

13 MR. WARNER: Yeah. So portions of the
14 retaining wall, some portions and again Jim can
15 point out exactly where these portions are would
16 require up to 15 feet. So we're asking for that
17 as well.

18 MR. PINQUE: So 150 percent variance --

19 MR. WARNER: Correct.

20 MR. PINQUE: -- from the code. I just
21 wanted to put that on the record.

22 MR. BELL: Okay. Just for the people
23 that are looking, it's a 0.88 piece of property.
24 It's less than an acre obviously. So they're

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2 trying to maximize the use of the property as it
3 is. It's owned by the village of Buchanan and the
4 village board has indicated they will sell it to
5 Giordano, when the time is right, when we go
6 through all of these, you know, planning and
7 zoning issues, so. One thing and I was a little
8 remiss about I know you paid the fee and I know
9 you sent return receipt letters out. I said,
10 guess, 26 they sent out?

11 MS. SHARON MURPHY: They sent 16.

12 MR. BELL: Sixteen out? Oh, they sent
13 out 30, you know, and got 16 returns.

14 MR. WARNER: Yes.

15 MR. BELL: Probably not that unusual for
16 that particular spot. But just for the record, so
17 everybody knows, they did pay their fee and they
18 did conform to the code as far as sending out
19 letters to the local people that are within X
20 amount of feet to the property.

21 MS. MURPHY: Five hundred.

22 MR. BELL: Five hundred.

23 MR. WARNER: And I'll also note that
24 with our submission of the return receipts, we

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also included the tracking information that shows that we did deliver to those other 14 property owners that didn't fill out the return receipt. All right, I'd like to discuss the balancing test and the five factors pursuant to New York State village law. So first, granting the requested variances would not result in an undesirable change in the character of the neighborhood or would be a detriment to nearby properties. The character of the neighborhood is predominantly residential, particularly across Bleakley Avenue, while across from 9A, it's a mix of industrial and commercial. So the proposed 11-unit condominium development is relatively small and the way that we're designing it and Joe will show you as well with the renderings is that the way it's designed is meant to enhance and be consistent with the residential uses in the neighborhood.

So, regarding the two front yard setback variances, these variances would not impact community character because the two units would still be set approximately, set back

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approximately 30 to 35 feet from the roads. There's an additional, there's buffer from the state and DOT right of way and also the Verizon property. For both well, for the 11 unit, it's the Verizon property. For the unit number one, it's the state and DOT right of way. And I'll note that the planning board cited that buffer as a reason why they didn't believe that the setback variances would be impactful.

MR. BELL: Who's buffer? The Verizon buffer or?

MR. JIM ANNICCHIARICO: Oh, actually it's the DOT right away. We -- sorry about that. Hi, Jim Annicchiarico, Cronin Engineering. So when we were before the planning board, somebody pointed out that it's actually not a separate parcel there where the Verizon building is. So, it's actually the, just part of the DOT Route 9A right of way. So, there's actually not a separate parcel there, but it is rather large in that area. And as Aaron mentioned, the variance for unit 11, the building that is closest to Albany Post Road, there's about 40 feet from the curb

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line to the building corner that's closest to Albany Post Road. We're only what 11 feet, I think we're 11 feet from the from the property line, but due to the area that's between the curb and the property line, it's actually 40 feet. So it, it'll present much further away. What's that? It doesn't show? Yeah. It's hard to see on the rendering, but I can show --

MS. CYNTHIA KEMPTER: Can you see?

MR. ANNICCHIARICO: Yeah. Yeah. And similarly on the Bleakley Avenue side, the unit, unit one, that building is about 30 feet from the Bleakley Avenue curb line. So that presents. And we'll be doing, obviously we'll be doing landscaping on our property and in between the building and the property line to you know further mitigate that, that variance that we're seeking on both sides actually, so. Continue, sorry.

MR. WARNER: Sure.

MR. PINQUE: Let me ask another question. So what you just explained here about the variances, I mean the feet setbacks and

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stuff, how does that pertain to the front yard setbacks that are requested here and the variances you were mentioning 40 feet. I didn't see.

MR. ANNICCHIARICO: Oh, well the variances we're requesting, we are, we need front yard variances because we're only 10 feet and 11 feet from the property line. But what I'm saying one of the mitigating factors that we feel your board should consider is the actual distance from the curb line to the building itself.

MR. PINQUE: Is 40 feet?

MR. ANNICCHIARICO: We're not right up on the road, if you will. So.

MR. WARNER: So regarding the variance to permit the planning board the ability to consider granting an additional two three-bedroom units, this would have no perceivable impact on community character because it pertains to the inside layout of those units and respectfully any perceived impacts from traffic or anything else, this is really the addition of only two people with the addition of one extra bedroom for those

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two units. So we respectfully submit that any of these impacts would be de minimis.

Regarding the variance to permit the retaining walls with fencing on top of up to 15 feet at the highest point, this variance would also not result in an undesirable change in the character of the community or a detriment to nearby properties, because the retaining walls either face undeveloped forest land, forested land, or the commercial properties across Route 9A. And furthermore, the retaining walls would be constructed with either stone face material or boulders, which have aesthetic benefits. And in addition, we're proposing adequate landscaping and screening that will also serve to enhance the residential character of the neighborhood. And the fencing on top would be see-through black material. And all of these things together serve we believe to enhance the community character as opposed to being a detriment to any neighboring properties or the community character.

Second, there's no feasible alternative to achieve the benefits sought here by the

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applicant. The benefit is the construction of the 11-unit condominium development and for the two front yard setback variances and retaining walls with fencing, these variances are due to the size, orientation and grade of the site, including to provide for adequate vehicular circulation and turnaround on the site. And again, Jim can walk through exactly what that looks like on the site plan.

Regarding the variance to permit the planning board the ability to consider granting an additional two three-bedroom units, this can only be achieved by a variance from your board, so there's no feasible alternative.

Third, we respectfully submit that these variances are not substantial. Even if these variances were deemed substantial by percentage deviation from bulk requirements, New York courts have held that simply relying on the percentage deviation alone does not suffice for considering whether or not to grant a variance application. The critical pieces here to the overall analysis is what the actual impact is. And for the reasons

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stated previously and in our letters, these variances would not have an undesirable change in the character of the community or detriment to nearby properties. Particularly for the setback variances and retaining walls, these would still be buffered by about 30 to 35 feet or, as Jim was explaining before, from their respective roads and the retaining walls do not face the residential properties. Again, it only faces the undeveloped forested land adjacent and then the industrial and commercially zoned properties that are across from Route 9A. And furthermore, the property will be adequately landscaped and screened with tasteful plantings.

And regarding the variance for the three-bedroom units, again, this would have no impact to community character or detriment to nearby properties because it deals with only the interior layout of two of the units. Even if these variances were deemed substantial, because they would not have a undesirable effect on the character of the community or detriment to nearby properties, respectfully, these variances should

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still be granted, particularly because the way the project is designed is meant to enhance community character, not detract from it.

Fourth, granting these variances would not have an adverse impact to physical or environmental characteristics or conditions in the neighborhood. The front yard setbacks and retaining walls are not located near any environmentally sensitive areas and the retaining walls serve to stabilize land, manage storm water, prevent erosion, and the fencing serves to enhance safety and security, particularly due to the gradings of the site, which again Jim can walk through if you'd like to see that. In this way the retaining walls and fencing would only serve to provide physical and environmental benefits, including that they would be landscaped and constructed with aesthetically pleasing or appealing materials with the stone face walls or and/or boulders. Regarding the variance for the three additional bed-, I'm sorry, for the two additional three-bedroom units, again, these only pertain to the interior layouts of two of these

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units, it would not have any physical or environmental impacts.

And fifth and finally, to the extent that the alleged hardship is deemed self-created, such a determination does not preclude the granting of these variances pursuant to New York State Village law. So for these reasons, we respectfully request that your board would grant these variances. We've already discussed the reserving your decision until SEQR is concluded, until we go through the site plan as Mr. Bell mentioned. We would respectfully ask if you're ready or if you'd like to hear from Jim or Joe or see any of these things that you would hold a straw poll vote.

MR. BELL: Let me just interject a little bit here. You said these are not substantial. The only reason why they're not substantial is they're way off 9A. If these were down lower, these are tremendously substantial variances. So, let's not, you know, let's keep it to what, because of the property location, it's a different genre, if you will, to make a decision

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on that. And truthfully, if it was down low, you probably wouldn't have my support. But because it's up, the elevation level is up, the only thing I'm a little sus- a little about is the 10-foot wall. Did, I was going to ask Jim when he got up there, did you consider step down wall, stuff like that?

MR. ANNICCHIARICO: So, did I lose it?

MS. KEMPTER: Yeah.

MR. BELL: I love it. I just love it.

MR. ANNICCHIARICO: Okay. So, let me start by saying, as Aaron mentioned, we did meet with the planning board. And they had, you know, we had a fairly lengthy meeting with them, went through a lot of the items, the retaining walls, the access, you know, landscaping, pedestrian access from the units and from within the site out, you know, out to Bleakley Avenue and to Albany Post Road.

So as Aaron also mentioned, we've actually incorporated a lot of those, or almost all, if not all, of the items that we spoke to them about into the new set of plans that we will

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be submitting tomorrow for the July 23rd meeting with the planning board.

Let me just go, I mean, this is the erosion and sediment control plan, but it seems to be the best one to kind of look at. We've tightened up the wall over here because one of the items that the planning board wanted to see was a sidewalk from within the site out to Albany Post Road. So, what we've done is we've brought this retaining wall up closer to the property line and behind it we've brought a sidewalk out right along the curb line of the driveway into the site. That wraps around, connects down to the existing sidewalk down here. We also brought a sidewalk up here and stopped it at about the property line for future connection by, you know, by the village by anybody else who may be looking at the properties north of us or west of us.

So in that as well we've kind of tightened up some of this pavement in here. We've, I don't believe we, when we met with you last time I'm not sure if we had mentioned that we had hired a traffic consultant. So we have

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hired a traffic consultant to discuss. Yeah,
we've --

MR. BELL: That must have come with the plan. Yeah, it was probably after we met with you. We hired Kimley-Horn, John Canning. You know, he's familiar in these parts. He actually, one of the things that we did also was move the entrance about 10 feet to the west, just at the suggestion to try to get away from this intersection a little bit better. And he's going to be, John will be handling all the turning maneuvers that the planning board has asked for, the DOT review, due to the proximity of the entrance with the intersection here at Bleakley and Albany Post Road. John will be handling all that. But I guess to answer your question, Gary, it's in order to tier these walls in this corner, this corner here is the corner that's got the greatest height of the wall. That's 10 foot height, but to be clear, the 15 feet total is the fence basically on top. I think it's actually 11 feet here and then we would be putting a four foot high fence on top of the wall for a total of

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15. As you as you come south, it kind of varies, but the wall gets much less steep here, and then as you get down to the end of the wall, this wall right here closest to Bleakley is only about two feet high.

So it gets progressively higher as you go this way, due to some of this rock, this ledge rock here. There are some undulations, so some of it is probably a little bit lower than the other parts. As you go this way. Let me go actually back to one of our plans with the with the wall heights. So we've got a nine, you know, it goes from 11 feet in this corner to nine feet. It's only 2 feet right here due to this ledge. It's, then it's 10 feet, this little short piece of wall. It's 12 feet back here. It's 10 feet here, it's 13 feet here. This wall will not require a fence on top of it because it's higher than, you know, it's behind the buildings and it's higher than the grade behind the building. So you don't have, you know, this is this needs the fence so nobody walks off the edge of it from inside the development.

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2 We don't even know if we're going to
3 need these walls. One of the things we have to do
4 with the planning board is the steep slope, we
5 have engaged a geotechnical engineer to review,
6 you know, basically the whole site, but primarily
7 what's happening here which, you know, this is
8 mostly rock, if not all rock. So he'll be
9 reviewing that. We may be able to get away with
10 much shorter walls. We may be able to get away
11 with no walls back here. But regardless, this is
12 this is the point where we need the 15 feet
13 variance, and that's the greatest variance that
14 we need. So, I guess we do need variances from
15 you for any of the walls that are within the
16 setbacks which is here up to this point and this
17 entire length of wall because that's all within
18 the setback. And they're considered accessory
19 structures. Anything over six feet and that's why
20 we need the variances from your board. So --

21 MR. THOMPSON: I have a question.

22 MR. ANNICCHIARICO: Sure.

23 MR. THOMPSON: In an in agreement with
24 the chairman, Joseph Thompson, architect, the

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wall that's fronting the street certainly has a greater impact than the wall at the rear of the property that's behind the buildings and also may not be needed if it's rock outcropping. If this is the most severe point, I know that we have our pavement right to edge on a lot of this. We don't necessarily have the room, but do you think we could make a 4 foot step back and tear just this corner where it's the point most severity? And we could create a landscape buffer? You know, break that down, maybe just in this corner? That might mitigate the point that's of, you know, potentially highest concern.

MR. ANNICCHIARICO: It is definitely possible that we could do something here. We have 10 feet from the corner of the building to the property line itself. The wall is pretty much on the property line. So if we stepped it back, we'd still have six feet between the building and that wall, that tiered wall. So we could do that and we could certainly landscape between those two walls. We could probably run that out, you know, all the way over to here, in this section.

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2 MR. THOMPSON: We can drop our footing
3 on the building below --

4 MR. ANNICCHIARICO: Below, right.

5 MR. THOMPSON: -- the influence for the
6 retaining wall. And similar to this perspective
7 that's taken at the intersection of Bleakley and
8 Route 9, we could create a perspective looking
9 southwest from that other corner that highlights
10 that area. We're not seeking any action tonight.
11 We have some time [unintelligible] [00:31:13].

12 MR. ANNICCHIARICO: Yeah.

13 MR. THOMPSON: So, we'll plan, we're
14 still seeking board opinion tonight, but we'll
15 plan to try to work on that area between now and
16 any potential decisions.

17 MR. PINQUE: So, so the entire property
18 extends out to where the light gray line is
19 towards the back, right? That --

20 MR. ANNICCHIARICO: Back here?

21 MR. PINQUE: Keep going. Keep going back
22 all the way. Keep going back up.

23 MR. ANNICCHIARICO: Oh, back here?

24 MR. PINQUE: Up right to there, right?

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2 MR. ANNICCHIARICO: This is our property
3 line here, yeah.

4 MR. PINQUE: Okay. So what's the I'm
5 sure you have a reason, but what's the reasoning
6 as to why those three units can't be positioned
7 further up into that --

8 MR. BELL: It's all rock.

9 MR. PINQUE: -- rectangle up there?

10 MR. BELL: I think it's all rock.

11 MR. PINQUE: Well, if it is all rock --

12 MR. ANNICCHIARICO: Primarily, that's
13 the reason, yes.

14 MR. PINQUE: So it'd be an additional
15 expense, but it's not like it's something that
16 can't happen. It's just you're then going to have
17 to blast rock to move those back.

18 MR. ANNICCHIARICO: The long and short
19 of it is yes, that it's rock. So, you know, we
20 we've positioned it where it also, you know, we
21 we're not, we're creating an easier access for
22 these units here you know, parking wise and
23 access to the garages. But yes, the main the main
24 reason would be because we are like we're trying

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2 to avoid, you know, as much as possible, which I
3 think we're kind of required to try to do, based
4 on the steep slopes law to avoid to the greatest
5 extent possible disturbance to slope.

6 MR. PINQUE: So [unintelligible]
7 [00:32:44] steep slope law is preventing them
8 from shifting everything upward.

9 MR. THOMPSON: We're trying to
10 sensitively place the buildings to balance the
11 impact to the steep slopes and rock removal and
12 the placement of the building there. We're also
13 trying to avoid the need to earth berm the first
14 floor. We can earth berm the garage without any
15 detrimental impact to the interior quality of the
16 spaces. The garage doesn't necessarily have to
17 have windows, but we'd hate to bury the first
18 floor and lose daylight and visibility from those
19 first floor living spaces. So it's a balance. So
20 to your point, could it move back a little bit?
21 Potentially, but again, I think the case for at
22 least this specific variance request
23 predominantly relies on the DOT buffer that
24 mitigates the visual impact of that setback. If

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2 the lot line were directly at the curb of the
3 road, as is often common, you know, that it's
4 close proximity, I don't know that this variance
5 would be palatable. In this case, I think the
6 unique attribute is that buffer that we have the
7 ability to potentially landscape, potentially
8 step the wall, which is something we can work on
9 if the board would like to see us do that and
10 also landscape that wall stepping that again
11 greatly buffers the building and the visual
12 impact from the future sidewalk and from the
13 street.

14 MR. PETER COOK: I have a question. I'm
15 just, in proportion to where the rail bridge is
16 when you drive under, how much of that do you see
17 from driving? You drive by it before you even see
18 it. It's not like it's exposed, like in the
19 renderings.

20 MR. THOMPSON: Right.

21 MR. COOK: You're not looking directly
22 at that as you drive under. Your eyes are on the
23 road --

24 MR. THOMPSON: It's fairly limited

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2 visibility because to your point, you know, your
3 eyes are on the road, you have obstructions.

4 MR. COOK: [unintelligible] [00:34:29]
5 as soon as you go under the rail bridge.

6 MR. THOMPSON: But I think I do think
7 it's worth a visual study from that angle. That's
8 something we could do before our next meeting
9 with this board, so the board has a better
10 perspective on what that might feel like at that
11 corner. And that also gives us an opportunity to
12 work on it too and see if we can make
13 improvement. But I think, I do think you're
14 right, Mr. Cook.

15 MR. COOK: Yeah, thank you.

16 MS. FUNCHION: So the walls, the
17 retaining walls wherever they are, is based on
18 your assessment of the topography of the site?

19 MR. ANNICCHIARICO: So, we have a
20 starting point here, right, of where we meet
21 Bleakley for the driveway. So that's essentially
22 elevation 31. We've brought the site, into the
23 site, we're at about right here elevation 39. So
24 we've got about an eight foot increase in

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elevation from Bleakley to, you know, close to the end of the site here. We need these retaining walls. I guess what I'm trying to say is we have, like Joe mentioned, it's a, you know, it's a kind of a give and take. You know, we're trying to create a drive in here that's not steep number one, and, you know, and at the same time, we'd like to make it flatter, but it's just not, you know, it's not attainable just because of the contours on the back part of the site. Let me see, it's -- I can blow this up. So, we'd be just about on grade right here. This is existing contour 40, and like I said, our drive here would be about contour 39. And then it steadily goes up. You know, we've got elevation 80, 50, this is 80 up here, 90 here, 70. Where's 60, somewhere in here, 60 is over here. So that's elevation 60. And it, you know, from there it gets steeper. That's 70 through there. We got 40 through here, and then 50 through there.

So, yes, a lot of this is, this is all cut back here. But as I mentioned, we don't know or we won't know really the extent of the

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retaining walls, at least in the back here, until the geotechnical engineer does his analysis and his study and makes recommendations to us as to the type of rock it is and what can be done with it, how it could be excavated, how it could be graded.

But up here, you know, we really don't have much of a choice. The retaining walls are required. So we can bring grade up to 39 and 40. But as Joe mentioned, you know, we could look at softening it, at least in this corner, with a tiered wall and plantings between them. And as Peter mentioned, you know, as you're coming this way, it's really not such a visual impact, because you're driving away from it. I guess as you're going north it's obviously much more. But as we said earlier, you know, even the retaining wall itself, the building itself would be about 40 ft from the curb line back and the retaining wall would be about 30. So it's still a fairly decent buffer in between. I know there's a lot of vegetation in here, in this whole area, so.

MS. FUNCHION: Do you have a timeline

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2 for that study?

3 MR. ANNICCHIARICO: We are hoping to
4 have something at least preliminary for
5 tomorrow's submission to the planning board, at
6 least a letter from the geotechnical engineer
7 kind of with some preliminary findings. We
8 probably won't have any actual report until the
9 following August meeting to the planning board.
10 But that is required as part of the steep slopes
11 permit, but we did provide a fair amount of
12 information and I believe George Pommer mentioned
13 that he thought we did a very good job on the
14 information that we provided in the initial steep
15 slopes findings statement.

16 And I guess while we're on the subject,
17 I'll just point out over here as well, since I
18 didn't before. We got the 15 foot from the corner
19 closest to the property line and then it's about
20 another 15 feet to the to the curb line on
21 Bleakley. So we do have a 30 foot buffer between
22 the curb line and the corner of the building. And
23 you know this whole area will likely be planted,
24 you know, landscaped to provide even additional

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2 mitigation for that, the variance that we're
3 seeking there.

4 MR. PINQUE: So you guys are at 11 town
5 homes right now, 11 condos and --

6 MR. ANNICCHIARICO: That's correct.

7 MR. PINQUE: Have you thought about if
8 you went with 10, we could fit everything onto
9 that lot without the variances?

10 MR. THOMPSON: I would say there's a
11 there's a there's a lot of site work for this
12 piece of property, probably far more than most
13 properties. So, financially, the applicant has
14 looked at that and he feels that the 11 units is
15 really what he needs to make this work
16 financially for him.

17 MR. WARNER: I'll just, I'll also add
18 that as part of our updated submission to the
19 planning board tomorrow, we are going to be
20 providing an updated fiscal impact analysis
21 report so, we we're happy to make that available
22 to your board as well.

23 MR. THOMPSON: It's a few factors. It's
24 the purchase price of the property, the amount of

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2 investment into the property.

3 MR. PINQUE: It's financial.

4 MR. THOMPSON: Also -- exactly.

5 MR. PINQUE: It's financial, it comes
6 down to numbers.

7 MR. THOMPSON: Yeah.

8 MR. BELL: You know, excuse me, last
9 month, when you came before us and just looking
10 at it roughly last month, we pointed out the fact
11 that the wall was way over the height of the
12 village. Never once did we talk about a 15 foot
13 wall in the back. We were talking about 10 foot
14 in the front, right. We never talked about 15 in
15 the back. But, let me finish. Due to the
16 uniqueness of this piece of property, I'm not so
17 sure that it's going to hurt to have a higher
18 wall there because I don't think you're going to,
19 like you've pointed out, to be able to see it.
20 I'm going to tell you outright, if it was at
21 street level, you would never get my vote, it
22 just wouldn't happen. But, you know, it's a
23 unique piece of property. I was actually on the
24 board, like I told you last month, when we

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2 claimed the property for nonpayment of taxes, and
3 we tried to sell it then, and I'm very happy to
4 sell it right now, so.

5 MR. ANNICCHIARICO: I agree with what
6 you say, Gary. However, I think we, I think we,
7 once we got into it more last month, we did
8 mention that we needed the fence there, and
9 that's really, it's not a 15-foot wall, but it is
10 a 15-foot structure including the fence. But and
11 that is the point where it would be the most --

12 MR. BELL: The highest.

13 MR. ANNICCHIARICO: -- the highest, you
14 know, the variance we need, which if you if you
15 granted a variance I think that's what we did
16 right. We went in and we said it would be 15
17 feet, that would be the highest variance we need
18 but we do need variances for any parts of the
19 wall that are over six foot that are within the
20 setback, which as I mentioned is probably about
21 maybe half of this wall in the front. So I would
22 imagine whatever decision, you know, if it is
23 granted, it would have to read, and Stephanie,
24 correct me if I'm wrong, but it would have to

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2 read, you know, that that's the greatest point,
3 but we, you know, it would also include anything
4 from six foot to 15 foot that would be required.

5 MS. STEPHANIE PORTEUS: Because you
6 wouldn't know until you get in there.

7 MR. ANNICCHIARICO: Right. I mean, as I
8 mentioned back here, we're really not sure until
9 we get into the geotechnical analysis.

10 MR. BELL: Yeah.

11 MR. ANNICCHIARICO: As I mentioned, we
12 may not need the walls that we're showing now.
13 Those are strictly shown based on the grades that
14 we need to attain.

15 MR. THOMPSON: That would be our worst
16 potential case scenario.

17 MR. ANNICCHIARICO: It would be worst
18 case, yes.

19 MR. THOMPSON: And if nothing else from
20 this meeting, that these discussions led to a
21 potential approach to mitigate the point of
22 greatest impact at the street. So again, we will
23 we'll plan to go back and do some work on that.

24 MR. CALCUTTI: Question, the wall where

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2 it's going to be approximately 11 feet at that
3 corner. And how long of a stretch will this 11
4 feet go?

5 MR. THOMPSON: It tapers.

6 MR. ANNICCHIARICO: As you go west here
7 it goes down to nine feet right here.

8 MR. CALCUTTI: Well, more in the front,
9 I --

10 MR. ANNICCHIARICO: Okay.

11 MR. CALCUTTI: -- would think.

12 MR. ANNICCHIARICO: Right here, it's
13 only three feet high right here due to the big
14 piece of ledge rock right here. So the wall goes
15 from 11 probably progressively lower, you know,
16 it gets shorter and shorter as you get to this
17 point. It's only three feet here.

18 MR. CALCUTTI: And what's that distance
19 between the 11 and three?

20 MR. ANNICCHIARICO: I'd say that's 50
21 feet, 60 feet, 50 or 60 feet.

22 MR. CALCUTTI: Fifty or 60 feet.

23 MR. ANNICCHIARICO: Yeah. And then as we
24 get, of course, we have this over it, but as we

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2 get to here, the wall here is seven foot high.
3 The wall here is probably similar to that. Yeah,
4 I'd probably say six foot high here. It's nine
5 foot high here, it's five foot high here. And
6 it's two feet high here.

7 MR. PINQUE: And you're talking about if
8 we're looking from Albany Post Road looking at
9 the wall, that's how the wall appears from there.
10 On the opposite side, looking from the condo out,
11 it's --

12 MR. ANNICCHIARICO: It's all the same
13 elevation.

14 MR. PINQUE: The same elevation from
15 there?

16 MR. ANNICCHIARICO: Yes.

17 MR. PINQUE: So just looking at it --

18 MR. CALCUTTI: At it is where, yeah.

19 MR. PINQUE: -- is where it tapers.

20 Okay.

21 MR. ANNICCHIARICO: Let me back that up
22 a bit. It's not, it's all the same elevation.
23 It's 40 here. Top of wall is 40, 39, 38, so, it
24 does taper down as you go with the -- but it's

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2 not, you know, it's not up and down, if you will.
3 It's all just it follows the grade of the site
4 internally, basically the driveway grade and this
5 pad site for the building.

6 MR. CALCUTTI: It may be helpful if we
7 produce an elevation.

8 MR. THOMPSON: So we can show it.

9 MR. ANNICCHIARICO: Yeah, we could do
10 that. Absolutely.

11 MR. BELL: Board have any more questions
12 right at this point?

13 MR. CALCUTTI: No.

14 MR. ANNICCHIARICO: You want, maybe it
15 might be helpful to mention, for your new board
16 member. So these corner units are where the
17 three-bedroom units would be located because they
18 can actually, you know, handle the extra bedroom.
19 But so it would be those corner units themselves.
20 And that's about it.

21 MR. PINQUE: And you're asking for the
22 variance for the additional three-bedroom units
23 for the same reason the previous variance, about
24 reducing the number of condos there? It's a

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2 financial thing --

3 MR. ANNICCHIARICO: Yes.

4 MR. PINQUE: -- where you put more three
5 bedrooms, you can charge more, you can make your
6 money back.

7 MR. THOMPSON: It does have positive
8 financial impact. It's also something that's
9 often cited in many communities that there's a
10 lack of inventory of three-bedroom product,
11 especially in new builds. Most developers
12 especially in rental scenarios, this is projected
13 to be ownership, are often building ones and
14 twos, sometimes studios, but often one and two
15 bedrooms versus three, specifically Sleepy
16 Hollow. We had a proposal recently where they
17 mandated a minimum percentage as part of crafting
18 a proposed development because the community is
19 in need of it, in housing for families. So it's
20 often it's often the opposite where it's
21 encouraged instead of discouraged, because of,
22 you know, lack of inventory in this type of
23 housing product as opposed to single family
24 standalone dwellings.

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2 MR. BELL: Okay. I'd like to take this
3 opportunity to invite anybody from the public
4 that would like to come up and ask a question
5 either for or against, it doesn't matter. It's a
6 preliminary stage we're at now. We're working in
7 conjunction with the planning board to see what's
8 best for that piece of property.

9 MS. TINA ZARELLO: Hi, I'm Tina Zarello.
10 I live at 229 Westchester Avenue.

11 MR. PINQUE: May I interrupt you just
12 real quick. It's a three minute time limit.

13 MS. ZARELLO: I know three minutes.

14 MR. PINQUE: Right, so, I'll keep track.

15 MS. ZARELLO: You've interrupted my
16 three minutes.

17 MR. PINQUE: No, no, I'll start it. I'll
18 start it when you start speaking.

19 MS. ZARELLO: I know. I've been at the
20 meetings.

21 MR. PINQUE: I know. Thank you.

22 MS. ZARELLO: Look, my biggest concern
23 is green space. You've used it all up. I know
24 that this area is all rock. And when we talk

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about blasting, how long are we talking about? At the last meeting, at the last meeting -- don't interrupt my three minutes. At the last meeting, I was told it was going to take two to three months to blast out the rock. So, if we're going to blast out rock, did we happen to check the neighborhood to see how much we're going to listen to, what we're going to be exposed to? And when we talk about steep slope, how much are we going to allow them to go into the steep slope? I walked that property. I know what it looks like. And then I get to the other part of it. School district, ambulances, fire trucks. I get to all of that just like I did last night's meeting. We all come to the same thing. Are we are we gaining or are we losing? That's all I really want to know.

And then the part about green space when they go in like Mr. Carbone, he leveled it all out. He didn't look around to see what could be kept and what couldn't be kept. The same thing with the development with those monstrosities that are behind the hardware store, nobody

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thought once, let's keep a little green space somewhere. The village of the Buchanan is a mile and a half big and we're trying to cram all of this in a can. I just, I am so disappointed on the decision that each and every person makes. And I think what's wrong here is we're always bending for the developer. We're never bending for the taxpayers. We're always saying, what's good for the developer? How can we make him happy? Well, how about we think about what's going to make the taxpayer happy? We elect you. We pay our taxes. We don't complain. And yet, they're going to increase, increase, and increase. School tax just went up. Village of Buchanan taxes just went up.

But this bothers me because there is a steep slope here. And if you lower that steep slope by giving them a variance, the state can say, well, if you did it for this guy, well, we'll do it for this guy and we'll change the steep slope law and we'll have nothing. It'll be like one flat piece of property. Look what they did behind the hardware and look at Mr.

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2 Carbone's. That's all I want to say. It's
3 disappointing. And when I come to these board
4 meetings and I listen to all of you talk, it's
5 disappointing. I just want people to realize
6 green space. We talk about trees giving off
7 oxygen. You take them all down and then you want
8 to replant them. It's insane the way you people
9 think. Thank you. Thank you.

10 MR. BELL: Anybody else?

11 MS. EILEEN ABSENGER: Hello. Did you
12 have a good night's sleep? Oh, some, this is like
13 a dream, rather than a nightmare. Oh, Eileen
14 Absenger, 138 Tate Avenue. I just want to say,
15 and I don't want to bring the planning board in
16 on this, but I was the one who asked for, I felt
17 like I was a hermit if I were to buy anything
18 here because there's no visitor parking. So, this
19 spot down here is room for parking. You're not
20 taking that up, are you?

21 MR. ANNICCHIARICO: Our new submission
22 tomorrow is going to provide extra parking for
23 you. It does.

24 MS. ABSENGER: We don't have a board

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2 meeting tomorrow.

3 MR. ANNICCHIARICO: No, but we have to
4 make our submission.

5 MS. ABSENGER: Yes, I'm looking forward
6 to it. I just don't want to see that little bit
7 of space that they seem to allocate because I
8 said to Joe, he allocated it at Carbones, AMS has
9 allocated it. So, we do need something because
10 I'm going to take my little roller and find out
11 how far it is from the entrance to the parallel
12 parking on Bleakley Avenue, which is completely
13 consumed every night. And I don't know where
14 anybody can park. Can they park on the other side
15 of the street? Is Bleakley --

16 MR. BELL: No, they can't.

17 MS. ABSENGER: You can't?

18 MR. BELL: Nope. It's one side parking
19 only.

20 MS. ABSENGER: I think you need a
21 shuttle for the HOA. You need a shuttle bus,
22 might be a recommendation for the HOA because
23 there will be no parking there for that number of
24 units. And it's not, I'm not complaining about

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2 the project. And it'll probably look very nice.
3 It's just a point that the parking is an issue, I
4 think, for visitors at least. So, thank you.

5 MR. BELL: Thank you. Anybody else? Come
6 on up.

7 MR. GREG LEBOWITZ: 235 Westchester
8 Avenue. I'm just curious. Do you guys know how
9 many potential students will be coming to the out
10 of these 11 apartments? Do they know how many
11 students be coming in? Like I know like between
12 ages of like 5 years old to 17, over the course
13 of like say, over the next like how many students
14 can either three-bedroom apartment. So maybe two
15 people can go into a third bedroom, so maybe
16 three children and two parents, right? So, three
17 kids, that's three, six, nine, 12 kids out of
18 just the three bedroom apartments, right? Plus
19 maybe two, four, six, eight. So, maybe 30 kids,
20 right, total, right? Potential over these 11
21 units, right?

22 MR. THOMPSON: It's possible. But
23 there's national standards for the number of
24 students that are generated for this type of

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housing based on number of bedrooms. It, I don't know that we've calculated yet, but it's generally I think calculated as less than one. I know it's one point --

MR. LEBOWITZ: So what's like -- the question is like what's the maximum potential?

MR. BELL: Could you speak? Can you speak to the microphone?

MR. LEBOWITZ: I'm sorry, so the question is like what's the maximum potential students people will -- students from the age of five and 18 will be in that apartment over the course of say a 20-year period right, what's the maximum amount of numbers could be in there? And can our schools then consume those additional students? The teachers, all the activities and everything, you know. So, it's like most of those kids will be going to Buchanan Verplanck, right. All of them.

MR. THOMPSON: Yeah, that's right.

MR. LEBOWITZ: So, that's a lot of potential, you know.

MR. THOMPSON: Yeah. To your point, if

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every unit were occupied by a family, every bedroom had a head in it, You're talking about a total of 22 plus the three bedrooms. You're talking about 26 heads in there. You know, likely obviously the master's probably two, so we're going to add 11. So we're talking about a population of 26 plus 11, 37 people, of which 22 are likely adults and you know that puts you somewhere around 10, which is about where it would calculate. That's something we're going to have to do as part of impact analysis with the planning board. So we'll be able to like more accurately report on the calculation. You know, could you have bedrooms that are shared by multiple children? You could, but it's unlikely in this building product that it would be mostly families.

MR. LEBOWITZ: Just so you know, like in our school district right now, we already get free lunches.

MR. THOMPSON: Yep.

MR. LEBOWITZ: They already produce free lunches. And that's not cool. I'm just saying

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2 like I mean it helps out, but it's just -- aAnd
3 this is low-income housing, right?

4 MR. THOMPSON: No, no. This is market
5 rate.

6 MR. LEBOWITZ: This is market rate?

7 MR. THOMPSON: Yeah, these are these are
8 going to probably have a sale price somewhere
9 between seven and 900,000 per unit. And they're
10 going to substantially contribute to the tax base
11 too.

12 MR. LEBOWITZ: What's the, like do you
13 know their rental price because these are
14 apartments.

15 MR. THOMPSON: They're not rental,
16 they're purchases.

17 MR. LEBOWITZ: These are purchases.

18 MR. THOMPSON: Purchases, yeah. So it's,
19 these are not income restricted in any way or
20 regulated in any way. So they're going to be high
21 value properties and they're going to be taxed
22 accordingly, so each one will be contributing
23 fairly substantially. My understanding from the
24 village is the way that's to be structured is not

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2 like an apartment assessment, but almost closer
3 to a single family assessment.

4 MR. LEBOWITZ: So I, my opinion during
5 the next board of education meeting suggest hey
6 we're putting up this building, apartment
7 complex, can the board of education Buchanan
8 Verplanck sustain 15 kids over the next five
9 years?

10 MR. THOMPSON: It's something we can
11 certainly coordinate with the village to discuss
12 and find out from the school if there's any
13 concern.

14 MR. LEBOWITZ: Oh, I know every single
15 board member on there.

16 MR. THOMPSON: Okay.

17 MR. LEBOWITZ: So, I'll ask. I'm
18 curious.

19 MR. THOMPSON: That's great. We'd
20 welcome the feedback, too. My understanding from
21 some of the prior projects is that the district
22 has the ability to increase population, but
23 better to get that direct from the source.

24 MR. LEBOWITZ: Okay.

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2 MR. BELL: Thank you.

3 MR. LEBOWITZ: You got it.

4 MR. BELL: We're not going to close the
5 public hearing tonight. We're going to adjourn it
6 to next month to get the input from the planning
7 board before we make any decision.

8 MR. WARNER: So I'd just like to address
9 some of the comments that were made tonight.
10 Particularly there was a comment made that there
11 would be blasting of rock. There would be no
12 blasting. This would primarily be crushing, rock
13 crushing as opposed to blasting. Also, with
14 respect to the comments about the school age
15 children, that that particularly applies to the
16 bedroom or the variance to increase the number of
17 three-bedroom units that the planning board could
18 permit. And our feedback from the planning board
19 on that note was that there would be no
20 appreciable difference in the increase of school
21 age children as a result of this variance. Also I
22 think it was mentioned regarding some of the
23 layout and the retaining walls, as you've heard
24 from Jim, we've updated our site plan to include

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2 additional visitor parking, which is also part of
3 the reason why the retaining walls are where we
4 propose them. And one last comment about the
5 steep slopes law. So, I don't think that there
6 would be any precedent for New York State to
7 change their steep slopes laws as a result of
8 granting these variances.

9 MR. THOMPSON: To further contribute, I
10 think it was mentioned that the next rendition of
11 the plan will include visitor parking. Eileen,
12 we're going to try our hardest to make you happy.
13 I promise, so I believe it's about a half dozen.
14 Is it more?

15 MR. ANNICCHIARICO: It's four right now.

16 MR. THOMPSON: Four?

17 MR. ANNICCHIARICO: Probably try to fit
18 six.

19 MR. THOMPSON: Four, we're going to try
20 for six. We'll try for six.

21 MR. ANNICCHIARICO: And [unintelligible]
22 [01:01:19]

23 MR. THOMPSON: Right, which are above
24 the minimum, but I think it's a good point to be

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taken that visitor parking would be an enhancement to the property. The other item that was brought up, with regard to green space there's two forms of, I'll say improvement or mitigation onsite and offsite, that I'd suggest onsite example would be landscaping improvements in the buffer. We're taking areas that are unimproved and creating what I'd like to refer to as like a park-like environment that could substantially enhance the streetscape and the appearance at what's arguably an important gateway into the into the village coming from the north. And additionally, another example of onsite mitigation, for instance, Village Square, is in the back where you had an area that was wetlands that had even been suffered, you know, dumping and debris over the years is being substantially improved, those wetlands being enhanced, trails being added. That's an example of onsite mitigation with some of these with these developments. But also off-site mitigation in the sense that or improvement with park and rec contribution fees. So, you know, this project

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will also make a contribution to park and rec for all 11 units. That will be utilized to improve parks throughout or green spaces throughout the village at the village's discretion. So I do want to make a point that this project will be contributing to that in addition to the improvements onsite. So we're trying to sensitively develop this. We're balancing a number of factors on a unique site, unique geography, both in the form of the property boundaries and the topography, while accomplishing a product that will financially work and be viable and also offer a housing opportunity with substantial improvements to the streetscape and these other contributions both to park and rec and to tax base.

So in summary, we will also go back and work on mitigating some of the variances that are being requested further, for instance, with the landscaping and further study that will and what we can do to reduce the impact, but we appreciate the board's time tonight. We appreciate the feedback from the public. We're going to take

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2 that into account in our next submission as well.

3 MR. BELL: Thank you.

4 MR. THOMPSON: Thank you.

5 MR. WARNER: And I would I would just
6 add, so we would like to hear your board's
7 initial feedback. We would ask for a nonbinding
8 straw poll vote, which we could take back and
9 relay to the planning board. I would also note
10 that at the planning board, the planning board
11 did let us know that they believe that these were
12 the appropriate variances that we need, so we're
13 hoping to get that from your board.

14 MR. BELL: Well, I want to see this
15 project get done. It's nothing like the Carbone
16 project or the AMS project. And speaking as the
17 chairman of the zoning board, we were froze out
18 of those two applications. Without sounding
19 condescending, we know a real lot about zoning
20 and planning. We really do. I just think that the
21 people are mad in this village because of how it
22 was handled. But again, the planning board and
23 the zoning board was froze out of that whole
24 thing. I can tell you personally, if I was doing

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AMS, I might have went for two stories, maybe three, but never five. I would have never voted for it. I'm going to tell you right now, but we were froze out. So, there really wasn't nothing that we really could add to it, to the projects. You know, it it's very frustrating, to be honest with you. I've been at this quite a number of years and I know what's right, wrong, and that was wrong. That's all there is to it in my opinion.

But anyway, as far as this project, providing everything goes with the planning board and you can ask these few, you know, take care of these few issues that we talked about tonight, I'm like I said last month, I'm willing to do this project because it is no way or shape or form like the Carbone or AMS. No, it's nothing like that. That's me.

MS. FUCHION: I also would like to see the property back on the tax roles. It's been sitting there for how many years with no advantage to the village and I think this would provide income for the village, as opposed to be

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2 a detriment.

3 MR. CALCUTTI: One of the questions I
4 have a, the AMS building a lot of people were
5 concerned and the fire department was concerned
6 about access around the whole building and
7 everything. Do we have access for emergency
8 vehicles or whatever the case may be with this
9 project?

10 MR. ANNICCHIARICO: We don't have access
11 around the buildings by vehicles. Certainly
12 there's a pathway by foot. There is plenty of
13 room in the front. We will be talking to the fire
14 chief about the layout, but we wanted to first
15 get the traffic engineer on board and have him,
16 you know, provide the turning maneuvers to the
17 fire chief. At the planning board, last, at the
18 last planning board meeting, I believe Kieran
19 mentioned that he was going to get us the
20 dimensions of the largest truck that they would
21 actually bring into this site. But there's plenty
22 of access in the front of the buildings. The
23 buildings will be sprinklered, so that's another
24 mitigating factor. But we don't anticipate the

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fire department really having a problem with the layout itself.

MR. BELL: You know, I probably should have asked this before. These are two-story buildings, right? They're not three, are they?

MR. ANNICCHIARICO: Joe, they are technically three.

MR. BELL: Are they all three?

MR. THOMPSON: No, they're not. They're not three, from a building code perspective. So they're perceived as three from the front, but legally they are two-story structures. So, they're earth bermed on the lower level, but these will be earth bermed in a way that legally they're two-story. But, if you look at the rendering, again it's step back. You do see the wall and the terracing of the site. But they, if you stand in front of it, it's reads as a three-story, despite being a two-story building.

MR. BELL: You know, to be honest with you, if you didn't say, Jim, we're going to sprinkler this site, because we all know that once you get above two stories, you have to

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2 sprinkle.

3 MR. THOMPSON: Correct.

4 MR. BELL: It's a no argument thing, you
5 just have to do it.

6 MR. ANNICCHIARICO: Right, exactly.

7 MR. WARNER: And I would just add when
8 we were at the planning board discussing fire and
9 emergency access circulation on the site, and
10 correct me if I'm wrong, but I believe it was
11 fairly well received by Kieran. He thought that
12 the trucks would be able to access the site and
13 maneuver around the site, but again we're going
14 to confirm that once we get more information from
15 Kieran and follow up with the planning board.

16 MR. THOMPSON: I may have misunderstood
17 the nature of the question, whether it was
18 aesthetic view or for fire sprinklering. So
19 actually with new New York State building code as
20 of 2025 in January, when you build a product like
21 this of three or more units, it's now required to
22 be sprinklered if it has access to public water.
23 So whether it whether it falls into a two or
24 three-story a year ago, that might have made the

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2 difference between sprinkler or non-sprinkler.

3 Now we'll be required to by the new code

4 regardless.

5 MR. BELL: Well New York State finally
6 got something right.

7 MR. THOMPSON: Every once in a while
8 they do.

9 MR. BELL: Every now and then a blind
10 squirrel gets a nut.

11 MR. THOMPSON: Yeah. No, I think it's a
12 good idea. We're also going to have fire
13 breakaway walls so each of these can collapse
14 independently if an event ever happened, although
15 the fire sprinklers should take care of that. And
16 at the last meeting we did discuss. with the
17 planning board, we did discuss with Mr. Outhouse
18 placement of hydrants, placement of SD/FDC
19 connections and he seemed generally satisfied but
20 we'll continue to work with him and endeavor to
21 make this as accessible as we can for emergency
22 services.

23 MR. ANNICCHIARICO: Yeah to that point,
24 we do need to extend the water public water main

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2 into the site. So, we will have at least one fire
3 hydrant, possibly two within the site itself.
4 There's also another one, I think, down here
5 somewhere on Bleakley at the corner, but yeah,
6 that will be a, you know, we will have fire
7 sprinklers and --

8 MR. CALCUTTI: Okay.

9 MR. BELL: Anybody else?

10 MR. PINQUE: No, just to give my
11 opinion, I would love for something to happen on
12 this piece of property, so I'm not opposed to
13 what I see right now, but I'd like to get more
14 details and see the final product before I could
15 commit to anything either way.

16 MR. WARNER: Thank you. And we'll
17 certainly, once we meet with the planning board
18 and again and further develop and refine this, we
19 hope to provide that information to you.

20 MR. BELL: This public hearing is going
21 to be adjourned tonight till next month. So come
22 back if you have more questions. Please do. Not a
23 problem. We'll listen to everybody, you know. So.

24 MR. PINQUE: You have a question in the

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2 back.

3 MR. LEBOWITZ: What other addresses have
4 you done that compares to this [unintelligible]
5 [01:12:02]?

6 MR. PINQUE: Could you repeat the
7 question too for the people in the --

8 MR. LEBOWITZ: Yeah.

9 MR. PINQUE: Just so the people watching
10 can hear what the question was.

11 MR. LEBOWITZ: So, 235 Westchester. So
12 the question is again besides Buchanan where else
13 in this, in Westchester County have you guys
14 done, I know condos that's comparison to this? Is
15 there an address or a town?

16 MR. THOMPSON: Yes.

17 MR. LEBOWITZ: So is it in, yes please.

18 MR. THOMPSON: So I'll start with
19 Giordano Builders. They've done many high-end
20 single-family homes, many single family homes
21 throughout the area.

22 MR. LEBOWITZ: Not single houses.

23 MR. THOMPSON: Yes, but then
24 specifically if you want to see a very similar

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comparable product that's built, I would say 125 Veil Avenue in Peekskill. We built six units very similar in style and scale. They just finished about two years ago. That's on the outskirts of the city up by the reservoir. So, it's, if you take we'll say Fair Mountain Extension and make a left off of that up Frost Lane, you know, that that's an example that Cronin Engineering and our office collaborated on that's built that, you know, you could drive up to it, you know, not necessarily onto the property, but you can see it very clearly as you approach it. There's six units there that are very similar in style and scale, if you want to get a feel for what this would might look like or feel like.

MR. LEBOWITZ: Besides those six, any other locations? Because you're just getting into the game.

MR. THOMPSON: No, I mean we've built hundreds of homes. We've built 22 units in Peekskill, but that's a different product. That's three-story mixed use. We've done lots of downtown historic revitalization projects, so,

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2 you know, but very similar to this. That's the
3 closest example I'd site that was completed
4 recently that's local. I practice all over the
5 state.

6 MR. LEBOWITZ: So the time in total, guys
7 actually broke ground to the time people actually
8 --

9 MR. THOMPSON: To complete?

10 MR. LEBOWITZ: From the time to break
11 ground, bulldozers on site the time people
12 actually going in to the new place how many
13 months?

14 MR. THOMPSON: That was about 14 months
15 and this one here will be a little bit elongated
16 because there'll be the rock removal. So, you
17 know, in this one I would say, I would project
18 something closer you know 18 to 24 months likely
19 total duration. And if that's if that's a
20 concern, we can hone in on that more
21 specifically.

22 MR. BELL: Thank you. Okay. I'll take a
23 motion to adjourn the public hearing until
24 August.

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2 MR. PINQUE: I'll make the motion to
3 adjourn the public hearing until August, was it
4 August --

5 MS. FUNCHION: 12th, I think it's the
6 12th.

7 MR. PINQUE: August 12th.

8 MS. FUNCHION: Second.

9 MR. BELL: All in favor?

10 MULTIPLE: Aye.

11 MR. BELL: Thank you all for coming
12 tonight. Appreciate it. Yep. Thank you. Thank
13 you.

14 MS. KEMPTER: Are you done? Are you
15 going to close it?

16 MR. BELL: Oh, no, I need a motion to
17 close the meeting please.

18 MS. FUNCHION: So moved.

19 MR. BELL: Second?

20 MR. PINQUE: Second.

21 MR. BELL: Okay. All in favor?

22 MULTIPLE: Aye.

23 MR. BELL: Thank you.

24 MR. PINQUE: Thank you.

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2 (The public board meeting concluded at

3 8:15 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 July 8, 2026 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

Juliana Castano

Date: July 23, 2026

GENEVAWORLDWIDE, INC

228 Park Ave S - PMB 27669

New York, NY 10003