

VILLAGE OF BUCHANAN

BOARD MEETINGS

PLANNING BOARD MEETING

Municipal Building

236 Tate Avenue

Buchanan, NY 10511

June 26, 2025

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

June 26, 2025

MEMBERS PRESENT:

Nicolas Zachary, Chairman

Eileen Absenger, Member

Jeffrey Faiella, Member

Kieran Outhouse, Member

MEMEBERS ABSENT:

Tracey Armisto, Member

ALSO PRESENT:

Marcus Serrano, Village Administrator

Stephanie Porteus, Village Attorney

George Pommer, Village Engineer

Cynthia Kempter, Village Clerk, Treasurer

Sharon Murphy, Deputy Clerk

Domenic Evangelista, Deputy Treasurer

Peter Cook, Building Inspector

SPEAKERS:

Pasqualino Carbone

Anthony Carbone

Jim Annicchiarico, Cronin Engineering

Erik Meisner

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

3 MR. NICHOLAS ZACHARY: We're going to
4 start the meeting. Thank you all for being here,
5 if we could all start with the Pledge of
6 Allegiance.

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. ZACHARY: Thank you. Before we get
13 started, I just want to mention a couple of
14 things. I want to thank the mayor for asking me
15 to take this position. And then I want to thank
16 Jeff, who's been the chair for a few years and
17 did a fine job and I'm sure he's going to
18 continue to do a fine job without being chair.
19 Especially, we'd love to have a board where
20 anybody could be chair. Some people don't like to
21 talk, like me, I don't like to talk. But, you
22 know, I want every member to check the other
23 members and have input and pool our thoughts. And
24 so I'm looking forward to working with the board

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2 in this capacity.

3 And I wanted to mention that I mean I've
4 been uniquely lucky. I had ten years on the
5 zoning board, 12 years on the village board, and
6 so I've had a fair bit of experience, a lot of
7 things come up, you learn a little as you go, if
8 you're not like a devoted politician who studies
9 law and is an especially aware of these things,
10 you learn as a citizen through experience.

11 And I think that one of the most
12 important things for me, who came with no prior
13 knowledge, was the training, going to state,
14 county, whatever jurisdiction runs the training,
15 it's so important. And when the state law
16 requires planning board members to have four
17 hours of training, I would encourage the board
18 members to go beyond that. When I've gone to
19 somewhere like the New York Planning Federation
20 over a two or three day conference, you could
21 take four or five, six workshops on different
22 topics. I find it very useful. And so, you know.
23 I see we have the village is giving us something
24 to sign, that we're aware of the training

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2 requirements and attendance requirements and so
3 we can all sign that and give that to you,
4 Sharon?

5 MR. MARCUS SERRANO: Yeah.

6 MR. ZACHARY: Okay. I'd also ask, I
7 think if everybody has my cell number. I know
8 you'll let administrator Marcus know when you
9 can't be here, but you can shoot me a text so I
10 know also, it might be helpful, I appreciate it.
11 And that's it. So now we can get to our agenda.
12 The first item on our agenda tonight, new
13 business, we have old business. Oh, we have
14 minutes to approve, okay, thank you. We have the
15 minutes from February 27, 2025. Does anybody on
16 the board have any changes or corrections?

17 MS. EILEEN ABSENGER: No.

18 MR. ZACHARY: We have planning board
19 Member Kieran Outhouse on Zoom tonight, and
20 planning board Member Tracey Armisto could not
21 make it tonight. She had a conflict. Kieran,
22 you're good on the minutes?

23 MR. KIERAN OUTHOUSE: Yeah.

24 MR. ZACHARY: Great. A motion to approve

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2 the minutes as recorded. I make a motion that we
3 approve it.

4 MR. FAIELLA: Second.

5 MR. ZACHARY: All in favor?

6 MULTIPLE: Aye.

7 MR. SERRANO: Chairman, if I can make a
8 quick little comment. First of all, I appreciate
9 the use of the mics. I also want to let you know
10 that the Village Board approved a company to
11 start transcribing the minutes from now on.

12 MR. ZACHARY: Okay.

13 MR. SERRANO: So it relieves the staff
14 of doing that. So it'll be more almost like Nick,
15 you remember when we had a stenographer here?

16 MR. ZACHARY: Yes.

17 MR. SERRANO: It'll be the same kind of
18 process. So it will be very important to have the
19 recording, you speak loudly enough so that it can
20 record it. And you'll have, it'll almost be a
21 verbatim minutes from this point forward.

22 MR. ZACHARY: Oh, is that right?

23 MR. SERRANO: Yeah. So --

24 MR. ZACHARY: For all three boards?

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2 MR. SERRANO: For all three boards, yes.
3 So I just want to make sure everybody knows so to
4 make sure if you want to make a statement, make
5 sure you want to make it --

6 MR. ZACHARY: Verbatim minutes?

7 MR. STEWART: Verbatim minutes, yes.

8 MS. ABSENGER: So watch what you say.

9 MR. ZACHARY: Does that mean I have to
10 watch what I say?

11 MS. ABSENGER: Yes.

12 MR. SERRANO: Yeah.

13 MR. ZACHARY: Right.

14 MR. SERRANO: I just wanted to let you
15 know. Thank you.

16 MR. ZACHARY: Thanks, thank you, Marcus.
17 All right. So the first item of business after
18 that is a calendar number PB-2-2025, which was
19 previously calendar number 7-2024. It's a request
20 for second extension for one year from July 26,
21 that means until July 26th of 2026?

22 MR. SERRANO: Mm-hmm.

23 MR. ZACHARY: To extend the special
24 permit, site plan and steep slopes and

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2 preliminary submission of plat approval for
3 Village Square project at 3095 Albany Post Road.
4 This is a site plan we had approved last over a
5 year or so now?

6 MR. SERRANO: Correct.

7 MR. ZACHARY: And they've had some
8 hiccups. This is kind of nuts. You had two people
9 from the Board of Health where you're looking to
10 get clearance from?

11 MR. SERRANO: Why don't you -- yeah.

12 MR. PASQUALINO CARBONE: Hello,
13 everybody.

14 MR. SERRANO: Well, identify --

15 MR. ZACHARY: State your name.

16 MR. SERRANO: Yeah.

17 MR. P. CARBONE: Pasqualino Carbone.

18 MR. ANTHONY CARBONE: Anthony Carbone.

19 MR. P. CARBONE: So when we started at
20 the Board of Health, it was being reviewed Chang-
21 Chang Lee [phonetic] and she reviewed for about
22 seven months, and then all of a sudden, she
23 disappeared and we found out that she had quit.
24 So then our project was reassigned to be reviewed

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2 by Brian Stape [phonetic]. And he started the
3 whole review process over again. And during
4 comments going back and forth, he didn't look
5 like he knew what he was doing. He even referred
6 to the village engineer, George Pommer,
7 [unintelligible] [00:06:30] our engineer
8 [unintelligible] [00:06:32] he was not, and
9 Marcus knows about some correspondence that go
10 back and forth. So it's a little chaotic what's
11 going on there. All of a sudden, we find out that
12 he also disappeared and went on vacation for
13 three weeks. And upon returning from his
14 vacation, [unintelligible] [00:06:47] quit.

15 MR. ZACHARY: Must be a fun place to
16 work.

17 MR. P. CARBONE: So that was another six
18 months. So that's a year at the Board of Health
19 with pretty much nothing going on over there,
20 nothing getting accomplished. So we're asking for
21 a one-year extension, but we hope we don't need
22 the full one year. We want to start. It's out of
23 our control like this.

24 MR. ZACHARY: And is the county, has

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2 they stepped up? Are they proceeding quickly
3 [unintelligible] [00:07:20]?

4 MR. P. CARBONE: Well, they've
5 reassigned this now to Lubane Arios [phonetic]
6 and he sent his comments, so we're responding to
7 his comments right now.

8 MR. ZACHARY: And hopefully, he doesn't
9 quit.

10 MR. A. CARBONE: Well, we asked him
11 [unintelligible] [00:07:34].

12 MR. ZACHARY: I think, I think
13 [unintelligible] [00:07:35].

14 MR. A. CARBONE: I mean we submitted
15 this letter to Albany and everybody in the county
16 and everybody. Nobody responded to the
17 [unintelligible] [00:07:44]. So, I mean.

18 MR. ZACHARY: Okay.

19 MR. A. CARBONE: [unintelligible]
20 [00:07:48] nobody responded. Nobody called us
21 from the county.

22 MR. ZACHARY: Okay. Well, I think that
23 your unfortunate circumstances, I have no problem
24 with renewing. It's a good project, and I'm sorry

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2 you've had delays. For that, I have no problem
3 granting this extension, speaking for myself.
4 Does anybody else on the board have any feelings
5 about this?

6 MR. FAIELLA: Mr. Chairman, we gave them
7 six months the last time. I think you should go
8 back to the six months. So that way if they have
9 any problem, they can come back and update the
10 board. I think if you move forward with one year,
11 it's going to get lost.

12 MR. ZACHARY: Okay.

13 MR. FAIELLA: Yeah, that's my personal
14 view.

15 MR. A. CARBONE: The only thing is like
16 it's already taken a year. I don't want to come
17 back in six months and ask you again. If we have
18 the year, then if it takes a little longer, then
19 it takes seven months, seven and a half months
20 because it's --

21 MR. ZACHARY: Well, six months is more
22 normally the extension that would be given

23 MR. A. CARBONE: Correct.

24 MR. ZACHARY: And you're asking for one

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2 year.

3 MR. A. CARBONE: That's correct.

4 MR. ZACHARY: Any other board members
5 want to weigh in on this?

6 MS. ABSENGER: What is your problem with
7 six months?

8 MR. A. CARBONE: It's taken a year a
9 half.

10 MS. ABSENGER: I don't mean -- well,
11 aside from the Department of Health, do you have
12 a problem with six months?

13 MR. A. CARBONE: No, I just don't want
14 to come back here and six months telling you, you
15 know, it's still not done and then I've got to
16 start this whole thing again. If we have a year,
17 even if it takes three months, we're still okay.
18 If it takes seven months, we're still okay, or
19 else we'll have to come back here in six months.

20 MR. ZACHARY: Well, nothing is changing
21 in the plan. It's literally --

22 MR. A. CARBONE: Well, it's a
23 subdivision and the sewer line --

24 MR. ZACHARY: Just getting their, the

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2 approvals from the Department of Health?

3 MR. A. CARBONE: Every time someone --
4 we think we're done, someone quits and then they
5 don't start where we finished with the first one.
6 They start, they all want to write their
7 comments. So it's about, you know, it's two
8 separate comments that's taken a lot of time and
9 a lot --

10 MR. ZACHARY: That's terrible.

11 MR. A. CARBONE: I talked to Reuben, and
12 I said, please help me out, you know, I said I
13 need to get this done, we've spent a lot of time
14 on this. I, I -- and he couldn't even find the
15 files. And Ryan told me he was going to leave a
16 hard drive where he stopped and Reuben couldn't
17 find any of that.

18 MR. P. CARBONE: And he said he would
19 still write a note on the file. And none of his
20 comments are [unintelligible] [00:10:15].

21 MR. ZACHARY: All right, well, I get the
22 picture of what you're dealing with. Can we write
23 this extension up as a six-month extension with
24 another six months just based on just coming in

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without having to go through any other paperwork?
Can we give an extension for six months where
they can just come in and let us know that they
still are involved with this and we can extend
it, give it a six months provisional extension
based on them appearing after six months?

MR. A. CARBONE: I mean you're going to
know right away once, given the --

MR. ZACHARY: Right.

MR. A. CARBONE: -- [unintelligible]
[00:10:48] they sign off.

MR. ZACHARY: Right.

MR. A. CARBONE: You know, you've got to
sign off on it and give it to them. You'll know
right away.

MR. ZACHARY: I'm trying to structure it
as two separate six months. So you don't have to
keep coming in here, but that you could just come
back to one meeting and give us an update in six
months if it's not, if you're not set yet. Is
that too complicated?

MR. SERRANO: George, do you want to say
something?

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MR. GEORGE POMMER: How many extensions?

MR. SERRANO: There's a second extension.

MS. ABSENGER: There's been one.

MR. POMMER: I think --

MR. SERRANO: There's one before.

MR. POMMER: But how many does the code allow? I think it allows two. So I think they're asking for that extra six months to avoid --

MR. SERRANO: Yeah, that's a good point.

MR. POMMER: You don't want to start, you already have two extensions.

MR. SERRANO: In the code.

MR. POMMER: I believe even if it's --

MR. A. CARBONE: If you're six months, and I'm allowed a year, so it's really my first.

MR. POMMER: So he's really adding --

MR. ZACHARY: It's based on giving us a six month update.

MR. A. CARBONE: I'm not on my second, I'm on my -- I'm still on my first because it's the [unintelligible] [00:11:38] I still have a year of the original because, [unintelligible]

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2 [00:11:41] year --

3 MR. ZACHARY: Yeah, basically, I'm
4 trying to find a way to word it so that it's one
5 --

6 MR. A. CARBONE: Yeah, no.

7 MR. ZACHARY: -- process but you just
8 have to give us an update. Is that reasonable?

9 MR. POMMER: So it would be a one year
10 extension with a --

11 MS. PORTEUS: One year.

12 MR. POMMER: -- six month comeback.

13 MS. PORTEUS: Comeback, right.

14 MR. POMMER: To give the board an
15 update.

16 MR. SERRANO: An update.

17 MS. PORTEUS: That's what I have.

18 MR. ZACHARY: All right.

19 MS. PORTEUS: It would really be one
20 year, but again [unintelligible] [00:11:58].

21 MR. A. CARBONE: Yeah, we certainly
22 don't want to have --

23 [CROSSTALK]

24 MR. A. CARBONE: You'll know as soon as

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2 I -- I'm going to come to you with a
3 [unintelligible] [00:12:07] and say sign it, and
4 then you'll know it's --

5 MS. PORTEUS: Right. Okay.

6 MR. ZACHARY: All right. We definitely
7 don't want to get into something where your
8 extensions are up and have to come back and apply
9 again.

10 MR. A. CARBONE: Yeah. If I was to
11 [unintelligible] [00:12:14] year and six months
12 it's still pending [unintelligible] [00:12:18]
13 the first extension.

14 MR. ZACHARY: Okay. So we're basically,
15 basically, basically [unintelligible] [00:12:23]
16 one-year extension, but there's a six-month
17 update.

18 MS. PORTEUS: Sure, yeah.

19 MR. ZACHARY: Is that okay?

20 MR. FAIELLA: That's fine.

21 MS. PORTEUS: Yeah.

22 MR. FAIELLA: No problem.

23 MR. ZACHARY: All in favor of giving out
24 a one-year extension where we get updated in six

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2 months, could I have a motion to that effect?

3 MS. ABSENGER: So moved.

4 MR. ZACHARY: Do we need a motion for
5 this?

6 MS. ABSENGER: I'll motion.

7 MR. SERRANO: Yes.

8 MS. ABSENGER: Yeah, yeah. And we'll
9 give them a one-year extension with an update in
10 six months.

11 MR. ZACHARY: Second?

12 MR. FAIELLA: Second.

13 MR. A. CARBONE: [unintelligible]
14 [00:12:56] months, still we will be going on to
15 the second. This would be a third extension.

16 MR. ZACHARY: Six months.

17 MR. SERRANO: Right. They're saying you
18 can't get a third extension.

19 MR. A. CARBONE: But I'm still on my
20 first, correct?

21 MR. SERRANO: Yeah. When did the six
22 month -- when did it expire?

23 MS. SHARON MURPHY: July 25th.

24 MS. PORTEUS: Okay.

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2 MR. A. CARBONE: If I'm allowed one year
3 and we only took the first six months of the
4 first one, I'm still under my first extension.

5 MR. SERRANO: So this extension would be
6 as of July 27th.

7 MR. A. CARBONE: Do you understand what
8 I'm saying?

9 MR. SERRANO: Yeah. So, this extension
10 will be starting as of July 27th and it expires
11 on the 26th.

12 MR. ZACHARY: We'll extend for a year
13 starting July 26th.

14 MR. SERRANO: Yeah.

15 MR. A. CARBONE: I do? Or I have like
16 six months but then --

17 MR. ZACHARY: No. You have a year. We're
18 just asking for, we're making a condition of that
19 that you come in six months and --

20 MR. A. CARBONE: I just don't want to
21 lose my --

22 MR. ZACHARY: Right.

23 MR. A. CARBONE: Now if it takes longer,
24 I don't want to say I'm going on my third

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extension.

MR. ZACHARY: That's the idea, as George pointed out, a third extension would get put into conflict with the code. We don't want to go there. So you're getting the one year. We're just requiring a six month update.

MR. A. CARBONE: Okay. Hopefully, it'll be done in the next couple of months, or before.

MR. ZACHARY: Yeah, we all hope that.

MR. A. CARBONE: Yeah. I don't know how hard it is. I mean he was asking us to define subdivision, and we're like here it is, it's on the front, it's on the thing, it says slot two, and he couldn't understand.

MR. ZACHARY: Yeah. Well, it's likely --

MR. A. CARBONE: I don't know if he wanted it highlighted, or he wanted something. And my surveyor say he goes I've never heard of -- we just did a subdivision in [unintelligible] [00:14:31] and we did it the same way I'm doing it now, you approved that. Why do you want it different now? And this was from the second engineer. Then he quit.

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2 MR. ZACHARY: All right. Hopefully you
3 can work this out. If anything changes, where
4 they're forcing you to change anything on your
5 site plan, just let us know.

6 MR. A. CARBONE: I don't think it is, I
7 think he just want to make sure -- you know, and
8 when everybody starts, they don't want to, they
9 [unintelligible] [00:14:51] somebody else
10 [unintelligible] [00:14:53]. They're going to put
11 their name on it, so. I can understand that, but
12 can you just do it quickly. And so I
13 [unintelligible] [00:15:00].

14 MR. ZACHARY: All right, well, good luck
15 with that.

16 MR. A. CARBONE: Yeah.

17 MR. ZACHARY: See you in six months, or
18 maybe not.

19 MR. A. CARBONE: [unintelligible]
20 [00:15:07] too.

21 MR. ZACHARY: Okay. All right, thank
22 you.

23 MR. A. CARBONE: Okay, thank you.

24 MR. ZACHARY: Thanks again.

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2 [CROSSTALK]

3 MR. ZACHARY: Our next item is calendar
4 number PB-3-2025, previously calendar number 4-
5 2024, [unintelligible] [00:15:34] year, site plan
6 application, which was revised for 3229 Albany
7 Post Road. And in the interim, the applicant has
8 applied for certain variances and I'll let you,
9 if you'd like to give a little rundown on it?

10 MR. JIM ANNICCHIARICO: Sure. Jim
11 Annicchiarico with Cronin Engineering. It's great
12 seeing everybody again. Congratulations to you,
13 Nick.

14 MR. ZACHARY: Thank you.

15 MR. ANNICCHIARICO: For your
16 appointment. Thank you, Jeff, for the
17 [unintelligible] [00:16:07]. So as you said,
18 Nick, we are back to kind of update the board on
19 what's going on. We were last before the planning
20 board September 26th of '23. At that point, we
21 [unintelligible] [00:16:27] variance with
22 [unintelligible] [00:16:31] things and the board
23 sent us to seek those variances from the zoning
24 board. We made a zoning board application shortly

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2 after that meeting. And at the February 12, 2025
3 ZBA meeting, we were granted three variances. One
4 was for a side yard setback, one for lot
5 coverage, from 50 percent to 70 percent and a
6 third for yard screening fence height from six
7 feet to ten feet. And we received all that.

8 Since that time, the Village Board, as
9 I'm sure you're aware, has also changed the
10 coverage in the M-1 zone to be more consistent
11 with the C-1 and C-2. So it is now 75 percent.
12 The plans that we submitted to you, we increased
13 our ask to 75 percent, just because that was the
14 code [unintelligible] [00:17:37].

15 So, there was also some discussion about
16 the new and the existing or preexisting
17 nonconforming house. I believe that's squared
18 away, since the owner occupies it and the office,
19 it's now to the business on site. So that's my
20 understanding. So, George and I had a
21 conversation today. There was a memo way back.

22 MR. ZACHARY: Excuse me, George, our
23 engineer?

24 MR. ANNICCHIARICO: George Pommer, yeah,

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2 sorry. And I kind of went over that. Many of the
3 items have since been addressed. You know,
4 certain comments were about the variances and
5 things like that.

6 So some of them I don't think apply
7 anymore and some of them I would like to sit down
8 with George, maybe even at the site and go over
9 them. A thorough, you know, just of technical
10 nature, but I would like to do that,
11 [unintelligible] [00:18:55] to be able to address
12 them, make one more, hopefully one more
13 submission to your board and hopefully get your
14 approval for the site plan.

15 MR. ZACHARY: Okay. Well, I think that
16 [unintelligible] [00:19:14] then before we get to
17 the public hearing. Let me just ask -- did we
18 have a public --

19 MR. ANNICCHIARICO: I'm hoping,
20 honestly, I don't know if we ever had it.

21 MR. SERRANO: No.

22 MR. FAIELLA: No, we did not have a
23 public hearing.

24 MR. ZACHARY: So a few things. I just

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2 want to back up and do a little reviewing here.
3 Early on, there was a list of items from the
4 building inspector that were sent to you, and
5 there was a reply, as to whether those things
6 were being addressed or what the issues were.
7 I'll ask you at this time, are there any
8 outstanding issues still that have not been
9 addressed?

10 MR. COOK: Okay, relocated the office,
11 [unintelligible] [00:20:03].

12 MR. ZACHARY: I'm sorry [unintelligible]
13 [00:20:00]?

14 MR. COOK: Moved the office into the
15 building, trailers, [unintelligible] [00:20:06]
16 shortly after that. [unintelligible] [00:20:11]
17 building, accessory building. [unintelligible]
18 [00:20:17] after that, things of that nature, so
19 they're working on it.

20 MR. ZACHARY: Okay. So there's not --

21 MR. SERRANO: Wasn't there a question
22 about some kind of engineer for the garage or
23 something, doors or something like that?

24 MR. COOK: [unintelligible] [00:20:27]

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2 garage doors.

3 MR. SERRANO: Did you provide that
4 information back yet?

5 MR. ANNICCHIARICO: Uh --

6 MR. SERRANO: You did? Your client is
7 saying yes, so.

8 MR. ERIK MEISNER: For the second door
9 that we installed [unintelligible] [00:20:34].

10 MR. SERRANO: Okay. Okay.

11 MR. ZACHARY: So no major hurdles there
12 that [unintelligible] [00:20:44] this. I want to
13 go on to this, the three story building -- two or
14 three story building that is on site. And I --

15 MS. ABSENGER: [unintelligible]
16 [00:20:57].

17 MR. ZACHARY: Huh?

18 MS. ABSENGER: It's not, it's two.

19 MR. ZACHARY: The -- yes, well, that's
20 part of what I want to address. There's an issue
21 with the residence in the building. But before I,
22 you know, tell you how I feel about that and ask
23 the attorney for her opinion on that, the site
24 plan refers to this is as an existing two-story

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2 brick dwelling. But everything in the application
3 refers to it as three stories. Can I -- can you
4 explain that.

5 MR. ANNICCHIARICO: I think it's three
6 stories based on the term [unintelligible]
7 [00:21:37] by the building department, but that
8 existing two-story brick dwelling is what
9 [unintelligible] [00:21:43].

10 MR. ZACHARY: Okay. So, so it's actually
11 three stories?

12 MR. ANNICCHIARICO: I think the third
13 floor is attic space.

14 MR. ZACHARY: So the third story is
15 attic space?

16 MR. ANNICCHIARICO: Yeah.

17 MR. ZACHARY: Accessible attic space
18 that you want to use for storage?

19 MR. ANNICCHIARICO: That is just
20 storage, correct.

21 MR. ZACHARY: And storage of what?

22 MR. ANNICCHIARICO: Files for the
23 business, a place to store [unintelligible]
24 [00:22:04].

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2 MR. ZACHARY: Files, so paperwork, not
3 like truck parts?

4 MR. ANNICCHIARICO: No.

5 MR. ZACHARY: Just office related stuff.
6 So, I have an issue with a residence being there.
7 It's not allowed by code, it is grandfathered in
8 technically.

9 MS. PORTEUS: Mm-hmm.

10 MR. ZACHARY: But I think it's an
11 inappropriate use for that site and my feeling is
12 it should go. And whether or not there's been, I
13 might there be some issues that the -- I'll let
14 the attorney clarify, but, but I don't think
15 it's, you know, there's no other place in the
16 village where we have an apartment on a
17 commercial property like this. And, you know, in
18 my mind, that is something that I would like to
19 see eliminated from this site plan. So, maybe you
20 can use it for, you know, more office space, for
21 storage. But I don't think that's an appropriate
22 use on this site.

23 MR. ANNICCHIARICO: Well, I mean all I
24 can say it's not something that my clients want

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2 to consider. You know, if we have to go -- if we
3 go into a more legal territory that I can't
4 handle, you know, I'm going to have to advise
5 them to get their attorney involved.

6 MR. ZACHARY: Okay. Well, let me ask --

7 MR. ANNICCHIARICO: I've done my best up
8 to this point to answer the question.

9 MR. ZACHARY: Yeah. Okay, well, I, I
10 know, I [unintelligible] [00:23:53].

11 MR. SERRANO: It's up to the majority.

12 MR. ZACHARY: But there is some -- there
13 are some issues with -- can you help out on
14 [unintelligible] [00:23:56], Stephanie?

15 MS. PORTEUS: Well, I'm curious as to
16 your opinion, because this is a preexisting,
17 nonconforming single family residence, right?

18 MR. ZACHARY: Right.

19 MS. PORTEUS: And so you can office
20 space if it's incidental to the use on the
21 premises, which is [unintelligible] [00:24:09].
22 And they're living on the -- are you residing in
23 the house?

24 UNIDENTIFIED FEMALE: [unintelligible]

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[00:24:14].

MS. PORTEUS: Okay. So, family members living there, and they're not using the third story except for storage. So, it's like to me, you can have a single-family residence in our village with an office, right, space. This is nonconforming, preexisting. I don't know how you tell them they can't do it.

MR. ZACHARY: Well, I don't think we have that in any of the, any of the village.

MS. PORTEUS: Not in that zone.

MR. ZACHARY: In M-1 or [unintelligible]
[00:24:36].

MS. PORTEUS: Well, they unzoned it, right.

MR. ZACHARY: We have it in the C-1 or C-2.

MS. PORTEUS: Yeah.

MR. ANNICCHIARICO: And now this --

MS. PORTEUS: Go ahead, you were going to say something?

MR. ANNICCHIARICO: I would add that it's consistent with previous use by

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2 [unintelligible] [00:24:52] Yassi [phonetic], who
3 had his office on the first floor.

4 MR. ZACHARY: Was there a tenant in
5 there when you took -- when you took the property
6 and is that still the tenant that's there? And if
7 I were to ask for proof that there has been no
8 lapse in the use of this, is that something you'd
9 be able to prove by bringing me utility bills?

10 MR. MEISNER: I believe you guys have
11 already did that. I thought you guys already did
12 that. You check our water usage to the house --

13 MS. PORTEUS: Yes.

14 MR. MEISNER: -- to make sure that we
15 didn't have any lapse. I thought the town had
16 already went through all [unintelligible]
17 [00:25:27].

18 MR. ZACHARY: I'm not sure if water use
19 is --

20 MR. MEISNER: Well, we were told that
21 you guys were going to check the water usage to
22 the house to see [unintelligible] [00:25:33].

23 MS. PORTEUS: [unintelligible]
24 [00:25:34].

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2 MR. MEISNER: That's what we were
3 [unintelligible] [00:25:36].

4 MR. ZACHARY: Do we have the ability to
5 do that? And is that a definitive --

6 MR. SERRANO: Yeah, we checked the water
7 bill. There was usage in the property.

8 MR. ZACHARY: But is the water usage the
9 office and the residence or is it --

10 MR. MEISNER: It's just the house. The
11 water usage of the building [unintelligible]
12 [00:25:50].

13 MR. SERRANO: Is there one meter for the
14 entire property or separate meter for the house?

15 MR. MEISNER: It's separate.

16 MR. SERRANO: Cindy, do we have a
17 number?

18 MS. CYNTHIA KEMPTER: It's one meter for
19 the [unintelligible] [00:26:00].

20 MR. SERRANO: Yeah. Yeah. So it's one
21 meter.

22 MR. MEISNER: For the entire property.

23 MS. KEMPTER: [unintelligible]
24 [00:26:06].

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MR. ZACHARY: And why, why are you wed to having a rental on a three-quarter acre truck repair site?

MR. MEISNER: Sorry, I didn't get that.

MR. ZACHARY: Why are so wed to having the apartment there, if it's a three-quarter acre truck repair?

[CROSSTALK]

MR. MEISNER: The way it was, because that's the way it was when we purchased the property.

MR. ANNICCHIARICO: I mean it's, it's valuable, right? And I'm not saying for an income step, but it's a valuable commodity. So I don't, I mean I don't think, in my opinion, my opinion, to lose a affordable living space in the village is not a good thing. Again, it's not about making money [unintelligible] [00:26:59] that's not [unintelligible] [00:27:00] able to [unintelligible] [00:27:01].

MR. ZACHARY: All right. Well maybe I, you know, we can --

MR. MEISNER: Maybe if I decided to

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2 actually [unintelligible] [00:27:05].

3 [CROSSTALK]

4 MR. ZACHARY: All right, well okay. I
5 mean so I may not have any legal way to force the
6 issue. I just don't think it's an appropriate use
7 for that property there. That may just be my
8 opinion and nothing that could [unintelligible]
9 [00:27:34] into the [unintelligible] [00:27:38].
10 So, let me open this up to the other board
11 members for comments and questions.
12 [unintelligible] [00:27:49].

13 MS. ABSENGER: Tell me how many
14 employees do you have? Would you get up to the
15 microphone, because we're not going to be able to
16 get a verbatim of [unintelligible] [00:28:00].

17 MR. MEISNER: Yeah, [unintelligible]
18 [00:28:00] and we have ten employees.

19 MS. ABSENGER: Ten employees?

20 MR. MEISNER: Including myself, yes.

21 MS. ABSENGER: And can somebody tell me,
22 there's four spaces [unintelligible] [00:28:13]
23 is that sufficient for ten employees? Anybody?
24 Ten employees and there's four spaces, which are

1 June 26, 2025

2 existing trailer --

3 MR. SERRANO: Where are your employees
4 parking?

5 MR. MEISNER: Where are we going to put
6 it?

7 MR. SERRANO: Where are your employees
8 parking on the property?

9 MR. MEISNER: Oh, where are they parking
10 right now? Well, half of our employees don't
11 drive.

12 MR. SERRANO: That's that. That's what I
13 was trying to find out.

14 MR. MEISNER: Okay. Yeah. I think five,
15 six, six of our employees don't even drive. They
16 don't have licenses.

17 MS. ABSENGER: How do they get there?

18 MR. MEISNER: They take rides or they
19 take a bus, or they have a bike.

20 MR. ZACHARY: Or they live on-site.

21 MR. MEISNER: They live in the basement.

22 MR. ZACHARY: Well, what the habit of
23 your employees are at the moment is not in fact -
24 - what matters is how many parking spots are

1 June 26, 2025

2 required in code.

3 MS. ABSENGER: Right. That's what I'm
4 looking.

5 MR. ZACHARY: And I'd have to check
6 that. I don't know it offhand. If there's ten
7 employees, what the requirement would be? Or is
8 that something that --

9 MR. COOK: It's not so much commercial.
10 We have it based on retail use, and parking in
11 restaurant, commercial use [unintelligible]
12 [00:29:26] is the only parking requirement we
13 have. I don't know what the code is. Retail use
14 of parking and restaurant parking, so many spaces
15 for [unintelligible] [00:29:34] seats. But
16 commercial use --

17 MR. ANNICCHIARICO: So typically there
18 would be, right, there would be, there would be a
19 a parking requirement for office space, right,
20 based on how big your office is. They're not a
21 very big office. [unintelligible] [00:29:51]
22 that's going to be. And then I would assume -- do
23 you want me to look into it?

24 MR. SERRANO: And the residential use.

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2 MR. ANNICCHIARICO: Three spots next to
3 the residence, four behind.

4 MR. SERRANO: That's seven.

5 MR. ANNICCHIARICO: We'll go ahead and
6 check that.

7 MR. SERRANO: Yeah. You got to hold a
8 public hearing still on it.

9 [CROSSTALK]

10 MR. ANNICCHIARICO: The other parking
11 requirement would be if the code has something
12 for automotive, based on square footage, I would
13 assume as well. So --

14 MR. ZACHARY: All right.

15 MR. ANNICCHIARICO: So, both of those
16 items, we can come up with a parking chart and I
17 would imagine it would show that we would require
18 less than what we had [unintelligible]
19 [00:30:36], the amount of employees we have. But
20 I would say, you know, then I would ask that you
21 take into account that most of the employees
22 don't drive there. And I'll tell you, and we can
23 tell you exactly --

24 MR. FAIELLA: We just need to know what

1 June 26, 2025

2 our code [unintelligible] [00:30:52] whether all
3 the people come in a car or none.

4 MR. ANNICCHIARICO: Right.

5 MR. FAIELLA: It's not contingent on
6 their habits, it's a -- the code --

7 MR. ANNICCHIARICO: Well, understood.

8 MR. FAIELLA: -- that would carry
9 through to matter who had [unintelligible]
10 [00:31:00].

11 MR. ANNICCHIARICO: What I'm saying is
12 that number, in my opinion, just knowing how
13 those codes are written, it'll probably be less
14 than the actual number of employees that we have
15 honestly.

16 MR. FAIELLA: Yeah. I'm not, I'm not --

17 MR. ANNICCHIARICO: But I know the
18 planning boards have the ability to, you know,
19 vary [unintelligible] [00:31:15].

20 MR. FAIELLA: I'm not thinking we have a
21 big issue here, but we'll double check it.

22 MR. ANNICCHIARICO: Sure.

23 MR. ZACHARY: Anything else?

24 MR. SERRANO: Well, just to make a

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2 point, I think for the public hearing, Jim, you
3 have to give a chart of what's required and what
4 you have for the plan and then it will be
5 checked, but it should come from the applicant.

6 MR. ANNICCHIARICO: Okay, done, thank
7 you.

8 MR. SERRANO: No problem.

9 MR. ZACHARY: You wanted to speak
10 Eileen?

11 MS. ABSENGER: Yeah. Okay. Up on top,
12 you said location existing [unintelligible]
13 [00:31:50] to be replaces with new building. So
14 I'm presuming from the picture, right, the
15 [unintelligible] [00:31:57] here, that your
16 stripes are going to go in front of the fence
17 that you're going to move closer to the road?

18 MR. ANNICCHIARICO: Correct.

19 MS. ABSENGER: Okay. And will that be
20 [unintelligible] [00:32:09] from [unintelligible]
21 [00:32:09] well, across that and back, a
22 sidewalk? Is that the new building will be, the
23 new building will [unintelligible] [00:32:17] on?

24 MR. ANNICCHIARICO: The 33-foot setback

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2 from the center line of the [unintelligible]
3 [00:32:21] road comes to about the back of the
4 sidewalk.

5 MS. ABSENGER: So [unintelligible]
6 [00:32:25] on the sidewalk?

7 MR. ANNICCHIARICO: Correct.

8 MS. ABSENGER: [unintelligible]
9 [00:32:30] and then the fencing is going to be
10 there also?

11 MR. ANNICCHIARICO: Fencing is right
12 where we show it, just behind the property.

13 MS. ABSENGER: [unintelligible]
14 [00:32:36].

15 MR. ANNICCHIARICO: That's what we
16 received, the guidance from the planning board.

17 MS. ABSENGER: All right. So --

18 MR. ANNICCHIARICO: I mean, I'm sorry,
19 the ZBA.

20 MS. ABSENGER: All the trucks that are
21 in front of the -- in back of the fence right
22 now, are they, are they there? So you're going to
23 bring more trucks in by moving the fence?

24 MR. ANNICCHIARICO: They are likely

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2 going to be able to easily fit the trucks that
3 they're working on in a better, in a more
4 efficient way.

5 MS. ABSENGER: More efficient way. Okay.
6 So the other day, at the zoning board, you had
7 Landy [phonetic] LLC come in and talk about
8 putting ten townhouses across the street. I just
9 want to make my position is that if those
10 townhouses have to look at all these trucks,
11 increased trucks, [unintelligible] [00:33:35].

12 MR. ANNICCHIARICO: It's next to a
13 commercial zone, so you buy a piece of property
14 next to a commercial zone and --

15 MS. ABSENGER: And I agree with you.

16 MR. ANNICCHIARICO: -- we're going to
17 build something residential, then you should be
18 aware that you're going to see, likely see the
19 commercial aspect, you know, that's going on in
20 that [unintelligible] [00:33:50].

21 MS. ABSENGER: Okay. So how much taller
22 are the trucks than that ten-foot fence?

23 MR. ANNICCHIARICO: They're not. That's
24 why we asked for the ten foot.

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2 MS. ABSENGER: What about the bus I saw
3 come in there? That's got to be more than ten
4 feet? What about a commercial bus?

5 MR. MEISNER: The average height of a
6 bus is about that, 10'2". And when we were across
7 the street --

8 MR. SERRANO: Go to the mic, please,
9 sir.

10 MR. MEISNER: So when I was across the
11 street, I was across the street for 25 years.
12 When I was across the street, the building
13 inspector [unintelligible] [00:34:22]. The town
14 asked us to put up those ten-foot fences so that
15 you wouldn't see the trucks over the existing
16 six-foot fences. So that was always what we were
17 trying to duplicate over here. So we wanted, we
18 asked for the ten-foot fences so that it's still
19 not, so it's not so much of a view from the road,
20 so you see [unintelligible] [00:34:38].

21 MS. ABSENGER: Okay. So the other six-
22 foot fence that you have here, that's where the
23 parking spaces would go?

24 MR. MEISNER: Well, that's just the

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2 other side of the property.

3 MS. ABSENGER: Right.

4 MR. ANNICCHIARICO: Correct. What we're
5 trying to --

6 MS. ABSENGER: I'm not by the railroad
7 track. I'm now --

8 MR. ANNICCHIARICO: No.

9 MS. ABSENGER: -- coming down because
10 now it's a six-foot fence.

11 MR. ANNICCHIARICO: That's correct. But
12 that's on the side. So that, you're talking about
13 south of the existing house, correct?

14 MS. ABSENGER: Correct.

15 MR. ANNICCHIARICO: Okay. That is a six-
16 foot fence. That's existing. Right.

17 MR. MEISNER: But that's all blocked by
18 trees.

19 MR. ANNICCHIARICO: And that is all --
20 there are many trees --

21 MS. ABSENGER: It's blocked by trees?

22 MR. ANNICCHIARICO: -- in between there.

23 MS. ABSENGER: [unintelligible]

24 [00:35:12].

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2 MR. ANNICCHIARICO: Plus, plus that,
3 that area --

4 MS. ABSENGER: And we need to know
5 what's going on.

6 MR. ANNICCHIARICO: -- is much higher
7 than [unintelligible] [00:35:20].

8 MS. ABSENGER: Okay. And how many
9 employees are you going to have in the office?

10 MR. MEISNER: Office?

11 MS. ABSENGER: Yeah.

12 MR. MEISNER: [unintelligible]
13 [00:35:30].

14 MS. ABSENGER: You have four? Do they
15 drive also or not?

16 MR. MEISNER: Two of them are my wife
17 and I, the other two drive, yes.

18 MS. ABSENGER: Is there -- what are you
19 providing [unintelligible] [00:35:50] parking?

20 MR. MEISNER: Yes.

21 MS. ABSENGER: Lighting inside the
22 apartment, no. What is your outside lighting for
23 the evening?

24 MR. ZACHARY: For access.

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2 MR. MEISNER: We do have lights. Yeah,
3 we have outside lights. We're okay on the lights.

4 MS. ABSENGER: [unintelligible]
5 [00:36:08] or motion?

6 MR. MEISNER: Motion lights.

7 MS. ABSENGER: Yes. Okay. That's great.
8 [unintelligible] [00:36:17] fire department, they
9 didn't have any feedback on this site plan? Or
10 have you asked for the fire department's --

11 UNIDENTIFIED MALE: [unintelligible]
12 [00:36:25].

13 MS. ABSENGER: As you increase this
14 footage for more trucks and stuff? Just, you
15 know, a question, I want to know.

16 MR. ANNICCHIARICO: I'm happy for the
17 fire department to weigh in and I've really had a
18 hard time getting the fire department to weigh in
19 on it.

20 MS. ABSENGER: I know.

21 MR. ANNICCHIARICO: If the village wants
22 to, you know, ask that question directly to them,
23 I'd be glad for you to do that.

24 MR. SERRANO: John, just to go on the

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2 record, if you can supply email that you sent to
3 the fire chief or something, so I have something
4 on the record that you reached out to him. If
5 they don't want to respond, that's fine. But at
6 least an email or something. That way, we can put
7 it on the record.

8 MR. ZACHARY: Do you have any --

9 MR. FAIELLA: No, I have nothing right
10 now.

11 MR. ZACHARY: Nothing right now.

12 MR. FLEMING: Nothing right now.

13 MR. ZACHARY: Kieran, do you have any
14 questions at the moment?

15 MR. OUTHUSE: I do. So, when Pete was
16 talking, I didn't hear what he said, because my
17 speakers are terrible. So could he just
18 reiterate? I know there's some code issues, and I
19 know Nick you asked it, but I didn't hear. Were
20 those rectified? I apologize. I couldn't hear it.

21 MR. COOK: Yeah, I think they
22 [unintelligible] [00:37:33] as being rectified,
23 yes.

24 MR. ANNICCHIARICO: I also made, one of

1 June 26, 2025

2 the first things I did was outline all those, all
3 the violations, how we were going to address
4 them.

5 MR. COOK: Yes.

6 MR. ANNICCHIARICO: And then I believe I
7 updated that at some point. And I think since
8 then, they have taken care of the last few things
9 that were remaining on that list.

10 MR. ZACHARY: Okay.

11 MR. ANNICCHIARICO: But maybe Pete and I
12 can get together tomorrow --

13 MR. SERRANO: Good idea.

14 MR. ANNICCHIARICO: -- or next week and
15 just confirm that they've all been taken care of.

16 MR. SERRANO: Yeah, that's good, before
17 the public hearing.

18 MR. ANNICCHIARICO: And I can submit
19 recommendations about that to the
20 [unintelligible] [00:38:10].

21 MR. ZACHARY: I don't know if I saw the
22 second update. I have the questions and the list
23 of responses. But so, you guys are going to get
24 together --

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2 MR. ANNICCHIARICO: Yes.

3 MR. ZACHARY: -- between now and when we
4 meet again, then we get an update on the plan.

5 MR. ANNICCHIARICO: And I can make that
6 part of my submission.

7 MR. ZACHARY: Okay. I want to go back to
8 the apartment Eileen asked about lighting that's
9 been [unintelligible] [00:38:41]. I was wondering
10 where the, there's a gate across the entrance to
11 the facility that I assume gets locked when
12 you're not there working. And is there, what is
13 the entrance for the apartment? Is there a
14 separate gate? And when -- would the person in
15 that apartment always be affiliated with your
16 business? So would, so anybody that you rent it
17 to would have, they'd have access to the grounds?

18 MR. MEISNER: Well, the house is kind of
19 on the corner right there. The gate is past that,
20 so you can access the building. We're not
21 blocking off access to the house, so anyone in
22 the house doesn't have access to the gate.

23 MR. ZACHARY: Oh, so you can walk right
24 up to the house?

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MR. MEISNER: Right.

MR. ZACHARY: There's no separate gate.

MR. MEISNER: Correct.

MR. ZACHARY: Okay. But their parking, having to get their parking in and out when, when you're not there working?

MR. MEISNER: Well, again, they don't have a vehicle. But they would have parking beside the house.

MS. ABSENGER: And you're renting to a person who doesn't drive?

MR. MEISNER: They work there.

MS. ABSENGER: [unintelligible]

[00:39:50]? Oh, they have to be renting, right?

MR. MEISNER: That's just, yeah.

MR. ZACHARY: So --

MS. ABSENGER: What if they [unintelligible] [00:39:58]?

[CROSSTALK]

MR. MEISNER: We'll drive --

MR. ZACHARY: So, you're not really treating it as an apartment, just as a rental for any general member of the public, you're using it

1 June 26, 2025

2 as a residence for employees?

3 MR. MEISNER: Well, family. We were
4 renting it to the general public. We were asked
5 not to do that, because [unintelligible]
6 [00:40:17]. So we got rid of all those tenants,
7 because of [unintelligible] [00:40:22]. Would we
8 rent to somebody in the general public moving
9 forward? Probably not, because of the, because of
10 the property.

11 MR. ZACHARY: Right. That's kind of
12 where I was going with my question.

13 MR. MEISNER: Yes, no. I wouldn't want
14 to rent it to somebody with children, something
15 like that. That's not something that we would.

16 MR. ZACHARY: Yeah.

17 MR. MEISNER: But that tenant does have
18 access to the house without having to cross the
19 gate [unintelligible] [00:40:41].

20 MR. ZACHARY: And if they, at some
21 point, got their driver's license and said look,
22 I've got a car, they could park it outside.

23 MR. MEISNER: Yes.

24 MR. ZACHARY: They don't have to get

1 June 26, 2025

2 inside the gate.

3 MR. MEISNER: Correct. They don't.

4 MR. ZACHARY: So then where --

5 MR. MEISNER: But there is, there's a
6 separate [unintelligible] [00:40:56].

7 MR. ZACHARY: But there's parking there
8 that says residents and/or employee parking. So
9 it's not really, otherwise, unless they want to
10 leave it locked up, so you see my confusion.

11 MS. ABSENGER: Yes.

12 MR. MEISNER: The gate's not locked. I
13 mean it's not locked, it's closed.

14 MR. ANNICCHIARICO: I can change that
15 output.

16 MR. MEISNER: And the gate's not locked,
17 it's closed if they need to get in and out.

18 MR. ANNICCHIARICO: That was probably an
19 oversight since the change from the initial, you
20 know, submission. So I can change that to remove
21 the residents.

22 MR. ZACHARY: Okay. Another question.
23 There was a -- there's a [unintelligible]
24 [00:41:31] going to the south, which was .57

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2 acres and a small parcel to the north, which I
3 believe was .16 acres or something like that.
4 Now, you own both of those now. Are they merged
5 into a single lot?

6 MR. MEISNER: I think.

7 MR. ZACHARY: And you're showing truck
8 parking beyond your property line facing east and
9 is that property that you have permission to use?
10 Those are your trucks parked on that portion as
11 well.

12 MR. MEISNER: That's correct.

13 MR. ZACHARY: And you've got --

14 MR. ANNICCHIARICO: Well --

15 MR. ZACHARY: And that's, that property
16 is owned by the railroad? Is that property you've
17 got permission to use? How does this work?

18 MR. MEISNER: So we reached out to MTA.
19 MTA came to our property. We're in the works of
20 either trying to lease it or purchase that little
21 bit of property from them.

22 MR. ZACHARY: And for now, you just --

23 MR. MEISNER: We do not have a response
24 yet, but [unintelligible] [00:42:22].

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2 MR. ZACHARY: And in the interim,
3 they're just letting you use it, or --

4 MR. MEISNER: Correct.

5 MR. ZACHARY: All right.

6 MR. ANNICCHIARICO: Apparently, it's
7 something quite common on this MTA property up
8 and down from Yonkers all the way up to
9 Poughkeepsie, it's something that happens.

10 MR. ZACHARY: People park on their
11 property, or they give easements or --

12 MR. ANNICCHIARICO: Yes.

13 MR. MEISNER: We have a whole easement
14 [unintelligible] [00:42:47].

15 MR. ANNICCHIARICO: They do have a whole
16 easement [unintelligible] [00:42:47], they've
17 been, they've actually attempted many times to
18 actually get in touch and find out what the
19 status of it is, but they keep telling them
20 [unintelligible] [00:42:55].

21 MR. ZACHARY: Okay.

22 MR. ANNICCHIARICO: They have tried.

23 MR. ZACHARY: So it might be an informal
24 thing now that you're trying to make official.

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2 MR. ANNICCHIARICO: That's correct.

3 MR. ZACHARY: Okay. Okay. Let us know
4 how that goes.

5 MR. POMMER: Mr. Chairman?

6 MR. ZACHARY: Yes?

7 MR. POMMER: If they do not get that
8 access, how would that affect their operation?

9 MR. ZACHARY: Did you hear that
10 question?

11 MR. ANNICCHIARICO: I don't think it's
12 going to affect it.

13 MR. ZACHARY: Great question.

14 MR. ANNICCHIARICO: If they did not get
15 it, they'd have to remove those vehicles from
16 there and that would be that.

17 MR. ZACHARY: You'd be fine with
18 whatever, with the space you have?

19 MR. ANNICCHIARICO: Well, we'll be
20 gaining the additional space.

21 MR. ZACHARY: So, whether you're parking
22 there, you'd still didn't have that .16 acres. So
23 that, I feel you'd like to have both though is
24 what I'm guessing, what I'm sensing.

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2 MR. ANNICCHIARICO: Correct.

3 MR. POMMER: Thank you.

4 MR. ZACHARY: Do you have any other?

5 MR. POMMER: There's some more technical
6 end. One of the other items that came up were
7 those trucks backing into the site. It's not
8 mentioned in the memo but it came up in the
9 discussions. I think that's been -- that
10 shouldn't be taking a truck and backing it up.

11 MR. ANNICCHIARICO: I'm happy to -- you
12 want to make that a condition, you know, I think
13 if we, you know, when we move the fence out and
14 we gain some extra area, it'll make it a lot
15 easier for a truck to pull in forward and be able
16 to back up.

17 MR. MEISNER: So we did have an issue
18 with delivery trucks coming in and then backing
19 out to Route 9. So what we did, we put some signs
20 there, we make them all check in with the office
21 first. We have them turn around in the yard, so
22 they can pull out nose out.

23 MR. POMMER: Okay. It was, looked like
24 not only delivery trucks, but trucks that were

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2 looking to be serviced, it looked like they -- it
3 was tractor trailers, maybe they were delivery
4 trucks. But as they were being backed into the
5 site and then parking.

6 MR. MEISNER: Well backed into our
7 property?

8 MR. POMMER: Yeah, they were blocking
9 two lanes of the Route 9A and then backing in.

10 MR. MEISNER: Well every now and then,
11 yes, there's a tractor trailer delivery that's
12 going to have to back into the property
13 [unintelligible] [00:45:11].

14 MR. POMMER: Is there no sufficient turn
15 around room in the asphalt area?

16 MR. MEISNER: There is. But it would
17 have to be 100 percent clear of [unintelligible]
18 [00:45:21].

19 MR. POMMER: Okay. So --

20 MR. ANNICCHIARICO: With the addition of
21 the property to the north, that's what I'm trying
22 to say, all that's going to make things easier
23 for them and safer for them to operate the
24 business.

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2 MR. POMMER: Okay.

3 MR. ANNICCHIARICO: Then a tractor
4 trailer could pull in, pull up to the metal
5 building where they do the repair work and back
6 up into the portion that's the yard and then pull
7 out.

8 MR. POMMER: Can I ask that the plan be
9 revised to show how a truck would, you know, the
10 swing area for turning around? The turning radius
11 for the largest vehicle you've got.

12 MR. ANNICCHIARICO: Yeah.

13 MR. POMMER: I mean even if you have --
14 you might have cars parked there occasionally
15 when you know there's not trucks coming, whatever
16 that situation, you know, showing that that
17 asphalt has to be blank at all times, but you
18 have to have the ability, where you make a turn
19 around when you need it to.

20 MR. ANNICCHIARICO: Yeah.

21 MR. POMMER: Thank you. And the other
22 comment is you show these areas as gravel. I
23 looked at some of the [unintelligible]
24 [00:46:36].

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2 MR. ZACHARY: Where is that?

3 MR. POMMER: It says gravel vehicle
4 storage area, gravel vehicle storage, right.

5 MR. ZACHARY: Oh. That's the new, that's
6 the parcel to the north. Is that gravel
7 currently?

8 MR. POMMER: Yes.

9 MR. MEISNER: No, it's just dirt.

10 MR. ZACHARY: It says gravel
11 [unintelligible] [00:46:46].

12 MR. POMMER: When was the gravel in the
13 village, was that -- but that wasn't your
14 property. Is that correct?

15 MR. MEISNER: It's our property.

16 MR. POMMER: When did they purchase that
17 property?

18 MR. MEISNER: [unintelligible]
19 [00:47:02] I believe [unintelligible] [00:47:03].

20 MR. POMMER: I thought that
21 [unintelligible] [00:47:07].

22 MR. COOK: It was owned by the Clear
23 Channel Advertising for years.

24 MR. POMMER: Okay.

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2 MR. COOK: The village banned signage
3 like billboards, so we had several properties
4 like that. We had seen the property was being
5 used, and they were in the process of buying it
6 when I first started speaking with them. And they
7 did purchase that triangle piece [unintelligible]
8 [00:47:28] which extends their property line.

9 MR. POMMER: Right.

10 MR. COOK: But they do own that now.

11 MR. ZACHARY: Okay. And just what is the
12 issue with the gravel?

13 MR. POMMER: So if a truck is leaking
14 oils, fuel, whatnot, it gets into the ground.
15 That's a problem. So the DEC would consider it a
16 hot spot.

17 MR. SERRANO: That would carry on to the
18 interior property too.

19 MR. ANNICCHIARICO: I do not believe the
20 DEC considers existing sites hot spots.

21 MR. POMMER: This is not existing. This
22 area right here is existing.

23 MR. ANNICCHIARICO: Well, you can't say
24 half the site is a hot spot and half, the other

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half isn't. That's what I've been told. DEC can't, they can't make somebody who has a hot spot which is technically like [unintelligible] [00:48:14] right, that's one of the definitions of hot spot. So if you have an existing site and you operate, like a bus company or something like, that is fleet storage, they can't make you abandon that use. That's what I've been told, because it's an existing use. If you are --

MR. ZACHARY: If you are expanding --

MR. ANNICCHIARICO: -- if you are proposing to build a brand new facility like that, then you are subject to the storm water [unintelligible] [00:48:41]. But I would also like to point out that recently the DEC has accepted millings as [unintelligible] [00:48:49].

[CROSSTALK]

MR. ANNICCHIARICO: You can check that.

MR. ZACHARY: Okay. I will. The new code?

MR. ANNICCHIARICO: Yes.

MR. ZACHARY: The 20 --

MR. ANNICCHIARICO: They have accepted

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2 millings because it was a no-no before but now --

3 MR. POMMER: Correct.

4 MR. ZACHARY: What are millings?

5 MR. ANNICCHIARICO: Millings are asphalt
6 that have been, you know, chewed up from older
7 projects.

8 MR. POMMER: You know the truck, the big
9 machine takes the highway up and puts it in the
10 [unintelligible] [00:49:10].

11 MR. ZACHARY: So it's basically gravel
12 made of asphalt?

13 MR. SERRANO: It's asphalt. It's
14 asphalt.

15 MR. ANNICCHIARICO: It's ground up.

16 MR. ZACHARY: Okay. And when it gets
17 hot, there's enough seep, because it sort of --

18 MR. SERRANO: Oil.

19 MR. ZACHARY: -- melts back together
20 like [unintelligible] [00:49:23]?

21 MR. MEISNER: A little, it actually does
22 a little bit.

23 MR. POMMER: It packs. It's still a
24 little gravely, but it does.

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2 MR. SERRANO: The run off is still
3 efficient, it's not [unintelligible] [00:49:35]
4 asphalt, but --

5 MR. ZACHARY: Right. And that better be
6 where trucks park, not where you'd be working.

7 MR. MEISNER: Right, correct. The work
8 only happens in the metal building, on the side
9 parking lot for the metal building outside of it.
10 That's where it happens.

11 MR. ZACHARY: Anything else, George?

12 MR. POMMER: No. When you bring back
13 [unintelligible] [00:50:01], you're showing the
14 trucks lined up on one parcel, but it says
15 proposed truck parking area. So that whole area
16 between the fence and the trucks that are show
17 then, there's all of the trucks, so --

18 MR. MEISNER: Correct. It may not be as
19 condensed, but we'll certainly have the ability
20 to park trucks up to the fence.

21 MR. ZACHARY: Or you could leave that
22 grass there as a nice putting area.

23 MR. POMMER: And then you have our
24 comments from September?

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2 MR. ANNICCHIARICO: Correct.

3 MR. POMMER: Okay, I believe we did
4 mention refuse storage I didn't see on the plan.
5 And then to the chairman's point a moment ago,
6 when someone does get a vehicle and they're on
7 the other side of the fence, it doesn't look like
8 there's a place to park there on the other side
9 of the fence. Or I'm sorry, on the other side of
10 the pavement, something else to think about.

11 [CROSSTALK]

12 MR. ZACHARY: What was that?

13 MR. POMMER: A moment ago, when we were
14 talking about the existing people who live there
15 do not have a car. So they, there is no need for
16 them to have parking. But when there is a need
17 for them to have to parking or they do get a
18 license, where would they park if they were going
19 to be on the outside of the gate?

20 MR. ANNICCHIARICO: Right.

21 MR. ANNICCHIARICO: You mean the
22 residents that required parking.

23 MR. COOK: Two.

24 MR. ZACHARY: Two.

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2 MR. ANNICCHIARICO: I mean the way I
3 would look at it is right where we show it, they
4 would get a key to the gate and be able to go.

5 MR. ZACHARY: Well where were you
6 referring to, yeah. You were referring them
7 parking on the other side of the building. You
8 have room between the property line and the
9 building. Is that where you were thinking?

10 MR. COOKING: No.

11 MR. ANNICCHIARICO: Yeah, sure.

12 MR. COOK: They're working to
13 [unintelligible] [00:52:04] areas to the grass.

14 MR. ANNICCHIARICO: We're now talking
15 about access to the apartment, correct? Because
16 that's on the outside of the gate.

17 MR. ZACHARY: Right. We're talking about
18 where, like even if your tenants have no cars,
19 two parking spots are required for them.

20 MR. COOK: Two per rental.

21 MR. ZACHARY: Two per rental. So where
22 would you show those on this site plan? How could
23 you show that? In that, somewhere between the
24 property line and the house?

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2 MR. COOK: So we [unintelligible]

3 [00:52:37] previously eliminates that.

4 MR. ZACHARY: Eliminate what?

5 MR. COOK: They have parking in that
6 gravel area.

7 MR. SERRANO: Yeah, but that's behind
8 the gate.

9 MR. COOK: Between the house.

10 MR. ZACHARY: Oh.

11 MR. SERRANO: So it says no parking,
12 gravel areas grass.

13 MR. MEISNER: So we were asked to
14 eliminate all parking in front of the residence.

15 MR. ZACHARY: Right.

16 MR. MEISNER: Between Albany Post Road
17 and the house itself.

18 MR. ZACHARY: Well, you're showing an
19 employee -- a residents and/or employee parking
20 three spaces. As long as two of those are
21 designated for the apartment, you would just need
22 to show how they have access, should at some
23 point, the person that lives there has cars.

24 MR. MEISNER: I think like I said, you

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2 know, they could have access to the, to the lock
3 on the gate and that would do.

4 MR. ZACHARY: Our code says two spots
5 per apartment. It doesn't say, oh your tenants
6 don't drive, never mind, understood.

7 MR. COOK: They could also want to
8 specify the comment they made earlier about the
9 specific parking in M-1 zone under manufacturing.
10 That's a thought. It's two spaces for each three
11 employees.

12 MR. ZACHARY: Two spaces for each three
13 employees.

14 MR. COOK: In manufacturing.

15 MR. ZACHARY: Oh, okay, well.

16 MR. COOK: It's the closest we have.

17 MR. ZACHARY: It's the closest we have,
18 two per three employees, which would mean six. I
19 mean it would seem that you're close. We'll check
20 the new calculation, but the four in the back and
21 the three on the side, seven, it would seem to
22 put you close, except we need to know that
23 there's a way that the tenant could have to park
24 there, there have to be spots taken for that

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2 tenant. I'll put it all --

3 MR. SERRANO: But this way, when they
4 have no car there, somebody else can park there.

5 MR. ANNICCHIARICO: I'll clear all that
6 up. I'll give you a chart, I'll give you all of
7 our thoughts behind it.

8 MR. ZACHARY: Okay.

9 MR. COOK: Again, it's just under the
10 [unintelligible] [00:54:33], under the
11 [unintelligible] [00:54:34].

12 MR. ANNICCHIARICO: Right.

13 MR. COOK: That's what I found.

14 MR. ANNICCHIARICO: Thank you.

15 MR. FAIELLA: Mr. Chairman, when we did
16 the White Street project, we made it mandatory
17 that they had some type of [unintelligible]
18 [00:54:47] plan and also have some
19 [unintelligible] [00:54:49] plans for all these
20 vehicles, because now you have them parking on
21 gravel and I don't know what on the
22 [unintelligible] [00:54:57]. So do you presently
23 use drip pans when someone brings you a vehicle
24 when parked?

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2 MR. MEISNER: Yeah, that's our company
3 policy. Anything that comes in for a leak has to
4 have a drain pan underneath it immediately so
5 we'll be able to try to transpire later to stop
6 the leak.

7 MR. FAIELLA: Well, it's not just for
8 leaks, it's supposed to be any commercial vehicle
9 that's parking, you're supposed to have a drip
10 pan and wheel chocks put down.

11 MR. MEISNER: So for every vehicle on
12 the property, you have to have a drain pan for
13 it, underneath of it?

14 MR. FAIELLA: Yes. Look it up in the
15 DEC. They're supposed to have that, so, you're
16 only going to protect the environment that way.
17 That's all I have, chair.

18 MR. ZACHARY: Thank you. I'd like to,
19 not knowing much about drip pans, can you explain
20 what that is?

21 MR. FAIELLA: It's just a pan that goes
22 underneath the vehicle when the operator operates
23 a commercial vehicle, when they get out of the
24 vehicle they're supposed to put down a pan if

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2 they do any type of seepage or oil.

3 MR. ZACHARY: This would be a pan?

4 MR. FAIELLA: A pan, correct.

5 MR. ZACHARY: A pan that you put under
6 the --

7 MR. MEISNER: Engine.

8 MR. ZACHARY: or something.

9 MR. COOK: Yeah, wherever they see a
10 leak, so.

11 MR. SERRANO: And they have pans also.

12 MR. ZACHARY: So it's not something that
13 feeds into a --

14 MR. SERRANO: No.

15 MR. ZACHARY: Okay.

16 MR. MEISNER: But you're saying every
17 vehicle parked on the property has to have these
18 even if it's not leaking?

19 MR. FAIELLA: Every commercial vehicle
20 is supposed to have some type of fire kit, a
21 wheel chock and a drip pan.

22 MR. MEISNER: In it.

23 MR. FAIELLA: In it and then when you're
24 parked, it's supposed to go underneath it, so.

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2 Because I know you have [unintelligible]
3 [00:56:23] commercial maintenance shop. But just
4 look it up under the DEC. I'm sure it's in there.

5 MR. ANNICCHIARICO: I'll have to do
6 that.

7 MR. ZACHARY: Okay. Thank you. New one
8 on me, drip pans. [unintelligible] [00:56:47].

9 MR. FAIELLA: Now, Mr. Cook, what type
10 of fire suppression is in the maintenance
11 buildings now?

12 MR. COOK: Just fire extinguishers, the
13 correct size, correct location.

14 MR. FAIELLA: That's all I have, Mr.
15 Chairman.

16 MR. ZACHARY: So I think, if nobody else
17 has any questions or comments, we have a few
18 things then that we need to pull together, a
19 couple of site plan revisions for next time. And
20 so do [unintelligible] [00:57:30] here, Marcus?

21 MR. SERRANO: No.

22 MR. ZACHARY: So that being the case, I
23 would say we leave it at this right now and --

24 MR. SERRANO: Do you want to call for a

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2 public hearing?

3 MR. ZACHARY: No, I think we need at
4 least some [unintelligible] [00:57:43] public.
5 We're still resolving things. Let's get together
6 next meeting to follow up on these things and see
7 if any other questions come up. You can get back
8 to us on some of the issues that were being
9 [unintelligible] [00:57:58] tonight and then
10 [unintelligible] [00:58:03] we'll set up a public
11 hearing. I don't want to do that now.

12 MR. SERRANO: I don't think we'll get
13 any negative feedback from the public, so
14 [unintelligible] [00:58:14].

15 MR. ANNICCHIARICO: Can I just ask any
16 meetings during the summer are cancelled?

17 MR. SERRANO: Fourth of July maybe.

18 [CROSSTALK]

19 MR. ZACHARY: The village board meeting?

20 MR. SERRANO: The next planning board
21 meeting is on the 24th, July 24th.

22 MR. ZACHARY: Okay. [unintelligible]
23 [00:58:45].

24 [CROSSTALK]

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2 MR. SERRANO: Friday.

3 MR. ZACHARY: Thank you. We'll see you
4 next month. Thank you.

5 MR. SERRANO: Have a good night.

6 MS. ABSENGER: So we have nothing going
7 [unintelligible] [00:59:05].

8 MR. ZACHARY: All right, the next item
9 on our agenda is at [unintelligible] [00:59:27],
10 how do you say that?

11 [CROSSTALK]

12 MR. ZACHARY: Do we need a motion?

13 MR. SERRANO: Yes.

14 MR. FAIELLA: I make a motion we
15 adjourn.

16 MS. ABSENGER: Second.

17 MR. ZACHARY: Motion we adjourn and
18 second. All in favor?

19 MULTIPLE: Aye.

20 MR. ZACHARY: Good night everyone.

21 (The public board meeting concluded at
22 8:00 p.m.)
23

CERTIFICATE OF ACCURACY

I, Ryan Manaloto, certify that the foregoing transcript of the Planning Board meeting of the Village of Buchanan on June 26, 2025 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By



Date: July 18, 2025

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