

VILLAGE OF BUCHANAN

BOARD MEETINGS

PLANNING BOARD MEETING

Municipal Building

236 Tate Avenue

Buchanan, NY 10511

November 24, 2025

7:00 p.m. - 8:45 p.m.

November 24, 2025

MEMBERS PRESENT:

Nicolas Zachary, Chairman

Eileen Absenger, Member

Tracey Armisto, Member

Jeffrey Faiella, Member

Kieran Outhouse, Member

ALSO PRESENT:

Marcus Serrano, Village Administrator (via zoon)

Stephanie Porteus, Village Attorney

George Pommer, Village Engineer

David Smith, Village Planner

Cynthia Kempter, Village Clerk, Treasurer

Sharon Murphy, Deputy Village Clerk

Dominic Evangelista, Deputy Treasurer

Peter Cook, Building Inspector

SPEAKERS:

Jim Annicchiarico, Cronin Engineering

Marco Mandra, Architect

Bernard Calabro, Gallon Measure

Henry Gallagher

Jeff Gallagher

Paula Chacon Paul

John Paul

Cami Perrone

Michael Wenz

Rob McCarthy

1 November 24, 2025

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

3 MR. NICOLAS ZACHARY: Good evening
4 everyone. Welcome to the November, what is this,
5 the 24th, planning board meeting. You could all
6 please join me in the Pledge of 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: A brief bit of business
13 before we get into the meat of the meeting,
14 approval of the minutes from October 23rd. Has
15 anybody on the, does anybody on the board have
16 any changes or corrections to the minutes?

17 MS. TRACEY ARMISTO: No change.

18 MR. ZACHARY: Motion to accept the
19 minutes as artificially intelligenced.

20 MR. JEFFREY FAIELLA: I make a motion we
21 accept the minutes.

22 MR. ZACHARY: As recorded. Second?

23 MR. KIERAN OUTHOUSE: Second.

24 MR. ZACHARY: All in favor?

1 November 24, 2025

2 MULTIPLE: Aye.

3 MR. ZACHARY: Okay. So, we have a new
4 public hearing for something we've been going
5 through for several months because there was a
6 change to the site plan and some of you know why
7 that is. But we'll get into all the details. I
8 know we've had some discussions here, but we're
9 going to open the public hearing officially and
10 talk about it again.

11 I'm going to go through some of the key
12 issues. I know some of you out there will be
13 chomping at the bit. I'm going to start by
14 outlining this myself and you will, if people
15 want to talk, you'll have an opportunity. But I'm
16 going to start by outlining it myself and asking
17 for input from board members and our professional
18 staff and then there will be a public comment
19 period.

20 So with that, I'd like to open calendar
21 number PB 4-2025 public hearing for a site plan
22 application for 3106 Albany Post Road, also known
23 as Gallon Measure. Motion to open the public
24 hearing?

1 November 24, 2025

2 MR. FAIELLA: I make a motion we open
3 the public hearing.

4 MR. ZACHARY: Second?

5 MR. OUTHOUSE: I second.

6 MR. ZACHARY: All in favor?

7 MULTIPLE: Aye.

8 MR. ZACHARY: The public hearing is
9 open. So, there was, as many of you know, a site
10 plan that was approved. But due to an unfortunate
11 series of events, the building did not hold up
12 when there was an attempt to work on it. It was
13 demolished and we now have a new site plan.

14 I know some of you are going to talk
15 about well they demolished with without letting
16 the village know and this and that. You know,
17 just, I want you to be aware of a little
18 distinction. There are some issues with -- that
19 are from the building department. The issue we
20 have here is approving a new site plan. And
21 enforcement issues, if there are any, if there
22 are any corrective things to be done come through
23 the building department. So, you know, just to
24 make that distinction.

November 24, 2025

Our purpose here is to look at all the details of the site plan that's proposed and decide if we like it as is, want to make any changes and, you know, I just wanted you to be aware of that distinction. Now Jim, do you want to did you want to start and give an introduction to what you're, you're proposing?

MR. JIM ANNICCHIARICO: Sure.

MR. ZACHARY: Okay. And you have the drawings that can be referenced on the screens for people? Okay.

MR. ANNICCHIARICO: I'll do a little introduction on what we submitted just for the record.

MR. ZACHARY: Yeah, read your, say your name for the record.

MR. ANNICCHIARICO: Jim Annicchiarico with Cronin Engineering. So we made a resubmission November 10th. In that submission, for the record, it included an application to the planning board which was needed because we needed to add special permit as part of the application. We did that. We provided a special permit project

November 24, 2025

narrative, which kind of outlined what type of business they are, what the -- how the code defines the need for the special permit in this case. What they need to fall under is minor auto repair, that section of the code, that the definition of that, I have that in the special permit narrative. I also included a definition for major auto repair, so everybody could see the difference between the two and hopefully come to the conclusion that I did, that they are, they fall under minor auto repair. I'll just go a little bit further. Major auto repair basically includes everything under minor auto repair but also includes collision body work, painting, and stuff like that.

We revised the short EAF. We provided storm water calculations for George to review and confirm the number of CULTECs we were proposing. We're actually adding three additional CULTECs out of the goodness of our heart. The storm, we provided updated storm water maintenance and inspection program. We provided a letter from Mark Day, a structural engineer, regarding the

1 November 24, 2025

2 structural integrity of the Gallon Measure and
3 the thought that if, you know, moving that at
4 this point would be, would probably be
5 disastrous.

6 MR. ZACHARY: Can you specify what
7 you're talking about there?

8 MR. ANNICCHIARICO: So the Gallon
9 Measure --

10 MR. ZACHARY: Oh, not the name of the
11 business, the name of --

12 MR. ANNICCHIARICO: Right, sorry, yeah.

13 MR. ZACHARY: -- the name of that
14 structure, okay.

15 MR. ANNICCHIARICO: Moving, moving the
16 actual structure itself, it would likely fall
17 apart. It doesn't have much. It's very old
18 obviously and it doesn't have much structural
19 integrity to it and moving it would probably be
20 detrimental to it. We also provided a new site
21 plan which addressed the village engineer's
22 comments and as well as some of the planning
23 comments. And we provided building rendering or a
24 rendering of the site and building elevations

1 November 24, 2025

2 that was done by Marco Mandra the project
3 architect.

4 I also provided a item by item response
5 to the village engineer's review comments. There
6 were, I believe, 22 of those. And then I provided
7 responses to the planning comments. There were
8 four of those, but a lot of those had subsections
9 to them, so.

10 We then received on the 19th -- so I
11 submitted that for the, for the meeting by the
12 deadline. We then received, and it was
13 appreciated that we got some feedback before the
14 meeting. We received the planning memo, an
15 updated planning memo, and an updated engineering
16 memo. The engineering memo was down to seven
17 comments, six really, I think, because one of
18 them George just didn't see the light pole on the
19 plan. None of them are very, I won't say
20 important, but they're all easily addressable.
21 They're just technical comments. And the planning
22 memo, again, same with that, you know, that was
23 actually more probably for your board to review
24 some of the stuff that was written in there. But

1 November 24, 2025

2 I don't think any of that you know as far as the
3 plans go was, you know, couldn't I can't, you
4 know, it's not that I can't overcome any of that.
5 If you'd like you know we could pull up the site
6 plan next and I can kind of show you the changes
7 that were made from the first.

8 MR. ZACHARY: That would be that would
9 be good. I think we want the plan, not the
10 elevation. It's sheet one of six, label CS, site
11 plan. That's the one. Okay.

12 MR. ANNICCHIARICO: Can you hear me?

13 MR. ZACHARY: Yeah.

14 MR. ANNICCHIARICO: All right. So, some
15 of the changes that we made were we had parking
16 spaces here. Those were eliminated. We had a
17 parking space up here. That one was eliminated.

18 MR. ZACHARY: Now, there's no -- is
19 there any way that is there any kind of
20 electronic pointing thing where people will see
21 it on that screen as well as you talk? Does that
22 show up, up there? Yeah, look at that.

23 MR. ANNICCHIARICO: Yeah.

24 MR. ZACHARY: Oh, okay.

1 November 24, 2025

2 MR. ANNICCHIARICO: All right. Yeah,
3 that's good. Thanks.

4 MR. ZACHARY: Yeah.

5 MR. ANNICCHIARICO: All right. So, we
6 had a, we had a space up here. We eliminated
7 that. We had we actually had extra parking spaces
8 if you recall. We had fit some extra ones in just
9 to have extra, but they weren't required by code.

10 MR. ZACHARY: You had more parking spots
11 than required by code.

12 MR. ANNICCHIARICO: Than were needed,
13 than were required by code, correct. Fire
14 department really requested that we remove these,
15 so we did, just so they have better access
16 through this way. We moved this curb. We have a
17 curb along the parking lot here, here, over here
18 too. But we moved this a few feet this way to get
19 out of the easement that's there for the drainage
20 and the sewer for the property to the north. And
21 we were able to do that easily and not lose any
22 spaces. So we did those things.

23 MR. ZACHARY: Did you eliminate one spot
24 on that north run?

November 24, 2025

MR. ANNICCHIARICO: Yes, right here.

MR. ZACHARY: But we were talking about eliminating a spot so that you could come forward with, off of 9A to widen the landscaping.

MR. ANNICCHIARICO: Oh, I actually didn't need to anymore. I just left that where it was. I was able to, because we had even more room between there.

MR. ZACHARY: Okay.

MR. ANNICCHIARICO: So I was able to move that over. In George's new memo, he'd like me to move it a few feet more. So, we have some more plant you know, room between --

MR. ZACHARY: How much, George?

MR. ANNICCHIARICO: -- the plantings and the drainage pipe, which I can I can do that easily as well.

MR. ZACHARY: Yeah.

MR. ANNICCHIARICO: This these don't touch one another. So --

MR. ZACHARY: Okay.

MR. ANNICCHIARICO: -- right here. So, it's, it's easily doable.

1 November 24, 2025

2 MR. ZACHARY: Well, how many parking
3 spots do you have now total?

4 MR. ANNICCHIARICO: We have one, two,
5 three, four, five, six, seven, eight, nine, ten,
6 11 and then the five inside. So we have 16.

7 MR. ZACHARY: So, 16 and the requirement
8 was it 14 was it?

9 MR. ANNICCHIARICO: I believe so.

10 MR. ZACHARY: So, you still have ample
11 parking. Okay. Right. All right. So, can you also
12 talk about the, the building being repositioned
13 and what, what it was before uh compared to now?

14 MR. ANNICCHIARICO: Sure. Let me see if
15 I can -- are you saying that the previously
16 approved plan? Is that what you're talking about?

17 MR. ZACHARY: Well before we had the,
18 you know, the parking was behind the building
19 facing the residences and now it's in front of
20 the building facing Route 9A. So just it, is that
21 the old one? Or is that --

22 MR. ANNICCHIARICO: This is really just
23 the, what's now the existing conditions.

24 MR. ZACHARY: That's, that's the site

1 November 24, 2025

2 plan.

3 MR. ANNICCHIARICO: Yeah.

4 MR. ZACHARY: I mean that's just like a
5 survey.

6 MR. ANNICCHIARICO: Exactly. I don't
7 have the previous plan that was, unless it's on
8 the computer somewhere.

9 MR. ZACHARY: I mean, I just meant in
10 general concept, not like you got to give -- you
11 didn't have to pull up the other drawing. People
12 will understand if you just generally explain
13 what, while you're there and able to point to it.

14 MR. ANNICCHIARICO: So, with the other
15 plan, if you recall, the building was way up here
16 somewhere. It was actually over this corner by
17 four feet over the property line.

18 MR. ZACHARY: Right.

19 MR. ANNICCHIARICO: The, the building
20 was more like that. It had a second story on it.
21 Had garage bay doors back here, you know, facing
22 the west. We had we had parking --

23 MR. ZACHARY: And the parking was?

24 MR. ANNICCHIARICO: -- parking all along

November 24, 2025

here and we had some parking up here and we had parking all along here. There was no parking here. But the building was up front. We had a curb cut out to here that the DOT didn't love. They wanted that out only. We've been able to move that curb cut back much further, we've got in and out now for much better circulation. It was, you know, it wasn't an easy, it was kind of tight up here. You had cars that had to go come around here and come out here, the residences, but this always was in and out too for that plan.

MR. ZACHARY: Which is pretty much where the parking was for years as the when the business was operating there.

MR. ANNICCHIARICO: Correct. Correct.

MR. ZACHARY: Okay.

MR. ANNICCHIARICO: So, we now have the building back. It is totally zoning compliant as far as zoning setbacks go. As far as height goes, it complies with the height requirements. We have a door, a garage door here and a garage door here. We have a man door here and this is the office door into the office. This is a parts and

November 24, 2025

supply room, accessible from the inside of the building. There'll be bathrooms in this corner, one for the employees on the inside, the other for people in the waiting room or the staff in the in the office. We don't have, we no longer have any garage doors facing the residential neighbor to the west, which we think is a good thing for them. And that's it.

We have the same sidewalk improvements that we proposed originally. They end at the exact same spot where they were approved the first time. We've we have added some plantings, you know, we've enhanced the plantings up front, put some evergreens along the back curb to create some, you know, a little bit better screening. We've got the side planted, we've got plantings here, and as in the previous plan, we have these plantings as well. And we have the plantings along the western property line. They are the exact same that we had proposed with the original plan that was approved. And there is a fence here along this line.

MR. ZACHARY: Existing?

1 November 24, 2025

2 MR. ANNICCHIARICO: Existing fence along
3 this property line.

4 MR. ZACHARY: What kind?

5 MR. ANNICCHIARICO: Chain link with
6 privacy slots. I believe that there's a big
7 chunk, you know, of privacy slots missing in this
8 but that's part of, that was part of the
9 approval, always part of our plan to fill those
10 in.

11 MR. ZACHARY: And the plantings you're
12 showing there are what like arborvitae or
13 something or some kind of evergreen?

14 MR. ANNICCHIARICO: Some are hollies,
15 they're sugar maples, they are arborvitaes --

16 MR. ZACHARY: It's a mix?

17 MR. ANNICCHIARICO: Yeah, it's a mix.

18 MR. ZACHARY: Well, enough to provide
19 screening?

20 MR. ANNICCHIARICO: I think so. You also
21 have a six foot high fence, you know, with
22 privacy slots in it.

23 MR. ZACHARY: Okay. Got you.

24 MR. ANNICCHIARICO: And we've got oil

1 November 24, 2025

2 water separator here. That will be connected to
3 the sewer. That's for the drain inside the
4 building. Here's the --

5 MR. ZACHARY: And that's underground,
6 correct?

7 MR. ANNICCHIARICO: Yes, that is
8 underground, yeah. All utilities will be
9 underground. This is our CULTEC, underground
10 CULTEC area. We've got nine CULTECs going in
11 there. They will pick up roof leaders from the
12 building. They will also pick up runoff that's
13 picked up by these two trench drains. So you
14 really don't have any runoff from the site going
15 out onto Rockledge. They'll, they will discharge
16 the water to the to the to the CULTECs and then
17 we've even got another oil water separator for
18 the CULTEC overflow, which will connect to this
19 basin out in Rockledge.

20 MR. ZACHARY: Okay, anything else you
21 wanted to add, Jim?

22 MR. ANNICCHIARICO: I don't think so. I
23 can go to the renderings and the elevations,
24 building elevation if you want. I you can get

1 November 24, 2025

2 Marco.

3 MR. ZACHARY: All right, let's see the
4 elevation. Is there a way to erase all your
5 scribbles now or is that?

6 MR. ANNICCHIARICO: Yeah.

7 MR. ZACHARY: Just shake it, Etch-a-
8 sketch? Oh.

9 MR. MARCO MANDRA: Hello everyone. Can
10 everyone hear me?

11 MR. ZACHARY: You're not on the mic
12 there yet, are you?

13 MR. MANDRA: Everyone hear me?

14 MR. ZACHARY: I think so. Can people in
15 the back hear?

16 MR. MANDRA: Can everyone hear me?

17 MR. ZACHARY: Okay. Yeah.

18 MR. MANDRO: Hello everyone. Marco
19 Mandra, architect. Thank you, Jim. I think he did
20 a pretty good job explaining pretty much most of
21 it. I guess I'll just reiterate a little bit. As
22 you mostly know, previous building had a lot of
23 nonconforming issues, which we now resolved, I
24 think, pretty well. I'm just going to come over

November 24, 2025

here.

We think the new proposal fixes a lot of those issues, as well as have some benefits. One being that the doors are no longer facing the residents to allow for the sound to be towards the front, the parking being towards the front, so all that traffic is no longer facing the residents. How do we switch to the elevations here? Oh, just the page, here. Okay, the front. Okay. So, our new proposal aesthetically we're breaking up the facade with, with several materials. The base, first four feet of the facade --

MR. ZACHARY: Zoom in on that.

MR. MANDRA: Yep.

MR. ZACHARY: Okay.

MR. MANDRA: The first four feet being a stone, ledger stone, the main facade of the building being a vertically oriented corrugated metal. And then on top we to soften it up a little bit, we're using a cedar shake siding, which you can see in the sample here as well. This is actually a very good representation of

November 24, 2025

what the building would look like.

In addition, you know, we, we understand there was a really big concern with the Gallon Measure not being able to be reincorporated. As Jim mentioned, our engineer took a look at the building. It's not salvageable. So the best we could do was try to re-incorporate the geometric signage, you know, the shape of it into the sign to kind of, you know, keep it as part of a memory of the building.

The other thing I wanted to mention about the siding, we know in the last meeting there was some discussions about not using a metal siding. We feel that from the building being set so far back, approximately 120 feet from Albany Post Road, there's going to be no way to discern whether it's metal or board and batten. From that distance, you're, you're going to perceive this as the scale of the building, the geometry of the building, the vertical shadow lines are going to be the same whether it's metal or board and batten. I think this again this is a perfect example of that.

1 November 24, 2025

2 You know, for the rest of the building
3 we have, as mentioned last time, we have the
4 gooseneck sconces, you know, the black garage
5 doors, black fascia board along the sides and
6 that's pretty much it. Nothing's really changed
7 from the last meeting except for the cedar and
8 the signage.

9 MR. ZACHARY: Okay. Anything else?

10 MR. MANDRA: No.

11 MR. ZACHARY: Okay.

12 MR. ANNICCHIARICO: I should probably
13 just add, you did ask us about the providing a
14 light, you know, lighting for the parking lot
15 itself. So, we did add, I forgot to mention, we
16 did add a light post that matches the ones that
17 have been used or are going to be used, or have
18 been used across the street.

19 MR. ZACHARY: Where is that? In that
20 green strip? Is that what shows it? Oh, okay.
21 That's what --

22 MR. ANNICCHIARICO: It's right here.

23 MR. ZACHARY: Oh, okay. The center,
24 pretty much the center of the curb line. Really,

1 November 24, 2025

2 I think that's all we need is just one to light
3 up, you know, this end of the parking lot.

4 MR. ZACHARY: Okay.

5 MR. ANNICCHIARICO: The lights on the on
6 the building itself should light up this area.
7 That should be plenty. But it'll provide, you
8 know, lighting for the sidewalk itself out on
9 Albany Post Road.

10 MR. ZACHARY: Are there -- yeah.

11 MR. ANNICCHIARICO: There is, there is a
12 light there.

13 MR. ZACHARY: A street light?

14 MR. ANNICCHIARICO: The street light on
15 the on the utility pole. So, I think that's
16 probably sufficient to light up.

17 MR. ZACHARY: So, the two lights on the
18 building is it?

19 MR. ANNICCHIARICO: We've got one above
20 this door. One of above each door and one above
21 the --

22 MR. MANDRA: Yeah.

23 MR. ANNICCHIARICO: So, we've got three.

24 MR. ZACHARY: Three lights on the

1 November 24, 2025

2 building. Are they pointing down?

3 MR. ANNICCHIARICO: Gooseneck.

4 MR. MANDRA: Yes, they're all pointing
5 down.

6 MR. ANNICCHIARICO: And they're shielded
7 and they're pointing down.

8 MR. ZACHARY: And the light on the pole
9 on the green strip there is also pointing down?

10 MR. ANNICCHIARICO: That detail, in the
11 construction details for that and that's this
12 right here. That was the one that was used.
13 that's being used for AMS.

14 MR. ZACHARY: Is it a downward pointing
15 light?

16 MR. ANNICCHIARICO: It's not. It's you
17 know it's got a globe, it looks like.

18 MR. ZACHARY: Okay.

19 MR. ANNICCHIARICO: Do you know anything
20 more about this? I mean, we're just matching it.

21 MR. ZACHARY: Well, as long as we're on
22 this, then the question is, is there enough light
23 it when it's dark for people to, you know,
24 walking around the parking area there? Okay.

1 November 24, 2025

2 Would you agree, George? On the, that there's
3 sufficient lighting there?

4 MR. GEORGE POMMER: Good evening, chair.

5 MR. ZACHARY: Just, just that one topic
6 there, the lighting right now.

7 MR. POMMER: So, the lighting, in a
8 follow-up conversation with Mr. Annicchiarico, we
9 talked about giving us a photometrics plan.
10 Photometrics tells you how the light is
11 distributed throughout the site, how it looks,
12 what the foot candles are in every location. So,
13 you can verify, so it's not just we think so,
14 maybe, and could be.

15 MR. ANNICCHIARICO: No problem. We can,
16 we'll get the lighting manufacturer to provide a
17 photometrics plan.

18 MR. ZACHARY: Okay.

19 MR. ANNICCHIARICO: To me, you know,
20 that could be part of approval, you know, that we
21 provide you with acceptable photometrics.

22 MR. ZACHARY: Right. Okay. I mean most
23 your business hours are not going to be in the
24 dark but in the winter, end of the day, you know

1 November 24, 2025

2 people are walking through there so.

3 MR. ANNICCHIARICO: Right. Absolutely.

4 MR. ZACHARY: All right. So we'll, we'll
5 come up with a photometric plan and for the next
6 time. Okay. Okay. Should I run with a few things
7 I have?

8 MR. ANNICCHIARICO: Sure.

9 MR. ZACHARY: Okay. Want to sit?

10 MR. ANNICCHIARICO: If you think we need
11 to.

12 MR. ZACHARY: I think you do. And by the
13 way, uh, we will not be voting on this tonight.
14 There are some things that are going to require
15 that we keep it open at least until next month.
16 The photometric plan is one. There was the
17 application for a special permit requires county
18 comment and that was sent to the county and until
19 we, you know, so we want to hear back from them.
20 So, you know, just so everyone knows we're not
21 voting on this tonight.

22 MR. ANNICCHIARICO: Could I just say one
23 thing about that? So, our hopes are that tonight
24 you're able to at least give your opinion on how

November 24, 2025

everything, how you think everything -- I mean we put a lot of work into this obviously. We were hoping that you would at least do a straw poll or something like that and possibly direct staff to prepare a resolution of approval. That resolution of approval would still be up for inclusions of the photometric plan, if that needed to change. It's, it's just we would like to move forward as fast as we can obviously to get this business back up and running again. So --

MR. ZACHARY: Right.

MR. ANNICCHIARICO: -- I'm not, I'm not looking, I don't have any --

MR. ZACHARY: We'll see. I certainly expect to hear, get a sense of how people feel about this tonight. Whether we move to that or not remains to be seen.

MR. ANNICCHIARICO: No problem. I just had to say that. Thanks.

MR. ZACHARY: Okay. I mean the village is trying to help, but the village also did not create the situation that led to a new site plan. So we have to do what we have to do here and be

November 24, 2025

thorough. All right. So, the way I see it there's a there's three, in my mind and I'd be glad to hear of others. I think there are three main issues. And I'm going to outline, I'm going to go through them one at a time and just and have the board weigh in on these issues. I'm going to start with the shifting of the parking to the 9A side rather than the where it was before, behind the building.

And I think there are pros and cons to this. I think that I like the idea of the cars and the activity in and out of the shop is not facing the houses behind. Now the overlay zone which is a bit of a -- the plan that that was developed for this area a few years ago, suggests as much as possible to locate parking behind buildings. Behind buildings, if you're facing, if you're on 9A and not on a corner, there's one way to get behind. It's when you're on a corner, you know, you almost have two fronts. It's a little bit different situation. But we already have this housing development by the hardware store where they were allowed to have parking on 9A. They

November 24, 2025

have a stone wall and landscaping which will mask a lot of that parking, you know, which will make it not glaring. And that that's why we're trying to increase that landscaped strip on the 9A side to soften the appearance from 9A.

I agree with -- you commented, Jim, that that our engineer George suggested that he'd like to see a few more feet there. And I agree with that, and you know, to get more layering, as much layering as possible, and then that becomes a bit of a, you know, with a sidewalk there. I'd actually like to see a bench installed there as well, so it's a little bit more of a public interest spot for people. Somebody could be waiting for a car and sit on the bench or somebody could be walking by it and sitting on the bench. I don't think, you know, I think that would be a nice thing to have there.

And I think that for me, given the whole layout of the property I would, I would be okay with the parking in this new location, because it also means that the building conforms to the code setbacks. The previous building did not. So, you

November 24, 2025

know, you've, you've moved it into a spot where the setbacks are conforming. You know, anytime we can get something to be more conforming, it's to our advantage. And I and I think if I lived there, I think I'd rather have the -- not have the garage doors and all the traffic right outside my fence. So, so for me on that issue, I would be okay with, even though the m the overlay suggests keeping the parking behind, it's when you're on a corner property, it's kind of in the front anyway from the Rockledge side, you know.

So, for that I'm just going to I'm going to reach out to board members one issue at a time just to make to keep it to keep it focused on each issue. So, is there anybody on the board that wants to weigh in just on that on this particular issue?

MR. FAIELLA: Mr. Chairman, I believe that the building should be -- I'm sorry. I believe the building should be moved back towards 9, so that way the, decibel ratings from the air guns and the shop be away from the house. And I asked last meeting to get ratings of that

November 24, 2025

material with the decibels.

MR. MANDRA: So, we were not able to get the actual decibel rating of the wall from the manufacturer. They weren't able to provide that. But, however, we looked into the New York State building code. There is no requirement that we could find for a mechanic shop for an STC rating, sound transmission class. The closest thing we could find as a requirement was a mechanical room that is adjacent to a residence and that has a STC rating of 50, which our 6 inch metal stud walls with spray foam insulation, sheathing on the exterior and gypsum board on the interior will have a minimum of 50 STC rating. So unless there is a requirement that the board can clarify to us, that's, that was the closest thing we could find as a as a as a building code requirement.

MR. ZACHARY: Well, I'm not sure if it's a it's a specific requirement, as much as a board member's concern for the noise affecting neighbors. I mean, also keep in mind the door bay the bays are going to be facing the other way

1 November 24, 2025

2 now. So that's, that's a factor. Before --

3 MR. MANDRA: Yeah. The building is --

4 MR. ZACHARY: Even though the building
5 was further away before the doors on that side,
6 you know, when the doors are open, you'd have
7 more noise. Okay. But that's, I understand that.
8 Is that --

9 MR. FAIELLA: That's all I have.

10 MR. ZACHARY: That's, that's it. Anybody
11 else want to weigh in on this positioning of the
12 building? You know, you're all going to be
13 voting, so I would like to at least hear like a
14 general agreement or disagreement if possible.
15 Nobody right now? Okay.

16 MR. ANNICCHIARICO: Can I say one thing
17 about that? I appreciate your comment, Jeff.

18 MR. ZACHARY: One second. One second.
19 Eileen.

20 MS. EILEEN ABSENGER: No, I would also
21 agree that I like the idea that the parking was
22 in the back, if you didn't have all the variances
23 and all the issues that were affecting that four
24 foot corner. I have some issues with some of the

1 November 24, 2025

2 plantings in the front, Marco, some questions
3 regarding that on the strip along Albany Post
4 Road. You don't have to answer them right now.
5 I'm just saying. But I preferred --

6 MR. ZACHARY: But that's related to
7 this. We're talking about the positioning of the
8 building and having that that green belt over on
9 the 9A side is part of that. So that's, that's
10 relevant now.

11 MR. ANNICCHIARICO: So, I guess, let me
12 just make this comment. If we could, if the
13 geometry of the lot allowed us to put the
14 building up front, we would have done that. It's
15 just there's no way to do it.

16 MR. ZACHARY: It's tapered.

17 MR. ANNICCHIARICO: Right, exactly. And
18 this is the size of the building that they need
19 to run their, their business efficiently and
20 profitably. And, you know, the other I believe
21 the old, how many the old layout have? How many
22 how many bays do we have? Five. Right. So we have
23 the same, we have the same number of bays.

24 MR. ZACHARY: Is it --

November 24, 2025

MR. ANNICCHIARICO: It's five. So, it's not like we've, you know, made the building bigger to, to get more bays. We've got the same number of bays, and that's where it fits on the lot. And, you know, in my mind, too, I think, you know, it's best for the neighbors to not have the doors facing them. The doors could be open all summer. Nobody even made I don't even believe anybody made a comment about that the first go around with the site plan. but now, you know, now it's coming up. But --

MR. ZACHARY: Right. Right now that that wall is, it 30 feet from the fence?

MR. ANNICCHIARICO: It's 30 feet.

MR. ZACHARY: From the property line?

MR. ANNICCHIARICO: At least 30, yeah.

MR. ZACHARY: And before what was it? Do you remember? It was more.

MR. ANNICCHIARICO: I think we're about 70, 75 maybe.

MR. ZACHARY: Okay. But the doors faced that side.

MR. ANNICCHIARICO: Right. Correct.

1 November 24, 2025

2 MR. ZACHARY: Okay.

3 MR. ANNICCHIARICO: Right. And if you
4 remember, we were adding an addition to the back
5 of the building towards the neighbors.

6 MR. ZACHARY: Yeah.

7 MR. ANNICCHIARICO: The first site plan.

8 MR. ZACHARY: Okay. Okay. Anyone else?

9 MR. outhouse: I do not have anything. I
10 as well would like to see it closer to 9A. I
11 understand the issues, but I do have some
12 concerns with the noise. But no major hang-ups on
13 the positioning of the building.

14 MR. ZACHARY: Okay.

15 MS. ARMISTO: I don't have any concerns
16 and I don't have any concerns with the parking in
17 front of the building.

18 MR. ZACHARY: Okay. Okay. So --

19 MS. ARMISTO: Although I don't really
20 think you want to put a bench and have people
21 sitting in the middle of your landscape,
22 honestly.

23 MR. ZACHARY: Oh, okay.

24 MS. ARMISTO: I don't think --

1 November 24, 2025

2 MR. ZACHARY: I thought it would be
3 nice. No? You don't.

4 MS. ARMISTO: -- a bench on the side of
5 Route 9A would be a safe place to sit.

6 MR. ZACHARY: Yeah. Okay, even if it was
7 set in a little? Okay. It just, it was a thought.
8 We could kind of -- anyone else have a feeling
9 about having a bench there? Was that a dumb idea
10 on my part?

11 MS. ABSENGER: Nice idea.

12 MR. ZACHARY: You like it?

13 MS. ABSENGER: You could go outside.

14 MR. ZACHARY: Okay. All right. So, so
15 that's one of the issues, the, the parking being
16 on the 9A side and my sense from the board now is
17 well there's some concern about it being closer
18 to the house and noise, the general consensus I'm
19 feeling here is that, given all the parameters
20 that it's, it's that not having the cars and that
21 activity and the open bay doors on the
22 residential side, on balance, there seems to be a
23 slight preference for that. Is that an accurate
24 assessment of what we all just said with people's

November 24, 2025

comments?

All right, there'll be more chances to comment, but let me go to the next issue. For me another one of the of the three issues is the dark metal. The design guidelines which, which were developed, along with the overlay zone that I think everybody here has a copy now. Everybody has seen that. Okay. So, the design guidelines are pretty, you know, are promoting softer colors and finishes and things that blend with the surrounding buildings in the village.

And specifically, I'll read one section. Well, I'll read, I'll read from the building materials and color. One, it says colors and finishes should be integrated into building form to break up building mass and provide visual relief where appropriate. Basically, that's what you've done by using different layers. So, we're good there.

But another section says facade colors should be low reflecting subtle and neutral or earth toned. The use of high intensity colors, metallic colors, black or fluorescent colors are

November 24, 2025

strongly discouraged. And even without seeing exactly what it said there, I thought that the dark colored metal was a little too industrial and we're trying to make it look a little more like other surrounding architecture.

I had asked you if you could also, you know, for contrast could give us some other kind of siding, something lighter, more earth tone and I, you know, we don't have that. But, but I, for me, for me that, that vertical metal, I appreciate that it's a nice looking thing for certain applications, but for this, I think there should be something a little bit more neutral toned. So, there's a second issue for me, and I'm going to let the board comment on that one right now.

MS. ARMISTO: I think -- I love the look of this.

MR. ZACHARY: You like that.

MS. ARMISTO: And I think that it's, it goes with the way design has trended since we put that together. I think if you look at new buildings around, there's color, there's

1 November 24, 2025

2 darkness, there's -- every new house that's being
3 built has black trim.

4 MR. ZACHARY: Okay. Okay.

5 MS. ARMISTO: So, I, I love the look of
6 the new building.

7 MR. ZACHARY: Okay. That's, we got We
8 have five members here. I'm, I have one opinion
9 and I want to hear them all. Anybody else?

10 MR. outhouse: Sure. I don't think the
11 design is bad. I like it. I don't necessarily
12 think it's appropriate for where it's going.

13 MR. ZACHARY: Oh.

14 MR. outhouse: I wouldn't say it would
15 hold me up from, from supporting it, but I'm with
16 you. We have these design considerations for a
17 reason, and we should try to incorporate them.

18 MR. ZACHARY: Okay. Okay. The left wing?

19 MS. Absenger: Okay, I went over and
20 looked at this. I looked at all the colors that
21 you had. I took a picture of it, I kept looking
22 at it and looking at it. It's a very industrial
23 look. There is nothing industrial around that
24 area there. Day Rose doesn't look industrial. The

November 24, 2025

houses prior to that to the church are not industrial. Everything is a lighter color. Day Rose is a lighter color and there were two browns in that grouping.

And I would like to see, Marco if you could do a rendering of a lighter brown instead of the charcoal. I like the charcoal but with the color of the macadam being black and then this ominous metal building, even though you say 120 feet off Albany Post Road, you're not going to see this, it's still going to be very visible.

And with the guideline of a little bit lighter, there were two browns there, one a little light, one a little darker. I would like to see some kind of rendering with those colors, if that's at all possible.

MR. ZACHARY: Now, this --

MS. ABSENGER: I'm not convinced this is the right color.

MR. ZACHARY: Are you -- is it, does the board feel like the metal would be okay if it was lighter or are we looking to see a different material?

1 November 24, 2025

2 MS. ABSENGER: Well, let me ask you a
3 question, Marco. If it gets lighter, is it more
4 metallic as the light hits it?

5 MR. MANDRA: So, I don't think the color
6 is going to make it more metallic. It would be,
7 it would be the type of paint you would use. This
8 is a flat finish. So, there's not going to be any
9 sheen at all. It's a flat paint.

10 MS. ABSENGER: What are the two brown
11 colors?

12 MR. MANDRA: I I'd have to see those
13 colors. This is browns that you saw from the
14 company?

15 MS. ABSENGER: Yeah, Bernie had them.

16 MR. MANDRA: Oh, Bernie. I didn't see
17 them

18 MS. ABSENGER: Remember the -- no.

19 MR. BERNARD CALABRO: [unintelligible]
20 [00:42:39].

21 MS. ABSENGER: They weren't light gray.
22 They weren't gray.

23 MR. ZACHARY: Well, a lot of grays are
24 have tones of brown or --

1 November 24, 2025

2 MS. ABSENGER: Yeah, there were tones of
3 brown which matched in with the stone. It, the
4 tones of brown gray, gray brown if you -- I'll go
5 along with that but it looks brown to me matched
6 the stone.

7 MR. MANDRA: Maybe it was just a warmer
8 a warmer gray. It could be a warmer gray with
9 like a brown undertone. I, I didn't see it, so
10 I'm not sure.

11 MS. ABSENGER: Oh, you didn't see it?

12 MR. MANDRA: No, I didn't.

13 MS. ABSENGER: Oh, I'm sorry about that,
14 Marco. But I do appreciate the sign with the oil
15 can.

16 MR. MANDRA: Okay.

17 MS. ABSENGER: You know, I asked for it.
18 I knew that --

19 MR. MANDRA: I mean as long as Bernie's
20 okay with it, I'm okay with looking at some other
21 color options. I just know that the owner feels
22 strongly that this is what they want. This is
23 their --

24 MS. ABSENGER: I just think --

1 November 24, 2025

2 MR. MANDRA: -- their pride and joy, and
3 this is the type of building that they're
4 interested in building.

5 MS. ABSENGER: Right. No, I understand.
6 I'm not opposed to the building. I just, you
7 know, as I'm looking at all the different colors
8 that are avail- that are around your building,
9 Bernie, it's much lighter. This is a this is a
10 very ominous building to me with the blacktop and
11 a lot of blacktop right in front. So, that's just
12 my feeling. But I Marco, I do have a copy on my
13 phone. I will bring it up if you want to see the
14 colors.

15 MR. MANDRA: Sure. And you know, while
16 we were talking the about the siding,
17 aesthetically and geometrically, there would be
18 no difference between this and board and batten.
19 No difference at all. It's, it's going to have
20 the same geometric shape. It's going to have the
21 same shadow lines. It's just one's metal and
22 one's not.

23 MR. ZACHARY: Okay. So, maybe it's more
24 the color than the material because you're

1 November 24, 2025

2 painting it, and, yeah. And is the metal more
3 durable? Is it --

4 MR. MANDRA: Metal is definitely more
5 durable, fire rated. I mean, it's definitely
6 going to add --

7 MR. ZACHARY: Is that a product that you
8 buy pre-primed? And, or --

9 MR. MANDRA: I'm sure, the metal
10 building they pre-prime it.

11 MR. ZACHARY: It comes pre-primed and
12 then you pick your paint. Are these oil based
13 paints that go on it?

14 MS. ABSENGER: You didn't see that?
15 That's what he presented to us that we went over
16 and looked at.

17 MR. MANDRA: Can I see that?

18 MS. ABSENGER: Yes.

19 MR. FAIELLA: That was the samples.

20 MS. ABSENGER: Those are the samples.
21 One was the stucco which was not smooth and --

22 MR. MANDRA: I saw the stucco and I saw
23 that.

24 MS. ABSENGER: Yeah. No, this was --

November 24, 2025

MR. MANDRA: It must have got --

MS. ABSENGER: That's what I went over
and saw.

MR. ZACHARY: Okay. I don't know if, I
I'm not sure if I saw that either. It's more of a
brownish.

MR. OUTHUSE: Dark brown.

MR. ZACHARY: Yeah.

MS. ABSENGER: There's a lighter brown
and a darker brown.

MS. ARMISTO: I also think that your
landscape pops a lot more against the darker
colors.

MR. ZACHARY: Okay. So, maybe we just
get some other, you know, some other things to
compare for the next time. Any other board
comments related to this? Okay. All right. So we
can come up with a couple of some maybe some
lighter colors, something we could compare at the
next time, please. All right.

All right. And there's a third issue
here. Drum roll please. So the, a lot of people
have commented about that structure, the oil can

November 24, 2025

structure. And we did at the last meeting ask the applicant to have an engineer look at it. And we got a report saying that they did not feel it could be moved. A lot of the stucco is cracking and the, the way it's framed, you know, moving it could be impractical.

And you know so the decision on whether this gets eliminated, end of story versus some way to save it is what we're discussing now. I'm going to say, you know, quite honestly myself, as you know, as cute as it's been over the years, I personally feel like it would be a bit much to insist that they find some way to move it given the engineers report we got, and that it might be time to move on from it. I know everyone's not going to be happy with my feeling on that, but that is my feeling about it. So, I'm going to turn that one over to the board members to comment also now. But I think, you know, just to summarize, I think that while we want -- we're going to demand certain things for of the applicant, I have a hard time putting this in that category because I think it's a bit too much

1 November 24, 2025

2 of a hardship to try to save that given the whole
3 rest of the plan. So that that's my feeling. Rest
4 of the board? You're not getting off the hook.
5 You got to talk.

6 MR. OUTHOUSE: I agree. I really do want
7 to see the oil can preserved. I understand it is
8 a hardship to move it and we have a letter from a
9 stamped design professional saying it can't be.
10 But I will take into account, I think we all will
11 public input on that. But still --

12 MR. ZACHARY: Yeah, oh yeah, I'm
13 thinking that's one of the --

14 MR. OUTHOUSE: We understand that it's
15 the cost prohibitive to move that, so.

16 MR. ZACHARY: Okay. Anyone else?

17 MS. ABSENGER: No, I thank Marco for
18 putting the oil can on the Gallon Measure sign.
19 How much bigger than the rectangular sign is the
20 oil can because it looks a lot bigger on this
21 rendering here.

22 MR. MANDRA: I believe it's three feet
23 tall on the sign.

24 MS. ABSENGER: Three feet tall on the

1 November 24, 2025

2 sign?

3 MR. MANDRA: I believe it is. Yeah.

4 MS. ABSENGER: And do we know if that
5 works within our guidelines of signage?

6 MR. MANDRA: I mean, I just put it up
7 there based on the proportions and how I thought
8 it looked most aesthetically pleasing with the
9 sign.

10 MS. ABSENGER: Okay. All right.

11 MR. MANDRA: I believe the guidelines --

12 MR. ZACHARY: There is a whole sign
13 section in the code books and I don't remember
14 size sizes offhand, but we could check that.
15 Okay.

16 MS. ABSENGER: Yeah, because if you can
17 make it a little bigger, that would be great.

18 MR. MANDRA: Okay.

19 MS. ABSENGER: But if it's, you know, if
20 it's what it has to be, I appreciate --

21 MR. MANDRA: Yeah, I think we felt
22 proportionately that what I have looked good. But
23 if it allows, we can make it bigger. If there's
24 an issue, we can adjust it.

1 November 24, 2025

2 MS. ABSENGER: Okay, good. Thank you.

3 MR. ZACHARY: Can you make a
4 commemorative coffee mug shaped like it and give
5 one to everybody at the next Buchanan Day? Did
6 that just come out of my mouth? All right. Anyone
7 else on that particular topic? Okay. And once
8 again, we're going to go a few through a few more
9 things and I'm going to allow, I'm going to set
10 it up for the public to make comments.

11 So just, I want to go over to our
12 professionals here now. I just, Peter, building
13 inspector, you said that in the email you sent us
14 today that we did receive some asbestos reports.
15 Can you can you explain that?

16 MR. PETER COOK: Yes. The demolition
17 permit was given to the owners. They have, since
18 two meetings ago have given us, I've gotten a
19 letter from the, from the department -- the
20 Division of Labor about the asbestos. I got the
21 Con Edison letter. I've got the letter from the
22 water department. I've got the receipts.

23 MR. ZACHARY: Con Edison and water
24 department that those utilities were shut off?

November 24, 2025

MR. COOK: Yes, all the utilities. everything to the final issuance of the demolition permit has been received. On the building department end of it, we've received the reports for the soil testing, which again I sent that in the email today, that there was no contaminants or asbestos taken from the soil samples on site. And then there was another test done at the Gallon Measure part. That was another multipage report. And that was also nothing in the building. There was a mention of caulking around the glass windows. It may have a small percentage for the time frame of the building.

But as of this point, all the items that needed to be addressed to acquire the demolition permit, which again will most likely include the Gallon Measure part, the gallon part, I've received everything that I need. Everything's been everything's been resolved on the building department end for the issuance of the demolition permit. And they've, they've, they've done everything that they were supposed that I asked them to do. Everything's been supplied.

1 November 24, 2025

2 MR. ZACHARY: Okay. So if we do move to
3 demolition, if they do move to demolition of the
4 oil can structure, they would need to have an
5 abatement done?

6 MR. COOK: Yes, that was also supplied.
7 The, the report was done in congruence with the
8 other --

9 MR. ZACHARY: Okay. Is that, is that in
10 piping? Is that in --

11 MR. COOK: No, there's nothing in that
12 building. It's just in the stucco and window
13 glazing.

14 MR. ZACHARY: What will be -- but it
15 would need asbestos abatement?

16 MR. COOK: Well, according to the
17 report, the window glazing.

18 MR. ZACHARY: Oh, the just the window
19 glazing.

20 MR. COOK: Yes. That's it. There's
21 nothing.

22 MR. ZACHARY: That's all. That's it. Oh.

23 MR. COOK: Yes. So, I'm saying it's,
24 it's there's really nothing that's a problem.

1 November 24, 2025

2 MR. ZACHARY: Usually it's in pipe.
3 Usually, it's in pipe insulation and older --

4 MR. COOK: Well, it's a round orifice.
5 There's nothing in there.

6 MR. ZACHARY: Yeah, Okay. Okay. All
7 right. Do you have anything else to --

8 MR. COOK: I've said I'm satisfied. I've
9 received everything that was asked for the
10 demolition permit requirements. The state, the
11 Division of Labor is they, they -- again I sent
12 that this morning with email. They're satisfied.
13 They received all the tickets also. There's, they
14 just, they recommended the report for the Gallon
15 Measure part also, which was done. And I have the
16 report. Again and it was the front page stated
17 that there were no contaminants from the soil
18 samples taken where the building was and the
19 Gallon Measure part that's still standing. so
20 there's no issues with that. I'm just going to
21 incorporate that into the original demolition
22 permit. You know, if I believe that has to, you
23 know, if that's coming down.

24 MR. ZACHARY: Okay. All right. All

November 24, 2025

right. Thank you. David, did you have anything that you wanted to add? I mean --

MR. DAVID SMITH: Mr. Chairman, we had submitted a memo dated November 19th, reviewing the materials that were submitted to the village. A lot of the comments that you've already raised, you and the board, were discussed as part of our review memo with respect to the oil can and its structural integrity, the addition of, uh, landscaping along the, Albany Post Road, frontage, lighting.

There were a couple of requirements on the prior site plan that we had asked the applicant, you know, no outdoor storage or outdoor storage is limited just to those automobiles being serviced. Storage of equipment outdoors is prohibited. Limited activity would be allowed to get disabled vehicles from designated spaces to the maintenance bay. The applicant had no objection to that condition being continued as part of a subsequent site plan approval and no painting of vehicles is allowed on the site. The applicant again did not object to this condition

November 24, 2025

being continued as part of any subsequent site plan approval. So on balance they've responded to the comments that our office had raised. The other issue with respect to the design, they provided the material board and you've all discussed that. But that's something that you --

MR. ZACHARY: They provided what?

MR. SMITH: The material board.

MR. ZACHARY: Oh, the material board.

MR. SMITH: Right. So they've provided that, so now you all need to take that into consideration as part of your evaluation of the design of the building.

MR. ZACHARY: Okay. All right. One thing that was in your memo today that I forgot to mention was about the sidewalk. And currently it ends where it did on the last site plan, which is sort of the middle of nowhere. And there was, at some point it was suggested to bring it all the way to the property line. And I kind of feel like then that's kind of a sidewalk to nowhere. You know, we're working on continuous sidewalks on 9A, but that, but I think I would like to see

1 November 24, 2025

2 that sidewalk come up to the driveway, because
3 you now have your parking in the front and your
4 office on that side. So, if anybody was walking
5 from the parking area on the on the sidewalk to
6 your office, the sidewalk would end about, I
7 don't know what it is, 20 feet before the
8 driveway.

9 MR. ANNICCHIARICO: Probably about 40
10 feet.

11 MR. ZACHARY: Forty feet?

12 MR. ANNICCHIARICO: There is a fire
13 hydrant in the way. And --

14 MR. ZACHARY: There's a fire hydrant
15 there?

16 MR. ANNICCHIARICO: And a utility pole.

17 MR. ZACHARY: Oh, that section has the
18 fire hydrant and utility pole?

19 MR. ANNICCHIARICO: That's the one with
20 the light pole, a fixture on it. You know, it's
21 our position that that's the way it was approved
22 for the first go round. It's really no different
23 now. Anybody could walk right in, you know.

24 MR. ZACHARY: Yeah. That's old history

1 November 24, 2025

2 now. We're here, we're here doing this again now.

3 MR. ANNICCHIARICO: Yeah. But my point
4 is --

5 MR. ZACHARY: No, but there's, there's -
6 -

7 MR. ANNICCHIARICO: I don't want to see
8 these guys spend more money just to make it just
9 to bring in an extra 40 feet.

10 MR. ZACHARY: Okay. Well, then so what,
11 so then the intent -- so then when people are
12 going to the office, they just, they walk in that
13 paved area.

14 MR. ANNICCHIARICO: If they want to go
15 in -- exactly. Exactly.

16 MR. ZACHARY: Okay.

17 MR. ANNICCHIARICO: They'd be in on the
18 site. I don't I don't know how many people are
19 going to be walking from the sidewalk.

20 MR. ZACHARY: Okay. Well, I did say that
21 not realizing that there was a utility pole and
22 fire hydrant in the middle of that.

23 MR. ANNICCHIARICO: Yeah, it's right,
24 it's actually right where the sidewalk ends.

1 November 24, 2025

2 MR. ZACHARY: Right. So then what's --
3 let's take it to the other the other way. What's
4 the purpose of having a sidewalk that leads to a
5 utility pole? Why don't you end it at the
6 driveway then?

7 MR. ANNICCHIARICO: We'd be happy to.

8 MR. ZACHARY: Is, I mean is that --
9 because to me that's like either it should go to
10 one driveway or, you know, right, you know. I
11 don't feel it has to go all the way to the end of
12 the property and be a sidewalk to nowhere. But if
13 --

14 MR. ANNICCHIARICO: In my opinion --

15 MR. ZACHARY: -- it, if there's
16 obstructions there what's the purpose of that
17 sidewalk beyond the driveway anyway?

18 MR. ANNICCHIARICO: I can certainly
19 shorten the sidewalk and they'd be happy to do
20 that. It's my opinion that if the village were to
21 consider putting sidewalks down Rockledge, it
22 would probably be on the opposite side of the
23 road. It would be on the south side.

24 MR. ZACHARY: Because there are no

1 November 24, 2025

2 utility poles.

3 MR. ANNICCHIARICO: Because there are no
4 utility poles on that side of the road.

5 MR. ZACHARY: Right, yeah.

6 MR. ANNICCHIARICO: There are utility
7 poles the entire way down Rockledge.

8 MR. ZACHARY: Right. Well, we won't hold
9 our breath on the village putting sidewalks down
10 Rockledge, but okay. So this -- my logic about
11 bringing to one driveway is pretty similar to my
12 logic about bringing it back to the last
13 driveway. If there's a telephone pole and a
14 hydrant in the way, is there anybody that could
15 tell me I'm crazy on this or else agree with me?
16 George, is there some reason I should not be
17 saying that?

18 MR. POMMER: So there is room --

19 MR. ZACHARY: George Pommer, our
20 engineer to the artificial intelligence keeping
21 my minutes.

22 MR. POMMER: So Mr. Chairman, there is
23 room in the right of way. The right of way goes
24 up to the curb. So the sidewalk could go around

1 November 24, 2025

2 the pole and come back to the, to the to the curb
3 side. We actually did that on Church Street.

4 MR. ZACHARY: Say that again, George,
5 I'm sorry.

6 MR. POMMER: So the sidewalk could go
7 around the pole and come back to the curb. It
8 doesn't have to go straight through the utility
9 pole. So if you look at Church Street, what we
10 recently did is the sidewalk goes around the pole
11 and then comes back. So there is --

12 MR. ZACHARY: To the inside I assume?

13 MR. POMMER: To, towards the building.

14 MR. ZACHARY: Towards the building. Yes.
15 Okay.

16 MR. POMMER: So actually if you look at
17 the rendering, the rendering actually shows
18 asphalt there.

19 MR. ZACHARY: The rendering? This?

20 MR. POMMER: Yeah. If you look at the
21 rendering, there's -- actually there's no utility
22 pole and there's, it's got a black swath of
23 asphalt there.

24 MR. ZACHARY: Yeah. You know, these

1 November 24, 2025

2 renderings often have mysterious colors filling
3 them in. You know, it's -- it's the CAD, CAD
4 systems, you know, fill that in with some
5 splotch, yeah.

6 MR. POMMER: Yeah. It's missing the
7 utility pole, it's missing fire hydrant. It's
8 missing a lot of stuff.

9 MR. ZACHARY: Yeah. That's not an
10 accurate, that, that's not a completely accurate
11 detail there on the on the rendering. And it
12 looks like there's a big puddle in the driveway.
13 Yeah. All right. So --

14 MR. ANNICCHIARICO: The pole has, I mean
15 the pole has a guide wire also on that side. So,
16 there are a number of reasons why I would, we
17 would prefer to leave it as it was approved the
18 first --

19 MR. ZACHARY: Well, I think with those
20 parking spots eliminated there, there doesn't
21 seem to be any reason that people would not be
22 able to walk on the pave portion. Okay. Anybody
23 any other opinions on this here? Nick, you got
24 yourself in trouble. I got nothing to say. That's

November 24, 2025

it. Okay. All right. All right. Well, let's just leave it the way it is for now, then. I did not realize there were those obstructions. Let's see. There's one other thing I want to mention is that we got a couple of letters. Now if we get letters, we're supposed to they're supposed to be added to the record, but these are two letters that came anonymously. I'm going to ask the attorney if she could just weigh in. Do we need to read these into the record or --

MS. PORTEUS: No, but you can mention that you got them and what the opinion was on them.

MR. ZACHARY: Okay. All right. Okay.

MS. PORTEUS: You have to keep them in the file.

MR. ZACHARY: Keep them in the file. Okay.

MS. PORTEUS: But you don't have to read them verbatim.

MR. ZACHARY: So, so we, we have those in the office. We could add them to the file. All right. Yeah, there, there are there's a lot of

November 24, 2025

comments here and some accusations about wrongdoing, you know, as far as dumping waste and things and I don't have any substantiation on this stuff, so I'm not going to comment on those things.

There are some questions about, you know, like who was the licensed contractor who attempted to move remove the roof. I mean things like that are a building department issue that that our building inspector has been working out on his end. They're not our planning issues. A comment that there should there should be a new environmental impact statement with the new application. There is a new --

MR. ANNICCHIARICO: An EIS? Or should --

MR. ZACHARY: Well, no I mean you did the, you're doing the SEQR, you did the SEQR short form --

MR. ANNICCHIARICO: Right.

MR. ZACHARY: Which is all that's required here.

MR. ZACHARY: Got you.

MR. ANNICCHIARICO: When I heard, that

November 24, 2025

kind of raised --

MR. ZACHARY: One of the letters questions whether the auto repair is an allowed use in the, in the zone, in this overlay zone. The overlay zone when it -- is just that. There's the, this area, it was a C2 zone, commercial two zone. And certain things are listed in our code that are allowed. Some things are allowed by special permit. The overlay zone allows some additional things, as far as, especially as far as residential buildings and development, but it does not eliminate the uses that were allowed before. So this is an allowed use. They do have to get a -- it is not an automatic allowed use. It has to get, they have to get a special permit which they have applied for. And that's something that we can grant. And, and being that this property has been used in that way for as long as we've all been around, I don't see any reason why they should not be given a permit to continue that. But so --

MR. ANNICCHIARICO: I would like to just get on the record that everybody is in agreement

1 November 24, 2025

2 that they do meet the definition of a minor auto
3 repair shop.

4 MR. ZACHARY: Oh, absolutely.

5 Absolutely. Major auto repair is auto body work.
6 basically and, and minor repair is basically
7 everything else. You know, your brakes, your
8 tires, your tune-ups and your oil changes. All
9 those things you go to the get service station
10 for, is called auto automotive repair minor.
11 Automotive repair major is auto body work and
12 that's not what's happening here. So, yes.

13 MR. ANNICCHIARICO: Thank you. Thank
14 you.

15 MR. ZACHARY: Absolutely. All right. So,
16 I'm not going to go into any more detail with
17 these two anonymous letters, but if you, you guys
18 have copies of this to put into the record, or
19 the file, whatever it is? Okay. I also did forget
20 to say that the applicant did send out the
21 required notices and there were 58 notices sent
22 out. Is that a 500 foot radius? It reaches all
23 the way to Burke Court. That's crazy. But 58 went
24 out, 37 signed came back signed by the people

1 November 24, 2025

2 that received them came back, 21 came back
3 without being signed. Does that mean the people
4 did not get them? I don't quite understand that.

5 MS. SHARON MURPHY: The post office
6 couldn't deliver them, so the people never got
7 them.

8 MR. ZACHARY: The post office did not
9 deliver them?

10 MS. MURPHY: They needed a signature.

11 MR. ANNICCHIARICO: They were either --

12 MR. ZACHARY: Oh, okay. So, so did they
13 do they leave something that we attempted to
14 deliver or do they attempt to deliver a second
15 time or is it just a one shot deal?

16 MS. MURPHY: That you have something.

17 MR. ZACHARY: Okay. So, if they leave
18 you with a thing saying, you know, you have this
19 if people wanted to, they could have gone to the
20 post office to get theirs.

21 MS. MURPHY: Yes.

22 MR. ZACHARY: Okay. All right. So, there
23 was a period allowing for that. All right, 58
24 sent out, 37 signed, returned. I should have read

1 November 24, 2025

2 that into the record at the beginning, but I did
3 not. Give me one second to see if there's
4 anything else I wanted to just, before I turn it
5 over to the public. I'm just going to thumb
6 through my notes here because I can't remember
7 everything I wrote down here.

8 Okay, I think we covered everything I
9 have on my outline here. So, I'm going to open
10 this up to for public comment. And when you come
11 up, please state your name for the record and,
12 and let us know what you have to say. Let's try
13 to be polite. Anybody want to come up?

14 MR. JEFF GALLAGHER: Jeff Gallagher, I'm
15 speaking on behalf of my aunt at 230 Rockledge
16 Avenue, Patty Lang, just a couple quick
17 questions. A lot of them are answered already. I
18 think the noise has, part to do with it being the
19 building so close to her house. And then also any
20 ventilation systems being to look at in the
21 future for the residents right in the immediate
22 area and also the people that are working within
23 the space.

24 MR. ZACHARY: Right. Right.

1 November 24, 2025

2 MR. GALLAGHER: It should be proper
3 ventilation. I know they said it was just going
4 to be a hose sticking out the door, but I would
5 think it would be exhausted out the roof.

6 MR. ZACHARY: What, let me, let me
7 bring, go over here. George, do we have, what do
8 we have -- what's been done as far as
9 ventilation?

10 MR. POMMER: So that would be answered
11 by the applicant or the applicant's design team
12 and it have to meet building code.

13 MR. ZACHARY: Could you could you go to
14 the mic and give your name?

15 MR. CALABRO: Bernie Calibro, Gallon
16 Measure. We were going to do any of the vents --

17 MR. ZACHARY: Fan, fan, like with fan
18 vents going up through the roof? Okay.

19 MR. CALABRO: To keep it away from the
20 sides of the building and away from the neighbor.

21 MR. ZACHARY: Okay.

22 MR. GALLAGHER: That was one of my
23 questions just for neighbors in that it is
24 exhaust from vehicles. Now if it does get

1 November 24, 2025

2 approved, whatever way you guys decide, you know,
3 any dust controls and, for when the construction
4 happens I think should be the resident should be
5 protected of some sort as far as like a dust
6 fence might be over six foot or ten foot, but --

7 MR. ZACHARY: Okay. Peter, is that
8 something you can address?

9 MR. GALLAGHER: And it would only be
10 temporary during the construction.

11 MR. ZACHARY: Right. What --

12 MR. COOK: I don't, I don't know --

13 MR. ZACHARY: Excuse me. Is there is
14 there going to be any wood frame component to
15 this? Or it's a metal, it's a metal structure
16 underneath? So dust would be where when you're
17 doing insulation or what? Or is this not --
18 because it's not like a -- if it's not a wood
19 frame building.

20 MR. GALLAGHER: You know, during
21 excavation or anything.

22 MR. ZACHARY: Excavation. Right, okay.

23 MR. ANNICCHIARICO: It's probably just
24 during site work, putting the foundation in and

1 November 24, 2025

2 everything.

3 MR. ZACHARY: Got you.

4 MR. ANNICCHIARICO: You know, there are
5 there are notes in the erosion and sediment
6 control plan that deal with dust and you know the
7 requirement that you know the applicant has to
8 control dust during the during construction.

9 MR. ZACHARY: Can you, can you just is
10 there any part of that you can briefly tell us
11 about like, is it hay bales or --

12 MR. ANNICCHIARICO: Typically it's if
13 conditions are that dry and there's a real dust
14 issue, that they have to you know they have to
15 wet everything. Yeah.

16 MR. ZACHARY: Okay. So, there's
17 something in the, in the in the documents that we
18 have that address that. Okay. All right.

19 MR. GALLAGHER: And like the height of
20 the building, I know it meets 35 feet or under.
21 It's one story building, but as far as like my
22 aunt's house, she has her kitchen window and a
23 couple windows off that side. And now she's just
24 going to be staring at a building with not

1 November 24, 2025

2 shrubbery.

3 MR. ZACHARY: Right.

4 MR. GALLAGHER: Any reason why it had to
5 be so high being it's really technically a one-
6 story building?

7 MR. ZACHARY: How much higher is this
8 building than what was there before?

9 MR. GALLAGHER: Fifteen feet would be my
10 guess.

11 MR. POMMER: No, it had a second floor
12 on the original proposal and it was even higher.

13 MR. GALLAGHER: No, no, the original
14 building.

15 MR. POMMER: Oh, the original.

16 MR. GALLAGHER: Probably what, maybe 20
17 ft tall.

18 MR. POMMER: Yeah, but we still, the
19 other building got approved and it was a two-
20 story building.

21 MR. GALLAGHER: Yeah. Yeah.

22 MR. POMMER: Yeah. So I don't understand
23 what you're asking.

24 MR. GALLAGHER: [unintelligible]

1 November 24, 2025

2 [01:10:52] feet --

3 MR. ZACHARY: But that was further in.

4 MR. GALLAGHER: -- away, you could
5 actually see out the windows.

6 MR. POMMER: Yeah.

7 MR. GALLAGHER: That was just
8 observations.

9 MR. ZACHARY: Yeah. Yeah.

10 MR. GALLAGHER: It's within the setback
11 [unintelligible] [01:11:01].

12 MR. ZACHARY: Well, I know it's only a
13 one-story building, but I think there's, there's
14 a -- the inside vault and ceiling is open. Is
15 that correct? And what is it? That's how high is
16 the new building going to be?

17 MR. ANNICCHIARICO: Thirty-four foot
18 [unintelligible] [01:11:19].

19 MR. ZACHARY: And okay, so why, can you
20 answer why a one-story building is that tall?

21 MR. GALLAGHER: It was just a question.

22 MR. ZACHARY: Yeah, it is just a
23 question. Can we just get -- oh, because of the
24 car lifts. Okay. I mean, it was I'm not asking

1 November 24, 2025

2 I'm not asking facetiously. I'm just --

3 MR. ANNICCHIARICO: I mean essentially,
4 you know, if we were to put a flat roof on it, I
5 don't think anybody would be happy with that, you
6 know.

7 MR. ZACHARY: Right.

8 MR. ANNICCHIARICO: So, you know, the
9 pitch of the roof is really what --

10 MR. ZACHARY: Okay. And then I wasn't
11 thinking about --

12 MR. ANNICCHIARICO: -- is really what's
13 causing, you know, the, the height of the of the,
14 you know, the overall height of the building.

15 MR. ZACHARY: Okay. All right. Okay.
16 Thank you. Anybody else? Anybody else want to
17 comment? Okay. Is there ask the question. Well, I
18 think if anybody in the audience wanted to
19 comment on any of the stuff we've talked about,
20 the building dimensions, the colors, the oil can.
21 Anybody can comment on whatever they want. Yeah.
22 Oh, yes. Hi. Please give us your name.

23 MS. PAULA CHACON PAUL: Paula Chacon
24 Paul. I'm right in front of them, I'm the

1 November 24, 2025

2 neighbor 3109 Albany Post Road. I have a question
3 regarding this metal building. You're right,
4 right across from them?

5 MS. PAUL: Yes.

6 MR. ZACHARY: Okay.

7 MS. PAUL: You're going to paint it,
8 right? I mean, I have a lot of questions. This
9 building is going to be painted, correct? The
10 metal will be painted?

11 MR. ZACHARY: Yes. They've suggested
12 this and we're asking to see some lighter colors,
13 but yes.

14 MS. PAUL: Okay. What happens when this
15 paint fades over time? Is it going to be rust?

16 MR. ZACHARY: Well, I --

17 MS. PAUL: I'll be looking at rust?

18 MR. ZACHARY: Well, let me ask this
19 material comes pre-primed and what, what, I mean
20 I think like any other building, clapboard or
21 wood that gets painted once it's, you know, after
22 some period of time, it might need a coat of
23 paint.

24 MR. JOHN PAUL: They just said is it's

1 November 24, 2025

2 galvanized steel.

3 MR. ZACHARY: Oh okay. I didn't hear
4 that part. From the sideline, the applicant
5 commented that it's galvanized steel, so it will
6 not rust. Okay. I'm just doing that so it's in
7 the record. And the paint that's used on it is it
8 oil based or a latex paint? An epoxy paint. So
9 that's a pretty durable finish. So, you know, it
10 I think that that our code does require
11 maintenance if something became unsightly, you
12 know, that, that and if they they're operating a
13 business, I think they're going to want to keep
14 it. But we do have a code that addresses property
15 maintenance issues. If, if for some reason they
16 decide to let their paint peel.

17 MS. PAUL: And there's no way to keep
18 the Gallon Measure, like fortify it or even keep
19 it in its current area. I know there's going to
20 be a parking lot there.

21 MR. ZACHARY: I wish there was a way to
22 just to do, I wish there was something really
23 creative we could do with it.

24 MS. PAUL: How about if the town chips

1 November 24, 2025

2 in or something like, is there any way you can
3 keep it?

4 MR. ZACHARY: Could we donate it to an
5 art museum or something?

6 MS. PAUL: Like any way to keep it at
7 all?

8 MR. ZACHARY: Yeah. I --

9 MS. PAUL: I know we're a small village,
10 but can we do something?

11 MR. ZACHARY: I'd love to hear workable
12 ideas, but I have I'm sort of at a loss for what,
13 would we could do with it. I had suggested we put
14 it on the village hall lawn and make it the
15 mayor's office, but you know, nobody, nobody
16 liked that.

17 MR. COOK: Nick, you said I could have
18 it.

19 MR. ZACHARY: Oh, I said you could have
20 it?

21 MR. COOK: You did.

22 MR. ZACHARY: Okay. Sorry. You get first
23 shot. Okay. I wish I, you know, I'd love to hear
24 some workable idea, but I, I just don't have one

1 November 24, 2025

2 right now.

3 MR. PAUL: And just so you guys know,
4 with the -- John Paul also 3109 Albany Post Road.
5 You guys were talking about the decibel levels
6 and in the winter it's not a big deal, but in the
7 summer for being right across from them, it is
8 terrible.

9 MS. PAUL: I work from home and the
10 other side of the house.

11 MR. PAUL: It is extremely --

12 MR. ZACHARY: Is that because the bays
13 are open in the summer and closed in the winter?

14 MR. PAUL: The bays were right up on
15 Route 9. So they would come straight across --

16 MR. ZACHARY: Well --

17 MR. PAUL: [unintelligible] [01:15:55]
18 The shrubbery we have helps a little.

19 MR. ZACHARY: Right.

20 MR. PAUL: But I think no matter what
21 bays, what, how --

22 MR. ZACHARY: Well they are, whatever it
23 is 40 or 50 feet further back now.

24 MR. PAUL: But I just wanted to at least

1 November 24, 2025

2 let you know that that would be an issue no
3 matter what.

4 MR. ZACHARY: And perhaps that
5 landscape.

6 MS. PAUL: That would be definitely an
7 issue for the neighbor.

8 MR. PAUL: Yeah.

9 MS. PAUL: Like for Patty that would
10 definitely be more of an issue because if I could
11 hear them across the street, then she definitely
12 --

13 MR. ZACHARY: Right. Although I think it
14 has to do with which, which way the doors are
15 facing. No?

16 MR. PAUL: Somewhat.

17 MR. ZACHARY: I think that's the key
18 thing. Now I wonder is that land- will that
19 landscaping in the front help to block? Is there
20 enough of a, is there enough of a landscaping in
21 the front there that that might help with sound
22 moving?

23 MR. PAUL: Yes, that would also, you
24 know not as --

1 November 24, 2025

2 MR. ZACHARY: Maybe that will help.

3 MR. PAUL: Trees also would help that in
4 a rush.

5 MR. ZACHARY: Well, it seems like
6 there's a couple of things that might make it a
7 little better for you, being a little further
8 back and that landscaping in the front. Maybe,
9 you know, we're, we're trying to have that
10 landscape strip a little wider so that there's
11 staggered plantings and maybe not -- is
12 everything in there, is there some of the
13 plantings in there are going to be small like not
14 just you know flowers on the ground but like
15 little arborvitae or something like that? Okay.
16 So hopefully those two things together make it a
17 little bit better.

18 MS. PAUL: It makes it, I guess it'll
19 make it better for us, but then I'm also
20 concerned about my neighbors.

21 MR. ZACHARY: Yeah, I guess in the
22 summer you would always work with those doors
23 open. You'd have to, right?

24 MS. PAUL: Yeah.

1 November 24, 2025

2 MR. ZACHARY: Yeah.

3 MS. PAUL: The fumes.

4 MR. ZACHARY: All right. And the
5 operation hours end at 5:00, is it, under normal
6 days? Yeah. If there's no emergency or something.
7 Okay. Okay. Well, I'm hoping those two things
8 serve to make it a little bit quieter for you.

9 MS. PAUL: And when the construction
10 actually takes place, you know, we would like to
11 also say if there could not be drop off of
12 construction vehicles and stuff like that with
13 the lights pointing into our house at like 3:00
14 o'clock in the morning, 5:00 o'clock in the
15 morning.

16 MR. ZACHARY: Well, they, they should
17 not be out there at 3:00 or 5:00 in the morning.

18 MR. PAUL: Well, we were told it was
19 just they couldn't, they came early and just
20 decided to deliver regardless. We did make a
21 comment about this to the board before and they
22 did say they'll see what they can do to stop it
23 from happening. So, we're just reiterating it.

24 MR. ZACHARY: Okay.

1 November 24, 2025

2 MR. PAUL: You know.

3 MR. ZACHARY: Okay.

4 MS. PAUL: And now the lights, once
5 again, we're talking about those lights, that
6 they're not going to be facing down. There's
7 going to be new street lights. Are they're going
8 to be facing towards our house as well?

9 MR. ZACHARY: No.

10 MS. PAUL: Should just be the
11 [unintelligible] [01:18:37]. I'm not that
12 familiar with the light, but George?

13 MR. POMMER: They're, they're meant to
14 not -- they have the globe and the globe has a
15 frosted, frost to it, so you can't -- I mean,
16 you'll see a glow to the globe, but it's not
17 meant to shine like a spotlight or flood.

18 MR. ZACHARY: Right. And the and the
19 lights on the front of the building are also not
20 spotlights pointing out. They're pointing down.

21 MS. PAUL: Down, that's good.

22 MR. ZACHARY: Yeah.

23 MS. PAUL: That's good to provide
24 security for people walking by.

1 November 24, 2025

2 MR. ZACHARY: Yeah. And there should be
3 enough planting there then that when the cars,
4 the cars that park in the strip facing 9A, their
5 headlights should be blocked. Am I correct? Is
6 there going to be enough staggered plantings so
7 that headlights are not --

8 MS. PAUL: That was yeah, that's not
9 going to bother us.

10 MR. ZACHARY: Because there was no --
11 that was, well that was open in the front before.
12 Nobody really, anybody in the front was just
13 pulling in and pulling out. Yeah.

14 MS. PAUL: That never bothered us.

15 MR. ZACHARY: Okay.

16 MS. PAUL: That doesn't matter.

17 MR. ZACHARY: Okay. Okay, so your
18 concern is about light, glare and about noise and
19 I'm hoping --

20 MR. PAUL: And also as was stated before
21 possibility of dust coming our way if there's
22 going to be anything --

23 MR. ZACHARY: Right.

24 MS. PAUL: Because sometimes the wind --

November 24, 2025

MR. ZACHARY: Well, they have to they have to follow protocols to keep dust down when they're doing construction. And hopefully the, the landscaping and the building being set back a little more works on your, to your advantage a little bit.

MS. PAUL: And we still would like to look out our window and see Gallon Measure. We would like to see the gallon can. That's what I would like to see.

MR. ZACHARY: Do you have room on your front lawn? Do you have room on your front lawn for the it?

MS. PAUL: If we move the tree, maybe you can put it in our front lawn. I would still like to see that if possible. I would really like to continue seeing such a landmark and something that I've been almost staring at for ten years.

MR. ZACHARY: Like I said, if anybody thinks they have an idea that could work, please let me know. I just right now --

MS. PAUL: You're a bunch of smart people, you can come up with something.

1 November 24, 2025

2 MR. ZACHARY: I know, I know. I guess
3 I'm not as smart as I thought I was.

4 MR. PAUL: Next meeting, will there be
5 more four questions?

6 MR. ZACHARY: Yes, the next the meeting
7 will be held over to the next month. And next
8 month's meeting, by the way, is early because of
9 Christmas. It's December 18th, which is the
10 third, it's the third Thursday instead of the
11 fourth because of Christmas, December 18th. It'll
12 be in the village calendar. Yeah.

13 MS. PAUL: Okay. Thank you.

14 MR. ZACHARY: All right. Thank you,
15 guys.

16 MS. PAUL: Thank you.

17 MR. ZACHARY: Anyone else? Yeah.

18 MS. CAMI PERRONE: Hi. my name is Cami
19 Perrone. Just a couple things I wanted to
20 mention. I understand everyone seems really upset
21 about some of the construction that's going to be
22 going on and things and, and change, right. And
23 change is not always easy. But you also have to
24 remember this, this structure isn't the greatest

November 24, 2025

work environment. And Gallon Measure and Little Bear has done a great job of helping so many kids in the community and giving them jobs and having them come down from the high school and work after school and give them a place to go so they're not hanging out and getting into trouble and doing those things.

So, as much as everyone's upset and I, I understand I'm not on their side, but to worry about the little things that's holding up a family's livelihood and they're not able to do their full job, I just think we have to look at the bigger picture here.

MR. ZACHARY: Yeah.

MS. PERRONE: I mean, it's sad to not have Gallon Measure, but it's not safe. They just said it's not a safe environment. So, as much as that stinks, but for people to come up here and keep delaying the process more and stop them to be able to provide for their family, they have kids going to college. They have, they help so many kids in the community. They, they pay kids to come after school and work there, not for

1 November 24, 2025

2 free. They pay them. They give them something.
3 They're giving back. They do different things
4 within the community.

5 MR. ZACHARY: Yeah.

6 MS. PERRONE: So, I just hope that
7 everyone can take -- I know construction stinks,
8 right. The, the dust, all those things, they, it
9 stinks. Nobody likes living next to it. But if
10 there's somebody that's going to build a house
11 right next to you, if somebody's house burns down
12 and they have to build, these are all things with
13 the dust and the this and the that and you have
14 to build the structure. Remember, this is a small
15 family business. They're not a big conglomerate.
16 They're not a corporate company that has millions
17 and millions of dollars to do all these things.
18 It stinks. And you know what? It's only going to
19 improve our property value.

20 Gallon Measure means something to us,
21 but times change. We need newer things so that
22 they can keep up with the technology and things
23 that are going. Most of the cars they see are
24 probably battery. So my thing is, is just

November 24, 2025

remember that it's a -- they're a family business and that's what we really want to keep around here. Do we want a Mavis Tire moving in there? So everyone's worried about, you know, is do they have the right code? Do they have this? Almost every single person that bought their house on that street moved in after Gallon Measure was already there. So, you knew exactly what you're moving into. Believe me, I just purchased a house a few years ago on a street and after I moved in, all these rentals came up and I'm not happy with the way that things are going. So, what am I going to do? Throw my arms up in the air or do I move or figure it out? We have to learn to figure things out and stop hurting people.

You saw Brian's two little kids sitting here. This is their family. They're growing up there. Brian's son is talking about how he loves to go there and help and work. And these are the things that we're stopping them so, where they're going to have to wait another month to get approval.

MR. ZACHARY: Well, they were going to -

1 November 24, 2025

2 - yeah.

3 MS. PERRONE: You're taking money out of
4 their pocket and also making a lot harder for
5 everyone to get their cars fixed and everything
6 else.

7 MR. ZACHARY: I'm sympathetic to that,
8 but like I said earlier, we do have certain
9 procedures we have to follow.

10 MS. PERRONE: I understand.

11 MR. ZACHARY: And the village is, you
12 know, it was not an anticipated thing. The
13 village didn't tear down that building, you know.
14 So, we're trying to, we're trying to get through
15 it. And I do appreciate your point, because I
16 mean, these they're good guys and they're good
17 community members. But you know, we still have to
18 we still have to look at the whole picture and,
19 and balance out everything. And we have steps we
20 have to follow and things we have to complete.

21 MS. PERRONE: Boxwoods or --

22 MR. ZACHARY: We're not deliberately
23 trying to delay and hurt them, but we do have a
24 couple of things we have to do. And that, you

1 November 24, 2025

2 know, it's the second time we're going through
3 the whole process.

4 MS. PERRONE: Important for everyone to
5 do their homework ahead of time and come here and
6 let's get things done.

7 MR. ZACHARY: Yeah, yeah.

8 MS. PERRONE: All right. Thank you.

9 MR. ZACHARY: All right. Thanks for your
10 comments.

11 MR. HENRY GALLAGHER: My name's Henry
12 Gallagher. My, I was the one who started this.
13 For my sister's health. All I asked for was
14 protection for my sister and it didn't happen.
15 Well, I want to know what your decision is about
16 the protection for my sister.

17 MR. ZACHARY: You're talking about --

18 MR. GALLAGHER: My sister's on oxygen.
19 And I had one of one of the owners come up to my
20 table and I showed it to him. My sister wiped the
21 table off 10 times and I went like this and I
22 showed him right or wrong, it was black. I'm
23 worried about the dust that's going in her lungs.
24 She's sitting there on oxygen. I want to know

1 November 24, 2025

2 what's going to be done about that. I know good,
3 new is good or better than old. I'd go along with
4 that. And I have no problem with these gentlemen.
5 They're good guys. They came up to talk to me.
6 But I also showed them what was on, in my hand
7 was black dust. You hear my voice? This has been
8 going on for two months. My voice is raspy. And I
9 want to know why it's raspy. I've never had a
10 voice like this before. But that's what my point
11 is. I got nothing, no problem with these guys.
12 They do a good job. But also, I got to worry
13 about my sister's health. And I want to know what
14 you want to do about that.

15 MR. ZACHARY: Yeah.

16 MR. GALLAGHER: You said you were going
17 to put a blinder up. It was never done. He said
18 he was going to have a blinder up. Never done.
19 They said there's a permit on the fence. There's
20 no permit on the fence.

21 MR. ZACHARY: What, what do you mean by
22 a blinder?

23 MR. GALLAGHER: On my sister's house, so
24 the dust doesn't go to the house.

1 November 24, 2025

2 MR. ZACHARY: Okay.

3 MR. GALLAGHER: That's what we said. We
4 said it right here in this meeting, you were
5 going to protect it.

6 MR. ZACHARY: All right.

7 MR. outhouse: Go back and look at the
8 minutes. I never said anything like that.

9 MR. GALLAGHER: You better go back and
10 look. Because I don't --

11 MR. ZACHARY: All right. Let's, let's
12 just, you, you know, your situation seems a
13 little more --

14 MR. GALLAGHER: My sister's health is
15 worth more to me --

16 MR. ZACHARY: Yeah, I understand.

17 MR. GALLAGHER: -- than this building.
18 But they also have a job.

19 MR. ZACHARY: There's a bit more emotion
20 coming from you than the other people, but a few
21 people have commented about the dust and I think
22 that we're going to make sure that when the new
23 building goes up, whatever's done there --

24 MR. GALLAGHER: [unintelligible]

1 November 24, 2025

2 [01:27:08] --

3 MR. ZACHARY: -- protocols are kept.

4 MR. GALLAGHER: The dust is over now.

5 MR. ZACHARY: If it's really -- well,
6 no, we can't, we can't go back. And if there's
7 any, you know, if there's anything to go back on
8 as far as paperwork or fines or whatever, that's,
9 that's in the building department. As far as what
10 we're looking at here now, we're looking at a new
11 building and that's our job here.

12 MR. GALLAGHER: And I said --

13 MR. ZACHARY: And I'm sorry --

14 MR. GALLAGHER: -- there's not going to
15 be any dust with this. It's metal. That's what
16 I'm saying

17 MR. ZACHARY: But a few people have
18 expressed concerned about dust and --

19 MR. GALLAGHER: I don't have no problem
20 with you guys. We, we live together, but I'm
21 just, I worry about my sister's health. I'm sure
22 you would worry about your sister's health.
23 That's all I care about. Thank you.

24 MR. ZACHARY: Thank you. Okay. Is there

1 November 24, 2025

2 anybody else?

3 MR. MICHAEL WENZ: Michael Wenz, 202
4 First Street. Would you guys mind bringing up the
5 rendering, the elevation of the front of the new
6 building, proposed building?

7 MR. ZACHARY: Oh, yes, please do. That
8 one?

9 MR. WENZ: Yep. That's it. I think you
10 should take a good look at that. And I think you
11 should drive up and down Albany Post Road. That's
12 more attractive than 90 percent of the things you
13 see in the village of Buchanan.

14 MR. ZACHARY: Okay. Okay.

15 MR. WENZ: And I'm in support of the
16 Gallon Measure.

17 MR. ZACHARY: Yeah. Yeah. Okay. Thank
18 you for that observation. Yes, sir. State your
19 name.

20 MR. ROB MCCARTHY: Rob McCarthy. I
21 completely echo what Cami said, and I'll just add
22 one caveat to it. When a local family's lives are
23 sitting in the balance financially with their
24 business, cracking jokes really isn't a good

1 November 24, 2025

2 look. That's my comment first and foremost.

3 Second, can we look at the code that you read
4 regarding the color of the building or the design
5 statutes?

6 MR. ZACHARY: The design guidelines?

7 MR. MCCARTHY: Please.

8 MR. ZACHARY: Yeah. Is that something we
9 have the office? If anybody wants to come in to
10 see it, how do we do this? I mean, I, you could
11 look.

12 MR. MCCARTHY: No, because I, I'm
13 hearing codes when it comes to the building, when
14 it comes to his responsibility and Gallon
15 Measure's responsibility. Last time I looked,
16 brown is an earth tone which is specified in the
17 code. As a homeowner, I get concerned because if
18 we start turning codes into some people have to
19 follow them, but the board doesn't and gets to
20 put their personal opinion in on color just to
21 delay his process.

22 MR. ZACHARY: Yeah.

23 MR. MCCARTHY: That's not the way a code
24 works. So, if they're mandated to follow code,

1 November 24, 2025

2 you're not allowed to modify code without the
3 proper process on personal opinion.

4 MR. ZACHARY: Well --

5 MR. MCCARTHY: 110 percent in support.

6 MR. ZACHARY: What we're talking about
7 are these design guidelines that that the village
8 has developed and they, they suggest certain
9 materials and schemes.

10 MR. MCCARTHY: But it does not say
11 unless Mr. Zachary or Ms. Asbsenger likes a
12 different color. It specifies the colors that are
13 acceptable and it says earth tones. Please,
14 Google is on your phone. Brown is an earth tone.
15 Every color in that building is acceptable.

16 MR. ZACHARY: Okay. Thank you. Anyone
17 else? Okay. Then I'm going to -- is there anybody
18 on the board that wanted to say anything before
19 we -- all right. I'm going to, if nobody else
20 wants to come up. I'm going to suggest that we
21 adjourn the meeting. Oh, we have seven people on
22 Zoom. Is there anybody out there that would like
23 to comment remotely? Okay, no? Is there a time
24 delay? No. Okay. So, Jim, were you looking to say

1 November 24, 2025

2 something?

3 MR. ANNICCHIARICO: Yes and no.

4 MR. ZACHARY: I'm, I was going to --
5 well, if you have something to say, go ahead.
6 Otherwise, I'm getting ready to adjourn till next
7 month's meeting.

8 MR. ANNICCHIARICO: Okay. What I would
9 hope for is that we can at least get to the point
10 where we either straw poll the board and we get
11 some sort of warm and fuzzy at least for the
12 building location. Colors are another thing I we
13 can talk -- we don't want to talk all, you know,
14 week.

15 MR. ZACHARY: What is it that would
16 matter between now and December 18th? Because
17 you, you kind of heard the board's opinions here.
18 There's a little bit of a mix.

19 MR. ANNICCHIARICO: Well because --

20 MR. ZACHARY: In, in general, in general
21 we seem to be okay with the building and
22 location. In general, there's, there's, you know,
23 the opinions are a little different but in
24 general people would like to see some lighter

November 24, 2025

samples than that than that that dark gray there.
And, and as far as the, you know, and I think
there's a general consensus about making that
landscaping a little bit more, a little wider up
on the 9A side.

Am I leaving anything out? I mean I
think you kind of heard the board and I mean at
this point, we're still waiting on a few we have
to wait on the response from the county. We're
looking to complete the process as soon as we
can, but we do have a couple things that we have
to keep this open for.

MR. ANNICCHIARICO: Yeah, understood.
And I wasn't expecting the public hearing to be
closed tonight at all.

MR. ZACHARY: Right.

MR. ANNICCHIARICO: County --

MR. ZACHARY: But what, what, so what is
it that you would need? What I'm saying is we can
talk into next month, you know, maybe even beyond
that and I don't really want to, but colors,
landscaping, all those things. They're just, you
know, secondary things to me.

1 November 24, 2025

2 MR. ZACHARY: Right.

3 MR. ANNICCHIARICO: The building itself,
4 Bernie has to, they have to order this building.
5 And it just, they don't, it doesn't --

6 MR. ZACHARY: Yeah, we've had that
7 conversation. And I, I'm sorry, but if you wanted
8 to, you know, I think if you do that, you're
9 doing it at your own risk because I don't know if
10 somebody's going to change their mind or if
11 something else is going to come up.

12 MR. CALABRO: Well, let me just outline
13 the process of ordering the building. You have,
14 you place the order and you're put into a queue
15 that usually takes about three months to
16 complete. The first month is all going back and
17 forth at the engineers and the architects. If we
18 have a slight color change in December, it's fine
19 to do that, but I need to order the building as
20 soon as possible.

21 MR. ZACHARY: What you're ordering is
22 the building. It doesn't, you're not, not the
23 flagstone, not the metal, not the siding. It's
24 just the structure.

1 November 24, 2025

2 MR. CALABRO: They need to start
3 engineering the structure. Part of ordering the
4 building is three to four weeks of engineering
5 leading up into color choices and everything like
6 that.

7 MR. ZACHARY: And that, so it's
8 basically the structure and the windows.

9 MR. CALABRO: Not even the windows.

10 MR. ANNICCHIARICO: Not even the
11 windows.

12 MR. CALABRO: Just, just engineering the
13 structure.

14 MR. ANNICCHIARICO: It's the steel. It's
15 the steel beams inside the building. They're got
16 to get that, they -- because they all have to be
17 manufactured. They all have to, you know, they
18 all have to have the bolt patterns, flanges, you
19 know, welded onto the bottoms. So, we have, you
20 know, we have to then, we have to design the, the
21 foundation plan and the slab. You know, that
22 doesn't take forever, but I --

23 MR. CALABRO: So when I say order the
24 building, I didn't mean we're ordering the color

1 November 24, 2025

2 tomorrow.

3 MR. ANNICCHIARICO: Right.

4 MR. ZACHARY: You're ordering the --

5 MR. CALABRO: I'm just ordering --

6 MR. ZACHARY: You're ordering the

7 foundation --

8 MR. CALABRO: -- starting the process.

9 MR. ZACHARY: -- the, the base
10 structure?

11 MR. CALABRO: Just basically starting
12 the process too.

13 MR. ANNICCHIARICO: The footprint, if
14 you will.

15 MR. CALABRO: They're going to take
16 several weeks going back and forth with our
17 engineers to get the structure engineered.

18 MR. ZACHARY: Well, I didn't hear any
19 comments that suggested the building should be a
20 different size or --

21 MR. CALABRO: That's what I'm getting
22 at, I guess.

23 MR. ZACHARY: You know, I did, I did not
24 hear anything to that effect. It only had to do

November 24, 2025

with landscaping, lighting, finishes, saving the oil can, that kind of stuff. Now, but still, it's at your own risk because if something some new information comes up or somebody changes their -- I don't know if somebody's going to change their mind or, or you know.

UNIDENTIFIED MALE:

MR. ZACHARY: Well, we're going to vote on the site plan when we have all, when we're done. And we're not done yet.

MR. CALABRO: The site plan's pretty much done.

MR. SMITH: Mr. Chairman, Mr. Chairman. Yes. The, the public needs to come up to the microphone and identify themselves for the record.

MR. ZACHARY: Okay.

MR. SMITH: One at a time. All comments are to be directed to the chairman.

MR. ZACHARY: Okay.

MR. CALABRO: The site plan is, with, with the structure is pretty much figured out. So, I'd like to be able to move forward with the

November 24, 2025

structure colors next month. We can we can argue back and forth.

MR. ANNICCHIARICO: But yeah, that that's really what I'm getting at. I mean, I don't I don't see how there's going to be any new information that comes about and says to you, No, we don't want this building in the back. You either want it, you know, it either fits there or tell us to go home, because it doesn't fit anywhere else on the on the on the, on the, on the site.

MR. ZACHARY: Well, look, like I said, I did not hear any comments to that effect, but I'm not going to have a vote with the board tonight on approving your, you know, you to buy that building. It, if you know --

MR. ANNICCHIARICO: Well, I guess I'm not saying you have to vote that allows us to buy the building, but I don't understand why we can't get some sort of, you know, feedback from the board about the site plan itself. Like Bernie said, colors, landscaping, we'll talk to you. You know, we could talk about that for two months if

November 24, 2025

you want. We don't want to, and I'm sure you don't want to either, but we could do that. That's, those aren't important issues. The important issues are the footprint of the building, us getting our foundation plan going, ordering the building. I mean, I don't see -- in my mind I, I know you, I know it's a it's a requirement to notify the county, right, for a special permit, right. I've never seen the county come back and have anything to say unless it's a huge project.

MR. ZACHARY: Yeah.

MR. ANNICCHIARICO: And so I can I can almost, with almost 100 percent certainty tell you that the county planning is going to come back and they're going to say it's a local issue, handle it on your own. I mean, you know, with almost 100 percent certainty, I could tell you that.

MR. ZACHARY: Yeah, Jim, the best I could tell you is you're in pretty good shape there, but if something were to happen, you you'd have it, you know, it may be a small risk, but

1 November 24, 2025

2 you're doing it at your own risk.

3 MR. ANNICCHIARICO: All right. So, is it
4 is it the, is it the county thing that we're
5 that's hanging this up, or is it you actually
6 want to nail down the colors of the building?

7 MR. ZACHARY: It seems to me when we
8 finally vote on this that I have not heard any
9 comments that would change the size of that
10 building, but on the remote chance of something,
11 I'm not going to officially say go ahead and do
12 it.

13 MR. ANNICCHIARICO: Okay, let me maybe
14 let me pose it a different way.

15 MR. ZACHARY: We can go back and --
16 yeah.

17 MR. ANNICCHIARICO: Could you, would you
18 direct your planning consultant to prepare a
19 resolution of approval for the next meeting,
20 leave the leave the planning, the public hearing
21 open, obviously and that doesn't mean you're
22 going to approve it at the next meeting but at
23 least we're ahead of the game in that regard.
24 We've got, like you said I don't hear, I don't

1 November 24, 2025

2 hear anything from anybody who's got a real issue
3 about the site plan itself other than you know me
4 moving the parking spaces back a little --

5 MR. ZACHARY: Yeah. Some of the --

6 MR. ANNICCHIARICO: I could do all those
7 things.

8 MR. ZACHARY: Yeah, finish and landscape
9 details, things like that. Okay.

10 MR. ANNICCHIARICO: Yeah. And there are,
11 you know, I think George would agree there are no
12 engineering comments I believe that are earth
13 shattering.

14 MR. ZACHARY: Yeah. So, okay, David,
15 your take on that?

16 MR. SMITH: Yeah, Mr. Chairman, it's not
17 unreasonable to have the board direct staff to
18 prepare a resolution for your next meeting.

19 MR. ZACHARY: Okay.

20 MR. SMITH: I think the, the applicant
21 should have some comfort of the comments that
22 have been raised tonight. I don't think anything
23 suggests that the building itself is going to
24 change materially. I agree with Jim with respect

1 November 24, 2025

2 to county planning. They're going to come back
3 with a response that says basically it's for
4 local discretion. So the county really isn't a
5 hold up here. It's just more of a procedural
6 issue.

7 MR. ZACHARY: Okay.

8 MR. SMITH: So I would recommend that
9 you do have staff prepare a draft resolution for
10 your next meeting.

11 MR. ZACHARY: Okay.

12 MR. SMITH: In the interim, the
13 applicant can consider some of the suggestions
14 with respect to the color of the building, the
15 materials that type of thing. But at least we can
16 move that forward.

17 MR. ZACHARY: And does having that draft
18 resolution go into the works give you better --
19 make it a better gamble for you to go ahead and
20 order your, you know, your structure?

21 MR. ANNICCHIARICO: Absolutely, 100
22 percent.

23 MR. ZACHARY: Well then, in that, I mean
24 okay. I mean I --

1 November 24, 2025

2 MR. ANNICCHIARICO: I mean, it's either
3 that or in my opinion you got to tell me what,
4 you know, what could possibly come up between now
5 and the next meeting where you know we may have
6 to move the building or change doors or
7 something. I'm not hearing anything tonight.

8 MR. ZACHARY: Yeah. There was nothing
9 tonight that had to do with that.

10 MR. ANNICCHIARICO: So there's nothing I
11 could even do between now and the next meeting to
12 change the plan that you would all say, oh --

13 MR. ZACHARY: The things that came up
14 tonight were finishes, dust control, landscaping.

15 MR. ZACHARY: Right.

16 MR. ZACHARY: Lighting. I mean, so the
17 size and shape of the building was not part of
18 the discussion. So if, I mean it's not my
19 official word saying go ahead and order the
20 building, but I will be glad to direct our
21 planner, David to prepare a draft resolution for
22 the next meeting.

23 MR. ANNICCHIARICO: Yes. I appreciate
24 that very much. Okay.

1 November 24, 2025

2 MR. ZACHARY: You have a question? I
3 have a question. Okay, a board member has a
4 question for the applicant.

5 MS. ABSENGER: Yes.

6 MR. ANNICCHIARICO: I'm happy to answer.

7 MS. ABSENGER: Bernie, what's a transom?
8 Jim?

9 MR. ANNICCHIARICO: I'm sorry.

10 MS. ABSENGER: What's a transom?

11 MR. CALABRO: It fits above the window. I
12 believe.

13 MS. ABSENGER: It's above the door.

14 MR. CALABRO: Or above a door.

15 MS. ABSENGER: What is that.

16 MR. ANNICCHIARICO: Marco? Window. It's
17 a window. Oh, this. I'm sorry. It's this.

18 MS. ABSENGER: I know what it is on the
19 thing. That's a window?

20 MR. ANNICCHIARICO: Yes.

21 MR. MANDRA: To let light in the
22 building.

23 MS. ABSENGER: Okay, that's all. Thank
24 you.

November 24, 2025

MR. ANNICCHIARICO: I guess I should just throw this out there just so you know too. Our anxiousness is also there, there are financial things going on other than the business being down. Steel goes up. It continues to go up every month. So, the building gets more and more expensive every month and especially at the end of the year, it'll really go up.

MR. ZACHARY: Okay.

MR. ANNICCHIARICO: And concrete.

MR. ZACHARY: Got you. Okay.

MR. ANNICCHIARICO: So, we appreciate you.

MR. ZACHARY: Thank you everybody. All right. So, I'd like a motion to adjourn the public hearing till the December 18th meeting when we will reopen it.

MS. ARMISTO: Motion to adjourn.

MR. ZACHARY: Second. Second. All in favor?

MULTIPLE: Aye.

MR. ZACHARY: Opposed? No one, thank you everybody.

November 24, 2025

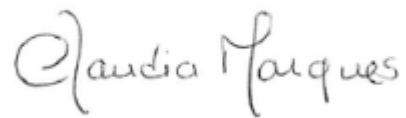
MR. ANNICCHIARICO: Thank you very much.

(The public board meeting concluded at
8:45 p.m.)

CERTIFICATE OF ACCURACY

I, Claudia Marques, certify that the foregoing transcript of the Board meeting of the Village of Buchanan on November 24, 2025 was prepared using the required transcription equipment and is a true and accurate record of the proceedings.

Certified By

A handwritten signature in cursive script that reads "Claudia Marques".

Date: December 12, 2025

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