

PLANNING BOARD  
VILLAGE OF TARRYTOWN, NEW YORK

- - - - -X

PUBLIC HEARING:  
ARTIS SENIOR LIVING, LLC

- - - - -X

June 24, 2019  
1 Depot Plaza  
Tarrytown, New York  
7:01 p.m.

**BEFORE:**

RONALD TEDESCO, Acting Chair  
PAUL BIRGY, Member  
DAVID AUKLAND, Member  
JOAN RAISELIS, Member  
SALLY LAWRENCE, Alternate Board Member

**PRESENT:**

LIZABETH MESZAROS, Planning Board Secretary  
BOB GALVIN, Village Planner  
KATHERINE ZALANTIS, ESQ., Village Attorney  
DONATO PENNELLA, Village Engineer

**FOR THE APPLICANT:**

DON WALSH, Development Strategies  
JOHN KIRKPATRICK, ESQ.  
RICH WILLIAMS, Engineer  
MARK FRY, Main Street Consulting

Douglas F. Colavito, Court Reporter

## 1           ARTIS SENIOR LIVING - PUBLIC HEARING

2           MR. TEDESCO: Please take notice of our  
3 May 29th, 2019, the planning board as lead  
4 agency on the SEQRA, accepted the supplemental  
5 draft environmental impact statement dated May  
6 29, 2019, as adequate for the purpose of  
7 commencing public review and comment regarding  
8 issues addressed in the adopted scoping outline  
9 for the proposed action. Pursuant to Part 617  
10 of the implementing regulations pertaining to  
11 Article A, SEQRA Review Act of the  
12 Environmental Conservation Law and on SEQRA and  
13 Chapter 147 of the Village Environmental  
14 Quality Review of the code of the Village of  
15 Tarrytown, the planning board of the Village of  
16 Tarrytown will hold a public hearing on Monday,  
17 June 24th, 2019, at 7 p.m. in the municipal  
18 building at 1 Depot Plaza, Tarrytown, New York  
19 to receive comments on the SDEIS document  
20 submitted by Artis Senior Living in Tarrytown.

21           Additional written comments from members  
22 of the public and involved and interested  
23 agencies will be accepted by the planning board  
24 as lead agency at -- for ten business days  
25 after the close of all the public hearings.

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2           Written comments shall be addressed to Liz  
3           Meszaros, secretary to planning and zoning in  
4           Tarrytown.

5           The property is located at 153 White  
6           Plains Road in the Village of Tarrytown. It's  
7           shown on the tax maps of the Village of  
8           Tarrytown in Sheet 1.201, Block 121, Block 5.12  
9           and is located in the OB Zone. The action  
10          involves a proposal to amend the Tarrytown  
11          zoning ordinance, to create a new floating  
12          overlay zone and a site plan application to  
13          apply the new zoning to a 4.6-acre site located  
14          at 153 White Plains Road, New York State Route  
15          119. If the zoning is amended, the applicant  
16          will seek approval to construct a 35,952-square  
17          foot, 64-bed Alzheimer/dementia care facility.  
18          The SDEIS can be accessed on the Village of  
19          Tarrytown website, and is also available for  
20          review at the Warner Public Library during  
21          normal library hours or from the Tarrytown  
22          Village Hall planning and zoning department  
23          second floor.

24          Before we get into the public hearing on  
25          this, I'd just like to mention very briefly the

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2           procedure that we will follow for the benefit  
3           of those who are watching on television and in  
4           the audience. The applicant will be required  
5           to provide responses to all the substantive  
6           comments, questions raised at this hearing. In  
7           the final SEIS, which the applicant will  
8           prepare. The applicant does not have to make  
9           those responses tonight. There is a  
10          stenographer who will record these comments and  
11          provide them to the applicant.

12                 When we go through the process, I'm going  
13                 to begin with those in the audience first and  
14                 then have comments and questions from the board  
15                 members and the staff. And I invite the  
16                 applicant if he wishes to say a few opening  
17                 words before we get into the public  
18                 participation.

19                 MR. WALSH: Thank you, Mr. Tedesco.

20                 I'm Don Walsh Development Strategies in  
21                 White Plains. And speaking extemporaneously  
22                 before we start, and for the very close friends  
23                 of the Maloneys [ph.], I'm sure everybody is  
24                 very grateful that this board mentioned that.  
25                 I served with Jimmy for more than 30 years in

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2           the fire department here. We were officers  
3           together. And he was one of my best friends.  
4           And I think he did a lot for Tarrytown. And I  
5           think he would have been very, very glad to  
6           hear that this board and his colleagues on this  
7           board remember that. And thank you from the  
8           bottom of our hearts.

9           And I'd like to introduce on behalf of  
10          Artis Senior Living, the team that will speak  
11          briefly tonight. And I did promise you that  
12          this will be -- our presentation will be brief,  
13          and lead into what we're doing. I'm going to  
14          introduce the site briefly.

15          Right after me, my colleague, Mark Fry of  
16          Main Street Consulting who assembled most of  
17          this massive environmental impact statement --  
18          draft supplemental environmental impact  
19          statement. Will give the public knowledge of  
20          how it's set up and where you could access it,  
21          typically, do it online.

22          Following him will be our counsel, John  
23          Kirkpatrick, who is sitting behind Mark. John  
24          will go over the -- particularly the overlay  
25          zone and some of the legal questions that come

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up for the benefit of the public.

And finally, our engineer, Richard Williams, Insite Engineering in Carmel, who has been working on this site. Insite has been working on the site with us for more than 16 years. We will bring up a summary of the engineering material to date.

Also, at this time, I'd like to briefly introduce the principals of this matter. The executive vice president of Artis Senior Living, Max Ferentinos is here. And will be available in case the board's questions are in his direction. The owners of the site, Crescent Associates, LLC. Many of you know the Silverman family, but Leon Silverman is here tonight over here on the right. And with him is another Crescent shareholder, his daughter, Jill Greenspan, who does an awful lot of the day-to-day work on the site. So, again, we have principals here, just in case there are questions that might go in their direction. But, again, we have done this before with you. And we have always submitted everything into writing, after the fact, trying to be clear,

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2           subject to your review.

3           The site is up here. I hope the camera  
4           can pick it up. This shows you that we have  
5           Martling Avenue which comes off Prospect and  
6           heads up this way going towards Ridgecroft.  
7           (Indicating.) This site is above the aqueduct  
8           and behind what a lot of us call the Goebel or  
9           Hummel Building. Even though it's part of this  
10          or it was once part of the site that includes  
11          155 White Plains Road, which as many of you  
12          know was originally Peter Sharp Holdings. Then  
13          it became Kaiser Permanente, it had more of a  
14          medical bent.

15          Eventually, the property was sold to  
16          Crescent Associates. And through decisions of  
17          this board and the zoning board of appeals, the  
18          interpretation was given that medical uses in  
19          that building and that complex were  
20          permissible, and it has become today just about  
21          entirely a medical-related facility being  
22          rented by Columbia Doctors which is part of  
23          Columbia Presbyterian Hospital. They are the  
24          ones who are here on the site as tenants of  
25          Crescent Associates.

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2           The outline they put in color on here  
3 shows approximately what an Artis building  
4 looks like. With its courtyards, it treats  
5 several different kinds of dementia patients  
6 including the most common one being  
7 Alzheimer's. And it sets up in a garden-type  
8 setting on two stories, not what we were  
9 originally permitted. Three [sic] when we had  
10 an office building that was contemplated here  
11 some years ago. But it's trying to produce  
12 more of a home atmosphere for the folks who are  
13 unfortunately in there and in there for some  
14 period of time not for the rest of their lives.

15           What we want to introduce tonight is the  
16 site itself. And this is one of those unusual  
17 things. What is a site doing in the Village of  
18 Tarrytown that hasn't been developed at all,  
19 ever. And it's sitting right in the center of  
20 the village. Why did this -- how did this  
21 happen? How did it come about? We commented  
22 very briefly a year ago on this, but for the  
23 benefit of the public, we will touch on it a  
24 little bit more.

25           There was a family named Hoe, H-O-E. And



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2           their name appears prominently on some of the  
3           maps in the village including the one in the  
4           back here. Mr. Hoe, the father was the  
5           inventor of the rotary press. The rotary press  
6           made newspapers going from being 25 copies an  
7           hour. You had to lower some big press devise  
8           on and make an ink impression. That was common  
9           from the time of the revolution to the 1840s.  
10          The rotary press allowed 25,000 copies of  
11          papers an hour. Also, it could be adapted for  
12          currency. And it could be adapted for postage  
13          stamps which were invented in 1847 and were  
14          being produced by that press.

15                 The Hoes made a fortune. And they owned  
16          basically everything in Tarrytown from Church  
17          Street which many of you know runs east and  
18          west. They owned everything from Church Street  
19          all the way down to Irvington. The first  
20          Robert Hoe, his estate sat roughly between the  
21          thruway authority and the state police. The  
22          new buildings that are down by the bridge now.  
23          Almost where the toll booths were in a previous  
24          life before they became electronic. That was  
25          Mr. Hoe, Senior.

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2           The next Mr. Hoe, Mr. Hoe, Junior, lived  
3           in an estate just above -- just on the side of  
4           Church Street. The one we really care about,  
5           the one that owned this site is Robert Hoe III.  
6           Robert Hoe III owned Mercyhurst [ph.],  
7           Mercyhurst sat where Temple Beth Abraham is  
8           today. There's traces of it still. If you  
9           walk along 9, you can see there is old stone  
10          walls. There is a curb of stone wall right on  
11          the corner of Leroy and 9, that's not it. That  
12          was built as a retaining wall in the 20s. But  
13          the original Hoe walls ran along 9 from that  
14          point on and then up the hill slightly up  
15          Leroy. Mr. Hoe was a horticulturist. And if  
16          you drive into Temple Beth Abraham parking lot  
17          today and stop and look north, right at the  
18          (indiscernible) Street, you'll see the remnants  
19          of all those greenhouses. They are still  
20          there. Little curved arches, they are set into  
21          the side of the hill. There is one sister  
22          [sic] left that fed them.

23          Dan, you and I talked about this not that  
24          long ago when we were talking about why are  
25          there lead pipes running down into Leroy

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2           Avenue? They were the Hoe drainage pipes. And  
3           they fed all the cisterns that accumulated  
4           water that fed the greenhouses. There's one  
5           left. If you walk down Grove Street, pass the  
6           last house on the right, 159, it's not south  
7           Grove but the regular Grove Street property.  
8           Right past 159, look down, scuff off the earth  
9           there, and you'll find a wooden cover. And  
10          that's the last cistern that's still there.  
11          And that fed those greenhouses.

12                 The Laurie [ph.] House which is on the  
13          right as you go down that little dirt road  
14          portion of Grove Street, was a servants'  
15          quarters there and was later converted into her  
16          house. Those of you who don't know her name,  
17          Mrs. Laurie owned Russell & Laurie's [ph.]  
18          Which today is the restaurant the very top of  
19          Main Street, the Gyros Place. And she was  
20          still running Russel & Laurie into her 90s, in  
21          the 1960s. That was her house.

22                 Eventually, Mr. Hoe's house sat where  
23          Temple Beth Abraham is, fell into disrepair for  
24          reasons we'll get into in a minute. The only  
25          trace, only building left really besides the

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2           Laurie House is the little second empire-style  
3           house right north of the medical building at  
4           200 North Broadway. It's right in the corner  
5           of Leroy and Route 9. That was the gatehouse  
6           for Mr. Hoe.

7           Mr. Hoe was getting a lot of money. Not  
8           only did he have a dividends and all, but he  
9           owned a great deal of property in Tarrytown.  
10          And he decided he would build the largest and  
11          most well-put together private library in the  
12          world. And that's what he did. And that's  
13          what he built on this site, on the 153 White  
14          Plains Road site. He built a site to hold his  
15          Gutenberg Bibles, his old ink press editions,  
16          his manuscripts from the Babylonian times,  
17          cuneiform tablets, they were all in there.  
18          Unlike the Huntington Library in San Marino,  
19          California or the Grolier library in the city  
20          which he was a big part of, this was private.  
21          This was for one person. Want to go to  
22          Huntington Bay, absolutely; \$17, we could walk  
23          in there together, and have a wonderful time  
24          seeing the same Gutenbergs or things like that,  
25          or we could go to Harvard University, the

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2           Widener Library up there, where many of Robert  
3           Hoe's books are for a reason I'll mention in a  
4           moment.

5           Many of you may have seen the movie years  
6           ago Trading Places. Remember that? Eddie  
7           Murphy at the end of it, Dan Akroyd? At the  
8           end of Duke Brothers, they were the evildoers  
9           in that one, they bet wrong on the stock  
10          market. And at the end of it, Rip Torn is  
11          saying seize the Duke Brothers. Seize their  
12          assets. Sell everything. And they are being  
13          carted off. Robert Hoe invested through  
14          Lloyd's of London and insured the sugar crop in  
15          Cuba. And he insured it in 1898. Many of you  
16          may recall from your American History, there  
17          wasn't a sugar crop in 1898 because that was  
18          the Spanish-American War. No sugar crop. It  
19          was insured. Who had to pay? Seize Robert  
20          Hoe. Seize his assets. Sell everything. And  
21          covered the debt.

22          And that is indeed what happened. The  
23          books were grabbed, seized by Sheriff's orders  
24          and shipped to London where they were  
25          appraised. It took nine years to appraise

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2           them. They were all sold though. And that  
3           covered a huge portion of the debt. If you  
4           look at that map in the back, you'll see in a  
5           little note at bottom of the shelf Irvington  
6           [ph.] Property. You see a huge line of  
7           subdivided lots all with the name of Robert Hoe  
8           on them. All of those are sold too. And  
9           believe it or not, that covered the debt.

10           In those days, many, many millions of  
11           dollars in terms of today's money. Robert Hoe  
12           lived comfortably in London came back once or  
13           twice after that. But his asset, his library  
14           was gone. The library itself and Mercyhurst  
15           were both seized but they never were sold.  
16           They never had to be sold. They just sat  
17           there.

18           Well, you asked some time ago, why are  
19           there all these retaining wall with all these  
20           miscellaneous rocks. That's because Tarrytown  
21           builders for years were walking in on this  
22           property that hadn't been repossessed and was  
23           just sitting there and carted the rocks off.  
24           And they were using those in retaining wall  
25           structures all the way along.

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2           When I was a boy, I had the privilege of  
3           sweeping out the historical society at age  
4           nine. And I used to listen to Harry Storm, who  
5           was a veteran of the Great White Fleet here.  
6           And he went around the world on Theodore  
7           Roosevelt's orders in (indiscernible), and Joe  
8           Rizi [ph.], the last surviving bell boy here  
9           from World War I talking about how they used to  
10          go in and take cartons of rocks out to build  
11          walls for them. And I never really understood  
12          it until I really went into it and found out  
13          what -- what happened. That's what happened.  
14          The books were sold. Many of them ended up in  
15          libraries around the world.

16          The most interesting story was Harry  
17          Widener himself. A young man who went over bid  
18          on them all any way. And got many of them.  
19          And was so excited, shipped them all back to  
20          the United States. And then leaving the  
21          auction, he waved one copy of Francis Bacon's  
22          essay, it's the only copy, over his head and  
23          said I'm going to read this on the boat on the  
24          way home, and I'll get home and sort out the  
25          books later. I'm sure you don't have to wonder

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2           what boat that was in 1912. But he went down  
3           with the Titanic. That was the last copy,  
4           manuscript copy of Bacon's essays.

5           His mother who received all the books, the  
6           ones that were here in Tarrytown, endowed the  
7           Widener Memorial Library in Harvard. And they  
8           are there to this day. So an awful lot of what  
9           was in Tarrytown, if you're ever bored you can  
10          go up and take some pictures. They are there.

11          Meanwhile, the site fell into disrepair.  
12          The buildings gradually fell in. The library  
13          building itself. The gates are still left  
14          there. They are on Martling. Mercyhurst was  
15          completely gone because one of Tarrytown's  
16          leading contractors, A.P. Husted [ph.] Whose  
17          father is in this picture here, sitting in the  
18          center, his father is the one who dedicated the  
19          statue of Major Andre, the capture of Major  
20          Andre in 1885.

21          Burt Husted, who was 97 when he danced at  
22          our wedding. He used to tell stories about how  
23          they went in, took rocks from the pile and  
24          built Hanford Place and built Cottage Place and  
25          built the rest of Grove Street with what they



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2           had. These were huge contractor jobs. And  
3           everything got disbursed including the  
4           questions you had about the walls, et cetera.  
5           The site sat there.

6           Eventually acquired by the folks who built  
7           the first automotive plant in north Tarrytown,  
8           the Maxwell Plant. And again that went on to  
9           Mr. Lewis [ph.] Who was in the insurance  
10          industry. He gradually subdivided out the back  
11          portions and moved it over to the site that  
12          became 155 White Plains Road. And it just sat  
13          there.

14          The only thing that I know in my lifetime  
15          almost 70 years now is the -- we had a couple  
16          of scout grounds in there in 1962 and '63 that  
17          was a winter camp site. And that was the last  
18          thing I remember ever happening in those fields  
19          since then. Since that time, when Crescent  
20          eventually acquired the property, they had an  
21          opportunity. They were approached by the  
22          Village of Tarrytown in 2003, because Tarrytown  
23          was looking for a site to build a new firehouse  
24          with direct access up by the New York State  
25          Thruway. And in conversation Mr. Silverman had

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2           with the village at that time and please  
3           correct me if I'm wrong, but you had a  
4           conversation with them, he donated a portion of  
5           the land. But he wanted to do it at the same  
6           time have one site plan in review. Because he  
7           was thinking he might get an office building  
8           tenant down the road. So we did another one of  
9           these massive environmental impact statements  
10          and did a review with your board. And you  
11          approved a 60,000 square foot -- almost twice  
12          as big as this building -- three story, another  
13          story higher than this building, to go in the  
14          back not quite where this is located, more over  
15          here (Indicating.) Where the parking lot is now  
16          for Columbia Presbyterian.

17                 And the one condition Mr. Silverman asked  
18                 was let me renew the approvals automatically  
19                 every few years because I don't have a tenant  
20                 yet. And indeed it sat there just like that.  
21                 And as many of you know, the office building  
22                 market went down the tubes in 2008.

23                 We were very fortunate, Crescent was  
24                 fortunate that Columbia Presbyterian looked at  
25                 the site, and took that as it was. They wanted

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2           a parking lot, and we came back to you. And  
3           the porous paving parking lot which is there  
4           today was a result of that planning board  
5           matter.

6           And at that time, we also re-subdivided  
7           the lots, and we were left with this portion of  
8           this lot left. And that's really the object of  
9           what we're here today. Part of this lot is the  
10          detention pond that was planned as part of the  
11          parking lot. And originally as part of the  
12          office building and that's what you see down  
13          here now. We'll be talking about that I'm  
14          sure, at different times, because the board has  
15          brought up some concerns about the design of  
16          that which unfortunately is a state design.

17          But the main concern seem to be: Is it a  
18          mosquito hazard? Even though we haven't found  
19          any trace of anything down there, we have been  
20          given the go-ahead to install the Evarcha traps  
21          there, which are probably the most common,  
22          well-working mosquito traps possible. And we'd  
23          like to think that that is something that we  
24          could use to solve any issues that might ever  
25          come up.

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2           This site right now is under contract  
3           between Artis Senior Living and Crescent. The  
4           contractor's condition done the eventual  
5           approvals of the zone and of a design that is  
6           suitable to everybody.

7           So without further ado, I'd like to turn  
8           this matter over to Mr. Fry. He will go  
9           through with you briefly what we have here, and  
10          how this book is organized, and where it is  
11          online. And Mark, you can also in case any of  
12          the public have any comments, he can ask to get  
13          in touch with you so you can direct them to the  
14          site, just in case there is a question. Thank  
15          you very much.

16          MR. FRY: Good evening. Let me begin also  
17          by adding a word of appreciation for Jim  
18          Maloney. I've known him since 1980. And we  
19          can all celebrate a life well lived, and an  
20          exemplary life. He was on the zoning board for  
21          at least 25 years, board of Transfiguration  
22          Church. Extremely active right up to his death  
23          at the fire department. So he will be sorely  
24          missed. And I want to extend my sympathy to  
25          his family.

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2           I'm going to be a -- brief. Don has asked  
3 me to highlight the contents, organization, and  
4 places to physically or electronically review  
5 the SDEIS. Those who follow it, Chairman  
6 Tedesco, have learned that it is available  
7 online on the village's website. If you go to  
8 the village's website tarrytowngov.org and  
9 click on planning board, right there on the  
10 left-hand side, you'll see SEQRA documents  
11 accepted, SDIS [sic] Artis Senior Living, 153  
12 White Plains Road. When you click on that  
13 link, you'll get the body of the document. The  
14 five chapters in front. And if you click on  
15 any of the -- on the table of contents, it will  
16 automatically go to that section.

17           Now, the book itself has grown. In back  
18 -- 15 years ago, we did one volume. This has  
19 grown; so it is now a two-volume set. But it's  
20 as complete and correct as we can make it. And  
21 thanks to Mr. Galvin, we made 149 corrections  
22 to the earlier drafts. So now it is, at least,  
23 adequate for public review. All public  
24 comments on the document can be directed to Liz  
25 Meszaros. You will see that she is here as the

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2           lead agency on the left on the cover and also  
3           on the statutory cover sheet, which you'll see  
4           when you go on the web to see this document.

5           The applicant, of course, is Mr.

6           Ferentinos. You can ask him any questions that  
7           are strictly for the applicant himself. I am  
8           listed here as the preparer. But all public  
9           comments can be made tonight. They can be made  
10          in writing. All directed to Ms. Meszaros.

11          And, you know, we'd love to hear what the  
12          public has to say about this -- this book. But  
13          where can I go to get a hard copy? Where can I  
14          see the actual book? It's a lot easier to flip  
15          through the book. Right upstairs here, take  
16          the elevator to the second floor. You'll see  
17          Liz there in the building and planning  
18          department. And right there on the table is  
19          the two volume set. So you can take your time,  
20          work through the documents. What if I wanted  
21          to print out something? No problem. Just go  
22          home. Go online, and any of these 62 files  
23          that make up this document could be readily  
24          viewed on your home computer. You want to take  
25          some time see the photo simulations for

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2           instance, just click on them individually. You  
3           can blow them up to as large as your monitor.  
4           So we've tried to make it a very complete  
5           document. And I'm going to leave pretty much  
6           at that for now -- you know, I'm sorry. Warner  
7           Library, you can go to Warner Library to the  
8           reference room, and they have a set there. So  
9           you can spread it out on a really big table  
10          there, flip through it, flip through Volume 1,  
11          the body and then all of the appendices, you  
12          can simultaneously flip through, and the table  
13          of contents will direct you to what you're  
14          particularly interested in.

15                 I thought I would touch just for a moment  
16          on three very quick points: Page 50 -- page 50,  
17          page 98, and page 31. Page 50 describes what  
18          is the need for this proposed amendment.  
19          What's the need for this facility?

20                 My mother first started dropping stitches  
21          forgetting words in 1993. It was the first  
22          sign of Alzheimer's. She suffered for 12  
23          years, and died in 2005 at the age of 85. She  
24          had the help, thanks to my father's good  
25          planning to be in a continuing care community

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2           with assisted living. And one of the first  
3           things my father gave to each of us was a  
4           booklet from Parke Davis. It's 140 pages  
5           called Caring for the Caregiver. Caring for  
6           the Caregiver. Having Alzheimer's is no  
7           picnic. You get to the point you can't  
8           remember this nice man who happens to be your  
9           spouse of 55 years. But the -- a person like  
10          my father, 85 years old, who has taken it upon  
11          himself to feed, to clothe, to bathe, to shop  
12          for, to cook for a -- a -- a person with  
13          Alzheimer's or dementia very quickly will  
14          become a second victim of the disease. There  
15          -- I won't go through all of the statistics.  
16          But right now, 5 million Americans are  
17          suffering from Alzheimer's. By 2050, it will  
18          be 16 million, one-third -- one out of nine  
19          individuals over 65, I'm over 65 myself have  
20          Alzheimer's. One out of three, one out of  
21          three individuals in America over the age of 85  
22          will have Alzheimer's. There are 10,000 baby  
23          boomers turning 65 in the United States of  
24          America every single day. 10,000 per day  
25          turning 65. So this is a societal need that



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2           was not anticipated when the zoning code was  
3           written in 1959. I have a copy of the '59  
4           code. It talks about elderly residents and so  
5           forth. So this was not provided for 1959 in  
6           the Village of Tarrytown zoning code. It was  
7           not provided for in 1987, but there is a  
8           tremendous societal need, not only in  
9           Tarrytown, across Westchester, across the  
10          United States and around the world. The  
11          statistics -- that's page 50, page 50. It will  
12          have a very favorable effect. The fiscal  
13          impact analysis we have -- did a complete job  
14          on that. You'll find that starting on page 93.  
15          But on page 98, right now the site as it is  
16          right now this minute generates \$24,160 per  
17          year of which about 15,000 goes to the school  
18          district. 24,000 -- 15,000 to the school  
19          district.

20                 When this facility is completed in the  
21                 first year, it will generate 17 times that  
22                 much. It will generate \$400,000 in taxes for  
23                 the various (indiscernible) -- and it will  
24                 generate 259,000 for the school district. Or  
25                 to put it another way, it will educate nine

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2           Tarrytown children with no impact to anyone  
3           else. So there's a very large fiscal impact,  
4           positive fiscal impact. There's a summary of  
5           that in another table that shows it will  
6           generate about \$19 million in taxes over the  
7           30-year life. I'll -- would also direct those  
8           who are interested in the history, Don  
9           certainly did a wonderful job on it. It's all  
10          in the book including the maps and the number  
11          is 166,000 complete newspapers per hour.  
12          166,000 16-page newspapers per hour were made  
13          possible by Robert Hoe, III. The press, a  
14          picture of which is in the book. So those of  
15          you I think when Member Auckland is working on  
16          the comprehensive plan, he noted that we have  
17          to be careful as we move forward to also  
18          respect our past. Back at 1887, Robert Hoe III  
19          got together with eight of his friends at  
20          exactly where the toll booths were in 2015 and  
21          decided they should form a book club. A book  
22          club he formed in New York City is the Grolier  
23          Club. It's doing extremely well.

24                 In addition to all of the libraries that  
25                 Don Walsh has just mentioned, you can see the

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2           original Gutenberg Bible from Robert Hoe's  
3           personal collection at the Grolier Club, you  
4           know, tomorrow morning. So, again, thank you  
5           for the time. We welcome public input on the  
6           document, again on the website. It's at Warner  
7           Library. It's here upstairs. And also the  
8           same identical document is on my website. It's  
9           easy to remember MainStreetConsulting.net.  
10          Www.mainstreetconsulting.net and boom, there  
11          you are on the front page. Thank you very  
12          much.

13                 MR. TEDESCO: Thank you.

14                 MR. KIRKPATRICK: My name is John  
15                 Kirkpatrick. I'm a city planner and a land use  
16                 lawyer. I've been practicing land use  
17                 environmental law in the lower Hudson Valley  
18                 for about 40 years now.

19                 As you heard from Don and Mark, we have a  
20                 client with a proposal that should make a great  
21                 deal of sense for the village. That client,  
22                 Artis Senior Living has a conditional contract  
23                 on this property. Meaning that if this all  
24                 goes through, if the village decides that you  
25                 agree this is a good idea, we get the zoning.

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2           We get the site plan approval. We get a  
3           special permit. Then Artis will close and  
4           build this project.

5           And as Rich Williams will explain after  
6           me, what we are showing you so far is a  
7           conceptual site plan for the property. It  
8           really has been prepared to confirm Artis that  
9           this project is possible on this property, and  
10          also that we can do the level of environmental  
11          analysis necessary at this phase.

12          My role in all of this really has been to  
13          come up with a appropriate zoning mechanism.  
14          This is not a permitted use in the village.  
15          It's not permitted use in most municipalities  
16          in Westchester.

17          In fact, our client had an unfortunate  
18          experience in another village which was not a  
19          total surprise to me when I heard about it.  
20          I've been doing this 40 years and I'm familiar  
21          with the concerns that arise when you propose  
22          something new. In that particular village, my  
23          client came forward with this idea, the  
24          trustees thought it was a wonderful idea and,  
25          in fact, they thought it was so wonderful that

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2           they proposed a zoning amendment that would  
3           make it possible throughout that entire  
4           village.

5           Naturally there were a lot of people who  
6           were then alarmed at the possibility, and  
7           instead of it being received with open arms, it  
8           was received with fear. And the trustees had  
9           to do a fast retreat and decide no, they didn't  
10          think they should approve this after all. That  
11          was very expensive to Artis. So we wish to  
12          avoid that kind of a situation.

13          Therefore, I looked for a way to make a  
14          proposal to this village that would be very  
15          limited. At least in the beginning. If after  
16          Artis proceeds, the village decides that this  
17          is, in fact, a wonderful idea and most of the  
18          citizens of the village decide it's a wonderful  
19          idea, well, certainly it's no problem for my  
20          client if you choose to expand the zoning. At  
21          this point, we're proposing to make this  
22          applicable only on properties along Route 119.

23          Now, we say that this would be a  
24          qualifying parcel of land in a floating, slash,  
25          overlay zone. It happens that the Village of

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2           Tarrytown was the first in New York State to  
3           use the concept of floating zone. And it was  
4           upheld by the court of appeals back in 1950.  
5           And, in fact, some of the apartment buildings  
6           in Tarrytown near this property were built  
7           under that floating zone. The idea is that if  
8           you could show that the your property qualifies  
9           for the conditions then the trustees could, if  
10          they wanted to apply this floating zone to your  
11          property. The underlying zoning remains as it  
12          is. And the floating zone is added on top of  
13          it to add additional standards. I said  
14          qualifying parcels, we are talking about, it's  
15          got to be presently zoned OB, LB, or MU and  
16          it's got to be either with frontage on 119 or  
17          partially within 350 feet of 119. So there are  
18          series of parcels along Route 119 that qualify.  
19          The other condition is this has to be a lot  
20          that is in existence now. It's on filed  
21          subdivision plat as of January. I think we  
22          said 2017.

23                 Now, a couple of issues that have come up  
24                 have been that sort of relate to the zoning  
25                 proposal. One is where are we going to get

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2           power? Because Con Ed as a moratorium on gas.  
3           Well, Con Ed set a deadline. If you can make  
4           your application by a certain time, you are in.  
5           Artis did that, but just in case Artis has also  
6           been looking at: Are there other options for  
7           power? Unfortunately, wind and solar are not  
8           practicable at this location due to shading,  
9           limited site area and particularly with regard  
10          to wind aesthetic impacts. But there are other  
11          options that are on the table if it becomes  
12          necessary. The idea of course is to stay with  
13          natural gas, and it appears that that's not  
14          going to be an issue.

15                 Another interesting question that's come  
16          up that we could have covered in the zoning has  
17          to do with affordability. There's no question  
18          that affordability of housing in general and  
19          this kind of a facility is a serious problem.  
20          It's a problem that many of us have faced with  
21          our parents. It's a problem that some of our  
22          children will probably face from us. And  
23          insurance just doesn't seem able to cover  
24          everything.

25                 Now, the cost of housing varies quite

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2                   widely. For many people even that is not  
3                   affordable. But there are lots of programs out  
4                   there about housing. There is Section 8.  
5                   There is affordable housing. There is  
6                   municipal requirements to add a percentage in  
7                   any development. But those are all mechanisms  
8                   that are put in to just address housing part of  
9                   it. They don't address the healthcare part.  
10                  And the healthcare is unpredictable. The cost  
11                  of the healthcare from person to person and  
12                  infirmity to infirmity can vary widely, and it  
13                  can increase at an exponential rate. Any of  
14                  you who are so lucky as to have long-term  
15                  health care insurance every now and then for  
16                  even that despite everything, you get that  
17                  little letter that says it's going up.

18                  Now, some states, notably New Jersey and  
19                  Indiana, have, state-wide, come up with  
20                  proposals that set a level playing field and  
21                  describe how there can be a system of coverage  
22                  for both the housing and the healthcare  
23                  aspects. Now, that means that facilities like  
24                  this will then be built in communities where  
25                  they are needed and not just in the communities



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2           that offer the best economic deal. Because  
3           otherwise that's what would happen. Developers  
4           would just go where they can make the best  
5           economic deal. State-wide regulation solves  
6           that problem, and we are very much hopeful that  
7           New York will follow suit and come up with  
8           state-wide regulation. State-wide regulation  
9           by the way will also address another  
10          interesting issue which is that if you are  
11          talking about affordable housing with  
12          affordable healthcare, you have to think about  
13          how you are going to govern that. That means  
14          you have to be able to do asset review.  
15          Looking at a professional level what are an  
16          applicant's assets meaning so we use a tax  
17          returns, bank accounts, looking at where the  
18          money has been transferred to relatives,  
19          looking at social security, disability,  
20          retirement, fixed assets, investments, and then  
21          of course over and over again doing that every  
22          year to see if anything has changed. That's a  
23          very complicated process for a village to take  
24          on. But at this point, we are at a very  
25          initial point of this process. You are looking

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2           at an environmental impact statement that has  
3           shown you a zoning mechanism that has not been  
4           approved but the trustees are awaiting your  
5           opinion and recommendation of that. You are  
6           looking at a preliminary site plan that gives  
7           you some kind of idea of what the environmental  
8           impact of this would be. And you are looking  
9           at this impact statement and waiting for the  
10          comments of the public and other agencies on  
11          that. But the process means as the chair went  
12          through, they are going to be many  
13          opportunities for discussion. We, of course,  
14          would like to move the process along as much as  
15          we can.

16                 So mainly I'm asking tonight, once you  
17                 heard from Rich and took a quick look at the  
18                 preliminary site plan, would you please give  
19                 very serious consideration to closing the  
20                 environmental public hearing tonight, and set a  
21                 deadline for written comments and ask us to  
22                 take those written comments and prepare a FEIS  
23                 for submission for you for review. So at this  
24                 point, I would like to ask Rich to give you a  
25                 run through of what we know about the site plan

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2           so far.

3           MR. WILLIAMS: I'm coming around so I can  
4           point.

5           Good evening. My name is Rich Williams  
6           I'm with (indiscernible) Engineering. I'll  
7           take a few minutes and walk you through the  
8           site plan --

9           SPEAKER: Could you stand on the other  
10          side of that just because the mic is above you.

11          MR. WILLIAMS: Yeah.

12          SPEAKER: Thanks.

13          MR. WILLIAMS: Just to point out to the  
14          site plan, we have White Plains Road which runs  
15          east to west is at the bottom of the page.  
16          North is up on the drawing. You have the  
17          existing 155 White Plains Road development here  
18          (Indicating.) Hitachi, Marshall Cavendish,  
19          Ridgcroft and this is the piece of property  
20          that we are talking about tonight. It's 4.6  
21          acres.

22          We are proposing to access the site  
23          through the existing 155 White Plains parcel.  
24          So we would come in the main entrance. We  
25          would be creating an access drive. Performing

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2           a slight reconfiguration of the parking lot on  
3           155 White Plains Road and coming into our site.

4           When you come into our property, we will  
5           split into two parking areas. We have a total  
6           of 44 parking spaces. Most of the development  
7           will be located in areas that were previously  
8           shown to be disturbed as part of the previous  
9           EIS process. Meaning developing the eastern  
10          half of the site.

11          There's a band of steep slopes that form  
12          the western edge of our limited development.  
13          We are trying to stay out of the steep slopes  
14          to the maximum extent practical.

15          Also, on the western portion of our  
16          property along the Old Croton Aqueduct in the  
17          southwestern corner, there is a small regulated  
18          wetland, and we will be staying out of the  
19          wetland and the 100-foot buffer associated  
20          therewith.

21          From there, the site plan is relatively  
22          simple. We have the parking lots on the front  
23          side of the building. We will be creating an  
24          emergency access for the fire department. It  
25          extends out to Martling Avenue. Our building

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2           itself is contained.

3           We have a secured courtyard that forms the  
4           rear of the property. This is a heavily  
5           landscaped courtyard. It is fenced with  
6           decorative fencing for security of the  
7           residents. Within that courtyard, we will be  
8           weaving stormwater management practices. One  
9           thing that has changed since the previous EIS  
10          process is the stormwater regulations. We have  
11          provided a New York State DEC required practice  
12          which is still required, but the new  
13          regulations now require that we put green  
14          infrastructure ahead of that. And we have  
15          provided a stormwater pollution prevention plan  
16          which is part of the documents provided which  
17          meets the new regulations. That includes fire  
18          retention filters weaved in throughout the  
19          courtyard. Those are shallow depressed  
20          landscape features with engineered soil media  
21          that allow for stormwater off from the rooftops  
22          to be collected and filtered. We weave them  
23          into landscaping. So that you don't even know  
24          that you are walking through stormwater  
25          practice. It just becomes part of the

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2           courtyard. You feel like you're in a lush  
3           green environment.

4           We also have a porous pavement parking lot  
5           adjacent to the existing one that was  
6           constructed between 2014 and 2016. And all of  
7           those practices will then discharge into the  
8           existing stormwater management practice for  
9           peak flow attenuation. There's a series of  
10          standards beyond what quality of treatment  
11          require us to attain a water quantity from  
12          larger storm events. And that's where this  
13          practice is still applicable. Relative to  
14          water and the sewer, we have provided water and  
15          sewer flow demands to the village. I believe  
16          they've verified the numbers.

17          We are currently awaiting some  
18          village-wide modeling to review. And our  
19          intent as we move from the SEQRA process into  
20          detail site planning view when we come back to  
21          the planning board is to coordinate with the  
22          village engineer to decide the optimal  
23          locations for both the village and the  
24          applicant. So we could either tie to White  
25          Plains Road. The water main currently stops on

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2           the property or to Martling. I haven't seen  
3           the modeling yet. I'm guessing it's going to  
4           show White Plains Road is the more optimal  
5           connection.

6           But as we review the modeling, we will put  
7           the village engineer to decide which is the  
8           best way. Similar with sewer, we've begun  
9           looking at what we would take from Martling  
10          sewer versus 119, if any off-site improvements  
11          would be necessary and any things that we will  
12          coordinate as part of the site plan process  
13          with the village engineer's office.

14          With that being said, we are really here  
15          to listen and answer any questions.

16          MR. KIRKPATRICK: That concludes our  
17          long-winded presentation, and we look forward  
18          to any comments. Thank you.

19          MR. TEDESCO: Thank you. It was clear.  
20          It was and precise. We compliment you on doing  
21          that.

22          MR. KIRKPATRICK: Thank you very much.

23          MR. TEDESCO: So let's turn to the people  
24          in the audience first. If anybody has a  
25          question or comment that you would like to

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2           make. If you would come up to the mic,  
3           identify yourself and where you reside.

4           MR. PATRICK: Good evening. My name is  
5           Dan Patrick from Cuddy & Feder on behalf of  
6           Montefiore, the owners of 555 South Broadway.

7           First of all, I want to say we are fully  
8           supportive of this application. Our one  
9           comment is that we hope that any recommendation  
10          that this board makes to the board of trustees,  
11          that this board will consider some of the  
12          comments that we raised -- we submitted a March  
13          14th, 2018, letter which copied -- and a letter  
14          we initially sent to the board of trustees  
15          making some suggestions regarding the proposed  
16          rezoning and floating zone.

17          And so that's all we have to say. Thank  
18          you.

19          MR. TEDESCO: Thank you.

20          Anyone else in the audience, any comments  
21          or questions? Members of the staff, any  
22          comments or questions.

23          MS. RAISELIS: I do.

24          MR. TEDESCO: Staff first.

25          MR. GALVIN: Okay. Just a comment and



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2           maybe Dan can address this. They provided the  
3           information for the modeling for the I guess  
4           the water study, has that been completed and --  
5           do you have any other questions on that?

6           MR. PENNELLA: Rich, thank you for giving  
7           us an update on it.

8           On the water study, we looked at two  
9           options. One was to connect either on Martling  
10          Avenue or onto Route 119; the initial option of  
11          Route 119, it's a small line, it's a 4-inch  
12          line. There is inadequate flow. So the only  
13          option without major improvements to the water  
14          system would be to connect on 119. The closest  
15          water main there, tap, would be at Route 9  
16          White Plains Road. So they would be adequate  
17          flow for the water and in the same instance of  
18          the sewer.

19          Originally, they wanted to connect on  
20          again on Martling Avenue and after doing some  
21          exploration, there are some pump systems and  
22          there are some flat areas that seem to cause a  
23          problem. And the alternative again, you go on  
24          Route 119 to connect to the sewer upon that  
25          road. There would have to be additional

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2           studies, explorations to see if there's any  
3           other low spots down the road that would have  
4           to be improved.

5           MR. GALVIN: The applicant may want to --  
6           after talking to the village engineer embellish  
7           that in the FEIS and kind of institutionalize  
8           what you are planning on doing going forward.

9           The other thing and I think there was a  
10          manhole issue too, but you are aware of that.  
11          The other thing is the -- could you address the  
12          traffic? I mean, Kimley Horn did a -- a  
13          significant traffic study which addressed  
14          Broadway as well as 119.

15          And one of the comments that you may want  
16          to address is are there any specific additions  
17          or other things on Broadway that distinguish  
18          it, differentiate it from 119, be it be this  
19          type of development, if that makes any sense to  
20          you.

21          MR. TEDESCO: Any board-member comments or  
22          questions?

23          MS. RAISELIS: I do. Yeah. The whole  
24          notion of the gas moratorium and that you put  
25          your application in and good for you. You got

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2           your application in on time.

3           There is an issue called climate change  
4           and we're having some real ramifications of it.  
5           And I think -- I think we ask as a board every  
6           one of our applicants to consider renewable  
7           energy either as a primary or supplementary  
8           source of your energy for the building and I  
9           think we will press pretty hard if you guys  
10          agree with that comment for -- for addressing  
11          that as an addition to, I mean granted you have  
12          needs that all health care have pretty  
13          significant needs for energy and for sort of  
14          constant and constant flow.

15          I see a building there that has  
16          potentially a big flat roof. To say that you  
17          can't get any solar panels on it seems dubious.  
18          So I would ask that part of this investigation  
19          be to look that that and see how you can  
20          benefit. There's a lot of money to be had to  
21          help you with that by the state. No?

22          MR. KIRKPATRICK: No. No. All we wanted  
23          to say, we will definitely study that more  
24          thoroughly and give you a response on it.

25          MS. RAISELIS: Okay. That's great.

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2           MR. TEDESCO: Any other board member  
3 comments or questions?

4           MS. LAWRENCE: I have a question. I was  
5 wondering where in the document you've  
6 addressed the affordable unit question. You  
7 discuss that or when you had discussed it but I  
8 just don't know where in the document it's  
9 noted. Which was a suggestion to set aside a  
10 few of the units for affordability.

11          MR. KIRKPATRICK: Mark tells me it's  
12 Appendix W.

13          MS. LAWRENCE: Appendix W. Okay. Thank  
14 you.

15          MR. KIRKPATRICK: Pretty much what I said  
16 before.

17          MS. LAWRENCE: Okay.

18          MR. TEDESCO: Any other comments,  
19 question?

20          MR. BIRGY: The question I have: What  
21 were you planning on backup for backup power  
22 for the facility? Because what we've run  
23 across is that sometimes the backup generators  
24 will be diesel-fueled, and we would like to  
25 know what your plans would be to not go that

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2           route, if possible.

3           MR. KIRKPATRICK: We will look in that and  
4           give you an answer.5           MR. TEDESCO: All right. I'm going to  
6           make a motion.7           MR. WALSH: Just a housekeeping: There  
8           were 15 questions that were asked of us between  
9           the time we prepared the initial SDEIS, and  
10          those 15 documents are separately listed and  
11          they are in Appendix W. So if the question is  
12          why do I find the new stuff? Where do I find  
13          all these answers to the questions I've asked,  
14          and the answer is Appendix W.15          MR. GALVIN: It may be helpful because  
16          we've gone in 149 questions, I forget. There  
17          were comments that -- you may want to integrate  
18          that with your FEIS and address those in one  
19          document so you can see everything.

20          MR. TEDESCO: That's a good idea --

21          MR. GALVIN: That's 150.

22          MR. TEDESCO: I'm going to put a --

23          MR. GALVIN: You want to ask if there's  
24          other questions?

25          MR. TEDESCO: Oh, Dan.

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2           MR. PENNELLA: Yes. Chairman, I'd like to  
3 ask the applicant how they plan to address the  
4 recreation fees and impact on recreation.

5           MR. TEDESCO: Oh. Yes. Dan brought up an  
6 important point. Addressing the recreation  
7 fees for the project should be part of the --  
8 something we would want a response to.

9           MR. KIRKPATRICK: Absolutely.

10          MR. TEDESCO: Okay. Thank you. With the  
11 agreement of my colleagues, I'm going to move  
12 that we continue the public hearing on the  
13 draft SEIS at our next meeting.

14          So the planning board and staff has  
15 additional time for considering comments and  
16 questions at its July work session. We should  
17 be able to close the public hearing at the July  
18 meeting, I believe, but I think we'll need to  
19 do our due diligence by having another work  
20 session for the staff and the planning board to  
21 go have a little more time really for comments  
22 and questions. And also give the public one  
23 final chance at that next meeting and then I  
24 think we are ready for closure probably.

25          MR. KIRKPATRICK: So if I might --

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2                   MR. TEDESCO: The motion is seconded. All  
3 in motion [sic]

4  
5                   (A chorus of "ayes.")

6  
7                   MR. KIRKPATRICK: For clarification, the  
8 public hearing date would be?

9                   MR. TEDESCO: The fourth Monday in July.

10                  MS. MESZAROS: We have July 22nd or  
11 August.

12                  MR. TEDESCO: July 22nd.

13                  MR. KIRKPATRICK: July 22nd. And then the  
14 written comment period will be ten days after  
15 that?

16                  MR. TEDESCO: Ten days after that. Right.

17                  MR. KIRKPATRICK: Thank you very much.

18                  MR. TEDESCO: Thank you.

19

20

21

22                  (Time noted: 7:54 p.m.)

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C E R T I F I C A T E

I, Douglas F. Colavito, a Certified Court Reporter and Notary Public of the State of New York, do hereby certify that the transcript of the foregoing proceedings, taken at the time and place aforesaid, is a true and correct transcription of my shorthand notes.

*Douglas F. Colavito*

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DOUGLAS F. COLAVITO



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