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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH ZONING BOARD OF APPEALS
----- X
In the Matter of

SNK PETROLEUM WHOLESALERS
747 Boulevard, Newburgh
Section 89; Block 1; Lots 80.1 & 80.2
IB Zone

----- X

Date: May 26, 2022
Time: 7:00 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, New York

BOARD MEMBERS: DARRIN SCALZO, Chairman
DARRELL BELL
JAMES EBERHART, JR.
ROBERT GRAMSTAD
GREGORY M. HERMANCE
JOHN MASTEN
DONNA REIN

ALSO PRESENT: DAVID DONOVAN, ESQ.
JOSEPH MATTINA
SIOBHAN JABLESNIK

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845) 541-4163

1 S N K P E T R O L E U M W H O L E S A L E R S

2 CHAIRMAN SCALZO: It's 7
3 straight up. I'd like to call the
4 meeting of the Zoning Board of
5 Appeals to order. The order of
6 business this evening are the public
7 hearings which are scheduled.

8 The procedure of the Board is
9 that the applicant will be called
10 upon to step forward, state their
11 request and explain why it should be
12 granted. The Board will then ask the
13 applicant any questions it may have,
14 and then any questions or comments
15 from the public will be entertained.
16 The Board will then consider the
17 applications and will try to render a
18 decision this evening but may take up
19 to 62 days to reach a determination.

20 I would ask if you have a
21 cellphone, to please turn it off or
22 put it on silent. When speaking,
23 speak directly into the microphone.
24 We do have a stenographer here this
25 evening recording all of the

1 S N K P E T R O L E U M W H O L E S A L E R S

2 activity.

3 Roll call, please.

4 MS. JABLESNIK: Darrell Bell.

5 MR. BELL: Here.

6 MS. JABLESNIK: James Eberhart.

7 MR. EBERHART: Here.

8 MS. JABLESNIK: Robert Gramstad.

9 MR. GRAMSTAD: Here.

10 MS. JABLESNIK: Greg Hermance.

11 MR. HERMANCE: Here.

12 MS. JABLESNIK: John Masten.

13 MR. MASTEN: Here.

14 MS. JABLESNIK: Donna Rein.

15 MS. REIN: Here.

16 MS. JABLESNIK: Darrin Scalzo.

17 CHAIRMAN SCALZO: Present.

18 MS. JABLESNIK: Also present is
19 our Attorney, Dave Donovan; from Code
20 Compliance, Joseph Mattina; and our
21 Stenographer, Michelle Conero.

22 CHAIRMAN SCALZO: Very good.

23 If you all would please rise for the
24 Pledge of Allegiance.

25 (Pledge of Allegiance.)

1 S N K P E T R O L E U M W H O L E S A L E R S

2 CHAIRMAN SCALZO: Before we dig
3 in, I just want to make an
4 announcement. Anyone that may be
5 here for the applicant SNK Petroleum
6 Wholesalers, 747 Boulevard in
7 Newburgh, they have requested that we
8 extend the public hearing to next
9 month. They are still gathering
10 information which they feel is
11 important to their application.

12 Do we need to vote to extend
13 that, Counselor?

14 MR. DONOVAN: Yes, Mr. Chairman.

15 CHAIRMAN SCALZO: I'll look to
16 the Board for a motion to extend the
17 public hearing for SNK Petroleum.

18 MR. MASTEN: I'll make a motion
19 that we extend the public hearing for
20 747.

21 CHAIRMAN SCALZO: Very good.
22 We have a motion from Mr. Masten. Do
23 we have a second?

24 MR. BELL: I'll second it.

25 MR. DONOVAN: Just for

1 S N K P E T R O L E U M W H O L E S A L E R S

2 clarification, that's to the June
3 meeting?

4 CHAIRMAN SCALZO: That is
5 correct.

6 MS. JABLESNIK: June 23rd.

7 CHAIRMAN SCALZO: We have a
8 motion from Mr. Masten. We have a
9 second from Mr. Bell. Can you roll
10 on that, please, Siobhan.

11 MS. JABLESNIK: Mr. Bell?

12 MR. BELL: Yes.

13 MS. JABLESNIK: Mr. Eberhart?

14 MR. EBERHART: Yes.

15 MS. JABLESNIK: Mr. Gramstad?

16 MR. GRAMSTAD: Yes.

17 MS. JABLESNIK: Mr. Hermance?

18 MR. HERMANCE: Yes.

19 MS. JABLESNIK: Mr. Masten?

20 MR. MASTEN: Yes.

21 MS. JABLESNIK: Ms. Rein?

22 MS. REIN: Yes.

23 MS. JABLESNIK: Mr. Scalzo?

24 CHAIRMAN SCALZO: Yes.

25 The motion is carried. We will

1 S N K P E T R O L E U M W H O L E S A L E R S

2 extend the public hearing for SNK
3 Petroleum to the June meeting.

4 I just wanted to get that out
5 of the way. If anyone is here for
6 that application, feel free to stick
7 around, but you don't have to.

8

9 (Time noted: 7:04 p.m.)

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1 S N K P E T R O L E U M W H O L E S A L E R S

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C E R T I F I C A T I O N

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5

6 I, MICHELLE CONERO, a Notary Public
7 for and within the State of New York, do
8 hereby certify:

9 That hereinbefore set forth is a true
10 record of the proceedings.

11 I further certify that I am not
12 related to any of the parties to this
13 proceeding by blood or by marriage and that
14 I am in no way interested in the outcome of
15 this matter.

16 IN WITNESS WHEREOF, I have hereunto
17 set my hand this 3rd day of June 2022.

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Michelle Conero

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MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH ZONING BOARD OF APPEALS
----- X
In the Matter of

BIG SHINE WORLDWIDE, INC.
300 Corporate Boulevard, Newburgh
Section 95; Block 1; Lot 65
IB Zone

----- X

Date: May 26, 2022
Time: 7:05 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, New York

BOARD MEMBERS: DARRIN SCALZO, Chairman
DARRELL BELL
JAMES EBERHART, JR.
ROBERT GRAMSTAD
GREGORY M. HERMANCE
JOHN MASTEN
DONNA REIN

ALSO PRESENT: DAVID DONOVAN, ESQ.
JOSEPH MATTINA
SIOBHAN JABLESNIK

APPLICANT'S REPRESENTATIVE: RYAN FELLENER

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845) 541-4163

1 BIG SHINE WORLDWIDE, INC.

2 CHAIRMAN SCALZO: This evening
3 our first applicant is Big Shine
4 Worldwide, Inc. at 300 Corporate
5 Boulevard in Newburgh in the IB Zone.
6 They are seeking an area variance of
7 the front yard setback to Route 17K.
8 The existing structure is within 320
9 feet where 500 feet is required.

10 Siobhan, do we have mailings on
11 this?

12 MS. JABLESNIK: Yes. This
13 applicant sent out 12 letters.

14 We sent it to the County and
15 they came back with a Local determination.

16 CHAIRMAN SCALZO: Very good.
17 Who do we have with us this evening?

18 MR. FELLEZZER: I'm Ryan
19 Fellenzer with Fellenzer Engineering.
20 I appreciate being here. I'm
21 representing Big Shine Energy and Big
22 Shine Worldwide, their parent
23 company.

24 The property is located at 300
25 Corporate Boulevard. We had an

1 BIG SHINE WORLDWIDE, INC.

2 initial meeting with the Planning
3 Board for an expansion of
4 approximately 10,000 square foot.
5 They are a warehouse and they are in
6 the energy industry. They do LED
7 lighting. They are very big on that.
8 Solar panels. They store a lot of
9 their products in the buildings. The
10 business is booming so they would
11 like to expand their storage space.

12 We had our initial meeting with
13 the Planning Board. Since this is an
14 amended site plan, it actually
15 triggers going to the Zoning Board
16 based on your current zoning law for
17 the warehousing within 500 feet of
18 17K. We're approximately 320 from
19 the side of the road. It would be a
20 variance of 180 feet, about.

21 I just did a quick little
22 sketch here. So the current building
23 is this pink and yellow outline. The
24 orange would be their proposed
25 expansion. When the original

1 BIG SHINE WORLDWIDE, INC.

2 Grainger building was approved, the
3 future expansion was actually already
4 approved with that initial approval.
5 They are within their current
6 footprint, the footprint that was
7 originally approved with the
8 property. However, since there's a
9 new zoning law in place regarding the
10 distance to 17K, the Planning Board
11 had to refer us to the Zoning Board.
12 The use is not changing.

13 CHAIRMAN SCALZO: Mr. Fellenzer,
14 if you could, we have our newest
15 member of the Zoning Board of
16 Appeals, Ms. Rein. She can't see
17 through you to see what you're
18 pointing at.

19 MR. FELLENER: I'd be happy to
20 shift this.

21 CHAIRMAN SCALZO: Either that
22 or stand on the other side.

23 MR. FELLENER: Would you like
24 me to move this closer?

25 MS. REIN: Whatever is easiest

1 BIG SHINE WORLDWIDE, INC.

2 for you.

3 MR. FELLEZZER: I'll bring this
4 over here. You'll get a better view.

5 MS. REIN: Can you see it?

6 CHAIRMAN SCALZO: I have the
7 plans. There's color coding which
8 the folks at this end of the table
9 have seen now, but now you'll get a
10 better look.

11 MS. REIN: Thank you.

12 MR. FELLEZZER: I was mentioning
13 there is no change of use. We're
14 asking for an area variance. The
15 addition is not further encroaching
16 on the side setback. It's going to
17 be in line with the existing
18 structure. It's going to come back
19 approximately 60 feet and it will be
20 about 125 feet into the property.
21 Obviously the only variance we're
22 requesting is the fact that it is
23 within 500 feet of Route 17K.

24 Will the variance produce an
25 undesirable change in the character

1 BIG SHINE WORLDWIDE, INC.

2 of the neighborhood? We're saying no
3 because it's an existing structure
4 and the property is located within an
5 industrial park. Industrial zone,
6 industrial park.

7 The benefit sought by the
8 applicant cannot be achieved by some
9 other method feasible to the
10 applicant, number two. Because it's
11 based on the existing structure's
12 proximity to Route 17K.

13 The requested area variance
14 is not substantial because, one, it
15 will not increase the zoning and it
16 will not increase traffic.

17 The proposed variance will
18 not have an adverse effect or impact
19 on the physical or environmental
20 conditions because the site was
21 previously designed and approved for
22 this size structure that we are
23 proposing. Even the stormwater was
24 factored in on the proposed 9,800
25 square foot addition.

1 BIG SHINE WORLDWIDE, INC.

2 The hardship is not self-
3 created because the actual structure
4 itself predated Big Shine. Grainger
5 originally built it in its proximity
6 to Route 17K.

7 For those reasons we feel
8 that we have a strong case for an
9 area variance. We're happy to answer
10 any questions you may have or the
11 public may have.

12 CHAIRMAN SCALZO: Thank you
13 very much, Mr. Fellenzer.

14 I'm going to look to my right
15 and ask Mr. Gramstad if he has any
16 questions regarding this application?

17 MR. GRAMSTAD: Not at this
18 time, no.

19 CHAIRMAN SCALZO: Mr. Eberhart?

20 MR. EBERHART: No questions.

21 CHAIRMAN SCALZO: No questions.
22 Mr. Hermance?

23 MR. HERMANCE: The setback at
24 the time the original building was
25 built was less than --

1 BIG SHINE WORLDWIDE, INC.

2 MR. FELLEZZER: Right. So I
3 mean when Grainger originally built
4 it, it's where we show it, it was 320
5 feet. We're not moving the existing
6 building at all. That is where that
7 building was built and that's where
8 it currently is. What we're
9 expanding is off the side here.
10 We're not encroaching -- we're not
11 increasing the nonconformity.

12 MR. HERMANCE: Very good.

13 CHAIRMAN SCALZO: Thank you.

14 Mr. Bell?

15 MR. BELL: Nothing at this time.

16 CHAIRMAN SCALZO: Very good.

17 Mr. Masten?

18 MR. MASTEN: I have nothing at
19 this time.

20 CHAIRMAN SCALZO: Ms. Rein?

21 MS. REIN: Nothing. Thank you.

22 CHAIRMAN SCALZO: Very good.

23 Just to reiterate exactly what
24 you said, you currently don't meet
25 the code because you're 320 feet

1 BIG SHINE WORLDWIDE, INC.

2 where 500 is required. The addition
3 that you're putting on is going to
4 match or be slightly recessed from
5 the existing building, so it will be
6 320, perhaps 321. I understand you
7 completely? Is that correct?

8 MR. FELLENER: That is correct.

9 CHAIRMAN SCALZO: That's fine.

10 At this time I'd like to open
11 it up to any members of the public
12 that wish to speak about this
13 application on Corporate Boulevard.

14 Sir, please step forward.

15 MR. TINO: My name is Aponte
16 Tino. I'd just like to see where
17 he's talking about taking --

18 CHAIRMAN SCALZO: Very good.
19 Mr. Fellenzer, if you could, sir,
20 step forward. Mr. Fellenzer
21 thankfully has outlined the building,
22 the existing building, I see it in
23 pink, and then the proposed addition
24 is in orange.

25 MR. FELLENER: This is also

1 BIG SHINE WORLDWIDE, INC.

2 the existing building. This is a
3 second addition that was put on.
4 This outline with the two colors is
5 existing. This is the new portion.

6 MR. TINO: Where are we here?

7 MR. FELLEZZER: 17K, Corporate
8 Boulevard. Here's the entrance to
9 Big Shine Energy, back towards the
10 west. Here's our current loading
11 dock right here. We're going to
12 expand that a little bit.

13 CHAIRMAN SCALZO: Do you have
14 any questions, sir?

15 MR. TINO: No. The question
16 was we had property here so I wanted
17 to see where it is. This is not the
18 property, our property.

19 CHAIRMAN SCALZO: Very good.
20 Thank you, sir.

21 Does anyone else here wish to
22 speak about this application on
23 Corporate Boulevard?

24 (No response.)

25 CHAIRMAN SCALZO: Okay. Seeing

1 BIG SHINE WORLDWIDE, INC.

2 none, I'm going to look to the
3 Members of the Board, one more
4 opportunity for any questions.

5 (No response.)

6 CHAIRMAN SCALZO: Very good.

7 MR. DONOVAN: Mr. Chairman,
8 could I just ask, in the referral
9 from the Planning Board Attorney, his
10 correspondence noted that the rear
11 and side yard setbacks are shown as
12 compliant. Without margin for error,
13 the applicant was advised to confirm
14 those setbacks and seek variances for
15 those as needed.

16 You confirmed that?

17 MR. FELLEZZER: That's correct.
18 Even during construction McGoey,
19 Hauser & Edsall had suggested that we
20 have a surveyor stake out exactly
21 where the proposed building addition
22 goes. We confirmed that it will not
23 be encroaching on the side setbacks.

24 MR. DONOVAN: I just wanted to
25 get that out there since it was in

1 BIG SHINE WORLDWIDE, INC.

2 the Planning Board referral.

3 CHAIRMAN SCALZO: Thank you,
4 Counselor. It is now a matter of
5 record through our minutes. Great.

6 At this point I'll look to the
7 Members of the Board. Perhaps
8 someone has a motion to close the
9 public hearing.

10 MR. GRAMSTAD: I'll make a
11 motion to close the public hearing.

12 MR. BELL: Second.

13 CHAIRMAN SCALZO: We have a
14 motion from Mr. Gramstad. We have a
15 second from Mr. Bell. Can you roll
16 on that, please, Siobhan.

17 MS. JABLESNIK: Mr. Bell?

18 MR. BELL: Yes.

19 MS. JABLESNIK: Mr. Eberhart?

20 MR. EBERHART: Yes.

21 MS. JABLESNIK: Mr. Gramstad?

22 MR. GRAMSTAD: Yes.

23 MS. JABLESNIK: Mr. Hermance?

24 MR. HERMANCE: Yes.

25 MS. JABLESNIK: Mr. Masten?

1 BIG SHINE WORLDWIDE, INC.

2 MR. MASTEN: Yes.

3 MS. JABLESNIK: Ms. Rein?

4 MS. REIN: Yes.

5 MS. JABLESNIK: Mr. Scalzo?

6 CHAIRMAN SCALZO: Yes

7 The public hearing is now
8 closed.

9 This is an Unlisted action
10 under SEQRA. That is correct,
11 Counselor?

12 MR. DONOVAN: That is correct,
13 Mr. Chairman.

14 CHAIRMAN SCALZO: Thank you,
15 sir.

16 Although we still will go
17 through the area variance criteria,
18 Mr. Fellenzer has put me out of a job
19 by going through those already.
20 We're going to do it again.

21 MR. FELLENER: Yes, sir.

22 CHAIRMAN SCALZO: So the first
23 one being whether or not the benefit
24 can be achieved by other means
25 feasible to the applicant. He's

1 BIG SHINE WORLDWIDE, INC.

2 preexisting nonconforming with the
3 building's location now. He's going
4 to match the front face. I don't
5 know -- other than not doing it, I
6 don't see what else could happen.

7 MR. BELL: No.

8 CHAIRMAN SCALZO: Okay. The
9 second, if there's an undesirable
10 change in the neighborhood character
11 or a detriment to nearby properties.

12 MR. BELL: No.

13 MR. EBERHART: No.

14 MR. GRAMSTAD: No.

15 MR. HERMANCE: No.

16 MR. MASTEN: No.

17 MS. REIN: No.

18 CHAIRMAN SCALZO: No. Very
19 good.

20 The third, whether the request
21 is substantial. Again, it's
22 preexisting nonconforming for the
23 existing building location. My
24 opinion is it's not substantial.

25 The fourth, whether the request

1 BIG SHINE WORLDWIDE, INC.

2 will have adverse physical or
3 environmental effects.

4 MR. BELL: No.

5 MR. EBERHART: No.

6 MR. GRAMSTAD: No.

7 MR. HERMANCENCE: No.

8 MR. MASTEN: No.

9 MS. REIN: No.

10 CHAIRMAN SCALZO: No.

11 I'm certain that any increase
12 in impervious surface will be
13 mitigated through some type of --

14 MR. FELLEZZER: Green
15 infrastructures we will be looking
16 at. We can certainly answer any
17 questions at the Planning Board with
18 engineering that may occur.

19 CHAIRMAN SCALZO: Very good.

20 Thank you.

21 And the fifth, whether the
22 alleged difficulty is self-created
23 which is relevant but not
24 determinative. Of course it's
25 self-created because without the

1 BIG SHINE WORLDWIDE, INC.

2 addition they wouldn't be here. Very
3 good.

4 So if the Board chooses to
5 approve, we have the opportunity to
6 grant the minimum variance necessary
7 and may impose reasonable conditions.
8 Having gone through the balancing
9 test, it doesn't appear as though
10 anything stands out to me to ask for
11 any reductions or anything of the
12 sort.

13 MR. BELL: No.

14 CHAIRMAN SCALZO: Does the
15 Board have a motion of some sort?

16 MR. DONOVAN: Do you want to do
17 a neg dec first?

18 CHAIRMAN SCALZO: Thank you,
19 Counselor.

20 If the Board is going to make a
21 motion to approve, we will also need
22 a motion for a negative -- I have
23 that in my notes, Counselor. So
24 we're going to need a motion from a
25 Board Member for a negative

1 BIG SHINE WORLDWIDE, INC.

2 declaration under SEQRA.

3 MR. HERMANCE: I'll make a
4 motion for a neg dec.

5 CHAIRMAN SCALZO: Do we have a
6 second?

7 MR. EBERHART: Second.

8 CHAIRMAN SCALZO: We have a
9 second from Mr. Eberhart. Can we
10 roll on that, please, for a negative
11 declaration.

12 MS. JABLESNIK: Mr. Bell?

13 MR. BELL: Yes.

14 MS. JABLESNIK: Mr. Eberhart?

15 MR. EBERHART: Yes.

16 MS. JABLESNIK: Mr. Gramstad?

17 MR. GRAMSTAD: Yes.

18 MS. JABLESNIK: Mr. Hermance?

19 MR. HERMANCE: Yes.

20 MS. JABLESNIK: Mr. Masten?

21 MR. MASTEN: Yes.

22 MS. JABLESNIK: Ms. Rein?

23 MS. REIN: Yes.

24 MS. JABLESNIK: Mr. Scalzo?

25 CHAIRMAN SCALZO: Yes

1 BIG SHINE WORLDWIDE, INC.

2 We successfully considered a
3 negative declaration.

4 Now moving on to the next
5 motion which would be for approval.
6 I'll look to the Board for a motion
7 for approval.

8 MR. BELL: I'll make a motion
9 for approval.

10 MR. HERMANCE: I'll second it.

11 CHAIRMAN SCALZO: We have a
12 motion for approval of the variances
13 requested from Mr. Bell. We have a
14 second from Mr. Hermance. Can you
15 roll on that, Siobhan.

16 MS. JABLESNIK: Mr. Bell?

17 MR. BELL: Yes.

18 MS. JABLESNIK: Mr. Eberhart?

19 MR. EBERHART: Yes.

20 MS. JABLESNIK: Mr. Gramstad?

21 MR. GRAMSTAD: Yes.

22 MS. JABLESNIK: Mr. Hermance?

23 MR. HERMANCE: Yes.

24 MS. JABLESNIK: Mr. Masten?

25 MR. MASTEN: Yes.

1 BIG SHINE WORLDWIDE, INC.

2 MS. JABLESNIK: Ms. Rein?

3 MS. REIN: Yes.

4 MS. JABLESNIK: Mr. Scalzo?

5 CHAIRMAN SCALZO: Yes

6 The motion is carried. The
7 variances are granted. Good luck.

8 MR. FELLENER: Thank you,
9 Mr. Chairman. I appreciate the
10 Board's time.

11

12 (Time noted: 7:16 p.m.)

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1 BIG SHINE WORLDWIDE, INC.

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C E R T I F I C A T I O N

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6 I, MICHELLE CONERO, a Notary Public
7 for and within the State of New York, do
8 hereby certify:

9 That hereinbefore set forth is a true
10 record of the proceedings.

11 I further certify that I am not
12 related to any of the parties to this
13 proceeding by blood or by marriage and that
14 I am in no way interested in the outcome of
15 this matter.

16 IN WITNESS WHEREOF, I have hereunto
17 set my hand this 3rd day of June 2022.

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Michelle Conero

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MICHELLE CONERO

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STATE OF NEW YORK : COUNTY OF ORANGE
TOWN OF NEWBURGH ZONING BOARD OF APPEALS
----- X
In the Matter of

MBH DEVELOPMENT
14 Crossroads Court, Newburgh
Section 95; Block 1; Lots 74 & 47.2
IB Zone

----- X

Date: May 26, 2022
Time: 7:17 p.m.
Place: Town of Newburgh
Town Hall
1496 Route 300
Newburgh, New York

BOARD MEMBERS: DARRIN SCALZO, Chairman
DARRELL BELL
JAMES EBERHART, JR.
ROBERT GRAMSTAD
GREGORY M. HERMANCE
JOHN MASTEN
DONNA REIN

ALSO PRESENT: DAVID DONOVAN, ESQ.
JOSEPH MATTINA
SIOBHAN JABLESNIK

APPLICANT'S REPRESENTATIVES: JOHN CAPPELLO,
JAMES MARTINEZ & BERNARD MITTELMAN

----- X

MICHELLE L. CONERO
3 Francis Street
Newburgh, New York 12550
(845) 541-4163

1 MBH DEVELOPMENT GROUP

2 CHAIRMAN SCALZO: Our second
3 applicant this evening is MBH
4 Development Group, 14 Crossroads
5 Court in Newburgh. This is a
6 Planning Board referral for area
7 variances of the front yard, building
8 height and lot surface coverage to
9 convert the existing Orange County
10 Choppers building into a self-storage
11 use. No exterior modifications are
12 proposed.

13 Siobhan, do we have mailings on
14 this?

15 MS. JABLESNIK: This applicant
16 sent out 11 mailings.

17 It also went to the County. We
18 received a letter back, Local
19 determination.

20 CHAIRMAN SCALZO: Local
21 determination. Very good.

22 Who do we have with us this
23 evening?

24 MR. CAPPELLO: I'm John
25 Cappello. I'm with Jacobowitz &

1 MBH DEVELOPMENT GROUP

2 Gubits on behalf of the applicant. I
3 have James Martinez, the project
4 engineer, and also Bernard Mittelman
5 who is one of the principals if the
6 Board has any specific questions
7 regarding the operations.

8 We're here tonight, as was
9 pretty well stated in your notice of
10 hearing, to discuss the conversion of
11 the Orange County Choppers building
12 which I'm sure most of you are pretty
13 familiar with. It was quite the
14 facility at one point. The current
15 owners who have taken it over
16 operated it for awhile without Orange
17 County Choppers as a restaurant and
18 entertainment facility, but
19 unfortunately it just hasn't worked.
20 They marketed the building and now
21 they are moving forward to convert it
22 to self-storage facilities.

23 This is a bit similar to the
24 last application you had before you.
25 We're not proposing any real changes

1 MBH DEVELOPMENT GROUP

2 to the facility. James will speak to
3 the particulars if the Board has any
4 questions.

5 Your code allows self-storage
6 facilities in the Zoning District.
7 There are different bulk tables for
8 different uses. The maximum height
9 for self-storage -- although the
10 building preexists, the maximum
11 height for self-storage facilities is
12 15 feet. I think that envisioned the
13 outside exterior that we're mostly
14 familiar with. The trend in the
15 industry has been to provide for more
16 interior storage in climate
17 controlled buildings.

18 I think the Board had before it
19 a couple of years ago an application
20 for interior which was a new build
21 that was -- the Board had granted a
22 variance just in recognition that it
23 makes more sense, instead of building
24 out, to build up a little bit. This
25 building is 33 feet at the height, so

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2 it does meet the height requirements
3 for more uses. It's not out of
4 character at all -- well, it's out of
5 character for a lot of different
6 reasons, but it's unique. Height
7 wise it's not larger than most of the
8 buildings.

9 Also, it exists at a 52 foot
10 front yard when 80 feet is required.

11 Also, your code has a lot
12 surface coverage which is a 60
13 percent maximum. 76 percent of the
14 -- 76.4 of the site is covered.

15 Now, I do recall briefly during
16 the time that it was built that some
17 of the pavement, like as you walk
18 into the building, is permeable. I
19 don't know if that was in recognition
20 back then of this. We don't propose
21 to increase the impermeable surface.

22 There are going to be -- while
23 we said there are no exterior changes
24 to the building, there will be a
25 couple of islands taken out and

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2 removed, but it will be replaced with
3 some landscaping in other areas. So
4 the net effect will be that the
5 impervious surface will be slightly
6 reduced. We're just here to ask so
7 that we can go to the Planning Board.
8 It will be slightly reduced, but not
9 to 60 percent.

10 The last variance required is
11 there is an existing parking lot that
12 is actually part of this property.
13 It's on a corner. While the property
14 frontage is from Crossroads Court,
15 Orr Avenue which leads to I believe a
16 recycling facility --

17 MR. MARTINEZ: There's an
18 aerial in the back.

19 MR. CAPPELLO: I'll get it
20 turned over to you in a second,
21 James.

22 There is an existing parking
23 facility. Your self-storage
24 provision says no parking or storage
25 of RVs or vehicles in the front yard.

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2 So while this isn't the front yard to
3 the facility, because it's on a
4 corner lot it could be considered a
5 front yard to Orr Avenue. We are
6 requesting also a variance to allow
7 storage of RVs and campers in that
8 area. That area will be sufficiently
9 screened and fenced as part of the
10 application to the Planning Board.

11 I did notice, because I see
12 your attorney looking, I don't think
13 that one is listed in the letter.

14 MR. DONOVAN: No. It's part of
15 your application?

16 MR. CAPPELLO: Yes, it is part
17 of the application.

18 MR. DONOVAN: John, have we
19 been working together that long? I
20 looked and you knew what I was
21 thinking.

22 MR. CAPPELLO: I'll let James
23 present the specific question, but I
24 think what we're here -- you know,
25 there's no physical change to the

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2 neighborhood. I believe the traffic
3 with the self-storage facility will
4 probably be about a tenth of the
5 traffic that was generated by this
6 facility in its heyday when, you
7 know, it was in the operation of
8 Orange County Choppers. It was a
9 bowling alley, a bar, a restaurant.
10 So there will be virtually -- like I
11 said, if it's 10 percent of the
12 traffic, I would be surprised.

13 There's no physical additional
14 disturbance.

15 There will still be vehicles
16 parked where vehicles were parked in
17 the past. These will be campers and
18 RVs that will be stored. Like I
19 said, the area will be fenced, it
20 will be screened, there will be gates
21 there to protect those vehicles.

22 It's a much needed service. A
23 lot of people do have campers and
24 need places to put them in the
25 winter. It is a viable use for the

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2 property.

3 The building exists. I mean to
4 cut off 15 feet, I don't think
5 there's a feasible way to convert
6 this to self-storage without using
7 the existing building. It's climate
8 controlled so it's -- it's a positive
9 aspect.

10 So I think from, you know, the
11 standards and the balancing test, I
12 think the benefit to the applicant in
13 allowing it to move forward and get a
14 productive use and a tax generating
15 rateable out of this property
16 outweighs any perceived detriment to
17 the minor impacts.

18 Now I'll let James present his
19 particulars. Also, we have
20 Mr. Mittelman if you have any
21 questions regarding the specific
22 operation.

23 MR. MARTINEZ: James Martinez.
24 Just covering all the bases, you see
25 the pictures here. The Orange County

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2 Choppers building is here. This is
3 the RV storage parking lot in
4 question. Orr Avenue is here. These
5 are Google images taken from street
6 view facing both directions. This
7 one is facing towards 17, this one is
8 facing towards the recycling facility
9 here, the transfer station. As you
10 can see, there really wouldn't be too
11 much of like an unsightly, out-of-
12 character look to it if we were to
13 put up screening fences and had RVs
14 parked back there. That was just one
15 of the variances that we needed.

16 Two front yards, like John
17 said, building height and -- let me
18 flip this over -- lot surface
19 coverage. As proposed now, we are
20 reducing the coverage by 550 square
21 feet. We are offsetting any paving
22 of the islands that we are doing with
23 removal of some parking areas here
24 and landscaping. This way we're not
25 creating any new impervious surfaces.

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2 Especially going before you guys
3 asking for a variance for lot
4 coverage, we don't want to be adding
5 impervious. We want to be reducing
6 it as much as we can within reason.
7 Obviously we can't get it under that
8 60 percent, but we would like to come
9 in with at least a reduction.

10 I think we covered most of what
11 we were going for. I don't know if
12 Bernard would like to say anything or
13 if you guys have questions.

14 CHAIRMAN SCALZO: I'm sure we
15 do. Very good.

16 At this point -- I wasn't going
17 to -- I'm going to look to my left
18 this time. Ms. Rein, do you have any
19 comments or questions about this
20 application?

21 MS. REIN: Well, I'm really new
22 to this, but I don't know what you
23 mean by impervious areas.

24 MR. CAPPELLO: Just pavement so
25 the water doesn't go down into the

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2 ground. It flows off so it has
3 stormwater impact. So if it's
4 concrete, that's impervious. If it's
5 dirt or gravel, when the water hits,
6 it goes down in the ground so it
7 doesn't run off so much. This was
8 specifically paved in your code for
9 this area. It's only 60 percent of
10 the lot that can be impervious. In
11 this case 76 percent was for the
12 Orange County Choppers facility.

13 MS. REIN: And you're going to
14 change that?

15 MR. CAPPELLO: We're going to
16 slightly reduce it.

17 MR. MARTINEZ: With its
18 previous use everything was in
19 compliance. I'm not exactly sure
20 what its previous use fell under, but
21 I saw impervious coverage up to 80
22 percent allowable for certain uses.
23 Assuming its previous use, everything
24 is compliant with this building and
25 the site.

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2 CHAIRMAN SCALZO: Thank you.

3 Ms. Rein, have your questions been
4 answered?

5 MS. REIN: Yes. Thank you.

6 CHAIRMAN SCALZO: We can roll
7 back to you, if you'd like.

8 Mr. Masten?

9 MR. MASTEN: Yes. Are there
10 going to be two entrances to this
11 facility, one off of 17K and the
12 other one off of Orr Avenue, or is
13 the one on Orr Avenue going to be
14 kept closed?

15 MR. MARTINEZ: We are proposing
16 to have Orr Avenue just for access
17 for the RV storage in that parking
18 lot. So there would be, yes.

19 MR. MASTEN: I'm thinking about
20 the County coming in and out of there
21 with their vehicles on Orr Avenue.
22 You've got to consider that, too.

23 MR. CAPPELLO: What will be
24 stored there will be campers and RVs.
25 So when people put them there, they

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2 usually drive them there maybe in
3 November to store them. I mean it's
4 not a day-to-day pull in and out of
5 there.

6 MR. MASTEN: When you go to
7 these storage places, you've got to
8 worry about cars and people roaming
9 around.

10 MR. CAPPELLO: It will be gated
11 and locked. You will have to have
12 your access.

13 MR. MASTEN: That's all I have,
14 Darrin.

15 CHAIRMAN SCALZO: Thank you,
16 Mr. Masten.

17 Mr. Bell, do you have any
18 comments or questions?

19 MR. BELL: That was one of my
20 questions. When I drove there today,
21 I saw the access to the landfill
22 area. I appreciate that.

23 So it's my understanding that
24 you're going to be using this as a
25 storage for campers?

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2 MR. CAPPELLO: Outside. On the
3 inside there will be units that you
4 can use --

5 MR. BELL: Storage, individual
6 unit storage.

7 You mentioned about removing --
8 I might say this wrong -- removing
9 the parking barriers -- what's the
10 proper wording.

11 MR. MARTINEZ: We have a couple
12 of areas in that one parking lot
13 along Orr Avenue here. If we were to
14 remove these this way -- this was
15 made for compact cars and SUVs and
16 everything. If we remove these items
17 here, it would make driving and
18 parking and storing the RVs easier,
19 better maneuverability. The same
20 with over here.

21 MR. BELL: Off to the side?

22 MR. MARTINEZ: Off to the left
23 side of the entrance. If we were to
24 remove those, it would make
25 maneuvering and storing these

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2 vehicles easier.

3 MR. BELL: How many parking
4 spaces are you looking -- storage
5 spaces outside? What's the --

6 MR. MARTINEZ: From the looks
7 of this one we have, it's parallel.
8 I know we threw out a couple ideas,
9 angled parking versus 90 degree
10 parking.

11 CHAIRMAN SCALZO: It looks like
12 22 is your count.

13 MR. BELL: I missed that.
14 Thank you. I'm good right now.

15 CHAIRMAN SCALZO: Thank you,
16 Mr. Bell.

17 Mr. Hermance, do you have
18 comments or questions for the
19 applicant?

20 MR. HERMANCE: Just on the
21 height variance, you need that due to
22 the fact that the use is changing?
23 That's the only reason?

24 MR. MARTINEZ: Yes.

25 MR. HERMANCE: That's all I

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2 have.

3 CHAIRMAN SCALZO: Thank you.

4 Mr. Eberhart, do you have
5 questions or comments?

6 MR. EBERHART: No questions.

7 CHAIRMAN SCALZO: Mr. Gramstad?

8 MR. GRAMSTAD: All of my
9 questions have been answered.

10 CHAIRMAN SCALZO: You see what
11 I did there. Right?

12 MS. REIN: Yes, I did. Good
13 job.

14 CHAIRMAN SCALZO: I let
15 everybody else talk first, that way
16 most of my questions were answered as
17 well.

18 I have a couple of things
19 myself. As an observation, and I'm
20 going to need Mr. Mattina's help.
21 I'm going to ask the question and
22 then I'm going to ask for his help.

23 Mr. Mattina, you've seen the
24 plan. We have a bunch of RVs very
25 near the property line which is also

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2 very near Orr Avenue. So as you're
3 pulling in and out of the transfer
4 station, you're going to see RVs, not
5 that that's a big deal. It was a
6 parking lot for the Orange County
7 Choppers, which I'll call it
8 transient. People were in, people
9 were out. If we were to look at this
10 as these vehicles are going to stay
11 here all the time, much like a car
12 dealership, what is the required
13 setback from streets for displaying
14 cars? You know what, I'll give you a
15 chance to look at that.

16 My other question, Counsel, you
17 might be able to help me on this, or
18 even maybe Joe Mattina, this
19 particular structure was in before us
20 a year or two years ago because they
21 had etchings on the glass.

22 MR. DONOVAN: April 2019.

23 CHAIRMAN SCALZO: So they did
24 receive a variance for the signing,
25 because that's considered signing. I

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2 believe that variance, if everything
3 stays as is, remains. If the intent
4 was to change that, Counselor, would
5 it --

6 MR. DONOVAN: The Planning
7 Board didn't refer you for that
8 issue. That was going to be one of
9 my questions, what you're going to do
10 with the signage.

11 Just by way of history, John, I
12 don't --

13 MR. CAPPELLO: We discussed it
14 with one of the other operators
15 yesterday. The etching is there and
16 it's -- I think it actually, as I
17 understand it, had some kind of
18 landmark in it. So we would -- the
19 applicant would prefer -- I mean it
20 has nothing to do with the self-
21 storage. Instead of a sign, it's
22 really art. So, you know, they have
23 no -- they have no plans to change
24 it. If they were required to, they
25 could block it out, but it --

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2 MR. DONOVAN: It would make
3 everyone's life easier if they didn't.

4 CHAIRMAN SCALZO: They do have
5 a variance for it to be there.

6 MR. MASTEN: Very true.

7 MR. DONOVAN: Code Compliance
8 sees it as a sign. They actually
9 built it -- notwithstanding the fact
10 that the variance was denied in 2012,
11 but then they got a variance for it
12 in 2019. If you leave it alone,
13 everybody is happy.

14 MR. CAPPELLO: They would love
15 not to have to touch it.

16 CHAIRMAN SCALZO: Very good.

17 So if I could circle back to
18 Mr. Mattina.

19 MR. MATTINA: Basically parking
20 in the front is all based on the zone
21 and the buffer zone setback
22 requirements. You might need a 60-foot
23 front yard setback buffer zone, so
24 you wouldn't be able to put anything
25 in there. It depends what zone

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2 you're in, what you border. If you
3 border residential, you've got a
4 bigger buffer zone. If you're on
5 17K, you've got a larger buffer zone.
6 It's all dependent on the buffers.

7 CHAIRMAN SCALZO: Okay. So
8 really this -- if this were a car
9 dealership, which it's not, but with
10 the display of vehicles, for lack of
11 a better word, it doesn't appear as
12 though in this particular area it
13 would be an issue?

14 MR. MATTINA: Right. Mostly
15 the buffer zone runs along 17K, 300.
16 There's a lot between this lot and
17 17K. You've got plenty of buffer
18 zone.

19 MR. DONOVAN: If I understand;
20 John, you're saying the fact that
21 it's in a front yard, you're
22 requesting a variance?

23 MR. CAPPELLO: Yes. It says no
24 storage of RVs in the front yard.

25 MR. DONOVAN: So you are

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2 requesting a variance?

3 MR. CAPPELLO: Yes. Typically
4 because it's Orr Avenue, this whole
5 thing could be -- this is the front.

6 CHAIRMAN SCALZO: Right. My
7 mind is slipping, but I think about
8 15 minutes ago you did say the
9 Planning Board is requiring you to
10 plant some buffer?

11 MR. CAPPELLO: Well, we have to
12 go here first. The Planning Board
13 has discussed some buffering. This
14 will be fenced and there will be some
15 plantings outside the fence.

16 CHAIRMAN SCALZO: I don't know
17 how upsetting it would be for people
18 going to the transfer station to look
19 at, you know, all the trailers in a
20 row. Sometimes people see things
21 differently. I don't have any other
22 questions.

23 At this point I'll look to any
24 members of the public that wish to
25 speak about this application.

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2 Mr. Fetter?

3 MR. FETTER: No, thank you.

4 CHAIRMAN SCALZO: Very good.

5 I'll go back to the Board. Any other
6 comments or questions?

7 MR. BELL: No.

8 MR. EBERHART: No.

9 MR. GRAMSTAD: No.

10 MR. HERMANCE: No.

11 MR. MASTEN: No.

12 MS. REIN: No.

13 CHAIRMAN SCALZO: Very good.

14 All right. In this case I will look
15 to the Board for a motion to close
16 the public hearing.

17 MR. MASTEN: I'll make a motion
18 to close the public hearing.

19 MR. GRAMSTAD: I'll second it.

20 CHAIRMAN SCALZO: We have a
21 motion from Mr. Masten. We have a
22 second from Mr. Gramstad. Can you
23 roll on that, Siobhan.

24 MS. JABLESNIK: Mr. Bell?

25 MR. BELL: Yes.

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2 MS. JABLESNIK: Mr. Eberhart?

3 MR. EBERHART: Yes.

4 MS. JABLESNIK: Mr. Gramstad?

5 MR. GRAMSTAD: Yes.

6 MS. JABLESNIK: Mr. Hermance?

7 MR. HERMANCENCE: Yes.

8 MS. JABLESNIK: Mr. Masten?

9 MR. MASTEN: Yes.

10 MS. JABLESNIK: Ms. Rein?

11 MS. REIN: Yes.

12 MS. JABLESNIK: Mr. Scalzo?

13 CHAIRMAN SCALZO: Yes.

14 The public hearing is now
15 closed.

16 This is also an Unlisted action
17 under SEQRA.

18 In this case, Counselor, the
19 order of operations here, should we
20 do the neg dec first?

21 MR. DONOVAN: You could do that
22 first, you could do it after the
23 balancing test. You just need to do
24 it before you vote on the variance.

25 CHAIRMAN SCALZO: Very good.

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2 Let's go ahead and proceed
3 through the five factors of the
4 criteria here. The first, whether or
5 not the benefit can be achieved by
6 other means feasible to the
7 applicant. My opinion is we're
8 looking at everything that's already
9 been there. I'm not concerned.

10 The second, if there is an
11 undesirable change in the
12 neighborhood character or a detriment
13 to nearby properties. Again, I don't
14 believe so.

15 I'm going to ask the applicant
16 a question. Will you be -- what
17 you're doing there is going to
18 change. I see that there are a
19 couple of indications on the plans to
20 remove lighting, which I think is
21 great. If you're a fan of birds,
22 that really messes birds up. Less
23 lighting is better. Is there a
24 requirement for what you're trying to
25 do? That's an environmental impact,

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2 actually, that we may consider.

3 MR. MARTINEZ: It's more so
4 along the lines of removing the
5 island and pavement there to allow
6 for maneuverability. They're just
7 going to be relocated.

8 MR. CAPPELLO: During the
9 course of -- there may be some safety
10 requirements, but during the course
11 of the review with the Planning
12 Board, I mean we could potentially --
13 I don't know if we need all the
14 lighting that people would need
15 coming out of the bar, you know, at 2
16 in the morning. There will have to
17 be some lighting for safety.

18 CHAIRMAN SCALZO: It's really
19 not a criteria that we were weighing
20 today, but I think it would be great
21 if you didn't have to put some
22 lighting back there. That would be
23 wonderful. That's something for the
24 Planning Board to figure out. I got
25 distracted.

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2 I was on undesirable change to
3 the neighborhood character or a
4 detriment to nearby properties. It
5 does not appear so.

6 MR. BELL: No.

7 MR. EBERHART: No.

8 MR. GRAMSTAD: No.

9 MR. HERMANCE: No.

10 MR. MASTEN: No.

11 MS. REIN: No.

12 CHAIRMAN SCALZO: The third,
13 whether the request is substantial.
14 Again, we're looking at preexisting
15 conditions. I don't really think so.

16 MR. BELL: No.

17 CHAIRMAN SCALZO: The fourth,
18 whether the request will have adverse
19 physical or environmental effects.

20 MR. BELL: No.

21 MR. EBERHART: No.

22 MR. GRAMSTAD: No.

23 MR. HERMANCE: No.

24 MR. MASTEN: No.

25 MS. REIN: No.

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2 CHAIRMAN SCALZO: It does not
3 appear so again.

4 The fifth, whether the alleged
5 difficulty is self-created which is
6 relevant but not determinative.
7 Again, the building is -- well, it's
8 self-created because they're trying
9 to do something different. They're
10 making use of a very difficult
11 building to utilize.

12 So having gone through the
13 balancing test of the area variance
14 -- I'm going to stop right there and
15 then we're going to go on.

16 As I mentioned, this is an
17 Unlisted action under SEQRA. What
18 I'm going to need is for a Board
19 Member to make a motion for a
20 negative declaration.

21 MR. EBERHART: I'll make the
22 motion for a negative declaration.

23 MR. BELL: I'll second it.

24 CHAIRMAN SCALZO: We have a
25 motion from Mr. Eberhart, we have a

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2 second from Mr. Bell for a negative
3 declaration under SEQRA. Can you
4 roll on that, Siobhan.

5 MS. JABLESNIK: Mr. Bell?

6 MR. BELL: Yes.

7 MS. JABLESNIK: Mr. Eberhart?

8 MR. EBERHART: Yes.

9 MS. JABLESNIK: Mr. Gramstad?

10 MR. GRAMSTAD: Yes.

11 MS. JABLESNIK: Mr. Hermance?

12 MR. HERMANCE: Yes.

13 MS. JABLESNIK: Mr. Masten?

14 MR. MASTEN: Yes.

15 MS. JABLESNIK: Ms. Rein?

16 MS. REIN: Yes.

17 MS. JABLESNIK: Mr. Scalzo?

18 CHAIRMAN SCALZO: Yes.

19 So there is a successful
20 negative dec on that.

21 Now moving towards the home
22 stretch here. Having gone through
23 the balancing test, does the Board
24 have a motion of some sort?

25 MR. GRAMSTAD: I'll make a

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2 motion to approve.

3 MR. HERMANCE: I'll second it.

4 CHAIRMAN SCALZO: Thank you.

5 MS. REIN: I didn't hear what
6 he said.

7 CHAIRMAN SCALZO: He made a
8 motion for approval and Mr. Hermance,
9 after a long, dramatic pause,
10 seconded it.

11 Siobhan, could you roll on
12 that, please.

13 MS. JABLESNIK: Mr. Bell?

14 MR. BELL: Yes.

15 MS. JABLESNIK: Mr. Eberhart?

16 MR. EBERHART: Yes.

17 MS. JABLESNIK: Mr. Gramstad?

18 MR. GRAMSTAD: Yes.

19 MS. JABLESNIK: Mr. Hermance?

20 MR. HERMANCE: Yes.

21 MS. JABLESNIK: Mr. Masten?

22 MR. MASTEN: Yes.

23 MS. JABLESNIK: Ms. Rein?

24 MS. REIN: Yes.

25 MS. JABLESNIK: Mr. Scalzo?

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2 CHAIRMAN SCALZO: Yes.

3 The motion is carried. The
4 variances are approved.

5 MR. CAPPELLO: Thank you very
6 much.

7 MR. MARTINEZ: Thank you.

8 CHAIRMAN SCALZO: The last bit
9 of Board Business would be the
10 approval of the meeting minutes for
11 the April meeting. I hope everyone
12 has had a chance to read them as I
13 have. I'm looking for a motion for
14 approval of the April meeting
15 minutes.

16 MR. MASTEN: I'll make a motion
17 for the approval of the minutes for
18 April.

19 CHAIRMAN SCALZO: I'll second
20 that.

21 Siobhan, could you roll on
22 that, please.

23 MS. JABLESNIK: Mr. Bell?

24 MR. BELL: Yes.

25 MS. JABLESNIK: Mr. Eberhart?

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2 MR. EBERHART: Yes.

3 MS. JABLESNIK: Mr. Gramstad?

4 MR. GRAMSTAD: Yes.

5 MS. JABLESNIK: Mr. Hermance?

6 MR. HERMANCE: Yes.

7 MS. JABLESNIK: Mr. Masten?

8 MR. MASTEN: Yes.

9 MS. JABLESNIK: Ms. Rein?

10 MS. REIN: Yes.

11 MS. JABLESNIK: Mr. Scalzo?

12 CHAIRMAN SCALZO: Yes.

13 The minutes are approved.

14 Does anybody else have any
15 other business they would like to
16 discuss here today?

17 (No response.)

18 CHAIRMAN SCALZO: I'll look to
19 the Board for a motion to adjourn.

20 MR. HERMANCE: I'll make a
21 motion to adjourn.

22 MR. EBERHART: I'll second it.

23 CHAIRMAN SCALZO: We have a
24 motion from Mr. Hermance. We have a
25 second from Mr. Eberhart. All in

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2 favor?

3 MR. BELL: Aye.

4 MR. EBERHART: Aye.

5 MR. GRAMSTAD: Aye.

6 MR. HERMANCIE: Aye.

7 MR. MASTEN: Aye.

8 MS. REIN: Aye.

9 CHAIRMAN SCALZO: Aye.

10 Any opposed?

11 (No response.)

12 CHAIRMAN SCALZO: No response.

13

14 (Time noted: 7:42 p.m.)

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C E R T I F I C A T I O N

I, MICHELLE CONERO, a Notary Public
for and within the State of New York, do
hereby certify:

That hereinbefore set forth is a true
record of the proceedings.

I further certify that I am not
related to any of the parties to this
proceeding by blood or by marriage and that
I am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 3rd day of June 2022.

Michelle Conero

MICHELLE CONERO