

**Village of Buchanan
Mayor & Board of Trustees
Special Meeting
January 24, 2023**

PRESENT: (This meeting was held live and via Zoom)

Mayor Theresa Knickerbocker
Trustees Anthony Capicotti, Steven Laker, Sean Murray, Daniel Stewart
Village Administrator Marcus Serrano
Village Attorney Stephanie Porteus
Village Planner, David Smith
Village Clerk, Treasurer Cynthia Kempter
Deputy Village Clerk Sharon Murphy
Assistant Building Inspector Peter Cook

OTHERS:

Mark Creedon, Perkins Eastman
Mark Weingarten, Attorney for AMS Acquisitions LLC
Aaron Werner, AKRF

1. PLEDGE OF ALLEGIANCE:

Mayor Knickerbocker called the meeting to order at 7:00 P.M. She led the Pledge of Allegiance. Mayor Knickerbocker explained that this is a special meeting because the Board will be voting on the AMS project. If the Board waited until the next meeting, the developers would not be able to do anything until May. The Board likes the project and wants to move forward with this project.

2. COMMENTS FROM THE FLOOR (agenda items only): None

3. NEW BUSINESS:

a. Presentation by AMS

Mark Creedon gave a brief overview of the AMS project. It is a little under six acres. The access will be off of Craft Lane. They want to limit the steep slope impact and respect the wetland buffer. They placed more parking under the building which minimized the surface parking. The building is five stories with 148 units with a mixture of one, two and two plus bedrooms. There are 162 spaces under the building and 63 spaces on the surface for a total of 225 parking spaces. There are 1.52 spaces per unit. Mr. Creedon thanked the Village Board

for the effort they have put in in working with AMS. Mark Weingarten stated that the petition before the Village Board requests that the entire site be zoned to the C2 district and C-1/C-2 Overlay Zoning District; and they are seeking certain amendments to the C-1/C-2 District in order to achieve the project. Mr. Weingarten said that they think this is the type of housing that is needed in the Village of Buchanan. They are requesting changes to 1.5 parking spaces per unit, density change and a height differential change. They have asked that this be done through special permits. They are proposing a Village Board special permit. If the Village Board grants this zoning petition, they will come back to the Board after the environmental review is finished. They will come back for a special permit which will be referred to the Planning Board. They would appear in front of the Planning Board, get their expertise and the Planning Board would render their judgment and opinion but it would be a non-binding opinion. That opinion would go back to the Village Board to make the ultimate determination with regard to the special permit. There were comments and questions from the Village Board. Nicholas Zachary asked about the cumulative effect of the two projects on Albany Post Road and can the traffic studies be correlated to each other. Village Planner Smith replied that roadway traffic will be evaluated at a certain segment of time in the morning and afternoon. The traffic engineers will comprehensively be evaluating the development projects in the area. NYS DOT will also have a big say in the traffic volume and what the impacts are.

- b. 2023-03 Resolution Declaring Notice of Intent to Act as Lead Agency for Proposed Zoning Text and Map Amendments to C1/C-2 Overlay District, Special Permit and Site Plan Approval for the Development of Unimproved Property Located on Albany Post Road (and Also Known and Designated on the Tax Map of the Town of Cortlandt as Section 43.16, Block 3, Lots 16 and 16A and Section 43.20, Block 2, Lot 2)

A motion to approve this as presented was made by Mayor Knickerbocker, seconded by Trustee Laker, with Trustee Capicotti and Trustee Stewart in favor, Trustee Murray opposed and Mayor Knickerbocker did not cast a vote.

WHEREAS, on or about January 10, 2023, representatives of Buchanan Dev AMS LLC (the “Applicant”) did submit a facially complete petition to the Village of Buchanan Board of Trustees (the Village Board”) for an amendment to the zoning map of the Village of Buchanan and amendments to the Zoning Code of the Village of Buchanan generally affecting the C-1/C-2 Overlay Zoning District (the “Proposed Zoning Amendments”); and

WHEREAS, Article XII, Section 211-53 of the Code of the Village of Buchanan provides for the process and procedures for amendments to the Village's Zoning Code, and the Applicant has provided a draft of the Proposed Zoning Amendments along with other supporting documentation; and

WHEREAS, in relation to the Proposed Zoning Amendments the Applicant will also seek from the Village Board, a special permit to allow for the application of the C-1/C-2 Overlay District to the Subject Site, and a site plan approval for the redevelopment of the

Subject Site for multi-family residential development, (collectively with the Proposed Zoning Amendments, the “Proposed Action”); and

WHEREAS, on January 24, 2023, at a special meeting of the Village Board, the Board did review and discuss the proposed zoning revisions; and

WHEREAS, the Village Board, under Section 7-700 of New York State Village Law and Article XII §211-53 of the Code of the Village of Buchanan, is the only duly authorized legislative body that has the authority to approve the Proposed Zoning Amendments; and

WHEREAS, after a review of the petition, the Village Board acknowledges that there are other interested and involved agencies, as those terms are defined under the State Environmental Quality Review Act (“SEQRA” or Part 617 of the NYS CRR), that should be notified of the Village Board’s Intent to Act as Lead Agency; and

NOW, THEREFORE, BE IT RESOLVED, the Village Board pursuant to Part 617.6 of the NYS CRR, hereby determines that the Proposed Action is subject to SEQRA and based on specific requirements in the Village Code classifies the action as a Type I; and

BE IT FURTHER RESOLVED, that the following agencies identified by the EAF and using all due diligence, are Interested or Involved agencies for the Proposed Action and should be provided a copy of this Notice of Intent to Act as Lead Agency:

Village of Buchanan Planning Board
Village of Buchanan Zoning Board
Town of Cortlandt
City of Peekskill
Westchester County Department of Health
Westchester County Department of Planning
New York State Department of Environmental Conservation and
New York State Department of Transportation; and

BE IT FURTHER RESOLVED, that the Village Board hereby directs that a Lead Agency Coordination Notice be circulated among the Interested and Involved agencies together with a copy of this resolution, the Proposed Zoning Amendments, the EAF, and such other information as is appropriate, indicating the Village Board’s intent to assume the role of Lead Agency for the Proposed Action under SEQRA, and that a minimum of 30 days to comment on the Board’s Intent to Act as Lead Agency and that any correspondence on this matter be directed to the Village Administrator’s Office, 236 Tate Avenue, Buchanan, NY 10511.

Carried by the Following Votes:

AYES: Trustee Capicotti, Trustee Laker, Trustee Stewart
NAYS: Trustee Murray
NO VOTE: Mayor Knickerbocker

4. **ADJOURNMENT:**

At 8:19 P.M. a Motion to adjourn this meeting was made by Mayor Knickerbocker, seconded by Trustee Stewart with all in favor.