

**In the Matter Of:**

**VILLAGE OF FARMINGDALE - PLANNING BOARD and ARB**

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**LINCOLN ROAD AND TORETTA LANE**

*October 22, 2024*

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INCORPORATED VILLAGE OF FARMINGDALE  
VILLAGE PLANNING BOARD FOR THE ARCHITECTURAL  
REVIEW BOARD  
FARMINGDALE, NEW YORK

October 22, 2024  
7:00 p.m.

Re: 11 Lincoln Road  
2 Toretta Lane  
4 Toretta Lane  
6 Toretta Lane

ACCURATE COURT REPORTING SERVICE, INC.  
info@accuratecorp.com  
631-331-3753

1 PLANNING BOARD - 10/22/24

2 A P P E A R A N C E S :

3 JOSEPH STAUDT, Chairman

4 CRAIG ROSASCO, Member

5 BERNARD HOTHERSALL, Member

6 MELISSA GRAHAM  
Long Island Perfect Permits

7 MARIA FRASER, Applicant  
11 Lincoln Road

8 TODD O'CONNELL, Architect  
9 2, 4 and 6 Toretta Lane

10 C O M M E N T S :

11 ALEX LAPIDUS  
Merritts Road

12 JOHN BLAZER  
13 3 Hampshire Drive

14 CEIL DILLON DAN DILLON  
7 Hampshire Drive

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1 PLANNING BOARD - 10/22/24

2 CHAIRMAN STAUDT: All right,  
3 good evening everyone.

4 This is the October meeting of  
5 the Village of Farmingdale's Planning  
6 and Architectural Review Board.

7 If everyone could please stand,  
8 we're going to start by reciting the  
9 Pledge of Allegiance.

10 Craig, if you wouldn't mind --

11 MR. ROSASCO: Absolutely.

12 CHAIRMAN STAUDT: (Continuing)  
13 -- leading us?

14 MR. ROSASCO: No hats? All  
15 right, we're good, gang.

16 (WHEREUPON, the Pledge of  
17 Allegiance was recited)

18 CHAIRMAN STAUDT: If everyone  
19 could remain standing for one minute,  
20 it's a tradition in the village for  
21 us to take a moment to remember all  
22 the troops serving overseas, our  
23 first responders, everyone who keeps  
24 us safe.

25 (WHEREUPON, a moment of

1 PLANNING BOARD - 10/22/24

2 silence was observed.)

3 CHAIRMAN STAUDT: Okay,  
4 everyone please be seated.

5 All right, this evening we  
6 have four applications before the  
7 Board.

8 We have one on Lincoln Road  
9 and the three applicants are part of  
10 the development on Toretta Lane.

11 Do we have someone here  
12 representing 11 Lincoln Road?

13 MS. GRAHAM: Yes.

14 MS. FRASER: Yes.

15 CHAIRMAN STAUDT: Excellent.

16 Okay, if you could stand and  
17 give your name and address for the  
18 record.

19 MS. FRASER: Yes.

20 CHAIRMAN STAUDT: And then  
21 walk us through --

22 MS. FRASER: Yes.

23 CHAIRMAN STAUDT: (Continuing)  
24 -- your proposal tonight. You can  
25 stand right there.

1 PLANNING BOARD - 10/22/24

2 MS. GRAHAM: Okay. My name is  
3 Melissa Graham, I'm from Long Island  
4 Perfect Permits, we're located at 124  
5 Front Street in Massapequa Park  
6 11762. We're the agent representing  
7 Mr. and Mrs. Fraser.

8 We submitted an application to  
9 the village for a widened driveway,  
10 and we were sent here.

11 So right now, the driveway  
12 currently occupies 680 square feet.  
13 It's a corner property, the  
14 homeowners extended the driveway to  
15 make sure that all of the cars could  
16 be off the road during, you know, bad  
17 weather and in the winter. They are  
18 asking that -- the plans show a dry  
19 well being added and some trench  
20 drains. They're asking for some  
21 relief on the dry well, it's very  
22 expensive.

23 MS. FRASER: Yes, mm-hmm.

24 MS. GRAHAM: It's a financial  
25 burden to try and add that, so they

1 PLANNING BOARD - 10/22/24

2 were asking if there was any way  
3 there could be any kind of leeway in  
4 that, adding the dry well to it.

5 CHAIRMAN STAUDT: Can you just  
6 give your name and address?

7 MS. FRASER: My name is Maria  
8 Cecilia Fraser, 11 Lincoln Road,  
9 Farmingdale, New York 11735.

10 I just --

11 MR. ROSASCO: How big was it  
12 previously?

13 MS. FRASER: It's only like --

14 MR. ROSASCO: No, prior.

15 MS. FRASER: Yeah.

16 MS. GRAHAM: Previously, it  
17 was a two-car, you know, front to  
18 back driveway, and they just extended  
19 it over. So now it's two cars --

20 MS. FRASER: Yes, because  
21 my --

22 MS. GRAHAM: (Continuing) --  
23 side by side.

24 MS. FRASER: Yeah.

25 MS. GRAHAM: So it's four cars

1 PLANNING BOARD - 10/22/24

2 total.

3 MS. FRASER: For the winter  
4 for my kids.

5 MS. GRAHAM: Do you want -- do  
6 you need pictures? I have pictures.

7 MR. ROSASCO: We have  
8 pictures.

9 MS. GRAHAM: Okay, just to  
10 kind of show you. So from where the  
11 gate is, that small section, that's  
12 what was added --

13 MS. FRASER: Yes.

14 MS. GRAHAM: (Continuing) --  
15 to the driveway. The original --

16 MS. FRASER: Yeah.

17 MS. GRAHAM: (Continuing) --  
18 the double gate was existing.

19 MS. FRASER: And the question  
20 is -- that's already for 2023, and we  
21 don't know, really, to get the  
22 permit, but because of the neighbor  
23 that I asked before, they said that  
24 you don't need that because the  
25 basement only is very important to



1 PLANNING BOARD - 10/22/24  
2 get the permit or either the -- our  
3 neighbor, and they said, like, you  
4 were just selected, and it's very  
5 expensive, and I asked if we can just  
6 get rid of the cement then instead of  
7 the windows thing because it's so  
8 expensive for us already.

9 CHAIRMAN STAUDT: So when was  
10 the driveway put in; this version of  
11 the driveway?

12 MS. GRAHAM: 2020.

13 MS. FRASER: 2020.

14 CHAIRMAN STAUDT: Okay, so  
15 this --

16 MS. FRASER: It's been a long  
17 time, yeah.

18 CHAIRMAN STAUDT: So the  
19 driveway I saw today has been there  
20 for four years.

21 MS. FRASER: Yes, Bernard is  
22 the witness.

23 CHAIRMAN STAUDT: And was this  
24 brought to the Building Department's  
25 -- as the result of a neighbor or

1 PLANNING BOARD - 10/22/24

2 just the Building Department caught  
3 that that --

4 MS. GRAHAM: The town  
5 inspector came to their home and told  
6 them they had to file for it.

7 MS. FRASER: Yeah.

8 MS. GRAHAM: We filed for  
9 it --

10 MS. FRASER: Yes.

11 MS. GRAHAM: (Continuing) --  
12 and unbeknownst to us that it would  
13 need a Planning Board or anything  
14 else.

15 MS. FRASER: Yeah, right.

16 CHAIRMAN STAUDT: Right. So  
17 there are two things that we've  
18 identified, you know, on the plans  
19 that are a code requirement. One is  
20 the three foot setback from your  
21 property line which is essentially  
22 that chain link fence, and right now,  
23 the driveway essentially is going  
24 just about right up to that fence.  
25 So that's --

1 PLANNING BOARD - 10/22/24

2 MS. FRASER: Because they're  
3 thinking about the flood, there's no  
4 flood -- we don't experience any  
5 flood there even though it's a big  
6 rain.

7 MS. GRAHAM: What he's saying  
8 is that to meet a code --

9 MS. FRASER: Yes.

10 MS. GRAHAM: (Continuing) --  
11 the driveway has to be three feet off  
12 the property line.

13 MS. FRASER: Oh.

14 MS. GRAHAM: Regardless of  
15 whether or not --

16 MS. FRASER: Okay, we can just  
17 get rid of it then.

18 MS. GRAHAM: So they're saying  
19 that you can -- they're not saying  
20 you can't have it.

21 MS. FRASER: Yes.

22 MS. GRAHAM: They're just  
23 saying it's not to code so sometimes  
24 you have to file for other things to  
25 get it so that they'll approve it.

1 PLANNING BOARD - 10/22/24

2 MS. FRASER: So can we just  
3 get rid of that then instead of  
4 spending a lot of money?

5 CHAIRMAN STAUDT: Well, I mean  
6 the other issue is the drainage  
7 component. We do require in the  
8 village --

9 MS. FRASER: So how about the  
10 other houses like us? I have a  
11 friend also that they have four cars  
12 also, and I ask them, and they said  
13 that we don't have permit, we don't  
14 have a problem. So it's unfair for  
15 us that we are just only selected,  
16 so --

17 CHAIRMAN STAUDT: Right. I  
18 mean, it's one of the reasons why we  
19 would have -- doing a project like  
20 that, and I understand --

21 MS. FRASER: Yes.

22 CHAIRMAN STAUDT: (Continuing)  
23 -- you got some bad advice from  
24 neighbors perhaps, but it would have  
25 been in your best interest to come

1 PLANNING BOARD - 10/22/24

2 before -- to come to the Building  
3 Department and apply for a permit.

4 MS. FRASER: We don't know  
5 that because I asked before if I can  
6 get the permit, and some of my  
7 friends told us that we don't need  
8 it. We had this for a long time,  
9 only the basement, because I'm  
10 planning to do the basement also.

11 CHAIRMAN STAUDT: Right.

12 MS. FRASER: I needed to get  
13 the permit for the basement, even the  
14 bathroom.

15 CHAIRMAN STAUDT: Right.

16 MS. FRASER: So that's in my  
17 mind. So when the extension of the  
18 gate, I really don't know that. We  
19 are unaware that we need to get that,  
20 and now, we are -- they want us to do  
21 that, and we have no -- it's really  
22 hard.

23 CHAIRMAN STAUDT: So the  
24 reason the drainage code exists in  
25 the village is to protect not just

1 PLANNING BOARD - 10/22/24

2 your home but your neighbor's home  
3 and the neighborhood around you.

4 MS. FRASER: Yeah.

5 CHAIRMAN STAUDT: Because all  
6 of that water right now is washing  
7 either to the side --

8 MS. FRASER: Oh, no, no.

9 CHAIRMAN STAUDT: (Continuing)  
10 -- to your neighbor's property line  
11 or into the street --

12 MS. FRASER: Oh, no, no.

13 CHAIRMAN STAUDT: (Continuing)  
14 -- during rain.

15 MS. FRASER: Because I have  
16 my --

17 CHAIRMAN STAUDT: It's got to  
18 go somewhere.

19 MS. FRASER: Yeah, Inky  
20 (phonetic), once only, like, you  
21 know, always complain, my neighbor,  
22 even the front also, in the side, he  
23 complained also for that. So for us,  
24 I said like, even Inky (ph.) had the  
25 gate also like, you know, it's big

1 PLANNING BOARD - 10/22/24

2 but he had no permit also. But he  
3 had only one car because he had no  
4 kids.

5 MR. ROSASCO: All right, so  
6 let's stay focused. So the question  
7 is, where does the water go; right?  
8 So typically -- hold on, just let us  
9 speak.

10 MS. FRASER: Okay.

11 MR. ROSASCO: So typically,  
12 they swale.

13 MS. FRASER: Yes.

14 MR. ROSASCO: You pitch the  
15 driveway in certain directions so the  
16 water hits it --

17 MS. FRASER: If it's raining.

18 MR. ROSASCO: Okay, so which  
19 way does it go?

20 MS. FRASER: It goes down  
21 only. It goes down in the --

22 MR. ROSASCO: So on the  
23 side --

24 MS. FRASER: In the side.

25 MR. ROSASCO: (Continuing) --

1 PLANNING BOARD - 10/22/24

2 on the side next to the fence. It  
3 doesn't go --

4 MS. FRASER: We have also  
5 what's this? A grass if you can see  
6 the picture. I'm so sorry.

7 MR. ROSASCO: You don't have  
8 much grass. You have about six  
9 inches from the property line.

10 MS. FRASER: No, no, it goes  
11 here.

12 MR. ROSASCO: On that side.  
13 So does it all pitch back to your own  
14 property? That's what I'm asking  
15 you.

16 MS. FRASER: There's also in  
17 the back. There's also grass there.

18 MR. HOTHERSALL: Yeah, but  
19 which way -- when it rains, which way  
20 does it go?

21 MR. ROSASCO: Why don't you  
22 let your representative speak.

23 Do we know which way the  
24 driveway pitches? Because  
25 normally --



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2 MS. FRASER: I didn't see  
3 any --

4 MR. ROSASCO: Ma'am, just let  
5 me speak to her.

6 MS. FRASER: Sorry, I don't  
7 see any --

8 MR. ROSASCO: So typically,  
9 when you lay and driveway --

10 MS. GRAHAM: Right.

11 MR. ROSASCO: (Continuing) --  
12 it's got to pitch the water in some  
13 direction.

14 MS. GRAHAM: Right, no I  
15 understand.

16 MR. ROSASCO: We always tell  
17 people to pitch it back to your own  
18 property --

19 MS. GRAHAM: Right.

20 MR. ROSASCO: (Continuing) --  
21 because why should your neighbor take  
22 all your rain; right? Alternatively,  
23 if this was a new application, we'd  
24 say pitch everything down, swale the  
25 edges, so it all comes down into that

1 PLANNING BOARD - 10/22/24

2 drain.

3 MS. GRAHAM: Right.

4 MR. ROSASCO: Do we know which  
5 way it pitches?

6 MS. FRASER: If you are --  
7 here.

8 MR. ROSASCO: Ma'am, I'm going  
9 to come over there with a hose, and  
10 I'm going to tell you which way it  
11 goes.

12 MS. FRASER: It goes here. It  
13 goes here, sir, the water. To the  
14 pipe.

15 MR. ROSASCO: I'm concerned  
16 about the -- along the fence line,  
17 along your neighbor's property. It's  
18 my job to look out for your  
19 neighbors.

20 So which way does it go? When  
21 it hits that edge, does it go into  
22 your neighbor's property?

23 MS. FRASER: Yes, no, no, it  
24 goes to us, here. It goes to us. It  
25 will not go there.

1 PLANNING BOARD - 10/22/24

2 MS. GRAHAM: The plans don't  
3 show where -- how it --

4 MS. FRASER: Because we never  
5 experience --

6 MR. ROSASCO: You don't have  
7 any elevations on this?

8 MS. FRASER: We never  
9 experience a flood in our --

10 MS. GRAHAM: On the survey,  
11 no, there's no elevations.

12 MR. ROSASCO: I gotcha.

13 MS. FRASER: No, sir.

14 MS. GRAHAM: No, it's not --  
15 we didn't get a survey with  
16 elevations.

17 MR. ROSASCO: I understand, I  
18 thought maybe they --

19 MS. GRAHAM: Yeah.

20 MR. ROSASCO: It's just too  
21 convenient to say it all goes this  
22 way.

23 MS. GRAHAM: No, I understand.

24 MR. ROSASCO: If I had a  
25 dollar for every time someone told me

1 PLANNING BOARD - 10/22/24

2 which way water swaled, I'd be  
3 retired.

4 MS. GRAHAM: I mean, we could  
5 get a survey with elevation, like we  
6 could try and add the elevations to  
7 the survey just to see rather than,  
8 you know, start with that, if you  
9 know, that was something the Board  
10 wanted. I don't know --

11 MR. ROSASCO: I think if there  
12 was going to be any accommodation by  
13 the Board, we need to know that if we  
14 weren't going to capture the rain,  
15 there are minimum requirements --

16 MS. GRAHAM: Right.

17 MR. ROSASCO: (Continuing) --  
18 to capturing, you know stormwater and  
19 stuff like that. If there was going  
20 to be any consideration of  
21 accommodation, there would have to be  
22 a cut back and assurance that it's  
23 not pitched towards that neighbor's  
24 yard. I, quite frankly, if I was  
25 going to -- and they'd have to vote

1 PLANNING BOARD - 10/22/24  
2 with me or against me, but if we had  
3 to consider an accommodation, we may  
4 be able to consider it if I knew the  
5 water wasn't running towards the  
6 neighbor's yard.

7 MS. FRASER: Oh, I can call my  
8 neighbor because my neighbor said  
9 that the water doesn't bother them.

10 MR. ROSASCO: It hasn't rained  
11 in a month, young lady.

12 MS. FRASER: Oh.

13 MR. ROSASCO: In all due  
14 respect. I need to know when it  
15 rains two inches overnight, where is  
16 all that water going? Normally,  
17 people pitch it off the driveway,  
18 that's normal. I did construction  
19 for 20 years.

20 MS. FRASER: Yeah, but --

21 CHAIRMAN STAUDT: So would it  
22 make sense --

23 MR. ROSASCO: I can't just --

24 CHAIRMAN STAUDT: Since this  
25 is a problem that's four years plus

1                   PLANNING BOARD - 10/22/24  
2                   in the making, would it make sense to  
3                   defer this for a month, allow them  
4                   to --

5                   MS. FRASER: Of course.

6                   CHAIRMAN STAUDT: (Continuing)  
7                   -- give us the elevations, and then  
8                   we collect more information on our  
9                   end?

10                  MR. ROSASCO: I'd want an  
11                  affidavit from either an engineer or  
12                  someone saying that the driveway  
13                  pitches in that direction, and then  
14                  we could fit -- I would -- my  
15                  recommendation to this Board, and  
16                  they would have to agree with it,  
17                  would be cut it back, get the three  
18                  foot setback, make sure it's pitched  
19                  in the right direction, and then we  
20                  can consider that application.

21                  MS. FRASER: Okay, but we can  
22                  just cut it.

23                  MS. GRAHAM: You don't have to  
24                  cut the whole amount, he's saying you  
25                  have to cut it back --

1 PLANNING BOARD - 10/22/24  
2 MR. ROSASCO: Pull it back,  
3 make it to code --  
4 MS. GRAHAM: (Continuing) --  
5 the three feet.  
6 MS. FRASER: Yes, yes, three  
7 feet, okay.  
8 MR. ROSASCO: Pull it back,  
9 make it to code.  
10 MS. GRAHAM: So you'll have to  
11 take a little bit.  
12 MS. FRASER: Yes.  
13 MS. GRAHAM: And then we'd  
14 have to get the engineer in to check  
15 the pitch to see how -- where the  
16 water goes if you'd want to do that  
17 because if she moves it back three  
18 feet so it's to code, is it still  
19 considered a widened driveway --  
20 MR. ROSASCO: Yeah.  
21 MS. GRAHAM: (Continuing) --  
22 where she would still need the pitch?  
23 MR. ROSASCO: Yeah, because  
24 she can't -- the wide -- it's 20, how  
25 wide -- it's 28 feet; right?

1 PLANNING BOARD - 10/22/24

2 MS. GRAHAM: Mm-hmm.

3 MS. FRASER: How about the  
4 other neighbor because we have the  
5 same thing.

6 MR. ROSASCO: When did they  
7 put theirs in?

8 MS. FRASER: Just like a year  
9 ago, also.

10 MR. ROSASCO: They extended  
11 their --

12 MS. FRASER: Yeah.

13 MR. ROSASCO: (Continuing) --  
14 they widened their driveway?

15 MS. FRASER: Yeah.

16 MR. ROSASCO: I don't know  
17 them. What address? Would you like  
18 me to compare apples to apples;  
19 oranges to -- get me the address.

20 MS. FRASER: We were just  
21 selected, sir.

22 MR. ROSASCO: I understand.

23 MS. FRASER: It's very unfair,  
24 like, we are just -- we don't have  
25 any flood, we don't experience flood,



1 PLANNING BOARD - 10/22/24

2 even my neighbor, even in front of  
3 us, they said, like, wow, there's no  
4 flooded here.

5 CHAIRMAN STAUDT: The issue I  
6 have is just, these codes are in  
7 place to protect your neighbor's  
8 properties, your property --

9 MS. FRASER: Yes.

10 CHAIRMAN STAUDT: (Continuing)  
11 -- and the neighborhood at large, and  
12 so --

13 MS. FRASER: Yeah, they don't  
14 complain.

15 MR. HOTHERSALL: Yeah, it's  
16 not about -- it's about other folks  
17 in the neighborhood, they're also  
18 digging up their yards right now to  
19 comply with the rule of the drainage.  
20 So it's hard to say which one is okay  
21 and which one's not okay. That's why  
22 they just say you got to go to the  
23 code.

24 CHAIRMAN STAUDT: Again, we're  
25 not saying no, we're saying we need

1 PLANNING BOARD - 10/22/24

2 more information.

3 MS. GRAHAM: So if they wanted  
4 to keep the driveway, just to say for  
5 argument's sake, would a trench drain  
6 be sufficient or does it have to be a  
7 trench drain and a dry well? Like,  
8 it seems kind of overkill for both  
9 but I'm trying to explain to them  
10 what they would need.

11 CHAIRMAN STAUDT: Where would  
12 the trench drain into? You're saying  
13 --

14 MR. HOTHERSALL: What's on the  
15 plan.

16 CHAIRMAN STAUDT: No, I know,  
17 but right now, the plan it shows it's  
18 draining into a --

19 MS. GRAHAM: It's draining  
20 into the dry well.

21 CHAIRMAN STAUDT: (Continuing)  
22 -- the dry well.

23 MR. HOTHERSALL: Right.

24 CHAIRMAN STUDDT: So if you  
25 eliminate the dry well --

1 PLANNING BOARD - 10/22/24

2 MS. GRAHAM: Let the trench  
3 drain just go into the ground itself,  
4 like, into the grass, into the  
5 ground, the same as the three foot on  
6 the other side would drain into the  
7 -- or behind the house into that  
8 grass. It would still drain, you  
9 know, it could drain onto her  
10 property, just not necessarily be  
11 caught in a dry well where --

12 CHAIRMAN STAUDT: And again,  
13 would that trench drain be effective,  
14 again, is the driveway currently  
15 pitching towards where that trench  
16 drain's going to be or would they  
17 have to rework the whole driveway  
18 anyway to make that work?

19 MS. GRAHAM: That would be an  
20 engineer's question.

21 CHAIRMAN STAUDT: Right.

22 MS. GRAHAM: I would have to  
23 ask the engineer.

24 MR. HOTHERSALL: Also too,  
25 consider removing the amount of

1 PLANNING BOARD - 10/22/24

2 driveway from the fence to make it to  
3 code.

4 MS. FRASER: Yeah.

5 MR. HOTHERSALL: That would  
6 also make a calculation for the  
7 drainage requirements, as well. That  
8 would change the drainage  
9 requirements. So again, an engineer  
10 would have to --

11 MS. GRAHAM: Taking out the  
12 three feet. But taking out the three  
13 feet then would still probably just  
14 make it a two-car driveway, not --

15 CHAIRMAN STAUDT: Based on the  
16 pictures I saw --

17 MR. ROSASCO: They've got  
18 plenty of room.

19 CHAIRMAN STAUDT: (Continuing)  
20 -- there's plenty of room.

21 MR. ROSASCO: So typically  
22 what we do is 18-by-9 is a  
23 standard --

24 MS. GRAHAM: Mm-hmm.

25 MR. ROSASCO: (Continuing --

1 PLANNING BOARD - 10/22/24  
2 driveway size.  
3 MS. GRAHAM: One car in front  
4 of the other.  
5 MR. ROSASCO: Right, right.  
6 MS. GRAHAM: Mm-hmm.  
7 MR. ROSASCO: Well, yeah,  
8 exactly. Well, no, for one car,  
9 18-by-9. So 9 feet across --  
10 MS. GRAHAM: Mm-hmm.  
11 MR. ROSACO: (Continuing --  
12 and 18 feet from front to back.  
13 MS. GRAHAM: That's your --  
14 that's the village's --  
15 MR. ROSASCO: That's the --  
16 yeah.  
17 MS. GRAHAM: (Continuing --  
18 standard driveway.  
19 MR. ROSASCO: It's in the  
20 code, right.  
21 MS. GRAHAM: Okay.  
22 MR. ROSASCO: So if they have  
23 28 and they brought it down to 25, if  
24 nine feet is for one, and then we got  
25 another, it's really, it's only 18.

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2 They still have an additional seven  
3 feet. Like if you saw the picture --

4 MS. GRAHAM: Right.

5 MR. ROSASCO: (Continuing --  
6 of the car in their driveway --

7 MS. GRAHAM: Yeah, because  
8 they have --

9 MR. ROSASCO: They could roll  
10 a wheelbarrow down the side, right.

11 MS. FRASER: We're just doing  
12 that because I have my kids that  
13 park. So that's why we just extend  
14 that, for winter.

15 MS. GRAHAM: Okay.

16 CHAIRMAN STAUDT: So any  
17 relief we could try and give, again,  
18 we would just -- we would need to  
19 know that the driveway's at least  
20 pitching forward.

21 MS. GRAHAM: Okay, so if the  
22 driveway does pitch the way it needs  
23 to be pitched, and the drain -- a  
24 trench drain could drain into her  
25 yard where it wouldn't overflow a

1                   PLANNING BOARD - 10/22/24  
2                   neighbor, then that would be  
3                   something that could be, like,  
4                   considered?

5                   CHAIRMAN STAUDT: I would be  
6                   willing to consider that.

7                   MR. ROSASCO: Yes.

8                   MS. GRAHAM: Okay.

9                   CHAIRMAN STAUDT: But we would  
10                  need that proposal. I would  
11                  recommend putting that proposal  
12                  before you do anything.

13                  MS. GRAHAM: Right, I would  
14                  have to have the engineer --

15                  CHAIRMAN STAUDT: Just so  
16                  that --

17                  MR. ROSASCO: Right.

18                  MS. GRAHAM: Correct.

19                  MR. ROSASCO: I think that  
20                  they're probably going to have some  
21                  concerns with the trench drain with  
22                  no -- picture if you had a flower pot  
23                  in your yard.

24                  MS. GRAHAM: Right.

25                  MR. ROSASCO: Where is the

1 PLANNING BOARD - 10/22/24

2 water going?

3 MS. GRAHAM: Okay.

4 MR. ROSASCO: You know,  
5 without a drain somewhere; you know?  
6 So if they could come up with some  
7 alternative idea --

8 MS. GRAHAM: Okay.

9 MR. ROSASCO: (Continuing --  
10 as to how it was going to drain out  
11 of there. I would probably want an  
12 affidavit regarding as to what the  
13 pitch is, if it all pitches in the  
14 right direction and subject to that  
15 neighbor, if it doesn't pitch away  
16 from that neighbor's property line,  
17 I'd want to have them say that it's  
18 okay.

19 MS. FRASER: Okay, I'm going  
20 to get that.

21 MR. ROSASCO: Right?

22 MS. FRASER: I'm going to get  
23 the permission from my neighbor.

24 MS. GRAHAM: Okay.

25 MR. ROSASCO: And then we can



1 PLANNING BOARD - 10/22/24

2 put you on the calendar for next  
3 month.

4 MS. GRAHAM: Okay.

5 MS. FRASER: Okay.

6 MS. GRAHAM: Sure.

7 MS. FRASER: Thank you.

8 CHAIRMAN STAUDT: Okay.

9 MR. ROSASCO: We'll try to  
10 find a happy medium for you.

11 MS. FRASER: So if he's going  
12 to tell that it's okay, so everything  
13 is fine then.

14 CHAIRMAN STAUDT: But again,  
15 just to be clear. I wouldn't do any  
16 construction work or manipulation on  
17 the driveway --

18 MS. GRAHAM: Right, until it's  
19 decided.

20 CHAIRMAN STAUDT: (Continuing  
21 -- until this is all figured out  
22 between us, the Building Department,  
23 and you guys, the homeowners.

24 MS. GRAHAM: Okay, and what  
25 would be the date for next month? I

1 PLANNING BOARD - 10/22/24

2 just need to know if there's enough  
3 time.

4 MR. ROSASCO: The fourth  
5 Tuesday.

6 MS. GRAHAM: The fourth  
7 Tuesday.

8 MR. ROSASCO: Fourth Tuesday.

9 MS. GRAHAM: So is that the --  
10 is that Thanksgiving week?

11 CHAIRMAN STAUDT: It might be.

12 MR. ROSASCO: It could very  
13 well be, let's see. Yeah, no, yeah.  
14 So it's the Tuesday before  
15 Thanksgiving.

16 CHAIRMAN STAUDT: The Tuesday  
17 before.

18 MS. GRAHAM: Okay, okay, all  
19 right, and then if, for whatever  
20 reason, I don't get the information I  
21 need, my engineer can't get out soon  
22 enough to get the -- I can just  
23 postpone it?

24 CHAIRMAN STAUDT: Yes.

25 MR. ROSASCO: Yeah.

1 PLANNING BOARD - 10/22/24

2 CHAIRMAN STAUDT: I mean, once  
3 you have it -- we're not going to put  
4 you on the calendar until the  
5 Building Department has the  
6 information in hand.

7 MS. GRAHAM: Okay.

8 MS. FRASER: And also I have  
9 my neighbor's letter; it's okay?  
10 That everything is good, like they're  
11 not really complaining.

12 CHAIRMAN STAUDT: We're -- I  
13 think based on what we're all saying,  
14 the three foot setback requirement is  
15 required. We don't want the driveway  
16 going all the way --

17 MS. GRAHAM: So you want the  
18 driveway cut back regardless.

19 CHAIRMAN STAUDT: Yes.

20 MS. GRAHAM: Okay.

21 MR. ROSASCO: That's probably  
22 the easier cheat.

23 MS. FRASER: Yes.

24 MS. GRAHAM: Okay.

25 MR. ROSASCO: Pull that back

1 PLANNING BOARD - 10/22/24

2 within code, and then let's see where  
3 the water's going --

4 MS. GRAHAM: Okay.

5 MR. ROSASCO: (Continuing --  
6 once that three foot is pulled back.

7 MS. GRAHAM: If it is pitched  
8 correctly, then does she still need  
9 the drain? If it's pitched and it's  
10 going into her yard and it's not  
11 affecting the neighbor?

12 MR. ROSASCO: I would ask, if  
13 you guys have a PE, if you have a PE,  
14 I would ask them what an alternative  
15 would be --

16 MS. GRAHAM: Okay.

17 MR. ROSASCO: (Continuing --  
18 to putting in a well.

19 MS. GRAHAM: Okay.

20 MR. ROSASCO: You know?

21 MS. FRASER: Yeah, I'd just  
22 rather get rid of my cement then.

23 MS. GRAHAM: Okay.

24 CHAIRMAN STAUDT: And again --

25 MR. ROSASCO: Let's see if we

1 PLANNING BOARD - 10/22/24

2 can find a happy medium.

3 MS. FRASER: Yeah, I cannot  
4 put my well --

5 MR. ROSASCO: I understand.

6 MS. FRASER: (Continuing --  
7 for the front, the Blessed Virgin  
8 Mary.

9 MR. ROSASCO: I understand.

10 MS. FRASER: I have my Blessed  
11 Virgin Mary there.

12 MR. HOTHERSALL: It's three  
13 feet from the property line.

14 MS. FRASER: Yeah.

15 MR. HOTHERSALL: Right? So  
16 you may not have to remove three feet  
17 of driveway.

18 MS. GRAHAM: Correct, because  
19 there is probably like a --

20 CHAIRMAN STAUDT: A half a  
21 foot.

22 MR. HOTHERSALL: Yeah, I don't  
23 know what it is.

24 MS. GRAHAM: It's like --

25 MR. HOTHERSALL: It's hard to

1 PLANNING BOARD - 10/22/24

2 see it on the print.

3 MS. GRAHAM: On the survey  
4 it's like .9.

5 MR. HOTHERSALL: Okay, I'm  
6 just throwing it out there.

7 MS. GRAHAM: So, yeah. Okay.

8 CHAIRMAN STAUDT: All right,  
9 well, with that, then I'm going to  
10 make a motion to defer this  
11 application until the applicant  
12 brings forward the additional  
13 information we discussed, and they'll  
14 be put on the calendar as soon as  
15 that information is provided, both to  
16 the Building Department and the  
17 Planning Board.

18 Can I get a second on that  
19 motion?

20 MR. ROSASCO: I will second  
21 that motion.

22 CHAIRMAN STAUDT: All in  
23 favor?

24 (WHEREUPON, there was a  
25 unanimous, affirmative vote of the

1 PLANNING BOARD - 10/22/24

2 Board members present.)

3 CHAIRMAN STAUDT: Okay.

4 MS. GRAHAM: Thank you.

5 MS. FRASER: Thank you so  
6 much.

7 CHAIRMAN STAUDT: We'll see  
8 you soon.

9 MR. ROSASCO: We'll see you  
10 back.

11 MS. FRASER: Thank you.

12 (WHEREUPON, this application  
13 was adjourned without date.)

14 \* \* \* \*

15 CHAIRMAN STAUDT: All right.  
16 Okay, next up we have three public  
17 hearings scheduled, all for the three  
18 addresses, the three new homes  
19 proposed for Toretta Lane. It would  
20 be 2 Toretta Lane; 4 Toretta Lane;  
21 and 6 Toretta Lane.

22 Two Toretta Lane is the corner  
23 property on the corner of Merritts  
24 Road and Toretta, and then 4 is right  
25 next to it, and then 6 is right next

1                    PLANNING BOARD - 10/22/24  
2                    to the property, the house that's  
3                    already existing on the south side of  
4                    Toretta Lane.

5                    So the best way to handle this  
6                    is, I'll open the public hearing --  
7                    I'll make a motion to open the public  
8                    hearing for 2 Toretta Lane which is  
9                    that corner property, we'll start  
10                   there, and then we can have a  
11                   conversation about the whole, you  
12                   know, essentially, the whole south  
13                   side of that street since I'm sure  
14                   that's what you folks are here to  
15                   discuss.

16                   So with that, I'll make a  
17                   motion to open the public hearing for  
18                   2 Toretta Lane.

19                   Can I get a second on that?

20                   MR. ROSASCO:    So moved.

21                   CHAIRMAN STAUDT:    All in  
22                   favor?

23                   (WHEREUPON, there was a  
24                   unanimous, affirmative vote of the  
25                   Board members present.)



1 PLANNING BOARD - 10/22/24  
2 CHAIRMAN STAUDT: Okay.  
3 MR. O'CONNELL: All right.  
4 CHAIRMAN STAUDT: Sir, if you  
5 could give your name, address and  
6 then present your plans to us.  
7 You're welcome to use that --  
8 MR. O'CONNELL: Oh, all right.  
9 CHAIRMAN STAUDT: (Continuing  
10 -- easel over there if you want so  
11 everyone can see.  
12 Just give your name and  
13 address for the record.  
14 MR. O'CONNELL: You got it.  
15 CHAIRMAN STAUDT: Just kind of  
16 put it -- point it towards the window  
17 so everyone -- they can see it --  
18 MR. O'CONNELL: Okay.  
19 CHAIRMAN STAUDT: (Continuing  
20 -- and we can see it, yeah.  
21 MR. O'CONNELL: Okay, so this  
22 is obviously an ongoing  
23 development --  
24 COURT REPORTER: Excuse me,  
25 sir.

1 PLANNING BOARD - 10/22/24

2 CHAIRMAN STAUDT: Your name  
3 and address.

4 COURT REPORTER: I'm sorry.  
5 Name and address.

6 MR. O'CONNELL: Yes, I'm  
7 sorry, I forgot. I got sidetracked.

8 For the record, my name is Todd  
9 O'Connell, architect, doing business  
10 at 1200 Veterans Highway, Hauppauge,  
11 New York, architect for the project.

12 MR. ROSASCO: Welcome, Todd.

13 MR. O'CONNELL: All right,  
14 thank you.

15 So obviously, you know, I've --  
16 you know, been here before. This is  
17 an ongoing development where several  
18 houses are -- actually, the houses on  
19 the north side of the street have all  
20 been developed, and now we're moving  
21 on and trying to develop the homes on  
22 the south side of the street which  
23 currently, you know, are not developed  
24 parcels.

25 So the three that we're here

1 PLANNING BOARD - 10/22/24

2 before you right now are the three --  
3 the corner lot on the corner of  
4 Merritts and Toretta, and then the two  
5 houses that are, you know, to the  
6 west. So there's still one remaining  
7 that's not, you know, before you yet.

8 So the -- this project was  
9 before you, you know, on multiple  
10 occasions, you know, with all the  
11 engineering, the drainage. I do know  
12 that there's going to be some  
13 questions about drainage. When I was  
14 here before you approximately a year  
15 ago, we discussed mitigation measures  
16 to work with the drainage which I'll  
17 get into how that was mitigated, you  
18 know. There was discussions with the  
19 village, and I believed we worked  
20 something out to hopefully make the  
21 village happy, hopefully to make the  
22 neighbors happy, so I'll discuss that,  
23 as well.

24 But to go to the Architectural  
25 Review Board portion of this, the home

1 PLANNING BOARD - 10/22/24  
2 that's number 2 is going to be the  
3 Victorian style home. If you're  
4 familiar with the homes on the north,  
5 there is a Victorian style home on  
6 that side, and this is the one in the  
7 corner which is going to match in, you  
8 know, in style.

9 CHAIRMAN STAUDT: So the home  
10 you're showing us now, this is --

11 MR. O'CONNELL: Yes.

12 CHAIRMAN STAUDT: (Continuing)  
13 -- 2 Toretta Lane, which is the  
14 corner property.

15 MR. O'CONNELL: That's  
16 correct, I just wanted to get the  
17 picture. This is, you know, the  
18 Victorian style, same as the other  
19 ones that were built across the  
20 street.

21 CHAIRMAN STAUDT: Five  
22 bedroom; correct?

23 MR. O'CONNELL: Five bedroom,  
24 that's correct.

25 So there's been no change in

1                    PLANNING BOARD - 10/22/24  
2                    the plans that were originally, you  
3                    know, before you, and the, you know,  
4                    what's on the opposing side. You  
5                    know, the house has been designed in  
6                    conformance with all the village codes  
7                    in the original Planning Board  
8                    approval.

9                    The coloring on this particular  
10                    home is going to have a charcoal  
11                    Timberline roof which is dimensional  
12                    shingle. Being the corner lot, we're  
13                    also upgrading to a nice CertainTeed  
14                    Perfection Cedar shingle, and the  
15                    color's going to be a sterling gray.  
16                    So you kind of have a gray and black  
17                    style on the home itself. We're going  
18                    to incorporate on the house some -- a  
19                    little bit of stonework on the water  
20                    table as well, which is going to be a  
21                    Boulder Creek which is a -- it's a  
22                    gunflint gray, and I've submitted, I  
23                    believe, to the village, I have  
24                    samples of the colors here. The doors  
25                    are going to be -- and garage door is

1                    PLANNING BOARD - 10/22/24  
2                    going to be white. The garage door is  
3                    going to be by Clopay, which is, you  
4                    know, a very good door, and the trim,  
5                    we're not just doing vinyl trim, we're  
6                    going to upgrade that all to all  
7                    CertainTeed, which is a Fibrex type  
8                    product as well as the columns on the  
9                    home itself, you know, we're doing  
10                   that all out of the Perma-Wrap which  
11                   is, you know, kind of a Fibrex type  
12                   material.

13                   Again, similar to the other  
14                   houses that are on the other side of  
15                   the street, really just working with  
16                   different colors on the particular  
17                   home, and so it looks, you know,  
18                   somewhat different.

19                   Now, to go back to some of the  
20                   planning aspects of this, as we know,  
21                   this is on -- from the site  
22                   perspective, and this would be the  
23                   same for all of the lots across the  
24                   back. Currently, the lot's just a  
25                   straight pitch down, you know, just

1 PLANNING BOARD - 10/22/24

2 it's, you know, just kind of sitting  
3 there, there's nothing there.

4 So what we talked about last  
5 time is at the property line we're  
6 going to be building the grade up with  
7 a two foot retaining wall. We're  
8 going to be creating a planting screen  
9 to the neighbors, and then in front of  
10 that, we're going to create a swale to  
11 try to divert the water going to the  
12 sides as opposed to down into the  
13 neighbors, and that's being shown here  
14 in section on the property itself, you  
15 know, we have a swale, we have a nice  
16 planting screen, and then on the lower  
17 section, we also have a, you know, a  
18 six foot fence which is level with the  
19 grade. So you know, they have the six  
20 foot fence, the retaining wall is  
21 inside of that fence. So the  
22 screening itself is actually going to  
23 be quite high, so which will help  
24 screen the neighbors, as well.

25 So that will be typical on all

1                   PLANNING BOARD - 10/22/24  
2                   three lots that are going -- that  
3                   we're developing currently across the  
4                   back, and obviously, all the lots as  
5                   we finish, but this is the way we're  
6                   going to develop all the properties,  
7                   and we feel that with all the  
8                   vegetation, you know, and with the  
9                   swale, all together, will definitely  
10                  help facilitate the proper drainage  
11                  on that development.

12                  CHAIRMAN STAUDT: Now,  
13                  question for you.

14                  MR. O'CONNELL: Yes.

15                  CHAIRMAN STAUDT: Unless you  
16                  have further --

17                  MR. O'CONNELL: Nope, go right  
18                  ahead.

19                  CHAIRMAN STAUDT: The first  
20                  question I have is, when I was up  
21                  there earlier today, on the south  
22                  side, the existing Cape style home  
23                  that is on the -- at the cul-de-sac  
24                  there.

25                  MR. O'CONNELL: Yes.



1 PLANNING BOARD - 10/22/24

2 CHAIRMAN STAUDT: I don't know  
3 the address offhand, if it's 12 or  
4 10.

5 MR. LAPIDUS: That's 8.

6 MR. O'CONNELL: Eight.

7 CHAIRMAN STAUDT: Eight, okay,  
8 8 Toretta Lane, none of the -- so in  
9 the backyard, none of that work's  
10 been done yet to -- like, the fence  
11 line is not in, the retaining wall is  
12 not --

13 MR. O'CONNELL: No, because we  
14 have to do it all together.

15 CHAIRMAN STAUDT: That was my  
16 question.

17 MR. O'CONNELL: That's  
18 correct.

19 CHAIRMAN STAUDT: I was just  
20 curious why that hasn't been done.

21 So I see the house is for sale,  
22 and so that work will be completed,  
23 regardless of --

24 MR. O'CONNELL: Absolutely.  
25 Conditioned with the village.

1 PLANNING BOARD - 10/22/24

2 CHAIRMAN STAUDT: Okay.

3 MR. O'CONNELL: Absolutely.

4 That's why we're here to do the rest  
5 of it so we can develop, you know,  
6 the rest of that site.

7 CHAIRMAN STAUDT: Understood.

8 The other concern I have  
9 looking at the property is it's a five  
10 bedroom home, you have a 30-foot,  
11 single car driveway with a garage. So  
12 by my count, that gives you three  
13 parking -- offsite parking spots, and  
14 the requirement in the village would  
15 be five.

16 MR. O'CONNELL: Oh, we could  
17 definitely widen the driveway, that  
18 would not be an issue. We have no  
19 objection to that, whatsoever.

20 CHAIRMAN STAUDT: Yeah, I  
21 mean, to me, that would be necessary  
22 since that's the code requirement.  
23 You have the space on this plot --

24 MR. O'CONNELL: We do.

25 CHAIRMAN STAUDT: (Continuing

1                   PLANNING BOARD - 10/22/24  
2                   -- to do it, and when I was there  
3                   today, I mean, on the north side it  
4                   does not appear that that -- the  
5                   developer must have been given relief  
6                   on the north side because there's a  
7                   lot of on-street parking from the  
8                   homeowners because their driveways  
9                   essentially can have one car in it,  
10                  and then one car in the garage. So  
11                  there's lot of street parking on  
12                  Toretta already despite there only  
13                  being the north side homes.

14                 MR. O'CONNELL: Right, right.

15                 CHAIRMAN STAUDT: That's  
16                 something that we would definitely  
17                 recommend before bringing it before  
18                 the Trustee Board because  
19                 essentially, tonight, just to let you  
20                 folks know, so the Planning Board  
21                 exists to essentially advise and  
22                 consent to the Trustee Board who will  
23                 ultimately make the decision whether  
24                 or not these plans move forward as is  
25                 or with modifications requested by

1 PLANNING BOARD - 10/22/24

2 the village.

3 So our role tonight is to take  
4 in the information from the developer,  
5 any concerns from the community, have  
6 our questions answered, and then to  
7 report to the Trustee Board our  
8 recommendations and thoughts along  
9 with the feelings of the community,  
10 and then it's the Trustee Board that  
11 will ultimately make the final  
12 decision on whether or not this  
13 project moves forward as is or in some  
14 other form or not at all.

15 You guys have any questions?  
16 Did you look at the plans?

17 MR. ROSASCO: Just my general  
18 thoughts are, we've got a ten foot  
19 setback on that driveway on the west  
20 side; correct?

21 MR. O'CONNELL: That's  
22 correct.

23 MR. ROSASCO: You're going to  
24 need a three foot setback for the  
25 driveway, and usually it's 9-by-18

1 PLANNING BOARD - 10/22/24  
2 for the parking spots. So you're  
3 going to need to shift that driveway  
4 and/or the entire property over two  
5 feet. You still got the setback on  
6 the east side.

7 CHAIRMAN STAUDT: Right.

8 MR. ROSASCO: So that's not a  
9 problem. You understand what I'm  
10 saying?

11 MR. O'CONNELL: Yeah, totally.

12 MR. ROSASCO: Okay.

13 MR. O'CONNELL: Yeah, yeah.

14 CHAIRMAN STAUDT: Right,  
15 because you're going to want the  
16 eastern side of that driveway to line  
17 up with the garage.

18 MR. ROSASCO: Right, right, of  
19 course.

20 CHAIRMAN STAUDT: So the house  
21 would have to shift if --

22 MR. ROSASCO: Mm-hmm.

23 CHAIRMAN STAUDT: Yeah.

24 MR. ROSASCO: And then, just  
25 so we're clear, I think what we

1 PLANNING BOARD - 10/22/24  
2 originally spoke about, for the  
3 people that live behind you was, and  
4 when I look at the drawings, if we  
5 have a six foot fence, it looks as  
6 though the arborvitaes, which we  
7 spoke about, were going to be the  
8 Emerald Green Arborvitaes --

9 MR. O'CONNELL: That's  
10 correct.

11 MR. ROSASCO: (Continuing --  
12 three feet on center.

13 MR. O'CONNELL: That's what we  
14 talked about last time, correct.

15 MR. ROSASCO: And like seven  
16 feet, seven footers?

17 MR. O'CONNELL: Mm-hmm, yup.

18 MR. ROSASCO: Okay, I just  
19 want to make sure.

20 MR. O'CONNELL: Yup.

21 MR. ROSASCO: I know there's  
22 been some ongoing discussion.

23 MR. O'CONNELL: The neighbors  
24 could look at it, you could see,  
25 where a six foot fence, you could see

1 PLANNING BOARD - 10/22/24

2 the height of it.

3 MR. ROSASCO: I saw it. Okay,  
4 I just want to make sure.

5 MR. O'CONNELL: Yup.

6 MR. ROSASCO: Okay, other than  
7 that, I don't see any other code  
8 problems. Everything else, in my  
9 eyes, appears to be within the code.

10 CHAIRMAN STAUDT: Mm-hmm.

11 MR. ROSASCO: Both the lot  
12 coverage, they're way below the lot  
13 coverage.

14 CHAIRMAN STAUDT: Yes.

15 MR. ROSASCO: This corner plot  
16 is approximately 20 percent bigger  
17 than the other two plots.

18 MR. O'CONNELL: Yes, it is.

19 MR. ROSASCO: Okay.

20 MR. O'CONNELL: That's  
21 correct, that's correct.

22 MR. ROSASCO: I don't have any  
23 further questions.

24 CHAIRMAN STAUDT: Do you have  
25 anything?

1 PLANNING BOARD - 10/22/24

2 MR. HOTHERSALL: My only  
3 question, and we're really breaking  
4 this down, 2, 4 and 6, so we're  
5 looking at 2. Is that catch basin on  
6 the two properties for all -- is that  
7 for all of them?

8 MR. ROSASCO: Yeah, that catch  
9 basin -- they have them broken up.

10 MR. O'CONNELL: Yes.

11 MR. ROSASCO: They're  
12 individual --

13 MR. HOTHERSALL: So there's  
14 one on each piece of property.

15 MR. O'CONNELL: With the  
16 swale, correct.

17 MR. ROSASCO: Yeah, each house  
18 probably --

19 MR. O'CONNELL: That's  
20 correct.

21 MR. ROSASCO: I've seen that  
22 before, yup.

23 MR. HOTHERSALL: Thank you.

24 CHAIRMAN STAUDT: All right,  
25 with that I'll --



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2 MR. O'CONNELL: And that was  
3 also, just so you know, that's an  
4 added dry well that we put in, you  
5 know, above and beyond what the  
6 typical drainage plan was that was  
7 engineered back in the beginning. So  
8 this is an additional measure that  
9 we're taking to try to help mitigate  
10 any issues with the neighbors.

11 MR. HOTHERSALL: Yeah, with  
12 the history of the site.

13 CHAIRMAN STAUDT: Right, I  
14 mean, additional but probably  
15 necessary just --

16 MR. O'CONNELL: Yes,  
17 absolutely.

18 CHAIRMAN STAUDT: (Continuing  
19 -- based on the experience of the  
20 neighbors behind these properties.

21 MR. O'CONNELL: Yup.

22 CHAIRMAN STAUDT: With that,  
23 I'll make a motion to open up this  
24 public hearing for public comment.

25 Can I get a second on that?

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2 MR. ROSASCO: So moved.

3 CHAIRMAN STAUDT: All in  
4 favor?

5 (WHEREUPON, there was a  
6 unanimous, affirmative vote of the  
7 Board members present.)

8 CHAIRMAN STAUDT: All right,  
9 so if anyone has any questions or  
10 concerns, I just ask that you speak  
11 one at a time, and when you  
12 speak for the first time, just give  
13 your name and address for the record,  
14 and we'll go from there.

15 Anyone have any questions?

16 MR. LAPIDUS: My name is Alex,  
17 I live at 16 Merritts Road.

18 COURT REPORTER: I need your  
19 last name, I'm sorry.

20 MR. LAPIDUS: Lapidus,  
21 L-A-P-I-D-U-S.

22 COURT REPORTER: Thank you.

23 MR. LAPIDUS: I live at 16  
24 Merritts Road, Farmingdale, and I'm  
25 on the north side of the development.

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2 I've been dealing with this,  
3 I've never spoken in front of you  
4 fellows, unfortunately, but I got a  
5 letter here. I've been coming here  
6 regarding this development for eight  
7 years. I filed over a dozen  
8 complaints, I met over 50 times with  
9 the Board, with the building  
10 inspector, with Steve, with Brian  
11 Harty, with the mayor. The Board of  
12 Trustees came to my house, numerous  
13 occasions, to see for themselves my  
14 complaints, I filed pictures.

15 MR. ROSASCO: Mr. Lapidus, is  
16 this in regards to 2, 4 or 6?

17 MR. LAPIDUS: Well, this is in  
18 regards to this development.

19 MR. ROSASCO: Okay, because  
20 right now, we're talking about number  
21 2.

22 MR. LAPIDUS: Yeah, I know,  
23 but --

24 MR. ROSASCO: If you want, we  
25 could open up a separate conversation

1                   PLANNING BOARD - 10/22/24  
2                   at the end to field generic  
3                   complaints.  
4                   MR. LAPIDUS: By all means.  
5                   MR. ROSASCO: But we got to  
6                   get through --  
7                   MR. LAPIDUS: Okay.  
8                   MR. ROSASCO: (Continuing -- 2  
9                   and then number 4 and then number 6,  
10                  and I'm sure you got a laundry list  
11                  of complaints about the north side.  
12                  MR. LAPIDUS: Not a problem.  
13                  MR. ROSASCO: Which isn't on  
14                  for --  
15                  MR. LAPIDUS: Not a problem.  
16                  MR. ROSASCO: Okay.  
17                  MR. LAPIDUS: It's a problem  
18                  here, it's the development.  
19                  MR. ROSASCO: I understand.  
20                  MR. LAPIDUS: So --  
21                  MR. ROSASCO: But we've broken  
22                  it down in between 2, we're going to  
23                  do 2 now.  
24                  MR. LAPIDUS: Right.  
25                  MR. ROSASCO: He just went

1 PLANNING BOARD - 10/22/24

2 through a presentation.

3 MR. LAPIDUS: Not a problem.

4 MR. ROSASCO: Do you have any  
5 questions or comments regarding 2?

6 MR. LAPIDUS: Yes, I do.

7 MR. ROSASCO: Okay, go ahead.

8 MR. LAPIDUS: The swale, the  
9 swale is -- I'm assuming it's  
10 something to prevent the water from  
11 going your property onto the other  
12 side; right?

13 CHAIRMAN STAUDT: Right, it  
14 pitches --

15 MR. LAPIDUS: Right.

16 CHAIRMAN STAUDT: Essentially,  
17 what the swale -- it pitches  
18 everything towards those drains in  
19 the back.

20 MR. LAPIDUS: Now, what is the  
21 swale made out of? Is it cement  
22 blocks? Is it concrete or it's dirt?

23 CHAIRMAN STAUDT: It's grass;  
24 right?

25 MR. LAPIDUS: So, it's dirt.

1 PLANNING BOARD - 10/22/24

2 CHAIRMAN STAUDT: Planted

3 grass --

4 MR. LAPIDUS: It's dirt.

5 CHAIRMAN STAUDT: (Continuing  
6 -- that's pitched towards --

7 MR. LAPIDUS: Yeah, it's dirt.

8 MR. ROSASCO: Yeah.

9 MR. LAPIDUS: So it actually  
10 will be washed away. It gets a lot  
11 of water. The property's located  
12 about 120 feet above sea level. The  
13 rain is horrendous, the snow is  
14 horrendous and the wind is  
15 horrendous. All that water's going  
16 to go down, and it will wash away  
17 unless it's cement. Unless they put  
18 something permanent there, they will  
19 never stop water runoff, damages to  
20 adjacent properties, and I just -- I  
21 don't understand why wouldn't you put  
22 a retaining wall along the property  
23 line to separate the people, and  
24 everybody has the peace of mind with  
25 just putting a pile of dirt, and you

1 PLANNING BOARD - 10/22/24

2 said, well, you know what, with  
3 dirt --

4 CHAIRMAN STAUDT: Alex, I  
5 think the gentleman said in the  
6 presentation they're putting a two  
7 foot --

8 MR. ROSASCO: Retaining wall.

9 CHAIRMAN STAUDT: (Continuing  
10 -- retaining wall on the back  
11 property line.

12 MR. LAPIDUS: Along the  
13 property line to prevent --

14 CHAIRMAN STAUDT: Correct.

15 MR. LAPIDUS: And then a swale  
16 behind.

17 MR. ROSASCO: Yeah.

18 CHAIRMAN STAUDT: And the  
19 vegetation.

20 MR. LAPIDUS: Okay, very nice,  
21 that's excellent.

22 My other concern is parking.  
23 There are cars there now that can  
24 barely get through. Okay, they --  
25 yeah, at this development, they are

1 PLANNING BOARD - 10/22/24

2 parking --

3 CHAIRMAN STAUDT: We're  
4 talking about 2 Toretta, and he's  
5 already --

6 MR. LAPIDUS: 2 Toretta, yeah.

7 CHAIRMAN STAUDT: (Continuing  
8 -- he's already agreed to add the  
9 required parking.

10 MR. LAPIDUS: Yeah, I know.  
11 He's going to add -- he's going to  
12 widen the driveway, he's not creating  
13 any more space except one other car.

14 CHAIRMAN STAUDT: Two cars.

15 MR. LAPIDUS: Yeah, two cars,  
16 but right now it's almost full to  
17 capacity, literally. Another four  
18 cars, you're done. So he's -- how  
19 are they going to accomplish -- you  
20 got four more houses, three cars  
21 each, you know, you got 12 more cars,  
22 and first of all, and then you cannot  
23 get through, so when it comes to  
24 shoveling the snow from there in an  
25 emergency, there's no way they're



1 PLANNING BOARD - 10/22/24  
2 getting up the hill because it will  
3 be blocked off, there'll be one lane  
4 in the middle. It's being packed,  
5 and you know, now they're parking on  
6 the side sometimes. So I just don't  
7 get it, they're just packing that --

8 MR. ROSASCO: Do you know what  
9 the width of that -- of Toretta is?  
10 What is the width of that road?

11 MR. O'CONNELL: I don't know  
12 offhand but I might have a copy of  
13 the original engineering plans.

14 MR. ROSASCO: I know this  
15 much. It's a lot wider than your  
16 block.

17 MR. LAPIDUS: Well, I don't  
18 know.

19 MR. ROSASCO: Yeah, you want  
20 to bet?

21 MR. LAPIDUS: I don't know, my  
22 driveway's --

23 MR. ROSASCO: I'm not talking  
24 about your driveway, I'm talking  
25 about your road.

1 PLANNING BOARD - 10/22/24

2 MR. LAPIDUS: My road, and my  
3 road is narrower? Of course it's  
4 narrower.

5 MR. ROSASCO: Thank you.

6 MR. LAPIDUS: I don't have a  
7 development.

8 MR. ROSASCO: Mm-hmm.

9 MR. LAPIDUS: But I do have  
10 a --

11 MR. ROSASCO: I got you.

12 MR. LAPIDUS: (Continuing --  
13 nineteen across.

14 MR. ROSASCO: I got you.

15 CHAIRMAN STAUDT: I think, at  
16 least in the context of 2 Toretta  
17 Lane, I don't think the parking issue  
18 exists. I agree with you on the  
19 north side, you know. Right now you  
20 have, essentially, two off-street  
21 cars for each of those five bedroom  
22 homes that's creating on-street  
23 parking. But right now we're talking  
24 about 2 Toretta.

25 MR. LAPIDUS: Yeah, but you

1 PLANNING BOARD - 10/22/24  
2 got to think about what these  
3 neighbors are going to get together  
4 when each house moves in, and you  
5 come from work and somebody parking,  
6 and what are you going to tell them?  
7 Get off my block? You're creating a  
8 very hazardous condition on that  
9 block with neighbors because there  
10 will be no parking. What are they  
11 going to do? You come home -- I live  
12 on the block, I'm not going to worry  
13 about whether I'm going to park on  
14 this side. So you got to think about  
15 these things. This will create  
16 enormous problems, in my opinion. I  
17 don't live there, I'm across the  
18 street, but I'm going to hear a lot  
19 of noise, a lot of complaints and a  
20 lot of, God forbid, God knows what,  
21 because there's nowhere to park.

22 CHAIRMAN STAUDT: All right,  
23 we hear your concerns.

24 MR. LAPIDUS: Okay.

25 CHAIRMAN STAUDT: Anyone else?

1 PLANNING BOARD - 10/22/24

2 Yes, sir.

3 MR. BLAZER: All right. John  
4 Blazer, 3 Hampshire Drive. I am  
5 behind, I guess, 2 and 4, if you  
6 look.

7 If you don't mind me asking a  
8 couple of questions just to make sure  
9 I'm, like, handling this all right.

10 So the south side that we're  
11 talking about now, there's one house  
12 built on it, and you're telling me now  
13 there's going to be four more?

14 MR. ROSASCO: No.

15 MR. BLAZER: Because I thought  
16 there was only three.

17 MR. ROSASCO: No, three more.

18 CHAIRMAN STAUDT: Three more.

19 MR. BLAZER: Three more.

20 CHAIRMAN STAUDT: Yes.

21 MR. ROSASCO: Four total.

22 MR. BLAZER: Four total.

23 CHAIRMAN STAUDT: The way he  
24 said it before --

25 MR. BLAZER: Yeah.

1 PLANNING BOARD - 10/22/24

2 CHAIRMAN STAUDT: (Continuing  
3 -- was a little confusing.

4 MR. BLAZER: It sounded like  
5 there was four, okay, that's what I  
6 wanted to make sure.

7 Now, and once again, I've been  
8 dealing with this for numerous years,  
9 also. What I thought was told to us  
10 was the Victorian style homes are on  
11 one side, and then they were making  
12 the Cape or how ever you worded that,  
13 on the other side, and that's what me  
14 and all of my neighbors thought was  
15 happening on our side. Now he's  
16 addressing Victorians on our side.

17 CHAIRMAN STAUDT: Just the  
18 corner house is Victorian. The other  
19 two --

20 MR. BLAZER: The other two are  
21 Cape.

22 CHAIRMAN STAUDT: Because the  
23 elevation gets higher.

24 MR. BLAZER: Yes, that's the  
25 problem that we have.

1 PLANNING BOARD - 10/22/24

2 CHAIRMAN STAUDT: So the other  
3 two would be Cape style similar to  
4 the one on the end of Toretta right  
5 now.

6 MR. BLAZER: Okay, so --

7 CHAIRMAN STAUDT: Yeah.

8 MR. BLAZER: (Continuing --  
9 it's just the one Victorian that's  
10 going to happen.

11 CHAIRMAN STAUDT: Correct.

12 MR. O'CONNELL: That's  
13 correct.

14 MR. BLAZER: Now also, the  
15 draining part of this, once again, I  
16 thought there was drains already  
17 developed in there. We've all --  
18 there's no drainage in there,  
19 whatsoever.

20 MR. ROSASCO: Well, no,  
21 there's dry wells, I can confirm  
22 that.

23 MR. BLAZER: Okay.

24 MR. ROSASCO: They're not  
25 hooked up to anything. You got to

1 PLANNING BOARD - 10/22/24

2 swale the property towards the wells.

3 MR. BLAZER: Well, this is the  
4 problem that I have because we've  
5 been coming here for years  
6 complaining about this, and not  
7 you guys because this is the first  
8 time --

9 MR. ROSASCO: Right.

10 MR. BLAZER: (Continuing --  
11 we're dealing with you guys, but the  
12 other people sitting there, I'm going  
13 to be very nice about it, keep giving  
14 me garbage about how, no, we opened  
15 the drains, no, we did this. I  
16 called them with videos of dirt  
17 running down my driveway into my  
18 street, not from my house, from that  
19 big pile of dirt they have there, and  
20 what did they do? They went and put  
21 a cover on it, and now it's growing a  
22 forest; you know what I mean?

23 So I'm just curious -- once  
24 again, I want this thing done, I'm fed  
25 up with it. I also don't want any

1 PLANNING BOARD - 10/22/24

2 water on my property.

3 CHAIRMAN STAUDT: Of course.

4 MR. BLAZER: You know, I've  
5 had flooding in my basement since  
6 this started, not from, you know,  
7 before that, and there's been  
8 numerous problems that seem to just  
9 be like, when it's done it'll be  
10 fine. I have a problem with that  
11 because when it's done, if it's not  
12 fine, what's -- and then it's just my  
13 problem now because everything else  
14 is okay.

15 MR. ROSASCO: I understand  
16 your -- I understand your problem.  
17 Water is the most difficult thing to  
18 ever deal with.

19 MR. BLAZER: And it was never  
20 good back there to begin with.

21 MR. ROSASCO: Well, that -- I  
22 was going to go there.

23 MR. BLAZER: This is just  
24 making it worse.

25 MR. ROSASCO: Well, I think



1                   PLANNING BOARD - 10/22/24  
2                   that the corrections that they're  
3                   proposing are hopefully going to make  
4                   it the best it's ever been because  
5                   you're going to have a two foot  
6                   retaining wall, and then the fences  
7                   are going to hold out any water. But  
8                   that two foot retaining wall along  
9                   your back property line is going to  
10                  withhold anything coming down the  
11                  hill from -- the only thing I --

12                  MR. BLAZER: They're also very  
13                  high.

14                  MR. ROSASCO: What's that?

15                  MR. BLAZER: They're a lot  
16                  higher than me. It's not like we're  
17                  even where a retaining wall's going  
18                  to stop it. We're still downhill.  
19                  So it goes under that retaining wall;  
20                  you know what I mean? Especially if  
21                  you're going to build a big ditch  
22                  below the retaining wall.

23                  MR. LAPIDUS: That's my  
24                  question. That's my question. The  
25                  adjacent properties, they have their

1 PLANNING BOARD - 10/22/24  
2 own retaining wall, and it's this  
3 level. Are they going to go on top  
4 of that? Or are they going to meet  
5 up with the --

6 MR. ROSASCO: It's on this  
7 side of the property line.

8 MR. LAPIDUS: Yeah.

9 MR. BLAZER: The bottom of  
10 your retaining wall is going to be  
11 the top of my retaining wall, pretty  
12 much.

13 MR. HOTHERSALL: The drawing  
14 shows it's six foot off of anything  
15 that's there.

16 MR. DILLON: Well, what about  
17 -- what's the distance between? You  
18 said 6-foot. Is it flat between?

19 CHAIRMAN STAUDT: So the  
20 retaining wall will be in front of  
21 the vegetation that they're planning  
22 along your property line. So there's  
23 going to be a line of Emerald Green  
24 -- what is it? Arborvitaes or --

25 MR. ROSASCO: Mm-hmm.

1 PLANNING BOARD - 10/22/24

2 MR. BLAZER: So they're  
3 building a retaining wall, then the  
4 arborvitaes and then a fence.

5 CHAIRMAN STAUDT: Correct, so  
6 it will be on their side of the  
7 property set in from the property  
8 line, that's -- and this was all  
9 worked out when the original Cape  
10 went up on the south side with a lot  
11 of neighbor input at the time, with  
12 the engineers and with the architects  
13 to try and figure out the best --  
14 they haven't done it yet.

15 MR. BLAZER: That's -- yeah.

16 CHAIRMAN STAUDT: But the plan  
17 looks sound from an engineering  
18 perspective to help stop the  
19 drainage, and that is why everyone  
20 keeps saying, once it gets done some  
21 of these issues should be mitigated.  
22 Right now, those drains are there,  
23 but the water's not pitching towards  
24 them.

25 MR. BLAZER: And worded

1 PLANNING BOARD - 10/22/24

2 perfectly, some of them should, but  
3 my problem is, what happens if it  
4 doesn't.

5 MR. ROSASCO: Let me show you  
6 what they're proposing. So that's  
7 the fence there; right? And then a  
8 ground area where the planting will  
9 be, and all the water that comes down  
10 their property will ultimately land  
11 in this swale and never even get into  
12 that; you know?

13 MR. DILLON: The six feet, as  
14 well.

15 (WHEREUPON, there was an  
16 off-the-record discussion.)

17 MR. BLAZER: That would be  
18 helpful, too.

19 MR. ROSASCO: You got to  
20 remember, that six feet is only going  
21 to contain water that's dropped right  
22 into that six feet. Anything from  
23 the property is going into the swale.

24 MR. BLAZER: How far between  
25 their house to that swale? I'm

1 PLANNING BOARD - 10/22/24

2 saying, when is the house here to the  
3 swale? Because they don't have a lot  
4 of backyard. It's like a handball  
5 court.

6 CHAIRMAN STAUDT: There's  
7 38 --

8 MR. ROSASCO: All the roof  
9 water is going in the dry well.

10 MR. BLAZER: But they're very  
11 close to me. As far as visuals, I'm  
12 staring at a wall in my backyard.

13 CHAIRMAN STAUDT: So the dry  
14 well is --

15 MR. ROSASCO: All right, so  
16 let's play devil's advocate once  
17 again.

18 The house on Hampshire Drive  
19 that's 35 feet. Was anybody down  
20 here complaining about that?

21 MR. BLAZER: Yes. Wait,  
22 which? On Hampshire; what do you  
23 mean? I don't know --

24 MR. ROSASCO: Four houses in,  
25 on your street, you've got a house

1 PLANNING BOARD - 10/22/24

2 that goes up two and-a-half stories  
3 higher. So it's even higher than  
4 these two houses.

5 MR. BLAZER: If you were to  
6 put that in my backyard or my front  
7 yard, I probably would have been here  
8 complaining about it, yes.

9 MR. ROSASCO: Okay.

10 MR. BLAZER: But -- and I'm  
11 not trying stop anybody from doing  
12 construction.

13 MR. ROSASCO: No, I get it.

14 MR. BLAZER: I'm not trying to  
15 stop anybody from having a home, I  
16 don't care.

17 MR. ROSASCO: Right, right.

18 MR. BLAZER: But you're also  
19 putting it in my backyard. That's  
20 the only reason this is affecting me.

21 MR. ROSASCO: All right, so  
22 let's --

23 MR. BLAZER: And once again, I  
24 haven't complained until I had floods  
25 in my basement, until I've had to

1 PLANNING BOARD - 10/22/24  
2 wipe my dog's feet every time he'd  
3 come in because it's just mud puddles  
4 everywhere. That's where I'm going  
5 with this, that's the problem that I  
6 have is the accumulation of water in  
7 my backyard is substantially worse  
8 now that the project has started and  
9 continually goes on, and yes --

10 MR. ROSASCO: Okay.

11 MR. BLAZER: (Continuing --  
12 I'm hoping that this all -- that this  
13 plan works, great. If that's the  
14 case, I won't be here anymore, that's  
15 fine, because there's nothing I can  
16 do about it because it's happening,  
17 it's going back there, you know, I  
18 can kick and scream here and say, I  
19 don't want the house in my backyard.  
20 It's going to happen anyway, so I'm  
21 over that, but my problem is, what  
22 happens if it doesn't? That, you  
23 know, whose problem is it then  
24 besides mine just with the water?  
25 Oh, it didn't work, and you're going

1 PLANNING BOARD - 10/22/24  
2 to turn around and tell the  
3 construction, you know, the  
4 contractor, well, no, Mr. Blazer  
5 still has a lot of floods, and he's  
6 getting floods in his basement, we  
7 got to rip that up and do it over. I  
8 don't think that --

9 CHAIRMAN STAUDT: The village  
10 is not going to issue C/O's for,  
11 like, occupancy until all of these  
12 issues are mitigated in the backyard.

13 MR. LAPIDUS: Not true.

14 CHAIRMAN STAUDT: It is true.

15 MR. LAPIDUS: Not true. My  
16 problems were never mitigated and  
17 they got a C/O.

18 CHAIRMAN STAUDT: I mean, sir,  
19 you're north of all of these  
20 properties.

21 MR. LAPIDUS: Same  
22 development, I was here, same, they  
23 got a history.

24 CHAIRMAN STAUDT: From the  
25 Building Department's perspective,



1 PLANNING BOARD - 10/22/24

2 the issues that were identified were  
3 mitigated.

4 MR. LAPIDUS: Not -- again --

5 CHAIRMAN STAUDT: Okay.

6 MR. LAPIDUS: (Continuing --  
7 my problems were addressed before  
8 C/O's were issued, they came,  
9 everybody came --

10 CHAIRMAN STAUDT: Right.

11 MR. LAPIDUS: (Continuing --  
12 the mayor, and it's still there. So  
13 how's -- the man has a point, once  
14 it's done it's done, it becomes his  
15 problem, you know. They told me  
16 we'll take care of it, on a  
17 handshake, they took care of it.  
18 They left.

19 CHAIRMAN STAUDT: Understood.

20 MR. LAPIDUS: And I am here  
21 eight years later. So he has a very  
22 good point, and --

23 MR. BLAZER: And once again,  
24 as far as -- talking in circles, we  
25 can do this all day, so I'm not going

1                   PLANNING BOARD - 10/22/24  
2                   to bother with that, but my other  
3                   question that I have, once again, is  
4                   -- so their fence in the backyard  
5                   now, well, it's falling down, and I  
6                   continually have to put plywood, you  
7                   know, 2-by-4s up to keep it up and  
8                   all that stuff which is annoying but  
9                   when is that going to be addressed,  
10                  taken down and put a new one, and the  
11                  only reason I ask is because I do  
12                  have a dog, and that is the only  
13                  fence blocking in my property. Is  
14                  there going to be a notification, you  
15                  know, when all that backyard is  
16                  happening, and is there going to be  
17                  something done about that where I  
18                  don't have to worry about not having  
19                  anything back there for weeks at a  
20                  time. That's a concern of mine that  
21                  really isn't their problem, but I  
22                  just need to prepare for it.

23                  CHAIRMAN STAUDT: So there is  
24                  a -- I was surprised today when I  
25                  went over there that the -- I

1 PLANNING BOARD - 10/22/24  
2 understand, from your perspective,  
3 you're doing it all at once along  
4 that whole back property line. Where  
5 in the construction process is that  
6 going to be done? After the houses  
7 are in?

8 MR. O'CONNELL: That's usually  
9 the last thing that gets done because  
10 once they dig for the foundation --

11 CHAIRMAN STAUDT: Right.

12 MR. O'CONNELL: (Continuing --  
13 you know, they're ripping up grade,  
14 and you know, you're not saving,  
15 you're not planting grass, it's -- so  
16 that's the absolute last thing that  
17 gets done.

18 MR. BLAZER: So that will be  
19 after the houses and everything.

20 MR. O'CONNELL: Final grade,  
21 yeah. When the final grade gets  
22 done, when they plant the grass, and  
23 that's when it has to be done.  
24 There's really no other way to do it,  
25 you know, in advance, but --

1 PLANNING BOARD - 10/22/24

2 MR. BLAZER: Once again, my  
3 concern is, I just don't want a  
4 backyard with no fence in it because  
5 I have a dog, and that's it. I just  
6 don't want to come home one day and  
7 find nothing there and you tell me  
8 nothing's being put up for six  
9 months.

10 MR. O'CONNELL: And I will  
11 tell you, when they dig the  
12 foundation, you know, more than  
13 likely, I can't speak, you know,  
14 again, I'm the architect.

15 MR. BLAZER: Yeah, yeah.

16 MR. O'CONNELL: I can't speak  
17 to how they're going to work, but  
18 logically, they're going to be using  
19 the material from when they dig the  
20 foundation to try to build up some of  
21 that berm and create the swale, I  
22 mean, that would just make sense. So  
23 you keep, you know, you're not  
24 shipping dirt out, you know, it's cut  
25 and fill process. So that would be,

1 PLANNING BOARD - 10/22/24  
2 you know. So part of it might be  
3 done during the construction process,  
4 but the seeding and the vegetation  
5 won't happen until the final part of  
6 it.

7 MS. DILLON: I have a  
8 question.

9 CHAIRMAN STAUDT: Name and  
10 address.

11 MS. DILLON: I'm Ceil Dillon  
12 from 7 Hampshire Drive.

13 Wouldn't it make sense to do  
14 that before the houses are put there?  
15 Because now it's wide open between  
16 number 2 and number -- the house  
17 that's already there.

18 MR. BLAZER: Eight.

19 MS. DILLON: That's 8 I guess.

20 MR. O'CONNELL: Well that's  
21 what I was explaining. They're  
22 probably going to use the -- when  
23 they dig for the foundation, because  
24 these have basements in them, they're  
25 going to use that to -- because we're

1 PLANNING BOARD - 10/22/24

2 bringing the property up. So that  
3 soil has to come from someplace.

4 MS. DILLON: Right.

5 MR. O'CONNELL: So we want to  
6 use some -- what we dig from onsite  
7 to create that, you know, that  
8 additional grade, and then be able to  
9 create the swale. So that would  
10 happen at the, you know, in the  
11 beginning, but it can't be planted  
12 and vegetated, and you know, until,  
13 you know, when the job is done  
14 because it's just, there's nothing to  
15 hold back the water at the very  
16 beginning. So part of it will be  
17 done in the beginning, but it can't  
18 be finalized until the end.

19 CHAIRMAN STAUDT: The  
20 foundations of the houses themselves,  
21 too, will act as --

22 MR. O'CONNELL: Yes.

23 CHAIRMAN STAUDT: (Continuing  
24 -- as retaining walls. Essentially,  
25 that will be -- right now, it's open

1 PLANNING BOARD - 10/22/24  
2 space, a lot of it dirt and weed  
3 fill, all of that, with the potential  
4 to run down your property during --  
5 run down towards your property during  
6 a rain event.

7 MR. O'CONNELL: There's  
8 nothing stopping it.

9 CHAIRMAN STAUDT: The act of  
10 building the homes will mitigate some  
11 of it, and then, obviously, all the  
12 additional mitigation they're going  
13 to do with the retaining wall and the  
14 vegetation will hopefully, at the  
15 end --

16 MS. DILLON: First time, I  
17 think it was in June, when I had  
18 Steve come to the house because it's  
19 the first time that we had mud in the  
20 backyard.

21 CHAIRMAN STAUDT: Right.

22 MS. DILLON: And if that's  
23 going to continue, I don't like that.

24 CHAIRMAN STAUDT: Agreed. The  
25 plan as engineered right now looks

1 PLANNING BOARD - 10/22/24  
2 like, especially that two foot  
3 retaining wall would -- if there ever  
4 was a slide again, where mud and  
5 water were pouring down that hill, it  
6 would be stopped by that wall, in  
7 theory, which has never existed  
8 there. So it might end up being that  
9 the -- from a drainage perspective  
10 and water perspective, that your  
11 properties are better set when this  
12 is done than they have been, even in  
13 the past.

14 MS. DILLON: I also have a  
15 retaining wall on my property. Well,  
16 now it's a lot lower than the  
17 property behind, and I hope that  
18 doesn't get damaged or destroyed in  
19 all of this.

20 CHAIRMAN STAUDT: It's on your  
21 property; right?

22 MS. DILLON: Yes.

23 CHAIRMAN STAUDT: Well, if it  
24 does, then you would have, you know,  
25 an actionable reason to come to the



1 PLANNING BOARD - 10/22/24  
2 village and to go to them to have  
3 them fix that. I mean, there should  
4 be no damage to your property in the  
5 construction process.

6 MS. DILLON: Well, I'm hoping,  
7 but once everything is done and  
8 they're finished, what is the village  
9 going to do about it?

10 CHAIRMAN STAUDT: Well, if  
11 they're damaging your property in the  
12 construction process, then come to  
13 the village right away.

14 MS. DILLON: Okay.

15 CHAIRMAN STAUDT: Come to the  
16 Building Department and say this has  
17 happened.

18 MR. ROSASCO: And by all  
19 means, take photos.

20 CHAIRMAN STAUDT: Yeah.

21 MS. DILLON: I'm sorry?

22 MR. ROSASCO: Take photos.

23 MS. DILLON: Yes, okay.

24 MR. ROSASCO: I think it's a  
25 good idea to do that back property

1                   PLANNING BOARD - 10/22/24  
2                   line last for a few reasons. Let  
3                   that dirt that he's going push out of  
4                   the basement go down to the bottom of  
5                   the hill and compact itself so it's  
6                   hard pack; right? And then, once  
7                   everything is all moved and all the  
8                   construction equipment is moved out  
9                   of there, they'll make a nice even  
10                  fence down the entire property line  
11                  for all five or six houses on  
12                  Hampshire because it's going to be a  
13                  continuous run of white PVC  
14                  fence; right? Just thinking outside  
15                  the box. Otherwise, if it settles,  
16                  the fences can get a little --  
17                  MS. DILLON: Wavy.  
18                  MR. ROSASCO: (Continuing --  
19                  concocted, shall I say.  
20                  MS. DILLON: Yeah.  
21                  MR. BLAZER: And one last  
22                  question. So you keep saying he's  
23                  raising the grade. It's not going to  
24                  be any higher than the one house  
25                  that's built; right?

1 PLANNING BOARD - 10/22/24

2 MR. O'CONNELL: No.

3 MR. ROSASCO: No.

4 MR. BLAZER: That it's

5 maintaining that --

6 MR. ROSASCO: No.

7 MR. BLAZER: No? As in no --

8 CHAIRMAN STAUDT: It's not

9 going to --

10 MR. BLAZER: (Continuing --

11 it's not going to be or no the --

12 CHAIRMAN STAUDT: Well, the

13 topography of that land right now as

14 you head towards Merritts, it gets --

15 it goes downhill.

16 MR. BLAZER: Okay.

17 CHAIRMAN STAUDT: So each

18 house will be slightly lower than the

19 one -- as you go down that street.

20 MR. BLAZER: No, no, no, okay.

21 I'm talking about the other way. All

22 the houses are going to be in a line.

23 There's nothing going up higher;

24 right?

25 MR. O'CONNELL: No, this is

1 PLANNING BOARD - 10/22/24

2 what's being done --

3 MR. BLAZER: Okay.

4 MR. O'CONNELL: (Continuing --

5 all across the back.

6 MR. BLAZER: Okay.

7 CHAIRMAN STAUDT: Sir?

8 MR. DILLON: Dan Dillon, 7

9 Hampshire Drive.

10 A couple of things. That  
11 retaining wall they usually have repos  
12 in them so it also let's water go  
13 through to keep the pressure from  
14 pushing over the wall. So that back  
15 pitch is really necessary. That might  
16 create a problem with the retaining  
17 wall because now it'll be above the  
18 retaining wall, too.

19 MR. ROSASCO: Right, right.  
20 All right, so hold onto that thought.  
21 You understand what he's  
22 saying?

23 MR. O'CONNELL: Yup.

24 MR. ROSASCO: That six foot  
25 separation area that backs up to the

1 PLANNING BOARD - 10/22/24

2 fence and the retaining wall, we  
3 should swale that back towards the  
4 retaining wall; right?

5 MR. O'CONNELL: Yeah, I mean,  
6 it's -- you know, this is not a, you  
7 know, a masonry --

8 MR. ROSASCO: Right. No, I  
9 know that.

10 MR. O'CONNELL: (Continuing --  
11 retaining wall. This is more of a  
12 Cambridge system that doesn't have  
13 weep holes.

14 MR. ROSASCO: Right.

15 MR. O'CONNELL: It's blocked.

16 MR. LAPIDUS: It's blocked.

17 MR. O'CONNELL: Yeah, so they  
18 don't have weep holes.

19 MR. DILLON: You mentioned  
20 also that the foundations are going  
21 to stop -- it'll just funnel between  
22 the houses then, and so it will come  
23 down less area a little quicker.

24 CHAIRMAN STAUDT: But there'll  
25 be less -- so you're going to have --

1                   PLANNING BOARD - 10/22/24  
2                   you got to remember, the street  
3                   itself is acting as a drain, you  
4                   know, because the street is draining  
5                   towards Merritts. So the only water  
6                   that's now coming towards your  
7                   property is anything that lands on  
8                   the south side.

9                   MR. DILLON: Right.

10                  CHAIRMAN STAUDT: You have a  
11                  home now in place that's going to  
12                  drain towards, like, the driveways  
13                  are going to drain into dry wells.  
14                  So that's what -- this is all --  
15                  you're talking about probably 30  
16                  percent of the land on the south side  
17                  that will no longer collect water  
18                  that can head towards your home, just  
19                  from the existence of homes and the  
20                  driveways being there.

21                  MR. DILLON: And where does  
22                  the drainage from the roof go?

23                  MR. ROSASCO: Dry well.

24                  CHAIRMAN STAUDT: Yeah, dry  
25                  wells.

1 PLANNING BOARD - 10/22/24

2 MR. ROSASCO: Each house has  
3 its own dry well.

4 MR. O'CONNELL: That' what I'm  
5 saying. The amount of water  
6 collection is going to be, you know,  
7 like I said, 30 percent less than  
8 anything that's heading towards you  
9 now, plus the swale.

10 MR. DILLON: Does that swale  
11 run --

12 MR. O'CONNELL: All the way  
13 across.

14 MR. DILLON: All the way  
15 across. Okay.

16 MR. BLAZER: And also, because  
17 you said something before about the  
18 dry wells that are there now.  
19 They're not going anywhere; right?

20 CHAIRMAN STAUDT: No.

21 MR. BLAZER: So when --

22 CHAIRMAN STAUDT: Those are  
23 the dry wells that are going to be  
24 used. The issue now is that the  
25 pitch is not correct.

1 PLANNING BOARD - 10/22/24

2 MR. BLAZER: But, just for my  
3 own personal laughter here. So when  
4 everybody's sitting there last five  
5 times I brought this up to them they  
6 said, the dry wells are open, there  
7 shouldn't be anything coming into  
8 your property. Excuse me, but they  
9 were full of shit.

10 So okay, I just want to make  
11 sure of that so when I address the --

12 MR. DILLON: Why isn't there a  
13 silt fence or if there is a silt  
14 fence, it's obviously not working.

15 MR. O'CONNELL: Well, during  
16 the construction process there should  
17 be a silt fence there, but I can't --  
18 that's not something I can -- that's,  
19 you know, going to be up to the  
20 Building Department, but prior to the  
21 start of construction there should be  
22 a silt fence there.

23 CHAIRMAN STAUDT: It's  
24 something we can bring back to the  
25 Building Department and the Trustee



1 PLANNING BOARD - 10/22/24

2 Board to make sure it's conditional  
3 for approving construction that --

4 MR. DILLON: It should be --

5 MR. BLAZER: June 5th, when we  
6 called about all the -- the landslide  
7 coming down our driveways into the  
8 street, you know, that was one of the  
9 things I brought up, and I had never  
10 gotten a call back, Ceil did, but you  
11 know, she's nicer than I am, so I  
12 guess I would call her back. But  
13 yeah, that's something that could be  
14 addressed. Since there's nothing  
15 there blocking the water from coming  
16 onto our property at this moment, at  
17 least you guys are being honest about  
18 it, and they're lying about it, but  
19 you know, if that's something that  
20 can deter it in the future until they  
21 get that done, that would be  
22 appreciated.

23 CHAIRMAN STAUDT: It's in  
24 nobody's best -- it's in no one's  
25 interest in the village to, you know,

1                   PLANNING BOARD - 10/22/24  
2                   to not have the required fencing  
3                   there while under construction. I  
4                   mean, it just -- it's common sense  
5                   that it be there to protect your  
6                   properties, and then to protect also  
7                   the builder from having to come over  
8                   and fix anything that happens. So  
9                   we'll make sure that that is passed  
10                  on.

11                 MR. BLAZER: And to be greedy,  
12                 the landscaping there, just taking  
13                 care of that, you know, I don't care  
14                 how they do it or who does it, but  
15                 the grass grows, you know, I  
16                 would say like once every five or six  
17                 months they come and clean that up.  
18                 If you've seen that pile, if you were  
19                 there today, you know, it's just a  
20                 big mound with a forest growing on  
21                 it. They put the tarp over it after  
22                 we complained about the mudslide, and  
23                 now the tarp is just ripped.

24                 CHAIRMAN STAUDT: Didn't look  
25                 good today when I was there.

1 PLANNING BOARD - 10/22/24

2 MR. BLAZER: Well, that's what  
3 I'm saying. That's something that,  
4 you know, that -- they've cut corners  
5 in every direction with this project.  
6 So stuff like that would go a long  
7 way --

8 CHAIRMAN STAUDT: Right.

9 MR. BLAZER: (Continuing --  
10 just so we don't have the bugs and  
11 the garbage and the look. You know  
12 what I mean? It would help us a lot  
13 just to not have --

14 CHAIRMAN STAUDT: I agree with  
15 you. The vegetation was overgrown.

16 MR. BLAZER: Yeah.

17 CHAIRMAN STAUDT: The property  
18 looked, you know, like it was in  
19 squalor, and that, I'm definitely  
20 passing along to the Building  
21 Department and the Trustee Board.

22 MR. BLAZER: And I guarantee  
23 they're going to have a guy back  
24 there next week with a weed whacker  
25 cutting back just on our property

1 PLANNING BOARD - 10/22/24  
2 line, not doing the whole thing.  
3 That's what I'm saying. They really  
4 should have somebody care for that.  
5 I don't need it once a week; you know  
6 what I mean? But every month maybe,  
7 just to make sure it -- like I said,  
8 it's a headache. So just to look at  
9 an ugly headache is even worse.

10 CHAIRMAN STAUDT: It's  
11 unfortunate that that was allowed to  
12 happen during the summer, I mean,  
13 obviously, we're heading into fall  
14 now so it will be less of an issue.

15 MR. BLAZER: Yeah.

16 CHAIRMAN STAUDT: But for sure  
17 we'll -- we will make sure that  
18 that's in front of the Trustee  
19 Board --

20 MR. BLAZER: I appreciate  
21 that.

22 CHAIRMAN STAUDT: (Continuing  
23 -- and the Building Department.

24 MR. DILLON: From a privacy  
25 standpoint, you know, you're saying a

1 PLANNING BOARD - 10/22/24

2 seven foot high plant screen.

3 MR. O'CONNELL: Plus two on  
4 the retaining wall.

5 MR. DILLON: I'm sorry?

6 MR. O'CONNELL: Plus two  
7 because we're building the grade up  
8 two feet, and then they're sitting on  
9 top of that.

10 MR. DILLON: But the --  
11 they're behind the retaining wall  
12 which means they're down two feet.

13 CHAIRMAN STAUDT: They're  
14 going to get pretty high, right;  
15 Craig? You're kind of an expert on  
16 them.

17 MR. ROSASCO: So the beauty --

18 MR. O'CONNELL: The retaining  
19 wall is two foot but the grade is  
20 before the swale, that area's two  
21 foot higher --

22 MR. DILLON: That's --

23 MR. O'CONNELL: (Continuing --  
24 from where the current grade is now.  
25 Here's the retaining wall. So we're

1 PLANNING BOARD - 10/22/24

2 up two feet.

3 MR. BLAZER: That's not what I  
4 saw here. I saw the retaining wall  
5 there and then the arborvitaes. I  
6 have a different picture.

7 MR. O'CONNELL: Oh, okay.

8 MR. BLAZER: That's what I'm  
9 saying. What he showed me is  
10 different, that's not that. So  
11 you're telling me that's the  
12 retaining wall, that's the  
13 arborvitaes.

14 MR. O'CONNELL: Yes.

15 MR. BLAZER: Okay, that's not  
16 what he showed me.

17 MR. O'CONNELL: That's  
18 correct.

19 MR. BLAZER: Okay.

20 MR. ROSASCO: What I gave you,  
21 Mr. Blazer; is that different?

22 MR. BLAZER: Yes, it's one  
23 hundred percent different.

24 MR. O'CONNELL: That was the  
25 one that got denied. This is a

1 PLANNING BOARD - 10/22/24

2 better scenario.

3 MR. ROSASCO: Ah, all right,  
4 that is a better scenario.

5 MR. O'CONNELL: Then this is a  
6 two foot bringing the grade up, then  
7 swale in here and the tree in front  
8 of the swale.

9 MR. ROSASCO: All right.

10 MR. O'CONNELL: Which is  
11 better --

12 I didn't realize that's what  
13 you gave him, so -- that was one of  
14 the earlier --

15 MR. BLAZER: That's fine,  
16 that's --

17 MR. ROSASCO: All right, so  
18 just so you know how those Emerald  
19 Green arborvitaes work. The way --  
20 the reason we pick those is because  
21 they're essentially maintenance free.  
22 You're not going to have Thugas  
23 coming over your fence line. They're  
24 going to go straight up like  
25 sno-cones.

1 PLANNING BOARD - 10/22/24

2 MR. BLAZER: I'm very familiar  
3 with them, yes.

4 MR. ROSASCO: But admittedly,  
5 the first year they don't grow much.  
6 It's the second and third year they  
7 grow three to four inches a year  
8 after that first year.

9 MR. BLAZER: But they are the  
10 homeowner's to maintain.

11 MR. ROSASCO: Yes, they're on  
12 their property. Yes, absolutely.

13 MR. BLAZER: Maintenance  
14 involved --

15 MR. ROSASCO: Absolutely.

16 MR. DILLON: The top end is  
17 like 15 feet, I think.

18 MR. ROSASCO: Yeah, 15 to 17  
19 feet.

20 CHAIRMAN STAUDT: Any other  
21 comments?

22 MR. HOTHERSALL: For 2?

23 CHAIRMAN STAUDT: For 2. All  
24 right, with that, I'm going to --

25 MR. ROSASCO: It sounds to me



1 PLANNING BOARD - 10/22/24

2 like we should open it up for 4 and 6  
3 because they're going to be similar  
4 concerns.

5 MR. BLAZER: They're all the  
6 same.

7 MR. ROSASCO: Yeah, exactly,  
8 we could have done it. We just  
9 thought if there were individuals  
10 behind one house, they want to  
11 address their own personal concerns.

12 MR. BLAZER: I understand.

13 MR. ROSASCO: All right, so  
14 take over young man.

15 MR. O'CONNELL: I'll make it  
16 quick and easy; all right?

17 So again, as far as the  
18 planning of this particular space, the  
19 swale is going to be continuous, for  
20 the record, across both of these  
21 additional properties that are being  
22 developed which is number 4 and number  
23 6. So that will be continuous, as  
24 well as, you know, continuing across  
25 the existing number 8.

1 PLANNING BOARD - 10/22/24

2 CHAIRMAN STAUDT: Now 4 and 6  
3 are, as we said before, Cape style  
4 similar to --

5 MR. O'CONNELL: That is  
6 correct. They are Cape style,  
7 similar to the existing Cape that,  
8 you know, is up. Actually, here's  
9 kind of a construction picture,  
10 but --

11 CHAIRMAN STAUDT: These are  
12 four bedroom, not five.

13 MR. O'CONNELL: That is  
14 correct.

15 CHAIRMAN STAUDT: All right.

16 MR. O'CONNELL: Okay. Should  
17 the Board elect, we could also  
18 increase the driveway width on those  
19 properties, too, to help mitigate the  
20 parking, we would have no objection  
21 to that.

22 But the colors on these  
23 particular homes, again, we're, you  
24 know, trying to make sure that we go  
25 with different colors on all of them;

1                    PLANNING BOARD - 10/22/24  
2                    all right? But on the number 4, we're  
3                    going to be going with barkwood  
4                    dimensional shingle which is more of a  
5                    dark brown color, and the siding is  
6                    going to be natural clay style siding.  
7                    The siding is called Monogram vinyl,  
8                    and we're also introducing some of  
9                    this -- some stone on the structure  
10                   which is going to be a dark brown to  
11                   play off the roof which is a -- it's a  
12                   Boulder Creek Montana ledgestone, and  
13                   as far as doors, windows and trim,  
14                   it's all white, same idea, though,  
15                   we're going with the Clopay Andersen  
16                   400 series on the windows, and we're  
17                   going with all the Fibrex material for  
18                   the columns and the trim around  
19                   everything. So again, the perfect  
20                   sample is, just in terms of the break  
21                   of the stone and the siding is what's  
22                   already there.

23                   The number 6 Toretta, we're  
24                   also using the barkwood on the roof,  
25                   but we're changing the siding color to

1 PLANNING BOARD - 10/22/24  
2 what they call a seagrass which is  
3 kind of a taupey (sic) color, almost  
4 towards a green to it, and you know,  
5 the stone is going to be the same  
6 color to play off the roof, you know,  
7 a dark brown on the stone to play off  
8 the dark brown on the roof itself, and  
9 then we're going to go with the  
10 Clopay. I would also, like, say that  
11 this house is a reverse image. These  
12 houses, when they're set up, you know,  
13 they're reversed images, you know, as  
14 you're going down Toretta.

15 MR. ROSASCO: Okay, I see  
16 you've used every ounce of lot  
17 coverage on this one, so --

18 MR. O'CONNELL: On that one,  
19 yeah.

20 MR. ROSASCO: It's still  
21 within code, that's fine.

22 MR. O'CONNELL: Yup, yup.

23 MR. ROSASCO: Okay.

24 CHAIRMAN STAUDT: It might be  
25 challenging for you to widen the

1 PLANNING BOARD - 10/22/24

2 driveway.

3 MR. O'CONNELL: It might be,  
4 I'd have to look at that a little  
5 closer on those two.

6 MR. ROSASCO: Right.

7 CHAIRMAN STAUDT: Yeah.

8 MR. ROSASCO: You got setback  
9 issues.

10 CHAIRMAN STAUDT: And so just  
11 be aware that if you come to the  
12 Trustee Board without some sort of  
13 mitigation on the driveway that  
14 you'll need a variance for parking  
15 because you'll be short one parking  
16 spot.

17 MR. O'CONNELL: On both number  
18 4 and 6.

19 CHAIRMAN STAUDT: Four and  
20 six.

21 MR. O'CONNELL: Yeah.

22 CHAIRMAN STAUDT: Because  
23 right now you have parking for, by my  
24 count, if that garage fits a car --

25 MR. O'CONNELL: Yup, it does.

1 PLANNING BOARD - 10/22/24

2 CHAIRMAN STAUDT: (Continuing  
3 -- you have parking for three, and  
4 you have a four -- you have the four  
5 bedroom house, so you need four --  
6 the code requires parking for four  
7 cars on 4 and 6 Toretta Lane.

8 MR. O'CONNELL: Yeah, we'll  
9 make sure we --

10 MR. ROSASCO: I don't have  
11 necessarily have a problem -- every  
12 -- cosmetically, they're fine. I'm  
13 more concerned about these three  
14 residents.

15 CHAIRMAN STAUDT: Mm-hmm.

16 MR. O'CONNELL: Yeah, it's not  
17 that much more because 9-by-18  
18 parking spot, I mean, the driveway  
19 right now on that 15 -- almost 15  
20 and-a-half feet wide, so I'm really  
21 not adding that much more driveway,  
22 you know, I only need 18.

23 MR. ROSASCO: Right, four  
24 feet, you're fine, yeah. I get it.

25 CHAIRMAN STAUDT: And the

1                   PLANNING BOARD - 10/22/24  
2                   additional paved area would reduce,  
3                   you know, further reduce the  
4                   potential for water coming down, you  
5                   know, just with the -- again, the  
6                   wider the driveway, the more --

7                   MR. O'CONNELL: Right.

8                   CHAIRMAN STAUDT: (Continuing  
9                   -- the more paved area that's swaling  
10                  into a dry well.

11                  All right, with that, we're --  
12                  technically, public comment is still  
13                  open. Do you -- does anyone have any  
14                  additional concerns or input that is  
15                  different from what we've already  
16                  discussed on 2 for 4 or 6?

17                  (WHEREUPON, there was no  
18                  response.)

19                  CHAIRMAN STAUDT: Obviously,  
20                  the style of homes is different from  
21                  what we were talking about before,  
22                  it's the Cape style that is already  
23                  existing on the south side there.

24                  MS. DILLON: No.

25                  MR. BLAZER: Just the water,

1 PLANNING BOARD - 10/22/24

2 that's it, you know, I mean, the  
3 whole house.

4 One thing that I didn't ask  
5 before. Is there any way, maybe, to  
6 write a note or whatever. Like I  
7 said, the thing with the fence being  
8 ripped out and the -- I don't care  
9 what happens -- is there any way the  
10 neighbors can be notified when that's  
11 going to happen?

12 Do you understand my dilemma?

13 MR. ROSASCO: At a minimum,  
14 no, I think there should be a  
15 timeframe.

16 MR. BLAZER: Well, that's what  
17 I'm saying.

18 MR. ROSASCO: Listen, these  
19 two days, it'll go down and up.

20 MR. BLAZER: And I'm fine with  
21 that, you know, even give me a week,  
22 whatever it is. I would just like to  
23 know in advance as opposed to coming  
24 home and seeing the whole thing, you  
25 know --



1 PLANNING BOARD - 10/22/24

2 MR. ROSASCO: Very reasonable,  
3 very reasonable.

4 MR. BLAZER: You know,  
5 something ripped in the backyard. If  
6 that could just be notified to the  
7 neighbors that would be great. I  
8 think it would, you know, make  
9 everybody happy to know that it's  
10 happening right there. Besides, it's  
11 the closest part of construction to  
12 our house, so --

13 MR. ROSASCO: Agreed.

14 MR. BLAZER: If we can be  
15 notified of that, that would be  
16 great.

17 Thank you, I appreciate that.

18 MR. O'CONNELL: That would  
19 like be -- I guess be like an added  
20 inspection call or something like  
21 that. I don't know how else you  
22 would notify, so we'd have to just  
23 put that as an added inspection.

24 MR. ROSASCO: That's fine.

25 CHAIRMAN STAUDT: Have any

1 PLANNING BOARD - 10/22/24

2 concerns, comments?

3 MR. HOTHERSALL: No, I would  
4 just, you know, ditto what my peers  
5 have said, if anything that can be  
6 done to communicate the plans; right?  
7 And put up the proper barriers when  
8 works starts; right? It's -- and I  
9 do believe that as the project  
10 continues, I personally think that  
11 the water issues should get better;  
12 right? Because like we spoke about,  
13 the water is going to pitch into the  
14 proper drains. Right now it's just a  
15 big dirt blob, and it's bad, and  
16 again, the residents, you know, have  
17 said that that's an issue; right? I  
18 mean, I think this requirement that  
19 we have to keep our lawns mowed, I  
20 would expect that the -- you know,  
21 the builder, you know, do the same,  
22 and again, I think that moving  
23 forward is the best for the site.

24 MR. O'CONNELL: Once the  
25 builder is out of here the better off

1 PLANNING BOARD - 10/22/24

2 it'll be for all the neighbors.

3 MR. HOTHERSALL: So those are  
4 my comments, and that's about it.

5 CHAIRMAN STAUDT: Craig,  
6 anything else?

7 MR. ROSASCO: No.

8 CHAIRMAN STAUDT: All right.  
9 With that, I'm going to make a  
10 motion to close the public comment  
11 portion of this hearing for 2, 4 and  
12 6 Toretta Lane.

13 Can I get a second on that?

14 MR. ROSASCO: So moved.

15 CHAIRMAN STAUDT: All in  
16 favor?

17 (WHEREUPON, there was a  
18 unanimous, affirmative vote of the  
19 Board members present.)

20 CHAIRMAN STAUDT: All right,  
21 with that I don't have any further  
22 questions or concerns.

23 Again, our role here tonight  
24 is to bring all of your concerns, to  
25 bring the information we got from the

1                   PLANNING BOARD - 10/22/24  
2                   developer and to advise the Trustee  
3                   Board your concerns regarding the  
4                   drainage is foremost on everyone's  
5                   mind, and we'll make sure the  
6                   Building Department knows that that  
7                   is the main priority as development  
8                   starts and continues, and you know,  
9                   the village does not want to sign off  
10                  on this at the end until all of those  
11                  concerns are figured out and everyone  
12                  on both sides of that property line  
13                  are, you know -- that all of your  
14                  concerns are answered and addressed.

15                         With that, I'll make a motion  
16                         to close this public hearing.

17                                 Can I get a second on that?

18                                 MR. LAPIDUS: Wait, hold on a  
19                                 second.

20                                 Did you say you're going to  
21                                 open it for my comments or my  
22                                 discussions about this development.

23                                 CHAIRMAN STAUDT: Is that in  
24                                 the context of this public hearing or  
25                                 did you want to have an aside with

1 PLANNING BOARD - 10/22/24

2 him.

3 MR. ROSASCO: No, we -- let's  
4 shut this down if there's nothing  
5 else on 2, 4 or 6, and then we'll  
6 just document what his continued, you  
7 know, complaints and concerns are.

8 CHAIRMAN STAUDT: All right,  
9 so with that --

10 MR. ROSASCO: And just pass  
11 them on to the Board.

12 CHAIRMAN STAUDT: With that,  
13 I'm going to make on -- make a motion  
14 to close the public hearing.

15 Can I get a second on that?

16 MR. ROSASCO: So moved.

17 CHAIRMAN STAUDT: All in  
18 favor?

19 (WHEREUPON, there was a  
20 unanimous, affirmative vote of the  
21 Board members present.)

22 CHAIRMAN STAUDT: All right,  
23 with that, the public hearing is  
24 closed.

25 (WHEREUPON, this public

1 PLANNING BOARD - 10/22/24

2 hearing was concluded.)

3 CHAIRMAN STAUDT: Alex, what  
4 are your additional concerns?

5 MR. LAPIDUS: We're going to  
6 describe it there.

7 CHAIRMAN STAUDT: We didn't  
8 close the meeting.

9 MR. LAPIDUS: Oh.

10 CHAIRMAN STAUDT: We closed  
11 the public hearing for those  
12 addresses.

13 MR. LAPIDUS: Okay.

14 MR. ROSASCO: For 2, 4 and 6.

15 CHAIRMAN STAUDT: Your address  
16 is well north of those so it's not --  
17 it wasn't relevant.

18 MR. LAPIDUS: Okay, so I'll  
19 pick up where I left off.

20 I filed nine FOIL requests  
21 regarding Toretta development. I got  
22 letters from the village that says we  
23 will reply to you within 20 days of.  
24 It's been 90 days.

25 MR. ROSASCO: Mr. Lapidus, you

1 PLANNING BOARD - 10/22/24

2 understand we're the Planning Board;  
3 right?

4 MR. LAPIDUS: I understand but  
5 yeah, I know --

6 MR. ROSASCO: So are we just  
7 another conduit for your ongoing  
8 complaints?

9 MR. LAPIDUS: No, no, I'm --  
10 what do you mean ongoing complaints?

11 MR. ROSASCO: Because it's  
12 been going on for a long time. I get  
13 it.

14 MR. LAPIDUS: I'm getting to  
15 even a better point now.

16 MR. ROSASCO: Okay.

17 MR. LAPIDUS: I had Steve  
18 Fellman call me, I had Brian Harty  
19 called me up and told me that Steve  
20 Fellman is no longer a building  
21 inspector.

22 MR. ROSASCO: Okay.

23 MR. LAPIDUS: He is now a  
24 building inspector, and he is  
25 handling Toretta Estate Development.

1 PLANNING BOARD - 10/22/24  
2 I was not expecting to see you, I was  
3 expecting to see Steve, the mayor and  
4 so on and so forth. So I got Brian  
5 Harty calling me and telling me that  
6 he's -- Steve no longer a Building  
7 Inspector, I got Steve not returning  
8 my calls, I got the mayor not  
9 answering my e-mails. I have -- the  
10 village sent me -- Steve -- Brian  
11 Harty, Steve Fellman and a person by  
12 the name of Jeff from Public Works.  
13 Then they send me H2M with Steve and  
14 Brian and another company, developer,  
15 came to my house and told them that a  
16 retaining wall is needed, that a  
17 chain link fence that was left behind  
18 by the developer is not -- it's not a  
19 substitute to stabilize the land.  
20 There's a 80 foot chain link fence on  
21 my property with over five foot drop  
22 that was left behind that I was told  
23 by the builder, by the mayor. Now  
24 the mayor's not returning my calls,  
25 not answering my e-mails, not -- what



1 PLANNING BOARD - 10/22/24

2 am I supposed to do with this? And  
3 this was told -- they have the same  
4 issue. I came here, it was in  
5 another --

6 MR. ROSASCO: No, I don't  
7 think they have the same issue. They  
8 said Steve Fellman was in their  
9 driveway.

10 MR. LAPIDUS: Well, hopefully,  
11 they won't have the same issue.

12 MR. ROSASCO: What would you  
13 like us to do? We're the Planning  
14 Board.

15 MR. LAPIDUS: Right, so I  
16 would like you just to relay the  
17 message that the --

18 MR. ROSASCO: Okay.

19 MR. LAPIDUS: The message is  
20 that whatever they told me, whatever  
21 the lip service they gave me, I have  
22 -- they were told by three different  
23 companies, engineering companies,  
24 that a retaining wall is needed.  
25 Here yet, nothing has been done.

1 PLANNING BOARD - 10/22/24

2 MR. HOTHERSALL: Is that on --  
3 give me the properties on that.

4 MR. LAPIDUS: The north side.

5 MR. ROSASCO: No, no.

6 MR. HOTHERSALL: So it's 1,

7 3 --

8 MR. ROSASCO: Yeah.

9 MR. HOTHERSALL: (Continuing)  
10 -- 5, 7.

11 MR. LAPIDUS: Yeah, I'm 16.

12 MR. ROSASCO: It's all the way  
13 at the end, it's at his property  
14 line. He wants the retaining wall  
15 continued. To build up his hill.

16 MR. LAPIDUS: What retaining  
17 wall? There is no retaining wall.

18 MR. ROSASCO: Right, you want  
19 -- but there is to the east of you.

20 MR. LAPIDUS: Not to my  
21 property.

22 MR. ROSASCO: Not to your  
23 property but you'd like one built up  
24 there.

25 MR. LAPIDUS: No, no, they

1 PLANNING BOARD - 10/22/24

2 left a chain link fence as the  
3 retaining wall on my property.

4 MR. ROSASCO: I understand. I  
5 understand that.

6 MR. LAPIDUS: And three  
7 different companies the village paid  
8 for have come to my house and told  
9 them that a retaining wall is  
10 required. Brian tells me he never --  
11 he didn't hear such a comment. So I  
12 am -- I'm like eight years, a dozen  
13 complaints, 50 meetings in private,  
14 in person, in my house at the work  
15 site and nothing. Over a quarter of  
16 a million dollars of damages to my  
17 property as of today, and you know  
18 what Steve Fellman said? Steve  
19 Fellman was asked in a public  
20 meeting, why is there no retaining  
21 wall? Steve Fellman said it would  
22 cost money. Well, I got news for you  
23 guys. It would cost less than one  
24 percent at that time.

25 CHAIRMAN STAUDT: All right.

1                                   PLANNING BOARD - 10/22/24

2                                   MR. LAPIDUS: So I am here,

3                                   those people are living in the house,

4                                   my water, my property's being washed

5                                   away, and so what -- and I have

6                                   pictures. You said -- I'm glad you

7                                   said pictures. I gave them, I think

8                                   it was about 80 pictures. Everything

9                                   is documented before anything was

10                                  done, before it even started. The

11                                  village said we'll take care of it.

12                                  Steve told me don't touch it because

13                                  I will hold you responsible. Brian

14                                  told me don't touch it, I will sue

15                                  you. The mayor told me move -- if

16                                  you move the chain link fence, it

17                                  will be your responsibility for the

18                                  damages, and thank God they were

19                                  right that I didn't touch that fence

20                                  because otherwise I would have been.

21                                  But yet, here we are, four and-a-half

22                                  million dollars in sales and for

23                                  \$60,000 there was no retaining wall

24                                  because Steven Fellman said it would

25                                  cost money in a public meeting. What

1 PLANNING BOARD - 10/22/24

2 am I supposed to do?

3 CHAIRMAN STAUDT: Alex --

4 MR. LAPIDUS: Where am I  
5 supposed to go? I've been here for  
6 eight years.

7 CHAIRMAN STAUDT: Alex --

8 MR. LAPIDUS: They know me by  
9 my name.

10 CHAIRMAN STAUDT: We will pass  
11 along that you were here and your  
12 concerns, but beyond that, we're the  
13 Planning Board. This is --

14 MR. LAPIDUS: That's all I got  
15 left, I don't know what else to do.

16 CHAIRMAN STAUDT: Your issue  
17 is with the Building Department and  
18 the mayor.

19 MR. LAPIDUS: Well, let me ask  
20 you a question. Why does the mayor  
21 does not return my e-mails when he  
22 answered and then he stopped.

23 CHAIRMAN STAUDT: How could I  
24 answer that question?

25 MR. LAPIDUS: Is Brian -- is

1 PLANNING BOARD - 10/22/24

2 Steve Fellman still the building  
3 inspector?

4 CHAIRMAN STAUDT: I can't --  
5 again, you're asking the wrong guys.

6 MR. LAPIDUS: You don't know  
7 if Steve Fellman is the building  
8 inspector?

9 CHAIRMAN STAUDT: This is all  
10 new --

11 MR. ROSASCO: As far as we  
12 know --

13 CHAIRMAN STAUDT: Yeah.

14 MR. ROSASCO: (Continuing --  
15 he is.

16 MR. LAPIDUS: Well, that's as  
17 far as I know but I got Brian Harty  
18 who called me up and says, address  
19 all complaints to me. So I don't  
20 know what he's done with my  
21 complaints. What has he done with my  
22 FOIL requests, nine of them? I have  
23 letters of correspondence receiving  
24 it. We have knowledge receiving your  
25 letters. Within 20 days it says they

1 PLANNING BOARD - 10/22/24  
2 will respond. They don't return my  
3 call. When I come here, so you're  
4 here. I mean, they're making fun of  
5 me. I stopped coming here because I  
6 try to behave myself and here I am,  
7 and you're telling me --

8 MR. ROSASCO: Shooting the  
9 messenger is what you're doing.

10 MR. LAPIDUS: No.

11 MR. ROSASCO: Yeah, you are.  
12 You are. In all due respect.

13 MR. LAPIDUS: Well --

14 MR. ROSASCO: You have  
15 problems with the other side which  
16 another Planning Board approved. It  
17 has nothing to do with us.

18 We didn't sit on that Toretta  
19 side.

20 MR. LAPIDUS: No, no, I  
21 understand that, but I came there.

22 MR. ROSASCO: And we didn't  
23 have anything to do with your  
24 retaining wall.

25 MR. LAPIDUS: I followed

1 PLANNING BOARD - 10/22/24

2 exactly what you guys --

3 MR. ROSASCO: I'm worried  
4 about these three families.

5 MR. LAPIDUS: I followed  
6 exactly what you guys said.  
7 Pictures, document it, bring it to  
8 our attention, we will take care of  
9 it.

10 MR. ROSASCO: I never told you  
11 that.

12 MR. LAPIDUS: Well, you just  
13 told them that.

14 MR. ROSASCO: Right.

15 MR. LAPIDUS: Okay, but I've  
16 done all those things, and it's a  
17 pile; okay? I got 8-by-10 color  
18 photos to every member. I think four  
19 of those files had 30 to 40 pictures  
20 each. What else am I supposed to do?

21 CHAIRMAN STAUDT: They've been  
22 to your property.

23 MR. LAPIDUS: Yeah, and they  
24 did nothing.

25 CHAIRMAN STAUDT: So there's a



1 PLANNING BOARD - 10/22/24  
2 disagreement between the village and  
3 you in terms of what needs to be  
4 done.

5 MR. LAPIDUS: No, no, no, no,  
6 I followed what the mayor said. This  
7 egregious behavior will not stand.

8 CHAIRMAN STAUDT: Okay, but  
9 there's nothing we can do for you  
10 tonight to mitigate that.

11 MR. LAPIDUS: Okay, but these  
12 people are getting comments from you,  
13 but you're telling me now there's  
14 nothing you really can do, you can  
15 just relate it. So you cannot hold  
16 them responsible for the village,  
17 what they choose to do. You can only  
18 suggest, and they will make the  
19 decision; is that what you're saying?

20 CHAIRMAN STAUDT: No, but it's  
21 -- based on the information in front  
22 of me, it seems the village has  
23 attempted to visit your property and  
24 see what the concerns are, and  
25 now there is disagreements between

1 PLANNING BOARD - 10/22/24

2 you and them.

3 MR. LAPIDUS: No, they didn't  
4 do anything, there's no disagreement,  
5 there's no disagreement. The  
6 engineers, they send over -- said you  
7 need a retaining wall.

8 CHAIRMAN STAUDT: Mm-hmm.

9 MR. LAPIDUS: They send over  
10 H2M, public green, Public Works,  
11 Jeff --

12 CHAIRMAN STAUDT: We're  
13 telling these people that the plans  
14 that we showed you tonight, right  
15 now, if approved by the Trustee  
16 Board, it would be the job of the  
17 village and this Board to make sure  
18 that those plans are carried out.  
19 You're asking for something that was  
20 not on the original plans and --

21 MR. LAPIDUS: Oh, it was on  
22 original plans.

23 CHAIRMAN STAUDT: Okay.

24 MR. LAPIDUS: It was on  
25 original plans -- I even found out

1 PLANNING BOARD - 10/22/24

2 better. Steve Fellman, when he took  
3 over this job, at the first year in  
4 his job, he started to -- he started  
5 to; what do you call it? He started  
6 to revise the plans.

7 CHAIRMAN STAUDT: Mm-hmm.

8 MR. LAPIDUS: Three years  
9 later he knew nothing about it, but  
10 did a little digging, in 2013 the  
11 plans already revised.

12 CHAIRMAN STAUDT: All right,  
13 again, I can't speak to that.

14 MR. LAPIDUS: Well, I can  
15 because there's records of it --

16 CHAIRMAN STAUDT: Okay.

17 MR. LAPIDUS: (Continuing --  
18 thank God. So I am doing what they  
19 are doing.

20 You told them to do certain  
21 things. Take pictures, notify us,  
22 comment, this, do all the things.

23 CHAIRMAN STAUDT: Right.

24 MR. LAPIDUS: Not many people  
25 have Village of Farmingdale come over

1                   PLANNING BOARD - 10/22/24  
2                   to their house. The Trustee Board,  
3                   they all came. Must be something,  
4                   and nobody came and told me, Alex,  
5                   you're full of shit. They said this  
6                   is egregious. The man just dug up my  
7                   wall like it's nothing, my problem.  
8                   Like it's nothing. More than 180  
9                   feet, 100 feet took off, 80 feet left  
10                  that I can't even use and approach.  
11                  So what? I should just go, oh, okay,  
12                  you know what? It's an oversight.  
13                  What do you mean? I've got Steve  
14                  Fellman -- actually, I looked him up,  
15                  he's involved in multiple lawsuits  
16                  because of his conduct for his  
17                  behavior as a building inspector.  
18                  Shocking to me.

19                  CHAIRMAN STAUDT: None of that  
20                  is relevant here.

21                  MR. LAPIDUS: I know it's not  
22                  but it's shocking to me. I never  
23                  knew, I would have dealt with him  
24                  differently. I came to them with an  
25                  open face. The mayor came to my

1 PLANNING BOARD - 10/22/24

2 house, shook my hand. I wish I could  
3 cut it; okay? And then told me 19  
4 times, yes, Alex, yes, Alex, don't  
5 worry, Alex, I gotcha, I'll take care  
6 of it. Steve said that, Brian said  
7 that, everybody yessed me to death.

8 CHAIRMAN STAUDT: All right, I  
9 think at this point, we've heard your  
10 concerns, we will pass along that you  
11 were here.

12 MR. LAPIDUS: Okay, so let me  
13 ask you this question. What should I  
14 do at this point? I'm looking at a  
15 property, that 80 feet of my property  
16 is decayed.

17 CHAIRMAN STAUDT: Sir, you're  
18 a property owner in the village, you  
19 can come down and speak to any --

20 MR. LAPIDUS: I did.

21 CHAIRMAN STAUDT: Okay.

22 MR. LAPIDUS: They're not  
23 returning my phone calls.

24 CHAIRMAN STAUDT: All right.

25 MR. LAPIDUS: They're not

1                   PLANNING BOARD - 10/22/24  
2                   answering my e-mails. What? I mean,  
3                   it's just like that? And now you're  
4                   working with the company. Toretta  
5                   Estate is still here. They're still  
6                   are liable for what they left behind,  
7                   but except the Board of Trustees  
8                   choose to do nothing about it. Not  
9                   only that, the Village of Farmingdale  
10                  is now responsible for maintaining  
11                  that cul-de-sac retaining wall.  
12                  Isn't it very nice of us? They were  
13                  supposed to plant -- they didn't  
14                  plant one tree to beautify this  
15                  neighborhood where they're building.  
16                  The developer just ripped it apart  
17                  and left it as a pile of shit and let  
18                  everybody build as they choose. They  
19                  did nothing. Not one tree was  
20                  planted to make it look nice there.

21                  CHAIRMAN STAUDT: I was over  
22                  there today.

23                  MR. LAPIDUS: None of those  
24                  trees were planted by them, they were  
25                  planted by the neighbors.

1 PLANNING BOARD - 10/22/24

2 CHAIRMAN STAUDT: Okay, but  
3 people --

4 MR. LAPIDUS: So what is this  
5 company doing? They came here, they  
6 destroyed 400 feet of my property.  
7 These people are next in line, and  
8 actually, if somebody somewhere goes  
9 done, it's done, and then they're  
10 what? They're going to be in my  
11 shoes because here I am. I followed  
12 your orders which was suggested to  
13 them. Pictures, come, letters. All  
14 my letters, all my complaints are  
15 notarized, not just complaint.  
16 Notarized. I went to notarize every  
17 single letter.

18 CHAIRMAN STAUDT: Right. It  
19 sounds like this Board and the  
20 Trustee Board made sure your concerns  
21 were heard. Beyond that, I can't  
22 speak to the resolution.

23 MR. LAPIDUS: No, no, that's  
24 all I can do.

25 CHAIRMAN STAUDT: Yeah.

1 PLANNING BOARD - 10/22/24

2 MR. LAPIDUS: I would like for  
3 you to relate my presentation because  
4 this is eight years, coming to my  
5 house and then telling me; what?

6 CHAIRMAN STAUDT: I will make  
7 sure they know -- they will know you  
8 were here and the concerns.

9 MR. LAPIDUS: I thought they  
10 were here. I'm sorry if I took  
11 anything out on you but I got --  
12 every time I get a letter from those  
13 guys --

14 CHAIRMAN STAUDT: Understood.

15 MR. LAPIDUS: (Continuing -- I  
16 always showed up.

17 CHAIRMAN STAUDT: Understood.

18 MR. LAPIDUS: And now when  
19 they come here, everybody is making  
20 fun. They know me with name. Oh,  
21 Alex is here. Do you think  
22 I feel comfortable coming here? But  
23 they have their own people come in.  
24 Their own people told them got to put  
25 a retaining wall, the chain link



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2 fence is no substitute.

3 CHAIRMAN STAUDT: We got that,  
4 we've heard that concern.

5 MR. LAPIDUS: But why isn't  
6 anything being done?

7 CHAIRMAN STAUDT: Nothing's  
8 going to be done while we sit here.  
9 So I'll relay your concerns, and  
10 that's the best we can do this  
11 evening.

12 MR. LAPIDUS: I appreciate  
13 that.

14 CHAIRMAN STAUDT: All right,  
15 thank you.

16 MR. LAPIDUS: Thank you so  
17 much.

18 CHAIRMAN STAUDT: All right,  
19 with that, I'm going to make a motion  
20 to close the October meeting of the  
21 Planning and Architectural Review  
22 Board.

23 Can I get a second on that?

24 MR. ROSASCO: So moved.

25 CHAIRMAN STAUDT: All right,

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all in favor?  
(WHEREUPON, there was a  
unanimous, affirmative vote of the  
Board members present.)  
CHAIRMAN STAUDT: Thank you  
everyone for coming tonight.  
MR. O'CONNELL: Have a great  
night.  
(WHEREUPON, this meeting was  
concluded at 8:15 p.m.)

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PLANNING BOARD - 10/22/24

C E R T I F I C A T E

STATE OF NEW YORK)

SS:

COUNTY OF NASSAU)

I, DEBBIE BABINO, a Shorthand Reporter in the State of New York, do hereby certify:

THAT the within transcript was prepared by me and is a true and accurate record of this hearing to the best of my ability.

I further certify that I am not related either by blood or marriage, to any of the parties in this action; and

THAT I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand this 30th day of October, 2024.

*Debbie Babino*

DEBBIE BABINO  
Certified Reporter

**\$**

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