

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

STATE OF NEW YORK : COUNTY OF ULSTER
TOWN OF LLOYD PLANNING BOARD

----- X

In the Matter of

MOUNTAINSIDE WOODS
Hilltop Lane & Vista Drive

----- X

PUBLIC HEARING
162 SINGLE-FAMILY RESIDENTIAL LOTS

Date: September 27, 2012
Time: 7:55 p.m.
Place: Highland Hose Company
25 Milton Avenue
Highland, NY 12528

BOARD MEMBERS: SCOTT SASO, Chairman
BRAD SCOTT
DOMINIC MARTORANA
CARL DILORENZO
LARRY HAMMOND
DAVE PLAVCHAK
TOM ROZZI
WILLIAM OGDEN
FRED PIZZUTO

ALSO PRESENT: TERRESA M. BAKNER, ESQ.
PATRICIA ROBER, Secretary
ANDREW LEARN, Morris Associates
LIZ AXELSON, Morris Associates
MICHAEL GUERRIERO, Town Board Liaison

APPLICANT'S REPRESENTATIVES: ROSS WINGLOVITZ &
JAYNE DALY

----- X

MICHELLE L. CONERO
10 Westview Drive
Wallkill, New York 12589
(845)895-3018

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CHAIRMAN SASO: We're going to move on to the next public hearing which is Mountainside Woods. I'm going to defer to our Town Attorney to run this public hearing.

MS. BAKNER: I'm actually the Planning Board Attorney. My name is Terresa Bakner, I'm with the law firm of Whiteman, Osterman & Hanna.

Tonight we're having a public hearing on the first conservation subdivision in the Town of Lloyd. Let me read the notice. Notice is hereby given that a public hearing will be held by the Town of Lloyd Planning Board, Ulster County, State of New York on the application of Mountainside Woods for parcels known as Westport, Ledgewood and Trailside, located at Hilltop Lane and Vista Drive with tax map numbers 87.4-3-14, 87.4-5-1.2 and 87.4-5-2, Highland, New York, proposing a conservation subdivision of 162 single-family residential lots. The public hearing will take place at the Town of Lloyd Fire Department on Thursday, September 27, 2012 at 7 p.m. So we're a little late. Sorry about that. The purpose of this hearing tonight is to hear your opinions, concerns and questions on this

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

conservation subdivision.

There are 162 single-family lots and there is 123.5 acres which are all to be dedicated for open space. You can see behind me the green area. All of the green area is open space. And it's important that you know that the Town Board of the Town of Lloyd has decided that they will own that open space. So it won't continue to be owned by the developer, it will be owned by the Town of Lloyd. And behind me it shows the relative proportion of open space to developed space.

This project has had a very long history. Back in the year 2007 there was a project that was proposed for this site that had a great deal of density, and the project applicant, in his presentation, will go over how that's changed over the years. For this conservation subdivision the SEQRA process started back in January of 2010 when the Town Board of the Town of Lloyd, as lead agency, started the State Environmental Quality Review process. They issued, back in March of 2010, a positive declaration which meant that there was

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

going to be a Draft Environmental Impact Statement. That Draft Environmental Impact Statement is still posted on the Town of Lloyd website. So even though it was done a long time ago, it's still there and available to be looked at. They also had, at that time, a scoping hearing. A scoping hearing is an opportunity for the public to come and give comments about what's going to be in the Draft Environmental Impact Statement. That took place again back in March of 2010. The Draft Environmental Impact Statement was submitted by the applicant and approved by the Town, again the Town Board as lead agency, back on November 16th of 2011. There was also a public hearing on that Draft Environmental Impact Statement, and that took place on December 14, it must be 2012.

UNIDENTIFIED SPEAKERS: 2011.

MS. BAKNER: 2011. I'm sorry. The FEIS, which is the Final Environmental Impact Statement that answers all the questions that are raised regarding the DEIS, was put together on and accepted by the Town Board as lead agency on February 15, 2012. Then there was another public

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

hearing on the rezoning of the property. Some of the property here is zoned -- was zoned from the beginning as R-1 and R-1/4. A portion of the map was changed upon the petition of the property owner to become R-1/4. That rezoning was approved by the Town Board, and a SEQRA Findings Statement was issued back in April 18th of 2012. So that's the road map that took the project to this point, and that was the application for preliminary subdivision approval for a conservation subdivision. And the Planning Board is the entity within the Town with the responsibility for reviewing and approving subdivisions. The Town Board was responsible for reviewing and approving the zoning amendment. Okay. So that's how we got here.

And what we're doing here tonight, as I said before, is holding a public hearing. No decision is going to be made tonight. No decision at all. This is just a public hearing. We're still waiting for some input from the Town's engineers, from County Planning, and we fully expect that everybody here who's interested in the project will have good comments and

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

questions. And it's our plan -- this lady right here in white, raise your hand, is the Stenographer. She's taking down everything you say so that we can have a record of all of your comments and questions and so we can respond to them. Okay. So Pat's great at taking notes but we want to make sure that we get everything and we have an opportunity to review it.

Once we have those comments -- questions and comments, we're going to respond to those comments and questions, and that's going to be posted on the Town's website. That will occur before the next meeting, which is -- somebody tell me that again.

MR. MARTORANA: October 25th.

MS. BAKNER: Okay. They'll all be up there so you'll know what your questions were and what the answers are.

The other thing I want to say is tonight is an opportunity to comment orally. However, to give everybody an opportunity to write down things that they may have forgotten to say, I don't know if any of you do but this happens to me all the time, I always forget to

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

say something I meant to say. So you'll have an opportunity to write down any additional comments that you have and e-mail them to Pat. And Pat -- just call the Town, they'll give you the e-mail address so you can e-mail her any additional comments.

The first thing we're going to do here is the applicant is going to do a brief presentation so he can orient us all to the project, and then we're going to ask that people come up, try to come up one at a time so you don't have to wait a long time in line. You can if you want but we'll give you time to get up here. So if we can do it one at a time. And as the Chair, Scott Saso, indicated, try to limit it to three minutes if you can, knowing that you can always submit more comments later in writing.

Does anybody have any questions about the procedure before we get started?

MR. BARON: Yeah. One quick one. Bob Baron. What do you do when you don't have e-mail?

MS. BAKNER: You can always -- you can always mail in your comments, or bring them --

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. BARON: To who?

MS. BAKNER: -- or call on the phone.

To Pat, the same lady, at the town hall.

MS. BAKNER: Any other questions?

UNIDENTIFIED SPEAKER: What is a conservation development?

MS. BAKNER: A conservation subdivision is a type of subdivision that's allowed in the Town's zoning code which allows you to cluster lots with the goal of preserving more open space. So what it does is instead of having a lot of property and an individual lot, okay, suppose you have ten acres, you have five houses, you might put those five houses on two acres and then preserve the rest. That's the theory. That's in the Town's zoning code, and it was when the Town adopted their zoning code back in 199 -- 2007 I think it was. That's one of the new practices that is encouraged in the zoning code.

Any other questions?

(No response.)

MS. BAKNER: Okay.

MS. DALY: I apologize to the Board if you can't see the pictures but I think you've

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

seen them all before.

CHAIRMAN SASO: Yes, we have.

MS. DALY: Good evening. My name is Jayne Daly and I've been part of this project team since 2009 when we put the application in to the Board. I am the Attorney for the applicant, and here with me is Ross Winglovitz, who is our engineer and the managing member of Mountainside Woods which will be the developers here, and David Weinberg.

What we'd like to do is just give you an overview of the project. I know a number of you have had a chance to look at the maps. We want to walk you through a little bit about what we're proposing.

So as Terresa said, the site is 153 acres. The idea of the conservation subdivision was rather than spreading the units out all over the property, is we've concentrated them on 29.5 acres of the property, which would leave 123 acres dedicated to the Town for open space. As Terresa also mentioned, these were -- the lots were all in previous ownership. They've been consolidated now into Mountainside Woods.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

The center portion was the property that was proposed for Westport, which was the controversial project in 2007. It was 423 senior -- I'm sorry, 325 senior housing units and 9 tall buildings. At the same time this property was proposed for 90 townhouses in this concept stage, and this property was proposed for 21 single-family homes.

As Terresa mentioned, there was a lot of work already done on the Westport project in terms of its environmental review. What the Town realized was that there were three issues that were coming back to them over and over again. One was drainage, the other one was traffic and the third one was the site design. So it's really at the Town's encouragement that Mr. Weinberg got together with the other property owner, and in 2009 they submitted this one single proposal to do one project on the three properties rather than three separate projects on the properties.

What Terresa mentioned back in 2007 is that this has gone through a lot of review already. It's been through two different Town

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Boards and town supervisors, it's been through the Planning Board that we worked with while we were working with the Town Board, three different planning firms and two different engineering firms. So this had a lot of review by a lot of different groups. And it went through its environmental review. During that review a lot of changes had been made to this plan. This plan -- can you even count how many versions we've had? I guess the biggest change in it, once we got to the conservation subdivision, was that we originally had houses proposed on both sides of the wetlands, and the environmental review really showed that that didn't make a lot of sense. So all of the housing units are now proposed to the west of Hilltop and Vista Drive and to the east of the wetlands. So again, the three big issues were drainage, traffic and design.

What I'd like to talk to you about for the rest of my portion is the design aspect of it, and I'll leave the technical comments to Ross for him to go through some of the other issues. So the idea of the conservation subdivision were smaller houses, more affordable houses with front

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

porches set closer to the street that created a neighborhood, the older style neighborhoods. We like to call them traditional but there's new planning regulations out there that make traditional neighborhoods something else. These are the older style, walkable neighborhoods. The houses are smaller, they are set closer together. The idea is that there are sidewalks on both sides of the street throughout the development. The lots are roughly 50 by 80. Some of the larger lots are the ones on the cul-de-sacs. Those are bigger. The houses are roughly 1,200 to 2,400 square feet. Most of what's been developed in the last ten years are 3,000 to 5,000 square foot houses. So that's a big difference for us. The reason we wanted to keep it small was the reality of the market right now is that smaller houses are just much more affordable.

In terms of the actual lot design itself, we have a 26-foot street with a 5-foot grass median and a 4-foot sidewalk, about 10 feet of lawn and then the house begins.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Ross, could you get me the elevations please?

We have three different models of houses. Two of them are two-story living. All of the homes will be three-bedroom, two-and-a-half baths. One of the models is all single-story living. So the living room, dining room, all the bedrooms are on one level. The two elevations that are two-story are roughly 1,700 square feet. The smaller single-story home is about 1,550 square feet. And we'll leave these up if you want to take a look at them back there again. The houses will all be stick built, so they're not modular homes. They'll all be vinyl sided so the colors will be more earth tone and -- vinyl siding doesn't come in anything terribly elaborate. The design of the vinyl siding will be mixed to keep an interest in the street design so that the houses don't look repetitive. The garages that are going to be offered -- the houses will each be required to have a garage. It's a single car garage. It will be -- it's hard to see from here but the garage will either be freestanding or set back from the house. They

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

won't be flush to the front of the house. It's probably easier to see here. You can get two or three cars on the driveway and a car in the garage. The reason for the extra room on the driveway is there's no parking on the street. They are narrower streets. It keeps the traffic moving slower and it keeps people from parking on the streets. That will be enforced by the Town. These will all be Town roads. So the garages will either be set back and attached to the house or freestanding.

One of the issues the Town brought up to us was because the lots are small they were concerned about people then adding sheds and other items onto the lots. What we've designed is to build the shed into the garage so to speak. So you'll see in these designs there's a garage area where there's a storage area behind it. It's an overly long house -- garage or a wider garage than normal. So the storage area is built into it. There will be no freestanding sheds allowed on the properties.

Again, I talked a little bit about no parking on the driveways. One of the things that

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

often happens is even when you say no parking, is people park or the Fed Ex truck stops to make a delivery. The curbs have been designed to be mountable so that if you needed to pull up and park with two wheels off on the grassed area, you were going to run into the house and you needed to park there, you can mount the curb. It also allows that when someone is parked illegally, if you need to get an emergency vehicle around that car, you can get it around that car.

The other thing that we worked with the Town on and with Scenic Hudson on was the recreational aspects of this. There will be a 2-acre passive recreation field built in this area here. It will be owned by the Town. It will be open to anybody in the Town that wants to use it. It will be a Town property. There will be parking, a gravel parking area near there. So it's just really a flat area that can be used for -- it's not organized recreation but informal recreation.

The other big issue that the Town brought to us was connecting the rail trail to their park system/trail system which is at Berean

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Park. There are a number of existing trails, I'm sure you know, through some of this property and up the mountain, but there was no way to get from the rail trail over. So what we proposed here is a connection from the rail trail up. It will be a paved four-foot wide connection. It will be designed so that the pitch is manageable with a stroller. But again, you have some topography there so that's why it's curbed. It will get you from the rail trail up to a path between some of the houses and then we will clear cut the trail. We've walked this with Scenic Hudson and mapped it out. We will clear cut the trail. It will not be paved, just cleared to go through the property and connect to the existing trail systems here and those that are again off site at the town park.

The project will not be built in one fell swoop so to speak. It will be phased. Where people or developers used to go in and build projects of this size all at once, the realities of the market are such that nobody spends that kind of money. These days, anyway, they shouldn't. So what you're looking at here

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

is four phases of development. This is the first phase here. When a development is phased it means that this is the area that's going to be prepared for development. All the infrastructure goes into this phase alone at this time. Only the model homes will be built first, and there will probably be four or five of them right around here, right around the traffic circle.

So the main entry to the project will be here. This is Vista Drive and Toc Drive. The main entry will be here, and we'll go into this in more detail. And the models will be here. The homes will not be built on this site until there are signed contracts for the houses. So only the homes in this phase will be built once those contracts are signed. So it's not going to be where we're going to build 30 of them and see how many get sold. We'll only build them at that time. We're looking at a build out. Again, this isn't a crystal ball. Assuming that the market continues in it's moderate recovery as we've seen recently, we're looking probably at a timeline of five to eight years from when we start building until it's completed. Again, so this would be

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

phase 1. This area down here is a stormwater pond, which Ross will talk about it, but that has to be built before drainage in phase 1. The construction staging area. This is phase 2, phase 3, and then the final phase 4.

Okay. So with that; Ross, it's all yours for the technical.

MR. WINGLOVITZ: Good evening. Ross Winglovitz, Engineering Properties, the site engineers for the project. I get to give the more boring stuff, the utilities and the fun stuff to talk about.

Just so everybody knows where we are, and we actually talked about the plan, We'll give everybody references. Toc Drive, the existing Vista Drive, Sunnybrook, a proposed extension of Vista Drive to Hilltop, Kensington, the rail trail here on the north and east of the project, and the reservoir, the water plant on the south of the project. Just so everybody has their bearings straight as to where we are.

It's been a long process. We've been doing this for awhile. We started in 2009 with this actual concept. As Jayne said, there were

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

three other concepts before that on different properties. This concept is since 2009. There's been several hearings and extensive environmental review and an extensive technical review that's been performed by the Town and it's consultants to get us to this point. We analyzed things such as water, sewer, the geology of the soils of the site, archeological, endangered species, and most of all traffic and drainage were the two big issues we heard from the Town that needed to be addressed as part of the project.

Water for the site is being provided by the Town. There will be a connection to the public water supply. There will be two points of connection, one on Hilltop and one on Vista Drive. This provides a loop for the water system which is good for the existing water system so if there is a shutdown somewhere it provides redundancy for everybody. There's a benefit to the Town by providing that loop, and it naturally occurs on the property. And the third connection, I'm sorry, up to the water plant. So there will be a third loop provided as well as a future extension of the water for the Town if

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

they need to extend it along the rail trail. The analysis showed there was plenty of capacity for water and plenty of pressure to provide water to the project.

Sewer was provided also by the Town. There's a connection to the sewer in Sunnybrook Circle just below Vista Drive for part of the project and a second connection along the rail trail below Sunnybrook for sewer. Again, the analysis was done in the DEIS. There was significant capacity available for the project for sewer.

Geology. We do take a look, during the environmental process, at what the geology is like where we're going to build, what problems will we encounter. Like you heard before when they talked about the forestry operations, the concerns they had. Many of those are similar with this operation. Concerns about rock. We did find rock in several areas that may need to be removed. A lot of that was minimized by the changes to the plan. As Jayne indicated, there was a former revision of this project where there were units across the wetland. There were 175

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

units. Many of those were removed. Some of them were moved to this side of the project and rock removal was reduced when a pond was removed. There was a pond proposed across from Sunnybrook, a large detention pond that had to be very deep. That's been removed. And also to reduce the amount of rock removed.

Rock, if we do encounter it, it will be removed by mechanical means. Blasting is a last resort. The Town has required permits that would have to be applied for as well as DEC and State requirements that would have to be met.

Archeological investigation was done for the project as part of the environmental review. There were no significant findings on the properties. Nothing archeologically sensitive on the property.

As well as endangered species, that was evaluated as well and nothing was determined to be of significance on the site.

Most importantly as for traffic and water, there were concerns regarding the use of Toc Drive with the previous project, that being Westport, and that being the only means of access

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

to the site. What this project provides that wasn't provided by the previous Westport project is intersections. So that now from a safety perspective, for anybody in the area, there's two means of access, Toc Drive, Vista Drive Extension connects to Hilltop. So there's two means of egress -- in and out of the property. Ingress and egress. From Sunnybrook, which actually only had Toc Drive previously as an access point. We envision that Toc Drive will be the main access point for the project. That's where most of the traffic will come up. There will be more traffic. There's no question about that. More cars are generated by the project. One of the concerns that was brought up by the Board was a concern for safety. On Toc Drive and the abutting streets that are going to be used to service the project we looked at traffic calming measures. The problem is not capacity, the roads aren't over capacity, but the concern is the number of vehicles and the speed of vehicles. So what was proposed was a mitigation plan that was worked on by our traffic consultant and the Town and the town highway superintendent for providing

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

stop signs specifically along Toc Drive near bus pick up locations for vehicles that have to stop on their way in and out of Toc Drive as well as a number of locations throughout Reservoir and Hilltop as well. So this was developed as part of the mitigation to reduce traffic and speed in the area.

UNIDENTIFIED SPEAKER: Was there any consideration given to the traffic --

MR. WINGLOVITZ: There will be public comments -- I can't talk to you now. That's at the end.

The other main traffic improvement that is being proposed is a \$250,000 donation by the developer to the Town for improvements at the intersection of Toc and Vineyard. That's been an area that's been of concern for many, many years. The Town has been studying it for many, many years.

UNIDENTIFIED SPEAKER: Can you repeat that?

MR. WINGLOVITZ: The Town has requested a donation of \$250,000 from the owner of the project towards those improvements. That in

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

effect, my understanding, is the Town's actual share -- the Town's share of the cost of that improvement, and they'll be using that money to get funding to finalize the design of that and go ahead and build that improvement at the intersection of Toc and Vineyard.

Drainage is the other significant concern. The Board asked us to take a hard look and there were many comments by the Town's Planning Board consultant for engineering. We just prepared this little sketch to give us an idea of what's going on. The specific concern was the neighboring properties and where does the water go after we're done. What this board demonstrates is the existing areas that come onto say Sunnybrook or Hilltop and the proposed area. So in this case, this is Sunnybrook Estates, the red outline is the area of the site that currently flows stormwater onto Sunnybrook. What we've done as part of the project is diverted this area in blue away from Sunnybrook Estates and into the stormwater detention pond. So what you're left with after the development is this green area. That's a reduction of about 75

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

percent of the area currently flowing into Sunnybrook that will be flowing to Sunnybrook after the project. It goes for about 12.3 acres to approximately 3.3 acres. There was a large diversion done to take water away from Sunnybrook and reduce the flow to Sunnybrook.

Similarly, pm this portion of the site sheet flows onto Hilltop. That area as well is being diverted. The purple area here represents what's going on to Sunnybrook now. The blue is what will be coming on after the project is done. The darker purple will be diverted to the stormwater pond which will eventually go into the stream in the wetland system. I think it's probably the idea that a large part of this mountain comes down and flows onto the properties below. In fact, that's incorrect. It's all diverted into the stream, and that's what these green arrows represent, the diversion of the stormwater away from properties.

What is up on that hill and was another concern of the Town's was the Town's reservoirs. There are several reservoirs up here. They asked that the applicant fund a study, that the Town's

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

engineer undertook, which analyzed these reservoirs, and if there was a failure of the largest reservoir what would be the impact. That study was completed last summer. What that showed was without the project, stormwater would backup in this area, or flood, water would overflow into Sunnybrook and down to the rail trail as well as continue down the stream. That inundation area, or dam break inundation, is reduced after the project. So before the project there was 12 units in Sunnybrook that would be inundated by the flood and another 11 or so would be partially inundated. What the project does is again diverts that water away from Sunnybrook and reduces it to approximately 6 units that would be inundated and 6 units that would be partially inundated. This project has a positive effect on that. It reduces the flooding to Sunnybrook that would occur if the dam ever breached.

Other than that, I just want to thank the Board for letting us present the project. My understanding is we're going to sit down and if you want us to answer any questions, we'd be glad to. I don't think there will be any kind of

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

debate with the public.

MS. BAKNER: So now this is the portion of the public hearing where we're going to take public comment. If you could come up to the podium, say who you are and also your address for the record. The Stenographer -- you can sit there, sir. She can certainly hear you, you're right next to her. If you can make sure that the Stenographer hears you when you come up. And again, I just want to emphasize tonight is not your only opportunity to comment. You can submit written comments through the end of next week, next Friday, which I believe is October 5th. So feel free to come up whenever you're ready.

CHAIRMAN SASO: Can I get a motion to open the public hearing, please?

MR. MARTORANA: So moved.

CHAIRMAN SASO: Dominic. A second?

MR. PLAVCHAK: Second.

CHAIRMAN SASO: Dave. All in favor?

MR. SCOTT: Aye.

MR. MARTORANA: Aye.

MR. DILORENZO: Aye.

MR. HAMMOND: Aye.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. PLAVCHAK: Aye.

MR. ROZZI: Aye.

MR. OGDEN: Aye.

CHAIRMAN SASO: Aye.

The public hearing is officially open.

Mr. Wallace, we're going to start with you.

MR. WALLACE: My name is Henry Wallace, I live on Reservoir Road, 13 Reservoir Road in Highland. In a discussion with a former supervisor I asked him what do the new houses have, what kind of impact do they have on the Town, and he said none. He said in fact the Town -- it costs the Town money for the people to build new houses here.

And another thing is Berean Park has made Reservoir Road a racetrack. You can't even get out of your driveway in July on Reservoir Road.

And the other thing is what happens to this property we are going to have donated to the Town? Scenic View, how many acres do they have that we don't pay taxes on? What's his donation to the Town? It's extra property that is tax

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

free.

MS. BAKNER: Let me answer that question if you will. The tax assessor did look at that issue, because that question was raised before. The value in the property is represented in the housing that's provided. So the taxes and the majority of the amount that's taxable has to do with the property with the houses, not with the vacant land. So the taxes that are being paid are being paid on the improved part of the property.

MR. WALLACE: Yeah but, you know, they still say the new houses don't make any -- make our taxes go down. I haven't seen my taxes go down. How about Scenic Hudson? They got -- how many acres of property in Highland does Scenic Hudson have?

MS. BAKNER: I couldn't answer that question. I doubt anybody here could.

MR. WALLACE: I'll bet you it's close to 400 or 500 acres. Now you're going to add more to it, tax free property.

CHAIRMAN SASO: Okay.

MS. BAKNER: The next person.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. INDELICATO: I'm John Indelicato, 51 New Paltz Road. My property abuts this proposal on four sides. One of my concerns is the stream that comes through this proposed project eventually comes into my property. Last year it washed my lane out at least three times, and I'm talking \$5,000 to \$7,000 repair each time. From 2004 up until recently that lane has been washed out at least eight times at a cost of \$5,000 to \$7,000 to repair it. This is the water that comes down from those reservoirs that comes through my property, and the stream actually overflows its banks. I have done everything in my power and tried to get expertise from other people who are in excavating and dealing with drainage to try to keep that water in the stream. Once it passes through my lane it eventually comes to a culvert that goes under the rail trail. It's not big enough. It often gets clogged up with debris, with logs and foliage, from trees and what have you.

I look at this proposal and I see it as a nightmare. This is not a subdivision, this is a city. I look at the hard surfaces on the roads,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

the blacktopped driveways, the square footage on each one of these roofs, and that's all area that the ground is no longer going to absorb that water. Where is it going to go? Don't tell me there's an engineer to make it go one way. If they could do it they would have done it with Hurricane Irene. Water goes where it wants to go, and it does a lot of damage. So one of my concerns is putting more water into that streambed. I look at these green arrows, and this is all higher ground. All this water is coming this way. These homes that are put over here, don't tell me none of that water is going to go back the other way and it's not going to seep into the ground. Where is it going to go? So that's one of my concerns.

I sat here and listened to the proposal about harvesting, and they brought up the subject about the buffer. Is there a buffer for these homes? And how big are these lots? Are these quarter acre lots? Is that what I'm to understand?

Not that anybody asked my suggestion, but I would say cut this project by 75 percent .

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

That leaves you 40 homes. Take the 40 homes and spread it out throughout all that property.

The reason the property is being donated to the Town is because a billy goat can't get up there. You can't develop that property, and everybody knows it. You can't do it. Spread it out. You know, that's what Highland is, the Town of Lloyd, okay. We're single-family homes. If we want this kind of an environment, go to Poughkeepsie, go to Newburgh, go where there's cities. That's not what this Town is about.

This project does not benefit the Town. It benefits the builders and those that are associated with it.

And as you look at this, all you see is more schools, more fire department, more police. The tax dollar pays for all of this. This is not a benefit to the Town.

MR. SAMORTANO: My name is Frank Samortano, I live at 25 Hilltop Lane which is right here. Just to reiterate what he said, it is useless property up there. You're just blowing smoke when you donate that property because it is useless to everyone, so we lose

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

that tax base.

I just found out tonight I'm going to have a gravel parking lot right there and a playground. I like privacy, that's why I got that corner lot. I was the first in the project, we got the corner lot, I wanted privacy. I have a 50-foot easement where the power lines are. It looks to me that's right where the gravel parking lot is going to go and there's a playground. I don't want a playground. I don't want this parking lot.

Also, what kind of buffer are you giving all of us back here pertaining to the new ones? I can't see where you're going to put all these houses where the stream is because that stream is almost right behind my house. So I can't see how close these houses are going to be to my property line or my neighbors. So what kind of buffer are you giving? We have beautiful mature trees back there. You're going to cut them all down. Are you going to replace them or are you going to leave a 20-foot, 30-foot or 50-foot buffer so we have some privacy from this little city that you're building?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNIDENTIFIED SPEAKER: Which I would like to add we pay substantial taxes to have that.

MS. BAKNER: Ma'am, I'm sorry. If everybody can come up to the podium, we'll be able to get everybody's comments and we won't miss any that way.

MR. SAMMARTANO: My concerns are this gravel parking lot is going to devalue my property right here on the corner.

My other concern is if there is a buffer, we'd like to know about it. Or if they can create a buffer. If you drop those trees and to create a buffer is ridiculous.

The water, that gentleman made a perfect point. Right here we have that stream where our water or whatever water accumulates in the backyards, it's got a pitch that pitches down and goes into that stream. When you build these, now it's level, it's going to go right into here. I don't care what they say. One of my neighbors already has a pump-out system and it's a brand new home pumping water out because of that problem. So I see all this water that is now

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

going into the stream is going to come down here.

Now, I don't know, I was told back in 2004 that Central Hudson would not allow anything underneath their power lines. That's why there's a stub road and Hilltop stops there. I was told they didn't have permission. Maybe they got permission from Central Hudson. That's one of my concerns.

All of my other questions were answered. But I would just like those answers. Thank you for your time.

CHAIRMAN SASO: Thank you.

MS. GAWEL: Hi. My name is Krystyna Gawek, K-R-Y-S-T-Y-N-A G-A-W-E-K, and I live at 30 Toc Drive. That's at the intersection of Tano and Toc. We live on the gravel road which is between Toc and Commercial Avenue Extension. We are the lowest point. Everything drains into our area. I don't know -- you're the engineer, right? This is the house. Rivers. Okay. So the question that I have for you is do you have the New York State DEC SPDES general permit for this project?

MS. BAKNER: They are in the process of

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

obtaining one of those. What they do first is there's a stormwater pollution prevention plan that's been developed for the project and that's reviewed by the Town's stormwater coordinator. They're what's known as the MS-4 coordinator. There has been one developed for this project, and the general -- it complies with the general permit. Also, the Town's engineers, which are from Morris Associates, that's Andy and Liz, they reviewed the plan to make sure that it complies with the general stormwater permit requirements. There's a manual that DEC puts out that you follow, sort of like a cookbook for engineering, and those are the guidelines that they follow for it.

MS. GAWEK: Okay. One of the problems that we have is that the Town installed a catch basin -- we have a flooding problem. The Town installed a catch basin by the boulders, which is like right here. You're the engineer. The problem is we have a storm -- this was done like August 10, 2011. August 28th this is what we have after the catch basin is installed by the Town.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. BAKNER: Do you want to leave that with us?

MS. GAWEK: This is my copy, I can't give this. I gave it to the supervisor, the building inspector and the highway superintendent. I can get you a copy.

The problem is the Town installed the drain really improperly. When they installed the drain they used the cement cubes. This is what they did on Toc when they installed some drains. So this drain, what they did was they opened up the top of the pipe, the 42-inch culvert, and they put a grate over it. That's it. So when you're going to build all these homes, all that drainage -- the stormwater drainage is going to connect to this and it's going to run through here. You know what's going to happen? It's all going to spill out. It's not done properly. When they built -- here's how they built that drain. They used these cement cubes plus the cement rectangles to build up a drain. So here they go. This is how they build drains. This is not what they did when they put this drain in. When you put in the cement cubes, what they do is

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

they connect the culverts to it higher up so that water comes in. It's a container for water. Right now there is nothing there. We have a flooding problem. We have an engineering report. All those areas drain in our direction. We are the Quickless -- Arlene Quickless and we are in the lowest area. So you have to do a lot of drainage. The Town needs to put in a new culvert because right now this thing does not work. You're going to connect the whole system to this and it's going to be all spilling out.

MS. BAKNER: We'll certainly look at that comment that you've raised and we'll respond to it.

MS. GAWEK: So you really need to take care of this, or somebody has to.

MS. BAKNER: We'll definitely take a look.

MS. GAWEK: I'll give a copy to Pat of this.

MS. BAKNER: Yup. That would be great. Thank you very much.

MR. CARTER: Hi. Gary Carter, 23 Cambridge Court, which is right here. According

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

to this, I have a road about 10 feet from my property. Hasn't there been some kind of setbacks or something where it's not that close? Is there going to be any kind of buffer in between there? I'm going to look out my window and there's going to be a road and a house right in my backyard.

Also, my property drops down about 20 feet from where that road is going to be. So if water starts running off of that road, guess where it's going? In my backyard.

I don't know if anybody has walked back there or not, but if you go right up in here, this is nothing but huge rock. If they start blasting that, there's not going to be any windows left in these houses. So you really ought to take a walk up there and see what's there. If they try and build a road with all these houses, there's a lot of rock that's there.

Thank you.

MR. LIFIANDRA: Good evening. My name is Joseph Lifiandra. I moved to Highland in 2010. Today at my job I reviewed two site plans and two subdivisions, so I know a little bit

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

about what we're talking here.

I reviewed the Environmental Impact Statement. I've written a letter to the Town Board. I have a few engineering problems with that. The consulting engineer did a great job making this project smell like a rose. Almost sold me on it. But I'm on the other side now. I'm a public engineer and I expect the engineers who submit plans to me, I expect certain things from them. I have a few problems with some of the numbers I saw in the Environmental Impact Statement.

Let me just say a couple of things before I get going on that. I didn't have a chance to really prepare something here. The gentleman here said something about development that makes our taxes go up. He's absolutely right. Residential development, we all know, is not self-sustaining. Even by it's own admission, the Environmental Impact Statement says that our school taxes are going to go up a very modest amount. Well, I kind of beg to differ with that. I don't know what, you know, criteria they use to come up with that number, but --

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

And also, one of things I've written in my letter to the Town Board is that it had used a fiscal analysis from the 2010-2011 school year when in fact it says the impact on the school district will begin in 2014. We should be really using 2014 or later dollars, and those numbers will obviously be higher. So anyway, the point there is that the residential development, it's just not self-sustaining.

Another thing in the Environmental Impact Statement and the SEQRA report was the -- that this would benefit the Town and the County, the revenue that this would generate in taxes and people buying things, economic improvement. Well, maybe those, you know, numbers, you know, again they're supposed -- they have to look good because they want to try to sell you this project. I'm a municipal engineer, I work for the Government, and because of the overstated numbers that my employer had used, he actually ended up with an \$80,000,000 shortfall, and as a result, and this is where it gets personal with me, my Civil Service union had to ratify a contract where I get a zero percent raise and --

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNIDENTIFIED SPEAKER: Give up nine days.

MR. LIFIANDRA: Ten. Ten days. I had to do that, too. So, you know, the numbers might look good on one side but I'm telling you the reality is something else.

With regard to the drainage, I like -- by the way, I like this stormwater basin here. This is my house right here. Somewhere. Right here. I don't know if my house is going to be one of the six that the reservoir inundation is going to affect. If it is, that's a deal breaker for me. That's one of my questions. I want to know if my house, 80, is on that list.

But the Environmental Impact Statement used statistics for the 1, 10, 100 year storms. If anybody saw what happened last year with Hurricanes Irene and Lee, I can tell you, and you can talk to anybody in agricultural, that we do have climate change. Those statistics are not valid. We have rainstorms now that are more intense and longer in duration. Those statistics need to be accounted for when it comes to assessing the drainage.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

And also with respect to drainage, I know the project calls for zero net runoff. It might work up to a certain point but I've never in my life seen zero net runoff. When you build something you're going to have more runoff, you're going to have more flooding. It's as simple as that.

A question I have regarding that stormwater detention basins is mosquitoes. I don't know if they're going to -- there's going to be any program there to put something in to take care of that. West Nile Fever is a growing problem, so we will have a problem also with mosquitoes and possible diseases that they spread.

The economy. Just the sheer number of units that they're proposing here. We've got units in Sunnybrook that are going -- they're very modestly priced and they've been on the market for a long time. There's a lot of for sale signs around the Town. I don't really know who is going to buy these units but I know the market is coming back. It's not bouncing back, it's kind of creeping up slowly.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Again, I think this is -- every day across my desk I get site plans and subdivisions. I see some responsible development, some modest development. There's a town under my jurisdiction which is just out of control, and this looks like one of those out-of-control projects.

Thank you very much.

MR. ADOMA: How are you doing. My name is Osei Adoma, O-S-E-I A-D-O-M-A, I live at 19 Hilltop Lane.

My two primary concerns were what I heard today. One was the \$250,000 donation. Is this something that is mandatory for the project to go forward or is this suggested from the Town that it should happen?

MS. BAKNER: It is mandatory. It is required. It absolutely must happen before any development takes place.

MR. ADOMA: And also my second is linked to the first. As all of us -- a lot of us that live on 19 Hilltop Lane, we have young children anywhere from kindergartners up to eleven and twelve, and you're talking about

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

that's the second point of entry for 162 houses. You figure two cars per house. You're talking over 324 cars on a daily basis going back and forth. You're just going to put up stop signs? Have you seen what the average teeny bopper thinks of a stop sign? They don't. They blow right through them. One of the reasons most of us moved into that neighborhood was for our children to be able to play in their front yards, on the streets without worrying about some seventeen-year old that just got their drivers license trying to get home from whatever, running them over. And so I'm looking at that and trying to figure out how are you going to satisfactorily control all that traffic that's going to come up those two roads? I would like to see just more than just stop signs because as it is right now, when that entrance down there is blocked off, they all come up Reservoir, run down Hilltop as fast as they can, and it just becomes a hazard. So I'm not sure what studies were done for the traffic mapping but I don't think they're adequate or taking into account the real true amount of cars that's going to go through that.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. BAKNER: The Draft Environmental Impact Statement had a traffic study which was again reviewed by the Town's engineers as part of that process, and there were two options that were looked at for traffic calming devices. One was tabletops and speed bumps and the other was the stop signs. Those were the two options that were looked at.

MR. ADOMA: And that's it?

MR. WALLACE: When did they do that survey? January?

MS. BAKNER: No, no. They do it -- they do it during the most busy time of the year. So they find the busiest time of the year and they look at the peak hours of traffic. That's the way they do it.

MR. WALLACE: Well I think they ought to go on Reservoir Road in July and see what it's like there.

MS. BAKNER: They would look at the peak times, when ever those peak times are.

MR. ADOMA: And these peak times are before all the units are put in; right?

MS. BAKNER: No, no. They use the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Institute of Traffic Engineer guidelines for predicting what the traffic will be after it's built based on the baseline of taking traffic counts before. So you take the existing traffic at the peak hours and then you add to that the number of cars that will be generated by those houses.

MR. ADOMA: Okay.

MS. BAKNER: That's on the Town website. The traffic study is part of the Draft Environmental Impact Statement.

MR. ADOMA: All right. And the second one, as with everybody that lives along Hilltop Lane is we're all very interested, and I know it's a repetitive point but I felt the need to be repeated, is the buffer zone between our houses and the new ones you're going to be building. Like everybody said, the pitch from our backyards drops away into that stream that runs through -- I'm not sure where the gentleman is now, but his property. So are you talking about building up on top of that next rise on there or are you actually going to build down into the stream?

MS. BAKNER: They're not proposing to

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

build into the stream. They're proposing to build below the stream.

I don't know if you want to point that out and answer that question, just for point of clarification.

MR. WINGLOVITZ: There were two questions about the drainage. As I've shown on this plan, our drainage actually came out to Hilltop. That's being diverted back. Your drainage here that runs off the lots on Hilltop will be maintained. It will still come off on our property and eventually go into the drainage system.

MR. ADOMA: How far back are you going to be building from that? From this it shows the property is directly abutting ours.

MR. WINGLOVITZ: Yes. The rear property lines of these lots will be the rear property lines of your lots.

MR. ADOMA: Are you going to clear all the trees when you do that?

MR. WINGLOVITZ: The majority of the trees will have to be removed. Many of the trees are going. A lot of clearing was done on these

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

lots originally.

MR. ADOMA: No. The treeline behind our property is mature. Those are all grown trees. They've been there for centuries.

MR. WINGLOVITZ: Absolutely.

MS. BAKNER: Any more comments?

MR. ADOMA: That's all I've got.

MS. BAKNER: Thank you very much.

MR. BARON: My name is Bob Baron, I live on 30 Reservoir Road. It's 12528 in case you didn't remember that part.

Most of the stuff I've heard is what I agree with. One comment -- I believe Terresa is your name?

MS. BAKNER: That's right.

MR. BARON: When Henry asked about the land up there and the taxes on it, I think you mentioned that the homes that are going to be built absorb the taxes from that lost property up above there. I thought we had a hundred percent assessment in this Town where your house is assessed by not what somebody else's property is but what we're going to lose. Are you going to tell me those people are going to be paying more?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. BAKNER: What I'm saying is currently there's a certain amount of taxes that are paid on that property, and after the homes are built, there will be substantially more taxes paid on that property, and the value is in the part that's built upon. But what I will commit to you is that we'll put on the Town website the information that we have.

MR. BARON: I don't know the computers, so don't --

MS. BAKNER: Okay. All right. Well, you can come to the Town and see it. We'll get that information posted for you.

MR. BARON: What's the average price of these homes going to cost?

MS. BAKNER: I don't believe anybody knows that presently.

MR. BARON: I believe we have one down here on Vineyard Avenue that they've already been bankrupt and they can't fill those homes and now we're going to build more up here.

MS. BAKNER: The thing to remember about that was that was all built all at once. No one is proposing to do that here. They're

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

proposing to phase it and only build as there's a contract for it.

MR. BARON: We also mentioned about the problems with speed and stuff. I live on Reservoir Road, like I said. I live about -- I'm a little over halfway up, and it's a straight road. Three times in the last four years my mailbox has disappeared off my property by people driving over it. I mean it's just gone. In fact, it just happened like three months ago again. The police have come up there. They put the radar unit on my lawn and everything like that. It don't do any good. As soon as that radar unit is gone, there's no police officer to give them a ticket. They do what they want. I know Henry has the same problem down below me. It's 40 or 50 miles-per-hour. Some of them go faster than that. You can not stop those people on that road, and there's no stop signs in the middle of the road. They just speed. When you have the summer camp, I'll call it, up at the reservoir, the traffic is unbearable. When we had Hurricane Irene, guess where all that traffic came? Up Reservoir Road, tractor trailers and everything.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

They couldn't get through down below. The road just can't handle it. For one good reason is that stream that's alongside of Vineyard Avenue used to be a lot lower than it is. Now it's high. It's almost the same height as the road, and it's not being dug out and it's not correcting the water problem. That so called pond they have up there is just past -- right across from the cemetery. They blocked that off years ago and put two drainage pipes in there which stopped that water from flowing down through the creek originally. Now that all overflows. It ain't going to stop. It's going to continue to come over that road. When you have tractor trailers that took down the power lines on our road, on Reservoir Road, because of a hurricane, those roads are not capable of handling that traffic. It's just not possible. We can not have that situation going on there. Something has got to be done about it. If you put an intersection down at Toc and Vineyard Avenue, if you don't raise that intersection up higher than that creek is, you won't be able to get across it when the next flood comes through.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

It's going to stay a flood area because that's what that is down there. It's impossible. I've got pictures on my cell phone here. If you'd like to see them I'll show them to you, what that road looked like. It was a river, not a road.

I don't believe that the taxes are going to go down either because when they come up and build these homes, our taxes are going up. We're going to need more teachers, more fire protection, more school, more police protection, the snow removal has got to be increased.

And they park on the roads right now during the wintertime and here it is, I believe, a 16-foot wide road.

MR. WINGLOVITZ: 26.

MR. BARON: 26. Where are you going to put the snow when you've only got a 10-foot lawn?

That's all I've got to say. I thank you for your time.

MS. ALBERS: Hi. Good evening. My name is Emily Albers, I reside at 7 Carmella Road at the Hillside Meadows development. We moved there in -- we bought in 2004 and we moved in in 2005.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I am a witness of all the erosion that happens when new construction happens. Regardless of DEC standards, the amount of water that comes downstream, it is sometimes not preventable because the DEC works as it goes.

Grading. They look at grading, they look at structures, they look at development and they work as they go along. So that means that we're going to be just working with the water as the development starts.

Now I have a question for the Board. How many of you lived either in Sunnybrook or in Hillside Meadows? Can I have a raise of hands?

UNIDENTIFIED SPEAKER: (Inaudible.)

MS. ALBERS: So that's what, maybe one percent.

I have a couple of concerns. One of the things I have to say to the Board is that we deserve better. We, the people of Sunnybrook, Hillside Meadows or the adjacent areas deserve a little bit better than 162 homes in an area that is not developable in that amount. I appreciate the fact that we are trying to bring revenue to this Town. I live here. I paid the amount of

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

taxes that are imposed every year. I considered moving to Dutchess County but I love the area. I love the fact that the schools are great schools. I love the fact that it's peaceful and my kids can play on the street or can play with the other neighbors. This is a big issue. I think that we need to go back to the Board. And 162 homes, I think that's too much. I want revenue for this Town. I understand now we have a cap for school taxes and we no longer can increase our school taxes. I see that. I see that clearly. I understand the situation that we're in. However, bringing 162 homes in an area that is tight, that it only has three to four access routes with drainage issues, with traffic issues. We don't even have a light on Vineyard Avenue, and that -- we have had three deaths, three deaths in that area and we haven't even put a light in there. I think those are issues that we really need to consider.

The other thing that I have issues with is the phases. We have a development down on Vineyard Avenue that has failed. Now, are we putting any measures in place to ensure that

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

whatever was promised, sewage connections, if this developer is to abandon, that you have a bond where money is there so the residents of the Town of Lloyd do not have to carry that burden?

MS. BAKNER: Yes, we do. We do have that.

MS. ALBERS: For how much?

MS. BAKNER: The bond amount is set and it's approved by the Town engineer and the Town attorney, and it's to cover the exact cost of construction plus an additional amount because it would have to be done by the Town.

MS. ALBERS: Right.

MS. BAKNER: And the purpose of the bond is to secure the performance. There's an agreement on sewer and water, and there's also a development agreement. That provides for all the payments that need to be made --

MS. ALBERS: Through all phases?

MS. BAKNER: -- through all phases. All the payments that need to be made, and it secures those payments.

MS. ALBERS: And is that bond to be released after the development is completed or

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

maybe a year before it's completed, because that has happened with a couple of developments at Lloyd?

MS. BAKNER: It is -- the bonds are not to be released until the work is completed.

MS. ALBERS: Okay. The other thing is inundation. You mentioned Morris & Associates did a study. I looked at the paperwork and it says -- this is what Morris & Associate stated, there's still items that the Town of Lloyd Planning Board should consider, and that's in regard to the six people -- the six homes that will be on the chopping board in regards to water or water damage. It says here that 56 units affected by the predicted inundation area flood water level about one habitable floor. Although it says that six homes are the ones that are going to be affected, 56 will still be affected with water damage.

And it also states that the Town should not make any decision until the final approval of the DEC comes through. Is that correct?

MS. BAKNER: The DEC has approved the studies that were done by Morris. Feel free to

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

pop in here, Andy. The DEC has approved those studies. I just want to make clear that the evaluation of the dams was something that was undertaken initially at DEC's request. DEC was trying to evaluate all dams of a certain hazard level.

MS. ALBERS: Okay.

MS. BAKNER: So these reservoirs and the dams have a certain hazard level as they sit today. The thing to remember, and the only way I can put it -- and Andy, please, pop in -- is that with the project, because of some of the topographical changes that they're making, there are fewer homes affected. It is an improvement over the existing circumstances. If this project is not built, more homes will be -- existing homes will be inundated and damaged than after this project is built, and it has to do with the change in topography. The Town wanted to have it's own engineers do the study. No disrespect to the applicant's engineers but this is a Town facility, the reservoirs, and we wanted to make sure that the Town engineers, Morris, did the study and had it approved by DEC.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. ALBERS: Okay. Thank you.

MR. LEARN: I would just add the way the study was performed, it's a worst-case scenario where all of the reservoirs fail at the same time on a 100-year storm event. So it's a very conservative estimate.

MS. ALBERS: And I appreciate that. However, in my case when Hillside Meadows was built, Morris & Associates wrote the study and you guys looked at the worst-case scenario and we still have water issues. So I can not say to you okay, whatever is written in stone is going to satisfy me. You know why? Because like the engineer said, we're looking at different pattern levels in terms of rain, in terms of storm, in terms of global warming and in terms of other unforeseeable issues that you guys might not even have thought about.

My request to the Town is this is too large. If we are going to bring revenue -- I want to live here. I want to live a long life here. I want my children to grow here. If we are going to build, we have to really look at long term. Is this a project that is definitely

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

going to bring more revenue to the Town, that is going to grow us in a level that we are not going to sacrifice 56 people that are living on Sunnybrook or the 41 homes in Hillside Meadows, because it's just not fair. People that paid between \$8,000 and \$12,000 in taxes in this Town deserve more. And I think my suggestion is go back, get a lower home rate. This is -- 162, this is a city, like somebody else said. This is just not reasonable. Something less, maybe I will look at it a little bit more favorably. 162 in an area that -- it's just too small with no access.

MS. BAKNER: Thank you for your comments.

MS. ALBERS: Thank you.

MR. PUGLIESE: Good evening. My name is Joe Pugliese, I live at 23 Hilltop Lane. I actually live next door to Frank.

I share the same concerns as Frank. I look at this project and I see all of this other land behind the project that's being donated. Why does this project need to butt up against us?

I have concerns with water. I don't

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

have a water problem today, but I don't know. I don't feel confident that I'm not going to have one after this is built. As Frank stated, the water runs off very nicely through our yards. In heavy rains you can see the stream of water going right into the woods and into the stream. Now I'm going to have a house right behind me that's going to affect the topography of that land, and I'm very concerned about that.

The other thing I'm concerned with is I heard you have no idea the cost of these homes. This is a house that's going to be right behind mine. Is it a \$100,000 house? Is it a \$150,000 house? If it's going to affect my property, my property value, --

MS. BAKNER: Let me just --

MR. PUGLIESE: -- that's a significant concern. We bought into that neighborhood for a lot of reasons. One of them was decent size lots, good size homes, nice neighborhood, quiet. That's all going to be affected.

MS. BAKNER: All right. The only point I wanted to make was the Planning Board has certain things that they can look at under the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

law, that there are questions they're allowed to ask, things that they can study. One of the issues that is really outside our purview is how much the houses will cost. That would be like if you came up and said you wanted to add on to your house and we said well, you know, we think you should spend \$50,000, not \$20,000. That's not our business, okay. That's just not something we can do. We review the -- the Planning Board reviews pursuant to the standards set forth in the subdivision law, okay. And that's just one of those things that's outside our purview.

MR. PUGLIESE: Okay. That's a concern for all of us, --

MS. BAKNER: I understand.

MR. PUGLIESE: -- especially since it's right up against our property. It's not a development that's going in in the Town in an area that's a little somewhat secluded but it's right there. It will have an affect. Those are the two concerns I have.

The other question I had, I think it was you who mentioned the timeline, five to eight years. What's the timeline for the different

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

phases, phase 1 through phase 4?

MS. BAKNER: A lot of that is going to depend on the market.

Jayne, if you could give an estimate.

MS. DALY: I don't think we have an estimate. I mean it would be purely conjecture. We're not going to go into phase 2 until phase 1 is complete.

MR. PUGLIESE: What's your target for starting this project? What's your plan?

MS. BAKNER: It depends on when the Board approves it, okay. And certainly we can all see the construction season is ending, you know.

MR. PUGLIESE: Right.

MS. BAKNER: So, you know, the earliest anything would happen out there, the absolute earliest would be sometime next spring.

MR. PUGLIESE: Okay. Thank you.

MS. BAKNER: Thank you.

MR. GREENWELL: My name is Steven Greenwell and I live at 8 Diana Ridge Road. I would be six houses down there.

My concern, since I've lived here since

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

2006, is the traffic along Toc Drive is already tremendous.

And then the other thing is there are no sidewalks in the development, I think it's Hillside Meadows or whatever they call it. The developer there doesn't have any sidewalks so the natural way you get from point A to point B for children, or anybody who wants to do just recreational things, is in the street. So now you're going to add congestion to the streets. Unless you want to put in sidewalks or some way to make it safe in those other areas, that's a very dangerous thing. There's also a manufacturing facility the gentleman mentioned where they have big tractor trailer trucks come down to the manufacturing facility which adds to traffic congestion.

The plan that you had before for the units they were talking about before had an access into, I think it's Old New Paltz Road if I remember right. That was actually not a bad idea because then you defer some of the traffic out that way, especially then you have it off Toc, all the traffic is not coming off Toc Drive. The

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

other potential access drive that I have seen is if you can connect Toc Drive to Commercial, that would give you a way to get down which is not as steep. When it snows, et cetera, Toc Drive and the intersection with Toc and Tillson and 44, which we know is a disaster area, it's just going to become -- I don't know what your plans were, I don't know what \$250,000 is going to do unless you put a bridge across that so traffic goes directly from Toc into Tillson because that's where most of it goes. As all the other individuals that live there know, the road was flooded -- that intersection has flooded at least twice in the six years that I've lived there. I don't see it getting better. All the other access points to that area are Reservoir and -- I can't remember the other name of the road. They're all within a block of each other. No matter how you slice it, it's problematic. If it snows and you don't have a four-wheel drive car, you're going to go up Reservoir or one of the other roads that's straighter and you don't have to make multiple turns to get to your house. So traffic congestion.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

Since I've lived there, when they were building my house, when they clear cut the hillside they did put in a regular drain system like I'm used to where I come from, which is the midwest. They didn't put in curbs and sidewalks and drainage. They put in the river bedrock or whatever it was. I saw my yard wash away. They had the drains to the top and they were acting like dams instead of draining into the drains. I made that complaint to the developer. So drainage is a huge problem. I sympathize with the lady back there, her house is -- it must turn into a pond. If they put that stuff up there, that's where it's going to drain to. She has -- unfortunately she has the house I would like to put the road by because everybody walks through to get onto the rail trail, don't they? I pity her. But the fact is that the road access is -- there's no sidewalks so the roads are used for sidewalks for the children and for the cars. Even my daughter complains -- she just learned how to drive -- a lot of children that live up there now gang up and get in the middle of the road and you have to be very careful, especially

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

after dark. That's when they're out there. So it's a big problem. It's especially a big problem on Toc because there's a lot more children in that area. That's just my comments. If they could potentially have another access, either into New Paltz Road or into Commercial Drive or something to relieve the traffic, I think that would be helpful. And how are they going to protect the children?

MS. BAKNER: Thank you very much.

MR. KISS: Hi. My name is Thomas Kiss, I live at 17 Hilltop Lane. These are all my neighbors. So my house is actually right next to where the water drains. My neighbor, I saw Jacob here before, he gets -- his basement gets flooded. They had to put sum pumps in, which of course floods across our yards. All spring our yards are soaked. You can't even mow your yard.

The question is for the developer.

Because Jacob had asked me to file a complaint with the Town, because what the developer did when they found out they were getting water was they dug a little hole in, dug a sum pump and made a drain about ten feet away from his house

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

which adds water to my swale. According to the Town, you can't add water to a swale, that's for runoff. So he's pumping the water that comes from back here, out of his basement, into my front yard. The way you have this, this development actually spreads out this way. This is the narrow end. If you look at my backyard, it rises. There's a very short, flat spot and then it drops down. The elevation changes. It's got to be a good 60 feet until you get to the stream bed. You want to put all these houses in this very tiny area with a road and a turnaround, and this is the narrow end of it. So I can't see how you're actually going to get the water to drain away from it. So I think you're actually going to pump water into this house, into this house and into this house. It does spread wider across here and the stream runs a bit away from it, but at this end of it it's not really -- it's only a couple hundred feet until it starts to drop off. So I mean you've got houses back to back.

One of the reasons why I moved here, another development issue. This is a very pretty

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

picture. I saw another one like this when our developer came in. Now, we bought on the top of the hill. We paid a premium for the land because we were told that the Town owned that and nobody would ever build back there because it was part of the reservoir and scenic views and all of this. So looking out of our road -- out of our houses, you can see across to the bridge. We had trees. They came in and knocked every single tree down as they built the other roads and all the other houses. They promised us sidewalks so we could walk our dogs and our children. They Promised us nice topsoil so we could grow trees. Didn't get that. Didn't get the sidewalks. What we got was down Diana Ridge and Carmella, they dug out a nice little curve, filled it with really large rocks which are now buried and full of weeds coming up, and the developer is gone. So when Jacob's yard -- or basement flooded and asked me to make a complaint to get the developer back to -- all he had to do was get a whipstick and he could have ran a trench out to the road, and they didn't do that. After about six years, would you just rescind the complaint so we can

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

get on with our lives. Yeah, we did. We have to live next door to each other forever and now -- so that nice view we had with all that tree line, like this very pretty picture, in our backyard we got a beautiful view which you're going to take away from us. I'm going to be looking at the back of one of these little tiny boxes on -- you got what, 162 houses on less than 30 acres which came out to .18 of an acre. Really? That's less than a third of my property. I'll be looking at two in the back of my house. And beyond that, you're going to have a road. So I mean this whole thing is -- I don't have my glasses on. What do you got, 15 or 20 houses this way? All that -- I mean we just have to say we've seen this before. We didn't get the sidewalks. The developer pulled out on all these other issues. He's long gone. Got his money.

You don't even know how much you're going to charge for a house that you're going to build? I was in the construction business. I know what things cost and I know what I want to get.

MS. BAKNER: We want to hear

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

everybody's comment and questions. If you could direct them to the Board, that would be great. That would be great. And I think we understand your concerns. You're concerned about the number of houses, the size, the existing conditions, whether or not this developer will be held to the plans that were approved. And as far as the fact that the property back there was forever wild, if I had a dime for every time somebody said that --

MR. KISS: I do understand, but, you know, to take down every single tree because you're putting one house on top of another is an issue. I mean it was bad enough for all of us living up there when they took out every single tree and then, you know, through the owner's expense we planted our own, and after eight years we've got something to make it look like a neighborhood.

The drainage on even Hilltop coming down, everybody had their own drainage issues and I understand that. I agree with most what everybody had said. But even from the top of the hill, and seeing how I live on that corner, the water doesn't even drain properly down the road.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

It actually cuts across the road and snakes back in into my driveway. So when that water freezes again, from my driveway to Carmella is a solid sheet of ice, which the Town thankfully comes by and dumps a ton of sand which gets tracked into my house. Even the drainage just on that road isn't adequate enough.

MS. BAKNER: That's the existing road?

MR. KISS: That's the existing road.

MS. BAKNER: And the name of the road?

MR. KISS: Is Hilltop.

MS. BAKNER: I just want to make sure we have it for the record.

MS. AXELSON: The drainage issues are on Carmella and, you said, Diana Ridge?

MR. KISS: Well it comes down Hilltop, and it doesn't even stay -- we just have lawn there. Parts of the road are actually getting undermined, especially in front of my house because that's where it kind of goes.

MS. BAKNER: All right.

UNIDENTIFIED SPEAKER: Everyone in the front, their driveway is sinking because of the water runoff.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MR. KISS: That's true. Our driveways are-- I mean they did try to address the problem but it's still not adequate.

MS. AXELSON: They being the Town?

MR. KISS: Probably starting originally with the developer and then when the Town -- when the road was dedicated to the Town, then enough didn't get done.

MS. BAKNER: Okay. Just to be clear, the name of the developer that built yours?

MR. KISS: Oh, God. What was his name? Anybody know? I honestly can't remember.

MS. BAKNER: All right.

MR. KISS: Lucky was the foreman.

MR. WALLACE: Lucky Lindy was the foreman on the job. There was some outfit from New York City. A Hasidic outfit in New York City.

MR. KISS: They were the builders but the guy had his headquarters in Monroe.

MS. BAKNER: Okay. We just want to be sure who it is for the record.

MR. KISS: I could find out for you.

MS. BAKNER: It's probably in the Town

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MOUNTAINSIDE WOODS

74

records.

MR. KISS: I'm sure.

MS. BAKNER: Thank you very much.

UNIDENTIFIED SPEAKER: I'd like to see
if I can say one more thing if I'm last.

MS. BAKNER: If you're last. Does
anybody else --

MR. WALLACE: I'd like to make a
comment.

MS. BAKNER: Wait.

MR. KILPATRICK: Good evening. My name
is Karl Kilpatrick, I live at 13 Brescia
Boulevard. My major concern is traffic. I've
lived at Brescia Boulevard for 47 of my 55 years.
First of all, when I lived across the street I
saw an apple orchard. They built an apartment.
I'm not sure how long ago, but then they closed
off the back road to the apartment onto Toc Drive
and all those cars are now going onto Brescia
Boulevard. 100 feet from my house Mr. Winchell
lives. Next to me, his property abuts the
entrance to -- I don't even know what they call
it any more. It used to be Toc. Then they built
I guess what they call Hillside, this area here,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

and all of these people, when the traffic gets backed up on Toc, they come -- as Mr. Wallace said, they use Reservoir, they use Brescia. Summertime I have all the people going up Brescia to Reservoir and then they come down Reservoir. I'm just concerned. I don't anticipate 162 houses being built here because you're never going to sell them. But even 25 houses are going to add 50 more cars to the intersection of Toc Drive, Vineyard Avenue and Tillson Avenue. I've been involved in many near fatal collisions at that intersection over my 50 years driving. Like the one woman said, there have been deaths there. \$250,000 that the Town is getting from the developer to make any changes to that intersection is not going to do anything.

MS. BAKNER: Let me just illuminate on that. There's a public project to improve that intersection that's being undertaken by the Town with grant funds, substantial grant funds. Dave can provide more detail on this but substantial grant funds. The quarter of a million dollars, the \$250,000, just represents the Town's share of that. So there's a lot more funds that are

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

dedicated to that improvement.

And just as a question; Dave, what's the current plan for that intersection? Are they doing a round about or --

MR. BARTON: That's one of the alternatives, DOT -- it's under review at DOT now. I don't know that we know the real answer to that question. As you say, that's mostly funded -- significantly funded by grant money.

MR. KILPATRICK: When are those plans going to be available for review?

MR. BARTON: They have been under review for almost a year. You can come down and see me tomorrow or early next week.

MR. KILPATRICK: I work during the week.

MR. BARTON: I can stay after work. Give us a ring. I'll stay after and show you.

MR. KILPATRICK: That's basically my major concern is traffic. I know, like Mr. Wallace said, when the creek flooded, you know, we couldn't go anywhere. I mean Toc Drive was closed, Brescia was closed, Reservoir was closed. There is no other place you can go. You can't --

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

you know, I loved the statement that someone made, make an entrance onto New Paltz Road. I mean it gives maybe half the development another shot to get on the other side of the Town instead of putting all those cars to Vineyard Avenue, Tillson Avenue and Toc Drive.

My other concern is, and I've heard the statements being made that the sewer issue was looked at. I drive down River Road all the time, I see that sewer plant. I'm amazed that it handles the waste that's being developed in the Town of Lloyd right now. You're going to add 162 more houses to that? I remember Hudson Hills, that took 25 years to finally build and sell. Again, I'm not -- I'm not too concerned about 162 houses. If you can sell 25, I'd like to know where the people are going to be working. That's all I have.

MS. BAKNER: Thank you for your comments. Thank you very much.

MR. WALLACE: If you don't address the problem on Reservoir Road with the water, if you get 8 inches of water here, the Village of Highland will be down in the river, guaranteed.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

You'll never control it. The whole Town will be down there.

MS. HAMBERGER: Hi. My name is Denise Hamberger and I'm at 7 Reservoir Road.

I have several concerns that have already been brought up. One of them is this area right here. If this is all high rocky land, gravity is going to take over. It's coming down in my house. I don't care how many diversions or whatever you call them. It's going downhill. At the bottom of that hill you've got Vineyard Avenue. Vineyard Avenue is notorious for flooding. Half of the time you can't get out of there because there's a foot of water on the ground if we have a significant rain.

The other concern I have is Reservoir is a steep hill. The cars right now zoom down that hill at 10 o'clock, 11 o'clock, 12 o'clock at night, never mind 2 o'clock in the afternoon. If you're going to do a survey to see how much traffic is there, do it during the day, during the evening, definitely in the summer. You're going to see a lot more traffic than you do at 2 o'clock on a Wednesday afternoon, okay.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

My other concern, like I said, is the traffic. This looks beautiful but someone said this is a whole city. It's definitely a whole city. That's not why I moved to Highland. I like Highland. I love Highland. It's a beautiful place. I can't see another 300 cars, or more, coming up and down those roads. I can't see developing Vineyard Avenue to the point where we would all be safe. That's all I have to say.

MS. BAKNER: Is there anybody else who hasn't spoken yet for the first time?

Joe, I believe you --

MR. INDELICATO: John.

MS. BAKNER: John, I believe you wanted to talk.

MR. INDELICATO: I'm still Jonathon. I've lived in Highland all my life, almost 61 years. I have been before a lot of planning boards, a lot of zoning boards. My experience is that a board gets a feeling for a proposal and if they find an applicant who is willing to listen to their suggestions, and willing to do the studies, and willing to cooperate and to mold his project around the suggestions of the board, the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

board feels obligated to approve that proposal. That's my experience. I spent six years and \$66,000 trying to get permission to build one house on 30 acres of land in the Town of Lloyd. That was a travesty. The applicant here owns this property, and in this country you should have the right to do something with your property, and I would say allow him to do something. Allow him to build an amount of homes that does justice to the land, does justice to the people living in it, and does justice to the neighbors around it. Don't prostitute the land. That's what this is. This is a city. And I would just say cut it. Cut it by a lot. You've got people living next door to one another. Open the window and the neighbors open the window. It's insane. That's a city. That's not what we have here. Maybe we're going to change, you know. I sure don't like it. I would really -- you know, you don't owe this applicant an approval, okay. He went through the system, he did what you asked him to do. You don't owe him an approval. Listen to the voices of the people who are already living here, who are going to

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

continue to live here when the project is all done. So allow him to build, allow him to use the land. Put land in between the houses. Spread it out. Be fair. Don't make it a money making proposition. It's not right.

MS. BAKNER: Thank you for your comments.

MS. KILIVA: My name is Gavy Kiliva, I live at 3 Toc Drive. People were saying when Vineyard Avenue was flooded, the gravel road that we live on was also flooded. So, you know, trying to put a road through that area is really not a good idea. It's just going to make everything worse. We got severely flooded and everything drained to this area. You have an engineering report on this.

MS. BAKNER: Thank you very much. Any other comments?

MR. BARON: I have one small one. Bob Baron again.

We were talking about the water. Reservoir Road, continuously, I don't care what rainstorm you have, the houses on that road pump out but they pump onto the road. The Town has

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

never solved that problem. I don't know where they're going to pump their water because they can't pump it out back, it's not going to go. That water continuously crosses Reservoir Road, and every time you get a cold night, you've got ice up that road.

And let me tell you something. I've seen people walking. There's no sidewalks -- walking and falling on that road. When the cars come up, you come around that turn, you start speeding up to get up the hill, you're spinning. It's a continuous situation, and I've lived there for years and it's not going to stop because I don't think the Town has people that are capable of solving that problem. They just don't give a D word about solving it. We'll take care of it, and then the next time you call them, and it's just the same thing over and over. Every time it rains the stones from somebody's driveway is out on the road in front of his house and the Town sweeps it up, at Town expense. Not the person that put all the stones there, but at Town expense.

MR. WALLACE: About \$20,000 worth I'll

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

bet you.

MR. BARON: And it's wrong. That's not going to stop.

MS. BAKNER: Thank you for your comment.

Any more comments?

(No response.)

MS. BAKNER: Okay. Now please remember -- I'm sorry.

MR. PUGLIESE: I just have a question. This is my first public hearing I've ever been to, so I don't really know how things work. Real honest answer, what we're doing here, does that help to maybe condemn this project or is this just a formality, it's going to go ahead anyway?

MS. BAKNER: Let me just answer your question as a matter of procedure. For every subdivision that's approved in the Town, there is a public hearing before the preliminary subdivision process. The point of it is to get people's comments and to address people's comments and to make changes in the project, if changes are determined by the Board to need to be made.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

So this project -- just to recap, this project has already had three hearings. It had a hearing before the Draft Environmental Impact Statement, after the Draft Environmental Impact Statement, it had another hearing on the rezoning and --

MR. PUGLIESE: I understand this.

MS. BAKNER: -- this is the fourth hearing. So each time -- wait. Let me finish. Each time we've given people a chance to comment and issues have been addressed as a result of those comments.

MR. PUGLIESE: I knew that -- when you mentioned that in the beginning, I knew you were going to throw that up in our faces, there were many different hearings. Now you have our attention, and these are taxpayers in Highland. You have our attention now. So whatever happened in those meetings, I'm asking you now that you see that your voters that vote you in office are dissatisfied in this project, are you still going to just rubber stamp it and say go ahead Mr. Builder and do it? That's my question. Honestly, as the Attorney for the Planning Board,

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

is this just a formality? I mean I know you went through all these meetings. You have our attention now. So now what's going to happen?

MS. BAKNER: Nothing is a formality. As we said at the beginning, everybody's comments will be addressed. The answers to the comments will be posted so that you can look at them. The Board is going to continue it's review of the project, all right. That's the Planning Board's job. The Planning Board is not elected. They're all appointed positions. They have to apply the standards as they are in the code and implement them. They're going to be advised by their engineers and they're going to review every aspect of the project.

MR. PUGLIESE: So is there a chance this could be shut down by the Board?

MS. BAKNER: There is always the chance that projects will change as a result of public comment. That's correct.

MR. PUGLIESE: All right.

MS. BAKNER: Does anybody else have any comments they want to make at the public hearing?

(No response.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

MS. BAKNER: Remember, again, you can submit written comments, and we would urge you to do that. If you want to talk, this is your chance.

MR. BARON: I'd like to say thank you for listening to us.

MS. BAKNER: Thank you very much for coming.

CHAIRMAN SASO: Feedback on continuing versus closing the public hearing?

MR. DILORENZO: I motion we extend the public hearing.

MR. MARTORANA: Second.

CHAIRMAN SASO: All in favor?

MR. SCOTT: Aye.

MR. MARTORANA: Aye.

MR. DILORENZO: Aye.

MR. HAMMOND: Aye.

MR. PLAVCHAK: Aye.

MR. ROZZI: Aye.

MR. OGDEN: Aye.

CHAIRMAN SASO: Aye.

(Time noted: 9:45 p.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

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

I, Michelle Conero, a Shorthand Reporter and Notary Public within and for the State of New York, do hereby certify that I recorded stenographically the proceedings herein at the time and place noted in the heading hereof, and that the foregoing is an accurate and complete transcript of same to the best of my knowledge and belief.

DATED: October 7, 2012