

1
2 STATE OF NEW YORK : COUNTY OF ORANGE
3 TOWN OF MONTGOMERY PLANNING BOARD
4 - - - - - X
In the Matter of
5
6 SHEFFIELD GARDENS
7 1127 New York State Route 17K
Section 29; Block 1; Lots 5.1, 5.2, 5.3, 5.4 & 5.5
8 - - - - - X
9 PUBLIC HEARING
10
11 Date: February 10, 2025
12 Time: 7:45 p.m.
13 Place: Town of Montgomery
14 110 Bracken Road
15 Montgomery, NY 12549
16
17 BOARD MEMBERS: JAY BEAUMONT, Chairman
18 JOHN H. BROWN, III, Vice Chairman
19 MARIANNE HARRIS
20 RYAN A. MCGUIRE
21 ROSE PENNINGS
22 DARREN PRINCE
23 CHERI ZAHAKOS
24
25 ALSO PRESENT: RICHARD HOYT, ESQ.
SHAWN ARNOTT
BONNIE FRANSON
SUZANNE HADDEN
APPLICANT'S REPRESENTATIVE: ROSS WINGLOVITZ
TRANSCRIBED BY: MICHELLE L. CONERO
Stenographer

2 CHAIRMAN BEAUMONT: We're
3 opening the public hearing for Sheffield
4 Gardens. The applicant is Ross Winglovitz.

5 Ross, why don't you give us an
6 overview of the project

7 MR. WINGLOVITZ: Do you want to
8 start with the procedure first?

9 CHAIRMAN BEAUMONT: Okay. After
10 Ross gives us an overview of the project,
11 then we'll open -- what's that?

12 MR. WINGLOVITZ: Then we'll talk
13 about the procedure.

14 CHAIRMAN BEAUMONT: Okay. Sounds
15 good.

16 MR. WINGLOVITZ: Good evening.
17 Ross Winglovitz, Engineering & Surveying
18 Properties. I'm here this evening with
19 Jerry Jacobowitz and Marcia Jacobowitz
20 representing the ownership, MILR, LLC
21 (inaudible).

22 CHAIRMAN BEAUMONT: Ross, sorry to
23 interrupt. Why don't you grab that mic.

24 MR. WINGLOVITZ: Yup.

25 CHAIRMAN BEAUMONT: You've got to

1 turn it on.

2 MR. WINGLOVITZ: Is it working?

3 MS. ZAHAKOS: No. Try the other
4 one.

5 UNIDENTIFIED SPEAKER: Is the green
6 light on on the bottom?

7 MR. WINGLOVITZ: There it goes.
8 Hold on.

9 MS. ZAHAKOS: It keeps turning off.

10 MR. WINGLOVITZ: Is that better?

11 With me -- I'll start over -- this
12 evening is Jerry Jacobowitz and Marcia
13 Jacobowitz with MILR, LLC who are the
14 applicant for the project. Also Jane
15 Samuelson and Zach Szabo from my office
16 who helped prepare the site plans and
17 environmental impact statement.

18 The project site is about 52 acres.
19 And just to give everybody a good
20 location, Valley Central High School, the
21 track. You can see in the aerial photo
22 kind of why we put it on here. Richard's
23 Ice Cream, the large wetland area to the
24 east, 17K here on the north side of the
25

property. This is just basically a large vacant tract. Montgomery Heights Road is right here.

So the property has been vacant for a long time. It was actually the subject of an application twenty years ago that did not proceed. The new application has been in front of the Board for about three years almost. Two and a half years. The application complies with zoning.

There are 261 apartments in three different buildings. There is a commercial component that is shown here.

(Interruption - microphone stopped working.)

MR. WINGLOVITZ: The commercial building up front is shown for the purpose of environmental studies. As part of the environmental impact statement we need to look at everything that could be proposed on the property now or in the future. There's no application for this at this time. It's

1 kind of a placeholder to study maximum
2 environmental impacts that the project
3 could have.

4 Access is via a new driveway off of
5 17K. That driveway, as part of the
6 traffic study, will have a left-turn lane
7 constructed on 17K. 17K in front of the
8 site will need to be widened in order to
9 bring the left-turn lane into the site.
10 A secondary access is required. There is
11 an emergency access road that will go to
12 Montgomery Heights Road.

13 The buildings are kind of set up in
14 a courtyard circle so that we have
15 amenities on the inside and parking on
16 both sides of the buildings, around the
17 buildings on the outside.

18 Sewer for the project. The
19 preferred alternative is a sewer treatment
20 plant that is proposed near the front of
21 the site in a wooded area. This sewage
22 treatment plant would discharge to a
23 small stream on the site that flows to
24 the back to the larger wetland area
25

1
2 and then ultimately out towards the
3 golf course. We studied two other
4 alternatives as part of the DEIS,
5 potential connection to the village
6 or connection to the Town, ultimately
7 up at Scott's Corners.

8 Water for the site is via three
9 wells. There are two wells in this
10 general area of the site and another
11 well on the opposite side of the
12 site. These wells were pump tested
13 as part of the environmental impact
14 statement to prove that there was
15 enough water. There was a complete
16 study done. That will be submitted
17 to the DEC for review and approval,
18 as well as the Department of Health.

19 Stormwater for the site would be
20 collected in two main stormwater areas.
21 One will discharge to the east, the
22 other to the southwest into the
23 wetland area that is behind the
24 football field and into the wetlands
25 to the rear of the site.

There are 261 units, 36 one-bedroom, 225 two-bedroom. That's a question we get. No three bedrooms. 36 one-bedroom, 225 two-bedroom.

The DEIS was -- there was a scoping session, a public scoping session. Many of you people were there. The public was invited. There were comments from the public, comments from the DEC, Department of Health, Department of Planning, Conservation Advisory Council. Many entities provided comments, and that basically set the scope of what we were going to study.

We studied impact on land resources, so we did a geo-technical analysis on the site.

We did a study on potential impacts to the drainage.

There was a stormwater study that was prepared and has been reviewed.

Groundwater. As I said earlier, the pump testing that was done for

the wells.

Endangered species. There was a habitat assessment.

Air quality assessment.

Aesthetic resources, so there were renderings done. These were just the architectural renderings, but there were actual renderings done from different locations on 17K. The Board was very concerned about the aesthetics of this, so there were several locations chosen around the site and there were different viewsheds done. They're in the EIS. For the most part, the site was shielded, especially the residential area, by the woods from 17K, in the public areas as well as the school, actually. There's a significant tree line.

Historic and archeological was studied.

Transportation and traffic was a big concern of the Board, and continues

1 to be. They asked us to study 17K
2 and 208, 17K and Bailey, 17K and the
3 site entrance, 17K at the school both
4 entrances, and 17K and 211 were all
5 analyzed as part of the analysis for
6 the project. Again, the primary
7 improvement that came out of that
8 study was the left-turn lane in the
9 front of the site.

11 Impact on energy was also
12 studied as well as impact -- potential
13 impacts to human health, greenhouse
14 gas emissions and zoning compliance.
15 The site is in a multi-family zone
16 and is in full compliance with the
17 zoning requirements of the Town of
18 Montgomery.

19 I think that's it.

20 CHAIRMAN BEAUMONT: That's it.
21 Okay. So we will open up the microphone
22 for public comment. We ask that you come
23 up and use the mic and say your name
24 slowly and where you're from so that we
25 can get a proper transcript -- the

2 minutes. As I understand it, since this
3 is being videotaped, we will be able to
4 get a transcript off the videotape, so
5 everybody, we ask you to speak clearly
6 and succinctly so we can -- the videotape
7 can pick up everything.

8 MR. WINGLOVITZ: Just to expand on
9 what Jay said, the transcript will be
10 done from this, and then, as part of the
11 next step, there's a final environmental
12 impact statement that is prepared, and
13 that then takes every question that is
14 asked tonight and we need to put that
15 into a document and respond to that in
16 writing to the Planning Board so they can
17 see that we've addressed the concerns
18 that were brought up.

19 CHAIRMAN BEAUMONT: Thanks, Ross.

20 Okay. So who would like to be
21 first?

22 MR. DORO: Good evening, folks. I
23 have this to hand out.

24 Good evening. My name is Louis
25 Doro, I live at 2 Montgomery Heights in

2 Montgomery, and I've resided there since
3 1999.

4 Some items I have concerns about
5 was the water quantity testing for the

Doro

6 Comment
1.1

7 Groundwater

wells. The constant re-pumping test for
these wells were performed after the
wettest and warmest winter we've had in
decades and cannot be an accurate report
of the groundwater volume and how it may
affect adjoining properties' wells. We
feel that new tests should be performed
after a period of dry weather, similar to
what we had this summer, because that
would be a real indicator of the usage of
the groundwater. I did attach
precipitation data from NOAA in the
report from the period from September 1st
to May 1st -- September 1, 2024 to May --
2023 to 2024.

Doro

21 Comment
1.2

22 Groundwater

One question I have is, who will be
responsible for providing water service
to the adjoining properties of Sheffield
Gardens when the wells run dry or water
quality changes?

2 We've lived in our home for over
3 twenty-five years, raised six children
4 during that time and have never had any
5 water issues. If water issues do arise,
6 who is responsible for that? The
7 Sheffield Gardens' property owner should
8 be responsible for guaranteeing water to
9 these wells for a minimum of twenty years
10 after project completion to guarantee
11 water supply for the existing developed
12 adjoining properties within 600 feet of
13 all Sheffield Gardens' property lines.
14 The Sheffield Gardens' owner, at their
15 expense, shall provide domestic water to
16 the affected properties if the wells
17 degrade in volume or quality.

Doro 18 Comment Missing from the report is the fact
1.3
Groundwater 19 that the well at 6 Montgomery Heights was
20 contaminated during the pump testing
21 period by the testing agency. That
22 should have been in the report. There
23 was a lot of data in that report. That
24 should have been in there.

Doro 25 Comment The Sheffield Gardens' property
1.4
Groundwater

2 owner should pursue the Town of
3 Montgomery water connection alternative
4 as submitted in lieu of utilizing the
5 wells on the property, then there
6 wouldn't be any issues with the wells
7 running dry.

Doro

8 **Comment** Tie-ins for water and sewer for
9 **1.5** properties along Montgomery Heights are
10 **Project** addressed in the 12/12/2022 SEQRA scoping
11 **Description** document under 10-F. However, these
12 tie-ins are not mentioned in the latest
13 DEIS. The Sheffield Gardens' applicant
14 shall be responsible for the tie-ins at
15 their cost.

Doro

16 Item 2, building heights. All
17 **Comment** building heights should be restricted to
18 **1.6** thirty-five foot elevations maximum.
19 **Land Use & Zoning**

Doro

20 **Comment** What are the contingencies if the Sheffield
21 **1.7** Gardens' owner fails to maintain any onsite
22 **Project** infrastructure? Does the Town of Montgomery
23 **Description** assume responsible for domestic water and
24 wastewater systems if they fail?

25 Regarding buffers. In the renderings,

Doro

Comment

1 1.8 Sheffield Gardens - Public Hearing

14

2 Aesthetics

3 the vantage points showing neighboring
4 properties, there are no buffers
5 shown along Montgomery Heights to
6 shield the existing residents from
7 the commercial development. A 50-foot
8 wide by 25 high minimum dense
9 vegetation buffer should be provided
10 at the Sheffield Gardens' property
11 line along all portions of Montgomery
12 Heights.

13 Traffic. This is the big one.

14 Put your feet up. The proposed
15 turning lane into the Sheffield

16 Gardens' property from 17K has many

Doro

Comment

1.9

Community
Character

17 The note on page 228 of the
18 DEIS under the traffic heading states
19 that the new turn lane will cause
20 significant adverse impacts to the
21 surrounding road network. So adverse

22 means causing harm. It seems that

23 this is a failed design, and it's

24 understood by the engineer if they

25 put that note in there. The proposed

this was a
typo, it
should have
said "will
NOT cause"

Doro

Comment

1.10

Traffic

turn lane has a D grade during the

1
2 a.m. rush hour, an E grade during the
3 p.m. rush hour and a D grade on
4 Saturdays. I know when I was in
5 school, I'd get beat if I brought
6 home those grades.

7 The turn lane dimension is 100
8 feet long which allows room for
9 approximately four to five standard
10 size vehicles while waiting to turn
11 into the property. With 251 vehicles
12 proposed to enter the site, this will
13 create a dangerous situation with
14 traffic backing up beyond the 17K/208
15 intersection. These numbers do not
16 include delivery vehicles such as
17 Amazon, FedEx, UPS, nor do they
18 include meal delivery services like
19 Door Dash and Uber.

20 The distance between the proposed
21 entrance and the intersection of
22 Routes 17K and 208 is roughly 2,700
23 feet. That distance can support 108
24 vehicles if traffic is stopped, which
25 happens just about every day in the

2 afternoon hours during school. I
3 have attached photos that I've taken
4 multiple times of just sitting in
5 traffic coming from the Scott's
6 Corners intersection.

Doro

7 Comment
1.11
8 Traffic

9 The table on page 13 of the DEIS
10 shows an increase in traffic volume
11 during the p.m. rush hour of 251
12 vehicles. The traffic now backs up
13 from the Valley Central Middle School/
14 High School area to approximately the
15 Walnut Street area regularly during
16 most of the school season. The road
17 just cannot support the increase in
18 traffic volume.

Doro

19 Comment
1.12
20 Traffic

21 How will the properties on the
22 north side of 17K within the turning
23 lane zone be affected when those
24 entering their respective driveways
25 are traveling east on 17K? They will
not be able to easily navigate into
their driveways and will run an
extreme risk of being hit by cars
traveling west on 17K utilizing the

1
2 shoulder to bypass cars stopped and
3 waiting to get into Sheffield
4 Gardens. If anybody drives 17K, they
5 know that the shoulder is a passing
6 lane in both directions. It's a full
7 speed passing lane.

8 Many times pulling out of
9 Montgomery Heights onto 17K we have
10 to be wary of cars passing on the
11 shoulder traveling east on 17K to
12 bypass cars stopped and turning onto
13 Bailey Road. Cars are traveling at
14 55 plus miles-per-hour by the time
15 they reach Montgomery Heights in the
16 eastbound direction and utilize the
17 shoulder as a full speed passing
18 lane. The applicant and/or the Town
19 of Montgomery should petition the
20 New York State DOT to reduce the
21 speed limit to 45 miles-an-hour
22 between the Valley Central High School
23 and the 208/17K intersection before
24 any permission is granted to build
25 the Sheffield Gardens site.

Doro

Comment
1.13
Traffic

Doro

Comment
1.14
Traffic

1 The level of service tables and
2
3 the associated details paint a very
4
5 grim picture of the quality of the
6 roadways in the area of the Sheffield
7 Gardens development. It is so bad
8 that it appears any level of build,
9 whether it be one new residence or
10 261 new residences, will have a major
11 negative impact on the roadways
12 regarding safety. I would personally
13 be embarrassed if I developed this
14 report to present to the Town of
15 Montgomery and think it would get
16 approved.

Doro

Comment
1.15
Traffic

16 The 17K corridor is a popular
17 route for people traveling west on 84
18 heading to Sullivan County. With
19 tourism and development increasing in
20 Sullivan County, this route will
21 become more popular and may account
22 for the 2 percent increase in volume
23 which states without any new major
24 development in Montgomery over the
25 last eight years. Since the Resorts

World Casino has been built and the Monticello Motor Club has gained popularity, this route will only get busier as Sullivan County attracts more people.

Doro Comment
1.16
Traffic

The Montgomery Heights intersection with 17K is not represented in any of the data. This is important. It cannot be listed due to the fact that most accidents occur between the high school and Montgomery Heights. Leaving this information out of the report allows the applicant to avoid having to disclose the major problems with this intersection. There have been numerous accidents at this intersection due to driver distraction, sun glare and heavy traffic volumes.

My wife was hit from behind in 2001 and had three of our young children in the car. While she was waiting to turn onto Montgomery Heights heading west on 17K, a driver traveling at 55 miles-an-hour went to pass her

1 on the right shoulder, however he saw
2 a student walking on the shoulder
3 heading home to her Bailey Road
4 residence from the middle school. To
5 avoid hitting her, he veered back
6 onto the road and rear ended my wife's
7 vehicle. The girl would have been
8 killed had he not done that. Thankfully
9 there were no serious injuries. And
10 both vehicles were totalled.

12 A more recent incident, which I
13 have in the last part of that handout,
14 involved a head-on collision on
15 February 17, 2024. At 9:23 p.m. we
16 were home and heard a loud crash on
17 17K. We ran out and discovered one
18 vehicle rolled over on its passenger
19 side near Montgomery Heights and
20 another vehicle further west on the
21 shoulder. The chief of the Montgomery
22 Fire Department arrived at 9:28 p.m.
23 and the fire trucks and rescue vehicles
24 arrived at roughly 9:35 p.m. The
25 problem was that the rescue vehicles

2 could not get through the wreckage to
3 assist the people in the overturned
4 vehicle nearest Montgomery Heights.
5 An ambulance arrived from the
6 westbound direction to assist those
7 people, but the second ambulance
8 could not get to the second vehicle
9 that was on the shoulder further west.
10 An ambulance had to be dispatched
11 from Walden to assist the occupant of
12 that vehicle. The Coldenham Fire
13 Department was dispatched to assist
14 the overturned vehicle and the
15 occupants were finally extricated
16 from the vehicle at 10:06 p.m. Both
17 fire departments worked amazingly well
18 together to save the occupants of both
19 vehicles and they are to be commended.
20 This sheds light on a serious problem
21 with 17K in that when there is a
22 major accident or incident, emergency
23 vehicles cannot easily get through
24 and the traffic gets stalled very
25 quickly with no alternate routes.

2 This must be addressed prior to any
3 development.

4 Thank you.

5 CHAIRMAN BEAUMONT: Thank you, Mr.
6 Doro.

7 MS. DUFF: Well, he said it all.
8 Good job.

9 CHAIRMAN BEAUMONT: You need to say
10 your name.

11 MS. DUFF: My name is Brenda Duff.
12 I live at 1116 17K, which is two houses
13 to the east of the entrance.

14 Traffic right now is unbearable.
15 900 parking spots is -- I can't even
16 imagine what traffic is going to be like
17 to get in and out of my driveway on a
18 daily.

19 Water, well. My well. My parents
20 -- I live in my parents' house. They
21 bought it in 1969. Never had a well
22 problem. That's going to cause a well
23 problem.

Duff 24 Comment The wastewater treatment plant
25 1.17 right across from my driveway, not -- not
Aesthetics

1 cool.

2
3 There's no woods there. It's trees
4 that you're going to have to, like, make
5 look better. It's not anything that's
6 forest.

7 The wastewater going into Scott's
8 Corners Golf Course, that's great. Were
9 they invited? I don't think they were.

10 CHAIRMAN BEAUMONT: Where is --

11 MS. DUFF: He said that the
12 wastewater was going into that and then
13 eventually -- into the stream and
14 eventually go to the golf course. He
15 said that in the beginning.

16 Again, my major issues was the well
17 and the traffic.

18 He says 261. That's minimum. 900
19 is possible.

20 Also noise. The roads are terrible
21 right now. 17K is the best, but that's
22 getting bad. 211, 208, you can't even do
23 the speed limit on those roads. 30 you
24 can't even do.

25 I think that's all I have to say.

Thank you.

CHAIRMAN BEAUMONT: Thank you.

Brenda Duff, right?

MS. DUFF: Yes.

CHAIRMAN BEAUMONT: Hello.

MS. TOCCI: Karen Tocci, I live at
6 Montgomery Heights. I've lived there
for 38 years, since 1987.

So after carefully reviewing the
draft environmental impact statement for
the Sheffield Gardens project, I have
several concerns and questions.

Tocci

Comment
1.18
Traffic

The traffic study that was done and
submitted in September of 2024 did not
include the intersection of 17K and
Montgomery Heights Road, which is where I
live. At this point in time, trying to
pull out of my road heading west, I'm
going to say is difficult at best. I've
lived here for 38 years and I've watched
this section of 17K become increasingly
difficult to navigate, let alone
dangerous, the amount of accidents
that we're seeing. And keep in mind,

there's a high school there with many young, new drivers driving that corridor of 17K. This could be your children, your grandchildren. This is an issue. By adding 261 apartments with 819 parking spaces, the traffic will do nothing but grow exponentially to an unsafe level. There's a high school there with many young drivers. I feel that this was not taken into consideration when this traffic report was done.

Tocci

Comment
1.19
Traffic

Also, the traffic report said that there was proposed only going to be a 2 percent increase in traffic in the -- between now and 2026, which that traffic report goes to. Was this traffic study taking into account the three potential large commercial projects in the area, the ropes course, the dinosaur park and the QuickChek which are all going to be in that same vicinity? You don't think that those three major projects are going

1
2 to make it more than a 2 percent
3 increase in traffic in this area,
4 plus 261 apartments? How is 17K
5 going to handle this? Do we have an
6 impact study to address this concern?
7 How is a turning lane which can only
8 handle four to five cars going to be
9 enough to accommodate the amount of
10 cars pulling into this development,
11 especially during rush hours? I am
12 requesting a traffic study to include
13 the intersection of 17K and Montgomery
14 Heights.

15 My next concern is the water
16 usage. When the 72-hour pump test was
17 done on my well, we had one of the
18 wettest springs in history. And yes,
19 that was my well that was contaminated
20 by the test -- by the pump test that
21 was done, after having to beg for a
22 potability test that I had to fight
23 for.

24 What happens when we have a
25 drought as we did last summer? Are

Tocci

Comment
1.20
Groundwaer

Tocci

Comment
1.21
Groundwaer

2 we going to have the same results or
3 is it because that was a very wet
4 spring and everything happened to be
5 favorable for them? Will there be a
6 guaranty that my well will not go
7 dry? If this does happen, who will
8 be responsible for it? I've lived
9 here for 38 years and never had a
10 problem with my well. I want to have
11 something in writing from the Town
12 that my well will be protected when
13 and if this project goes forward. If
14 the Town of Montgomery gives the go
15 ahead and necessary approvals for
16 this project, you should be held
17 responsible for the impact on the
18 community around it. The company
19 developing this will be long gone and
20 we'll have no recourse.

Tocci

Comment
1.22
Aesthetics

21 Concern number 3. After looking
22 at the renderings online, viewpoint 2
23 and viewpoint 2-A clearly show my
24 house from the intersection of 17K
25 and Sheffield Gardens' entrance.

2 There is no buffer between the retail
3 space building and our road. As per
4 your blueprints, there should be a
5 buffer. Please explain this. How
6 many feet of a buffer will you
7 provide? A 50-foot buffer -- wooded
8 buffer should be considered.

Tocci

9 Comment In closing, I feel that the
10 1.23 infrastructure of the Town of
Community Character Montgomery does not support a project
11 of this size. As stated once before
12 at a Planning Board meeting from
13 February of 2024, there's no vision
14 for this corridor of 17K. You almost
15 allowed a diesel truck dealership
16 where this project was going a couple
17 of years ago. Thank God there was
18 not enough dry land and the dealer
19 pulled out of that deal, because that
20 would have been an atrocity.

21
22 What I'm asking is, please care
23 about our community as much as our
24 residents do. Thank you.

25 CHAIRMAN BEAUMONT: Thank you.

2 Who is up next?

3 MR. PALCZEWSKI: My name is Mark

4 Palczewski. I live in the Village of

5 Montgomery. I'm here tonight

6 representing the Conservation Advisory

7 Council for the Town of Montgomery. I

8 was assigned this -- I was assigned to

9 look at the DEIS, review it and make

10 comments, so that's what I'm going to be

11 doing. I'll start off with some minor

12 comments and recommendations before I hit

13 the big one.

Palczewski

14 Comment
1.24
Plants &
Animals

14 It would be nice if they incorporated

15 a buffer zone around the -- between the

16 forest and the grass for pollinators.

17 Put a pollinator garden in there, milkweed.

18 We're losing pollinators. The monarch

19 populations are fluctuating drastically.

20 You have plenty of land there. You could

21 put a nice pollinator garden or incorporate

22 it into the landscaping.

23 Pesticides. I noticed that they're

Palczewski

24 Comment
1.25
Plants &
Animals

24 asking to use pesticides. I would hope

25 they would avoid using neonicotinoids

1 because they will affect the
2 pollinators. They also stay in the
3 environment for up to four years.
4 They are systemic pesticides, so
5 they'll be in the plants, and they
6 wreak havoc -- they potentially wreak
7 havoc on people and children.

Palczewski

Comment
1.26
Plants &
Animals

8 They're going to remove 361 trees
9 and install 288. There's an equivalency
10 on that. I'd like to know what the
11 equivalency is. I don't know what
12 page it's on, but basically they say
13 there's no need to -- they're going to
14 remove 369, they're not going to put
15 in 369, they're going to put in 288.
16 That should be equivalent. It would
17 be nice if they have an explanation
18 on how that's equivalent.

Palczewski

Comment
1.27
Surface
Water

19 Have the new DEC rules been
20 addressed for this that have gone into
21 effect regarding wetlands and vernal
22 pools?

23 CHAIRMAN BEAUMONT: Yes.

24 MR. PALCZEWSKI: Okay. The sewer

Palczewski

Comment
1.28Wastewater
Treatment

2 hookup, I think Ross mentioned that the
3 Village of Montgomery and the Town of
4 Montgomery were considered, but he never
5 stated why they decided to go with the
6 onsite. It may make sense to go with one
7 of the bigger ones, the Village or the
8 Town. I mean, who is going to -- when
9 the water treatment plant upgrades,
10 wouldn't it be simpler to have a larger
11 municipality handle the upgrades? Then
12 everyone benefits from it. If you hook
13 up to the Village and the Village goes to
14 a better hookup, better quality water
15 treatment, then you're going to benefit
16 from that, whereas what's going to happen
17 here? Are you going to keep in line
18 with, you know, the upgrades? Those are
19 the things -- the minor things.

20 The major thing, and I'm going to
21 repeat a lot of stuff that people said
22 here, the traffic. The CAC addresses the
23 environment, natural resources, but also
24 quality of life. This project -- the
25 traffic in this project is going to

2 reduce the quality of life not only for
3 the people in the Montgomery Heights area
4 and 17K, but for anyone in the Town, and
5 especially the Village as well. Not
6 especially the Village, but the Village
7 as well. What they said is true, the
8 traffic is horrendous. The intersections
9 in this Town are overwhelmed. 17K and
10 211 is a disaster, and there's no way
11 around it. You can't do anything about
12 it. It's a bottleneck.

13 What they should have done 20, 25
14 years ago is build a bypass from
15 Coldenham to Goshen Turnpike and 17, like
16 747. That would alleviate all the
17 through traffic and then you have local.
18 This is just -- this is the beginning of
19 -- what's eventually going to happen in
20 this Town -- 17K is zoned for it and it's
21 eventually going to be built from the
22 high school to Coldenham. Everything is
23 going to be built out.

24 I grew up in New Jersey. I'm 65
25 years old. I've seen Paramus built up,

Palczewski

Comment
1.29
Traffic

2 I've seen Ramapo built up, I've seen
3 Route 59 in Rockland built up. It's
4 inevitable. You're going to build it up.
5 The thing about when it gets built up is,
6 it starts out slowly and then it hits
7 critical mass, and then within 5 or 10
8 years it's built. They just go nuts and
9 they build everything and the roads --
10 this road can barely -- it can't handle
11 what we have now. Can you imagine if you
12 start putting massive commercial
13 buildings and residential projects on
14 17K. The traffic is going to be
15 unbearable. Look at Paramus. They have
16 Blue Laws on Sunday. They don't let
17 anyone drive just so they have one day of
18 respite from the traffic. That's what's
19 going to happen here. It's bad enough.

20 Just as a personal note, I was on
21 17K -- I was driving on 17K in September
22 and I was involved in an accident where I
23 either had a head-on collision or I had
24 to swerve to avoid somebody. It was at
25 Bracken Road. He was making a left-hand

2 turn onto Bracken Road. I was heading
3 east on 17K. He was heading west. He
4 made a left-hand turn. It was 10:00 in
5 the morning on a sunny day, so there was
6 no, like, bad weather, no sight issues or
7 anything like that. He just didn't see
8 me. You're doing 55 miles-an-hour, you
9 make a mistake and you have a major
10 accident. That's long term.

11 Short term, another thing too I
12 want to point out is, you're going to
13 have these dump trucks coming. You're

Palczewski 14 Comment
1.30
Traffic

14 going to have hundreds of dump trucks
15 moving fill back and forth, so they're
16 going to be using -- I'm assuming you're
17 not going to have the left-hand lane
18 built before the first part of the
19 construction when they're going to start
20 leveling it. These trucks are going to
21 have to make a left-hand turn. Seventy
22 percent of the traffic is coming from the
23 west -- I mean from the east to the west.
24 They're going to make a left-hand turn
25 into that construction site and you're

2 going to have people coming eastbound on
3 17K. These dump trucks -- you know, a
4 car against a dump truck, the person is
5 going to be severely injured. They may
6 not see the person driving. You have the
7 speed limit goes to 55 right at
8 Montgomery Heights Road. I don't know
9 about you, but when I see 55 I speed up,
10 and most people do. They don't slow
11 down. The gentleman's recommendation
12 about keeping it 45 is a no brainer.

13 All of your intersections -- a lot
14 of the intersections that are bad now are
15 going to get worse, like the gentleman
16 said. I think 211 and 17K is an F, and
17 there's no end in sight for it. You're
18 starting off with a D and an E, like the
19 gentleman said. I mean, who starts off
20 with failing grades for, you know, an
21 LOS. You start off with at least a C or
22 B or better. I mean, you're putting in a
23 left-hand turn lane that's insufficient
24 to start with.

25 I don't know -- you know, is the

Palczewski

2 Comment
1.31
3 Traffic

DOT here? This is long-term planning that we have to talk about, because this is just one project, but this is the beginning of a huge problem.

Again, quality of life. You know, I still go to New Jersey. I dread going to Paramus because it's bumper to bumper for miles and miles. I worked in Jersey City until I retired. I could get down to Paramus in 40 minutes. It took me another hour to get to Jersey City, which is a third of the distance or a quarter of the distance. Traffic does affect people's quality of life. Accidents do, too.

So anyway, that's -- the one last thing is, we're allowed to put comments, written comments until the 28th. Right? We can submit written comments until the 28th. Is that correct?

CHAIRMAN BEAUMONT: We didn't set it.

MR. PALCZEWSKI: I'm sorry?

CHAIRMAN BEAUMONT: We haven't set

it.

MR. PALCZEWSKI: I thought I read that in the document.

CHAIRMAN BEAUMONT: You can give us written comments now. We probably won't close the public hearing tonight. When we do close the public hearing, it's ten days after that.

MR. PALCZEWSKI: The reason I'm asking is because we have our meeting on the last week of the month. Any comments that come from other members, I'd like to submit, if that's possible.

CHAIRMAN BEAUMONT: Sure. It shouldn't be a problem.

MR. BROWN: Our next meeting is the 24th of February.

MR. PALCZEWSKI: I think ours is the day after. So when we meet we'll probably have more comments and we'll formalize it. These are just comments I made from the review. I'm sure other members will have other comments as well.

Thank you very much.

2 CHAIRMAN BEAUMONT: Thank you.

3 Anybody else?

4 (No response.)

5 CHAIRMAN BEAUMONT: Okay. A couple
6 of things. I spoke to the -- I'll get
7 more comments that I'll put in from the
8 school district and --

9 MR. WINGLOVITZ: Do you want to
10 finish your statement?

11 CHAIRMAN BEAUMONT: I've got Brad
12 Conklin from the school district asked me
13 to read a letter in for the record.

14 MR. WINGLOVITZ: Certainly.

15 CHAIRMAN BEAUMONT: And I want to
16 talk a little bit about the traffic.
17 That's what I've got.

18 Any other Board comments at this
19 time?

20 (No response.)

21 MR. WINGLOVITZ: So from a
22 procedural perspective, right, this is a
23 hearing that covers subdivision, site
24 plan and the DEIS. Correct?

25 CHAIRMAN BEAUMONT: Yes.

2 MR. WINGLOVITZ: So we need to
3 close the DEIS hearing so that we can
4 then start to work on the FEIS. I don't
5 know if you're looking at closing
6 everything or if you close the DEIS and
7 keep the remainder of the hearings open.
8 I know this Board has a history of not
9 closing hearings until they give
10 approval, but in this situation we can't
11 do that because we can't proceed to the
12 FEIS phase with the DEIS public hearing
13 open.

14 So what I would hope is that the
15 Board can close the DEIS public hearing
16 and give a certain amount of time for
17 written comment. Once that period is
18 over, then we can start preparing the
19 FEIS which will be based on any of those
20 comments.

21 I would hope that the Board could
22 close the entire hearing process, but
23 that's not been your practice for the
24 last 30 years that I've been working
25 here, so that's a big wish. But we need

to close the DEIS portion of the public hearing so that we can proceed with the SEQRA process so that we can then answer these comments and your comments and any written comments.

Was there a written comment period that was in the notice or --

UNIDENTIFIED SPEAKER: February 28.

CHAIRMAN BEAUMONT: Ross, you've got comments from our consultants and you can work on those. It's not like --

MR. WINGLOVITZ: No. Certainly. But, I mean, the procedure goes the DEIS hearing, close the hearing, accept written comments and then we respond to all comments. They're going to give us their comments regardless. Their comments are not public comments. They're part of the consultants' comments that will be addressed in the FEIS. Those are written technical comments on the EIS, not public hearing comments.

In the past, in any of these hearings that I've done over 35 years,

2 is we close the DEIS hearing and then
3 we address the DEIS comments in the
4 FEIS, including technical comments of
5 the Board and so forth.

6 CHAIRMAN BEAUMONT: I'm not required
7 to close the hearing. I haven't heard
8 anything from the County. I haven't
9 heard anything from DEC even if they
10 are interested.

11 MR. WINGLOVITZ: They got notice.
12 They'll have until the end of the 28 days
13 to provide written -- until February 28th
14 to provide written comments. They were
15 obviously noticed for tonight. So they
16 have the opportunity to comment on
17 everything and anything.

18 CHAIRMAN BEAUMONT: So we want to
19 leave it open. You've got plenty of
20 stuff to work on. You've got a lot of
21 comments here tonight that you can start
22 writing on and stuff like that. We want
23 to -- as you heard, we have a lot of
24 questions about the traffic.

25 MR. WINGLOVITZ: Certainly. And

2 you've been in the forefront of that,
3 Jay, since that issue has been brought up
4 from the beginning of this DEIS process
5 on the project. Certainly.

6 CHAIRMAN BEAUMONT: We also find
7 that -- I don't know if Jane talked to
8 Brad, but he's got some big issues with
9 the analysis for the school district.
10 They require more than just reworking
11 some numbers. He's got --

12 MR. WINGLOVITZ: The only way to
13 address these comments is in the FEIS,
14 so that's --

15 CHAIRMAN BEAUMONT: Let me get his
16 comments in the record. You can start --

17 MR. WINGLOVITZ: Yes.

18 CHAIRMAN BEAUMONT: You have some
19 research on this. It's not a simple
20 thing. You might want to go on another
21 month so I can see what I get from the
22 other agencies. So we'll come back.
23 Hopefully you'll have a chance to talk to
24 DOT about this, and then we can move
25 forward from there.

2 MR. WINGLOVITZ: So you have a
3 motion to table the hearing or whatever
4 until what date?

5 CHAIRMAN BEAUMONT: We're doing the
6 end -- the beginning of the month. The
7 10th of March is the next --

8 MR. WINGLOVITZ: So adjourn the
9 hearing until the 10th of March?

10 CHAIRMAN BEAUMONT: We're
11 alternating you with RDM. They're at
12 the end of the month, you guys are at
13 the beginning of the month.

14 MR. WINGLOVITZ: Okay. You guys
15 are the Board, you make the decisions.
16 That's not how I typically have been
17 through the process over the years, but
18 I'll take your lead and do what we can to
19 respond as we can.

20 CHAIRMAN BEAUMONT: Okay. Let me
21 have Mr. Conklin's letter into the record
22 and then we'll get any comments that the
23 folks might have. Why don't you have a
24 seat.

25 MR. WINGLOVITZ: Yup.

2 VCSD letter is CHAIRMAN BEAUMONT: "Chairman
3 Addressed in
4 Comment 13 Beaumont and Honorable Planning Board

5 Members, on behalf of the Valley Central
6 School District, I would like to express
7 to the Planning Board our concerns about
8 the draft environmental impact statement
9 presented on Sheffield Gardens' proposed
10 site plan, special use permit and
11 subdivision application.

12 As the Planning Board is aware,
13 this proposed development adjoins Valley
14 Central High School's campus. While the
15 DEIS purports to address a number of the
16 impacts the proposed project will have on
17 the school district's educational
18 facilities and financial resources, the
19 school district believes that the
20 applicant has not fairly portrayed what
21 those impacts are, nor has it accurately
22 explained how those impacts will be
23 mitigated.

24 Initially, despite our previous
25 requests, copies attached for your
reference, the applicant has not

conducted a more in-depth school impact study addressing in detail the impact this proposed development would have on school district resources. While the DEIS states the proposed development will generate 55 generic school-age students, it doesn't focus on the individual needs of those additional students. For instance, an impact study that factors in cohorts of students who are classified with disabilities or English language learners might show how the proposed development impacts the staffing needs in relationship to those services with the individual students -- which the individual student might require, or tuition and transportation costs for students with disabilities placed in state-approved, out-of-district programs. In addition, the school impact study could address how the number of students expected to be generated might be distributed among the grade levels and how that may affect facility needs of the

1 elementary and secondary schools.

2
3 Moreover, the DEIS fails to take
4 into consideration the school district's
5 most recent enrollment projections.
6 Instead, it relies on enrollment
7 projections from more than three years
8 ago.

9 Finally, the DEIS does not
10 accurately describe the tax revenue
11 implications of the proposed development.
12 While it is true that the proposed
13 valuation of a full development will
14 generate additional taxes produced by the
15 parcels, such additional taxes do not
16 equate to new revenues realized by the
17 school district.

18 It is our belief that with a more
19 in-depth school impact study, the
20 Planning Board might make a more informed
21 decision regarding the applicant's
22 proposed development.

23 Very truly yours, Brad Conklin,
24 assistant superintendent for business
25 affairs."

2 At this point, just for the record,
3 we're looking at the intersection and
4 we've done some analysis. We will be
5 working with the applicant to address
6 that. Also, we want to meet with the DOT
7 about this whole situation.

8 It's important at this time for the
9 public to know that in fact the Orange
10 County Planning Department is scoping --
11 preparing a scope and a request for
12 proposals for a pretty much town-wide
13 traffic study which will cover 17K, 208,
14 Neeleytown Road, 211 and 416. So where
15 the bulk of the traffic is. That is in
16 the process, but it's in the process so
17 it's not going to happen overnight. So I
18 would expect probably by summer we'll
19 have a request for proposals on the
20 street. After that, they'll hire a
21 consultant. The good news on that is
22 that it is -- all these projects that you
23 mentioned also had traffic studies, so
24 there's a wealth of information out there
25 regarding traffic in the Town, and

1 hopefully that will be useful for this
2 traffic study and it will, knock on wood,
3 expedite the results.
4

5 Be aware, when it comes to traffic
6 and all these other things, you have been
7 heard. It's not something that we take
8 lightly.

9 So given that, any other comments
10 from anybody?

11 (No response.)

12 CHAIRMAN BEAUMONT: I'll accept a
13 motion to adjourn the public hearing
14 until March 10th.

15 UNIDENTIFIED SPEAKER: What time?

16 CHAIRMAN BEAUMONT: 7:35.

17 MS. PENNINGS: So moved.

18 MR. PRINCE: Second.

19 CHAIRMAN BEAUMONT: Still 7:45. We
20 have two other pieces of business.

21 UNIDENTIFIED SPEAKER: One last
22 question. There was some mention about
23 February 24th. What was that date?

24 CHAIRMAN BEAUMONT: We have two
25 public -- we have two Planning Board

2 meetings per month, the second Monday and
3 the last Monday. The 24th is the last
4 Monday. At that time we have other
5 business to take care of.

6 UNIDENTIFIED SPEAKER: So this
7 meeting on the 10th, March 10th, will
8 deal with this again?

9 CHAIRMAN BEAUMONT: We'll reopen
10 the public hearing as soon as I get a
11 motion and pass it.

12 By Rose. Seconded by Darren. Any
13 discussion?

14 (No response.)

15 CHAIRMAN BEAUMONT: All in favor,
16 please say aye.

17 MR. PRINCE: Aye.

18 MS. PENNINGS: Aye.

19 MS. ZAHAKOS: Aye.

20 CHAIRMAN BEAUMONT: Aye.

21 MR. BROWN: Aye.

22 MS. HARRIS: Aye.

23 MR. McGUIRE: Aye.

24 CHAIRMAN BEAUMONT: Opposed?

25 (No response.)

2 CHAIRMAN BEAUMONT: Passed.

3 This is a notice that there will
4 not be another notice of the public
5 hearing. This is your notice verbally to
6 show up on the 24th. It will be on the
7 agenda for other folks --

8 UNIDENTIFIED SPEAKER: The 10th.

9 CHAIRMAN BEAUMONT: The 10th. Yes.
10 March 10th. Very good.

11 I appreciate you coming out. Thank
12 you for your presentation.

13 UNIDENTIFIED SPEAKER: Jay, Bonnie
14 was going to say something.

15 CHAIRMAN BEAUMONT: Real quickly,
16 everybody.

17 MS. ZAHAKOS: Ladies and gentlemen,
18 one moment.

19 CHAIRMAN BEAUMONT: Our planner,
20 Bonnie.

21 MS. FRANSON: Because you mentioned
22 the February 24th date, I think mention
23 was made of a February 28th date which
24 was when the comments were to be
25 received, except that the comment period

2 has been extended. So as you said, the
3 date is March 10th, and I believe it's an
4 additional ten days after --

5 UNIDENTIFIED SPEAKER: After March
6 10th?

7 MS. FRANSON: Yes.

8 CHAIRMAN BEAUMONT: But you want to
9 start writing now.

10 MS. FRANSON: The notice said it
11 may be another date if the Planning Board
12 decided, so --

13 CHAIRMAN BEAUMONT: Okay.

14

15 (Time noted: 8:36 p.m.)

16

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

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

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

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

IN WITNESS WHEREOF, I have hereunto
set my hand this 24th day of February 2025.

Michelle Conero

MICHELLE CONERO

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