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STATE OF NEW YORK : COUNTY OF ORANGE  
TOWN OF MONTGOMERY PLANNING BOARD

3

- - - - - X  
In the Matter of

4

5

SHEFFIELD GARDENS

6

1127 New York State Route 17K  
Section 29; Block 1; Lots 5.1, 5.2, 5.3, 5.4 & 5.5

7

8

- - - - - X

9

PUBLIC HEARING

10

11

Date: March 10, 2025  
Time: 7:45 p.m.  
Place: Town of Montgomery  
110 Bracken Road  
Montgomery, NY 12549

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BOARD MEMBERS: JOHN H. BROWN, III, Vice Chairman  
MARIANNE HARRIS  
RYAN A. McGUIRE  
ROSE PENNINGS  
DARRAN PRINCE  
CHERI ZAHAKOS

16

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18

19

ALSO PRESENT: RICHARD HOYT, ESQ.  
SHAWN ARNOTT  
BONNIE FRANSON  
SUZANNE HADDEN

20

21

APPLICANT'S REPRESENTATIVE: ZACH SZABO

22

23

24

TRANSCRIBED BY: MICHELLE L. CONERO  
Stenographer

25

2                VICE CHAIRMAN BROWN: This is the  
3                continuation of a public hearing for  
4                Sheffield Gardens on Route 17K in  
5                Montgomery.

6                Zach, the floor is yours.

7                MR. SZABO: Zach Szabo, Engineering  
8                & Surveying Properties, here for the  
9                Sheffield Gardens project and for the  
10              applicant, MILR, LLC.

11              This is a continuation of a public  
12              hearing. We were in front of the Board  
13              last month and accepted comments from the  
14              public, and we are here tonight to listen  
15              to the public comment further.

16              That's pretty much it.

17              VICE CHAIRMAN BROWN: Can everyone  
18              hear Zach? Everyone hear okay? Perfect.  
19              Thank you. I was wondering, but  
20              everybody looks like they're happy back  
21              there.

22              Okay. Does anyone have any  
23              comments or questions for the applicant  
24              regarding Sheffield on Route 17K? Please  
25              step up to the mic and state your name,

please, and address. Sir.

MR. DORO: Good evening, folks, and thank you for allowing us to speak on behalf of this project.

My name is Louis Doro, I live at 2 Montgomery Heights in Montgomery, New York, which is a property that borders the Sheffield Gardens project.

The following comments I have which I submitted are in response to review of the DEIS for the Sheffield Gardens project located at 1127 New York State Route 17K in Montgomery. The DEIS submitted as part of the application for Sheffield Gardens project should not be accepted for the following reasons:

One, the additional volume of traffic created by the proposed project will cause harm to the surrounding network, as stated in the DEIS. There have been numerous accidents as well as fatalities in this corridor and this project. As stated in the DEIS, it makes the traffic worse. Since the last public

Doro

Comment  
2.1  
Traffic

1 hearing on February 25, 2025, I made  
2 notes of pulling into and out of  
3 Montgomery Heights as follows:  
4  
5 Twenty-three times I was passed on the  
6 shoulder by cars traveling at least 55  
7 miles-an-hour while attempting to turn  
8 into Montgomery Heights while traveling  
9 west on 17K. Eleven times I waited more  
10 than five minutes to turn onto 17K  
11 eastbound. Twelve times I waited five  
12 minutes or longer to turn onto 17K  
13 westbound. The longest wait was eight  
14 minutes. Three times I was almost hit  
15 while waiting to turn onto 17K because  
16 cars were already driving on the shoulder  
17 to pass cars waiting to turn onto Bailey  
18 Road while traveling east on 17K. This  
19 is just my experience. I've heard from  
20 many residents of the Bailey Road area  
21 who are afraid to turn left from 17K east  
22 onto Bailey Road due to poor visibility,  
23 high volume of traffic and high speed of  
24 traffic on 17K. Most of these people  
25 turn right from Bailey Road onto 17K west

Doro

Comment  
2.2  
Traffic

2 in the area and use the Valley Central  
3 roads or Montgomery Heights to turn  
4 around to head east on 17K. This is not  
5 our idea of a safe roadway, and it is  
6 only going to get worse. There is an old  
7 saying in the civil engineering  
8 profession that states a traffic light  
9 does not get installed until somebody  
10 dies. Let's prevent making our roads  
11 more dangerous than they already are.

Doro

12 Comment  
13 2.3  
Traffic

The New York State Department of  
Transportation should be petitioned to  
reduce the speed limit on State Route 17K  
to 40 miles-per-hour from Valley Central  
High School to the intersection of State  
Route 208 before any additional development  
is approved within this corridor.

Doro

19 Comment  
20 2.4  
Groundwater

Three, water quality and quantity  
should be guaranteed to be provided by  
the Sheffield Gardens property owner to  
all properties within a minimum of 600 feet  
from the property boundaries for a minimum  
of twenty years. If any wells within this  
area are diminished in quantity and/or

1  
2 quality, then the Sheffield Gardens  
3 property owner shall pay for water  
4 service during this guaranty period  
5 at their expense. Water is an  
6 extremely valuable resource that has  
7 been adequate for us in this area.  
8 If we lose it, then we have no  
9 recourse to restore it if there is  
10 no guaranty in place. If the  
11 Sheffield Gardens property owner  
12 feels there's more than enough water  
13 supply, then they should have no  
14 problem honoring this guaranty.

15 The water storage capacity of  
16 the onsite water supply system should  
17 be redesigned to provide water to the  
18 surrounding properties as a commitment  
19 to this guaranty. Because they have  
20 stated that there's only enough water  
21 supply in their design to provide  
22 water to the new residences, the  
23 water storage capacity should be  
24 increased by a minimum of 25 percent  
25 to ensure excess water supply if it

Doro

Comment  
2.5  
Groundwater

Doro

Comment  
2.6  
Groundwater

is needed to supplement the adjoining properties. As an optional water source, the Sheffield Gardens developer should be required to pursue the Town of Montgomery water connection alternative as submitted as part of the DEIS and abandon the use of onsite wells.

Doro

Comment  
2.7  
Community  
Services

Four, in the appendices section of the DEIS, under appendix A4, responses and correspondence, there appears to be no response from the Montgomery Fire Department regarding their review of the documents for Sheffield Gardens. In addition, it does not appear that the adjoining fire districts, nor the Board of Commissioners, were contacted for their input as the project will certainly influence their mutual aid response. The DEIS should be rejected pending review and input from the Montgomery Fire Department, Montgomery Ambulance Corp, Coldenham

Fire Department, Maybrook Fire Department and the Walden Fire Department.

Doro

Comment  
2.8  
Socio-  
Economic

As an act of good faith to the community, the Sheffield Gardens property owner should be required to make an allowance of 20 percent of the proposed units to be affordable to people making 80 percent of the area median income for renters to allow for more housing in the Town to be available to seniors, young adults and service providers such a nurses, teachers, EMS personnel, firefighters, police officers, to be able to afford to live in the area they work in.

Please know that I fully support the right of property owners to develop their land as they see fit and that the Town of Montgomery is in fact in need of affordable housing. However, building a project of this immense size with absolutely no regard for the safety of the people who



travel along the 17K corridor is irresponsible.

The DEIS for this project must not be approved as submitted.

Thank you.

VICE CHAIRMAN BROWN: Thank you, sir.

Anyone else? Sir.

MR. TRENT: Good evening. My name is Ron Trent, I live on 12 Knapp Lane. It's off of Bailey Road in the Town of Montgomery. I'm a lifelong resident, 71 years, of the Town of Montgomery. Coldenham raised and -- born and raised. A Valley Central graduate.

My concerns, I want to echo a lot of what Mr. Doro said, and he said it very well. My concerns are water, traffic and sewer.

My concerns are the discharge of an onsite sewage treatment plant into the swamp behind Richard's which flows actually down past my property and my neighbor's property off of Knapp Lane.

Trent

Comment  
2.9  
Wastewater  
treatment

2 That stream does not have enough -- to  
3 me, it does not have enough water flow to  
4 support discharge from a sewage treatment  
5 plant. There's times of the year, in the  
6 fall and the winter, where it's dry, and  
7 then there's spring floods, but it just  
8 doesn't seem like an onsite sewage  
9 treatment plant is the right way for this  
10 project to go.

11 The same thing with water. I don't  
12 understand why they're not being pushed  
13 towards municipal water and sewer. I  
14 know it's a distance, but that's the type  
15 of -- this is the type of project that  
16 warrants that type of connection.

Trent

Comment  
2.10  
Project  
Description

Trent

Comment  
2.11  
Traffic

17 That and the traffic. A turn lane  
18 is not going to handle the traffic coming  
19 out of a project of this size. That's my  
20 understanding is right now they are just  
21 proposing a turning lane on 17K. The  
22 project needs a controlled -- a traffic  
23 light or some type of controlled  
24 intersection for Bailey Road and the  
25 entrance to this road -- this project.

2 I really don't have anything else.

3 I know, you know, they're entitled to  
4 build in an area that is zoned for this,  
5 unfortunately. Maybe it shouldn't have  
6 been zoned for this, but it is.

Trent

7 Comment  
2.12

8 Land Use &  
Zoning

I don't know if there's any  
variances that this project requires. I  
know it's probably a zoning question, but  
I don't know if the project people, if  
there's any height restrictions. Does  
anybody know that?

13 MR. HOYT: An alternative plan may  
14 have shown a height variance for 3 or 4  
15 feet. It was an alternative plan.

16 MS. ZAHAKOS: It was 47.5 feet and  
17 I think the max allowed is 55. Right?

18 MR. SZABO: I believe the max is  
19 35. We have an alternate 45, but the  
20 proposed DEIS calls for 35. It meets  
21 code.

22 VICE CHAIRMAN BROWN: Thank you,  
23 Zach.

24 MR. TRENT: So that was my only  
25 other question, was if there were any

variances expected.

I thank you for listening to me and all the other folks.

VICE CHAIRMAN BROWN: Thank you for your comments.

MR. TRENT: Thank you.

VICE CHAIRMAN BROWN: Thank you very much.

Does anyone else have comments for Sheffield Drive? Yes, ma'am.

MS. PALUMBO-CORTEZ: Hello.

VICE CHAIRMAN BROWN: Hello.

MS. PALUMBO-CORTEZ: I'm Tracy

Palumbo-Cortez, owner of Richard's.

MR. CORTEZ: I'm Carlos Cortez.

VICE CHAIRMAN BROWN: Good evening, Tracy.

MS. PALUMBO CORTEZ: Good evening.

MR. CORTEZ: We kind of just want to iterate, echo what they have and submit a letter of our own from Richard's, our property there, and make a couple more bullet points of concerns that we have, such as traffic, sewer,

water, wildlife.

Such as the last gentleman referenced, the water and that drainage, the culvert east to Richard's has never worked properly. It always has standing water there. You could drive by right now and see. For the past decade or so it's never flowed correctly. That's why wetlands have been building up exponentially over the years.

We have a lot of concerns for our business.

Also the turning lane that is proposed, is there a length? Do they have -- decided where it will start, where it will end? Has the DOT even approved this turning lane?

VICE CHAIRMAN BROWN: At this time, Zach, we have not heard from DOT at this point?

MR. SZABO: We've received comments from the DOT, but for DEIS purposes they have not responded. We're planning to respond.

Palumbo-  
Cortez

Comment  
2.13

Surfacewater

Palumbo-  
Cortez

Comment  
2.14  
Traffic

Palumbo-  
Cortez

Comment  
2.15  
Traffic

2 MR. CORTEZ: As the first gentleman  
3 stated, caution of our patrons getting in  
4 and out of our business is already  
5 terrible, and our traffic study wasn't  
6 even done during the hours that we were  
7 open. So to take into account on a busy  
8 summer night, on a Friday night with a  
9 football game or a sporting event or  
10 something going on at the school, you're  
11 going to have that much added traffic in  
12 and out of that route, let alone with all  
13 the other projects that are proposed on  
14 this road.

15 VICE CHAIRMAN BROWN: Are these  
16 addressed in your letter?

17 MR. CORTEZ: Yes, in our letter. I  
18 just can't read it all.

19 VICE CHAIRMAN BROWN: That's okay.

20 MS. PALUMBO-CORTEZ: What else?

Palumbo-  
Cortez

Comment  
2.16  
Groundwater

21 Also, there is no test from our wells.  
22 So my mother's property is next to the  
23 ice cream stand. Neither well was able  
24 to be tested, so we have no findings.

25 MR. CORTEZ: Like data on our

2 wells.

3 MS. PALUMBO-CORTEZ: Data on how  
4 our wells would be affected. We did give  
5 permission, but they weren't able to do  
6 it. We just don't have any idea. We use  
7 a lot of water in our business.

8 MR. CORTEZ: We know there was  
9 coliform already present in one of the  
10 tests. We don't know if that's going to  
11 affect our livelihood.

12 VICE CHAIRMAN BROWN: We'll let our  
13 consultant take that up.

14 MS. PALUMBO-CORTEZ: Okay. So the  
15 water that we use is for -- our machines  
16 run by water.

17 VICE CHAIRMAN BROWN: Your business.  
18 Right.

19 MS. PALUMBO-CORTEZ: Yeah. I mean,  
20 our business runs on water. The  
21 machines, the sanitizing of everything.

22 MR. CORTEZ: We also have concerns  
23 of the wildlife in the area since there's  
24 such a healthy population of the deer,  
25 there's blue herring, hawks, eagles,

Palumbo-  
Cortez  
Comment  
2.17  
Plants &  
Animals

ducks, geese, swans. They already have limited space in that area on that road. Where do they plan on going?

MS. PALUMBO-CORTEZ: We were just also concerned about --

MR. CORTEZ: And the water discharge. If the water is discharged into the wetlands, how much treated water is going to it? Have there been any studies it's going to affect the wildlife in that area?

MS. PALUMBO-CORTEZ: The location of the sewage plant --

MR. CORTEZ: Is also an eyesore.

MS. PALUMBO CORTEZ: -- is also a concern. It's right next to my mom's property. Also, it will also smell, like give off an odor.

MR. CORTEZ: We didn't see any kind of odor control for the treatment plant in the plan. We know that that plant is probably there to use gravity for the commercial residents that is going there, and I don't think the residents in that

Palumbo-Cortez

Comment  
2.18  
Plants &  
Animals

Palumbo-Cortez

Comment  
2.19  
Wastewater  
Treatment



area should have to suffer looking at that or smelling it if it's used for this residence. They should find an area that's --

MS. PALUMBO-CORTEZ: Toward the back maybe, or --

MR. CORTEZ: -- not going to affect people that have been in this area for sixty plus years.

Here's the letter. I just want to submit it.

VICE CHAIRMAN BROWN: All of your verbal comments are captured here. We'll make copies and distribute them to the Board. That's all right. We'll make sure they get distributed.

Thank you very much for your comments.

MS. PALUMBO-CORTEZ: Thank you.

We're not against this either, we're just --

VICE CHAIRMAN BROWN: I understand. Thank you so much.

Okay. Anyone else, comments on

2 Sheffield Gardens?

3 Sir, how are you.

4 MR. THOMPSON: I'm well. Good  
5 evening. Thank you very much. I  
6 appreciate everybody's time. This is  
7 very important, obviously, to the  
8 community.

9 My name is Charlie Thompson, I live  
10 on River Point Drive off of Bailey Road.  
11 Obviously frequently traveled by myself,  
12 my family, my neighbors. Obviously the  
13 community has concerns about traffic,  
14 environmental.

15 I apologize, I have not really  
16 followed this as much as I should have as  
17 a member of the community, but now it's  
18 come to my attention all the concerns and  
19 how much this has progressed. I'm now  
20 looking at this plan for the first time.  
21 I know there's been environmental studies  
22 and traffic studies. I do have  
23 questions. If the questions have already  
24 been answered, I apologize.

Thompson 25 Comment  
2.20  
Traffic

In regards to traffic studies, like

when were these traffic studies conducted? Who were they conducted by? Was it the Town that conducted them or was it somebody that was paid by ownership?

VICE CHAIRMAN BROWN: Zach, would you like to comment?

MR. SZABO: The applicant hired the traffic consultant to do the traffic study.

MR. THOMPSON: So my experience is it would probably behoove the Town to conduct their own traffic studies at the expense of the ownership. I deal with properties and planning boards often in my position and I think it's something that is definitely warranted.

I think that it has to be noted as well, as many people have already pointed out, about the schools and the events that go on. I personally -- you know, I leave for work pretty early in the morning. I have teenage children that avoid -- the one that does drive avoids

2 Bailey Road and 17K in the morning  
3 because she doesn't want to take her own  
4 life into her hands, which is a concern.  
5 I mean, a lot has changed over the last  
6 five, six, seven, eight years with the  
7 traffic lights at the school. Obviously  
8 that's a concern. Like this gentleman  
9 said earlier, you are literally taking  
10 your life in your hands making a left  
11 turn onto Bailey Road.

12 It was mentioned about the left  
13 hand -- excuse me, the left-hand turn.

Thompson 14 Comment  
2.21  
Traffic

14 Where is this left-hand turn going to go?  
15 That road is not wide enough to accommodate  
16 that. Not to mention, to accommodate that,  
17 you would have to take away from what I  
18 would consider to be a bike lane or a  
19 walking lane. So I don't understand how  
20 that's going to accommodate a left-hand  
21 turn.

22 Aside from the fact, no matter  
23 how the geometry works, exiting and  
24 entering this property, nobody is going  
25 to listen to, you know, if the

Thompson 5 Comment  
2.22  
6 Traffic

2 geometry is to do a right out or a  
3 left out. I know the DOT will be  
4 involved heavily, I'm sure they are,  
5 with comments, but this is a  
6 tremendous amount of foot traffic --  
7 excuse me, a tremendous amount of  
8 vehicular traffic for such a small  
9 road entering and exiting. What if  
10 there's an accident within there?

11 Now, I'm a retired New York City  
12 firefighter. I have concerns as a  
13 firefighter for the wellbeing and  
14 safety of the people that live inside  
15 of this community and outside the  
16 community.

17 I could tell you right now that  
18 between the hours of 6:30 in the  
19 morning and 8:30 in the morning, good  
20 luck. Good luck getting in and out  
21 of certain areas and getting to where  
22 you need to get to on time. Once  
23 again in the afternoon. Again, this  
24 is not mentioning the events.

25 Environmental. Obviously there's

1                   many concerns for the environmental.  
2                   You know, the sewer, the sewer system  
3                   that they're proposing. Richard's in  
4                   itself is a staple of this area. This  
5                   is going to be flowing right through.  
6                   This is going to affect their business.  
7                   Who knows, the health and safety of  
8                   their customers.  
9

10                   The gentleman that lives right  
11                   next door to that stream. We all  
12                   experienced the drought this summer.  
13                   There was no water. I know for a  
14                   fact two people in the area, that  
15                   their wells dried up, all right. In  
16                   case anybody hasn't noticed, it's  
17                   been getting warmer out. I don't  
18                   believe in all the environmental  
19                   nonsense. I'm not on social media.  
20                   I don't believe in it. I do believe  
21                   that there is something going on,  
22                   that the water quality and the amount  
23                   of rain we're getting is affecting  
24                   everything. This isn't going to help.

Thompson 25 Comment  
2.23  
Land Use &  
Zoning

I'm not against development, but

1  
2 is it really the right location for  
3 this size of a property? Maybe,  
4 maybe not. That's not for me to  
5 determine.

6 Environmental, the animals. We  
7 had a lot of development going down  
8 17K. I spoke to Brian Maher about  
9 this a couple years ago. I lost  
10 count on how many dead deer and  
11 rabbits, and the turtles. The  
12 turtles. Literally you drive down  
13 17K and people are posting signs  
14 along the road to look out for the  
15 turtles. I personally have stopped  
16 to help. I don't particularly like  
17 snapping turtles. I've picked up  
18 snapping turtles or dragged them to  
19 the side of the road.

20 Here's a question about the  
21 turtles. Have there been studies  
22 about the species of turtles that are  
23 in this area? I know there's a  
24 protected species in the area,  
25 specifically the Blanding's Turtle.

Thompson  
Comment  
2.24  
Plants &  
Animals

1                   Were these study looked into? I know  
2  
3                   I've seen Blanding's Turtles. I'm  
4                   not an expert. I know what a  
5                   Painted Turtle looks like. I know  
6                   what a Blanding's Turtle looks like.  
7                   I sure as hell know what a Snapping  
8                   Turtle looks like. These are  
9                   protected species. The birds, the  
10                  prey, all the animals, where are they  
11                  going? This is going to take away  
12                  from that. There's going to be more  
13                  animals killed, more car accidents,  
14                  and it's not going to stop.

15                 So again, I think there's just a  
16                 lot of consideration that has to be  
17                 considered over and over again before  
18                 this is pulled the trigger on. I know  
19                 there's been a lot of development, a  
20                 lot of changes. I think everybody is  
21                 right. A lot of concerns.

22                 Thank you for your time.

23                 VICE CHAIRMAN BROWN: Thank you.  
24                 Thank you for your service. Thank you.

25                 Anyone else? I see -- I'm sorry.



Thank you, Cheri.

MS. DUFF: I'm not that prepared.

Brenda Duff, 1116 Route 17K.

VICE CHAIRMAN BROWN: Hello.

MS. DUFF: Hello. So the turning lane that's proposed is going to be right in front of my house, along with Tracy's. It's impossible to get in my driveway as it is, let alone get out of my driveway. I have to back into my driveway in order to be able to get out of my driveway. The staff for my special needs daughter that come, they have to, like, do a seventeen-point turn in my driveway in order to get out because they can't back out onto 17K.

So 50 acres of property. If it was a normal property you would only be able to build twenty-five single-family houses. You want to put over two hundred families on that property. That seems ridiculous. I guess that's what zoning laws are for and zoning is for or whatever.

2 The studies for the water -- I  
3 happen to know that Scott's Corners Golf  
4 Course representatives are here today --  
5 that whole system is not going to work.  
6 It backs up, it floods the -- it goes  
7 from -- by Richard's, under 17K where New  
8 York Beauty Bar is, that floods out, then  
9 into the golf course. I'm hoping they'll  
10 speak to that.

11 Wells. I've never had a problem  
12 with the well. It has changed over the  
13 years with the development. My family  
14 bought the house in 1969. Before that,  
15 actually, they lived on the golf course  
16 property in 1966. They rented there. So  
17 my family knows the area. Very concerned  
18 with the wells as what's going to happen  
19 with this demand of that many families in  
20 that small area with our well.

Duff

21 The turtles, the wildlife does need  
22 to be protected. Where are they going to  
23 go? The deer that are in the backyard  
24 that have never been there because of  
25 developments on Bailey Road and stuff

Comment  
2.25  
Plants &  
Animals

1                   that's happened. I never saw deer in my  
2                   backyard growing up. Now they're there  
3                   because where do they go? You know, they  
4                   end up crossing 17K and getting  
5                   demolished.  
6

7                   It just really isn't -- like I said  
8                   last month, single-family homes, totally  
9                   get it. I know there's an investment.  
10                  You want to get a return on your  
11                  investment in property. This is not the  
12                  space for this. There's plenty of other  
13                  spaces. Maybe even down the road by  
14                  Berea where there's property available to  
15                  make this. I don't know. This not  
16                  really the space for this.

17                  So thank you.

18                  VICE CHAIRMAN BROWN: Thank you.

19                  MS. MELVILLE: Hi. I'm Lisa

20                  Melville, I live on Berea Road. I don't  
21                  know of any property available over  
22                  there, but -- and I apologize. I forgot  
23                  my glasses, so I'll be struggling to see  
24                  my comments here.

25                  UNIDENTIFIED SPEAKER: Do you want

2            mine?

3            VICE CHAIRMAN BROWN: We have about  
4            a hundred pairs of glasses.

5            MS. MELVILLE: I can't see you now,  
6            but I can see this.

7            VICE CHAIRMAN BROWN: It doesn't  
8            matter what I look like.

9            MS. MELVILLE: The purpose of an  
10           environmental impact statement is to  
11           enable the public and decision makers to  
12           understand the nature and consequences of  
13           specific environmental impacts that can  
14           be mitigated. Part of an environmental  
15           review is to look at cumulative impacts.  
16           There's a lot of proposed development  
17           that is starting to be built over by Shop  
18           Rite, there's another big one in Walden,  
19           not to mention the QuickChek, the zip  
20           line, the dinosaur park. You know, as a  
21           town we've got a start looking at some of  
22           this stuff because it is greatly  
23           impacting the quality of life here.

24           I have a senior at Valley Central  
25           High School. Anybody attempting to drop

Melville

Comment  
2.26  
Community  
Character

1 off their child in the morning or pick  
2 them up at night, thank God she drives  
3 now so I don't have to do that anymore,  
4 but you're backed up almost to Scott's  
5 Corners. Change is inevitable and there  
6 is -- but there is an expectation that a  
7 (inaudible) should keep semblance of the  
8 character and community. No one is  
9 trying to stop the development of this  
10 project. They would just like it to not  
11 impact the community in a way that is  
12 detrimental to them or the community.

14 While it's true that the parcels in  
15 some of these areas haven't been changed  
16 since 1965, the review process has  
17 changed. For instance, we now know the  
18 importance of wetlands and their role in  
19 water quality, flood mitigation, special  
20 habitats and the quality of life.

21 Richard's has been a much beloved  
22 business in the Town of Montgomery for  
23 sixty-three years. Most people have gone  
24 out there on hot summer days and enjoyed  
25 an ice cream and they connect with the

2 community and their friends there. A

Melville

Comment

2.27

Wastewater  
Treatment

3 sewage treatment plant where it's placed  
4 on this plan, you know, I think it's  
5 going to greatly impact -- you know,  
6 there's possible smells that are coming  
7 when you're eating your ice cream, and  
8 nobody is going to want to do that. It's  
9 also just a visual thing.

Melville

Comment

2.28

Groundwater

10 The wells for this proposal are  
11 close to both Richard's, the business  
12 well and, you know, the residence well  
13 that was right there. How will that  
14 impact -- how will the proposal impact  
15 their water supply?

Melville

Comment

2.29

Community  
Services

16 I'm thinking I want to ask the  
17 Planning Board as lead agency to consider  
18 more study on the mitigation on Sheffield  
19 Gardens, specifically the impact on  
20 Valley Central School District, because  
21 all these families -- you know, there's  
22 going to be children added to the school  
23 district. We're already, you know,  
24 looking at rebuilding Walden, the  
25 elementary school there, just because

1                   there's problems there. You know, I  
2                   think there's a meeting tonight going on  
3                   about that. That's an ongoing struggle  
4                   of what to do with that school. Do they  
5                   build a new one, do they rehab that one,  
6                   and is that still going to be enough with  
7                   the other schools to, you know, give all  
8                   these new students a place to go.  
9

10                  So again, just specifically the  
11                  impact on the Valley Central School  
12                  District, the traffic, the water supply  
13                  and the wastewater treatment location.

14                  And maybe it's time for the Town,  
15                  maybe there's grant money available or  
16                  something to do a traffic study so that  
17                  we can cumulatively look at all the  
18                  traffic in this corridor because there's  
19                  a lot more being proposed. It's not even  
20                  just the ones that were mentioned  
21                  tonight.

22                  Thank you.

23                  VICE CHAIRMAN BROWN: Thank you for  
24                  your comments. Thank you so much.

25                  MR. MOSCATO: Mr. Jacobowitz --

2 VICE CHAIRMAN BROWN: One second.

3 MR. MOSCATO: Take your time.

4 Neil Moscato, I'm a resident on  
5 River Point Drive which is off of Bailey  
6 Road.

7 I agree with all my fellow  
8 community members that spoke. I'm not  
9 going to reiterate what happened -- what  
10 they said, but is the Planning Board able  
11 to get answers from the developer as to  
12 some of the questions that were brought  
13 up? It was kind of one-sided.

Moscato 14 Comment  
2.30  
Plants &  
Animals

14 We voiced our concerns about the  
15 turtles. Was there a study done with the  
16 turtles or the other species?

Moscato 18 Comment  
2.31  
Traffic

17 Also, there was -- when was the  
18 study done, the traffic study? Was it  
19 done during school hours? Was it done on  
20 a weekend? Was it done in the middle of  
21 the night? When was it done?

22 Are they able to answer that now so  
23 that we can kind of get an idea?

24 Also, just out of curiosity, and I  
25 apologize because I haven't been, you



Moscato

Comment  
2.32Executive  
Summary

2 know, following this the way maybe I  
3 should have. What does MILR stand for?  
4 Does anybody know? Can they answer that?  
5 VICE CHAIRMAN BROWN: Neil, you can  
6 ask the question.

7 MR. MOSCATO: Well, I asked the  
8 question. Mr. Jacobowitz?

9 MR. JACOBOWITZ: The initials are  
10 people in my family.

11 MR. MOSCATO: The people in your  
12 family.

13 And how did we come up with  
14 Sheffield Gardens? What's the history  
15 behind that name? Montgomery is full of  
16 history. Let's have the history lesson.

17 MR. JACOBOWITZ: (Inaudible.)

18 MR. MOSCATO: Sheffield. Okay. Is  
19 there like a town father, Mr. Sheffield,  
20 that I don't know about? Why Sheffield?  
21 Just out of curiosity. You know, nice  
22 conversation.

23 MR. JACOBOWITZ: It's a nice name.

24 MR. MOSCATO: A beautiful name.

25 UNIDENTIFIED SPEAKER: Why not?

2                MR. MOSCATO: Is there a meaning to  
3                it, you know? Every name has a meaning,  
4                right?

5                UNIDENTIFIED SPEAKER: Does there  
6                have to be?

7                MR. MOSCATO: No. I was just  
8                wondering from a historical perspective,  
9                you know. That's all.

10               Also, like I said --

11               VICE CHAIRMAN BROWN: That's it.  
12               It's fine.

13               MR. JACOBOWITZ: Can we clarify for  
14               this gentleman that every question that's  
15               asked tonight, the answer to the Board is  
16               required in writing, a public record, so  
17               that all questions have to be addressed  
18               to their satisfaction.

19               MR. MOSCATO: Right, right. Okay.  
20               That's what I was getting at. Thank you.

21               Thank you, Mr. Jacobowitz.

22               MR. JACOBOWITZ: That's why I  
23               said --

24               VICE CHAIRMAN BROWN: He wanted to  
25               let you finish your comments.

Moscato

Comment

2.33

Socio-

Economics

2 MR. MOSCATO: I want to finish my  
3 comments. This housing development,  
4 what's going to be the approximate cost  
5 to buy into one of these apartments? Has  
6 anyone asked or cared or --

7 VICE CHAIRMAN BROWN: If that's a  
8 question, Neil, --

9 MR. MOSCATO: That's a question.

10 VICE CHAIRMAN BROWN: -- it can be  
11 answered.

12 MR. MOSCATO: They're all questions.  
13 What is the price range of the housing?  
14 Is it going to be one bedroom, two  
15 bedroom, three bedroom? Are they  
16 going to be condos? Are they going  
17 to be rentals? Are there going to be  
18 homeowner association fees? Things  
19 of that nature.

20 VICE CHAIRMAN BROWN: Neil, it's  
21 okay. Let's let the -- that's enough  
22 questions right now for that. Let's just  
23 move on to the --

24 MR. MOSCATO: All right. Very  
25 good.

Thank you, Mr. Jacobowitz. I appreciate it.

MR. JACOBOWITZ: Any time you want information, you can contact me.

MR. MOSCATO: Thank you.

VICE CHAIRMAN BROWN: Thank you for your comments.

Anyone else? Sir -- ma'am. Sorry.

MS. PROVINO: Good evening.

VICE CHAIRMAN BROWN: Good evening.

MS. PROVINO: I'm Darlene Provino, I live at 18 Farm Meadow Lane in Montgomery, so I'm right off of Bailey Road.

Provino

Comment  
2.34  
Traffic

So one of my biggest concerns is the traffic, because from where I am on Farm Meadow Lane, I don't even bother to go out and go east onto 17K. You can't pretty much any time of day. Forget about when it's during the school times or people are going to work.

So now if people here don't really know what's going on with this, there's only one entrance out on 17K. There's a

2            proposed 800 and something -- 800 and  
3            something parking spaces. It's almost  
4            900. There's 200 plus two-bedroom  
5            apartments and 30 plus one-bedroom  
6            apartments. Correct?

7            So again, we're only coming out one  
8            way. Now, the majority of these  
9            apartment dwellers are going to be  
10          working people, so their hours of getting  
11          out onto the road are going to be like  
12          all the rest of us, plus the schools. So  
13          now you're adding a potential of 800 more  
14          cars in that corridor where you have --  
15          Bailey Road is right over here, you have  
16          the Dollar Store light here, plus the  
17          school with everybody coming in and out.  
18          It is a dangerous area.

19          My concern as well is all the other  
20          projects that are coming into Montgomery.  
21          Again, I'm not opposed -- like everyone  
22          up here has said, I'm not opposed to  
23          development, but it has to be taken into  
24          consideration what it's going -- how it's  
25          going to impact our community. I think

1  
2 by the number of people that are here  
3 tonight, and I think if we got the word  
4 out a little bit more, we would have had  
5 more people here. It's got to be taken  
6 into consideration how this is going to  
7 impact our community, all of these  
8 projects that are coming before us  
9 through the Town of Montgomery.

10 Again, for the size of this  
11 project, my concern as well is the well  
12 and septic being on the site. For a  
13 project this size, I would say that -- I  
14 don't see how you can ever get it  
15 approved without doing public water and  
16 sewer for that many units. I've never  
17 heard of them doing private wells onsite.

18 That's my comments.

19 VICE CHAIRMAN BROWN: Thank you  
20 very much.

21 Sir.

22 MR. PALCZEWSKI: My name is Mark  
23 Palczewski, I live in the Village of  
24 Montgomery. I'm here on behalf of the  
25 CAC. I was assigned this by the CAC.

Provino

Comment  
2.35  
Project  
Description

2 That's the Conservation Advisory Council  
3 for the Town. I'm probably going to  
4 repeat a couple of things that were said,  
5 or expand on them.

6 The main -- the first point is the  
7 traffic. I talked about this before, but  
8 I think it needs to be discussed again  
9 because some of these points are pretty  
10 important. The degradation of the level  
11 of service. Every intersection within a  
12 mile is going to be affected. Some of  
13 these line of service, the 17K and 211  
14 intersection is already an F. It's going  
15 to get worse. It affects the quality of  
16 life when you have to wait ten minutes to  
17 get into the Village. It's going to  
18 affect the businesses in the Village.  
19 It's going to affect the people who live  
20 there, besides the ones on Montgomery  
21 Heights. Who takes priority, the group  
22 of people here whose quality of life is  
23 going to be degraded or the builder who  
24 is going to benefit from that?

25 Okay. I mentioned the bypass

Palczewski  
Comment  
2.36  
Traffic

Palczewski 2 Comment before. I think that's something that  
2.37  
3 Traffic the Town should really look into, a  
4 bypass that goes from Bloomingburg to  
5 I-84 by Pilot, because 17K is only going  
6 to get worse. Every parcel of land  
7 between 208 and Coldenham is going to be  
8 developed, right. It's all zoned for  
9 development and it's not going to sit  
10 idle. Developers don't buy land for it  
11 to sit idle. Whether it's five years or  
12 ten years, it's all going to be  
13 developed.

14 The road can't handle what it has  
15 now without even this development. You  
16 build everything out and you have -- what  
17 are you going to do? Unless you start  
18 doing right-of-ways and make it a four-  
19 lane road, but you've got to start coming  
20 up with some ideas. Talk to the State,  
21 talk to the assembly people. Get a  
22 bypass, make 17K local.

Palczewski 23 Comment Next is sewer. I have no idea why  
2.38  
24 Wastewater you want to build a sewer treatment plant  
Treatment  
25 next to an ice cream stand. That makes



2 no sense. I understand it's the lowest  
3 spot on the development site so it's  
4 going to be -- you know, it's going to  
5 flow down there. It's going to discharge  
6 into a wetland. It does have a backup  
7 generator, but things fail. Things fail  
8 two times or three times. Electricity  
9 fails, the backup generator fails, now  
10 you've got raw sewage pumping in there.  
11 I've never been by a sewage treatment  
12 plant that doesn't have an odor.

13 Honestly, if you can bring us all to a  
14 sewage treatment plant that doesn't  
15 smell. I'm not talking about like a long  
16 distance. It is right next to Tracy's  
17 mom's house. Right next to it. If  
18 they're already having issues with  
19 contamination and there's a mishap, I  
20 mean, you're going to ruin their  
21 business. That's not fair. They've been  
22 there for sixty-four years. You know, we  
23 all go there. We love it. How are you  
24 going to compensate them when their  
25 business is destroyed?

2 I don't know why you can't hook up  
3 to the Town or the Village. I don't know  
4 -- that's a question I had last time. I  
5 guess I'm looking for an answer on that.

6 The next one is the sight lines.

Palczewski 7 Comment  
2.39  
Plants &  
Animals

8 In the DEIS it says you're going to  
9 reduce the quantity of trees from 369 to  
288 and it's going to be equivalent.  
10 Again, my point is, I'm going to say that  
11 again, how is that equivalent? Are you  
12 replacing sticks with huge trees? I  
13 mean, it doesn't make sense. It just  
14 doesn't make sense that you're going to  
15 take out 80 trees and it's going to be  
16 equivalent somehow. Even if you do  
17 replace them, you're putting -- you're

Palczewski 18 Comment  
2.40  
Aesthetics

19 putting the apartment on the highest  
20 point of the property. How are you going  
21 to not have this -- how are you not going  
to see it from any angle?

22 Maybe three or four weeks ago I  
23 drove around and you can see that point  
24 of land from Hoeffner's. From any point.  
25 Goodwill. You can see it from

everywhere.

Another point that people brought up, and it's a very important point, is the wildlife. You're talking -- you could potentially damage the wetlands. You do have -- I saw the DEIS and it just briefly talked about it. I think that needs to be expanded upon, the impact to the wildlife. That's very, very important.

I think I've hit about everything I was going to say.

When can we expect the comments to be answered?

MR. HOYT: The applicant has to submit a final impact statement addressing every question raised during this review, which is not over yet. The Board will decide later on what's the next hearing step. But whenever the SEQRA portion of the hearing closes, there will be a minimum period of further written comment.

MR. PALCZEWSKI: Okay. I know it

was mentioned it was supposed to be 2/28, but since this happened, it got bumped to 3/28 I think.

MR. HOYT: There's a minimum ten to fourteen days from the closure of the hearing, minimum, State regulation. Oftentimes this Board expands that to say three weeks, give or take. But that's to be determined.

MR. PALCZEWSKI: Okay. I'm bring this back to the CAC and we'll -- we should have written comments.

If anyone is interested, the CAC meets the fourth Tuesday of the month. It's an open public meeting. You're more than welcome to come. It's on the second floor of Walden Village Hall.

Thank you very much.

VICE CHAIRMAN BROWN: Thank you for your comments.

MR. McIVER: Hello, everyone. Jim McIver, I live on Berea Road. I'm related, by marriage though, to Tracy. That's why I'm here.

2 I'm a professional geologist. I  
3 do hydro studies all the time. I'm  
4 very concerned about two things.

McIver

5 Comment  
2.41  
6 Wastewater  
Treatment

One, the sewage treatment.  
Where is the effluent? Where are you  
discharging it to? In no map have I  
seen the discharge location. Can you  
answer that?

10 MR. SZABO: It is provided on the  
11 plan.

12 MR. McIVER: In the DEIS it is?

13 MR. SZABO: Yes. It's on the site.

14 MR. McIVER: It's not in the sewage  
15 -- it's not in the wastewater treatment  
16 report at all.

17 MR. SZABO: The wastewater  
18 treatment report only shows the waste  
19 treatment. The location of the discharge  
20 is located on the site plans.

21 MR. McIVER: Where is that  
22 discharge going to?

23 MR. SZABO: To the wetlands.

24 MR. McIVER: So it's being  
25 discharged to the wetland immediately

1 behind. So if you show that on this map,  
2 where would that be?

3 MR. SZABO: Can you possibly zoom  
4 to that on the screen? So --

5 MR. McIVER: So that you're asking  
6 for an easement across that property to  
7 run your sewage?

8 MR. SZABO: It's onsite.

9 MR. McIVER: So it's going to stay  
10 onsite. So you're going to dump the  
11 sewer water right near well number 1?  
12 How far away -- what's the separation  
13 distance?

14 MR. SZABO: A couple thousand feet.

15 MR. McIVER: Are you sure about  
16 that? I think that's a question that you  
17 should definitely ask, because well 1 was  
18 impacted by coliform. It is the primary  
19 well that you're planning on using.  
20 You're dumping sewage effluent into the  
21 pond, basically, which is located  
22 adjacent to it. Well 1 is definitely a  
23 GUTO well, groundwater under the  
24 influence, right. So you'll have to do

McIver

Comment  
2.42  
Groundwater

2 that. There's either going to have to be  
3 supplemental treatment or something, but  
4 the water quality is going to definitely  
5 be an issue. It already is. You're  
6 providing a lot of water to a lot of  
7 people and you're going to create a very  
8 significant cone of depression from  
9 pumping that well. I looked at what you  
10 had listed on the 180-day projection for  
11 the pumping test and it's quite a bit of  
12 drawdown. That has to affect the  
13 surrounding homes and so on. There's  
14 going to be a long-term water quality and  
15 quantity impact to those residents. So  
16 it's something that needs to be looked at  
17 further.

McIver

18 Comment  
19 2.43  
20 Groundwater

18 The testing, as far as I could see,  
19 was done appropriately. The pumping test  
20 was okay. The results are presented  
21 well. They did a good job of it, except  
22 that there's nothing on the east side of  
23 the site. There's no pumping wells -- no  
24 test wells that I can see drawdown. I  
25 noticed that they did experience drawdown

1  
2 in wells 2 and 3 which is a shorter  
3 distance -- I'm sorry, a longer distance  
4 than to Tracy's well. So it wasn't  
5 evaluated. I know they asked permission  
6 to do it, but apparently it was not  
7 accessible, which I understand.

8 Sometimes you have to be careful about  
9 that kind of thing. But at a minimum  
10 they should have put something in that  
11 region to be able to look at groundwater  
12 depression during pumping, because as  
13 Tracy said earlier, there's going to be a  
14 significant amount of water that they use  
15 during the summertime. The pumping test  
16 wasn't done when they were actually  
17 operating. That needs to be looked at  
18 very carefully. You get interference  
19 effects, that's a real problem. You also  
20 have definitely a groundwater under the  
21 influence. It's something that the State  
22 looks at. You're familiar with it. So  
23 it's one of those things that you  
24 definitely have to evaluate.

25 Also, I didn't see the watershed



2 analysis in the pumping test either.  
3 How much water is actually available  
4 regionally. That's something that  
5 didn't seem to be presented. Maybe I  
6 missed it, because I just looked at  
7 this just recently. But looking at  
8 the pumping test and the water  
9 quality analysis and the water reports,

Mclver 10 Comment 2.44 I didn't see a prediction as to how  
11 Groundwater much water is available regionally.  
12 This is something hydrogeologists  
13 always look at when they look at  
14 available capacity, and it wasn't.

Mclver 15 Comment 2.45 There's going to be a boundary  
16 Groundwater condition somewhere because there's a  
17 pond right beside there. If you  
18 start pulling water from this well,  
19 you're eventually going to start  
20 sucking water out of that pond. It's  
21 just inevitable.

22 This is the Normanskill Formation  
23 which is a shale aquifer. It's a  
24 fractured rock aquifer system. It  
25 doesn't have a lot of capacity, as

1  
2 most people who live in that area  
3 already know. I think they got  
4 capacity by drilling a really deep  
5 well and pumping from that well, but  
6 the drawdown was pretty substantial.  
7 They did obtain stability, so that's  
8 good. But it is questionable. There's  
9 nothing that I see to the east and at  
10 Tracy's place to show how much it's  
11 going to impact their business. I'd  
12 just like that question answered.

13 Thank you.

14 VICE CHAIRMAN BROWN: We'll see  
15 you. Thank you, sir.

16 Good evening.

17 MR. LEHRER: Good evening. My name  
18 is David Lehrer. I'm one of two  
19 proprietors and operators of Scott's  
20 Corners Golf course.

21 I wanted to speak directly to the  
22 meeting -- the previous meeting where the  
23 runoff was discussed being taken into the  
24 wetlands that is directly behind our golf  
25 course. It's a very, very small stream

Lehrer  
Comment  
2.46  
Surfacewater

1                   that we're adjacent to that's all  
2                   connected.   The numerous properties that  
3                   run along 208, run along all the other  
4                   roads heading back into Town.  
5

6                   Several years ago when we first  
7                   took operation, DOT actually came onboard  
8                   our property to ensure backyards in the  
9                   Town were not being flooded. We were  
10                  happy to help, help the residents.

11                 I can tell you that any additional  
12                 water that gets added into this will not  
13                 only backflow into those properties, into  
14                 people's backyards.   In addition, all the  
15                 -- that stream that's connected running  
16                 down 208, every property from us to the  
17                 Wallkill will be affected. There's no  
18                 way it can handle any sort of additional  
19                 capacity.

20                 We've been fortunate the last  
21                 couple years with some droughts. You add  
22                 any significant rainfall, we flood, they  
23                 flood just by mother nature. Anything  
24                 else added to that, you know, there's no  
25                 telling where that water is going to go.

2 It has no outlet or no other source other  
3 than to let mother nature eventually  
4 takes its recourse. I haven't seen any  
5 information about the amount that is  
6 expected in that.

7 Additionally, we've never been  
8 contacted as to look at the connection to  
9 that stream right off the wetlands. So,  
10 you know, to our knowledge it has not  
11 been done. It's just assumed that it can  
12 be handled. I can tell you right now,  
13 mother nature alone floods it and floods  
14 everyone along that route.

15 Thank you.

16 VICE CHAIRMAN BROWN: Thank you for  
17 your comments.

18 Does anyone else from the public  
19 have a comment on Sheffield? Sir.

20 MR. YOUNG: Good evening. Michael  
21 Young, 411 Bailey Road. I wasn't going  
22 to come up here, but after listening to a  
23 lot of these comments, it kind of gave me  
24 some food for thought.

25 There's two things I just want to

Young

Comment  
2.47  
Traffic

2 point out. Even if you put a light at  
3 Bailey Road, that whole area, as it's  
4 been pointed out, is a business district.  
5 You have Quality, you have Fusion, where  
6 City Line was whatever goes in there, and  
7 all the other businesses. People pull  
8 out from those streets. You're going to  
9 have an additional lane. You're going to  
10 have people making left turns, crossing  
11 over now into a third lane. It's not  
12 just people coming out of Bailey Road and  
13 having the difficulty. I've waited eight  
14 minutes -- just as Mr. Doro said, I've  
15 waited eight minutes just to make an  
16 eastbound turn onto 17K. All these other  
17 businesses now, as people leave them will  
18 be crossing across traffic that is now  
19 significantly multiplied. It's dangerous  
20 as it is, but now with all this  
21 additional 800 cars, it's going to be  
22 very dangerous in that respect for the  
23 business owners, their proprietors to  
24 actually cross safely.

25 The last thing I wanted to point

Young

Comment  
2.48  
Socio-  
Economic

2 out real quick, there's an average of 2.5  
3 children per family in the United States.  
4 Now you get 200 -- let's just say 200  
5 apartments. Let's just say only half of  
6 them have children, 2.5 average. That's  
7 250 children that are now going to be in  
8 our school districts. Let's just say a  
9 third of them go to the high school or  
10 the middle school, 75, 80. How many of  
11 those children are going to wind up  
12 walking on 17K, as I know my children do  
13 quite frequently? There will be  
14 casualties. There is no debate of that  
15 whatsoever. You cannot stop the  
16 children. They will do it. You can say  
17 hey, you have to take the bus. You know  
18 children are children. There will be  
19 children walking on 17K. There will be  
20 casualties. My question is, how are we  
21 going to compensate parents for lost  
22 children?

23 Thank you.

24 VICE CHAIRMAN BROWN: Thank you for  
25 your comments.

1  
2 MS. JOYCE: Good evening. My name  
3 is Lisa Joyce. I'm a resident on Farm  
4 Meadow Lane which is off of Bailey Road.  
5 Actually, my son plays with Mike's  
6 children.

7 A big consideration that I hope is  
8 being looked at is the children of this  
9 area, the children of this community.

Joyce 10 Comment 2.49  
11 Socio-  
12 Economic  
How is it going to impact our schools,  
because we know there will be children  
living in the community?

13 I come from a self-employed family,  
14 raised in a self-employed business. I'm  
15 all for growth, I'm all for self-  
16 employed, I'm all for building. Many  
17 family members were builders. I'm for  
18 it, but we have to look at what is the  
19 expense for that.

20 I think about Richard's. One of  
21 the things that drew me to this community  
22 -- I worked in a school many, many years  
23 ago. Over twenty years ago. I was a  
24 psychologist in a private school. I was  
25 drawn to this community for the school

2 district because I saw how Valley Central  
3 worked with children with special needs.  
4 I said when I have children, I want to  
5 move to that area. Two years it took me  
6 to find my dream home on Farm Meadow.  
7 We're so happy there.

8 But as Mike is saying, my neighbor,  
9 the kids will ride their bikes. No

Joyce

10 Comment  
2.50  
Traffic

10 matter how much we tell them put on a  
11 helmet, no matter how much we tell them  
12 be safe, they are going to walk down 17K.  
13 My kids have walked to Richard's so many  
14 times. They ride their bikes to the  
15 Village. We don't have a safe spot for  
16 them to even ride their bikes. There's  
17 no room.

18 Yesterday alone, coming back from  
19 picking up my son at school, I almost got  
20 creamed trying to turn into Bailey Road.  
21 A woman in her white Jeep wasn't patient  
22 enough. She came flying off the  
23 shoulder. She had to hit -- she had to  
24 go off into the dirt area to get around  
25 me, and then she almost hit the person in



2 front of me because they were going too  
3 slow for her liking. That's a 40  
4 mile-an-hour area and the people are  
5 zooming coming down 17K. I don't know  
6 putting more traffic lights is going to  
7 be the answer.

8 I think about the infrastructure  
9 that we currently have. How many of us  
10 right now are doing a slalom down 208,  
11 down 17K and down 211 to avoid the  
12 massive potholes that exist? It's so  
13 hard to keep up with repairing the  
14 streets. We know that. But now if we  
15 have these added numbers of vehicles that  
16 are sure to come, are we going to be able  
17 to keep up with the repairing of the  
18 current roads we have when right now our  
19 roads, I'm sorry, they're a bit of a  
20 mess?

21 I think about my friend Dave who  
22 owns Scott's Corners Golf Course. I can  
23 say to you, and I apologize, Dave, for  
24 the wetness last year, I got one of the  
25 golf carts stuck. Sorry, Dave. He was

Joyce

Comment  
2.51  
Traffic

Joyce

Comment  
2.52  
Surface  
Water

2 great about it. But it's true, just with  
3 the normal rainfall we have, when we have  
4 it, it floods sections of the golf  
5 course. How is that also impacting some  
6 of my neighbors that are near that? I  
7 don't know. I'm fortunate enough that I  
8 haven't experienced that on my road, but  
9 I experienced it when I was at Dave's  
10 business.

11 Being the child of business owners,  
12 I have seen firsthand how changes in a  
13 community and changes in laws of a  
14 community can destroy businesses. I would  
15 hate to see a business of sixty some odd  
16 years be altered, a staple in this  
17 community, because, you know, of a  
18 building environment that wants to come  
19 in.

20 I hope that these things will  
21 really genuinely be considered. I know a  
22 lot of us are saying the same thing, but  
23 in my current line of work I speak to  
24 doctors, I educate doctors, and I have to  
25 tell them seven times before they get it

2 in their head. I think repetition -- I  
3 don't mean that as a joke, but I think  
4 repetition and hearing the genuine words  
5 of your community is so important.

Joyce

Comment

2.53

Community

Services

6 Please think about the children,  
7 because how will it impact their  
8 education?

9 Sorry that I'm talking a lot about  
10 myself, but I grew up on Long Island.  
11 Very, very busy area. I went to school  
12 where there were hundreds, thousands of  
13 children. I went into classrooms where  
14 they weren't classrooms, it was a big  
15 room and it was divided by -- your class  
16 was divided by dividers, so you could  
17 hear what was going on in the next group.  
18 We didn't learn that well because of that  
19 environment. I had to go into a trailer  
20 that came off of the main building to  
21 learn because the school district could  
22 not accommodate the number of children in  
23 the community. How are we going to  
24 accommodate new children coming in? I  
25 don't know if that was discussed at

1 previous meetings, but certainly  
2 something to be considered. We can't  
3 have class sizes too large, children will  
4 not learn. Children have enough  
5 distractions as it is. We have more and  
6 more students and children that are  
7 diagnosed with ADD, ADHD. You put more  
8 kids in the mix, they're going to be all  
9 over the place, not being able to  
10 concentrate and learn and be productive  
11 citizens in society.  
12

13 So thank you so much for listening  
14 to everybody's concerns in the committee  
15 -- in the community. We appreciate you.  
16 Thank you so much.

17 VICE CHAIRMAN BROWN: Thank you for  
18 your comments.

19 Anyone else?

20 MR. TRENT: Can I ask just a quick  
21 question?

22 VICE CHAIRMAN BROWN: You may, yes.

23 MR. TRENT: Ron Trent again. Ron  
24 Trent, 112 Knapp Lane.

25 I saw a lot of people hand in, I

guess, comments that they had typed up or whatever. In order to get them in the record, should I e-mail them, my comments, to Sue or --

VICE CHAIRMAN BROWN: Feel free to do that if you wish.

MR. TRENT: Okay. I didn't know if you write them down, my comments, or --

VICE CHAIRMAN BROWN: Your verbal comments are being accepted. Written would be fine, too.

MR. TRENT: Thank you.

VICE CHAIRMAN BROWN: Mr. Doro, how are you?

MR. DORO: Hello, folks. If you don't remember me, I'm Lou Doro, Montgomery Heights.

Since the last Planning Board meeting, when I voiced my concerns about the issues with the DEIS and the project, never said anything about the property owners, did not attack them at all, but we attacked the situation of the project and the effects it would have on the

community.

Since then we received a letter from Mr. Jacobowitz that at first I perceived as a threat or intimidation for speaking out against the Sheffield Gardens project. We've owned our house for twenty-seven years and it is more than a coincidence that he sent us a letter now claiming ownership of a small, insignificant piece of our property which is essentially the gutter of 17K. So I perceived it as a threat at first, but I was more disappointed after the fact.

Since then there have been people taking pictures of my house, stopping on the road. A couple weeks ago my wife and I were away on a business trip and our daughters called that someone was taking pictures of the house. It freaked them out because they were home alone.

I just want to say that I guess if I spoke favorably of this project at the last meeting and said it was a master of engineering and design, I probably

2 wouldn't have received the letter. I  
3 just wanted to make that fact.

4 Thank you very much, folks.

5 VICE CHAIRMAN BROWN: Well, thank  
6 you.

7 MS. DUFF: I'm sorry.

8 VICE CHAIRMAN BROWN: I'm sorry.

9 MS. DUFF: I forgot one question.  
10 1116 Route 17K.

Duff

11 Comment  
12 2.54  
Traffic

The addition of the turning lane, I  
just wanted to know where that extra road  
frontage was coming from, because there's  
huge ditches on each side, how that was  
going to be handled. That's it.

16 Thank you.

17 VICE CHAIRMAN BROWN: Sir -- I can  
18 see. Tracy.

19 MS. PALUMBO-CORTEZ: There was one  
20 thing I forgot to mention.

21 VICE CHAIRMAN BROWN: That's okay.

22 MS. PALUMBO-CORTEZ: I didn't  
23 notice that there was a --

24 VICE CHAIRMAN BROWN: State your  
25 name again.

2 MS. PALUMBO-CORTEZ: I'm sorry.

3 Tracy Palumbo-Cortez.

Palumbo-Cortez 4 Comment  
2.55  
Aesthetics

5 I didn't see that there was a  
6 buffer between my mom's property of trees  
7 or anything to separate. That was one  
8 thing I forgot to mention earlier.

9 Also, yes, I'm not against this  
10 either, but it will -- I'm not against  
11 progress.

12 VICE CHAIRMAN BROWN: The lack of a  
13 buffer, you're saying?

14 MS. PALUMBO-CORTEZ: Yes. Yeah.

15 VICE CHAIRMAN BROWN: Thank you.

16 MS. PALUMBO-CORTEZ: Thank you.

17 VICE CHAIRMAN BROWN: Yes, ma'am.

18 MS. DeLEONARD: I'm Jennifer

19 DeLeonard, Tracy's sister, Richard's  
20 daughter. I've been there for sixty-four  
21 years. It's a pillar of the community.

DeLeonard 21 Comment  
2.56  
Surface  
Water

22 Also, my mother's backyard is  
23 already full of water. You know, with  
24 the water, like, are they going to be --  
25 is the water going to be by our house?  
Are there, like, cautions for that and



1                   that was just -- I'm sorry. It was dry  
2                   when we were kids. It's just a concern,  
3                   you know. We've lived there a long time  
4                   and the water grew rapidly. Dad used to  
5                   -- I'm just very concerned.

6                   VICE CHAIRMAN BROWN: Your question  
7                   will be answered. Yes.

8                   MS. DeLEONARD: Okay. Thank you.

9                   VICE CHAIRMAN BROWN: Thank you.

10                  MR. PALCZEWSKI: Say my name again?

11                  VICE CHAIRMAN BROWN: Yes, please.

12                  MR. PALCZEWSKI: Mark Palczewski,  
13                  Village of Montgomery. I'm here on  
14                  behalf of the CAC.

15                  There was one question about the  
16                  traffic that I forgot to mention. What I  
17                  read in the DEIS was that there are going  
18                  to be, I think, over 500 trucks moving  
19                  dirt in and out, right, if I'm not  
20                  mistaken. Most of those trucks are going  
21                  to be coming from the west heading east,  
22                  because I think 70 percent -- I think it  
23                  was 70 percent -- they predict 70 percent  
24                  of those trucks are going to be coming  
25

Palczewski 19 Comment  
2.57  
Traffic

1 from 208. They're going to have to make  
2 a left-hand turn into the development.  
3 Correct? So are you going to have a  
4 left-hand turn lane before that starts,  
5 because if you don't, what are you going  
6 -- you're going to have trucks trying to  
7 make a left-hand turn and, you know,  
8 nobody is going to be able to get around  
9 them or they're going to get impatient,  
10 you're going to have accidents. I mean,  
11 that's going to be a huge traffic jam.  
12 You're talking about, I think it was 500  
13 or 600 trucks of dirt that's going to be  
14 moving in or out. I mean, I don't think  
15 it's a good -- I don't think the  
16 left-hand lane is going to help much.  
17 Without a left-hand lane, it's going to  
18 be a nightmare. Maybe that's something  
19 you need to look into or address.

20  
21 VICE CHAIRMAN BROWN: It certainly  
22 will be looked at.

23 MR. PALCZEWSKI: Okay. Thank you.

24 VICE CHAIRMAN BROWN: Thank you.

25 MS. HILLMAN: Hi. Stacy Hillman. I

2                live in the Town off East Searsville.

3                I just have a quick question.    Was

Hillman

4    **Comment**    there a traffic study done for Quickchek  
5    **2.58**  
6    **Traffic**      at one point?

7                VICE CHAIRMAN BROWN:    They were  
8                involved in a traffic study at one point.

9                Bonnie, do you want to answer that?

10              MS. HILLMAN:    It wasn't favorable I  
11              don't think.    Right?

12              MS. FRANSON:    There was extensive  
13              back and forth directly with New York  
14              State DOT who is favorable toward issuing  
15              a permit based on --

16              MS. HILLMAN:    Okay.    I was  
17              wondering, did they take that into  
18              consideration?    That's right up the road.  
19              That was just my question.

20              VICE CHAIRMAN BROWN:    Thank you,  
21              Stacy.

22              Thank you for your comments.

23              Quickly on traffic.    There is a  
24              cumulative and comprehensive study that  
25              we're efforting with the DOT.    Results of  
                that and meeting dates haven't been set

2 yet, but we're efforting getting that as  
3 quickly as possible. We'll continue to  
4 update everyone on that. This is  
5 certainly at the heart of all of our  
6 conversations as a Board and as a public.

7 Any further questions regarding  
8 Sheffield?

9 Okay, sir.

10 MR. THOMPSON: Sorry. **Charlie**  
11 **Thompson** again.

12 We keep bringing up about the  
13 school. I did catch a little blurb where  
14 the school is represented. I don't see  
15 that the school is represented tonight.  
16 I know it's hard for the school because  
17 they have their meetings on Monday  
18 nights.

19 Can the schools accommodate what  
20 they are expecting to have in this short  
21 term to fill up? I don't know what the  
22 criteria is going to be. It seems like  
23 there will probably be an awful lot  
24 amount of children being brought in.

25 The buses. The bus situation.

Thompson  
Comment  
2.59  
Community  
Services

1  
2       There may be kids that are possibly  
3       walking to school. I pray for them. But  
4       the schools -- the kids that will be  
5       taking the buses, will the buses be going  
6       into the development, because I don't  
7       think that's allowable by the school? I  
8       would tend to think they would have to  
9       stop. That many kids coming out of that  
10      community, we're talking about multiple  
11      buses. Obviously that's going to impact  
12      traffic as well. I was curious to know  
13      what the school has to say about it from  
14      the capacity and the busing of children  
15      itself.

16           I did read a little blurb. I think  
17      they mentioned that it was a 2 percent --  
18      I could be wrong, a 2 percent impact on  
19      traffic. I don't think that's accurate,  
20      but that's just me. I'm just curious to  
21      know what the school has to say about it  
22      as well.

23           Thank you.

24           VICE CHAIRMAN BROWN: The school  
25      district is in discussion with the

applicant. Jay, is that correct? So there are conversations between the school district and the applicant at this time.

Any other questions on the Sheffield Gardens?

(No response.)

VICE CHAIRMAN BROWN: Zach, do you have something you'd like to add?

MR. SZABO: No. If there's no further comment, a lot of comments we've heard tonight are similar in nature that we heard at the previous meeting, we're requesting to close the DEIS public hearing and leave open the other public hearings so that we can address all the comments that have been provided to us.

VICE CHAIRMAN BROWN: Board, do we have any comments, further comments?

MR. McGUIRE: I have a couple questions.

VICE CHAIRMAN BROWN: Ryan.

MR. McGUIRE: I know we talked about it at the workshop meetings a few

times. I just wanted to get it on the record for the public here, what the Planning Board's concerns or feelings are in the proximity of the Montgomery Heights neighborhood.

PB Member  
McGuire

Comment  
2.60  
Community  
Character

The road for Montgomery Heights is in very close proximity to both the parking lot and the access drive for this project. There may be impacts on, you know, emergency services, people passing through Montgomery Heights to walk to the Dollar General, debris coming from the parking lot of a commercial development. You know, things of that nature.

I know we looked at the school. They're going to put in a walkway to the school from this neighborhood. I think they're also going to have people that are going to try to walk down Montgomery Heights to 17K, potentially to Dollar General. I don't know if that location has really been looked at and developed, you know, for vehicular traffic or pedestrian traffic or how to prevent it.

2 The emergency access road at the  
3 other end of the dead end on Montgomery  
4 Heights doesn't have a direct connection.  
5 That's probably to the benefit of the  
6 neighborhood so you don't have bypass  
7 traffic through there.

8 We'd just love to hear everyone's  
9 feelings on that.

10 VICE CHAIRMAN BROWN: Thank you,  
11 Ryan.

12 MR. MCGUIRE: One more.

13 VICE CHAIRMAN BROWN: Yes, sir,  
14 Ryan.

PB Member  
McGuire

15 Comment  
16 2.61  
17 Wastewater  
Treatment

15 MR. MCGUIRE: On Amazon, I know we  
16 spent quite a bit of time on the private  
17 sewage treatment plant. We put it back  
18 to the road and it looked pretty nice. If  
19 we could protect this or make it off the  
20 road a little bit further, make it look a  
21 little nicer, things along that nature.

22 VICE CHAIRMAN BROWN: Thank you,  
23 Ryan.

24 MS. ZAHAKOS: I would just like to  
25 broach the icing treatment as we have



PB Member  
Zahakos

Comment  
2.62  
Project  
Description

1  
2 other sites, anti-icing and snow  
3 treatment. Now, you have snow storage  
4 areas. That was some of the discussion  
5 earlier written in, but what is your  
6 anti-icing treatment? There's a best  
7 practice that we hold. Fishkill  
8 developed it. Just to make sure that  
9 when you're examining that particular  
10 handling, we'd like a little more  
11 expansion on that.

12 VICE CHAIRMAN BROWN: You can get  
13 that information from Medline or Amazon.

14 MR. SZABO: Sure. Yes. We spoke  
15 about it early on in the DEIS. I believe  
16 it's in there.

17 MS. ZAHAKOS: It was best practice  
18 following Fishkill. That's part of what  
19 I think has been written into our --

20 VICE CHAIRMAN BROWN: That's what  
21 we're looking for on all major  
22 developments, yeah.

23 MS. ZAHAKOS: The only comment I  
24 have is there was a written in comment  
25 that I had in the beginning. I have not

2 been well so I kind of fell out a little  
3 bit. There was discussion with jake  
4 braking, and the response given was that  
5 it discussed more onsite jake braking  
6 than my reference which was discussing  
7 the activity of the vehicles during  
8 construction in the school vicinity. By  
9 law I believe on the site there's nothing  
10 you can do about jake braking as it's  
11 utilized for the movement, the sudden  
12 nature of the business, though it needs  
13 to be eliminated.

14 One of the issues I had is times  
15 have changed and students with loud  
16 noises can be significantly impacted by  
17 very large jarring noises. Jake braking  
18 in certain city areas -- I think  
19 Fishkill, as a matter of fact, might have  
20 drawn a law that does not allow jake  
21 braking on their highways within the  
22 town.

23 My point is, what I had asked was  
24 for consideration in how it could be  
25 handled within an eighth of a mile of the

PB Member  
Zahakos

Comment

2.63

Construction

school to prevent jake braking.

Now, I have lived next to a construction area where I will say cowboys came. They knew exactly where to pop the jake brake. They slammed it down. I can make the noise for you. It went on for hours. I'm not saying that's going to happen here, but my point was for consideration to somehow be created and to look for any jake braking that may occur in the school vicinity to be eliminated. Of course catastrophic emergencies aside, because rationale would lead that. But the answer in there wasn't really fulfilling. It ignored the 17K component of it and strictly kind of related to the onsite construction. So I just needed to clarify that. I think it's very important. I, as a resident, was affected by jake braking on 17K. I would like that to be vetted out a little more on how control of those vehicles will be maintained for the school system area. I think that's very critical. I'd

like that expanded a little more than I saw.

Thank you.

MR. SZABO: We'll prepare a response in the FEIS.

VICE CHAIRMAN BROWN: Thanks.

Rose.

PB Member  
Pennings

Comment  
2.64  
Construction

MS. PENNINGS: There will be

significant truck transportation during

construction in different types of

weathers. How will 17K be kept clean

during construction? How often will the

road be swept or watered down? When go

to stop in mud, you slide, you don't stop

instantly. So if you can answer that.

MR. SZABO: Yeah, we can certainly answer that in the FEIS.

MS. PENNINGS: Thank you.

VICE CHAIRMAN BROWN: Board, any other comments, further comments? Marianne? Darran?

MR. PRINCE: Cheri already took mine.

VICE CHAIRMAN BROWN: Well that's

1                   good.

2                   Consultants, anything?

3                   MS. FRANSON: We'll have a separate  
4                   memo with our comments.

5                   VICE CHAIRMAN BROWN: Perfect.

6                   MR. ARNOTT: The same.

7                   VICE CHAIRMAN BROWN: Speaking  
8                   directly to the neighborhood, Montgomery  
9                   Heights, would that be something that  
10                  would be amenable to everyone resident-  
11                  wise there, to have that thoroughfare  
12                  rather than a dead stop at that  
13                  intersection? Would that be something --  
14                  no one.

15                  UNIDENTIFIED SPEAKER: Can you  
16                  explain that?

17                  VICE CHAIRMAN BROWN: Sure. Shawn,  
18                  perhaps it would be better --

19                  MR. ARNOTT: Sure. Where  
20                  Montgomery Heights goes up and makes a  
21                  left, I guess the question is would you  
22                  -- would the people on Montgomery Heights  
23                  road prefer to have the connection of  
24                  that dead end after you make the left  
25

2            into the project access where people from  
3            the development could go down on  
4            Montgomery Heights but potentially --

5                    UNIDENTIFIED SPEAKER:    Dead end at  
6            17K.

7                    UNIDENTIFIED SPEAKER:    You'd become  
8            a through road.

9                    UNIDENTIFIED SPEAKER:    Our road is  
10           so small right now.

11                   MR. ARNOTT:    The thought is that  
12           the people on Montgomery Heights could  
13           potentially have a controlled  
14           intersection at the Sheffield access to  
15           17K, therefore potentially making it  
16           easier for you all to exit out onto 17K.

17                   UNIDENTIFIED SPEAKER:    So  
18           Montgomery Heights would dead end at 17K  
19           basically?

20                   MR. ARNOTT:    No.    The dead end  
21           portion where you go up and make a left,  
22           you get a through road to the Sheffield  
23           connection to 17K.

24                   UNIDENTIFIED SPEAKER:    No. That  
25           would be -- everyone tries every way to

get around.

UNIDENTIFIED SPEAKER: You have all the residents going into their area.

MS. ZAHAKOS: We respect that. That was why part of it was to understand to the benefit of ideas, not necessarily that they'd be well embraced or acceptable per se. They have their drawbacks. It is something to consider and to look at for different variants. It's something, you know, for thought process.

UNIDENTIFIED SPEAKER: That would only work if Montgomery Heights was dead ended at 17K. In other words, where we were, we would take a right out of our driveway, go on to the Sheffield property.

VICE CHAIRMAN BROWN: Bonnie, is that what you're leaning toward?

MS. FRANSON: We were just talking about that as an option, so now no one would use the road as a through road because you are now disconnected from

2            17K, and instead that little neighborhood  
3            goes through Sheffield to --

4            UNIDENTIFIED SPEAKER:    Emergency  
5            services then.

6            MS. ZAHAKOS:    Say it again, sir.

7            UNIDENTIFIED SPEAKER:    It could be  
8            gated.

9            MS. ZAHAKOS:    A crash gate.    In  
10           other words, you'd be disconnected, I  
11           think is what's being said.    Montgomery  
12           Rights as you -- the Heights, excuse me,  
13           as you would access it currently would  
14           then -- if I'm wrong, Bonnie, tell me --  
15           would be eliminated.    You would then  
16           enter and access Montgomery Heights, if  
17           it were to be worked out, through  
18           Sheffield Gardens.

19           As you know if you attended prior  
20           meetings, there is ongoing discussion,  
21           there are things called warrants that  
22           allow us to try to examine the level of  
23           traffic, how it goes, the delays, the  
24           impact.    That is under study now and  
25           being worked with DOT and the applicants



2 in order to try to figure it out. So it  
3 is possible that a light may have a  
4 warrant or may be justified.

5 So in concept, the one, you know,  
6 would be closed, there could be a light  
7 at Sheffield Garden and that would be a  
8 controlled enter and exit for those  
9 people of Montgomery Heights as well as  
10 Sheffield Garden. Therefore, with the  
11 closure on 17K of the original Montgomery  
12 Heights, it would prevent you from  
13 becoming the through traffic alternative.

14 UNIDENTIFIED SPEAKER: So we would  
15 need to see that study, obviously.

16 MS. ZAHAKOS: The question is,  
17 again as --

18 VICE CHAIRMAN BROWN: Would that be  
19 something --

20 MS. ZAHAKOS: You'd be open to?

21 VICE CHAIRMAN BROWN: -- for us to  
22 look at for you in conjunction with the  
23 residents?

24 MS. ZAHAKOS: The applicant, too,  
25 needs to be --

2                UNIDENTIFIED SPEAKER: We can look  
3                at it. The other things to consider is  
4                like we put the light at Dollar General.  
5                The light at Dollar General serves a  
6                minor purpose, to help Valley Central get  
7                in and out. It doesn't serve anybody  
8                else driving on 17K to get through that.

9                I've been in situations where I'm  
10               coming from Scott's Corners to my home on  
11               Montgomery Heights and it will take me  
12               fifteen minutes in the height of even  
13               trying to get back to my house which is  
14               normally a five-minute ride. Adding  
15               another light is going to really, in a  
16               way, also cause even more traffic delays  
17               and make it even more impossible for  
18               anyone who exits and enters off of 17K.

19               All of us -- I've had my car  
20               totaled trying to turn into my road. My  
21               sister last year had her car totaled. I  
22               mean, we witnessed so many accidents and  
23               it's just such a dangerous area. I don't  
24               think, unless you live there and seen  
25               what we've seen or have to deal with it

1                   on a day-to-day like we do who live  
2                   there, you don't really get a good idea  
3                   of what we're dealing with, and that's  
4                   our concern, is that put something in and  
5                   be responsible to think about the  
6                   community.  
7

8                   I'm for building. I'm not against  
9                   somebody building, but it needs to be  
10                  done in a responsible way that is not  
11                  going to damage us and impact us in such  
12                  a way that it makes it impossible to  
13                  travel. That's what this -- that amount  
14                  of cars, it will be impossible to travel  
15                  with the schools and everybody else. I'm  
16                  telling you right now, it already is.  
17                  That's our concern. So that's what we  
18                  want to see addressed, is how is that  
19                  going to be handled?

20                 My opinion, our road, 17K, cannot  
21                 handle it at all right now with what we  
22                 have.

23                 UNIDENTIFIED SPEAKER: I just  
24                 wanted to add, with the whole traffic  
25                 light thing, the houses across the street

2 from that entrance, how do they get  
3 through the traffic light? How does that  
4 get handled? Like, two houses down from  
5 me is where the entrance is. How do they  
6 get out of their driveway? Do they have  
7 a light?

8 UNIDENTIFIED SPEAKER: And there's  
9 more there than Montgomery Heights.

10 UNIDENTIFIED SPEAKER: What about  
11 the light by the middle school? Those  
12 houses are --

13 VICE CHAIRMAN BROWN: Okay. Again,  
14 we are working closely with DOT to have a  
15 cumulative and comprehensive study done  
16 that takes into account current and  
17 proposed construction in the area.  
18 That's all we can add to that point. We  
19 are working on it. We do want to see it  
20 resolved.

21 UNIDENTIFIED SPEAKER: Thank you.

22 UNIDENTIFIED SPEAKER: I thank the  
23 Board for asking the question. We  
24 appreciate that.

25 VICE CHAIRMAN BROWN: Thank you,

1           sir.

2                     Rich, do you have anything to add?

3                     MR. HOYT: A couple of items.

4                     First of all, at the last meeting we  
5                     pointed out they were using an outdated  
6                     list for the mailings. I would like the  
7                     record now to show that they've --

8                     UNIDENTIFIED SPEAKER: Can't hear  
9                     you.

10                    MR. HOYT: -- got the updated list.  
11                    A couple of new residents received the  
12                    notice for tonight's meeting, so as far  
13                    as I'm concerned, that defect was  
14                    corrected.

15                    I will note there were about ten  
16                    unclaimed letters. It's not the  
17                    applicant's fault. People are told to  
18                    come to the window and get their  
19                    certified letter. According to the  
20                    envelopes, there were several attempts to  
21                    have the people come to the window.  
22                    Finally the post office sends it back  
23                    unclaimed, which is different than  
24                    couldn't deliver. The person elected not  
25

2 to go claim it. I don't think that's an  
3 issue that we can do anything about. I  
4 was kind of surprised to see about ten  
5 unclaimed letters. Some of the folks  
6 that didn't claim the letters spoke  
7 tonight, so I know that the word got  
8 out.

9 Just quickly, because our consultants  
10 will have complete -- I'm sorry, substantive  
11 comments which we will get and review, and  
12 the applicant will get. A couple things  
13 jumped out at me. 24 acres to be preserved  
14 of the 52-acre site, but when we asked  
15 about the conservation easement, the answer  
16 I read was no, it would just be preserved  
17 because zoning won't allow more development.  
18 I think we should get more on that. If  
19 24 acres are to be preserved -- we have  
20 good history in this Town of how we  
21 preserve open space. It's not done by a  
22 guess on what future zoning might allow.  
23 It's done with a perpetual conservation  
24 easement.

25 I'd like to follow up on something

PB Attorney  
Hoyt

Comment  
2.65

Land Use &  
Zoning

2 Bonnie is going to raise. Folks on  
3 the project team, do the new SEQRA  
4 wetland regs have any impact in your  
5 project? Because your narrative in  
6 the DEIS predated those regs and they  
7 contemplated they'd be adopted. Well,  
8 they were adopted. Now the question  
9 becomes, does it change anything for  
10 Sheffield Gardens?

PB Attorney  
Hoyt Comment  
2.66  
Surface  
Water

11 The water tank, 106 feet tall.

PB Attorney  
Hoyt Comment  
2.67  
Aesthetics

12 Do we have visuals of that? I apologize  
13 if we do. I didn't -- they didn't  
14 jump out at me. I would think a 106  
15 foot tall, 31 foot diameter, so this  
16 thing, as far as I can tell, is wide  
17 and tall and it's a bit tight. If  
18 you don't have view shed simulations,  
19 we probably should.

20 Here's one. Your document says

PB Attorney  
Hoyt Comment  
2.68  
Land Use &  
Zoning

21 DOT made a full submittal 10/1/24.  
22 Have you gotten any substantive  
23 comments back from DOT? That's almost  
24 six months ago.

25 MR. SZABO: Yes, we've received

2 comments from the DOT.

3 MR. HOYT: Do we have them?

4 MR. SZABO: I believe so, yeah.

5 MR. HOYT: They didn't jump out at  
6 me. I'll ask Bonnie and Shawn to look  
7 for those DOT comments. Obviously DOT  
8 has a big say in traffic. We don't have  
9 as much of a say as we would if it were a  
10 Town road.

11 Our highway superintendent was  
12 asked simply does he maintain Montgomery  
13 Heights Drive. He answered simply yes,  
14 he does. I don't think he was asked,  
15 well, is the lack of a turnaround for  
16 your snowplows and fire department people  
17 acceptable, because there is no  
18 turnaround. I don't believe one is  
19 proposed. I'd like to get Shawn Arnott  
20 to weigh in on that particular issue.

21 PB Attorney Comment  
Hoyt 2.69  
Traffic  
22  
23 PB Attorney Comment  
Hoyt 2.70  
Wastewater  
Treatment  
24  
25

Importantly, I think we, as a  
Planning Board, should get the Town Board  
a memo and ask them what is your opinion  
on the sewer. It's proposed to be  
completely private. Let's get the Town



Board to weigh in on that since ultimately they should have more than an advisory say on that.

Get their opinion on sewer district number 3 which we know from a prior meeting is actually across Bailey Road on to those properties that are now single-family homes. I think there's some clean up that can be done here. I think it involves the Town Board.

Lastly, it's probably not the applicant's fault, but we have to hear from Montgomery Fire Department. They're difficult to get responses from because they're busy and all. I think the applicant and the Planning Board should press Montgomery Fire Department to please review the plan. They're the jurisdiction in charge here. This is a pretty unique layout and I don't know that this Board wants to move forward without knowing what the firemen think.

It's not the applicant's fault because I think you reached out to them. I'm going

PB Attorney  
Hoyt

Comment  
2.71  
Community  
Services

to speculate you didn't get any response.

MR. SZABO: No, we did not.

MR. HOYT: All right. And that's -- I think we need to keep pushing that to get an answer.

VICE CHAIRMAN BROWN: When was that, Zach? Can you answer that?

MR. SZABO: Not off the top of my head. No, I don't have the exact submission date, but it was circulated to the Montgomery Fire Department.

VICE CHAIRMAN BROWN: Were we copied on that correspondence?

MR. SZABO: I'll --

VICE CHAIRMAN BROWN: I don't recall seeing it. Do you, Cheri?

MS. ZAHAKOS: Sue, you sent that over, didn't you, I believe to the fire department?

MS. HADDEN: I sent the original site plan to them.

MR. HOYT: Sometimes it takes more than --

VICE CHAIRMAN BROWN: We can help

with that.

MR. HOYT: The last thing I wanted to say, and Sue has a copy, the project team received Chairman Beaumont's January 13th write-up on his analysis of traffic warrants for lights. The applicant received that at a workshop, I think in January or February. We want to make it part of the record. We'll give you another copy of what we know you already have, but Jay spent a lot of time trying to piece together what will the State require to get a light out there. Jay came up with his mark. I'd like to get that passed down. You already have it.

MR. SZABO: We have a copy of it, yes.

MR. HOYT: We never really made it part of our record.

MS. HADDEN: We received two letters.

VICE CHAIRMAN BROWN: Rich, thank you.

MS. ZAHAKOS: A question for the

2 Board. I know -- and the applicant, if  
3 you can. I know that when the project  
4 was initially coming before and things  
5 were being examined, there were the view  
6 shed points that we -- on Goodwill and  
7 certain points. If I recall, I thought

PB Member  
Zahakos  
Comment  
2.72  
Aesthetics

8 there was flags put to a certain height.  
9 Am I correct on that? That was something  
10 that Bonnie and I --

11 MS. FRANSON: I think they did.

12 MS. ZAHAKOS: I know we looked for  
13 the site. Was there ever a flag placed  
14 as our Counsel has stated? I don't  
15 recall for the water tower. We were  
16 looking more at the vicinity of what the  
17 impact of the main building would be. We  
18 never put a balloon because you can't  
19 without a helium balloon of some size to  
20 go to 110 feet for those view sheds. I  
21 don't think we did. Is it possible to  
22 do? I know at the time the discussion of  
23 helium was verified, especially across  
24 the pandemic which affected another site  
25 where we were hoping for balloons.

MR. SZABO: If a flag study was required as part of the DEIS, we would have been required to do that prior to the Board deeming it complete.

MS. ZAHAKOS: I don't remember anything at 110 feet, though. I thought the flags were at the height of the buildings, which I think was said at that time about 45 feet.

MR. SZABO: We'll look into it.

MS. ZAHAKOS: That could be a consideration as we go forward. The sooner the better as for the DEIS purpose for us to get out and be able to see that. Perhaps the Chair and the Vice Chair and Members, we can try to negotiate that.

VICE CHAIRMAN BROWN: If you could coordinate that with us, we'd be happy to --

MR. SZABO: A flag study?

MS. ZAHAKOS: A balloon. A flag you're not going to get up 110 feet unless you attach it to a large balloon.

2                    MR. SZABO:    That's fine.

3                    VICE CHAIRMAN BROWN:    If you could  
4                    just keep us in mind when you're  
5                    scheduling and we can get a couple  
6                    Members to go out.

7                    MS. ZAHAKOS:    We can go to the same  
8                    view sheds that were picked out for this.  
9                    It would just be a validation as Counsel  
10                   put up.

11                   VICE CHAIRMAN BROWN:    Are there any  
12                   other questions or comments, Board?  
13                   Consultants?   Rich?   Anything else?

14                   (No response.)

15                   VICE CHAIRMAN BROWN:    Zach, where  
16                   are we with your communication lines with  
17                   Valley Central School District?

18                   MR. SZABO:    There was a meeting  
19                   back in December.   I believe Jerry was  
20                   there with us.   We were in receipt of a  
21                   comment letter which we intend on  
22                   responding to.   There hasn't been a  
23                   response yet, but we are drafting one  
24                   now.

25                   VICE CHAIRMAN BROWN:    No

communication with them since then? Have they reached out to you at all?

MR. JACOBOWITZ: There was a meeting in January. The response was he is not available until after March 26th.

VICE CHAIRMAN BROWN: Okay. Well thank you, Jerry. I appreciate that.

I'd like to note that we have two written correspondence we'd like to read into the record. I won't read them, however they will be placed in the record. Gina Zwart, 317 Goodwill Road, and Norma Manning from Montgomery Heights number 12. So they'll be part of the record as well.

Thank you, Sue.

Okay. All right. Given what we've talked about this evening for an hour and forty-five minutes, I would like to throw out a motion to extend the public hearing out to our meeting in April, April 15th.

MS. PENNINGS: Just one --

VICE CHAIRMAN BROWN: Yes.

MS. ZAHAKOS: A Member has a

comment.

MS. PENNINGS: To segue Counsel's points about the fire department, are there any firefighters from Montgomery here? Any of you guys neighbors with the firefighters? Tell them to get on the stick.

UNIDENTIFIED SPEAKER: I was a New York City firefighter.

VICE CHAIRMAN BROWN: No, but thank you for your service. Thank you very much.

So getting back to our point. I'd like to extend this public hearing, keep it open until April 15th, which is a Tuesday. It's Tuesday.

Sue, do we have a time?

MS. HADDEN: 7:45.

VICE CHAIRMAN BROWN: 7:45 on the 15th.

MR. SZABO: John, just quick. This is for the DEIS you're pushing out?

VICE CHAIRMAN BROWN: We'd like to keep it open for an extended period of



time based on the comments that we received this evening and some written. DOT we're looking to get weighed in.

MR. SZABO: I mean, at this time we do not intend to respond to any comment until the DEIS public hearing is closed. It's standard procedure, all these comments are addressed in the FEIS. This is similar to what we had requested at the previous meeting. Comments for this meeting, very similar to the previous meeting.

MS. ZAHAKOS: The balloon test will affect --

MR. SZABO: That wasn't part of the scope of the DEIS. When the Board deemed the DEIS complete, that wasn't part of the scope. So what we've addressed so far is part of the DEIS.

We're requesting to close the DEIS portion, keeping the public hearing open for the site plan, subdivision and the special use permit. We understand that's the Board's typical way of proceeding

with projects. However, we cannot respond to any comments until the DEIS public hearing is closed.

VICE CHAIRMAN BROWN: We're still waiting on some information from DOT, Valley Central School District, the fire department. Our consultants' comments still are pending.

So do I have a motion to extend the hearing out to the 15th of April?

MS. HARRIS: Yes.

VICE CHAIRMAN BROWN: I have Marianne yes. A second, Darran.

All those in favor?

MR. McGUIRE: Aye.

MS. HARRIS: Aye.

VICE CHAIRMAN BROWN: Aye.

MS. ZAHAKOS: Aye.

MR. PRINCE: Aye.

MS. PENNINGS: Aye.

UNIDENTIFIED SPEAKER: Thank you very much.

Thank you, Rich.

There will not be another mailing.

2                This is the public's notice of the  
3                extension and the date and time. It's  
4                7:45 on the 15th of April.

5                        Thank you very much, Everyone.  
6                Thank you for your time.

7

8                        (Time noted: 9:30 p.m.)

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

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

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

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

IN WITNESS WHEREOF, I have hereunto  
set my hand this 18th day of March 2025.

*Michelle Conero*

---

MICHELLE CONERO

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