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

- - - - - X
In the Matter of

SHEFFIELD GARDENS

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

- - - - - X

PUBLIC HEARING

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

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

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

APPLICANT'S REPRESENTATIVE: ZACH SZABO

TRANSCRIBED BY: MICHELLE L. CONERO
Stenographer

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,

1
2 please, and address. Sir.

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

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

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

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

Doro

Comment
2.1
Traffic

2 hearing on February 25, 2025, I made
3 notes of pulling into and out of
4 Montgomery Heights as follows:
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

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

Doro

Comment
2.5
Groundwater

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

Doro

Comment
2.6
Groundwater

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

Doro

Comment
2.7
Community
Services

10 Four, in the appendices section
11 of the DEIS, under appendix A4,
12 responses and correspondence, there
13 appears to be no response from the
14 Montgomery Fire Department regarding
15 their review of the documents for
16 Sheffield Gardens. In addition, it
17 does not appear that the adjoining
18 fire districts, nor the Board of
19 Commissioners, were contacted for
20 their input as the project will
21 certainly influence their mutual aid
22 response. The DEIS should be
23 rejected pending review and input
24 from the Montgomery Fire Department,
25 Montgomery Ambulance Corp, Coldenham

2 Fire Department, Maybrook Fire
3 Department and the Walden Fire
4 Department.

Doro

5 Comment
6 2.8
7 Socio-
Economic

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

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

2 travel along the 17K corridor is
3 irresponsible.

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

6 Thank you.

7 VICE CHAIRMAN BROWN: Thank you,
8 sir.

9 Anyone else? Sir.

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

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

21 Trent Comment
22 2.9
23 Wastewater
treatment
24 My concerns are the discharge of an
25 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.

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

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.

Trent

Comment
2.11
Traffic

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

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

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

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

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

24 VICE CHAIRMAN BROWN: Thank you,
25 Zach.

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

1
2 variances expected.

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

5 VICE CHAIRMAN BROWN: Thank you for
6 your comments.

7 MR. TRENT: Thank you.

8 VICE CHAIRMAN BROWN: Thank you
9 very much.

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

12 MS. PALUMBO-CORTEZ: Hello.

13 VICE CHAIRMAN BROWN: Hello.

14 MS. PALUMBO-CORTEZ: I'm Tracy
15 Palumbo-Cortez, owner of Richard's.

16 MR. CORTEZ: I'm Carlos Cortez.

17 VICE CHAIRMAN BROWN: Good evening,
18 Tracy.

19 MS. PALUMBO CORTEZ: Good evening.

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

2 water, wildlife.

3 Such as the last gentleman
4 referenced, the water and that drainage,

Palumbo-
Cortez

5 **Comment** the culvert east to Richard's has never
6 **2.13**
Surfacewater worked properly. It always has standing
7 water there. You could drive by right
8 now and see. For the past decade or so
9 it's never flowed correctly. That's why
10 wetlands have been building up
11 exponentially over the years.

12 We have a lot of concerns for our
13 business.

Palumbo-
Cortez

14 **Comment** Also the turning lane that is
15 **2.14**
Traffic proposed, is there a length? Do they
16 have -- decided where it will start,
17 where it will end? Has the DOT even
18 approved this turning lane?

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

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

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

21 Comment
2.16
Groundwater 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 Palumbo-
Cortez Comment
23 2.17
24 Plants &
Animals

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,

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

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

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

Palumbo-
Cortez

Comment
2.18
Plants &
Animals

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

Palumbo-
Cortez

Comment
2.19
Wastewater
Treatment

15 MR. CORTEZ: Is also an eyesore.

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

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

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

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

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

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

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

18 Thank you very much for your
19 comments.

20 MS. PALUMBO-CORTEZ: Thank you.
21 We're not against this either,
22 we're just --

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

25 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

1
2 when were these traffic studies
3 conducted? Who were they conducted by?
4 Was it the Town that conducted them or
5 was it somebody that was paid by
6 ownership?

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

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

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

19 I think that it has to be noted as
20 well, as many people have already pointed
21 out, about the schools and the events
22 that go on. I personally -- you know, I
23 leave for work pretty early in the
24 morning. I have teenage children that
25 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

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

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

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

2 Were these study looked into? I know
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.

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

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

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mine?

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

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

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

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

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

Melville

Comment
2.26
Community
Character

2 off their child in the morning or pick
3 them up at night, thank God she drives
4 now so I don't have to do that anymore,
5 but you're backed up almost to Scott's
6 Corners. Change is inevitable and there
7 is -- but there is an expectation that a
8 (inaudible) should keep semblance of the
9 character and community. No one is
10 trying to stop the development of this
11 project. They would just like it to not
12 impact the community in a way that is
13 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

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

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

Moscato 18 Comment
2.31
Traffic
19 Also, there was -- when was the
20 study done, the traffic study? Was it
21 done during school hours? Was it done on
22 a weekend? Was it done in the middle of
23 the night? When was it done?

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

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

Moscato

Comment
2.32
Executive
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.

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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

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

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

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

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

Honestly, if you can bring us all to a sewage treatment plant that doesn't smell. I'm not talking about like a long distance. It is right next to Tracy's mom's house. Right next to it. If they're already having issues with contamination and there's a mishap, I mean, you're going to ruin their business. That's not fair. They've been there for sixty-four years. You know, we all go there. We love it. How are you going to compensate them when their 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
10 288 and it's going to be equivalent.
11 Again, my point is, I'm going to say that
12 again, how is that equivalent? Are you
13 replacing sticks with huge trees? I
14 mean, it doesn't make sense. It just
15 doesn't make sense that you're going to
16 take out 80 trees and it's going to be
17 equivalent somehow. Even if you do
18 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
22 to see it from any angle?

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

1
2 everywhere.

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

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

14 When can we expect the comments to
15 be answered?

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

25 MR. PALCZEWSKI: Okay. I know it

2 was mentioned it was supposed to be 2/28,
3 but since this happened, it got bumped to
4 3/28 I think.

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

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

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

19 Thank you very much.

20 VICE CHAIRMAN BROWN: Thank you for
21 your comments.

22 MR. McIVER: Hello, everyone. Jim
23 McIver, I live on Berea Road. I'm
24 related, by marriage though, to Tracy.
25 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 One, the sewage treatment.

6 Comment
2.41
Wastewater
Treatment
7 Where is the effluent? Where are you
8 discharging it to? In no map have I
9 seen the discharge location. Can you
10 answer that?

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

13 MR. McIVER: In the DEIS it is?

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

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

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

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

24 MR. SZABO: To the wetlands.

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

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

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

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

9 MR. SZABO: It's onsite.

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

15 MR. SZABO: A couple thousand feet.

16 MR. McIVER: Are you sure about
17 that? I think that's a question that you
18 should definitely ask, because well 1 was
19 impacted by coliform. It is the primary
20 well that you're planning on using.
21 You're dumping sewage effluent into the
22 pond, basically, which is located
23 adjacent to it. Well 1 is definitely a
24 GUTO well, groundwater under the
25 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.

Mclver

18 Comment
19 2.43
20 Groundwater The testing, as far as I could see,
21 was done appropriately. The pumping test
22 was okay. The results are presented
23 well. They did a good job of it, except
24 that there's nothing on the east side of
25 the site. There's no pumping wells -- no
test wells that I can see drawdown. I
noticed that they did experience drawdown

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

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

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** I didn't see a prediction as to how
11 **2.44**
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** There's going to be a boundary
16 **2.45**
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

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

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.

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
11 2.50
12 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?

Joyce

Comment
2.51
Traffic

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
2.52
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

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

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

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

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

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

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

13 MR. TRENT: Thank you.

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

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

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

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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** The addition of the turning lane, I
12 **2.54** just wanted to know where that extra road
13 **Traffic** frontage was coming from, because there's
14 huge ditches on each side, how that was
15 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

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

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

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

13 MS. PALUMBO-CORTEZ: Yes. Yeah.

14 VICE CHAIRMAN BROWN: Thank you.

15 MS. PALUMBO-CORTEZ: Thank you.

16 VICE CHAIRMAN BROWN: Yes, ma'am.

17 MS. DeLEONARD: I'm Jennifer
18 DeLeonard, Tracy's sister, Richard's
19 daughter. I've been there for sixty-four
20 years. It's a pillar of the community.

DeLeonard 21 Comment
2.56
Surface
Water

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

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

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

9 MS. DeLEONARD: Okay. Thank you.

10 VICE CHAIRMAN BROWN: Thank you.

11 MR. PALCZEWSKI: Say my name again?

12 VICE CHAIRMAN BROWN: Yes, please.

13 MR. PALCZEWSKI: Mark Palczewski,

14 Village of Montgomery. I'm here on
15 behalf of the CAC.

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

Palczewski 19 Comment
2.57
20 Traffic

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

VICE CHAIRMAN BROWN: It certainly will be looked at.

MR. PALCZEWSKI: Okay. Thank you.

VICE CHAIRMAN BROWN: Thank you.

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

2.58

5 Traffic at one point?

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

8 Bonnie, do you want to answer that?

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

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

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

19 VICE CHAIRMAN BROWN: Thank you,
20 Stacy.

21 Thank you for your comments.

22 Quickly on traffic. There is a
23 cumulative and comprehensive study that
24 we're efforting with the DOT. Results of
25 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

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

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

6 Any other questions on the
7 Sheffield Gardens?

8 (No response.)

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

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

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

21 MR. McGUIRE: I have a couple
22 questions.

23 VICE CHAIRMAN BROWN: Ryan.

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

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

PB Member
McGuire

7 Comment
8 2.60
9 Community
Character

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

16 I know we looked at the school.
17 They're going to put in a walkway to the
18 school from this neighborhood. I think
19 they're also going to have people that
20 are going to try to walk down Montgomery
21 Heights to 17K, potentially to Dollar
22 General. I don't know if that location
23 has really been looked at and developed,
24 you know, for vehicular traffic or
25 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.

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.

PB Member
McGuire
Comment
2.61
Wastewater
Treatment

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

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

24 2.63

Construction

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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

2 like that expanded a little more than I
3 saw.

4 Thank you.

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

7 VICE CHAIRMAN BROWN: Thanks.

8 Rose.

PB Member
Pennings

9 MS. PENNINGGS: There will be
10 significant truck transportation during
11 construction in different types of
12 weathers. How will 17K be kept clean
13 during construction? How often will the
14 road be swept or watered down? When go
15 to stop in mud, you slide, you don't stop
16 instantly. So if you can answer that.

Comment
2.64
Construction

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

19 MS. PENNINGGS: Thank you.

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

23 MR. PRINCE: Cheri already took
24 mine.

25 VICE CHAIRMAN BROWN: Well that's

1
2 good.

3 Consultants, anything?

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

6 VICE CHAIRMAN BROWN: Perfect.

7 MR. ARNOTT: The same.

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

16 UNIDENTIFIED SPEAKER: Can you
17 explain that?

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

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

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

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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

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

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,

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sir.

Rich, do you have anything to add?

MR. HOYT: A couple of items.

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

UNIDENTIFIED SPEAKER: Can't hear you.

MR. HOYT: -- got the updated list.

A couple of new residents received the notice for tonight's meeting, so as far as I'm concerned, that defect was corrected.

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

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.

PB Attorney
Hoyt

Comment
2.69
Traffic

PB Attorney
Hoyt

Comment
2.70
Wastewater
Treatment

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

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

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

12 Lastly, it's probably not the
13 applicant's fault, but we have to hear
14 from Montgomery Fire Department. They're
15 difficult to get responses from because
16 they're busy and all. I think the
17 applicant and the Planning Board should
18 press Montgomery Fire Department to
19 please review the plan. They're the
20 jurisdiction in charge here. This is a
21 pretty unique layout and I don't know
22 that this Board wants to move forward
23 without knowing what the firemen think.
24 It's not the applicant's fault because I
25 think you reached out to them. I'm going

PB Attorney
Hoyt

Comment
2.71

Community
Services

2 to speculate you didn't get any response.

3 MR. SZABO: No, we did not.

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

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

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

13 VICE CHAIRMAN BROWN: Were we
14 copied on that correspondence?

15 MR. SZABO: I'll --

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

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

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

23 MR. HOYT: Sometimes it takes more
24 than --

25 VICE CHAIRMAN BROWN: We can help

2 with that.

3 MR. HOYT: The last thing I wanted
4 to say, and Sue has a copy, the project
5 team received Chairman Beaumont's January
6 13th write-up on his analysis of traffic
7 warrants for lights. The applicant
8 received that at a workshop, I think in
9 January or February. We want to make it
10 part of the record. We'll give you
11 another copy of what we know you already
12 have, but Jay spent a lot of time trying
13 to piece together what will the State
14 require to get a light out there. Jay
15 came up with his mark. I'd like to get
16 that passed down. You already have it.

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

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

21 MS. HADDEN: We received two
22 letters.

23 VICE CHAIRMAN BROWN: Rich, thank
24 you.

25 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

8 Comment
2.72

9 Aesthetics

there was flags put to a certain height.
Am I correct on that? That was something
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.

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

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

11 MR. SZABO: We'll look into it.

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

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

22 MR. SZABO: A flag study?

23 MS. ZAHAKOS: A balloon. A flag
24 you're not going to get up 110 feet
25 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

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

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

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

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

17 Thank you, Sue.

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

23 MS. PENNINGGS: Just one --

24 VICE CHAIRMAN BROWN: Yes.

25 MS. ZAHAKOS: A Member has a

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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

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

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

14 MS. ZAHAKOS: The balloon test will
15 affect --

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

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

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

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

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

12 MS. HARRIS: Yes.

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

15 All those in favor?

16 MR. McGUIRE: Aye.

17 MS. HARRIS: Aye.

18 VICE CHAIRMAN BROWN: Aye.

19 MS. ZAHAKOS: Aye.

20 MR. PRINCE: Aye.

21 MS. PENNINGS: Aye.

22 UNIDENTIFIED SPEAKER: Thank you
23 very much.

24 Thank you, Rich.

25 There will not be another mailing.

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

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

(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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