

2 CHAIRMAN BEAUMONT: Now to
3 Sheffield Gardens, next on the agenda.

4 So bring us up to date, Ross.

5 MR. WINGLOVITZ: Good evening. For
6 the record, Ross Winglovitz with
7 Engineering & Surveying Properties. I'm
8 here with Jerry Jacobowitz representing
9 the applicant, MILR, LLC.

22 Since the last meeting there were
23 kind of three primary focuses. One was
24 the school district. I did personally
25 meet with the school district last week

2 and then with Brad. We went through
3 our study, their concerns. I think
4 we both have a better understanding
5 of both, and we'll respond to their
6 concerns in writing as part of the
7 FEIS.

8 I know there was also a meeting
9 virtually with the DOT regarding the
10 traffic study. Those discussions
11 continue.

12 There was also an analysis that
13 was done regarding the potential for
14 light that was requested by the Board
15 to be done. The analysis showed that
16 without the commercial portion of the
17 project, a light was not warranted.
18 With the commercial portion of the
19 project, a light was warranted. They
20 have submitted that to the DOT, and
21 as we've been processing through the
22 DOT, expect that we'll hear back from
23 them whether or not that may be
24 something acceptable in our proposal.

25 Last but not least --

2 UNIDENTIFIED SPEAKER: In the
3 back, can you just talk a little
4 louder or get the mic?

5 MR. WINGLOVITZ: Yes.

6 UNIDENTIFIED SPEAKER: It's hard
7 to hear back here. Thank you.

8 MR. WINGLOVITZ: Testing.

9 All right. So the three points
10 were, there was a virtual meeting
11 with the DOT regarding the project,
12 the traffic study, the need for a
13 light. An analysis was done which
14 showed that without the commercial, a
15 light was not -- did not meet the
16 warrants for a light. With the
17 commercial it did. The DOT will have
18 to make a decision on how they want
19 to treat that.

20 We also met with the school
21 district.

22 Last, I think there was also a
23 call with the town engineer regarding
24 sewer and ownership of the sewer plant.
25 I know that Jim was going to report

2 back to the Board.

3 CHAIRMAN BEAUMONT: Okay. This is
4 a public hearing. I'll recap quickly
5 what we received since the last meeting
6 on March 10th. We got a letter from
7 Tracy Palumbo, we got a letter from Blaze
8 Castillo, we got a letter from Kurt
9 Phillips, we got Conservation Advisory
10 Council's comments. At a work session we
11 met with the fire chief and the fire
12 commissioner, Bob Reynolds Junior and
13 Senior, about their comments. We also
14 got a letter from Roslyn Onland Corp,
15 which is the golf course basically. I
16 guess that's On Par Golf also. And I
17 forget what this one is.

18 MS. HADDEN: The letter sent to the
19 Town Board.

20 CHAIRMAN BEAUMONT: Yeah. We had
21 sent a letter to the Town Board regarding
22 the sewage treatment plant.

23 So given all that, I'll ask the
24 public if anybody wants to step up. If
25 you do want to talk, that's great. Tell

2 us your name for the record so that
3 Ross's folks can transcribe what you have
4 to say.

5 We'll start with you, Don.

6 MR. BERGER: Hello, everyone. Don

7 Berger, Village of Montgomery.

8 I'll tell you a little story.

9 About two weeks ago I was on Factory
10 Street in Montgomery. It's around 20
11 after 2 and I made the biggest mistake
12 that I could possibly make. Coming out
13 of Factory, I took a left-hand turn. I
14 should have knocked myself out. I wanted
15 to get to Shop Rite, so a logical person
16 who lives in the Village of Montgomery
17 knows you go, you take Goodwill. So I
18 did make that left-hand turn. It was
19 hell getting up to Scott's Corners and
20 then getting to Shop Rite. At the time
21 that I was on the road, the junior high
22 school was releasing. I believe it was
23 the junior high school. There must have
24 been fifty buses. So I sat there and sat
25 there and sat there. Not only me, but

2 hundreds of cars up and down Route 17K.

3 So that was my fault, but that's the type
4 of things that we are doing to live a
5 better life here in Montgomery. Let's
6 have more traffic.

7 I think it was in December, I think
8 it was Freddy's last meeting as Board
9 chair, and I had talked to this Board
10 about -- it was the zip line at the time,
11 public comments, and I talked about with
12 the New York State DOT and having a
13 meaningful meeting of everything that's
14 going on in Montgomery. Not just one
15 project at a time, everything,
16 particularly in the Scott's Corners
17 area. I hope you all remember that,
18 when I talked about that. You know,
19 it's different now. Four months have
20 passed, but it's different. Why is
21 it different? Well, you've got Wendy's,
22 you've got QuickChek. They're all back.
23 Except for Wendy's, they're new. But
24 they're back. At the time all I was
25 talking about was zip line, dinosaurs,

2 warehouses up and down 17K and 208.

Berger 3 Comment This Board assured me that you were
3.1
4 Traffic going to have that meaningful meeting
5 with the New York State DOT. I'm
6 wondering if you ever did that.

7 CHAIRMAN BEAUMONT: Oh, yeah.

8 MR. BERGER: You did?

9 CHAIRMAN BEAUMONT: They did. The
10 Orange County Planning Department has a
11 budget to facilitate basically a town-
12 wide traffic study of 17K, 208, Neelytown
13 Road, 416, 211.

14 Did I get that right?

15 MR. BERGER: So that was Orange
16 County Planning. That came about not
17 because of zip lines or Sheffield or
18 anything else. That was a result of the
19 416 intersection. They agreed to have a
20 town-wide traffic study as a result of
21 everything we were talking about and
22 what's going on in the Village of
23 Montgomery.

24 CHAIRMAN BEAUMONT: Right.

25 MR. BERGER: That's good that

2 they're going to do that. Are they going
3 to do that?

4 CHAIRMAN BEAUMONT: They are, but
5 it's a government so it takes awhile.

6 MR. BERGER: It takes awhile.

7 Right.

8 CHAIRMAN BEAUMONT: -- a contract
9 to get a proposal -- a request for a
10 proposal and all that stuff.

11 MR. BERGER: So the thing about it,
12 and I'm going to say something that maybe
13 a lot of people here may not like, but I
14 have no faith in the New York State DOT.
15 All I have to tell you to do is go out to
16 the intersection of Bracken Road and 208
17 and that tells you all you need to know
18 about the New York State DOT. The roads
19 around here are a disgrace, and all I've
20 heard the many years that I've been
21 coming before this Board is that we're
22 going to have these warehouses and all
23 these businesses come in here and they're
24 going to pay taxes to make sure our roads
25 are great, because those are one of the

2 conditions that we always argued about.

3 The roads have deteriorated to a level
4 that we and our group RPM make a little
5 laugh that they have better roads in
6 Beirut. That's shameful that I have to
7 say something like that.

8 Moving on. I guess you get my gist
9 with the traffic issues. It really has
10 to be resolved.

11 This whole thing -- Ross, I'm sorry
12 -- no light, yes light and all that kind
13 of crap, that's a bunch of bull. That's
14 just a lazy New York State DOT, and it's
15 constantly like that. They're lazy.

16 They're no good. They're not here for
17 us. They're one lazy group. You're
18 right, government, lazy, particularly in
19 New York State.

20 The other thing I want to touch on
21 is Sheffield, where they're building.

22 Saturday I was at the culvert by
23 Richard's. Are you guys familiar with
24 the culvert I'm talking about? Well, the
25 water was up to the top of that culvert.

Berger

Comment

3.2
Surface
Water

2 To the top of that culvert. Where does
3 that water go? To the golf course. I
4 was at the golf course. Water all over
5 the place. So I'm wondering, for the
6 sake of the people of the golf course,
7 the people that play golf, the people
8 that enjoy using that facility -- they've
9 put a lot of work in over there. They do
10 outside evening events. They do all
11 kinds of stuff over there -- what is
12 being done to mitigate the problems that
13 those wetlands will pose to that golf
14 course?

I came down 17K today. I was
driving back toward the Village of
Montgomery. I looked at the culvert and
I looked over the punk weed that's there.
You know what I seen? I seen one of the
great lakes there. It was unbelievable.
I remember, and I bet you everybody here
who's been here for a very long time, as
a kid in high school and many years after
that, I used to go to Richard's, just
like anybody else. Do you remember where

2 that wetland line used to be? Does
3 anybody remember that? It probably was
4 500 feet in. Where is it now? It
5 borders the spa. It's right in their
6 parking lot. So that water is moving.
7 My fear is that when this project is
8 built, it's just going to push that water
9 more and more toward that culvert. I
10 remember a couple years ago -- Jay, you
11 probably will remember this -- where the
12 Army Corp of Engineers were supposed to
13 go in there and clear out the beaver
14 dams. Do you remember that?

15 CHAIRMAN BEAUMONT: No.

16 MR. BERGER: We used to talk about
17 it here at the meetings.

18 Cheri, do you remember?

19 MS. ZAHAKOS: I know the beaver
20 dams over by 84.

21 MR. BERGER: Those two culverts
22 there -- Sue, you must remember that. I
23 knew somebody would.

24 There's a problem there, particularly
25 the one that's closest to Valley Central.

2 You don't see the flow. You certainly
3 do see the flow by the one that goes
4 toward the golf course.

5 You know, I don't know if I'm
6 for or against or anything like that,
7 but what I've been saying lately is
8 that we have to make sure we do these
9 things right, and, you know, traffic
10 and the water flow, the sewer, we
11 have to get it done right. We cannot
12 impose onto other people's properties
13 damages, or with the golf course and
14 that poor house that sits there right
15 by the culvert, I don't know what the
16 hell they're going to do. What's
17 going to happen with their golf course?
18 You know, if anybody has ever played
19 golf there, the 7 and 8 holes are
20 right at the culvert. I played there
21 last year. You couldn't even hit a
22 ball because it was so wet.

23 I think this Board, you're
24 obligated to make sure to mitigate
25 the problems that all these things

2 are going to resolve.

3 You say, Jay, and I appreciate
4 it because you're absolutely correct,
5 the New York State DOT takes forever.
6 Well, I'm sorry, but these things --
7 if that's going to take forever, we
8 need to know the answers before we
9 can allow anything to happen there.

10 Thank you.

11 CHAIRMAN BEAUMONT: Quickly. Fred,
12 we jumped the agenda. We declared intent
13 to be the lead agent for SEQRA, and so
14 we're done with Wendy's. You'll have to
15 sit and wait for that.

16 Okay. Anybody else have a comment
17 about Sheffield Gardens? Come on down.

18 MS. FRAGALE: Hi. My name is Kim
19 Fragale, I live on Bailey Road toward the
20 208 end side.

21 CHAIRMAN BEAUMONT: Say your name
22 again.

23 MS. FRAGALE: Can you hear me now?

24 MS. ZAHAKOS: Yeah.

25 MS. FRAGALE: Is that better?

2 MS. ZAHAKOS: Just your name.

3 MS. FRAGALE: Kim Fragale. So I

Fragale 4 **Comment**
3.3 5 **Wastewater**
Treatment 6 live on Bailey Road, and our property is
one of the lowest properties on Bailey
Road. My backyard backs up to the
wetlands that are between us and Messco.
7 When that stream overflows, it overflows
the ponds that are there that backup into
8 my backyard. So I'm very concerned about
the extra water that's going to be
9 running through those streams from the
10 runoff from the water-sewage plant and
11 how much more water I'm going to expect
12 in my backyard.
13

14 I'm also concerned, I've lived on
15 Baileys over twenty years now, whenever
16 there's traffic on 17K, guess what, they
17 use Bailey Road. It's 30 miles-an-hour.
18 **Comment**
3.4 19 **Traffic**
20 People walk their dogs, kids are playing.
21 They don't do 30. They do more. It's a
22 constant line of cars. It's residential.
23 So I'm very concerned about that.

24 Thank you.

25 CHAIRMAN BEAUMONT: Thank you.

2 Anyone else?

3 MS. TOCCI: Karen Tocci. I think
4 you might remember, I spoke at one of
5 the first meetings about this. I live
6 on 6 Montgomery Heights, the second
7 house in from 17K.

8 So a couple of meetings ago you

Tocci 9 Comment talked about Montgomery -- Town of
3.5
10 Traffic Montgomery is doing a comprehensive
11 traffic study. How long is this study --

12 CHAIRMAN BEAUMONT: Orange County.

13 MS. TOCCI: Orange -- oh, okay.

14 How long has the study been going on for?

15 CHAIRMAN BEAUMONT: They are --
16 they're in the process of preparing a
17 request for proposals to get consultants
18 to do the study.

19 MS. TOCCI: Oh, so it hasn't even
20 begun yet?

21 CHAIRMAN BEAUMONT: Correct.

22 MS. TOCCI: Okay. So is there
23 going to be decisions made regarding
24 Sheffield before this comprehensive
25 traffic study is completed?

2 CHAIRMAN BEAUMONT: Yes.

3 MS. TOCCI: Okay. So what's the
4 point then if the decisions are going to
5 be made before the traffic study is
6 complete? Because the first traffic
7 study that was done is showing the
8 intersection as being a poor grade and
9 everything, so I thought the purpose of
10 the comprehensive traffic study was to
11 get a better idea, more comprehensive,
12 but I misunderstood because, you know --

13 CHAIRMAN BEAUMONT: We share your
14 concerns and -- but we have to --

15 MS. TOCCI: So the comprehensive
16 traffic study isn't going to incorporate
17 what's going on for this proposed
18 Sheffield Gardens?

19 CHAIRMAN BEAUMONT: We're going to
20 build, as best we can, flexibility into
21 the Sheffield Gardens to work with the
22 traffic study when it comes out. That's
23 all I can say. We are under certain time
24 constraints and --

25 MS. TOCCI: From who?

2 CHAIRMAN BEAUMONT: The SEQRA law.

3 MS. TOCCI: Okay. The SEORA law.

4 **Comment** Can you explain what the SEQRA law is?

5 **3.6**
General I'm not familiar with that.

6 CHAIRMAN BEAUMONT: Environmental
7 Quality Review Act.

8 MS. TOCCI: Okay.

14 I hit it on the head. Okay.

15 So we just have to be --

16 MS. TOCCI: So we make decisions
17 based -- it doesn't matter what's --

18 CHAIRMAN BEAUMONT: Everybody makes
19 decisions based on a lot of things, and
20 we try to factor those all in there along
21 with the best decision for the Town.

22 MS. TOCCI: Okay.

23 CHAIRMAN BEAUMONT: It's not
24 something we say oh, we're going to do
25 this and forget about the traffic study.

2 We want -- we want to build flexibility
3 into what we decide here so that when the
4 traffic study does come around, we can
5 adjust accordingly.

Tocci

6 **Comment**
7 **3.7**
8 **Traffic**

MS. TOCCI: Any idea when that
traffic study might be complete?

9 CHAIRMAN BEAUMONT: Not at all.

10 MS. TOCCI: Because it hasn't even
begun yet?

11 CHAIRMAN BEAUMONT: As far as I
12 know, they're working on the scoping over
13 at the Planning Department, but it has to
14 go to request for proposals, then they
15 choose the consultants, and then they get
16 the contract, and then they start their
17 study, then they do their study, then
18 they prepare -- okay.

19 MS. TOCCI: Got you.

20 CHAIRMAN BEAUMONT: Okay. That's
21 the way of the world.

22 MS. TOCCI: Okay. Thank you.

23 CHAIRMAN BEAUMONT: Thank you for
24 your comment, --

25 MS. TOCCI: Yup.

2 CHAIRMAN BEAUMONT: -- Karen.

3 MS. DUFF: Hi. Brenda Duff, 1116

4 Route 17K, Montgomery.

Duff 11 **Comment**
3.8
12 **Surface**
Water

13 is not going to soak into the ground any
14 more because it's all developed. Most
15 places have to have a retention pond or
16 whatever. Quality has their big
17 retention area because they took up that
18 with building. So there's no plan -- I
19 don't remember seeing any plan for any
20 retention ponds or anything like that.
21 It's just all going into the swamp that's
22 already at peak levels, if you ask me.
23 I'm not a professional, I'm not an
24 environmentalist, but that's something I
25 ask you all to consider and would like to
hear more about in the responses.
26 Thank you.

2 CHAIRMAN BEAUMONT: Thank you,
3 Brenda.

4 MR. CORTEZ: Hi. I'm Carlos
5 Cortez. This is Tracy.

6 MS. PALUMBO-CORTEZ: Tracy Palumbo-
7 Cortez.

8 MR. CORTEZ: We own Richard's, 1103.

A new major concern for us is

Comment
3.9
Wastewater

obviously the wastewater treatment plant, as Don discussed, and the sewer. Ross mentioned earlier in the meeting that it's just going to be a small through the buffer, and everyone keeps referencing this via the large wetlands into the swamp into the culvert. Wastes are being dumped right here in this wetlands. You see all this green? They think this is going to go from here, throughout here, into here, into this culvert and come out here to the Wallkill, passed the golf course. This waste --

23 CHAIRMAN BEAUMONT: Carlos, Carlos,
24 Carlos. You've got to use that -- you've
25 got to use the microphone.

2 MR. CORTEZ: I have to. Here we
3 go. So saying the waste --

4 CHAIRMAN BEAUMONT: Thank you.

5 MR. CORTEZ: Well, I wanted the
6 residents who live here that are going to
7 be affected that don't know, they're
8 going to be dealing with the smell of
9 this waste that's going into this small
10 area right here. As you can see on their
11 own map, there's no -- this is water.
12 This is grass. There's no way this waste
13 is not just going to pile up and create
14 its own issue right here. It's not just
15 going to magically flow into these
16 wetlands.

17 The water is another issue that
18 obviously is going to contribute to this,
19 the culvert and flooding of Scott's
20 Corners and residents, but I just found
21 it very sneaky, if you will, that through
22 a thousand page DEIS and site plans and
23 all of this, the only site that they
24 reference is coordinates of dumping of
25 the waste. I just didn't really

2 appreciate that, you know what I mean.

3 Also, the traffic everyone is

Cortez 4 Comment mentioning. The traffic study that they
5 3.10 Traffic completed was done on January 5th and
6 January 7th. So only a couple days after
7 everyone was coming back from Christmas
8 break. The school was in operation, but
9 there's no outside sports. There's no
10 little league or lacrosse. There's no
11 soccer. There's no one going to Berea
12 for practice or the town park for
13 practice. The traffic is tenfold when
14 the weather gets warmer and more people
15 are going to Richard's. I mean, Quality
16 auto wasn't even in operation. We
17 weren't in operation. There's not
18 generally many people on the road in
19 January. It's cold, it's dark by 4:00.
20 We just felt that that was a very clear
21 underestimation of the traffic on that
22 road. And --

23 MS. PALUMBO-CORTEZ: It's bad, the
24 traffic. There was a fatality less than
25 a year ago.

2 CHAIRMAN BEAUMONT: Get closer to
3 the mic.

4 MS. PALUMBO-CORTEZ: I believe
5 there was a fatality less than a year ago
6 right in front of the Doros' house.

Palumbo-Cortez 7 Comment Yes, the culvert, to reiterate what
3.11 8 Wastewater Don was saying, it doesn't work properly.
9 To have the water drain, from where
10 Carlos was saying, on the side where my
11 mother's house is, so it just basically
12 borders my mother's house, where the
13 wastewater would be going. There's no
14 water there now, so it's not going to
15 flow. If it does like they said, the
16 DOT, we had them out twenty years ago
17 looking at the culvert. Nothing got
18 done. It just doesn't move.

19 There are -- there are -- there is
20 wildlife there. There were a couple
21 beavers had gotten killed on the road a
22 couple of weeks ago. I mean, they're
23 there. Also --

24 MR. CORTEZ: It's just a concern
25 **Comment** 3.12 that they referenced odor control for the
Wastewater

2 treatment plant, and we understand that,
3 but what is going to be the odor control
4 for waste that is essentially going to be
5 dumped onto dry, flat ground? It's not
6 going to flow. That ground is dry eight,
7 nine months out of the year. Even in
8 their wetland analysis report, you can
9 see the pictures that they took for
10 spring and fall, they look identical.
11 The trees look identical, the ground
12 looks identical. I don't know if they
13 went on the last day of fall and the
14 first day of spring to be official, but
15 it's only wet during the winter when the
16 snow is melting, and then once spring
17 rolls around it's dry. There's not going
18 to be a flow of that waste into the
19 wetland.

20 Also the mention of wildlife in
21 their studies. They mentioned the bog
22 turtles and they looked at the bats, but
23 there was no mention of blue herons or
24 swans. We also have seen, from living
25 right next to it, an eagle's nest in that

Cor^{tez}

2 area. They reference one on Bailey Road,
3 but there is right here in this treeline.

4 MS. PALUMBO-CORTEZ: And there are
5 blue herons nesting back there. It's a
6 major food source for eagles.

7 MR. CORTEZ: We just want the board
8 to consider us, you know, the residents
9 all around with that waste, the sewer,
10 the water, the turning lane as well. All
11 these businesses that will be affected by
12 that turning lane. In their traffic

Cortez 13 Comment 3.14 study they reference the Bailey Road
14 Traffic intersection and 17K and 208. What about
15 all those private residents that have to
16 pull out to the road, people that are
17 getting a hair cut, or going to physical
18 therapy, or coming to Richard's, or going
19 to Quality? Are those even going to be
20 looked at or reviewed or is it just going
21 to be street intersections? I feel that
22 those need to be looked at further as
23 well.

24 MS. PALUMBO-CORTEZ: Also the
25 **Comment** 3.15 sidewalks to keep it safe for people to

2 walk up and down, coming up to Richard's,
3 up even to possibly the intersection by
4 Scott's Corners and then down into the
5 Village.

6 You know, we could all work
7 together. Like, we're not against this,
8 like Don was saying. Let's all work
9 together to just do this right. Now is
10 the time with all of the cumulative
11 construction going on.

12 We really liked -- we read that one
13 of the proposed ideas was to have some of
14 the sewage piped into the Village. If we
15 could work together to get some of these
16 things done now, before all of this stuff
17 starts to happen, and get this put in
18 place. We all grew up here. We worked
19 so hard. We've established this town.
20 Mr. Jacobowitz, you know, our families
21 grew up here. It's like now is the
22 perfect time, before all of this stuff
23 comes in, to set this up right and
24 integrally and for the good of all of
25 Montgomery and the surrounding towns. We

2 can all work together, and now is the
3 time. It's literally the time in the
4 planets, in the universe. It's time. So
5 let's do this right. We're not against
6 it. We just want to make sure it's done
7 right for everyone's highest and best
8 wellbeing and quality of life.

9 Thank you.

10 CHAIRMAN BEAUMONT: Thank you.

11 Anyone else?

12 MR. HILLMAN: My name is Bernie
13 Hillman. I live on 301 East Searsville
14 Road, Town of Montgomery.

15 I've been traveling this road here
16 about thirty years. Prior to these
17 Comment
3.16
Traffic
18 lights here having been put on 17K and
19 the left and right lane, center lane for
20 the school, that was manageable. That
21 was manageable. We had a police officer
22 directing everybody to the left, to the
23 right and traffic was only bad just a
24 certain amount of time in the day.

25 DOT had a study and they came in
 and put that light over there. We have

Hillman

2 had nothing -- the only thing that that
3 light benefits, really listen to what I'm
4 saying, once you make that left off of
5 17K into that school or into that Dollar
6 General, once you get into that place,
7 you come out on that light, that light is
8 a trigger and that allows that person not
9 to sit like the other people up and down,
10 north and south on Route 17K like they're
11 sitting. Now you have children that come
12 across that street and hit that button,
13 and now we all know once they hit that
14 button, that light is twice as long to
15 get across. So now all the children are
16 coming out of Dollar General and are
17 hitting that button, and that's why we
18 have an awful lot of that traffic there.

19 So the thing is, you know, when we
20 first come into this Town and we start
21 developing it, we're pioneers, we're
22 building it, we're building it. Well,
23 the last people to start to build are the
24 ones that are really going to affect it
25 because of how we planned the first time

2 around. So I don't -- as far as taking
3 the Village -- the sewer from this place
4 down into the Village, I think that's a
5 bad mistake, number one.

6 Number two, as far as the

Hillman 7 Comment
3.17 wastewater treatment plant, that's a
Wastewater 8 private plant now. That's not the
9 Village. I build these things. What's
10 going to happen in ten years? Who's
11 going to take care of that? The Town?
12 The Village? Maybrook? Who's going to
13 be taking care of that wastewater
14 treatment plant? So there's a lot of
15 factors here.

Hillman 21 **Comment** have a moratorium over in the Village of
3.18
22 **Groundwater** Montgomery and our water levels have been
23 down thirty years. They keep going down,
24 down, down. So the aquifer where we're
25 getting our water from, we're -- we've

2 been drilling a well. In 2021 we started
3 drilling another well down there. I know
4 you guys got good water up here, but
5 guess what. You guys are a lot higher
6 than we are. So there's a lot of
7 experience that needs to go into this.
8 I'm not saying to -- he's in there trying
9 to maximize every square foot of that
10 property. Let's take into consideration
11 the traffic, the sewer and the water.
12 That's what I'm saying, right.

13 Because the DOT, they've already
14 said -- just like Don said, I don't have
15 good faith in them because they're the
16 ones that did the traffic there. That
17 light is there not because DOT wanted it
18 there. That light is there because
19 somebody got involved because the
20 students that pulled out of there, they
21 were afraid that they would have
22 accidents there. That's why that light
23 is there. DOT didn't want that light
24 there, but somebody else, a politician
25 got involved and doesn't -- didn't live

2 around here, doesn't know the dynamics of
3 that road.

4 So now, I work out of town, but I
5 live here and I love this place. My
6 secondary roads have become my primary
7 roads. When I first came in here and I'm
8 riding on 17K, that's my primary road.
9 That's where I should be. I take 84 and
10 I go up over top of Shop Rite there and
11 go down that road and go into the Village
12 that way. I shouldn't have to do that.
13 That should be a consideration of what
14 you guys are going to decide when you
15 turn around and tell this man here how
16 many units he can build. It's a factor
17 there.

18 That's all I have to say about it.
19 I just want you guys to see what I see,
20 because I pay very close attention to
21 these factors.

22 Thank you.

23 CHAIRMAN BEAUMONT: Anyone else?
24 Trina.

25 MS. TIPTON: Karina Tipton. I live

2 at 225 Union Street. I just have a few
3 general comments after scanning through
4 the DEIS.

5 First, once again I stand before
6 you asking you to put a traffic circle in
7 the Town of Montgomery. I mean, I know
8 that I bring this wild, radical concept
9 to this Planning Board and to other
0 planning boards, but traffic circles will
1 Comment 3.19 Traffic
1 calm traffic. Traffic circles slow down
2 trucks. Traffic circles slow down other
3 cars so people can pull out in front of
4 them because they're not going 75
5 miles-an-hour as they scream down 17K.

Tipton

10 Comment planning boards, but traffic circles will
11 3.19 calm traffic. Traffic circles slow down
12 Traffic trucks. Traffic circles slow down other
13 cars so people can pull out in front of
14 them because they're not going 75
15 miles-an-hour as they scream down 17K.
16 This Planning Board does have an
17 opportunity to request the DOT evaluate a
18 traffic circle also. You don't have to
19 just take what the DOT says. The DOT
20 doesn't care about our traffic in
21 Montgomery. They care about people not
22 crashing when they turn out at a light.
23 That's literally all they care about.
24 They care about people not crashing when
25 they turn and they care about how long

2 people have to sit at the light. That's
3 really it. Like, that's how traffic
4 lights are designed. They don't really
5 care about the impact of the traffic at
6 Scott's Corners because there's new
7 traffic coming out here. They don't care
8 about the impact at 17K and 211 and the
9 Village of Montgomery. They don't care
10 about Bailey Road. They just care about
11 that intersection and whether or not
12 people are going to crash and how long
13 they have to sit there because more cars
14 are coming out. I'm saying that as a
15 civil engineer. Like, that's what the
16 DOT is looking for. So ask them for what
17 we need. Ask them for the traffic
18 mitigation measures, for the traffic
19 calming measures that we need to protect
20 the people that already live around this
21 development and who are going to continue
22 to be going to work or coming home from
23 work or going to school or coming home
24 from school. A traffic light is probably
25 not it. I understand that a traffic

2 light is going to be considered based
3 on the volume of traffic which
4 depends on whether or not there's a
5 commercial development or not, but I
6 know that it's a State route, we have
7 home rule. You can ask for more. So
8 that's my first comment.

Tipton 12 **Comment** The SPDES permit is not evaluating
3.20 **Wastewater** the receiving capacity of the wetland
13 that is receiving the discharge water.
14
15 It's only evaluating the actual type
16 of water that's coming out of the
17 plant at the immediate discharge
18 point. It's not doing a full wetland
19 study. It's not doing a tributary
20 study. It's not doing any kind of
21 volume analysis to understand whether
22 or not there's capacity in the
23 wetland system right now to accept
24 that water. So again, this is a
25 design point that often gets pushed

2 off to New York State. Is New York
3 State going to be okay with this
4 wastewater treatment plant? Will New
5 York State issue the permit, the
6 discharge permit? The Planning Board
7 has the opportunity to request more,
8 to request the full wetlands evaluation,
9 to request a capacity analysis. / A

Tipton 10 **Comment**
11 **3.21**
12 **Surface**
13 **Water** culvert should never be flowing at
14 one hundred percent. It will ruin
15 the road. It ruins the culvert.
16 Culverts are designed to flow at a
17 certain capacity and it's never one
18 hundred percent. It's really bad
19 news that that's where the culvert is
20 at. Again, I know it's a culvert
21 under a State road, but the State
22 doesn't care about how far downstream
23 the impacts are going to be from the
24 road. The State cares about their
25 road, right. They don't care about
the Town of Montgomery. That's why
we have a local Planning Board and
not a State-level planning board. So

2 please take a look at that discharge
3 point, the capacity of the wetlands
4 and whether or not they can accept
5 it.

6 I think we all recall the year
7 after Amazon was built when 84
8 flooded after some heavy rains. It
9 was very easy to assume that that
10 flooding came from the bridge that
11 was put in across those wetlands next
12 to Amazon and how it disrupted the
13 natural wetland flow in that area.

Tipton 14 Comment I am concerned about the impact
3.22 15 Plants & on the migrating amphibians. In the
Animals 16 wildlife habitat assessment it talks
17 about a lot of animals and birds and
18 amphibians that are not on the site,
19 but it does not talk at all about the
20 animals that are adjacent to the site
21 and how they're going to be impacted
22 by this. We know that turtles cross
23 the road there. We know that there's
24 migratory amphibians in that area
25 right now. I think one of the

2 businesses next to the site, probably
3 the beauty salon, had a sign out,
4 watch for turtles, right, a few years
5 ago. That's something that hasn't
6 been considered in this report either.

I'll just note also that in the

Tipton 8 Comment wastewater treatment plant engineering
3.23
9 Wastewater report which is an appendix, it does
10 say in the final conclusions that the
11 water will be discharged to this
12 point, and then it says, "Where
13 mitigations will be made to avoid
14 encroaching into the neighbors'
15 property." I'm not sure that I saw
16 what those mitigations were going to
17 be when I was reviewing the full
18 report. So again, that's the
19 engineer's wastewater treatment plant
20 report which is an appendix. I'm not
21 sure I saw what those mitigations
22 were going to be in the main body of
23 the report. I'm not sure that those
24 mitigations are currently planned for.
25 Thank you again.

4 Thank you.

5 CHAIRMAN BEAUMONT: Carlos.

6 MR. CORTEZ: Hello. Again I just
7 wanted to say, as she mentioned, the
8 mitigation for the properties next door.

Cortez 9 Comment We have not heard or talked to anyone
3.24
10 Wastewater from the developer about any of those
11 mitigations since we are the adjacent
12 property.

13 CHAIRMAN BEAUMONT: Thank you.

14 MR. PICARELLO: Randi Picarello,
15 Village of Montgomery.

19 CHAIRMAN BEAUMONT: I'm sorry?

20 MS. PICARELLO: Is the intent to
21 keep the public hearing open at this
22 time?

23 CHAIRMAN BEAUMONT: We're going to
24 discuss that.

25 MS. PICARELLO: Okay. Respectfully

2 I would like to ask that it be kept open
3 for at least another meeting. I think
4 there's been some really valid concerns
5 that were raised here tonight with
6 traffic, with wetlands, with mitigation.
7 I think that there have been times when
8 there's been pushback or feedback from
9 the public since I've been participating
10 since 2017, 2018 and there's been times
11 when it has been the residents that have
12 pointed out critical errors in the
13 planning process, in the site plans and
14 what's been suggested. I'm not saying
15 that that's what's happening here, but
16 just in the last week or so I've been
17 approached by multiple residents to
18 discuss concerns. I think that they're
19 valid, especially the traffic, in my
20 opinion. So I would respectfully just
21 request that the meeting be held open.

Picarello

Comment
3.25
General

22 CHAIRMAN BEAUMONT: Thank you.

23 MR. PALCZEWSKI: Hi. My name is
24 Mark Palczewski and I'm from the Village
25 of Montgomery. I'm also chair of the CAC

2 for the Town.

3 I'm going to speak my own opinions
4 tonight. I've spoken at two previous
5 Planning Board meetings about the
6 traffic, the wastewater and the quality
7 of life. Traffic I'm not going to talk
8 about tonight because I think it's been
9 gone over and I don't want to repeat
10 that. I want to concentrate more on the
11 wastewater treatment plant.

Palczewski

Comment
3.26 insufficient buffer between the
Wastewater wastewater treatment plant that's
planned -- where it's planned to be
put and businesses and residential
homes, especially Richard's. The
discharge in the wetlands, who is
going to be monitoring that? Is the
DEC going to be monitoring that? Do
we know -- who is going to be checking
to see that it's under -- we're not
polluting that water? Also, even
with the treatment, there's going to
be stress on the ecosystem, right.

2 We're going to be introducing
3 nutrients into that ecosystem,
4 phosphorus and nitrates from the
5 human waste. We've had -- in the
6 past on the Wallkill River we've had
7 very mild algae blooms. I don't
8 think you want algae blooms in that
9 wetlands. So that's the question I
10 have on that.

11 Also, we're adding another
12 wastewater treatment plant. Potentially
13 the Wallkill River is one of the most
14 stressed tributaries of the Hudson
15 River. I don't think that's a great
16 idea.

17 Brenda mentioned the stormwater.

18 Does this plant have capacity for
19 stormwater? And what happens in the
20 case where it goes over capacity?
21 Are we going to have raw sewage into
22 the wetlands?

23 I would suggest moving -- my
24 suggestion would be, and I mentioned
25 it in the past, is to hook up with

2 the Village or the Town if possible.
3 I don't know why we're putting a
4 wastewater treatment plant that close
5 to residential houses. If it's
6 absolutely necessary, can it be
7 relocated to another piece of the
8 project or the property, as far away
9 from businesses and residents as
10 possible?

Palczewski

13 Comment
3.27
14 Surface
Water

2 so we can actually see?

3 CHAIRMAN BEAUMONT: The topography
4 of the land, water flows downhill. When
5 it gets to the really flat part, it waits
6 in line, basically, to go to the outlet.7 MR. PALCZEWSKI: The test would
8 also be a timeline test. How long does
9 it take to get out of the wetlands? How
10 long does it take that discharge, to
11 leave?12 CHAIRMAN BEAUMONT: I've never
13 heard of such a test.14 MR. PALCZEWSKI: Okay. Well, maybe
15 they should come up with one.16 Back to Karina. Culverts are not
17 Comment
18 3.28
19 Surface
20 Water
21 only not supposed to be a hundred
22 percent, but they're only for temporary
23 flows, and that culvert seems like it's
24 not just a temporary outlet. It seems
25 like it's very overstressed.22 Another point on the Montgomery
23 Heights people, they're the ones that are
24 going to take the brunt of it, and I
25 think there's an insufficient buffer for

Palczewski

17 Comment
18 3.2819 Surface
20 Water

Palczewski

23 Comment
24 3.29

25 Aesthetics

2 the residents there. I don't think
3 that's been mitigated enough. It should
4 be either some kind of wall or some kind
5 of shrubbery or something so that they're
6 not looking at this massive project all
7 the time.

8 And two other comments. Goodwill

Palczewski 9 Comment

9 Comment
3.30
0 Traffic Road should be included in the traffic
comment, because the gentleman mentioned
1 about the secondary roads are becoming
2 primary roads. I live off of Goodwill.
3 Goodwill has become the go to back way
4 between 84 and anyone heading west out of
5 the Village of Montgomery. They don't go
6 down 17K. They don't go down 208 and
7 make a left onto 17K. They cut through
8 Shop Rite, Hawkins and come up Goodwill.
9 There's traffic light signs on the road.
0 There's multiple traffic signs to slow
1 the traffic down. I walk my dog and I
2 see at least seventy percent of the cars
3 just not stop at the stop signs. They
4 come to a rolling stop. I see people
5 blow through stop signs. There's kids on

2 the road. We don't have sidewalks there.

3 It can't really be a primary road. It's
4 not really good for the Village.

5 This is just a suggestion, but I
6 looked and there's 11 acres of wetlands
7 on the property, and this is actually for
8 the developer -- a suggestion for the

9 Comment
10 3.31
11 Project
12 Description
13 developer. There's 11 acres of wetlands
14 on that property that are not going to be
15 touched basically. I think they're going
16 to take 1,700 square feet of the wetlands
17 and do something with it. That leaves 11
18 acres. My suggestion is create a
19 conservation easement, right. Show some
20 -- lead by example, generate goodwill,
21 preserve open space, protect critical
22 wetlands and aquifers and make it an
23 example for other developers. I mean, if
24 it's wetland and you can't use it, make
25 it non-developable forever, right. Just
 a suggestion. You know, it's his
 property, he can do what he wants with
 it, but I think it would be a nice
 gesture for the area, keep the open space

Palczewski

2 open.

3 Anyway, those are my comments.

4 Thanks very much.

5 CHAIRMAN BEAUMONT: Thank you,

6 Mark.

7 Anyone else?

8 MR. McIVER: James McIver, 28 Berea

9 Road.

10 I'm here because of Tracy and
11 Carlos, but I have only one question.

McIver

12 Comment
13 3.32
14 General

What's the obligation to actually -- time
obligation under SEQRA? I don't think
there is such a thing. As long as the
public has comments and questions, you
can keep the hearing open. I'm just
curious if there's a legal reason why you
feel you need to do that, especially
given the level of interest?

16 CHAIRMAN BEAUMONT: The question is
17 is there a legal obligation to close the
18 public hearing because of the time. The
19 answer is no. The answer -- the other
20 part of the question is, we've been here
21 and doing this for four months and we can

2 tell you what you're going to say before
3 you say it because we've heard it a lot.
4 There's a point where we have to come to
5 the end of this public hearing, which is
6 not the last public hearing. I'll tell
7 you about that in a minute. We have an
8 obligation to ourselves to move forward
9 and come to a resolution one way or the
10 other on these things.

11 Now, so right now we are in the
12 midst of, in effect, four public hearings.
13 There's one public hearing for SEQRA.
14 SEQRA is the State Environmental Quality
15 Review Act. There's a public hearing
16 because there's a site plan. There's a
17 public hearing because there is a
18 subdivision involved here. There's a
19 public hearing because there is a special
20 use permit for this project. So even if
21 we close this public hearing, there are
22 still three more public hearings still
23 active, although we won't hold one again
24 until we hear back from the applicant.

25 So what happens is if we close this

2 public hearing, then we will have an
3 extended period for written comments.

4 We're going to put it to the Board's vote
5 because it will be hopefully about 25
6 days. That will get us into early May.

7 After that, the applicant will go back
8 with his engineers and consultants and
9 they'll prepare a final environmental
10 impact statement where they will address
11 all the comments that were given tonight,
12 plus in all the other meetings, plus all
13 the written comments that came in, plus
14 all the comments that we have. At that
15 time they'll produce a final environmental
16 impact statement, but that in effect is a
17 draft that we use because the final
18 environmental impact statement is really
19 the Planning Board's document. From that
20 final environmental impact statement, we
21 will generate a findings statement. That
22 will be a detailed list, and it will be
23 many pages, of the impacts as prescribed
24 by the State Environmental Quality Review
25 Act. We'll look at water resources,

2 we'll look at land resources, we'll look
3 at soils and noise and traffic and
4 environmental -- or financial impacts on
5 the school. There's ten categories I
6 think. Something like that. Ten
7 different categories that are -- that
8 have -- basically it's a cookbook that we
9 have to answer all those questions.

10 Okay. We get to that point, meanwhile
11 they've been working on their site plan.
12 We'll probably re-notice the public
13 hearings again for the site plan, for the
14 subdivision and for the special use
15 permit. So if you still have comments
16 after all this stuff, you can come back
17 again at those public hearings.

18 It's a process that's made to get
19 us to hear what you have to say and
20 understand, and within our -- we have --
21 we have municipal limits. We have a
22 zoning law that we have to follow, we
23 have a subdivision law that we have to
24 follow, we have state laws. With
25 wetlands we have to follow the federal

2 laws. We have to deal with DOT, we have
3 to deal with DEC, we have to deal with
4 DOH. So all of those things come into
5 play during this process, and it's not a
6 short process. We have no intention of
7 shortchanging you on your ability to
8 voice your concerns and -- but at some
9 point -- like for instance, everybody
10 talked about traffic. We know about --
11 that we have to deal with that as best we
12 can. So it's our job to open this up for
13 your discussions. We've had four public
14 hearing sessions and we've gotten a lot
15 of good comments. I would imagine it's
16 in the hundreds if you counted them all
17 up, plus our planner just generated a
18 draft memo for us to look at. It's nine
19 pages of substantive comments that she's
20 noted during this whole process. So it's
21 very rigorous, it's very time consuming,
22 but it's a very good process that we try
23 to do.

24 So given that, I'm going to ask the
25 Board for a motion to close the public

2 hearing with the caveat -- two caveats.

3 The first, that there will be a period
4 until May 9th for written comments to
5 come in. If your friends or family
6 haven't been able to come to the meeting,
7 you can go online and see the Planning
8 Board meetings. They're welcome to write
9 a letter. They're welcome to send an
10 e-mail to the Planning Board. They can
11 all get together and jawbone it.

12 The other caveat is that we will
13 accept DOT and DEC comments whenever we
14 receive them because -- and County
15 comments whenever we receive them, just
16 because they are backed up with work and
17 it takes them usually a lot longer than
18 we expect to get us comments.

19 So given that, can I have -- I'll
20 put the motion on the floor and we'll
21 have discussion. Okay. Does anybody
22 want to --

23 MR. BROWN: I'll make the motion.

24 CHAIRMAN BEAUMONT: John will make
25 the motion. Can I have a second?

2 MR. PRINCE: Second.

3 MR. BROWN: May 9th for the comment
4 session?

5 CHAIRMAN BEAUMONT: The comments
6 will be -- written comments will be
7 accepted until noon on May 9th --

8 MR. BROWN: Thank you, Jay.

9 CHAIRMAN BEAUMONT: -- because
10 that's when the office closes.

11 Darran is a second?

12 MR. PRINCE: Yes.

13 CHAIRMAN BEAUMONT: Discussion?

14 MS. ZAHAKOS: I was going to ask,
15 are we reserving comments by the Board
16 before we close.

17 MR. McGUIRE: There's still at
18 least one person who is trying to make
19 some comments.

20 CHAIRMAN BEAUMONT: Oh, I'm sorry.
21 Did I miss somebody? Oh, okay. We'll
22 pause that.

23 MS. DIEP: I'm Salen Diep from NY
24 Beauty Bar. I'm just concerned about the
25 water. We met before. Because my

Diep

Comment
3.33
Surface
Water

2 building sits so low and it's literally
3 like kissing the water. So I just want
4 to make sure it's not going to, like,
5 rise from -- you know, recede from the
6 stuff. So like ten years from now what
7 would happen if the water was like
8 backing up into my property?

9 CHAIRMAN BEAUMONT: Your property
10 is?

11 MS. DIEP: The Beauty Bar.

12 UNIDENTIFIED SPEAKER: Dr. Brown's
13 old place.

14 CHAIRMAN BEAUMONT: Okay. So
15 you're right to the east --

16 MS. DTEP: Yeah.

17 CHAIRMAN BEAUMONT: -- of Richard's.

18 MS. STEP: I'm like kissing it.

19 CHAIRMAN BEAUMONT: Okay. Thank
20 you.

21 MR. BROWN: What was your name?
22 I'm sorry.

23 MS. DTEP: Salen Dier.

24 MB. BROWN: Thank you.

25 MS. DTEP: Thank you.

2 CHAIRMAN BEAUMONT: Okay.

3 MS. DUFF: I'm sorry. Brenda Duff.

4 You said that there were comments

5 from, like, the fire department and the

6 school. Are you going to read any of

7 those or those aren't for us to hear?

8 CHAIRMAN BEAUMONT: They will be in
9 the final environmental impact statement.

10 MS. DUFF: Oh.

11 MS. ZAHAKOS: They'll be accessible.

12 CHAIRMAN BEAUMONT: Okay. If you
13 want to see them, you can come to the
14 Planning Board office.

15 MS. DUFF: Okay.

16 MR. BROWN: They're public records.

17 CHAIRMAN BEAUMONT: It's all public.

18 MS. DUFF: Okay.

19 CHAIRMAN BEAUMONT: Thank you for
20 bringing that up.

21 Okay. I've got a motion on the
22 floor. All in favor, please say aye.

23 MR. McGuire: Aye.

24 MS. HARRIS: Aye.

25 MR. BROWN: Aye.

2 CHAIRMAN BEAUMONT: Aye.

3 MS. ZAHAKOS: Aye.

4 MR. PRINCE: Aye.

5 MS. PENNINGS: Aye.

6 CHAIRMAN BEAUMONT: Opposed?

7 (No response.)

8 CHAIRMAN BEAUMONT: Okay. So this
9 -- the first of four public hearings is
10 over now. There's a 25-day -- starting
11 tomorrow, a 25-day written comment period
12 and then they'll be generating their
13 final environmental impact statement. So
14 send in more comments if you wish. After
15 the environmental impact statement is
16 done, the additional public hearings will
17 be re-noticed in the paper and to the
18 neighbors. Who knew.

19 Okay. So given that --

20 UNIDENTIFIED SPEAKER: When is the
21 next meeting? You don't know?

22 CHAIRMAN BEAUMONT: There will be
23 -- we're not going to have a next meeting
24 for this project until after we get the
25 environmental impact statement -- final

2 environmental impact statement and
3 generate a findings statement. So it's
4 going to be several months at least.

5 UNIDENTIFIED SPEAKER: Will we be
6 notified when the next meeting will be?

7 CHAIRMAN BEAUMONT: Yes.

8 UNIDENTIFIED SPEAKER: Thank you.

9

10 (Time noted: 8:35 p.m.)

11

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2

3 CERTIFICATION

4

5

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

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

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

16 IN WITNESS WHEREOF, I have hereunto
17 set my hand this 21st day of April 2025.

18

19

20

21

22

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24

25

Michelle Conero

MICHELLE CONERO

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