

APPENDIX B

Public Hearing Transcripts

TOWN OF CARMEL PLANNING BOARD

COUNTY OF WESTCHESTER

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HILLCREST COMMONS, SUPPLEMENTAL DRAFT

ENVIRONMENTAL IMPACT STATEMENT AND

NOTICE OF PUBLIC HEARING TOWN OF

CARMEL PLANNING BOARD

-----x

August 26, 2008

7:38 p.m.

Town of Carmel Town Hall

Mahopac, New York

A P P E A R A N C E S :

HAROLD GARY, CHAIRMAN

EMMA KOUNINE, VICE-CHAIRWOMAN

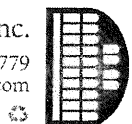
PEGGY MOORE, PLANNING BOARD SECRETARY

JAMES MEYER, PLANNING BOARD MEMBER

JOHN MOLLOY, PLANNING BOARD MEMBER

JOHN KARELL, TOWN ENGINEER

TIMOTHY CURTISS, TOWN ATTORNEY



1 A P P E A R A N C E S :

2
3 WILDER BALTER PARTNERS, INC.

4 Applicant, Hillcrest Commons

5 570 Taxter Road

6 Sixth Floor

7 Elmsford, New York 10523

8 BY: WILLIAM G. BALTER

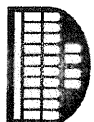
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10
11 ALSO PRESENT:

12 Tim Miller, Tim Miller Associates, Inc.

13 Jeffrey J. Contelmo, P.E.

14 John Bainlardi, Senior Development Manager

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1 MR. MILLER: Good evening. Members of
2 the board, my name is Tim Miller, Tim Miller
3 Associates. I represent Wilder Balter
4 Partners, the applicant for the Hillcrest
5 Commons application.

6 Tonight, this is a public hearing on the
7 supplemental draft environmental impact
8 statement, and it's also a public hearing on
9 site plan and subdivision special use permit.

10 I'm going to just take a few minutes to
11 talk a little bit about the background of this
12 application. This has been before you since
13 2004. We went through a full environmental
14 review, public hearing, findings on a draft
15 and final EIS.

16 The original application was for a 150
17 unit senior housing project, 60,000 square
18 feet of office. Based on comments that we
19 received from the public and various agencies
20 and the planning board, the project has
21 reduced its scope to 150 senior housing units.
22 We then had some meetings with our neighbors
23 and the project was modified further. We made
24 the project more compact. We pulled the



1 buildings away from our property line.

2 The board did a complete (indiscernible)
3 and said there was an Article 78 filed, and
4 the judge made a determination that there were
5 two topics that had been deferred in terms of
6 the environmental review. One related to
7 wetland impacts, the other related to cultural
8 resources. So the judge remanded the findings
9 back to the planning board and said it needs
10 to do a supplemental EIS, and it needs to
11 focus on these two particular areas, wetlands
12 and cultural resources.

13 So the supplemental environmental impact
14 statement that is the subject of tonight's
15 public hearing focuses on wetlands and
16 cultural resources. We have done a full
17 cultural resource evaluation that's been
18 submitted to the New York State Office of
19 Parks, Recreation and Historic Preservation.
20 They prepared a letter indicating that we have
21 satisfied their requirements.

22 We did find cultural resources on the
23 site and prepared an avoidance plan. We have
24 restrictions that also require certain areas



1 be avoided, and that matter seems to be
2 satisfied with the State of New York.

3 Wetlands have been delineated, and we
4 received a jurisdictional determination from
5 the Army Corps of Engineers. (Indiscernible)
6 permit application with the Corps of Engineers
7 for the disturbance to bring in the proposed
8 access road and construct the storm water
9 management basin. So that matter has also
10 been tended to.

11 (Indiscernible) we show a revised plan.
12 That plan is actually more compact than the
13 one that was the findings and the final EIS
14 several years ago. That plan now shows eight
15 buildings, parking is provided underneath the
16 buildings so there's less impervious surfaces,
17 that means there's less storm water runoff.
18 We have a freestanding clubhouse and a
19 swimming pool. It also includes an
20 alternative that is a smaller project; six
21 buildings, 150 units. It will be rental units
22 and affordable. I think that covers my
23 presentation.

24 Mr. Contelmo has a board that shows the

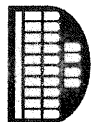


1 layout and proposed site plan. We are here to
2 listen to your comments. Thank you.

3 MR. CONTELMO: I'll just quickly walk
4 through the site plan to re-familiarize the
5 board and inform the public. As Tim said,
6 we're talking about a 150 unit senior housing
7 project located in the Town of Carmel behind
8 the Shoprite Center, which is on Route 52. To
9 the north of the project is the town line with
10 the Town of Kent. Our roadway actually
11 initiates in the Town of Kent and then weaves
12 back and forth between Carmel and Kent.

13 At the top of the hill here we have the
14 eight buildings cited with the parking
15 network. As Tim said, this is a more compact
16 plan than what was originally reviewed in the
17 previous FEIS. Our only key provision was
18 moving away from a property line here where
19 certain neighbors expressed concern that the
20 applicant works with them to preserve that
21 area.

22 The wetlands which Tim is referring to is
23 down through our entry road section. It's an
24 unavoidable impact for us to gain access into



1 the site, and the cultural resources Tim
2 identified, have a few avoidance areas which
3 are outside of our area of disturbance.

4 So these are actually the two key issues
5 with the DEIS which is for discussion this
6 evening addressed. Thank you.

7 CHAIRMAN GARY: Before I call for the
8 public to come up and address the board, I
9 think the young lady sitting here who is doing
10 all of this fast finger maneuvering requested
11 that you sign your name if you come to speak.
12 This is an open public hearing. Is there
13 anyone in the audience that wishes to be
14 heard?

15 MR. BOYCE: Yes, I do. My name is Tom
16 Boyce, B-O-Y-C-E, and I live at 2 East Drive
17 in Carmel just south of the Shoprite Shopping
18 Center. I believe we discussed this or I came
19 down and discussed my concerns maybe a year or
20 two back in regards to this project, and then
21 it was my understanding that the project kind
22 of fell by the wayside until I received a
23 letter recently or within the last month. I
24 still want to express my concerns over the

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1 fact that we don't have a lot of green space
 2 left in Carmel, number one, and here we are
 3 going to rip apart more.] Okay.

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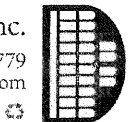
4 Number two: [For myself and my neighbors
 5 and the Village of Carmel, we have an extreme
 6 traffic problem on 52, and this is just going
 7 to make it worse again.] [On top of all that,
 8 you have water, sewer, fire, highway
 9 department, police department, all these other
 10 facilities need to be coordinated for this
 11 project to go through, and I don't think that
 12 anybody gives a lot consideration towards
 13 those things.]

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14 You know, it just seems a shame that I've
 15 lived here all my life, 54 years, and I'm a
 16 true Carmelite(sic). I was born right across
 17 the street over here. Okay. And [in 54 years,
 18 it seems like every single part of this town
 19 is being ripped apart, and it bothers me, and
 20 I think it should bother a lot of other people
 21 here, and I would really seriously ask this
 22 board to give some strong consideration to
 23 whether this project is a viable project for
 24 the Village of Carmel,] you know.

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1 The other thing is, [what are the costs
2 going to be for these units for senior
3 citizens? Is it going to be something where
4 somebody may be in the Village of Carmel or
5 may be even in the Town of Carmel can afford
6 or are we going to bring people in from across
7 state lines to fill these things? We give up
8 our property and our town or we lose out
9 again, that's my concerns.] Okay.

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10 CHAIRMAN GARY: Thank you, Mr. Boyce.
11 Any one else wish to be heard?

12 MS. MUIR: My name is Fay Muir. I'm the
13 president of the Croton Watershed Clean Water
14 Coalition.

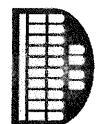
15 CHAIRMAN GARY: Sign your name.

16 SECRETARY MOORE: Please spell your name
17 for me.

18 MS. MUIR: F as in Frank, A-Y. M as in
19 Mary, U-I-R.

20 SECRETARY MOORE: Thank you.

21 MS. MUIR: Okay. To make it short,
22 Croton Watershed Clean Water Coalition will be
23 referred to as CWCWC, who has commented
24 extensively on the original DEIS and has



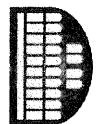
1 submitted written comments by our engineer,
2 David Clouser, P.E.; by our wetlands
3 ecologist, Erik Kiviat, Ph.D., Executive
4 Director of Hudsonia, and by Eugene Bosch,
5 Ph.D., senior archeologist, specializing in
6 Native American cultures, also a member of the
7 Westchester County and Putnam County Historic
8 Preservation Advisory Committees.

9 The Lead Agency's original SEQRA findings
10 were challenged in court by us. Subsequently,
11 the New York State Supreme Court granted our
12 petition and remanded the matter for the
13 completion of archaeological studies.

14 The additional archaeological studies
15 required by the Supreme Court confirmed Mr.
16 Bosch's analysis by identifying 42 locations
17 of quartz veins, geologic interests and
18 archeological interests. These studies
19 indicate that two areas of the site are
20 eligible for inclusion in the State and
21 National Registers of Historic Places due to
22 the site's use for processing and production
23 of stone tools for Native Americans.

24 While we recognize that the applicant has

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1 made substantial progress regarding
2 archaeological impacts, there is still
3 important issues that remain unresolved.] Most
4 significantly, [on June 23, 2009, the New York
5 State Appellate Court upheld the Town of Kent
6 Zoning Board of Appeal's determination that
7 the applicant could not use areas in the Town
8 of Kent for its access roads. Therefore, the
9 applicant's preferred plan cannot be built.
10 Among others, the Court's ruling clearly
11 indicates that in order to comply with Kent's
12 Zoning Board, the applicant must relocate the
13 project's access road.]

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14 If you need a copy of this, we can
15 provide it.

16 Obviously, the Appellate Court's
17 determination alters many of the assumptions
18 regarding the project's environmental impacts.

19 In relocating and redesigning the access
20 road, the applicant must, for example,
21 re-examine storm water impacts. In addition,
22 the applicant must also re-examine impacts on
23 wetlands, on known locations of the endangered
24 species Shining Bedstraw, and also avoid

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1 sensitive archaeological areas.

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2 We know that the applicant, just stating
3 that he has addressed some of these concerns
4 but not all of these concerns, in addition to
5 which, we, as the public and as members of the
6 community, have not seen what he has sent to
7 these agencies for approval, and have not had
8 an opportunity to comment on it.

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9 Though this dates back to 2006, the
10 supplement DEIS inexplicably failed to
11 identify the Kent ZBA as an involved or
12 interested agency.

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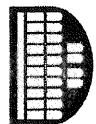
13 Land use and zoning was fully analyzed in
14 the former DEIS and FEIS and the land use
15 impacts have not changed.

16 Prior environmental reviews contain no
17 viable access road alternative. Though the
18 DEIS included a proposed road accessing the
19 site from the south of the Shoprite Plaza,
20 that alternative was rejected as having too
21 many impacts upon wetlands and steep slopes.

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22 Finally, under SEQRA, subsequent to the
23 project's re-design, the public must be
24 provided with ample opportunity to analyze the

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1 new design and make comments. This project,
 2 that will include major blasting, the
 3 wholesale removal of forested areas to be
 4 replaced by impervious surfaces, increased
 5 negative impacts on air and water quality, as
 6 well as increased traffic, deserves strict
 7 reviewing by the many local residents who
 8 could be severely affected by these impacts.

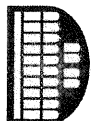
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9 We look forward to a continuing review of
 10 this project and a public hearing. Thank you
 11 very much for the opportunity to come out.

12 CHAIRMAN GARY: Thank you. Anyone else
 13 wish to be heard?

14 MR. WONG: Yes. My name is Karlten Wong.
 15 Thank you, members of the board. [My concern
 16 is, of course, this is my house right here
 17 (indicating). I'm not sure what the setback
 18 is, Tim, as far as how much tree line is still
 19 available. Is that going to be wiped out? I
 20 know there's been a lot of discussion on
 21 shielding; how much footage? It basically is
 22 in my backyard, so that is of the utmost
 23 concern, that my life as well as my neighbors
 24 are impacted as little as possible.

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1 Again, I'm a current Carmel resident for
 2 many, many years. I'm paying a huge amount of
 3 taxes, and of course the last thing I want to
 4 see is low income housing in my backyard.

5 CHAIRMAN GARY: Where is your house
 6 exactly?

7 MR. WONG: Right here (indicating).

8 CHAIRMAN GARY: Didn't we go over that in
 9 the last public hearing?

10 MR. WONG: A lot of it has changed, but
 11 I'm wondering --

12 CHAIRMAN GARY: I think they moved that
 13 building.

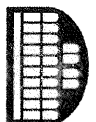
14 MR. WONG: Sure. Sure. [Now the subject
 15 of low income housing comes in, and it's quite
 16 bothersome to me as well.] [There is the issue
 17 also of the amount of using -- removing the
 18 rock and for how long a period and will the
 19 blasting continue? I know very little about
 20 it, to be honest, but that information is not
 21 available to us either. Nobody gave us a time
 22 frame, (indiscernible) is not known. There
 23 are no guarantees of course.]

24 It can be a very safe process, but I

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1 personally don't know that. I haven't
2 experienced it. I hear horror stories, I read
3 horror stories from around the towns, and I
4 guess there's too much to feel comfortable
5 with anything.

6 Again, I have a large family and it's in
7 my best interest to protect them, as it would
8 be yours as well. That's about it.

9 MS. BERBERICH: My name is Janet
10 Berberich.

11 SECRETARY MOORE: Spell the last name,
12 please.

13 MS. BERBERICH: B as in boy --
14 B-E-R-B-E-R-I-C-H, 44 Willow Trail, Carmel,
15 New York. The very first thing I would like
16 to -- the very first thing that I think all
17 of my neighbors would like to do is extend to
18 the board and to Wilder Balter a thank you for
19 letting us know in letter form about this
20 meeting. And we actually met for the first
21 time two years ago this coming fall, and we
22 heard about it at the 11th hour, and as a
23 result of that near miss, you, and this board
24 made it mandatory, I believe, that at least



1 the citizens that live, the residents on
2 Willow Trail and our neighbors be notified.
3 So please, we want to go on record as thanking
4 you for that, otherwise we would have no way
5 of knowing.

6 Before I really begin to address some of
7 these issues that we do have about this
8 particular plan, I'm not sure which plan is
9 this. I actually see that there are two plans
10 online, and I also beg your pardon, because
11 I've been out of the loop for a while, so I
12 haven't been really up to snuff with this.

13 I certainly know this isn't the original
14 proposal, but when you go online, there are
15 two. There's an alternate building layout and
16 a revised building layout. It would appear
17 that the alternate building layout is the ones
18 for rent; is that right?

19 MR. MILLER: Yes.

20 MS. BERBERICH: That's right. Okay. [So
21 then the revised building layout are the ones
22 for sale.]

23 MR. MILLER: Yes.

24 MS. BERBERICH: So what are we talking

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1 about here? Which one is this?

2 MR. MILLER: Those are the condos for
3 sale.

4 MS. BERBERICH: So it's then the revised
5 building layout?

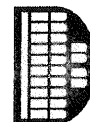
6 MR. MILLER: Yes.

7 MS. BERBERICH: All right. [Because we
8 have similar concerns about both plans, but I
9 just wanted to know which one we were talking
10 about first. And thank you for the additional
11 setbacks that were made to both of the plans.
12 It does certainly address earlier concerns,
13 although, much like the concern that another
14 neighbor had when he first got up first to
15 speak, it certainly is difficult to see such a
16 small piece of land, which is landlocked,
17 which has beautiful trees and it's on rock, be
18 developed for so many people in such a small
19 area.

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20 So having said that, I will go on,
21 because many, many things were addressed.
22 Well, [the actual buildings are on a small
23 piece of land. There is a larger acreage, I
24 understand that, but where the actual

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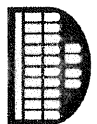
1 population is going to be housed are in rather
2 large units, and the way they sit on the side
3 of that mountain, that ledge, and I'm on the
4 ledge, it -- you know, pushed that perhaps
5 over a little bit further on the other acreage
6 that I understand is owned by Wilder Balter.

7 At any rate, we had spent a lot of time
8 two years ago discussing something that the
9 first gentleman got up and mentioned, and that
10 is traffic, and that is traffic specifically
11 on Route 52. Route 52 being the major
12 corridor from all of our little hamlets. I
13 mean, it is heavy traffic now.

14 When we looked at some things online, I
15 discovered a letter from the Kent planning
16 board dated 11/13/08 from a Mr. Singer
17 addressed to Mr. Gary and your board, and
18 amongst other things, he touches on regarding
19 this development proposal that -- let me just
20 see here so I'm not reading the whole thing
21 for you -- he's talking about re-visiting the
22 traffic -- impact on traffic for this
23 particular -- amongst other things he has
24 here, and in fact, then you must have --

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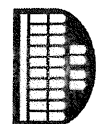


1 Mr. Miller in fact indicated that the judge
 2 didn't ask -- require to supplement that time,
 3 but subsequently, Mr. Singer -- Mr. Miller's
 4 group did answer Mr. Singer's request for more
 5 information, but it's little confusing.

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6 Because [I had spent a lot of time on the
 7 last traffic report going back over two years
 8 ago, and they were based on the DOT traffic
 9 surveys from 2005, because at that time in
 10 2006 these weren't available, and those
 11 surveys -- those reports are based on cars
 12 that began at Route 301 and ended at Route
 13 311, and we discussed at that time how in
 14 point of fact, even though they did come up
 15 with a number, we're talking now only peak
 16 hours, we're not going to be concerned about
 17 off-peak hours, because hopefully they'll be
 18 fewer cars. And the figure at that time was,
 19 peak hours on that stretch of 52 was coming in
 20 at something like 16,700 and change. Now, we
 21 know that wasn't even an accurate figure,
 22 because if a person started off at 301 but
 23 maybe turned down Fair Street, didn't go to
 24 311, they were not counted. We never fully

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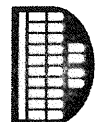


1 understood how the vehicles that transport
2 more than say just a family, like say a 60
3 passenger bus, how were they accounted for in
4 a DOT survey.

5 Subsequently, in Mr. Miller's response
6 that you all asked on behalf of the Kent
7 planning board, they, did of course,
8 (indiscernible), they checked the most recent
9 DOT's. Now, that is from 2008, 2009. The
10 numbers are significantly lower. And one
11 would think, my goodness, someone can't add
12 here. So a lot of time was spent on that, and
13 basically what seems to have happened when you
14 look back at history, is in 2008, actually in
15 the middle of 2005, but in 2008, there wasn't
16 even fewer cars on 52. Well, fewer, not for
17 those of us who lived there, but considerably
18 -- actually, down by 20 percent, and that we
19 attribute to -- because these people all still
20 live there. At that point, gasoline was
21 approximately \$4 a gallon. I can tell you in
22 my own family, we greatly adjusted our trips
23 to and from wherever we had to go. Many
24 people car pooled, some people did other

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1 creative things, and the particular week that
2 this test was structured, happened to be
3 Easter week.

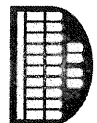
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4 So I think you have people on vacation,
5 people that perhaps were away, and the point
6 is, I think Mr. Singer, in asking this to be
7 re-visited, that we have to take into
8 consideration the fact that are presence on
9 these surveys, and that's very clearly that
10 before we even have the development of
11 Hillcrest Commons or the numbers from Kent
12 Manor, which has definitely been approved,
13 Patterson Crossing I don't even think was
14 factored in, this has to go back I think to
15 the 2007 DOT or wait until the next viable DOT
16 can come up, because now gasoline is coming
17 down and it's more affordable, people are
18 getting out and about more.

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19 We do believe that this is why the
20 traffic analysis came in at such low numbers,
21 and subsequently, according to this report
22 that was put out for this proposal, it's kind
23 of based on a diminishing, therefore, we can
24 take on more development, and in point of

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1 fact, we are saying to please re-visit that
2 because while we are not professionals,
3 certainly anyone can see that we are coming
4 out of a recession, gasoline being so high, so
5 many of us having been driving SUV's, we were
6 being a little more careful. So I think again
7 that bears looking into, and if the board can
8 consider that, we would greatly appreciate
9 that, because when all of the other
10 developments do come in and between just
11 Hillcrest Commons alone and Kent Manor, there
12 is only a difference of about 400 feet between
13 where they're proposing both the entrances to
14 these places to be. So that's a really kind
15 of small area.

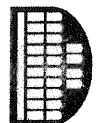
16 You're coming around a curve in the road.

17 It's putting a lot more people on the road.
18 Actually, I did come up with some numbers, but
19 I'm really not going to go into them now.
20 They're really just what the gentleman said
21 when he first got up. They're high already.
22 It stands to be a major road block.

23 Moving on from that, our concerns with
24 development of this site, big concern, and

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1 Mr. Wong already brought part of it up, and
 2 that is the blasting. Of course if you're
 3 going to build you're going to have to blast,
 4 we understand that. However, Hill & Dale and
 5 the mountain that they're going to be building
 6 on, we're on the other side of it. It's all
 7 rock. You can ask any person who --

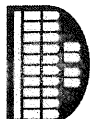
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8 MR. BOYCE: I can attest to that. I'll
 9 attest to what you're saying. It's all rock
 10 formation.

11 MS. BERBERICH: It is all rock. And then
 12 we asked the owner when we first moved in and
 13 were looking at trees, and we mentioned Hill &
 14 Dale, (indiscernible) and so I mean, it's
 15 rock.

16 Blasting I know is a big concern because
 17 as I understand it, and please correct me if
 18 I'm wrong because I am not a professional, but
 19 in our area, so in Carmel and Kent and Mahopac
 20 and maybe Patterson, there is a state blasting
 21 law. Is that right? There's a state law
 22 governing blasting, but the individual
 23 municipalities have no further constraints on
 24 blasting. Is that right? Is that wrong?

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1 CHAIRMAN GARY: I don't think so. I
2 think that -- we'll discuss --

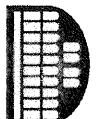
3 MS. BERBERICH: I was just wondering if
4 that's accurate.

5 CHAIRMAN GARY: I don't think there is
6 one.

7 MS. BERBERICH: Well, two years ago we
8 talked about blasting, and we asked --
9 because these houses -- my friend's deed on
10 her house is 1932. That puts the original
11 house in Hill & Dale about 77 years old. [We're
12 on rock, we're blasting not on dense soil, but
13 on rock, so the shock waves are going to be
14 radiated further and not just down our hill,
15 but over towards Fair Street and over towards
16 the shopping center, Shoprite. So a big
17 concern with that is obviously our
18 (indiscernible), which we're all very
19 dependent on, our septic, our chimneys, our
20 foundations, and of course continuing that
21 shockwave down the same rock. We have our
22 lake which is very precious to us. It's a
23 source of our recreation, all seasons.

24 The end of our lake there is a dam. Now,

3-7

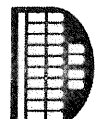


1 the lake is also not going to be able to -- I
 2 mean, these waves are going to be disbursed
 3 and radiated because of the surface they're
 4 being blasted on, and depending on how tall
 5 these buildings are, then that would dictate
 6 how far down -- I know you have to go down
 7 below the frost line, but I would suspect that
 8 it would require more than that if the
 9 building is going to be very tall. Therefore,
 10 I would think your explosive is going to
 11 therefore have to be stronger.

3-7

12 Any rock has, if you look at it, natural
 13 striations in them, and any striation could
 14 possibly lead to a crevice. Maybe there is
 15 already a fault line somewhere in there. We
 16 are just trying to circumvent problems that
 17 again, my neighbor mentioned, we have already
 18 read about in the papers, that we have all, if
 19 you've come to any of the meetings, you have
 20 had to hear. They're tragic. [We just want to
 21 know, especially in light of what happened to
 22 a neighbor, Lori Kemp, how can we protect
 23 ourselves so that we are not an individual
 24 homeowner suddenly with no water, suddenly

3-7
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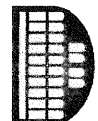


1 with cracked foundations, cracked chimneys,
2 our dam taking on a crack on leaking out water
3 which is our source for a 138 homes, to have
4 recreation, and it's also a source of great
5 beauty. It's also a very big part of the
6 environment for the beautiful water foul
7 seasonally in the water.

8 So the blasting, and wondering about this
9 two years ago, the suggestion has been made
10 that any house, and in fact in our original
11 report, it did state that any property within
12 500 feet of blastings would not only be
13 notified, I don't know if it holds true for
14 this proposal as well, but should anything
15 happen, why that homeowner could approach
16 Wilder Balter, the foreman, the contractor
17 whose doing the blasting, that was never
18 clear. But the bottom line was, it seemed to
19 be that the responsibility was on you, the
20 homeowner, to say that this happened as a
21 result of the blasting.

22 So in other words, what I'm asking, what
23 do we do to protect ourselves? If we take
24 pictures on our own and then something happens

3-7
can't

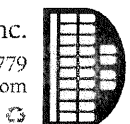


1 say to a chimney, I don't know how you take a
2 picture of a well, other than showing all your
3 water running in the house, but certainly
4 foundation, certainly trees, certainly
5 anything that repeated violent eruptions,
6 especially on rock, would dislodge and disrupt
7 your way of life. So to that end, it seems to
8 me that well, if I took pictures of my house
9 and there was a problem and I went to whoever
10 I've pointed you to go to, I'm left one-on-one
11 to deal with someone, and then the burden of
12 proof is on me that this wasn't preexisting,
13 and as I said, some of the original homes in
14 our lovely, lovely community are over 75 years
15 old.

16 So would it be possible, beneficial to
17 think about having this board make it a
18 condition, appoint an independent nonpartisan
19 inspector that could visit the areas that
20 could do whatever is required so that we don't
21 have to be a statistic stick in the newspaper.

22 Today the Journal News ran a whole series
23 of complaints that residents -- current tax
24 paying residents are serious because of

3-7
cont



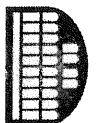
1 blasting. They are left to deal with
2 developers themselves. We are not equipped to
3 do this. We are not. We don't have the
4 pockets, the deep pockets that most developers
5 you would think would have, we don't have
6 those kind of resources. So what do we do
7 should this pass? Should this come to pass,
8 what do we do? That's a very big concern.

9 If you could think about it, if you could
10 come up with some solutions, I know that will
11 help us all tremendously.

12 What we want to avoid is, it seems -- it
13 seems that Lori Kemp had no protection, and in
14 fact, we are very concerned what in light of
15 that and all these other articles that
16 appeared today, what will then happen? What
17 can we expect in Hill & Dale, all the
18 residents of Hill & Dale, even the other side
19 of the lake because of blasting.

20 In one article I had read or in one of
21 these records, that the blasting was expected
22 to go on for months, possibly six months. I'm
23 wondering what the time frame would be on
24 that. I do know from looking up the blasting

3-8



1 laws on the computer for the State of New
2 York, they are very clear about the hours in
3 which this operation and the times of the day
4 that they can take place. However, they can
5 even blast at night if the fire chief of the
6 town is present and says yes.

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3-8
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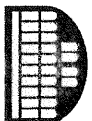
7 Now, I was thinking why would anybody
8 want to blast at night?] The only thing I can
9 come up with is would be labor be cheaper at
10 night off hours than on hours? I don't know,
11 but that would frighten me having something
12 like that happen at night.

13 The other thing I wanted to talk about --
14 I have the right map here -- that we're also
15 very concerned about, on the new plans, and
16 both of them have this, so it's not just
17 blasting, the deforestation that would go on
18 along with the laws and the laws that govern
19 it.

3-9

20 This is a very, very deep piece of
21 property. Now, [I know that there are laws
22 that govern sloping development. I'm not a
23 builder, but my daddy is, and I do know that
24 apparently there is a way around some of these

3-10
↓



1 things by backfilling and then building.

2 Now, I think that would be very, very
3 dangerous because this rock, some of it is
4 almost like shale, it's brittle. So I really
5 think that should be looked into.

6 One of the concerns is if the -- senior
7 housing rental or sales?

8 MR. MILLER: Sales.

9 MS. BERBERICH: Sales. Okay. Because
10 the rental had a different (indiscernible), so
11 we'll jump over that.

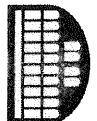
12 On the map, [both of them have, as
13 required, an emergency access road. Now, this
14 road happens to be a dirt road and it happens
15 to come right up around their development. I
16 think you can probably see it better on there.

17 And it comes within -- according to their
18 legend, it comes within a hundred feet of the
19 end of Willow Trail. Now, we are extremely
20 concerned that a fence be put up around this
21 road to protect, because there's going to be
22 foot traffic.

23 First of all, down near the shopping
24 center or wherever, it's going to originate on

3-10

3-11



1 that hill that it be gated. Obviously, a gate
2 that emergency vehicles can gain access, but
3 gated. That tells the wandering public, you
4 know, this is private land. But then when
5 they get up here, you see they're within a
6 hundred feet of our road. They go right over
7 the road and then right down to our dam to
8 fish, because I mean, it seems to me 55 year
9 old people aren't working any more or raising
10 children and don't have the problems that
11 other 55 year old people that I know have so,
12 let's assume they're going to want to go
13 fishing. They can just walk right over the
14 dam over the hill. The dam, possible
15 liability for Hill & Dale is very real, not
16 just from senior citizens but from their
17 guests, from children who are maybe 19 years
18 or older, depending on which plan we are
19 talking about. So the fence would be
20 something that would, I think, help with the
21 whole neighborly feeling that I think we
22 started to acquire after our last go-around
23 two years ago.

24 So I know that there are other things,

3-11

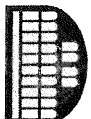


1 and I don't want to take up all of your time
2 because I guess answers are going to have to
3 be maybe researched, but I think Mr. Singer
4 and the Kent planning board are very concerned
5 about traffic, and we all are.

6 The bottom line is, if these developments
7 come in and we are back up to the driving
8 capacity on that road of the DOT survey for
9 2007 year, looking at over 18,000 plus cars on
10 that road at peak hours, it would take just to
11 get out of Hill & Dale, a car coming around
12 every couple of seconds, and I think it worked
13 out to be like every 13 seconds. So I mean,
14 it's preventable, a lot of these issues.
15 Maybe a way around it would be to downsize
16 this project further yet, we're still at the
17 150, and while on their traffic report they're
18 talking about only cars at peak hours, even
19 out onto 52, it's a bad section of 52, and it
20 is also heavily traveled.

21 So I thank you for your input into this
22 and may I ask if and when these questions are
23 going to be answered, we be notified so that
24 we could hear it and put away our worry beads.

8-7



1 Thank you.

2 CHAIRMAN GARY: Thank you so much. You
3 raised very important issues here, but one
4 struck me that I have to ask. You said the
5 Kent planning board, which I have the utmost
6 respect for Mr. Singer, I've known him for
7 years. You said they have various concerns
8 about traffic. I want you to know that the
9 Carmel planning board has extreme concerns
10 about traffic also.

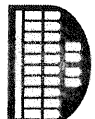
11 MS. BERBERICH: That's good to hear.

12 CHAIRMAN GARY: And we have for years.

13 MS. FANIZZI: My name is Ann Fanizzi,
14 F-A-N-I-Z-Z-I. Ladies and gentlemen, [we have
15 an opportunity here to learn from the past.
16 We know what happened when construction
17 occurred on steep slopes. We know what
18 happened when blasting occurred over many
19 months, if not years. In this particular
20 instance, I looked at the DEIS, it could be
21 anywhere from six months to a year.

22 We know what happens when considerable
23 soil is removed. We know all about soil
24 instability, and after the wonderful

2-11
↓



1 presentation by Janet and Mr. Wong and there
2 are others from this community, so we know all
3 of this.

↑ 2-11

4 We do not have to make another mistake.
5 We know what has happened in the hamlet. So
6 now we will have a repeat of what has happened
7 in the hamlet to the very boarder of the
8 hamlet. It does not have to happen. It does
9 not, and you know ladies and gentlemen, it is
10 in your hands not to let it happen. That's
11 all I have to say.

12 CHAIRMAN GARY: Anybody else wish to be
13 heard?

14 MR. BOYCE: I just have --

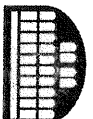
15 CHAIRMAN GARY: In case there's someone
16 who hasn't been heard.

17 MS. KEMP: Hi. Lori Kemp. There are no
18 blasting laws in New York State, so you're
19 kind of on your own. I was wondering, is it
20 going to be this whole row (indiscernible) are
21 you removing all those trees?

3-12

22 SECRETARY MOORE: What was your question?

23 MS. KEMP: Are you removing all those
24 trees?



1 CHAIRMAN GARY: Is your question: Are we
2 eliminating all the trees?

3 MS. KEMP: Yes.

4 CHAIRMAN GARY: We will have an answer to
5 that question.

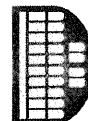
6 MS. KEMP: Okay. [View shed, I was
7 looking at this project, and after seeing what
8 happened with the (indiscernible) project
9 where, I mean, that hillside is just
10 devastated. We had an iconic view coming from
11 Mahopac. It's a (indiscernible), it's very
12 low, and in the back is green or brown or
13 whatever, and to have these buildings there is
14 going to destroy that view, I think, and if
15 there are no trees in front of them -- well, I
16 just wish, you know, we had a better idea of
17 what it looked like.

3-13

18 Of course I'm concerned about traffic.
19 We don't need one more car over there.] That's
20 it, [but blasting alone, the fact that there is
21 no protection for residents, you should
22 seriously consider that and maybe have an
23 independent engineering firm to -- if you do
24 approve it, to monitor the blasting while it's

8-8

3-14



3-14 con't
1 going on. Thank you.

2 CHAIRMAN GARY: Thank you. Before I ask
3 Mr. Boyce to come back up, I wish to make a
4 statement. (Indiscernible) how many years?

5 MR. BOYCE: I was born in 1955 right
6 across the street.

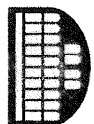
7 CHAIRMAN GARY: I was here in 1946.

8 MR. BOYCE: You got a few on me.

9 CHAIRMAN GARY: But I want to tell you in
10 saying all of that, do I agree with the
11 blasting, do I agree with tearing that hill
12 down? You must know back in the early 50's or
13 40's what Carmel looked like. It was quite
14 different.

15 MR. BOYCE: I --

16 CHAIRMAN GARY: Let me finish. Do I
17 agree with what is happening, maybe I do, and
18 maybe I don't, but that's not my job sitting
19 here. My job here is to monitor and see that
20 every applicant that comes before this board
21 does and follows the rules and regulations
22 that are set down beyond this board, coming
23 down from the town officials. We are the ones
24 to monitor, we don't make laws. We don't



1 present laws. We only see that the applicant
2 follows the codes. That's our job.

3 MR. BOYCE: I appreciate you're
4 statement. I got a couple of other questions
5 first. [I take it we're going to have another
6 street light at that entrance; does anybody
7 know that?

8 CHAIRMAN GARY: I don't know that, but I
9 will find the answer out for you. I really
10 don't know.

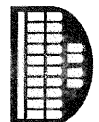
11 MR. BOYCE: Because again, that's going
12 to bottleneck neck traffic, and [I believe, if
13 I'm correct, this is the existing water tank
14 for the Carmel Municipal Water System.

15 CHAIRMAN GARY: I think you're correct.

16 MR. BOYCE: Now, you're talking about
17 blasting. I remember when that tank was put
18 up there, okay, I don't know what kind of
19 condition it's in now. You know, I would
20 guesstimate made that they probably tried to
21 maintain it the best that they can, but now
22 you're talking about six months to a year of
23 blasting. What is that going to do to the
24 water mains from that tank and its municipal

2-12

3-15



1 water system? If that gets damaged, who's
2 going to foot that bill?] All right. That's
3 another pretty viable question, I would think.

4 And in going along with what you just
5 said to me, and I understand your point,
6 [you've heard numerous people here including
7 myself who basically don't like this whole
8 concept. This may be a great project. It may
9 be a very well thought out project. The fact
10 of the matter is, it is not a project that the
11 people in the Village of Carmel want. Okay.
12 We just don't want it there. I could show you
13 pictures back from the 60's of a farm that
14 used to sit right in here.

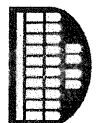
15 CHAIRMAN GARY: I used to work there.

16 MR. BOYCE: Louis Nichols's (ph.) farm.
17 I used to go up there and cut hay with his
18 tractor. It was gorgeous, especially in the
19 fall. It's gone, and now we look at Shoprite
20 Plaza.

21 Now, the plaza that's there, they could
22 have done something better to make it a little
23 more aesthetically pleasing, but they didn't.
24 Now (indiscernible) ripped the hillside apart,

↑ 3-15

2-13



1 so we got to look at it more. Okay.

2 What we're basically saying, the people
3 in the Town of Carmel, we don't want this
4 project to go through. We want our town left
5 alone. We want to live our lives in peace and
6 enjoy our community and not look at something
7 that is not pleasing to us and not have to
8 deal with more traffic, not have to deal with
9 blasting, not have to deal with further loads
10 on the fire department, on the police
11 department, on everything else I mentioned
12 before, and I don't know, this sign says
13 planning board. It just comes to my mind that
14 part of the job of the planning board is to
15 plan proper projects for our communities and
16 make sure that it's a good plan for our
17 communities and then the impact that it has or
18 the effects that it has on the people of our
19 communities is a positive effect, not
20 something that's negative.

21 I personally think that is this board's
22 job. All right. And I'm not trying to put
23 anybody down. I think you guys all do a lot
24 of hard work, and I know it's not easy, but

2-13
Con't



1 I'm telling you, you've heard it from other
2 people, we don't want it. We don't need it.
3 We don't want it. Tell these developers to
4 take it somewhere is else. Okay.

5 CHAIRMAN GARY: Thank you. I got one
6 more thing I want to say. I admire you for
7 what you said, but I admire you for one thing
8 you said: That is something that most people
9 don't say. You said point blank, I don't want
10 that project on that hill, period.

11 MR. BOYCE: That's it.

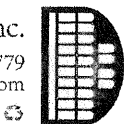
12 CHAIRMAN GARY: Now, (indiscernible) and
13 millions of dollars to say why it won't work,
14 but you just said you don't want it. I admire
15 that. I appreciate that statement. Someone
16 else had something to say that has not spoken.

17 MS. FANIZZI: Okay --

18 CHAIRMAN GARY: Anybody else who wants to
19 speak first?

20 MS. FANIZZI: I just wanted to ask you a
21 question. Possibly it's a question for the
22 attorney. [There is a SEIS, however there are
23 a great deal of concerns that have been raised
24 again and that really need to be resolved. So

2-14
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1 I'm asking you, is there such an animal that
 2 is a revised SEIS or an augmented SEIS. Maybe
 3 I'm using the wrong word?

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2-14

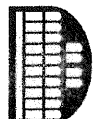
4 MR. CURTISS: Well, they use the term
 5 supplemental, which is really the same idea,
 6 but I think the Chair has indicated that all
 7 of the questions that have been raised here
 8 tonight, the board is going to seek to have
 9 answers to, and that's part of this
 10 supplemental --

11 MS. FANIZZI: Of the supplemental --

12 MR. CURTISS: -- of the supplemental
 13 process. Correct.

14 MS. FANIZZI: Okay. So are you planning
 15 on possibly keeping the hearing open so we can
 16 have more input and perhaps in some way --
 17 perhaps in some way, not the project as it is,
 18 but there might be some way of salvaging, and
 19 I want to just remind Ms. Kounine, I was here
 20 about a couple of months ago and you were very
 21 firm with an applicant when he came up with 54
 22 senior housing, and you said at that time to
 23 that applicant, I do not want to see this area
 24 literally ground to dirt. Remember that?

2-15



1 This is what's going to happen here. Okay.

2 This is exactly what's going to happen here.

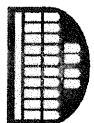
3 So just getting back: Are you thinking
4 of perhaps keeping this open, [because we do
5 have several residents, and the applicant did
6 meet with the residents, and I was there, and
7 I thought it was very fruitful and productive,
8 so I hope that we can prevail upon you to see
9 that it is open again.

2-15
Con't

10 CHAIRMAN GARY: I'm still trying to get
11 past Mr. Boyce's, I don't want this project.

12 MR. BOYCE: It's not just me.

13 CHAIRMAN GARY: So, we'll consider that.
14 Mr. Boyce, there's one more thing I have to
15 ask you on that. To say you don't want
16 something won't stand in court. What stands
17 in court, I feel, if you can prove that that
18 is detrimental to that community, if you can
19 prove that, that stands. It's not just saying
20 I don't want it. Just remember that. Just a
21 word of caution there. I understand where
22 you're coming from, but you have to understand
23 that you have to prove. That's what this
24 board will have to do when they --



1 MR. BOYCE: Okay. But on the same token,
2 this is all these people's concerns and they
3 generally have the same type of concerns that
4 I have. Isn't that enough proof?

5 CHAIRMAN GARY: I will be happy to --

6 MR. BOYCE: I mean, where does the ball
7 stop here?

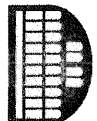
8 CHAIRMAN GARY: I dare say, I
9 (indiscernible) from the board, and I will
10 never do that. People on this board
11 (indiscernible) you know, but I will tell them
12 that's not their job.

13 MR. BOYCE: Well, you may be able to do
14 that, but you also and this board, represent
15 the people of Carmel.

16 CHAIRMAN GARY: Absolutely.

17 MR. BOYCE: All right. When these people
18 are done, if this project goes through, where
19 are they going to be? Are they going to be
20 here in Carmel? They're going to be maybe
21 over in Connecticut, maybe in Pennsylvania
22 moving on to their next project, and we're
23 left with the impact of this project.

24 CHAIRMAN GARY: You don't have to explain



1 that to me again. I understand exactly where
2 you're coming from.

3 MR. BOYCE: Well, you know, I don't think
4 -- to be honest with you, I don't think you do
5 understand. Our concerns in the Town of
6 Carmel, the whole dam town is being ripped
7 apart. We just want to stop it. We want to
8 have our town the way it should be, pleasing
9 to everybody, including newcomers and this is
10 not a project that creates that feeling. Now,
11 somehow or another, and I don't know how you
12 can work your magic up here, but somehow or
13 another, it needs to be stopped.

14 CHAIRMAN GARY: Since you sat down, I'm
15 trying to figure out this --

16 MR. BOYCE: I hope you can.

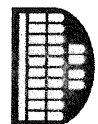
17 CHAIRMAN GARY: Miss, do you understand
18 what I'm saying? It's getting kind of late in
19 the evening. I want everybody to be heard,
20 but I enjoy hearing you speak and I enjoy
21 looking at you, but could you shorten the
22 time.

23 MS. BERBERICH: Okay.

24 MS. KOUNINE: I just wanted to clarify

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↓ 2-17

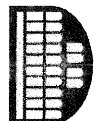


1 something that Ms. Fanizzi said. She quoted
2 me correctly. We had an applicant here and I
3 said, it's going to be different, we don't
4 want property razed, but that development was
5 nothing like this. That development was, I
6 mean, property line to property line,
7 completely stripped bare. In my opinion,
8 very, very overdeveloped. You really can't
9 compare the two, but the idea of not to strip
10 a land bare ever again, I said and I'll say it
11 again: It's a little different here. This is
12 like a whole mountain, it's not just a little
13 area.

14 MS. FANIZZI: You are so right. It is a
15 whole mountain that will be stripped bare to
16 the dirt. You're so right.

17 MS. BERBERICH: Two years ago, December,
18 you had -- the planning board requested that
19 Wilder Balter, and Ann referenced it, meet
20 with the concerned citizens of Hill & Dale,
21 and in fact he did, and during that meeting
22 one of my neighbors was saying to Mr. Balter,
23 this is our investment, we are a diverse
24 population, but a humble group of people.

2-17
Con't



1 This is a major investment for us, and for
2 some of us it's our only investment, and one
3 of the neighbors was saying that, you know,
4 the wood and what this means, and he shot back
5 the her that in point of fact, before you
6 plunk down your money, you should have double
7 checked what could possibly be developed on
8 that property, and I would like to speak to
9 that for two seconds, and this is this: The
10 back story on that property was it was
11 privately owned until the tax base changed,
12 because that property sits between Kent and
13 Carmel, and these people, they're yearly taxes
14 jumped so high. They couldn't develop it
15 because it was landlocked property.

16 There was an understanding they allowed
17 children that are now adults in Hill & Dale
18 grew up running around those woods. You
19 probably did too, Mr. Boyce.

20 MR. BOYCE: I did too, yes.

21 MS. BERBERICH: But the point is, they
22 had their hand forced. It was either they're
23 going to lose they're property because they
24 couldn't pay a hundred thousand plus



1 (indiscernible) miniscule amount. So they
2 were really kind of forced into it. So in
3 defense, two years later of my neighbor, I'm
4 sure they did do (indiscernible). My husband
5 and I did, and still at that time it was
6 privately owned. It was never commercial.
7 There was never a threat of this because
8 frankly, we were never going to move again,
9 and in point of fact, my husband never did.
10 So we really need your help.

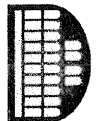
11 CHAIRMAN GARY: Anyone else wish to be
12 heard? Just a minute, Lori. Yes.

13 MR. LONGO: I also live on Willow Trail.
14 I see my house on this map, but it's actually
15 directly across on the other side of the
16 hill.

17 SECRETARY MOORE: What's your last name?

18 MR. LONGO: Longo. Our house, I believe
19 was built in 1995, and it's literally pinned
20 to the other side of this hill -- mountain.
21 My concern is the blasting. Six months, a
22 year of blasting, what's going to happen to
23 those pins? Is my house going to slide into
24 the lake? So that is a major concern to me.

3-116



1 I have two children living in the house,
2 my wife who's home, so that is a major concern
3 for me. Thank you.

4 CHAIRMAN GARY: Thank you. Ms. Kemp.

5 MS. KEMP: [One thing that I forgot to
6 bring up was during construction when there's
7 blasting, and I brought this up at other board
8 meetings, but large holes are left open and
9 rain water comes in and elevates the water
10 table. So I don't know what can be done to
11 prevent that during construction, but it's
12 something that happens and should be
13 considered, and that's it.] Thanks.

14 CHAIRMAN GARY: Thank you. Anyone else
15 wish to be heard?

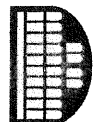
16 MR. MILLER: May I address the board?

17 CHAIRMAN GARY: Sure.

18 MR. MILLER: Mr. Chairman, Tim Miller
19 again. I just want to reiterate what I said
20 when I made some of my introductory remarks.
21 This project has gone through a lengthy SEQRA
22 review with a prior draft and final
23 environmental impact statement, and the
24 conclusion of that review is the findings

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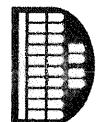
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1 state, that the board must do for any project
2 that goes through the EIS, which will be a
3 mandate at the conclusion of this process.

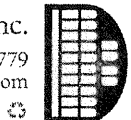
4 That finding statement was challenged in
5 front of the Supreme Court -- that finding
6 statement was challenged in front of the New
7 York State Supreme Court, and what that court
8 found was that everything in that finding
9 statement in fact was consistent with New York
10 State law with the exception of two areas;
11 that was wetlands and that was cultural
12 resources.

13 Now, we heard a lot of good comments here
14 tonight, and we're more than happy to respond
15 to all those comments in the final
16 environmental impact statement. However, I
17 just want to reiterate that you did make
18 findings two years ago on issues of traffic
19 and blasting and utilities and visual impacts,
20 and ecological impacts and storm water
21 management, and those findings were
22 (indiscernible) by the court, in fact,
23 appropriate and consistent with environmental
24 law.



1 So while it's our intention to respond to
2 every question that is raised here tonight,
3 the board went through an exhausting
4 proceeding that included mitigation measures
5 for all those various topics, and those
6 mitigation measures are still intended to be
7 implemented as we move forward with this
8 project. That includes blasting protocol set
9 forth, (indiscernible) velocity, pre-blast
10 inspections, things and that nature. It
11 includes storm water management commitments,
12 it included a detailed traffic study that we
13 did re-examine and update. So I just want to
14 again, you know, remember what long lengthy
15 expensive detail that we went through in the
16 past.

17 I also would request that as far as the
18 public comment is concerned, this document is
19 on the Internet, it can be reviewed by anyone
20 that has access to the Internet. It is in the
21 library. It is in Town Hall. Keeping
22 comments open for a period of time after the
23 close of this hearing would certainly be
24 appropriate, and I know that that has been the



1 board's practice in the past. Thank you very
2 much.

3 CHAIRMAN GARY: Thank you. Tim, as is
4 always, your answer to the questions was
5 accurate and very eloquent.

6 MR. MILLER: Thank you.

7 CHAIRMAN GARY: But I'm still dealing
8 with, I don't want that project.

9 MR. BOYCE: That's right, and don't
10 forget it.

11 CHAIRMAN GARY: But I also must say just
12 before we close the hearing is that there were
13 some very important concerns raised. It
14 doesn't matter, because I agree with you, we
15 went through most all of these in the past,
16 but they're still there in the hearts of a lot
17 of people that live in that area, and it's not
18 our job to ignore it. I have stated very
19 plainly what our job is, that we just can't
20 say up here -- say to the applicant, we just
21 don't want -- (indiscernible), we can't do
22 that. We have to follow the law, but in
23 following the law, the law gives us the right
24 to make sure that the impact to the people in



1 that area and of the Town of Carmel, is
2 addressed and their concerns, they have a
3 reasonable solution to their concerns, and
4 that's what this board will do. They will not
5 fast track nor go somewhere just to get that
6 hill taken care of.

7 We'll address the needs to the best of
8 our ability. I think some of the things that
9 you have stated that you want done, always
10 remember, this board cannot make the laws.
11 Your concern is on the other side of that
12 wall. They make the laws, not us. We just
13 try to make sure that the applicant follows
14 them.

15 If there's no more concerns, can we get a
16 motion to close the hearing?

17 MS. KOUNINE: I make a motion.

18 MR. MOLLOY: Second.

19 CHAIRMAN GARY: Will you call the roll?

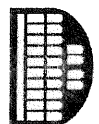
20 SECRETARY MOORE: John.

21 MR. MOLLOY: For the motion.

22 SECRETARY MOORE: James.

23 MR. MEYER: For the motion.

24 SECRETARY MOORE: Emma.



1 VICE-CHAIRWOMAN KOUNINE: For the motion.

2 CHAIRMAN GARY: For the motion, and we
3 thank each and every one of you for coming out
4 and expressing your concerns, and you can
5 follow us. This is not closed. Thanks so
6 much.

7 MS. FANIZZI: I didn't hear the
8 resolution.

9 MS. KOUNINE: We are going to close the
10 public hearing.

11 MS. FANIZZI: We didn't hear it.

12 CHAIRMAN GARY: We are going to request
13 before you leave, that he gives us an answer.
14 We going to leave that open for 30 days.

15 MR. MILLER: So you'll receive comments
16 30 days from tonight.

17 CHAIRMAN GARY: 30 days.

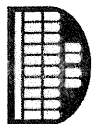
18 MR. MILLER: Thank you.

19 CHAIRMAN GARY: You can write your
20 comments and we'll get an answer. Thank you
21 so much.

22

23 (Time noted: 8:40 p.m.)

24



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

STATE OF NEW YORK)
) ss.
COUNTY OF WESTCHESTER)

I, MARCI LOREN DUSTIN, Court Reporter and Notary Public within and for the County of Westchester, State of New York, do hereby certify:

That I reported the proceedings that are hereinbefore set forth, and that such transcript is a true and accurate record of said proceedings.

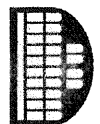
AND, I further certify that I am not related to any of the parties to this action by blood or marriage, and that I am in no way interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto set my hand.

Marci Loren Dustin

MARCI LOREN DUSTIN

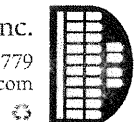
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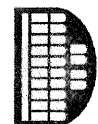
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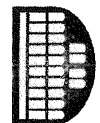
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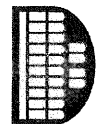


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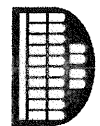


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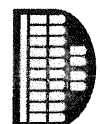
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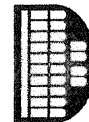


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