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Shawn Rogan  
Maria Di Salvo

**Planning Board  
September 13, 2006 Meeting Minutes**

Held at the Patterson Recreation Center  
65 Front Street  
Patterson NY 12563

**PATTERSON CROSSING RETAIL CENTER  
DRAFT ENVIRONMENTAL IMPACT STATEMENT  
PUBLIC HEARING**

Present were: Vice Chairman Mike Montesano, Board Member Dave Pierro, Board Member Shawn Rogan, Board Member Maria DiSalvo and Anthony Mangone, Attorney with Santangelo, Randazzo & Mangone, LLP, Special Counsel hired by the Patterson Town Board for the project.

Vice Chairman Montesano took the seat of the Chairman in his absence.

Meeting called to order at 6:03 p.m.

Board Member Rogan led the salute to the flag.

Approximately 114 audience members were present.

Board Member Rogan stated good evening everyone and welcome to the Patterson Planning Board's public hearing on the Patterson Crossing proposal. We would like to welcome you to this public hearing and introduce first, Maria DiSalvo, Planning Board Member, acting Chairman Michael Montesano, my name is Shawn Rogan, I am a Planning Board Member as well and acting Vice Chair Dave Pierro and down at the end of the table Melissa Brichta who is our secretary who has you may remember from the last meeting is charged with getting all of the minutes for this meeting to make sure that we have a good record of this meeting tonight.

Board Member Rogan stated first and foremost I would like to take a moment for everyone to look around the room and acknowledge the location of the emergency exits. There are at least three exits behind you as well as one behind the dais up here. If the alarm should sound please obviously, stand and quickly move towards those exits. Also over to your right hand side to the back of the room is the bathrooms. Please feel

free to get up and use the bathrooms. At this time please take the opportunity to either turn off all cell phones and pagers or put them to the vibrate mode please so that we don't have any disturbances this evening.

Board Member Rogan stated many of you may recall being in this room over a year ago when we did a public hearing on the scoping document for this project. You may recall also that the main reason for meeting was to get your concerns so that the Planning Board could draft a scoping document, which is what was done after that meeting. Those concerns were taken by the Applicant and a Draft Environmental Impact Statement was prepared to address your concerns. That was the whole point of having you come out and speak about your concerns was so that we could make sure that they get addressed appropriately. The reason we are here tonight is to hear your concerns again with respect to that Environmental Impact Statement, that Draft Environmental Impact Statement. We would like to hear your concerns specific to that document either in areas that you feel need more work or in areas that you don't understand but your concerns and your conversation should be geared towards that document that is why we are here tonight. It came to the Planning Board's attention just for the audience's edification that one of the requirements for posting the signs at the project site over on Route 311 that the sign was not placed within certain time frames that are required by SEQRA. We have spoken with our legal Counsel and given the fact that this is not a site plan review tonight that this part of the SEQRA process we feel it is prudent to continue with this public hearing and continue with the meeting this evening. Public comments other than tonight will also be tomorrow night, we will start also at six p.m. the intent is that anyone who did not get a chance tonight would be heard at that time and also anyone who is not present tonight of course who could not make this evening can speak then. We understand, the Planning Board clearly understands that this is a project that there is great passion about on both sides whether you are for or against this project we understand that you are very passionate it about and we also appreciate your input because tonight is really most specifically about your concerns. It is not about the Applicant giving a speech tonight or anything like that this is really your time to let us know what you are feeling and so we are looking forward to hearing those concerns this evening. The meeting this evening obviously started a little bit after six o'clock we intend to finish up by around eleven p.m. That means obviously if we finish at ten p.m. then we are out of here at ten and we will see you again tomorrow night for those that want to attend. We would not really like to go past eleven p.m. understanding that we all probably have full-time jobs that we need to attend. The rules for this evening just so everyone is clear, if you would like to speak this evening make sure that you sign up at the front desk which you past most likely when you entered the building. We will take those names in the order that they are given and we will call those names. You will be given five minutes to speak. We encourage you to also submit your comments in writing. You don't have to speak tonight if you are not comfortable speaking in front of a large audience. We would appreciate that you submit your comments in writing. Written comments at this time will be accepted until eleven days from tomorrow night, which is Monday, September 25<sup>th</sup>. At this time, I would like to ask the secretary to read the public notice please.

The Secretary read the legal notice.

Board Member Pierro called the first speaker, Laura Bromfield.

**Laura Bromfield** asked do you want us to state our name and where we are from like usual.

Vice Chairman Montesano replied that would be very nice.

Board Member Pierro replied if you would like please your address too.

**Laura Bromfield** stated my name is Laura Bromfield I live at 24 Walden Road in Lake Carmel, New York. My home is in the neighborhood that is most directly affected by Mr. Camarda's proposed Patterson Crossing and it scares me. In our neighborhood, our homes receive their water through wells. Wells run down a hill, water runs down a hill it generally doesn't run up. The proposed Patterson Crossing sits at the top of our hill, as it is there have been times where many neighbors have suffered with their water and they have had to drill deeper and deeper. I know they say it can be done but I live there and I have seen what is happening around me. I am afraid if I lose my water what happens to my family. If we remain in the home, our water goes, we will not be able to sell. I hear a lot of talk about the taxes. They have gone up and up and up. My husband's family has been in this area for over forty-five years, we have lived here for over twenty-four years in that time the taxes have done nothing but go up. Mr. Camarda spoke beautifully about building, building in Carmel, he was going to put in a hotel, Bed Bath and Beyond was going to go there, restaurants were going to go there. I hear the property has passed. What has Mr. Camarda done. It is easy to talk but when it comes to it we have nothing local to base what he says will be good for us on. We hear it will be good but we haven't seen it yet. The taxes when they proposed building Shoprite, when they proposed building A & P, when Home Depot came everybody said it would help our tax base. I speak to people in Southeast they say they have the largest increases in taxes since Home Depot has opened. We wonder why, more business brings more people. We need larger classrooms, we need larger schools. They are building on some of the schools now. My daughter had been re-districted in her school due to over crowding and yet we kept letting everything in. Homes have been built where there were none, Condos have been built where there were none. That tax money has been coming in for more than the ten years. I don't foresee that this will help. Jobs go to any store in the area they are looking for help. The kids don't show, they don't want to work, whatever the reason people don't want these jobs. You can't afford to live here with these jobs. I don't see anything positive by putting this in people's backyards. I am afraid for my family, I am afraid for the quality of life that I have come to know up here, thank you.

Applause.

Board Member Rogan stated thank you very much for your comments. I would like to also let the audience know that Maria DiSalvo, our Planning Board Member will be keeping track of time so that when it approaches the five minute mark, matter of fact if it would help the speaker, fifteen seconds prior to that I have asked her to just hold up her yellow pad here so that there is visual that lets you know it is time to wrap up and we will let you know when that five minute mark is, thank you very much.

Board Member Pierro stated sorry if I beat up your name, Orion Sandler.

**Orion Sandler** stated hi I am Orion Sandler I am a P.E., Professional Engineer, acting Executive Director of the Croton Watershed Clean Water Coalition. This Patterson Crossing application is un-workable. There is no commitment to fund the necessary offsite highway improvements to support the development. The development's on site transportation infrastructure is significantly undersized for the proposed 434,050 square feet retail space and nearby residents will suffer negative consequences and congestion, which will eventually lead to local, town and state DOT action to fund and repair these narrow roads. Consequently, the application as proposed will have a significant adverse impact on area traffic, operating conditions and the application should be denied. In lieu of our outright denial, a Supplemental Environmental Impact Statement should be required because the traffic study for Patterson Crossing under estimated the volume of traffic that will be added to the surrounding roadway network. It is recommended that the entire traffic analysis be revised and resubmitted as part of an SEIS, along with other information that might have been misrepresented in the DEIS. The revised traffic pattern should as a minimum include a revised analysis to reflect fifteen percent pass by credit during the week day peak hours and the ten percent pass by during the

Saturday peak hour, include a revised analysis to determine whether the internal intersections will have sufficient capacity to accommodate the additional internal traffic and holiday season traffic including left turns on the electronics and sporting good store, approaches to the main access road to ensure that the site's main access road will not fail and prevent motorists from using it to enter or exit the facility. More over it should analyze the signalized intersections of Towners Road and Route 52 since nineteen percent of the site traffic is projected to pass through this important intersection. The analysis should contain capacity analysis of the I-84 ramps to and from 311 since more of than half of the traffic generated by the project is projected to use I-84. I have all this in writing so I will just hand it to you. In conclusion the SEIS should either propose a second a driveway to access the project site or dramatically reduce the size of the project to a level which can be sustained by a single driveway and which is consistent with current engineering and planning standards and philosophies. The Supplemental EIS recommended should contain a commitment from the Applicant to fund the completion of the necessary mitigating measures. Alternatively, the resolution of approval for the project should require that Certificates of Occupancy for the development would be conditioned upon the completion of these improvements by others. This study and these data were compiled by John Canning, of Adler Consulting, White Plains, New York. Thank you. Shall I give you five copies now.

Vice Chairman Montesano replied please.

**Joan Castiner** stated my name is Joan Castiner and my husband and I reside on Walden Road in the Lake Carmel Park District within five hundred feet from the proposed Patterson Crossing Retail Center. I share all my fellow opponents concerns such as increase noise, air and water pollution, congested traffic, over loading the Town of Kent emergency services, increase crime and the destruction of our community as we now know it. Rest assured written comments concerning these issues will be forthcoming. The Applicant states in his DEIS the construction will be on going twenty-four to thirty-six months, six days a week however blasting will only be done five days a week by experts while homes and wells within five hundred feet will be monitored. We lived in New York City for thirty-three years and like now, we were once within five hundred feet of a construction site enduring daily blasting. One day my phone ring and I luckily left my living room to answer it while heavy mortar ceiling came crashing down, missing me by inches. I guess the experts didn't calculate that happening. I have been made aware that any aspect of breaking ground be it blasting, jackhammer, backhoe, etc puts all structures in close proximity at risk. One should not only be concerned with the walls of homes but windows, doors, outside walkways not to mention articles inside homes such as; pictures or paintings on walls, collectible that are breakable and displayed on shelves and so forth. Please note that these risks remain from the beginning of construction until its completion. As for water usage, two months after we moved into our current home which was thirteen years ago we ran out of water which I later found out is not uncommon occurrence in our neighborhood. My well had to be drilled down six hundred and fifty feet which once again is not an uncommon occurrence according to neighbors who also had to drill down over six hundred feet. My question is, if there is damage to my possessions or if the integrity of the structure of my home or my well is compromised who will be responsible for restitution. Will it be the Applicant who has been known to obtain approval only to flip properties, the contractors and or experts responsible for overseeing each phase of construction, the big box stores who are being lured into this location, the local, county and state elected officials charged with the protection of the health and safety of all residents or the Town of Patterson Officials who seem so eager to see this project go ahead. If the builder and contractors have insurance will residences who have claims end up in an insurance carrier war. How do residents actually prove cause and effect with certainty and not be subject to unreasonable and lengthy scrutiny. Lastly, the Applicant states in his DEIS that the emergency exit will let out on to Echo Road end of discussion. No mention of the egress. What are the plans for Echo Road will it have to be widened thereby taking portions of resident's front

yards to accommodate emergency vehicles. In all my years of living here, I have never seen the school buses that routinely pick up our children access streets above Montrose Drive. Could this be because it is hard to negotiate some of the turns on our roads, many of which are narrow and have deep ditches and make it difficult to pass oncoming vehicles. In addition, we know that Echo Road is hard to travel in inclement weather such as snow and ice storms I ask you to consider what would happen if there were an emergency requiring mass evacuation not far fetched given the times we live in. Would we residents then be trapped up on that hill resulting from a deluge of emergency vehicles. In summation, my biggest concern and question is where is the accountability that is so lacking in this DEIS. It appears the profit motive far exceeds all other considerations.

Applause.

**Johanna Groepl** stated my name is Johanna Groepl I live on 58 Concord Road, which belongs to the Town of Patterson. In the Applicant's DEIS it reads; some blasting would likely to be required. What does the Applicant mean with some. This is ambiguous language and does not state clearly how much blasting will be done. The question to answer is how much property is there that needs a greater than four feet cut and therefore would be blasted. The Applicant's DEIS refers to the blasting regulations of the New York State Code. The New York State Code talks about blasting rules and regulations and not about how people, animals and homes need to be treated. In the blasting mitigation plan of the DEIS, the Applicant states twice prior to blasting timely notice shall be made to off-site residences within five hundred feet of the blasting area. According to the wording in the Applicant's DEIS people living within the five hundred feet range can end up with only one notification, this is insufficient. Anybody beyond the five hundred feet and not marked for individual notification will have to look for warning flags or other means. This is un-safe. Question, is this DEIS suggesting that blast impacts will stop at exactly five hundred feet. Am I expected to ignore my neighbors who border the five hundred feet and let them suffer from any blasting impacts that won't stop at five hundred feet. Due to my location, I am ear marked to be notified how will my neighbors next to me but beyond the five hundred feet mark feel when they are suddenly terrorized by air horn. I feel in order to maintain my good neighbor relations I need to have some means to notify my neighbors of any blasting I am made aware of. This should not be my job. This is the job of the Applicant and the Town who wants the development. The five hundred feet cutoff is un-realistic and not neighborly at all. Blasting will be scheduled between eight a.m. and five p.m. Monday through Friday. What happens when my children may have an unexpected school schedule or when one of my children comes down with a cold or flu without prior notification. What are any of my elderly less mobile neighbors to do who can't schedule being picked up. Can we expect deer and raccoons and our cats and dogs to get spooked out of their minds and run a muck across our streets causing us accidents of all sorts. What about if our dogs or cats get killed due to the blasting. The State Code talks about no blasting until all persons have been removed. Will people be moved by force. Will they be picked up by the local police. What happens to our animals. Where do residents wanting to avoid impact of blasting noise move to for how long and who will carry the costs of our lives interrupted. If we can't prepare meals for ourselves or our families due to blasting schedule who will pay for eating out. What if someone post traumatic symptoms get re-triggered by the blasting. Who will pay for the costs of mental health care. Will it be a fight between insurances and ourselves in the middle. The Applicant's DEIS also states that blasting typically does not result in damage to existing foundation and wells if the work is completed according to current industry standards however homeowners within five hundred feet of the blasting site can request a pre-blasting survey. I would think that one initial pre-blast survey is not sufficient and the Applicant needs to provide and allow for additional pre-blast surveys before each blast that is done in proximity to those homes. In case of damage complaints, current industry standards will be used to determine if the damage was done by contracting blasting company. What are these current industry standards. Who or what determines which year or years will be

accepted for current industry standards. What about structures that have been built before the time of current industry standards. The DEIS states existing wells will also be monitored. Who determines which wells and what are the criteria for wells to be monitored. All wells need to be monitored to determine safety of our water supply. What is the expertise of the Building Inspector, the Town Code Enforcement Officer or the blasting contractor who are charged with the responsibility to interview the person involved in blast damage complaints. What are the names, addresses and phone numbers where I can reaffirm or complain to when protocol is not followed or damage is done. It is important to note the record of the blasting contractor as any monetary retribution for damage will be settled between the contract and the property owner and just remember the Applicant most likely has left town by that point. (The timer bell sounded at this time). Thank you.

Applause.

**Marian Rose** stated good evening my name is Marian Rose I live at 9 Old Corner Road in Bedford, New York. I am a resident of the Croton Watershed. I am the President of the Croton Watershed Clean Water Coalition (CWCWC). Historically, our purpose has been to preserve the quality of our drinking water, here in the Croton Watershed. Thoughtless development can pollute our streams, our groundwater and reservoirs on which we depend here locally and which also supply New York City residents with as much as 30% of their drinking water in times of drought. This common concern is shared by our individual members and by our over 50 member groups here in Putnam County, Westchester and New York City. We believe that this proposed development will have devastating impacts on the quality of life of residents throughout this area. CWCWC has confronted dozens of developments in the Croton Watershed. We have never encountered one as inappropriate or as potentially damaging as this one. Because of these concerns, CWCWC has engaged several expert consultants. Our opposition to this development is based on sound knowledge and sound reasoning. We shall be submitting these expert comments to the lead agency in conjunction with our own written comments. In our opinion, the impacts from this proposed development will be so severe that we urge the Patterson Planning Board, the lead agency, to simply deny a permit for the development as it stands and to demand an SEIS for a drastically reduced proposal. Tonight, several of our members will be speaking about the unworkable traffic plan, the deficient proposal for sewage treatment, the poorly mitigated noise impacts, the inadequate stormwater plan and furthermore some of the legal problems will be discussed by our attorney, Jim Bacon. We are often told that the developer has rights. We agree of course the developer has rights but mere ownership of a piece of property does not confer the right to harm one's neighbors. Yet, this is precisely what this development will do. This development can cause these local country roads to become dangerously congested. This will happen unless the developer pays in a timely fashion and in full for the needed improvements at the various traffic intersections. Simply, because he owns the property the developer has no right to cause road congestions that will most likely only be mitigated at some later date, when the developer is gone, leaving the cost and the tax burden to the local residents. The developer is submitting a manifestly inadequate stormwater pollution prevention plan that uses inaccurate input data and fudges the final results so that there is no conclusions can be drawn regarding an increase or decrease in phosphorous pollution to Lake Carmel or the Middle Branch or the East Branch Reservoirs. Using the accurate input data phosphorous levels will increase under the new Phase 2 Stormwater Regulations, the Towns of Patterson and Kent will then be obliged to install stormwater devices to reduce the phosphorous. Simply because he owns the property, the developer has no right to cause this extra cost to the Towns, which translates into an extra tax burden to the residents. The proposal calls for the destruction of over 60 acres of a steeply sloped, thickly forested hill, an integral part of the scenic Hudson Highlands and deface it with 34 acres of impervious surfaces. This will necessitate the drilling and blasting of 447,500 cubic yards of soil, 119,000 cubic yards of rock, which together would cover a football field to a depth of 106 feet. Simply because he owns the property, the

developer has no right to ruthlessly destroy acres of superb scenery and forested land that protects the neighboring lake community. (The timer bell sounded at this time).

Board Member DiSalvo stated sorry your time is up.

**Ms. Rose** stated we urge the lead agency to deny this devastating, Vice Chairman Montesano interjected you are taking time away from someone else. **Ms. Rose** stated thank you.

Applause.

**Harry Hitner** stated good evening, I am Harry Hitner, 58 Concord Road in Patterson. I would like to touch on two items from the DEIS. Conspicuous by its absence except for two very passing references is the status of Echo Road and the emergency access road connecting to it. The only public access and exit to this development is a single, steep sided, winding, two lane roadway approximately thirty feet wide and connecting to Route 311. This roadway will also be shared by delivery trucks and other service vehicles. Given the sheer size and projected traffic volume of this development it seems to me that this access road is inadequate at best and a death trap, bottleneck at worst. I cannot think of a single development of even a quarter of the size of Patterson Crossing that does not have a minimum of two separate entrances and exits. With parking provided for an expected 1,900 vehicles this is a disaster waiting to happen. The access road allows for only two lanes of traffic, one in either direction for more than 1,200 feet, 750 feet of which has thirty-foot high walls on either side. Even the smallest fender bender let alone a serious accident it likely to cause a major backup into the facility and well out on to 311, for the people stuck inside Patterson Crossing there is no way for them to get out and emergency responders will likely not be able to get in from 311. Even using the emergency access on Echo Road any bottleneck in the mall's only access road will prevent a possibly life saving swift response. As for the emergency access road, the developer calls for a twelve-foot wide gravel road gated and locked on both ends to prevent unauthorized access to run up hill from the property and connect to Echo Road. At its widest point, Echo Road is approximately twenty feet wide, at its narrowest less than ten feet in addition there are usually cars or trucks parked at various locations up and down the hill further restricting the width and use of the road. In a serious emergency like a fire or other situation that might require evacuating the mall or injured people given the likely constrictions on the access road to 311 and the fact that Echo can only handle one way emergency vehicle traffic at best we again see the likelihood of disaster. People can't get out, first responders can't get in. The Applicant should show and the Board needs to confirm that in a worse case scenario the emergency plans for this development are sound and not likely to cost taxpayers in terms of added emergency support or the risk of lawsuits to the Town in the event of preventable injuries or fatalities. The second item I would like to touch on is the sales tax windfall the Applicant outlines in the DEIS. We all know that not one dime of sales tax revenue goes to the towns of Patterson or Kent; 4% goes to the State of New York, a fraction goes to Transportation and the remainder to the County. Since our schools are funded by our property taxes only the property taxes paid by, the development will do anything to alleviate our school tax bill. The property taxes on the fully built out Patterson Crossing will amount to less than 1% of the current annual school budget. Also, as the housing market cools and interest rates rise which is especially hard on adjustable rate mortgages and credit card holder's consumer spending spirals downward. Right now, nationwide the Consumer Comfort Index is at minus fifteen the worst it has been since Labor Day of 2002, which is far worse than the positive twenty-nine it was in 1998. Here in New York specifically consumer confidence is almost eight points lower than the national average, all of this translates to reduce consumer spending and much lower sales tax revenues. We here a lot about the so called Putnam Paradox and it is true people do tend to shop outside the County just as people tend to shop where they work and perhaps there is a connection however the real paradox is this; if Putnam expects people to shop here why does the County

make it so much more expensive to do so. Just last week, Mr. Bondi proposed increasing Putnam's sales tax this coming year. Mr. Camarda is famous for stating that you can't buy a decent suit or a big screen TV. in Putnam County. Well, an average big screen TV. at Costco or Best Buy will set you back around two thousand dollars. In Putnam, you would pay one hundred and fifty-seven dollars fifty in taxes, perhaps more next year. In Connecticut only a hundred and twenty, that is a savings of thirty-eight dollars and if you shop on the internet that same two thousand-dollar TV. set will only cost you nineteen hundred with free shipping and no sales taxes.

(The timer bell sounded at this time).

Board Member DiSalvo stated sorry your time is up

**Mr. Hitner** stated talk about a Putnam Paradox, thank you.

Applause.

**Fay Muir** stated good evening, my name is Fay Muir I am a Member of the Board of the Croton Watershed Clean Water Coalition. This project proposes to destroy almost of a hundred acres of pristine forest near two drinking water reservoirs and replace it with a shopping mall. I have been asking everyone I encounter the question, which would you, prefer clean water or another shopping center of course clean water was the answer every time. The hundred acres of forest to be destroyed is just on the proposal. What in fact will happen is much worse. The sedimentation and stormwater runoff will cause more acres to be destroyed. In addition, there is also the lights, pollution from the completed project that will contribute the more forest destruction in the years to come. The economic and other benefits of a healthy ecosystem is well documented. Manmade structures or mitigation cannot come close to the multi-barrier protection for air and water that a healthy forest ensures. Permits and mitigation are not the answer. More than two thousand accedence's of New York permits for stormwater was recorded within eighteen months ranking New York third in country for most accedence's this was for large facilities that were required to give reports. There are many more accedence's that go un-recorded. Permits do not guarantee that they will be adhered to. Many residents depends on wells therefore should be more even more concerned about pollution than folks in the City. Not only is there the consideration of polluted wells but polluted air from construction vehicles and increased traffic. I live in the Bronx, within my lifetime the Bronx has gone farmland to being rated one of the highest in the nation for asthma. In my area, the asthma rates have risen almost twenty percent in the last two years because of one single construction. I would think it would be worse here. In addition, in my small circle there have been three people that have suffered serious heart problems during this time of the construction, which is exasperated by air pollution. There is a serious economic impact on the disadvantage when drinking water is polluted. If the water is polluted, the City's answer is to build expensive engineering facilities and increase water rates to cover the cost. I know our water rates went up 9.4% this year, which translates, to 24.6% when sewer weights are factored in, here the rates went up even higher. Economist, Blackburn Study concluded that the poor bear eight times more of the cost of increased water rates than do the wealthy. Your best interests and mine are not served by destroying forests that do a terrific job at keeping the water purified shopping is a very poor excuse in deed. St. Francis of Isis established his order eight hundred years ago and has been beloved every since by peoples all over the world of every belief. This is what he had to say about water. She gives boundless service and she is lowly precious and pure. We are extremely best to have such a clean and bountiful supply and she will remain so only if guard her forests, wetlands, streams and rivers from needless destruction. So I ask you Members of the Town Board what is your preference clean air, water and good health or more shopping. Thank you.

Applause.

**David Ferguson** stated my name is David Ferguson and I live in Chelsea in New York City, 411 West 22<sup>nd</sup> Street. I pay for the water and I drink the water that comes from the Croton. I am the Vice President of the Croton Watershed Clean Water Coalition. We have been working for ten years. DEP told us many times that the people in the watershed in the Croton would fight until their dying breath efforts to protect the watershed and I found that the only people that are really fighting to protect the watershed are the people in Putnam and Westchester. My fellow New Yorkers don't understand where this water comes from and what it costs. They think it comes out of the faucet and they have no information to the contrary because all the sources of information are not dedicated giving this information out to the public. It is a very complex situation and you learn as you go along how involved nature is that we take for granted. We have got to learn that we can't just bulldoze over nature. Nature will cause, Mother Nature says vengeance is mine say it Mother Nature in tears. This is unbelievable what is going on in terms of this watershed. We have a map that Dr. Rose did that shows we call it the measles map and it is just mainly Putnam it is all the projects. This is one of many as you know. You know better than I. The incremental of paving over the watershed of taking vegetation down that picks up the nutrients and the pollutants, holds the soil in place which then filters the water that comes down to recharge your aquifers and your wells, you pave that over and you bring in cars that deposit all kinds of very serious pollutants that wash off with very poor drainage. The drainage designs are just not up to par, so you are losing more than you are gaining in the end in terms of environment. What is the need for this as they just said. I mean this boggles the mind. You can buy a television conveniently by doing this. I don't know how long it takes to go to Danbury or wherever you shop or Highlands, that wonderful, beautiful thing which you might have seen and you can look on the television and see the beauty of the world that is being destroyed in your own backyard so you can get more quickly to that purchase of a television. It does not make sense and economically the people, I mean I just don't understand you go through towns up here, I love this place. I live in the City and I want to know it is here. One of our groups, a member of the Clean Water said he wants up here this is his cathedral, he comes up here all the time and walks on the trail and so on so that there are New Yorkers that have a great care and want the same thing that the people here want and that I don't understand our DEP, I am a taxpayer and yet they don't represent us. I have seen this for ten years and it is a crime really and so if we are going to and the blasting what is that going to do the hydrogeology. Is there anything in there that deals with that or the septic soils the three or four feet in places where they are going to have to import soils to get a decent leach field. What kind of soil is that, what type, you know there are different types of soil and they have different percolation rates. All of these things are critical to your well water and to our drinking water. I think it is very short sighted for us to think that we can just and this is something that this century is going to have to learn within our limits and I don't know what it does to the economy in terms of moms and pops stores. You go through the towns that used to be vital and now it is all spread out along highways, along 22 where they want to widen the road between two reservoirs. You know these things just don't make sense why would you do all this building out here in the watershed. People bought property here they knew it was a watershed and they knew there was going to be consequences. They didn't just buy it out there in the prairie where there was not this particular kind of impact to be had. Just because it is filtered doesn't mean, filtration is no magic bullet. The better the water coming in the better the water going out. We may well have to spend a lot more money in the City on top of the billion and a half that we are spending to build that plant because the water is so degraded by this continual and this incredible.

(The timer bell sounded at this time).

Board Member DiSalvo stated thank you.

**Mr. Ferguson** stated Sunami of development, thank you.

Applause.

**Arthur Singer** stated my name is Arthur Singer I am Chairman of the Planning Board of the Town of Kent. I noticed you have white chairs and black chairs I purposely sat in the white chairs figuring it is for the good guys but they are not very comfortable.

Some laughed.

**Mr. Singer** stated I brought with me tonight the DEIS and perhaps the folks are not aware of what we have to review in order to get a feeling of what the project is. Our Planning Board Members are required to read it but they are not professionals. We have to go out and hire professionals. Due to the way SEQRA is setup we are using our own tax money for that we have no way of being reimbursed that is beside the point. The developer has been probably working on it hiring their professionals for probably a period of two plus years. We have to go out and hire professionals and the professionals are not just sitting there waiting for us to make a phone call. They are busy. Given the choice, I am confident that both the residents of Patterson and Kent want a thorough review, taking a hard look as we are required to do. I am suggesting that the comment period be extended for thirty days so a proper job can be done thank you.

Applause.

**David Reeves** stated good evening my name is David Reeves. I have been a resident of Putnam County for the last fifteen years. I have reviewed sections of the DEIS Draft accepted by the Patterson Town Board and have a few items worth sharing. With regards to the DEIS report the Patterson Town Board retained Stantec Consulting Services, Inc of Pawling to review the Applicant's Draft Environmental Impact Statement. Stantec Consulting submitted a memo to Patterson Town Board dated June 29<sup>th</sup> with the following comments and I quote. "Based on the review we offer the following comments to the Board for their consideration in determining whether the DEIS should be deemed complete. Should the documents be deemed complete our office would recommend that it be conditioned upon the Applicant addressing the comments noted below as well as any other comments that may be offered by the Board, Town Planner, ECI prior to its circulation to the above agencies", close quote. The Applicant's consultants have determined for this project size, the water usage would be approximately 11,000 gallons per day. This equates to a septic field of approximately 300,000 square feet or the equivalent of five football fields. The proposed fields are located in the southwest corner of the site running parallel to the homes along Vernon Drive. In the same memo dated June 29, 2006 Stantec Consulting states and I quote "we have previously raised the issue of the design flow 10,740 gallons per day in table 4.4-3 being substantially lower than the anticipated daily usage of 35,000 gallons per day based on NYSDEC standards and the potential maximum square footage. We continue to suggest that the document be revised", close quote. Based on the NYSDEC water usage of 35,000 gallons per day the septic fields will have to be enlarged to 960,000 square feet or the equivalent of 15 football fields. I bring to your attention only one of many issues raised by Stantec Consulting, the firm that the Town Board paid for, the taxpayers of Patterson, let me back up I bring to your attention only one of many issues raised by Stantec Consulting, the firm selected by the Town Board and paid for by the taxpayers of Patterson to review this draft. I find it alarming and question the Board as to why hire experts at taxpayer's expense and do absolutely nothing with their advice, thank you.

Applause.

**Ivanka Roberts** stated my name is Ivanka Roberts and I live in Carmel. I would like to beg your indulgence for a minute because Julia Rellou who is a Conservation Biologist and an Environmental Scientist wanted to speak tonight, could not make it and has asked me to read out a portion, something but I also wanted to speak so I might not be able to keep it to five minutes since I am speaking for two, okay.

Board Member Rogan stated you can submit her comments in writing.

**Ms. Roberts** asked just that.

Board Member Rogan stated yes.

**Ms. Roberts** stated okay I will still read out one portion of hers because actually she would have overlapped with me because it is about the forests. Here in Putnam we have a very, very high ozone count even at the best of times, even without air inversions. We desperately need all the forests that are left just to keep that down. If we don't, if we get rid of all these what is it 90.5 acres of forests we are going to see even more respiratory problems. We are going to see even more cancers because we are going to be high ozone all the time and not just regularly. We need every last tree that we have here. This particular project also, people have already talked about traffic so I am not going to repeat that part but it will destroy the drinking waters because of the local hydrology because of all the runoff from the hard impervious surfaces that are going to be put in there. Also if DEP does not allow another sewage treatment plant it will be subsurface because of the hydrology of this area it will destroy the ground water and the reservoirs and the lakes. One more point, in Carmel we have been being promised Costco, Wal-Mart, Hannaford for the last fifteen years partly some of them by our Town Board, some of them by Mr. Camarda no one has come up with any of these coming into our town. We are ourselves are tires of these empty promises. They are lures. There are no guarantees that these people come in and if you look at it logically they won't because in a highly densely populated area someone like Wal-Mart or Costco can easily have two stores just fifteen, twenty minutes apart from each other. They have enough population to get them profits but when you have a relatively un-populated area like this or medium density unless the stores are at least an hour's drive apart they will not make the profits. All that the company will have to do is pay double for extra rent and extra employees. This area is not interested between Brewster Highlands, between Danbury, between Poughkeepsie, between Route 9, between Route 22 we have enough large places no new ones will come in. It is time that we started thinking and thinking hard and stop giving credence to empty promises. Thank you.

Applause

**Joe Ruocco** stated my name is Joe Ruocco I live in Lake Carmel for eight years and have spent twenty-one years as a New York City Police Detective. I would like to start with crime and safety. Long Island had over sixty home invasion robberies last year all near exit and entrance ramps and more than half near shopping complexes like this one. It is only a matter of time before people looking for shortcuts to avoid traffic find your block. Who is going to pay for first responders to the location or to the traffic accidents on 311. If Kent is the first responder is the Town of Patterson willing to reimburse the Town of Kent after all the residents of Kent pay taxes for a police department, which Patterson does not have. We will need traffic lights and wider roads to avoid the tragic accident, which occurred on Thursday, September 7<sup>th</sup>, which hurt four people and killed two. These improvements should be paid by the developer. If it isn't in place before the project is built then it will be the taxpayers of this county who will have to foot the bill. Route 311 cannot support the amount of traffic that is being talked about, 1,500 cars for peak hour, the causeway over Lake Carmel, the intersection at 311 and 164, the one lane railroad bridges on 164 as well of the

intersection of I-84 and 311 must be improved before this project goes forward. Also Echo Drive being used as an emergency exit makes no sense. It is a narrow road on a steep grade, which has parked cars and many families living on it. It leads to Terry Hill Road which is no better off. I do not understand how the head of Putnam County Emergency Management and the Putnam County Sheriff can approve this as a safe and viable egress for many vehicles in an emergency. Before we destroy 90 acres of land because we think that it will lower or stabilize our tax burden we just have to look around at Long Island, New Jersey, Westchester, Rockland and our neighbors in Southeast all have developments like this and none have lowered or stabilized their taxes. All have faced increases in their taxes and all have to show for it is traffic and pollution. You cannot base your budget plans on sales tax besides half of the items sold in Costco are food items and there is no sales tax on food. All these types of stores have a history of fighting their property tax assessments and under report their sales in attempt to save money then they take their profits out of the community. I have two articles that state Costco expects their fourth quarter profits to be below estimates because sales have slowed and blame higher gas prices. The other is about Lowe's that states that they cut their full year's earning outlook because of sluggish sales due to the high-energy cost and a slowing housing market. You will always be paying taxes whether it is higher property and school taxes, raising sale tax, implementing an income tax any way you look at it you will be paying more. Putnam County has the lowest unemployment rate in the State of New York. There are plenty of jobs in the area that are not being filled. The jobs being offered here are low paying jobs with no benefits or future. The people that work at these jobs cannot afford to live in the County and own a home. What we need are corporate jobs that pay higher, have benefits and a future. I have heard people say that it would be good for the teens that they could get jobs at these stores. Lowe's and Costco have age limits of over eighteen to work in their stores. Most of the young adults over eighteen in this County have to leave the area to attend college because we do not have a college campus or a Community College in Putnam County. All of these jobs are dead end jobs with a high turn over rate and as for local tradesman, union people there is no guarantee that they will get any of the construction jobs. I find it ironic that the Town of Patterson and the Town Board that have found that a dog kennel for sick and injured dogs is a quality of life issue for the people who live in the area and that the lights at the ball field on Cornwall Hill Road bother the residents in that area that they want to shorten up the games but to build a 90 acre development in the backyard of 2,000 homes is not a problem.

Applause.

**Mr. Ruocco** stated in the DEIS report they state a lot of could be's, might's and maybe's but we cannot approve a project this size on maybe's. We must have guarantees from the developer because once the project starts without them it will be have to foot the bill.  
(The timer bell sounded at this time).

Board Member DiSalvo stated thank you your time is up.

**Mr. Ruocco** stated I suggest that money be placed into an escrow account and guarantee that the money be there when it is needed.

Board Member DiSalvo stated thank you.

Board Member Pierro stated thank you Joe.

Applause.

**Erica Kelly** stated good evening, my name is Erica Kelly and I live at 56 Huntington Road in Lake Carmel. I am one block away from Terry Hill and I am about a hundred feet from Concord. I would like to first say that myself and my neighbors we are not completely against having commercial properties, businesses in our area it is just something of this size and magnitude that we cannot sustain. I don't feel that to save a couple of dollars in gas so not to have to go to Fishkill or to Danbury is a good enough reason to drive out your neighbors in Lake Carmel. My concerns are the same as everyone else this evening, they all have been stated water, taxes, septic the list goes on. I feel a project of this size cannot possible address every concern that is brought up this evening to this Board. So, my question is who will be responsible if or when the properties or the families in my neighborhood are affected by this property. Will it be the Patterson Town Board, will it be the Kent Town Board, will it be Mr. Camarda or the stores that are going in. That is the biggest question who do we go to when we have no water, when we don't have septic fields any longer, when my child gets hit by a car taking a short cut to the mall. I would like to ask what plan is also in place for the additional police and fire protection as well as ambulance services that will be needed when the project is completed which town will absorb the cost also Patterson, Kent, Mr. Camarda where will that come from. The local Town Boards in this area have laws regarding garages, sheds, property lines, abandon cars, pools, and such like they have laws about these things being unsightly or too close to your neighbor or too large or ugly whatever it is. Therefore the Town makes you either correct it, move it, not build it or do it within a certain spec. I find it very humorous that something of this size is even being considered, thank you.

Applause.

**Antoinette O'Connor** stated hello, my name is Antoinette O'Connor and I live on Amawalk Road. I am a resident of Lake Carmel for over 35 years and I am raising my family here as I was raised. My biggest concern for this project is the additional volume of 1,600 to 2,200 cars an hour into our community and the additional environmental pollution that this volume will generate. I am also concerned that this influx of people from outside our community will be driving through our neighborhood streets creating a danger to our children playing in these streets. I think this influx of people will also be an invitation for crime. You know the builder does state that the, does not state excuse me that the total cost of the 6 traffic lights and a series of turn lanes along a two mile span of 311 between 164 and Terry Hill Road but he does state that this area road is in such disrepair that it would need this work anyway but the truth is that span is new so I don't see why we need to make these improvements and I don't think it is fair that we taxpayers have to absorb the cost that is only being raised for this project and basically that is really all that I am, I mean I am concerned about wells, taxes I don't believe will go down but I really do feel this proposed project is going to change the character of this community forever, thank you.

Applause.

**Ann Fanizzi** stated good evening my name is Ann Fanizzi and I chair the Putnam County Coalition to Preserve Open Space and I have some exhibits if they could just be turned around to face the audience also, thank you.(She had 3 Poster Board with pictures of a Costco in Brookfield, Norwalk and Waterbury). I am also a Board Member of Croton Watershed Clean Water Coalition and their Putnam County Representative. Lady and Gentlemen of the Planning Board I wish to take this opportunity to present an issue that has not been presented. You are responsible for the health and safety of not only the people of Patterson but also those of Kent so you bear a heavy responsibility. It is not often that a Planning Board is responsible and is obligated to reach a decision for two Towns, I don't envy you. However you are also responsible for the health and safety of these two towns and so I wish to draw your attention to three towns in Connecticut that have a Costco. They are Brookfield, Norwalk and Waterbury each of these locations

were visited by myself and another resident of the community and I did so based on the following; in the scoping document it says the following; to discuss the potential increase in rodent or scavenger population and then under (c) the mitigation measures used to control rodents and other scavengers such as they use of containers with lids. When we go to the DEIS there is no mention of rodents, scavengers or the like. What it says is simply and it is only passing that supplemental measures which may include additional fencing and I would like for you to take a look at the fencing of a recently built Costco in Norwalk, Connecticut. It is cheap and broken and that would be employed not to control rodents, in the DEIS it says nuisance animals. A far cry from what the scoping document said. So then when I visited these sites I interviewed a resident in Brookfield and he gave me some interesting information. He said Ann, go back to Costco and go around the building and you will see black boxes on the black boxes it says poison do not touch and the company is Protecta. Now, when I went to Norwalk guess what I saw the same thing. In Waterbury I saw the same thing, now the difference between,

Board Member DiSalvo stated hold we need to change the tape.

**Ann Fanizzi** stated now Waterbury Connecticut and Norwalk are along highways not in residential areas and even Brookfield is not that near a residential area so the impact of a warehouse, we are talking about a warehouse here, we are not talking about a store and anyone that has been in a warehouse knows that these kinds of pests and rodents are endemic. Anyone who reads a newspaper knows that on ships from Asia, South American and so forth we are getting all kinds of evasive plants, animals, vermin and so forth. This community has none of this and when you go to the Protecta site, this is exactly a rattrap not a trap for nuisance animals but a rattrap. Now here we have a community that has dogs, children, pets even feral cats what happens when these pest and vermin not take the bait. Do they take the bait from the dogs, the children and we know the connection between Lyme disease and fleas from rodents.

(The timer bell sounded at this time).

Board Member DiSalvo stated thank you your time is up.

**Ann Fanizzi** stated thank you I am going to end in just one second,

Board Member DiSalvo stated thank you.

Board Member Pierro stated let her finish.

**Ann Fanizzi** stated I have just one sentence I want you to take into consideration that your introducing not only a development but everything that goes along with it and your primary obligation is to do no harm. Thank you very much.

Applause.

**Jim Bacon** stated good evening Mr. Chairman, Members of the Board my name is Jim Bacon I am an Attorney for the CWCWC and the Putnam County Coalition to Preserve Open Space. Due to the unprecedented size of the project and wide range of impacts we also would request a thirty day time period to submit written comments to allow our consultants adequate time to prepare and deliver those. Our preliminary findings are that the project is dramatically out of scale with the surrounding area and that the DEIS is deficient and failing to include sufficient on the project's traffic, stormwater, hydro geological, rare and endangered species impacts and fails to adequately assess the project's conformance with the Town's

Codes of Patterson and Kent therefore a Supplemental EIS is required under SEQRA. Now, regarding the Comprehensive Plan and Zoning Codes the Comprehensive Plan does not envision a project anywhere near the magnitude that is proposed at 434,050 square feet. The Zoning Code does identify a regional retail center starting at 75,000 square feet but this project is 5.7 times that. Consider traffic, the project will generate 17,600 vehicle trips on a peak week day and up to 23,000 vehicle trips on a Saturday. I have got the proof right here and I will deliver that and that is going to be our comments also from our Traffic Engineer, John Canning with Adler Consulting. To put that in context that is three and a half to five point three times the daily traffic now on Route 311 according to the Comprehensive Plan. Consider the sewage impacts this requires a 8.7 acre sewage field the Town Code does not permit that in a residential zone. Consider the site's disturbance the cutting and blasting of enough soil and rock to fill a football field a 106 feet high. This is no small matter. This project's unprecedented size and magnitude would require at least three use and area variances by the Patterson ZBA. That needs to be recognized. First, the Zoning Code states that for a regional retail center access shall be only from a State or County Road and the road access here is not in the Town. It is in the Town of Kent it is beyond the jurisdiction of the Town's Zoning Code. The access point being in Patterson is from a different parcel from the Town of Kent so a use variance is required. Second, the access drive is thirty-five hundred feet long, approximately twenty-nine hundred feet is in the Town of Patterson. The Town Code limits cul-de-sacs to fifteen hundred feet, it limits driveway lengths to two thousand feet. Whether you define this as a driveway or a street it is going to need an area variance. Third, a use variance is required to use that 8.7 acres of R-4 Zone property to treat the sewage. A commercial sewage field is not a residential use. This use is not allowable under the code requirements for the R-4 District Zone. The lead agency cannot avoid these examinations as we learned from the Meadows Case in Southeast which the Appellate Court reversed Judge Nicholi's decision on the lead agency must not leave the heavy lifting of the review of this to other agencies such as; DEP, or DEC or any other agency. For good or worse you are the ones that are charged with looking at every environmental review and whether or not you need to hire whatever experts you need to hire to help you, you have to do it.

Applause.

**Mr. Bacon** stated in completing that job the Board has to look at the standards that DEP uses, the other Towns and your codes. One of the things that you need to realize is that the ZBA's charge is that this project shall be with the requirements to lessen congestion in the streets and promote health and general welfare. For environmental impacts we are going to have David Clouser, P.E. discuss that. The environmental inventory also needs to be looked at with more expertise, Tim Miller does not have the expertise to do that and to sum up an SEIS is required

(The timer bell sounded at this time).

Board Member DiSalvo stated thank you.

**Mr. Bacon** stated because the project's design cannot meet the present goals of the Town Code and I will submit the traffic information.

Board Member Rogan and Board Member Pierro thanked him.

Applause.

**Suzannah Glidden** stated good evening I am a Croton Watershed resident, Suzannah Glidden, Board Member of CWCWC and also the Putnam County Coalition to Preserve Open Space. I am also a lake

community resident leaving at Peach Lake in North Salem and like Lake Carmel we have enough high density housing traffic on small narrow roads to certainly not need increased traffic which Patterson Crossing would bring. The proposed massive big box development is to sit right on top of Lake Carmel, its residents and their drinking water supply. The forest of the proposed site now holds rain water from running off allowing it to seep into the ground and water supply sources clean and filtered by this natural forest process. To slash the forest and pave it over with impervious surface of roads, parking lots and building roofs create dramatic runoff of water, which by gravity will be carried down hill polluted with the toxic soup of chemicals from increased vehicular road traffic. Is that the kind of water that is desirable to infiltrate the wells of Lake Carmel residents and the sewage from this project that is to be treated underground. Is that also a desirable addition to well water supply. We should be considering a Croton Watershed ban on phosphates, fertilizers and pesticides not on an increase in pollution to our drinking water. With destruction of forest, blasting of rock and digging of earth and construction come erosion of sediment and silt that are washed down into some manmade stormwater controls while other runoff will inevitably go straight into Lake Carmel. If those controls like catch basins are not carefully and frequently maintained the clogged overflows will carry sediment and debris to Lake Carmel and escalate the filling in of a once beautiful lake besides polluting its water. Whose to pay for the necessary and expensive maintenance of stormwater controls, the developer, he should but it is you the residents of the towns who will pay. We have enough new high costs associated with Phase II Stormwater regulations coming at us in 2008 without additional stormwater maintenance cost of this proposed, unsustainable development and what of consideration for our wildlife habitat. Where are the wildlife to go. The developer suggests that there is a large tract of land across Route 84 they are to make their way across Route 84 alive, not likely. And the myth that new commercial development will bring tax relief to residents is a myth continually pushed by developers and politicians wanting to push through their project. It mesmerizes naïve residents while just the opposite occurs. Within a few years the rise in taxes for the cost of additional very expensive infrastructure needed to support big development out paces what taxes would have been without it. Don't be fooled. Look at the tax facts in towns over developed like Yorktown. There are reasons why the Croton Watershed has strict regulations they are to protect our and New York City's drinking water. The Croton Watershed is built out. It has been developed within regulations of New York City's Memorandum of Agreement in Town Codes on almost all suitable land. What remains is mainly unsuitable land for development that has vital wetlands, wetland buffers, steep slopes, rock outcroppings and poor soils. For the Croton Watershed Town Boards and Town Planning Boards to approve projects on unsuitable land such as on the steep slopes of this development is truly unconscionable. Favoring developers rather than water protection must stop before our water has become degraded and it is too late. Approvals or variances must be denied for irresponsible development. Our most important resource is water. Our Watershed is a precious, uniquely, high quality water system but it is a fragile ecosystem and we must stop taxing it. To put sufficiency and quality of our water at risk by not leaving sufficient forest and wetlands to filter recharge and prevent flooding, to allow invasion of our wetlands and their critical buffer zones, to allow turbidity in our drinking water from erosion by building on steep slopes, to threaten sufficiency by over building and reducing recharge areas, to allow this egregious Patterson Crossing development to be built immediately on top of another community and their drinking water really extend beyond the pail. Protect our water please, protect our residence.

(The timer bell sounded at this time).

Board Member DiSalvo stated thank you

**Suzannah Glidden** stated our wildlife and stop Patterson Crossing.

Applause.

**Ray Mainiero** stated hi my name is Ray Mainiero. I am member of the Putnam County Coalition for Open Space. I am also a resident of Lake Carmel for forty-four years, also a high school biology teacher for thirty-eight years, retired now. I didn't expect to spend my retirement working on this crap for the last three years but that is what I have been doing.

Applause.

**Mr. Mainiero** stated researching this nonsense, fighting it and I am certainly no expert. Others have talked about noise, traffic and the like and taxes. I would like to talk a little bit about noise but since no one has talked about wildlife and the trees and the plants can't speak for themselves, I would like to speak a little bit about them. Page 63, potential for use by rare or endangered species of the DEIS; the DEIS states that the biologists followed the route of the transits generally followed the existing dirt road on the site in a zigzag pattern. This was done to observe potential endangered species such as the Bog Turtle and the Mud Turtle, etc. Was there ever any randomized creation of a ten by ten meter plot with detailed observations of each plot to quantify and identify the population of existing species. The exiting table is for a normal habitat found in Putnam County. It does not apply specifically to this site. Were observations made during all seasons of the year. Were any migratory animals observed during these times. Is this a possible corridor migrating animals during spring and winter months. Was any observation of this done. Table 4.7.1 Wildlife List, section 4.7.3, this table indicates that there were only five mammal species observed on this site during their zigzag pattern. How thorough of an investigation was it if only mammal species were observed on a 90 acre plot. How can we be assured that it was an accurate and comprehensive study of the entire ecosystem. How many trees will be cut down. What are the approximate average diameters. How old are they. Think of all the niche systems that will be destroyed when these tress are cut down. Think of the impact that will have on all the plants and animals in this area of Putnam County. We are handing over our precious environment to greedy developers who has the audacity to substitute five gallon sized trees to replace what we now have. Mr. Camarda stated at a recent meeting that the displayed species would migrate to another habitat. This is simply false. Each habitat has its own existing species occupying an already existing nitch and cannot simply be displaced by an incoming species. It doesn't happen that way. They will compete on the availability of food productivity, and one will die out as a result. Thousands of plants and animals will be lost as a result of this. As a biology teacher of 38 years I have gone on many field trips and even though I am not an expert, I can guarantee you that the average person will observe more mammal species than those mentioned, simply by taking a casual stroll through the site. A couple of comments about the noise levels, potential impact, he states that there will be potential impact noise impact as result of construction activities are intermittent, short term, temporary impact. What does the Applicant mean when he says intermittent, short term and temporary impact. Exactly how long will the rock crunching and grinding go on. What decibel levels can be expected by the residents next to this project. The removal of the forest will add ten decibels alone and the hillside that gives us protection now will add a minimum of another ten decibels. This will quadruple the sound intensity coming off of I-84 because the intensity of sound decibels doubles for every ten decibels that is increased. An addition of twenty decibels therefore will quadruple the sound intensity. Am I out of time.

Board Member DiSalvo replied a couple more seconds.

**Mr. Mainiero** stated okay the noise levels have been measured to be between sixty-five DBA and ninety DBA however decibel levels recorded by individuals living next to the proposed site have been measured to be normally fifty-five decibels and at times as high as eighty decibels. How will decibel levels increase

when you add to this the noise generated from blasting rock, crunching, grinding, cranes, bulldozers, diesel trucks, etc.

(The timer bell sounded at this time).

**Mr. Mainero** stated add to that all the chainsaws roaring from the cutting down of thousand of trees. Thank you

Applause.

Board Member Rogan stated for those who may have come in after the initial introduction if you have not signed in to speak please do so and also Maria is keeping the time so when she holds up the yellow pad that is just kind of your key to know that you have got from anywhere to fifteen to thirty seconds left. We appreciate your patience, thank you.

**Edie Keasbey** stated good evening, my name is Edie Keasbey I live in Patterson and I have for more years than I wish to admit to. Once again a group of people are being targeted by a proposal that will impact their health, safety and social well being. These are the main issues that we are dealing with tonight. They are also the most important rights our government is challenged to provide for their constituents. Tonight our elected and appointed public officials are here to listen to the people fight for their right to their health, safety and well being. Recently a group of Patterson residents protested a large kennel proposed near their affluent residential neighborhood. They cited that the noise, more traffic, odors and possible pollution from the animal's feces and urine would destroy their quality of life. The Town Board and the Planning Board took note of their complaints. They have proposed changes to Patterson's Zoning Code regarding large kennels assuring greater protection to the quality of life issues for all Patterson residents. These changes have recently been adopted. Not so in Lake Carmel. The proposed Patterson Crossing all 439,000 square feet of big box stores will effectively destroy the quality of life and devalues the homes of thousands of middle and working class families in Lake Carmel and Patterson of which the vast majority have no vote in Patterson. This is an important socioeconomic issue that has not been discussed. This is an issue of environmental justice. How does the EPA define environmental justice. This is a direct quote from EPA's environmental justice website; quote "Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, culture, education, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies. Fair treatment means that no group of people, including racial, ethnic, or socioeconomic groups, should bear a disproportionate share of the negative environmental operations sorry, negative environmental consequences resulting from industrial, municipal, or commercial operations or the execution of federal, state, local and tribal environmental programs and policies. "The environmental justice movement was started by people primarily people of color who needed to address the inequity of environmental protection services in their communities. Grounded in the struggles of the 1960's civil rights movement, these citizens from every facet of life, emerged to elucidate their environmental inequities facing millions of people." Ladies and Gentlemen, environmental justice is no longer an issue of color, the less affluent regardless of color, race, creed or life style are also targeted.

Applause.

**Ms. Keasbey** stated Lake Carmel is a thriving middle and low income community that has provided a life style with the amenities of a Lake District community and they pay taxes for these amenities. Since the

1930's generations have grown up and prospered beside Lake Carmel. This is the kind of community that unselfishly gives back to their neighbors and their town. Indeed, they are the backbone of every town. Lake Carmel is one of twelve lakeside developments in Putnam County and one of the two largest. It is now the only lake community that

(The timer bell sounded at this time).

Board Member DiSalvo stated thank you Edie.

Board Member Rogan asked do you want to submit your comments in writing.

Applause.

**Gary Steinbach** stated Gary Steinbach, Carmel, New York. I have not prepared anything but I would just like people to picture off to the side of 84 where this site is a flat piece of land with a bunch of box stores on it. It is going to look just about as ugly as Brewster Highlands looks.

Applause.

**Gary Steinbach** stated and it is only three miles from Brewster Highlands. It is going to put one store against the other. It is only duplication of shopping. It is not new shopping. It is Bed Bath & Beyond or Linen -N- Things. It is a choice between Lowe's or Home Depot. One is going to win out over the other and someone is going to end up with an empty mall. Is it going to be us. Also, people have talked about the runoff of water, the stormwater, it is all going to be polluted I see how important water is to everyone here you all have water in front of you. Please don't harm our water, thank you.

Applause.

**Glenna Wright** stated good evening, my name is Glenna Wright I am a resident of Kent Lakes and I have had the great opportunity or struggle to read the DEIS for the past three weeks. So, my speaking points will specifically address things that I uncovered as I took one small portion of this document and that point is the visual resources. This section mis-describes the general area,

Board Member Rogan interjected excuse me Glenna, could you just please speak into the microphone a little closer. If you want to turn it towards you.

**Glenna Wright** asked do I lose my time.

Board Member Rogan replied no.

**Glenna Wright** stated again, it is the aesthetic resources section of the DEIS which begins at 4.13-5. This section mis-describes the general area as rural development emphasizing the development aspect as single-family homes and individual commercial and retail establishments. In actuality the area and is aesthetic is rural. That is lacking the development. The proposed retail center would introduce urban sprawl in a decidedly rural setting. Quite amazingly, after all the comments received by the Applicant and this Town Board the DEIS made the blatant misrepresentation that and I quote "there are no designated aesthetic resources or public facilities of cultural importance identified within the site view shed that would be

sensitive to changes in the visual environment.” The DEIS completely fails to acknowledge the existence of the Lake Carmel Park District and the Great Swamp as significant aesthetic, cultural resources. The DEIS includes maps that do not indicate where the Lake Carmel is located in relation to the project nor does it discuss the impact that the project will have on views from various points within the Park District. In light of this obvious impact on the Park District and the Great Swamp and the great public outcry regarding the impact on Lake Carmel it can only be concluded this was an intentional omission. Clearly, this DEIS fails to fulfill its legal requirement of addressing all significant issues. Under General Municipal Law Section 239nn the Town Board of Patterson has an obligation to address these issues despite the fact that a portion of this project falls in the neighboring Town of Kent. The DEIS report cannot be permitted to avoid discussion of the Park District, the stark reality that Lake Carmel has not been referenced indicates that the developer has no intention of considering let alone preserving the Park District. The DEIS proposes building fences as barriers to adjacent properties as buffers for both views and noise reduction. The report suggests that the existing vegetation and I quote “be removed citing that present vegetation does not offer sufficient buffer from view or noise.” This proposal is a blatant disregard for preservation of the Lake Park District. The site contains dense vegetation that can help to reduce the impact of retail space for both noise and views not to mention the preservation of natural habitat, which is critical to the wildlife found within the park. In terms of landscaping, signage and lighting, again the Lake Carmel Park District is not referenced by the DEIS. There is no discussion of landscaping, signage and lighting and how it will impact the Lake District. The project does not offer any solutions to maintain the integrity of the park during night time conditions. In conclusion the obvious omission of Lake Carmel, the Park District, and the Great Swamp within the report indicates the developer’s intention to build a real estate space in cookie cutter fashion that is most expedient and inexpensive. The Lake Carmel Park District is a delicate ecosystem, which requires careful consideration of land use. The mega project described in the DEIS is completely unsuitable for this,

(The timer bell sounded at this time).

Board Member DiSalvo stated thank you.

Applause.

**George Nikitovich** stated my name is George Nikitovich. I live in Westchester County in Cross River. I have been coming to Putnam County since 1968 when I lived in New York City. I moved here about nine years ago to Westchester but I love Putnam County and I love it because of the good water here and the rivers here, the reservoirs and the streams for trout fishing. I am a trout fisherman. Anyway, Putnam is a very small county and its motto is come to where the country begins. The question I ask all of you is for how long. I am a member of the Putnam County Organization, Coalition to Preserve Open Space, which I love. I am a member also of CWCWC, Croton Clean Water Coalition and also Trout Unlimited. So, I do like the country side but anyway how long is that motto going to be worthwhile. Putnam has been built up at least this part, this side of Putnam has been built up so much there is very little open space left unless it is New York City Watershed property. I mean why I ask can’t Carmel find suitable flat land to build some ball fields. I mean all of you have read the papers.

Applause.

**George Nikitovich** stated the simply reason is because this side of Putnam has been over built, way over built. There are only three exits on 84 for Putnam. That is it. The first, 19 has Brewster Highlands, an ugly abomination with no tastefulness what so ever. At night it looks like a prison. At night it looks like a prison.

Applause.

**George Nikitovich** stated but that is not enough now let's put in on the next exit, Patterson Crossing with more big boxes. The false reason for it all is and the false is the operative word, it will save on taxes, it will save on taxes, bull Twinkies.

Applause.

**George Nikitovich** stated Putnam County taxes have been rising for the last ten to fifteen years. People are moving out. I know lots of people in Putnam County and they are telling me that their taxes have been going higher and higher every year. So, this old song it will reduce your taxes doesn't wash anymore. Why are there so many no votes against the new town budgets recently, see Mahopac for example. What does that imply, people have had enough with taxes and big developments do not lower taxes, they raise taxes. In fact, farmers pay much lower taxes than suburbanites do and they require much fewer town services. Big box stores require the additional services that increase taxes, more police, more fire patrols, more garbage hauling and so on and so forth. The jobs they provide are low paying and rarely lead to a career as someone else mentioned very happily before and finally big box stores ruin the small shops that make up the small town fabric. Good-bye local hardware stores.

Applause.

**George Nikitovich** stated Good-bye local dress shop. All you have to do is just go to northern New York to see the small towns up there and see the poverty, the low populations, the decrepit abandon houses, people on welfare and closed stores after Wal-Mart moved in okay. That destroys the fabric, the small town American fabric. As for Patterson Crossing, endangered species by the way were found along the Kent, Carmel border recently and I think that the people who search for these endangered species must be qualified.

(The timer bell sounded at this time).

**George Nikitovich** stated no one mentioned that.

Board Member DiSalvo stated thank you, your time is up.

**George Nikitovich** stated thank you.

Applause.

**George Nikitovich** stated the new motto for Putnam County should be come to Putnam County where the rats and the runoff begin.

Applause.

**Henry Zemsky** stated good evening, I don't have an prepared remarks so we will be a little disjointed here. I understand if you live near the site,

Vice Chairman Montesano interjected state your name please.

**Henry Zemsky** stated Henry Zemsky, I live in Patterson thanks Mike. I understand I mean I would be crazed if I lived a block or two from that site, I understand the blasting issues and reading the Environmental Impact Statement I am not sure who is going to pay for the road improvements. Is it going to be the State, is it going to be the developer. The Environmental Impact Statement is absolutely not perfect and it needs some work I agree with that but part of the road water runoff that everybody is so concerned with, this developer is going to fix something that the Town of Carmel or the Town of Kent has not fixed. They are going to improve that. I care about what the residents of Kent and Carmel and Patterson think about this. I don't care about anything that anyone said that does not live in this area.

Some applause.

**Henry Zemsky** stated rat traps, every commercial establishment has rat traps. I have been fishing here for twenty-nine years, guess what there is rats in the water. That is where they live. I guess they are called vermin in Katonah because rats can't afford to live there. I care about what Edie Keasbey says she is a resident of the Town of Patterson and she has been vigilant in the Great Swamp but ninety acres of trees in a commercial zone well you chop them down. It is only Disney World where the trees are in doors. I don't think, the developer said he is going to put a septic system in, septic systems are the best way to filtrate water I mean that is fact I don't think anybody has proven anything differently about that. So, I don't think the septic issue is going to be a problem. I live in the Brewster tax district and my taxes went from 1,650 to 1,550. Is the Highland the reason for that, I really don't know I can't tell you that but I know that my taxes went down. If you live in Lake Carmel they went up 25%.

**An audience member** stated you are lucky.

**Henry Zemsky** stated I don't think I am lucky. The Town needs the assessed evaluation. Our largest single land owner in the Town is a religion. We get more tax dollars than we did when it was Mendell's farm but if that was real property we would be able to get a lot more taxes. I am not sure about the sales tax issue but I know in order for us to stop double digit increase in the County sales tax and for us to stop the bleeding it will help. It is not a penance or it is not going to solve any of our problems but it is something that is going to help. Well since I don't have prepared remarks I am finished, thank you.

Some applause.

**Chris Wilde** stated my name is Chris Wilde and I am here on behalf of Riverkeeper. We are going to be submitting more extensive written comments on the DEIS in the near future but I would like to address some particular issues regarding this project tonight. Just as a preliminary note, I follow the lead of some other people that given the level of interest and the volume and complexity of the materials here I think a thirty day written comment period following tomorrow night is appropriate. We have a wide variety of specific concerns with what is proposed to be a project of astounding scale, covering nearly every available area of the project site and spread over two towns and within the watersheds of two phosphorous restricted drinking water reservoirs. It is not surprising that a project of this size is going to have almost mind boggling levels and types of potential impacts. First, in order to prepare the site for this extent of buildings, parking and roadways the Applicant intends to undertake blasting of 119,000 cubic yard of rock and cut well over a half million cubic yards of soil. Just think about those numbers for one second. We have rarely if ever seen a clear example of site being fitted to a project rather than a project being fitted to a site.

Applause.

**Chris Wilde** stated with a possible exception of the Highlands as many people have noted. The effects on topography and drainage of this amount of activity is utterly unclear in the DEIS. It merely states that drainage will be quote “generally maintained” without any explanation of elaboration at all. Second, once complete the 90 plus acre site will have had 68 acres of habitat graded and lost or fully 76% of the site. Of this 68 acres the Applicant proposes to ultimately re-vegetate 36 acres but this will be in the form of lawns, landscaping and stormwater controls not the existing forest and fields. The other 32 acres will be converted to impervious roads, rooftops and parking. That is impervious surface over one third of a site that the DEIS says itself says contains soils that have quote, “severe limitations for roads and parking lots”, incredibly the Applicant actually categorizes as mitigation that 24% of the site will be left undisturbed. Among the other infrastructure proposed for the project is a series of individual septic tanks for the buildings that will ultimately lead to an 8.7 acre disposal field, which may be unprecedented in size for a project in the watershed. Do to the shallow depth of the ground water at this portion of the site the Applicant proposes to cover the entire field of two feet of gravel and soil. Still it appears the depth to ground water even with this cover maybe less than what the Applicant itself cites as necessary to treat affluent leading to potential impacts to ground water and to the East Branch Reservoir. Presumably the Applicant plans such a risky treatment regime because of the costs constructing a treatment plant. In this situation tertiary treatment with subsurface disposal area would be preferable although we note the spot reserved for such a plant appears to be on the slopes of upwards of 40% requiring even more blasting or cutting. At an absolute minimum the Applicant should be required to have a 100% reserve field for his plan septic as is required for residential use. This may of course necessitate the Applicant eliminating one of his multiple collections of retail buildings as there is almost no remaining undisturbed or un-used area on this site. Finally, in order to deal with the amount of stormwater generated by this level of imperviousness the Applicant proposes a series of treatment throughout the site. Three of these larger basins located in the northwest corner would displace nearly one third of an intermittent stream and its surrounding buffer area. As is typical a developer asserts such placement will actually improve the natural conditions as the streambed is currently eroded. Of course, it does not appear that thought was given to mitigating site impacts by doing channel restoration and then placing basins outside of the stream and buffer. One additional note on stormwater, contrary (could not understand this word) contentions made in the DEIS contaminants from vehicles at the site such as hydrocarbons and toxic metals are not naturally absorbed through plant uptake and not treatable in traditional stormwater basins. The Applicant must fully flesh out plans to deal with the multitude of these materials emanating from thousands of vehicles running off acres of impervious pavement. Surely, proposing pervious pavers at the outer most rural parking doesn’t cut it. It is apparent from a review of the DEIS that this project is simply too large, requires too much site preparation, and will cover too much of the overall acreage to be tenable. You have heard from countless numbers of your residents tonight, your job here is to protect the quality of life and natural resources of your Town, please do it.

Applause.

**Charles Sisto** stated my name is Charles Sisto. I live at 10 Greenridge Court in Lake Carmel, New York. I would like to understand something before I start. Two people have asked for an extension for written comments for thirty days, is the Board going to consider that or is it still the 25<sup>th</sup> that we have to have our written comments in.

Board Member Rogan stated we are considering it right now but right now it is the 25<sup>th</sup> . We will have to make a decision by tomorrow night.

**Charles Sisto** asked you will make the decision and it will be either on the internet or I can call up to find out because I want to submit,

Board Member Rogan stated it will be publicly noticed currently it is the 25<sup>th</sup> though.

**Charles Sisto** stated thank you. With the DEIS and we are looking at 4.9.3, existing on site noise levels; in this it states that there was a Greenwood Court and it didn't exist and they said it is Greenridge Road, it is Greenridge Court. It is not Greenridge Road. They also stated that they took readings in that specific area at the end of Greenridge Road but it is Greenridge Court and that is referred to on existing site noise, which is under 4.9-4. They had taken readings in different areas with a decibel reader and they have come up with 5.5 to 5.2 and they were taking it at times about five o'clock for fifteen minute intervals. I am in the presence of taking readings right now with a decibel reader which has been verified and it meets the criteria of what the Town Patterson Code is and my Kent Town Code is and I am taking them at different hours and I am going to submit them. The readings that I get which is a good half of mile from 684 or 84, I want to make sure that I got this right I think it is 84 are much higher than what they are saying. I have readings from anywhere from 56.8 to 71.2 and I have documented them at the different times and I will submit them at a later date. I am as the last gentleman said here on the west side there is going to be removal of trees and that is where the entrance is, my concern is when they are removed the noise will escalate, get louder because of 84. When 84 was built over forty years ago there wasn't anything that could be done at that time, it was eminent domain, it was built and the noise persistently got louder and louder and louder and because of the way, how would you say Lake Carmel is located it is like in an amphitheater, it is surrounded by hills so the noise does travel. It was how would you say emphasize with Ray Mainiero when he said as it goes along it gets a little louder and it does because I sit out on my deck and I can hear depending on which way the wind is blowing the noise and the sound from 84. I hope with the paving that is going on now it will reduce that noise. On another note, on the wells people have talked and I don't want belabor this thing because people have talked about it but on 4.4-11, he states that he would be responsible, he wants to have a reasonable distance to be responsible for the wells of fifteen hundred feet from their production wells. I feel with the blasting it could effect wells even further than fifteen hundred feet. He is stating that is a reasonable distance. Who is he and where do we come up with a reasonable distance from the operating wells especially when the blasting has taken place and as this last gentleman said because of the septic and the way the bottom of the septic is potentially going to be finished with rock and sand,

(The timer bell sounded at this time).

Board Member DiSalvo stated thank you.

**Mr. Sisto** stated oh, I am sorry.

Board Member Rogan stated thank you very much. If you want to submit your written comments.

**Mr. Sisto** stated yes I will.

Applause.

**Paul Spiegel** stated hi my name is Paul Spiegel. I live in Lake Carmel. I have lived there for the past eight years. I am a native of Putnam County. I love Putnam County. When my family first moved up here, the year that I was born in 1960 they moved up to get away from the crime in Manhattan because a kid was murdered delivering Christmas trees that year. I grew up here and I learned to appreciate the solitude and

the tranquility of the country side. I grew up in Putnam Valley. Front Street here in Patterson is like a city compared to where I grew up. I know live in Lake Carmel. I think anyone that moved up here thinking that were going to get shopping convenience has a hole in their head. It is just not here. The whole shop at Putnam campaign is another issue. The DEIS, I have gone through a lot of the DEIS far from all of it. One of the thing that the DEIS completely fails to address is that of crime. While our property taxes are higher on average our crime rate is one of the lowest in the State. Crime is low because there are so few places for the criminal element to congregate in our bedroom community. Bringing a project like this invites the criminal element. Any place with a soda machine or a public telephone gives a reason to loiter, bringing a criminal element so close to a community of hard working families brings dangers into our homes. Many people I know now leave their homes unlocked and even leave the keys in the ignition because they think their driveways are safe. This will be a memory if this development goes through.

Applause.

**Paul Spiegel** stated no crime studies have been included in the DEIS. How do developments such as this effect crime rates that are built so close to residential communities and how do they effect our insurance rates. What other costs will be added to protect our homes from outsiders that mean us harm. I have got a ton of studies over there I am just going to refer to some of them, according to some studies crime in commercial developments are not adequately planned for in terms of police personnel because the types of crimes being committed were not planned for. In Pineville, South Carolina one of a growing number of towns that have added large retail stores in recent years only to find that the stores do not generate enough tax revenue to cover the impact on public services particularly police costs. Over the past decade Pineville has attracted six million square feet of new retail including a major shopping mall, big box stores, chain restaurants and a gasoline station. Many communities such as Patterson aspire to build large commercial tax basis in order to keep their residential tax low despite their good intentions development like the one is Pinesville failed to meet financial promises and generate unforeseen problems by their Planners. In Pineville, the Town takes in 2.3 million dollars in property tax but spends almost all of it 2.2 million on its police force. The police force spend most of their time dealing with crimes like shoplifting, bad checks, credit card fraud and other crimes originating from the shopping centers. Commercial property accounts for 96% of the police calls. Desperate to control the rising costs Pineville has finally put the breaks on it. There is a lot of quotes I have here from the DEIS, one, "Putnam County needs more retail shopping opportunities to generate sales tax revenue to fund our increasing mandated services and costs without raising taxes." Costs like the cops. Study after study has proven that developments like Patterson Crossing is what creates increase cost.

Applause.

**Mr. Spiegel** stated often more than the sales tax it generates. Again, the New York Stated Controller has warned counties and town against relying on such a volatile means of revenue as sales tax yet out of 57 counties in New York in 2004 Putnam County ranked third in respect to its reliance on sales tax as a source of revenue to balance its budget. Putnam shows a 33.2% compared with an average of 25% rate of reliance. Putnam County's reliance on this very volatile revenue is dangerous and misleading. The DEIS fails to quantify any increase cost the project would cause either directly or indirectly. It vaguely states that the project is not expected to generate significant costs to either town. Significant to a guy who rolls property over for a cool thirty million versus a guy like me whose got a mortgage on a thousand square foot house are vastly different. The DEIS states also the project is expected to strengthen the County's economy.

(The timer bell sounded at this time).

Board Member DiSalvo stated thank you.

Applause.

**Joe D'Ambrosio** stated good evening, I am Joe D'Ambrosio I am a member of the Town Kent Board but I am not here speaking for the Town Board. Anybody who knows the Town Board knows that I am the last guy on the planet to be able to talk for our Town Board so I am here as a resident. I live in Lake Carmel. I can talk though as an ex Planning Board Member because I did serve on the Kent Planning Board for six years so I think I know a little bit of what you are feeling right now and what you are going through. In my tenure we had a vote it had to do with steep slopes it was really tough this was awhile back,

**Audience Members** stated can't hear you.

**Joe D'Ambrosio** stated can't hear me okay. I said that I served on the Kent Town Board for six years and I know what they are going through. I think I know what they are going through. We had a tough vote years ago about steep slopes and I had everybody, everybody calling me from old college friends to everybody and I know from sitting up there that you are seeing and you are hearing and you are taking in what is before you and you arrive at a decision. You feel it, it is in you gut. You know what the right thing to do is. You arrive at that as being a Planning Board Member. I had to take a tough vote about fifteen years ago and we did it. I didn't like it but I knew it was the right thing to do. You are forming that now. You see these people, you hear the concerns, you know, the way this whole thing has gone has been wrong. I think we should have sat down Town Board to Town Board, Planning Board to Planning Board, neighbor to neighbor and worked this out but we couldn't do it.

Applause.

**Joe D'Ambrosio** stated we just couldn't do it and that is history. I think it is up to you okay but I respect you, I have faith in you. I feel you will do the right thing. You know in your guts that this project is wrong. It is wrong. It should be voted down.

Applause.

**Joe D'Ambrosio** stated I leave that in your hands and remember there is more than just a project here. We have two towns about five miles apart. We have neighbor against neighbor. Some brothers against brothers over this. It is a wrong thing. It should go away. We should stand together as neighbors and I know you will do the right thing. Just do the right thing, thank you.

Applause.

**David Clouser** stated good evening, my name is David Clouser I am a Professional Engineer. We have been engaged to represent the CWC to take a look at this project. I also know what you are going through our firm represents five different villages and town's, Planning Board reviewing projects so you have a tough job. We looked through the DEIS and a lot of the comments were made we want to echo especially Dr. Rose's and Attorney Bacon's, also Chris's. We looked especially at water quality impacts particularly stormwater impacts, erosion and sediment control and pollutant export from the site, the report and we will give you the written report prior to the due date. It provides all of the technical information for your

consultant's to look at that shows the discrepancies that I will kind of highlight here the discrepancies that are in the DEIS material. To kind of sum up our findings we found that some of these discrepancies were very significant that when they are corrected there is going to absolutely be a change in the site design. Just again on the matter of protecting water quality, generally speaking though it is apparent that no amount of good engineering can overcome the development constraints on this site. It is just too much, too intense for the site. It is very sensitive.

Applause.

**David Clouser** stated with water quality we looked at two aspects in particular. One was a wastewater treatment we found that we disagree with the flow rate that is being proposed in the DEIS. I think that was mentioned earlier. We find that this about three times what is being portrayed as the flow from the retail center. We also find that the SDS is located on land where there is very high ground water table to the point that the DEIS proposes to bring in fill to keep the leach ate from leaking out of the ground. This is a couple feet of fill in some spots and our Hydro-Geologist questioned the kind of treatment that the wastewater would get in the mid-winter weather. The second item that we looked at was the pollutant removal from the stormwater facilities that are being proposed. We found that there were wrong mottling factors that were used in the report. This is a site that is a phosphorous restricted site as the Board is aware of. It was identified as one of the primary problems in the watershed by the EPA, the DEC, and the DEP and therefore instead of just maintaining the levels especially of phosphorous because that is the primary pollutant of concern for the lake and the watershed it has to be reduced. The DEIS maintains that they will in fact they show that there is some increase that is being proposed here. We find that getting back to the pollutant removal factor we find that the pollutant loading calculation that was used is about one half of what it should be, the factor that they used was from the, (The tape recorded beep sounded)

Board Member DiSalvo asked could you hold one second to change the tape.

**David Clouser** stated the factor that was used for the pollutant removal, pollutant loading model was a factor that was obtained from studies in the Pacific Northwest. We really need to use a model factor that is specific to this site. The DEP has done a lot of studies in the area and they have information available and again the pollutant loading model is about one half in the DEIS of what it should be. Correction of these calculations will show that the phosphorous load to be able to remove that reduce that is going to take considerably more treatment facilities than shown on the plan. I would like to just also just add a couple of things that the Hydro-Geologist had commented on with a very brief review of the information. One was his concern that the report shows that the ground water depth is highly variable on the site. There is no information that really models what happens when you make a forty foot deep road cut what happens to the slopes, the stability. The other is a lot of uncertainties that are admitted in the modeling and he asked whether the model is accurate enough again to be able to determine what is going to happen in the leach field. His other item was there is a comment made in section 8 of the DEIS that there is sufficient travel time for the leach ate to be adequately treated but there is no supporting information on what is sufficient is.

(The timer bell sounded at this time).

**David Clouser** stated thank you.

Applause.

Board Member Pierro asked Edmond do you mind if we take a ten minute break.

Board Member Rogan stated why don't you let him speak and then do it.

**Edmond Connors** asked I don't know are you providing sandwiches.

The Board laughed.

Board Member Pierro stated thank you.

Board Member Pierro stated we are going to take a ten minute break and we beg your forgiveness but we will be back.

Recess called at 8:10 p.m.

Meeting called back to order at approximately 8:23 p.m.

Vice Chairman Montesano stated ladies and gentlemen can you please take your seat so we can get on with this, thank you.

**Edmond Connors** stated good evening, my name is Edmond Connors, I live at 69 Concord Drive and 57 Woodstock Road. They are the same piece of property. What I share in common with the contract holder on the Patterson Crossing site, Paul Camarda is that we our neighbors in sharing two towns. However, Mr. Camarda on all his maps and I think you will notice on the DEIS has left out the whole Town of Lake Carmel in his depiction of the area. He has included just the people on the eastern side of Concord Drive. The people on the western side of Concord Drive, your constituents because they are in the Town of Patterson are pregnantly missing along with the fifteen hundred other families that reside in the Town of Lake Carmel. If you look at a map, an aerial map that you can download from Map Quest you will see that we are there, we the people. We the people that you now represent. You represent us in Lake Carmel. We didn't vote for you. You weren't appointed by the people that we voted for but our fate is in your hands and your good judgment is going to make or break our futures and our children's futures. You have heard from a lot of lawyers, scientists, I just spoke to a woman who has a P.H.D. in chemistry and we are talking about the lack of credible science in the DEIS. There is none. As a matter of fact, I think there is a lack in the addition, multiplication, subtraction and division as a matter of fact as well.

Applause.

**Edmond Connors** stated for a guy with money bucks as big as Paul Camarda I can't understand why the man can't add. In Section 1.3.1 Paragraph 4, Paul's people refer to the 68.5 acres that some blasting will be done on. I think that phrase is misleading and in a moment I am going to do some math and bore the daylight out of all of you, sorry about that, 68.5 acres is about 3,000,000 square feet. You just need to go 43,560 times 68.5, you get 3 million roughly. Paul says he is going to take 119,000 cubic yards of stone out that is 3,213,000 cubic feet across 3,000,000 square feet that is one foot yet one foot of rock removal is going to level that site. There is a 52 foot drop from the western border of the site where the road emerges up along the western border which is right about 250 feet from my house less than 30 feet from Cathy Mulvhill's house, 52 feet below that is where Building 'B' is going to stand. That is where the grade goes to now. In order to cut and fill that you have got to take 25 feet off of one side of the property and dump it on the other side and I have just said that you could only take 1.07 feet because you have 3 million cubic

feet coming off of 3 million square feet. Where is the math on that. Who did the math. Who did the guy hire to do this, none of my students. Middle school kids can do better than that. They are required in my class to come better prepared than that and with better science than this DEIS represents to us. Joe D'Ambrosio was wrong, people in the Town of Kent listen to him and the people on the Town Board listen to him too. Joe are you still here.

**Joe D'Ambrosio** replied but was unable to hear his response.

**Edmond Connors** stated so I want you to know that those people on the Town Board listen to you because they talk to me. I think he is right when he says that you in your heart of hearts are going to make the right decision. Ask yourself this question, this is Putnam County where the country begins, do you want to be the Town Planning Board that brought the city to the country.

(The timer bell sounded at this time).

Applause.

**Juan Palacios** stated my name is Juan Palacios, (unable to understand) I do live in the Town of Patterson. I do ask you to make the right choice. There is no other choice here then say yes to having this Patterson Crossing because we are electing the fact that this Town does not have any places to shop. It does not have sale taxes other people Bedford okay, Chelsea in New York City, the Bronx in New York City, Yorktown they have everything. This is not a weekend place. This is my home. I have been here twelve years and I see taxes go up every year. I see the school board, the Carmel Central School District looking for money. We do fund raising for money. This project is going to help us. We don't even have a soccer field to have the kids play. This will have that. You should make the right choice and the right choice is say yes to this guy. I don't know Paul but you know what thank you for having to take the time and allowing (Tape ended some of his statement cut off). We worry about water please if that is the case, DEP there are departments out there, agencies out there let them do their job. We are talking lawyers here who is paying all these lawyers. I just hope not my taxes because with all this money we are spending here we could have fixed Lake Carmel pollution a long time ago. Thank you.

Some applause.

**Audrey Napierkowski** stated hi I am Audrey Napierkowski. I am a 20 year resident of Patterson. I did the environmental review and wrote the Town of Patterson in (unable to understand) to the County's Environmental Impact Statement when we fought having a County landfill placed in Patterson. I will limit myself to two points tonight one economic and one environmental regarding this draft statement. The rest I will put in writing to you. Build it they will come and sales revenues will go up according to what is written in this Draft. The they is the problem. A new Lowe's center has opened in Danbury near Costco and Home Depot on Federal Road. Are they the Connecticut residents going to travel farther into another state to spend their money in stores that they already have in their own area and pay our sales tax. Dutchess County has a Lowe's on Route 9 with a Home Depot, a Sam's Club and mega Wal-Mart are they going to travel farther to spend their money in another county when they can get the same thing in their stores and support their only county sales tax revenues. Lower Putnam County and Northern Westchester, Mahopac, Putnam Valley there is a BJ's just over the border in Yorktown and a Home Depot in Mohegan Lake. Do you really think those people are going to travel along a single lane Route 6 to 52 or 301 to 52 to 311 to come up here to shop when they can drive five, ten minutes one exit south on the Taconic and straight in front of them is a huge BJ's. That is where they all shop down there. I have family and friends that are

down there and they said they are not going to drive thirty minutes trying to beat, along the traffic and trucks on 6 to come up here. The they that we are talking about, the they that will come is just going to be the same people that support Home Depot right now except you are going to dilute it between two locations. There is not going to be any more increase in local people or from Connecticut or Dutchess.

Applause.

**Audrey Napierkowski** stated on page 118, it is rightfully noted that Lake Carmel already has existing problems or impairments with runoff. In the Draft it states that there is going to be approximately 11,000 gallons of waste water that will be treated before released back into the environment through subsurface discharge. That comes out to 3 and a half million gallons yearly of waste water being put into the ground and then the statement ends there. What happens to that water years from now, decades from now. Once it is in the ground where is it going. There is nothing in this statement about that. It also says that 19% of stormwater will run into Lake Carmel. They said with all our mitigation about 19% will go in like it is a nothing number but they don't say what 19% is. Is that one gallon per day, is that thousands of gallons per day that is going to runoff into Lake Carmel then it ends there. There is no studies, there is no anything written about once you put it into the ground what is going to happen. The Impact Statement ends with putting this over three and a half million of liquid runoff waste into the ground and then they have the nerve to say or glaze coat over that all our mitigation that we have planned will lead to no impact on Lake Carmel. I really can't see how any engineering firm, anybody who is going to write up an Environmental Impact Statement can put a remark like that in a Draft Statement saying that there is going to be no effect to Lake Carmel when they themselves wrote that all this is going to be put into the ground and they have no studies to say well, what do you do or how you treat it after. The rest of my comments you will receive in writing by the 25<sup>th</sup> thank you.

Applause.

**Toni Titone** stated good evening my name is Toni Titone and I am an over 30 year resident of Patterson. I also was the first woman elected to the Town Board and have been through a major controversy probably the biggest one we have ever seen in Patterson. Although I agree with a lot of the statements that are made tonight, one of the things that I have heard over the last thirty years is our taxes. Taxes are too high and people have said it is not going to effect our taxes. Well a good development will help our taxes. Everyone is complaining about fire and police well all the permanent homes that we have put, all the building that we have done over the last several years, our houses that are over three and four hundred thousand dollars have added to our schools, to our police, to our water, to our fire so I don't see there being a major impact in those services especially in our school services. I would like to see however the tree line, some kind of a tree line going around this project so that there is more of a buffer and it would be nice to have a few more green, open spaces not just where the septic is in this project. However, one of the things is that we really need to stop and look at is we don't want our neighbors to be totally affected but if there is a state of the art drainage system it is going to purify the water,

Some audience laughed and made comments.

**Toni Titone** stated and if there is a septic plant and there is all kinds of studies and we all know that you can prove it both ways and I am teacher and I know. I have been through it someone will say no this means that and the other person will say the exact opposite but a septic system there is all kinds of studies on if it is done properly it filtrates the water and the water goes into a proper spot. When we did the A&P everybody was very concerned about the aesthetics. I am sure that there is some way that we can do more

with the aesthetic look for this project. Some may think there is some may think there is not but I think it is important for Patterson and for our taxes and I know I am not a popular person here tonight but I think it is important for us to look at a development that is going to work for everybody but that we do need commercial development in the town.

**A member of the audience** stated you don't have the septic in your backyard.

**Other members of the audience** were making comments also.

Board Member Rogan stated hold on that is not fair.

**Toni Titone** stated thank you.

Some Applause along with some people making comments.

Vice Chairman Montesano stated ladies and gentlemen come on I realize that this is very important to us all but let's give everybody their time and their due. We have been very courteous all night, please let us hear what people have to say.

**William Brander** stated hello I am Bill Brander and I live in Lake Carmel. Shame on us, shame on us. The residents and elected officials of Lake Carmel, Kent, Carmel and Patterson. For too long we have allowed residential development to go unchecked. It makes you wonder who are elected officials are working for. Now, we are fighting with our neighbors. The results of the building boom that we have had are many. The schools are over crowded, the buses are over burdened and worn out, the County aquifer is almost depleted, the wastewater treatment plants are inadequate, the roads are jammed. The additional stormwater runoff has multiplied due to the additional covered and paved areas which contributing to flooding and drinking water contamination. The building boom was brought on by the City-its and the Westchesterites looking for an escape from the high taxes. The only problem was they wanted all the amenities they had in their old neighborhoods. My wife, son and I moved here fifteen years ago. She would not speak to me for about six months because every time she wanted something she had to drive there. I am still looking for the down side to this but anyway now she loves it here. She likes the tranquility because she realizes that driving around is a small price to pay. The people coming here now don't want to change their ways they want us to change for them. Fortunately for them the carpet bagger sensed their needs and smelled their money and built town houses and McMansions on every available piece of property. All was going well, all the towns were growing like crazy but now we needed new fire equipment, our old trucks couldn't reach high enough, okay we will buy new trucks but wait they won't fit in our old firehouses. Okay we will build a new one, wait a minute now the firehouse is bigger than the Town Hall and the Police Department, okay we will build a Town Complex, the Emerald City, wow. Just one small hitch how do we pay for all of this, panic sets in, we are grasping at straws, we can't raise taxes they will tar and feather us, run us out on a rail. Look on the horizon it is carpetbagger number two, the commercial developer. Wow, he says if we let him build our worries are over. The taxes generated by sales and the real estate taxes will solve all our money problems and provide plenty of jobs. Now, to see how well this all came together, look to the east towards Brewster Highlands, the only bright spot that you will see is the reflection of lights against the night sky. The top of the mountain has been flattened and what was once only going to be the Home Depot and Linen-N-Things has evolved into a mini-city. Southeast taxes have not gone down and the help wanted signs go unanswered meanwhile two local hardware stores have closed and Dill's a good neighbor who has been very charitable to a lot of different causes is barely hanging on. So, if we put a Lowe's in is that going to be the death now for Dill's.

Applause.

**William Brander** stated the latest and perhaps second greatest carpetbagger next to Ed Heelan, Mr. Paul Camarda has picked up the torch to continue Mr. Heelan's vendetta against Carmel. The vendetta relates to the Town's rejection of his proposal to build the Danbury Mall here. Mr. Camarda wants to feed his ego, fill his pockets and avenge the wrong against Mr. Heelan.

Applause.

**William Brander** stated he does not care a thing about our communities. He lives in Ridgefield safely insulated from the dangers of a development like his. The roads are so narrow and twisty they can barely fit his car and ego. Remember when Patterson Crossing was only going to be Lowe's and Bed Bath & Beyond and maybe a couple of stores look at the new plan. Stop the madness, stop Patterson Double Crossing. Remember once the hill is gone it is gone forever along with our peace and tranquility. Putnam where the country begins will it become Putnam where the concrete begins. Thank you.

Applause.

**Richard Reinhardt** stated good evening Rich Reinhardt from the Town of Patterson, 34 year resident. I came here in 1970, bought land, had the house built in 72, raised four beautiful children here. We love Putnam County. I have been a realtor for nineteen years, I say realtor because a sales person can sell houses but a realtor is held to a higher level. I took an education course, continuing education course we are mandated to take and an older gentleman seasoned in real estate told me if you are going to get involve stay in the background it my affect your business. In situations like this, the Putnam Dump on 311 I have to get involved this is bigger issues. American Indians their heritage said think seven generations ahead. What you do today, how will it affect seven generations down the road and they thought about the environment. After about two years in real estate I had to show a house on the other side of 84 and it said Patterson and I said that has got to be wrong it is Kent and Patterson is on the right side and Kent is on the other side but I was to find out that it was Patterson, a few streets are in Patterson over that way. These houses are summer homes, they have shallow wells if this development goes in it could possibly lower their water levels. The home is a man's castle. Most people's home is the most valuable thing they own. If you are near a development your values are going to go down, less people are going to look at your house, the first person that sells the house there the assess values are going to go down because the price that they sell at is going to be lower than the average house away from the development and all the neighbors are going to run to the Assessor and want to lower their assessments which are going to lower their taxes, it is going to impact on everybody else's taxes. That is about all I got to say. These folks, the most important thing, valuable thing is their home. A man's castle, he comes home and wants to rest, put his feet up, raise his chair, go to the lake and swim he is not going to be doing it. The first one that sells out they are going to see the lots. I am between 18 and 19 exit and ironically we came here in 1972 my wife said there is no shopping, I said I would rather travel a half of an hour to find a store to go to then have it in my backyard. We are three and a half miles from the Highlands and there is four traffic lights now that weren't there before. I hope you do the right decision thank you.

Applause.

**George Lanfranchi** stated I have been a resident of the Town of Kent for 24 years. I think the first thing you should consider is that no major shopping center has ever been built in Putnam County in or next to an existing residential area, neighborhood.

Applause.

**George Lanfranchi** stated it hasn't happened. Look at the one at 19 with Home Depot there is no residential neighborhood around here. Putnam Plaza no residential neighborhood. This is right next to people's backyards. They are going to look out their backyard,

Applause.

**George Lanfranchi** stated they are going to hear noise, all night deliveries, all night lights where they once had trees. Now, people own property I am not some crazy liberal that is opposed to any development as a matter of fact I am a Conservative, a registered Conservative, always have been my whole life but the pursuit of money and the pursuit of capitalism does not give people like Paul Camarda and the people he represents a license to destroy people's lives and people's property values.

Applause.

**George Lanfranchi** stated it is not right. This is a densely populated neighborhood. Now, they sent out this map of the property and you can see all the houses there right next to the shopping center. It is wrong. Now, it is funny there is this mass mailing I don't know, how many people, a lot of people get this,

Several audience members responded yes.

**George Lanfranchi** stated this is pretty funny because last year Paul Camarda was complaining because of our Town Council People, Cathy Doherty, was at a bake sale to raise money to sell signs so people could have a little sign on their property to Stop Patterson Crossing so this lawyer came to the town hearing and he said I have pictures of Cathy Doherty, she is at this thing and they were raising money and there was nothing illegal about it. You want to hear something that I don't think, I guess it is not illegal but it is pretty unethical, I was told that our County Executive, Bob Bondi, that his son is working with Paul Camarda.

Applause.

**George Lanfranchi** stated now, if you have got people that close to people that are running the County how can an ethical decision be made. There has got to be arms length.

Applause.

**George Lanfranchi** stated people are going to make a lot of money on this project and I have got no problem with people making money but people are going to get screwed. This is people's neighborhood it is not right putting that thing there and then on this very same thing it says ooh, 3.5 miles west of exit 19, the Home Depot and I am wondering what are they going to put here that you can't get 3.5 miles. I measured it, it takes four minutes. What are they going to put there so I said wait, wait they are putting in a Costco so right maybe they can get a twenty-five pound can of tuna fish that they can't get at Home Depot or maybe a bundle of six hundred rolls of toilet paper at Costco and I know that is very important.

Applause.

**George Lanfranchi** stated but give me a break. This isn't right. You are destroying people's lives, you are destroying people's property value and like I said I understand people are trying to make money but what about the people in here that moved up here and there was no shopping now you are complaining there is no shopping. Beam me up Scotty, there is no intelligent life here, thank you.

Applause.

**Lynne Eckardt** stated good evening ladies and gentlemen thanks for giving me this time to speak. I am Lynne Eckardt I am the Chair of the Putnam Smart Growth Alliance but I am speaking only for myself tonight. I would like to take a moment there has been a lot of talk about taxes in Southeast so I thought it might be helpful and I would like to tell you how the taxes, how the Highlands have affected my taxes in Southeast. I am a 27 year resident. Let's first take the assessments, the Highlands are still not on, full assessment as the new diner will not be added until 07 but the Highlands assessments for 06 and I have taken the liberty of rounding these assessments off to make this presentation simpler. Kohl's is 8.3 million, Home Depot 12.8, Linens-N-Things which includes Marshall's, Michael's 12.3, Applebee's 1.9 million and the Dunkin Donuts mall 1 million. So, the grand total here is 36 million and change and after seven years we are not quite at total build out. Kohl's, Home Depot and Linens-N-Things have religiously grieved their assessments which I was told by the Southeast Town Assessor today is routine as they have a legion of attorneys on staff. While these companies have not been awarded any certiorari settlements it does cost your Town money to defend these assessments. So, have these fabulously high assessments translated into benefits, tax benefits for me personally. I have gone back five years to illustrate what exactly the tax benefits of large retail stores in my town have been. Interestingly, my 2006 assessment is around 408,000 which makes my house about as an average as you can get. For the record and for anyone who has ever been to my home can attest there has been no major improvements made over this time period. In 2002, my town and county taxes were, I am sorry 2003 we start here \$1,277.00 by 2006 they have risen to 1,567.00 that is an increase of 23% in 4 years and remembers Southeast relentlessly touts that we have the lowest taxes in Putnam County which I question looking at comparables in Phillipstown but even touted as lowest we probably we have the least amount of services. I say this now because this is the bill of goods you are sold day after day by elected officials and commercial developers.

Applause.

**Lynne Eckardt** stated as far as my school taxes, my school taxes in 2002 \$3,924.00 in 2006 they are \$6,200.00 that is an increase of 58% in five years and believe it or not except for a senior housing complex which obviously hasn't added children to the district there has been no major subdivisions built recently in Southeast. I do not believe that school population has increase dramatically if at all during this five year window. Finally, given the increased traffic, lack of tax savings, further degradation of our village, compromised water and air quality I am hard pressed to find all the benefits Patterson Crossing will bring. As far as I can tell adding to your tax base simply means there will be more money for your elected officials and schools to spend because believe me it is not going back into your pocket, thank you.

Applause.

**Michael Weitzner** stated good evening, my name is Michael Weitzner. I just want to make one brief comment that might make your decision easier. This is not a zero sum game. It is not can you do

something to benefit the taxpayers of Patterson or should you do something which will detriment them and benefit the residents of Carmel. It is not a stark choice like that. Obviously, there is a substantial detriment to Lake Carmel that is why this has been fought so vociferously for so long. The positive impact to Patterson as to whether taxes will be helpful or not is opened to question. Reasonably men differ about that but assuming that is the case that there will be a positive tax benefit you can still safely say no this project and not detriment your citizens in Patterson. The reason is we all understand that there is unrelenting pressure here for development all over the County and all over the State and if you say not to this invariable tomorrow there will be another opportunity to say yes to some other project that is much more appropriate to this site.

Applause.

**Ed Durkee** stated hi my name is Ed Durkee and I live in Lake Carmel. This process that we are going through now is extremely emotional as is obvious but your decision can be fundamentally made only on or primarily on this part of a document, this part is just traffic of the document and it is about one twentieth of the entire package. I have worked with Stop Patterson Crossing for a year and a half and we have done a pretty thorough job of looking at this and trying to get other people to look at this package and I want to say that you know this is an ethical choice, this about emotionality, this about my house, this is all about that stuff but we know this about money and politics and salesmanship. Given that is the case and that is way politics is and I am not saying one way or the other but that is the way it works. You guys are influenced, we are influenced, the Kent Town Board is influenced, development is a pressure, money is a pressure, all of these things are real and it is an incredibly complex series of issues and pressures that you need to balance. However, I want to say one thing about salesmanship, Mr. Camarda who is in the back is a very, very smart gentlemen and he is a terrific salesperson and this document is a terrific sales document. You must read it through thoroughly and I am not condemning that process of selling because that is his job but it is also your job to thoroughly analyze the DEIS and understand where the failures are and where the contradictions are and by that I mean simply things like in the marketing section, most of the people that are going to be coming to this project will be coming from Carmel, further down, Patterson, Kent but if you look at the traffic they are not coming from there. They are coming on 84. When you look at the traffic volumes and the proposed traffic volumes and the way he has articulating it most of the traffic will be coming on 84 but if you look at the population centers they don't live on 84 or the 84 corridor. They live in Patterson, Kent, Mahopac, etc. So, when you start to really examine in detail the way these numbers fit they don't and it is very important to get below the emotionality and look at these numbers. I will be submitting traffic details tomorrow. I want to say one thing about traffic there is a tremendous volume of statistics, two days ago or three days ago on 84 and 311 two people died in a terrible accident, I was there thirty seconds after it happened. You are talking about an increase of traffic of 1,500 cars per peak hour. If you look to find any assessment of how that will affect back up on 84 there isn't any. If you look to find and look at the intersections of the mitigation processes that he has put in place they all lead to the lowest level of service. That means a particular amount of delay. If you have fifteen hundred cars per hour coming to an intersection and you have a five minute delay that means there are a hundred more cars behind you waiting to turn left off of 311 into the project. That means within a seven minute period of which I timed a person coming off of 84 the other day that there will be a 130 more cars behind you waiting to turn left or right into Patterson Crossing. This is in the document where it says these things will be mitigated however if you look at the page at the very end of the traffic there is a long list of things that will not be mitigated on a permanent basis or that will still be a problem. What are they, delays in traffic, traffic volume, noise and pollution levels. There is a page that it essentially says that. So, you have a sales job where you are going through all of these things, providing all of these numbers that are actually spread in a very unorthodox method within a standard DEIS and then you look at the end and there is your disclaimer. So, what I am

asking is a very unemotional, thorough between the lines analysis of this document and I also request that there be a,

(The timer bell sounded at this time).

Board Member DiSalvo stated thank you

**Ed Durkee** stated request that there be a Supplemental SEQRA done on traffic.

The Board thanked him.

Applause.

Board Member Pierro asked is anyone signed up at the back table to continue to speak.

Board Member Pierro made a motion to continue this public hearing tomorrow evening six p.m. Board Member Rogan seconded the motion.

Vice Chairman Montesano asked all in favor:

Board Member Pierro	-	aye
Board Member Rogan	-	aye
Board Member DiSalvo	-	aye
Vice Chairman Montesano	-	aye

All in favor and motion carried by a 4 to 0 vote.

Board Member Pierro stated good evening ladies and gentlemen thank you for your cooperation. If anyone needs help exiting the building we will help them.

Meeting adjourned at 9:09 p.m.