

2 STATE OF NEW YORK : COUNTY OF ORANGE

3 TOWN OF MONTGOMERY PLANNING BOARD

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4 In the Matter of:

5 NEELYTOWN BUSINESS PARK - RDM GROUP LLC

6 299 Neelytown Road

7 DEIS and Public Hearing

8 -----X

9 Monday, January 27, 2025
7:38 p.m.

10

11 Town of Montgomery
110 Bracken Road
12 Montgomery, New York 12549

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13

14 BOARD MEMBERS: JAY BEAUMONT, P.E., Chairman

15 JOHN H. BROWN, III, Vice Chair

16 CHERI ZAHAKOS

17 RYAN A. MCGUIRE

18 ROSE PENNINGS

19 MARIANNE HARRIS

20 DARRAN PRINCE

21 ALSO PRESENT:

22 RICHARD HOYT, ESQ. Attorney

SUZANNE HADDEN, Secretary

23 BONNIE FRANSON, Planner

SHAWN ARNOTT, Engineer

24

25

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

3 ON BEHALF OF THE APPLICANT:

4 JUSTIN FERRAZZANO, Colliers Engineering

5 ISAAC NEUMAN, Real Deal Management

6 PAUL VAN COTT, ESQ., Whiteman Osterman & Hanna, LLP

7

8 THE PUBLIC

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13	SPEAKERS	PAGE
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14	JUSTIN FERRAZZANO, Colliers Engineering	3
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15	TOM WEBER	7
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16	KARINA TIPTON, CAC	9
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17	PAUL VAN COTT, ESQ.	34
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22 ALSO PRESENT:

23 KARI L. REED, Court Reporter

24 K. JONES, Acquisitions Marketing, Videographer

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1 Public Hearing - Neelytown Business Park

2 CHAIR BEAUMONT: Welcome to the January
3 27th meeting of the Town of Montgomery Planning
4 Board. I'm Jay Beaumont. There's agenda copies
5 on the front table if you'd like some.

6 (Other agenda items were discussed)

7 (The following proceedings were had,
8 commencing at 7:38 p.m.)

9 CHAIR BEAUMONT: Okay. Paul, you're up.
10 Or Justin.

11 MR. FERRAZZANO: I'll take it, yeah.

12 CHAIR BEAUMONT: Okay, this is RDM
13 Neelytown Business Park. Hello, Justin, how are
14 you.

15 MR. FERRAZZANO: Good, how are you. I just
16 have a brief statement I'm going to go through
17 here real quick.

18 Good evening, everyone. Justin Ferrazzano,
19 Senior Project Manager with Colliers Engineering,
20 on behalf of RDM. Okay, a few notes.

21 Since our last appearance on December 9th,
22 RDM has continued to receive comments on the DEIS
23 through the Planning Board secretary. We've begun
24 the process of responding to them in a Final EIS
25 that we -- that will be prepared for the Planning

Public Hearing - Neelytown Business Park

1 Board's review and finalization. We note that
2 notice of the DEIS and the opportunity for comment
3 was provided by the Board in November 2024. So
4 now everyone has had over two months to weigh in.
5 The comments RDM will respond to in the FEIS will
6 include those provided in writing from the public
7 and/or that are made at the public hearings held
8 on the DEIS on December 9th as well as this
9 evening. We have our stenographer with us this
10 evening. The FEIS will also include proposed
11 responses to comments received from the Planning
12 Board, its consultants or other government
13 agencies prior to the Board's finalization of the
14 FEIS.

16 All right, a few more things. Several
17 government agencies have already provided
18 comments. For example, Goshen -- sorry, Orange
19 County DPW concluded that the project's proposed
20 access on Neelytown Road was satisfactory.
21 Similarly, the Town's Highway Superintendent did
22 not indicate any issues with the proposed
23 passenger car access on Beaver Dam Road. Nor did
24 the Town's Building Department indicate any
25 concerns in comments provided.

1 Public Hearing - Neelytown Business Park

2 Comments have also been provided by the
3 Orange County Planning Department. We'll respond
4 to those in the FEIS. We have connected with the
5 Maybrook Fire Department and received their
6 comments, also we'll respond to in the FEIS. Our
7 understanding also is that the New York State DEC
8 will be providing comments. We'll respond to
9 those as well in the FEIS.

10 With respect to the DEC's new wetland
11 regulations, we are already consulting with the
12 regional biologist, and we will address any -- did
13 that go off, that just went off, right? Can you
14 hear me if I talk loud or do you want to try and
15 fix this?

16 CHAIR BEAUMONT: There is another one here.

17 MR. FERRAZZANO: I didn't touch it, did I.

18 THE VIDEOGRAPHER: Oh, the batteries are
19 dying.

20 MR. FERRAZZANO: Okay.

21 THE VIDEOGRAPHER: Let's see if this one is
22 better.

23 MR. FERRAZZANO: Okay. I can try and go, I
24 can try and do --

25 THE VIDEOGRAPHER: That's fine.

1 Public Hearing - Neelytown Business Park

2 Brand new, like nothing happened.

3 MR. FERRAZZANO: All right, sorry about
4 that. Okay, almost done.

5 With respect to the DEC's new wetland
6 regulations, we are already consulting with the
7 regional biologist. We will address any new
8 wetland regulations and jurisdictions over
9 wetlands on the site in the FEIS.

10 None of the other, other government
11 agencies notified have responded or are likely to
12 respond with comments on the DEIS for various
13 reasons. If they do, however, their comments will
14 also be addressed in the FEIS.

15 Finally, we have received comments from the
16 Planning Board's Engineer, the Town's Planner, and
17 the Landscape Architect just came in on the drive
18 up, all of which will be addressed in the FEIS.
19 Once the FEIS has been finalized by the Board, we
20 understand there will be additional opportunities
21 for review and comment provided on both the FEIS
22 and the project, including a public hearing on the
23 project's special use permit, site plan review and
24 subdivision. We appreciate all the comments
25 received to date, and look forward to hearing any

1 Public Hearing - Neelytown Business Park

2 Last comments from the public this evening.

3 That's all. Thank you.

4 CHAIR BEAUMONT: Okay.

5 This is a public hearing. We're here to
6 hear the public. So if anybody has any comments
7 about RDM Neelytown Business Park, come on down.

8 MR. WEBER: I'm Tom Weber, Beaver Dam Road
9 in Montgomery.

10 CHAIR BEAUMONT: So Tom, we got your letter
11 too.

12 MR. WEBER: Yeah, I know. I just want to
13 read it so it's on camera just in case.

14 We are here once again to appeal to you for
15 help concerning the RDM warehouses across from our
16 home at Beaver Dam Road. We have attended all the
17 meetings and have written many letters to state
18 the concerns, objections on the -- on the RDM
19 project. The noise, the traffic, the litter, the
20 lights, the pollution, the degradation of our
21 quality of life and the value of our home and
22 property.

23 RDM required all the homeowners at a
24 meeting that we had with Brian Maher and Kristen
25 Brown to sign an agreement to leave the zoning --

1 Public Hearing - Neelytown Business Park

2 this was back when you were going to change the
3 zoning on the Comprehensive Plan -- to leave the
4 zoning on this section of Beaver Dam Road ID. It
5 was an all or nothing agreement. If, if all
6 signed, they would -- then they would buy our
7 homes, meaning all the homes. There's eight of
8 them there. As you know, RDM bought the
9 properties on the east side of Beaver Dam Road,
10 and then notified our lawyer that they would be
11 putting the three homes on the west side on hold
12 due to the critical environmental area that did
13 not preclude development. We have been on hold
14 and in limbo ever since because of the breach of
15 agreement. How long is on hold, indefinitely,
16 forever? whatever.

17 RDM signed an agreement. RDM has the
18 signed agreement of all the homeowners, and none
19 were given a copy to us. When we -- when we speak
20 at the Planning Board meetings, it's extremely
21 difficult not to sound angry, due to frustration
22 and anxiety we have had since we were notified of
23 being on hold. It's been a long time not to know
24 the future of this. Must we live the rest of our
25 lives surrounded by a 30,000 gallon propane tank

1 Public Hearing - Neelytown Business Park
2 and UNFI and RDM warehouses. There would never be
3 any quality of life for us and no value to our
4 homes or property that we have spent our life,
5 over 50 years living in that house and paying
6 taxes on. Doing, doing this to us shows RDM has
7 no integrity and cannot be trusted.

8 We are appealing once again to you to
9 remedy this situation. Thank you.

10 CHAIR BEAUMONT: Thank you, Tom.

11 Anybody else have comments?

12 MS. TIPTON: Karina Tipton, 225 Union
13 Street, Town -- Village of Montgomery. I do have,
14 I have some additional comments to those I
15 provided at the previous hearing. Hopefully I'm
16 not going to be over -- restating any of them.

17 I, I wanted to follow up and determine
18 whether or not the Town of Montgomery Ambulance
19 had responded about their ability to respond to a
20 building of this size and to the number of
21 workers. As you all probably know, the town
22 has -- has not increased our funding. I am on the
23 board member -- I'm a community board member for
24 the ambulance too. And we are forced to decrease
25 service levels as a response because we do not

1 Public Hearing - Neelytown Business Park

2 have the funding to meet the current service
3 requests that we have within the town. And so
4 making sure that the ambulance has a chance to
5 respond to this is, is important from my seat as a
6 community board member.

7 In the DEIS it says no blasting is
8 anticipated. I think that it should be clear what
9 the process would be to escalate construction if
10 the blasting was required. Bedrock is very close
11 to the surface in many locations, especially in
12 some of the deep cut areas. And I think it's
13 important that the Town Planning Board consider
14 the houses along Beaver Dam Road having been
15 adversely impacted by the Medline blasting, which
16 took place at a further distance away than this
17 site, how it -- how they could be protected,
18 because this site is much closer. And I do think
19 it is, it is appropriate for a blasting plan or an
20 escalation process for a blasting contingency be
21 included in any discussion with the applicant.

22 The retaining wall, the retaining wall
23 which goes along Beaver Dam Road, there are
24 several retaining walls within this document.
25 Most of them are -- well, there is a schematic

1 Public Hearing - Neelytown Business Park

2 included. There is no design included, there's
3 nothing issued for construction or for permitting
4 in this DEIS, which I appreciate the timeliness of
5 this document. I would request that the Planning
6 Board and their engineer require minimum
7 performance standards for the design of the wall,
8 especially the over 1,000 linear feet that is
9 going to be along Beaver Dam Road, and ten feet
10 above grade. And which will have of course truck
11 traffic, buildings, et cetera, on top of that
12 retaining wall. We need to protect town
13 infrastructure during this construction and after
14 this construction.

15 I spent a little bit of time with the
16 traffic study because traffic has been a long term
17 fascination of mine in the Town of Montgomery.
18 And while I understand that the Town
19 Superintendent, Highway Department does not have
20 any comments on the passenger access, I do think
21 that because the volume of passenger vehicles
22 turning is assumed in this document, which is
23 appropriate, these are speculative warehouses, we
24 don't know who's going to be in them, we don't
25 know how they're going to be used or how many

1 Public Hearing - Neelytown Business Park

2 people will actually be working there or where
3 they're going to be coming from. But I do suggest
4 that the volume used for calculation of traffic
5 impacts at Chandler and Beaver Dam take into
6 consideration the highest expected volume of all
7 passenger cars that might be parked during work
8 hours.

9 Additionally, the traffic study used peak
10 times. I think it was 7:30 to 8:30. And I
11 suggest that that weekday peak period should be
12 expanded to capture not only school bus traffic
13 along the road, because there are many children
14 who live along Beaver Dam Road and Chandler Road,
15 but also they should be extended to capture the
16 FedEx truck traffic that travels between the FedEx
17 warehouses and the gas stations in the village of
18 Montgomery every morning. There are dozens of
19 trucks that go down that road.

20 Also, I wanted to call your attention that
21 in Appendix E of the traffic study -- this is why
22 I love traffic studies, there's so much data --
23 over 50% of the vehicles traveling on Beaver Dam
24 Road now are traveling in excess of 38 miles an
25 hour. Over 50% right now at current volumes and

1 Public Hearing - Neelytown Business Park

2 current usage. In fact, 1.4% are traveling at
3 speeds of over 55 miles an hour. The average
4 speed was 38 miles an hour. And that was like the
5 50th percentile, right. So just consider how fast
6 these vehicles -- these vehicles are going
7 already.

8 And as you're reviewing the traffic study,
9 please consider whether or not you are protecting
10 the people that are pulling out of their driveways
11 onto Beaver Dam Road, that are trying to turn,
12 that are waiting for their children to get picked
13 up off of the bus, right. Like these -- this
14 road, the -- our neighbors have been coming here
15 and telling you how dangerous this road is for
16 years as we've been working off the scoping
17 documents and other processes with this warehouse
18 in particular, as well as other warehouses.
19 These -- this data proves it. These are dangerous
20 streets. And adding a heavy volume of traffic
21 turning out of the passenger lot into Beaver Dam
22 Road, allowing them to drive towards the village
23 of Montgomery is just going to make it an even
24 more dangerous road.

25 I have feelings about the community

Public Hearing - Neelytown Business Park

1 impact -- sorry, about the appraisals that were
2 done. Again, appraisals in this area generally
3 only consider houses in Maybrook, which I think
4 that the people who live in the Town of Montgomery
5 along Beaver Dam Road would argue are not really
6 representative of their own house assessments; and
7 therefore, not an adequate comparator to evaluate
8 whether or not their property values are going to
9 be impacted. As far as I could tell, it didn't
10 include any homes on Beaver Dam Road at all. And,
11 as you know, there are a number of very high scale
12 subdivisions that were recently put in within the
13 last ten years, including the Tweddle Farms. You
14 know, if you move down the street there's a lot of
15 like big houses. Like that's a different
16 appraisal group if you were to consider that.

18 I also just want to note that the Town of
19 Montgomery I'll remind you is an environmentally
20 disadvantaged area. And, as such, although this
21 document did include a conversation about carbon
22 emissions, it drew the box for where the CO2
23 emissions and the VOCs and the particulates, it
24 drew it very carefully around the immediate
25 impacts of the vehicles going on and off site. It

1 Public Hearing - Neelytown Business Park

2 didn't consider like the other impacts that this
3 will bring to the area. I think what it says is,
4 "more sporadic and short-lived trace detections
5 that may be the result of passing vehicles," is,
6 is what the potential increase of VOCs and
7 particulate matter would be caused by. It doesn't
8 really talk about the number of passenger vehicles
9 and truck traffic along Neelytown Road and Beaver
10 Dam Road. And the data memorandum was based in
11 October 2023, which we were still coming out of
12 COVID, and traffic has been increasing year over
13 year over year. And it would -- it would be
14 merited to redo this based on current traffic
15 volumes.

16 And the last thing I'll just say again is
17 that when we were working on the scoping, we the
18 public, you the Planning Board, on the scoping
19 documents, the applicant did make a lot of bold
20 statements that they would meet the intent of the
21 Comprehensive Plan. And I will say that I do not
22 see that intent being met by this Draft
23 Environmental Impact Statement. They rushed this
24 to go through. They had closed our conversations
25 about zoning codes that the Comprehensive Plan had

1 Public Hearing - Neelytown Business Park

2 asked to be one way, and they had them, you know,
3 they worked with the residents with promises and
4 elected officials to change the zoning codes to be
5 a different way in the neighborhood to avoid
6 buffer requirements.

7 They are still tearing down the steep
8 slopes. There is not a huge conversation in here
9 around how we're protecting the Thruway -- excuse
10 me, 84. There's no conversation around how this
11 impact is going to cause -- I mean, there's a
12 conversation about it, but there's no mitigation
13 for the fact that all of the intersections are
14 decreasing by at least one grade and level of
15 service. I don't see that they're mitigating the
16 impacts to the community. And I don't see that
17 they're doing so in agreement with the
18 Comprehensive Plan, which they did affirm verbally
19 at many meetings that they would meet. So again,
20 that's as good as the paper we had it on, but I
21 did just want to remind you all of that piece of
22 history. Thank you.

23 CHAIR BEAUMONT: Thank you.

24 Any other public members?

25 (No response)

1 Public Hearing - Neelytown Business Park

2 MR. HOYT: If I may, Richard Hoyt, attorney
3 for the Planning Board. I'd just like to list the
4 written comments that we received by date and who
5 we received them from, just for the record, since
6 the steno is here. Mr. Ferrazzano mentioned a
7 couple of them, but I'm going to start from what
8 we've had come in since our last hearing.

9 Orange County Planning -- I'm sorry,
10 Department of Public works, January 17th. DEC
11 acknowledgment of the fact that we're doing a
12 review and that they would get us their comments.
13 That was dated January 22nd. From our Town
14 Engineer, January 23rd, regarding Beaver Dam Road
15 and employee vehicular access only. January 23rd,
16 Orange County Planning Department comments.
17 January 24th, McGoey Hauser & Edsall comments.
18 January 27th, Nelson Pope comments. Today,
19 January 27th, Maybrook Fire Department. And the
20 two emails we received. One Mr. Weber read from,
21 Mr. and Mrs. Weber. The other one that was not
22 read was an email today from Debbie Froehlich
23 Pearl and Tammy Malley. So I just thought it
24 would be a good idea to just list what we've
25 received. We expect more, and I think the

1 Public Hearing - Neelytown Business Park

2 applicant's attorney is going to share with us how
3 we can receive those future comments. Thank you.

4 CHAIR BEAUMONT: I agree.

5 Can you address that, Paul?

6 MR. VAN COTT: Sure, absolutely.

7 So, you know, we've had two public
8 hearings. The notice was provided to all the
9 property owners within 500 feet of the project
10 site and to all of the involved and interested
11 agencies back in November of 2024. So there's
12 been 60, 60 days anyway where people have had the
13 opportunity to comment, agencies have had the
14 opportunity to comment.

15 At this point and, and, you know, given
16 this opportunity tonight, we would ask that the
17 Board consider closing the SEQRA public hearing on
18 the DEIS. We're already starting the process of
19 responding to all the comments that have been
20 received. And, you know, that, that's the whole
21 purpose of the DEIS is to give people the
22 opportunity to provide those comments.

23 We will in turn prepare a Final
24 Environmental Impact Statement for the Board's
25 consideration. You will determine whether or not

1 Public Hearing - Neelytown Business Park

2 what we've done in terms of responding to all the
3 public comments is adequate. But, but if you were
4 to close the hearing tonight, we've submitted a
5 letter today. We're committed to continuing to
6 receive any public comments or any comments that
7 come in from any other governmental agencies that
8 were given notice of the DEIS. And that would
9 include -- I don't believe we have heard from the
10 ambulance corps. So if you could get someone from
11 the ambulance corps to provide comments, we would
12 welcome those. And we'll do that up until the
13 point where we submit and the FEIS and the Board
14 determines that it's -- determines to accept that.
15 Any agency comments we, we welcome and welcome the
16 opportunity to respond to.

17 We're going to want to and need to
18 responded to those comments anyway, particularly
19 when you're talking about DEC, you know, or
20 anything else that we might hear from the -- we
21 haven't heard from the Orange County Department of
22 Health. We don't anticipate hearing anything
23 because there's not a lot going on that's within
24 their jurisdiction. The same is true, excuse me,
25 for New York State DOT. You know, even though

1 Public Hearing - Neelytown Business Park
2 we're talking with them, we don't anticipate
3 hearing comments from them. So for agencies it's,
4 it's really up to the point where the Board
5 decides that the FEIS is final.

6 For the public, under the SEQRA
7 regulations, following your closing of the public
8 hearing there is a ten day period, a minimum of a
9 ten day period where written public comment could
10 continue to be received by the Planning, Planning
11 Board. And that's in your discretion, the period
12 that you want to set for that. Beyond that, what
13 we understand is that the Planning Board's
14 practice has been, when it closes the SEQRA public
15 hearing so that the applicant can prepare the
16 FEIS, it has held open and, and left open the
17 hearings on, you know, the applications that are
18 before you, so your special use permit, the site
19 plan review and the subdivision. And even though
20 that may not -- there may not be a date that you
21 set for those continued public hearings now, that
22 that opportunity will also be available to the
23 public once we've responded to all the public
24 comments on the FEIS and, and prepared an FEIS.
25 And once you have gotten to a point where you're

1 Public Hearing - Neelytown Business Park

2 comfortable with your, what will become your FEIS,
3 there will be another public hearing.

4 There is also, for the FEIS in particular,
5 before you issue your findings on the FEIS or make
6 any decision on the application that are before
7 you, there's another minimum of ten day public
8 comment or comments from agencies where, where
9 they can weigh in on the FEIS that you've
10 accepted. So, you know, what, what the closing of
11 the SEQRA public hearing would do is allow us to
12 move forward to take the next step of responding
13 to all the comments that have been received.
14 There will still be ample opportunity in the
15 future for agencies and for the public to comment
16 on the project, for agencies to bring in comments,
17 the agencies that haven't responded so far to
18 bring in comments that we can also respond to in
19 the FEIS.

20 (Board member Rose joins meeting.)

21 CHAIR BEAUMONT: Okay. I appreciate that.

22 Now, one thing that needs to go into the
23 record is mitigation. You spoke -- I understand
24 that your folks have been talking to the Town
25 about potential financial contributions for

1 Public Hearing - Neelytown Business Park

2 mitigation purposes. Could you help me put that
3 into the record?

4 MR. VAN COTT: Sure. And we have that, and
5 we did prepare a letter which we submitted to the
6 Board today that speaks to that.

7 Part of the whole process of doing an FEIS
8 and responding to all the public comments is we're
9 going to be looking at all the comments that are
10 made about potential impacts of the project. And
11 as we see impacts and opportunities for further
12 mitigation of potential impacts from the project,
13 based on those comments, as part of the FEIS that
14 we'll be preparing and submitting for your
15 consideration, that may include additional
16 mitigation measures, you know. You're always
17 balancing your, you have your impacts and then
18 you're looking at, okay, what can we do to either
19 avoid those impacts altogether, or to minimize
20 them, to mitigate them.

21 For, for some types of impacts, those are
22 things that we would do, you know, to lessen the
23 impacts, things that we do on the project site
24 like landscaping or traffic coming or, or those
25 sorts of things. Excuse me. But, but sometimes

1 Public Hearing - Neelytown Business Park

2 there are, you know, impacts where there may be a,
3 a public improvement that is anticipated. Maybe
4 it's a sewer upgrade. Maybe it's a, you know,
5 contributing to a park that's planned, you know.
6 If we can -- if that's, you know, if we're causing
7 an impact, you know, where we're bringing in more
8 people into the town that are going to be using
9 your parks, or we're going to be, you know,
10 through our, the sewage that we are going to --
11 wastewater we're going to be generating going to
12 be contributing to the need for additional
13 capacity, then we can make a financial
14 contribution potentially to mitigate that because
15 we wouldn't be doing that project ourselves. And
16 we saw this you'll recall with the Bearing Road
17 project, where as part of that approval process we
18 committed to participating in the costs of a
19 traffic light, you know, to, to help deal with
20 some of the ongoing traffic impacts, not just
21 caused by us but by, you know, other projects in
22 the community.

23 So that's the sort of thing that we'll be
24 looking at as we are preparing the FEIS. And
25 ultimately it will be in consultation with the

1 Public Hearing - Neelytown Business Park
2 Planning Board as to what mitigation may be
3 appropriate and whether a financial contribution
4 would be the best way to achieve that mitigation.

5 CHAIR BEAUMONT: Okay. Thank you.

6 Any other comments from your team?

7 (No response.)

8 CHAIR BEAUMONT: Okay. Board, any other
9 comments. Consultants? Rich?

10 MR. HOYT: I just, I forgot to mention two
11 reviews we received from Karen Aron, two of them.
12 One on the DEIS and then one on the plan itself.

13 CHAIR BEAUMONT: Okay.

14 MR. HOYT: And just to confirm what Mr. Van
15 Cott said and for those in the audience, if the
16 Board closes the SEQRA portion, you're keeping
17 those other hearings open. They'll be re-noticed
18 by a mailing to the neighbors some day, we don't
19 know how long it will take them to submit an FEIS,
20 how long it will take us to review it. Probably
21 minimum a couple of months, but don't hold me to
22 that, it could be longer. But those in the public
23 will have another mailing notice for the special
24 use site plan subdivision. All you're closing
25 tonight, if you do that, is the DEIS portion.

1 Public Hearing - Neelytown Business Park

2 CHAIR BEAUMONT: Okay, very good. Thank
3 you, Rich.

4 MR. HOYT: Thank you.

5 MR. VAN COTT: And, in addition to that,
6 when the notice -- there will be a notice that
7 goes along with your acceptance of the FEIS that
8 would trigger that ten day comment period, that
9 will go into the environmental notice bulletin as
10 well. So there will be additional public notice
11 and notice to the agencies that way.

12 CHAIR BEAUMONT: Very good.

13 MS. TIPTON: Excuse me.

14 CHAIR BEAUMONT: Karina.

15 MS. TIPTON: Yeah, thank you. Maybe this
16 is a point of order, but it was my understanding
17 that the Draft Environmental Impact Statement was
18 intended to include all mitigation measures that
19 the applicant felt might be important and not just
20 wait for the comments from the public to help them
21 decide what mitigation measures should be included
22 in the Final Environmental Impact Statement.

23 MR. VAN COTT: Yeah. I can, I can respond
24 to that. Yeah, we do feel that the project as
25 proposed and presented in the DEIS does provide

1 Public Hearing - Neelytown Business Park
2 the mitigation measures that we thought were
3 appropriate for the project. Again, we're
4 looking, we've, we've received a lot of comment,
5 we've received comment from the Town's
6 consultants. And it is a normal part of the FEIS
7 process that additional mitigation measures may be
8 proposed and vetted and agreed to by the Planning
9 Board as part of its finalization of the FEIS. We
10 propose, you dispose.

11 CHAIR BEAUMONT: Very good.

12 MS. TIPTON: I, I would just request that
13 the Planning Board extend written comment
14 acceptance for a period of time, because in good
15 faith, I did not realize that I was going to need
16 to do a line by line review of this document. I
17 assumed that reviewing the existing mitigation
18 included in the DEIS would be adequate, and I'm
19 hearing that it is not. So I would request an
20 additional amount of time to accept written
21 comments from the, from the public, in addition to
22 that time you're allowing for the agencies. Thank
23 you.

24 CHAIR BEAUMONT: Do you have --

25 MR. HOYT: Well, a minimum ten day. I

1 Public Hearing - Neelytown Business Park

2 don't believe there's a maximum.

3 MS. FRANSON: No, it's just the minimum ten
4 day, it runs ten days.

5 CHAIR BEAUMONT: So there would -- closing
6 the hearing still leaves a ten day, minimum ten
7 day window that you can still respond and make
8 comments.

9 MS. TIPTON: Okay.

10 MR. HOYT: Is ten sufficient, or more?

11 MS. ZAHAKOS: I was just going to say,
12 yeah.

13 Ms. Tipton, what do you feel is appropriate
14 for your response and review, or any other members
15 of the Board for your input over the ten day
16 period that has been opportune standard.

17 MS. TIPTON: Right. I, I mean, to be fair,
18 I work 40 to 50 hours a week, as well as being
19 engaged in other volunteer activities around the
20 town. So I'm -- I'll just have to make it fit
21 into what you permit me. And I can't speak for
22 other members of the community, who I know have
23 similar schedules and also children at home.

24 MS. ZAHAKOS: Respectfully, though, aside
25 from that, is 12 days, three weeks, what, what is

1 Public Hearing - Neelytown Business Park

2 your concept, not that that necessarily would be
3 met, but ideally what would you feel would be the
4 appropriate time, not that that would be what was
5 given, but --

6 MS. FRANSON: The seventh takes us to
7 eleven days. That would be like --

8 MR. ARNOTT: The 14th would be 18 days,
9 both Fridays.

10 MR. BROWN: The 14th would be 20 days?

11 MR. ARNOTT: Those are both Fridays, the
12 7th up through the 14th, with the 11 or 18 days.

13 MR. PALCZEWSKI: Is it ten working days or
14 ten days, calendar days?

15 MS. PENNING: It's calendar.

16 MR. BROWN: It's calendar days, sir.

17 MR. PALCZEWSKI: Calendar.

18 CHAIR BEAUMONT: Okay.

19 MR. ARNOTT: So those are both Fridays,
20 just --

21 MS. FRANSON: The 14th will be an
22 additional week.

23 CHAIR BEAUMONT: Okay. Well, it's, I don't
24 think DEC is going to get back to us in that time
25 anyway, so.

1 Public Hearing - Neelytown Business Park

2 MS. FRANSON: It's Valentine's Day.

3 (Laughter)

4 MS. ZAHAKOS: It would be like Christmas, a
5 vast wasteland, nobody was available on the
6 holidays, so.

7 CHAIR BEAUMONT: So the 14th gets us to
8 what day, the --

9 MR. ARNOTT: About eighteen.

10 MS. FRANSON: Eighteen days.

11 CHAIR BEAUMONT: That's 18 days, the 14th?

12 MR. ARNOTT: Yeah.

13 MS. FRANSON: Another week.

14 CHAIR BEAUMONT: So we're going to --

15 MS. ZAHAKOS: Mr. Weber has a comment.

16 MS. PENNINGS: Bonnie, the 17th is
17 President's Day.

18 CHAIR BEAUMONT: Oh, yeah, Tom. Come on
19 back up.

20 MS. PENNINGS: Jay, the 17th is President's
21 Day.

22 MR. WEBER: I would just like to add that,
23 you know, how do they mitigate the problem with
24 the three houses on Beaver Dam Road. This is one
25 thing that they have not done. They haven't

1 Public Hearing - Neelytown Business Park

2 sought, is that the right word --

3 CHAIR BEAUMONT: Sought.

4 MR. WEBER: -- to do it, to do that, to fix
5 the problem on, with the three houses on the west
6 side. They put it on hold. We, we know, I wasn't
7 born yesterday. I know that they wanted the five
8 houses on the east side because that's where they
9 want to go. The houses on the west side really
10 have no value to them other than they agreed on
11 it, to buy us, so that we would all sign a paper
12 to keep the zoning "ID". They didn't do that.
13 But to mitigate the problem, they haven't
14 mitigated the problem to me.

15 They talked about, originally they talked
16 about all the traffic leaving the site on
17 Neelytown Road. Then they made another exit onto
18 Beaver Dam Road. These cars, when they come out
19 of this place, there's seven days a week, 24 hours
20 a day, seven days a week, the car -- the traffic
21 at certain times of the day is going to be coming
22 out of onto Beaver Dam Road. Whether they're
23 going into Montgomery, causing a problem there, or
24 going out to the traffic light and then they're
25 going to go Neelytown Road, which they could

1 Public Hearing - Neelytown Business Park

2 always go out the main entrance to begin with. So
3 they haven't really done what they said they were
4 going to do. And I think you should just push off
5 this project for as long as you possibly can,
6 because they're not satisfying me at all. Thank
7 you.

8 CHAIR BEAUMONT: Thank you.

9 Okay, so I think it's time to vote to close
10 the hearing. I'll accept a motion to close the
11 public hearing on the SEQRA part of the RDM
12 Neelytown Business Park Project.

13 MS. ZAHAKOS: Mr. Chair --

14 MR. HOYT: I suggest an amendment.

15 CHAIR BEAUMONT: Wait, wait, let me get it
16 all on the --

17 MR. HOYT: Sorry.

18 CHAIR BEAUMONT: -- on the table and then
19 we'll amend it as needed --

20 MR. HOYT: Okay.

21 CHAIR BEAUMONT: -- and discuss it.

22 Okay, so close the public hearing for the
23 SEQRA part of the RDM Neelytown Business Park
24 project, with the extended comment period until
25 the 14th of February, which is Friday.

1 Public Hearing - Neelytown Business Park

2 MS. FRANSON: A Friday.

3 CHAIR BEAUMONT: A Friday, okay.

4 MS. FRANSON: Eighteen days to Friday.

5 CHAIR BEAUMONT: Also Valentine's Day, but
6 anyway.

7 MR. BROWN: How many days would that be,
8 Bonnie?

9 CHAIR BEAUMONT: That would be 18 days.

10 MR. BROWN: So we extend 18 days. Eighteen
11 days, we extend it 18 days. I'll make the motion.

12 CHAIR BEAUMONT: Okay, but -- okay, that's,
13 the motion is made. Discussion?

14 MR. HOYT: A second.

15 CHAIR BEAUMONT: Wait a minute. Second, I
16 need a second.

17 MS. PENNINGS: (Raises hand).

18 CHAIR BEAUMONT: By Rose, okay. And now
19 discussion.

20 MR. HOYT: No public comment. The agency
21 comment, as per Mr. Van Cott, the agencies are not
22 restricted to that 18 day. It's the public
23 comments --

24 MR. BROWN: Is extended.

25 MR. HOYT: And if it's a Friday, Town Hall

1 Public Hearing - Neelytown Business Park

2 closes at noon.

3 MS. ZAHAKOS: 12:15, right.

4 MR. HOYT: So can you establish Friday at
5 noon on the 14th of February so we're all clear?

6 MS. FRANSON: Okay.

7 CHAIR BEAUMONT: Make it the, make it 10:30
8 or something like that. She's going to be walking
9 out the door at noon as they walk in.

10 MS. ZAHAKOS: Yeah.

11 MS. FRANSON: No, they'll get the comments
12 on Monday.

13 MS. HADDEN: Monday they're closed.

14 MS. FRANSON: I think just by the time it
15 closes at noon would be good.

16 CHAIR BEAUMONT: Okay. Close of business
17 on February 14th.

18 MR. HOYT: Noon.

19 MR. BROWN: Yeah.

20 CHAIR BEAUMONT: Any other comments or
21 discussion? Cheri?

22 MS. ZAHAKOS: No, sir.

23 CHAIR BEAUMONT: Okay. All in favor,
24 please say aye.

25 (Chorus of ayes.)

1 Public Hearing - Neelytown Business Park

2 CHAIR BEAUMONT: Opposed?

3 (No response.)

4 CHAIR BEAUMONT: Okay. Thank you.

5 MR. FERRAZZANO: Thank you.

6 MR. VAN COTT: Thank you.

7 (Whereupon, at 8:15 p.m. this agenda item

8 was concluded.)

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Public Hearing - Neelytown Business Park

CERTIFICATE

STATE OF NEW YORK)
) SS:
COUNTY OF ORANGE)

I, KARI L. REED, a Shorthand Reporter
(Stenotype) and Notary Public within and for
the State of New York, do hereby certify:

I reported the proceedings in the
within-entitled matter and that the within
transcript is a true record of such
proceedings.

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

IN WITNESS WHEREOF, I have hereunto set my
hand this 26th day of February 2025.

Kari L Reed

KARI L. REED