

TOWN OF MILLBROOK

(Continuation)

BLUMENTHAL & BRICKMAN
PROPOSED DEVELOPMENT OF FORMER
BENNETT CAMPUS -
DECLARATION FOR SEQRA

BEFORE PLANNING BOARD

THORNE BUILDING

FRANKLIN AVENUE

FEBRUARY 15, 2007

7:30 P.M.

PLANNING BOARD MEMBERS:

LINDA ROBERTS - CHAIR
JOE STILL
JOE FORTE
CHARLIE COLOMELLO
DR. THOMAS MURRAY
RICHARD J. OLSON, ESQ.-TOWN ATTORNEY

PRESENTERS:

DAVID BLUMENTHAL, DEVELOPER
ANTHONY F. VENEZIANO, ESQ.

BY: CONSTANCE MASON WALKER

SCHMIEDER & MEISTER LLC
82 Washington Street
Poughkeepsie, New York 12601
(845) 452-1988

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

CHAIRPERSON ROBERTS: Good evening. This is on the extension of the public hearing. I am sorry to say we do not have the benefit of a loud speaker system this evening, so all of you are going to have to speak loudly please.

Please try to speak as loudly as you can. We have a court transcriptionist here and prior to your speaking you will be required to identify yourselves at the beginning of your remarks and state your name and your residence.

Because of the problems last time, we are going to impose a three minutes rule for remarks and everyone will get a warning at one minute and your time will be through at three minutes and we will call the next speaker.

I wish to introduce right now the Village Attorney, Richard Olson.

MR. OLSON: Good evening everyone. At the last public hearing the

1 PUBLIC HEARING - 2/15/07
2 majority of the comments were requests
3 for a positive declaration, identifying
4 water and sewer as the major
5 environmental issues of concern, along
6 with other stated issues.

7 Tonight, we will continue
8 hearing input. The Developer has already
9 advised that additional supporting
10 documentation still must be submitted, so
11 the hearing will not be closed. Once the
12 Developer advises that they have
13 submitted everything that they intend to
14 present, additional comments will be
15 taken from the public on that final
16 submittal.

17 Assuming all issues have then
18 been identified, the Planing Board could
19 be in a position to close the public
20 hearing.

21 Once we have a full
22 submission, the Board's next determin-
23 ation will be to make a determination of
24 significance, that is a negative or a
25 positive declaration. In order to make

1 PUBLIC HEARING - 2/15/07

2 that determination, they have to follow
3 the SEQRA regulations in 617.7, and I
4 will read the criteria from the statute:

5 (1) Review the EAF against the
6 criteria in the regulations contained in
7 subdivision c, and any other supporting
8 information identifying relevant
9 environmental issues;

10 (2) Thoroughly analyze those
11 identified issues to determine if the
12 project may have a significant adverse
13 impact on the environment and

14 (3) Set forth the determination
15 in writing which must contain a "reasoned
16 elaboration" and referencing supporting
17 documents.

18 So, tonight, no action will
19 be taken other than to hear a
20 presentation on the latest submission and
21 to hear any new comments that you may
22 have this evening.

23 CHAIRPERSON ROBERTS: Anthony
24 F. Veneziano.

25 MR. VENEZIANO: Good evening.

1 PUBLIC HEARING - 2/15/07

2 Thank you, Madame Chairman. My name is
3 Tony Veneziano. I am counsel for
4 Blumenthal & Brickman, the applicant.

5 As Mr. Olson indicated, that
6 the purpose of this hearing is for us to
7 update you regarding some of the
8 information submitted at the two work
9 sessions on January 28th and February
10 8th. Also, to hear response to some of
11 the comments that were made at he last
12 public hearing on January 4th.

13 We actually charted all the
14 comments. We spoke to the Planning Board
15 about them and I would like to talk to
16 you about some of them and then, of
17 course, to hear new comments that you
18 have.

19 I would like to put some of
20 this in context because I think that at
21 the last hearing a number of the comments
22 reminded me more of the type of comments
23 you get during a rezoning hearing where
24 the process would be for people trying to
25 get what to do with property.

1 PUBLIC HEARING - 2/15/07

2 It is very important that we
3 recognize that this site has 200,000
4 square feet of development on it.
5 There's 12 buildings on this site. They
6 are dilapidated. They are dangerous.
7 They are in various stages of disrepair.
8 There are conditions on this site that
9 need to be remediated.

10 There are also projects in
11 and around it that have different
12 densities; Bennett Common, Millbrook
13 Hollow, Millbrook Manor and Alden Terrace
14 that have different densities and the
15 Village Board, most importantly, went
16 through a process only 16 months ago with
17 an environment review process. They
18 concluded to adopt a negative declaration
19 under local laws, establishing the zoning
20 that my client now makes his application
21 under.

22 The Bennett Campus Develop-
23 ment zone was established and the
24 conservation density zoning was prepared.
25 As part of the record, and I showed this

1 PUBLIC HEARING - 2/15/07
2 at one of the work sessions but I thought
3 it was meaningful and I'd like to go
4 through it again.

5 As part of the record of the
6 Village Board, the Village Board reviewed
7 -- I don't think people are familiar with
8 this -- they reviewed a Fiscal Impact
9 Analysis dated June 14th, '04 that was
10 prepared by the RMI Zoning Advisory
11 Committee.

12 They also prepared and
13 reviewed a Traffic Impact Analysis that
14 was prepared by LRC Group on June 15, '04
15 which is also part of this record.

16 Again, these studies are in
17 zoning terms very recent, 16 months old.

18 They also reviewed a Land
19 Planning Summary by the RMI Zoning
20 Advisory Committee which is part of this
21 record and the Village Board took into
22 account.

23 They reviewed a Sewer and
24 Water Analysis by Frank Genova and Dr.
25 Thomas Beaumont regarding your water and

1 PUBLIC HEARING - 2/15/07

2 sewer conditions in the Village.

3 They reviewed the FDIC
4 Asbestos Report drafted 6/23/92 regarding
5 the issues at the facility and the
6 condition of those facilities,
7 remediation.

8 They reviewed a Build-Out
9 Analysis dated February 7th, '04 by The
10 LRC Group. There are different
11 alternatives in it.

12 They reviewed an alternate
13 Build-Out Analysis Density also, dated
14 June 15th, '04 by the LRC Group.

15 They reviewed a Planning
16 Considerations and Design Criteria
17 Architectural Analysis by Stephen Tilly
18 dated June 9th, '04.

19 They also had before them the
20 Excerpts of Halcyon Offering Plan dated
21 4/28/87 by Millbrook Conversion
22 Corporation which was the original
23 conversion plan.

24 They had a Report of Findings
25 Recommendations from the RMI Zoning

1 PUBLIC HEARING - 2/15/07

2 Advisory Committee.

3 This was the record upon
4 which the Village Board adopted a
5 negative declaration and then adopted a
6 local law and rezoned the property.

7 When we submitted our
8 application we came in to pursue the
9 special permit standards that were
10 provided under the current zoning and
11 provided the Board with additional
12 information.

13 We made a number of
14 submissions and these were: The
15 preliminary CDD Plan that were prepared
16 by TRC Raymond Keyes, 8/21/06. They are
17 our engineers and these are continually
18 updated.

19 There should be a process
20 where the public can go and review the
21 latest plan whether that is the Library
22 or the Planning Board but this is our
23 latest set of plans.

24 They are continuing to be
25 reviewed by the Village's engineers and

1 PUBLIC HEARING - 2/15/07

2 we are continuing to respond to them.

3 We also prepared -- submitted
4 a Structural Report regarding Existing
5 Buildings and we have also been dealing
6 with SHPO.

7 There is a report from The
8 Weintraub Organization dated April 18th,
9 2006 with SHPO comments.

10 There is also a letter we
11 recently submitted to SHPO, the State's
12 Historic Preservation Office of the
13 State, from an historical perspective
14 dated February 6th.

15 One of the first agencies
16 that has approval jurisdiction that we
17 started to work with and contacted was
18 SHPO. We knew that taking buildings down
19 would be a significant issue. We knew
20 that it had to be remediated and we went
21 about that right away.

22 We have also submitted a
23 Traffic Studies dated August 7th, '06 by
24 TRC Raymond Keyes and there has been some
25 updates to it.

1 PUBLIC HEARING - 2/15/07

2 There is a Natural Resources
3 Study by Michael Nowicki, Ecological
4 Solutions, LLC dated May 30th, '06 which
5 was submitted to the Board.

6 Then there is a Fiscal Impact
7 Analysis dated November 2006 prepared by
8 Saccardi & Schiff which was went through
9 in January in the introduction to the
10 public hearing.

11 There is a Preliminary Water
12 Report by Delaware Engineering August,
13 '06 which has been recently updated.

14 There are architectural
15 renderings by Millbrook Associates dated
16 11/2006 just this is October. There are
17 new plans you are going to see tonight on
18 the architectural.

19 There is a Preliminary Water
20 Report also done by Delaware Engineering
21 dated October 2006.

22 There is Target Market Report
23 that was prepared by SJS Holdings dated
24 November 2006.

25 There is a Demolition

1 PUBLIC HEARING - 2/15/07
2 Proposal regarding demolition, the
3 conditions, dated November 20th, 2006
4 from Contento Contractors.

5 There are comments from TRC
6 responses to Conrad Geoscience comments,
7 11/3/06 by TRC Raymond Keyes.

8 And the last document is the
9 Environmental Reports and Asbestos Survey
10 dated 8/10/06 by Environmental Technical
11 Group, Inc.

12 So, that is the record that
13 is before this Board. It's part --
14 pretty much most of the record that the
15 Board has to look at when they deliberate
16 regarding whether they can grant a
17 positive declaration or a negative
18 declaration.

19 The purpose of SEQRA is to
20 get substantive information for the Lead
21 Agency. The process really is where --
22 many of the -- 32 of the 64 speakers
23 spoke to the issue of a pos dec. The
24 fact is that between our executive
25 summaries and the documents we submitted,

1 PUBLIC HEARING - 2/15/07
2 this Board has the substantive
3 information that it would have gotten --
4 would get if there was a positive
5 declaration.

6 So, I think what is important
7 is that the speakers tonight -- it is
8 very important that we get comments as to
9 issues in the project that are not simply
10 stated in general terms: I have the
11 concern that water doesn't affect my well
12 or I have a general concern that there is
13 no impact with respect to traffic.

14 It needs to get a little bit
15 deeper than that so that this Board
16 really understands your concerns because
17 they recognize all of those issues and
18 they have been reviewed in these reports
19 for some time.

20 There is also -- I would like
21 to quickly go through some of the
22 comments from the last meeting --

23 (WHEREUPON, a loud speaker
24 system was hooked up.)

25 MR. VENEZIANO: I am going

1 PUBLIC HEARING - 2/15/07
2 briefly talk to some issues and then Dave
3 is going to pick up on a few and
4 highlight them and then we are here and
5 we can respond during the night. If the
6 Board would like us to respond, we'll
7 come back.

8 On the water and sewer, we're
9 completing our 72 hour draw down testing
10 this week. We will be submitting an
11 updated report to the Board and at the
12 next Public Hearing and at some workshop
13 sessions, we'll have some more
14 information regarding water.

15 There was a letter from
16 Delaware Engineering submitted to the
17 Planning Board last week regarding both
18 water and sewer.

19 With respect to sewer, I
20 think our application is pretty clear.
21 The Village has made an application to
22 the DEC. They are trying to modify their
23 -- they are in violation of the current
24 SPDES permit.

25 They are trying to modify

1 PUBLIC HEARING - 2/15/07
2 their SPDES permit to allow for more
3 treatment. This property is in both the
4 water and sewer districts and has a right
5 to be in that district.

6 We have made a proposal to
7 pay a certain amount per gallon to the
8 Village for improvements that the Village
9 could decide to incorporate into their
10 system.

11 There were comments regarding
12 unbiased consultants at the last meeting.
13 There are several unbiased consultants on
14 the Board now and they are taking that
15 into consideration. It is under
16 advisement right now.

17 There was a question
18 regarding surety bonding and bonding that
19 came up a few times when I read the
20 transcript and I submitted to the Board
21 some draft language.

22 You should know that our firm
23 and some of the engineering firms and
24 planning firms around this project
25 routinely seek approvals and secure

1 PUBLIC HEARING - 2/15/07

2 approvals for projects of this size with
3 the same types of issues.

4 There will be bonding for the
5 infrastructure improvements. We will
6 work with your counsel and your counsel
7 and your engineer will set bond amounts
8 and they will set the language of the
9 bonds that are required to make sure that
10 this project is started and completed and
11 it will include the asbestos and the
12 demolition.

13 Dave, I think, you should --
14 you'll talk to the densities of the
15 surrounding properties.

16 I would like to note that the
17 original zoning that was in place before
18 the Village Board adopted the current
19 zoning allowed somewhere between 250 and
20 300 units. The current zoning would
21 allow, I believe, 126 or 128 units and we
22 are submitting for 91 units.

23 With respect to demolition
24 and SHPO, you should read the letters
25 back and forth with the State. The State

1 PUBLIC HEARING - 2/15/07
2 is pretty -- their position is pretty
3 consistent with ours, that these
4 buildings are beyond saving. The few
5 that we are trying to save, they are
6 working with us on but we went to them
7 early on to make sure that we would have
8 their consent to take these buildings
9 down and I think they are in line with
10 our requests and you can see that in
11 their letters.

12 There was an impassioned
13 position taken with respect to trees on
14 the site. We prepared and submitted a
15 tree survey.

16 MR. BLUMENTHAL: We are
17 working on that.

18 MR. VENEZIANO: We are
19 working on the tree survey and we are
20 also working on -- are you going to talk
21 the preliminary numbers that I received
22 today?

23 MR. BLUMENTHAL: No, we will
24 do that next time.

25 MR. VENEZIANO: At the next

1 PUBLIC HEARING - 2/15/07
2 hearing I think we will have a landscape
3 plan as well as a tree survey, so you
4 will be able to see the existing
5 conditions plus our proposal and what we
6 are proposing is a significant amount of
7 new trees. We are saving a significant
8 amount of trees and a reasonable amount
9 of trees will come down.

10 There was a discussion about
11 the character of the project being
12 consistent with Millbrook. You should
13 know that under the law when a
14 municipality decides that a use is
15 permitted by special permit there is a
16 finding that that use is consistent with
17 the character of the surrounding
18 neighborhood.

19 So, the proposed use in the
20 traditional neighborhood design is
21 something that the Village Board and it's
22 legislation has already found is
23 appropriate for this site and our plan
24 brings to light the conditions and
25 factors that are set forth in the zoning.

1 PUBLIC HEARING - 2/15/07

2 There were discussions about
3 traffic. The major concern is that there
4 is the roundabout after that long hill
5 and we are already trying to speak with
6 DOT to come up with some arrangeable
7 alternatives that the Planning Board
8 could look at.

9 Other than that you should
10 look at our traffic studies. Most of the
11 intersections have a very, very low
12 volume of traffic right now and the
13 traffic to be generated from the is
14 project is not significant. It is partly
15 because of the -- just the system works
16 but the existing levels of traffic are
17 you know, A, B, maybe C and that is
18 nowhere near a D, E and F which is
19 failure.

20 So, that is a good issue, but
21 the roundabout we are looking at.

22 The architectural design and
23 layout, Dave Blumenthal will speak to.

24 Pedestrian access, we also
25 have some solutions for pedestrian access

1 PUBLIC HEARING - 2/15/07

2 to the hamlet which is important.

3 There was some discussions
4 about open space. I have 9 acres out of
5 the 27 acres as remaining open space,
6 which is a significant amount of open
7 space, I believe. So, it is fairly open
8 and we do have that whole village green
9 that we are concerned with which is
10 exactly what the Village Board wanted us
11 to do under the zoning.

12 Some discussions about
13 relocation of easements which we are
14 taking care of.

15 And the fiscal analysis, we
16 have gone through what we think are the
17 fiscal benefits of the project.

18 So, with that I will hand it
19 over to Dave but just to close, we will
20 continue to work with the Village's
21 consultants over the next few weeks and
22 leading up to the next public hearing and
23 we're going to come up with some format
24 to respond to the questions that have
25 been raised to date and the questions we

1 PUBLIC HEARING - 2/15/07

2 hear tonight, so that you all will have
3 the best information prior to the next
4 meeting or by the end of these hearings.

5 MR. DAVID BLUMENTHAL: Good
6 evening and thank you for coming and I am
7 going to show a few boards. (Indicating
8 Visual Aids) I understand it is a big
9 room. It's hard to see these boards.
10 So, they will be over at the library for
11 people to take a look at.

12 And we listened to a lot of
13 the comments that were made at the last
14 meeting and as Tony has pointed out the
15 next few weeks and the next meeting will
16 be our chance to respond to your comments
17 and hear additional input.

18 We did hear from you as far
19 as your concern that there is no
20 pedestrian connection to the Village.
21 So, what we have done is we created not
22 only a network of sidewalks and trails
23 throughout our development, but we are
24 looking to connect that system of trails
25 and sidewalks to an existing sidewalk

1 PUBLIC HEARING - 2/15/07
2 that leads into the Village, and that
3 sidewalk is right here (Indicating),
4 depicted, but it is hard to find and I
5 understand it is hard for you to see but
6 you will still have a chance to review
7 this on your own.

8 And that existing sidewalk
9 would connect to this purple line which
10 goes down to our new sidewalk. This is
11 the length that we are working on right
12 now to connect.

13 I am talking with, obviously,
14 since it is a DOT right-of-way, we will
15 be talking with them, and we will be
16 speaking with Dutchess County about
17 assistance in doing this because it is
18 part of what they work on and I have had
19 good conversations so far with Roger
20 Akeley, so I'll continue those
21 conversations.

22 Within the development, what
23 we have done is created a series of
24 sidewalks that goes over, past the
25 recreation and public parks area and then

1 PUBLIC HEARING - 2/15/07
2 continues up the hill into the
3 development and to the end of this
4 cul-de-sac (Indicating) where it then
5 picks up to a trail and runs through the
6 wooded area and connects back to this
7 cul-de-sac.

8 So, what we have done is we
9 have allowed a loop trail, here, which
10 will allow people to walk through and
11 enjoy the woods as well as the stream and
12 the pond and the dam area, but also --
13 There are two single family homes right
14 here (Indicating).

15 So, if you walk down the
16 sidewalks and along the trail in a way
17 that will allow you to see all
18 elevations; front, side and rear for
19 those homes and get a good idea and a
20 good representation of the historical
21 architecture that was part of the site
22 for many years.

23 So, we think that these
24 sidewalk connections -- what we are
25 trying to do is try to connect them to

1 PUBLIC HEARING - 2/15/07
2 the Village here (Indicating) and a new
3 sidewalk that comes down that Bennett
4 College Road.

5 This will add areas for
6 people to walk. It will lessen the
7 traffic in the area by offering people
8 pedestrian ways of getting around from
9 their homes to the rec area or to the
10 Village; and it also proposes or it will
11 give people an area to walk around.

12 I see a lot of people who
13 walk on the shoulders getting exercise in
14 the Village and they will be able to have
15 some break-offs and go through this
16 sidewalk in a very nice walk around and
17 go back into the Village.

18 So, I think this is truly an
19 amenity not only to our residents but to
20 the people in the Village.

21 So, we have addressed one of
22 the major concerns which is connecting
23 the Village to the development with a
24 pedestrian connection in an effort to
25 reduce the amount of vehicular traffic

1 PUBLIC HEARING - 2/15/07

2 that would go into the Village with these
3 people now having an opportunity to walk.

4 We also heard comments
5 regarding the density of our development
6 compared with other developments in the
7 area. Just a note, it may be interesting
8 for some people to know, that in the
9 1970's it was the peak of the population
10 for this Village. It was 1,750
11 residents.

12 Right now, 2005 census
13 numbers peg the density at roughly 1,590.
14 You have decreased. You have less
15 residents that you did 35 years ago, 25
16 years ago.

17 With our development you will
18 be adding 70 residents to the population
19 of this Village, over your peak of the
20 1970's. So, this is not where you are
21 all of a sudden going to have this big
22 influx of people.

23 This is going to be bringing
24 your Village back to the point where it
25 already was where the infrastructure

1 PUBLIC HEARING - 2/15/07

2 handled it, where your shops benefited
3 from the shopping and where you had good
4 neighbors and a nice community.

5 Again, we are adding 70
6 residents over the peak of what your
7 Village had in the 1970's.

8 Just to give you an idea of
9 some of the density that people talked
10 about. We have four developments here;
11 Millbrook Hollow, Bennett Common,
12 Millbrook Manor and Alden Terrace. Each
13 of those developments, respectively, what
14 we have done is taken their tax lots --

15 UNIDENTIFIED MEMBER OF
16 PUBLIC: Can I just clarify? You said 70
17 residents and you will be building 91
18 units?

19 MR. BLUMENTHAL: If you take
20 the number of 1,590 and take it up the
21 1,750 it leaves 175 residents, roughly.
22 Add the additional 70 to get to 246 which
23 is our number and that's the 70 increase
24 over the peak in the '70's. I am glad
25 you asked that because if anyone else

1 PUBLIC HEARING - 2/15/07
2 didn't understand I am not saying we are
3 adding only 70 residents.

4 SAME UNIDENTIFIED MEMBER OF
5 PUBLIC: Just one more question.

6 MR. BLUMENTHAL: Yes.

7 SAME UNIDENTIFIED MEMBER OF
8 PUBLIC: -- Village density and the
9 number of population in 1970 and by
10 changing -- this would account for
11 traffic on the 343 relative to the
12 development in the Town of Washington,
13 has to be impacting on the traffic on
14 343.

15 MR. BLUMENTHAL: The comment
16 I was addressing was people saying that
17 the Village residency is going to
18 increase by 20% and overburden the
19 Village. I'm referring to the Village
20 only. We have addressed traffic issues
21 independently.

22 The Town of Washington is an
23 independent issue. It's a fairly big
24 town and I mean if I did the statistics I
25 don't think you are going to find this is

1 PUBLIC HEARING - 2/15/07

2 a huge percentage of residence.

3 SAME UNIDENTIFIED MEMBER OF

4 PUBLIC: Burden on the vehicles --

5 CHAIRPERSON ROBERTS: I do

6 want to limit this to --

7 MR. BLUMENTHAL: Thank you.

8 Basically, what this drawing is showing
9 is that and again what I want to point
10 out is we took the tax lots. So, for
11 Millbrook Hollow, the large tax lots --
12 all densities are smaller tax lot and
13 some have open spaces and some don't.

14 So, I want to make this point
15 clear because I don't want people to go
16 to the Library and think we're comparing
17 apples and oranges.

18 If you look at the larger
19 developments such as Millbrook Hollow and
20 Bennett Common, they have roughly -- I'm
21 sorry, Millbrook Manor, 2.3 and 3.8 units
22 per acre.

23 Our development including our
24 open space has 3.25 units per acre.

25 Right in line with the development of the

1 PUBLIC HEARING - 2/15/07

2 other types of projects that have been
3 built in this town.

4 If you look at the more dense
5 projects here; Alden Terrace, Millbrook
6 Manor project, where they don't have
7 these big open space areas, their density
8 comes to 10 units per acre.

9 But, I understand that open
10 space hasn't been included in there so to
11 stay fair, I'll look at our development
12 without the open space which was 4.7
13 units per acre, more than half of what
14 those developments have.

15 So, we are very much in line
16 if not less than the density of other
17 types of multi-family developments in the
18 Village of Millbrook. So, when people
19 say that this is an overly dense project,
20 it's 30% less than the zoning allows.

21 It is significantly less than
22 the last zoning allowed and it is right
23 in line if not significantly less than
24 the densities of the other developments
25 in the area.

1 PUBLIC HEARING - 2/15/07

2 I just quickly want to
3 through some architectures. We've made
4 some changes. These will be put in the
5 Library for review. I will just go
6 through what we have done so you will be
7 to see -- we provided front elevations,
8 side elevations and floor plans.

9 It will be very easy to be
10 able to see where the walkways enter the
11 units, where the driveways are and where
12 the garages are and get a good idea as to
13 how all the units lay out.

14 We understood everybody's
15 comments about the double gabled unit and
16 not wanting to see that. So, this unit
17 is the Queen Anne style and we added a
18 unit style that has a shingle style to it
19 which is more of a cape look.

20 We added a unit that has a
21 craftman style which has a center garage.
22 And we also added a unit that has a tutor
23 style which is in keeping with Halcyon
24 Hall.

25 And then finally back to much

1 PUBLIC HEARING - 2/15/07
2 dreaded twin gable unit which everyone
3 complained about, had a problem with
4 unit, -- so now there are five floor
5 plans for the 35 (Inaudible) buildings
6 and there are very big difference between
7 them all.

8 So, I welcome you to come and
9 look at these at the Library and provide
10 further comments and we will also be
11 reviewing these with the Architectural
12 Review Committee and just quickly, there
13 will also be elevations 22 foot wide
14 units -- there are actually two
15 elevations.

16 There is one that has more of
17 a cottage look and there is one has more
18 of a carriage house look. And again,
19 these will all be available for your
20 review.

21 That takes care of my part of
22 the presentation unless Tony has
23 something further to say.

24 CHAIRMAN ROBERTS: Thank you.
25 If there is anyone that has not signed up

1 PUBLIC HEARING - 2/15/07
2 that wishes to speak tonight you should
3 do that right now and I'll call the
4 sheet. I ask that everyone that speaks
5 this evening direct their comments to the
6 Chair.

7 Our first speaker is Oakleigh
8 Thorne, 81 Smithfield Road and could you
9 please spell your name for the young lady
10 over here.

11 MR. THORNE: O-A-K-L-E-I-G-H
12 T-H-O-R-N-E.

13 Thank you, very much and good
14 evening. I am here in my role as a
15 Trustee of the Trust that owns Thornedale
16 Farms. It is a roughly 700 acre farm
17 that is situated in the Village of
18 Millbrook and it abuts the Bennett
19 project.

20 The Farm represents
21 approximately 30% of the Village's
22 acreage and sadly, even after our ag
23 exemption, I believe we are it's largest
24 taxpayer.

25 I grew up in the Village. My

1 PUBLIC HEARING - 2/15/07
2 family has lived next to the Bennett
3 property since roughly 1745 when they
4 opened a general store which was then the
5 hamlet of McKent (PH). There wasn't a
6 Millbrook.

7 And most importantly, I hung
8 out at the Grill -- (Laughter) I feel I
9 am qualified, eminently qualified, to
10 speak on the matter before us this
11 evening.

12 I would like to speak in
13 favor of a positive declaration under the
14 State Environmental Quality Review Act
15 concerning the development proposed by
16 Mr. Blumenthal.

17 As I understand it, a
18 positive declaration must be issued if
19 there is a potential for a significant
20 environmental impact and that impact can
21 be on visual, fiscal, economic or
22 agricultural factors as well as noise,
23 traffic and others.

24 Though I can think of many
25 potential impacts to compel a SEQRA

1 PUBLIC HEARING - 2/15/07
2 review, in the interest of brevity I will
3 confine my comments to three concerns
4 tonight.

5 The first, we're concerned
6 that the impact can be due -- that the
7 market, that the Developer's identity for
8 these units is not accurate. He predicts
9 that most buyers will be weekenders and
10 empty-nesters and will therefore have
11 very little impact on our schools and
12 Village services.

13 We are concerned and, again
14 with how much cheaper these units will be
15 compared to similar units in Westchester
16 and further south. They will attract
17 very different demographics and, in fact,
18 it will attract a very large family that
19 will have a very serious impact on our
20 schools and services and therefore, have
21 a very negative fiscal impact on our
22 Village and our tax roles.

23 MS. MATTESON: One minute
24 left.

25 MR. THORNE: I'll skip the

1 PUBLIC HEARING - 2/15/07

2 rest of that one.

3 So, finally, I'll -- I only
4 have --

5 UNIDENTIFIED MEMBER OF

6 PUBLIC: I'll give one minute to him.

7 UNIDENTIFIED MEMBER OF

8 PUBLIC: I'll give two minutes to him.

9 MR. THORNE: Thank you, very
10 much.

11 Second, we don't believe that
12 that type of impact is even listed in the
13 studies that Mr. Veneziano listed earlier
14 this evening.

15 Second, we are very concerned
16 about the environmental impact on our
17 farms, especially on the water -- some
18 Village water at the east end of the
19 farm. Most of the farm water comes from
20 a well approximately 500 feet from the
21 Bennett property.

22 Though I am no hydrologist,
23 we do know that our water flows down from
24 the east through Bennett. When the
25 Millbrook Golf and Tennis Club started

1 PUBLIC HEARING - 2/15/07
2 watering their golf course in the 1990's
3 our water levels dipped precipitously.

4 While we would love to help
5 solve the Village's water issues, we are
6 very concerned that if the Developer
7 gives the Village open access to these
8 wells we will see an even more
9 precipitous dip in our water levels in
10 the future.

11 Now, obviously this can have
12 a very negative impact on our ability to
13 continue our agricultural activities on
14 the farm.

15 At our expense, we have hired
16 the engineering firm of Morris Associates
17 and we are planing to hire other
18 professional firms to review the entire
19 application and they have already noted
20 several concerns which are major policy
21 items and Mr. Jurkowski will speak to
22 those issues later tonight.

23 And finally, SEQRA allows for
24 esthetic standards to be applied for
25 planning decisions. As I said earlier, I

1 PUBLIC HEARING - 2/15/07

2 have lived here a long time and we really
3 appreciate the roll of the beauty of
4 Millbrook and although Bennett has had
5 some level of development for the past
6 110 years, we feel that the 91 units
7 proposed on 27 acres is just to dense and
8 too suburban to fit the rural character
9 of our community.

10 And it is clear to us
11 represents the potential for significant
12 visual impact. My father will literally
13 stare at these rows of houses from his
14 back porch as he reads his morning paper.

15 Some might argue, well it's
16 zoned for that number of units so it must
17 be okay to build. Well, Thornedale is
18 zoned for 140 units but just because it
19 is zoned that way doesn't mean that it is
20 right to build it.

21 There are a host of other
22 reasons which others will raise in the
23 next few hours. So, I think it is
24 impossible to conclude that there is not
25 the possibility or potential for an

1 PUBLIC HEARING - 2/15/07
2 environmental impact from this
3 development.

4 Finally, there seems to be
5 some fear that if you issue a positive
6 declaration it will kill this project and
7 that Bennett will sit idle on the tax
8 roles for an eternity. Well, I can give
9 you our word, that should this project
10 should fail, we will do our best within
11 the bounds of reason to help find a
12 replacement project more beneficial to
13 and in keeping with our community. Thank
14 you.

15 CHAIRPERSON ROBERT: Jamie
16 Purinton. We don't know where you live?

17 MS. PURINTON: I live in
18 Ancram.

19 MS. PURINTON: My name is
20 Jamie, J-A-M-I-E, Purinton,
21 P-U-R-I-N-T-O-N. (Other individual not
22 identified)

23 We are both landscape
24 architects and we practice sustainable
25 design and we really believe in a

1 PUBLIC HEARING - 2/15/07
2 community process to make the design. We
3 are not opposed to housing at this site.
4 It is a great site for housing.

5 However, we think this plan
6 does not meet your own Master plan goals
7 to protect the natural beauty of
8 Millbrook, to maintain the campus
9 appearance of Bennett, to maintain a
10 small town atmosphere, to provide
11 pedestrian access, which is good they are
12 working on, to strengthen downtown
13 commerce and preserve historic
14 structures.

15 Here are a few of the reasons
16 why: Lost gateway opportunity. This
17 site sits on a very prominent gateway.
18 Let me show you this (Indicating Visual
19 Aid), pictures of your own town, a very
20 prominent location is where you enter a
21 Village and we think there is a lost
22 opportunity here.

23 We really think you are going
24 to be looking at dozens of backyards of
25 houses. We think that you should ask the

1 PUBLIC HEARING - 2/15/07

2 Developer to show in three dimensions
3 what this gateway will look like to the
4 town.

5 Lost connections. We feel
6 that this plan is very suburban and
7 cul-de-sac and insular, inward facing.
8 It is not making connections to your
9 town, which it really needs to make in
10 order to achieve your goals of supporting
11 your downtown.

12 The lost Millbrook history.
13 Bennett College is really important to
14 your history and we are impressed that
15 you have a whole library room dedicated
16 to it.

17 This plan seriously erases
18 that history and it is not just the
19 buildings because they have been
20 demolished but you have little
21 amphi-theaters. I'll show you pictures
22 of --

23 MS. MATTESON: You have one
24 minute left.

25 MS. PURINTON: You have

1 PUBLIC HEARING - 2/15/07
2 charming little amphi-theaters on the
3 site. There is stone work and pathways
4 and sugar maple allays. And all of this
5 is getting erased.

6 We want to make a point that
7 these are getting taken away and are
8 really serious and on the demolition plan
9 that we reviewed there is a major beech
10 tree. They don't show it being
11 demolished but it will be by Unit 33
12 through 36.

13 In conclusion we would like
14 -- it looks like this plan was just
15 developed on a transparency separate from
16 the site and imposed on the site and it
17 really erases a lot of the very beautiful
18 assets of the site.

19 CHAIRPERSON ROBERTS: Your
20 name is Susan Wisniewski.

21 MS. WISNIEWSKI: My name is
22 Susan Wisniewski, W-I-S-N-I-E-W-S-K-I
23 from Beacon, New York.

24 Jamie reviewed some of the
25 details that are problematic with this

1 PUBLIC HEARING - 2/15/07
2 plan but there is a larger fundamental
3 issue here and that is that the entire
4 design is outdated in nature. There is
5 so many excellent examples now of house
6 planning and housing developments that
7 are so much better than this.

8 And ecologically sustain-
9 ability is one of the most pertinent
10 issues right now in site design and I see
11 little evidence of this -- the designers
12 using this.

13 If you have ever been to
14 Bennett Common, the other condo
15 development that is near by, they have
16 some of the same features that they are
17 proposing here. When you go in there you
18 see a predominance of garages. There is
19 dead-end streets. You feel like you
20 shouldn't be in there.

21 As a matter of fact, there is
22 a sign that says; Private, Keep Out. I
23 had permission to go back in there, by
24 the way.

25 If you could imagine a town

1 PUBLIC HEARING - 2/15/07
2 that had a road like Route 44 with all
3 streets leading to these insular
4 developments through signs that said:
5 Keep Out, No Trespassing. That's not how
6 you build a good community.

7 If you have been to that
8 condominium development and you compare
9 it to how it feels when you are in
10 downtown Millbrook, it is very different.
11 You know people live in the downtown, but
12 you know, in a manner of speaking, every
13 property owner in the Village gives part
14 of their property to the community. And
15 that is why it is so pleasant and
16 wonderful to be here.

17 I have a little story that I
18 would like to share with you. About a
19 week and a half ago, the Town of
20 Newburgh, New York on the Hudson River
21 held an Applicant's Design -- the town
22 went out and selected a Developer of
23 their choice that they wanted to work
24 with and they invited a huge team of
25 planners, architects, landscaping

1 PUBLIC HEARING - 2/15/07
2 architects, to come and design their
3 water front and it was a very inclusive
4 process.

5 Anyone in the community could
6 walk in at anytime, give design ideas,
7 critiques, or just voice their concerns.
8 At the end of the week, they gave the
9 presentation of their designs and it
10 lasted two hours that you sat there and
11 about 500 people showed up to listen to
12 them.

13 And at the end of the
14 presentations the entire audience stood
15 up and gave the Developer and the
16 designers a standing ovation.

17 That is like the opposite of
18 what I see happening in your town here.
19 But it is not too late, you can still
20 have some of the promising things that
21 are happening in other communities. You
22 can have that here if you want it. You
23 have to demand excellence to get it.

24 You know, I was never in
25 Millbrook until two weeks ago. It is a

1 PUBLIC HEARING - 2/15/07
2 really charming place you have here and
3 it would be such a shame if it was made
4 less by a poorly conceived plan that
5 opens the gateway to your Village. Thank
6 you.

7 CHAIRPERSON ROBERTS: John
8 Conrad.

9 MR. CONRAD: John Conrad,
10 C-O-N-R-A-D.

11 BOARD MEMBER: Where are you
12 from, sir?

13 MR. CONRAD: Poughkeepsie,
14 New York, 1 Civic Center Plaza. I am a
15 hydrogeologist with Conrad Geoscience
16 Corporation.

17 In the last hearing and in a
18 couple of letters I have already
19 submitted to the Board, I raised the
20 issues of -- this is relating to
21 petroleum storage tanks on the Bennett
22 campus. There are 14, 10 of which are
23 underground.

24 I am not going to restate my
25 concerns, although I have several that

1 PUBLIC HEARING - 2/15/07
2 relate to those, but as I stated in my
3 letter the condition of those tanks and
4 the condition of the soil and the ground
5 water on the Bennett property goes
6 directly to the question of whether a
7 public drinking water supply can be
8 safely developed on that property.

9 And all I ask tonight is that
10 if the applicant could take a few minutes
11 and give us an update on where things
12 stand with the DEC on the underground
13 storage tank issues; when the tanks might
14 be closed and where you are in the
15 process with the DEC?

16 MR. BLUMENTHAL: The one tank
17 that you are referring to has been
18 removed. There were no issues. The soil
19 tests came back and there is no
20 contaminants. In fact the original water
21 sampling, unfortunately was incorrect.

22 The lab has stated the
23 correct information, but all of the
24 information came back from that tank with
25 no contamination. The tank had not been

1 PUBLIC HEARING - 2/15/07
2 broken. There was no rust. There was
3 nothing that contaminated it or anything
4 around that tank.

5 The remaining tanks have all
6 had a full Phase II study done with
7 borings. They were decommissioned years
8 ago and we anticipate and have found no
9 gross contamination anywhere. And they
10 will be removed with the standard
11 demolition after the completion of the
12 approval process and we have done
13 everything we are supposed to with all
14 regulatory agencies.

15 MR. CONRAD: I have been in
16 touch with the DEC a couple of times over
17 the last few months and if you have been
18 in touch with the DEC none of the people
19 that I have talked to are aware of it.

20 MR. BLUMENTHAL: We have
21 processed all applications in accordance
22 with all the laws, 100%.

23 MR. CONRAD: Well, if I could
24 just ask that all of the documentation be
25 placed into the public record.

1 PUBLIC HEARING - 2/15/07

2 MR. BLUMENTHAL: Everything
3 will be -- everything that has been to
4 date that took place and any final
5 documents you will get also.

6 MR. CONRAD: The other
7 concern is and it was mentioned earlier
8 tonight, modification of the discharge
9 permit for the waste water treatment. If
10 you could take a minute and explain what
11 modifications you are seeking?

12 MR. BLUMENTHAL: That is a
13 conversation that we will hold for the
14 next meeting. We will be discussing the
15 sewer and water in more detail once we
16 have completed further work.

17 MR. CONRAD: Thank you.

18 CHAIRPERSON ROBERTS: Dave
19 Strayer, 27 Weatherford Lane in the
20 Village of Millbrook.

21 MR. STRAYER: My name is
22 David Strayer and it's S-T-R-A-Y-E-R.

23 I think that there is a lot
24 to like about this project but I also am
25 concerned that it's potential for a

1 PUBLIC HEARING - 2/15/07
2 significant negative impact has not been
3 addressed in the materials that the
4 applicant has submitted so far.

5 I want to mention four
6 particular areas I am concerned about.

7 The first is water and as you
8 know, the applicant is planning on this
9 project being a net source of water to
10 the Village of Millbrook and that means
11 that after the wells on the site are in
12 production for several years, we still
13 have to know that the water will be of a
14 sufficient amount and quality to preserve
15 it's public water supply and won't be
16 having a negative impact on neighboring
17 wells.

18 And I don't think that you
19 can know that based on the spot
20 measurements in the short term analysis
21 that the applicant has supplied so far.

22 So, I would like to encourage
23 -- I would like to see longer term
24 analysis of this and the reason I am
25 concerned about this is if the wells

1 PUBLIC HEARING - 2/15/07

2 fail, the Village could be in a position
3 where we are having to spend a lot of
4 money and incur environmental impacts in
5 developing other water systems.

6 I am also concerned about the
7 sewer impacts. The analysis of the sewer
8 system. The performance of the sewer
9 system so far, I think is pretty sketchy,
10 to sketchy to judge it's impacts.

11 Just one example. There are
12 planned improvements to reduce INI from
13 the sewer system, that are supposed to
14 counter balance the additional sewer load
15 (Inaudible) in this development. And in
16 the materials that I read through, I
17 didn't see any analysis of how much load
18 this development would be providing in
19 the wet weather. All the figures I saw
20 were dry weather loads. And the wet
21 weather is the critical period.

22 MS. MATTESON: One minute
23 left.

24 MR. STRAYER: Thank you. And
25 the reason this is important is when the

1 PUBLIC HEARING - 2/15/07
2 system is overloaded, the affluents are
3 chlorinated and released into the east
4 branch of Wappingers Creek and
5 chlorination by-products are toxic to
6 trout and water aquatic life. It could
7 have negative impacts on our downstream
8 neighbors, Orlic (PH) and the Institute
9 of (Inaudible) Studies.

10 The traffic analyses I saw
11 didn't address the issues of traffic or
12 parking in the Village at all and both of
13 those are issues that I think need to be
14 addressed.

15 And finally, I didn't see
16 anything about how this development would
17 affect ecological conditions in the
18 streams that adjoin the property. The
19 conditions in these streams determine
20 conditions in streams further down stream
21 and this project has the potential to
22 either improve or degrade water quality
23 in these streams and it's something that
24 I would like to see addressed.

25 So, I would like to see you

1 PUBLIC HEARING - 2/15/07
2 make a positive declaration under SEQRA
3 so that these matters can receive the
4 attention they deserve. Thank you.

5 CHAIRPERSON ROBERTS: Joseph
6 Singer, 20 Tanker Way.

7 MR. SINGER: Joseph Singer,
8 S-I-N-G-E-R, 20 Tanker Way, Village of
9 Millbrook.

10 I would like to introduce
11 myself to you. I was a resident of the
12 Village. I am a licensed architect
13 practicing in the State of New York.

14 As a follow up to the points
15 that I raised at the last public hearing,
16 I created this three-dimensional
17 isometric view of the proposed Bennett
18 College development with the information
19 provided at the Millbrook Free Public
20 Library (Visual Aid).

21 I am only here to address to
22 you on one additional point that became
23 glaringly evident to me upon creating
24 this drawing study. As you can see from
25 this drawing the extent of housing sites,

1 PUBLIC HEARING - 2/15/07
2 new roads, of required property regrading
3 to develop this site is indicated on the
4 Developers plan as a result of having to
5 virtually clear every tree on the housing
6 sites and road locations for
7 implementation of the housing units for
8 access to the Village.

9 I strongly urge you to invoke
10 a tree protection plan as many other
11 municipalities have done. The
12 development of this site must be required
13 to protect the inherent beauty of the
14 existing the community.

15 I would like to remind you
16 that Millbrook has accepted and sought
17 recognition as a Tree City U.S.A. There
18 are four standards of a Tree City U.S.A.

19 Standard 2 is in regard to
20 the Tree Care Ordinances. The National
21 Arbor Day Foundation offers information
22 and guidance and for creating and
23 maintaining such a program.

24 Allowing such a development
25 to proceed prior to a thoughtful study

1 PUBLIC HEARING - 2/15/07

2 and implementation of a program would be
3 imprudent and careless.

4 Standard 3 is in regard to a
5 community forest program. The Village
6 shall be required to increase it's annual
7 tree planting budget as a result of the
8 additional growth created by the
9 development (Inaudible) --

10 An annual budget minimum of
11 \$2.00 per capita is mandated.

12 MS. MATTESON: One minute.

13 MR. SINGER: The appropriate
14 funds will need to be earmarked by the
15 Village as required by the increased
16 population. Based on my personal
17 experience with the Village of Millbrook
18 and the Shed Tree Commission over the
19 last few years, I request that the
20 Village make publicly available it's
21 present budget and it's proposed budget
22 increases as a result of this
23 development.

24 I think it would be unfair to
25 implement any of the Village's annual

1 PUBLIC HEARING - 2/15/07
2 tree planing funds for planting on the
3 Bennett site, new tree plantings --
4 (Inaudible) outlined in my last letter to
5 you and at the last hearing should be at
6 the Developer's expense, the trees and
7 plantings presently existing on the site
8 and their removal as a result of
9 development on the site.

10 Any development to the
11 Bennett site has to be done in a
12 thoughtful and considerate manner. Do
13 not rush to make a final decision that
14 will have an impact for generations to
15 come. Thank you.

16 CHAIRPERSON ROBERTS: Eve
17 Propp.

18 MS. PROPP: My name is Eve
19 Propp, P-R-O-P-P, 460 Killearn Road.

20 I live in the Town of
21 Washington, less than five minutes by car
22 to the Village of Millbrook. I come here
23 to pick up my mail, walk my dog, and do
24 some shopping at least four times a week.

25 I frequently pass the

1 PUBLIC HEARING - 2/15/07
2 dilapidated, falling down structure that
3 was once beautify Bennett College. And
4 you can imagine how delighted I was to
5 hear that someone was finally going to
6 tear down that dangerous eye sore.

7 We had heard rumors at one
8 time that a branch of an Irish college
9 was coming to the site and there were
10 various other plans, projects, that never
11 came to fruition.

12 I have been attending Village
13 Planing Board meetings and workshop
14 meetings with a great deal of interest.
15 As a result I have a few questions I
16 would like to raise.

17 What if this development is
18 approved and only the Developer's experts
19 have determined that there will be
20 sufficient water and water pressure in
21 the Village after the 91 houses are
22 built?

23 Joe Stills suggested to David
24 Blumenthal that the development maintain
25 it's own water supply and Blumenthal

1 PUBLIC HEARING - 2/15/07
2 seemed, at first, to go along with this
3 idea, but then graciously offered that if
4 their wells were joined to the Village
5 water supply and the Village -- mind you
6 if the Village needs additional water
7 they could get it from the Developer's
8 wells.

9 What is the sewer plant was
10 tested only by the Developer's experts?
11 Forget that he lives and/or near
12 Millbrook. He is still being paid by the
13 Developer, David Blumenthal.

14 And what if the development
15 is approved only on his say so and when
16 the 91 houses are built there is a sewer
17 problem? Who will bear the repair costs?

18 What if there are numerous
19 accidents as a result of approximately
20 180 additional cars, many of which will
21 exit the development at the Monument
22 downhill from Route 343 and what if they
23 are fatal accidents?

24 The Developer has been
25 working with the DOT on traffic issues in

1 PUBLIC HEARING - 2/15/07

2 the dead of winter when there are the
3 fewest cars on the road.

4 MS. MATTESON: One minute
5 left.

6 MS. PROPP: What if people no
7 longer are able to find parking spaces in
8 the Village as a result of the additional
9 cars, stop shopping in the Village and
10 take their business to Pleasant Valley
11 and Poughkeepsie where there is never an
12 issue?

13 What if the Developer gets
14 his negative declaration which allows him
15 to build without further studies being
16 performed on vital issues by other than
17 his own experts and then decides that he
18 does not want to go ahead with this
19 project and sells his rights to another
20 Developer? This happens more frequently
21 than you can imagine.

22 What if the new Developer
23 does not agree to do the things that
24 Blumenthal & Brickman has agreed to do?

25 And what if the new Developer

1 PUBLIC HEARING - 2/15/07

2 then goes to the Planning Board with
3 plans that in order to make a profit he
4 will have to build the 128 houses
5 permitted in the zoning plan for this
6 site?

7 Impossible you say? Exactly
8 that happened next door in Pawling. The
9 development known as Squire's Green
10 urgently met -- condominiums for
11 predominately professionals without
12 children and older couples, eventually
13 became the development known as Deerfield
14 Estates on quarter acre plots allowing
15 families with children to become
16 residents.

17 The increased school and road
18 use meant higher taxes for Pawling.

19 What if the trails being
20 proposed by the Developer as a jogging
21 paths around some of the houses in the
22 development are not appreciated by owners
23 living in these houses?

24 What if the deconstruction
25 team was tearing down Bennett College and

1 PUBLIC HEARING - 2/15/07
2 accidentally ruined the stone foundation
3 promised by David Blumenthal to be kept
4 as an historic monument, green lawn space
5 in the front of the development?

6 What if the foundation in
7 order to stand alone required expenses
8 not now factored in by the Developer?

9 MS. MATTESON: It's time.

10 MS. PROPP: What if the
11 houses costing \$500,000 and up, would
12 some be affordable?

13 What if instead of housing
14 cost \$500,000 and up would be affordable
15 housing building and development so that
16 our firemen, policemen and Village
17 employes could afford to live in the
18 Village and not have to leave where they
19 are where taxes are not as high and
20 rising as they are in Millbrook?

21 CHAIRPERSON ROBERTS: Excuse
22 me. Your time --

23 MS. PROPP: Just a second.
24 What if because of the ease with which
25 this development is approved other

1 PUBLIC HEARING - 2/15/07
2 developers are emboldened to buy larger
3 properties on which to build either
4 larger developments and Millbrook is
5 changed forever but not for the better?

6 I just have one more second.

7 If -- it was John Ruskin (PH)
8 who said that the cast of a building is
9 not just shelter, it is also to speak to
10 us and to remind us of who and where we
11 are.

12 I hope that that Developer
13 can could encouraged to create still more
14 diversity in the houses he builds.
15 Stylistic differences in houses are what
16 (Inaudible) a person, it is unexpectedly
17 strong indications of character.

18 The Village of Millbrook is
19 the beating heart of the Town and without
20 it the Town would be lifeless.

21 If this development proceeds
22 as planned, I fear we will lose our local
23 identity and our sense of community.
24 After proven consideration (Inaudible)
25 do not get a positive declaration it

1 PUBLIC HEARING - 2/15/07

2 cannot be --

3 UNIDENTIFIED MEMBER OF THE

4 PUBLIC: (SHOUTING) Didn't you say three

5 minutes.

6 BOARD MEMBER: Yes.

7 SAME UNIDENTIFIED MEMBER OF

8 THE PUBLIC: Why don't you adhere to it

9 then?

10 CHAIRPERSON ROBERTS: Thank

11 you, Eve.

12 Mary Morris --

13 MS. MORRIS: I think there is

14 somebody before me.

15 CHAIRPERSON ROBERTS: Well --

16 MR. RAPPLEYEA: No, I'm

17 assigning my time to Rachel --

18 MS. MORRIS: Well, she is

19 before me. There is somebody before.

20 CHAIRPERSON ROBERTS: Alan

21 Rappleyea.

22 MR. RAPPLEYEA: I am

23 assigning my time to Ray Jurkowski

24 because I didn't know -- he is the

25 engineer who can speak more intelligently

1 PUBLIC HEARING - 2/15/07

2 than I can.

3 CHAIRPERSON ROBERTS: Ray
4 Jurkowski.

5 MR. JURKOWSKI: My name is
6 Ray Jurkowski, J-U-R-K-O-W-S-K-I.

7 I am from Morris Associates.
8 We are here this evening to represent our
9 client, Oakleigh Thorne of Thornedale
10 Farm, and we have requested of the
11 Village to obtain a copy of the filing
12 which we know the Village is currently
13 working on.

14 We are here to discuss one
15 issue that pertains to the water quality
16 and quantity issue.

17 UNIDENTIFIED MEMBER OF THE
18 PUBLIC: Could you speak up.

19 MR. JURKOWSKI: Sure. I am
20 here this evening to talk about the issue
21 of water quality and quantity as it
22 pertains to the pump testing that is
23 going to be done out at the site.

24 Specifically, we have
25 contacted the engineer for the applicant

1 PUBLIC HEARING - 2/15/07
2 requesting the pump test protocol and we
3 did that back on January 30th. However,
4 at the time they indicated that they were
5 working on the protocol and had not
6 finished it and then we received it on
7 the 8th which was last week indicating
8 that the proposed to move forward with
9 that pump testing this Monday and they
10 arrived on our site without us providing
11 him any comments.

12 So, while we are not against
13 the pump tests, we do want to make sure
14 that it is done correctly, and that's the
15 reason that we wanted to make sure that
16 we had the opportunity of taking a look
17 at that protocol.

18 In light of the fact of the
19 timing, we question whether that protocol
20 was submitted to the Village and to the
21 Village Engineer and whether he had
22 actually had an opportunity of looking at
23 it and commenting on it.

24 So, again, we hope that that
25 is the case because we want to make sure

1 PUBLIC HEARING - 2/15/07

2 that is done thoroughly and completely.

3 In addition to that, this
4 evening we also hear the fact that
5 information continues to come in from the
6 applicant with respect to additional
7 studies.

8 That brings up the point
9 again. We recommend the fact of a
10 positive declaration be declared on this
11 particular project so that way it is
12 clear and concise -- so quickly prepared
13 with any of the people, the Planning
14 Board as well as the public and then that
15 way, in that scope along with all the
16 studies that are requested can be put
17 together in one document for all to
18 review at a given point rather than it
19 being piece meal the way it currently is.
20 Thank you.

21 CHAIRPERSON ROBERTS:
22 Alexandra Marshallton, 275 South Road,
23 Millbrook.

24 ALEXANDRA MARSHALLTON,
25 M-A-R-S-H-A -- double L-L-T-O-N.

1 PUBLIC HEARING - 2/15/07

2 Ms. Roberts and Village
3 Planning Board members.

4 Last Fall, I undertook a
5 review of the fiscal impact analysis in
6 the existing site plan application for
7 the proposed redevelopment of the Bennett
8 campus.

9 Since I don't have particular
10 expertise in this kind of analysis I went
11 to Diane (Inaudible) who is the cultural
12 representative of the County and others
13 to understand what is required.

14 Essentially, I learned that
15 the data is incomplete and that the
16 fiscal impact cannot be reliably
17 determined.

18 I went to the Library again
19 today and the fiscal impact analysis is
20 still incomplete. This was submitted by
21 Saccardi & Schiff in November of 2006.

22 I read the transcript at the
23 Library from the last public hearing on
24 January 4th, when you heard 37 people
25 petition you for a positive declaration

1 PUBLIC HEARING - 2/15/07

2 on the application.

3 There are people who have
4 presented important and relevant issues,
5 most of us would like to see meaningfully
6 addressed. But, tonight I have a
7 different point to make and that is the
8 obvious importance of a positive
9 declaration.

10 The site plan application
11 that was submitted July 25th, 2006 by
12 Blumenthal & Brickman Associates was
13 incomplete. Various elements of the
14 application (Inaudible) to the Village
15 Hall and from then until September 28th,
16 the elements of these were also
17 incomplete.

18 Then a collated package was
19 mailed on November 28th, also incomplete
20 application and the documents were
21 delivered to the Public Library
22 eventually remained and -- remain as a
23 compiled incomplete application.

24 MS. MATTESON: One minute
25 left.

1 PUBLIC HEARING - 2/15/07

2 MS. MARSHALLTON: The Village
3 Planner has indicated as headed by Joe
4 Allio (PH) representing the Developers on
5 January 4th, that more information is
6 required before the application can be
7 considered.

8 The Dutchess County
9 Department of Planning and Development
10 wrote on January 9th, that it does not
11 consider this application complete for a
12 review.

13 Developer, David Blumenthal,
14 stated on January 4th, that the
15 application is incomplete and that it
16 will be completed in the next couple of
17 months with the help of input from the
18 public.

19 The time for issuing a
20 declaration, positive or negative, on the
21 site plan on the site plan application
22 currently before us is moot. A
23 determination cannot be made before a
24 completed application is even submitted.

25 The clock which regulates

1 PUBLIC HEARING - 2/15/07
2 public hearings can't legally start on a
3 site plan application review process
4 until a complete application is submitted
5 by the Developer and reviewed by you.

6 Only then can public hearings
7 be scheduled for comment in the manner
8 required by law.

9 Much of the public comments
10 being made now would have better served
11 all of us if it could have been made in
12 2005 when the rezoning of Bennett was
13 being considered.

14 However, you as a Board,
15 issued a negative declaration in October
16 of 2005 and per (Inaudible) process
17 stating that there would be opportunities
18 to review the impacts of possible
19 development later. Later has arrived.

20 UNIDENTIFIED MEMBER OF THE
21 PUBLIC: Excuse me, Ms. Marshallton, at
22 the end of her time, I am giving her my
23 three minutes.

24 MS. MARSHALLTON: Thank you,
25 Mary.

1 PUBLIC HEARING - 2/15/07

2 This is the debate we engage
3 in now. You have done a disservice to
4 the Village and Town residents and the
5 Developers by rushing past that important
6 step.

7 Use this opportunity to call
8 another moratorium during which you
9 reopen, review and revise the zoning in
10 accordance with the public input you have
11 received and better define the guidelines
12 for the development of the Bennett campus
13 before a completed application is
14 attempted.

15 I also would expect you would
16 make copies of all the public commentary
17 on Bennett available at the Millbrook
18 Public Library by the end of this month.

19 I am asking those residents
20 and interested parties who have made
21 submissions to the Village Planning Board
22 to check the Library starting March 1st
23 to see they are incorporated in the body
24 of information and if they are missing to
25 supply copies to the Library and state on

1 PUBLIC HEARING - 2/15/07

2 the copies who supplied them and when.

3 The Planning Board needs to
4 be held accountable for it's actions.

5 Thank you.

6 CHAIRPERSON ROBERTS: R.W.
7 Sciferri. Skip Sciferri is in Florida.
8 He asked me to read a letter addressed to
9 the Planning Board.

10 Chairman Roberts, Members of
11 the Planning Board:

12 On January 4th, I attended
13 the public hearing on the Bennett
14 project. A very informative presentation
15 was made by the Developer. Speakers from
16 another group spoke about the project
17 very negatively, their issues ranging
18 from minor architectural details to
19 whether the Developer will make too much
20 profit from his work.

21 The thing about this group is
22 that most of them, 75%, are not Village
23 residents, yet they are very well vocal
24 and critical of an issue that involves
25 and is pertinent to Village residents and

1 PUBLIC HEARING - 2/15/07

2 tax payers.

3 They urge that the Planning
4 Board proceed with a SEQRA review and
5 issue a positive declaration. This group
6 is not in favor of this project. Their
7 objective is to stop it by prolonging the
8 approval process. They imply that the
9 project can only get the proper review
10 through a positive declaration.

11 This is not so. A positive
12 declaration is used when there are
13 significant environmental impacts that
14 cannot be otherwise resolved.

15 A negative declaration
16 provides an ample investigation of all
17 the issues. A positive declaration has
18 never been found necessary in either the
19 Village or the Town Washington.

20 Taxpayers in the Village
21 should not be special interest perversely
22 used -- a positive declaration is a way
23 to stop this project.

24 I have confidence in the
25 Planning Board, it's professionals and

1 PUBLIC HEARING - 2/15/07
2 consultants and advisors and the
3 residents of the Village. I know that
4 they will conduct a fair and honest
5 review of this project and in the process
6 I am sure all the issues will be
7 thoroughly reviewed and analyzed.

8 I vote for a negative
9 declaration. Thank you, Skip Sciferri.

10 CHAIRPERSON ROBERTS: Peter
11 Devers.

12 MR. DEVERS: Peter Devers,
13 D-E-V-E-R-S.

14 My name is Peter Devers and I
15 live in Mabbettsville and I am a property
16 owner and taxpayer in the Village of
17 Millbrook.

18 I believe there is no need
19 for you to find for a positive SEQRA
20 declaration for the project being
21 presented to you by Mr. Blumenthal and
22 his company.

23 There is no need to subject
24 the taxpayers of the Village property
25 owners to the additional costs and time

1 PUBLIC HEARING - 2/15/07
2 delays that will be the case if you rule
3 for a positive declaration.

4 The SEQRA was put through to
5 ensure that Planning Boards and other
6 governmental bodies were given as much
7 weight to the environmental impacts of
8 the projects as it gives to the economic
9 and social aspects of the project.

10 As one who loves the beauty
11 of the countryside and is concerned about
12 the environment, I am whole heartedly in
13 favor of this law. The law allows you to
14 determine whether a project will receive
15 a negative or positive declaration.

16 My reading of the law
17 indicates that the positive declaration
18 is only meant to be used when there is a
19 significant question about the project's
20 impact on the environment. What would a
21 series of smaller concerns out of
22 (Inaudible) compared to a major
23 (Inaudible) questioning whether a project
24 will have an adverse impacts on the
25 community. I do not believe that that is

1 PUBLIC HEARING - 2/15/07

2 the case here.

3 The 28 acres we are concerned
4 with are not the Garden of Eden, the
5 pristine Hudson River Estuary or virgin
6 Red Wood Forest thousands of years old.

7 We are talking about the old
8 Bennett College campus, a plot of land
9 which over the last century has been
10 completely bulldozed and built upon and
11 re-built upon and then allowed to decay
12 to it's present state of disrepair.

13 There is patently no
14 significant danger to the environment in
15 taking down what is there and building a
16 new.

17 The chief question regarding
18 the project pertain to water and sewer.
19 Is there adequate water? The Developer
20 says that wells being dug on the property
21 will provide adequate water for his
22 project without drawing upon the
23 resources of the Mabbettsville water
24 plant.

25 His assertions are easily

1 PUBLIC HEARING - 2/15/07
2 verifiable by the Village Building
3 Administrator in concert with the
4 Village's engineering firm. This does
5 not require a positive SEQRA declaration.

6 The issue of whether the
7 Village can provide adequate sewer
8 processing for the future within the
9 campus has also been addressed. The
10 Village is under DEC onerous to improve
11 the waste processing center and with the
12 new technologies -- use to do so we have
13 been assured that the plant following
14 renovations will be able to handle the
15 affluent from the Bennett development and
16 excess storm waters that are critically
17 that are critically attached to the
18 system.

19 Again, this is an easily
20 verifiable statement. It can be answered
21 satisfactorily by the Village's
22 engineering firm. It does not require a
23 positive SEQRA declaration.

24 Some people may be under the
25 assumption that a negative SEQRA

1 PUBLIC HEARING - 2/15/07
2 declaration gives the Developer a free
3 ride. It most certainly does not. The
4 Developer must still abide by every
5 provision of the Village Code and we have
6 a very competent Zoning Administrator to
7 make sure he does.

8 MS. MATTESON: Three minutes.

9 MR. DEVERS: He must still
10 meet every New York State law and
11 regulations regarding hazardous waste,
12 testing, health concerns, and safety
13 concerns. He must still abide by every
14 New York State building code and we have
15 a very competent Building Inspector to
16 make sure he does.

17 MS. MATTESON: You are over
18 three minutes.

19 BOARD MEMBER: Let him
20 finish.

21 MR. DEVERS: Not too much
22 more. We should not forget that this is
23 private property. Many of the comments
24 placed in these meetings is
25 justifications for a positive SEQRA

1 PUBLIC HEARING - 2/15/07
2 review and directive at aspects of the
3 project were not within the legal purview
4 of the Board; roof lines, paint colors
5 were all aspects of the projects that
6 should belong to the Developer alone.

7 None of us would like to have
8 the colors of our individual homes
9 dictated to us by our neighbors or by any
10 Village boards. And so too, any
11 Developer of the Bennett campus should be
12 allowed to gamble his money on his
13 dreams.

14 The number of school children
15 provided to the Millbrook School system
16 is also irrelevant. This question was
17 dealt with when the zoning was altered to
18 allow the density that it now does.

19 Several people questioned the
20 voracity of the Developer statements that
21 only about 40 children would live in this
22 project.

23 I believe he is quite right
24 in his estimate, even generous. While
25 the Developer used estimates gathered

1 PUBLIC HEARING - 2/15/07

2 from elsewhere in the State --

3 I looked at closer to home,
4 in our Village. We already have two to
5 three bedroom attached housing units that
6 served as a good model and for
7 projections, the number of children we
8 might find inhabiting a Blumenthal
9 project.

10 Of the 113 units of 2-bedroom
11 attached housing; Alden Terrace,
12 Millbrook Manor, Halcyon Village, and
13 Millbrook Hollow, there are only nine
14 children, one of which is not yet of
15 school age and another which in prep
16 school.

17 One would expect to find few
18 fewer children in Blumenthal projects,
19 because his units will be almost double
20 the cost of Alden, Halycon, and Millbrook
21 Manor, making them less affordable for
22 young families.

23 Those that are put off by the
24 word Developer, I would like to remind
25 you that that is not a bad word in and of

1 PUBLIC HEARING - 2/15/07

2 itself.

3 The entire Village of
4 Millbrook which we all love, was a
5 project of a Developer like Mr.
6 Blumenthal. When George Hunter Brown put
7 the railroad through this neighborhood a
8 group of investors headed by Franklin
9 Merritt, purchased the Height (PH) Farm
10 and similar other properties, laid out
11 the Village streets, carved the land into
12 lots, dictated which areas would be
13 commercial and which would be residential
14 and he made lots of money doing so.

15 What we were left with is
16 this beautiful Village of Millbrook and
17 this was all done by Developers without
18 planning, without public comments and
19 without a positive SEQRA review. With
20 the regulations we have today, you only
21 need a negative SEQRA designation --

22 UNIDENTIFIED MEMBER OF THE
23 PUBLIC: Enough.

24 MR. DEVERS: -- you only need
25 a negative SEQRA designation and proper

1 PUBLIC HEARING - 2/15/07

2 oversight by the Village.

3 CHAIRPERSON ROBERTS: Joel
4 Diemond, 67 Route 343.

5 MR. DIEMOND: My name is
6 Joel, last name is Diemond,
7 D-I-E-M-O-N-D.

8 MR. DIEMOND: I am probably
9 the last faculty member other than
10 Charlie who still lives in the Village
11 and Charlie doesn't live in the Village,
12 really, he lives across the street from
13 it.

14 I do want to make two
15 comments. First, I would feel a lot more
16 comfortable with a positive declaration,
17 not because I have particular doubts
18 about Mr. Blumenthal or developments. I
19 think we need developments on the campus
20 and I have no questions about that.

21 What I wish had happened here
22 is that Mr. Blumenthal voluntarily six
23 months ago started the SEQRA process. It
24 would have eased some of the fears that
25 many people in the audience have.

1 PUBLIC HEARING - 2/15/07

2 I recognize that in terms of
3 required state law, the Planning Board
4 may or may not decide that a positive
5 declaration is necessary. I hope that
6 they decide that it is primarily because
7 I want the kinds of issues raised through
8 tonight thrashed out all the way.

9 I have one comment in
10 particular that I want to discuss,
11 however and it was about the population
12 of the Village in the 1970's which
13 included some 300 college students who
14 did not live here in the summer.

15 It is a very important point
16 to remember because that is the time when
17 the biggest draw-down of the well system
18 exists and the campus was virtually
19 empty. That means that in the summers of
20 the 1970's the population of the Village
21 was closer to 1,400 not 1,700.

22 Now, I don't know how that
23 adds up. I am not a hydrologist but I
24 think it better be addressed in terms of
25 the impact on the water system.

1 PUBLIC HEARING - 2/15/07

2 I have a related question
3 that I would like to see addressed as
4 well. I need to know from a hydrologist
5 what water feeds the underground water
6 sources for the wells? I would like to
7 be reassured that the chemical
8 fertilizers and weed killers used on the
9 golf course will not leach into the water
10 that will be in those wells.

11 It may not. It may all be
12 surface water and it may not go into the
13 ground water which may be down. But,
14 I'm not a hydrologist to know the answers
15 to those questions and I sure want them
16 addressed in one fashion or another,
17 especially if the water from those wells
18 can be pumped back into the Village water
19 system under certain circumstances.

20 Again, there are many related
21 questions that I think have to be
22 addressed. Most people have spoken
23 about one or the other and I speak to
24 this without a particular hostility to
25 development on the campus. I live on the

1 PUBLIC HEARING - 2/15/07

2 campus still.

3 I am the last living faculty
4 member there and I would like to see it
5 developed well. I see things about what
6 I have seen tonight which are positive,
7 even, and I see some that I don't like
8 about the present development. I think
9 that the SEQRA process is a process by
10 which you discuss alternatives within the
11 framework of potential environmental
12 impacts and I think avoiding that is a
13 mistake in this case.

14 CHAIRPERSON ROBERTS: Jay Van
15 Alen, 309 Route 343.

16 MR. VAN ALEN: My name is Jay
17 Van Alen, that's V-A-N A-L-E-N.

18 Several recent (Inaudible)
19 building projects -- economic liabilities
20 which puts Blumenthal project in doubt at
21 least in my mind.

22 It should have been noted
23 that you are talking about putting a
24 total of 94 dwellings on 19 acres or
25 1/6th of an acre per dwelling if you take

1 PUBLIC HEARING - 2/15/07

2 out the roads and the turnarounds and
3 other things that take away from the
4 amount of land available for homes.

5 On February 9th in the
6 Poughkeepsie Journal now says home prices
7 have fallen more than 15% in Dutchess
8 County over the last 10 months. The
9 project as delineated in the report
10 submitted by the builder says that this
11 project is expected to generate
12 \$53,700,000 for the 91 new dwellings.
13 This comes out to when you divide it, to
14 \$279 per square foot.

15 There are three projects on
16 Route 44 between Millbrook and
17 Poughkeepsie. There is a Lenora (PH)
18 Project. There is a Tollbrook (PH)
19 project and there is a thing called the
20 Stanhope -- Stratford Farm project.

21 The square footage they are
22 asking for is \$174.50 per square foot for
23 the most expensive project. So, the
24 buyer of the home on the Bennett campus
25 will be spending 62% more per square foot

1 PUBLIC HEARING - 2/15/07

2 for his home, on 1/6th of an acre of
3 land.

4 MS. MATTESON: One minute
5 left.

6 MR. VAN ALLEN: That premium
7 amounts to \$21 million dollars. If
8 anyone is willing to pay for that, that
9 premium of what, \$279 dollars, \$279 a
10 square foot versus \$174. It has nothing
11 to do with the builder. It has to do
12 with the Village of Millbrook. And the
13 Village of Millbrook is going to have to
14 be -- take this project into it's
15 consideration.

16 It seems the Village should
17 share in that 21 million dollar windfall
18 that the Developer would be expected to
19 get. If you can't get it then this
20 project could fall into disrepair and
21 certainly a SEQRA positive declaration is
22 needed to protect the Town from a
23 uncompleted project that would be sold
24 down the road to some other Developer,
25 further down the road. Thank you.

1 PUBLIC HEARING - 2/15/07

2 CHAIRPERSON ROBERTS: Richard
3 Shankman, 59 Bangall Road, Millbrook.

4 MR. SHANKMAN: My name is
5 Richard Shankman, S-H-A-N-K-M-A-N.

6 I am only here for one
7 reason. I am currently the Captain of
8 the Millbrook fire Department and I have
9 been a member for over 30 years. It has
10 been represented to the Board and to you,
11 that the fire service will not be
12 impacted or may have a small impact by
13 this development.

14 All I can tell you is we
15 don't know. We haven't said so.

16 It has been represented that
17 the fire department says that it would
18 not be a problem. The Fire Department
19 has not had a meeting with the Developer.

20 As far as the Developer's
21 communications with us, that was a total
22 of four letters; one letter to the Fire
23 Department asking us to give an idea of
24 what our impact would be.

25 I returned a letter to the

1 PUBLIC HEARING - 2/15/07
2 Developer saying we needed this
3 information from you in order to make
4 those determinations and a letter to them
5 saying the only answer that we got was
6 that there would be no sprinklers and if
7 there was anything we wanted to see we
8 would have to see the Village.

9 And the fourth letter back
10 from us to them saying there are some
11 more questions we have to answer.

12 We are not against the
13 development. We are not saying it won't
14 work or there won't be an impact and
15 we're not saying it will. All I am
16 stating for the record is it has never
17 been determined by our Fire Department in
18 this Village one way or the other and I
19 want that on the record, not that it has
20 been approved, not that there will be a
21 three percent impact or a twelve percent
22 impact or two hundred percent impact.
23 That has not been determined.

24 In all fairness to Mr.
25 Blumenthal, we can't make those

1 PUBLIC HEARING - 2/15/07
2 determinations without knowing his water
3 plans, the size of the street, the size
4 of his houses, whether there are going to
5 be fire bricks between buildings and the
6 list of questions goes on and on and on.

7 I spoke with my Chief this
8 morning to verify that he has not spoken
9 with Mr. Blumenthal since the last
10 meeting and he has not. Mr. Blumenthal
11 has not only my telephone number, he told
12 me at the last meeting that he had my
13 Chief's number.

14 So, at this point the Fire
15 Department and EMS Services cannot say
16 that this will or will not be an impact.
17 That's the only thing I can say.

18 CHAIRPERSON ROBERTS:
19 Fletcher Coddington, 23 Coddington Lane.

20 MR. CODDINGTON: My name is
21 Coddington, C-O-D-D-I-N-G-T-O-N, 23
22 Coddington Lane.

23 Like Oakleigh Thorne, I hung
24 out at the Grill but I also hung out with
25 the guys that painted Halcyon Hall

1 PUBLIC HEARING - 2/15/07
2 everyday five days a week for I don't
3 know how many years, 40, 50, 60. How
4 many tons of lead did they put in that
5 building and how can you guys guaranty me
6 the ground up plaster underneath the
7 bulldozers isn't going to seep into Mr.
8 Thorne's well? I'd would really like to
9 know that.

10 Everybody has talked about
11 asbestos but the lead word has not come
12 up. So, I think lead abatement in this
13 situation is critical so that we don't
14 impact anybody's wells.

15 Another things I spoke to Mr.
16 Blumenthal, I guess, at one of the
17 Planning Board meetings. I really don't
18 see why they can't bring a road around
19 the old nursery school and bring it in
20 somewhere across the brook by Halcyon
21 Road to totally eliminate the Monument
22 from the traffic situation. So, that
23 some semi starting down the hill in
24 weather like we had yesterday, doesn't
25 kill somebody trying to get their mail.

1 PUBLIC HEARING - 2/15/07

2 Thank you.

3 CHAIRPERSON ROBERTS: Julia
4 Witison?

5 JULIA WITISON: I would like
6 to give (Inaudible in back of room).

7 CHAIRPERSON ROBERTS: Deborah
8 Coddington, 23 Coddington Lane.

9 MS. CODDINGTON: It's
10 Coddington, C-O-D-D-I-N-G-T-O-N.

11 To suggest that the projected
12 Bennett Development in Millbrook is
13 championed by locals and opposed by
14 obstructionist, non-resident taxpayers,
15 makes great sound bite. It is, however,
16 insulting and inaccurate.

17 I sent my children through
18 Millbrook's public school system. We
19 reside in the Village, own a local
20 business, and hope to be able to afford
21 to remain in my home.

22 Having lived in Millbrook for
23 30 years, I respectfully disagree with
24 the assessment that questioning this
25 development has an oppositional agenda.

1 PUBLIC HEARING - 2/15/07

2 What better reason to attend meetings,
3 review facts, and challenge potential
4 problems and concerned issues directly
5 affecting our lives and the lives of
6 those we care about.

7 These are exactly issues
8 worthy of our attention, my attention and
9 my energy.

10 The fact that the Bennett
11 application was not complete and it lacks
12 information regarding critical matters,
13 such as sewage disposal, water supply
14 facilities and location, waste handling
15 facilities, grading and landscaping
16 plans, definitive information regarding
17 subsurface site improvements, these
18 significant issues deserve independent
19 studies mandated to protect taxpayers
20 from possible cost overages.

21 Relying on studies provided
22 by the Developer would be remiss and
23 fiscally irresponsible. As of this date,
24 Bennett is an eye sore and it's
25 dangerous. It needs and deserves our

1 PUBLIC HEARING - 2/15/07

2 help.

3 I'm not anti-development. I
4 am one of hundreds of concerned residents
5 encouraging my Planning Board to please
6 take the time to get this development
7 correct, to get it right. It will not be
8 easy. It will not be immediate.

9 I stay involved because if
10 you guys get it wrong, it will negatively
11 alter the fabric of my community and the
12 environment and it has the potential to
13 serve as an eviction notice of long
14 standing residents on fixed incomes.

15 We are not the first area to
16 witness the effects of the Developer and
17 we will not be last. Other communities
18 are getting it right. I have attended
19 meetings. I have questioned. I stay
20 involved not because I am an
21 obstructionist but because I care about
22 my home and for the good of the Millbrook
23 it is critical that we spend the time to
24 get Bennett right.

25 CHAIRPERSON ROBERTS: Howard

1 PUBLIC HEARING - 2/15/07
2 Schuman, 49 Maple Hill Drive, Millbrook.

3 MR. SCHUMAN: My name is
4 Howard Schuman, S-C-H-U-M-A-N.

5 Okay, Madame Chairman and the
6 Members of the Board.

7 I have been here since 1968
8 and I am a member of this community and I
9 am using the Village sewer and water and
10 I have some concerns about what is going
11 to happen with this project.

12 I think we all agree at least
13 that this is a big project and that it is
14 probably going to have some impact,
15 positive or negative.

16 Now, I have a list of
17 potential impacts that I would like to
18 share with you. I can't speak about all
19 of them because of time, but I would -- I
20 am looking at financial, sewer, water,
21 traffic, infrastructure, environment,
22 taxes, historical, conservation and there
23 is even a question if this meets the
24 requirements for the density bonus.

25 So, before I speak I would

1 PUBLIC HEARING - 2/15/07
2 like to also make one other comment, that
3 whatever gets put into this project
4 whatever we put in the ground here, will
5 be here probably after everybody in this
6 room is gone. So, this is a very
7 important decision that we are making.
8 It is going to be here for a long time.

9 Now, I would like to speak, I
10 guess mainly about the wells. It's been
11 very difficult for me to follow what is
12 going on because everytime I try to look
13 at the data, they have new data.

14 They had two wells originally
15 and they said these wells were in good
16 condition and they were going to supply
17 enough water and there would be water
18 left over for the Village to use.

19 Then it turned out that one
20 of the wells was re-drilled and it went
21 down, I guess, and there was new data.
22 The well number two went down from 210
23 feet down to 500 feet and then they
24 drilled a third well.

25 Now, it was rumored that the

1 PUBLIC HEARING - 2/15/07

2 second well went dry and they had to

3 drill it deeper and I don't know that.

4 It is just difficult to follow everything

5 because it keeps changing all the time.

6 Now, I am told they are going

7 to be testing the wells next and that

8 they have five wells to test. Well, I

9 tried to figure out where these wells

10 were, the best I can, by going to the

11 Dutchess County site, the parcel access

12 site, and looking at the map of the

13 Village and it appears these wells are

14 roughly 1,000 feet or more from where

15 their well is going to. This is a pretty

16 good distance away.

17 So, if anything happens to

18 those well, it would be safe to say that

19 something would happen to wells closer.

20 Also, there are a number of

21 wells -- properties closer than 1,000

22 feet.

23 Now, I think it was Joe Still

24 who asked what about people who live

25 closer to these wells, like down by

1 PUBLIC HEARING - 2/15/07
2 Halcyon and right across the street from
3 Bennett? Now, I looked on the parcel
4 explorer again and in that 1,000 foot
5 radius in the Village, and the Town -- in
6 the Town there are 40 parcels.

7 That's a lot. It is a very
8 tightly packed area, I could only find
9 two parcels that had Village water, yet
10 the Blumenthal Brickman team said that
11 most of that area was under Village water
12 and it appears not to be from what I
13 could find out, at least on the Town
14 side.

15 MS. MATTESON: That's three
16 minutes.

17 MR. SCHUMAN: -- So, I am
18 concerned about that, living on that side
19 of the Town myself.

20 MS. MATTESON: That's three.

21 MR. SCHUMAN: The other --
22 the very last thing I want to say is the
23 aquifer, these are primary aquifers over
24 there and I am concerned that the wells
25 are going to draw down those aquifers and

1 PUBLIC HEARING - 2/15/07
2 not enough testing to determine how those
3 -- what water will go out.

4 And the last comment I will
5 make is they are going to take 30,000
6 gallons a day out which comes out to
7 several million gallons a year, over 10
8 million gallons a year and that water is
9 not going back in the aquifer, it's going
10 into the Village (Inaudible) so what's
11 going to happen to everybody's wells and
12 the streams when that water just
13 disappears out of there? How are we
14 going to know that?

15 And this is why I would like
16 to see a positive declaration so that we
17 can get other people to look at this and
18 we get more than what Mr. Blumenthal's
19 engineers are telling us. Thank you.

20 CHAIRPERSON ROBERTS: Michael
21 Sloan, 48 Stanford Road.

22 MR. SLOAN: Michael Sloan,
23 S-L-O-A-N.

24 I live in the Town of
25 Washington and I also own property in the

1 PUBLIC HEARING - 2/15/07
2 Village and I am also tied historically
3 to the property. My family developed it
4 and the property has been in the Village
5 since in the mid 1800's. They actually
6 built Halcyon Hall itself.

7 Even SEQRA is a very
8 important issue but I am here actually on
9 another point for the Planning Board.

10 One of the things the
11 Planning Board has to do in determining
12 if the applicant has met the PDU
13 requirements to grant bonus density, they
14 have to follow the guidelines set in the
15 zoning law.

16 So, the big question is:
17 Does the existing plan submitted at this
18 stage meet the zoning law, the intent?

19 The Planning Board needs to
20 ask these questions: One, and I am going
21 just in order of the zoning law --
22 prepare documentation of the Halcyon
23 stone work. Two, preserve the campus
24 appearance. Three, maintain a small town
25 atmosphere. Four, offer affordable

1 PUBLIC HEARING - 2/15/07
2 housing. Five, offer pedestrian traffic.
3 Six, provide (Inaudible) -- I see that
4 they have flags but not in all areas.
5 Seven, preserve the historic structure as
6 much as possible. Eight, follow the
7 (Inaudible) and rule by design cited in
8 the zoning code.

9 If the Developer hasn't met
10 the intent of this law, they do not get
11 the extra bonus density and they have to
12 go back to the 2-acre zoning. It is a
13 very important issue here because that's
14 really what -- the zoning law is
15 establishing the intent of that
16 development if it goes to bonus.

17 As an architect -- which is
18 actually developed village designs I
19 really think that the Planning Board
20 really have to look at that issue.
21 Thank you.

22 CHAIRMAN ROBERTS: Charlie
23 Weeden, 11 Breeze Hill.

24 MR. WEEDEN: It's Weeden,
25 W-E-E-D-E-N.

1 PUBLIC HEARING - 2/15/07

2 I guess what I would
3 characterize this as is the 15 minutes of
4 Planning Board fame.

5 I have for the past fifteen
6 years or so attended many of the Planning
7 Board meetings and typically it's two or
8 three people at the desk talking about
9 parking spaces or fences.

10 This has been for me a
11 wonderful process. It's brought out
12 wonderful issues. It's given everyone a
13 chance to air them and I hope the
14 Planning Board has been as interested in
15 some of the issues raised as I have been.

16 I find it a fascinating
17 process and I think this is exactly what
18 we hoped would happen as many of these
19 that are brought before it.

20 I agree with what Mr.
21 Schulman said, we are going to be driving
22 by these homes for the rest of our lives.
23 Everytime I drive by these homes I am
24 either going to think this was a
25 development that was well thought out,

1 PUBLIC HEARING - 2/15/07
2 well done or I am going to think it
3 everytime I drive by that this is not
4 reflective of the character and the
5 nature of the community that I came to
6 live in and expect to live in for the
7 rest of my life.

8 What I want to do is implore
9 this Board to think about this carefully.
10 I have been to the January 4th meeting
11 and I have been to this meeting.

12 According to my count, 86% of
13 the people at the January 4th meeting
14 asked for a positive declaration and my
15 rough count this evening more than 80% of
16 the people have asked for a positive
17 declaration.

18 It seems overwhelming to me
19 that this requires more study and a
20 positive declaration. However, I don't
21 think it is appropriate for the Developer
22 to spend more money going ahead and
23 trying to address this issue and trying
24 to go forward with a negative
25 declaration.

1 PUBLIC HEARING - 2/15/07

2 My suggestion is to the
3 Village Planning Board, meet with the
4 Developer and basically proceed on the
5 path that the money spent from this point
6 on, are going to be along the lines that
7 a positive declaration will be made and
8 we have the information we need to know
9 that when we drive by that building for
10 the next 20 years that this process have
11 well managed. Thank you.

12 CHAIRPERSON ROBERTS: Scott
13 Tumblety, 15 Gate Avenue.

14 MR. TUMBLETY: Scott
15 Tumblety, T-U-M-B-L-E-T-Y.

16 In 1977, as a senior at
17 Millbrook High School I walked the path
18 at Bennett for afternoon college classes.
19 In no way then could I have foreseen the
20 situation facing us now. I strongly feel
21 the need to alter my viewpoint to defend
22 some remanent of what the campus once
23 was.

24 When Local Law #1 was drafted
25 in 2005, it was a collateral effort of

1 PUBLIC HEARING - 2/15/07
2 many in the community. When all was said
3 and done many citizens thought the law --
4 thought the wording in the law -- was too
5 vague and the criteria for the density
6 bonus could be misinterpreted to give the
7 Developer the opportunity to stretch the
8 guidelines beyond the true spirit of the
9 law.

10 When Blumenthal & Brickman
11 initially reviewed the law and other
12 general application guidelines, the
13 economic profitability of the development
14 should have been determined.

15 There are certain
16 well-founded criteria of the Local Law #1
17 that seem to be entirely pushed aside.
18 It was only within the last submission
19 that a walkway to the Village was
20 suggested in the plan. Was this shifted
21 to the 11th hour because it was
22 overlooked or just deemed unimportant?

23 When Bennett was in operation
24 there existed a paved pathway between a
25 lower and upper campus. This tree-line

1 PUBLIC HEARING - 2/15/07
2 pathway still exists and where it meets
3 Bennett Common there stands an 80-foot
4 spruce. There are a dozen more trees
5 along the path that are equally
6 impressive. To my knowledge, these are
7 all eliminated by the Blumenthal Brickman
8 plan.

9 Yet saving them and
10 re-establishing a community pathway needs
11 at least three goals emphasized in the
12 law. For these and other reasons, we
13 need a positive declaration to give the
14 Planning Board the tools needed to shape
15 this development more in line with the
16 spirit of Local Law #1.

17 Within SEQRA itself, is a
18 clause which calls for a positive
19 declaration if community character is
20 negatively impacted.

21 Taking down the entire of the
22 Halcyon complex erases a page from
23 Millbrook history. There are ways of
24 mitigating the loss of Halcyon. They
25 have not been fully explored by the

1 PUBLIC HEARING - 2/15/07
2 Developer. Thus, this negative impact on
3 community character is sufficient grounds
4 for a positive declaration.

5 I tracked down some local
6 resources and it is coupled with my own
7 knowledge. I have put together this and
8 I would like to give it to the Planning
9 Board.

10 CHAIRPERSON ROBERTS: Edward
11 Shaughnessy , 4 Bennett Commons.

12 MR. SHAUGHNESSY: My name is
13 Edward Shaughnessy,
14 S-H-A-U-G-H-N-E-S-S-Y.

15 I first came to Dutchess
16 County in 1952 as a kid to work on a farm
17 so I could earn money to go to college
18 and it ended up I never left.

19 I have first of all, a plea
20 to make before you, if I may.

21 We talk about giving all of
22 the materials for this project to the
23 Library. Please help the Librarian Nan
24 Rogers, organize it. One of the greatest
25 difficulties we have had is that the

1 PUBLIC HEARING - 2/15/07
2 material is in cartons and it is hard to
3 manage and it would be very nice if
4 someone would give her an extra hand in
5 her busy schedule in life, to deal with
6 the materials that we are, you know,
7 unloading in the LIbrary.

8 To the business at hand. I
9 wish to speak, briefly, just to the
10 traffic issue. We could look at that as
11 selfish matter since I live at the
12 intersection of Route 343 and Bennett
13 Common on the northeast corner in a house
14 that qualifies as one of the oldest
15 houses in the Village of Millbrook.

16 But, my concern with the
17 traffic study is that it doesn't address
18 the issues, for example; of current
19 things such as the buses that now turn
20 into Hayes Annex. It no longer as you
21 know goes to the school but there is the
22 Hayes Annex and buses go in there now
23 that really didn't before. They lumber,
24 they are slow. Take an eighteen wheeler
25 coming down the hill in bad weather and

1 PUBLIC HEARING - 2/15/07

2 what have we got?

3 I spent twelve years in the
4 Fire Department and Rescue Squad and I
5 was one of the first people on the scene
6 for many of the accidents with the
7 Monument.

8 Part of the trouble we have
9 with this study that was commissioned is
10 that it neglects the information about
11 the non-reported accidents and just to
12 give you an example; earlier this month
13 and I will make this available to the
14 Board, a vehicle went off the road right
15 at intersection of 343 and Bennett Common
16 and took a sign down that says Bennett
17 Common Way, plowed into the drainage
18 ditch and up onto the road and had
19 someone been there at the time that this
20 occurred, it could have been a much more
21 serious incident.

22 Fortunately, due to
23 circumstances, it was not. However, the
24 issue is that these kind of unreported
25 and marginal incidents are not easily

1 PUBLIC HEARING - 2/15/07

2 referenced in the traffic study.

3 Second, the traffic study,
4 itself, is deficient in so far as the
5 data is concerned. I spent the last 30
6 years of my life as a research professor
7 at the university and I am not exactly
8 impressed with this document. I have
9 been told there will be some work with
10 it.

11 However, here are traffic
12 stats available from Carnegie Mellon
13 University which can be extrapolated,
14 that are up to 2005 and the data that is
15 in the study is 2002.

16 There is no mention of
17 eighteen wheelers. There is no mention
18 of hazardous material. There is no
19 mention of the kind of flammable vehicle
20 material, the chemical transport, even if
21 it is only an oil truck delivering up and
22 down 343 that transverses this roadway.

23 While I am not inherently
24 opposed to developments, my concern, my
25 concern is for safety. My concern is for

1 PUBLIC HEARING - 2/15/07

2 the traffic. However we go forward with
3 this project whether we create an idea of
4 road covered Halycon road or doing
5 something else is less important to me
6 than -- that none of us should wind up
7 going to the hospital because we were hit
8 in an incident at the intersection of 343
9 and the Monument.

10 So, I would ask you to be
11 aware of that and I would ask you to pay
12 attention to the contents of this study
13 because I think this is a serious
14 limitation.

15 MS. MATTESON: That is time,
16 sir.

17 MR. SHAUGHNESSY: I would
18 just say that the document is flawed in
19 it's fundamental premises and I would ask
20 that it be dismissed and rewritten and I
21 would like a committee of people such as
22 Tony Sloan who worked on the RMI
23 Committee for this project, to be able to
24 look at this with a critical eye. Thank
25 you.

1 PUBLIC HEARING - 2/15/07

2 CHAIRPERSON ROBERTS: Felice
3 Manzi, Merritt Avenue, Millbrook.

4 MR. MANZI: Manzi, M-A-N-Z-I,
5 10 Elm Drive.

6 I have been in the
7 construction business for 40 years and I
8 think that the Developer did a fantastic
9 job with his presentation.

10 I am here to present a list
11 of 140 people who signed this petition
12 declaring that a negative declaration be
13 made. We think a positive declaration
14 would just be a delay and obstruction.
15 140 Village residents signed this. So, I
16 am just here to present that.

17 CHAIRPERSON ROBERTS: James
18 Sheldon, Gallatin, New York.

19 MR. SHELDON: Good evening
20 Madame Chairman and Board Members. James
21 Sheldon, S-H-E-L-D-O-N from Gallatin, New
22 York, up in Columbia County.

23 I am a professional business
24 analyst, financial consultant and I have
25 submitted to the Board a study I have

1 PUBLIC HEARING - 2/15/07

2 done and a letter that I have written in
3 response to the Developer's fiscal
4 financial analysis.

5 I just want to highlight
6 tonight a couple of points that I hope
7 you will be prompted to dig into in a
8 little more detail in the paperwork.

9 I have spent that last twenty
10 years in a career, a successful career,
11 which simply put involves forecasting the
12 financial performance of businesses,
13 industries and various government
14 entities; the financial trends that are
15 likely to emerge.

16 And if you can do that, it's
17 not easy, but if you can do that,
18 certainly in the stock market you can
19 make yourself a good career.

20 In the public sector you can
21 make yourself a more responsible, a more
22 informed and more successful public
23 servant.

24 It is not an easy task but I
25 can assure you from my own experience and

1 PUBLIC HEARING - 2/15/07
2 that of many, many others that it is
3 possible to do. You don't always get it
4 right. You certainly can't say in
5 dollars, specifically, how much a
6 particular development is going to cost
7 the Village taxpayers, ten, twenty years
8 from now.

9 But, unless Millbrook is the
10 one out of a thousand exceptions, there
11 is enough data out there that if it is
12 studied properly you can get a pretty
13 good idea if the project, of the scope
14 and size of the proposal that we are
15 discussing tonight, will have a
16 significant negative fiscal impact on
17 this Village and on the surrounding
18 school district.

19 To do that kind of study does
20 take time, does take expertise. It is
21 going to take a lot of your time just to
22 get up to speed on some of the methods
23 involved but you can't do it by taking
24 short cuts and I would propose to you as
25 I have said in this letter dated January

1 PUBLIC HEARING - 2/15/07

2 2nd, that the Developer's fiscal impact
3 study is filled, literally, with short
4 cuts.

5 There are methods and
6 specific data that simply do not stack up
7 to what has been seen in so many similar
8 studies.

9 I will just focus on a couple
10 of them. The biggest, this is not
11 necessarily the biggest increase in
12 Village taxes, but the biggest increase
13 in costs is going to come from school
14 taxes. We all know school taxes are a
15 bigger part of our total property tax,
16 the biggest by far, usually two-thirds.

17 The biggest single factor in
18 what determines the future growth of
19 school taxes and by the way I have never
20 seen a single development of this size
21 that does not increase school taxes in an
22 area like this.

23 The single biggest financial
24 variable involved is the number of kids
25 that are going to go into the public

1 PUBLIC HEARING - 2/15/07
2 school system from any given development.

3 Now, this like many
4 developments I have studied, suggests
5 that this is going to be aimed and
6 marketed at childless people, empty
7 nesters, down-sizers and the lake.

8 Well, you know, just to start
9 off, unless the Developer is willing to
10 contract with the Village if that is the
11 case, by perhaps putting in an age limit
12 on the ownership, there is no guaranty
13 that that is going to happen.

14 And the real factor is the
15 data is pretty clear in this County and
16 in this region, over the last 40 years,
17 that that simply is very unlikely to be
18 the case. So, there is likely to be
19 significant impact, significant number of
20 new kids coming in.

21 The Developer uses as many
22 studies use, U.S. Census data that tries
23 to boil this down to look at how many
24 students -- how school age children per
25 type of household, per bedroom, effective

1 PUBLIC HEARING - 2/15/07

2 you see in recently completed homes in

3 the Dutchess, Putnam area. And he uses a

4 very through data base. It's not the

5 most applicable but he does analyze it.

6 Now, ironically, up the road

7 in Pine Plains where there are even

8 bigger developments being proposed, a

9 citizens group retained an independent

10 planning -- fiscal and planning

11 consultant out of New York, very well

12 respected firm, that looked at exactly

13 the same Census data as this Developer's

14 consultants did, to try to determine if

15 the data -- what the data would tell them

16 about the number of school age children,

17 per bedroom or per type of housing unit.

18 the exact same data form which the

19 Developer concludes there will be .4

20 students, school age children, excuse me,

21 school age children, per house, .4 per

22 house. The exact same data was looked at

23 by Phillips, Price, Shapiro of New York

24 and they cam up with a figure twice as

25 high, .8 roughly, .75.

1 PUBLIC HEARING - 2/15/07

2 So, either Phillips, Price
3 misread the data or the Developer's
4 consultant misread the data. I don't
5 know the answer as to which, but I would
6 urge you know, among other reasons, to
7 consider that the positive declaration
8 would give you time to get your own
9 consultant to see if maybe the data has
10 been misread.

11 There are other issues that I
12 think you need to have somebody else take
13 a look at.

14 MS. MATTESON: That's your
15 time, sir.

16 MR. SHELDON: I think I was
17 given three minutes.

18 MS. MATTESON: Yeah, I gave
19 you six.

20 MR. SHELDON: Oh, okay.
21 Then I won't go into more detail but
22 there are issues with how they look the
23 school budget. They used last year's
24 budget not this year's, which is much
25 higher and still going up.

1 PUBLIC HEARING - 2/15/07

2 The way they analyzed the
3 potential costs for the water district,
4 \$600,000 to add 340,000 gallons per day.
5 720,000 downstate -- In the Town of
6 Greenport, just one figure and then I'll
7 leave you, the Town of Greenport
8 considering an important impact,
9 expansion of sewage capacity, for very
10 similar reasons for less, far less,
11 increase in capacity, the cost was seven
12 million dollars. It is now estimated
13 that it is going to cost them nine
14 million dollars.

15 There are a lot of different
16 numbers flying around here. I urge you
17 to sit back and take the time to consider
18 where these numbers are coming from and
19 give -- you know, give it a chance
20 because what have you got to lose? Thank
21 you.

22 CHAIRPERSON ROBERTS: Nanny
23 Greenwood, 510 Sheridan Heights.

24 MS. GREENWOOD: After reading
25 today's Millbrook Round Table I felt

1 PUBLIC HEARING - 2/15/07
2 compelled to write a letter to the
3 Village Planning Board which I would like
4 to read a loud.

5 I have just read the Round
6 Table's front page article, editorial and
7 letter to the Editor, regarding the
8 public hearing on the proposed
9 development at the Bennett College site.

10 The paper stated that "at the
11 first public hearing only voices opposing
12 the development were heard." This is
13 simply not true. I was one of the voices
14 heard and I did not oppose the
15 development. In fact, I can't recall
16 anyone who spoke that evening opposing
17 the development.

18 Contrary to being against
19 anything, I believe most, if not all of
20 the speakers, were for something,
21 pleading for a positive declaration that
22 would ensure a methodical, professional,
23 unbiased assessment of the proposed
24 development's impact on the Village
25 before proceeding.

1 PUBLIC HEARING - 2/15/07

2 I must commend you, the
3 Board, for making sure that no
4 preferential treatment was given to
5 proponents of one point of view or
6 another at that hearing.

7 Whoever signed up to speak
8 was given the opportunity to address the
9 Planning Board. the fact that so many
10 people spoke and favored a positive
11 declaration is very telling.

12 I agree with the editorial
13 statement that fair is fair and I believe
14 this Board has observed this in the way
15 it has provided for public input.

16 I would suggest that the
17 Round Table heed their own advice and
18 exercise fairness in it's coverage.

19 Finally, in a letter to the
20 Editor which Peter so kindly read to us
21 tonight, refers to a group presumably
22 lumping all the individual speakers
23 together and claiming that 75% of them
24 were not Village residents.

25 I kept track that night as

1 PUBLIC HEARING - 2/15/07

2 did your secretary so I am sure that you
3 are aware that those numbers are
4 reversed. 75% were Village residents.

5 What I perceive in today's
6 Round Table was an attempt to divide our
7 community into two camps, either for or
8 against the specific development.

9 I would suggest that, in
10 fact, we all want the same thing which is
11 appropriate development on the site that
12 is the gateway to our Village. Let's be
13 sure we get it right for the sake of all
14 of our residents now and in the future.
15 Thank you.

16 CHAIRPERSON ROBERTS: Anthony
17 Sloan, 135 Maple Avenue.

18 MR. SLOAN: My last name is
19 Sloan, S-L-O-A-N. I live in the Village
20 of Millbrook

21 Mrs. Roberts and Members of
22 the Planning Board.

23 Contrary to what you may have
24 either read or been told, I respectfully
25 say that there is a world of difference

1 PUBLIC HEARING - 2/15/07
2 between reviewing the proposed
3 development under a negative declaration
4 and the far more thorough process that
5 results from a positive declaration.

6 The difference in payoffs,
7 payoffs that serve to protect the
8 community is enormous. You just don't
9 get such payoffs from the less rigorous
10 negative declaration procedure.

11 But, what makes the positive
12 declaration so much better for the
13 community and why did so many of the --
14 over 200 people gather for the January
15 4th public hearing call for a positive
16 declaration?

17 Let's briefly address just
18 two of the key aspects of a positive
19 declaration.

20 First, I'm going to use the
21 term mindset. With a positive
22 declaration participants recognize that
23 at the very least there is one or more
24 aspects of the proposal that may pose in
25 SEQRA terminology, significant adverse

1 PUBLIC HEARING - 2/15/07
2 impacts to a community. the community
3 must examine such potential impacts with
4 great care. It will only have itself to
5 blame with potentially significant
6 consequences to pay if it does not.

7 With a negative declaration
8 as we seen even now, at your planning
9 workshops and in the Developer's
10 submissions, we must rely on material and
11 it's assuredness about that material from
12 the Developer.

13 That in no way makes a
14 Developer go over his game plan, but it
15 is not our game plan nor does place
16 protecting the community as a top
17 priority.

18 The Developer -- a lot of
19 these investors, there is a lot riding on
20 this proposal and most assuredly that is
21 his top priority. (Inaudible) wouldn't
22 have situations.

23 The next of the two items is
24 the scoping. Just read the definition of
25 scoping from the SEQRA regulations. It

1 PUBLIC HEARING - 2/15/07
2 requires no embellishment and now I
3 quote: "Scoping means the process by
4 which the Lead Agency identifies the
5 potentially significant adverse impacts
6 related to a proposed action that are to
7 be addressed in the DRaft EIS including
8 the content and the level of detail of
9 analysis, the range of alternatives, the
10 mitigation measures needed, and the
11 identification of not relevant issues.

12 Scoping provides the project
13 sponsor with guidance on matters which
14 must be considered. It provides an
15 opportunity for early participation by
16 involved entities and the public in the
17 reaching of the proposal."

18 We as a community just do not
19 get anything close to this sort of
20 analysis by Developer submissions alone.

21 I can make the statement
22 longer and fill it up with more quotes
23 from the SEQRA regulations but the value
24 of the analysis resulted through a
25 positive declaration is abundantly clear.

1 PUBLIC HEARING - 2/15/07

2 The risks of linking ourselves to a
3 negative declaration are by contrast
4 incalculable. Thank you.

5 CHAIRPERSON ROBERTS: David
6 Greenwood, 510 Sheridan Heights.

7 MR. GREENWOOD: Thank you. I
8 am David Greenwood and I live in the
9 Village.

10 We were given -- I was given
11 a charge to work with the Developer, with
12 the architectural plan for the smaller
13 units.

14 The original proposals were
15 very generic and we had quite the concern
16 for them. I am pleased to be able to say
17 tonight that Millbrook Architects and
18 David Blumenthal have provided an
19 opportunity for us to work collectively
20 to improve those designs and I think we
21 are accomplishing that goal. It is a
22 very positive step forward for all of us.

23 But, there is another issue
24 that concerns me. As Town Historian, I
25 look to the Bennett Campus for what it

1 PUBLIC HEARING - 2/15/07
2 means to this community. This year's
3 calendar is called Rough Stone a
4 Speciality, Outstanding Local Monuments
5 to the Stone Mason's Craft.

6 One need look no further than
7 Halycon Hall to see a monument that is
8 well known locally, regionally, and
9 because of the architect, James Ware,
10 nationally.

11 I realize the condition of
12 that building prohibits it ever being
13 restored to it's original condition but
14 that stone work does survive.

15 If you look to the proposal,
16 it is suggested that that main stone work
17 will become part of a focal point for the
18 view shed for the entire community.

19 What I am asking tonight is
20 that an engineering report be prepared
21 that will legitimately safe that stone
22 work and I am asking it for one reason.

23 A neighbor of ours Pleasant
24 Valley, had a major fire a number of
25 years ago in it's factory that we all

1 PUBLIC HEARING - 2/15/07
2 know. the building could not be saved.
3 What they thought could be saved was the
4 remaining stone work from an 1830's
5 building. The original arches for that
6 building were preserved, but for anyone
7 who has gone by recently, they have been
8 removed.

9 And the reason for that is,
10 that engineering a design and creating a
11 design are two different things. The
12 arches could not survive the winter, the
13 deterioration of the concrete and the
14 stresses that they incurred.

15 When you go by that building
16 today, you see steel reminders of what
17 were the original stone arches.

18 As the Town Historian, I do
19 not want to see that happen at the
20 Bennett complex. We should look to that
21 stone work with pride and I am asking
22 that the Planning Board require that in
23 it's deliberations. It is for the
24 benefit of all. Thank you.

25 CHAIRPERSON ROBERTS: Michael

1 PUBLIC HEARING - 2/15/07

2 Sedgwick.

3 MR. SEDGWICK: Sedgwick,
4 S-E-D-G-W-I-C-K, 54 South Road.

5 Madame Chairman and Members
6 of the Planing Board, Ladies and
7 Gentlemen.

8 I attended the last meeting
9 and again tonight I have been
10 extraordinarily impressed with the
11 expertise and the knowledge that has been
12 shown and demonstrated here by the people
13 who have spoken.

14 All of them, I think, care
15 like we all do about what happens to this
16 beautiful community in which we live.

17 I said this about ten years
18 ago, when we discussed the dump, the Town
19 dump which frankly has come out
20 extraordinarily well in the end. But, at
21 one point they had trucks arriving at 30,
22 40 an hour along 343.

23 This is a very well presented
24 scheme, but it's a scheme. It is an
25 investor's scheme. I don't mean that

1 PUBLIC HEARING - 2/15/07
2 it's a criminal scheme but it carries
3 with it a desire on the part of investors
4 who are not a part of our community to
5 frankly foist upon those of us that have
6 lived here for so many years and I have
7 been here for 20, so I am still a
8 newcomer.

9 It is imposing upon Millbrook
10 and the Town of Washington a development
11 of this size which is totally out of
12 character with what we all know and what
13 we all want.

14 But, as I said, I have been
15 extraordinarily impressed with everything
16 and I think there are so many facets that
17 are involved in this development that it
18 is incumbent upon the Board, the Planning
19 Board, to issue a positive declaration
20 and do their homework, go -- the whole,
21 is it nine yards? I don't know.

22 Go the whole mile anyway and
23 do the job properly and let's come up
24 with something that fits the Village but
25 I really don't -- with all due respect to

1 PUBLIC HEARING - 2/15/07
2 our Developer friend, I mean he is not
3 going to be living here as far as I know.
4 He has his own home and he will be on to
5 the next project and not having to carry
6 the baggage that this huge 93 house
7 development will bring with it for the
8 community.

9 And with school taxes which
10 are escalating as it has with everything
11 else, we are going to have to all of us,
12 and I don't want divorce between the
13 Village of Millbrook and the Town of
14 Washington but the community --

15 You may choose to demark
16 between the Village and the Town and that
17 is your privilege but as far as I am
18 concerned and I drive from the South Road
19 down through the traffic light and I want
20 as so many people have said, I want to
21 see something which is representative of
22 the community in which we live.

23 I think it is time something
24 was done with picture of what we all want
25 to see and that isn't 91, 92, 93 houses.

1 PUBLIC HEARING - 2/15/07

2 Maybe it's 20, 25 or whatever.

3 CHAIRPERSON ROBERTS: John
4 Reid, 399 Valley Farm Road.

5 MR. REID: John Reid,
6 R-E-I-D.

7 I didn't know I was going to
8 get such a good introduction. I probably
9 could bring a piece of information to you
10 that is totally new today is New Zealand
11 Day.

12 I would like to make four
13 points and try and put, try and pull out
14 one principle and then suggest two musts,
15 two absolute requirements as we go
16 forward.

17 One. It will be wonderful to
18 have a successful development for
19 Bennett. We need it.

20 Two. Developers do have a
21 right to achieve profits and returns from
22 the added value which they impart to the
23 properties that they develop.

24 Three. Developers will,
25 however, achieve much of their returns

1 PUBLIC HEARING - 2/15/07
2 from the already inherent value of the
3 property effectively capitalizing on
4 investment and cashing out the value
5 which is being built out over many years
6 by the presence of and economic activity,
7 of the community.

8 Therefore, Four. The Village
9 and the surrounding neighbors do have a
10 valid interest in this project.

11 So, I would suggest one
12 principle: I am -- all the esthetic,
13 water, sewage, traffic, school taxes
14 considerations. All net increases in
15 infrastructure and capital investments
16 toward the excellent development that we
17 heard will come.

18 This leads to two musts.
19 Musts which I believe must be met.

20 One. A positive declaration
21 is required. It will take time but it
22 will result in full transparency, full
23 discussion, full agreement and it should
24 result in a project we are all are proud
25 of and that we are happy to see and that

1 PUBLIC HEARING - 2/15/07

2 the Developer whether he stays or goes
3 will also proud of.

4 And Two. A significant bond
5 must be posted to ensure that all claims
6 and promises which are planned and given
7 will indeed be completed and fully
8 funded.

9 Next, we should take all
10 possible means to ensure that this
11 excellent project is indeed excellent,
12 that it should be a net gain for
13 Millbrook and for the Developer and that
14 it will be something that we will be
15 proud of and as people have said we're
16 going to be here as long as it is and it
17 is going to be here as long as we are and
18 we'd like to smile every time we go by,
19 but I think that we need those two
20 absolute musts; a positive declaration
21 which we hope that -- you would provide
22 and I believe a significant bond should
23 be posted.

24 CHAIRPERSON ROBERTS: Paul
25 Swartz?

1 PUBLIC HEARING - 2/15/07

2 UNIDENTIFIED MEMBER OF THE

3 PUBLIC: He left.

4 UNIDENTIFIED MEMBER OF the

5 PUBLIC: I believe I signed up.

6 CHAIRPERSON ROBERTS: You're

7 right. Kate Farrell.

8 MS. FARRELL: Kate Farrell,

9 F-A-R-R-E-L-L, 15 Shady Avenue.

10 If this Bennett application
11 gets filed, residents of the Village and
12 the government are essentially hiring
13 Blumenthal Brickman or a company that
14 comes in after them to work for and with
15 us.

16 To that point, who are they?
17 Well, according to the Millbrook
18 (Inaudible) and out of personal curiosity
19 I have researched this topic and have not
20 found any completed development projects
21 with David Blumenthal at the held as
22 developer.

23 I have confirmed that Mr.
24 Blumenthal worked as a land acquisition
25 manager for (Inaudible) companies that

1 PUBLIC HEARING - 2/15/07

2 did hold the title, Developer.

3 On the Brickman Associates
4 website they listed residential
5 properties in development in Hawaii,
6 Maryland, new York City, Talluride.
7 However, I haven't found anything that
8 resembles the Bennett application.

9 I respectfully request that
10 the Village Planning Board post as part
11 of the public record in the Library, the
12 resumes for both Developers.

13 Secondly, as part of Bennett
14 College Redevelopment Executive Summary
15 under Item 2: Water, it reads: Like the
16 sewer system the site's water
17 distribution network serves approximately
18 350 to 500 occupants at the property's
19 peak uses.

20 Under Item 8: (Inaudible)
21 Traffic. The roads that were -- in and
22 around the former campus was a design to
23 accommodate and active population of
24 approximately 500 students and the site
25 was in operation more than 30 years ago.

1 PUBLIC HEARING - 2/15/07

2 The source for the
3 Developer's estimate of the Bennett
4 College population is not noted.

5 The Millbrook Library holds
6 some documents that could be used to
7 estimate the actual population.

8 A sampling of eight different
9 yearbooks from the 1940's, 50's, 60's and
10 70's showed that the largest number of
11 students and faculty was in 1977. I
12 counted 190.

13 The students and in the --
14 Did the 190 students and faculty have
15 their own cars in 1977?

16 This is just a short research
17 project and more detail should be
18 studied.

19 Mr. Diemond, who spoke
20 tonight estimated the number at 300
21 students.

22 I request that the Village
23 Planning Board declare a positive
24 declaration under SEQRA so that an
25 independent source can assess this and

1 PUBLIC HEARING - 2/15/07

2 other assumptions in the Executive
3 Summary.

4 UNIDENTIFIED MEMBER OF THE
5 PUBLIC: I would like to suggest that
6 Planning Board tells us how long we are
7 going to be able to talk before the next
8 meeting. I think it would make everybody
9 be more concise and prepared because we
10 all arrived expecting five minutes.

11 CHAIRPERSON ROBERTS: We
12 started the last meeting at three
13 minutes.

14 SAME UNIDENTIFIED MEMBER OF
15 THE PUBLIC: You did?

16 CHAIRPERSON ROBERTS: Yes.

17 SAME UNIDENTIFIED MEMBER OF
18 HE PUBLIC: Okay, sorry.

19 CHAIRPERSON ROBERTS: It was
20 three tonight and it will continue as far
21 as I know forward.

22 Do I have a motion to adjourn
23 the public hearing?

24 BOARD MEMBER: Motion.

25 CHAIRPERSON ROBERTS: Second?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PUBLIC HEARING - 2/15/07

BOARD MEMBER: Second.

CHAIRPERSON ROBERTS: Motion
Carried.

That being said, I am going
to adjourn this public hearing as a
continuation on March 8th here at the
Thorne Building at 7:30 p.m. the public
hearing is remaining open and we won't
close the proceedings this evening.

Thank you all, for your
attendance and coming out in such cold
weather.

(WHEREUPON, the Public
Hearing was adjourned at 10:00
p.m.)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PUBLIC HEARING - 2/15/07

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

I, Constance M. Walker, a
Short hand Reporter and Notary Public
within and for the State of New York, do
hereby certify that I recorded
stenographically the proceedings herein
at the time and place noted in the
heading hereof, and that the foregoing is
an accurate and complete transcript of
same, to the best of my knowledge and
belief.

Constance M. Walker

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

PUBLIC HEARING - 2/15/07

Dated: February 25, 2007