

**APPENDIX A:  
Transcribed Comments from Public  
Hearing**



STATE OF NEW YORK                      COUNTY OF DUTCHESS

TOWN OF PLEASANT VALLEY

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COMPREHENSIVE PLAN - DEIS

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DATED: October 7, 2009  
Pleasant Valley, New York  
TIME: 7:10 p.m. - 7:56 p.m.

Demetria Schmidt, Reporter

MINUTES OF PUBLIC HEARING, held at the Town  
of Pleasant Valley Town Hall, 1554 Main Street,  
Pleasant Valley, New York

MARY T. BABIARZ COURT REPORTING SERVICE, INC.  
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TOWN BOARD MEMBERS

Frank Susczynski - Supervisor  
Jean Curlee - Deputy Supervisor  
Christopher Hart - Councilman  
Steve Albrecht- Councilman  
Don Sagliano - Councilman

Scott L. Volkman, Esq.  
GELLERT & KLEIN, P.C.  
Attorneys for the Town of Pleasant Valley  
75 Washington Street  
Poughkeepsie, New York 12601

ALSO PRESENT

Kerry Ivers - Sr. Planner, Clark Patterson Lee  
Rebecca Seaman - Co-Chair, Comprehensive Plan  
Committee  
Frederic Wilhelm - Co-Chair, Comprehensive Plan  
Committee  
Lindsay Carille - Sr. Planner, Dutchess County  
Planning and Development  
Deborah Bjorkman - Town Clerk  
Margaret Hart

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Proceedings

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BY MR. SUSCZYNSKI:

Before we get started with the public  
hearing there are a couple of rules of  
conduct that I would like to go over so

6 we can ensure decorum and speed things  
7 along. First of all, speakers so  
8 registered in writing prior to the  
9 beginning of the hearing by providing  
10 their name, address and organization.  
11 Individuals arriving after the  
12 commencement of the hearing shall be  
13 permitted to register upon arrival as  
14 long as the Board has not closed the  
15 hearing.

16 The Supervisor shall recognize each  
17 speaker in the order registered. When  
18 the hearing is commenced, speakers shall  
19 identify themselves, their address and  
20 organization, if any, prior to their  
21 remarks. Speakers must limit their  
22 remarks to three minutes. Remarks shall  
23 be addressed only to the hearing issues.  
24 Speakers may not yield to any remaining  
25 time they may have to another speaker.

□

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2 All remarks should be addressed to the  
3 Board as a body and not to any individual  
4 member thereof. Speakers should not  
5 expect dialogue with the Board in  
6 response to questions. Speakers should  
7 not address the public or engage in a  
8 dialogue with the public. Speakers  
9 should observe the commonly accepted

10 rules of courtesy, decency and dignity.  
11 Speakers addressing issues outside the  
12 scope of the hearing will be asked to  
13 cease their comments.

14 Interested parties may address the  
15 Board by written communication. The  
16 statements will not be read at the  
17 hearing, but will be provided to the  
18 Board members and entered into the  
19 minutes of the hearing by the Town Clerk.  
20 The Town Clerk will include in the  
21 minutes of the hearing the name, address  
22 and organization, if any, of each  
23 speaker, a summary of their remarks in  
24 written statements submitted to the  
25 Board.

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Proceedings

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With that, I will, we have an  
affidavit of posting. Debbie Bjorkman,  
elected Town Clerk for the Town of  
Pleasant Valley, Dutchess County, New  
York hereby certified a notice regarding  
a public hearing pertaining to a proposed  
new Comprehensive Plan, a proposed new  
Zoning Local Law and Zoning Map, and  
proposed Subdivision Local Law to be held  
on the 7th day of October 2009. This was  
posted on the side board in the entrance  
of my office on the 23rd day of September

14 100709cp.txt  
2009, and also at the post office in  
15 Pleasant Valley, post office in Salt  
16 Point, and the bulletin board in the  
17 Pleasant Valley fire house.

18 Further due notice has also been  
19 published in the town's official  
20 newspaper, the Poughkeepsie Journal, on  
21 the 23rd day of September 2009. Debra  
22 Bjorkman, Town Clerk.

23 with that, Scott, should we open ---  
24 do you have opening comments?

25 BY MR. VOLKMAN:

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1 Proceedings 6  
2 Before we open it to the public, I just  
3 want to remind the Board and remind the  
4 public, tell the public, that we do have  
5 a stenographer here over on the other  
6 side taking a transcript of tonight's  
7 hearing. That will assist the Town Board  
8 and the consultants of the town in  
9 preparing appropriate responses and  
10 potential changes to the codes that we're  
11 considering tonight, and more importantly  
12 for the environmental review, which is  
13 the main subject of tonight's public  
14 hearing.

15 So I would remind you that you will  
16 have to identify yourself when you come  
17 to the microphone. We're going to come

18 up in order, and what you say is being  
19 taken down in a minute fashion by the  
20 Town Clerk but also by the stenographer.  
21 So if there's an issue, we may have to  
22 ask you to slow down and repeat yourself.  
23 we'll do the best we can to keep things  
24 moving.

25 Tonight's public hearing really serves

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1 Proceedings 7

2 several purposes. The Town Board  
3 previously opened and had several public  
4 hearings on the proposed Comprehensive  
5 Plan. The Board did post a public  
6 hearing on a Comprehensive Plan prior to  
7 initiating the environmental review  
8 process which the Town has been  
9 undertaking for the past several months.

10 The Town has, the Town Board has also  
11 initiated and conducted public hearings  
12 on the draft zoning law and the draft  
13 subdivision law, and that's occurred over  
14 several meetings, and that was adjourned  
15 until tonight as well.

16 So the public hearing will be  
17 essentially a reopening of the public  
18 hearing on the Comprehensive Plan. It  
19 will be a continuation of the public  
20 hearing on the zoning and the subdivision  
21 regulations. And then most importantly,

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22 this is a public hearing for the first  
23 time that's required by the State  
24 Environmental Quality Review Act to take  
25 comments from the public as it pertains

1 Proceedings 8

2 to the concerns over the potential  
3 environmental impacts of those proposed  
4 laws. And there is a Draft Generic  
5 Environmental Impact Statement which has  
6 been available for review for which we  
7 are hoping to receive your comments on  
8 this evening.

9 Just so everyone understands, in  
10 addition to the Town Board, the Town  
11 Clerk, Debbie Bjorkman, my name is Scott  
12 Volkman, the attorney for the Town. I  
13 have with us Kerry Ivers from Clark  
14 Patterson Lee, the environmental  
15 consultant for the Town who came to do  
16 this. Kerry will give a brief  
17 presentation prior to opening the public  
18 hearing to explain the environmental  
19 review process.

20 I have Rebecca Seaman and Rick  
21 Wilhelm. They are co-chairs of the  
22 Comprehensive Plan Committee, which was  
23 responsible for the preparation of the  
24 Comprehensive Plan, as well as the draft  
25 of the zoning ordinance, as well as the

1 Proceedings 9  
2 subdivision law. Then I have Lindsey  
3 Carille from the Dutchess County  
4 Department of Planning who's here tonight  
5 who's the retained consultant by the  
6 Comprehensive Plan Committee to assist in  
7 the preparation of those particular  
8 documents.

9 So what I'd like to do is, in the  
10 first instance I'm going to have Lindsay  
11 give us an overview. We'll start at that  
12 end of the table and work our way back  
13 down here. And then we will be in a  
14 position to open the public hearing at  
15 that time.

16 BY MS. CARILLE:

17 Good evening. It's nice to see all of  
18 you here. I see a lot of familiar faces.  
19 You've probably have heard of lot of this  
20 already. As Scott said, I'm Lindsay  
21 Carille. I work with Dutchess County  
22 Department of Planning and Development.  
23 About three, over three years ago the  
24 Town Board convened a committee, a  
25 comprehensive plan committee, made up of

1 Proceedings 10  
2 various diverse group of people that were  
Page 8

3 within the town from all walks of life  
4 and they brought a lot of education and a  
5 lot of knowledge to this process.

6 The Town Board and the committee then  
7 hired the Dutchess County Planning and  
8 Development to be the consultants, and  
9 Heather LaVarnway and myself were lucky  
10 enough to be the two main consultants on  
11 this project. When I say the main  
12 consultants, they hired Dutchess County  
13 Planning. We were able to use every  
14 planner, including the commissioner of  
15 planning and development in this whole  
16 process.

17 Again, I'm going to repeat some of the  
18 background on this. We also brought in a  
19 lot of experts in a lot of different  
20 fields. We were lucky enough to be able  
21 to hire consultants, personal consultants  
22 for a water study. The Town did. And  
23 also for a traffic study. So we took all  
24 that information, the first thing we did  
25 was did a community survey.

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1 Proceedings 11

2 So we've had public input, input from  
3 the town board, from the zoning board,  
4 and the planning board, from all walks of  
5 the life. We also met every Thursday  
6 morning at 8 a.m. The public was

7 invited. As a matter of fact, when we  
8 stopped meeting it took me about two  
9 weeks to remember not to turn this way on  
10 Thursday morning. We did that for over  
11 two years and ended up meeting probably  
12 twice a week towards the end when we got  
13 into the zoning laws. So that's where we  
14 are today.

15 As Scott said, we're now in the SEQRA  
16 process. We've had the comp plan out for  
17 review. We've had the zoning laws out  
18 for review, the subdivision laid out for  
19 review, and we're now at the SEQRA  
20 process. It's been a long process and a  
21 lot of reading material for everybody to  
22 have, and I'm glad to see everybody here  
23 showing an interest in your town and  
24 what's going on with it. With that, I'll  
25 leave it. Thank you.

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2 BY MR. SUSCZYNSKI:

3 Thank you. Rebecca.

4 BY MS. SEAMAN:

5 I just wanted to address tonight one of  
6 the provisions that has received a great  
7 deal of scrutiny and discussion in the  
8 previous public hearings which we held,  
9 which was animal husbandry. And there  
10 was a great deal of input from the public

11 on that provision. And so over the  
12 course of the last few weeks, after the  
13 last two hearings, a group met with the  
14 town's CAC to offer up a redraft of that  
15 provision.

16 Just to recap, the original provision  
17 in animal husbandry was fairly  
18 restrictive. It defined how many animals  
19 and according to what size you could  
20 have, according to what acreage, and  
21 there were limitations, and then there  
22 are limitations on the handling of waste  
23 and pasturing of the animals. A lot of  
24 people in Pleasant Valley seemed to feel  
25 that was very restrictive. Much more

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1 Proceedings 13  
2 appropriate for a more suburban type of  
3 town or city and not for our town, which  
4 is still very rural in nature, and so a  
5 redraft was offered up. And I'll just  
6 hit the highlights. There are copies of  
7 it here. This is still a work in  
8 process, but I just wanted to bring it to  
9 the attention because of the volume of  
10 comments that had been received.

11 The redraft still establishes minimum  
12 lot sizes for large animals and small  
13 animals. However, there's a special use  
14 permit provision that if you are under

15 the minimum size established you can come  
16 before the ZBA to obtain a special use  
17 permit to engage in animal husbandry.  
18 The reason for that is that one acre is  
19 not always the same. Two acres are not  
20 always the same. If you're surrounded by  
21 neighbors and houses are very close  
22 together, it may not be appropriate to  
23 have a horse on one acre. If you have  
24 one acre that's surrounded totally by  
25 farmland, it maybe perfectly acceptable

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1 Proceedings 14  
2 to have a horse on one acre.  
3 And as I said, this is a work in  
4 process and the Town Board is still  
5 working on it. But the other provision  
6 of the redraft provides for proper  
7 housing and shelter and appropriate  
8 disposal of waste, but there's no longer  
9 any set number of animals defined. The  
10 feeling being that if you have your  
11 animals and you're taking care of them  
12 properly --- a lot of the comments were  
13 that we really don't want the zoning  
14 administrator having to come in and count  
15 animals if they're there and they're  
16 being properly cared for. And yet, we  
17 did need --- and Ed Feldweg had told the  
18 committee, we did need some provision to

19 allow for when people were maintaining  
20 animals and they were becoming a nuisance  
21 to their neighbors.

22 So, as I said, this is a section that  
23 will be redrafted. You're welcome to add  
24 your comments tonight and how you feel  
25 about limiting or not limiting the number

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1 Proceedings 15

2 of acreages. But the original draft did  
3 not provide for the special use permit  
4 section to allow for animals on minimal  
5 acreages.

6 BY MS. IVERS:

7 Hi again. I'm Kerry Ivers with Clark  
8 Patterson Lee. And my primary role here  
9 is to listen to and hear comments related  
10 to the environmental review associated  
11 with all three documents. The Town asked  
12 us to help them prepare a generic  
13 environmental impact statement to address  
14 the comprehensive plan, the proposed  
15 provisions to the subdivision regulations  
16 and to the zoning codes. We prepared  
17 that document, and it's a very broad  
18 document by definition to generic impacts  
19 recognizing that all three are policy and  
20 regulatory in nature, and there's not a  
21 specific development to respond to.

22 So we looked at the wide range of  
Page 13

23 impacts compared to what's currently on  
24 the books, so whether the proposed  
25 changes to the policy documents would

1 Proceedings 16

2 have a positive or negative impact on the  
3 environment and various aspects. So we  
4 looked at things like land use and  
5 zoning, air quality, water resources,  
6 plants and animals, infrastructure, and  
7 other items. And so the results of the  
8 findings by and large indicate that most  
9 of the changes proposed in the revision  
10 would have a positive impact on the  
11 environment because it's supporting  
12 controlled and well managed growth and  
13 development.

14 Obviously these documents have been on  
15 the website and available to the public.  
16 So any comments you have related to the  
17 environmental review, we would love to  
18 hear them, and I think that's it. Sorry,  
19 tonight's hearing we're obviously  
20 soliciting public input or public input  
21 on the environmental review.

22 The public comment period, 30-day  
23 public comment period is officially  
24 opened until October 19th, at which point  
25 all received comments will be collected

1 Proceedings 17  
2 and the final generic impact statement  
3 will be prepared in which all those  
4 comments will be responded to. Any  
5 identified mitigation will be identified  
6 as part of the final. And then if  
7 accepted, the Town would have a finding  
8 statement, and then the SEQRA portion of  
9 the environmental review would be  
10 satisfied and then the Town is, at that  
11 point, able to move ahead with adoption.  
12 BY MR. SUSCZYNSKI:  
13 Okay with that preview, I need a motion  
14 to open the meeting to the public.  
15 BY MR. HART:  
16 I'll second it.  
17 BY MR. SUSCZYNSKI:  
18 All in favor?  
19 BY THE MEMBERS:  
20 Aye.  
21 BY MR. SUSCZYNSKI:  
22 The meeting is now opened to the public.  
23 The way we're going to do it is we're  
24 going to call the name of the person as  
25 it appears on the list. I'm going to

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1 Proceedings 18  
2 call two names. I'm going to call first  
Page 15

3 John DeVecchio, and then Charles Ott.  
4 So we'll keep things flowing. So John  
5 ---

6 BY MR. DELVECCHIO:  
7 Mr. Supervisor, I respectfully decline at  
8 the present time.

9 BY MR. SUSCZYNSKI:  
10 Okay. Charles Ott and Esther Ottaway to  
11 follow.

12 BY MR. OTT:  
13 I'm not sure I'm on topic here. This is  
14 a noise ordinance. Charles Ott, 109  
15 Gretna Woods Road. I'll be brief. I'm  
16 following up on an appearance made before  
17 you last month by my wife. Business has  
18 taken her out of town and she's not  
19 available. However I'm here to make a  
20 plea for a formal noise ordinance to be  
21 implemented in this town to prevent  
22 excessive noise levels, to promote  
23 safety, enjoyment and hopefully for our  
24 citizens of Pleasant Valley, an ordinance  
25 that is at this time is somewhat lacking

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1 Proceedings 19  
2 and sorely necessary.

3 Again, I live up on Gretna Woods Road,  
4 and from late April to just about a week  
5 or two ago my family has been exposed to  
6 a continuous loud buzzing from a new pool

7 pump installed by my neighbor. A noise  
8 that starts seven days a week as early as  
9 6, 6:30 a.m. and runs nonstop until the  
10 late hours. Sometimes as late as 11 p.m.  
11 It was to the point we couldn't entertain  
12 folks in our backyard or go in our own  
13 pool without someone commenting on how  
14 loud the noise was and how in the world  
15 we ever tolerate it.

16 we had the building inspector over to  
17 come listen himself and he agreed to  
18 speak to the offending party. But we  
19 were told in the absence of a formal  
20 noise ordinance he was not able to take  
21 the issue any further, and any further  
22 action would have to be done on our part.  
23 Hence my appearance before you this  
24 evening.

25 My family and I have resided in this

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1 Proceedings 20  
2 home for 23 years. We love this town.  
3 We're law abiding, hardworking. We cause  
4 no problems whatsoever. And with the  
5 exception of my daughter burning dinner  
6 one Thanksgiving, we've never had any  
7 emergency services personnel in our home.  
8 Just to illustrate the difference to  
9 you between everyday background or  
10 intermittent noise and tonal noise,

11 background noise would be children  
12 screaming in the pool, a dog barking in  
13 the distance, horns honking. They come  
14 and they go. All fine and to a degree  
15 quite tolerable.

16 Tonal noise would be defined as loud,  
17 continuous noise such as a hum, hiss or a  
18 screech above acceptable decibel levels  
19 for a residential area. Ladies and  
20 gentleman, this is what we're  
21 experiencing up on Gretna Woods Road and  
22 why I appear before you this evening.

23 I have excerpts from a report I'd like  
24 to submit from a periodical entitled  
25 "Environmental Health, Volume 2." It's

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1 Proceedings 21  
2 somewhat dated, but it's quite palpable.  
3 In this article they specifically discuss  
4 the effects of noise, and they single out  
5 noise from power equipment. They note  
6 that the human ear is very sensitive to  
7 tonal noise. According to this article,  
8 and I quote "Our bodies are geared to  
9 increasing blood pressure and heart rate  
10 in the presence of sudden or high noise  
11 levels. This is an involuntary reaction  
12 and causes stress." This is not my  
13 opinion, folks. This is the experts.  
14 The article is summarized by saying,

15 again I quote directly, "There is nothing  
16 extraordinary about people becoming  
17 highly stressed by the presence, in their  
18 own home, of noise that's audible. This  
19 occurs when noise is unwanted,  
20 uncontrollable, and has unpleasant  
21 character and the home provides no refuge  
22 from it." Again, not my opinion, the  
23 experts. All the aforementioned  
24 categories I speak of are present in our  
25 situation.

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1 Proceedings 22

2 Tonal noise is utilized in some  
3 cultures, and in some cultures it has its  
4 purpose depending on what the particular  
5 view is on it. In some cultures it's  
6 used in conjunction with sleep  
7 deprivation and is considered torture,  
8 and in rare cases could lead to acoustic  
9 violence. Are these extreme examples,  
10 absolutely. But perhaps extreme examples  
11 must be used to illustrate the severity  
12 of this issue and the importance to enact  
13 the law in protecting our citizens, and  
14 allow them a right to exist in a quite,  
15 peaceful atmosphere in their own homes.

16 In closing, I trust our town hierarchy  
17 will take this matter seriously and enact  
18 on it. All is quite at the moment, but

19 100709cp.txt  
when the situation rears its ugly head  
20 again in April, rest assured it will be  
21 revisited promptly. I thank you for you  
22 time this evening.

23 BY MR. SUSCZYNSKI:  
24 Warren Wigsten would be next after  
25 Esther.

1 Proceedings 23

2 BY MS. OTTAWAY:  
3 I'm Esther Ottaway, 42 Kay Drive. We  
4 just received the draft that the  
5 committee has come up with. They say  
6 that it involves, it takes care of all  
7 the difficulty we had with the old one,  
8 but I find it just as difficult as the  
9 one that we had before. And I would like  
10 to submit my idea of what a good zoning  
11 law for animal husbandry would be.

12 The keeping, grazing, feeding, and  
13 care of animals other than household  
14 pets, in conjunction with a dwelling, and  
15 not in conjunction with a farm operation  
16 or kennel, animal husbandry shall conform  
17 to the following conditions:

18 The minimum lot size for keeping  
19 hoofed animals and large birds such as  
20 waterfowl, turkeys, pea fowl --- and we  
21 put roosters in there even though they're  
22 not always large, shall be two acres.

23 There are no lot restrictions for hens  
24 because of their role in eliminating  
25 disease bearing ticks.

1 Proceedings 24

2 Proper housing and shelter shall be  
3 provided for the animals as per standard  
4 practices for each type of animal.

5 Animals shall be confined to the  
6 owner's property.

7 Any area used as pasture shall be  
8 adequately fenced or secured to ensure  
9 confinement to the property in question.

10 Handling, storage, disposal or removal  
11 of all animal waste shall be done  
12 according to accepted best practices to  
13 ensure minimum impact on the environment  
14 and neighboring residences. Such animal  
15 waste shall be stored at least 100 feet  
16 from any wells or residences.

17 The Town of Pleasant Valley encourages  
18 the participation of its youth in 4H and  
19 Future Farmers of America (FFA) animal  
20 husbandry programs. To that end, the  
21 Zoning Administrator will make all  
22 practical accommodations of regulations  
23 98-19 where active 4H and FFA  
24 participation is involved.

25 My feeling about the animal husbandry

1 Proceedings 25  
2 rules is, the less, the better. The more  
3 details you get, the more arguments you  
4 have against it. And more --- it makes  
5 me feel as if the person or persons  
6 making up these rules has no idea that  
7 other people can be intelligent and make  
8 intelligent decisions about taking care  
9 of animals. And that's the way I feel  
10 about the ones that the committee is  
11 opposed. Thank you.

12 BY MR. VOLKMAN:  
13 Before we move on, Mr. Supervisor. Do  
14 you have a copy of that you can provide  
15 the clerk?

16 BY MR. SUSCZYNSKI:  
17 Fred Schaeffer with Asa Beckwith to  
18 follow.

19 BY MR. SCHAEFFER:  
20 Good evening. I'm Fred Schaeffer. I  
21 live on Creek Road. I've lived there 45  
22 years, and I was on the original zoning  
23 commission back in 1974 when we adopted  
24 what I think is still the zoning  
25 ordinance with a lot of changes since

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1 Proceedings 26  
2 then. And I've also been chairman of the  
3 planning board of Pleasant Valley,  
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4 chairman of the zoning commission and a  
5 town board member, and very active in the  
6 Lions Club, and town historian.

7 And I've tried to keep track of what's  
8 going on and I like the basic concept of  
9 the zoning, of the comprehensive plan.  
10 I'm especially interested in keeping the  
11 hamlet concept. I'm totally against  
12 moving the commercial area from the  
13 hamlet up towards Creek Road. I live on  
14 Creek Road. I do a lot of bicycling. I  
15 think the topography of that area, from  
16 the creek to Creek Road is not suitable  
17 for commercial development.

18 I think the watershed of the  
19 Wappingers Creek there does not lend  
20 itself to commercial development, and I  
21 think overall the hamlet concept has  
22 served us well, and I was a strong  
23 proponent of that back in 1974 and we  
24 resisted a lot of changes since then, and  
25 I'd like to resist any changes to it in

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1 Proceedings 27

2 the future. And thanks for your  
3 listening.

4 BY MR. SUSCZYNSKI:

5 Asa Beckwith.

6 BY MR. BECKWITH:

7 I was going to speak on the railroad

8 station.  
9 BY MR. SUSCZYNSKI:  
10 Okay. That's the first item on the  
11 workshop agenda. Richard walker.  
12 BY MR. WALKER:  
13 I respectfully decline. Thank you.  
14 BY MR. SUSCZYNSKI:  
15 Susan Mead, is that correct?  
16 BY MS. MACNISH:  
17 Susan MacNish. I respectfully decline.  
18 BY MR. SUSCZYNSKI:  
19 Next on the list is Rolando Ghedini.  
20 BY MR. GHEDINI:  
21 Rolando Ghedini, 37 Arbor Hill Drive.  
22 (Inaudible). The committee has done a  
23 very good job.  
24 BY MR. SUSCZYNSKI:  
25 Steven MacNish.

1 Proceedings 28  
2 BY MR. MACNISH:  
3 I respectfully decline. I didn't realize  
4 that was a thing to speak.  
5 BY MR. SUSCZYNSKI:  
6 Brian Letendre.  
7 BY MR. LETENDRE:  
8 Brian Letendre. I live at 1338 Route 44.  
9 I've lived here in Pleasant Valley for 38  
10 years and always had animals within that  
11 38 years. Then I got a violation for

12 having chickens in the premises of H2  
13 zoning district. Well, you know, you got  
14 all this stuff moving around me. The  
15 place is getting bigger and bigger, you  
16 know, across the creek from me, across  
17 the road from me. And the thing is I  
18 feel I was there first, and I should be  
19 grandfathered in. I think it's my legal  
20 right to be grandfathered in on these  
21 laws, you know, since I've been here 38  
22 years with these animals. Thank you.

23 BY MR. HART:

24 Can we see a copy of that, please?

25 BY MR. SUSCZYNSKI:

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1 Proceedings 29  
2 Jeff Cady and Lisa Milicai.  
3 BY MR. CADY:  
4 Jeff Cady, 1005 Netherwood Road. Just  
5 funny, I was happening to watch the news  
6 tonight out of Albany and our senator,  
7 Senator Gillibrand is going to the US  
8 Capitol, and what is she talking about,  
9 saving farms in New York State. And all  
10 the news tonight it states there's 36,000  
11 farms in New York State. Aren't they  
12 important to us? I mean, we need farms.  
13 we need kids to get interested in  
14 agriculture and --- I mean it's our God  
15 given right to raise animals. The other

16 thing that I have is you're talking about  
17 a special use permit for being  
18 grandfathered in. All right, a special  
19 use permit, all right.

20 BY MS. SEAMAN:

21 For acreage that is under the minimum  
22 required acreage. I just want to make  
23 that clear because whatever is presented  
24 would provide for that. If you have an  
25 acre, there's a statement in this draft

□

1 Proceedings 30

2 that the Board is working on that if you  
3 already have animals you're  
4 grandfathered. That's in the draft the  
5 Board is working on. The other statement  
6 about a special use permit is only for  
7 the acreages that is below the minimum.  
8 So if you're below two acres and you  
9 still want to have farm animals, you can  
10 do so, but it does ask you to come in for  
11 a special use permit just to make sure  
12 that it doesn't impact on your neighbors.

13 BY MR. CADY:

14 what if you go from horses to sheep, or  
15 horses to goats, or horses to beef cows,  
16 or beef cows to horses? I mean do you  
17 have to file for a permit every single  
18 time you change your animals?

19 BY MS. SEAMAN:

20 That would depend. If you come in for a  
21 special use permit and you're asking, it  
22 would be between you and the ZBA at that  
23 point if you're under two acres.

24 BY MR. CADY:

25 Okay. Thank you.

1 Proceedings 31

2 BY MR. SUSCZYNSKI:

3 I think it's Lisa, is it Milicai? It's  
4 either 1732 Main Street or 40 Barkit  
5 Kennel Road. So that's you, okay.

6 BY MS. MILICAI:

7 Lisa Milicai, 1732 Main Street, 40 Barkit  
8 Kennel Road. The GEIS report, where was  
9 it posted? On the website?

10 BY MS. CURLEE:

11 Posted on the website and available at  
12 the Town Hall, and at the library.

13 BY MS. MILICAI:

14 And on the website?

15 BY MS. CURLEE:

16 Yes.

17 BY MS. MILICAI:

18 I didn't see it. So I'll look again.  
19 Also, you said a water study was done.  
20 Is that available to the public? And  
21 water studies were done where? Just in  
22 the hamlets or periodically every few  
23 homes water was tested?

24

BY MR. CURLEE:

25

It was done by Russell Urban-Meade of

1

Proceedings

32

2

Chazen and it has been available. It has

3

been in the town hall and online.

4

5

(Multiple speakers at once.)

6

7

BY MS. MILICAI:

8

while they're looking I'll just ask my

9

next question. I don't want to go over

10

my three minutes was an economic impact

11

done as well, included with the SEQRA

12

review? Is that done simultaneously or

13

after the SEQRA review?

14

BY MS. IVERS:

15

If you look at the economic impact as

16

part of it, because of the broad nature

17

of the document, it's nearly impossible

18

to indicate what the economic impact

19

might be because there's so many

20

variations. So we concentrate more on

21

the change, the physical changes to the

22

land and the impact on things that we

23

maybe able to better anticipate like

24

traffic, noise, water, land use and

25

zoning.

1 Proceedings 33

2 BY MS. MILICAI:

3 And that's available online too?

4 BY MS. IVERS:

5 It's part of the environmental review.

6 So if you look at the GEIS you'll see it

7 in there.

8 BY MS. CARILLE:

9 Appendix S is the draft GEIS.

10 BY MS. MILICAI:

11 Also just one more question. I brought

12 this up several times before and I hate

13 when I repeat myself, but I guess these

14 questions weren't answered and like any

15 human would ask the same question --- I

16 brought this up that the zoning map

17 doesn't seem to match with the

18 comprehensive wording that says is where

19 the town hamlet is, and I think that's

20 definitely an administrative error and

21 when will that be addressed?

22 BY MR. VOLKMAN:

23 well, it's hard to respond --- you know

24 this a public hearing. If you have a

25 particular comment, you know, we will be

1 Proceedings 34

2 providing responses to those during the

3 SEQRA review process. If there is an

4 issue, we certainly will consider any  
5 inconsistencies between there, and there  
6 will be a final version of all these  
7 documents that will be adopted by the  
8 Town Board. So during our final review,  
9 we will check that from that, but if you  
10 have a particular comment, or there's  
11 something you're aware of that is  
12 inconsistent and you want to call it to  
13 our attention, we would appreciate  
14 written comments by October 19 so we can  
15 make sure we can respond to that  
16 properly.

17 BY MS. MILICAI:  
18 Okay. Thank you.

19 BY MR. SUSCZYNSKI:  
20 Quentin Johnson.

21 BY MR. JOHNSON:  
22 Quentin Johnson, 15 Eleanor Drive, Salt  
23 Point. I'm here on behalf of Netherwood  
24 Baptist Church. I just have a real  
25 simple question as to is there a

□

1 Proceedings 35  
2 tentative date for adoption? We have an  
3 application for a variance for our sign  
4 to be replaced and it's currently  
5 suspended until the adoption of the  
6 comprehensive plan. That's all.  
7 BY MR. SUSCZYNSKI:

8 That's all I have on my list unless  
9 there's more signing in.

10 BY MR. VOLKMAN:

11 Just a reminder if anyone else hasn't  
12 spoken and would like to speak we'd  
13 appreciate you signing on the list. Our  
14 supervisor will commence with that next  
15 page as soon as it becomes as available.

16 In answer to that question, the  
17 moratorium was extended to December 25th  
18 of this year. By December 25th of this  
19 year the intention is to have all of this  
20 adopted and in place prior to that time.  
21 The earliest date that we will be able to  
22 start to consider this with the exact  
23 days required to complete the SEQRA  
24 review process. And it will depend upon  
25 what additional changes may or may not be

□

1 Proceedings 36  
2 necessary. But the very first day that  
3 we would be able to look at that would be  
4 November 18th I believe.

5 We will, we could conceivably start to  
6 take action before that with some special  
7 meetings. The 18th is not a regular  
8 meeting night. If we're going to take  
9 any action, we'll schedule a special  
10 meeting, but it's unlikely that it will  
11 happen exactly on that night, if the

12 100709cp.txt  
first available date it happens.

13 So sometime between November 18th and  
14 December 25th the Board is desirous of  
15 having it as close to that date as  
16 possible. We do not want to see this go  
17 until the end of that deadline, December  
18 25th. So we will be looking to enact it  
19 sometime between the 18th of November and  
20 the 25th of December.

21 Hopefully by the end of November, but  
22 we'll have to see how we respond to these  
23 comments and what additional changes are  
24 necessary, and we'll try to keep this  
25 process moving as quick as possible to

1 Proceedings 37

2 accommodate those deadlines.

3 BY MR. SUSCZYNSKI:

4 Lisa Sarin?

5 BY MS. SAVINO:

6 Lisa Savino, 12 Pleasantview Road. I'll  
7 make this very brief and short. You  
8 might have heard my complaint before.  
9 We're on the corner of 44, and seeing  
10 that we're still being rezoned from the  
11 C1 zoning to low density residential  
12 area. We are surrounded, once again, by  
13 commercial use or by commercial property.  
14 I'm not real sure, but I'm kind of  
15 thinking that we're looking at a spot

16 zoning. I don't know how you can make a  
17 property and make it residential when it  
18 is surrounded by commercial property. I  
19 just want to have on record that I'm  
20 opposing this.

21 My property values will go down, which  
22 is just for whatever reason, I'm not  
23 quite sure why it would be turned over  
24 from commercial to residential, and I  
25 haven't really gotten an explanation for

0

1 Proceedings 38

2 it. We're on the corner of 44, so  
3 whatever my property would become, which  
4 is also already restricted by deeds, it's  
5 not going to change the traffic patterns  
6 over there. So I'm not quite sure why it  
7 would be changed and who would want to  
8 change it. We're not in a hamlet.

9 Mr. Redl's property, which is across  
10 the street from us, I believe was set  
11 back to --- so it's still commercial and  
12 industrial, which they were going to  
13 change, but his property has not been  
14 changed and we're right across the street  
15 from him. So I'm really not quite sure  
16 why it hasn't been looked at and why we  
17 don't have answers. But we would  
18 definitely would like to find out why and  
19 what the explanation of it is. Thank

20

you.

21

BY MR. SUSCZYNSKI:

22

Thank you. Linda Schwarz.

23

BY MS. SCHWARZ:

24

Hi everybody. My name is Linda Schwarz.

25

I want you to know that each and everyone

]

1

Proceedings

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2

of you are part of our town and I value

3

that. I know your faces, even if I don't

4

know your names. I want you to know that

5

I want you to look at this very carefully

6

and do as little as possible to impact

7

our community. I grew up in Rockland

8

County. I don't like to go there

9

anymore. I don't know if anybody else

10

has been there, but it really is not a

11

place that you feel like you want to kick

12

your shoes off and enjoy the outside. I

13

can go up the road and enjoy a beautiful

14

vista of Simon Farms. I know the people

15

that lived there before these people. I

16

know the farmers who lived there before

17

them. I've heard people say tonight that

18

they, it's their God given right. What

19

they're saying to you is this is my home.

20

This is my community. Take care when you

21

make a rule about it and that's what I'm

22

asking you here, okay. Maybe people say

23

it in different ways, but take care of

100709cp.txt  
24 what rules you establish. Do less.  
25 Regulate less. We have a lot of

1 Proceedings 40

2 regulation in our lives and I would urge  
3 you to consider that before you set rules  
4 on how close and that kind of thing.

5 I really don't like the idea of  
6 somebody being able to come on and count  
7 my chickens. You know, I might be naked  
8 in my backyard and I might not like that.  
9 I'm making a joke. But I want you to  
10 really be careful when you make a rule  
11 like that, okay. I also hear people  
12 saying, you know, what if we switch from  
13 goats to horses. What we're talking  
14 about is people might have to diversify  
15 to survive. That's what we're talking  
16 about, okay. Be really careful. That's  
17 what I'm asking for.

18 BY MR. SUSCZYNSKI:

19 Thank you. That's all I have on the list  
20 of speakers.

21 BY MR. VOLKMAN:

22 Is there anyone else that would like to  
23 speak who hasn't had the opportunity  
24 tonight? That hasn't already spoken. Is  
25 it a new comment? Identify yourself for

2 the record again.

3 BY MR. LETENDRE:

4 I'm Brian Letendre, 1338, and I just was  
5 wondering if, like, I'm under an acre, if  
6 I'm going to have get to rid of my  
7 chickens or what, if Pleasant Valley  
8 wants --- do I have to get rid of them?

9 BY MS. SEAMAN:

10 No. You're grandfathered. You already  
11 had your chickens.

12 BY MR. LETENDRE:

13 Okay. Thank you.

14 BY MR. SUSCZYNSKI:

15 I make a motion that we formally close  
16 the public hearing.

17 BY MS. CURLEE:

18 I second it.

19 BY MR. SUSCZYNSKI:

20 All in favor.

21 BY THE BOARD MEMBERS:

22 Aye.

23 BY MR. VOLKMAN:

24 The public comment, the written comment  
25 period will expire on October 19th. So

□

2 we're willing to take your comments and  
3 anyone else's comments up until that  
4 time. A notice that was posted and

5 published has a date in it and we will  
6 take those comments until then. After  
7 the end of that 30 day comment period,  
8 Kerry and Clark Patterson Lee will start  
9 to prepare the final narrative  
10 environmental impact statement.

11 when they complete that, it will come  
12 back to the Board and the Board will then  
13 accept it as complete. There are some  
14 postings and application requirements  
15 that go along with that, and then  
16 ultimately the Town Board would have to  
17 adopt findings associated with that, and  
18 then we will be in a position to adopt  
19 our local laws.

20 while Kerry is working on the final  
21 generic environmental impact statement,  
22 we as a Town Board, myself, the  
23 comprehensive plan committee and Dutchess  
24 County Planning will consider changes,  
25 whatever maybe deemed necessary by the

□

1 Proceedings 43

2 Board to those various documents.

3 So we will have revised versions of  
4 those prior to the time that we can enact  
5 those. And any of those changes will  
6 have to be considered as part of the  
7 final generic environmental impact  
8 statement. I don't want to make changes

9 there that were not part of this whole  
10 process or have different environmental  
11 impacts then when we started a year or  
12 so. So we've got to make sure the final  
13 generic environmental impact statement  
14 covers those impacts as well.

15 So once we get through that, we will  
16 be able to adopt, once we adopt the final  
17 statements we could conceivably adopt the  
18 local laws that very same night. So  
19 again, by statutory timeframes, New York  
20 statutory timeframes, we're looking at  
21 November 18th as the earliest possible  
22 date.

23 I have to expect there will be some  
24 changes that we will be considering and  
25 with the holiday, with Thanksgiving in

□

1 Proceedings 44  
2 the middle of that, the 18th may not  
3 really be a valid date. So we may end up  
4 actually doing this at the end of the  
5 month or the very beginning of December.  
6 By December, the latest, we'll be a  
7 position to enact our findings and adopt  
8 them. If the Board has any substantive,  
9 substantial changes that we're going to  
10 have to consider then that may impact  
11 upon that timeframe.

12 BY MR. HART:

13 Scott, just to be clear, those written  
14 comments that we will be accepting should  
15 be directed to the town clerk's office so  
16 they're made as part of a formal record.

17 BY MR. VOLKMAN:

18 Right. All those records will then be  
19 provided to the consultants and they will  
20 be considered and responded to  
21 accordingly, and made part of the record  
22 for anyone to consider and review as  
23 well.

24 BY MR. SUSCZYNSKI:

25 Motion to take a five-minute recess prior

□

1 Proceedings 45

2 to starting the regular workshop.

3 BY MS. CURLEE:

4 I second it.

5 BY MR. SUSCZYNSKI:

6 All in favor?

7 BY THE BOARD MEMBERS:

8 Aye.

9

10

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18  
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21  
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23  
24  
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□

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46

2 STATE OF NEW YORK }  
3 COUNTY OF DUTCHESS } SS:

4

5 I, DEMETRIA SCHMIDT, a stenotype reporter and  
6 Notary Public within and for the State of New York, do  
7 hereby certify that the foregoing is a true and correct  
8 transcript of the minutes recorded by me and reduced to  
9 typewriting under my supervision to the best of my  
10 knowledge and ability.

11

12

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15

16

X\_\_\_\_\_

17

DEMETRIA SCHMIDT

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