

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

STATE OF NEW YORK COUNTY OF DUTCHESS

TOWN OF PLEASANT VALLEY

COMPREHENSIVE PLAN - DEIS

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.
(845)471-2511

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2 100709cp.txt
TOWN BOARD MEMBERS

3
4 Frank Susczynski - Supervisor
Jean Curlee - Deputy Supervisor
Christopher Hart - Councilman
5 Steve Albrecht- Councilman
6 Don Sagliano - Councilman

7 Scott L. Volkman, Esq.
8 GELLERT & KLEIN, P.C.
Attorneys for the Town of Pleasant Valley
9 75 Washington Street
Poughkeepsie, New York 12601

10
11 ALSO PRESENT

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

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1 Proceedings 3
2 BY MR. SUSCZYNSKI:
3 Before we get started with the public
4 hearing there are a couple of rules of
5 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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2 With that, I will, we have an
3 affidavit of posting. Debbie Bjorkman,
4 elected Town Clerk for the Town of
5 Pleasant Valley, Dutchess County, New
6 York hereby certified a notice regarding
7 a public hearing pertaining to a proposed
8 new Comprehensive Plan, a proposed new
9 Zoning Local Law and Zoning Map, and
10 proposed Subdivision Local Law to be held
11 on the 7th day of October 2009. This was
12 posted on the side board in the entrance
13 of my office on the 23rd day of September

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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
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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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1 Proceedings 12

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

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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
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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.

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

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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.

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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.

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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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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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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
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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

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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.

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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

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Proceedings

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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

39

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

11

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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

13

14

15

16

X_____

17

DEMETRIA SCHMIDT

18

19

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