

STATE OF NEW YORK
TOWN OF GREENBURGH

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Public Hearings Before The Town Board
of Greenburgh, New York, in Connection
with Various Applications in Relation to
the Town Ordinance of the Town of
Greenburgh.

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January 13, 2016

Greenburgh Town Hall
177 Hillside Avenue
Greenburgh, New York

BOARD MEMBERS:

Supervisor Paul Feiner
Councilwoman Diana Juettner
Councilman Francis X. Sheehan
Councilman Ken Jones (Not Present)
Councilman Kevin Morgan

STAFF MEMBERS:

Town Attorney Timothy W. Lewis
Town Clerk Judith A. Beville

TRANSCRIBED BY: Lori Ann Sacco
Official Court Reporter

COUNCILMAN SHEEHAN: Kevin, just a moment. Just to speed things along, there is a pad that's going around, and we're going to snake it through the aisles. If you would like to speak on the public hearing tonight, what we have been calling the scoping session, please --

AUDIENCE MEMBERS: We can't hear you.

COUNCILMAN SHEEHAN: The microphone is on. How is this?

AUDIENCE MEMBERS: Yes.

COUNCILMAN SHEEHAN: All right. Now I've got to hold this thing. So, the pad is snaking its way and then we'll snake it this way. It has your name, your address and then do you want to speak for one minute or for five minutes. If you want to speak for one minute, we're calling that the lightning round, you will get to speak first.

TOWN CLERK BEVILLE: Ladies and gentlemen, can you hear this voice?

COUNCILMAN SHEEHAN: Can you hear in the back?

TOWN CLERK BEVILLE: Councilman Sheehan is explaining the process, the procedure for this evening. Francis, use this mike.

COUNCILMAN SHEEHAN: I go down to it. All right. So, on the signup sheet, normally we have individual signup sheets for everybody. If we ask you to come up, anyone who wants to speak, I assume we're going to have a crowd that goes around six or seven people team all throughout the dais. So, we're using this method, which we don't normally use, but I think it will work tonight. We're going to snake it through the rows.

If you want to speak, put your

name, address and do you want to speak for one minute or for five minutes. We'll be calling up anyone who says one minute first. You'll get to speak after we have our consultant and our Commissioner of Community Development and Conservation and the applicant, if the applicant wants to say anything, speak and present the project.

We're then going to hear from representatives from the school district, any elected officials from the village or any other municipality. Then we will have you speak.

It may be that what you hear the school district president say or mayor say, you can simply get up and state your name at the microphone and say I agree. Right. And if that's the case, and you have nothing else to add, that would be great and you can do it in one minute. If you have more to add, then say five minutes -- And you can change later if you want to. If we call you and you say no, I now want to speak for five minutes, that's okay too. That's the process.

So, if you could keep the pad going so it's not sitting in your lap because you hear something interesting you forget to pass it. So, we want to give everybody who wants an opportunity to speak. We'll also tell you in advance, we are going to be continuing this scoping session on February 10th. We were going to do it on January --

UNIDENTIFIED SPEAKER: Use the microphone. We can't hear you back here.

COUNCILMAN SHEEHAN: There is nothing more I can do.

TOWN CLERK BEVILLE: Speak into the microphone, Francis.

COUNCILMAN SHEEHAN: How can

I not be speaking into the microphone?

TOWN CLERK BEVILLE: Testing.
Testing. Can you hear this voice?

AUDIENCE MEMBERS: Yes. No.

TOWN CLERK BEVILLE: Speak
into the mike.

COUNCILMAN SHEEHAN: Judith,
here is the microphone. I'm speaking into
the microphone.

Let me try this. So what
we're going to do is because we have
another public hearing on January 27, we
don't want to mix this hearing with that
meeting. So, we want to get basically a
clean slate. So we're going to do it on
February 10. So, we're telling you that in
advance.

So, if for -- you know, many
people are speaking and you don't feel like
you can stay or whatever reason or maybe
you didn't get a parking spot or maybe, you
know, whatever reason, there will be
another opportunity on February 10 to
provide your comments. And so we just
wanted to put that out there in advance so
you don't get frustrated as I'm not going
to get an opportunity to speak.

We want to hear your comments.
That's why we're here. We call it a
scoping session for a reason. We want to
scope out the project. We want to hear
what you have to say about it. And in
particular, anything that may have been
missed in the scoping document.

So, as we continue with the
beginning of our meeting, because we have a
police officer who is going to be sworn in,
as we continue with that process, if you
could continue to sign up. When we get to
the scoping session, it will work a lot
better. Maybe, hopefully, the microphones
will too. Thank you.

(Whereupon other items on the agenda were held.)

SUPERVISOR FEINER: So, we're now going to open up the public hearing. I would like to move that we open up the hearing to consider a Draft Scoping Document related to a Draft Environmental Impact Statement that will be prepared by --

AUDIENCE MEMBERS: We can't hear you.

SUPERVISOR FEINER: I move that we consider a Draft Scoping Document related to a Draft Environmental Impact Statement that will be prepared by JPI/TDI companies for the site plan and related applications at 2 Lawrence Street, PO Ardsley.

COUNCILMAN MORGAN: Second.

SUPERVISOR FEINER: I move that we open the hearing.

COUNCILMAN MORGAN: Second.

COUNCILWOMAN JUETTNER: We're opening up the hearing.

COUNCILMAN MORGAN: Go ahead, Garrett.

TOWN CLERK BEVILLE: Garrett, before you begin, I'm just going to ask our cable director, and I think he has just done that, to turn up the mikes on the dais. The microphone that anyone will be speaking from is on and it's very high. Can you hear me now?

AUDIENCE MEMBERS: Yes.

TOWN CLERK BEVILLE: Okay. He has turned up the mikes. Thank you for your feedback.

COUNCILMAN SHEEHAN: Pardon

the pun.

COUNCILMAN MORGAN: Go ahead, Garrett.

MR. DUQUESNE: Good evening, Supervisor Feiner and members of the Town Board. For the record, Garrett Duquesne, Commissioner of the Department of Community Development and Conservation.

The applicant, JPI/TDI Companies proposes a 272 unit multi-family residential building on a 10.7 acre site, in the General Industrial District at 2 Lawrence Street, Ardsley, in the unincorporated portion of the Town of Greenburgh.

I'm going to focus my comments on the process associated with this application, which entails the scoping session which is being held this evening.

But first, for those who are not familiar with this type of process and application, which will involve an Environmental Impact Statement, I want to note that there is no vote for or against the project this evening, or at the next meeting, or prior to the conclusion of the environmental review process, which will take many months at a minimum. I also want to note that this scoping session, which functions like a public hearing, is not the last type of meeting where the public will have an opportunity to participate. There are numerous points in the environmental review process and application review process where additional public hearings will be held. Those public hearings will be held by the Town of Greenburgh Town Board, Planning Board of Appeals and the Planning Board.

The purpose of the environmental review process, which is separate but complements the actual application review process for the project, is to ensure that the Town of Greenburgh

Town Board, Zoning Board of Appeals and Planning Board have all the information necessary to evaluate the project, as well as to have a series of alternatives to evaluate as part of the project review.

The environmental review process is prescribed thru the New York State Department of Environmental Conservation as part of the SEQRA process. Every aspect of that process will be followed for this project review.

Because the Town Board of the Town of Greenburgh is the lead agency for this environmental review, it has identified that the project, as proposed, may have multiple significant adverse impacts, the applicant will be required to prepare and submit what is known as an Environmental Impact Statement or EIS for short. The Environmental Impact Statement will analyze the full range of potential significant adverse environmental impacts (such as traffic, stormwater/flooding, school impacts, et cetera) and how those impacts can be avoided or minimized.

A draft of the Environmental Impact has not yet been submitted by the applicant. The reason for this is that a scoping document must first be finalized. The scoping document has been submitted as a draft and is the subject of tonight's hearing. The scoping document can be thought of as a very detailed table of contents for the forthcoming Environmental Impact Statement. The draft scoping document was reviewed very carefully by Ferrandino and Associates, Inc., who I will introduce in a few moments. Ferrandino and Associates, Inc. and their team are the planning consultants chosen by the Town Board to assist the Town in its review of every aspect of this project.

The scoping session tonight is an opportunity for the Town Board, as lead agency in the environmental review, to hear public comments as to whether the scoping

document should, in any way, be supplemented. Written comments have already been submitted by many, and each of those comments will be analyzed to determine in what way they can improve the draft scoping document. Tonight is an extension of that process. So, I look forward to hearing comments from the public.

At this point I would like to introduce Vince Ferrandino, who will expand on his team's role in the process and then we will hear a brief presentation from the applicant tonight.

MR. FERRANDINO: Thank you, Garrett. Good evening everyone, Supervisor Feiner, members of the Town Board, members of the public. As Garrett indicated, I am Vince Ferrandino, principal of Ferrandino and Associates. We are right here, in the Town of Greenburgh, actually in Elmsford, down the road, 119 in the Village of Elmsford.

We have been retained by the Town as consultants. And our job actually is to make sure all the rules are followed with respect to the environmental review, and it is thoroughly complete and all impacts disclosed and any mitigation measures identified.

Just to give you some background with my previous experience in the Town. We were involved in the very controversial Avalon Green, 119. We also have been involved with the SEQRA review for the Greenburgh Health Center. We have been advisors of the Town Board for all the planning -- (inaudible).

UNIDENTIFIED SPEAKER: Is the microphone on?

MR. FERRANDINO: Yes, it is. With respect to the experience that we have, we have various experiences with the Town. Just very quickly. My previous

background was a planning director for several municipalities in New York State. And also --

UNIDENTIFIED SPEAKER: Use the mike.

MR. FERRANDINO: Being that we have identified basically our services to the Town and to the public, as you know, this proposal is full capacity. It includes issues with traffic, parking, land use, zoning, visual impacts, environmental impacts, et cetera, et cetera. So, what I thought --

UNIDENTIFIED SPEAKER: We can't hear you.

COUNCILMAN MORGAN: Vince, into the mike.

TOWN CLERK BEVILLE: Excuse me, ladies and gentlemen. We're asking the podium mike to be turned up.

COUNCILMAN MORGAN: Face up.

UNIDENTIFIED SPEAKER: Speak into the microphone.

COUNCILMAN MORGAN: Vince, face up. Just face the Board.

MR. FERRANDINO: Face the Board. Again, there are two specialty firms that will be working along with us, Diverkin, Bartilucci based in White Plains and Long Island. Rob DiGeorgio is a senior vice president with Diverkin, Bartilucci. Rob (gesturing). Stephen Tilly of Stephen Tilly Architects based in Dobbs Ferry will be addressing visual as well as design aspects. Steve Tilly (gesturing). And my firm as lead consultant will be addressing land use, zoning, traffic, parking and fiscal impacts.

As Garrett indicated, the purpose --

UNIDENTIFIED SPEAKER: How about school?

MR. FERRANDINO: Schools is included as part of fiscal economic impacts. So, that will be thoroughly covered.

Let me finish the presentation and then you can have the Board ask questions or whatever you would like to do. We have a long evening to get through this evening. So, I think everyone has to be a little bit patient, because I know everyone wants to speak. There are very technical aspects of this proposal that I think you need to listen to this evening, and a presentation will be made by the consultants.

But again the purpose of this evening is not necessarily to say I love this project or I hate this project. The purpose is to inform the scoping document that has been on the Town website for several weeks. It's now a 18 page, single spaced scoping document, which as Garrett indicated, serves as a table of contents if you will, for the voluminous Environmental Impact Statement that's going to be prepared.

So, basically what we would like you to do this evening, if you can, as Paul indicated, very quickly voice your opinion. That's not going to inform the process, because there is a whole process to follow at several other public hearings. The purpose of tonight is to analyze the draft scoping document that has been put together by the applicant team and our team and to make additional comments on what you think perhaps should be added to that, if necessary, or to be clarified.

Once that is done, and that scoping document is adopted by the Town Board somewhere down the road, after the second public hearing, then there is something called a Draft Environmental

Impact Statement will be prepared by the applicant and will be the subject of public hearings and more thorough review.

So basically that is really what the purpose of tonight's meeting is. And again the scoping document has been out there for several weeks. Hopefully you've had an opportunity to review it on the website. I believe there are hard copies available to anyone who would like to see it at Town Hall and at the Library. Again, this process will be continuing, as the supervisor indicated. This hearing will not be closed this evening. It will be extended at least until February 10th, when there will be additional opportunity for public comment. And then perhaps following that, if it's not closed at that particular point, it will be continued and then there will be an opportunity following whenever the hearing is closed, minimum of ten days, for public comment in writing.

You can submit written comments this evening. You can submit your verbal comments this evening. It's being transcribed. All of your comments will be reflected. And at some point a scoping document will be adopted by the Town Board.

At this point, unless the Board has any questions, I think we should turn it over to the applicant and have them make a brief presentation. Thank you.

COUNCILMAN MORGAN: Just speak as close as you can and to us.

MR. PEARSON: Good evening. Richard Pearson with JMC. We are representing the applicant. I'm a principal with the firm. I'm a professional engineer and a professional traffic operations engineer. Our firm is the lead consultant for the applicant's involvement with the preparation of the DEIS. We are also involved with preparing the site plans and the civil and traffic engineering and the landscaping

architecture.

This plan was prepared by our office. It shows the site under proposed conditions. And for reference, the site is located east of the Saw Mill River Parkway, west of Route 9A and on the north side of Lawrence Street.

I know there is a lot of public that wants to speak tonight, so I'll just be very brief regarding the DEIS as mentioned by Garrett and Vince. There is a very thorough scoping document that's already been developed based on coordination between our office and -- and Vince and Garrett. It's 18 pages long and it covers the following categories. Land use and zoning. Soils topography and geology. Vegetation and wildlife. Stormwater management, including flooding along the Saw Mill River. Utilities. Traffic and parking. Noise and lighting. Visual aesthetic neighborhood character. Socioeconomic resources. Resident health and safety and emergency response. Community facilities and services, including schools. Construction, hazardous materials and alternatives. And that's just a simple overview, and we'll leave it to the public.

SUPERVISOR FEINER: I just had, you know -- you know a couple things I just wanted to make sure would be including in the scoping document and study during the process. And I want to mention that it's very important for people in the audience to realize that as Town Board members, we're required by New York State law to have a public hearing and to do our due diligence in terms of analyzing the project. We would be -- We cannot say yes or no before we do the due diligence, otherwise a court will make the decision, you know, for us. And if a court finds that we're not acting appropriately, we will lose the ability, having conditions and mitigations.

So, it's very, very important that all the Board members keep an open mind, have an honest and fair review during -- during this process. And, you know, the goal today -- tonight is not for people to say oh, I hate this project or I like the project, but basically take issues to be studied during this lengthy, you know, review process.

Just to start it off, what I would like to see studied would be if this project is approved in its entirety or in a modified version, I think we should study the costs, benefits and negatives of requiring a northbound entrance to the New York thruway. I would like to see us study the costs and benefits, negatives of widening of both Lawrence Street and Saw Mill River Road to include turning lanes as appropriate from Lawrence Street to the entrance of the thruway. I believe that the entire length of the Saw Mill River Road from Jackson Avenue to Ardsley downtown would have to be widened to address some of the parking concerns.

I would like a study of construction of sidewalks and bike lanes on both Lawrence and Saw Mill River Road from Jackson to downtown Ardsley to promote safe pedestrian bicycling.

A study of the possibility of construction of an overpass from Lawrence Street westbound to Saw Mill River Parkway southbound. As it is, the light is problematic, prone to backup and causes symptomatic delays.

I would like to study all the school, you know, concerns that residents have. Whether or not the Ardsley School District will be able to handle the additional, you know, students and some of the special needs students, and how that is going to impact their budget.

I would like a study of construction of additional parking in

downtown Ardsley to address the shortage of parking in the Business District. I personally feel that all additional parking should be paid for by the developer, if the project is approved, because almost 300 new apartments will definitely increase parking problems. Right now there should be a study on existing parking problems in downtown Ardsley, because there is a significant problem in getting parking.

Another problem that needs to be studied is the lack of parking for Ardsley residents in terms of the train stations. Residents of Ardsley currently can't get parking at area train stations. So, there should be a study of construction of additional parking in area train stations to address commuter parking problems.

A requirement that frequent shuttle service be provided to train stations in downtown Ardsley should also be studied.

We also need a study to analyze the ability of first responders to come to the assistance of those with emergency medical needs if the Saw Mill River Parkway is closed. Sometimes there is flooding on the parkway, and if you have a traffic backup and somebody, God forbid, has a heart attack or there is an accident, will our first responders be able to get people to the hospital or get people the medical attention, you know, they need.

So, you know, those are some of the concerns. I know -- I did reach out to the New York State Department of Environmental Conservation. I have a letter dated December 30th. They indicated that they do not have any estimated cleanup costs for the site. And, you know, I did get an e-mail from some people, and they were concerned about the health impact, if there are residents who are going to be moving into a site that was formally contaminated. So, I would like a study on

that.

So, those are all my -- some of the questions that, you know, I have. And now I guess we could open it up.

COUNCILWOMAN JUETTNER: I just want to add one additional question.

UNIDENTIFIED SPEAKER: We can't hear you.

COUNCILWOMAN JUETTNER: I want to add one additional question. It relates to the northbound lane on the Saw Mill Parkway. The right-hand turn lane has been removed, and I -- I would like that to be looked at, because I believe that's -- that's an accident waiting to happen. You cannot make the turn. And when the bridge project starts on the Ashford Avenue bridge, there are going to be a lot of right-hand turns there, because there is going to be no other way to get off the parkway.

SUPERVISOR FEINER: And now we'll ask Mayor Porcino and Joanne Sold of the school district, all three.

COUNCILMAN MORGAN: Let the mayor go first.

SUPERVISOR FEINER: Okay. So if you want to start, and then, mayor, and then we'll do the public comments.

MS. SOLD: We'll try to talk loud.

TOWN CLERK BEVILLE: Joanne, before you start, we're going to ask our cable director to bring down the screen and project the image.

MS. SOLD: Thank you. It's a little hard to see.

UNIDENTIFIED SPEAKER: Excuse me.

TOWN CLERK BEVILLE: The top lights. Thank you. All right.

MS. SOLD: Okay. So good evening everyone. My name is Joanne Sold.

MR. HOLT: I'm George Holt.

MS. SOLD: I'm the president of the school board this year. George and I are the school district representatives on the long range planning facilities and development subcommittee.

We're here to speak about the impacts of the proposed development on the school district. While there are many issues with the proposal, our focus, as Board of Education representatives, will be solely on the schools.

And just for your information, what we have prepared up there is a map of the school district boundaries showing all the new proposed and approved developments currently. You can't quite see the key, because the key on the right-hand side, maybe if George could push it a little bit to the left, shows you the number of units that are being proposed in each municipality and the total, including Jefferson Village, would be over 600 residential units in the Ardsley School District.

While we understand this meeting concerns a scoping document for the Draft Environmental Impact Statement and that this is the beginning of the process, we strongly believe that this is the wrong place and time for a development of this nature and that it will have a significant adverse impact on our schools. We believe there will be ample justification to support this finding and for the Town Board to deny this action and issue a negative finding statement.

We would urge the project applicant to withdraw its application and

either propose a project suitable for the existing general industrial zoning for this parcel or at a minimum wait until such time as the more than 330 apartments, condominiums and single family homes that have already been approved are complete and fully occupied. As it is our position that no Environmental Impact Statement can be complete without including the actual impact of these developments on our schools.

We have to thank our community for responding to our call to -- our SOS to support our schools, thank you, for attending tonight and for what we know will be your continued support.

MR. HOLT: Regarding the scoping document, the following information must be included in the scoping document and addressed in the DEIS.

A, enrollment projections. The DEIS must include the cumulative impact of all proposed and approved developments in addition to the Jefferson development. The applicant cannot use a national formula or standard that does not account for regional and local differences, including -- including the desirability of the Ardsley School District.

In our suburban communities, the primary reason people move into a community is for the schools. The applicant must use a locally based standard that takes into account the following information and data to project increase enrollment from the current and proposed developments.

One. Enrollment projections in the Environmental Impact Statements compared to actual enrollment data for existing developments in the Ardsley School District. For example, the Environmental Impact Statement for Bolder Ridge projected 27 students. They currently have 128 students enrolled in our schools from that

development. Similarly Ardsley Chase, a recently completed development, projected an enrollment of 21 students based on 25 homes. The development has 24 homes, 23 of which are occupied, and there are currently 23 school age children, and we believe there are an additional 19 preschool age children in the development.

Two. The Ardsley School District does not have multi-family rental apartment buildings. As you are aware, there are two currently under construction, which will add 268 rental apartments, one, two and three bedrooms, some with dens. Accordingly we do not have comparables in the district, which we believe strongly supports the need to wait until these developments are complete and fully occupied before any action is taken on this proposal. We do not believe projections added to additional projections satisfy the SEQRA requirements. However, if other communities with multi-family rental buildings are to be considered, they must be comparable, high achieving school districts and similar communities. Avalon Green in Elmsford or rentals in Mamaroneck are not appropriate comparables. The applicant must use multi-family rental buildings in the Edgemont, Irvington or Scarsdale school districts.

In addition, the applicant must use information from realtors in the community to ascertain the number and frequency of requests for rentals in the Ardsley School District.

Three. Cost of owning versus renting. We believe that it will be less costly to rent an apartment than purchase a home in the school district, and this will increase the projected enrollment of school age children. The applicant must do a cost comparison of renting versus owning. This would be the cost of purchasing an average home, including a down payment, mortgage, real estate taxes and maintenance of a home.

MS. SOLD: B, expenses. The DEIS must include the following additional expenses the school district will incur due to the impact of the cumulative increase enrollment in the school district.

One, staff. The applicant needs to understand that current total enrollment is irrelevant in this analysis. The analysis must be based on current space utilization, class size and our class size policy. When the economy took a downturn and our state aid was reduced, we reduced the number of classes and staff and increased class size. Many of our classes are at full capacity, and any additional students will necessitate adding classes. On the elementary level, this means classroom space, equipment and supplies, a teacher and an additional staff for music, art, science and physical education. A similar analysis must be done for middle and high schools as well.

Bussing. Our bussing needs are currently determined by our elementary school population. Our buses are filled to capacity. Any increase in enrollment will result in additional bussing costs. These costs must be included in the DEIS.

Three, building capacity. Increase enrollment may result in the need for additional building. We are genuinely concerned that the cumulative affect of already proposed and approved projects and the a decision of this project will result in overcrowding of our schools and will necessitate the need to build. Needless to say, this will have an enormous adverse financial impact on our school district community. Moreover, any construction project will require the vote of the community. The scoping document must include an analysis of the feasibility and cost of this construction.

MR. HOLT: C, revenues. The applicant must estimate revenues to be generated from the project for the school

district based on the following.

One, the tax levy cap. The applicant needs to adjust its revenue projections to conform with what is allowable under the tax levy cap formula. For purposes of our tax levy, it no longer matters what the real estate taxes are projected to be, as the tax levy cap only allows the use of a growth factor to calculate the amount of additional monies that may be levied due to new developments. It is our understanding that this growth factor will result in substantially less allowable tax levy revenue than projected by the applicant.

The applicant must include the impact of decreased revenue, tax revenue will have on our ability to cover the educational costs associated with increased enrollment. In addition, the DEIS must include the likelihood of successfully overriding the tax levy cap, if needed, to cover the additional educational costs. The DEIS must also include the impact of successful override on the tax freeze credit or any other state incentives provided to our taxpayers when the school district stays within the allowable tax levy cap. Finally, the DEIS must include the reductions that will be necessary if an override is unsuccessful.

Two, tax certiorari. The applicant must include the impact of a tax certiorari proceeding. It has been our experience that every new development will bring this proceeding within a relatively short time after completion and will be successful. The applicant must include all alternative evaluations that may be employed and how this will affect future tax revenues for the school district. In addition, the applicant should also include projected tax refunds that will be associated with a tax certiorari proceeding.

MS. SOLD: D, mitigation.

The following mitigation measures are proposed.

Number one. First and foremost, withdraw this application and propose a project that -- (inaudible). Let it be general industrial.

Two. Build an age restricted community for 55 and over that would appeal to empty nesters in our community.

Three. Establish an ongoing school fund to cover the additional costs associated with the increased enrollment.

Four. Establish a building fund to pay for the construction of additional facilities necessitated by increased enrollment.

Five. Forego tax certiorari proceedings for a period of 15 years from completion of the project.

The educational landscape has changed dramatically over the last five years. While the State continues to increase our cost with mandates, our state aid reductions have not been fully restored and our ability to raise tax revenue is capped. As we are sure you're aware, due to low inflation, the base number for the tax levy cap for the next budget cycle will be less than one half of one percent. Ardsley School District residents, as always, will continue to bear the brunt of paying for the lion's share of providing an outstanding education in Ardsley. We have been fortunate to have the support of our community, but even this has its limits.

MR. HOLT: We have reduced costs and implemented many efficiencies over the years. While we continue to seek ways to reduce costs, it is increasingly more difficult to do so. Our challenges are grave. We do not believe this project will be financially beneficial for our schools. We do not believe it represents

responsible development, nor is it in line with the Comprehensive Plan.

On behalf of the Ardsley Board of Education, our children, our parents and our entire community we urge you to deny this application, as this project is the wrong project, in the wrong place, at the wrong time. It is not business as usual for schools and it cannot be business as usual for developers.

We have the support of our community, as demonstrated here tonight, and we hope we will have yours as well. Thank you.

COUNCILMAN MORGAN: Chris, turn the light on.

MAYOR PORCINO: I did hear someone just say I'm going -- (inaudible).

UNIDENTIFIED SPEAKER: We can't hear you.

UNIDENTIFIED SPEAKER: -- which is a very good comment. The people in the back who were yelling and screaming that they couldn't hear anything and people in the back couldn't get in here, this is televised and it's -- it's repeated. When is it repeated, Paul?

SUPERVISOR FEINER: It's stream live on the website. It's on the website.

COUNCILMAN MORGAN: You can watch it any time you want.

SUPERVISOR FEINER: In the next two weeks.

MAYOR PORCINO: You can watch it over the next two weeks. Also, if anybody didn't hear, Paul said that there is a continuation of this hearing on February 10th. So --

UNIDENTIFIED SPEAKER: We all want to speak tonight.

TOWN ATTORNEY LEWIS: I just wanted to mention that there is seating -- there is seating in the back, in the cafeteria. If anybody wants to sit, there is more seats in the back. In the cafeteria, in the back, the security guard can tell you where you can sit.

COUNCILMAN MORGAN: All right. Please, Chris.

TOWN ATTORNEY LEWIS: Okay, mayor.

COUNCILMAN SHEEHAN: Mayor, before you begin. This is also being transcribed. And so there will be a written record of everything that somebody says at the microphone. If you call out, that is not going to make it into the transcript.

When they go to prepare the scoping document, they are going to be preparing the scoping document based on the comments in the transcript. So, it's important that if you have a comment, you don't yell it out. You actually come to the microphone and put it on the record.

For example, the reason why I'm stopping right now is that the mayor is speaking but the stenographer, the court stenographer who is going to transcribe this, would not know that. So, we need to put your name, Mayor Porcino, Village of Ardsley, on the record. And we need to do that for each person that speaks in fairness to the court stenographer.

MAYOR PORCINO: Okay. I am Mayor Porcino of the Village of Ardsley.

The Village has submitted written comments on the scoping document, and Mr. Duquesne has acknowledged receipt of those. I believe that we will post them

on the Village website so everybody can see what those comments were.

I understand the purpose of a scoping session, but there is overwhelming and widespread opposition to this project and for good reason. It is, unfortunately, this is true, Joanne and I did not consult on this. We did not talk about it. But it is the wrong project, in the wrong place, at the wrong time.

I believe this project would be a disaster for the Village of Ardsley and for the school district. My deputy mayor and I, my Deputy Mayor Nancy Kaboolean who is here, and I met with the developer for over two hours in my office several months ago and told them we did not support this project. They completely ignored us.

There are, of course, all kinds of flooding and wetlands issues. There is a stream that runs to the west of this project. There is a stream that runs, when I say to the west, it's actually on the project. There is a stream on the eastern edge of this project that meanders into the northern part of this project. It is wetlands. That has to be studied. But the effect of building on that really affects the Village of Ardsley in a couple of respects.

Number one. Elm Street, which is just to the north of this, floods constantly. We have buildings there. We have the Village DPW. We have a salt shed. And we cannot tolerate the flooding in that area.

The downtown Village of Ardsley Addyman's Square is given over to flooding on a regular basis. The imposition of this project in this wetlands has to be studied and the effect on flooding in downtown Ardsley has to be determined.

What happens to the traffic when the Saw Mill River Parkway and Lawrence Street floods? How often does that flood? A lot. It happens a lot. So, what happens? The Saw Mill River Parkway is shut down. 9A becomes the main north/south route. And the Village of Ardsley becomes a parking lot. The effect on that has to be studied. And, as Paul said, the effect on emergency services in those situations has to be determined.

While I'm talking about emergency services, this -- this property is serviced by a volunteer fire department. That fire department is stretched. It's operated by volunteers, mainly residents of the Village of Ardsley. It's serviced by our volunteer ambulance corps. Our volunteer ambulance corps went on 700 calls last year. Adding this burden has to be determined, what the effect on those emergency services is going to be. I believe it's going to stretch them to the breaking point. If the Village of Ardsley were required to put in a fire department, a paid fire department, it would bankrupt the Village.

The proposal here, 272 units, 400 parking spaces, there is inadequate infrastructure and there is virtually no public transportation servicing this project. To go any place, the residents of this project will have to get into a car and drive. The closest downtown village is not Dobbs Ferry. It's not Hastings. It's Ardsley. So, these people want to commute, if they want to service their basic shopping needs, they need to get into a car and drive. And the most likely and the nearest location is Ardsley.

As everybody knows, the main intersection in Ardsley, 9A and Ashford Avenue, is an F rated intersection. That's a grade, not what you say when you're sitting in the traffic there. Let me put it in a little bit of historical context. In the 1920s the State of New York came

along and decided they wanted to build a, call it, an expressway, the Saw Mill River Parkway. And if you go on our website or in the Historical Society website, you'll see some nice, little intersections. Ashford Avenue, which is not what Ashford Avenue is today and some other intersections. What do you have when you come to the Saw Mill River Parkway? A stop sign. It's very quaint.

In the 1950s the State upped the ante considerably and built the New York State thruway. What the New York State thruway did was basically severed Ardsley's connection to the western part of the county. So, their solution, State's solution was to build the Ashford Avenue bridge.

So, now the Ashford Avenue bridge is asked to handle all east/west traffic. And to make it better, they decide well why don't we make that the access point for the Saw Mill River Parkway. So, anybody whose living -- who lives in Hartsdale or Ardsley or Scarsdale or Edgemont, any of those municipalities, in order to get to the Saw Mill River Parkway has to come to downtown Ardsley, onto that bridge and onto the parkway.

To add to our pleasure the State owns Route 9A. So, the road that traverses downtown Ardsley, that feeds our Business District, is owned by the State. So, if we want to put up a stop sign, if we want to widen it, we want to do anything, we need approval from the State DOT, and that is not an easy process.

Another fact that I don't think really even my residents know, but the City of New York owns a large swatch of downtown Ardsley. American Legion Drive, our library, our aztec sits on New York City property. It then cuts across the Village, across 9A, down to the Saw Mill River Parkway. That is because we have a New York City aqueduct underneath our

village.

So, we don't have the right to build on a large part of our downtown area. So, we're hemmed in by two state roads. We have an inadequate bridge. There is the mention in the marketing materials about the reconstruction of the Ashford Avenue bridge, which of course is a disaster for the next two and a half years. But it is not improving traffic flows one iota. It doesn't claim to improve traffic flows one iota. It's rebuilding the bridge that's there.

So, we have two roads that are hemming us in. We have an inadequate bridge. We have a state owned road that runs through our downtown and city owned property. In short, there are no way -- there is no way to mitigate the constraints that we face with the traffic issues in Ardsley.

The developer here has been putting out marketing materials, and I don't know if they are doing it tongue in cheek or what. But they put out something called traffic improvements. And for the most part they referred to supposed improvements that the developer Ridge Hill is paying for, the developer of the Rivertowns Square project is paying for. As far as I can tell, their contributions, the developer's contribution is widening Lawrence Street at some point. I can't figure out what else they are doing.

What they -- what they pointed to in downtown Ardsley was providing two through lanes along Ashford Avenue westbound. Well, that was something that was talked about at some point in time, but it didn't happen.

Extending 9A southbound, the right turn lane, that's paid for by Ridge Hill. That's a project that's ongoing. It should be completed in the spring, but it's not going to improve northbound traffic.

Modifies traffic signal timing. If there is anybody in this room that thinks that's going to solve our problem, I have a bridge to sell them.

And here are two statements from that same marketing flier. "Since the Jefferson will make substantial private investment in traffic mitigations, local residents will gain easier access to the goods and services they need. Without private real estate development projects, none of these traffic improvements would be possible at the present time." So, they are saying that if we add hundreds and hundreds of more residents and we make a couple of Mickey Mouse improvements to your roads, your traffic flows are going to be improved. It's not going to happen.

The developer extolls a bike path and talks about it as an access to employment hubs. So, this bike path is going to reduce the amount of commuter traffic. So, I ask that the scoping documents show how the proximity to the bike path will reduce commuter trips. I would like it to show how residents will use the bike path to commute to work in the winter, when the bike path is impassible. I would like it to show how the bike path would be used for commuting when the path closes at dusk. In fact, let it show where and how residents in this project would commute under any conditions. I say that it's nonsense.

I think what's obvious from -- from the crowd tonight is there is a lot of resentment about this project in the Village. But I would like to read excerpts from a letter to the editor who did appear in the Rivertown's Enterprise and was sent to me personally originally from a resident who didn't seem to be happy about this project or what's going on. "Quality of life in Ardsley is deteriorating at an alarming pace. Residents have every right to question the motivations of Village and Town elected officials, as they witness

monied interests superseding the interests of residents at every turn. I don't remember being exhorted into organized action by Town officials. I don't remember being kept abreast of the Village's varied efforts to fight the ramped overdevelopment. When events on the ground are so clearly one sided, why would we not be distrustful? Let the mayor and his peers in the Town of Greenburgh demonstrate their seriousness by actively organizing us by figuring out how to more effectively fight those directly threatening our quality of life. The failures of the last half decade, we have every right to question our government. Let efficacy and success replace excuse and protestation."

Let me just close by saying that when Nancy and I met with the developers, they told us that no one they met opposed this project. I think that's the level of comprehension this developer has for the locale. I don't think this project should be permitted to move forward.

SUPERVISOR FEINER: Now we'll, you know, start, you know, the one minute, you know, comments and then we'll go to the five minutes.

I just wanted one additional issue to be studied, and that is the ability of the volunteer fire departments and the ambulance departments to respond in an event of an emergency if the Saw Mill River Parkway is closed because there is flooding or any other emergencies, you know, how will that impact their ability to get to the firehouse.

TOWN CLERK BEVILLE: Ladies and gentlemen, the Town Board graciously and out of recognition and respect for the leadership of our village, granted the opportunity for our mayor of Ardsley and our Town -- and our school board leadership to come forward and speak first without any time limitations. However, we are about to

go forward with calling on individuals who have signed up for one minute speaking and five minute speaking. So, we're going to begin with this list (gesturing).

Oh, absolutely. Okay. All right. So, we're going to start with our Mayor of Elmsford. All right. Councilman Francis Sheehan's suggestion, we're going to take off the sign sheets and continue and pass this around. Okay. For anyone who would like to speak during -- for one minute or five minutes, please specify the amount of time. Mayor.

MAYOR WILLIAMS: Good evening. Thank you. Robert Williams, Mayor of the Village of Elmsford.

Mr. Supervisor, members of the Town Board, the Village of Elmsford is not favoring the project.

UNIDENTIFIED SPEAKER: Speak up.

MAYOR WILLIAMS: How is that?

TOWN CLERK BEVILLE: Bob, please speak into the mike.

MAYOR WILLIAMS: The Village of Elmsford is not in favor of the project as presented due to traffic. I also have an intersection of 119 and 9A in Elmsford rated as an F according to the DOT. Any more traffic that would come from this project heading north on 9A or getting on the Saw Mill Parkway north, getting off in Elmsford will create additional vehicles to that intersection, which it can't handle now.

Also I agree 100 percent with what the mayor said and the school board said and am in favor of all their comments too. I would just like to go on record and say we're not in favor because of traffic. Thank you.

TOWN CLERK BEVILLE: We did receive a request from doctor who will -- who will share her name as well as a speaker who is going to speak with you. And you will share this at two minutes --

UNIDENTIFIED SPEAKER: One minute.

TOWN CLERK BEVILLE: One minute each.

UNIDENTIFIED SPEAKER: Less than one minute.

TOWN CLERK BEVILLE: Excellent. Thank you.

MS. CARDOSA: Hi. Good evening. My name is Dina Cardoso. I'm here to submit to the clerk an online community petition opposing the proposed development, The Jefferson at Saw Mill.

The month old petition has received 1,095 signatures so far from concerned residents within the Ardsley School District and neighboring river towns. Included is the addendum and over 300 comments detailing justified concerns such as the impact on Ardsley schools, traffic congestion, train commute, noise pollution and environmental impacts.

Area train stations already endure a giant influx of commuters from nearby towns and parking is limited. The Jefferson will also have an adverse effect on emergency services, police, safety, home values and overall quality of life. There will be over 400 --

COUNCILMAN MORGAN: Finish it.

MS. CARDOSA: -- additional cars causing and tear to the overpasses and roads. Where would the money come from to cover that maintenance? It would be necessary for JPI to build a new elementary

school, widen our roads, add downtown parking and sidewalks and build a pedestrian bridge at Lawrence Street over the Saw Mill River Parkway in order to have the necessary infrastructure to support the development. Without these essential infrastructure items, our Village simply cannot sustain this development. Thank you.

TOWN CLERK BEVILLE: Thank you.

SUPERVISOR FEINER: So another -- another issue that has to be studied would be the cost of these additional schools.

TOWN CLERK BEVILLE: The next speaker for one minute is Adam Hutter. If I've mispronounced your name, Mr. Hutter, if I have mispronounced your name, please correct me.

MR. HUTTER: Hutter.

TOWN CLERK BEVILLE: Hutter.

MR. HUTTER: Hutter with an H.

TOWN CLERK BEVILLE: All righty. Thank you.

MR. HUTTER: I don't think I need to spell it.

COUNCILMAN SHEEHAN: Excuse me. Excuse me.

MR. HUTTER: My apologies. Most of you know my voice. Adam Hutter. I'm actually a resident of Dobbs Ferry but with children going to Ardsley schools. I grew up in Hartsdale. I saw Central Avenue when it was practically a dirt road back in the '60s. It was never a dirt road obviously. I saw the developments going up there and I saw the traffic nightmares and the effect that it had on the school system

that I went to as far as Greenburgh goes, Woodlands and everything. I don't want to see that to happen to Ardsley. We have got a great situation going on here.

Just a couple of points that I was writing down. Again, like I said, Mayor Porcino, you took my material. The environmental impact studies Paul that you were talking about, you were talking about them if it gets approved. I want all of your proposals to come up before it gets approved. And please take a look at the transcript on that. Paul, you're a great guy, I love you, but it's got to happen before any approval process.

The millenials that you say are going to be moving into this place use bicycles. If they use bicycles, why do you need 450 parking spaces?

Really quick. Rivertown Square stayed away from this area because they knew how much it would cost to clean up. You need to do a real study on this. They didn't come to this side of the Saw Mill River Parkway because they knew how much it was going to be and cost to remove all the chemicals that were there from Akzo Nobel. Please address that situation too. Thank you.

TOWN CLERK BEVILLE: Elaine Trader.

TOWN ATTORNEY LEWIS: All right. As Ms. Trader is coming up, you know, it's going to be a long night. It's cold outside. Please try to keep your speaking within the confines of a minute or five minutes. There are a lot of people who want to speak, so let's really be brief and to the point.

MS. TRADER: My name is Elaine Trader. I live in Dobbs Ferry, in Walden Woods development, which is right in back of the disaster that is Rivertown Square.

The river towns are choking with the traffic as it is. And this development would make it even worse.

The intersection at Lawrence Avenue is a disaster right now. Every time I'm there, I see cars going the wrong way, not observing the traffic patterns. It's -- it's just a disaster waiting to happen. So, the best thing that you can do for the river towns is build a park. No more development.

TOWN CLERK BEVILLE: Liz DiChara. Again, please correct me at the mike if I've mispronounced your name.

MS. DI CHARA: Hi. My name is Liz DiChara.

TOWN CLERK BEVILLE: DiChara.

MS. DI CHARA: I live in Ardsley. I think most of my points were already touched upon. I did want to reiterate about the traffic study. I've been hearing about Ardsley. But I think Ashford Avenue is important too. It's a major concern. Traffic on Ashford Avenue is unbearable. And it is where the police department is, the fire department, our houses of worship. And there would be far less traffic without the Jefferson. Thank you.

TOWN CLERK BEVILLE: We have some very artistic handwriting here. Frank Mohean. Frank? Is there a Frank here of 533 --

MR. DOGHERTY: Here.

TOWN CLERK BEVILLE: Okay.

MR. DOGHERTY: I'm Frank whatever the last name is.

TOWN CLERK BEVILLE: Say your last name for the record, please.

MR. DOGHERTY: Dogherty.

TOWN CLERK BEVILLE: Thank you. Okay.

MR. DOGHERTY: This property is zoned for industrial use. That didn't happen by accident when they made the zoning rules. You need property that pays into the system, doesn't increase our schools, doesn't increase the traffic. I mean, what are we looking at. If they want to put this over to residential, let them take an equal amount of residential property and turn it into something else. Nobody here wants to give up their homes.

So, you know, we got industrial property. Keep it as industrial. Otherwise we're going to get to where we can't get out of our homes.

Lawrence Street -- Lawrence Street is a disaster. And, you know, you try to go northbound and to walk on Lawrence Street and you're just waiting for the guy behind you to end up in your trunk. You can't make that turn more than 15, 20 miles. A guy behind you is not doing less than 60 miles. The two are going to be very short. To add more is going to be more accidents. Thank you.

TOWN CLERK BEVILLE: Sue Woodrow.

MS. WOODROW: Sue Woodrow. I live in Ardsley. I want to thank the mayor and the school board. I agree with everything they said. I -- I think I just said, I grew up in Ardsley. Went through the Ardsley schools. Traffic is horrendous. And it took me about 20 minutes to get from Chase Bank a couple of weeks ago into the Village of Ardsley. Twenty minutes. So, that F thing you were talking about.

Just for the record, is anybody here, would you raise your hand,

for this project? Not one hand. Would you please raise your hand if you are against this project. I can't count, but if somebody can count quickly. Turn around. Thank you.

TOWN CLERK BEVILLE: Okay.
Marc Kowalsky.

TOWN ATTORNEY LEWIS: Is
Mr. Kowalsky here?

TOWN CLERK BEVILLE: Mr.
Kowalsky, okay.

MR. KOWALSKY: Thanks. Mark Kowalsky, a dedicated concerned resident of Ardsley. I think our mayor and the school board leadership have helped us answer the question whether this could be done. The answer is no. But the more important question is whether it should be done.

There are so many other things the Village of Ardsley needs. We need to transform this into commercial space to help alleviate the property tax burden that is already unreasonable in this town. Thanks very much.

TOWN CLERK BEVILLE: Melanie
Gluck. Melanie? Is Melanie still here?

(No response.)

TOWN CLERK BEVILLE: Okay.
We're going to move on then. Brian Cohen. Is Brian here? Okay. After Brian, just please prepare yourself, is Erich Hartmann. Is Erich here? Raise your hand. Okay. Great.

MR. COHEN: Hi. Brian Cohen,
resident of Ardsley.

AUDIENCE MEMBERS: We can't
hear you.

MR. COHEN: Let me get close.
Resident of Ardsley. I just want to

express my disapproval of this project. I would also urge the Town Board to look at other neighboring projects and find out how it compares to The Jefferson. A prime example would be a couple miles south in Yonkers, at Ridge Hill. We have a developer who promised the world in terms of what he would do for the community as well as what they would do for people who decided to move there. That developer has fallen short of the plans and the site has become a bit of a safety hazard. I want to ensure that should you approve this, that everything is correct and all provisions are taken to make sure that there are no safety concerns if the developer should be able to go ahead with this. Thank you.

TOWN CLERK BEVILLE: And after Erich, if Mark -- I'm not sure how to pronounce the last name -- is it Sameth of Hastings-on-Hud? Is Mark here. Okay, Mark, please prepare to come forward. Thank you.

MR. HARTMANN: How are you doing. My name is Erich Hartmann. I'm a resident of Ardsley. I moved here two years ago. And I've never seen so much stupid one intersection in my entire life.

The school board did a great job. The mayor did a great job. Thank you guys. I would like to add the scoping document should contain a study detailing the psychological detriment that this will impact on our residents having to go through traffic. My right eye has been twitching for the last six months, even going through the little fix up, where they supposedly fixed the Lawrence Street intersection.

Also a study investigating the adverse effects on our property taxes. I personally know two people who are just now looking to move up here. They saw Rivertown Square and they said screw that. I'm not going past that.

This is a no. This is not a yes with an asterisk. This is an N-O, no, period. Thank you.

TOWN CLERK BEVILLE: Mark, please state your last name.

MR. SAMETH: I'm Mark Sameth, Hastings-On-Hudson. As mentioned, the property sits between two branches of the Saw Mill River. It's literally Mesopotamia. When the Saw Mill overflows, the property will be flooded from the east and west branches with no emergency access from either direction. Unlike the commercial establishment sitting across the street, you can't close and send the people home. That would be home.

You've asked for our suggestions for mitigation this evening. Okay. The only mitigation on this item would be for the applicant to provide a fleet of 272 boats and operators to ferry people to safety. You think I'm kidding. I will -- Go online and search Saw Mill River and flood, not even a hurricane, just a heavy rain, and you have boats on the Saw Mill.

TOWN CLERK BEVILLE: Jay Mendelsohn. Jay. Is Jay here?

(No response.)

TOWN CLERK BEVILLE: Okay. Hugh Thorne. I know you're here. I saw you in the back there. Hugh, please come forward. And following Hugh would be Eric Sanders and Sam Maser. Is there a Sam in here from Riverview Avenue?

(No response.)

MR. THORNE: Good afternoon, ladies and gentlemen. My name is Hugh Thorne. I live at 121 Longfellow Street in Hartsdale. And I'm here. I don't care for the project in the first place. But what I'm here for is to compliment Paul for

creating that idea on TV access, public access TV for all of us in Greenburgh. I think it's a wonderful idea.

TOWN ATTORNEY LEWIS: Mr. Thorne. Mr. Thorn, this is suppose to pertain to the project. Do you have comments about this project?

MR. THORNE: Well, I reject it in the first place. I don't -- I don't approve of that.

TOWN ATTORNEY LEWIS: Okay. But your comments have to be limited to the scoping session pertaining to this project. There will be another opportunity for you to speak later about the other access.

MR. THORNE: Okay. Primarily that's what I'm here for.

TOWN ATTORNEY LEWIS: Thank you.

MR. THORNE: I'm here to compliment Paul in creating that idea. It's wonderful for people.

TOWN ATTORNEY LEWIS: Thank you.

MR. THORNE: Thank you.

TOWN CLERK BEVILLE: Is Eric Sanders here?

(No response.)

TOWN CLERK BEVILLE: Okay. Sam of Riverview Avenue?

(No response.)

TOWN CLERK BEVILLE: No. All right. Now we're down to Teresa.

MS. QUACKENBUSH:
Quackenbush.

TOWN CLERK BEVILLE: Yes.
Very interesting name. Thank you. That's
you.

TOWN ATTORNEY LEWIS: Teresa,
can you spell that for us just so we have
it for the record. Can you spell your last
name?

MS. QUACKENBUSH: I'll spell
it. Are you ready?

TOWN CLERK BEVILLE: Yes.

MS. QUACKENBUSH:
Q-U-A-C-K-E-N-B-U-S-H.

TOWN ATTORNEY LEWIS: Thank
you.

TOWN CLERK BEVILLE: Thank
you, Teresa.

MS. QUACKENBUSH: Good
evening everyone. Three valid reasons why
please -- please considering rejecting this
application. Number one. As Joanne and
George mentioned, we need to first find out
if our current school system can sustain
the already approved development, which I'm
gravely concerned it will already cripple
it.

Number two. When we lost
funding several years ago, we still haven't
fully recovered from that, including
increased class sizes, reduced staff in
classrooms and specifically aides in
kindergarten classrooms, which is the
biggest transitional year, which doesn't
happen in any school district, including
New York City, whose taxes average 3,000
and ours are, you know.

C. The scoping -- The school
study and the scoping analysis that was
referenced tonight very generically, is
kind of buried in the long list, I would
also like to know if this is approved,
which I hope it isn't, what will be the

criteria for the school study analysis. How is that evaluated. By whom. And I would hope that it is an impartial study by not anyone connected to this project.

And, lastly, I do hope as this often goes -- I'm married to a real estate developer by the way, but I won't mention his name, because he wants to work for a JPI, but so I just really hope this is not a fruitless effort by this community. That we're going to be bullied by the big dollar developers, because it's unfair and unjust to our children and also to the children of the developers, excuse me, but I suspect they don't have any in this school system. So, I please, I ask you to please reject this application. Thank you.

TOWN CLERK BEVILLE: Dina Cardosa.

MS. CARDOSA: I went already.

TOWN CLERK BEVILLE: You did, okay. And then now we have Tom Hay. Is Tom Hay here? Thank you. And after Tom we have Councilwoman, Trustee Nancy.

MR. HAY: Hi. I'm Tom Hay, a resident of Hartsdale. The mayor and the school board said what I would like to say eloquently. I think my take on this whole thing is it's too much, too fast. I've been in Greenburgh 15 years. I like the green part of Greenburgh. I'm not against development. I'm against rampant overdevelopment. And I see this like a funnel, especially going through that intersection at Ashford Avenue. You can only put so much in it before it overflows.

We have got 300 plus units that haven't even come on line yet. If this thing gets approved, what comes next? What next development is going to follow this?

I think we have to put a stop to it now. I think it's the wrong

development. The wrong place, at the wrong time. Too much too fast. Thank you.

SUPERVISOR FEINER: One more issue just to study. Could you also look at the impact on Jackson Avenue. Study that.

TOWN CLERK BEVILLE: Appropriately rounding out this discussion, Ardsley Trustee Nancy Kabullian.

MS. KABULLIAN: And Deputy Mayor, Nancy Kabullian.

TOWN CLERK BEVILLE: And Deputy Mayor Nancy Kabullian.

MS. KABULLIAN: Good evening everybody. I'm glad to see all of you here tonight. I concur with everything that the members of the school board have said, members of the audience and my mayor.

A couple of other points I would like to make is that the Village of Ardsley is being choked by development around it, I believe Rivertown Square, in which the Village of Ardsley has absolutely no say in. And these developments are providing no benefit to the Village of Ardsley. No tax money. No money whatsoever. We work under a tax cap.

We keep things very tight in the Village. It's only going to get worse. What we have to have our resources go to developments that do not benefit us at all and only detriment our quality of life.

We would also like to see as part of the study, given the long lines at the lights that you've heard about 20 minutes to get to downtown, we would like to see the impact of the air quality from idling cars on the streets in the Village of Ardsley.

I agree with whatever. This is the wrong project, at the wrong time and

the wrong place. We have to start having smart community planning, overall long-term planning for our communities. We can't be just dropping developments into any blank space that happens to be around.

COUNCILMAN SHEEHAN: I just want to make it clear, the Town Board also has no authority and no say in Rivertown Square. The Town Board did not approve that. That was approved by the Village of Dobbs Ferry. We had no role in that whatsoever. Whose next?

TOWN CLERK BEVILLE: Ladies and gentlemen, it is our distinct honor to bring to you former mayor of Ardsley, John Morehouse.

MR. MOREHOUSE: Thank you.

TOWN CLERK BEVILLE: Is Jay here?

COUNCILMAN SHEEHAN: Yes, he is.

TOWN CLERK BEVILLE: Jay, do you want to speak?

MR. MOREHOUSE: I know many of you it's a pleasure to be here tonight. As was noted, I'm former mayor and trustee of the Village. I've lived in the Village for 41 years. When I moved into the Village, you could go anywhere at any time of the day or night. Today you almost have to plan your activities around the time of day.

Literally we are inundated with traffic. It's not just F. I mean, it's well beyond F. Most of us spend many, many minutes sitting at that intersection. I mean this project, I mean, during my time working in the Village, I had the opportunity to work on many, many projects. Many of them was a concern. Nothing remotely approaches this project. This project is existential in terms of the

Village -- the Village's future. This project cannot possibly go through the way it is currently structured.

I urge you to go down and actually walk this property, if you have not done so. Because, if you go there, you will see the absurdity of this project. I mean, the idea that you can somehow shoehorn this traffic onto that little, tiny road that goes onto the Saw Mill River Parkway is ridiculous. There is nothing to be done to that road. Nothing. And I don't know how many times I've seen the Saw Mill River Parkway flooded with boats and with cars. And that flooding goes right up on and over this property.

I urge you to go down and look at this property, because if you do, there is no way anybody on this Board or any of these communities that are affected can support this. I honestly have never seen such strong opposition to anything in this area. And I worry if this project goes through the way it is proposed, you're going to see a lot of very strong negative support. It's -- it's going to -- it's not going to be a pretty thing. You have to think long and hard about this project. This is -- I mean, it has been said many times tonight. It is the wrong project. Wrong place. At the wrong time. It should not be there at all.

And the brochure, I hope some of you looked at the brochure that was sent out to residents in the area. It's an affront. If it wasn't so serious, it would be -- it is something you would see on the comedy channel. I mean, they talk about using -- using the crosswalk on the Saw Mill River Parkway to get to and from the Rivertown project. I mean, when we were talking to the Rivertown project, we tried to get them to put a walking bridge and they scuffed at us. I mean, the idea of having people crossing the Saw Mill River Parkway day and night, I mean you're asking for many traffic deaths and accidents.

It's ludicrous. There is nothing about this project that makes any sense. Thank you very much.

SUPERVISOR FEINER: You know, your study, also provide us with an accounting of how many times the Saw Mill River Parkway has been closed for any emergencies during the past say ten years.

TOWN CLERK BEVILLE: Paul, are you waiting for an answer to that?

SUPERVISOR FEINER: No. That's going to be part of the study.

TOWN CLERK BEVILLE: Okay. I spoke prematurely. I thought that it was -- actually it really was a distinct honor and pleasure to introduce current Mayor Porcino. Then former mayor John Morehouse. Well, we have a triple whammy here. It is a distinct honor and pleasure to bring to you former mayor Jay Leon.

MR. LEON: Thank you. Thank you. Thank you very much for giving me permission to speak. And a lot of my thunder was stolen already by my esteemed colleague, Mayor Porcino, and by the school board.

So, I'm going to make a couple of new mitigation concepts, but first I have to tell you that you know me a long time that I am a fierce advocate for the Village of Ardsley and that is my only agenda. And so I want to tell you some experiences that I had and tie that into the mitigations.

When I was the mayor of Ardsley, and I'm still serving on the Ridge Hill Intersection Committee with several of you, and we have a project that is there that was meant to mitigate the three percent increase in traffic that's going to come from Ridge Hill. But that didn't stop Rivertown Square from saying oh, it's going to mitigate our traffic. We had to reject

certain kinds of projects. It's already been mentioned by Mayor Porcino. Those projects were rejected, but they still ended up in the SEQRA document from Rivertown Square.

The school student formulas were contested by the school board, the same folks you see here now. But the original projections stayed in the Rivertown Square SEQRA document. I asked our folks from Aztec to write a letter to them saying that we do, Aztec does a lot of mutual aid for Dobbs Ferry, and that we wouldn't be able to get across the Saw Mill River Parkway to serve Rivertown Square. They ignored it.

I want you to know that I met with lawyers, attorneys that represented not only Rivertown Square but another project in Yonkers. They were proposing 400 single-family houses north of Stew Leonard's and south of Jackson Avenue. And I said to them, when you do your traffic counts, you can't just look at this one project in a vacuum or that project in a vacuum or that project in a vacuum. You got to look at them all together. And they said to me no. The law doesn't tell us that we have to do that, so we're not going to do that.

There were -- the meeting where Mayor Porcino, when he was the deputy mayor, and I sat down with the developer at -- of Rivertown Square, where he lectured us on his constitutional property rights on that, which told me is, he doesn't give a damn about our rights in the Village of Ardsley. He only cares about his rights.

A month before I was leaving office I called up the regional director of the New York State Department of Transportation. I said, what are you going to recommend for Rivertown Square in terms of Route 9A in Ardsley. He said nothing. I said nothing. Why nothing? He said, if

you want to do it, you do it. I said, it's your road. It's the New York State Department of Transportation's jurisdiction. He basically said tough luck.

I also told them about Ardsley recreation with Rivertown Square. That most of the students who go to the Ardsley School District use our recreation department, not the Village of Dobbs Ferry. Ignored. We didn't get one cent for recreation. It all went to the Village of Dobbs Ferry.

So, why am I bringing all of this up? Because I have to take a ways for you. Number one, you have to take all of the statistics that are cherry picked and manipulated by these folks and treat it with skepticism. And here's what I'm suggesting. Look at those numbers of actuals. This is what we do in my business. I'm in the television business. And we look at the actuals and compare it to our estimates. Take that ratio between actuals and estimates at Gelsprain, at Bolder Ridge, Ardsley Estates and then apply that difference to the projections that they are giving you, because that's going to be a lot more accurate than what they are going to tell you. They are going to try to get a more accurate estimate of where they are going to end up.

Do the same thing with traffic counts. Look at the actuals compared to what the estimates were in these past projects and then apply it to their estimates.

They are suggesting an automatic traffic counter for Lawrence Street. But manual traffic counts between 7:00 and 9:00 a.m. and 4:00 and 6:00 p.m. in Ardsley. That has to be automatic traffic counts and it has to be extended. For one thing, from 3:00 to 4:00 we have the buses going to school. It's not accounted for here. More importantly, we

have the Ashford Avenue bridge construction. That's going to back up traffic. So, the traffic counts are not going to exactly be accounted for if you look at it in a strict two hour period, because it's taking people longer to get through the intersection. All of this has to be taken into consideration.

I want to leave you with one other thing. As the Village of Ardsley, as their mayor for six years and on the Village Board for ten years, I learned something, and that is we're a small village. We have a small school district. We don't have any political clout except maybe what you see in this moonlight here.

Where I'm going with this is this. We couldn't depend on New York State government. We could not depend on the New York State Department of Transportation to look after our problems and our situation. Westchester County abandoned us. So, the Village of Dobbs Ferry couldn't care less about our problems. And I understand that. There are seven people on that Board that we didn't have any say in their election and we didn't have any say in -- they didn't consist of appointees of people that we voted into office. They didn't represent us anywhere. There was no equal representation under the law. This was it. And yet they were affecting our taxes and our quality of life.

So, what I'm leaving you with today is this. You, the good people of the Town Board of Greenburgh, is the firewall, protecting the last vestiges of quality of life and financial sanity in the Village of Ardsley. We're depending on you to do the right thing. I thank you very much. God bless.

TOWN CLERK BEVILLE:
Actually, ladies and gentlemen, former mayor Jay Leon told me that he was kicking off the five minute segment. So, we have -- now we're going to -- we're going

to go into transition into the five minute segment.

COUNCILMAN SHEEHAN: Do we have the sheets for this?

TOWN CLERK BEVILLE: Was there anyone who wanted to speak under one minute, under the one minute segment? Okay. One more. Actually, what I have is a sheet that Jay started the five minute segment.

COUNCILMAN MORGAN: One minute, sir.

COUNCILMAN SHEEHAN: They said they would sign up. Pass around the sheet.

TOWN CLERK BEVILLE: Oh, okay. You want to speak, sir.

TOWN ATTORNEY LEWIS: Is there anybody else who wants to speak for one minute? One minute.

COUNCILMAN SHEEHAN: Does anyone have the -- does -- does anybody have the sign up sheet that we distributed on this side of the room? We didn't get it back.

COUNCILMAN MORGAN: Anyone ask for one minute?

TOWN CLERK BEVILLE: Mr. Oberlander. First name.

COUNCILMAN MORGAN: Sir, sir just go to Judith.

TOWN CLERK BEVILLE: First name Andrew Oberlander will be speaking for one minute.

MR. OBERLANDER: Thank you guys.

TOWN CLERK BEVILLE: Wait.

Wait. Andrew, we have our Director of Cable Access who is giving us some -- George, do you want to give us some notes here, notes of correction, correcting notes here. All of us. How about the speakers at the podium, they are okay, George. Andrew Oberlander.

MR. OBERLANDER: I've worked with the Town before. I want to say my family has been here since after the Fair Housing Laws were passed in 1968. They -- they came here to get away from one thing in the Bronx and Brooklyn, and that was the public affordable housing issue that hasn't been brought up today.

We have a settlement with Westchester. We have millions of dollars of HUD going against us. And it's all being put on Ardsley.

Hastings, the one parcel in Hastings, they built in the Ardsley schools, will be affordable housing. Three units are going in Hastings. Liberal, hippy Hastings.

Edgemont fought it for eight years. There are zero units there. Scarsdale, there is zero units there. Ardsley so far has 75. This will add between ten and 20 percent.

Just to put that in context, Greenburgh, when they merged in 1967, which my family almost moved to, and is a wealthier part of the Town, they have a little over 200 units as I understand. Forty percent of the school district, that's higher than any school district in the state of Connecticut, goes to private school. They go to cheap, mostly cheaper Catholic schools at a seventh of the cost. That's a huge discrepancy in quality of life.

The Greenburgh schools that have that problem have 400 points lower on the SATs. You know, we're half way to

having all the problems that Unincorporated Greenburgh had. It's not fair to Unincorporated Greenburgh. It's not fair to Ardsley. You know what, it's going to be bad for the region overall.

No other state in America has residents leaving like New York State. They are going to New Jersey, over ten percent of New Jersey, ten percent of Connecticut is New York State residents.

TOWN ATTORNEY LEWIS: All right. Thank you.

MR. OBERLANDER: Thank you.

TOWN CLERK BEVILLE: Judy Lindey.

MS. LINDEY: Judy Lindey, Ardsley. My -- Most of my points have been covered very well by the school board and the former mayors and our present mayor.

I wanted to say that, first of all, if this property is zoned industrial, I don't see any reason to change the zoning. Furthermore, I don't know if you realize, but in this development they have proposed a movie theater and a hotel. That's not in the proposal.

COUNCILMAN SHEEHAN: No, that's a different development.

MS. LINDEY: That's not in the proposal?

COUNCILMAN SHEEHAN: That's the one in Dobbs Ferry.

COUNCILMAN MORGAN: That's a different one.

MS. LINDEY: Are you proposing a movie theater and a hotel? It was in the paper. Okay. But this project will only ruin our property values in Ardsley. Nobody is going to want to live

here with the problems it's created.

TOWN ATTORNEY LEWIS: Thank
you.

TOWN CLERK BEVILLE: Rachel
Zaffran.

MS. ZAFFRAN: Hi. Good
evening. My name is Rachel Zaffran, and I
am a resident of the Village of Ardsley. I
do not support this project for the reasons
already articulated so well by so many
people here. The one thing that I did want
to point out to the Board is that as you're
facing everyone, you see a large group of
people here, but this is not the only
support today. I was in the back, in the
cafeteria. That cafeteria was still
standing room only because people were
watching. You couldn't even see the TV
screen, because you're at various angles
there. People are so concerned about this,
that they came and stood in the cafeteria
just to hear tonight. They couldn't come
and speak here, because they were in the
cafeteria. Thank you.

COUNCILMAN SHEEHAN: They are
also in the room behind us. We're using
all rooms.

MS. ZAFFRAN: So this is not
indicative. This is only a fraction of the
people here tonight opposing this.

COUNCILMAN SHEEHAN: We'll
note from the sign in sheet.

MS. ZAFFRAN: Thank you.

COUNCILMAN SHEEHAN: Thank
you.

TOWN CLERK BEVILLE: Klaus
Whitney.

MR. WHITNEY: Klaus Whitney
in Dobbs Ferry. I will be quick here. I
know how the process works. They have been

trying to wear us down. I'm telling you all, come to every dang meeting. I know how this works.

Quickly, to be specific, air quality was mentioned. Very, very, very important, okay. With all of these new cars, there should be a study of air quality.

There should be an area wide corridor study. It's not just about Lawrence Street. It's about the entire area that's being affected. We have to look all the way from the river, all the way probably to Central Avenue and see what the impact is. That should also be in your scoping study.

The soil mitigation was mentioned. I'm a chemical engineer. That's a contaminated site. You have wetlands and a river next to it. You have to bring experts in. Not just some quick study, oh, we are doing this and this. This is a special circumstance that has to be looked at.

The bridge at Lawrence Street, tear it down, build a new one, because it's not big enough if you're going to put that project in. Okay. That should be in the scoping study also.

What I want to say to you just quickly, give us sufficient place so we can all assemble and everybody be in here. Give us ongoing dissemination of information. We never get enough information so we can act on it. On every project it's backroom dealings, it feels like it, I'm not saying you're doing it, it sounds like backroom dealing. You see it in paper, something is happening, you miss the boat.

Don't allow the applicant not to show up to the meetings. Hundreds of people show up and they say oh, we're no show. Make some rule that they show up.

And the other thing is, you have one tool. You have laws but boards always grant variances. Why? You can say no based on the law. Why do you grant variances? Do not grant any variances and the project won't happen. Thank you.

TOWN CLERK BEVILLE: Herb Rosenberg.

MR. ROSENBERG: Hello. As a resident of Dobbs Ferry I want to --

COUNCILMAN MORGAN: State your name.

MR. ROSENBERG: Herbert Rosenberg of Dobbs Ferry. And as a resident of Dobbs Ferry I want to apologize to the people in Ardsley, the Village Board of Dobbs Ferry ignoring the issues that Ardsley raised, also ignored a lot of issues that the residents of Dobbs Ferry raised. And I think that they failed Ardsley but they also failed Dobbs Ferry.

One thing that I would suggest for the scoping document is take a look at the before promise and the after, the reality of Rivertown Square. I remember when it was first considered being like this, the developers promised all kinds of wonderful things. And I said, I think what you're doing is asking us -- is saying put a gallon of water into a quart size bottle. It will never fit. And that I think is true here. Perhaps even more so.

So, I would suggest that -- And it's already a disaster and it's not even built yet. I would suggest that for the scoping session that you require a comparison, and you can use Rivertown Square as a model of what is promised in the advertising and what the reality is, what the facts on the ground are and try to make a similar kind of a comparison between the promise and the reality, because the promise and the reality here is not a relationship there to each other. Thank

you.

TOWN CLERK BEVILLE: The last person according to this list to speak under one minute for a one minute segment is Jill Iturbe. Jill.

MS. ITURBE: Hi. My name is Jill Iturbe. Can you hear me? I live in Hartsdale, Ardsley schools. My kids finished Ardsley schools long ago. They had small classes. An amazing small school district. And I want my niece who lives there now, I want all future kids to have the same kind of education that my kids had. I think they all deserve that.

As far as traffic, as someone said, it's the entire corridor. On a Friday afternoon between Memorial Day and Labor Day you literally cannot leave your house in Hartsdale and try to get into Manhattan. Try to go to Ardsley to do an errand. You have to wait until after 7:00 p.m. There is already a ridiculous amount of traffic. It sometimes goes to Elmsford and goes all the way down to Hastings. So that should be considered.

You know, many people said you're going to widen the roads, build an overpass. Even if all of that happened, I don't think that's what we want. I don't think that's what we want our Town to look at. It's not the character of the place that we chose to live.

TOWN CLERK BEVILLE: All right. Next is the five minute segment. Linda Keil.

TOWN ATTORNEY LEWIS: Ms. Keil, before you speak, I know you're speaking for five minutes. And I want to say that I think the Town Board gets the message. I think the developer gets the message. So, I'm not necessarily speaking to you, but we want to give everybody an opportunity to speak. So, if you don't have to take five minutes, please don't.

MS. KEIL: No. It is less.

TOWN ATTORNEY LEWIS: Thank
you.

SUPERVISOR FEINER: We don't
know if they got the message until they
tell us.

COUNCILMAN SHEEHAN: But
don't read fast, because we do have a court
stenographer who -- we like her.

MS. KEIL: Okay.

COUNCILMAN MORGAN: Give your
name.

MS. KEIL: Yeah. I'm Linda
Keil. I've lived in Ardsley for 40 years,
on the corner of Euclid and Ashford Avenue.
And I've seen what overdevelopment has
created.

In recent years Ardsley has
been the epicenter for large development.
Toll Brothers in the mid 90's added more
than 30 McMansions at the end of Euclid,
and again recently added first 20 houses
and now another 19 more houses. That's
just Toll Brothers. Both developments were
approved by this Board. Thank you very
much.

On 9A south, Ardsley, 29 town
houses are being built. Approved by
Hastings board. Rivertown Square, as we
know, has added 200 units of housing
approved by the Dobbs Ferry board. And now
this company from Texas wants to add a
collection by adding another almost
300 units pending approval of this Board.

It is so easy for other boards
to make decisions that don't affect their
quality of life but are allowed to push
close to downtown Ardsley and in its school
district. We now have two two hour rush
hours. So that it takes a half an hour to
get to Dobbs Ferry or Scarsdale train

station. Traffic, as you know, is a nightmare even on weekends.

All of these developments will be in the Ardsley School District. And not one of the citizens of the Village of Ardsley has had the right to approve or disapprove these additions to our school district. I think developers take advantage of the patchwork quilt of village and unincorporated town authorities to allow them to get away with doing whatever they desire. They go through the process. Ask for the moon. But are happy when it is reduced to the size that they wanted all along.

When it comes to Ardsley schools, whose going to pay for the inevitable additions that will be needed to the three school buildings and staff? Ardsley residents. That's who.

My question is, what right does a developer from Texas have to come here and say what this town really needs is more housing and people and cars? How do they have more to say about the quality of life here than the actual people who pay exorbitant taxes and have a right to determine the density of the population? Does every developer who takes -- does every developer who takes it in his mind to make a buck have more rights than we do? We have seen what these developers' rights have brought us.

These people have -- these people, after they have gotten what they want, will turn around and go and live in the wide, open spaces of Texas. How about leaving our limited, undeveloped areas as open space. Please have the guts to disapprove of these Texans minding our village.

SUPERVISOR FEINER: I just had one other question. I'm just curious. Does -- does the applicant, do they own the property or do they have an option to buy

that's conditioned on approvals? Would somebody be able to mention that.

MR. ALEXANDER: (Inaudible.)

SUPERVISOR FEINER: I'm just curious.

MR. ALEXANDER: (Inaudible.)

TOWN ATTORNEY LEWIS: Come up to the mike.

COUNCILMAN MORGAN: Come up to the mike.

MR. ALEXANDER: For the record, my name is Neil Alexander. I'm a partner of the law firm of Cuddy and Feder.

So, supervisor, you and the members of the Board had asked, we have a contractual relationship for that.

AUDIENCE MEMBERS: We can't hear you.

MR. ALEXANDER: Sorry. I'm literally inches from it. I will try gladly --

UNIDENTIFIED SPEAKER:
(Inaudible.)

MR. ALEXANDER: We have a contractual relationship with them right now.

SUPERVISOR FEINER: So, you don't own it?

MR. ALEXANDER: No. We are contract vendee, which is a standard --

TOWN ATTORNEY LEWIS: Ladies and gentlemen, please give him an opportunity to speak. Please show him the respect that they showed everybody. Please continue, Mr. Alexander.

MR. ALEXANDER: Thank you. I'll gladly say it as many times I need to. I apologize. The mike is literally half an inch from my mouth at this point. So --

TOWN ATTORNEY LEWIS: We can hear you. We can hear you.

MR. ALEXANDER: In any event, we have a contractual relationship with them. We are a contract vendee. We have not closed on the property, but we're afforded all the rights as if we were a property owner based on that relationship.

UNIDENTIFIED SPEAKER: We did not hear.

TOWN ATTORNEY LEWIS: They don't own the property at this time. They don't only the property at this time. They have a contract to purchase the property --

SUPERVISOR FEINER: If they want.

TOWN ATTORNEY LEWIS: -- with the person who owned the property previously, which was Axel Nobel. Yes.

TOWN CLERK BEVILLE: Nicole Minore.

MS. MINORE: Minore.

TOWN CLERK BEVILLE: Minore, thank you.

MS. MINORE: Bring it down. Thanks for your time tonight. This is not good on anybody. My name is Nicole Minore. I am a 13 year resident of the Village of Ardsley. I have two children in the school system, one in Concord Road and one in Ardsley Middle School. I'm a former Village of Ardsley trustee from 2011 to 2013. A former Parks and Recreation commission member. A currently lead on the Ardsley Day Committee. And a current member of the Ardsley Middle School PPLT.

So, everybody knows, I'm paying attention.

First, to the representatives from JPI, I speak not only for myself but for many neighbors and fellow parents when I say this project will not be welcome here. I think you figured that out by now.

You're looking at a community that feels a bit abused by our neighbors. Because of my prior experience, I had the unenviable luxury of a front seat to the Rivertown Square approval. I hope that this can be a different outcome for Ardsley, starting with the withdrawal of this proposal.

I believe there was a quote in June from someone representing JPI that referred to a knee jerk reaction of those in the community to this proposal. To be clear, this is not a knee jerk reaction. This is a long, thought out, emotionally wrought and frustrated angry kick in the shins. And you can be sure of it, because that is what this type of proposal feels like to us. We are taking this seriously, as I hope all involved do.

To our school board, cuttoes for your earlier comments. Excellent job. And you have incredible support and passion behind you. Thank you very much.

Understanding the due process of the review that the Greenburgh Town Board is legally bound to undertake, our request is to carefully look at the following three points.

Remember that both the Village of Ardsley and Ardsley School District are in a unique situation. A bit different compared to the other incorporated villages, with 60 percent of our students not living within Ardsley.

To the Town Board, we need your help. Residents from multiple and incorporated villages plus the town are

zoned into the Ardsley School District. You are a common representation here. You are our means of protection from harmful impacts through the legal process and must work with our school board and take their advice with regard to how this proposal will affect their resources, buildings, population, budget.

My daughter's second grade class has 25 children in it. Her elementary school experience, which I would still consider excellent, based on the resourcefulness of our district, due to cuts, is leaps and bounds from only four years ago, when my son was that age. We cannot continue shipping away at our school district and thinking that the schools will not suffer.

Secondly. We must consider the worst case scenarios for the outcomes of existing projects when evaluating impacts. If we cannot legally wait to evaluate the proposal in front of us, The Jefferson, we ask that you take the most conservative route and considering the impacts that are coming from other developments like Rivertown Square. As mentioned before, national studies, like the one, the Rucker study that was used for Rivertown Square, are not akin to our situation and the desirability of our school district and our special needs resources. Will we need to turn students away. Reduce services to those that are already in the system based on under-estimation. Please consider the programs required to keep us competitive and to keep the Ardsley School District at the quality it currently provides.

The same goes for traffic. Simply take a drive near rush hour or when school let's out. Use Lawrence Street this week. Understand the frustration that already exists. It will soon be affecting the other river towns, as will shortly have triple time to simply make it over the Saw Mill to Dobbs.

Three. I work in marketing. I can smell it a mile away. You must not fall pray to the marketing tactics of The Jefferson. Just because they say a bunch of bicycle riding millenials are going to move in, that doesn't mean that's what's going to happen. Just like you cannot build a home in Ardsley Preserve and insist that a plumber or a banker or a police officer is going to be the next resident. It's a little preposterous.

The valuation should not be based on an expectation of a certain population or a marketing plan or studies that point to and refer to such. Evaluations again should be based on a worst case scenario of the realities that are unfolding in front of us. Fifty-five million in the long run, and I realize I'm saying this on Powerball night, is not a lot of money when you do the simple math of what will need to be built, rebuilt, adjusted and ultimately undone as a result of this.

The devaluation of property values should be estimated by local real estate offices based on the incoming traffic and potential overcrowding of our schools. Let's see how that measures up.

I know this Town Board cares too much about their constituents. And in this case these are your neighbors and the school district that some of your children have grown up in. I know you don't want this project to define your legacy as a Town Board, the decision that undid Ardsley and the Ardsley School District.

We'll all be watching this process closely and reviewing the EIS documents. Thank you for your time.

TOWN CLERK BEVILLE: Bill
Herschman. Is Bill still here?

(No response.)

TOWN CLERK BEVILLE: Okay.
All righty. Morry Silbigen. Thank you.
Thank you, Morry. Please state your name
at the podium. Thank you.

And then after Morry we have
Tony Rabasle. Is Tony here? Okay, Tony,
will you please be prepared to go forward.

MR. SILBIGEN: Good evening.
My name is Morry Silbigen. I am the
chairman of the Board of Governs of the
Ardsley Secor Volunteer Ambulance Corps or
ASVAC. And I am here this evening to speak
on behalf of ASVAC regarding the proposed
project by the intersection of Lawrence
Street and the Saw Mill River Road, 9A in
Greenburgh.

ASVAC has been serving the
Village of Ardsley, the Ardsley School
District and our neighboring villages for
almost 54 years. We do a lot of mutual
aid, especially to Dobbs Ferry.

We are a completely volunteer
organization. Last year we responded to
704 medical emergencies. In the last ten
years we have had to add an additional
ambulance to meet our call needs.

Concerning this project, even
though it is located in Greenburgh, it will
be served by the Ardsley fire department,
the Ardsley school system and ASVAC. We
have seen other projects developed in and
around the Village of Ardsley, and these
projects have increased the demand for
services, and there is no increase in our
volunteer personnel. Our limited number of
volunteers, currently about 35, cannot be
expected to keep up with this ever
increasing emergency calls resulting from
this development.

The location of the project
brings into serious question the traffic
issues in making emergency responses.
Between the Rivertown Square project, The
Jefferson project and the temporary closing

of the Ashford Avenue bridge exit and the work on the bridge, it will result in our response times being definitely reduced, which is very important to us, to get there as quickly as we possibly can. So, it is, therefore, very important to us that this project not go through.

TOWN CLERK BEVILLE: As Tony is coming forward, we ask that Robert Kou -- I'm not sure how to pronounce the last name, of Beacon Hill Road, if he's still here, please be prepared to come forward and followed by Frank Pagoni.

MR. RABASLE: My name is Tony Rabasle. I'm a resident of the Village of Ardsley. I am a business owner in the Village of Ardsley. I am the captain of ASVAC, limited partner. I've been in this village since 1989. Wonderful village. Nice and quiet village. People move in. People move out.

I came to this village because of the school system only. Nothing else. I work hard, because I want my three kids to go to that school system. I don't have to tell you anything. You guys all know about the traffic. You guys know that last year there was flooding on the Saw Mill Parkway. You guys saw that on TV. It was on TV, right. You all have seen that. I don't have to tell you about any of this.

What saddens me is I see my mayor, I see my trustees, I see the school, they all standing, begging for you to stop it, because if it was for us, we would stop it. Folks, it's our village. It's our village. The business is in our village. The school is our school. We work hard on them.

We have seen Dobbs Ferry, what they did to us. We, and you guys, we have been working for the longest time together. We work in EMS. You guys give us advance support and you get it. We always work together. You guys know how we feel.

These guys are not here to tell you about the traffic, because you know about the traffic. We are pleading, please don't sell us out. Don't sell us out. Please don't do that to us. That's the whole thing. Thank you.

TOWN CLERK BEVILLE: Robert. Robert, please pronounce your last name for us at the podium.

MR. KOULAKJIAN: It is Robert Koulakjian.

TOWN CLERK BEVILLE: Spell that for me.

MR. KOULAKJIAN: All my life. K-O-U-L-A-K-J-I-A-N.

TOWN CLERK BEVILLE: I-A-N, thank you.

MR. KOULAKJIAN: I moved into Ardsley with my wife in 1992. She was a teacher in the Yonkers school system, a doctor of education at Columbia 33 years. And she chose the Ardsley school system when we had our child. And that speaks volumes.

I am completely against this project. And I'll tell you a brief story, comes from the heart, and how much the Ardsley school system has meant.

In '08 probably -- This is difficult to talk about. The best part of loving my wife was her intelligence. And she was struggling with a brain tumor in her right temporal lobe. It eventually killed her. During that time it was my son's senior year. I couldn't be with him. I had to be down at Mount Sinai every day, every night, practically 24 hours a day.

During that time the principal, the guidance counselors, the teachers, everyone involved in my son's education, excuse me, called me while I was

down at the hospital and assured me that he was getting home okay. They were checking on him during the day, during his classes. They would call him at home. They would assist him, because I couldn't be there for his college applications. They did the whole process. Where are you going to find that? I don't know where.

To see degraded in any way or degraded in any way is a travesty. Everyone should be afforded an opportunity under those circumstances, whether it is the same or not. But the care that that school system showed my son was unbelievable and got me through a time that I'm still recovering from and so is he. So, I say, God bless the teachers in Ardsley and God bless the Village of Ardsley, what they did for me, including the police department, Annie Watson, Anthony Vacca would come and check on him. I couldn't be there, so the police would stop by and say hi. How do you replicate that in any way, shape or form once it becomes dissolved? You just can't. Please consider that when you're thinking about it.

It was an unbelievable time and I hope to God that no one else has to go through that. And I say thank you all.

TOWN CLERK BEVILLE: Frank Pagoni.

COUNCILMAN SHEEHAN: If anyone is in any of the side rooms watching this on television, there are seats available in the auditorium if you would like to come in, in case you wanted to speak. This is an opportunity to do so.

SUPERVISOR FEINER: We're here until 5:00 in the morning.

TOWN CLERK BEVILLE: Frank Pagoni. Is Frank still here?

(No response.)

TOWN CLERK BEVILLE: Okay.
Merav Gur. Sounds like -- is it G-U-R? Am
I pronouncing your name correctly? Is it
Gur or Guerin? I'm sorry. Please state
your name correctly for me. Thank you.

MS. GUR: My name is Merav
Gur. I'm a resident of the Ardsley
village.

TOWN CLERK BEVILLE: Merav,
please spell that.

MS. GUR: M-E-R-A-V. Last
name is G-U-R.

TOWN CLERK BEVILLE: Thank
you.

MS. GUR: Most of my points
were already made, but there are a few
things that I wanted to make clear. I want
to read a direct quote from the developer's
website. "Situated between both the Saw
Mill River Parkway and I-87, this proposal
provides immediate vehicular access to both
highways, eliminating" and I'm repeating
the word eliminating, "the need to travel
through surrounding neighborhoods during
both a.m. and p.m. peak and off peak
traffic hours."

This statement reflect poor
understanding of our community. Driving
through Ardsley village is inevitable no
matter how close you are to the parkway or
to the highway. For purpose of grocery
shopping, restaurants, dry cleaning,
pharmacy, post office, medical
appointments, all three schools, to get to
Central Avenue, getting to all local train
station entail driving through the
villages. There is just no way around it.

Once the massive Rivertown
Square is completed, congestion will worsen
due to patrons driving through Ardsley from
Scarsdale, Central Avenue, east to
Westchester and delivery trucks of 9A since
they cannot drive on the parkway.

Commuting from Ardsley to Dobbs will worsen. As it is, during rush hour and on weekends, this two mile drive can take up to 30 minutes, and I do it almost every day. I have been stuck for 30 minutes going to the train station.

Many residents livelihood is dependant on Metro North commute to the city. All of our local train stations currently have parking space issues, and Ardsley residents, as it is, are struggling to secure parking permits. Getting to all local trains entail driving through congestion, finding parking can be challenging, trains are crowded. Adding hundreds of residential units to the river towns will aggravate an already existing problem.

A shuttle bus to local train stations is not an adequate solution. JPI can decide at any time to stop such service, and there is no guarantee that residents of The Jefferson will elect to use the shuttle.

A study addressing parking issues and securing train parking permits for Ardsley residents in local train stations is needed irrespective of The Jefferson. Furthermore, increased traffic creates greater wear and tear and tax revenue will not be beneficial in the long term, as costs of maintaining high traffic roads and new parking lots will increase. Ardsley village residents will not see any decrease in their taxes and most likely a tax increase in the long term. I would like you to carefully consider the financial impact The Jefferson will have on our school and community for the long term, not only for the next ten years.

The idea of the biking millennial luxury housing complex is nice in theory but will not work in Ardsley. It is better suited to White Plains or Yonkers, where one can walk to the train station or to shopping and restaurants. It

is the wrong project for the river town.

It is premature to approve any residential development. The impact of the Rivertown Square is not yet known. Adding restaurants, shopping, eight screen movie theater, a hotel, 200 plus apartment to the area will significantly impact all of the river towns and specifically Dobbs Ferry and Ardsley.

This is your chance to stand up to what is right for this community and realize that massive residential developments will irreversibly change our villages for the worse. Thank you.

TOWN CLERK BEVILLE: According to my list, we have one more gentleman, Amit Joshi, who has signed up for the five minute public comment segment. Councilman Sheehan has invited anyone else who is interested in speaking to please come forward and sign up.

This is Amit Joshi.

MR. JOSHI: Amit Joshi.

TOWN CLERK BEVILLE: Thank you.

MR. JOSHI: Can everyone hear me?

TOWN CLERK BEVILLE: Yes.

MR. JOSHI: Good evening everyone. Thank you all for coming, even those who left. So, I've been a resident of Ardsley for ten years now. So, pretty much all of you have talked about a lot of things. Hopefully people on the other side and folks from JPI gone through it, you know. After I'm done, I know I will go to sleep tonight, but hopefully when you guys wake up in the middle of the night, if you do, think about, you know, what other people talked about.

So, the reason I moved to Ardsley was it's a quiet town. It's a quiet village. Away from the city. You know, peacefully. People go to the city, work, come back. Spend some good time with the family and good schools. You know, Ardsley has good schools.

Over ten years what I've seen is a lot of people have moved in because of the schools. Traffic has increased. I know the JPI people talked about mitigation measures for handling traffic. What I'm surprised, you know, can add more lanes, you know, expand 9A. You can add like lanes. Nobody has talked about adding like three lanes, five lanes to the Saw Mill Parkway. That's not possible.

People who live here, go to the city, you know, the lines get backed up. You might add ten lines -- ten lanes. It gets backed up. I realize the same thing happening here, because Saw Mill has just two lanes. So, I don't know how you expand 9A.

So, you know, people live in Ardsley, like I said, they want a peaceful life. The reason for moving into Ardsley is people work hard. They want to have a good time. Send their kids to school. So, consider that. Everything is not business as usual. So, people work hard. You work from 9:00 to 5:00, 9:00 to 6:00, come back home, spend time with kids. And when you have so many people trying to get into the school, it's going to put strain.

So, my son is in grade one right now. So when he was in kindergarten they had to open a new section. Why? Because there are too many kids. My son wanted to sign up for music classes. He was denied, because they said -- I logged in online to sign him up for piano class. You know, I couldn't get access, because they said a lot of people signed up. They opened a new class. The next day when I tried to sign him up, even that class was

closed. So, this is happening right now.

He's in grade one. They had to add another section. You know, these are small things. You're all like a black box. Hopefully you make the right decisions. Improve the quality of life. Not to make it worse. Thank you.

TOWN CLERK BEVILLE: Pamela Merola.

MS. MEROLA: Thank you. My name is Pamela Merola, and I live in Ardsley. I moved here about three years ago. And as many people have said before, I moved here a lot for the school district.

I have a son who has Down syndrome and three daughters, and we moved here because we wanted a quality school system, where our children could go to school together and get a quality special education as well as general education. I think that's very unique to the Ardsley School District.

There is also a lot of children who are taken in from other school districts in the surrounding area for special education services, because they don't have them in their districts. And I think that the impact of those services and surrounding districts and the services that they can provide by coming to the Ardsley School District should be looked at as well. I don't know if that's been brought up before. But I think it's a lot of the reasons that a lot of people move to this district or to Ardsley, is more of the school district. And to think that this 200 housing units are going to be millennials that are moving there I think is unrealistic as said before. Thank you.

TOWN CLERK BEVILLE: There -- there was a gentleman earlier who was in the back, and he was saying that there were a lot of people out in the lobby who left because they couldn't hear. Is that

gentleman still here? Is that gentleman still hear?

(No response.)

TOWN CLERK BEVILLE: Anyone who knows that gentleman, please thank him for his comment, and please let him know that he's not the only one that shared that perspective with us. And we are looking into putting a screen out in the lobby just for this kind of occasion in the future so that people who are out in the lobby can hear what's going on. So, I want to thank him for making that comment.

Okay. One more person. Please come forward. We need for you to state your name for the record.

TOWN ATTORNEY LEWIS: Ma'am, you have to sign with the clerk and she'll give you an opportunity to speak.

SUPERVISOR FEINER: Actually to expedite --

TOWN CLERK BEVILLE: Just state your name. Thank you.

MS. ROSS: My name is Lorraine Ross. I live in Ardsley. And with respect to a meeting venue, since it's such a large crowd, can we not move to another facility that would accommodate the numbers of people that want to attend? That's my question.

SUPERVISOR FEINER:
(Inaudible).

MS. ROSS: Well, that means we have to go to the Saw Mill River. We don't want to bother with that. But we would -- we would wonder and I wonder if there is a facility that would accommodate the numbers of people that are interested in this situation and this possible happening of The Jefferson.

COUNCILMAN SHEEHAN:
(Inaudible.) It's just a suggestion.

SUPERVISOR FEINER: You would like to speak.

TOWN CLERK BEVILLE: We have Katherine Frederick. And there is a lady coming forward. Please come forward to give us your name. Katherine Frederick.

MS. FREDERICK: I am Dr. Katherine Frederick. I live on 99 Sprain Road, Scarsdale but Ardsley School District. And have been involved in a fight begins the attempt to put in a 90 unit skilled nursing facility, what do you call it, home next door to my house. And one of the reasons that is being touted by the Town as a good thing is because it provides income to the Town in terms of tax revenue without adding any school -- students to the -- I live across the creek from the Edgemont School District. So, if houses were to be built in that small space, probably four to five houses at most, it's seen as a very bad thing for the Edgemont School District. So, I don't understand why it's okay to override and have a variance to put this massive structure next door to my house in order to save four or five houses from the Edgemont district, and yet we're willing to put five, 600 houses into Ardsley School District.

So, I just think it's a little ironic and a little bit of talking out both sides of the mouth. And as a pediatrician who sees many of the young children in this district, I am appalled that my children are going to get a better education than they will get. My children are about done. They are going to be out before this travesty happens. But these kids that I take care of are not going to get the benefit of what my children got. I think that's a crime.

SUPERVISOR FEINER: There has

been no decision, you know, on that assisted living facility. That's also right now undergoing the review process.

COUNCILMAN SHEEHAN: This Town Board cannot grant variances.

MS. CONSTANTINE: Lee Constantine of Dobbs Ferry.

TOWN CLERK BEVILLE: Please spell your name.

MS. CONSTANTINE: L-E-E
C-O-N-S-T-A-N-T-I-N-E.

TOWN CLERK BEVILLE: Thank you.

MS. CONSTANTINE: I just wanted to say, I hope you'll take a hard look at the negative impacts, all the studies as you're required to by law, and do not make the wrong choice of approving this project like Rivertown Square did. And do not buy into the developer's promises and studies that are not a reality.

You think Ardsley is impacted now, wait until the Rivertown Square project is fully developed, in action. And it will be much worse than ever.

With apartments across the street, it is no doubt that people will be tempted and encouraged to cross the street to visit the movie theaters, the restaurants and any shopping center. And no one should be encouraged to cross the Saw Mill Parkway. It's dangerous by car. Thank you.

COUNCILMAN SHEEHAN: Thank you. Is there anyone else who wishes to speak?

(No response.)

COUNCILMAN SHEEHAN: Does

anyone wish to speak a second time?

SUPERVISOR FEINER: We'll just adjourn.

TOWN CLERK BEVILLE: Mayor Porcino would like to speak a second time.

MAYOR PORCINO: Mayor Porcino again. I wanted to clarify one point. This project obviously is not in the incorporated Village of Ardsley. What that means is that any tax revenues, additional tax revenues that this project throws off will not be paid to the Village of Ardsley. We can determine today one number, what is the amount of taxes that this project is going to throw off to the Village of Ardsley. That is zero.

So, we will have added burdens on our roads, obviously on our air quality, on our fire department, our ASVAC, our police department. We get zero extra dollars. I would like that to be part of the scoping process.

Now, that is, as this Board knows, as this Board is subject to what is euphemistically called the two percent cap. I don't know if the public realizes, but what the state legislature passed, what Governor Cuomo signed was not exactly a two percent cap on your taxes. It was the lesser of two percent or the rate of inflation.

This year we were told that the rate of inflation applicable to the Village is .12 percent. So, we are within this constricted budget limitation, but we're asked to take on these additional burdens without any additional tax money. I want to know how that is suppose to happen. Thank you.

SUPERVISOR FEINER: So, we're going to --

MR. ALEXANDER: I think we

just want to thank you for the opportunity, you know, to have a scoping session, to hear the public's comments. This is a very helpful process to help fill out the DEIS to be appropriate and comprehensive. As you know, we appreciate and look forward to moving along in the process.

TOWN CLERK BEVILLE: Sir, for the record, please state your name and company.

MR. ALEXANDER: Neil Alexander.

TOWN CLERK BEVILLE: Neil Alexander, okay.

MR. ALEXANDER: A partner at Cuddy and Feder. And we represent the applicant.

TOWN CLERK BEVILLE: Okay. Thank you.

COUNCILWOMAN JUETTNER: I wanted to add another -- another point. What I'm concerned about is what -- what I'm concerned about, what are the impacts that are going to hit not only the Village of Ardsley but the surrounding areas when the -- when the construction of the bridge is going on. Because I live on Ashford Avenue and I work in Dobbs Ferry. And I'm contemplating now what other way that I can get to -- to my job without having to go over the Ashford Avenue bridge. I'm sure I'm not the only one whose thinking that. I think we need to know. This is a two year project. And so I know this is a really big concern as well.

SUPERVISOR FEINER: Also another issue is in terms of the flooding. The Army Corps of Engineers devoted significant resources a number of years ago addressing flooding issues and there are still flooding issues. And I'm wondering with all the additional development of Rivertown Square and possibly this, how

that will impact, you know, potential flooding along the whole Saw Mill River corridor. Because sometimes you build a building in one location, it has impacts north and south on the Saw Mill River.

So, the meeting -- the hearing will be adjourned to February, you know, 10th. And everybody who would like to speak, if you have any other additional thoughts or if you want to continue to speak at that meeting, it will be at 7:30 here on February 10th.

COUNCILMAN SHEEHAN: Adjourn for all purposes.

SUPERVISOR FEINER: For all purposes.

COUNCILMAN SHEEHAN: I'll second that motion.

SUPERVISOR FEINER: All in favor? Aye.

COUNCILMAN MORGAN: Aye.

COUNCILWOMAN JUETTNER: Aye.

COUNCILMAN SHEEHAN: Aye.

SUPERVISOR FEINER: Next.

COUNCILMAN SHEEHAN: Thank you all for coming.

TOWN ATTORNEY LEWIS: Thank you everybody.

COUNCILMAN MORGAN: Folks, we have another hearing, so if you could please step outside for the next hearing. Thank you.

ooOoo

SUPERVISOR FEINER: I would like to move that we open up the second hearing, to consider a zoning text amendment to Section 285-25A --

COUNCILMAN SHEEHAN: We can't --

COUNCILMAN MORGAN: Folks.

COUNCILMAN SHEEHAN: Excuse me. We have another public hearing we have to do.

SUPERVISOR FEINER: I would like to open up the hearing.

COUNCILMAN MORGAN: Second.

SUPERVISOR FEINER: All in favor? Aye.

COUNCILWOMAN JUETTNER: Aye.

COUNCILMAN MORGAN: Aye.

COUNCILMAN SHEEHAN: Aye.

MR. DUQUESNE: Good evening. The draft Local Law proposes to amend comparable sections of the OB, CA, LOB districts in the Zoning Ordinance to be reflective of current standard industry practice as it relates to the following principal use: --

COUNCILMAN MORGAN: Chief, can you help escort everyone out, please. Thank you.

MR. DUQUESNE: As it relates to the following principal use: Offices or agencies for scientific or technical development.

The Local Law was referred to the Planning Board, who discussed it on November 18th, 2015. The Planning Board noted the existing restrictions that are the subject of this zoning text amendment

have been in effect in the Town since at least 1957, which at that time proceeded the Clean Air Act, the Clean Water Act and Occupational Safety and Health Administration regulations, OSHA.

In addition to the fact that the research and development sectors is a heavily regulated industry with stringent safeguards, the Planning Board notes that the zoning text amendment will support the growing research and development facilities within the Town of Greenburgh and help facilitate their continued success.

On November 18, 2015 the Planning Board unanimously made a positive recommendation and issued a corresponding report with no suggested edits to the law proposed. Thank you.

TOWN CLERK BEVILLE: Ella Preiser.

MS. PREISER: Ella Preiser.
I do have some suggested changes to this.

One. I don't have a problem with the intent of this. And -- and when you're looking at the OB District and the LOB District, what you want to do is cross out certain words and add a new sentence that refers to it. However, you have to know that the Central Avenue District has an additional two words, three words actually in the code right now. And what you've done is just taken the same crossing out and adding a new sentence for all three districts. But look at the Central Avenue District right now. And you'll see there is also mention about radioactive materials. What happened to those words? You can't look at what you printed out on the internet. You have go to the code and look at what's in the code right now.

And what you're doing is you're adding that same new sentence in the code -- to the code for Central Avenue, but it's not really necessary, because the

final sentence in the Central Avenue District states that "This shall not preclude the practice of medicine, dentistry or pharmacy, nor the activities of a diagnostic laboratory licensed by the State of New York. The containment of any potentially harmful substance shall conform to all rules and regulations of relevant federal, state, county or municipal agencies."

So, the new sentence that you're trying to add to Central Avenue is already in existence in the CA, that's CA 285-29.1B(1)(b)[3], the subsection.

So, I -- I have no comment. But you can't ignore words that are already in the Central Avenue District like radioactive material and what have you. Are you going to eliminate those words? This only deals with viruses or infectious organisms.

It's not ready, folks. You really have to look at the Central Avenue one to deal with this.

Francis, I don't know, can you pull up the CA District right now on your computer and you'll see that I might -- I'm sorry. I didn't see this until this afternoon on -- on your website. It's B(1)(b)[3].

TOWN ATTORNEY LEWIS: Do you want to save your time and you can come back after Francis has had an opportunity?

MS. PREISER: Did you find it Francis. Okay. And it says radioactive material, right? Right?

COUNCILMAN SHEEHAN:
(Inaudible).

MS. PREISER: Okay. So, you can't just eliminate something without doing this before the public hearing. And again I say you don't need this new

sentence in the Central Avenue. That is my comment. I hope you'll put this over.

MR. DUQUESNE: I think it's a good comment. We can look into it. Ultimately if it's decided that just the added underline language in the CA District needs to be struck, we also need to extend the public hearing.

TOWN CLERK BEVILLE: Bob
Bernstein.

MR. BERNSTEIN: Good evening. I -- I want to echo what Ella has said, particularly with respect to the CA District. You know now that those of us in civic associations have to spend an inordinate amount of time fly inspecting everything you do when you amend the Town Code, since we are ultimately the ones that have to enforce it. It behooves us to look carefully at what you're doing, particularly with respect to the amendment of the CA District, because I don't see what the purpose is. I don't understand what you're doing. There is no explanation of what you're doing. The words that are added seem to do nothing, because the words at the end of the sentence, the last two sentences say the same thing. So now you're adding words and creating an ambiguity, because it's not clear what the purpose is in doing this in the first place.

So, I would urge you to take this matter off the agenda tonight. Rethink it. And then come back with an explanation of why it's necessary, if you really feel it is necessary, so that there is a clear public record of the intent behind this legislation.

As I said, we don't envy having to come in to fly inspect what you do when you amend the code. But having now looked very carefully about how you've amended the code in the past, it is almost existential, to quote some of the people

tonight, when we have to look at what you've done to the code, sometimes with the best of intentions and it turns out to be a God awful mess. We want to prevent that every time, all the time.

So when I saw this tonight, I said to Ella, what is this. What does it mean. What's the purpose. What's the explanation. You can't find it. It's not there. So, whoever was responsible for this, perhaps in the future you will take it upon yourselves to explain it. Explain it at a work session, if necessary. But explain it. Document it. Show us why it's necessary. Because words matter. Boy do they matter. And when we have to reach into our own pockets to enforce the Town Code that you write, we want to be damn sure you know what you're doing when you do it. Thank you.

SUPERVISOR FEINER: Anyone else like to speak?

(No response.)

SUPERVISOR FEINER: I move we adjourn the hearing.

COUNCILWOMAN JUETTNER: Second.

SUPERVISOR FEINER: All in favor? Aye.

COUNCILMAN MORGAN: Aye.

COUNCILWOMAN JUETTNER: Aye.

COUNCILMAN SHEEHAN: Aye.
We're adjourning it.

ooOoo

I N D E X

CASE NAME	HRG. PGS.
2 Lawrence Street	2 - 77
OB, LOB and CA Districts	78 - 82