March 18, 2010

The Town Board of the Town of Warwick held a Public Hearing for the Proposed Community Business Zoning District Draft Generic Environmental Impact Statement. Said public hearing was held on Thursday, March 18, 2010 at the Town Hall, 132 Kings Highway, Town of Warwick. Supervisor Sweeton called the public hearing to order at 7:00 p.m.

ATTENDANCE: Supervisor Michael Sweeton
Councilman Floyd DeAngelo
Councilman Leonard DeBuck
Councilman James Gerstner
Councilman Mickey Shuback

Town Attorney – John Hicks
Town Planner – Theodore Fink

LEGAL NOTICE: The Clerk read the legal notice, which was duly published in the Warwick Valley Dispatch on March 3, 2010. (Copy of this legal notice is printed at the end of these minutes.)

Supervisor Sweeton – I'll introduce our planner Ted Fink from GreenPlan the minute I explain the process. The purpose of tonight's hearing is to get comments on the document so that we can address them and answer them. I noticed there was something in the paper about the forum and not incorporating those ideas. This wasn't the place to incorporate them. Those will be evaluated hopefully and help us define whatever happens as we progress through the process. I just want to make sure people understood that because there were a lot of people that came out in to a great forum in January. Those things have all been compiled and delivered to us for that. Ted, if you would just give everyone a brief rundown of the process and where we are in it and then what follows up.

Ted Fink – Planner, Town of Warwick – Under the New York State Environmental Quality Review Act all actions that are taken by State and local government are subject to an environmental review. There are three different levels of environmental review that agencies have to consider before they can take any action. One is a short environmental assessment form that is just a little two page document that is reserved for minor activities. Then there's a twenty some page full environmental assessment form that addresses a variety of different environmental impacts and the third approach is the full environmental impact statement procedures. Where a particular action may be a controversial action or it may involve a lot of complications and the Town Board has decided that with this particular zoning that they would go through the full environmental impact statement procedures. Those procedures involve four different steps. The first step began about five years ago when the Town Board determined that it wanted to

proceed with some zoning changes within the Route 94 corridor. The Town Board after they cleared their intent then proceed with a preparation of an Environmental Impact Statement, conducted a public scoping session and at that time there was proposal on the books by St. Anthony's Hospital to move from the Village out to that corridor area. The scoping process which identified all of the issues to be studied in the Environmental Impact Statement was based upon that as one of the simple features of any zoning changes that would happen on the Route 94 corridor. As many of you are aware St. Anthony's has decided to stay in the Village, so that part of the proposal went out the window. Nevertheless, the Town Board has been working for the last five years to try and figure out a better approach to zoning in the corridor and we've been preparing a Draft Environmental Impact Statement, which is the subject for the public hearing tonight. This is the second step in the process. The third step in the process, after the public comment period, is to gather all of the comments that are made by members of the public or any other interested party and those include your oral comments tonight or anybody that wants to make written comment. Written comments are encouraged up until the close of the comment period on April 1st. Once all of those comments are assembled and the Town Board has an opportunity to review them the positives and the negatives about the proposal. What they'll then do is decide whether or not to go with the action the way that it has been presented in the Draft Environmental Impact Statement or whether or not to further modify action based upon public comment. All of those considerations and determinations by the Town Board will be contained in a Final Environmental Impact Statement and not only will the Town Board address any possible changes to the proposed zoning amendments, but they will also respond to every comment that is made on the document. If they decide to go with it they will provide a rational for why they went into one particular direction. If they decide to make any changes they will provide a rational in that Final Environmental Impact Statement for why those changes were made, so that is the third step in the process and the fourth and final step in the process before they can take any action is after the final EIS is prepared, it's filed, it becomes a public document, it gets posted on the Town's website and everybody has an opportunity to see what the Town Boards thinking is whether or not to make any further changes. They will then adopt what's called a finding statement and the finding statement will provide a summary of their thinking on this. It will provide a listing of social and economic benefits of making the zoning amendments and once they have done that and once they have filed that with the appropriate agencies and the State they will then be in the position to take action on some form of zoning changes for the Route 94 corridor. That's basically the process and this is really the second step of the process tonight and we have two more to go through in the next few months before the Town Board will be taking any action, so with that Mike that's pretty much the steps that we have in our system.

Supervisor Sweeton – Just as a timeline, the comment period for tonight ends on April 1st and then it's probably going to take at least a month to address the issues and comments before we're in a position to consider a draft of a Final

Environmental Impact Statement. It will be at least that long, so we are looking as Ted mentioned several months yet of work and comment from the public.

Jerry Schlichting – Resident, Village of Warwick, NY 10990 – I live at 62 Homestead Village Drive, Warwick Valley High Class of 1996, my family owns the Frazzleberries Country Store in the Village and I'm a parent of a one year old that was born here in St. Anthony's last year. I mention all of that because my comments on the impact statement are based from three perspectives, that of being a long time resident, that of a current business owner and a young person coming back home to start a family here. From the perspective of starting a family the idea of moderate housing or moderate income housing in this zone could be beneficial and I read that part with great interest. I have a couple of questions about the methodology used in evaluating the impact of that housing and these are questions that I hope could be answered at some point going forward. There was an analysis done on the potential impact to school enrollment if this project were to go through on taxes collected on the units being composed. In that study it assumes a 5% enrollment rate. I live in Homestead Village, which has units that are in comparable size to those being discussed and in my own observation 5% seems very, very low that there is a high concentration of young families with school age elementary age specially that 5% to me would seem very, very low. Are there other benchmarks available to using the study to provide more meaningful analysis such as analyzing enrollment rates in places, such as Homestead Village or Kings Estates? Who have been more moderately priced properties that would appeal specifically to young families and potential retirees looking to downsize? In the analysis of the impact on the enrollment and our school taxes to be able to meet all the costs I also saw no consideration of any impact to state aide cuts. In watching the papers over the last several months as our current school district is trying to come to grips with state aide cuts and Albany might not get better soon, but I don't see any allowance in those projections if we continue to see shortfalls from Albany and we as residents have to kick in more in order to keep our schools at the present quality that we enjoy. As a local business owner initially I was scared about some of the ideas in the project, but I've kind of accepted that competition is good it's made our business stronger and our Village stronger, but I do on the spirit of competition have a couple of questions again about methodology used again to evaluate the impact of a potential zoning change. In the study there is an analysis that reflects a five mile radius of the affected area and it calculates potential spending capacity verses what the current Village provides and it defines a service gap that would seeming suggest that new businesses could come in without any impact to existing businesses. My question is, a five mile radius appears to me as if we're looking at is as an island. We're not giving any consideration to the fact that over the last 20 to 30 years are Villages of Warwick, Florida and Greenwood Lake have been continually been encroached upon by Wallkill, Middletown, Monroe, Chester, the Palisades Mall, the Route 23 corridor in New Jersey and I've seen no attention given to the fact if you do circles all around those places that they all come into Warwick already. I feel that in order to evaluate the actual level of business here you really have to consider not only just our small little corner of the world here, but the world that's around us

because you face it everyday. Our businesses were founded before the start of the internet, E-bay, or Amazon.com and they were certainly here before the Galleria and Palisades Mall and other places. I would ask that potentially if there is another methodology that could be used to evaluate the wider regional economy and not just Warwick as its own little island. The other question I have relevant to the methodology in establishing the zone if the zone is basically saying that a building or business can be from 4,000 square feet to 75,000 square feet and in the appendices there were discussions from Arendt who was consulted upon and raised the same objections that I have, that 4,000 square feet is actually quite big. While the perimeters from 4,000 to 75,000 square feet would exclude a Walmart or Home Depot, which is great, but it still leaves plenty of room for many smaller national chains to potentially find a home here. I wondered why after the advice that I've seen, one of the projects that he references is right down Route 1 from our other location in Rhode Island, so I watched this develop, I watched it grow and that particular project has a mix of small businesses and national businesses that seem to coalesce and while I don't like the idea in total I think it's a mistake not to give some chance for a small business to potential if this has to happen that a small business couldn't find an incubation spot there or a place to start to grow. You're basically precluding any small business with a 4,000 square foot footprint. Most small businesses are not going to be able to do that. There are very few businesses in any of our Villages now that have footprints larger than that and I would be curious to see if as this study gets revised if there's any way to engage that consultant to speak a little bit more to the experience maybe gained in Wakefield Rhode Island as a potential example of what may work better. The third point as a long time resident is one more on a personal note; the tenor of the study uses the word need quite a bit and there's no question in my mind that our zoning is outdated and we need to bring it into modern times and we need to create it in such a way that it will benefit our community going forward and I fully agree with that. What I find troubling I guess is that the word need is also being used to suggest that we need another village type format that we need another place to allow people to come together and congregate. I know a lot of local residents and we service them everyday and I've never had a local resident tell me we need a fourth village or another hamlet. We have three that are doing really well right now and are the heartbeat of our Town. The tenor of the study suggests that in my reading and my interpretation it kind of creates like a separation that somehow the village is not the Town and the Town is not Village. I've lived here most of my life and I've never once felt that way and I can't think of many people who do. Who feel that somehow the Village doesn't apply because it's not part of the Town and vise versa? I take a little bit of exception for that and I hope you will consider my comments and I hope that there will be some clarifications of some of the points and I hope you consider the methodologies I've suggested because I think there are some good facts that aren't being considered.

Anita Panas – Resident, Town of Warwick, NY 10990 – Maybe the Board should kind of think of this again, the proposal for apartments there. I've seen this happen. I've escaped from two towns already. I kind of have an overview of what happens.

First of all I agree with what he says about it will definitely impact our taxes. We will have to put more police patrol and we also have to think about the crime rate because we can not discriminate on who rents these apartments in that area. People who don't live in the Village are very vulnerable because your house isn't right next door to the other house. Someone could come up my driveway like what happened to Ethel Ritzer when they pulled in her garage and came to rob her house. A lot of the homes in our area are very vulnerable. I think we really have to consider that. I really don't think that's a good proposal, however I thought again about the office buildings and I thought maybe a couple of small office buildings if they looked like old barns; they would not be intrusive to our landscape. I did kind of consider what you were saying and gave it a second thought if they were made to look like old barns they could blend into the countryside and they wouldn't look so bad. I think we have to be very careful here because so many people like myself moved here because Warwick is what it is and it will not be anymore, but then again I know the Board is in a catch 22 with certain situations that occurred in the purchase of properties. Now you can't say you can't build; you can't do that, but I guess that all has to be thought about.

Supervisor Sweeton – Thank you we appreciate that.

Carol Liantonio – Resident, Town of Warwick, NY 10990 - I have a couple of comments first about what I think is missing and wasn't addressed. I think you mentioned at the meeting that we had a couple of months ago brought out a lot of ideas for the 94 south area. One of the larger ideas was land preservation and I don't think that's addressed at all in here and maybe that's what it's not suppose to be for, but I think that was very much missing. Also the possibility that the Town, and I don't know how or where the money would come from I admit, purchase the Miller Farm and possibly consider it for uses to benefit the Town, either as a solar farm that could have payback in the long term to residents instead of being a drain on it in terms of preservation. The second thing I wanted to mention was that this particular document is in keeping with the Comprehensive Plan doesn't necessarily make it so. That was my feeling as I read through it. The Comprehensive Plan and it was quoted all throughout one of the residential goals was to concentrate denser residential development around the villages and the hamlets and maintain rural densities in the remainder of the town. It states it right here and it's not what this plan is talking about at all. Encourage a mix use pattern of development where appropriate in and around the hamlets and adjacent villages. I felt like all throughout the document it was aspersing what people have been saying in terms of detailing development and trying to keep the rural nature of Warwick, but the plan itself is not doing that. I don't get this contradiction here and I found that a little bit troubling. The actual plan itself one of the points along those lines keeps talking about that it's not water oriented, but yet this plan talks about roundabouts, it talks about cut-ins to Route 94, it talks about alternative access roads and things like that. If it's not water oriented that doesn't make any sense it's another contradiction, so I feel like there's a lot of things like that in here. It talks about protecting use groups and complimenting the agricultural and other open spaces surrounding commercial

areas. In another place it talks about putting in a building in front an existing parking lot, again that doesn't jive. It doesn't make sense that it's protecting the use space. I had some questions about the plan itself; it talks about how it would allow up to a 50% increase in density, but it doesn't explain what would enable builders to take advantage of this 50% increase in density. I'd like to see that in the plan. Besides that case if that's going to be allowed why is this DEIS document not addressing that 50% increase? You should be addressing the worst case scenario instead of the best case scenario. If you're going to allow a 50% increase that's what it should reflect that your effect on police is going to be x, when really it's going to be 2x, same thing on the education, on school systems, on taxes if you're going to allow a 50% increase in density that where the real numbers should be. I had a question about the current capacity or water supply, storm management and sewage treatment. I don't know if the current capacity and what was built on that Fairgrounds covers this. Does it?

Supervisor Sweeton – It'll answer this if it's not in the document.

Carol Liantonio - If it doesn't cover it then the document should talk about anything additional that has to be built like the affect on these additional things. I felt like that was a little bit swept under the carpet and not really fully addressed. I have to admit I didn't get through the entire trade and market section, but I will get to that. Just from a common sense standpoint I think to myself what did we go into the village for? We go for the banks, the post office, get prescriptions, to meet and eat there, buy gifts and the question is if all of these things are also allowed with this new zoning; how does this not compete? Regardless of what you can make numbers say anything. I will look through the whole report, but I feel like the common sense of it is it's going to compete with the village and I don't know if we really need to do that. All throughout the other documents of the Comprehensive Plan the suggestion is let's focus on the village and extend out from there. This takes a completely different approach to that.

Supervisor Sweeton – I will just clarify three things. The build out, I believe Ted, was on the worst case scenario, so in other words 50% pertains to only those parcels where there's a building on it already. The idea behind that is they have to apply for that 50% and they would have to show a reason and a benefit to the Town as to why they would do that and the theory there is to get them to build the travel lane, so the town taxpayers don't have to do it. That's the only place the 50% applied and that was taken into account in terms of how much traffic and all the impacts it would generate. It was part of the full build out.

Geoff Howard – Resident, Village of Warwick, NY 10990 – Let me just make a couple of points. First of all I hope it's clear to everybody that the Town Board did not have to do this. There was zoning in place.

Supervisor Sweeton – That was my other point. Currently there's a threat to the village, so the idea is to try and lessen the threat if we can. That was the theory.

Geoff Howard – With the zoning in place and everybody is pretty much of a same mind that it wasn't really good zoning especially in the long term, so the Town Board opened up this issue and I think I hope it's moving in a positive direction. I just wanted to thank them for taking that step that they didn't have to take. Secondly I think in my mind the way I see it there's key critical questions that are going to determine whether this comes out 20 years from now good and we all look back on it and say ok I can live with that and I feel good about it or not so good. A couple of them are relatively easy I think or maybe I'm underestimating. Can we manage the increased traffic? I think there are ways we can do that. Price Chopper is probably going to be the biggest traffic increaser and that's a done deal, just probably weeks or months away. I think the additional traffic that's going to be added by the other parcels will not tip it into something that's unmanageable. The second one I think we can get right without too much difficulty is can we ensure that the buildings wind up looking good and being energy efficient, ecologically appropriate, green whatever language you want to use. I think we have in the language of the zoning positive steps with the Architectural Review Board and the building code to ensure that happens. Those are two important questions. I don't think they are going to be make or break issues. The two that are tougher can we get the right mix of business out there? Can we get businesses to add to the services that are available to the citizens of the Town of Warwick and that are net plus? One of the reasons that's tough is because you are our controller. It's a free market economy. There's a rental market, there's a development and it's not that you have no power I think you have some power, but that's a very difficult question and that leads into my second question. The tough issue can we do this in a way that doesn't lead to the decline of the Village of Warwick, the decline of the other villages and the decline of the hamlets? That has a lot to do with the kinds of businesses that end up out there. Given the fact that there's zoning in place stuff was going to happen. I think this zoning and you're shining the spotlight on it and the public attention all raises the probability that we will answer all of those questions in the right way. That's all I really want to say and again I compliment you for opening up this discussion for the whole Town.

Alan Lipman, Esq. - I noticed that conspicuously absent were many of the plans, maps, diagrams that you had here, so luckily I brought my own. I told you gentlemen the last time I was here in August that I commend you for this project, the devotion of your time and energy. It's got to be an overwhelming issue that takes a lot of time and energy. My problems are not with your overall plan, but rather with respect to the boundary of the district. I don't think anybody can see what this depicts and particularly because I chose yellow, which now in retrospect is the same as here. What is highlighted in yellow on that plan is the old district, the existing district. The EIS or the draft EIS suggest that there are two parcels that have been added to the district and I think that's in error; there are three pieces. The two that are referenced in the environmental form that you are looking at are both included within this rectangular area and they are both owned by the Greens. This triangle is not mentioned and is part of the Fairground site it's Price Chopper.

Supervisor Sweeton – But it's in a different zone, currently today.

Alan Lipman – This was in the OI.

Supervisor Sweeton – Correct.

Alan Lipman – And you're moving it into…

Supervisor Sweeton – I don't think we proposed to do that.

Alan Lipman – That's what this document is.

Supervisor Sweeton – Well then that was in error. We'll look at that. It was not intended to be.

Alan Lipman – I'm confident that it does show it.

Supervisor Sweeton – I'm not going to argue with you.

Alan Lipman – No, I don't want to argue about it because that's not the piece I'm interested in. I just wanted to tell you something is wrong with the copy.

Supervisor Sweeton – We will definitely fix that.

Alan Lipman – The boundaries of the new zone exclude this parcel in orange. This is the parcel I addressed back in August. I have thought about traffic considerations. I thought about the planning perspective because directly across the street from that orange parcel and you see I didn't define this corridor. I think you all know that is a 508 section that goes right just beyond the edge of the parcel in orange. You have had in your zoning law since at least 1989 requirements for marginal access roadways that you and I have debated from time to time as to how they get established, who pays for them and so forth, but that they're needed has never been a subject of any debate between us. It seems to me that not enough attention has been given under the need for a marginal access road on the northeast side of Route 94. The only thing that shows that something is happening in that respect is a photo rendering on your website showing how you propose this zone to be developed. It's not clear where the marginal access road would be established. The end of that marginal access road aught to be at the end of a Town highway, so that people can get into that marginal access road and out from it without going onto Route 94 to get onto Sanfordville Road if they're on Warwick Turnpike and that's the other side of the road. That is the place where marginal access roads should begin and end at an existing municipal street. Now I don't think that is the case in the layout on the north side of 94. You do have Warwick Turnpike on the other side of the road and it goes directly into one of these parcels when you cross the highway, but you can't really get through with anything that I see in the plan, so

there is a need I believe to include that parcel. I have no idea why your Board could have established the westerly end of the zone or the district on this side of the highway one parcel short of Sanfordville Road. That makes absolutely no sense to me. The other side of the coin is that if this strip on the southerly side of 94 is to be developed in accordance with your plan, and as I read the plan, that is the only way that it can be developed once the plan is in place. What is the purpose of having new compatible uses across the street? That parcel in orange is zoned for office or industry. If you're trying to ensure the development of this whole corridor is consistent with your plan that certainly is not help, it hinders. It prevents the development of the entire corridor in accordance with your plan and it doesn't seem to be any rhyme or reason for excluding. I don't think this is the time or the place where questions are going to be answered, but if it were I'd ask you Board members what was behind the absence of that piece from the zone once you've decided to add this parcel in blue. I don't want you to misunderstand; I'm not arguing with you, you shouldn't be including Marie Greens property. I'm simply saying you missed the boat in not including the adjoining piece. Is this the time to get an answer?

Supervisor Sweeton – No. We're going to take your comments and then they'll get answered.

Alan Lipman – Then I was right.

Sharon Roll – Resident, Village of Warwick, NY 10990 – I've lived in Warwick when you could only rent VHS tapes from Larry's Deli. I love Warwick and I love being here. My perspective is I study horticulture, so I'm really interested in the controversy of the energy resource in particular what Carol had already mentioned. It says right here that a future development would cause increase to the non-removable and diminish energy resources which would be needed to be supplied by local energy suppliers. I was just putting it out there for what that might mean if we were to do something with grants to buy property and produce energy in this area meaning the Town Board. In that same section we talk about the EPA's energy star program and green building counseling and leadership and LEED. I don't know exactly what's in all of those things, but I was just wondering if you could look at those things a little bit better and just an idea is green rooms. Do any of those standards when you look at a piece of property how you situate a building on a piece of property have to be energy efficient and also the landscaping around it? It also says in the beginning of this section about using combustible energy to develop the property, but after it's developed to maintain it takes combustible energy. I just thought if you looked at the landscape design where it wouldn't have to be maintained in that way may also help with the carbon foot printing.

John Christison – Resident, Town of Warwick, NY 10990 – My biggest concern technically is what impact its going to have onto our quaint little village? The stores, yes we'll keep out the big ones, but as Jerry mentioned they are big enough where the small chain will come in. That's going to hurt a lot of us downtown and we're struggling as it is and I'm just really concerned why and I'm not just saying

the Village of Warwick, but the Village of Greenwood Lake, the Village of Florida and the little hamlets that are kind of developed and I'm just worried that we're going to become another and God forbid it will never become a 211 thank God, but it's got the potential. If you look at downtown Middletown there are gorgeous stores there that are empty and they can't get the right tenants to vitalize them. I'm afraid once it's done its too late.

Kathryn Lomax – Resident, Town of Warwick, NY 10990 – I own a building at 60 Main Street. My main concern is the same as Johns; it's diluting the downtown. A hobby of mine since buying the building 16 years ago is to find out who is where in the Village of Warwick, how longs it's been vacant, what was there, who's going in, and what would be best for the downtown. Right now if you can go online you will find three out of every five buildings are for sale. The Main Street has numerous vacancies. There are vacancies on Railroad Avenue, there are vacancies on Spring Street and I know from my own building when I have a vacancy it takes anywhere from 22 to 26 months to re-rent, which is a very bad financial hardship. If we dilute the downtown and have everybody go out to a new infrastructure on Route 94 I'm afraid what will be left it won't be anyplace anyone wants to go to. With regards to your plan on 94 and 4,000 square feet I don't know if you're going to be able to rent these 4,000 square foot stores or more. You will get restaurants and pizza parlor and so on, but I don't think that the demographics are there for these 4,000 square foot stores.

Deanne Singer – I think I have completely different issues than anybody else. My first issue with the plan is it's interesting to know you've been working on it for 5 years. It was accepted by the Town Board on February 18th. This is one month later and you want the final written comments by April 1st, which is a month and a half. I think this is a very, very serious issue affecting us financially, socially and environmentally and to take such an involved study and give the public one and a half months when it was accepted to the final input for us is a very, very small amount of time. I was not available at the last meeting where I understand the questions were already given out for the people to respond to in small groups, so it wasn't an open forum like this. I would think that time should be extended to have 3 or 4 or 5 or 6 more meetings because I think it's a very serious step and one that we won't be able to reverse in the future. I'm opposed to your time line and I don't know if you can change it at this point, but I'm not happy with that. The study was 184 pages. I only started it a few days ago and I spent 3 or 4 hours on it today reading it and studying and I'm only on page 15. I wouldn't ask you all to tell me if you read it and studied it, but I know the Planning Board members which you mention over and over and over in this study I don't believe they have studied the way the people here have. I wonder and I won't ask you to raise your hand, but I don't think most people have had the opportunity to look at this, to think about and talk to others about it because the timeframe is so narrow. It starts off talking about your smart growth idea. On page 5 it says that 32 organizations voted for or bought into and they all agreed and adopted these 10 personal growth philosophies or principals. They were Homebuilders, the Planning Association, Transportation,

Realtors, Wildlife Federation, Historical Preservation, the US Environmental Protection Oceanic and Atmospheric Administration, State of Maryland and California. Where is New York and do I care about California or Maryland? I care about Warwick. All of those people have said that they agree with these 10 basic philosophies. I won't read them because I'm sure everybody else has, but one of the issues number 4 is creating a walkable neighborhood number 8 is to provide a variety of transportation choices. I'm not sure that we could do either of those. I think Warwick and Orange County as well as Rockland and every place else we depend on our cars. You have the idea of bicycle paths and walking people are going to walk to grocery stores for their groceries or to walk places other than taking a stroll I think that's misleading. I don't think that anybody is going to jump in their car to run over to Price Chopper or to Shop Rite to carry their groceries home to the second or third floor in their apartments. I'm not sure what walking and bicycling means, but in the whole theory wouldn't it be terrific if you had a grocery store like in the city that you could walk to and bring your things home two and three times a week, but that's not the way that we live. We're limited if you want to go to church, if you want to buy a bathing suit or towels or a pair of pajamas there's no place in Warwick and I don't know if there's going to be a place in Warwick to buy these things, so you need a car. The whole idea of walkable or transportation I think is off the wall because that's never going to happen. Let's talk about the apartments and that's my main problem. The bumped out number of apartments that you have is 244 one bedroom apartments this is in the high end and 47 two bed room apartments. I'm worried about school taxes. I'm very worried about school taxes. I spoke to Dr. Bryant who had a meeting about a month ago and he was talking about how he could cut the budget to ensure that we can afford the taxes and the tax rate. He has gone to the extent of asking teachers to unplug their coffee makers and microwave ovens to save electricity. They have turned the thermostats down to save on the heating bills, which I commend him. He and Tim Holmes and the Florida Superintendent gave me some information regarding how many children these apartments are going to put into our school district. One bedroom apartments will generate .75 children. These are not my figures they're superintendents of two districts. The two bedroom will generate 2.5 children that means that there will 183 kids there and 117.5 there. Basically 300 children will come from these 291 apartments that you are proposing. The Town Assessor Rick Hubner has told me for every two bedroom apartment the school tax is about $1,000. Now use that same figure for the one bedroom just round it off; it's got the egress for the one bedroom because its fewer square feet, so let's say $1,000 per apartment per year for school tax. That means these 300 children will bring in $300,000 school tax. The cost to educate a student in our school district and I spoke to Tim Holmes today is $17,463.00 minus the state aide of $4,430.00 equals $13,033.00 per kid to educate in our district. Where am I going with this? If we take this and multiply it by this we come out with $3,609,900.00. Three million; the difference between this and this is three millions dollars that you taxpayers are going to get to pay, but we have affordable housing in the apartments on 94. Every single year, that's not one shot, so every single year you're going to have to reach into your pocket for $3,600,000. Yes we'll have some rateables, but it's not going to

be near enough to cover that. Let's talk about who are these people that you think need affordable housing seniors that are downsizing. I'm a senior and I'm not downsizing yet, but I'm certainly not going to carry groceries up to the second or third floor living over a business with one or two bedrooms with kids screaming and yelling. The other thing is where are these kids going to playing? There's no parks. They will be playing in the parking lots or out in front or between the cars that these children are attracting. Somehow the Board thinks that we have an obligation to teachers, firemen and municipal workers in the district to provide affordable housing for them. John Kolesar the personnel director at the Warwick Schools has a pile of applications this high of people that want to work at the Warwick Schools. Some already live in Warwick. I don't see any need that we have to provide affordable housing for our teachers or employees. Call me coldhearted, but I think we have people in Warwick that are hurting for jobs in these economic times that we don't have to provide more housing for them and people will come in. You say well people that live in Warwick and work in Warwick do a better job because they are citizens of the Town. I'd like to disagree with that. I was an employee in Rockland County for 30 years and if you want to assume I did a poor job because I lived in Warwick and commuted I don't think you can prove that. I was a good employee and did all that I could for my job. Those are just a couple of the issues, but this is what really has me fired up because at this point my taxes… we need to address that. In all of these studies it says that we will not be affect I just can't understand how we won't be affected with that. We will have these homes and I know there are 300 or 350 homes being considered or in the process at the Planning Board. In six years we are going to have our schools filled again and I don't want to bring people in where I have to foot the bill for their schooling.

Supervisor Sweeton – Are you going to submit that in writing so we have the numbers?

Deanne Singer – No.

Supervisor Sweeton – We want to get your numbers, so we can answer them.

Deanne Singer – You can have my board.

Supervisor Sweeton – We'll take your board. Thanks very much.

Matt Sullivan – Thanks a lot for the hard work that you guys are doing and paying attention to what the public has to say about this. I probably have a different point of view from people who have already spoke. I think we're over planning this. I think we're over thinking this whole process. I think government has gotten to the point that we've spent untold amounts of money in going over these things over and over and over, when there's some very simple principals that we can consider which really aren't being paid to close attention to and that is the rights of the property owners. I hear everybody out here and I'm sure some people agree with me that believe that people who actually own these properties should have the most say in

what becomes of the properties and how the properties are used. There is an awful lot of thought about we should put this there and we should put that there and there's competition for the village. This former Rockland teacher was saying a moment ago I can understand that. I think that's a real issue. That impacts me personally and yet I don't think it's warranted to compromise our principals for personal gain and our principals are that we should allow those who have property rights maintain their property rights. That's what this country was built on. Now you want to say we bring in more kids into the Town therefore we really can't afford the additional education cost. That's true, but the real issue is that there is an imbalance unfortunately maybe economics will fix it ultimately, but there's an imbalance between the cost of education and what the average taxpayer earns and can afford. That eventually will come back into line, but does that mean keep the children out of our community? Does that mean we keep moderate income people out of our community? I really think that's classicism. I don't think that belongs here in Warwick. I think that we're a little bit more tolerant. I'd like to say to be human to me is to be tolerant. To me to be human is to look at architecture and say that's nice over there. I like that architecture, I kind of like that architecture over there and that builder he thought this was kind of nice to do it this way. That to me is what America is all about that we are the melting pot that accepts different ideas and different ways of doing things. Certainly we should be concerned with the infrastructure and our ability to maintain traffic, sewer and water. All those issues need to be considered. We certainly need more rateables in this Town. We certainly need more employment in this Town. All those are good reasons to allow this sort of thing. The infrastructure is a physical necessity and they have to be considered and those can constrain the rights of property owners in what they can do with their property. I don't think anybody wants a cult generation plant on Route 94, but anything within reason we aught to allow. That's my main point. I don't think that we should succumb to specialty groups. I have a lot of friends who own businesses in the Village of Warwick. I heard one gentleman who owns a business in Warwick and he's concerned though he appreciates competition. Those that fear in the village certainly opening up commercial zoning out on Route 94 is going to bring competition to Warwick. I don't see a lot of developers anxious to get in there and open up a lot of stores in this economy anyway, so to be overly concerned about competition coming from the 94 corridor in this environment I think the people in the village actually have to wake up. You know at one time they were new in the area and others let them in to compete. I think as Americans we have to respect the rights of those property owners that's the main thing that I want to say and I just hope that between the rights of the property owners and the free market place and a little bit of faith and providence things will workout for our Town. We shouldn't get too overwhelmed about this and I think five years is way too long to have to think about how people handle their properties or what they do with their properties.

James Morley – Resident, Village of Warwick, NY 10990 – I want to thank you and I understand the public service that you do and I believe it was with sincerity, you didn't have to do this. You didn't have to just let this become a strip mall, which it

was destined to become. I believe you're sincere in trying to make this into something better. My concerns are is this really just a fancy strip mall? I read the document. It's well written and I loved a lot of things especially the smart growth principals their beautiful, but is this just a strip mall with a happy face? This is just a strip mall with trees and bicycle paths. It's just a prettied up strip mall. You don't need me to lecture to you about zoning. You all know very well that since World War II, the automobile and suburbanization there's a kind of biological metaphor here, which is you've got a Ford Town lead to sell, it's intact, its got integrity, but when a sale goes haywire it goes cancerous and it blobs out. It deforms itself into dangerous growth. The cellular metaphor is pretty apt when you look around America and I've lived all over the world. I've lived in ancient cities and medieval towns I've really lived in many places and I've seen healthy towns keep their structural integrity intact. They will have exterior zoning and they have spreading, but they do it very mindfully, slowly and carefully like nature itself. I just worry and I think you guys too are worried that were about to have a cancer outbreak on Route 94 and really the metaphor is cancer. I understand you want to slow it down and I do believe the sincerity of what you're up to here, but my real question is why do you only give us two options? There's the strip mall and the nice strip mall. Why just two options? I'm not a world expert on planning, but I do know about the sustainable planning what you do is you go into the interior, a core natural center and you work with that. There are no bicycle paths in Warwick center. What are you doing talking about bicycle paths out in this kind of moon landing that you're going to have out there and it does look like it's going to be a second town. It won't be a second town, but it does look like a second town. What about the interior Warwick itself? What about the properties there and the negotiations that could be acquired? You could develop the interior core of Warwick and make it better like they do in good towns all over the world that get preserved and saved the absolute heart and soul of what makes Warwick an attractive place to live. We skipped that World War II cancerous explosion. We're an isolated town and that's what makes us special, that's the jewel of Warwick and that is everything beautiful about this town and there's no reason why we can't have another option. What I challenge is your entire paradigms. I challenge the paragons that there's a need to develop a fancy strip mall. I ask you please, there are other paradigms, such as what I'm saying build the interior core center expand it or go up, make a little footprint. Have sustainable parking lots outside of the center of town. Have parking garages. There are so many ways to reuse the river and to develop everything that makes Warwick beautiful instead of going the flophouse way that every other town has gone. Middletown is a classic example of going with the cancer. Look the economy is terrible and it's not going to get better for a long time and we may have the worst of it coming. There is the possibility and have you looked into this and I do ask you to look into this. There is the possibility we could have the same image as Detroit out there empty. The town's people are saying look at the Village businesses are not doing well. Look at the constant turnover in the village. What are we doing? Where's the need? Can you please help us understand the need for this? There are several questions here in this statement and I hope I

made myself clear. Thank you for your time and I hope you will please respond to my questions.

Penny Steyer – Resident, Town of Warwick, NY 10990 – I'll approach it from a different perspective and like Matt Sullivan I'd like to see some jobs come into town and actually provide a full spectrum of wages. I'm wondering if we're predicating too much of the financial success of this proposal on retail. I have to congratulate Ted I think it's the first DEIS I've ever seen that had a real economic study attempted. I don't know just for your background in the corporate life as director of communications for a company that did home furnishings I was privileged to be able to do a lot of research, which is a good starting point. When I got to Ted's analysis of what we have in home furnishings I was a little taken back at the projections for the extra needs just predicated on what I was able to learn over years of doing it on the ground. There's some thing that you just have to overlay with other research on top of it to prove the financial imperatives for it. I would urge us to go back and take a look at that and maybe there's some way we can bring in other things to compliment it. The other thing that does concern me in here is looking at the need for a different kind of zoning if we're going to move forward with this. What we're looking at is going to require what I call 360 degree design and we're going to need to start looking at some sort of a form base in conjunction with our written code, so that we can look at not just one parcel or one building, but look at what our scope is and how we can make the whole thing work together. The last thing any of us wants to do is start something and end up with it not succeeding.

Kathy Skatidas – Resident, Village of Warwick, NY 10990 – I e-mailed my comments yesterday, so I want to keep it brief and I have a couple of new thoughts after listening tonight. I have read the DEIS in it's entirety and while it's clear that a great deal of work and time has been spent developing and designing this growth center, which also states in it that there's going to be further study proposed for this community business zone. I still feel the location of the zone is well outside the village limits and is a direct threat to the sustainability of our main street village merchants. When I was reading the Comprehensive Plan and the smart growth principals I read a lot of the documents in the eight years that I've been here. I've read in this DEIS there's summaries of some of these principles and I feel like a lot of these principals were put it and again there's residential goals and commercial goals and six of them out of ten or twelve have 50% of the goals for smart growth and residential commercialism don't apply to this zone change, but they're in your document. It's fostering this distinctive attractive community with a strong sense of place it's what Jim Morley just mentioned what's the need and this is a fancy strip mall. This is a fancy strip mall with bicycle paths and things. It doesn't have parks like somebody else said. It doesn't have a community pavilion. Parts of the Master Plan and Comprehensive Plan talk about preserving farmland, critical environmental area and this has already been designated critical lands in the township. You are also supposed to strengthen and direct development toward existing communities and again our existing communities are our villages and hamlets in the community. I see this Shop Rite area, Pennings Farm and the Leo

Kaytes Auto Dealership as something that is an existing area, but I don't see people biking to it or bringing their kids there and walking around. I feel like the types of in expanding the zone and all the uses that you're expanding its going to draw competition to all of the hair salons, the spas, the community center all of the uses that we have in the downtown area and they are struggling. I live right in the village and I do a lot of walking and shopping in the town and I'm worried that what's happening in Middletown, Chester, Newburgh and Monroe they are four big communities in our county and their main streets are struggling. When I worked for Orange Environment my office was on Main Street in Chester. The police station and a couple of little things are there, but everything else is on 17M. The same thing in Monroe when walking through Monroe there's vacancies there. In Newburgh the same problem because everything is away from the waterfront, but then Middletown is having the same problem. It's a really scary proposition. I don't understand not looking at the need. The existing square footage was about 600,000 square feet and what was interesting and the questions that I was asking at the August hearing and some of the other hearings to show us what build out would be when punching the numbers. Now I think its 260,000 square feet for retail and another 260,000 for office space or it was 232,000 I can't remember and then you have the second and third story apartments. I feel like it's happening in a zone as your going from a commercial industrial location and you have that 600,000 square foot density and your taking it and dividing it and now half of it's going to be office retail and half of it's going to be apartments. My concern is that I know you can't rezone the property and take away the zone and make it agricultural. I've done enough planning in my life to know that you can't take it away and give them nothing. You can't take away the zone, but at the same time when all these merchants are concerned about competition and what's going to happen there and you're talking about densities that are as high or higher now in this new zone with competing office space like downtown I really think that we have to look at what's really needed. Maybe we could learn from some of the other communities around who have suffered because I don't really know of more businesses that we need here. I know we need more work, but I just don't know if we need this type of square footage in this priority growth area. What you're proposing here is a big, big cancer. One of the other things to that I put in my comments that I e-mailed the Board was to not necessarily adopt the American Institute of Architect Green Housing Guidelines, but I did put those in my comments because there has been some talk, but I'm not sure if there had been adoption of lead certification. Water conservation in the building and out on the lawns if you require developers once the zone change is in place to do water conservation methods or energy efficiency and you're talking about affordable housing. I've worked on enough developments where the developments were put up poorly and the designs were poor, the materials were poor and then these poor people or these lower income people or affordable housing people are in these homes or apartments and it's costing them thousands of dollars every winter to heat. Warwick is such a green community that I really think we need to start adopting better guidelines whether it's affordable housing or for all of our housing obligations throughout the community. Better ways to not make the expenses more for the developer, but there has been plenty of

revitalization all over the country where it's been totally economical using energy efficiency in homes by using sustainable materials, doing better recycling during construction and post and better air quality. We have had stories all over the country after Katrina and other areas where they used all these other building materials that were poorly made and produced gases that made people very sick. I ask not only in these contexts of this zone, but going forward that some of these guidelines are put to use. I am worried about public services. I did read through the document and we have the demands on the schools that were looked at. The sewers were spoken about that this may become a township sewage STP and I'm concerned with that because that always means that it's going to be maintenance fees. Sewage treatment plants over time can become headaches for municipalities. They're extra expenses and when you try to create a growth area and bring people into it you're also asking for extra services. I don't think this plan actually addressed some of these services especially the schools and sewers. I really try to recommend to municipalities not to take on new sewers make them private ownership. The economy is very bad right now and I just don't know that this is something that is really right for Warwick at this time.

Supervisor Sweeton – Just a clarity point on the sewer thing the Town Code requires the Town to own the package plant behind the Fairgrounds, so whether we want it or not it will be ours.

Kathy Skatidas - Is that for all sewage plants going forward?

Supervisor Sweeton – For any central sewer that serves more than one parcel the code requires the Town to own it and I think that's for oversight like you said.

Kathy Skatidas – Is that in the economics?

Supervisor Sweeton – I believe it is, but we'll look at that.

Kathy Skatidas – It's another expense.

Terry Coleman – Resident, Village of Warwick, NY 10990 – I moved to Warwick in 1978 and I've been in business in the Village of Florida and presently in the Village of Warwick and it's been my experience in these villages both in Florida and Warwick a lot of empty stores and there's definitely no need to build any more stores. I as a landlord have trouble getting rents and I still have empty stores. I have a business in Warwick now a bed and breakfast and the people in Warwick the Warwick Gardeners and all these people and myself included spend a lot of time trying to generate business for the Village of Warwick with the wineries everybody's involved in it. To build that thing out there I don't know what the advantage of that is, but like I said there are already empty stores and half the buildings are for sale. The downtown is struggling my own bed and breakfast is not doing what it used to do and they passed a new law putting a 5% room tax on everything.

Supervisor Sweeton – We didn't do that.

Terry Coleman – You didn't do that, but it's an 1/8 and an 1/8 plus another 5%, so when you tell people your going to give them a 10% discount to stay two nights and the taxes are 13.8% it's a laughable situation, so I have my own problems, which is nothing to do with your plans, but building something out there that's just tightening the screw another day. I've been self employed here for the last thirty something years and every time you turn around somebody else is tightening the screw. You're just going to put all of us out of business. It's been brought to my attention that some of the people who work for the town and village can't afford to live in the town or the village it's my belief that our police department and our town workers are well paid and there's no way they are going to live in low income apartments over storefronts out on 94. They would just drive 30 miles or 20 miles into Sullivan County and buy a whole house why would they live above them.

Supervisor Sweeton – I'm not arguing that point and there's a confusion point on that. The reference to municipal workers, school teachers, healthcare workers etc goes to a part of our zoning code that requires a housing development to add 10% affordable factor for that category of workers. They name municipal workers, school workers and there's a whole hierarchy. That's not what the term affordable is meant to be in these apartments. It's just something less expansive then a condominium or a single family home. There's police who make more than me, so I'm not going to argue with you.

Terry Coleman – What you will get over there is the same problems that Middletown has and Newburgh, just pick up the Record and see what is happening with those places. That's the kind of thing you are inviting in those apartments and as the lady pointed out it will impact the school taxes and we've already been strangled with taxes I just got done telling you about that. Now you're going to add more. The whole thing is an insane idea. Lastly about the peoples property I understand buying the field on 94, sure I would like to make a buck and double my money or whatever, but you have to remember when those people purchased all that land it was farmland and they knew it was farmland. Great if they can make a buck selling it doubling the money with PDR or whoever it is; I love it, that's great, but not at the expense of the people that are struggling in the village. It's an insane idea the whole thing is crazy. There may be a need for it, but I don't think there will be a need for it in my lifetime. Maybe 50 years from now there will be a need to expand out there, but not now.

Supervisor Sweeton – Probably the majority of the landowners out there that we're talking about are actually Warwick families that have been farmers that actually put their sweat into that land, so it's not like it's a guy from Rockland County that came up and bought it and is trying to make a buck.

Terry Coleman - It was farmland when they bought, so it's still farmland.

Supervisor Sweeton – They invested all of their money and profits into that land.

Terry Coleman – I invested my entire life into this town.

Supervisor Sweeton – I agree.

Terry Coleman – And you did too.

Mark Kurtz – Resident, Town of Warwick, NY 10990 – I live next to the proposed development. I read the careful plan that you have all proposed and I have to commend you on it. I think that a lot of the criticism that I've heard here really is from people who may not have read what you're doing. I agree with Geoff Howard who brought up the fact that this is a better plan then currently exists and I commend you for it. I would like to say that I've been here for sixty years or more actually more and when I look around there are not a lot of people in that category and I've seen Warwick as what it was and what it has become. I have to say that the Village of Warwick is about as commercially healthy now as it was 50 or 60 years ago. There are places that don't exist that did business in Warwick and I'm talking about the Village of Warwick. There were businesses on Main Street that are now parks. There was a clothing store on Oakland Avenue and a hotel across from it, change happens. Commercial development has not tremendously increased in the Village of Warwick during my lifetime. There have been some additions to commercial development in Warwick no doubt, but overall I'd say it's kind of about even. No movie store, not in the Village of Warwick. No place to buy shoes any longer, not in the Village of Warwick. If we talk about the village and the town totally in terms of industrial we are way below what were in the 1960's we've lost a lot. We've lost Sterling Forest, we've lost Georgia Pacific I think commercially and industrially we've gone down. I wonder if the people who are complaining about school taxes come with this fervor when there are housing developments being considered by this Board. Housing developments truly do impact the schools. I taught for a few years more then I want to admit to; I love the job, but budgets were continually going down particularly in the last few years. I think it's a reflection of the lack of increase in commercial and industrial development that we've seen during this same period. I agree we do need commercial development and I have to say that this Board has done a fairly poor job at doing commercial and industrial development in the town and so has the village failed. If we're talking about keeping the commercial development near the village then the village should take an effort to attract commercial development. Right now I would have to say a person who is attempting to open a small business in the Town of Warwick is going to have a hard time. The charges are astronomical and the barriers that are set for people to pass over in order to get a business started are immense and in the village I think maybe it's even worse. If the villages are worried about not having competition outside of the village then it should include the necessary items in the village arsenal. There was a plan for a hotel and perhaps a movie theater near an area to the village. I think that's still on the books and looking to happen, but its ground to a halt and who knows why. I think that this idea that somehow competition is going to eat

business away from the village is not really sensible. There's a guy who runs some food stores and clothing stores I think the guys name is Sam something with Walmart chain and what he found was that there's synergy involved in business. If you sell shoes in a shoe store that people looking for shoes come in, but if there are lots of things then lots of people come and they may walk by the shoes and pick up shoes on their way to getting their food. If we have a lot of choices I think people will come to Warwick. If we don't provide choices for consumers then they will go elsewhere. I applaud you. I hope you continue to make our community stronger by allowing people to spend less gas and shop locally in Warwick in a healthy, vital commercial community.

Greg Keys – Resident, Village of Warwick, NY 10990 – I guess I'm a typical person to categorize I'm not politically one way or the other. I don't own a business here. When I drove through the town for the first time and I looked at my wife and we both said we've got to live here. We spent a long time making that happen and we did that because we realized it's a special place. I am not an exclusive person at all. I believe we should bring diversity to the town. I believe we should have a mixed group of people living here and sharing this beauty that we have. Keep in mind everybody shares this beauty. Keep in mind families that drive from Brooklyn to look at the countryside to look at a great place share this beauty, so it's not just about me it's about something special that doesn't exist in too many places and should. I commend the gentleman with his impassion speech which I think showed the human side of this. I'm going to go through the DEIS and I'm not a lawyer that's going to be lawyerlike, but I think he showed very clearly that at the end of the day we have to trust our guts and be humans to. We have to recognize this specialness and what it means to us not as just business owners and not just in terms of all the figures, but in terms of what we leave to other people and the future. I read the DEIS and I was happy to see the smart growth idea beginning. I knew a little bit about smart growth and then I started reading about and I read everything I could get my hands on about it. I was impressed at what a great idea it is because it does do a couple of things. It lays out clear principles, but allows communities to adapt those principles to what is special about those communities. I like the idea of smart growth because it's not your opinion and my opinion it's this set of standards over here that you looked at and we looked at and then we say didn't we do that. I like the fact that the CB is framed in terms of smart growth. I don't like the fact that it didn't get there and I don't want to be too harsh about that. I think that one of the problems is that the distance traveled from the DS to the CB is enormous and it saved a crisis really about what was out there waiting to happen. To me it was almost like you were all firemen showing up at a fire to put it out and you put it out, but I'm returning to smart growth and I'm returning to DEIS and the CB at smart growth. The distance from DS to CB is outstanding. The distance from CB to smart growth is still large. I e-mailed a lengthy document and evaluated and I think very fairly how the CB rates to the 10 smart growth principles. I've said and I don't want to be condescending or anything, but it really was the only word I could find when I searched the thesaurus is that it is a mediocre smart growth solution at best. Again I'm not being condescending at all, but when I went through the smart

growth literature and I found resources were available and the "tools" and the examples of smart growth success stories. I couldn't place it as exemplary, certainly not and I really had a lot of trouble as placing it with smart growth. I'm going to give some examples of why I think this and again I commend the distance traveled to put out this fire, but I think as I started with framing this specialness to me and other people is that we need to go to the other distance to and sometimes you can't make that jump in one jump and I don't think there's anything wrong with taking a jump and say we have succeeded and now lets take that next jump. Just to give a flavor of what I'm talking about when you read the smart growth principles about the community it is very smart growth like when you read the titles of the principles, but not really think about the community that will be developed there. As I said I'm all for affordable housing. I'm all for different types of people living in the community, but they will not be living in the community they will be living in this commercial district that has housing opportunistically built on top of it. The only organizing principle to that area is the economics of the market force. I'm a capitalist I believe in that, but the market force is not organized to the peoples living needs totally. As I said where are the churches going to be? Where are the playgrounds? The kids are going to play where? In the end I feel that housing element in part is basically a segregated community. It's sort of like the other side of the tracks. I know that sounds a little harsh, but if you think about it they are not really living in a community and they are not living in our community they are living over there, that's where they are. I wonder if you would even see them walking around. They are going to be priced at where they can shop that is shown very clearing in a DEIS that the whole economic evaluation is that in this concentric range of miles the average income is higher than average. The people coming to shop there will have far more disposable income then the people living there. The people living there will not be living in a community. Another really big problem that I have in reading the document is that out of 184 pages there are 9 chapters and one of these chapters, chapter 5 is alternatives and there was one paragraph. The paragraph was not valid alternative it really didn't have to be in there. What I feel about the town's using smart growth to plan the community is that of all these tools and all the possibilities and all the success stories that I feel we needed to build something quickly to save the DS disaster. To me it would be like going into Home Depot and looking at the toolset and I'll describe some of the tools that I saw and coming out with a pretty good kit and building something, but I'm looking at Home Depot and I see so much that we can use and I think we should and I think we should claim that we have achieved success. I think we should say that this is the first, but not the final step of the process. I'm sure there are legal discussions to be made about that, but I feel that there could be legal responses to that. I bring up other points about focusing too much on the best case scenario things. We don't know what's going to happen when the market decides how things are constructed out there. In the end what strikes me of all the 5 smart growth principles about community it's really not a community that's going to be built. We need to incorporate people, but let's incorporate them to where we live not to their own complex. The other thing that struck me of the two smart growth principles that on ambiguously failed those are the two aspects most special to Warwick, open space,

farmlands and build on what you have. Smart growth is not just using smart growth principles it's using them to adapt to your special community and I don't think we've done that. My proposal is that we consider the CB a successful first, but not a final step to the process. Time is going to flow forward and we don't have to stop.

Thomas Jeffrey – One thing I've seen as I drive down Warwick Turnpike everyday when I come home and I used to totally think when coming into the valley that it was 100% beautiful at no criticism of the architects of Price Chopper, but it really looks like a total eyesore as I come in from that direction. My concern is many, but one is that part of my backyard touches the Miller Farm. The Miller Farm is still farmed and recently in one column that you wrote out of all do respect you mentioned that it isn't being farmed that the largest property is not being farmed, so I just wanted to see if there were some clarification on that statement that the largest property the whole zone is not being farmed. The other thing that I'm concerned about is we just had a lake or pond develop on the Miller Farm with the recent rain storm and if we turn parts of this into asphalt I'm wondering how much it's going to flood the homes near where I live?

Supervisor Sweeton – Those are all issues that we can discuss. We just recently adopted about a month ago a whole section of our code on storm water management that's much more stringent, much more environmentally conscious than previous. It'll deal with instead of those big basins it will make a person that develops treat the water in stages so that you treat it properly. In a commercial zone you would have to have ways of getting it into a center median where it can be recharged as opposed to just running off into a basin. If the site ever gets developed that will happen and I guess in the column question it is being farmed by another farmer at the moment, so I guess that is incorrect perhaps, but I guess the point I was trying to make is it is an isolated farm. It may not be viable necessarily as a farm long term. That was the only point; it doesn't mean it couldn't be it just means it's unlikely that it will. The only thing on the Price Chopper site obviously it's still under construction and they still have work to do. The ARB is working on because that applicant has as second application one of the things that's caused us to get into this whole discussion in the first place for additional buildings on site. I know the ARB and the Planning Board are going to work diligently if that gets far enough along before we do anything here to see if they can fit that in a way that softens the view of the Price Chopper building itself. Does that answer your question ok?

Thomas Jeffrey – Yeah I just worry that it will look like 17M.

Supervisor Sweeton – Obviously again that's why were having the discussion to avoid that scenario.

Jerry Schlichting – Mr. Kurtz and Matt brought up on the concept of need I think this gentleman spoke very openly on the concept of need to protect the landowners rights. There's another gentleman who has a B&B business and the last thing I

would appreciate is somebody telling me what to do with my business, but we also need alternatives. Maybe I would ask the Board to consider have we ever as a community explored a true working group made up of residents, business people, local leaders, economic development experts who could better define what it is that we would want to see out there. If we agree we don't want tons of retail, but we agree the go with the development maybe we could as a community hash it out and bring in what those entities or organizations or uses should be. I think good paying jobs not $7.75 minimum wage jobs flipping burgers or stocking shelves isn't all were after. We're after some good quality stuff and I wonder if that's ever been done and would the Board consider creating a working committee made up of citizens, residents, business owners, plan experts and I'm sure economic development people from around New York State to review the project to let us as a community work to find the answers so we can get those landlords paid and we can respect their rights and do it in a way that will better define what the community can live with.

Greg Keys – Not to steal the stage, but part of the tool kit that I was describing was 18 methods where that could happen. We have used zero, so I agree completely with him although he's sort of agreeing with my point and I've never met him this is a strange situation. There are 18 ways of what he said that we can do we don't have to invent that wheel we've done zero.

Supervisor Sweeton – We might disagree with you on that point; if we were just talking about the CB zoning, maybe.

Greg Keys – Correct.

Supervisor Sweeton – Ok because this community for more years then I can remember collaboratively tried to come up with the right zoning for our community. The Mayor of the Village of Warwick and I meet once a week with the Chamber and major employers in the area trying to rack our brains to get the commercial development streamline the business development process in both the village and the town to try and make this work.

Greg Keys – I'm speaking specifically of the DEIS and the smart growth.

Mark Kurtz – Jeff suggested that we're at the mercy of the people who come here to open commercial spots and I think maybe what we can do is go out and get people. The way we can do that is if the communities involved were to cut those people who offer the businesses we want to have in Warwick if you guys would cut them unbelievable deals. You don't need all the engineering fees, you don't need all the special legal ramifications if it's a business that we need in this community. Let's go out and get them and let the community pay to bring them in.

Supervisor Sweeton – I want to thank everybody for coming. I heard lots of great stuff and it will all be answered. There is still time to submit written comments and we will carry on.

CLOSE PUBLIC HEARING: Motion Councilman Gerstner, seconded Councilman DeAngelo, that the public hearing be closed.
Motion Carried (5 ayes, 0 nays) 9:05 p.m.
03-18-10 cp

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Marjorie Quackenbush, Town Clerk