

**TOWN OF ORANGETOWN  
PUBLIC HEARING  
RPC-DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT  
THURSDAY, MAY 7, 2009**

This Public Hearing was opened at 12:35 p.m. Supervisor Kleiner presided and the Town Clerk called the Roll. Present were:

Councilwoman Marie Manning  
Councilman Michael Maturo  
Absent: Councilman Denis Troy  
Absent: Councilwoman Nancy Low-Hogan

Also present: Charlotte Madigan, Town Clerk  
Teresa Accetta-Pugh, Deputy Town Clerk  
John Edwards, Town Attorney  
Suzanne Barclay, Executive Assistant to the Supervisor  
Ron Delo, Director of the Dept. of Env'tl Management & Engineering  
Aric T. Gorton, Superintendent Parks-Rec. & Building Maint.

Charlotte Madigan, Town Clerk, led the Pledge of Allegiance to the Flag.

**RESOLUTION NO. 297**

**OPEN PH/ RPC-DRAFT GENERIC  
ENVIRONMENTAL IMPACT  
STATEMENT**

Councilwoman Manning offered the following resolution, which was seconded by Councilman Maturo and was unanimously adopted:

RESOLVED, that the Town Board entered this public hearing, at 12:35 p.m. to consider and accept public comment amending the zoning provisions and the Draft Generic Environmental Impact Statement for development of the Rockland Psychiatric property.

Ayes: Councilpersons Manning, Maturo, Supervisor Kleiner  
Noes: None  
Absent: Councilperson Troy, Low-Hogan

This public hearing opened at 12:35 p.m. upon arrival of Councilwoman Manning and Councilman Maturo.

Charlotte Madigan, Town Clerk, presented the Affidavit of Publication and the Notice of Posting; copies are labeled Exhibit 05-A-09 and made a part of these minutes.

A full transcript, with public comments, of this public hearing has been made a part of these minutes and is labeled Exhibit 5-B-09.

**RESOLUTION NO. 298**

**ADJOURNED UNTIL MAY 18<sup>TH</sup>**

Councilwoman Manning offered the following resolution, which was seconded by Councilman Maturo and was unanimously adopted:

RESOLVED that the Town Board adjourned this Public Hearing until May 18, 2009 at 7:30 p.m.

Ayes: Councilpersons Manning, Maturo, Supervisor Kleiner  
Noes: None  
Absent: Councilpersons Troy, Low-Hogan

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**Charlotte Madigan, Town Clerk**

EXHIBIT 5-B-09

STATE OF NEW YORK : COUNTY OF ROCKLAND  
TOWN OF ORANGETOWN TOWN BOARD  
----- x

In the Matter of the

DRAFT OF THE ENVIRONMENTAL GENERIC STUDY,

To the Town of Orangetown Town Board.  
----- x

Greenbush Auditorium  
Orangeburg, New York  
May 7, 2009

B E F O R E:

- THOM KLEINER, SUPERVISOR
- MARIE MANNING, COUNCILMAN
- DENIS TROY, COUNCILMAN(absent)
- NANCY LOW-HOGAN COUNCILMAN(absent)
- MICHAEL MATURA, COUNCILMAN
  
- CHARLOTTE MADIGAN, CLERK
- JOHN EDWARDS, DEPUTY TOWN ATTORNEY

EXHIBIT 5-B-09

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Proceedings

MR. KLEINER: Good afternoon, this is a public hearing on the Rockland Psychiatric Center Redevelopment Plan and Rezoning pursuant to the State Environmental Quality Review Act. On the roll call, Councilman Matura?

MR. MATURA: Present.

MR. KLEINER: Councilman Manning?

MS. MANNING: Here.

MR. KLEINER: Could we all rise and recite the pledge of allegiance?

(Whereupon the Pledge of Allegiance was recited.)

MR. KLEINER: By way of introduction, the Town Board has been involved in the redevelopment of the Rockland Psychiatric Center site, which is under a redevelopment agreement with Hovnanian Enterprises for the redevelopment of a portion of that site, and Hovnanian representatives are here today. The purpose of this public hearing today is to get public comment on the Draft Generic Environmental Impact Statement with regard to the zoning text and the redevelopment of the

EXHIBIT 5-B-09

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Proceedings

property itself, and the Town Board is lead agency for that purpose. We have indicated that we would have this session today and then a continued public hearing on May 18th at 7:30 in this room as well to get additional comments. The only other general statement I want to make to keep moving this along here, I appreciate your patience in starting this so late, we are going to limit people to five minutes oral comment, give or take, and you also will have the opportunity to submit written comments after that. But to be fair to those who come on the 18th there will only be one opportunity for oral comment, but you can continue to submit written comments until Thursday, June 18th. Anything else?

MR. EDWARDS: Just so we are clear, because the notice is clear, this is actually a joint hearing under the State Environmental Quality Review Act and on the proposed zoning text amendment itself, and at the end of the day the hearing on the zoning text amendment will continue beyond the Board's closing of

EXHIBIT 5-B-09

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Proceedings

the Environmental Hearing on the --

MR. KLEINER: On the 18th.

MR. EDWARDS: Correct, but this is a part of the record of that proposed action as well, not simply the environmental components of it.

MR. KLEINER: All right, and I want to introduce John Saccardi as head of the Planning Team who will take it from here.

MR. SACCARDI: Thank you Thom, members of the Town Board, members of the audience. I am John Saccardi from Saccardi and Schiff. I will keep my remarks short so we can hear from people in the audience in particular. As was mentioned, this is a public hearing on both the zoning and on the conceptual master plan for the Rockland Psychiatric Center site. We are dealing primarily within the context of the State Environmental Quality Review Act and addressing of the Environmental Statement that my firm coordinated with the assistance of several other firms and several of their representatives are here tonight. The GEIS,

EXHIBIT 5-B-09

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Proceedings

the Generic Environmental Impact Statement,  
this is all part of what is called a proposed  
action. The proposed action has three  
components. It's the new zoning district,  
the regulations and they are on the table out  
in the lobby, they are also in the  
Environmental Impact Statement Appendix,  
that's the RPC-H, the Rockland Psychiatric  
Center H. The H stands for housing and  
that's the new zoning district that will  
accommodate the eight dwelling units per  
acre. Related very much to that is the  
mapping of that district. Behind Jonathan  
Martin is a zoning map that shows where the  
RPC-H would be located, and where other  
zoning map changes on the site would also  
take effect if this moves ahead to approval.  
And then the third component of the proposed  
action is the conceptual plan for the  
development itself which appears on the board  
on the lower part and upper part. What the  
conceptual plan shows, the Hovnanian plan, a  
total of 575 dwelling units, 543 of those  
would be the age restricted for persons 55

**EXHIBIT 5-B-09**

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Proceedings

and older, households 55 and older. There would be some single family homes, some volunteer housing and 32 affordable housing units, a total number of units is 575. The Town Board several months ago adopted a Draft Environmental Impact Statement scope, which is in the table of the contents for the scope, and several of you were here at the scoping session, and there was two zoning sessions. That charged us with going out and doing an Environmental Impact Statement which addresses a variety of topics, including a land use and zoning, natural features on the site, visual impacts, community facilities, historic concerns, a series of alternatives to the plan. Three important components we are going to highlight today, but we are going to save it for the next meeting, the issues that relate to civil engineering, the utilities on the site, the storm water aspect of the construction, issues that relate to the traffic engineering, and issues that relate to the fiscal or the tax implications of the proposed development.

EXHIBIT 5-B-09

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Proceedings

People that are going to speak on the topics today and are available for questions and answers are, Steve Grogg from McClaren Engineering and Michael O'Rourke from Adler Consulting Engineering, and Jonathan Martin from my office. Between them is Jill Galland and Jill is the person who is the glue who holds the whole thing together. We are available to answer questions today but it's important to know the process that I think Thom alluded to. We are going through the public hearing process on the Draft Generic Environmental Impact Statement, that will be followed by the Final Generic Environmental Impact Statement. The final statement answers all of your questions in writing, whether they are verbal today, verbal at the next meeting or anything you write in, up until the 18th of June. We have to compile all of those questions and answer them all to the satisfaction of the Town Board, that's the lead agency. That's part of the decision making process. As they hear from you and answer your questions with our assurance



## EXHIBIT 5-B-09

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## Proceedings

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they'll start to refine the zone, start to

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address concerns you may have that we didn't

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address. Issues that may come up that we

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addressed and may be fine tuned a little bit.

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So we are looking for your input today.

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Unlike some other public hearings we are

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going to try to answer your questions today,

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but they'll be answered formally in that

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Final Impact Statement that we will work on

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over the summer, closed comment period as was

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mentioned June 18th.

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With that Supervisor, I think we can

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entertain questions, we are going try and

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answer them. If we can't answer questions we

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are going to indicate obviously it will be

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answered in the Final Environmental Impact

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Statement.

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MR. KLEINER: Thank you very much.

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There are two people that signed up but I

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assume there is more people that want to

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speak. So the first is Alex Demana. Before

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you begin, if you have comments that can

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easily be addressed by the Planning Team

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we'll try to do that at the end of the

EXHIBIT 5-B-09

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Proceedings

statement. To the extent that the questions, if there are any, need more attention that can be given immediately then that will be done.

MR. DEMANA: Over time as more and more information about this entire project has been released it has becoming increasingly clear that this is the wrong project for Orangetown. Back in 2003, when a proposal went before the voters to purchase the Rockland Psychiatric Center, we were told that the Town was attempting to preserve this acreage from high density development. Now we flash forward to today where we are faced with that exact same proposal, high density senior housing residences. I believe it is important for the Town leaders to not just look at the monetary component of this project of what the company is offering for the land, but to make sure the project overall fits with Orangetown and will be a benefit for the residents for years to come. This type of density and amount of units surely is not. This project size

EXHIBIT 5-B-09

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Proceedings

significantly dwarfs anything else that has been recently approved in the Town and as far as senior housing goes it's six times the size of the Hollows at Bluehill and also six times the now on hold Pointe at Lake Tappan project.

Since there are no other amenities provided on this site or near by, the entire resident population of this project which is projected at 1,113 will have to leave the site every time they need gas, food, banking or just about any other service. Many residents had brought forth suggestions early on for this site and project in order to make sure that the impact felt by the surrounding community was kept minimal. In addition to those suggestions, we should think about maintenance of the miles of new sidewalk this project will add to the town inventory, or the miles of new roads that the Town has to manage, repave and repair every so often. All items should have been considered and still should be considered. The type of project that should have been proposed or

EXHIBIT 5-B-09

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1 Proceedings  
2 approved here should have mirrored the Pointe  
3 at Lake Tappan that is supposed to combine  
4 office space with a light amount of senior  
5 housing units. Further, what is to stop the  
6 rezoning of these units in the future under a  
7 different Town Board from becoming multiple  
8 family housing zoned with zero age  
9 restriction. When an update of the senior  
10 housing code was launched earlier this year,  
11 I sent most of the Town Board the senior  
12 house zoning code of the Town of Clarkstown  
13 and Montvale, New Jersey. In Clarkstown,  
14 they had a special rezoning clause so that  
15 the site would remain senior housing and not  
16 have the ability to be rezoned in any other  
17 manner. This something that should also be  
18 looked into because without this clause there  
19 is a potential that units could be rezoned as  
20 multi-family housing and permit residents and  
21 families who are under 55 and older to live  
22 on site. Many believed this site should have  
23 become a showpiece for mixed use site with  
24 brownfield renewal, combining light boutique,  
25 corporate office tenants and a light amount

EXHIBIT 5-B-09

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Proceedings

of senior housing at one site. Providing new jobs for the region while reducing the large number of senior housing units currently proposed. These suggestions were rejected and the partnership with Hovnanian was pursued despite the many issues that had remained. We constantly hear that in the 1970s that Rockland Psychiatric Center hosted over 9,000 individuals, but it is no longer 1970 and the site has sat dormant for nearly 25 years. Besides the fact that when we quote those numbers of on-site population we are counting individuals who would not be driving cars or congesting local streets. This site should have become an area for jobs. We already have the Hollows at Blue Hill Project that a few weeks ago before launching their special promotional deal were advertising that they were only 40 percent sold. With several other planned projects Town wide including the now on hold project of the Pointe at Lake Tappan we more than fill the need for senior housing, even without this large project. Lets not fool

EXHIBIT 5-B-09

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Proceedings

ourselves in pretending these are housing options for our current Orangetown residents. Even though a study which remains to be proven true, states 90 percent of residents would come from within Orangetown and locate to these sites. Many of the elderly population would rather remain in their homes or sell their homes and move to a lower cost region. The increase in Town services almost wipes away any gain from this development. The Town stands to benefit after all of the increase in services for the resident population here at \$1.3 million dollars. This is far different than the advertised figure that is often thrown around. It most likely doesn't include the road and sidewalk maintenance and replacement that was mentioned as an ongoing cost to the Town in my previous remarks. By the time this project is built out, that 1.3 million tax revenue dollars will be equal to or less than 1/60th of the entire budget for the Town of Orangetown. That's seems a far cry from the numbers advertised. It's not too late for

EXHIBIT 5-B-09

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1 Proceedings  
2 the Town Board to demand a review of this  
3 project, and institute some accountability  
4 for the facts and figures provided so far to  
5 residents. The Board should also possibly  
6 see if the developer would work on a  
7 compromise proposal that would seek half the  
8 amount of units built on this site for half  
9 the price, and then allowing a partner to  
10 come in and build light office space and  
11 boutique retail on the unused portion of  
12 land. Those would both be net positive tax  
13 impacts for the Town and directly inject jobs  
14 and tax dollars into the local Orangetown  
15 economy. The Town that often times denies a  
16 subdivision of 20 homes due to impact, it  
17 seems ridiculous to think that we would be so  
18 quick to approve a 575 unit subdivision in  
19 the heart of Blauvelt. Of the three  
20 mentioned senior housing properties the K.  
21 Hovnanian project by far seems the worst  
22 planned, poised to add the most congestion,  
23 and be the biggest detriment to the Town of  
24 Orangetown overall. Orangetown is not just a  
25 community with senior citizen. We also have

## EXHIBIT 5-B-09

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1 Proceedings

2 young adults, working professionals and  
3 families. While we are centrally located in  
4 short commuting distance to New York City and  
5 Northern New Jersey, we should be working on  
6 creating great paying jobs here in  
7 Orangetown. We own this site as a Town, we  
8 can dictate what we want built on this site,  
9 and it seems as though we never communicated  
10 that with the developers.

11 MR. KLEINER: If you would try to sum  
12 up?

13 MS. DEMANA: Okay, the 600 unit K.  
14 Hovnanian project will add an impact greater  
15 than one third of the current developed  
16 housing market in Blauvelt. This is  
17 extremely significant. All decisions made by  
18 this Town Board will affect the future of all  
19 the Town residents. Board members could  
20 force a vote on this project to see if it  
21 should proceed further, and I personally  
22 believe the changes in the economy and  
23 housing market warrant a review of this  
24 entire project and it's impact. I have a lot  
25 more I will submit it. Thank you.



EXHIBIT 5-B-09

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Proceedings

MR. KLEINER: Thank you, I don't know if you want to come to any particular number, I want to make sure the 1.3 million, on the fiscal impact, you want to speak to the fiscal impact for a moment, Mr. Martin or on anything else?

MR. MARTIN: I am Jonathan Martin from Saccardi and Schiff. The figure was accurate, but that is a net annual tax surplus revenue. Every year that is a surplus and within that there is estimated cost that we are calculating using a methodology which is very conservative, that is pro capita that assumes everybody, the amount that everybody is currently paying for services would increase lineally incrementally at that amount for each of the 1113 new residents, and quite often and certainly in this case, the way we looked at the budget and everything, that methodology doesn't account for available capacity in the sewer and so forth, certainly within the Town administration cost and things like that. That figure per person assumes that

EXHIBIT 5-B-09

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Proceedings

everything would have to be duplicated at that multiplier where in fact we know there is a lot of capacity in many of the existing services the community offers, that the Town offers the community, and so the actual increase in costs are not going to be as high as what we estimated, at about \$529,000. So I think our approach to the fiscal, where I do hear what you are saying, we tried to be very, very conservative. There is other things we incorporated in there such as, we reduced a selling price that is provided by Hovnanian by 10 percent, trying to consider that things, the market are in flux. Another thing we did was we assumed that everybody, all housing units would exercise a right to use the State School Tax Reduction Program, and included in that in the analysis. So rarely does everybody exercise and engage in the STAR program, but even if they were to, the result comes out to be quite positive for the Town fiscally, we believe. The other thing, the caveat to that, is the State reimburses the school district for any of

## EXHIBIT 5-B-09

18

1 Proceedings

2 those monies lost. So in actuality if you go  
3 down a little further on Table 1, Chapter 3  
4 I-1, we estimate the school district will net  
5 annually about 3.1 million, and that is  
6 actually very low because of the STAR program  
7 reimbursement that they are going to get.

8 THE SUPERVISOR: Thank you, the next is  
9 Nancy Antonucci.

10 MS. ANTONUCCI: I am Nancy Antonucci,  
11 Swanekin Road. Swanekin Road is a cross  
12 street between Blauvelt and Convent Road.  
13 The area encompasses Swanekin Road,  
14 Riverside Terrace, Buttonwood Place, Cobble  
15 Place. At this time I have no remarks or  
16 questions for any of you, but I am going to  
17 say we'll be meeting as a neighborhood within  
18 the next week, and then at the next meeting  
19 of May 18th we will present any of our  
20 concerns or make a statement at that time,  
21 and hopefully any questions will be answered  
22 and also we'll have items in writing  
23 certainly before the June 18th deadline.  
24 Thank you very much.

25 MR. KLEINER: One other comment with

## EXHIBIT 5-B-09

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## Proceedings

the Swannekin public scoping session, of the public comments that came out of the session was that Swannekin was included for the traffic analysis and that's reflected in the document, and on the Board that's provided for this hearing today, and on the 18th as well. Other public comments? Mr. Valentine?

MR. VALENTINE: My name is Paul Valentine. I live at 20 Buttonwood Place in the Blauvelt. You know I been vocally against this project for many reasons, and I was a little disappointed in the announcement for today's meeting. The only way I knew about it was a little blurb in the Journal News and I understand it was in today's Our Town. I know we had to fill out our e-mail list at the last meeting, and I was wondering if the Town could use that list to maybe e-mail all the people and let us know about the May 18th meeting, doing a mass mailing to let the people know. I have a few concerns. I don't have a written statement as eloquent as Alex's but I will at the May 18th meeting. I wanted to know if the side streets which

EXHIBIT 5-B-09

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1 Proceedings  
2 you answered one was Swannekin, was  
3 considered as well at the streets who are  
4 adjacent to that was considered in the study,  
5 for not only when the houses are finished but  
6 during construction. Because we live right  
7 near there and I work on construction sites.  
8 I know the types of trucks that go in and  
9 out, and the hours they go in and out of  
10 construction sites. So that is a concern to  
11 me because we have a problem with school kids  
12 just from the employees of Rockland  
13 Psychiatric Center, never mind big trucks  
14 barreling down our streets. I was wondering  
15 if anybody took a real survey of the existing  
16 seniors in Orangetown or polled them to ask  
17 them or put something in the paper to see if  
18 they have any interest in this. The reason I  
19 ask the question is, we can't sell the ones  
20 in Bluehill and if you go to buy one you get  
21 a free Mercedes Benz. Why would we add  
22 another 500 houses, senior houses only and  
23 how can we be assured that the project is not  
24 going to end up like it did in Ramapo where  
25 they approved high density housing, and then

## EXHIBIT 5-B-09

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1 Proceedings  
2 the property was sold to a religious  
3 organization, the Jehovah Witnesses. They  
4 went to get additional tax dollars and now  
5 it's sold to a religious group, where they  
6 won't. Is there a way we can be 100 percent  
7 assured that that can not happen, because if  
8 it's not, if we cannot be assured 100  
9 percent, I have a real problem with the  
10 project going forward, that has to be  
11 included in it. And I don't understand why  
12 we can't put this on the ballot in November,  
13 and let the people decide. It wouldn't cost  
14 us any extra money, we are having an election  
15 any ways, just add it on the thing and let  
16 the people decide. We the people own the  
17 property and we the people pay the taxes, and  
18 I think our voices should be heard, thank  
19 you.

20 MR. KLEINER: Just as a general comment  
21 that we have spoken about before, I just  
22 wanted to reinforce. When the site was  
23 originally put out for bid, we actually  
24 indicated that the Board preferred commercial  
25 redevelopment of office space and none of the

EXHIBIT 5-B-09

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2 13 proposals that we received had that  
3 component. They all had some variety of  
4 housing typically over 55 year old, or for  
5 those over 55, and then we chose among a  
6 couple of the final applicants. One of the  
7 challenges on this site is the fact that we  
8 have a number of buildings that have to be  
9 remediated and demolished and the cost in  
10 2005 dollars was 18 million dollars. There  
11 is a lot of cost of redeveloping the site  
12 that in the negotiations with the perspective  
13 developer figured into the type of  
14 development and number of units. The bottom  
15 line is when there is a site plan approval  
16 and closing on the site the Applicant has to  
17 pay the Town 24 million for the right to  
18 develop it. Unfortunately we didn't get any  
19 development proposal that would reflect those  
20 kinds of numbers or any others for that  
21 matter when we put that site out to bid, and  
22 the Board has felt, the prior Board and  
23 current Board, that we have an obligation to  
24 try to develop the site in the best interest  
25 of the Town and that includes the economic

EXHIBIT 5-B-09

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Proceedings

factors, but not solely the economic factors.

Are there others who wish to speak?

What we'll do then is, unless there is any further comments from the study team, is to adjourn this public hearing until May 18th at 7:30 when we'll take additional public comment, and also hear a little bit more detailed presentation from the development team. Motion to continue?

MR. MATURA: Second.

THE SUPERVISOR: All favor, aye?

MS. MANNING: Aye.

MR. MATURA: Aye.

THE SUPERVISOR: Aye, thank you to everyone who come out today and we'll stay around for a few minutes to see if you have further specific questions for us or the members for the study.

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

Certified to be a true and accurate transcript of the aforesaid proceeding to the best of my ability.

Anne Marie Ambrose