

AFIDAVIT OF PUBLICATION

from

EXHIBIT

5-A-09, 5/1/09

The Journal News

Florence Bonilla being duly sworn says that he/she is the principal clerk of The Journal News, a newspaper published in the County of Westchester and State of New York, and the notice of which the annexed is a printed copy, was published in the newspaper area(s) on the date(s) below:

Note: the code to the left of the run dates indicates the zone(s) that the ad was published. (See legend below)

ZONE DATE
RK 04/21/2009

Signed fb
Sworn to before me
This 6th day of May 2009
Julia Kyle
Notary Public, Westchester County

JULIA KYLE
Notary Public, State of New York
No. 01KY6198797
Qualified in Westchester County
Commission Expires January 5, 2013

Legend:

Northern Area (AN):

Amawalk, Armonk, Baldwin Place, Bedford, Bedford Hills, Birtcliff Manor, Buchanan, Chappaqua, Crompond, Cross River, Croton Falls, Croton on Hudson, Goldens Bridge, Granite Springs, Jefferson Valley, Katonah, Lincolnale, Millwood, Mohegan Lake, Montrose, Mount Kisco, North Salem, Ossining, Peekskill, Pound Ridge, Purdys, Shenorock, Shrub Oak, Somers, South Salem, Verplanck, Waccabuc, Yorktown Heights, Brewster, Carmel, Cold Spring, Garrison, Lake Peekskill, Mahopac, Mahopac Falls, Putnam Valley, Patterson

Central Area (AC):

Ardley, Ardsley on Hudson, Dobbs Ferry, Elmsford, Greenburg, Harrison, Hartsdale, Hastings, Hastings on Hudson, Hawthorne, Irvington, Larchmont, Mamaroneck, Pleasantville, Port Chester, Purchase, Rye, Scarsdale, Tarrytown, Thornwood, Valhalla, White Plains

AD# 2737131

Southern Area (AS):

Bronxville, Eastchester, Mount Vernon, New Rochelle, Pelham, Tuckahoe, Yonkers

Greater Westchester (GW):

Includes Northern area, Southern area and Central area. (See details below each area)

Rockland Area (JN or RK):

Blauvelt, Congers, Garnerville, Haverstraw, Hillburn, Monsey, Manuet, New City, Nyack, Orangeburg, Palisades, Pearl River, Piermont, Pomona, Sloatsburg, Sparkill, Spring Valley, Stony Point, Suffern, Tallman, Tappan, Thiells, Tomkins Cove, Valley Cottage, West Haverstraw, West Nyack

Review Press Express (XBV):

Bronxville, Eastchester, Scarsdale, Tuckahoe

Putnam Express (XPU)

Baldwin Place, Brewster, Carmel, Mahopac, Putnam Valley, Patterson

Sound Shore Express (XSS)

Purchase, Port Chester, Rye, Harrison, Mamaroneck, Larchmont, New Rochelle, Pelham

White Plains Express (XWP)

Elmsford, Hawthorne, Valhalla, White Plains

Yorktown and Cortlandt Express (XYC)

Buchanan, Cortlandt Manor, Crompond, Croton-on-Hudson, Crugers, Jefferson Valley, Lincolnale, Mohegan Lake, Montrose, Ossining, Peekskill, Shenorock, Shrub Oak, Verplanck, Yorktown Heights

Northern Westchester Express (XNW)

Armonk, Bedford, Bedford Hills, Chappaqua, Katonah, Mount Kisco, Pleasantville, Thornwood

NOTICE OF POSTING: NOTICE OF COMPLETION OF DRAFT GENERIC ENVIRONMENTAL
IMPACT STATEMENT AND PUBLIC HEARING.

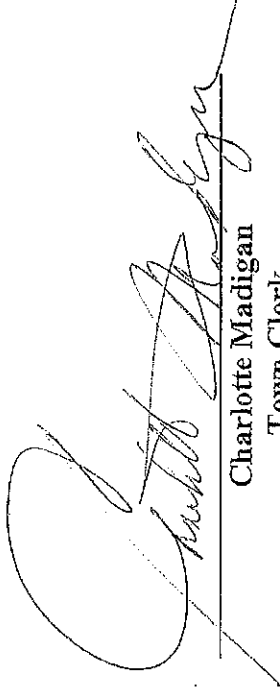
STATE OF NEW YORK }
COUNTY OF ROCKLAND }
TOWN OF ORANGETOWN } SS.

Charlotte Madigan being duly sworn upon her oath, deposes and says;

That, she is, at all times hereinafter mentioned was, duly elected,
Qualified and acting Town Clerk of the *Town Of Orangetown*, in the County of
Rockland, State of New York.

That, on the 17th day of April
2009, she caused to be conspicuously posted and fastened up a notice, a true copy of
which is annexed hereto and made a part of hereof, in the following places, at least one of
which is a public place within the *Town of Orangetown*, New York.

1. Town Hall Bulletin Boards
- 2.
- 3.
- 4.
- 5.


Charlotte Madigan
Town Clerk

Subscribed and sworn to before me

This 17th day of April, 2009



DONNA A. MORRISON
Notary Public, State of New York
No. 01MO5081099
Qualified in Rockland County
Commission Expires June 30, 2011

**NOTICE OF COMPLETION OF DRAFT GENERIC ENVIRONMENTAL
IMPACT STATEMENT AND PUBLIC HEARING**

NOTICE IS HEREBY GIVEN that, at a regular meeting held on the 13th day of April, 2009, the Town Board of the Town of Orangetown, by resolution, adopted the following Notice of Completion of Draft Generic Environmental Impact Statement relating to property formerly a part of the Rockland Psychiatric Center in Orangetown, New York, consisting of portions of premises designated 73.12-1-3.2, 73.08-1-1, 74.05-1-1, 73.12-1-7 and 73.12-1-5 on the Tax Map of the Town of Orangetown.

STATE ENVIRONMENTAL QUALITY REVIEW ACT

**NOTICE OF COMPLETION OF DRAFT GENERIC
ENVIRONMENTAL IMPACT STATEMENT AND PUBLIC HEARING**

**Town of Orangetown Zoning Text Amendment and
Redevelopment of Property Formerly a Part of the Rockland Psychiatric Center**

April 13, 2009

Lead Agency:

The Town Board of the Town of Orangetown
Orangetown Town Hall
26 Orangeburg Road
Orangeburg, New York 10962

This Notice is issued pursuant to Part 617 of the implementing regulations pertaining to Article 8 (State Environmental Quality Review Act) of the Environmental Conservation Law of the State of New York.

A Draft Generic Environmental Impact Statement ("DGEIS") has been completed and accepted for the proposed action described below. Comments are requested and will be accepted by Town Supervisor Thom Kleiner until 5:00 p.m., Thursday, June 18, 2009. Public hearings on the DGEIS will be held on Thursday, May 7, 2009, at 12:00 o'clock noon and on Monday, May 18, 2009, at 7:30 p.m., at the Orangetown Town Hall, 26 Orangeburg Road, Orangeburg, New York 10962.

Title of Action:

Zoning Text Amendment Creating a New RPC-H Zoning District and the Eventual Redevelopment of Properties Within the Said Zoning District.

Description of the Action:

The proposed action consists of (1) the adoption of a zoning text amendment, creating the Rockland Psychiatric Center Housing ("RPC-H") zoning district, encompassing portions of the property formerly a part of the N.Y.S. Rockland Psychiatric Center, in the Town of Orangetown, County of Rockland, state of New York, consisting of approximately 143 acres; (2) and the eventual remediation and re-development of the said property, consistent with the Town's Comprehensive Plan, with a mixture of age restricted and non-age restricted housing, recreation amenities and open space.

The presently contemplated area affected by the action includes lands improved with existing buildings and other structures that will have to be removed, as well as a Town owned golf course portions of which may be reconfigured in redevelopment.

Location:

The proposed action will affect property located predominantly on the northern, southern and eastern portions of the lands formerly a part of the Rockland Psychiatric Center acquired by the Town of Orangetown from the State of New York on or about January 22, 2003. The said property is located largely to the north of Old Orangeburg Road and to the south of Convent Road, with portions bordering on Lake Tappan, and shown on the Tax Map of the Town of Orangetown as a part of SBL 73.12-1-3, 73.08-1-1 and 74.05-1-1, as well as other lands located to the south of the above referenced lands between Old Orangeburg Road and Veterans Memorial Drive, adjacent to, or in the vicinity of, Blaisdell Road, and shown on the Tax Map of the Town of Orangetown as a part of SBL 73.12-1-7 and 73.12-1-5.

Potential Environmental Impacts Addressed:

- (i) Land Use and Zoning Impacts
- (ii) Community Character / Visual Impacts
- (iii) Natural Environment Impacts, including:
 - (1) Wetlands and Waterbodies
 - (2) Topography and Soils
 - (3) Flora and Fauna
- (iv) Stormwater Management
- (v) Utilities (Water, Sanitary, Other)
- (vi) Community Facilities

- (1) Emergency Services
- (2) Schools
- (vii) Recreation and Senior Services
- (viii) Solid Waste
- (ix) Fiscal Impacts, Including Taxes and Jobs
- (x) Traffic and Transportation
- (xi) Air Quality
- (xii) Cultural Resources
- (xiii) Adverse Impacts that Cannot Be Avoided, Both Long-term and Short-term
- (xiv) Irreversible and Irrecoverable Resources
- (xv) Alternatives to the Action
- (xvi) Growth Inducement
- (xvii) Future Site Specific Reviews

A copy of the DGEIS may be obtained from :

Contact Person: Town Supervisor Thom Kleiner
Town Hall, Town of Orangetown
26 Orangeburg Road
Orangeburg, New York 10962
(845) 359-5100

The DGEIS may be viewed at: www.orangetown.com

Copies of this Notice Are Being Sent to :

Robert Dell, Chair
Town of Orangetown Planning Board
Greenbush Road
Orangeburg, NY 10962

Jack Messina, Chair
Town of Orangetown Architecture and Community Appearance Board of Review
Greenbush Road
Orangeburg, NY 10962

Guy DeVincenzo, Chair
Town of Orangetown Traffic Advisory Board
Town Hall
26 Orangeburg Road
Orangeburg, NY 10962

Chief Chris Jackson
Orangeburg Fire Department
61 Dutch Hill Road
Orangeburg, NY 10962

Salvatore Corallo, Commissioner
Rockland County Department of Planning
Building T
50 Sanatorium Road
Pomona, NY 10970

Joan H. Facelle, M.D., M.P.H., Commissioner
Rockland County Health Department
Robert L. Yeager Health Center
Building D-Sanatorium Road
Pomona, NY 10970

Charles H. Vezzetti, Superintendent of Highways
Rockland County Highway Department
23 New Hempstead Road
New City, NY 10956

Joseph F. Durkin, Director, Real Property
Dormitory Authority of the State of New York
515 Broadway
Albany, NY 12207-2864

Mary Ann Miller
U.S. Army Corps of Engineers
26 Federal Plaza, Room 1937
New York, NY 10278

Edward J. Killeen
Director, Administrative Support Services Group
N.Y.S. Office of Mental Health - CDPC - Unit Q
75 New Scotland Avenue
Albany, NY 12208

Willie Janeway, Regional Director
Region 3 - NYS Dept. of Environmental Conservation
21 South Putt Corners Road
New Paltz, NY 12561-1696

Joan Dupont, P.E., Region 8 Director
New York State Department of Transportation
4 Burnett Boulevard
Poughkeepsie, NY 12603-2594
Edward Devine, Executive Director
Rockland County Drainage Agency
23 New Hempstead Road
New City, NY 10956

John T. Dillon, Esq.
United Water
200 Old Hook Road
Harrington Park, NJ 07640

James Hall, Executive Director
Palisades Interstate Parkway Commission
Bear Mountain, NY 10911-0427

Ken Markunas
N.Y.S. Office of Parks, Recreation and Historic Preservation
Peebles Island State park
P.O. Box 189
Waterford, NY 12188-0189

James H. Bopp, Director
Rockland Psychiatric Center
140 Old Orangeburg Road
Orangeburg, NY 10962

Harold Koplewicz, M.D., Director
Nathan S. Kline Institute
140 Old Orangeburg Road
Orangeburg, NY 10962

Mark Mauriello, Commissioner
New Jersey Department of Environmental Protection
401 East State Street, 7th Floor, East Awing
P.O. Box 402
Trenton, NJ 08625

Stephanie Bortnyk, Esq.
K. Hovnanian Companies of New York Inc.
110 Fieldcrest Avenue
Edison, NJ 08818

Environmental Notice Bulletin
50 Wolf Road, Room 538
Albany, New York 12233-1750

Any other person who may request a copy

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11

12

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

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2

1 Proceedings

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

8 MR. MATURA: Present.

9 MR. KLEINER: Councilman Manning?

10 MS. MANNING: Here.

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

13 (Whereupon the Pledge of Allegiance was
14 recited.)

15 MR. KLEINER: By way of introduction,
16 the Town Board has been involved in the
17 redevelopment of the Rockland Psychiatric
18 Center site, which is under a redevelopment
19 agreement with Hovnanian Enterprises for the
20 redevelopment of a portion of that site, and
21 Hovnanian representatives are here today.

22 The purpose of this public hearing today is
23 to get public comment on the Draft Generic
24 Environmental Impact Statement with regard to
25 the zoning text and the redevelopment of the

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Proceedings

1
2 property itself, and the Town Board is Lead
3 agency for that purpose. We have indicated
4 that we would have this session today and
5 then a continued public hearing on May 18th
6 at 7:30 in this room as well to get
7 additional comments. The only other general
8 statement I want to make to keep moving this
9 along here, I appreciate your patience in
10 starting this so late, we are going to limit
11 people to five minutes oral comment, give or
12 take, and you also will have the opportunity
13 to submit written comments after that. But
14 to be fair to those who come on the 18th
15 there will only be one opportunity for oral
16 comment, but you can continue to submit
17 written comments until Thursday, June 18th.
18 Anything else?

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

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4

Proceedings

1
2 the Environmental Hearing on the --

3 MR. KLEINER: On the 18th.

4 MR. EDWARDS: Correct, but this is a

5 part of the record of that proposed action as
6 well, not simply the environmental components
7 of it.

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

11 MR. SACCARDI: Thank you Thom, members
12 of the Town Board, members of the audience.
13 I am John Saccardi from Saccardi and Schiff.

14 I will keep my remarks short so we can hear
15 from people in the audience in particular.

16 As was mentioned, this is a public hearing on
17 both the zoning and on the conceptual master
18 plan for the Rockland Psychiatric Center

19 site. We are dealing primarily within the
20 context of the State Environmental Quality
21 Review Act and addressing of the

22 Environmental Statement that my firm
23 coordinated with the assistance of several
24 other firms and several of their
25 representatives are here tonight. The GEIS,

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Proceedings

1
2 the Generic Environmental Impact Statement,
3 this is all part of what is called a proposed
4 action. The proposed action has three
5 components. It's the new zoning district,
6 the regulations and they are on the table out
7 in the lobby, they are also in the
8 Environmental Impact Statement Appendix,
9 that's the RPC-H, the Rockland Psychiatric
10 Center H. The H stands for housing and
11 that's the new zoning district that will
12 accommodate the eight dwelling units per
13 acre. Related very much to that is the
14 mapping of that district. Behind Jonathan
15 Martin is a zoning map that shows where the
16 RPC-H would be located, and where other
17 zoning map changes on the site would also
18 take effect if this moves ahead to approval.
19 And then the third component of the proposed
20 action is the conceptual plan for the
21 development itself which appears on the board
22 on the lower part and upper part. What the
23 conceptual plan shows, the Hovnanian plan, a
24 total of 575 dwelling units, 543 of those
25 would be the age restricted for persons 55

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6

Proceedings

1
2 and older, households 55 and older. There
3 would be some single family homes, some
4 volunteer housing and 32 affordable housing
5 units, a total number of units is 575. The
6 Town Board several months ago adopted a Draft
7 Environmental Impact Statement scope, which
8 is in the table of the contents for the
9 scope, and several of you were here at the
10 scoping session, and there was two zoning
11 sessions. That charged us with going out and
12 doing an Environmental Impact Statement which
13 addresses a variety of topics, including a
14 land use and zoning, natural features on the
15 site, visual impacts, community facilities,
16 historic concerns, a series of alternatives
17 to the plan. Three important components we
18 are going to highlight today, but we are
19 going to save it for the next meeting, the
20 issues that relate to civil engineering, the
21 utilities on the site, the storm water aspect
22 of the construction, issues that relate to
23 the traffic engineering, and issues that
24 relate to the fiscal or the tax implications
25 of the proposed development.

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Proceedings

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

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8

Proceedings

1
2 they'll start to refine the zone, start to
3 address concerns you may have that we didn't
4 address. Issues that may come up that we
5 addressed and may be fine tuned a little bit.
6 So we are looking for your input today.
7 Unlike some other public hearings we are
8 going to try to answer your questions today,
9 but they'll be answered formally in that
10 Final Impact Statement that we will work on
11 over the summer, closed comment period as was
12 mentioned June 18th.

13 With that Supervisor, I think we can
14 entertain questions, we are going try and
15 answer them. If we can't answer questions we
16 are going to indicate obviously it will be
17 answered in the Final Environmental Impact
18 Statement.

19 MR. KLEINER: Thank you very much.
20 There are two people that signed up but I
21 assume there is more people that want to
22 speak. So the first is Alex Demana. Before
23 you begin, if you have comments that can
24 easily be addressed by the Planning Team
25 we'll try to do that at the end of the

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9

Proceedings

1
2 statement. To the extent that the questions,
3 if there are any, need more attention that
4 can be given immediately then that will be
5 done.

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

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10

Proceedings

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2 significantly dwarfs anything else that has

2

3 been recently approved in the Town and as far

3

4 as senior housing goes it's six times the

4

5 size of the Hollows at Bluehill and also six

5

6 times the now on hold Pointe at Lake Tappan

6

7 project.

7

8 Since there are no other amenities

8

9 provided on this site or near by, the entire

9

10 resident population of this project which is

10

11 projected at 1,113 will have to leave the

11

12 site every time they need gas, food, banking

12

13 or just about any other service. Many

13

14 residents had brought forth suggestions early

14

15 on for this site and project in order to make

15

16 sure that the impact felt by the surrounding

16

17 community was kept minimal. In addition to

17

18 those suggestions, we should think about

18

19 maintenance of the miles of new sidewalk this

19

20 project will add to the town inventory, or

20

21 the miles of new roads that the Town has to

21

22 manage, repave and repair every so often.

22

23 All items should have been considered and

23

24 still should be considered. The type of

24

25 project that should have been proposed or

25

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11

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1
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

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Proceedings

1
2 of senior housing at one site. Providing new
3 jobs for the region while reducing the large
4 number of senior housing units currently
5 proposed. These suggestions were rejected
6 and the partnership with Hovnanian was
7 pursued despite the many issues that had
8 remained. We constantly hear that in the
9 1970s that Rockland Psychiatric Center hosted
10 over 9,000 individuals, but it is no longer
11 1970 and the site has sat dormant for nearly
12 25 years. Besides the fact that when we
13 quote those numbers of on-site population we
14 are counting individuals who would not be
15 driving cars or congesting local streets.
16 This site should have become an area for
17 jobs. We already have the Hollows at Blue
18 Hill Project that a few weeks ago before
19 launching their special promotional deal were
20 advertising that they were only 40 percent
21 sold. With several other planned projects
22 Town wide including the now on hold project
23 of the Pointe at Lake Tappan we more than
24 fill the need for senior housing, even
25 without this large project. Lets not fool

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Proceedings

1
2 ourselves in pretending these are housing
3 options for our current Orangetown residents.
4 Even though a study which remains to be
5 proven true, states 90 percent of residents
6 would come from within Orangetown and locate
7 to these sites. Many of the elderly
8 population would rather remain in their homes
9 or sell their homes and move to a lower cost
10 region. The increase in Town services almost
11 wipes away any gain from this development.
12 The Town stands to benefit after all of the
13 increase in services for the resident
14 population here at \$1.3 million dollars.
15 This is far different than the advertised
16 figure that is often thrown around. It most
17 likely doesn't include the road and sidewalk
18 maintenance and replacement that was
19 mentioned as an ongoing cost to the Town in
20 my previous remarks. By the time this
21 project is built out, that 1.3 million tax
22 revenue dollars will be equal to or less that
23 1/60th of the entire budget for the Town of
24 Orangetown. That's seems a far cry from the
25 numbers advertised. It's not too late for

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14

Proceedings

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

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15

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.

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

8 MR. MARTIN: I am Jonathan Martin from
9 Saccardi and Schiff. The figure was
10 accurate, but that is a net annual tax
11 surplus revenue. Every year that is a
12 surplus and within that there is estimated
13 cost that we are calculating using a
14 methodology which is very conservative, that
15 is pro capita that assumes everybody, the
16 amount that everybody is currently paying for
17 services would increase lineally
18 incrementally at that amount for each of the
19 1113 new residents, and quite often and
20 certainly in this case, the way we looked at
21 the budget and everything, that methodology
22 doesn't account for available capacity in the
23 sewer and so forth, certainly within the Town
24 administration cost and things like that.
25 That figure per person assumes that

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Proceedings

1
2 everything would have to be duplicated at
3 that multiplier where in fact we know there
4 is a lot of capacity in many of the existing
5 services the community offers, that the Town
6 offers the community, and so the actual
7 increase in costs are not going to be as high
8 as what we estimated, at about \$529,000. So
9 I think our approach to the fiscal, where I
10 do hear what you are saying, we tried to be
11 very, very conservative. There is other
12 things we incorporated in there such as, we
13 reduced a selling price that is provided by
14 Hovnanian by 10 percent, trying to consider
15 that things, the market are in flux. Another
16 thing we did was we assumed that everybody,
17 all housing units would exercise a right to
18 use the State School Tax Reduction Program,
19 and included in that in the analysis. So
20 rarely does everybody exercise and engage in
21 the STAR program, but even if they were to,
22 the result comes out to be quite positive for
23 the Town fiscally, we believe. The other
24 thing, the caveat to that, is the State
25 reimburses the school district for any of

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

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

10 MS. ANTONUCCI: I am Nancy Antonucci,
11 Swannekin Road. Swannekin Road is a cross
12 street between Blauvelt and Convent Road.
13 The area encompasses Swannekin 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

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

9 MR. VALENTINE: My name is Paul

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

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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

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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

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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

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2 factors, but not solely the economic factors.

3 Are there others who wish to speak?

4 What we'll do then is, unless there is any
5 further comments from the study team, is to

6 adjourn this public hearing until May 18th at

7 7:30 when we'll take additional public

8 comment, and also hear a little bit more

9 detailed presentation from the development

10 team. Motion to continue?

11 MR. MATURA: Second.

12 THE SUPERVISOR: All favor, aye?

13 MS. MANNING: Aye.

14 MR. MATURA: Aye.

15 THE SUPERVISOR: Aye, thank you to

16 everyone who come out today and we'll stay

17 around for a few minutes to see if you have

18 further specific questions for us or the

19 members for the study.

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

21
22 Certified to be a true and accurate
23 transcript of the aforesaid proceeding to
24 the best of my ability.

25 Anne Marie Ambrose

