

Minutes of a Scoping Hearing of the Town Board of the Town of Riverhead, Acting as the Lead Agency for Application of August Romano/Valmont Homes, held in the Town Hall, Riverhead, New York, Tuesday, April 12, 1988 at 7:45 p.m.

**Present:** Joseph F. Janoski, Supervisor  
John Lombardi, Councilman  
Louis Boschetti, Councilman  
Robert Pike, Councilman  
Denise Civiletti, Councilwoman

**Also Present:** Patricia Moore, Town Attorney  
Irene J. Pendzick, Town Clerk

Supervisor Janoski called the meeting to order at 7:45 p.m. and the Pledge of Allegiance was recited.

**Supervisor Janoski,** "This is a hearing which is scheduled as part of the SEQRA process, the State Environmental Quality Review Act and it is called a scoping hearing. The purpose for this hearing is to give residents an opportunity to express their thoughts as to what should be addressed in the preparing of the Environmental Impact Statement. The procedure under which we operate is that each individual has a period of time of five minutes in which to express their opinions. This is not a hearing on the merits of the special permit application. That will be the subject of a further hearing should we proceed to that part of the process with regard to the application. We are not here to discuss or hear your views concerning your position for or against the application but simply to raise issues which should be addressed in the applicant's preparation of the Draft Environmental Impact Statement. Mr. Danowski, will you give us an overview of the application?"

**SCOPING HEARING - 7:45 p.m.**

I have affidavits of publishing and posting for a scoping hearing to be held at Riverhead Town Hall on Tuesday, April 12, 1988 at 7:45 p.m. to hear all interested persons who wish to be heard regarding: August Romano/Valmont Homes to construct 113 condominium units on Elton Avenue, Riverhead.

**Peter Danowski, Attorney,** "Yes. For the applicant. The applicant is known as Valmont Homes. The owners are the Rosano brothers. They've owned this property for a long period of time and have paid taxes on it. Some of the people may in fact, have remembered that it seems like about 15 or 20 years ago they had an application with regards to an apartment building on the site. That was a use that was permitted at the time and the town saw fit to, as the permit was being issued, rezone them and eliminate apartment dwellings as an allowed use. What we propose to do and this has been pending before the town for approximately two years, is to cluster and not build on the north side of Elton Avenue. That would remain open, not to be built upon as the property reaches the county drainage easement area. An area further north, north of the drainage easement area, was reserved for future development basically because when we met with the town earlier on at a joint

SCOPING HEARING, ContinuedPeter Danowski, Continued

Board meeting and at later Work Sessions. The impression that was gained by the applicant was that the town themselves, was unsure as to how they wished to zone that particular area without getting into detail, whether that should remain residential or be for business use. A projected use across that particular northern most site is the Demkin Duck Farm proposed shopping center. The question then came up several years ago whether it would be good to have residences across from that particular proposed use or whether it should be some form of business use. As a result of those discussions with various town personnel, it was thought best that they wait until the town resolved how they wanted to handle that particular area. This particular application, falls within the special permit confines of the Town Code and the town had many years ago, as it has been pointed out in the earlier application with Augusta Schneider, saw fit to reduce densities from what used to be existing. So that there is basically a yield of five per acre. There is a mix here of one family, two family dwellings. We originally proposed to stay 75 feet away from any wetlands. We put a natural retention buffer around the outside edges meaning that the natural vegetation would remain. We also petitioned the Town Board so that public sewer and public water would be available and agreed that that would be at no cost to the taxpayers. We've been through the Planning Board. We've gotten recommendations from the planning staff and we've got a recommendation now from the Planning Board. We're here to listen to any issues. Mr. Michael Boncci is here as a representative of the owner to listen to any comments with regard to the environment and to later prepare any necessary environmental papers including the impact statement. With that said, I would also, as a result of hearing certain comments over the last year or two and recent time, put on the board other suggested ways that we could develop the site for those who are interested in seeing what the whole site would look like should the developer had wanted to do that. We've indicated a map of that as well. We don't intend to do this but we do show and depict it on the wall. There are indications on each of these maps on the total amount of units which are very specifically spelled out and allowed in the code. We're also, to advise anyone that's here filing applications with the Planning Department or Planning Board, as an alternative to doing the condominiums, we're going to submit a plan for a land subdivision that is a matter of right for the applicant under the current zoning and that he will submit a land subdivision plan should this Town Board deny the special permit. In fact, rather than just saying that, I think he will submit the plan and ask the Board to consider it as this application for a special permit is being processed. Those land subdivision plans which are indicated to the rear of the room on the wall are not pending before this Town Board but will be pending before the Planning Board. They call for a total of fifty building lots on the same area that's being discussed to the south of the drainage easement. Those units are single family homes. They could certainly have four bedrooms in them with a total, if you take fifty units times four bedrooms, two hundred bedrooms. We have less than that number with regard to the condominium. So when you start talking density, one of the tradeoffs in one of the discussions is how many people are going to occupy the premises. Condominium units of one and two bedroom, single family houses obviously

SCOPING HEARING, ContinuedPeter Danowski, Continued

don't have that limitation. The thought has been, with our original presentation, after some discussion with a joint Board and later at Work Sessions with the Town Board, that we cluster it to stay away from one side of the road to keep that in some sort of permit, open space area. That's the reason it's not covered on both sides of the road. With that said, I'll wait to hear for comments."

Supervisor Janoski, "Thank you. Who wishes to be recognized to address the Board? George, then Sherry."

George Bartunek, C.A.C., "I'm the Chairman of the Conservation Advisory Council. The first recommendation that we would have that would be included in the Environmental Impact Statement is that if the Town Board considers a comprehensive wildlife inventory and it should be done for this area, that we would request that the credentials of the biologist that would do the inventory would be submitted to the C.A.C. and also to the Town Board for our review. We would like to also have input into specific types of inventories that would be conducted for this area. If you think that kind of an inventory should be done and included in an Environmental Impact Study. We're also recommending that an inventory be done showing existing trees and the location of vegetation that would be perhaps greater in diameter than 12 inches. Not that we could necessarily save every large or significant tree, but I think that should also be considered as part of the inventory process. I believe that the last time this was discussed that, as I understand from Howie Young, the drainage on site was providing for retention of a two inch rainfall. I don't know if that has changed but the C.A.C. recommends that provision be made for retention on site of at least a five inch rainfall instead of two. Unless that has been changed. I don't think I have to remind anybody that this is an area which is tributary into the Bay system. And what we try to do is try to retain as much effluent on the property without drainage directly into Saw Mill Creek. The originally Environmental Assessment Form proposes the placement of approximately five acres of lawn on the original site plan that was submitted to the C.A.C. The C.A.C. would like to see the reduction and the amount of lawn area that would be put into this particular proposal and possibly a landscape plan that would show low maintenance naturally resistant type of vegetation that would require the application of a great deal of fertilizer, pesticides and herbicides. Again, to reduce the amount of effluent that eventually would drain into Saw Mill Creek. For the protection of the property owner, we suggest that the consequences of a fifty year maximum flood might be also considered for this area. I don't know what... How Saw Mill Creek is. I mentioned in my last presentation I mentioned how Saw Mill Creek would handle an extremely heavy amount of precipitation. For example, during an intense hurricane or something like that. And I think for the protection of property owners of units ten through twenty-five, that we should look into that also. See how high the water would rise onto the property. The last comment that I have here has already been taken care of in the revised site plan I see here on the wall. The C.A.C. would like to see a setback of 100 feet from the edge of the wetlands and we would like to see a maintenance of at least 75 foot natural buffer between any cleared area and the wetlands themselves. The second site plan that I see

SCOPING HEARING, ContinuedGeorge Bartunek, Continued

here on the wall is actually suggesting a natural buffer of 100 feet. And that's all the comments that I have this evening."

Supervisor Janoski, "Thank you George. Sherry."

Sherry Johnson, Manorville, "I would like to see the following incorporated into the Environmental Impact Statement for this project. The D.E.I.S. should discuss thoroughly all the contiguous parcels owned by the applicant. The D.E.I.S. should include a survey showing the topography, freshwater wetlands, vegetation diversity for all parcels involved in the project, the acreage of wetlands, meadow, old field and wooded areas should be specified. The depth to the water table should be estimated for the entire site. Recommendations in the 1973 Master Plan should be discussed and conformance demonstrated. The D.E.I.S. should discuss the recommendations in all existing studies including, but not limited to NURP and the 208 Water Quality Study. Compliance with pertinent laws including local zoning and environmental codes, Chapter 108 and 107 respectively of the Town Code, State and Environmental laws and County Health regulations should be described. All projects proposed, pending or recently approved which are within or contiguous to the Saw Mill river should be listed and described. The cumulative impacts likely to occur from these projects including the effects on animal habitat, vegetation, wetlands, flood plains and ultimately the Peconic Estuary should be discussed. The D.E.I.S. should list all flora and fauna on the site. Protected, threatened and endangered species of plants or wildlife likely to occur on site should be listed and their habitat needs discussed. The D.E.I.S. should state the number of hours spent in on site field work. The D.E.I.S. should discuss dedication of the parcels not being developed for permanent open space and a greenbelt buffer of the wetlands and river corridor should be identified. Methods to preserve and protect these areas should be described. Alternatives to this project which should be discussed are: a residential subdivision under existing Residence "C" zoning and public acquisition of the site. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else wishing to address the Board. Yes sir. Harold."

Harold Klick, Howell Court, "One of the things that concerns me is how is this going to effect our school taxes? We're going in here with a rather large unit. Also, we came out here in 1960. We came here to get away from this and we've been very happy. I take my children and we walk out through this area and we can see the wildlife that you'd expect to find here. Where is it going to go when we start building this in our back yard? What happens if these units don't sell as they anticipate them? Who is going to take over these units then? Are we going to have welfare in to these units like we have in other parts of our town? These are the things that we're concerned with. We live here. And I think it should be everybody's concern. I don't know if you people have the answers to this but I want to know what safeguards we have that should these buildings go in, they'll go in as condominiums in the price range that we've got and they're not going to go in as something as other than that."

SCOPING HEARING, ContinuedHarold Klick, Continued

Maybe they're going to try to unload them later on. What safeguards have we got for the future? This is my concern. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else wishing to address the Board? Yes sir."

Charles Cetas, Howell Court, "First of all, I'd like to commend the Town Board for reversing its decision of last year not to require a D.E.I.S and now to require a D.E.I.S. I think it takes a little bit of courage to realize you made a mistake and to try to correct it. But however, I'd also like to remind the Town Board of that petition which over 290 people signed was against the project itself not just against the Board's decision not to require a D.E.I.S. Whether a D.E.I.S. proves to be favorably or unfavorable towards this project, at least the people I've talked to, I personally signed up over 60 people to this petition and most of those people were just flat against condos on Elton Street. The next thing, I would just wonder if it would be all right if I read a couple of short articles that Senator Ken LaValle had written for his December, 1987 newsletter."

Supervisor Janoski, "Do they concern the issues that should be addressed in the Draft Environmental Impact Statement?"

Charles Cetas, "Tidal Wave of development creates enormous problems."

Supervisor Janoski, "Why don't you submit that for the record."

Charles Cetas, "Could I just read a couple of comments that he had? I think they're pertinent."

Supervisor Janoski, "If you want to read them in. One way or another, they're going to become part of the record."

Charles Cetas, "The tidal wave of development that is rolling toward Eastern Long Island threatens to sweep away the quality of life that we cherish. We live on an Island with limited resources to accommodate population and environmentally sensitive land that must be preserved to protect our water supply. We must limit both commercial and residential development and halt the stampede toward more shopping centers, more giant malls, more traffic congestion and more environmental problems and less scenic beauty, recreational facilities, clean air and pure water. While our towns have taken creative steps toward improved planning, the economic pressure for more development on Long Island is overwhelming. A line must be drawn beyond which we will not permit devastation of our island by the construction of more regional malls and high density housing, which obviously would not be needed if we can maintain a more stable and reasonable growth level. The situation calls for stern measures and creative planning. The rights of landowners and developers must be balanced with the rights of the public. Citizens must show their support for local officials with the backbone and courage to enable and enforce such measures, even though it may involve litigation and be painful and costly. The future of our communities is worth it. He has a second article here called;

SCOPING HEARING, ContinuedCharles Cetas, Continued

Affordable Housing Needs Creative Ideas. I might as well read that too. Why not. The high cost of land and new construction have placed available housing on Long Island out of the reach of many young couples. It also has limited the amount of housing available for senior citizens on fixed incomes. Solutions will not be found in constructing more and more housing. In many cases, these projects remain unaffordable for the people living in our community, but attract new people, placing an additional strain on our roadway and environment. Building tract homes on undersized plots and huge apartment complexes would only exacerbate our problems. A more creative approach is needed. For instance, lending institutions should devise mortgages with smaller payments when people are starting out, with graduated increases later when people would be better able to meet their obligations. While the towns should not abandon the better zoning practices they have been adopting, they might also consider the possibility of making it easier to expand existing home structures so that families could combine living accommodations. Young and old can co-exist under the same roof with considerable savings to both. Elderly couples can also share housing with their contemporaries. We should not overlook the fact that existing housing is even now being recycled. As elderly couples migrate, homes are being rebuilt and expanded. These are but a few of the alternatives to plunging into projects that may only serve as a magnet to draw more population to an overburdened island, congesting our roadways, compounding our waste management problems and threatening our water supply. If in fact, to provide affordable housing we fail to implement those measures designed to allow towns to protect our environment, we will destroy the quality of life that makes any kind of housing desirable. Ok. Now, I will give my feelings on the D.E.I.S. First of all, I think the town should decide who will do the D.E.I.S., not the developer. The things I feel the D.E.I.S. should cover; first of all, does Riverhead really need the project or would it just compound our problems that the town already has? How would this project effect the quality of life enjoyed by the residents near the project? and I feel that the feelings of the residents should be considered. Do they feel that condos are compatible with the single family style housing in the area. Also, effects of the population increase that this project will bring. The population of this complex should be compared to the adjacent neighborhoods. Would the potential of adding more than 264 more cars to the area significantly increase traffic, air pollution, noise, etc. Other things associated with cars. Potential flooding should be addressed. Effects of construction activity, noise, litter, destruction of scenic beauty. How long would the residents near the project be expected to endure this disruption of their peace and quiet? How would this project effect taxes? How would this project effect the values of homes near it? Aesthetic considerations, style of architecture, landscaping, loss of natural scenery, spacing and placement of buildings. How much area will this project pave over? Other things like, storage of garbage should be considered too. Also, the type of people that would be attracted to this project. Could these units be, at some point in time, be converted to rentals by individual owners? Also, I think a long term outlook should be taken for this project. That is, what would this project be like in five years, ten years, twenty years? Would the residents of this project be able to properly maintain it once the developer has sold the last unit? Also, I think

SCOPING HEARING, ContinuedCharles Cetas, Continued

this project, we should consider how this project will effect town services. First of all, the Sewer District which is fifty years old operating at or near capacity. It needs six and a half million dollars for the improvements. May be a contributor to the brown algae crisis in the Peconic Bay. The denitrification system is still not working and just an example of what the D.E.C. has done I read in the Traveler-Watchman last week. The D.E.C. has put a moratorium on the Greenport Sewer to new hook-ups. They could do the same in Riverhead. How would this effect Riverhead Schools? How many new students are going to be added by this project? The Water District, how much water is this project going to use? How much additional maintenance will be required for the workers in the Water District to do. Also, the Highway Department. How much more man hours is going to be required to maintain the roadway system in this project? How many more calls will the Police Department have to make? What impact is this going to be on the Town Landfill which is scheduled to be closed in 1990? How much additional garbage can it handle? Is any progress being made on alternatives to the Landfill? The ability to evacuate residents in the event of a major accident of the chemical plant on Elton Street should also be considered. Also, additional street lighting and traffic signals. Maybe that should be talked about too. Also, how would this project effect the town's volunteer services? For example, the Riverhead Fire Department. One well known member who I personally signed up on this petition against the project, signed the petition because he feels the Fire Department has enough to do. How many more calls is the Fire Department going to have to make because of this project? Ambulance, how many more calls will they have to make? Also, what kind of strain will this project put on hospitals and other medical services in this town? How would this project effect Saw Mill Creek and its related ponds, wetlands and wildlife? I agree, a complete inventory and study of wildlife and vegetation during each season of the year should be done for the entire parcel and the other parcels that this company or person owns along the Saw Mill Creek. An honest effort should be made to identify any rare or endangered species of plant or animal which may exist on or use this property. A special note should also be taken of any migrating species that use the property. What would be the fate of animals who would be displaced or who's habitat would be displaced or destroyed by this project. Would the 75 to 100 foot buffer zone truly protect the Saw Mill Creek and its wetlands from being severely effected by the 300 to 400 people who could be potentially living in this complex. What would be the effects of bulldozing and landscaping during construction? Would there be significant erosion with Saw Mill Creek being silted up? How much native vegetation and trees would be removed? How would this effect wildlife habitats? Also, the effects of any additional pollution from stormwater runoff, road salt, lawn chemicals such as fertilizers, pesticides, herbicides, common household chemicals and cleaning agents? What effects might this project have on Peconic and Flanders Bay? What would be the.... And also, I think the study should determine what would be the best use of this property. Is it really the best thing to do, that we should develop it for housing or should we do something else with it? Maybe leave it the way it is."

SCOPING HEARING, Continued

Supervisor Janoski, "Well, if you want to buy it, I'm sure the applicants would like to hear it."

Charles Cetas, "Well, that's the next thing here. I don't want to buy it. I don't have the money to buy it. A comprehensive study on the entire Saw Mill Creek system should be done before any development is allowed. As much as possible if not all of the undeveloped properties along Saw Mill Creek should be preserved in their natural state and used as a wildlife refuge park or something along those lines. And I think possibly, the use of a quarter percent sales tax for open space funds to buy up these properties, should be looked in to."

Supervisor Janoski, "Thank you. Arthur."

Arthur Sanders, Howell Avenue, "As you're aware, 293 residents in this area oppose the Mill Pond project. The people are very concerned about the traffic in the area. The traffic now is very difficult on Main Street in Riverhead at 4:00/4:30 in the afternoon. It's very difficult to even cross the street. And we are creating a situation where the traffic in the surrounding area will even be worse. We are also concerned about the quality of life in Riverhead. Many of us came to Riverhead because we wanted a better life and we can see that the situation is slowly deteriorating. We are also concerned about the school and town taxes which undoubtedly will be increased. Regarding the D.E.I.S. study, we strongly ask the Town Board to select the company that will do the study. We would like an objective report, a complete report regarding all the items that I mentioned; the traffic, the quality of life. What it will do to school taxes, town taxes. These are the concerns of the people in the Town of Riverhead and we respectfully ask that you insert all these items in the D.E.I.S. study. Thank you."

Supervisor Janoski, "Thank you. Betty."

Betty Brown, "I'm the Vice President of the North Fork Environmental Council. Comments to be incorporated in the Draft Environmental Impact Statement for the Mill Pond Commons Condominium Development to construct 113 units on Elton Avenue in Riverhead Town. The D.E.I.S. should address any and all future development on the entire 43.1 acres owned by the applicant with attention to the 13 acre parcel to the north and include as an alternative, dedication to open space. The D.E.I.S. should also include a scientific inventory and impact analysis of all flora and fauna on the site. All sites. An accurate account of the large trees that calicure and specific reasons for the necessity of their destruction. The applicant described the need to remove 5.8 acres of mature woods and natural cover. Attempts should be made to design this project in order to maintain a greater amount of the vegetation for the benefit of the landscape as well as the residents on site and in the neighboring communities. Examine tighter cluster of units to achieve these benefits. Describe the natural buffer planned along Elton Avenue. Consider aesthetic impacts and comment regarding a fifty foot buffer as an attractive alternative. Many wildlife species have been observed on the site. Include a scientific inventory and impact analysis for all species identified. Determine if endangered and threatened species of local concern occupy the site or the adjoining wetlands. Be specific and

SCOPING HEARING, ContinuedBetty Brown, Continued

include dates and consultants. Address proposed garbage removal schemes. Projected impact on the Riverhead Town Landfill. List all hazardous materials and wastes to be used and disposition of those materials with regard to runoffs and their effects on the Saw Mill Creek. Four point nine acres of lawn is projected. Identify the type of lawn and the need for chemical fertilizers and pesticides. Include alternatives of other types of lawn with recommendations from the County Health Department of Ecology. Address also, the amount of water that would be saved when irrigation is not necessary regarding this alternative. It is clear that this property is in 100 year floodplain. Neighbors have testified to unusual flooding conditions and a full environmental assessment of this flooding must be made available. Impact to neighboring homes must be addressed. Drainage system with catch basins and leeching pools are provided to accommodate a two inch rainfall. Overflow is directly in to the Saw Mill Brook. The D.E.I.S. should contain an assessment of this action and discuss an alternative that would adequately mitigate the short comings of this method and afford maximum protection to the Saw Mill Creek. The D.E.I.S. should include a site survey with all wetland boundaries delineated by the state. The Saw Mill Creek wetlands provide extensive wildlife cover, natural erosion control. The D.E.I.S. should discuss the necessary wetland buffer of 100 foot to preserve the integrity of these wetlands and their uplands. Dedication of this buffer should be addressed as a valid alternative for such protection and discussed in the D.E.I.S. Also, discuss long and short term impacts on these wetlands. The Environmental Assessment form states that the project site has no hunting, fishing or recreational potential. Address the probability of boaters that are using the brook for recreational use as a real possibility and disclose the developer's actual intent. Also address the cumulative impact of all projects along the Saw Mill water system and include applications of development that are projected along these wetlands. Discuss the increased density and recreational development that each offer and cumulatively impact the Peconic Bay system. Show how this extreme development will not add to the degradation of our already unhealthy waters of the Peconic Bay. Research should be included from involved agencies with expertise regarding the brown algae bloom. Traffic must be addressed during peak times. Weekends as well as weekdays. Include summer season also. Elton Avenue is a cut through to Roanoke, Pulaski Street school, the Middle school and the High school. Opening and after school prime times must be addressed. Include also numbers of employees and cars leaving the Chemical Compound Corporation during their peak travel time. Provide maximum number of vehicles projected from this development. Project the impact on the Riverhead Central School District. How many school children will this development generate? Discuss cumulative impact of this project and other projected developments with regard to the above. Comments from the Fire Department regarding the location of entrance and exits should be incorporated as well as impacts on all other services in the Town of Riverhead. Describe the five phase project and the effect that multi-phase construction will have on the neighboring community. What is the projected construction time? Three years or more? This development relies on public sewage treatment. As Riverhead's plant is nearing capacity, discuss and

SCOPING HEARING, ContinuedBetty Brown, continued

estimate sewage to be generated by this project and the impact it will have on our treatment plant. Is this project one of the ten projects H2M has on line to fund the expansion and denitrofication? If so, does this project depend on that expansion and will it be delayed if upgrading and expansion is delayed? Discuss the shortcomings associated with heavy density residential development adjacent to an industrial facility. Address alternative land uses, a no action scenerio and a traditional residential subdivision. Include traffic and school impacts, etc. List and describe any public benefits that is to be derived from this bonus density. Comment on the Planning Board's recommendation of 25% of the units to go toward affordable housing. Include the selling price of these units. Thank you."

Supervisor Janoski, "Thank you. Is there anyone else present wishing to address the Board? I must excuse myself from this hearing. Of course, everything that's said, will become part of the record and I'll ask John to chair it. I have to go to a wake."

**SUPERVISOR JANOSKI EXCUSED HIMSELF FOR THE REMAINDER OF THE MEETING.**

Mary Beth Andresen, Aquebogue, "I feel that the D.E.I.S. should answer the following with reference to the contiguous parcel of the Chemical Compound Company on Elton Avenue. What is being manufactured at the Chemical Compound? What is being stored at this facility? Specifically, are the government contracts being maintained with reference to highly toxious substances? How does this facility dispose of their waste and if they are indeed chemical in nature. Is there leeching of contaminous substances into the Saw Mill Creek now and the water supplies? Have traffic studies been done at the C.C.C. with reference to further impacting of traffic by a large populated in egress and ingress? In these traffic studies, please note the peak hours of employees hours at the start and close of the work day. In addition, the parking for the C.C.C. has spilled over on to their lot allotment and is now on Elton Avenue. What if, any, will be the effect of the increase road traffic and parking? If there indeed, is a delitarious nature of the chemicals, stored, used or manufactured at the C.C.C., what hazard does this pose to the neighborhood community and what risks would be incurred if an evacuation was necessary? What would be the risks and impact of the evacuation on the surrounding neighborhood, vehicular traffic and services that render aid? For example; fire, police and ambulance. I would like the impact of the dense residential use within an industrial area would this create (inaudible) condo units that border the C.C.C. compound right now. Those are the things I'd like answered. Thank you."

Councilman Lombardi, "Thank you Mary Beth. Anyone else?"

Councilman Pike, "George, could you just come up for a second? One of the things I'm hearing here that I had heard before among many that I haven't heard before which are good, is the idea that there is an unusual flooding problem in the Saw Mill tributary system. And what strikes me about that is that most tributary systems develop naturally and are created by the forces of

SCOPING HEARING, ContinuedCouncilman Pike, continued

nature and that this one has had a number of man made changes to it downstream of this area. And I guess what I would like to know and if you can help on this, whether our floodplain analysis takes into (or the maps) account the possibility of a deluge basically, a very large quantity of water hitting it at once or whether they are just talking about tide rising?"

George Bartunek, "I'm not sure the floodplain maps extend. And if there's anybody in the audience who can correct me, but I don't believe the floodplain maps extend that far up the Saw Mill Creek. If that answers your question. Primarily coastal areas, they do."

Councilman Pike, "We're in a 100 year floodplain area. So is that all stormwater runoff?"

Howard Young, "Floodplain maps are done throughout the United States not only..."

Councilman Lombardi, "Howie, you want to get up to the microphone and give your name please."

Councilman Pike, "My concern is this which I'd like on the record. It is that if there is a specialized... Let me back up. Wetlands are often the buffer that prevent massive flooding. Wetland systems are the drainage system. If in fact, this particular drainage system has man made obstruction that reduce its ability to handle that flooding and this project might... Let's start with that if that's true. If this project adds to that, I think it should be addressed. I'm trying to understand what the nature of the unusual flooding problems are and if that's it, I want to know about it."

George Bartunek, "I think that everybody is probably familiar with the obstructions that we do have to Saw Mill Creek. I don't know what the diameter of the conduit that goes under East Main Street is but that would be one considerable obstruction right there. And then of course, you had a lot over the years, not necessarily within the last ten or twelve or fifteen years but certainly before that, just on the south side of East Main Street, I don't think I have to name any businesses that I'm referring to where they have obviously filled right into the middle of the... Almost closing off the drainage there. One thing that might be considered is possibly before maybe in the environmental impact statement, maybe some consideration should be made to opening that channel up a little bit. If the state would permit anything like that, tampering with state wetlands, again you have another problem there too. You have man made filling. And since they are adopted wetlands recognized by D.E.C. as they are, you are running into another problem, of course there."

Councilman Pike, "Thank you George."

Councilman Lombardi, "Anyone else?"

SCOPING HEARING, Continued

Patricia Moore, Town Attorney, "If you wouldn't mind just including in the D.E.I.S. some of the comments that were made by John Johnson in the record. And one of the questions I think that Rob was mentioning, there may be some underground streams, some kind of water here. There aren't any underground streams? That seems to be the rumor that maybe if some exists. If you would focus on the community services, what is the effect on community services which I think has been brought up. That's about it. The rest has been covered. Thank you."

Councilman Lombardi, "Thank you Pat. Does anybody else have anything else to say at this scoping hearing? Pete."

Peter Danowski, "My only comment, I'm always curious. People throw in dictionary sometimes. I'm just curious what the format is going to be as far as this Town Board is concerned. Scoping, I always thought was to narrow the issues for the statement. And I always see every client including clients of other attorneys stand and hear everything including the dictionary suggested, be answered. I'm just wondering if this Board is going to vote and say here's the following issues that we wish you to address in the impact statement. Otherwise, with any developer who wishes to build, the easiest thing for anyone to delay and obstruct is to come up here and say do one million things. For instance, the suggestion that we should go through various seasons and sample the wildlife. That's suggesting a one year hiatus already. So I'm just wondering. I don't want to suggest a delay. And I think that's one of the key things from any client's perspective. Some people keep talking about affordable housing and delays drive up the cost. We're prepared to move forward, do our Draft Environmental Impact Statement, pay attention to what we consider to be the major key issues raised. But do you really expect us to answer every item that's been posed tonight and will you scope the issues, I guess the question is?"

Councilman Pike, "Mr. Chairman, may I suggest that we're not going to answer that until we sit down and discuss in a work session. There was a very important preliminary question that was asked as whether we require this applicant to use a town directed consultant appreciative of the fact that they've probably already hired their own. But SEQRA does allow some flexibility on that. We have never discussed that issue. I would suggest that we discuss that one along with Peter's question at our next work session and get back to him."

Councilman Lombardi, "Harold."

Harold Klick, Howell Court, "The question that was just brought to this Board is to whether we're going to ask that we check out all of these things that was suggested tonight. I think that's the reason we came here. If we didn't want them checked out, we wouldn't have come here in the first place. It's my feeling in this matter, I would delay this project as long as very possible. I would assume, the whole area is zoned residential. Otherwise, we wouldn't have this problem right now. But I would say that if at all possible, the area of that pond, we should get the developer to set that up as a park. He can't build in that part where the pond is any how. And I think that we should insist that that part be made into a park with the rest of the project. Thank you."

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Councilman Lombardi, "Thank you. Anyone else? If not, then we will close the scoping hearing at 8:40. Thank you."

There being no further business on motion or vote, the scoping hearing closed at 8:40 p.m.



Irene J. Pendzick  
Town Clerk

IJP:nm