

**HAMPTONBURGH PLANNING BOARD
PUBLIC HEARING**

THURSDAY, FEBRUARY 4, 2021

A continuation of Public Hearing was held Thursday, February 4, 2021 via Zoom in accordance with the applicable Executive Orders heretofore issued by the New York State Governor Andrew Cuomo suspending certain provisions of the New York State Open Meetings Law for consideration of a request by Real Deal Management for a two (2) lot subdivision and site plan approval allowing the construction of a 100,000+/- square foot warehouse on proposed lot number 1 and construction of a 245,000+/- square foot warehouse on proposed lot number 2. The property is located at 230 Neelytown Road and is designated on the tax map as section 1, block 1, lot 6. The property is located in the Town of Hamptonburgh Industrial (I) Zoning District. The property is owned by LGP Capital Neelytown LLC.

Those members present were: Mr. Arnold, Mr. Calogero, Mr. Cawein, Mr. Campanale and Chairman McCloud.

Town consultants present were: Planning Board Attorney David A. Donovan and Town Engineers Arthur R. Tully and John Russo.

The public hearing was heard at 7:00 p.m.

Mr. Gottlieb, the applicant's representative and attorney, stated they previously submitted a comprehensive document responding to comments; that many of the Town's independent consultant reports have agreed with their (RDM's) assessment and/or added mitigation measures; waiting for SHPO's response; and the fire access issues have been resolved. He requested that the public hearing be closed due to the repetitive public comments.

Chairman McCloud opened the meeting to the public.

Richie Protsko, Neelytown Road resident, stated that there are trust issues with RDM and summarized written comments submitted to the Board. He requested a positive declaration.

Emily Svenson, attorney with Gordon & Svenson represents Windfall Farms, summarized written comments and written reports prepared by E. Kiviat, Hudsonia, dated December 30, 2020 and January 31, 2021 submitted to the Board. She stated that in the "Hydrogeologic Aquifer Impact Assessment" report, prepared by T. Cusack, WSP, dated February 3, 2021 that there was concerns regarding road salt and its potential impacts to groundwater.

Chris Miele, Sarah Wells Trail resident, summarized written comments submitted to the Board.

Kathi Pitts, Windfall Farms, Neelytown Road resident, read written comments submitted to the Board.

Ed Maude, Neelytown Road resident, summarized written comments submitted to the Board. He added that he watched the live feed from Montgomery public hearing and feels that RDM is not trustworthy for wanting to break the moratorium citing financial hardship with zero documentation. He stated that a positive declaration is needed.

Kevin Caplicki, leases a farm at Windfall Farms, Neelytown Road, stated that there are existing junkyards at the RDM site, per the Hudsonia report, and should be remediated; it is impossible to contain fertilizers and pesticides; and is thinking of relocating to Ulster County to farm.

Morse Pitts, Windfall Farms, Neelytown Road, stated that RDM will have an impact on property values citing Mr. Caplicki statement of relocating. He added that Carlilse was not supposed to be a factory and was zoned to be a warehouse.

Richard Hagopian, Maybrook Road resident, summarized written comments submitted to the Board and noted that not all of his concerns have been answered. He stated that the impacts on the residents and land are permanent changes. He suggested that a bond be required for stormwater so that the Town is not left with the burden. He opined that the DOT and DEC should be reviewing the project and not paid consultants. He suggested that a concrete overpass be constructed to keep full sized trucks from traveling down the road toward the residential area of Neelytown Road. He also requested that a positive declaration is needed.

Dan Noonan, Neelytown Road resident, stated that independent warehouses are not congruent to the environment. He stated that a positive declaration is needed.

Sheila McGroddy, Day Road resident, stated that she is an environmental engineer by trade and summarized her written comments submitted to the Board. She also stated that the Orange County Department of Planning stated that the applicant and Town should assess impacts on nearby farmland not limited to pollution of ground water from vehicular leaks. She noted that the notes on the plans stated no vehicle washing on site and that notes should be added to the plans stating no storage of fuel on site and no storage of road salt on site.

Discussion occurred between Mr. Campanale and Mr. Monteleone, from Simco Engineering, regarding the road width and Simco's report. Mr. Monteleone stated that they recommended that Provident Engineering do a detailed study of the pavement which was completed and that if the road is widened to 24' wide cross section it keeps the vehicles slow and there is room for vehicles to maneuver. There will also be a centerline. Mr. Campanale stated that the project doesn't fit road wise based on the rules.

Lou Pedrero, Shea Road resident, inquired who is responsible and what the recourse is if there are multiple accidents. He also inquired what happens to the traffic if two tractor trailers are blocking the road. He stated that residents could face a financial burden in the future.

There were no additional comments; no additional communication was received for or against.

MOTION offered by Mr. Arnold, seconded by Mr. Campanale to continue the public hearing to Thursday, March 4, 2020 at 7:00 p.m. or as soon thereafter the matter can be heard. Motion carried with all voting in favor.

Jean Lord, Planning Board Secretary