

Michael Ciardullo made a motion that the next work session is to be held on September 8th, 2010.

Seconded by John Duffy.

All ayes.

Motion carried.

Ron Gainer outlined the next steps in the process. (See attached document.)

Jean Daly explained the document. She explained that volume one is the narrative and the figures, it responds to the scoping document and the Environmental Impact Statement. Volume two has a copy of the Scoping Document in it as well as all of the reports. Everything that is in volume two has been summarized in volume one.

Ross Winglovitz explained that he feels alternative 3 is the best option. With this alternative the units would be 22 ft wide and 20 ft wide for the affordable units. This alternative has advantages such as the smaller units allow for more space between units and winding roads, the cul-de-sac has also been shortened. He said that the environmental impact remains the same.

Michael Ciardullo asked if they were going to have to go back to the Zoning Board because of the change in size of the units.

Ross Winglovitz said yes they would have to go back to either the Zoning Board or the Village Board.

Paul Anderson expressed his hope that the board looks at the document for its completeness of the questions answered rather than the information that they may disagree with.

Michael Ciardullo asked if the questions that were asked earlier this year are answered in the document.

Jean Daly said that the questions are answered in the scoping document.

A.2 Yuri Gehkt, Center Street Two Lot Subdivision

Kevin Dowd explained that Mr. Gehkt does not want to pay for the inspection fees. He also explained that an attorney from Middletown sent a letter that questioned Mr. Gehkt's right to install a water line on Center Street.

Stan Plato asked how long he had to finalize the project.

Kevin Dowd said that he has 6 months.

Stan Plato asked if he has frontage on Center Street.

Kevin Dowd said no but he does have a right of way.

Michael Ciardullo asked why he is allowed to dig up roads without putting up a performance bond.

Kevin Dowd said that it is private property so he has a right to do that, the line would have to be inspected before it is turned on.

A.3 Architectural Review - 82-84 West Main Street

Jose DeJesus asked if they could make sure that the property is structurally sound before they approve colors.

Kevin Dowd said that Building Inspector Dean Stickles most likely took care of that.

Jose DeJesus explained that he is leasing property from Jacobowitz and that he has reported it to the ethics committee.

Kevin Dowd said that he might want to think about reclusing himself from the project to protect his own integrity and the integrity of the Board. He said that the Village Code lists that negative perception should be avoided.

Michael Ciardullo asked who the members off the LLC are as they are all owners of the project.

Michael Ciardullo made a motion to adjourn.

Seconded by John Duffy.

Meeting adjourned 8:35pm.

Respectfully Submitted,
Lisa Dore

At the request of the design engineer, last week I met with Ross Winglovitz to discuss the submittal of the Draft Environmental Impact Statement (DEIS) that has been expected for some time now. In the interest of reducing the Board's paperwork, and unnecessary reproduction expenses, with the agreement of the Village Attorney the applicant was directed to file the DEIS documents to the Village in the following manner::

1. 8 full copies of Volume 1 (entire DEIS text) should be submitted for the Village's review; one each for Village Hall (kept in Dean's office), Kevin and I, and one for each Board member
2. Within each Volume 1, a CD would be enclosed containing electronic versions of **both** volumes; this will permit anyone, including the Board members, that may be interested to electronically review technical data contained in any appendix of interest
3. 3 full copies of the Appendices (Volume 2) would be filed; one each for Village Hall (Dean's office), Kevin and I
4. 3 full size sets of project plans; one each for Village Hall (Dean's office), Kevin and I
5. The CD contained in every Volume 1 would also contain electronic versions of all plans, so they can be reviewed by the individual Board members

The DEIS documents were just delivered to Village Hall yesterday, so the members can obtain this information at your leisure. For those that don't have an opportunity to stop in, the documents will be provided by Dean at next Wednesday's (8/18) Planning Board meeting.

Kevin, Dean and I will immediately initiate detailed review of the documents.

Procedurally, the SEQRA regulations specify the following:

1. At next Wednesday's meeting, the ONLY action the Board will accomplish is to acknowledge, for the record, that the DEIS has been submitted by the applicant.
2. The Planning Board, acting as Lead Agency, must then subsequently review the documents for "completeness" before the materials may be released for public comment. What this means is the documents are reviewed to establish whether all matters which required detailed study, as enumerated in the "Scoping" document issued previously by the Planning Board (done after the Positive SEQR declaration was made last year, which mandated that a DEIS be prepared), are adequately presented for the purpose of commencing public review. *(NOTE: the DEIS represents the "Applicant's" document, so the Board does not have to agree with all statements contained therein, merely determine that it is sufficiently detailed so as to permit public comment)*
3. The Lead Agency (Planning Board) is given 45 days from receipt to make a decision on "completeness". Essentially, this will give the Board until the October 4, 2010 meeting to make this determination.
4. If the Board deems the documents "incomplete", the Lead Agency must identify the deficiencies in writing and provide this information to the applicant.
5. Thereafter, the lead agency has 30 days from receipt to determine whether to accept any resubmitted DEIS.
6. The Board's acceptance of the DEIS takes the form of a formal "Notice of Completion" which is filed by the Lead Agency, and establishes the length of the public comment period. This notice is issued to all involved and interested agencies, with the DEIS.
7. Once the documents are deemed "complete", the public comment period is initiated. This must be no less than 15 days nor more than 60 days after the filing of the "Notice of Completion".
8. As part of the Lead Agency's decision-making process, the Board must also decide whether to hold a Public Hearing on the DEIS. While this is optional under the SEQRA regulations, this is almost always done so as to assure sufficient opportunity for the involved and interested agencies, and the general public, to comment on the development proposal. This is often done concurrently with any other public hearings the local regulations require in the processing of the application.
9. If a public hearing is held, the public comment period must extend no less than 10 calendar days following the close of the public hearing.
10. After the close of the public comment period, all comments received (including those of the Board members, their consultants, all agencies and the general public) are transmitted to the applicant, and a Final Environmental Impact Statement (FEIS) is eventually prepared to respond to all comments received.
11. Upon receipt, the FEIS undergoes a similar "completeness" review. However, the FEIS is clearly the PLANNING BOARD'S document, so all comments contained therein must represent the Board's determinations on

the project, and so should not be accepted unless and until the Board is completely comfortable with the document.

12. Thereafter, another "Notice of Completion" is issued by the Lead Agency, and involved/interested agencies and the public are given a "reasonable time period" (no less than 10 days) in which to comment on the FEIS. Thereafter, within 30 days of the filing of the FEIS a "Findings" Statement must be adopted by the Board, and concludes the SEQRA process. The "Findings" Statement incorporates a decision on whether or not to approve the "action" (i.e.; the development application).

This is somewhat long-winded, but hopefully makes some sense to you all to enable you to understand SEQRA requirements. Kevin and I will review this all with you at next week's meeting. The applicant's representatives are well aware of these requirements.

I expect that the applicant will make at least some limited presentation of the project, and overview the scope of the DEIS documents, to the Board at next week's meeting.

Any questions, pls call.

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