



Town of Rotterdam
Office of the Planning Commission

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Resolution Number PC16-2018

Moved by Mrs. Flansburg seconded by Mr. Bradt
Applicant: Lecce Development Group, LLC (Contract Vendee)

- Applicant:** Lecce Development Group, LLC (Contract Vendee)
- Project Location:** East side of Helderberg Avenue adjacent to southern boundary of the NYS Thruway
Rotterdam, New York
- Tax Number or Numbers:** 71.5-1-5.112, 71.5-5.111, 71.5-1-8.111, 71.5-1-7.1, 71.5-1-8.112, 71.5-1-9, 71.5-1-10.21, 71.9-2-21.11
- Proposed Project:** Report and Recommendation to the Town Board for a Change of Zone on ±84.5 acres of property from Agricultural (A-1) to a proposed newly created Zoning District to be known as the Senior Living District (SLD) to facilitate the construction of a senior planned residential retirement community.

WHEREAS, the Town Board of the Town of Rotterdam ("Town Board") has received a revised application from Lecce Senior Living, LLC ("Applicant") for a Change of Zone for a project known as and referred to as the Village at Whispering Pines (the "Whispering Pines Project") and a proposed local law to establish a Senior Living District; and

WHEREAS, by Resolution No. 82.18, the Town Board referred the proposed local law and the Change of Zone application to the Planning Commission for a report and recommendation thereon; and

WHEREAS, the Applicant presented the project and the proposed Local Law to the Planning Commission at its regularly scheduled meeting held on February 20, 2018; and

WHEREAS, the Planning Commission reviewed the proposed Local Law at its regularly scheduled meetings held on February 20, 2018 and March 6, 2018; and

WHEREAS, the Planning Commission has deliberated on the proposed Local Law and the Change of Zone application;

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NOW, THEREFORE, upon motion of Member **Flansburg**, seconded by Member **Bradt**, **BE IT RESOLVED**, by the Planning Commission of the Town of Rotterdam as follows:

1. The Planning Commission hereby adopts the following as its report on proposed local law and the Change of Zone request:

The proposed local law would add Article XXXI – Senior Living District (SLD) to the Zoning Code and would amend the Town Zoning Map to change the zoning of approximately 90 acres near Helderberg Avenue from A-1 to SLD. The SLD would be designed to provide a variety of housing types for seniors aged 55 and older, along with senior services, health care, and amenities available only to residents of the project and their invited guests. The proposed local law would provide for area and bulk regulations that would apply within the District, as well as standards for parking, lighting, and streets and sidewalks design. The local law would require establishment of a homeowners' association to maintain, preserve, and own common open space, private streets, drives, recreational areas, and service and parking areas. The local law would authorize the Planning Commission to review the proposed project under the Planning Commission's site plan review jurisdiction.

The Planning Board understands the Whispering Pines Project proposal to conceptually consist of a senior living community with a mix of housing types, including independent living single family detached and town homes, independent living apartment units, assisted living units, and memory care living units, along with a senior services center, a nine-hole executive golf course, and associated parking, roadway, multi-use paths and other improvements, all to be constructed on approximately 90 acres east of Helderberg Avenue and west of the New York State Thruway I-90.

As presented to the Planning Board, the Whispering Pines Project proposes construction of approximately 67 single family detached homes, approximately 58 single family attached town homes, approximately 119 independent living apartment units, approximately 144 assisted living units, and approximately 108 memory care units. Near the area designated for independent living apartment units, the Applicant proposes construction of a senior services center. The Applicant proposes to provide residential dining, a swimming pool, a spa, a small salon, a fitness center, and assembly space for use by residents and their invited guests. A nine-hole golf course is proposed, which is the only amenity proposed that would be open to the general public. The currently proposed project is substantially smaller than the prior proposal reviewed by this Planning Commission in April 2017.

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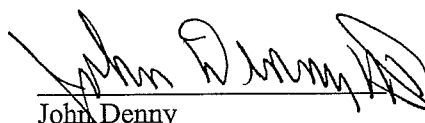
2. The Planning Commission hereby adopts a *positive recommendation* on the proposed local law and the Change of Zone request, subject to the considerations set forth in paragraph 3. The Planning Commission believes that the proposal is an appropriate use of the subject property and would fulfill a need for a mix of senior housing that is currently not available in the immediate area. The Planning Commission views the senior living district, proposed for this area, is in accordance with the Town's comprehensive plan. The Planning Commission further believes that the project's connection to the Hamburg Street Sewer District will result in a benefit to property owners in the Town. The Planning Commission views the project as having very little, if any, negative impact on the school district in light of the proposed age restrictions. The Planning Commission recognizes that the Applicant has taken into consideration and has implemented or addressed many of the comments and suggestions that the Planning Commission previously made in April 2017. The Planning Commission recognizes that the urgent care facility proposed under the prior proposal has been removed; the Applicant and the Town Board should consider allowing for such an urgent care facility at the project site.

3. This positive recommendation is subject to the following considerations:

- a. The Planning Commission recognizes that the review pursuant to the State Environmental Quality Review Act is ongoing.

<u>Member</u>	<u>Aye</u>	<u>Nay</u>
Thomas Yuille	<u>X</u>	<u> </u>
Mark D'Alessandro	<u>X</u>	<u> </u>
Timothy Bradt	<u>X</u>	<u> </u>
Clark Collins	<u>X</u>	<u> </u>
Larry DiLallo	<u>X</u>	<u> </u>
Lynn Flansburg	<u>X</u>	<u> </u>
John Denny	<u>X</u>	<u> </u>


Peter J. Comenzo
Senior Planner


John Denny
Planning Commission Chairman

2. **Lecce Development Group, LLC (Contract Vendee) – East side of Helderberg Avenue adjacent to southern boundary of the NYS Thruway. Report and Recommendation to the Town Board for a Change of Zone on ±84.5 acres of property from Agricultural (A-1) to a proposed newly created Zoning District to be known as the Senior Living District (SLD) to facilitate the construction of a senior planned residential retirement community. Engineer: MJ Engineering and Land Surveying, P.C.**

Chairman Denny: Since this is not a public hearing and the Planning Commission is reviewing the change of zone and draft senior living district legislation for a recommendation to the Town Board we will not be taking any public comments or questions at this time.

Mr. Yuille, do you have any comments for this recommendation change of zone?

Mr. Yuille: No, I made my comments the last meeting and the way I felt about this project so I'm already on the record. That's all, Mr. Chairman.

Chairman Denny: Mr. D'Alessandro?

Mr. D'Alessandro: I agree with Mr. Yuille, I made my comments at the last meeting.

Chairman Denny: Mr. Bradt?

Mr. Bradt: No comment.

Chairman Denny: Mr. Collins?

Mr. Collins: No comment.

Chairman Denny: Mr. DiLallo?

Mr. DiLallo: I have a comment. I did mention at the last meeting, but I would like to see the urgent care re-introduced to this project. That's all I have.

Chairman Denny: Mrs. Flansburg?

Mrs. Flansburg: No additional comments.

Chairman Denny: At this time, I would entertain a motion on this report and recommendation.

Mrs. Flansburg: Mr. Chairman, I will make a motion to adopt the report and positive recommendation before the Board tonight.

Chairman Denny: Mrs. Flansburg made the motion. Do I have a second?

Mr. Bradt: I'll second.

Chairman Denny: Mr. Bradt seconds the motion. Are there any questions? Please call the vote.

Marlo Carter: Mr. DiLallo?

Mr. DiLallo: Yes.

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Marlo Carter: Mr. Yuille?

Mr. Yuille: Yes.

Marlo Carter: Mr. Bradt?

Mr. Bradt: Yes.

Marlo Carter: Mr. Collins?

Mr. Collins: Yes.

Marlo Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Marlo Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Marlo Carter: Chairman Denny?

Chairman Denny: Yes.

Motion carried.

Chairman Denny: Do you have any comments on the draft scoping document which are due on March 14th.

Mr. DiLallo: Just my remark on the urgent care.

Chairman Denny: Mr. Yuille, do you have any comments?

Mr. Yuille: No, I had a thought about a connection of a sidewalk along there but I will forward that on as part of the comments for the scoping document.

Chairman Denny: Mr. D'Alessandro?

Mr. D'Alessandro: No comments.

Chairman Denny: Mr. Bradt?

Mr. Bradt: No comment.

Chairman Denny: Mr. Collins?

Mr. Collins: No comments.

Chairman Denny: Mr. DiLallo?

Mr. DiLallo: I'm good, thank you.

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Chairman Denny: Mrs. Flansburg?

Mrs. Flansburg: No, sir.

Mr. Tingley: If the Board wants me to send a letter to the lead agency asking them to address Mr. Yuille's comment, you can make a motion to authorize me to do that. It would just be a very brief letter saying that we are asking that the draft scoping document be revised to include consideration of pedestrian connection as part as the transportation and traffic of the EIS.

Mr. Yuille: From the driveway at the new project to where it meets the crosswalk at the Mohonasen old bus garage. There is a crosswalk that comes across.

Chairman Denny: We need a motion to authorize Mr. Tingley to go ahead and send that comment to the lead agency.

Mr. Collins: I make that motion.

Mrs. Flansburg: I thought we were limiting it to within this project site, not suggesting that they have to make improvements off site particularly due to the overpass over the Thruway or was I not correct in that?

Mr. Tingley: SEQR allows for the lead agency to impose conditions that are outside its otherwise applicable jurisdiction. If the EIS determines that traffic and transportation can only be mitigated by extending a sidewalk beyond the property line, that would be within the discretion of the lead agency.

Typically in a site plan review or something of that nature, you can't require offsite improvements, but certainly as part of a scoping document in an EIS, it can be something that can be considered and the applicant can address that with the lead agency. At this point, it's just a comment on the draft scoping document. It's really up to the Board.

Mr. Yuille: Mr. Tingley, the reason I made that comment was that the County had spent a considerable amount of money to improve the sidewalk from Curry Road all the way up to the Mohonasen bus garage and there was nothing beyond that. It was more for the residents and the kids in there, but now there is a possibility of a project going on, maybe the developer could get together with the County to do something with a grant to make that connection. It may not even be a possibility, it's just a consideration I thought they should look at.

Mr. Tingley: It's really up to the Board as to whether or not that comment is sent to the lead agency.

Chairman Denny: We need a motion?

Mr. Tingley: There's a motion on the table now. You need a second.

Mr. Yuille: I'll second it.

Chairman Denny: Motion was made by Mr. Collins and seconded by Mr. Yuille. Please call the vote.

Marlo Carter: Mr. DiLallo?

Mr. DiLallo: This is just a consideration?

Mr. Tingley: It's just a comment on the draft scoping document.

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Mr. DiLallo: When I made a comment about the urgent care, we didn't have to make a motion on that. It's just a comment, correct?

Mr. Tingley: The urgent care issue was addressed in the report and recommendation. If you would like to make that as part of the draft scoping document, we could include that as well.

Mr. DiLallo: So every remark we make for draft scoping, we have to make a motion?

Mr. Tingley: If you want to submit comments to the lead agency as a Board, I would recommend you making a motion.

Mr. DiLallo: On the motion, I vote yes.

Marlo Carter: Mr. Yuille?

Mr. Yuille: Yes.

Marlo Carter: Mr. Bradt?

Mr. Bradt: No.

Marlo Carter: Mr. Collins?

Mr. Collins: Yes.

Marlo Carter: Mrs. Flansburg?

Mrs. Flansburg: Just clarifying, it's just for them to consider it, not saying that we are requesting they have it, just that they look at it?

Mr. Tingley: That's right.

Mrs. Flansburg: Then I will vote yes.

Marlo Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Marlo Carter: Chairman Denny?

Chairman Denny: Yes.

Mr. DiLallo: I make a motion to have applicant investigate to put the urgent care back in there.

Chairman Denny: Motion made by Mr. DiLallo. Do I have a second?

Mr. Yuille: I'll second it.

Chairman Denny: Seconded by Mr. Yuille. Please call the vote.

Marlo Carter: Mr. DiLallo?

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Mr. DiLallo: Yes.

Marlo Carter: Mr. Yuille?

Mr. Yuille: Yes.

Marlo Carter: Mr. Bradt?

Mr. Bradt: Yes.

Marlo Carter: Mr. Collins?

Mr. Collins: Yes.

Marlo Carter: Mrs. Flansburg?

Mrs. Flansburg: Yes.

Marlo Carter: Mr. D'Alessandro?

Mr. D'Alessandro: Yes.

Marlo Carter: Chairman Denny?

Chairman Denny: Yes.

Motion carried.

Mr. Tingley: I will submit a letter to the lead agency reflecting those comments.

Mr. DiLallo: I'd like to thank the attorney for all his hard work on this matter and all other matters before us.

Chairman Denny: I agree.

Mrs. Flansburg: I agree as well.

Next meeting is March 20, 2018.

Meeting adjourned at 7:55 p.m.

Motion to adjourn made by Mr. Bradt and seconded by Mr. DiLallo.

Respectfully Submitted,

Marlo L. Carter
Planning Commission Secretary

- 3. Lecce Development Group, LLC (Contract Vendee) – East side of Helderberg Avenue adjacent to southern boundary of the NYS Thruway. Report and Recommendation to the Town Board for a Change of Zone on ±84.5 acres of property from Agricultural (A-1) to a proposed newly created Zoning District to be known as the Senior Living District (SLD) to facilitate the construction of a senior planned residential retirement community. Engineer: MJ Engineering and Land Surveying, P.C.**

Mr. Bianchi: Joel Bianchi with MJ Engineering. I am here this evening with Terresa Bakner from Whiteman, Osterman & Hanna. I will briefly go over what the project entails, what changes have incurred before we were last before this board March and April 2017, and I believe Terresa is going to go over the SEQR process.

What we are proposing is 125 single-family homes, 119 independent living units and 108 memory care, 144 assisted living and a reconfiguration of the existing 18 hole executive course into a 9 hole executive golf course, new club house, new maintenance facility, various utility improvements and surface improvements such as sidewalks, multi-use trails and landscaping and what have you. A total of 496 living units with this project. As mentioned, we are requesting a senior living district designation on pieces of the property to allow this to go forward.

The last time we were before this board March and April, when we got a recommendation, some of the changes have incurred since then is the urgent care is no longer part of the project. Retail and commercial uses have effectively been eliminated from the project. A total of number of residential units have been reduced from 680 down to 496. That reduction is in the single family homes from 150 to 125, the independent senior living apartments has been reduced from 278 down to 119 units. With the elimination of the urgent care, the majority of the development has been now pushed back allowing for some shielding and visual mitigation. With the implementation of some landscaping and earth and berms throughout the project, we think we have addressed some of the concerns that were raised over the course of the project's review at this board and the Town Board.

The other big item that has changed is the building heights. Previously we were maxing it at four (4) stories and now the maximum building height is three (3) stories. Things that have occurred since we were before this Board in March and April, we have done culture resource surveys. The State has signed off on what we have discovered. The site has had the wetlands delineated and the Army Corps has agreed with that delineation. We have sign off from DOT and County on the traffic study that was done. We do have will serve letters from National Grid for gas and electric. We do have correspondence from the Thruway Authority indicating they were/are agreeable to us crossing the Thruway as one of our options for sewer. The one that we don't have in writing, but we expect shortly, we do have verbal commitment from the City of Schenectady to provide sewer to this project through one of the options that we evaluated.

With that, if you have any questions for me or I will let Terresa give her summary.

Ms. Bakner: Thanks very much, we're happy to be back in front of you tonight. The process where we are at, in terms of SEQR, when we came back with the application with the revised plan, we submitted a preliminary draft Environmental Impact Statement. The Town Board determined to have scoping for the EIS process so they could be sure that everything is covered in the Environmental Impact Statement. As a result of that, at the last meeting of the Town Board they issued a Notice of Public Scoping so what people are able to do is to go to the Town website and look at the draft scope as well as the preliminary Draft Environmental Impact Statement and provide any written comments that they have by March 14th. That is the deadline on the draft scope. Only after the draft scope is finalized and approved by the Town Board as lead agency, then the Draft Environmental Impact Statement will be revised.

We are here before you tonight because of the senior living district zone and the fact that the Town Board before considering any change in zoning always goes to the Town Planning Commission for their recommendation with respect to the rezoning for the project. Last time we were in front you, you had provided us with a positive recommendation to the Town Board and a number of comments in addition to the positive recommendation and many of those comments have been addressed through changes that have been made to the plan.

I just wanted to point out that you had had a comment regarding the urgent care facility which no longer exists. That has been removed from the project. You had a question regarding whether the Town Board could ensure that the limitation on

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the residences ages was followed and absolutely, they can do that and it's commonly done and it would also be part of our Homeowner's Association as well. Another big change which Joel did not mention is the only part of the project that will be open to the public now is just the golf course. Just the golf course and that's it. So the nine (9) hole golf course and the club house, which I believe is smaller, I don't believe it's the same size, will be open to the public. All the other facilities in the project will just be available to the people who live there and their guests and that's it. There is no retail of any kind that is proposed and there is no publically available recreational facilities.

You had asked if we were willing to petition for the creation of the new sewer district or extension of the existing sewer district and that is covered in the DEIS. We are proposing to do that at this time so that we can get service from Hamburg Street extension. So it would be extended to cover us that would be what we ask. We also have an alternative sewer, but now that we have sewer proposal to go to the town wastewater treatment plant, but now that we have heard that the city will treat the sewage from our project, we are pretty much headed in that direction absent contrary direction from the Town Board.

When we were last before you, there were questions about whether we looked at the traffic impacts on Countyline Road. We did look at those traffic impacts subsequently. That was part of the traffic study that was developed, reviewed and approved by DOT and is currently in the draft EIS. I believe that is pretty much it in terms of the comments that you made last time and the changes, there was one other change that you had requested, which Peter directed us to add the development area plan showing the proposed phases of the development. Development area A, B, C, and D and so those development areas are now shown on the plan and attached to the senior living district legislation. That comment was addressed as well.

We are happy to answer any questions that you have.

Chairman Denny: Mr. Yuille, do you have any comments or questions you might want to ask?

Mr. Yuille: I liked the project the last time. There were a few things that I didn't like about it, but I think you've made some positive reductions on the project. You've gone through them and reduced the size of the building, reduced the number of units, you've taken out the retail space but you're still keeping some amenities inside that are only available to the residents which is a good idea, you've kept it at 55 and I'm sure Mohonasen will be very happy about that. The sewer line will definitely help the residents on Hamburg Street when you run it that way and it will pick up additional units all the way down and I'm sure the residents on Hamburg Street would like to thank you for that. You've moved the entrance to the building and put it around the back, the urgent care is gone which I thought was a good idea to keep the urgent care, but it's going to be in Hannaford Plaza now. We are not losing it completely. I think it's a positive improvement for the seniors that live in Rotterdam all their lives, me being one. I've lived here 72 years and at some point I could be looking at moving in there and without it, you'll be running to another town some place by, if you're lucky.

I see positive things coming here and if and when the Board decides to send it back to us, then we can go through all the details and dot all the I's and cross all the T's. You should be commended on what you've done. Combining everything on the map with all the specifications and the phasing on that makes it a lot easier than flipping back and forth.

That's all Mr. Chairman, thank you.

Chairman Denny: Mr. D'Alessandro?

Mr. D'Alessandro: Since I wasn't here before, it's hard to make a determination on it. I believe it's a good project and we'll see what happens.

Chairman Denny: Mr. Bradt?

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Mr. Bradt: As a senior, I'm in favor of it.

Chairman Denny: Mr. Collins?

Mr. Collins: I like the project. Like Mr. Yuille stated and we talked about it, is we can't fit our seniors that live here and live their own lives. I had a grandmother that had to go to Glendale, my father had to go to Albany and I have an aunt now that's looking and she might have to go to Kingsway. I think we really have to look at the people that lived in this town their whole life and give them an opportunity to stay here so that they are close to their families and the kids don't have to go 15-20 miles, like I said, if they are lucky.

You've downsized it and I think it's workable and "Inaudible..." (*Papers being moved near microphone and cannot decipher what is being stated*)...but at this stage I think it's a plus, "Inaudible..." they want to go someplace and they want to stay here and I think we, as a town, have to give them opportunity to stay where they've lived their whole life. That's all I have, Mr. Chairman.

Chairman Denny: Mr. DiLallo?

Mr. DiLallo: Listening to Mr. Yuille, I really don't know how the other members felt about the urgent care, but I do know the one member that spoke against is gone. Personally the urgent care makes so much sense when there is so many seniors on the property that it just made sense to me. I tried to convince the other one, but like I said before I think if you went ahead with the urgent care I think you would have support of the board because I think you had it last time because I think he was the only one that was against it. It's something to consider but I definitely think the urgent care should be in there. It's a great project. That's all I have, thank you.

Chairman Denny: Mrs. Flansburg?

Mrs. Flansburg: The traffic study that was performed originally was based on your previous submission?

Ms. Bakner: That's correct.

Mrs. Flansburg: So given the results of that one, the fact that you decreased it by as much as you had it would be even more favorable than what was listed.

Ms. Bakner: Yes, it would. It also had the retail and the urgent care which had more traffic in addition to more units so you are absolutely correct.

Mrs. Flansburg: The only thing that I had a question about and I brought up in caucus is part of your submission was the two (2) page letter dated January 5th that was to the Supervisor and the Town Board Members and on the section page there was a section that said the project has also been revised so that there are no retail uses allowed within the district and all amenities provided with the exception of the 9 hole golf course will be used only by residents and guests of residents, but then when you page forward to the proposed local law for the senior living district under recreational uses it says as a golf course, a network of trails and other accessory recreation and fitness uses, all such uses will be provided solely to residents of the SLD and their invited guests. I'm just bringing it up that those two conflict.

Ms. Bakner: I appreciate that very much. We did catch that later and I believe we changed the language in the most recent version of the senior living district and we will check again.

Mrs. Flansburg: Meaning you are revising the proposed legislation and not the proposal?

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Ms. Bakner: Yes, that's correct. The proposal was right, the legislation was wrong or to put it another way, the lawyer screwed up. Thank you for pointing that out and we will double check that again.

Mrs. Flansburg: That is all that I have, Mr. Chairman. Other than actually to say Mr. Collins put it very well, it would be nice to have a place for our seniors to remain in the community. I haven't had much experience with it myself, but I do know that my mother-in-law was hoping to be able to stay close to home and we were travelling 20-25 minutes to visit her when she was in an in-care facility for a while and I can definitely see the need for it here. Thank you.

Mr. Tingley: I just want to clarify the golf course is open to the public under your proposal?

Ms. Bakner: It is, yes.

Chairman Denny: Since this is not a public hearing and the Planning Commission is reviewing the change of zone and draft senior living district legislation for the recommendation to the Town Board we will not be taking any public comments or questions at this meeting. The Town of Rotterdam wishes to conduct scoping under SEQR.

Mr. Tingley: So the application is before this Planning Commission for two (2) reasons, one is the report and recommendation which you are familiar with. I have taken down notes of all your comments and I will formulate a recommendation as your standard practice and present that to you at a future meeting for consideration and the other reason is it is in front of you is because you are an involved agency under SEQR. The Town Board had declared lead agency and has issued a positive declaration requiring preparation of Environmental Impact Statement. The contents of the EIS and the matter of the analysis that will be done, will be dictated by the scoping process, which the Town Board has chosen to do.

How that works is draft scope is presented to the lead agency and they send it to all involved and interested agencies, which includes this board and there is a period of time on which to comment on the draft written scope and the lead agency, upon receipt of those comments will take them into consideration in preparing the final scope. As of right now, the scoping comment period is open until March 14th and if this board is intent on providing any comments, I would suggest to review the draft scope that is in your packet this evening and give that some thought between now and the next meeting and at the next meeting, if the board wants to comment on the scoping document, it can do so then and we can get that into the Town Board in time. There is no legal requirement that this board provide written comments. If you are satisfied with the draft written scope, you don't need to do anything.

The scope generally speaking, the way that it works, involved agencies typically provide information on what their jurisdiction is, what their concerns are and things of nature to make sure the EIS will contain the information necessary for that involved agency to base its decision on the EIS. Just take a look at the draft scope and if you want to make comments, we can address that at the next meeting.

Mr. DiLallo: Terresa or John, could you explain to the people in the audience seeing as they are not speaking tonight how they can be heard, what they should do next.

Mr. Tingley: Right now, the process that this board is following is providing a report and recommendation to the Town Board. There is no provision for public hearing on that and this board has opted not to take any on that in this particular case because it could be confusing to the public. There are multiple opportunities throughout the process to present public comment especially when there is an EIS being prepared. Right now, the lead agency is the Town Board and they are preparing a scope and now would be the time to comment to the Town Board on that scoping document. If comments are submitted here on the scoping document, they don't necessarily make it to the lead agency which is where they should be submitted.

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The same goes for commenting on the legislation. This is not the board that is going to be deciding whether or not to amend the law to provide for the senior living district. That is going to be decided by the Town Board. They have a public hearing for that. Comments on that issue should be made to that board.

After the scoping there is going to be a Draft EIS that is prepared and ultimately accepted at some point. There will be a comment period or potentially a public hearing on that document, comment on that issue should be made at that time to the lead agency which is the Town Board. Those are your opportunities to submit public comment during the process. There are certain times when public hearings are held for particular reasons to make sure that the board that is making the decision is hearing the comments of the public. So that is when you would make your comments.

Chairman Denny: We're all set then.

Ms. Bakner: Thank you very much.

Chairman Denny: You're welcome.

Mr. Tingley: Our standard practice is we hear the applicant, I take down your comments, I prepare a draft report and recommendation for your consideration at the next meeting or at some future meeting.

Mr. DiLallo: Okay.

Next meeting is March 6, 2018.

Meeting adjourned at 8:30 p.m.

Motion to adjourn made by Mr. Bradt and seconded by Mr. Collins.

Respectfully Submitted,

Marlo L. Carter
Planning Commission Secretary