## VILLAGE OF MAMARONECK PLANNING BOARD

HAMPSHIRE COUNTRY CLUB - 1025 COVE ROAD (SECTION 9, BLOCK 35, LOT 700; SECTION 9, BLOCK 36, LOT 1; SECTION 9, BLOCK 42, LOTS 568, 695 AND 367; SECTION 9, BLOCK 43, LOTS 1 AND 12) APPLICATION FOR A PROPOSED SUBDIVISION, SITE PLAN AND SPECIAL PERMIT. PUBLIC HEARING FOR THE DRAFT ENVIRONMENTAL IMPACT STATEMENT SUBMITTED DECEMBER 2017.

February 14, 2018 Village of Mamaroneck 169 Mt. Pleasant Avenue Mamaroneck, New York 10543 7:13 p.m.

BEFORE:
VILLAGE OF MAMARONECK PLANNING BOARD:
INGEMAR SJUNNEMARK
LOU MENDES
KATHLEEN SAVOLT
RICHARD LITMAN
STUART MESINGER, CONSULTING PLANNER GREG CUTLER, VILLAGE PLANNER
LESTER STEINMAN, ESQ., LAND USE ATTORNEY

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Ilana Michael Nathanson, Court Reporter

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MR. SJUNNEMARK: So the first 30 minutes will be given to the applicant to state their case. After that, we have a dignitary here, which is the superintendent of the Mamaroneck School System, and he will be given time to address his concerns.

After that, the Mamaroneck Coastal and Environment Coalition is given one hour to make a presentation. The reason for that is that they have some of the technical specialists. They have people who understand the stormwater, the traffic, the -- all these things that everybody's wondering about and think that there may be a problem with. So we are giving them one hour to prep -- to present their comments.

And I hope -- we were hoping that this may mean that there will be not so many comments or so many questions about the same thing from the general public later on. Of course, you can say that you agree. But please, once we get to the individual comments, please try to limit yourself to five minutes. And if five minutes is not enough, you can come back again and make

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-- take another five minutes and sign up on the sheet again. But we'll try to, at least, be out of here by 11:00 tonight, and that is the -- the time when we have to leave this facility.

So with that in mind, we'll ask the applicant to start the presentation.

Yeah. What?
MR. STEINMAN: Before we do that, I think we've got to a couple of things. First, we want to make a motion to open the public hearing on the DEIS.

MR. SJUNNEMARK: I think we should do that after we heard the applicant; right?

MR. STEINMAN: I think this is part of the public hearing. So --

MR. SJUNNEMARK: I see. All right.
So then can I have a motion to open the public hearing on the --

MR. LITMAN: So moved.
MR. SJUNNEMARK: Okay. And second?
MS. SAVOLT: I'll second.
MR. SJUNNEMARK: And Richard?
MR. LITMAN: Yes.

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MR. SJUNNEMARK: Kathy?
MS . SAVOLT: Yes.
MR. SJUNNEMARK: LOu?
MR. MENDES: Yes.
MR. SJUNNEMARK: And I say yes.
Now we're officially in business.
MR. STEINMAN: One other item: By way of -- just by way of explanation, tonight's meeting is a public hearing on the applicant's proposal to build a 105-unit planned residential development.

The purpose of this public hearing is to give the public an opportunity to speak, to make their comments, but do not expect answers tonight. But you will get answered in writing. Every comment that is made tonight will be responded to as part of the final environmental impact statement.

MR. SJUNNEMARK: By the applicant, of course.

MR. STEINMAN: By the applicant, subject to the approval of the planning board, because the final document is the planning board's document. So the process tonight will be to

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING make your comments.

There is a stenographer here. So everything you say is being taken down. There will be a complete record of tonight's meeting. And as the chair already said, because of the turnout that the -- at the end of the night, the meeting will be -- the public hearing will be continued to March 14th. Okay.

MR. SJUNNEMARK: So with that in mind, may we ask the applicant to state his or her -- his case?

MR. COOPER: Let me start.
And everybody can hear me? Is this mic working? Got some nods. Good.

Mr. Chairman, members of the board, good evening. My name is David Cooper from the law firm of Zarin \& Steinmetz, here representing Hampshire Country Club, the applicant here. We are representing them in connection with this application for a 105-unit planned residential development. We are here tonight, of course, for the public hearing on the DEIS.

Let me just start by introducing
Hampshire's team. The full team is here

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING tonight, although, we're, sort of, all in the area over here. But with me is Dan Pfeffer and Susan Goldberger from Hampshire, in the middle there, Mike Junghans, the project engineer from Kimley-Horn, who we will be hearing from, John Canning, traffic engineer also from Kimley-Horn, who you'll be hearing from tonight, and Valerie Monastra, the project planner from VHB, who you will also be hearing from tonight, and my colleague Katelyn Ciolino, who's also here with us tonight.

Let me just -- I would like to take you through a brief overview of the -- of the impact analysis in the DEIS and set the stage for tonight so that -- I think there are a couple of impact areas that the board will be most interested in, and we wanted to present that to you, and then, obviously, open it up, as Mr. Chairman has already described.

Procedurally, we submitted -- or Hampshire submitted a site plan and subdivision application to your board back in 2015. The proposal is to develop 44 single-family homes and 61 carriage homes on a portion of the

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING property located in the $R-20$ District, which is subject to the $P R D$ regulations.

The plan would preserve six holes of the golf course. Currently it's an 18-hole golf course, and --

MR. SJUNNEMARK: I read nine.
MR. COOPER: Did I say 18? 9. Thank you.
MR. SJUNNEMARK: You said six.
MR. COOPER: Did I say six? Well, that's as far as $I$ can play and then they kick me off. But it is nine, and the -- and the club would remain in operation.

Your board is serving as the lead agency in this matter, and you adopted a scope for the DEIS, which is, essentially, a table of contents as to what your board wants to see in the EIS. The environmental impact statement provides the areas of environmental concern that you wanted us -- our team to focus on as well as the methodology that you wanted us to use to evaluate those areas of concern.

The purpose of the DEIS or the goal of the DEIS is to quantify the magnitude of potential environmental impacts and where -- and to

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING determine that an impact is potentially significant, identify mitigation measures which can minimize or avoid that impact. And so the large volume -- three volumes of documents you have before you is, sort of, a symptomatic study of those areas of concerns. You've asked us to take a look at, amongst many others, but to highlight floodplain management, traffic in and out of the site, use of open space, fiscal impacts such as additional schoolchildren impacts and tax revenue.

You've also asked us to evaluate various alternatives, which is a requirement of SEQRA. The purpose is to identify if there are any reasonable, feasible alternative for configurations which would further minimize or avoid potential impacts associated with the project. Any alternative, of course, must still satisfy the goal of the applicant; in this case, a residential -- adding a residential component to the golf course and the club itself. So the alternatives all have that component associated with it, because that would be consistent with what the applicant is

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING seeking.

We've -- Hampshire evaluated several variations on the PRD plan as well as conventional subdivision plans as well as the previously proposed open space condominium plan. There's a chart in the DEIS which lays out all of the impacts associated with each alternative and a comparative analysis. Our experts will take you through that analysis towards the end of the app -- the presentation.

I want to make a note on the condominium plan. Originally, as your board probably knows, a condominium plan or the condominium plan that's one of the alternatives was submitted to the village board or previous village board by Hampshire. We started an application. That would require a zoning amendment, so it went to the village board.

The prior board refused to entertain that application, and so indicated that we should present an application to your board. Obviously, we would need to present an application that is consistent with the zoning or meets the zoning. So had to change --

> HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING Hampshire had to change course and is now pursuing the PRD plan which is before your board.

It is an alternative that is evaluated in the DEIS. Of course, it would require village board -- the village board adopting some type of zoning or zoning amendment to allow it in order for that to become a feasible alternative. However, it is still included in this document.

Recently, Hampshire engaged in a book tour of the DEIS in the last couple of weeks, meeting with various stakeholders in the community ahead of the public hearing. Various concerns were addressed or were raised, specifically schoolchildren, generation of schoolchildren in any type of residential development, preservation of open space, and many -- you know, there was a bunch of -excuse me -- led to discussions of the condo plan. Not going to hide that. The condo plan is certainly still out there.

One of the -- one of the items which is not in the DEIS, because these conversations

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING occurred afterwards, but we can certainly start taking you through it, are measures to ensure or to address the concerns particularly about schoolchildren, the generation of schoolchildren. Although the condos would be marketed to empty nesters, Hampshire has also indicated publicly that they would be willing to restrict that type of development to 55 and older to address and certainly significantly reduce the number of schoolchildren, if any, that could be -- could be living in that type of development. When we go through the alternatives, Valerie will take you through assumptions how that would also change relative impacts associated with the condo plan and compared to the proposed plan and the various other alternatives as well.

Before turning it over to the design team, I wanted to just summarize the zoning aspect here. It is -- it is an important part of the DEIS, and it is presented in the DEIS, but $I$ think it just bears just a little bit of summary so that it sets the stage. This plan is proposed under your PRD or plan residential

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING development regulations. The purpose of those regulations are to allow design flexibility and to encourage a variety of residential types while still preserving sensitive environmental features on a site, and this is taken from your regulations.

The -- your board may waive typical or traditional bulk and area requirements as part of the approval if you find that the layout is more appropriate and would preserve certain areas that they found -- deemed significant or important to preserve. The R-20 portion of the property, which is about 94.5 acres, qualifies for this type of development, and so the proposal before you, the 105-unit proposal is a planned residential development.

Under your regulations, the maximum density of a planned residential development is calculated by dividing the gross lot area by the minimum lot size in the underlying -- the underlying zone. So in this case, R-20, 20,000 square feet. The permitted density under that -- under that calculation will be 205 units, and that may be reduced by your board in

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING your discretion where you've identified environmental limitations on the site, traffic access, character of adjoining -- adjoining land, and other planning concerns that would -obviously, that are documented in the record, but that would lead the board to say the maximum amount of density is too high, and we believe a lower density is justified or warranted here.

The reason why we are proposing 105 units as opposed to 205 units is because we already, we believe or submit, have undertaken that analysis to try to identify and find a layout that would preserve those sensitive areas, those areas identified as sensitive throughout the various planning documents, comprehensive plans, et cetera. A lot of that is really what the DEIS spells out, from the engineering to the planning, et cetera, as to why the 105-unit layout would be appropriate.

So with that in mind, what I'm going to do is turn it over to Mike Junghans, the project engineer, to take you through the site plan -the proposed site plan and some of the

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING engineering details.

MR. SJUNNEMARK: Thank you.
MR. COOPER: Oh, yeah. Can we -- sorry. We forgot to turn the powerpoint on the first time. Is there any way we can control it or -only because -- oh, great. Okay.

MR. JUNGHANS: We apologize in advance for hitting anybody with the laser pointer. Going to be pointing at the plans to try to point out some features.

So do you have to advance it?
MR. CUTLER: Should be able to click it.
MR. JUNGHANS: There it goes.
All right. Up on the screen now is the --
AUDIENCE SPEAKER: Can you speak closer to the microphone?
(Indiscernible.)
MR. JUNGHANS: Up on the screen now is a colored version of the proposed action site plan. Just to orient people in the room, north is -- is up in this case. On the right side of the drawing here is Cove Road entering the site. On the left side of the site is Hommocks Road leading to Eagle Knolls Road, and then the

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING connection at the top here is to Cooper.

I'm just going to advance. And first, I'd just like to go through the existing plan. This is a little hard to read, so I think I'm going to skip it. This is the aerial for the site. It's awfully difficult to read. I think the site plans are probably better.

Let me just start with the existing condition, just to give a little background into the site. The site today is about 105 acres. Today, at the south end of the site here, is the existing clubhouse. The remainder of the site is the existing 18-hole golf course, Hampshire Country Club.

To the west, directly here, is the -- is Hommocks School. Today, Cove Road enters the site at the east, travels west, meets up with Eagle Knolls Road, and then connects down to the west, to Hommocks. As I noted before, there's an existing entrance today on Cooper which accesses the maintenance facility to the site. So today we have three points which enter the site at Cove, Hommocks to Eagle Knolls, and then at Cooper.

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The site today is a tidally-gated site. Elevations on site are between zero and about 30. At low tide, the gates open up, so any accumulated water during a storm event exits the site at that point. The gates hold the water from the tidal outside of the site. So that's how this site can be down at Elevation 0 and is generally dry during normal years.

The site today is adjacent to the Delancey Cove which is on the south. I don't know why that keeps flickering.

Drainage from the site today exits the site in two locations. The top side of the site here exits through Delancey Cove, through the tidal gates. The western part of the site here exits through another set of tidal gates which are underneath the sports fields in Hommocks School. Those are also in the case of a flood event, which I'll talk a little more about as we move forward, how water also gets into the site.

You have low line marsh areas to the west here, and then you have Delancey Cove here. When there's a heavy flood event on this site,

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING tidal floods are what controls a flood elevation here. If you have a tidal surge, which is what FEMA uses to determine what the flood elevation is for the site, that is going to be dictated by the elevation of the Long Island Sound. This is different than in other parts of the town where flood elevations are dictated by river flow.

In a river flow situation, if you add fill into the cross section of the river, the reaction will be to raise the flood elevation. On this site, since the flood elevation is governed by the Long Island Sound, additional fill into the site makes no difference to what the resulting flood elevation is. It's all driven by tidal water, which is very typical to the area, and I'll have a couple of examples I need to speak about also as we move forward. It's an important aspect as we move forward and we talk about the proposed plan.

This, again, is the proposed plan. I
don't know why it keeps flickering.
The yellow in the middle of the site are the proposed single-family houses. On the

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING extended rows, call them the spokes from the central, are where the townhouses are going to be.

The plan proposes a relocation of Cove Road, which currently comes into the site to the west. It relocates it up and around the middle of the site, creating the core of the development.

The site also envisions a relocation of Eagle Knolls Road -- Eagle Knolls Road, which extends through the site this way today. Were going to relocate Eagle Knolls Road into this leg right here. We also propose an extension of Cooper and then a new road in this location.

Now, when we developed this plan, clearly, flooding was our largest concern. Today, the clubhouse is up on a very tall piece of property. During any flood event, the clubhouse does not flood, because it's on a very tall mound. We took the same approach when we developed this development plan. What we're doing is we're building a platform through the middle of the site in the areas where we show the residential units to lift the

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING roadways and the buildings up above the flood. Today, the regulatory flood elevation for this site is Elevation 12 , which means FEMA has dictated, based on their studies, that we -anything above Elevation 12 is considered above the regulatory. Anything below is under the regulatory. So to be confident and to be sure moving forward, we elevated everything considerably above that flood. All the buildings that are proposed here are at Elevation 16 or better, four feet above the regulatory flood. The roads are at Elevation 14. Again, above the regulatory flood.

This does a number of things that are very advantageous and that help, actually, not only this development, but the surrounding neighborhood. If we were to have a 100-year flood event, this is what the extent of flooding would look like. The blue are the areas that would be inundated. The areas outside the development platform are going to be left low as they are today.

Now, what's going to happen is that the road, as I mentioned, is at Elevation 14

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING minimum, which is two feet above the flood elevation, and the buildings are all at 16. So in case of a 100-year storm, we're well above it. And what it does provide also is an access out to Cooper that is in excess of the 100-year flood elevation. That currently doesn't exist in this location.

What it also provides for adjacent neighborhoods, if you live over here on Hommocks or if you live in this location on Cove, you're going to have the ability to traverse through the site and exit out Cooper in the case of a flood event. As I mentioned, the introduction of the fill doesn't make any -- any difference to the flood elevation experienced on site, because that is all dictated by tidal surge.

Now, why did we set these flood el -these buildings so high relative to the flood? As everyone has heard, obviously there's a lot of concern about ri -- sea rise in the future. There are a number of studies out there, but, frankly, nobody knows what the actual answer is. All we can go by is the studies.

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Conservative studies have shown -- and one that can be noted is NYSERDA did a study looking at flood elevations in the next 30 and 60 years. They concluded that if you use a conservative model, you would expect in the next 50 years to get approximately one to two feet of rise. If you would go with a more aggressive model, which is called the rapid ice melt model, you get melts up -- that would increase the elevation up to four feet.

In my personal opinion, I don't believe it's going to go more than two feet. But in this plan, we were conservative, and we set all the buildings at a minimum of four feet above the regulatory flood elevation. Therefore, this plan provides plenty of freeboard in case that elevation is exceeded over what is expected. All the buildings, again, are four feet above regulatory flood elevation.

This building -- this site also is going to provide a number of additional benefits to the stormwater. This site is going to provide stormwater -- obviously, treatment for all. The use will actually improve the water

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING quality.

The other concern here is that there has been identified arsenic contamination on the site. Arsenic contamination is a very typical contamination. Back in the '50s and before, arsenic was used as a typical pesticide. If you go to any apple orchard that is being redeveloped, arsenic is a very common problem.

And at the levels we find on this site, arsenic is only a concern in a residential use. In the areas of this site that are going to remain a golf course, as noted, the perimeter of the site is actually going to be -- pardon me -- I think nine holes will be -- be maintained around the perimeter of this site. In those areas, clean up of that contamination is not required. It's only in the residential areas in the center of the site.

And how we propose to handle that is: After we identify those areas, we have several locations that will be delineated, and the total content of soil will be identified.

Those areas of soil will be placed underneath the development platform and covered with clean

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Arsenic is a contaminant, stays bound up in the soil, and does not travel. If you bury it under clean fill, it is not a health concern, at all. So this plan will address and consolidate that underneath the development platform and will not be a concern moving forward.

Fill to this site is -- as estimated now is about 84,000 cubic yards. That number is actually fairly modest. That number -- the fill is actually brought together through a couple of factors.

We're taking the high points on the site within the developing areas, and we're regrading them. We're bringing additional on-site fill, bringing additional fill on site, and we're creating these development platforms.

All the proposed residences will also have basements that will offset the fill, but the basements will be noted to be non-dwelling basements. They're going to be strictly storage. Anything below that elevation is going to be a sealed basement, used only for

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Just as a point of comparison, the feasibility of this can be compared to another project. I don't know if anybody's aware of the Lighthouse Landing project in Tarrytown. That site is 60 acres, considerably smaller than this one. It resides in a tidal zone on the Hudson River. That site, so far, is actually lifting the entire site out of the flood elevation.

They have brought onto the 60-acre site, at this point, about 250,000 cubic yards. Instead of what we're doing, we're developing a very selective development platform for these houses -- on that site, they brought the entire site up, and this is over the course of about three years. They've been able to bring in that kind of fill. This is a very feasible, very proven approach, especially in tidal approaches like this, where the addition of fill does not affect the flood.

Included in the DEIS for your inspection is also a full modeling report which uses the FEMA model that has been updated to include the

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING proposed grading for this development, and the model was ran, and it showed no impact to the flood elevations of the surrounding properties. This is not going to be a detriment, at all. Actually, in my opinion, it would actually be an asset to the local neighborhood as far as providing additional access during a flood event.

AUDIENCE SPEAKER: Additional what?
AUDIENCE SPEAKER 2: Access.
MR. JUNGHANS: All right. Thank you.
MR. SUUNNEMARK: So I guess we have ten more minutes now for the applicant to present their case.

MR. CANNING: Thank you, Mr. Chairman.
For the record, my name is John Canning. I work for Kimley-Horn. I'm a professional engineer licensed to practice in the state of New York. I prepared the traffic impact study that's contained in the DEIS.

The study was extensive. It evaluated the project's impacts. It was based on a scope that included public input and was adopted by this board.

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The methodology and the various components of the traffic study were reviewed and commented on by the village's consultant, and we responded to all of their comments before the DEIS was accepted and released to the public. The traffic study included traffic counts at seven key intersections including intersections of Boston Post Road with Weaver Street, Richbell Road, Orienta Avenue, and Delancey Avenue. The traffic counts were conducted when school was in session and included both pedestrian and automobile traffic.

Based on the Institute of Transportation engineer's data and accounting for the reduction of golf course activity, during the weekday peak hours, the proposed 105-unit development is projected to generate 61 trips during the morning peak hour and as many as 73 trips during the afternoon peak hour, from 5 p.m. to 6 p.m. The site will be provided access to the regional roadway network via both Hommocks Road and Orienta Avenue. Cooper Avenue will not be used to access the site

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Based on review of area traffic volumes and the consideration of area traffic infrastructure, it is expected that 55 percent of project traffic will use Eagle Knolls Road and Hommocks Road to access the site and 45 percent will use East Cove Road and Orienta Avenue; thus, no one roadway will be subject to all project traffic and a maximum of no more than 38 trips will be added to any of the studied intersections. This is slightly more than one vehicle every two minutes in the peak hour.

With the addition of this traffic, delays of the studied intersections were calculated to increase by only one second or less, and there will be no changes in level of service. Based on our experience with similar projects where a significant volume of fill was being imported to the site, during the busiest construction periods, we expect an average of less than ten trucks moving material into the site per day. Trucks will be required to use I-95 and U.S. Route 1 to approach the site and to access the

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING site via Hommocks Road.

Construction truck arrival and departure activity will be contractually forbidden from arrival -- arriving or departing during periods of the greatest traffic activity at the school. The traffic study, which is in the DEIS, concluded that the project, as proposed, will not have a significant adverse impact on area traffic operating conditions.

Thank you.
MS. MONASTRA: Good even --
MR. SJUNNEMARK: And there's one more
presentation from the applicant?
AUDIENCE SPEAKER: Yes.
MR. SJUNNEMARK: Okay.
MS. MONASTRA: My name is Valerie Monastra. I work for VHB, and I helped undertake the SEQRA analysis for this particular project.

So I just wanted to touch a little bit --

AUDIENCE SPEAKER: We can't hear.
MS. MONASTRA: So I just wanted to touch a little bit about the alternatives that were

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Just to give a little background, I know we've been talking about the PRD development. It's going to have 105 units. The areas of disturbance for the proposed action is 55.6 acres. This will include the preservation of the nine-hole golf course.

The projected number of residents for this particular -- for our proposed project of 335 residents, and we anticipate taxes to be generated on the order of $\$ 5.2$ million. Just for reference, the current taxes are actually only $\$ 345,000$. So, clearly, this will be an increase of $\$ 4.8$ million worth of taxes.

The public schoolchildren that are
anticipated as part of this project are 57 schoolchildren, but we'd like to make a note that the carriage homes, which are 61 units, they are actually being designed specifically for empty nesters.

One of the things that we're specifically doing is making sure that we include master bedrooms on the first floor so that it would be full first-floor living. Although, as part of

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING the DEIS analysis, we do -- we are required to look at this particular development as if it's a typical subdivision development.

The PRD development will actually preserve, including with the golf course and open space, 72.5 acres. One of the first alternatives we were asked to take a look at was actual conventional subdivision under the R-20 Zone, which is what it's currently zoned. Doing that would still allow for 106 single-family residents; however, the area of disturbance would increase to 68.2 acres. The projected residents would increase to about 389 residents, and the projected public schoolchildren would be 93, and this is due to the fact that these units would be higher and we would no longer have the carriage homes. And only 37 acres of open space would be provided in this particular alternative.

We were also asked to look at the $\mathrm{R}-20$ in a clustered subdivision. Except in this particular situation, it would be all single-family homes and no carriage homes. In this, you would still have 106 single-family

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING homes. The area of disturbance would be 52 acres. However, you would -- the golf course would be eliminated, and the projected number of residents would be 389 with public schoolchildren also still being in the range of 93 schoolchildren.

The fourth -- or the third alternative we were asked to look at was to look at an R-30 Zoning. This zoning would assume 30,000 square feet for each lot. This is not -- this would also require rezoning from the village board. This would have 85 single-family homes. The area of disturbance would be 78 acres. The projected residents would be 312 residents. However, the golf course would also be eliminated. The public schoolchildren here would still be higher than our proposed action. This is also due to the fact that the units would also be larger, so that is projected for 74 schoolchildren, and there would only be 25 acres of open space. The fourth alternative we were look -asked to look at was a clustered subdivision under an R-30 Zone. And again, this would

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING still be 85 units, single-family units. The area of disturbance would be 50 acres, so it would decrease. However, the number of schoolchildren would still remain at 74 , and there would be 51 acres of open space, which would still be less than our proposed development.

We were also asked to take a look at providing no fill onto the site and clustering that under the R-20 Zone. This would allow for, again, a 106 carriage homes to be developed. The area of disturbance would only be 36 acres. The projected number of residents would be 300 residents. However, this would also eliminate the golf course, and the public schoolchildren would be about 30 , and there would be 73 acres of open space. So while this would be a little bit less of impacts than the proposed development -- but it would eliminate the golf course.

And then, finally, the last alternative we were asked to look at was the rezoning for condominium development. This would preserve the golf course, all 18 holes. It would be 121

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units of condominiums. The area of disturbance would only be 11 acres. The projected number of residents would only be 259 residents. The public schoolchildren, if it doesn't go for a 55 and older, would be 20 , but as -- right now, as David Cooper mentioned, the applicant is looking at doing 55 and over age-restricted, which would have zero schoolchildren as a part of the project. And in addition, if you have 55 and over, it would decrease the trip generation somewhere on the order between 5 and 15 percent reduction.

Thank you.
MR. SJUNNEMARK: Thank you.
MR. COOPER: So, Mr. Chairman, all I would say is that's the DEIS in a nutshell, but thank you.

Obviously, and Lester already said it too, stole my thunder, but tonight we are here to listen, and there's a stenographer here to take everything down. We will not be able to respond to any comment in real time. Obviously, we will then --

MR. SJUNNEMARK: Oh, we don't expect you

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING to either.

MR. COOPER: Right.
So all I would say is, obviously, you know, we'll listen to everything. Wait til you hear what's said tonight and our reply, and I'm sure your experts and your independent counsel and experts can evaluate the empirical data and everything else that's going to be in the FEIS when we come back to you.

MR. SJUNNEMARK: You will be presented with all the comments, and you will have a chance to take your time and respond to each one of them.

MR. COOPER: And we look forward to it.
MR. SJUNNEMARK: Thank you very much for your presentation. Okay.

So now we will ask the superintendent for the Mamaroneck School System to come up and say a few words to us.

DR. SHAPS: So thank you, and good evening. I appreciate the opportunity to address the board.

I'm certainly -- I'm here this evening on behalf of -- excuse me. I have a bit of

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laryngitis. I'm here on behalf of over 5,600 students in our school system, 3,300 -approximately 3,300 families, certainly the residents of our communities, and I'm here with Board President Melany Gray who is joining me this evening to talk about school impact.

I want to start off by saying that I had the opportunity a year ago to speak to representatives of the development to talk about school impact. At the time, my comment -- you know, our brief conversation by phone really raised concerns about the methodology, the Rutgers methodology, to predict school impact. And I'm going talk on specific terms about what is included in the DEIS tonight and challenge some of the assumptions that were included in the report and talk about our calculations as well, alternative methodologies.

So the first thing $I$ want to say is that the summary of enrollment or long-term enrollment change included in the DEIS is not accurate. Certainly, the reports referenced two guides to a ten-year period of enrollment

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING or population change for the school system. It talked about a measured enrollment growth for Mamaroneck, which is one outlier of the Westchester County region.

Just to clarify, what was predicted over a ten-year period of 2010 to 2020, that four percent, in reality, over the last seven years, has been a 13-percent increase. We have gained over 600 students in that time period, which is equivalent to one additional elementary school coming online in our school system. So right off the bat, when you talk about accuracy or projections, I can tell you in a -- in less than ten-year period, we've seen extraordinary growth, and that growth continues as we speak.

The second thing I want to talk about is the reference to the -- what $I$ would say is consistent enrollment at Central Elementary School, which is certainly part of this DEIS. As a reference point, it talks about peak enrollment of Central School from 1998/1999 at 537 students, I believe. This last year alone, we've seen an increase in Central, over a one-year period from September to September, of

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4.7 percent as a school. We are now at 512 students.

When we look and use our projections over the total enrollment change entering kindergartens for the next five years in the district, beginning in two years, we will see over 500 students per class. Just to give you a sense of historical data, prior to the last three years, from the period of, really, 2010 to 2014, we had a incoming total cohort in our -- in our school system, no more than 390 students. This September, we welcomed 472 kindergarten students in all four schools combined.

But let me speak to specifics about the methodology used. As I mentioned, the -- the report references the Rutgers University urban policy research to construct the demographic multipliers. It's important to point out that that methodology is based on two -- Year 2000 census data which certainly is outdated and is not necessarily used to predict future enrollment beyond 2015.

I want to introduce and mention that in


HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING development proposal, but I have to look at the broader context of what is occurring within the village and the three municipalities.

I had the opportunity to receive from Greg Cutler, who's here this evening, a summary of all development projects. And as I said to the Board of Education, if you consider the 15 projects that are planned, approved, and proposed, in addition to the 105 that is in this proposal, you're talking about 270 units. And I would say, individually, each one of these projects may not be detrimental in terms of impacting enrollment, but, as I alluded to, the notion of death by a thousand cuts. When you take the 15 projects plan and the 270 units, $I$ can tell you that we are very concerned about the overall impact on the schools.

As I said before, for the last decade, we've appreciated about 300 -- anywhere from 353 to 390 grade-level cohort students. In September, we adjusted from 420 then to December, 450, to 472 students who arrived in kindergarten. We see for the next several

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING years that growing and continuing to impact our space availability and -- and not only that, the budgetary impact of trying to present a budget to our taxpayers within the tax cap law that limits our amount of growth and certainly directs our ability to deliver program and maintain the quality of our schools.

So I'd be happy to and will provide you with a detailed analysis using the ESI multipliers and high value to show you the range and how we look at it. I would urge you to, kind of, abandon the Rutgers methodology when there's current methodology that is now the standard. The sample size is larger. It provides for less variability in the analysis, and I think it will give you a clear picture of the potential impact.

And so I will say that I think I've used all my time, but I'm certainly welcoming the opportunity to submit a written statement to the board.

MR. SJUNNEMARK: I think we would like that very much, yes.

DR. SHAPS: Thank you very much.

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MR. SJUNNEMARK: Appreciate it very much. With that, $I$ will welcome representatives for the Mamaroneck Coastal and Environment Coalition to come up and present their case. We have given them one hour, and same thing applies for them as for the individual speakers. If they exceed one hour, they'll have to come back. And I don't think we -- it would be proper to let the public to wait for two hours before they can have their say.

So with that, go ahead, please.
MR. KASS: Mr. Chairman, thank you.
Stephen Kass from Carter, Ledyard \& Milburn, counsel for MCEC. Before I begin, a word, if I may, about timing.

I spoke with your counsel, Mr. Steinman, the other day, and he advised me that we could have up to 75 minutes.

MR. STEINMAN: Mr. Kass, may I stop you right there?

MR. KASS: May I finish?
MR. STEINMAN: I advised you to cut it into an hour, and the chairman has made the determination. That was the discussion. I

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING didn't guarantee you anything. I didn't promise you anything.

MR. KASS: Mr. Steinman did not promise me anything. He told me that the chair had approved 75 minutes and --

MR. SJUNNEMARK: I have not approved 75 minutes.

MR. STEINMAN: I did not tell you that.
MR. KASS: He would appreciate it if we could try and keep it to an hour. I said we would try, but $I$ didn't think we could.

MR. SJUNNEMARK: Well, if you can't do that, then you have to come back.

MR. KASS: Mr. Chairman, I also note that the applicant began his conversation, Mr. Cooper, at shortly after ten after 8 and completed at ten of 9. That is 40 minutes. So I would appreciate, since you gave him 30 and he went 40 , we could do 70,75 , if $I$ may.

We have people who are here this evening, Mr. Chairman. They are professional consultants. $I$ was relying upon my conversation with Mr. Steinman, and I see you gave the applicant more time than he was

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING allowed.

MR. SJUNNEMARK: Why don't you get started then?

MR. KASS: I'm prepared to start right now, if we may.

MR. SJUNNEMARK: Please do that then.
MR. KASS: Thank you.
Mr. Chairman, members of the planning board, and ladies and gentlemen, tonight's hearing is on the draft environmental impact statement rather than on a subdivision plan. However, we will show that the DEIS fails to meet the requirements of the State Environmental Quality Review Act, SEQRA, that the EIS identify any significant impacts of a proposed action and compare those impacts to those of a reasonable range of alternatives.

We will also show that the DEIS and the project itself are, one, based on false, indeed, contradictory economic projections, are inconsistent with the village's comprehensive plan and zoning expectations, three, are environmentally irresponsible, and four, are unlawful under both New York State and Village

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING Law.

Specifically, we intend to show, and believe we will, that, first, contrary to the DEIS, the existing Hampshire Club, with its 18-hole golf course, is financially feasible and that a club with a nine-hole course is not feasible. Second, contrary to the DEIS, the village's comprehensive plan contemplates either recreational open space or low-density development for this critical environmental area, not the high-density development of the sort proposed by this applicant. Third, contrary to the DEIS, this project would, one, require massive amounts of fill to be imported to the floodplain for more -- and far more than the 80,000 -- 84,000 cubic yards conceded by the applicant; two, the projects will require the disturbance of soil and groundwater that is likely already contaminated from many years of golf course treatment; three, the project will present risks of exposure to those contaminants including arsenic, pesticides, and methane to homeowners and their families when the project is completed and to neighbors and

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING schoolchildren during construction.

The project will require not 10 or 20 truck trips a day. It will require, we believe, up to 280 truck trips a day for almost a year and immediately past the Hommocks School playgrounds and the already-congested Weaver Street/Boston Post Road intersection, and with significantly -- put -- traffic, air quality, and noise impacts that the DEIS completely fails to analyze. Fifth, the project will expose a large number of new residents to the risk that they will be unable to leave their neighborhood or be accessible to emergency vehicles in the event of another coastal storm surge like Sandy.

And, by the way, let me interpolate here that raising the roads to 14 feet will not help if there's a three-foot sea level rise, not to mention a four-foot sea level rise.

In addition, as the superintendent has already made clear, we believe the EIS is deficient in failing to note the overcrowding of the existing Mamaroneck School District, which this project is going to exacerbate.

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In addition, let me say that, contrary to the DEIS, the applicant's proposed project is unlawful and simply may not be constructed because, one, the project is in blatant and gross violation of Village Code Section 186-5c which prohibits placement of fill below the floodplain where that would reduce the hydrological storage capacity of the site, precisely what this applicant is proposing. In fact, the applicant here is seeking to deposit, according to our best estimates, almost 239,000 cubic yards of fill below the floodplain. Not 100 yards. Not 1,000 yards. 239,000 yards of fill. They concede about 80, but we think the number's almost 240,000 cubic yards of fill below the floodplain in this critical environmental area.

That, by the way, when is -- when compacted would displace approximately more than 45 million gallons of water. Just to give you a sense of the scope of that, the entire capacity of the Harbor Island sewage treatment plant is 20 million gallons, or less than half of the storage capacity that would be lost

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING here.

As my colleague, Karen Meara, will explain in detail, the project's proposed density also far exceeds the density permissible under New York State Law and the density contemplated by Village Law. When corrected to comply with those laws, the permissible number of units that could lawfully and practically be built on this critical environmental area is much less than that complained by -- claimed by the applicant for both its project and the so-called No Fill Alternative $F$ included in the DEIS.

When further corrected to comply with Section 186-5, banned on the reduction of hydrological storage capacity, we believe that the total number of homes that could realistically and lawfully be built in this site is approximately 21 homes, not the 105 proposed by the applicant.

Three, the project's ingress and egress is entirely dependent on three private roads, Cove, Cooper, and Eagles Knolls, for which Hampshire Club has, at best, only an implied

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING easement for its country club use. Any change of use for those roads to service a large-scale residential subdivision requires a consent of the adjacent owners of those roads, which the applicant has not and we are confident will not secure.

Four: The amendment or replacement of the existing Hampshire Club lease for the entire site requires the consent of the club's separate not-for-profit corporation so that that corporation can continue to operate the clubhouse and the truncated nine-hole golf course. That consent is not possible under New York Law so long as the directors of the non-profit corporation are affiliated with the applicant, as we believe they are and as they have been for some time.

Independent directors with fiduciary duties to the club's membership are hardly likely to approve a new club lease, as we will show, will almost certainly destroy the existing club. In view of these serious and, we believe, fatal problems with the applicant's proposal, the planning board not only should

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING but must deny the present application. Apart from its clear violations of State and Village Law and its conflicts with the village comprehensive plan and zoning code, the planning board could not possibly make the statutory finding required under the State Environmental Quality Review Act that, from among the reasonable alternatives, the proposed action avoids or minimizes adverse environmental impacts to the maximum degree feasible.

Now a word more about alternatives. The so-called as-of-right alternative, $B$, in the DEIS both destroys the site's open space and violates Section 186-5, while the so-called no fill alternative, F, grossly overstates any conceivably permitted density on that alternative's reduced building platform. Indeed, we believe that the appropriate and permissible density on that platform is 21 units, even under the $\mathrm{R}-20$ Zoning.

Alternative G, the applicant's wished-for condominium plan, has a density five or six times that actually feasible and permissible on

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING the R-20 portion of the site and depicts an alternative that the village board of trustees has already declined to entertain, as the applicant recognized. In the supplemental draft environmental impact statement that we believe is required here, any such condominium alternative should be scaled at the same density, approximately 21 units, as the number of single-family homes actually permitted and feasible on this site.

In short, the planning board cannot reasonably or responsibly make the findings required by SEQRA for this application. It can and must deny the present application and require the applicant, if it so wishes, to resubmit a legally-permissible proposal with a supplemental or revised DEIS that more accurately describes the impact of the project and compares those impacts to reasonable and lawful alternatives with a density comparable to that feasible on this critical environmental area.

Now, with that overview, Mr. Chairman, let me now introduce the other members of our team

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING who will address you this evening. Our first speaker will be Gene Krekorian, who is a noted expert on golf course economics. He will be followed by Lisa Liquori, an experienced planner from Fine Associates. Neil Porto will follow Lisa. He's an experienced engineer with TY Lin International, and he will be followed by Charles Rich from CA Rich, Incorporated.

After that, my colleagues Christine Fazio, who has an extensive air quality experience, including service at EPA in the air quality field, and Karen Meara, a land use colleague who has been involved with this project, will address you. Our final speaker will be Celia Felsher, the president of MCEC.

Thank you, Mr. Chairman. I look forward to the rest of the presentation, in hopes we will complete it in time.

MR. KREKORIAN: Good evening. My name is Gene Krekorian. I'm a principal with Pro Forma Advisors, a national commercial recreation economic consulting firm. The firm specializes in golf course and club economics, and I'm here because we were asked to evaluate a series of

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING issues with respect to the economics of Hampshire Country Club. In particular, we have assessed the economic viability of the existing club, with 18 holes, as well as the viability of the club with a nine-hole golf course.

First, it should be acknowledged that the national and regional golf markets have softened considerably over the last 15 years. Nonetheless, the regional market, the New York metro market, in general, has faired better than the national market both in terms of participation and play levels. Moreover, the golf market, at this point, appears weather-adjusted to be reaching a point of stability. And while there still is some correction going on in the market, we are reasonably optimistic that things have stabilized.

Hampshire Country Club, with an 18-hole golf course and operated as a not-for-profit, non-equity club, is economically viable. This assumes a membership level that's consistent at about 250 golf members with what has been achieved in recent historical activity at the

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING club.

We project that the net operating income -- and that is defined as net income before interest, taxes, depreciation, amortization, any sort of internal rent or preferred returns on capital -- that net operating income is projected for the 18-hole golf course at about $\$ 500,000$ annually. This annual income supports a value of the club of about $\$ 5$ million, which is clearly less than the acquis -- the $\$ 12$ million acquisition price, but still a substantial amount of money relative to golf courses in the current economic environment.

Further, I should point out that this value is consistent with the golf club's own opinion of value that they cited in their recent property tax judicial appeal involving the village and the town. They came in at somewhere just below $\$ 5$ million in valuation, and our analysis is essentially consistent with that.

Hampshire Country Club, with a nine-hole golf course, is not economically viable. The

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 entire development may be economically viable with the housing component, but the golf course and club, in our view, is not economically sustainable. We have projected -- as you can look at this chart here, we've projected operating surpluses of approximately $\$ 500,000$ for the 18-hole golf course. But for the nine-hole course, we have a projected deficit of about $\$ 600,000$.Now, I would also like to say, it's noteworthy that the proposed nine-hole golf course routing plan -- and it was shown -maybe we'll show it here again. It was shown before by the applicant -- basically, has a number of unappealing characteristics to it. As you can see -- I won't walk around, but there are three major, sort of, blocks of holes: There's two holes in the first block, four holes, Holes 3 through 6 in the second block, and in the third block, there are three holes, 7, 8, and 9.

These holes, because they are so disbursed, and because there are roadway crossings, make it very difficult for a golfer

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING playing nine holes to walk the golf course. It can certainly be done, but it's much less appealing. It's a very unusual situation, and we believe that it may render our projections for the nine-hole club a little bit optimistic.

Also --
MR. SJUNNEMARK: Can I ask a question? The more that I think about it, because of the revenue going down, is that because of lack of members for the nine-hole?

MR. KREKORIAN: For the nine-hole option, because of the lack of -- the generally less appeal for a nine-hole course compared to an 18-hole course, we have projected about 50 less golf memberships will be sold annually.

MR. SJUNNEMARK: So 200 instead of 250?
MR. KREKORIAN: That's correct. And we have projected that the golf membership dues -annual dues will be reduced from 14,000 to \$10,000 a year.

MR. SJUNNEMARK: Okay.
MR. KREKORIAN: As well, if you look at the plan, there are -- particularly on Holes 3 through 6, there are a lot of walk-backs from

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING greens to the tee on the next hole, and it appears to us to create some very unsafe hazard areas which need to be looked at further.

And, I guess, lastly, I would say that, based on generally-observed membership conversion rates in master plan golf communities, we would expect that the additional housing proposed for this site would generate about between 8 and 12 additional memberships in the club. But even with these additional memberships, the nine-hole course would still not be viable.

Thank you very much.
MR. SUUNNEMARK: Thank you.
MS. LIQUORI: Good evening. My name is Lisa Liquori, and I'm going to talk briefly about unique and special qualities of the property and then how this project does not meet the village and prudent planning standards.

To begin, the property is the largest track of open space in the village, and the most prominent characteristic of the site is that it's largely a floodplain extending to the

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING
Long Island Sound, with the existing golf course serving as the storage area for tidal floodwaters.

And this that you see here is a model to help you visualize the extent of the floodplain. 100 percent of the site is a critical environmental area, characterized --

MR. LITMAN: There's a portable mic right over there. It might be easier for you to use that mic.

MS. SAVOLT: You have to turn it on.
MR. LITMAN: Turn it on first.
MR. CUTLER: Two switches.
MS. LIQUORI: Okay. Can you hear me?
MR. LITMAN: Yeah. It's on.
MS. LIQUORI: Okay. So the entire site is a critical environmental area. It's characterized by national inventory fragile wetlands that are outlined here in yellow. The hundred-foot minimum buffers are also outlined in blue. There's drainage courses that are outlined in orange. All of this blue area here is, again, the 100-year floodplain, with a lighter blue area, the 500-year floodplain.

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The hatched areas -- it's a little bit difficult to see, because it's over this other blue area -- are soils rated by the USGS as unsuitable for residential development in their current state. And these characteristics combined with a proximity contribute to the ecologically valuable Hommocks conservation area.

So why doesn't this project meet planning and zoning standards? Let's start with a village comprehensive plan which articulates the vision and overall image of what the community would like to be in the future and serves for the foundation of zoning.

This parcel is singled out for its unique open space, recreational and ecological values, and its significant contribution to the vision of the village. The comprehensive plan recommends preservation of the entire property and found that the existing $\mathrm{R}-20$ Zoning wouldn't accomplish this goal, that the zoning is out of date, something that the original zoning code applied to parks and golf courses as a default position or a holding zone. And

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING applying updated zoning tools developed over the years, the comp plan recommends zoning -rezoning the property to a recreation open space classification, and the Town of Mamaroneck zoning of the Bonnie Briar Club is offered as an example.

The applicant claims the project complies with these comprehensive plan recommendations, but it doesn't. Instead, it's essentially a 105-unit residential subdivision which eliminates the potential for the existing golf course to remain viable, as you've just heard. Alternatively, to allow some development on the property, the comprehensive plan recommends a cluster open space subdivision with permanently dedicated open space, the number of lots to be determined by a standard subdivision and rezoning the property to a lower classification, $R-30$, which is similar to the zoning of the portion of the property that's in the Town of Mamaroneck, and the project doesn't comply with this recommendation either. It's not a cluster plan, delineating the permanent open space. It doesn't have the

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING density. It exceeds the density that an R-30 would permit.

And PR -- PRDs have been allowed in New York State in order to allow a community to achieve its goals and implement its comprehensive plan. And as explained, this PRD doesn't do that.

The proposed development involves clear cutting, blasting, earth moving, digging, regrading, and filling 55 acres of land, an area larger than the largest park in the village. The proposal will strip the property of its essence and transform this low-line former wetland property with some prominent rock outcroppings into an unnatural, potentially unstable land form with 16-foot high berm topped with 105 dwelling units. This project is inconsistent with your subdivision site plan special permit standards for a PRD, which encourage the most appropriate use of land, protection, and minimal degradation of key environmental features and protection of health and safety and welfare.

To start, the most basic subdivision

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING requirement hasn't been submitted, a map depicting the proposal with a clear delineation of what's proposed. Where is there going to be the reserved area where the homeowners -- where is there going to be the golf course? There's no delineation, and this is important in order to understand how the open space relates to the subdivision that's proposed, as a good cluster plan would require.

The narrative and spreadsheets assert that 36 acres will be permanent open space and managed by the homeowners association. But when you look at the maps -- first of all, they haven't provided that. And when you look at the maps and you subtract off the area needed for the fairways, we arrive at a significantly lower acreage than that.

In terms of other standards, major environmental features that the project doesn't avoid or minimally degrades include: steep slopes which have a greater propensity for erosion, areas of high groundwater table which are extremely vulnerable to contamination, rock outcrops and shallow depth to bedrock

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING conditions which will require blasting, soils rated by the USGS as unsuitable for development, which is about 80 percent of the site.

In terms of stands of mature vegetation, the proposal calls for the clear cutting and destruction of all the vegetation within a 55-acre block of land, including the removal of 432 trees having a 25-inch or larger circumference. The extensive disturbance will have negative impacts on the site's habitat, bucolic settings, soils, and noise.

And as mitigation for the removal of these mature trees, the landscape plan proposes the planting of 432 trees, which is described as a one-for-one replacement. But the proposed two-to-two-inch diameter replacement trees represents a significant reduction in the size and the habitat value compared to the existing trees which have about 16-times the areas of the proposed vegetation. Way short of a typical one-for-one replacement standard.

Because of the flooding, most of the property cannot be safely occupied as it is for

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING residential development without endangering human health and safety. Experience after Sandy and other catastrophic and costly storms has led to the consensus that one of the most effective means to reduce risk is to redirect development away from flood hazard areas altogether, but this project doesn't do that.

Instead, massive regrading and importation of fill is proposed, which may keep new buildings above the 100-year floods, but the development will virtually become an island surrounded by water in certain storm conditions. And the proposal will move new residents into a flood hazard area, and at times, they will not be able to get out due to the flooding of the surrounding roads which will be perilous for the new residents' first aid responders.

In terms of the LWRP, it supports the comprehensive plan recommendations for preserving the entire property and rezoning, and a major goal of the LWRP is to protect and increase scenic and waterfront access including passive recreation opportunities, and also to

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 prevent physical blockage or access or the possibility of increasing public access.Now, the applicant's analysis demonstrates that there will be some impacts to the scenic quality from some public roads and private property surrounding the site. But protecting the open space and scenic quality of the site encompasses more than viewing the property from some points along the perimeter of the property. Under existing conditions, the private roads provide scenic open space and passive waterfront recreational opportunities. People walk, jog, bike, drive through the property and experience remarkable open space landscape with views across ponds and wetlands and over towards Delancey Cove.

Now, portions of Eagle Knolls and Cove Roads are proposed for relocation, and that will eliminate many of the existing scenic and waterfront and access opportunities. Although -- although these roads are privately owned, the PDEIS acknowledges that the adjacent homeowners possess an implied easement to use these roads for access and thoroughfare to

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING other roadways. So under the proposal, the unique bucolic, scenic open space waterfront views afforded by the existing roads will be lost and replaced with roadways framed with houses, not with any of these assets.

The entire site is a critical
environmental area, one of seven in the village, and, as such, it's subject to more rigorous review than other development areas. This is dismissed in the PDEIS, because the existing and potential ecological value of the site is a golf course, according to their analysis. But with easy access to food, water, and cover, the golf course provides a refuge for migratory songbirds, the bald eagle, and other species, and it supports the nearby Hommocks Preserve.

The National Audubon Society has highlighted the habitat values of golf courses and recommends preservation of mature trees and other core habitats on the golf course. And as I've already explained, the 432 mature trees are proposed for a removal. The open space will be fragmented, and the core areas won't be

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING as valuable. And part of the mitigation for this is offering that there will be 36 acres of open space associated with the residential development, but our calculations are that's not what's -- what's provided, and so that's much less.

Floodplains provide critical natural habitat, water quality, as well as food -flood storage benefits. The placement of fill impairs these functions and should be avoided to the greatest extent possible. The extensive alteration of the site will eliminate natural flood protection features that guard against habitat and water quality impacts.

Now the school impacts, the taxes. You've heard a great deal from the superintendent of schools. And while the owner/developer claims that there will be significant increased tax revenues from the project, the development may, in fact, represent a net cost to the school district, or best, provide only modest additional tax revenues.

You heard about the capacity limitations that the school is experiencing, and these are

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING very critical. And with the increased school enrollment for the project, that's going to exacerbate the problems and limit the strategies available.

Briefly, they have overestimated the taxes to be generated from this site. They've done an underestimate of the projected school-age children, as you heard from the superintendent, and they didn't really take into consideration the school district capacity problems and the full cost per pupil that it will cost. So the school taxes generated will be slightly less -slightly more than the cost and not the large surplus projected. The existing capacity challenges will be exacerbated.

MR. PORTO: Good evening. My name is Neil Porto. I'm a professional engineer with TY Lin International, and we were retained by Carter, Ledyard \& Milburn to undertake an analysis of the draft EIS, certain engineering aspects of the DEIS released 12/13/17 prepared for the Hampshire Country Club planned residential development.

So we focused on the cut and fill

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING analysis, especially the floodplain, soil issues for slope stability and support of the new houses, the traffic situation, both long-term and during construction especially, and the sanitary sewer output and conveyance to the Mamaroneck plant.

So, first, I'll talk a little bit about cut and fill. So cut and fill refers to the amount of soil that needs to be moved around the site, and, in this case, soil that needs to be imported from the site -- to the site because it is a net fill situation. The DEIS says there will be no soil exported from the site, but that's pending a more detailed investigation of the potential contaminants. Charles Rich is going to speak about that.

In addition, the DEIS assumes that all on-site soil can be reused, both structurally as part of the overall grading plan, which may be a questionable assumption, which I'll talk about, and, of course, with the contamination, some of it might have to be exported. But accepting the assumption that no net export or no export, at all, from the site, we performed

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING our own cut and fill analysis.

Now, we didn't have the aid of the electronic files. We used the DEIS, basically, paper and developed our own digital terrain models using InRoads from MicroStation. And then we did the same for the -- we did that for the existing condition, and we did that for two of the alternatives, one, the preferred alternative, and another for the no net fill alternative.

So we fund that the expected fill would be well above the 84,000 cubic yards identified in the site, and we're going to talk a little bit about why. Our findings indicated net fill of over 270,000 cubic yards as part of the basic preferred alternative, and then if you want to look at the -- under the base flood elevation either of 12 , which is the current, or the proposed FEMA, that hovers around 235- to 250,000 cubic yards of fill in the floodplain.

MR. SJUNNEMARK: So this is based on the new recommended FEMA of 14 feet; is that what you're saying?

MR. PORTO: Well, 12 base flood elevation.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING They're roughly the same, because when you -they're cutting above the floodplain, so they come out to be about the same, but the very large number, about 240,000 cubic yards. (Indiscernible.)

12 and 13.
MR. SJUNNEMARK: 12 and 13.
MR. PORTO: Yeah.
MR. SJUNNEMARK: Okay.
MR. PORTO: So, similarly, the no fill alternative, that's Alternative $F$, it might best be characterized as some fill alternative, because our findings indicate there's about 20,000 cubic yards needed for the, quote-unquote, no fill alternative.

The grading plans in the DEIS, they're somewhat sketchy, and we think they need further refinement. The cut and fill analysis needs closer scrutiny. One of the problems is the line of disturbance, where you, kind of, say, this is the area that's going to be disturbed, it extends out past the -- the actual topography that's listed in the DEIS and extends into the golf course. So we're not

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING sure whether the cut and fill addresses any additional modifications needed due to the golf course.

Then we looked at -- once you have the cut and fill, that's just a raw number. Then you have to look at the soil adequacy. The soil needs to be used for various purposes on the site. The imported fill needs to be used for various purposes. This is a complex undertaking for this effort to get the elevation of the homes to 16 feet.

One is rock removal. There's up to seven or eight feet, in some areas, of rock removal. That will be most -- probably accomplished by blasting. You need soil testing, again, for the contaminants, which Mr. Rich is going to address.

The engineering properties of the soil and geotechnical analysis of the soil is very important in this situation, because the soil is going to support homes and then need to form a stable embankment the keep the homes from sliding into the lower level.

The excavation, embankment, and

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING maintenance of the steep slopes around the houses, they have to be carefully designed to resist both the loads associated with the houses and the erosion from storm runoff. There is a contention of reuse of all the soil on site, but the DEIS -- and also Lisa referred to this. Only about seven, eight percent of the project's site contains soil that's suitable to support new houses. That's data that's in the EIS itself.

So we have to pay special attention to where these foundation soils are coming from, how you're going to support the houses. How are you going to keep the slope stable on these very steep grades. And that's going to require an additive process of mixing, testing, placement, and compaction to build up the level required for the housing, and we'll talk about compaction in a second.

The other thing is that contaminated soil has to be segregated on site. So you're going to have all these different piles of top soils, contaminated soil, imported soil, maybe a mix of soils, and it's a very complex undertaking.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING When you have all that soil around the site, the erosion and sediment control during construction is very important. You're very close to sensitive wetlands across the road, out to the marsh there. So excavation, embankment, soil importation, segregation and storage, it's so close to these protected areas. That's going to be a big challenge. And the fact is, the area has suffered extreme storm inundations, as every Westchester resident knows, so that mounting this effort is a risky operation, and details are really not in the DEIS besides just a standard treatment required by SPDES from the New York State DEC. So then we looked at the traffic during construction, which, of course, is related to the cut and fill, because the new fill has to be trucked in. We conducted a extensive evaluation of the DEIS traffic study. Proposed construction traffic analysis, we have a list of issues that will be addressed, I'm sure, and we'll be submitting a memo during the comment period for that. But we're most concerned about the traffic during construction and the

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING fact that all of the imported fill will be transferred to the site via Boston Post Road/Hommocks Road intersection, where there's a school, a playground, an ice rink, a pool. It's a real community facility used by residents at many different hours.

The basis for the concern is the number of truck trips to and from the site. And my only board is a picture of a big truck, just so people know what we're talking about here.

So the DEIS assumes there will be 16 yards of fill per truck coming into the site, and they make estimations based on that, but there's various inconsistencies.

The simple math is that the nine-month construction period with the 84,000 cubic yards that they used ends up more like 18 cubic yards per truck, not the 16. So, actually, you know, the soil would be piled higher in that truck. There's also a big difference between fill that's trucked in and the embankment in place, how you're actually going to use the soil, because, as I said, the fill needs to be compacted in order to serve as a structural

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base for the houses and for the slopes.
So the purpose of the fill imported to the site in that manner makes it so that they're considerable compactions. So that's -- when you say there's a certain number, say, at 18 cubic yards of fill placed at the site, you really have to truck in more of that because you have to compact it, and it's going to shrink. So the actual yield could be as low as ten. It could be up to 15 cubic yards, but it's actually more truckloads than you would assume looking just at the cut and fill numbers. So that's -- again, the soil engineering comes into play. Finally, the cut and fill analysis, we think there's as much as three times more fill than stated in the DEIS. So factoring all of this, we predict that the -- could require 100 to 140 truck round trips per day. So for the traffic analysis, that's 200 to 280, because the truck has to come in and has to go out. So we think that the impact of these trips should really be studied and could greatly exceed that in the DEIS. So there's four kinds of impacts.

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You have a question?
MR. SJUNNEMARK: Yes.
As you said, it's three times what they have estimated in the DEIS. Can you give us a little bit more details about that? Maybe not now, but, you know, it would -- if you could --

MR. PORTO: Yeah. Sure. We have a --
MR. SJUNNEMARK: -- give us some calculations on how you have done it. (Indiscernible.)

MR. PORTO: We did not get the developer's digital file, so we had to work them up from what's in the DEIS.

MR. SJUNNEMARK: I understand.
MR. PORTO: And that's what we did.
MR. SJUNNEMARK: But still, it's remarkably much more.

MR. PORTO: It is.
MR. SUUNNEMARK: So it would be
interesting to see how you --
MR. PORTO: Yes.
MR. SJUNNEMARK: -- came up with it.
MR. PORTO: Okay.
MR. SJUNNEMARK: Thank you.

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MR. PORTO: And so the impacts of these trucks, traffic safety. The volume of trucks, we used the FHWA manual. So if we increase the volume of these trucks, you could see an increase of accidents predicted up to 15 percent.

We would recommend that there'd be traffic enforcement agents deployed for all the time periods in which the trucks are entering and leaving the site at that intersection and maybe, you know, a little down from the school there. That could be costly, but it's usually an expense that's borne by the developer.

There could be an increase in traffic congestion with these trucks. So the added trucks, especially if they're -- we can't meter these trucks to, you know, have -- be exactly separated as they come into the site. So you may get two or three showing up at the intersection at once. That could lead to level of service going from C to -- Level of Service C, Level of Service F. I won't get into the details of what that means, but $F$ is bad, just like, you know, in the school. So the turning

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING movements go that way. The overall intersection could go to Level of Service $E$ if trucks are arriving at such a condensed period. Third thing, noise. Noise of the trucks would occur during school hours. We think that the noise issue should be further explored in the DEIS and see if it has any effect on the schoolchildren.

Air quality. One of our colleagues is going to speak about that. The effect is noted as a possible impact on the DEIS.

So there's other issues here. The
construction phasing is uncertain. It depends on selling the homes and getting buyers and financing. So there's really a sensitivity analysis needed to see how these possible changes in schedule would affect the traffic, public safety, and all that.

The truck access hours, we think, should be -- not be within the peak vehicle hours of 9 -- of 7 to 9 a.m. Instead of starting at 8:15 a.m., should probably start at 9 a.m. if, indeed, they're going to happen. And then also clarify the number of trips. This isn't only

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING trucks coming to the site. You're going to have machinery coming to the site. You're going to have workers coming to the site. So all that traffic should be generated and put into a enhanced traffic analysis. So -MR. MENDES: Can I ask a question? MR. PORTO: Yes.

MR. MENDES: So I'm still -- I'm still reviewing the -- can you hear me?

MR. PORTO: I could hear you.
MR. MENDES: Okay. I'm still reviewing the whole site plan.

MR. PORTO: Yeah.
MR. MENDES: Is -- am I understanding this right, that the only way -- access to this construction zone is through this -- it's solely through one road, the one that goes by Hommocks?

MR. PORTO: That's what the DEIS states.
MR. MENDES: And in case of a 100-year flood, which -- they don't exist anymore, because every next year you can have a 100-year flood. There's only one road as emergency exit to this site?

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING MR. PORTO: Yes.

MR. MENDES: There's only one road?
MR. PORTO: Yes.
MR. MENDES: There will be only one road? AUDIENCE SPEAKER: No.

MR. LITMAN: Cove. Cove Road also.
MR. MENDES: Okay.
MR. LITMAN: It's three roads.
MR. MENDES: All right. Okay.
MR. PORTO: And when $I$ did mentioned risk of a storm actually during the construction operation, you know, however it's scheduled, that could be a significant impact on the erosion control of the stored soil.

So finally, the sewers. The DEIS states that the sewers -- sewage output for the project will be 39,490 gallons per day. We did review that. Based on the bedroom count, that seems accurate.

After meeting with the village, the developer changed the original plan, which was to tap into an existing gravity sewer, 8-inch on Cove Road, which discharges into the Cove Road pump station. Now, the diameter of the

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Cove Road pipe had been reduced due to an inner lining to prevent infiltration, and, also, there were some questions about the quality or the state of the Cove Road pump station.

So, now, the text of the DEIS states that they would install pump stations to propel the sewage to the 10 -inch line on Orienta Avenue, and then that would flow, by gravity, out to the Post Road, which then flows into a county sewer pump station that pumps to the Mamaroneck pump station -- I mean -- I'm sorry -- sewer plant, which has recently been upgraded. The county doesn't think there's a problem, however, the 10-inch line on Orienta should be evaluated.

The DEIS exhibit in the grading and utility plan, it still shows the development tying into the Cove Road pump station. So that should be updated to reflect the implemation[ph.] -- implementation plan that's shown in the text, because the text and the image do not correspond.

So, in closing, we think there's more work to be done in the cut and fill analysis. The

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING soil issues, the slope stability, and support of the new houses, the traffic, and some examination of the collection and propulsion of the sanitary sewage to the plant.

So, thank you.
MR. SJUNNEMARK: I have one -- I have one question. Thank you very much.

Is it your opinion that the whole area has to be prepared with the fill and the cut, and everything has to be -- even though they're going to build the houses as they are sold, but the whole area has to be prepared before they can start building any of the houses? Or could some of the area be filled the way it's -like, Phase 1 could be filled and then they build the houses --

MR. PORTO: Yeah, I didn't --
MR. SJUNNEMARK: -- Phase 2 after that and through on?

MR. PORTO: Yeah, I didn't examine that, because we were just evaluating what's in the DEIS.

MR. SJUNNEMARK: I understand.
MR. PORTO: And that gets into marketing

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING and --

MR. SJUNNEMARK: Yeah. Yeah. Right.
But is it feasible to --
(Indiscernible.)
Is it feasible not to do the whole thing -- the whole area at once? Is it feasible?

MR. PORTO: Well, I think we're saying it's feasible not to do any -- do the development here. I mean, so I wouldn't comment on whether it could be phased.

AUDIENCE SPEAKER: You can't have the road without the entire platform.

MR. SJUNNEMARK: That's why I'm asking.
AUDIENCE SPEAKER: And in there, in the --
MR. SJUNNEMARK: No. No. No.
MS. SAVOLT: We can't hear you. You're not on camera.

MR. SJUNNEMARK: You can have time to speak later on.

MS. SAVOLT: When you come up you can comment, please.

MR. SJUNNEMARK: Okay. So let us have the next presenter.

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MR. RICH: Thank you.
Good evening, Chairman, board members, ladies and gentlemen.

My name is Charles Rich. I'm a licensed geologist here in New York. I'm the president and founder of CA Rich, Inc., CA Rich Consultants, and we specialize in environmental contamination, soil, groundwater, water supply.

I have six major points with the DEIS information which I'll list right now briefly, and then, as my time permits, go into detail with some of them that $I$ think are --

MR. SJUNNEMARK: It seems that everybody's happy with your presentation, so I think we're going to let you go on for as long as you need.

MR. RICH: Thank you very much.
The findings of fact in connection with the environmental contamination, geology, and groundwater conditions are grossly inadequate. For example, there's insufficient information describing the nature and extent of soil contamination on the property, the occurrence of shallow groundwater, the shallow ground water quality of which there's no information,

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING and how -- and, in my view, how best to manage -- the most important one, how best to manage the permanent burial of impacted soil in the raised soil platform that will prevent accidental or incidental residential contact with that contaminated soil.

One: With respect to the soil contamination, arsenic and pesticides are evidenced in the surficial soils that were collected from 21 -- from only 21 locations across 130 ac -- 30 acres of property, and the nature and extent of the arsenic and pesticide remains unknown.

Impacts from fugitive dust emissions during extensive cut and fill activities that you heard Neil talk about involving the soil are still unaddressed. And, of course, the development and implementation of an important community air monitoring program for the dust should be included and subject to review by the board.

Two: The occurrence of groundwater and groundwater quality is not provided at all. Water table's very shallow there, as most of

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING you can imagine. The management and fate of potentially contaminated groundwater or stormwater exposed during the excavation activity is not described. There'd likely be a need for possible dewatering during excavation. That's not described either, as to what happens to the -- the waste water.

Three: The validation of the quality of the imported clean fill coming into the property to comprise the composite cover system in the new soil platform is completely unaddressed.

Four: Additional investigations are needed. The invest -- referred to in DEC language as investigation work plans, a subsequent remedial action work plan, a worker health and safety plan, and, as I mentioned, a community air monitoring plan is typically included in the DEIS.

The applicant does allude to conforming with applicable DER-10 guidance. That's a vernacular for a state -- for an applicable state regulation guidance document for further testing, but they indicate in the DEIS -- and

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING this is important -- only after the development footprint is finalized. In English, it's -that's problematic, because there's no mechanism, as far as I can tell, for the oversight of this activity by the DEC after this SEQRA process is closed. That's not mentioned. Nothing requiring the applicant to involve a stay, so to speak, in this -- with these particular issues.

Five: The cut and fill plan includes provision for burying soil contamination with only a two-foot clean fill buffer or a blanket above it. This buffer is an engineering control designed to protect human health, and, as such, must be maintained and periodically inspected to ensure that it remains protective. I would judge that this would present a continuing burden to the village, potentially in perpetuity for this project. Such inspection and maintenance protocols would be set forth in a written site management plan typically, which would need to be enforced by an institutional control such as a deed restriction; not mentioned.

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And six: There are peat layers on site specifically identified with a -- with a few samples that were collected along the eastern side of the property, a little bit in the central portion. As you know, the presence of peat may generate methane gas. There's no testing or indication that methane could be an issue.

Now, with respect to the soil
contamination, the samples are only two feet deep, and again, from only 21 locations. That's inadequate to map the extent of arsenic of pesticide contamination and anything else that's in the soil. That equates to, on an average, only one test per six acres. One two-foot test, zero to six inches, and -- and 24 inches per six acres. And despite the small database, the applicant found contamination. Pesticides, arsenic, lead, and not only that, but at concentration levels exceeding Part 375, unrestricted use soil, clean up objectives, and restricted residential clean up objectives.

Six: Surface soil samples exceed the restricted residential objectives for arsenic.

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At -- the sample is a seven. The concentration in arsenic is three and a half times the limitation standard. They had 56 milligrams per kilogram. The standard is 16.

Pesticides were detected in as many as 35 surface and subsurface two-foot-deep samples at levels exceeding unrestricted use. To give the board a better idea of the inadequate soil testing which is being used to -- to conclude that on-site burial is okay, if all the soil were excavated, relocated, and buried to support the construction of the platform, if it were, instead, transported off-site to a regulated landfill, sampling requirements for accepting such soil would mandate at frequent -- a sampling frequency of least one sample per thousand tons by law. That would equate to about 300 samples or so, assuming a soil volume in excess of 200,000 yards going off the site. We only have 21 locations compared to 300, so it's deficient. And this dirt would be classified as regulated or hazardous waste going into a landfill.

There's a serious risk of ingestion of

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING airborne contaminants from impacted dust particulate during site preparation activities in the cut and fill. This is, as Neil mentioned, during truck trafficking, stirring up dust, staging of newly-exposed large soil piles on site, the contaminated soil reburial activities on site, particularly on windy or dry days.

The proximity of the Hommocks Middle School, its rooftop HVAC system, open-air playgrounds used by thousands of young students and club members during the years as well as nearby homes poses a human health exposure pathway which, in my judgment, demands a health-based risk assessment. The risk assessment should be prepared by the applicant, included in the DEIS subject to review by the planning board.

Soil Locations 19 and 6 reveal residual contamination from oil spills, former oil spills. SS-19 is adjacent to the maintenance shed at the end of Cooper Avenue. 6 is next to the parking area of the existing clubhouse.

The applicant indicates a combined total

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING of about 100 cubic yards of petroleum contaminated soil still in the two spill areas. They say that this volume of soil is simply going to be dug up, relocated, and reburied under the core of the platform. That's not necessarily appropriate. The volume's speculative, and at this time, it's unsupported. Could be a lot more than 100 yards.

There are two soil areas outside of the platform, Samples 7 and 15, contaminated with arsenic above restricted residential standards. Arsenic greater than 16 is considered potentially harmful to humans if excessive qualities are ingested. So we would recommend that the applicant delineate all soil quality site-wide in excess of 16 parts per million for arsenic.

The one -- the way they could do this is divide the property into 200-yard grids; almost, you know, an acre or so. A sampling from each acre. 0 to 6, 6 to 12, 12 to 18, and 18 to 24-inch depth horizons, for example. It still needs to be done.

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We also suggest the soil be tested around the transformer pass for PCBs. There are two transformer areas on the property, one on the north side, one on the south. There's no -with respect to groundwater, there's no information on the water table or the quality of groundwater.

Applied chemical products degrade in soils. They change in time to varying degrees. Their breakdown products can be evaluated in terms of mobility and health. DDT weathers to DDD and DDE. If the soil's saturated with groundwater, the groundwater can become contaminated. Potential human exposures involve children playing in dry, damp, or wet soil or ingesting the soil. There's no information describing if there's any chemical mixing of the impacted soil with water or water quality at that time -- at this time.

Two water wells -- two bedrock water wells will continue to be used on the site for irrigation. There's no information on the quality of the well water coming from these wells. This water's pumped into irrigation

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING ponds on site, some spread over the turf to percolate down into the subsurface. We would recommend monitor -- several small diameter monitoring wells possibly into the bedrock soil interface or deeper, into fractured bedrock below to provide water level data, to construct a water label contour map that's needed, as well as providing groundwater quality information, because they can be sampled, especially where the oil spill areas are.

With respect to rock, the applicant has only one rock sample to characterize the geology across the entire 130-acre property. I get more out of that by looking at the outcrops. In any event, they indicate that the bedrock is granite and ice. I've already seen a schist out there this afternoon -- surface.

Anyway, what's important is whether the buried bedrock is fractured or faulted, fissile, subject to ripping, or, if it's determined to be hard and competent based on the application, there will be a need for blasting. If there's blasting, there's a need for vibration monitoring on nearby structures,

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING houses, and the school.

With respect to soil vapor, with the peat layers, the possible generation of methane is a problem. This needs to be investigated. If it's present in elevated -- at elevated levels in the re-worked soil platform, like radon, a methane mitigation system would be necessary. It can accumulate under the cap. It could become a potential soil vapor intrusion concern, risking resident health and safety, so the DEIS needs to address soil vapor.

Waterproofing is included in home design, but that may not be sufficient for methane intrusion. We can have methane intrusion through utility chases and other openings in the building slab, so we need mitigation measures for methane. We need testing to first determine its presence and what engineering controls may be necessary.

Finally, cut and fill. The applicant indicates that, and I quote, "All imported soil will be in compliance with NYSDEC's residual soil clean up objectives." The imported fill needs to be tested at the source as well as

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING inspected when it's trucked on site. DER-10, which the applicant says they'll conform to, specifies the number of soil samples needed to qualify the fill coming in, and a scope of fill testing can be subject to negotiation.

However, if NYSDEC -- it can only be negotiated if NYSDEC's monitoring the situation, so it's not clear how this will take place after the SEQRA process.

The applicant does indicate that their geotechnical engineer will determine fill suitability, but from a practical prospective, this person is neither a state nor a village representative and may not always be readily available to track and validate the integrity of the source materials in the trucks over several months of filling.

It will become important to have the acceptable clean fill inspection protocol spelled out, and part of this protocol should include provision for the village to hire an independent third-party expert charged with performance of this responsibility to ensure that the fill is clean comprising the cover

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING system. Now, what we would recommend is the emplacement of a buried demarcation barrier, visibly separating the clean surface fill from the underlying impacted soil. The barrier could simply be an orange snow fencing. But this would be considered a -- an engining control which must be maintained and periodically inspected to ensure that it remains intact.

Such an inspection and maintenance requirement is usually set forth in a site management plan. The plan would include an excavation plan, and this would manage future penetrations likely through the cover system, like -- like excavations, underground utilities, and even landscaping. If folks that live there want to put in a tree that has a root ball greater than two feet, it's going to break the barrier and get into the contaminated dirt. Root balls requiring excavations greater than two feet deep, not uncommon.

Finally, because the burden of managing this important plan would be a living document, would fall to the village as a living document,

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING would fall to the village, we recommend an institutional control be put in place to ensure that the cap, the cover, the demarcation barrier all remain maintained to avoid human contact with the contaminated earth materials in the core of the platform beneath the homes. The institutional control would include enforcement of the approved site management plan through a deed restriction. We suggest a deed restriction is necessary here. In other words, if a resident or a homeowner needs to penetrate the cap or the cover, the deed restriction would require that certain provisions within the site management plan be followed prior to issuance of any approval to do so. It's not clear that this is doable, and it's certainly not clear how it would be funded. Those are my comments for now. Thank you. MR. SJUNNEMARK: Thank you very much. MS. FAZIO: Hello. I'm Chris Fazio from Carter, Ledyard \& Milburn, and I'm going to talk about the DEIS as it relates to air quality and noise quality.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING My statement will actually be very brief, because there is, essentially, no analysis of air quality or noise impacts during construction of the project. In fact, DEIS page 3R-4 essentially states that once a developer retains a contractor, the contractor will then prepare a noise control plan to identify and quantify the potential for impact and indicate what type of noise measures are required. But SEQRA requires that the noise analysis be included in the environmental review document, and the noise analysis must be completed prior to the lead agency making SEQRA findings, not after the contractor retains a developer. New York Case Law requires strict compliance with SEQRA.

So Section $R$ on noise is just a very cursory discussion on construction-related noise impacts. There's mention that the construction would occur between 8 a.m. and 6 p.m., Monday to Saturday, to comply with the village's noise code, but there's no other qualitative or quantitative discussion whatsoever of the noise impacts.

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As we mentioned, peat construction is about a one-year construction period. During filling operations, will involve around 200 to 280 truck trips per day. The full construction is more like five years. This is not de minimis. This requires a quantitative noise analysis subject to public review.

So first, the developer needs to determine what is the existing noise levels at the sensitive receptors, which is listed in the draft EIS as the residents and the local middle school. Then based on the type of construction equipment, construction activities, the types of trucks coming in and out, the developer must inform us what is the change in noise levels.

What is the increase in decibels?
Most agencies, perhaps, use increase of five decibels to be a significant adverse impact. New York City uses three decibels. Obviously, it's the village's decision, as the lead agency. But there needs to be a quantitative noise analysis, otherwise, we do not know what are the noise impacts to the school and the residents. And it is a very

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING quiet area.

Same with Section $S$ of the draft EIS on-air quality. There is really no discussion, at all, of impacts during construction. The draft EIS seems to assume there's a short construction period, and, therefore, there's no need to do any type of air quality modeling. Again, as we mentioned, that assumption is wrong. 280 trucks per day. That's a lot of trucks. Five-year construction period is not a short time period.

So the analysis needs to include air dispersion modeling based -- using EPA-approved models to examine carbon monoxide emissions, particulate matter, ozone, and that's the only way the village -- village and the public will understand whether this project will result in significant adverse air quality impacts.

The issue with trucks -- I mean, I know we had a picture of a very clean truck. The trucks, believe me, will not be that clean and pretty -- but its the diesel emissions. The diesel exhaust, also referred to as diesel particulate matter, is composed of black carbon

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING and numerous organic compounds including 40 known can -- cancer-causing substances.

Diesel particulate matter is a subset of particulate matter Size 2.5 microns and smaller. That's the small particles that get lodged into the lungs and stay in the lungs, and numerous scientific and medical studies have shown that diesel particulate matter results in increased cancer, cardio, and respiratory-related illnesses and deaths. So there needs to be an analysis of this truck traffic.

In sum, given the large number of truck -diesel truck trips expected during peak construction, the actual long construction --five-year construction period for the full buildout, a new draft EIS needs to be released for public review that has a quantitative analysis of noise and air quality impacts.

Thank you.
MS. MEARA: Good evening, members of the planning board. My name's Karen Meara, and I'm going to talk tonight a little bit about the applicable density under state and local law.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING So the applicant's proposal to build 105 homes rather than a much smaller number violates both state and the village's law. A municipality zoning power is not inherent. Article 7 of the New York State Village Law delegates authority to villages, primarily the board of trustees, to regulate land use.

State Village Law Section 7-738 2 (a) provides that a village board of trustees may, by local law, delegate to all of you, to the planning board, the right to create a cluster development for the purpose of preserving open space but only under certain conditions.

Primary among those conditions is a condition limiting density. Village Law 7-738 3(b) provides that, and I quote, "A cluster development shall result in a permitted number of building lots or dwelling units which shall in no case exceed the number which could be permitted in the planning board's judgment if the land were subdivided into lots conforming to the minimum lot size and density requirements of the zoning local law applicable to the district or districts in which the land

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is situated and conforming to all other applicable local requirements." So in other words, you can't increase the density of this site. You can only move things around.

And how should a planning board determine how many dwelling units is permitted under State Law? Courts have clearly answered that question, requiring applicants to provide a conventional plat, a conventional subdivision layout, that lays out streets, all required infrastructure, and complies with all other local laws that are applicable to the underlying zoning district, here, R-20.

So on this site, what would a complying plat look like? And we asked Lisa Liquori, who you heard from earlier, and also some planners from Dodson \& Flinker, her colleagues, to -- to look at several development scenarios, several development platforms, and to prepare for us a conventional subdivision plat both under R-20 Zoning, which is, obviously, the applicable zoning, the current zoning, but also, as Lisa mentioned, $\mathrm{R}-30$ Zoning is recommended. If the site is to be developed, the site is

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING recommended for a lower density zoning, R-30. So we asked that the planners prepare plats for several scenarios with both of those densities.

So what do we find? I'm going to grab the -- is this working?

MR. SJUNNEMARK: Yes.
MS. MEARA: Okay. So -- so the first -the first scenario we asked the planners to look at is if you took the residential area in the proposed development site -- and that's excluding, you know, the, sort of, truncated golf course and the tennis courts. If you separated that out --

Yes, and they're looking at the same thing. Yeah.

And by the way, the reason we had to -- we had to estimate this -- we had a make a reasonable estimate is the developer did not delineate where the golf course ends and where the residential open space begins. So --

MR. SJUNNEMARK: So what was your assumption? How did you assume --

MS. MEARA: Well, we --
MR. SJUNNEMARK: -- the delineation

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING between --

MS. MEARA: I'll show you. We -- we looked at -- we looked at the developer's grading plan, which lays out golf -- here's -you know, nine holes, including fairways, greens, and tees, and there's three over here, and there's water features, and there's two here, and then there's a putting green and a tennis court. So we -- basically, the planners, kind of, drew a line around, you know, a -- sort of, a common sense, reasonable estimate of -- because we don't know --

MR. SJUNNEMARK: No. I noticed the same thing.

MS. MEARA: Okay. So -- anyway, so here's our reasonable estimate, which I would say is even a little bit generous. We said, Okay, if you took just the residential area, our estimate of the residential area, how many units would you get? So under R-20 Zoning, we got 77 units. That's this one right here. And, you know --

MR. SJUNNEMARK: 77 single-family houses?
MS. MEARA: 77 single-family homes

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING complying with all the lot area and setback -MR. SJUNNEMARK: Got you.

MS. MEARA: -- requirements, which is 28 fewer than 105.

And under R-30 Zoning, we -- we came up with 54 complying units. So -- so the developer's proposal is 28 units more than R-20 zoning and almost double what could be permitted under $\mathrm{R}-30$ Zoning, and neither of those, mind you, comply with the local flood storage requirement. So let's see. Okay.

So then we said, Well, let's look at something that's closer to complying with the flood storage requirement. And so we took a look at Alternative $F$, which, as Neil mentioned, doesn't quite manage to avoid bringing in any fill or displacing flood storage, but it's closer to what the site could support. And we took -- so we took that development platform that is in the DEIS under Alternative $F$ and did the same thing. We looked at R-20 and R-30.

So the R-20 yielded 45 units, complying units, and a conventional plat for R-30 yielded

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING 32 units. So that's this one.

So, finally, we asked our planners to produce a plat that fully complies with the prohibition on filling in the floodplain, and we came up -- and so, as you can see, you know, you saw in the flooding images we shared with you earlier, there are little islands dotted around the site when it's filled. So we -- we located -- so the planners, you know, mapped out development on what's there without filling in the floodplain and creating a little causeway that, sort of, connects them all, and that's 21 units.

That -- so, in sum -- in sum, the proposed project's density, rather than representing a generous concession, as the applicant has suggested, is much higher than permitted under applicable law by a factor of five and much higher than would be appropriate on this highly unusual and challenged site.

And I want to mention one more thing: In addition to the State Law restrictions on density, the local village law gives the village planning board the discretion to reduce

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING density taking into account ecological considerations, planning considerations, traffic considerations. So you have the authority to set density at a level that you find appropriate after considering all of those factors.

So we urge you to require the applicant to prepare a conventional yield map that complies with all applicable laws so that you'll have the tools that you need to assess the applicant's density claims and, in turn, the potential impacts of this project.

Thank you.
MS. FELSHER: I want to thank you very much for allowing us the extra time, and we're now close to the end. I'm the last person.

I'm going to do two things. I'd like to spend a few minutes talking about flooding, and then I'm going to do a summation. I'll stand on my toes, if I can do this.
(Indiscernible.)
MS. SHERER: State your name, please.
MS. FELSHER: Celia Felsher.
So as we all know, the golf course has

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING flooded several times over the last 25 years, in my experience, and I live there. It was totally inundated during the nor'easter of 1992, again in '93, and again in Sandy.

This is the -- a U.S. geological survey, flood map of Sandy for this area, and these contours of the flooding in Sandy are exactly the same as the contours of the flooding in the 1992 nor'easter and the 1993 storm and are very, very similar to the programmatic flooding that was done by computer-generated stuff.

So in addition, $I$ just want you to note that -- what has never been discussed: Here's Eagle Knolls Road. They only talk about the golf course. This is the intersection of Eagle Knolls Road and Hommocks Road. That was completely flooded during those events. As you'll see, this part of Cove Road was also flooded. They were flooded because water comes in behind Cove Road from Delancey Cove, and it comes in from the marsh area and the inlet of the sound in two places. It comes in over the Hommocks fields from that area where there's the catch basin and inundates, and the sluice

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING there is useless. It also did come in here and overflow, with a storm surge, this part of Eagle Knolls Road.

You may recall the gentleman who was killed and drowned. What happened was he lived on Cove Road, up here. He was trying to get out. The storm surge hadn't yet hit, just the flooding.

And, unfortunately, we live here. Our babysitter started to panic and wanted to get our son out of kindergarten at the time. He, actually, came down, because he couldn't get out this way. He came down to get out. She was behind him. He realized this had already flooded, so he turned around. She then turned around behind him. And as he was coming back, that's when -- and it really is literally a surge. When this basin fills up, it pushes over as a surge. He happened to be in the wrong place. His car was pushed over in the surge. He tried to get out as it was head-down in the water, and he was carried into the golf cars.

Now, their only plan for mitigating this

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is they would build up land here, which would prevent the storm surge from coming up over Hommocks and over the back part of Eagle Knolls Road, where the gentleman died, and protect this, and there would be this big embankment, which goes to the necessity to protect the integrity of all of those mounds. Because it's not just rain water. There's going to be flood inundation.

The problem is that that doesn't do anything with the Eagle Knolls Road intersection, and it doesn't do anything with Cove Road. And they can't do anything about that, because those are privately-owned roads. One is in the town, but Eagle Knolls Road is still privately-owned, half by the residents of Eagle Knolls Road and half by the golf course.

So what they proposed was doing an extension of Cooper avenue. There are a couple of problems with that. One is: Cooper Avenue is a private road, so they really have no authority to change that easement use on Cooper road, just like they don't for Cove or Eagle Knolls. And what's worse is there would have

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING to be construction done on Cooper which is indicated in the DEIS, because the back end of Cooper -- if you -- you all should go try to drive on Cooper and look at it.

Aside from having the six homes with -it's, you know, not a large street. The extension of it past the last two homes is only 15 feet wide. They have no right to widen that road, and the village, even if it wanted to, actually has no right do anything unless it wanted to condemn private property for a private commercial use, which is not legally permitted.

So when you take that out of the equation and the fact -- by the way, even if they don't want to, or say, Well, we'll get away, it's only going to be used once in a blue moon when there's a flood, they're going to build up the part of Cooper that's in that flooded area that's on their property, and they, in their plans, are intending to create a causeway. You've seen it in the plans.

MR. SJUNNEMARK: Yes. Yes.
MS. FELSHER: So that causeway would lead

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into the development part here. The problem with that causeway is twofold. One: The roads are only going to be at 14 feet. Right now, the FEMA suggested flood -- flood height is 13, and we know that there's going to be an increase of one or two feet relatively soon. And in a bad flood situation, that road's not going to be accessible, and you'd be very worried about the structural integrity of that causeway in an event, and you're going to end up with a situation where, even if you got the causeway to work, you can't reconstruct the road. The end of that road floods. You would have to raise Cooper Avenue where there are already homes on it, which, at the end of the day, means there is no way in and no way out during a flood event. None.

So you've got an island of people that if the berms hold, they will be not drowned, but they are going to be isolated, and you can't get emergency equipment in there. So it's not a feasible solution. That's the flooding.

So now I want to just do a very -- a relatively quick summing up.

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MR. MENDES: Are you -- I'm sorry. Are you assuming that Eagle Knolls Road -- Eagle Knolls; right?

MS. FELSHER: Eagle Knolls, yeah.
MR. MENDES: Eagle Knolls Road will not -will not hold through any type of --

MS. FELSHER: No. No. It will.
I'm assuming this holds. This is the place where they're going to do construction. I'm assuming this holds, because there's going to be a big berm, but that's not going to be the problem.

The problem is that there's still going to be flooding here, which is why they even show in their plan a flooded golf course. You saw it. It just shows that in their -- flooded -the engineer had his picture up. The flooding is all around the berm.

MR. SJUNNEMARK: So what you're saying is that you can't raise the Hommocks Road and the --

MS. FELSHER: No.
MR. SJUNNEMARK: -- Eagle Knolls?
MS . FELSHER: No.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING MR. SJUNNEMARK: That remains as is? MS. FELSHER: This one, you can raise.

MR. MENDES: I can see -- I can see your -- if you have to elevate Cooper Road -let's start with the top. If you have to elevate Cooper Road, then you're going to have to go into Cooper Road to elevate the whole thing.

MS. FELSHER: Correct.
MR. MENDES: And that's not really -- and to bring in emergency vehicles, a 14, 15-foot road will not --

MS . FELSHER: Right.
MR. MENDES: -- will not be sufficient.
MS . FELSHER: Right.
MR. MENDES: It will be a total trap.
So I was -- so that whole Cooper Road thing, it's, kind of, iffy to me.

MS . FELSHER: Right.
MR. MENDES: So that's why I was -- I'm looking at the Eagle Knolls Road as a -- is -Eagle Knolls Road, if it gets built, becomes a second means of --

MS. FELSHER: Eagle Knolls Road is a

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING private road, and I am telling you that I, for one, who live on it, will not be giving my permission to raise the road.

MR. MENDES: I actually said that you were going to do it. I thought you were just going to surprise us with it.
(Indiscernible.)
So Eagle Knolls Road -- so Eagles Knolls Road is problematic as a means of egress, because --

MS. FELSHER: And so is Cove.
MR. MENDES: Right now -- right now I'm more interested in emergency vehicles --

MS . FELSHER: Correct.
MR. MENDES: -- into this -- into this area.

MS. FELSHER: Correct.
MR. MENDES: So if Cooper needs to be elevated to a very -- because the whole infrastructure of this project is -- is -- I mean, when you were talking about trucks coming in here and heavy equipment, and to build this whole infrastructure, I'm also concerned because of the proximity to the schools because

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING it's a huge job. But now I'm -- I'm very concerned with the -- you'll have to explain this to me -- the whole egress. Is Cooper Road the only road or Eagle Knolls Road will be out of the question? Is there anyplace else that emergency vehicles can get in?

MS. FELSHER: No. Cove Road would be flood. Eagle Knolls would be flooded, and Cooper would be flooded.

MR. MENDES: But I don't know the area. You do. I don't. Okay.

MS. FELSHER: Those are the only -- right now, Cooper is not a means of access. Right now, the only way of getting into the club is Eagle Knolls, around Cove, and down Orienta. That's it. They're going to create a new way out through Cooper, because they realize that these two are not feasible.

MR. SJUNNEMARK: Today, Cooper ends at a shed, basically, where they have equipment --

MS . FELSHER: Right.
MR. SJUNNEMARK: -- things like that for the maintenance.

MS . FELSHER: Right.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING
MR. SJUNNEMARK: So it's not really an entrance to the --

MS. FELSHER: No. And again --
MR. SJUNNEMARK: -- club itself.
MS. FELSHER: -- it is private. It is not --

MR. SJUNNEMARK: It is private.
MS. FELSHER: It is private, so they can't --

MR. MENDES: What about ground -- is groundwater percolation a problem in this -- in this whole area?

MS. FELSHER: Well --
MR. MENDES: I know. I understand the surge of water, but does anybody have -(Indiscernible.)

MS. FELSHER: -- can tell you, and I -- we can send pictures in with our comments if you want. The water table is so high here, and there's so much bedrock in the high areas that creates the sloping down that anybody who drives through -- like for example, Sunday night -- I had people send me pictures Sunday night, which it didn't even occur to me to

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING send, where there are poolings all over the place. The reason I didn't is because our engineers have been telling us that doesn't create a danger. That's not a flooding issue.

Now, it is, on the environmental side, a potential groundwater and contamination and health hazard issue. But those floodings do not create a --

MR. MENDES: Yeah. Yeah. I know. But that creates a problem to me also, because the embankments that need to be built for roadways need to be much larger if there's groundwater --

MS. FELSHER: Oh, well, that's what, I think, the -- that's what our expert was saying, that they need to be so much stronger because of all of the, you know, congregating of water for all different type of events, not just flooding.

MR. SJUNNEMARK: All right. Thank you very much for bringing all this up so that we have --

MS. FELSHER: Can I just make my --
MR. SJUNNEMARK: Oh, you're not done yet.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING Okay.

MS. FELSHER: He asked me a question, so I didn't get to make my --

MR. SJUNNEMARK: All right. Sorry.
Sorry. Go ahead.
MS. FELSHER: Sorry.
So summation: The entire premise of the need for the development, that they are -- that they are forced to do this because the club is not viable. And you have to realize that that statement is made about 40 or 50 times throughout the document, because without the acknowledgment that they are forced to do this, you don't have the impetus to do it. That -that underlying premise is false.

The 18-hole membership club is viable.
The cluster development, as you heard, will not improve viability of the club, period.

Nine-hole golf courses are much less desirable. They're usually for beginners or seniors, not serious golfers.

There are, I think -- and Gene can
comment. I think there was one nine-hole golf course that was started in, like, the last 70

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING years or some enormously long period. Many more nine-hole golf courses have closed than 18-hole golf courses when you look at the number of golf courses that have closed. This is a nine-hole golf course where you've got three holes here and two holes there and five holes there. It's not one that people can nicely go out and drive around in their golf carts.

So there's another fallacy here, which is that members shouldn't be fooled by the proposition that the 18-hole golf course will be assured if the condos are built. The golf course would be owned not by the condominium entity in that case, but, rather, by a shell entity. They've said that, been very honest about it. Once the developers take the profits out, they would have no interest in maintaining that course of the club.

If the club were to fail, we'd be left with a large track of land with no custodian, as they keep saying throughout the document, no golf course, and, by the way, very unhappy condo owners wondering what's going to happen

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING to the property and the surroundings. You can't, at that point, convert it to a member-owned club, because the condominium entity owns all of the facilities and is the one that's going to be in control and subject to any leasing of rights for those things to, you know, a golf course entity.

The condo plan, even one with a reduced density, is not the only option for the property. I understand there is a group that would be interested in acquiring the club and retaining it as an 18-hole golf course for the 5- or 5.2- million value that both they describe as the current use value and their -(Indiscernible.)

And our analysis that Gene did confirms that value. The club would then be and could be rezoned as open or recreation space, which, as Lisa mentioned, was clearly started as the preferred objective in the comprehensive plan. This would actually ensure continued stewardship of the valuable open place -space.

So, in summary, next, the project is not

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING permissible legally. It is not consistent with the comprehensive plan or LWRP. The calculated density is wrong and not in compliance with law, and it's also completely at odds with the purpose of both the state and local land use principles.

The village statute authorizing the cluster says that it is, quote, "For the purpose of promoting environmental protection, open space preservation, and encouraging the most appropriate use of land," close quote. It would be antithetical to this purpose to allow a developer to build a greater number of units than would otherwise be possible absent the application of the cluster provisions, thereby leading to a ridiculous result of less open space and greater impacts on the community than would occur without reliance on the cluster.

Therefore, the first question that you need to ask is what could actually be built, legally and feasibly, with a true as-of-right project, not merely taking the number of available acres, which they've done, and dividing it by the number of lots per acre,

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING regardless of whether or not if they ever tried to develop the golf course they could actually do it.

As noted earlier, the development of the 98 acres would be close to impossible given the topography, legal restrictions, and infrastructure needs. Therefore, development can only be achieved by clustering homes to reduce otherwise impossible construction issues.

Our analysis shows, as you saw, that only about 21 homes could lawfully and realistically be built on the site complying with village law, and any cluster development or condo proposal, by the way, must, therefore, be limited to that number. Neither the changed use for the three private roads, Cove, Eagle Knolls, and Cooper, nor the construction proposed for Cooper is permitted without adjacent homeowner consent, and the village has no legal right to authorize those actions for the benefit of a private developer. Finally, the massive amount of required fill is legally prohibited under our Floodplain Hydrological

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING Equivalency Law.

Next point, which I'm not going to even repeat, as its previously explained, the DEIS does not adequately address many, many, many factors here.

In sum, the real reason for the proposed development is money. We know the preferred plan for the developers is the condo project. It was what they envisioned when they bought the property and the value they paid in excess of 5 million, which, by the way, they actually state in the cert [ph.] claim was the value of an option betting on their ability to get the rezoning and the condo development through, which would net them, as they've stated in their litigation against the village and as we confirmed in our own analysis, after returning their capital investment and all development costs, profit of about $\$ 55$ million. A great return which is the windfall they would get by having a rezoning.

Any distress situation -- and I'll get to that in a minute. There's risk involved. Some deals pan out and some don't. It's not your

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING job to ensure that this particular investment pans out.

The condo project -- the condo project is much more profitable than the proposed cluster development. They were denied the rezoning and forced to submit a plan to the planning board, but did so with the ultimate objective of the condo development.

They have -- and I don't know if any of you've been a subject to it. I went to the summit meeting on Tuesday morning. The have engaged in a huge $P R$ campaign pressing the benefits of the condos, asking their members in a communication to memos to come here tonight and tell you what a wonderful idea is the condo is. They had brokers saying, Go and tell them what a wonderful idea the condos are.

Part of it is on the basis of it's one or the other. Come hell or high water, we're going to either do the condos or we're going do this development, so pick your poison. And for most people, the lesser poison, including for me, by the way, where I live, because -- for reasons $I$ won't get into, the entrance to this

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING development and all those thousands of trucks will be entering in right in front of my front door, which I'm not sure is a coincidence.

So in any event, I would have to say that if it were me personally, $I$ would be telling you to go with the condo, but that's not right for the community, and that's a false choice.

The -- the money behind the project, as you may know, $I$ know I've said it in other forms, and it's been said, is actually from Westport Capital, which is a distressed real estate private equity firm operating out of Westport, Connecticut, which is capitalized by large institutional investor money, and their only objective is a good return. They don't care about our community. They have no interest in what happens here other than to make a killing on a distressed real estate investment that's one of many in a portfolio of distressed investments in a $\$ 500$ million private equity fund. That's all this is.

The planning board must first analyze this proposed project and determine what its response to this proposal is. And only after

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING all appropriate information is included in the DEIS to allow a responsible determination to be made, which the developer has failed to do, can you then go on to the next step.

One more thing: However, since so much time has been spent by the developers on the virtues of the condo, I would like to comment on that.

The condo development is not a reasonable alternative. It is not in the best interest of the community. It is and is only in the interest of the developers. It would be drastically out of character with the surrounding community with a massive five-story $300,000-p l u s$ square foot 121-unit luxury condo complex with, in this flooded area, a 300-car underground parking garage that was going to have hydraulic, James-Bond-like, you know, automatic closing doors in the event of a flood, and all this in an otherwise residential area.

More importantly, perhaps, for the village as opposed for the residents around this, it would require rezoning. Our current zoning

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING laws are in place for a reason. They articulate community character. For example, you wouldn't allow a gas station or CVS in the middle of Prospect Avenue, even if it was only an acre or two.

The vast majority of the club is zoned R-20, and, as Lisa mentioned, the comprehensive plan states that this was a holding zone for all open space, including parks, and it went on to state that its preferred alternative for Hampshire would be to have it rezoned as required open space. The remainder of the club, which is where the clubhouse is and where they want to do the development because it's the only really developable part of the property is part of the marine recreation zone, a special zone that was designed to permit a long-ago developed recreational club use in an otherwise residential area.

This is similar to the marine commercial zone used to grandfather and permit the water-related commercial uses such as boat yards, you all know, of our waterfront property. These zones were designed to ensure

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING that neither general commercial development nor high-rise housing would destroy our waterfront and other areas of prescious open space.

Any rezoning of the MR/MC zones here would risk the rezoning of other MR and MC areas and lead to high-rise condominium developments all along the waterfront, because all of those properties are going to be more valuable with high-rise condo developments than Nichols Boat Yard or Derecktor's Boat Yard or, you know, God forbid what goes on at Mamaroneck Beach and Yacht in that event. No one would want to start that again.

The condo development would carry with it the same risk of flooding and lack of adequate ingress and egress that we talked about before, because it would still rely on Cove Road and Eagle Knolls. And I think in one scenario even with the condos, they were planning on building a Cooper -- but now you're going to have Cooper Avenue that would be a causeway all the way from the club down to Cooper Avenue, and it would still have the same construction issues.

Finally, if there is a need for condo

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING units for empty nesters, which has been stated multiple times, and I don't have any problem with that, that should be developed as needed, but it should be developed where that type of development has already been deemed appropriate and would be consistent with our zoning laws. The MR zone is not where that large-scale development should begin.

Thank you.
MR. SJUNNEMARK: Do you want to say a few words before -- well, thank you for the presentation. I think it was very good. I think the -- all the public liked it very much. I thought it was very interesting.

If there's no other comments from your organization, then we can go on with the public comments.

MR. KASS: Thank you, Mr. Chairman.
And let me thank you for your courtesy and for the additional time you did give us. I appreciate that.

MR. SJUNNEMARK: Thank you. Okay.
So we have now a sign-up sheet, and I will
just read from that. If I mispronounce your

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING name, I'm very sorry. I'll do my best.

Dr. Robert Shaps, is it?
MR. CUTLER: That was the superintendent.
MR. SJUNNEMARK: Oh, I'm sorry. Okay.
Melany Gray.
MS. GRAY: I'm going to rely on written comments. Thank you.

MR. SJUNNEMARK: Okay. So hopefully some of these comments that you heard has -- are answers to some of the questions and some of the concerns that you already had. So maybe you don't need five minutes for each of your comments.

Randi Spatz. Randi.
MS. SPATZ: Hi. As he said, I'm Randi
Spatz, and I am a resident in Orienta.
And first of all, $I$ want to thank the board for hosting us all on Valentine's Day. We appreciate the plan and -- and, also, I have to say, Stephen, your team did a fantastic job, and a lot of the questions and points that $I$ had in regard to flooding and arsenic, pesticide, methane, were all answered. So thank you very much for your really

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING comprehensive presentation.

MR. SJUNNEMARK: See, it works.
MS. SPATZ: It does. Good job.
So in regard to being a resident of Orienta and being a resident since 2006, you know, my family's had the luxury of seeing our wonderful community grow. We've seen a lot of turnover, a lot of empty nesters moving out, and over 50 families of lovely young children moving and really enjoying the freedom of our bike path and walking and running and walking to school and walking around and down to the water. And the thought of additional traffic where -- maybe it might only be an extra second or two in a car. We've already had many situations where cars have run stop signs and almost already hit people. And the more -- the more cars we have, the more trucks we have coming in and out, the more that's going to add to that potential.

And we all move to this area to be close to the water, to be able to walk and enjoy it, to be able to smell and breathe fabulous, clean air with -- because of the abundance of big

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING trees. Not little ones. Big trees. So that is really a big concern of all of us who have bought in this area.

In regard to the schools, as a parent of Central students, I know Dr. Shaps did say there's 512 students, and that's $K$ through 5. There's also about a hundred UPK students. So we actually have over 600 students already at Central.

So anything above and beyond what the enrollment is already looking like is just going to continue to tack Central and -- and the -- preserving the good teachers that we have, because after a while -- you don't really want to increase class sizes too much, because then you're going to end up coming down on your quality of teachers. And then the quality of the district comes down, and then no one's happy. So, overall, that -- those are my two points.

And the last one I actually do want to point out also, in regard to the 55 and older, just because you're 55 doesn't mean you don't have little kids. I think we can all look

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING around and say that.

Thank you.
MR. SJUNNEMARK: Okay. Thank you, Randi.
Next is the president of Orienta Point Association.

George, I can't pronounce your last name, but please go ahead.

MR. MGRDITCHIAN: It's Mgrditchian.
Good evening, Mr. Chairman and members of the board.

First, I want to thank Celia Felsher and her team for an excellent job in doing the heavy lifting for the residents in Orienta. We couldn't have done it without her. We can't do it without her; so I want to give her a round of applause for a great job.

She has touched on or her team has touched on many points that the community has concerns about, and one that $I$ want to touch on is traffic.

The traffic study that was done -- and I know that many people did not get the ability to read the 400 -page document. Neither did I. I read about half of it. But in the DEIS

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING report on traffic, they speak about or they can be speaking about alphabetical traffic studies, and they range from A through F. And I'm sure the study clearly indicates that the traffic impact is still going to be or continue to be an $F$, because that's what it's been in Orienta for quite some time. It has not changed.

What I want to talk about is, from layman's terms, an $F$ is not always an F. When I went to school, a 59 was an $F$, and if the engineer or anyone else had gotten a 30, that was also an F. But an F can get worse. And what people don't recognize, is that when we're in a situation where cars are backing up on Rushmore Avenue, going down Orienta, they find alternative routes. It's Old Boston Post Road out through Boston Post Road by McDonald's. It backs up the lateral roads that go into the main arteries, which are Rushmore and Orienta. And everybody who knows the summer months, the traffic in -- the traffic from the clubs is huge. You cannot get out of a lateral street during peak time, which is 3:00 in the afternoon and sometimes going on until 4, 4:30.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING So I think that's is something that certainly needs to be considered in this.

Any additional traffic is going to be -is going weigh very heavy on the community. It already does now. We're hoping that, you know, there will be some mitigation for whatever may be developed there.

But again, I want to thank everybody and thank the team for what they've done. And happy Valentine's Day to everyone.

Thank you.
MR. SJUNNEMARK: Now we have Kelly Wenstrup.

Did I do that right?
MS. WENSTRUP: You did. Thank you.
MR. SJUNNEMARK: Okay. Thanks.
MS. WENSTRUP: Thank you.
My name is Kelly Wenstrup. I live at 1058 Cove Road, and I despise public speaking. This will be very short and sweet.

I think it's immensely helpful, with so much information to consider, to step back and see the big picture here. Hampshire has been a community gem since at least the 1920 s, when my

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING home was built across the street from the club.

It sits in a residential district and consists of a marshland that was filled to create a golf course with water features. The waterways are tidal salt water. As you know, this land is zoned residential but has never been used as such; indeed, as we now see through the parade-of-horribles tonight, cannot be used as such for many reasons discussed.

The high elevation within the property situates the clubhouse in the center of Cove Road's oval. The clubhouse is zoned for a membership club which our zoning law requires to be a non-profit in service of its members; truly a community resource for enjoyment of outdoor recreation.

There seems to be a disturbing sense of panic created in the community by Hampshire's current owners. They have threatened, on the one hand, an unworkable development plan, or, on the other hand, a massive condominium complex on the land that sits high and is more physically suited but not zoned to their liking.

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Faced with such a choice, Hampshire counts on you and our community to choose the condominiums. But there need be no false choice, as the neither alternative fits the community needs or our village land use laws.

This is the important part. The appropriate response to such a choice is to respect our zoning laws, respect the character of the neighborhood, and turn away the developer who seeks to turn this community on its head and pit neighbor against neighbor in a false choice of two bad alternatives. The applicant wants to profit at the expense of our community. The laws will not allow it do so unless you grant permission. There's every reason to turn them away and to protect our village, as we aspire our land use boards will do.

Thank you very much.
MR. SJUNNEMARK: Next on the agenda here is Mr. Jack Lusk.

MR. LUSK: Hi. My name is Jack Lusk. I live at 1002 Cove Road.

I'm here to speak to a specific point. I


HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING At the very least, we recommend that the planning board request a written opinion from your counsel on this issue before proceeding further, and we would hold the same thing is true for Eagle Knolls and for Cooper Avenue.

And I think the interesting thing to note is that when it falls over to Eagle Knolls, as you can see, that -- that is more touching the town. So, as we all can easily tell, every proposal that's been made has carefully avoided bringing the Town of Mamaroneck into the discussion for the purposes of environmental review and process.

It's our position that a careful review of the easement and the rights of the private property owners could certainly fall over into an issue for the town as well as for the Village of Mamaroneck.

Thank you very much for your time.
MR. SJUNNEMARK: Thank you.
David Wenstre [ph.].
MR. WENSTRE: I will defer for another time.

MR. SJUNNEMARK: Neil Porto.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING AUDIENCE SPEAKER: Neil spoke already. AUDIENCE SPEAKER 2: I didn't get to sign up either.

MR. SJUNNEMARK: Oh, okay. All right.
Okay. That, I can't read.
MR. STEINMAN: If there are other people who wish to speak, please -- please sign up with the land use board secretary.

MR. SJUNNEMARK: Do we have a Doug Klein? Somebody Klein? Any Klein? Anybody with a K? No. Okay. And then we have Paul Ryan.

Paul, it's your turn.
MR. RYAN: Thank you, Mr. Sjunnemark, members of the board.

I have three separate pictures here that I'd just like to pass along. They're taken in March of 2010 of the subject property, and you can just take a look.

You know, I've been involved in the Village of Mamaroneck/Town of Mamaroneck for about 30 years, and environmental issues, and specifically in flooding issues. I was on the original Coastal Zone Management Commission, and we, kind of, segmented our tasks. So my --

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING my area of expertise became flooding. I went from there. So we developed our LWRP and -(Indiscernible.)

You know, we've established the marine commercial zone and marine residential to protect from high-rise condos, you know, back and fourth.

Unfortunately, we could not declare Hampshire part of the marine residential zone. We had long conversations, you know, with our attorneys, land use attorneys, and we established the zone along the first -(Indiscernible.)
-- to the first road along the coast. If we'd gone across Cove Road to make it part of the marine zone, we'd be spot zoning. So we couldn't do that, and we had our regrets. So instead, the village declared Hampshire a critical environmental area, the whole property.

In the meantime, the Town of Mamaroneck also declared their 7.3 acres as a critical environmental area and a wetlands. So the whole -- the whole property involved is, kind

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING of, protected.

They -- you know, you have to talk about the environment and the total environment. You've got the -- the -- the rock outcroppings that the gentleman mentioned, but you also have flooding. And it's not -- as the environmental impact statement and the gentleman said, it's not just coastal flooding. It's water coming down from the Post Road area.

When that man drowned, that was -- that established that area as $a \operatorname{V}$ Zone, as a velocity zone. They didn't find his body for about three days under a culvert under Hommocks Road. That's how strong that was.

We had -- I was on the town board then, and we had voluntary ambulance corps. and police on Eagle Knolls, Hommocks Road, telling people, you know, it's not safe to go in or out. Well, the man was there. He was on top of his car. He got swept away. Our guys tried to rescue him, and they couldn't.

So it shows that wasn't a coastal storm, as I recall. That was a rainstorm. So you've got rain coming down, hitting that stream,

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING picking up velocity, and a flooding condition, and it was dangerous. So anything you do on that property that -- you've got to take into consideration, okay, it's going to be isolated. What if there's a pregnant woman? What if somebody has a heart attack? What if there's a fire? There are a lot of what-ifs that have to be considered in any -- any zoning matter, you know, in that area.

They also talk about destroying 432 trees. Well, it takes nine acres of undisturbed land to make up for one acre of lost of trees. You know, one acre of cement. Nine acres. So you figure out how many acres will be ruined just on those 432 trees being disturbed. And that's -- and if you look at those pictures, you'll see that the caliper of the trees destroyed, just from the pictures I'm showing you, is a heck of a lot different from the two-inch diameter caliper that they're proposing to put the in there.

Meanwhile, you've destroyed all the root systems of all those 432 trees that prevent erosion. And I don't care how much you try and

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING pack things down. It ain't going to work the same way.

Now, I've got to bring up, you know, environmental stuff really started in the late '70s, and we -- we, kind of, went along, and we had our LWRPs. And when I was on town board, we had the Bonnie Briar case.

The Bonnie Briar case is extremely similar to the Hampshire case. You had a developing syndicate that wanted to destroy an 18-hole golf course, have a nine-hole, put up condo townhouses around the perimeters.

We hired a marine geologist. They determined that the -- both Hampshire and -I'm sorry -- both Winged Foot and Bonnie Briar were natural retention basins to protect downstream areas. Now, here, at Hampshire -okay. You don't have that much building downstream, but you do have the Hommocks School. You have the -- the big playground, which, actually, belongs to the Town of Mamaroneck, plus, you have the salt marshes behind it. And you can't put all that fresh water into a salt marsh without destroying it,

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING
which violates Federal and State Law. So there are a whole bunch of different things involved.

If I had anything to do, it would be to declare Hampshire as a recreation district and prohibit all building. They've got enough building up on the -- the marine residential -marine commercial area. I'm sure they won't like it.

But again, if Bonnie Briar is there, when, 25 years later -- there's an 18-hole golf course, and they're not losing money. They're still in there making money. And they lost -they took their court case all the way up to the Appellate Court in New York State, and they lost. And what the judges determined was that you are not entitled to the highest and best use of your property no matter what you say, and that's what the developers want to do. They want the highest and best use, condos or whatever.

And I would just urge your honorable board to do the best that it can to shoot this draft EIS down. Do whatever you have to, because this is not good for the Village of Mamaroneck

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING or downstream into the Town of Mamaroneck.

And to answer the gentleman that got up before me, the Town of Mamaroneck also has a local waterfront revitalization program, and they are listed as a -- an interested and involved agency on this. So they get all the information. And I'm sure the -- Town Supervisor Seligson advised me by email this week that they will be adding comments on to this. And in my email to her, she -- she agreed back that her concerns were also concerns that I listed.

So thank you very much for your time.
MR. SJUNNEMARK: Thank you.
We have Norman Hinerfeld. Is that correct?

MR. HINERFELD: That is correct.
MR. SJUNNEMARK: Oh, good.
MR. HINERFELD: First, I'd like to thank the people who put together the response. Again, I'm in total agreement with all of the points that they were making. And to relate to our last speaker, I want to give some -- one added point which $I$ don't think has been raised

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING up to now.

I bought and built my house in 1969 on 11 Oak Lane. I'm a close neighbor of Hampshire. I own one-third of that big pond that's two-thirds owned by Hampshire, and Hampshire earthenware dam, which holds back the ocean water, ends up abutting my property. So I'm a close neighbor.

In 1992, the storm that was referred to where one of our neighbors died, the water came rushing out of the golf course, over into my property and in my cellar. In the house, we had five feet of water. Because Hampshire was built originally on a floodplain, which -- you have rivers and streams pouring in water, hoping to get out to the sound with a dam blocking it.

So what happens? The water builds up in the golf course, and the only way it can get out is to go south, where my house is and a string of other homes along Hommocks Road.

Five years ago, this whole procedure happened again, and this time, I had six feet of water in my basement. And looking at five-

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING and ten-year projections of the rise of the sea water, I probably will find the next storm is going to be in the living quarters of my home.

And what I'm trying to point out is that the construction they are talking about is going to redirect where all this water has to go, and I would think that Oak Lane and Hommocks Road is in great danger of being washed away with no other changes than what the builders here are proposing.

So I thank all of you who have raised the objections, and I strongly support those projections.

MR. SJUNNEMARK: Thank you very much.
We have Jen Kronick -- something. I'm not
sure. Do we have a Jen here?
What's your last name?
MS. KRONICK: Kronick.
MR. SJUNNEMARK: Kronick. Oh, I missed the $R$.

MS. KRONICK: I didn't realize it was going to be read out loud, so $I$ would have written it more neatly.

Okay. So -- try to make it quick. I'm

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING Jen Kronick. I live at 1020 Cove Road. I actually wouldn't see the houses from my house, but I certainly would see the condo and be impacted by traffic and noise and everything. So, basically, I fear this is all a waste of time in response to a threat that aims to convince us to make a false choice, to choose between their housing plan or their 121-unit condo plan or any of their alternatives.

We have heard tonight and via the investors public relations outreach that they prefer to build the 121 -unit condo development, and they consider this to be a compromise to their supposed right to build a massive housing development under their zoning, which is false, as you've heard, and I won't say why again.

So as you've heard, they do have a legal obligation to its investors to pursue the most profits. Caring about what is best for our village, for you, for me, for our neighbors, for our children, for our schools, and for our community and even for its own club members would be contrary or could be contrary to its obligation to its investors.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING So please, to all of you and to our neighbors and friends, do not be fooled by the claim that they care about us. They do not, and that would be wrong for their investors. So while the developer and I have strong disagreements about the best use of land that's down my block and which they have put their and their investors' money into, hoping to cash in at our community's expense, and they've linked their names and their professional and personal reputations to, so it's very hard, the developer and I can probably agree that they don't want to put their investors ahead of our -- I'm sorry -- that they do want to put their investors ahead of our community. They do not want to put our community first.

Despite this obligation to its investors and its housing proposal tonight, the developer has had the gall to say -- and this is a direct quote from one of its emails to its members. The quote: "Condo development proposal is not only the far better option for our members but also for the entire Village of Mamaroneck. In fact, the positives of this development

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING proposal so far outweigh the negatives, it's quite difficult to understand how one can argue against this option of the condo development."

So thank you for caring about our community, but I can tell you that I and many others can easily understand how one can argue against the condo option. As many others have said, it's not a choice of $A$ versus $B$.

Many of us were in the same room almost exactly four years ago to this month to talk about the developer's petition to rezone the property so that they could build this massive building -- I don't know why I'm, like, shaking -- containing over 100 condos.

So since Hampshire has raised the condo development in all of these different places, in the summit meeting and in their, like, $P R$ events that they've hosted for their members and for the neighbor and in the letter we got and on next door Orienta, where one of their employees, Susan Goldberger, claimed to want to live there but didn't disclose that she was an employee of this developer, and it's also come up in questions to me and my neighbors, I

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING figured that -- and they also said tonight, in an email to members, that they would present these materials and findings in hopes of taking a step forward in the direction of the condo development project. I figured it might also come up in your own discussions. So I thought that we should talk about it quickly.

We should not let this investor and developer trick us by believing that we need to choose the condos or any of their other alternatives that they propose for their benefit and their investors' benefit and for their own personal and professional reputations. That approach is ignorant of or completely mocks this entire planning board process.

So here are just a few reasons why this 100-unit condo development is not better than the housing and is also not realistic: First, building a massive five-story 300,000-square-foot building with over 100 two-to-three-bedroom apartments and approximately 246 underground parking spots, an indoor theater room, an indoor pool, a business

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING center, a fitness center, restaurants, plural -- at least more than one, they didn't say how many -- valet parking is not environmentally sensitive and sounds more like a shopping mall and not a responsible development in a residential area, especially in a critical environmental area that was designated as residential just to be a holding zone.

For perspective, the current clubhouse, according to the Hampshire website, is 35,000 square feet. This condo building would be 300,000 square feet, which is almost nine times the current size of what is there now. It is not any better than the housing.

This supposedly less-disruptive condo proposal would just actually -- I'm sorry -would expand the building by almost nine times. And imagine that, it's not just condos. It would result in significant disruption to soil, moving roads, changing elevations of the roads, disrupting the cove, Hommocks, the wetlands. It would result in a massive change of stormwater drainage patterns that would

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING adversely impact and likely cause flooding to surrounding homes, neighborhoods, and schools.

And to think that they're saying that they would do us a favor by giving us another exit when there's flooding when they're adding, actually, 100 more families to our area who would need exit is kind of insane.

Condos targeted to empty nesters but not required to be sold to them can be sold to anyone, would still result in significant increase of school-age children and overcrowding. We already have an overcrowding problem in the district. There's this whole big thing going on, if you're not aware of it, and adding 100 condos would certainly add -increase that.

And even if they did restrict, which is new, to 55 and over, is there even a market for 100 condos for 55 and over people? And as Randi Spatz had said, there could be children anyway.

The traffic. Over a hundred condos would result in at least 100 or even 200 extra cars. I mean, this was all studied. I don't need to

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING guess. Trucks, machinery, et cetera.

This also would represent an approximately 15-percent increase in the residences within the peninsula of Orienta, from approximately 700 residences to over 800. 15 percent more people traveling the same roads. Think of the 8 a.m. Hommocks congestion and the extra congestion all the time.

The additional water pipes, sewer drains, stormwater drains, road maintenance, garbage, recycling pick up, emergency services like the police and the fire departments. This is not -- and this would not be supported by the lower tax rates of a condo development.

It's not responsible development. It would not be responsible for it to be approved either.

Their environmental considerations as well. The trees would -- some trees would still come down, light pollution would increase, and there's no way you could build a massive building, nine-times the size of the current building with almost 250 parking spots underground, redirecting, elevating streets

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING with 100 one-to-three-bedroom condos, without disturbing land around it, particularly when it's so close to the Long Island Sound, Delancey Cove, and the wetlands with the critical environmental areas.

So we -- we cannot let ourselves be fooled by them. The investor materials state that the condo development will, quote, "Help secure the future of Hampshire Country Club." If securing the future is the goal, there are many other ways to achieve that goal.

The condo association would not secure the goal, just as the housing would not either. There are no financial guarantees, and the investor could walk away. And, of course, its members would have to make due without the club during the years of construction anyway.

So the Village of Mamaroneck is being asked to believe the false claims of a developer whose only responsibility is to its investors. Their claims about what is best for you, me, and our community are false, ignorant, and would deprive us of the wonderful open space that we already have.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING
So thank you.
MR. SJUNNEMARK: Okay. We're getting down toward the end of the list.

And now we have Matt Phillip. Any Phillip? Any Matt? I guess he gave up.

Diana Russel. No Diana Russel here?
Then we have Karen Rob.
MS. ROB: Hi. Everybody's said everything I wanted to say.

But I grew up in Larchmont. I was born here. I'm in the Town of Mamaroneck on the Rock Ridge Road side, which is not the village of Mamaroneck side. So I'm up high.

I have pictures so -- you know, and I've sent them to Celia. When the floods happen, it's a lake, and it's beautiful. There's ducks. There's geese.

Right now, it's frozen. So normally, it -- it all goes back in within a day. Right now, the groundwater is frozen. So I still have a picture, three days later, of the storm we had Sunday, and it has not receded, which is only because of the cold weather we had.

I feel like -- and I also have a degree in

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING plant and soil science, so $I$ really loved the soil analysis. And who's going to be standing there testing every truckload that comes in? I swear to God, I feel like this is Poltergeist the movie. We won't know for, like, 20 years what has been brought here.

And if people don't know, a cubic yard is this-by-this-by-this. So that's 86,000 of those.

And my house pumps the sewer up, so I can't even imagine where all this is going when we know the harbor -- our kids can't swim in the harbor when it rains. So where is all this -- I mean, again, it just -- it's just unfathomable. Where is all those culverts going to go?

And another thing: The gentleman that got swept away that was found in the culvert, trucks are now driving over that culvert, and there's no way that 18 -ton or whatever that is -- so that has to be addressed prior. We have -- we have bridges here that trucks can't go over because of weight, so that's not even feasible right there.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING
I was here two weeks ago or more talking about coyotes. Nobody even mentioned that. You guys might remember me. Yeah. So they've moved in. There was a wonderful man here and the wolf conservation people. They've moved in. They live there.

Now I'm going to be a friend of the coyote, because they're not leaving. So they're from Alaska to South America. They're here to stay. There are packs out there. My dog went after one of them and did not live four days after, and Celia found her collar on one of these borderlines where all the marshes are. I've gotten -- well, I haven't gotten over that, but, you know, I've learned to live with it.

Cooper Avenue, right now, a home just went for rent, 1897 Farmhouse at the top of Cooper. So all this land, at one time -- Norman might know -- was farmland. I don't even know. And when I was a kid, Hommocks Road, that lake you were talking about that was owned by the Ziemans[ph.], if you remember, there was no lake there. So they've already done water

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING retention basins and things to that sort. So that's the one that is partially over by Hommocks Road and Oak. So I think that's about it.

Oh, and, you know, again, I already said Poltergeist. Erin Brockovich. I just have this horrible feeling that there's going to be something that's going to come up after the fact, when we're talking about bringing soil in.

And where's that soil coming from? Alaska? Canada? Where are you going to get soil that is not already contaminated with PCBs? And I think that's about it.

I do -- I wasn't -- I wasn't really prepared but -- and now, you know, with DDT and everything making a comeback -- we do hear hawks. We hear beautiful things.

And I would love to walk you around, Mr. Mendes and Mr. Sjunnemark. I would love to walk you through here, the areas that we all grew up with.

MR. SJUNNEMARK: I walk there every morning almost.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING
MS. ROB: Oh, okay. So -- and we can show you, and I can show you pictures of my backyard.

Thank you.
MR. SJUNNEMARK: Okay. It looks like -(Indiscernible.)

MS. SAVOLT: That's Abby Roberts.
MR. SJUNNEMARK: Roberts? Oh, my God. I wish I could show you this.

MS. ROBERTS: Thank you. I'm going to be super fast. But yeah, my name's Abby Roberts.

MR. SJUNNEMARK: Take your time. We've got until 11 .
(Indiscernible.)
MS. ROBERTS: -- Old Post Road, own a house on Post Lane which looks over the Hommocks. I have a child who's in second grade at Central and a two-and-a-half-year-old who's going to be in Central in 2020. So I'm all sorts of impacted by this plan.

I'm not going to repeat what's been said already, because $I$ think it's kind of obvious. But I do want to quickly note traffic, because I'm also currently the chair of the Village

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING Traffic Commission, and school traffic is a major issue that comes up constantly, all the time.

And so, you know, I've really focused on this plan -- on the dump trucks going through the Hommocks. I know they're just saying Cooper is an exit, but $I$ don't really believe that, because everyone uses Old Post Road as a cut-through for all of Orienta.

We've already recommended several times that sidewalks be installed on the street for safety purposes because there's so much pedestrian traffic, so $I$ was really concerned about this plan from that perspective. We also looked at the data in the 400-page plan last night, and their estimates on the number of cars and pedestrians going through seemed highly suspect.

So I just want to end this by recommending that if we're going to look at this, we really need an independent traffic study to really look at these issues, because they're already quite serious throughout the village, and this would, I think, greatly add to those. And

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING specifically, the safety of our children, I think, is really at stake here.

So thank you.
MR. SJUNNEMARK: Thank you very much.
So now we have Linda Negrin.
MS. NEGRIN: Hi. I own the property at
1100 Cove Road, and I have a question.
I've listened to this. I've followed it for years. What is in it for the village beside the taxes? I mean, I understand. That's a big deal. But when you figure that you're going to have to have inspectors to inspect the soil, and you're going to have to have monitors, you know, to inspect the trucks, and you're going to have to reinforce the roads in order to get all these yards of fill in there -- I mean, I do some building too. It's a mess, and the neighbors require that you clean up every day, and those trucks are muddy, and they're tracking mud. I mean, that was the cleanest truck I've ever seen, the one you showed up there.

All I'm saying is it's expensive to do all the peripheral inspecting and -- and -- you

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING know, and site work and everything else that the village is going to be required to do.

We have one building inspector. I mean, what are you going to do about that? Are you going hire full-time people? And this is going to go on for five years, especially if you consider what you were saying, that he would do, you know, part development at one point and then continue on. This is not going to be nine months worth of work. It's going to be years and years and years.

Look at the developments on the Post Road, the -- the Harbor View or whatever those things are, the condos, the $\$ 2$ million condos.

They're not sold. Okay. Empty nesters -- the other ones that went up next to the service station on the -- they're not sold. The cadmium[sic], they're dying over there. There's another one in Mamaroneck. Condos are not exactly what's selling. There's plenty of places for 55-and-overs to go.

So anybody's moving in here, and I've spoken to realtors. I just had lunch with someone today, speaking about this exact thing.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING The people who are coming here from the city are coming here with children. They like the walkability. They like the community. They like the proximity to the water. They like the proximity to New York City and to the station and the diversity in this community, because there are other things about this community that Scarsdale and Pelham and Rye and a lot of other communities have over us. But they want this community because of the diversity, because of the way it is, because of the open spaces, because of the small tracks of land that people have around and that we're a community, and we're diverse.

And what is in it for the Village of Mamaroneck to let this development go on? I don't get it, because everybody around here and all the 700 residents of Orienta and the other residents of Central School say, Why are we doing this to people we -- I mean, to someone who bought Hampshire for $\$ 12$ million, had their taxes reduced because they said it was only worth 5 million.

I mean, we could get together, a group,

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING and just buy it from them; but they won't sell, because they're in it for the big profit. And I think that, you know, you have to protect us from that.

So I appreciate it. Thank you.
MR. SJUNNEMARK: Okay. Thank you.
And now we have John Hofstetter.
MR. HOFSTETTER: SO I'm John Hofstetter.
I'm a former trustee, a real estate broker locally, and I just want to share my experience on the board of trustees when the Village of Mamaroneck was looking at purchasing Hampshire.

We contracted with a planner to evaluate the potential purchase price and what could be done with the property. We asked a planner to come to us with a proposal of what a developer might do, and they -- the planner came to us and did much of the same thing that Hampshire is proposing now, laying out a grid of property for -- I guess it was around 100-plus lots.

And when we quizzed the planner on what the village would actually allow to be developed in the current situation, under current zoning and current legal situations and

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING environmental conditions, it would not give us a number, but he, kind of, threw out a general number of about maybe 20, 21,25 units.

So I think what you're looking at is a proposal that should be -- is it 20-something houses, 20-something condominiums in a cluster development or some other issue, but it's not the larger number that you're being presented with. And I think that's a false representation that's being put to you, and I think it's very disconcerting for you to be put in this position without a little historical perspective and without understanding that your role is to evaluate what could legally be built there under the current zoning and current regulations and then say, Okay, these are your options. You can build whatever number of houses it is, $22,21,25$ houses out there which are carved up into four-acre lots so that the property is maintained in perpetuity and there are no issues with when the golf club goes out of business.

That is really what your -- what the community should be presented with, and whether
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or not that makes sense for them financially is
really not your role. That's just what we're
supposed to be looking at as a community.
Couple of other things that I wanted to
address is the school district is going through
this incredible discussion about overcrowding.
It affects Mamaroneck School System, not Rye
Neck School System. The -- what we are seeing,
as real estate agents, are people who move into
this community because of the schools. And
that -- whether -- whether they have agreed to
or not agreed to or whether they will agree to
deed-restrict whatever they do would be
important to the school district. And then the
next part is assessment.
is worth.
assessed at a substantially lower rate than
single-family homes. You can have attached
single-family homes that are -- that are
assessed as a single-family home would be.
According to New York State, condominiums and
when you build condominiums, they are

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Commercial property, condos, and co-ops are -- you can buy a -- probably about a 600,000, $\$ 800,000$ condo in this community and pay about $\$ 6,000$ in property tax. It's amazing. You buy an $\$ 800,000$ single-family house, and you're paying probably three-times that.

So the value to the community -- you have to figure out what would be the best value to this community. And I'm not proposing that they be allowed to do anything in an area that is not suitably zoned for it. But when they're here petitioning for these changes, those are values that you have to make -- value decisions that you have to make. What is going to benefit the community? It's not what's going to benefit the developer. It's what's going to benefit the community as a whole.

And then, lastly, my concern is if a development, as a cluster development, were to be allowed, and they carved up the golf course, and seeing the plan that $I$ saw when $I$ went to a presentation is the golf course -- and I do play golf occasionally. The golf course is a

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING nine-hole golf course with a couple of holes here, a couple of holes there and spread out throughout the property.

Typically, that's not the kind of golf course that people enjoy playing. So I think it would be a challenge for that golf course to stay in existence over the long term. So we would be just back here having the same discussion in, you know, 6 months, 6 years, 16 years. So I think that's a concern that you have to address as we move ahead.

And I'm -- I don't know if the school district was here, but they certainly should have -- I missed the beginning of the meeting because I was busy on another project.

Thank you.
MR. SUUNNEMARK: Thank you very much. It looks like we're down to our last speaker, and that would be Paul Cantwell.

MR. CANTWELL: Thank you very much, Mr. Chairman.

I am the president of the Hommocks Road Property Owners Association. Actually, we don't cover all of Hommocks Road. We only

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING cover it from the top end of Hommocks Road, where Oak Lane branches off.

I live at Three Oak Lane, and so I overlook the 10th Hole. And I would just like to reinforce a point Norman made, which is when water flows in there, and it has done on a regular process, this is not a slow seepage. This is high-velocity seepage. It's actually moving at quite a pace. I've stood there and actually watched it come through.

So, frankly, I find this whole concept fairly ludicrous. The idea that you would put 120 condos with underground car parks is just -- in a zone that floods -- how are they going to get out? Are they going walk?

And then if you put all these houses in there, as we've seen, there is no prospect of them being able to use Cove Road or Eagle Knolls Road. They don't have the rights to, and they're not going to be able to raise it, and they flood. These people are then going to be stranded. It just simply is a silly project.

Thank you.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING
MR. SJUNNEMARK: Okay. Thank you very much.

Les, lead us to the next step here and see what we have to do.

MR. STEINMAN: One last call in case there's anybody else who would like to speak before -- this evening. Okay. And then --

MR. SJUNNEMARK: Sure. If you --
MR. COOPER: The only thing: In terms of keeping the hearing open -- and I'm sure I'm going to regret this. But, Mr. Chairman, you did represent to a very large room that it would be carried over, and then various names were called and missed. I happen to know there are people that were planning to speak tonight that did not speak tonight.

So we would request -- and I'm sure I'm going to regret this, but we would request to keep the public hearing open.

MR. SJUNNEMARK: Okay. Then we'll comply with that request.

MR. STEINMAN: So I think you've already made that statement. So --

MR. SJUNNEMARK: I made that statement

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because $I$ saw the room was overfilled and there was people out in the --

MR. STEINMAN: And people left based upon the representation.

MR. SJUNNEMARK: They left based upon the fact that I told them so. But I think, at the time, we all agreed that it was going to continue because there was so many people here.

MR. STEINMAN: So I think what you can do tonight is take a motion to continue the public hearing to March 14th.

MR. SJUNNEMARK: Can we just keep it open so I --

MR. STEINMAN: Yes. Keep the public hearing open to March 14 th, and then we will hopefully locate a venue that's larger so that we don't run into this situation.

MR. SJUNNEMARK: Okay. Okay. So do I hear a motion to keep the public hearing open until the March 14 th meeting?

MR. MENDES: Second.
MR. SJUNNEMARK: Nobody made the motion.
MR. MENDES: I made the motion.
MR. SJUNNEMARK: Why don't you -- why

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING don't you -- let's have one meeting.

MR. LITMAN: We were just trying to figure the logistics of it. If people would register ahead of time, either call in to the office or email, we would know what the agenda is, and maybe this room would be suitable.

MR. STEINMAN: Well, I think it's going to be difficult to get -- make sure you have a-hundred-percent participation. I think if we -- at all possible, we could find a venue that was bigger -- because people did -- were inconvenienced tonight, and I don't think we want to have that repeated.

Maybe it won't happen a second time. But if we can avoid it, I think it would be the best --

MR. SUUNNEMARK: Better be safe than sorry. So let's not make the same mistake.

Excuse me?
MR. STEINMAN: We'll explore the options.
MR. SJUNNEMARK: We could go closer to the project and go to the Hommocks.

MR. STEINMAN: Mr. Sjunnemark, you have the motion. See if you can get a second.

HAMPSHIRE COUNTRY CLUB - PUBLIC HEARING
MR. SJUNNEMARK: No. I -- I haven't -there is a side meeting going on here, so I don't know what we're going to do.

MR. LITMAN: All right. I'll move.
MR. SJUNNEMARK: You'll make the motion?
MR. LITMAN: Yes.
MR. SJUNNEMARK: Do I hear second?
MS. SAVOLT: Lou already seconded.
MR. SJUNNEMARK: You're second, Lou. Okay.

So Richard?
MR. LITMAN: We'll keep the hearing open and continue it at our meeting of March 14th. (Indiscernible.)

MR. STEINMAN: Correct, March 14th.
MR. SJUNNEMARK: Okay. Sorry.
So, Richard.
MR. LITMAN: Encourage people to register in advance, please.

MR. SJUNNEMARK: You said yes?
MR. LITMAN: Yes.
MR. SJUNNEMARK: Kathy?
MS. SAVOLT: Yes.
MR. SJUNNEMARK: LOu?

| 1 | HAMPSHIRE COUNTRY CLUB - PUBIIC HEARING |
| :---: | :---: |
| 2 | And I say yes. And then we'll take a |
| 3 | motion to adjourn the meeting. |
| 4 | MS. SAVOLT: I'll make that motion. |
| 5 | MR. SJUNNEMARK: All in favor? |
| 6 | BOARD MEMBERS : Aye. |
| 7 | (Time noted: 10:35 p.m.) |
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C E R T I F I C A T E
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I, ILANA M. NATHANSON, a Certified Court Reporter and Notary Public of the State of New York, do hereby certify that the transcript of the foregoing proceedings, taken at the time and place aforesaid, is a true and correct transcription of my shorthand notes.
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ILANA M. NATHANSON

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