

September 5, 2007

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TOWN OF CORNWALL

PLANNING BOARD

SEPTEMBER 5, 2007

MEMBERS PRESENT: NEIL NOVESKY, CHAIRMAN
JANE DEANS
WYNN GOLD
LED KLOSKY
DEKE HAZIRJIAN
WILLIAM GRABE

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PLANNING BOARD ATTORNEY

MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

LESLIE DOTSON
PLANNING BOARD CONSULTANT

GARY VINSON
BUILDING INSPECTOR

ABSENT: KENNETH BRODMERKEL

REGULAR MEETING _____

MR. NOVESKY: I'd like to call to order the September 5, 2007 meeting of the Cornwall Planning Board. Everyone's here but Mr. Brodmerkel, Mr. Brodmerkel is an discussed absence, I believe.

CORRESPONDENCE _____

MR. NOVESKY: Correspondence, I will forward to you the five pieces of correspondence that we have.

MRS. DEANS: I have a question on the correspondence, this letter from the New York State Department of Environmental Conservation, was this ever put on the town web site? Was it ever circulated? Was it put in the library like it says it should have been? Was the public told that they had to make comments between August 10 and September 8?

MR. KLOSKY: Jane's referring to the Brownfield notification that we received having to do with the Key Foods/Leo's, I believe that the Brownfield investigation is going on in the area which is now Key Foods, the Chinese restaurant I believe and Leo's, is that correct?

MR. CORDISCO: Former dry cleaners.

MR. KLOSKY: Says that they already tested the soil and found that there were some contaminants present, is that true?

MR. CORDISCO: That was my understanding, yes.

MRS. DEANS: And they said that the a document repository should have been established in the Cornwall Library or write to NYSDEC and they gave addresses of people if you had questions to write to. I don't know, to me this is a little bit of concern if they wanted it out for the public to know about it, we have a web site now could it have been put on there or could it have been something put in the Cornwall Local about it?

MS. DOTSON: I'm not sure what the town's procedures are, that's something, Gary, I don't know if there's a procedure for items of public hearing but this seems to be more of if the Town Board has a policy that that's

something that there should be a policy established.

MR. CORDISCO: Yes, these notices are available on the DEC web site, these notices are part of the new program, well relatively new, 2005, Brownfield's Law that revamped how the state goes about cleaning up state super fund sites and also requires a great deal of public notice and public participation so that's why you're getting these things where in the past they just kind of did them, you know, and nobody knew about it.

MRS. DEANS: Well, it said you had 30 days from August 10 till September 8 to, if you wanted the public to review the documents but it leaves it sort of open when it gives you these addresses, so I think they should be put in the library like it says and on the town web site so people know what's going on.

MR. CORDISCO: Certainly.

MR. NOVESKY: You want to make that in the form of a motion?

MRS. DEANS: Neil suggested that I put that in the form of a motion, should I do that?

MR. CORDISCO: Yes, I think that's possible. I think one thing it might not be possible for the Town Board to include it on the town web site in terms of the actual document that they, but they might be able to link it to the DEC web site so people look at the town web site would know exactly where to go on the DEC web site.

MRS. DEANS: I make a motion that it be done the way Dominick just explained it.

MR. GOLD: Second it.

ROLL CALL

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MR. KLOSKY	AYE
MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE
MR. GOLD	AYE
MR. NOVESKY	AYE

MR. NOVESKY: Thank you. Any other questions or comments? That's a good comment, Jane.

APPROVAL_OF_MINUTES_DATED_AUGUST_6,_2007

MR. NOVESKY: Everyone received a copy of your August 6 minutes? Any questions? Fran does an especially good job, especially on the August 6 minutes. Does anybody have any comments or questions? Motion to accept them.

MR. HAZIRJIAN: So moved.

MR. GOLD: Second it.

ROLL CALL

MR. KLOSKY	AYE
MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE
MR. GOLD	AYE
MR. NOVESKY	AYE

RESOLUTIONS

September 5, 2007

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LANDS_OF_RAFFAELE_LEONE_(07-06)

MR. NOVESKY: We have a resolution for a subdivision for the lands of Raffaele Leone. We approved and voted on that last month and the only purpose for that being on the agenda that I neglected to sign the resolution so I have since signed the resolution at the recommendation of our attorney, therefore, it's off the agenda.

PUBLIC_HEARINGS: _____

OTTERBROOK_SECTION_III_(#1999-15) _____

MR. NOVESKY: It's 7:34, we have two scheduled public hearings, I'll take the first public hearing, Otterbrook Section III. Introduce yourself, you want to do a brief?

MR. RIEGER: Yes, please.

MR. NOVESKY: Public hearing is opening at 7:35.

MR. RIEGER: Hello, my name is Stephen Rieger with Rieger Homes. This property is part of the original Otterbrook subdivision which was approved by the planning board more than 20 years ago. There was a parcel with a note subject to further subdivision for not more than four lots. Before subdivision approval was obtained, the zoning changed, we came in to the Planning Board a number of years ago and received preliminary approval nor a 3 lot subdivision in compliance with the changed zoning. We didn't bring that to final subdivision approval for various, not very good reasons.

MR. NOVESKY: You can address the public. Thank you.

MR. RIEGER: For various reasons and we came back into the town this year to obtain a 2 lot subdivision because this only, the zoning got changed yet again. A variance was obtained from the ZBA after public hearing and we're here today for a public hearing on a 2 lot subdivision. The parcel itself is approximately 2,8 acres and it has been, we have completed our perc tests and our deep tests which were witnessed by the town engineer and we're here today for public review of this plan.

MR. NOVESKY: Thank you very much. If there's any

member of the general public wishing to make a comment on this, please introduce yourself, name and address and keep your comments to three minutes if possible and I will extend that after we have one final one round of public input. Okay.

MR. SCHWARTZ: Andy Schwartz, 64 Brook Hollow Drive. I want to preface this by saying I do know the Riegers very well, they did build my house and they did a good job and if this thing is going to move ahead as planned I'm glad this is them doing it rather than other people. But I do have a couple of concerns, one being at one point at the zoning meeting one of the Riegers said that they are going to conform to the style of the housing that's currently there in the neighborhood. So I just want to make my concern that this is not going to be one of those brick faced houses with columns because that just like they did in Chadeayne Woods because that just doesn't go in, that doesn't conform to the standards of the regular housing that you had commented on at one point. And secondly, I'm not sure according to the agenda the address looks like it's going to be 65 Brook Hollow Drive. I think the post office right now has enough problems with my address from what I get at 64 Brook Hollow Drive that being 65 Brook Hollow Drive is even going to cause a lot more confusion and concern and there's going to be all sorts of flags up all the time. So I don't know what the numbers are actually going to be but I think the 65 Brook Hollow Drive just wouldn't fly as far as being the address for the new piece of property. That's it.

MR. NOVESKY: Thank you, Mr. Schwartz. Yes?

MS. CARBERRY: My name is Mary Ann Carberry (phonetic), I live at 84 Brook Hollow Drive and I'm lot 13 on the map. Now I have more important issues because I have had ongoing water problems on my yard. I have addressed Robert Conley December 8, 2006, I think I've lived in the house about 13 years, we've never had

water problems until they passed two years. I don't know where they're coming from. We had an engineer come and take some pictures and he just addressed the road where there was sinkage and I have copies of the letter, I have pictures, I have maps and there was sinkage where there was drainage going too fast, there's a drain in front of the house on the road where that was sinking and he suggested that it be moved to the lower end because there's water buildup where it goes up to the curb where it's only one inch left of the curb that you would see. And the thing is when it's cold, the ice builds up and anyone, buses, I said there was a liability problem cause the buses actually have to go to the other side of the road to bypass the buildup. So what they did is they came and they took the approach of blacktopping building up on some of the road because the curbs were heaving up and now the water has moved down towards what number is your home, 76, but it seems to be underground water coming from somewhere on my property because we had the sinkage of like three yards to four yards of topsoil that we had to put in and I don't know, I was told and I don't know how true this is cause I haven't been at other meetings that there were curtain drains or footing drains or something to put in on the property so the perc tests would be able to be successful, I don't know how true it is, and if you stand on my property where the runoff comes if you're facing the house the runoff is on the right and there's rocks that are over the drainage, I guess it's a pipe, a huge pipe that you can kind of walk through where the water runs through from a higher level, all these rocks are seen because the dirt's flowing, all the rocks seem to be ready to go down. And my concern is I can't even have a lawn because of all this water issues from, I have water crevices all over my property and it's a big concern because I don't think one drain pipe if we put drainage in is going to solve the problem. The water department came out, they said that they would send, I have I think a water main running directly through the front of my lawn, they

said this, they would send an outside detecting service to come in to see if the pipe was leaking. I would think any professional would have knocked on my door, I have never, no one ever came to my door, no one ever gave me a report saying whether it was leaking or not leaking, I don't know where the water's coming from and his property is higher than mine. And if you look right across the street you see where these coverings of pipes are in the road, it's broken down where grass actually is coming up so there's such a breakdown of the system there with the water flow it's a major problem on my part with our home.

MR. NOVESKY: Duly noted, thank you.

MS. CARBERRY: Will I hear from anyone? How does this work? I don't know the process.

MR. EDSALL: If you look at the map and just verify that it is what's shown as Mr. Kirwan is actually your property.

MS. CARBERRY: Yes, it was, yes.

MS. BILLICK: My name is Mary Billick (phonetic), 76 Brook Hollow Drive, lot number 12. I live next door to Mrs. Carberry and I am also concerned with the water drainage. We're in the whole development the lowest elevation and the water does seem to pool when it comes around in front of my driveway and here driveway and I have also noticed the sinkage as you're mowing the lawn you can see the lawn mower dips in which I never noticed it until last year. So there's something going on underneath the ground. We had a fence dividing our two properties, just ornamental fence with the posts dug in the ground, this year the wooden posts got so rotted you can pick it out with your hands, you can see water. So something under the ground is going on and it's just like washing away what was previously stationery and of course my concern is with anymore

digging and foundations or whatever going on two houses away at a higher elevation it's going to cause problems coming into us.

MR. NOVESKY: Thank you. Yes?

MRS. GENNA: My name is Anita Genna and I live at 92 Brook Hollow Drive. I'm concerned because I remember when we had the last perc test and the land could not pass the perc test at that time so I'd like to know what happened between the last time that I remember a perc test which was several years ago and the land did not pass, it was considered to be unacceptable for more building. What has happened in that time that it is now acceptable?

MR. NOVESKY: Mark, can you answer that question?

MR. EDSALL: Well, obviously, I'd have to verify with the design engineer but I do believe there was some material graded in that area and that they have sat for many years and stabilized. That's one of the methods that you can obtain acceptable percolations is to place materials, let them sit and re-perc the area.

MRS. GENNA: I was wondering about that because I did note when soil was brought into the area and it's obvious, I mean, you can see where it's built up, are there, there must be certain standards in regard to allowing the amount of soil to stabilize the area because we're talking about an area that it's now built up a little bit and the area they're talking about is immediately below that area and that's where the stream is running through. So I'm a few houses up, I'm concerned about it cause I remember my kids who are all grown now going for the bus stop near there and there was, the roads weren't icy, there weren't problems on the road so I'm wondering.

MR. RIEGER: When we did the original perc tests we did

have one area which we had trouble percuing. Now that we have one less lot we don't need to use that area.

MRS. GENNA: I don't understand the difference between the subdivision, the lot, the houses, are we talking about two pieces of land for two houses?

MR. RIEGER: Yes.

MRS. GENNA: Just wanted to make sure, I wasn't a hundred percent sure because originally it was a piece of land to be used for three houses.

MR. RIEGER: Originally it was four and then it was three and now it's two.

MRS. GENNA: Okay, all right, so am I going to get an answer about the perc tests?

MR. EDSALL: I don't know that I can give you an answer better than I gave you. Obviously, if they brought in material, stabilized, they avoided the area that had previous deficiencies, that's the answer. As far as the guidelines, the health department does have standards, the most burdensome is the fact that it's got to sit for a period of time, usually six months to a year, they have been sitting waiting to develop this property for how many years?

MR. RIEGER: We have owned this property I think for 17 years now.

MR. EDSALL: So it's probably had grading, filled and reworked and they re-perced it.

MRS. GENNA: What about the fact that the land that has been stabilized so it now passes the perc tests, the land that's immediately above where the problem is occurring on the road now?

MR. NOVESKY: Let me interject here. As long as there's a relationship between the proposed subdivision and the issue that you're addressing I'll allow the conversation to continue, but the issue here is, the purpose of the public hearing for us is the 2 lot subdivision. So on that point, Mark?

MR. EDSALL: I'm not quite sure that this has, if there's issues with the road, that's something the town highway department would have to deal with. I'm not familiar with what she's speaking of.

MRS. GENNA: But I'm not concerned with just the road, what I'm concerned with is water coming from the center island into the houses where we're talking about a cul-de-sac and this is the center.

MR. NOVESKY: You're concerned about the water coming from the proposed site of the subdivision?

MRS. GENNA: Yes.

MR. NOVESKY: Okay, in which case, go ahead.

MRS. GENNA: Now my neighbor here has pictures and an engineering report, who does she submit that to on the planning board?

MR. NOVESKY: Well, the planning board has no enforcement authority, so I would expect that it would be to Gary. Am I correct?

MR. CORDISCO: Yes.

MR. NOVESKY: Aren't you lucky, Gary?

MRS. GENNA: Is this Gary Vinson?

MR. EDSALL: Once Gary has that on record I'll look and see if it's pertinent to the application and let you

know.

MR. NOVESKY: Very good, thank you. Are there any other questions or comments? Anyone remaining who'd like to speak, address this particular project? Okay.

MS. CARBERRY: Mary Ann Carberry, 84 Brook Hollow Drive, lot 13. I just went out a couple days ago and everybody knows how dry it has been, if you face the lots the way you plan to put the houses to the right of that before you get to that runoff there's water that has just set there. Now if drains have curtain drains and footing drains have been pull in I don't know where they were tied to but there's a gully of water and it is wet so water is flowing this way.

MR. NOVESKY: I believe that's a designated wetland on the map.

MR. KLOSKY: That's a federal wetland.

MS. CARBERRY: But there's more water than has ever been there now.

MS. DOTSON: Can you point to the location on the map because there's a ditch through there and I remember when I walked this site in 1999 when this was previously subdivided that it is really wet and you go up to your knees back here.

MS. CARBERRY: I have a different map, I don't--

MR. RIEGER: This is where you live, this is the stream that comes down and goes--

MR. NOVESKY: I will point out in your notes you do suggest that the planning board should take note of the proximity to the exiting wetlands.

MS. CARBERRY: I'm not exactly in front of this stream,

I'm over here.

MR. KLOSKY: Is she discussing the federal wetland there?

MS. DOTSON: Yes, that seems, well, it's an area that's adjacent to the drainage stream so it's not flagged as a federal wetland but it's an area that's vegetated, it's an area that--

MR. RIEGER: It's nowhere near the area that we propose to develop.

MS. DOTSON: Correct.

MR. NOVESKY: So it's an another issue that should be addressed with the town.

MS. DOTSON: Well and that ties into my comment about perhaps need to go really fix the locations of where in order to have a grip as to exactly how much disturbance and how much potential fill is going into that.

MR. RIEGER: We did have a wetlands flagged just July 6.

MR. KLOSKY: Dominic, is the road itself and the drainage from that road an issue for the planning board or for the Town Board?

MR. CORDISCO: Well, it's a planning board issue because the development that they are proposing isn't going to be impacting that to any great extent, it's just they're two separate issues.

MR. KLOSKY: If there's difficulties with drainage that's an issue for the Town Board.

MR. EDSALL: There's an existing drainage course, existing easement, existing outlets, it's a condition

that existed since the original. If their proposal impacted the ability for that to function that would be an issue, but I don't see this occurring.

MR. SCHWARTZ: Andy Schwartz, 64 Brook Hollow Drive. My concern is if this is really happening and there's more water than before because of the land being built up, how are you going to know that if this project goes ahead that it is really not causing problems for my neighbors? I mean, if it's been increased since the land's been built up, obviously, there's something going on here, I'm not aware of it, I'm just hearing it now, but if that's the case, shouldn't some more testing be done for the water runoff of some sort?

MR. NOVESKY: We'll rely heavily on the opinion of our engineer to discern that, Mr. Engineer, who's now conversing with our consultant.

MR. EDSALL: I'll wait till I get the information that's going to be submitted to Gary and I'll look at it, if there's something new going on, I'll be as interested as the neighbors.

MR. KLOSKY: Mark, you've been in this area many years, I mean, I think this area is traditionally wet, there's been a long history.

MR. EDSALL: There's a very, very large wetlands out near Orrs Mills on both sides of the road.

MR. KLOSKY: Underground springs would not be an unusual condition.

MR. EDSALL: No, there's very shallow ground water, we had some difficulties when the original road was constructed because it had a permit to cross the wetlands in one location and it's very very weak soils and high ground water table.

MR. SCHWARTZ: But if it's being increased because of the goings on there might be an issue.

MR. NOVESKY: That issue will be taken into consideration for our discussions prior to approval. Are there any other comments? Yes, ma'am?

MRS. GENNA: That piece of land has always concerned me because one of the things that appeared to me is that the original plans had the house that's across from the Merritts, does anybody know what number that is? It's 105, okay, the original plans for that house did not place it so close to the stream bed and it's much closer than 500 feet to the stream bed and the wetlands rules according to the state show a house should not be closer than 500 feet to the stream bed and 105 is. So I feel like it's already been--

MR. NOVESKY: That would be an encroachment issue, we'll ask Mr. Vinson.

MR. CORDISCO: I think there's some misunderstanding regarding the states regulations. I used to work for the DEC and I was actually a wetlands enforcement counsel for some time. There's a 100 foot buffer on the state regulations around DEC wetlands and that requires a permit, the DEC also regulates some but not all streams and around those, there's a potential for a 50 foot buffer but it depends on the slope going down to the stream. So at most around a stream it would be 50 feet of a regulated area.

MRS. GENNA: Fifty or 500?

MR. CORDISCO: Fifty is what I said.

MRS. GENNA: The maps that I got, the lands maps had that written in like there wasn't a question about the amount of space that had to being left on the stream bed, this stream bed is the same stream bed obviously

that swings around through islands. Are you familiar with the island and then comes out in front of her house so that's my concern.

MR. NOVESKY: Thank you very much.

MS. CARBERRY: It's, I don't think it's an issue of, it's not that I don't want any houses there, I think it's a great idea because people dump things there. I'd rather see homes that blend in and make the place look much nicer. I'm all for your houses. And I don't think it's a water issue on the road, the water flowing on the road I think water is flowing somewhere under that's causing the problem and except that buildup of water that seems to be on the road where the road's breaking down.

MR. NOVESKY: From a Planning Board's point of view if the subdivision and the construction of the new homes exacerbates that existing issue that may be a concern for the planning board so we'll take that into consideration.

MS. CARBERRY: Thank you.

MR. NOVESKY: Thank you. Are there any comments other than those in this public hearing? I will address one question to the board, however, inasmuch as we had a late submission of the sanitary system plans which were later than normal I'm going to ask the Planning Board's opinion relating to maintaining the public hearing as an open hearing or take a motion to close.

MR. KLOSKY: I don't believe that the changes that were submitted later were germane to tonight's discussions, I would advise closing the public hearing.

MR. HAZIRJIAN: I just want to ask Mark his opinion. Mark, your opinion on that late submission, do you think it has any relevance?

MR. EDSALL: No, and again my only concern was if there were comments pertinent to that issue. But I believe all the questions that were raised were separate from that particular plan and it was posted as I understand it for a number of days updated, so I believe based on the comments we heard tonight there's no problem in closing the public hearing.

MR. NOVESKY: With that, I will take a motion to close the public hearing at 7:59.

MR. HAZIRJIAN: So moved.

MR. GRABE: Second it.

ROLL CALL

MR. KLOSKY	AYE
MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE
MR. GOLD	AYE
MR. NOVESKY	AYE

MR. NOVESKY: Thank you very much.

MR. RIEGER: Thank you.

CORNWALL_HOSPITAL_CANCER_TREATMENT_CENTER_(#2007-05)

MR. NOVESKY: I will call the public hearing on the Cornwall Hospital Cancer Treatment Center to order at 8:02. We'll ask the Cornwall Hospital to step forward and if you could provide the public with a five minutes or less brief that would be very good.

MR. ATZROTT: First let me introduce myself, Allan Atzrott, president of St. Luke's Cornwall Hospital and we have our architects and engineers here to go over the project with the community this evening. I just wanted to do perhaps a one minute preamble. Over the last seven years we have done quite a bit of new development, many of you are aware of our medical office building that we just constructed. On Monday of next week we open up the surgery center there which will represent about 75 percent of the ambulatory surgery done within our two hospitals. We have renovated the first floor of the Cornwall Hospital, new bathrooms, new furnishings, did the third floor with a pain management program, maybe you saw Orange County Choppers because Paul gets his pain management up there, and the medical office building is full. We're very pleased with the process we went through, we think that it ends up being a nice compliment to the community as well as to the hospital. Health care's ever changing and so that's why our board felt that it is important that we develop a cancer treatment center and am I allowed to share? Well, I'll tell you what, I have an article that if anybody's interested I have a copy I'll give to you but in 1907, the same ten diagnoses are responsible in 2007 for the major causes of death, the only difference in that period of time is life expectancy went from 48.3 to 75.2 for males and of course females outlive us all, their life span went from 46.3 to 80, but heart, cancer and stroke are still the principle reasons for death in the United States today. And so we have most of the heart programs, the angioplasty as well as our cardiac cat lab on our

Newburgh campus we have stroke programs on both but the interventional work is done on the Newburgh campus and cancer patients tend to be ambulatory and so we felt a concentrated need for the services at the Cornwall campus. And there's just as much of a community reason as a personal reason, many of you are probably unaware of my own personal family history, but my mother had died of cancer, my sister died of cancer and my wife has been an active cancer patient since 1993. And so what we want to do is create the finest outpatient cancer treatment program in association with several partners we have in the community. We have started already building the program in our medical office building, we have out of Mount Sinai Dr. Hagoopian (phonetic) who's doing oncology, we have recruited to the community a lung cancer surgeon, Dr. Cleveland Lewis, within 60 days he will be in the medical office building and then he intends on moving an office into the office area of the cancer treatment center and then our affiliation with Mount Sinai Medical Center allows us to do complicated surgeries down in New York. But the followup care can be done right in your own home community, we'll have an opportunity for support groups, educational outreach and all of this is important in terms of your remembering heart, cancer and stroke and the fact that Cornwall Hospital is being a really vibrant part of the 21st century health care in our community. And so with that, I'd like to introduce Tim Coughlin, our architect for a better part of 10, 12 years and Tim can walk you through the actually longer than that but Tim doesn't want us to tell you how old he is, he looks much younger than he really is. So Tim I'll turn it over to you.

MR. COUGHLIN: My name is Tim Coughlin, I work with Clark Patterson. This is our third time in front of the planning board with this project and we have a lot of great comments that have come up and what you're seeing is actually a result of a lot of comments that we had from the previous meetings, as well as some of

what Allan was saying, the desire to do the best outpatient treatment cancer building we can. We're locating the building, this is the overall campus here, here's the front, we have Laurel Avenue and Elm, we're locating the building in the front portion of the hospital towards the south. The location was chosen for a couple reasons, number one, we needed to attach it to the hospital so it was very important which again that right there limits the places where it could go. We're also very concerned about the homes on Laurel Avenue, we know the history of what went on with the medical office building, we, it was originally proposed in front, we took all of that into account when we located it away from the homes on Laurel, tried to get as much of the noise and those type issues that will happen during construction away from the neighbors as much as we can. So if this is the location, the project is required to have 91 new parking spaces so what you're looking at is again a new parking lot in this area, we did take some parking away from the front some of that that is relocated down but Town Code requires 91 park spaces. So that's the reason for some of the size of the parking that you're looking for, we don't believe that we'll need that many with this building, but that's what's required at this point. The building, this is just a little bit closer shot of it, the building that we're proposing is a two story building, this is a view that would be from Elm directly at the corner of where it intersects with Quaker. As you see, we try to push the building back as far as we can, we kept the building as low as we could so that it did not interfere with or try to keep a scale down so it didn't impede the front of the hospital or if it did try to keep that to a minimum. We have a lot of the same features that are on the building, we have porches, we have white trim, we have railings, we have brick coins, we have windows that match, we have a lot of the same conditions that are there. What you're looking at with the ramp here the biggest thing that you're actually looking at is

actually a ramp that will connect the two parking lot levels that's not there now there's only steps. This ramp will match the front hospital handicapped ramp and will make all of the parking accessible to the building up front. This was the front, this was a view that was looked at.

MR. KLOSKY: When did these renderings become available? Cause I'm not sure that I've seen them.

MR. COUGHLIN: The one that you had is similar to this but the parking was not done on it when we put it on so this one is the same view that was submitted only has the parking lot on it.

MR. KLOSKY: That's considerably different from any view that I think I've seen.

MR. COUGHLIN: It's the same exact view with the parking lot on it and with the trees on it.

MR. CORDISCO: It looks like it's taken from the same viewpoint but it's pulled back a bit so you do see the parking.

MR. COUGHLIN: Absolutely, we felt that again it was requested from the last meeting that we take a shot, that we take an image from the corner of Elm and where it intersects Quaker so that's what that view is. And with that, I will conclude.

MR. NOVESKY: Good timing, you had 8 seconds. Is that the hospital presentation?

MR. ATZROTT: Yes, it is.

MR. NOVESKY: If there's anyone wishing to make a comment, we're going to ask that you kindly sign in just for Fran's sanity sake just sign your name and your address on that piece of paper there and then you

can continue, if you don't mind. Any member of the public wishing to make a comment?

MR. FARKUS: Bob Farkus, I live on 16 Laurel Avenue right across from this farce. Well, let's look at the pictures. First thing these pictures they're great renderings but unfortunately, nothing ever looks like that when it's done. I have been in construction for 30 years, it doesn't even show cars, well, we want to show how ugly it looks when you have a full parking lot of cars and then here you're looking at a rendering of area property that doesn't exist over here, Laurel Avenue goes up here, it goes up here and this is not going to look like that when you have 250 cars parked in the parking lot. And we would like to have a rendering from Laurel Avenue residents looking into the parking lot which is now green and some of it isn't but we've got to look at every day since I've lived here since 1984, I'm a resident born here and born in that hospital and it's nothing to what it is when it was built by Stillman or donated the land by Stillman and I've got a few things that I want to bring up. Is there a traffic study been done to account for the extra traffic that's going to come out on one entrance on Laurel which should not be on Laurel, it should be on Elm because that's commercial now there's going to be two stop lights, I don't see any study that was done. A safety study also on landing a helicopter on the premises right now and I have been there, the Westbrook and everybody they come in blind at night, our police department is there, sometimes our fire department is there, they're getting paid for this and our tax dollars are paying for the fire department and the police department to be there. They land on the lawn, they come off the lawn, they land on the parking lot. All the sand and grit blows over to us, we can't even sit out on our street, our porch and have a cup of coffee when somebody's coming in because you get it in the face. No consideration whatsoever for the residents of Laurel Avenue and you can ask any of the

people on Laurel. And then we go to an impact on Laurel Avenue home values and safety. The hospital cares nothing about the residents on Laurel Avenue. It's about profit in the hospital. Well, we're residents and we pay taxes and we should be considered. And the next thing is I want to know before this is approved is it tax exempt or are they paying taxes because they're going to be hiring private entities to run this facility so it should not be tax exempt. And the retention ponds, I don't see any view of the retention ponds and they're going to be visible and they're a chance to have rodents, mosquitoes and everything else in them because they do tend to hold water after they get plugged up with sediment. Because that's my business, I'm in construction and I do a lot of wetlands and do a lot of other things with the government. And I don't believe it's been taken into consideration. And we're losing what they're showing is a beautiful green space, there's, it's going to be blacktop and cars and it's going to look ugly and I don't care how many little trees you plant and how many pictures you put on that, that ain't gonna look like that, if you can come back later and guarantee 100 percent that's going to look like that then maybe we got a deal. But you need to put a couple million dollar bond up before you do it. And site view looking from Quaker isn't going to be nowhere near that but I mean I'd like to see a site view from the residents of Laurel Avenue. And I'd like to address the entrance the retention ponds. There's so many things that, and there's so many other little things that need to be addressed with the hospital in general. I'm not going to get into it, I'll let some of the other people address it. That's all I have to say.

MR. NOVESKY: Thank you very much.

MR. GRABE: Idea is to give us the ideas so we can scope it.

MR. FARKUS: Yeah, I agree but we're getting a snow job here.

MR. GRABE: Well, you didn't get anything yet.

MR. FARKUS: What they presented us is a snow job to what it's going to look like.

MR. GRABE: That's why we're having a public hearing is to get public comments on it.

MR. FARKUS: I've lived there since 1984 and I put up with half the crap since 1984 and it's getting worse, it used to be a hospital for the community, two of my daughters were born there but I couldn't have my son there because they decided to stop delivers. So it's not a hospital, it's a money making organization for them.

MR. SITES: Chris Sites (phonetic) past foundation member of the hospital.

MR. NOVESKY: Chris, if I might, we're not here to debate, we're here to provide public input, give us an idea of what you think.

MR. SITES: Which is we need a helicopter landing pad, it's been there, we need a place for it to land, there's no other place for it to land and I think that that can't be disturbed and I, and I think it's a presentable architectural review, I think it stands within the history of Cornwall, it's got to be put somewhere. We're all growing older and there's a place that needs to be put here and there's a place available, we've done a good job of it and taking everything into consideration, including your concerns so just want to go on record.

MR. NOVESKY: Thank you, Chris. Next? Anyone else?

MS. COBURN: My name is Stacey Coburn, I live at 20 Laurel Avenue. And I originally was not going to speak but hearing everything that I'm hearing today it's kind of important that I say what I have to say. You mentioned that we need a helicopter pad and everything else and it's a good rendition, it's not a debate, but I live on that street, okay, and I put my heart and soul into my house and I did a whole complete rehab and everything of it what Bob Farkus was saying, this does not depict anything what it's going to look like because once you have cars, it's going to be completely different. You talk about taking the residents into account on Laurel Avenue, how have you taken them into account? Because what you have done on the left side of the hospital as you're looking at the hospital used to be road but you closed that road off and you made Laurel Avenue the entrance and exit for everything. So how have you taken the residents of Laurel Avenue into account? Instead of using that side road as entrance road for anything whether it be the outpatient pavilion, main hospital parking lots or anything like that you have used Laurel Avenue which is part residential and part hospital as the main thoroughfare. So you have not taken the residents into account whatsoever, as far as I'm concerned, okay, I mean, we have put our hearts and souls into our houses and what you're doing is in a sense you're depleting the value of our property by doing this. It looks great, it's a great picture, it's not what it's going to look like, okay, because again as Bob said you're going to have cars all over the front lawn, you're taking a beautiful front lawn and depleting it by putting a parking lot. I was a patient a couple years ago, I got transferred out of that hospital on purpose because it was horrible. Regardless of my experience with the hospital there was to me what you're doing here is you're just building up a hospital and not taking the residents of Laurel Avenue into consideration whatsoever and I don't understand why Laurel Avenue has to be your main thoroughfare, why not break up that

back side, doesn't make any sense.

MR. COUGHLIN: Well, if I can just comment just for a second, we did not take the road away from the hospital this project has nothing to do with the road that was previously there on the corner that was coming, that was coming but we have not, that has--

MS. COBURN: You're the architect for the hospital at present?

MR. COUGHLIN: Right now, yes.

MS. COBURN: You made a comment saying you're taking the residents of Laurel Avenue their concerns into consider, how are you doing that?

MR. COUGHLIN: We did not place the building next to, if we can back to the site.

MS. COBURN: You're placing it in the back.

MR. COUGHLIN: We did not place it next to one of the locations, I was putting it right here.

MS. COBURN: Again, you have this thoroughfare right here, why not open this road instead of making Laurel a--

MR. NOVESKY: I will recognize you in a moment.

MS. COBURN: This is something that I have seen happen over the past couple years, I'm just telling you my opinion and the way that I look at it is, I don't understand how the residents that live on this side their considerations are being taken into effect. I live right here and I've had trucks, delivery trucks whether it be funeral homes, whatever it is, mainly delivery trucks, backing over my property constantly driving on my grass into my driveway. You're giving me

divots on my grass. What am I supposed to do with it unless I catch them in the act. What am I supposed to do? And I caught them twice in the act, they said I'll come seed your property, that's not the point. This is my house and I put a lot of work into my house.

MR. NOVESKY: Gary, I just have one question that might really answer the question that's been passed around here, is the question of whether the Laurel Avenue block was made a commercial strip in the comprehensive plan? Do you recall?

MR. VINSON: I don't recall, no.

MS. DOTSON: I believe that it was, I don't have the plan with me, I don't know.

MR. NOVESKY: We'll take note of that.

MS. COBURN: But whether it's a commercial strip or not doesn't give them the right to back over my property.

MR. NOVESKY: Just a point of reference.

MS. COBURN: No, I appreciate it but it still doesn't give them the right and the bottom line is I have talked to the delivery people that deliver there, they can't make that turn, so what do they do they cut it close and back over my property, that's not fair to me cause I'm the one out there raking it, seeding it, cutting it and everything else. So they need to change delivery or do something cause this is not taking the residents into consideration whatsoever.

MR. NOVESKY: Thank you for your comments, ma'am. Do you have a comment?

MR. DUGGAN: Peter Duggan, Deer Hill Road, fourth generation Cornwall-on-Hudson resident. I feel for the people on Laurel Avenue, for the people near all this,

one is CVS, two is all the building and construction that you had, however, for the larger cause of a community you have a wonderful Cornwall St. Luke's Hospital that has been rated one of the top 7 for safety in New York of which there's only one in New York City that made that and that's in the metro area, not in Manhattan. You also have a wonderful hospital in the way of financial responsibility that's given excellent care and had the guts to combine Cornwall and St. Luke's into one meaningful and profitable organization when you have over 80 percent of New York State hospitals in the red and shutting down and going bankrupt. Westchester Medical only two years ago poured 80 million dollars and expected Petaki to just bail them out and none of us are in that business. The question of rateables, it's a major ratable. I just got my tax bill and it's absolutely incredible the increase of the taxes. So if we don't have more industry that's providing both a worthwhile health and business entity in Cornwall and Cornwall-on-Hudson we're going to have a very serious impact of losing senior citizens and retired people such as myself. Also the capital improvements that have been made are a lot of them are required by disability acts or by the town, I mean, 91 parking spots is a requirement if you're going to have this facility. And we have also another one that you may have seen that they have done in the entrance to the Cornwall campus, a lot of these things are necessary in today's industry by requirements for building code or by disability acts or by whatever so unfortunately I think it's a tradeoff between a very important group of people who have lived through hell for years with all the development that's occurring in Cornwall and the reality that health facilities do have to improve, Orange County is going to grow, we're a major source and a lot of us, I also have a wife who has breast cancer and going to Sloan Kettering, it takes us two hours to drive down there. I have never stayed in a waiting room less 12 hours to see a doctor for three to four minutes and to have the

opportunity to have a cancer treatment center in Cornwall for the whole community is absolutely incredible excitement for me. So I think it's a very sad situation for the people on Laurel Avenue, not because of the hospital but because of all the development but the reality for the community is essential.

MR. NOVESKY: Thank you. Yes?

MR. NEWMAN: My name is Peter Newman, I live on Mineral Springs Road in Cornwall. I'd like to echo what Mr. Duggan just said. I had cancer before 1984 and had to travel up to Albany and have people drive me back and forth there. My wife had cancer, it's a terrible, horrible disease, you all know that, and I can understand the people on Laurel Avenue having concerns but when we have a cancer center that's going to be in in community and they have done everything they can to make it blend in with the hospital that was built so many years ago it's just something that I don't think that should be taken away from the community. It's going to bring a lot to the community. Insofar as helicopters are concerned, I'm sure it's disturbing at any time of the day or night but the fact is whether or not the cancer center goes there you're still going to have helicopters, mater of fact, seems to me that people going to the cancer center are going to be less in need to have a helicopter than people going to the hospital. Insofar as the rateables are concerned, whether it's going to be taxable the fact is that this is tax exempt land that is going on so you're not going to lose any money, it's something that the community really needs, the hospital staff and the architects have done everything they could to comply with all of your rules, all your zoning rules, all your regulations and I really think that it is something that should be approved.

MR. NOVESKY: Thank you, Mr. Newman. Yes, ma'am?

MS. WESTBROOK: My name is Marie Westbrook and I live at 10 Laurel Avenue. I live directly across from the entrance and exit my driveway is completely in line with the entrance and the exit. I'm not familiar with speaking like this and so please tell me if I am not saying, if I am not addressing the right thing. I need to know, this is not probably the place but I'm listening and I understand, I totally understand the importance and the excitement over the cancer center, I mean, it's a great thing, it really is, but we still live there and through the years the hospital has developed, there have been different improvements and what have you and extensions and I understand that much time passes, okay, there's progress but these are our homes. I'm not a fourth generation Cornwall person, I moved here in 1970, raised my children here, I work here, we saved money, we bought that house, I mean, that belongs to us, I just, I know I'm probably not saying the right thing but there is a difference, all these people who are excited about it. What if you lived there? What if this was your home? It's just everything is just so changed there and I just feel betrayed by the town. I don't feel that we were really informed about as much as what's going on. It used to be beautiful there, okay, and it's just it's not right, I don't believe that this is what I will see. I think it's beautiful, I think that's beautiful but that's not what we see, that's not what's there. And yes, there is a need for it and I think it's great, I will say that again but these are our homes, this is where I live and it's horrible right now going to sleep with a flashing light from CVS, that's not the hospital but I'm wakened at 5 o'clock in the morning with weedwackers, there's just not a whole lot of regard from the hospital toward us and there never has been. I find rubber gloves and medical forms if my garden in the front yard. Again, I'm not, I know I'm probably not saying the right things but my concern is I feel betrayed and I would like everyone to understand what

we're saying, we're not coming to combat something that for the good of the community, we really are not but we live there, these are our homes. Thank you.

MS. SARIFT: Lucy Sarift (phonetic), I live on Deer Hill Road. I have a special interest in the Quaker Meeting House, and I cannot tell from your pictures or from what you said how this building will relate to the property of the Quaker Meeting House which is kind of a special part of Cornwall and is pretty well screened and protected from the hospital, unfortunately, not the Canterbury Green building. But with trees there's a stone wall and then a row of Norway spruce trees and I'm not sure how this building would be related to the present parking area line and the big ditch that has been put in when the previous driveway was closed off.

MR. COUGHLIN: We did take pictures from the site, we did walk over there, we did view it and it came up at a previous planning board meeting, we have also addressed it with some additional landscaping to make sure that the view from the Quaker Meeting House will be preserved in vegetation to warrant building in the landscape plan. We have additional vegetation proposed for this area for any view back up into this area will be screened.

MS. SARIFT: What's this line?

MR. COUGHLIN: This screen right here again we're proposing no change at all to whatever is there now, we're really not.

MS. SARIFT: So the line of spruce trees and a lot of miscellaneous shrubbery?

MR. COUGHLIN: Correct, correct, we're trying to stay, we're going we have to do a little bit of work for erosion control in that area but we're not impeding on vegetation this way at all, couple up in this area

where we have to move the road, yes, but we're not going down towards Quaker Meeting House.

MS. SARIFT: Is this the current edge?

MR. COUGHLIN: That's the current edge right here, yes.

MS. SARIFT: So the cancer center will fit within that area?

MR. COUGHLIN: Yes, correct, this road right here, this road right now comes in like this and then it turns and the parking lot and comes out, we're just moving it out in this area just a little bit right here but it is not going beyond that line that goes there right now.

MS. SARIFT: So the utility area that's there now is in back of this?

MR. COUGHLIN: Yes, actually, this building is screening the boiler house so this building is actually taking one of the, if there's an unpleasant view of the front of the hospital it's a boiler house, this building will screen that.

MS. SARIFT: Thank you.

MR. COUGHLIN: The planning board was very concerned about that in earlier meetings and we tried to address that.

MR. NOVESKY: Thank you, ma'am.

MR. CLARK: Randy Clark, 64 Maple Street. As a resident of 64 Maple Street, I'm not on Laurel but I'm real close because over the past few years and some of the comments that have been made tonight I just kind of like to put my two cents in. Peter, yes, you are a long time resident of the area, got you by three generations. I don't think we've lived in hell for a

long time, pretty much been the last ten years, I have worked with Allan on many of these projects and would like to say that every one that Allan has put his fingers on has turned out excellent. The people he hires they do a good job. What I am concerned with is the quote that Tim made concerning the homes and working with the residents on Laurel Avenue. I don't think that has been a hundred percent true. I'm not here to debate the importance of cancer or the cancer research center, I am concerned about some projects that have been started and maybe haven't being completed yet and we're not quite sure how they're going to pan out to the community. Allan mentioned that 75 percent of the ambulatory surgery is going to be performed there. Well, as a resident on Maple Street, that new parking lot and lack of parking spaces there has already encroached onto Maple Street. The parking lot on the house that used to be an address of Laurel which is now Maple Street so they started to come down on Maple Street, the parking is an issue, 91 new spots, well, if they're out of parking spots right now and the ambulatory surgical center's opens next week we're already out of spots. Where is everyone going to park? How big is this center? How big, square footage is what?

MR. COUGHLIN: Total of 18,000, little over 18,000 about.

MR. CLARK: So if the new one you just built was 50,000.

MR. COUGHLIN: Okay, yeah, we didn't design that one but it was 44.

MR. CLARK: It gives the public an idea of what size we're looking for. A third roughly.

MR. COUGHLIN: Yes.

MR. CLARK: Of the size of what's been built, how many employees are we going to be employing there? That's important because everyone has spoke about the changing society we have with no smoking. Laurel Avenue has become the community ashtray. If you walk up and down Laurel right now, count the cigarette butts, when the snow piles melt, you can pick them up by the handfull. These are issues we need to sit down and discuss with the hospital. We can hash them out but these are projects that have been started that are now coming to fruition which have created other problems. The sidewalk issue, just this morning I was out walking, young couple with twins in a stroller came across 9W, that part of the sidewalk needs to be completely repaired. Why it wasn't finished, it's 60 feet that wasn't finished there needs to be finished. Then you get to the mailbox going down Laurel and there isn't anymore sidewalk, so they had to step out into the road and push the kids in the stroller down the street. Just doesn't mean in front of the new ambulatory, in front of the new emergency room, okay, the trees are there very nicely landscaped but there's no sidewalk and yet if you're coming up Laurel you see where the sidewalk was started to extend for about 8 feet and then it stopped. So the public has to go from a sidewalk that's in complete disrepair to the street back into a nice new sidewalk going down Laurel. Things that have cropped up from a resident's standpoint on Laurel Avenue we do have noise pollution, light pollution, well, 9W has been there a few years, noise pollution by increased traffic not on 9W in the parking lot that's already filled, the entryway over I believe it's the outpatient entryway, those lights at night shine right across Laurel Avenue. You've got to put blinds down like the sun coming in, that probably is a new certain because no matter how well you plan you don't know where those lights are going to shine until they're on. So they need to be toned down. When you have a new building you're going to have more light pollution. The cars with their headlights shining into

up and down again the concerns of the residents of Laurel Avenue I don't think have been adequately addressed. And I don't think anyone is here saying we don't need a cancer center, we need to fine tune the community input into this building. One area that hasn't been addressed by anybody which has just in the past three months gained our concern is how much, well, first off, this goes back to is it a ratable or isn't it a ratable. If it is not a ratable, we need something in the community to offset the loss because our services are being stretched, our police, our fire, to oversee the helicopter, also our police are picking up the transients, we just, and what I know of at least two per month in the last three months and that's my number factual, I have no idea how much the real number is and our police department is transporting for lack of a better term your patients that have left the premises and aren't really desirable, walking around half naked barefoot through Maple Street, Canterbury Avenue and Laurel Avenue. There was an example on the Fourth of July, the cancer center, you haven't been a good neighbor in the past, why should we allow this to proceed to the future track record.

MR. NOVESKY: I'm asking that this not be a debate.

MR. CLARK: He brought up and I'm throwing out facts that at a, that the public should know past history with that little thought about doomed to repeat it might pop up again. We have had transients wandering around, we don't need that. You're stretching the resources of the community as it is, I do think we can hash this out and I think with how many employees are we hiring? How many more employees are going to be putting cigarette butts out in Laurel?

MR. COUGHLIN: I don't have a firm number on that.

MR. CLARK: We have done nothing to address that issue, although it's not a cancer center issue, it is a fact

from previous--our safety rating, I don't see where that has a bearing when we have transients wandering around and I believe you answered my last question here, we do have a cemetery law so thank you. I look forward working with you.

MR. NOVESKY: Thank you, Randy.

MR. SPISTO: My name is Richard Spisto, 19 Mineral Springs Road. I became aware of this project in the Cornwall Local just last week, their last issue and there was a rendering photograph and rendering of this project. After hearing everything here tonight, I almost think that my comments might be the lightest of the evening but has to do with the aesthetics of the building. I know someone on the board or a few board members had a issue with that and I'd like to know how you feel about it now regarding the design of the building, the actual architecture of the building?

MR. NOVESKY: The purpose of a public hearing is to gain the public input and the board will share its opinion after the close of the public hearing.

MR. SPISTO: Then I'd like to address the architect then, I guess my question was was the intent of the new building to enhance the existing historic look of the existing hospital or was it to downplay the existing building and let the new building and let the existing stand out? I don't know what your thinking was.

MR. COUGHLIN: It was to minimize this building to preserve as much as we can of the character and the presence of the existing building and that from day one, from day one.

MR. SPISTO: And is this, this is a view here?

MR. COUGHLIN: Yeah, this is a view actually coming up around the parking lot when after you come around the

circle that's the view.

MR. SPISTO: I took a look before I came here, I looked from across the road and looked across the lawn and the parking lots and I'm not here to talk about the parking lots, there's a very large section of the building facing Quaker Avenue, am I right?

MR. COUGHLIN: Yes, when you look at the site plan there's a section that parallels the front of the hospital.

MR. SPISTO: Yes, yes, I guess my comment is that the addition to the rear of the building it tied in quite well and it became unified in the back to some extent. The back is very old from the rear, it does stand in the center but it's still, okay. This, I just have to give you my comment, I think that some of this and possibly some selected areas could have half column facades put up to mimic this look so that there's a little more tie-in from this building to that because we have very strong here and the reality is this very white large section up here on the second floor and then we go to just a little bit of that and on this side there's nothing except the coins or whatever you've got up there. I think that something on this side may minimize this even if it's columns over two windows and maybe two windows half columns on the building itself ties in a little more to the existing building.

MR. ATZROTT: We agree with you, in fact, for here we like that architectural detail, I don't know if it shows up enough, you're suggesting perhaps extending it a little?

MR. SPISTO: Yes.

MR. ATZROTT: That was the intent here but we understand and frankly don't disagree.

MR. SPISTO: Really it would really tie in with the existing building, things like that.

MR. KLOSKY: Can you help me to better understand your comment? You pointed at a lot of things up there. Are you talking about adding a parapet of some kind?

MR. SPISTO: No, I'm looking at trying to suggest that we tie in this look in selected areas throughout this side of the building, especially it's pretty well blank and that's one of the things everyone is going to see that.

MR. KLOSKY: Thank you, I appreciate that.

MR. NOVESKY: Any other member of the general public wishing to make a comment on the proposed cancer center? Seeing or hearing none, I will ask for the board for a discussion on the closing of the public hearing.

MR. SCHWARTZ: Andy Schwartz, 64 Brook Hollow Drive. I'm just curious, I understand, I fully understand the people on Laurel Avenue their concern for the one entrance and exit. Why aren't you using the other side as also an exit or entrance on Elm? I think it's--

MR. ATZROTT: I'll handle that. When we put in the proposed medical office building first thing we had proposed it for the front of the hospital and after a great deal of discussion we ended up and I think the wiser decision was to put it at the rear of the hospital but the municipality wanted us to close off the road. So it was not our decision, apparently the intersection with CVS and all the construction that was taking place, there was signal which is now there, they did not want traffic coming out so that was something that coupled with the sidewalks we at our expense put in the sidewalks and if there's some that are in

disrepair we'd be glad to take that under consideration. So that was something imposed by the city, but we had the driveway coming out here and so we were told to discontinue that for the condition.

MR. ROSS: Because it was a safety issue.

MR. ATZROTT: Could I address one other point, the helicopter, I want to say that we invested over a million dollars in the helicopter pad at the St. Luke's campus because we're not crazy about using a grass field and transporting out patients relative to the emergency department. But it has nothing to with the cancer center which is a daytime operation. I don't know how many of you have gotten chemo at 3 in the morning, radiation therapy or on weekends, that's a daytime operation that serves the community. The parking lots which have been here since 1931 predated much of the housing in the community and these parking lots are currently full as of today because we've pushed all of our employees into the front lot where there should be parking and we controlled the back lots for the emergency department. The lighting issues we'll take care of and we too have concerns about the cigarette butts but it's a municipal issue, not ours and we'd love the municipality to say that smoking would be banned in certain areas like they have done in other communities. Rob, you wanted to address that and then that will be it for my comments.

MR. ROSS: We brought up the issue with the smoking and we'll bring forward to the Town Board it was discussed I believe at the last meeting on August 6 here that it is a town issue to issue an ordinance to prohibit smoking around the hospital. We support that, if we do it together, we can possibly get that done. We think smoking is the worst thing that you can do and something that you shouldn't do, however, we need the town to work with us to get it done.

MR. ATZROTT: In Middletown the town assisted the community in that effort, we applaud it, we'd like to do the same thing here as well as in Newburgh.

MR. ROSS: We know it's not part of the Planning Board's purview.

MR. NOVESKY: We do have a member with a question.

MR. GOLD: As a reformed smoker I also applaud banning smoking. What's the solution to the people who still smoke? They're not going to stop. What's your solution?

MR. ATZROTT: We have offered, again, we can't legislate common sense but we can legislate that you can't smoke on our time on our property but the city streets are a public conveyance, therefore, the municipality has to take action and we have offered smokers cessation programs and all the others, you're still going to find particularly 3 o'clock in the morning by the power plant cigarette smokers because they'll sneak a smoke but we don't disagree with what Randy has to say.

MR. CLARK: As I said, I'm a resident of 46 Maple Street but I'm also a Town Board member and I really resent you throwing the issue of your employees on a law that you enacted and dumped it on the town action, it's just the reality of the law. I know you're going to hit me but I want the minutes to say that as a Town Board member I really resent you throwing your issues on our back when none existed prior to. Thank you.

MR. NOVESKY: Duly noted. Okay, yes, ma'am, are you part of the debate?

MS. WESTBROOK: I just have a question. You said that the access to Elm Street was closed down because of it was unsafe, because the light was there and CVS?

MR. ATZROTT: That wasn't our decision.

MS. WESTBROOK: Is that what you said?

MR. ATZROTT: Yes.

MS. WESTBROOK: I'm not understanding why it is safer for all this traffic to come out the little exit on Laurel Avenue.

MR. ATZROTT: Wouldn't be our decision to answer that, that was imposed upon us in the last building project.

MS. WESTBROOK: It's not safe at the light, I don't understand how it's safe on Laurel Avenue.

MR. NOVESKY: What everyone seems to be point towards is a some sort of traffic study which I think would address those issues so if that's what anyone wants to talk about.

MS. WESTBROOK: I just wanted to clear that.

MR. NOVESKY: You did well for someone who does not like to speak in public.

MR. COUGHLIN: We did do a traffic and parking study before this building started, we have that and I believe it's filed, I believe it's filed with the town, if it's not, we'll certainly get a copy of it to you but we did do one before the project started.

MR. NOVESKY: Well, are there anymore members of the general public wishing to make comments? Hearing none, I will turn to my board.

MR. KLOSKY: I'd like to speak to that, my feeling in looking at sort of hodgepodge and, you know, I know that the hospital is trying hard to meet our

requirements in terms of the visual analysis of the hospital, given the adjacency of the historic structure we have a strong concern with the final product in terms of its visual impact on that structure, that's our main regulatory concern, isn't that right?

MR. CORDISCO: I think it would be primary SEQRA concern.

MR. KLOSKY: That's right, so it seems to me that I'm now kind of losing track of all of the various renderings which have come in, some updated, some not, some of these are dated the 29th of August. There have been very few days for the public to have glanced at these things between the 29th of August and now. Additionally, the visuals are in some ways to me inadequate, they don't, there's no markers showing the point of view from which person is actually viewing from, I think it's from the intersection of Quaker and Elm Street but that's the sort of information that needs to be presented in a coherent packet to the public so they can adequately review the materials. Additionally, I don't see the end of the structure, the structures on the left and in both of the views which I have both dated August 29 the end of the building is cut off so I don't really see the building in full context. I see, I see additionally the existing parking lot but the rendering does not show the actual final look of the project in that the parking lot that should be shown when the lower green area is removed, that rendering I haven't seen so I'm not ready to consider that tonight, I need 20 minutes in quiet to take a look at pictures so I can understand them sufficiently to serve the public, really the stuff should be coming in two weeks prior to the meetings. We have set that policy repeatedly. I appreciate that you're trying to meet our requirements and trying to do it in a timely fashion but I don't think it gave the public enough time. I'd like to give the people on Laurel the time to take come in and take a look. If

they choose not to, that would be their choice. But I feel that choice has been removed because of the way it's come in and it isn't in a coherent package. So I'd like to hold the public hearing open and I'd like to ask that the hospital submit a complete packet that in a coherent form complete with where I'm viewing from, showing the Quaker Meeting House, again, many of these views, this overhead picture doesn't show the Quaker Meeting House. I can't see it. I don't know where it is and that's the main SEQRA requirement, the main SEQRA requirement is the Quaker Meeting House and doesn't appear in one of these views and so I'm, I personally am dissatisfied with the visual analysis and I'm ready to hear the rest of the board on that certainly but--

MR. ROSS: With all due respect, we made our first presentation formally to the board beginning of June. There was another meeting after we had presented and gotten comments and made several changes both site plan and the renderings and those were submitted as part of the August meeting and I believe the comments that you relate to here were first made to us at the August 6 meeting, even though we made an initial presentation back in June, I don't believe you were here for that meeting, so we had gotten feedback from everybody, made the changes and submitted the packages. There were a couple changes made on a regular basis, we have submitted revised renderings and revised site plans. If there's something that you want to see we can provide it. I believe Tim provided an engineer's, provided sufficient site plans, if there's something in particular you want we're more than willing to provide site plan. As far as where the Quaker Meeting House is, let's be realistic, we know where it is, but if there's a specific site plan that you want to see and specifically rendering that you want to see, we can provide that. We have provided many of them in response to the planning board, we can provide another one but I'm not sure exactly what you're asking for

other than you're wanting to see more of what we have already submitted.

MR. NOVESKY: Let me clarify and that is a timely submission of renderings that could be considered as a final rendering, am I correct? I'm not commenting, just trying to clarify.

MR. KLOSKY: What I'd like the public to see is a coherent packet where all the views are together, where it's clear where the view is being seen from. There's not one mark on any of these plans showing where the view is being seen from and those are are very typical that we see both a side view and overhead view of where the views are taken place from, that's typical on most of the visual analysis that we have seen before us on much larger projects. And I haven't seen anything that looks like that and I asked them for that, that additionally that came in on the 29th of August which leaves them the 30th of August, the 31st of August and the public then could have looked at it I suppose on the fourth so there's less than three days. Well, I'm going by the date that's on this drawing.

MR. ROSS: We submitted per the time lines, we can discuss this after if we need a package of renderings we'll provide that. We believe we have met all the requirements that this planning board has asked for.

MR. NOVESKY: We do have a request for some discussion on the floor. Mr. Klosky, is that in the form of a motion not to close the public hearing?

MR. KLOSKY: I am not in favor of closing the public hearing at this time, however, I would like to hear from the other board members.

MR. NOVESKY: I will open it for discussion from the board.

MR. GOLD: I'm going to amplify on what Led said. There are renderings that I am seeing for the first time, I apologize I wasn't here at the August meeting, but I do have my packet and there are renderings that I don't have which would have been very helpful. I am as well concerned about the proximity to the Quaker Meeting House and I have to say I think bringing cancer treatment center to Cornwall is a positive thing but I think that I am also concerned by the impact on the neighbors. I don't live in the neighborhood but I have been listening to what the people that do live in the neighborhood have to say, I understand that some of those are not within our purview, other issues may be but I'm very concerned about receiving renderings, the visuals that we have asked for in time so that I can as Led wants to do sit and absorb what I'm looking at. You've got a picture that would have been very helpful that I don't have and I should have had it, we all should have had it in advance and these don't tell me enough to make an intelligent decision nor do these but maybe some of the other ones that you have will.

MR. HAZIRJIAN: To address some of the concerns on Laurel Laurel, whether it's light pollution coming from cars coming in and out, seeing all that parking from Laurel Avenue, I'm not sure that I understand from the drawings whether there's enough plantings, there's enough blockage. I don't quite get it from looking at it, am I missing something? Is there something on the plan that I haven't seen in terms of planting?

MR. COUGHLIN: No, no, we added after the last planning board we did add plantings as recommended by this board, trees and--

MR. HAZIRJIAN: I just haven't seen it if it's--is it in this?

MR. COUGHLIN: All trees and things, yes, it may not have been at the planning board, I believe it was at

the workshop when we spoke where they were concerned about reducing, we had a number of low vegetation and low bushes that were especially along Elm Street and they did discuss to go back and plant a mixture of some ornamental trees to help screen some of the parking from that so we did do that.

MR. EDSALL: We pointed out that they really need to add more volume.

MR. HAZIRJIAN: Yeah, I was looking for that in the plans, I haven't seen it.

MR. COUGHLIN: A lot of it was a substitution and at the workshop it was substitute some of these lower bushes for some ornamental trees.

MR. HAZIRJIAN: Having heard the concerns of the residents of Laurel Avenue at the very least what we should see reflected in anything that's brought before us should be something that screens both the light that comes from the cars that are going in and out of the parking lot and the cars that are in there from that direction so that's something you guys ought to look at working at both as a planting plan and a visual that will show us what it looks like, looking in the direction--

MR. COUGHLIN: We can certainly address the cars that are there with the access points to where they are, I'm not sure when a car comes out the cars are going to come out and the lights are going to shine out in the evening, I'm not sure we can solve that issue but certainly we can add and I don't think we have any problem at all with adding some more vegetation around here to try and screen that.

MR. NOVESKY: I think that's the nature of Deke's point.

MR. GOLD: It also needs to be shown on the visuals that you give us please.

MR. COUGHLIN: You want to see a view from--

MR. ROSS: What you put in the site plan is what we'll put on the visuals so we can see exactly what the vegetation is as was modified.

MR. GRABE: I'm sure I spent as long as Peter did, I spent 11 months in Albany Medical Center so to have a place down here could have been very convenient but the people on Laurel Avenue do have a quality of life that they want to keep and if you can mitigate some of the egress in the top parking lot and lower parking lot count that egress on the Elm Street back up Laurel Avenue for the headlights.

MR. COUGHLIN: Could some parking, could an opening be placed down on--

MR. GRABE: Elm Street to back up Laurel.

MR. COUGHLIN: It was something we discussed in the planning board workshop and something again the planning, the parking and the traffic study that we did do when it was submitted there wasn't an issue with that at the time so it was something that was discussed in the workshop but didn't go any further.

MR. GRABE: I don't remember, I see more problems with the neighbors so if that can be--

MR. ATZROTT: I just want to say we have never had an objection to having an exit out on Elm Street, we were not the ones who terminated that exit, much of what was discussed otherwise which is not really related to the development of the cancer center our existing conditions that even Randy will have to acknowledge that when we landscaped for the Littman Emergency

Center we heavied (sic.) it up, we had berms there, we really tried to work with the community. But the Laurel Avenue traffic is not solely related to existing conditions, we had ORs up until four years ago on the third floor of the hospital. What we have now substituted are brand new ORs, it's not a new condition, we have had endoscopy on the campus for the last 25 years, we have new endoscopy now and it is not a change in condition and so the parking that you see and the activity there is related to some of the physicians that are back here but if you will recall four years ago you were very concerned relative to our closing of an antiquated OR, we're now just opening up the same ORs but in the 21st century but many of these are pre-existing conditions that actually go back 30 some years and we'll be glad to e-mail you the regulations relative to the smoking ordinance since we have them available to you but it's something that we agree with and yes, did we create it--

MR. NOVESKY: Excuse me.

MR. ATZROTT: Relative to the egress from the parking lot we'll gladly work with the community.

MRS. DEANS: Everyone has covered everything that's gone on here tonight. I just have a lighter comment, I'm so happy that the gentleman came up and asked him to do something more to the building on the top because from the very beginning I have not liked it. The other board members did not all agree with me but I have not liked it, it looks like someone hacked it off and I appreciate his comment.

MR. ATZROTT: We don't disagree with you, remember what you're facing now, two doors of a power plant but the aesthetics is something that was a good suggestion.

MR. GRABE: Is that a ratable?

MR. ATZROTT: No, it's not, it's part of a hospital, part of a not-for-profit, not like the office building which should be a ratable. One of the larger new rateables, no, it's not, it has to do with tax exempt financing, how you get the whole program up and running.

MR. NOVESKY: There's the potential of making tax agreements, I just want to throw that out. Do you have a proposal?

MR. KLOSKY: I'd like to hold open the public hearing until next month so we get some, look at landscaping, the only visual that was available was this visual which doesn't show the landscaping, doesn't show the lower parking lot and was inadequate to inform the public what they were facing. The things I saw tonight I'm encouraged about the hospital's activities. I'm worried about the shotgun approach that we have taken to the visual analysis.

MR. ROSS: We'll submit a package, they should have been submitted ahead of time.

MR. KLOSKY: Show the landscaping, show the parking, show the entire structure, I'd like to hold up a public hearing until next month.

MR. GOLD: Second it.

ROLL CALL

MR. KLOSKY	AYE
MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE
MR. GOLD	AYE
MR. NOVESKY	AYE

MR. NOVESKY: We'll keep the public hearing open in

light of your comments. Okay?

MR. KLOSKY: May I encourage the members of the public to take a look at the visual that we're asking for and continue to provide input to the board, positive and negative, we'll listen to your input and we'll continue to work with the hospital towards a good project for the community.

MR. CLARK: Where can the public get a look at these?

MR. KLOSKY: Ask Mr. Vinson.

MR. EDSALL: It will be at the building department, it may pay if the hospital is willing to put a set at the hospital.

MR. ATZROTT: Not at all.

MR. NOVESKY: I don't think there's any substantive disagreement in terms of what the issues are. I think if we get that on a timely basis we'll move forward with the public hearing next month. Thank you very much.

ORP_WOODBURY_(#2007-07)

MR. OLSEN: For the record, Scott Olsen. I represent Verizon, Steve Ruppenthal from Tectonic Engineering. You may remember me two years ago, I was here and we had an application pending, still pending, if this one goes through we'll withdraw that application happily and this will basically replace the need for a new tower at 76 Pleasant Hill Road.

MR. NOVESKY: That means we'll never see you again.

MR. OLSEN: As far as I know, you'll never see me again in this room. So but we, we're able to put the antennas on the existing tower over on the Star property, not as many antennas, took a year and a half to get internal approvals we needed to get, I got slapped around a little bit but we're here tonight.

MR. NOVESKY: That's good.

MR. OLSEN: The only thing I would request because this is an expedited procedure I would request that the planning board waive the public hearing as set forth in your zoning law, it's permitted and anticipated so--

MR. CORDISCO: No, it certainly as Mr. Olsen pointed out certainly contemplated and recommended that in cases of co-location that the board treat applications as expedited proceedings and the board has the ability and the authority to waive any public hearing on the site plan and I believe that's the recommendation of your planner as well.

MR. NOVESKY: You're not in the same law school class, are you related?

MR. CORDISCO: No.

MR. NOVESKY: With that, I will make a motion.

MR. GOLD: So moved.

MRS. DEANS: Second it.

ROLL CALL

MR. KLOSKY	AYE
MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE
MR. GOLD	AYE
MR. NOVESKY	AYE

MR. CORDISCO: A motion to waive the public hearing?

MR. NOVESKY: Yes.

MR. KLOSKY: I'd like the record to show that we have made significant contemplation of this project, we have thought about this project in detail in the past and so this waiver is not by any means an area, I think that follows on our previous action.

MR. NOVESKY: Well said for the record, Led, thank you.

MR. CORDISCO: Would the board like me to prepare resolutions for next month's meeting adopting a negative dec and granting site plan approval?

MR. NOVESKY: That sounds like a recommendation from our counsel. Do I have a motion?

MR. GOLD: So moved.

MR. HAZIRJIAN: Second it.

ROLL CALL

MR. KLOSKY	AYE
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MRS. DEANS AYE
MR. GRABE AYE
MR. HAZIRJIAN AYE
MR. GOLD AYE
MR. NOVESKY AYE

MS. DOTSON: Just for the record, we have referred this to Orange County Planning Department which is required. They have not commented yet but by the next meeting they'll have commented so the decision will be made in contemplation of whatever.

MR. NOVESKY: May we reconsider that resolution?

MS. DOTSON: Directing that a resolution be prepared.

MR. EDSALL: Not to confuse the issue, only two minor technical issues, one of the concerns would be the capacity of the existing tower to handle the antenna, they have provided the engineer's report and shows that this condition is handled and that's it, unless structural modifications are made to the tower. The only correction I'd ask is on the access road that the cross-section of the access drive whatever we have asked for in the past which is depth of material which is eight inches of bulk shale and four inches of item which has been deemed by the emergency services to be adequate in case they need to bring a heavy vehicle in. That's the only correction I believe is needed.

MR. NOVESKY: Okay, enough said. With that, I will ask for a motion to adjourn.

MR. HAZIRJIAN: So moved.

MR. GOLD: Second it.

ROLL CALL

MR. KLOSKY AYE

September 5, 2007

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MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE
MR. GOLD	AYE
MR. NOVESKY	AYE

Respectfully Submitted By:

Frances Roth
Stenographer