

STATE OF NEW YORK
COUNTY OF DUTCHESS

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PUBLIC HEARING IN RE:

SIKH TEMPLE SITE PLAN APPLICATION

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DATE: June 19, 2017
Wappingers Falls, New York
7:12 p.m. - 8:26 p.m.

Frances M. Elmes, Reporter

PROCEEDINGS

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APPEARANCES :

TOWN OF WAPPINGER PLANNING BOARD :

BRUCE FLOWER
ANGELA BETTINA
JUNE VISCONTI
ROBERT VALDATI
CARLO PEACE
RALPH MARINACCIO

BARBARA ROBERTI, Zoning Administrator
ROBERT J. GRAY, P.E., Engineer to Town
ALBERT ROBERTS, Attorney to Town
DAVID STOLMAN, Town Planner

ALFRED A. CAPPELLI, JR., Architect for
Applicant
1136 Route 9
Wappingers Falls, New York 12590

1 Proceedings

2 MR. FLOWER: All right. Our next
3 item on the agenda is the Sikh temple.

4 MS. VISCONTI: Motion to open the
5 adjourned public hearing.

6 MS. BETTINA: Second.

7 MR. FLOWER: Second? All right.
8 All those in favor?

9
10 (ALL SAY AYE)

11
12 MR. FLOWER: All the members
13 voted aye. Mr. Cappelli, before you
14 start, all the members in the audience
15 that are here for the Sikh temple, if
16 you haven't gotten a copy of the
17 questions that were brought up last
18 time, there are answers in the back of
19 the room on the table.

20 We'll let Mr. Cappelli go through
21 his presentation and then we will reopen
22 the floor for just a couple more brief
23 comments and we'll go from there.

24 MR. CAPPELLI: Sure. Alfred
25 Cappelli, architect representing the

Proceedings

1
2 Sikh temple. I'm not going to go
3 through the whole presentation from the
4 beginning, unless there are some people
5 that are here that weren't here
6 previously.

7 We're looking to construct a
8 17,000-square foot house of worship, if
9 you will, on 17 acres at the
10 intersection of All Angels Hill Road and
11 Old Hopewell Road on the northwest
12 corner with the parking areas as
13 delineated in the site plan before you
14 and we've been here trying to answer
15 some questions and concerns that many of
16 you have had over the past six months.

17 So since last time we made some
18 minor modifications that were suggested
19 in our little dissertation. For
20 instance, someone happened to mention
21 the delivery area perhaps being
22 unshielded. And, remember, that we have
23 to provide a delivery area to meet the
24 zoning requirements, not that there's
25 going to be deliveries 24/7 at a

Proceedings

1 dipping of the natural grade in the
2 back, what you saw were the balloons
3 floated to the actual height of the
4 building. So we took into consideration
5 the, fill, if you will, that would be
6 placed there. So at the height of the
7 dome, for instance, is 40 feet. It was
8 placed at 40 plus at negative grade.
9

10 So I'm going to illustrate where
11 those balloons were flown. I'm sure
12 everybody here or many people have seen
13 it. It's kind of difficult here on this
14 two dimensional, we'll go to the
15 rendering next, but we had two balloons,
16 one at each corner of the building, at
17 22 feet high. The building is 22 feet,
18 so we flew it a little bit higher than
19 22 feet. We flew another balloon in the
20 center front of the property.

21 Now, again, flat roof across the
22 front, flat roof, if you will, at our
23 front entrance. 30 feet was the height,
24 plus, that we flew that center balloon.
25 There was a balloon in the center of the

Proceedings

1
2 building which we tried to illustrate
3 the dome, which was everybody's concern,
4 and then in the rear of the building
5 there's the sanctuary, it does not have
6 a flat roof, it has a pitched roof, if
7 you will, and we flew the balloon.

8 Although by zoning the definition of the
9 height of the building isn't the apex of
10 that gabled roof, we flew the balloon,
11 nonetheless, at the apex of that --- of
12 our sanctuary, so to speak.

13 The rendering does not illustrate
14 all that much clearer, but the two ends
15 of the building, the center of the
16 building and the center of the dome is
17 where we flew the balloons. I attempted
18 to, without going on anybody's property,
19 take photographs within the confines of
20 the outer most portion of our property.
21 I also took some photographs driving
22 down Old Hopewell Road and along All
23 Angels and I took some photographs
24 peeking through, if you will, some of
25 the neighboring --- some of the homes

1 Proceedings

2 adjacent to our site.

3 So that being said, I'll leave it
4 up to any other questions that the
5 public may have.

6 MR. FLOWER: Okay. Go ahead.
7 State your name and your address for the
8 record.

9 MR. FONTANA: Michael Fontana, 41
10 Carroll. Last meeting this was more
11 about race or religion. I just want to
12 apologize to the Sikh community, that's
13 not what I'm about. It's got nothing to
14 do with race, religion, color, creed,
15 none of that. Okay? I just want to
16 apologize to you guys, because they've
17 been dealing with a lot and that's not
18 who we are.

19 AUDIENCE MEMBER: Thank you.

20 MR. FLOWER: Okay. Are there any
21 others? Yes, go ahead.

22 MS. FONTANA: Hi, Kathleen
23 Fontana, 41 Carroll. I'm kind of new to
24 this, I haven't been at the other
25 meetings due to work constraints, etc.,

1 Proceedings

2 and I'm asking if this is the last
3 meeting and if we could adjourn the
4 meeting so that us, as a community, have
5 time to kind of read some of the
6 environmental reports that were recently
7 received?

8 There are a lot of concerns,
9 especially during the construction
10 phase. I understand that it's going to
11 be three years, which is a very long
12 time. Our community is going to be
13 affected by this. You know, noise,
14 environmental issues, dust. Who knows
15 what can happen. You know that
16 everything can go wrong in a
17 construction and nothing can go wrong.

18 But, you know, I have a list of
19 items that I've written out. I don't
20 know who to hand them to, but I'd be
21 happy if you can give me somebody to
22 correspond with.

23 MR. FLOWER: We've already had
24 --- this is the third public hearing for
25 this property.

1 Proceedings

2 MS. FONTANA: And after this
3 public hearing what is the intention,
4 for the board to approve the plan or are
5 we going to go to the next phase?

6 MR. FLOWER: There's still some
7 other discussions that the board needs
8 to take before we get to final approval,
9 but in terms of the public hearing, the
10 public hearing is being used as an
11 avenue to solicit information from the
12 public, which we have.

13 MS. FONTANA: And that's
14 wonderful, but the information in the
15 minutes is very light and it doesn't
16 really delve into what's going to happen
17 once construction starts. I --- you
18 know, again, I'm going to say there's
19 going to be increased traffic flow. You
20 know, there's going to be quality of
21 life issues that need to be addressed.

22 How are we, as a community, and
23 those abutting houses on Carroll Drive
24 and on All Angels, how are we going to
25 be taken care of? I mean, you know,

1 Proceedings

2 we're going to have to live there
3 through this.

4 MR. FLOWER: True.

5 MS. FONTANA: And while we don't
6 oppose to the construction, we are going
7 to oppose to being affected by it and we
8 need answers.

9 MR. FLOWER: Okay. I mean, Al,
10 quickly on the construction, what's the
11 actual --- is this going to be phased,
12 is that the reason for the three years?

13 MR. CAPPELLI: Okay. No, there
14 is not three years. So basically, as we
15 mentioned previously and I'll just
16 reiterate, that the entire building and
17 the entire infrastructure of the site is
18 intended to be built immediately. In 12
19 to 15 months the shell of the building,
20 a portion of the building, all of the
21 parking, all of the roadway, all the
22 landscaping, all the drainage.

23 What may or may not, depending
24 upon economics, is there may be
25 additional time for interior fit up of

1 Proceedings

2 offices and/or classrooms or other
3 spaces. Again, that may prolong the
4 project. Yeah, maybe three years, but
5 it's all interior related work.

6 This work is --- again, early on
7 we anticipated building the building in
8 various phases with the entire site, but
9 it's been almost two years now that
10 we've made the decision we don't want to
11 do that disturbance to ourselves and to
12 the neighborhood, let's just do the
13 shell and we'll worry about the fit up
14 on the inside.

15 So, again, we talked at the last
16 meeting that at least the central lobby
17 and one third or better of the building
18 is an immediate need to be completed.
19 The prayer hall is an immediate second,
20 and the classroom, office, library,
21 senior citizen room, things like that,
22 those associated spaces may or may not
23 be built, again, immediately. Again, it
24 depends upon funding.

25 MS. FONTANA: Okay. So that's

1 Proceedings

2 all well and good, but I think I'm
3 talking more in terms of, you know, it's
4 a full blown construction site and
5 you're going to start excavation and
6 what --- and what if --- what if water
7 comes towards my direction? I mean, I'm
8 immediately right behind this, behind
9 this area. I have a pool, as do my
10 neighbors. So what if water infiltrates
11 the area?

12 You know, construction sites
13 usually have garbage and debris. What
14 if we get animals, you know, crawling
15 into --- I'm just throwing things out
16 there.

17 MR. CAPPELLI: Sure.

18 MS. FONTANA: But who's going to
19 take care of all these problems should
20 they present themselves?

21 MR. CAPPELLI: Well, we can talk
22 about, and if the chairman allows me, we
23 did talk about alternatives many, many
24 meetings ago. We talked about the
25 possibility, we made comparisons for

1 Proceedings

2 water services, for sewer, for drainage,
3 that this could be a residential site.

4 So here we are in 12 to 15 months
5 coming in and out, where you can have a
6 dozen or 15 homes being built here for
7 the next five, six, seven years, so ---
8 (Interrupted)

9 MS. FONTANA: Okay. That's fine.
10 But, again, my question was ---
11 (Interrupted)

12 MR. FLOWER: Wait, she's asking
13 questions regarding --- (Interrupted)

14 MS. FONTANA: Again, those what
15 ifs that I just mentioned.

16 MR. CAPPELLI: Sure.

17 MS. FONTANA: What's going to
18 happen if I have a pool of water that
19 wasn't there before and I need to drain
20 it?

21 MR. CAPPELLI: Stormwater, I mean
22 --- (Interrupted)

23 MR. FLOWER: Why don't we have
24 our engineer answer that question.

25 MR. GRAY: I'm Robert Gray, I'm

1 Proceedings

2 the engineer for the town.

3 MS. FONTANA: Hi, how are you?

4 MR. GRAY: Good. There is a
5 stormwater pollution prevention plan
6 that's in place for this, it's been
7 reviewed. Before there's any clearing
8 or any building of parking lots and such
9 there is detention ponds that will be
10 put in that will be used as siltation
11 ponds to control runoff so that the
12 problems you're talking about won't
13 occur.

14 There is a weekly report that's
15 done by the developer. There is a
16 weekly report, and these are minimums,
17 inspection and report done by the town
18 to make sure that all the erosion
19 controls are in compliance. In
20 addition, prior to heavy rain events and
21 immediately after there will be
22 additional inspections.

23 Our town is --- has become what
24 they call an MS4 community where the
25 town takes responsibility from the New

1 Proceedings

2 York State Department of Environmental
3 Conservation. Our town is responsible
4 for monitoring stormwater and we report
5 to DEC on what we show. So there's a
6 lot of safeguards about the stormwater
7 and the runoff and the increased runoff
8 from this site. The town is very
9 careful with that.

10 MS. FONTANA: Do we have --- can
11 we have copies of the environmental
12 study, things of that nature that can
13 assure us?

14 MR. GRAY: We call it SWPPP.
15 That's Stormwater Pollution Prevention
16 Plan, SWPPP.

17 MS. FONTANA: Are they available?

18 MR. GRAY: That's in the record,
19 it's available at the zoning office.

20 MR. STOLMAN: It's all part of
21 the record.

22 MR. GRAY: We do very careful
23 analysis.

24 MS. FONTANA: So some other
25 issues are noise and quality of life. I

1 Proceedings

2 mean, you mentioned a fence. I would
3 like to know, like, how high the fence
4 is going to be, what kind of vegetation
5 you're putting back there, is it going
6 to be full grown vegetation or three
7 foot bushes?

8 I mean, we want to know that
9 we're not going to hear anything, we're
10 not going to --- I mean, obviously we'll
11 see some of the structure, but noise is
12 a factor and this is going to be part of
13 the, you know, community and it's going
14 to be a busy center. So are we going to
15 be assured that noise will be attended
16 to and that we won't have issues going
17 forward?

18 MR. ROBERTS: It's a simple
19 answer. Everybody in town has to comply
20 with the town's noise code. If there's
21 excessive noise, it's in the code, you
22 can look it up online.

23 MS. FONTANA: Right, but now
24 we're in the middle of the problem and
25 it's going to take weeks for them, so I

1 Proceedings

2 want to be, like, proactive about it and
3 be assured that, you know ---

4 (Interrupted)

5 MR. ROBERTS: Ma'am, everybody
6 has the right to reasonably develop
7 their property in accordance with the
8 town code. Noise is a factor of
9 contemporary society. Noise up here in
10 Southern Dutchess is different than
11 noise in New York City or Westchester.

12 There is going to be noise. If
13 it's excessive noise, then it has to be
14 reported to the town and it will be
15 addressed in accordance with the noise
16 code, that is all I can tell you.

17 MS. FONTANA: Okay. I mean, you
18 know, when you're in the middle of it
19 all, I mean, that takes weeks.
20 Meanwhile we're living with, you know
21 --- I understand that, you know, you
22 have some, but you have to understand
23 that this community has been living with
24 nothing back there for all of these
25 years and a lot of us were told when we

1 Proceedings

2 originally purchased our homes that
3 nothing would be built back there.

4 MR. ROBERTS: All right. So who
5 told you that?

6 AUDIENCE MEMBER: The town.

7 MS. FONTANA: The town. You
8 know, the town.

9 MR. ROBERTS: There's no such
10 thing as the town. Do you have a name
11 of a person, because I don't.

12 MS. FONTANA: I do not. I do not
13 but I can certainly investigate.

14 MR. ROBERTS: That's entirely
15 inaccurate. The zoning code showed it
16 as residential property. I heard that
17 some real estate brokers mentioned that
18 during the course of sales, whether
19 that's accurate or not I don't know, but
20 nobody has the right to tell you that.

21 MS. FONTANA: Point taken, but
22 going back to my quality of life and how
23 I want to live and how when I ten years
24 ago purchased my home decided to
25 purchase it because of the land back

1 Proceedings

2 there, now that's changing and that's a
3 problem for me.

4 And not that I'm disagreeable to
5 the building of a temple, I love it, I
6 think it's an asset to the community.
7 However, it's going to affect us and you
8 cannot deny that once construction
9 starts --- listen, I'm a property
10 manager. Once construction starts there
11 are all of those what ifs that come to
12 reality and they take weeks to resolve
13 and we're the ones that are going to be
14 suffering having to go through XYZ, ABC
15 people to get resolved.

16 We would like a point of contact,
17 we would like more information, we would
18 like to see the studies are available to
19 us and understand how this is going to
20 go forward.

21 MR. ROBERTS: Ma'am, this process
22 has been going on for about nine months.

23 MS. FONTANA: Okay. Well, I'm
24 new, sorry.

25 MR. ROBERTS: Okay. The records

1 Proceedings

2 are on file, nothing has been withheld
3 from anybody. You're free to go in and
4 review them. If you want copies, you
5 pay for duplication, sometimes
6 Mr. Cappelli can provide you with
7 copies, but all of this is part of the
8 process.

9 They have to comply with the
10 various codes. They have to comply with
11 the MS4 requirements with regard to
12 stormwater and it will be monitored like
13 any construction site, just like the
14 construction site just up the road from
15 you where Toll Brothers is building that
16 community.

17 MS. FONTANA: Is there a person
18 that will be appointed contact that we
19 can communicate with to voice our
20 concerns?

21 MS. ROBERTI: You can contact me.

22 MS. FONTANA: Okay. Thank you.

23 MR. FLOWER: Gentleman with the
24 blue shirt.

25 MR. DERESH: Good evening.

1 Proceedings

2 Road has a row of indigenous plantings
3 in front of the building along the
4 street which seems to exceed 12 feet at
5 it's mature height. I'm kind of
6 curious, is this the type of planting
7 that we can expect to be used along the
8 adjoining properties on the new site?
9 And we're already assuming that the
10 height is not going to be 12-foot, but
11 is this the typical type of planting
12 that we are to expect? We did briefly
13 speak about the location of these
14 perimeter plants at the new site in
15 prior meetings, but who's ultimately in
16 charge of the logistics for this so we
17 may plan together before this begins,
18 assuming it begins?

19 I had a question about the
20 security fence. Does this completely
21 surround the perimeter or is it just
22 certain portions of the property? And
23 I'm not too sure if we went --- in light
24 of the plantings, what phase does that
25 actually happen in?

1 Proceedings

2 MR. FLOWER: Well, David, go
3 ahead.

4 MR. STOLMAN: Yes, I've got an
5 answer for part of it. Do you have the
6 "Threatened and Endangered Species
7 Habitat Suitability Assessment Report"?

8 MR. DERESH: Yes, I do.

9 MR. STOLMAN: I'll bet you don't
10 have the "Blanding's Turtle Habitat
11 Suitability Report".

12 MR. DERESH: I'm looking at the
13 "Threatened and Endangered Species
14 Report" and it does not list that report
15 in this. I see a bog turtle listed, I
16 see --- (Interrupted)

17 MR. STOLMAN: There's a specific
18 report just on the Blanding's turtle.

19 MR. DERESH: Okay. So I just got
20 this, so I have a lot of paperwork to go
21 through.

22 MR. STOLMAN: And that's also
23 Ecological Solutions and it's available
24 in the planning office.

25 MR. DERESH: So that's a

1 Proceedings

2 completely separate report?

3 MR. STOLMAN: Yes, just on the
4 Blanding's turtle.5 MR. DERESH: Okay. I was just
6 wondering why it's not with this. Okay.
7 I'd like some time to review that, along
8 with the rest of the documents. Thank
9 you.10 MR. FLOWER: Go ahead, gentleman
11 with the hat.12 MR. FONTANA: Thank you. Michael
13 Fontana, 41 Carroll Drive. I think
14 maybe the second meeting I --- you know,
15 I had talked about speed bumps and you
16 guys said it was illegal to have in the
17 Town of Wappingers. Would it be
18 possible to put like no through traffic
19 signs on Carroll Drive? Because that
20 runs like to All Angels and they cut
21 through to Old Hopewell Road. You know,
22 I know we can't put speed humps, but at
23 least you can put no through traffic.24 MR. ROBERTS: Sir, once a road is
25 dedicated as a public highway the

1 Proceedings

2 public, the entire public is entitled to
3 use it.

4 MR. FONTANA: But it's not a
5 public --- (Interrupted)

6 MR. ROBERTS: It is a public
7 highway.

8 MR. FONTANA: I mean, it's not a
9 highway. It's a street, I mean.

10 MR. ROBERTS: That's a word of
11 art, sir.

12 MR. FONTANA: Okay.

13 MR. ROBERTS: It's under the New
14 York State Highway Law and, you know,
15 once it's dedicated to public use
16 everybody is entitled to use the road.

17 MR. FONTANA: All right. In
18 certain areas where they do have a
19 school or a church they do put no
20 through traffic when there's a lot of
21 children in the area.

22 MR. ROBERTS: Sir, I ---
23 (Interrupted)

24 MR. FONTANA: Sure, I'm in
25 traffic maintenance, I know what I'm

1 Proceedings

2 talking about.

3 MR. ROBERTS: I've seen those and
4 they have very limited application as
5 far as --- (Interrupted)6 MS. FONTANA: I'm just trying to
7 protect all the kids that live on
8 Carroll Drive, because wherever you look
9 there's a bicycle, a basketball, a
10 skateboard.11 MR. ROBERTS: I understand that,
12 and part of the problem is we do not
13 have a police force. They will probably
14 be accelerating the Dutchess County
15 Sheriff's patrol, but, you know, in New
16 York State towns do not --- are not able
17 to control speed limits.18 MR. FONTANA: Well, it's not a
19 speed limit. We're just trying to
20 reduce if people want to use that as a
21 cut-through, you know what I mean? I
22 mean, there are children that I
23 guarantee somebody is probably going to
24 get hurt.

25 MR. ROBERTS: I understand that,

1 Proceedings

2 but legally we can't do it.

3 MR. FONTANA: Okay.

4 MS. FONTANA: Are there any
5 safety measures that can be put in place
6 to protect our kids that are playing in
7 the street, let's phrase it another way?8 MR. ROBERTS: No, it's a public
9 highway, kids shouldn't be playing in
10 the street.11 MS. FONTANA: Our street is not a
12 highway, I'm sorry.13 MR. ROBERTS: Yes, it is, ma'am.
14 It absolutely is a public highway,
15 otherwise you would not be able to get a
16 building permit or a CO.17 MS. FONTANA: I'd like to see
18 that in writing.

19 MR. ROBERTS: It's State law.

20 MS. FONTANA: Okay.

21 MR. FLOWER: Yes?

22 MS. COLE: Good evening. Arlene
23 Cole, 4 Scott Drive, Wappingers Falls.
24 I live in the town of Rockingham Farms.
25 Okay. We're pretty familiar with all

1 Proceedings

2 the questions I've been asking over the
3 past several months. One of the things
4 I would like to clear up right from the
5 beginning is you talked about excessive
6 noise, I don't know which gentleman it
7 was that mentioned it when the woman
8 asked a question.

9 MR. ROBERTS: Yeah, there's a
10 town code.

11 MS. COLE: Okay. May I have the
12 definition of excessive noise?

13 MR. ROBERTS: You have to go to
14 the code, it's decibel level. Usually
15 it's about 60 decibels at --- I forgot,
16 I think it's about 60, 65 decibels.
17 It's a complicated formula, but it's in
18 the code and that's the measure. It's
19 different at night than it is during the
20 day.

21 MS. COLE: Okay. Do you know
22 when the construction is going to start
23 during the...

24 MS. ROBERTI: 7 to 7.

25 MR. ROBERTS: 7 to 7. That's

1 Proceedings

2 also in the town code, 7 to 7.

3 MS. COLE: Okay. And who's going
4 to be monitoring the decibels?5 MR. ROBERTS: Nobody is going to
6 be monitoring the decibels. If there's
7 a complaint it would have to be
8 investigated.9 MS. COLE: Okay. Is it up to us?
10 So if we call up and we say there's
11 excessive noise are we going to be
12 asked, well, did you measure it, how
13 many decibels is it, or are you just
14 going to take our word for it that it's
15 excessive?16 MR. ROBERTS: Well, excessive is
17 subjective, ma'am, and the reality is
18 there's a number of court decisions that
19 say that.20 MS. COLE: Well, that's why I'm
21 trying to nail this down. Do we have to
22 monitor decibels?23 MR. ROBERTS: There is no
24 provision for monitoring decibels on
25 this site during this construction

1 Proceedings

2 project at this moment.

3 MR. STOLMAN: I think this lady
4 is asking if they are expected to
5 monitor the decibels and the answer is
6 no, but --- (Interrupted)7 MR. ROBERTS: She is? I did not
8 understand, I apologize.9 MR. STOLMAN: But if you hear
10 something that sounds too loud and you
11 complain to the zoning administrator we
12 follow it up.13 MS. ROBERTI: But I want to be
14 clear before everybody starts calling my
15 office, right now if you had a lot of
16 noise, a big block party going on, and
17 you called me I would come out because
18 there's a noise code. But when
19 something is under construction and
20 there's all construction vehicles it's
21 going to have a different level of noise
22 until this is done than when in a normal
23 neighborhood, so you have to be clear.24 MS. COLE: But if you can't hear
25 yourself carry on a conversation, a

1 Proceedings

2 normal conversation at a normal tone,
3 you know, if babies are being woken up
4 and all this other stuff, that's
5 excessive.

6 MS. ROBERTI: I know, ma'am, but
7 when people are building things it can't
8 be done in silence. I'm just being
9 honest with you. I can't stop them from
10 bringing in dump trucks and equipment.

11 MS. COLE: I know and that's why
12 I'm trying to get a clear definition of
13 what excessive is and what is our
14 responsibility, okay, before we call
15 your office and say the noise is
16 excessive.

17 MS. ROBERTI: If they start
18 before 7 a.m. or after 7 p.m., please
19 call my office.

20 MS. COLE: Yeah, but at
21 12 o'clock noon we call you up ---
22 (Interrupted)

23 MS. ROBERTI: Again ---
24 (Interrupted)

25 MS. COLE: Do we have to monitor

1 Proceedings

2 the decibels?

3 MS. ROBERTI: Well, you can't.
4 Unless you have a noise meter I doubt
5 --- (Interrupted)

6 MS. COLE: I do.

7 MS. ROBERTI: Okay. Well, but
8 there's going to be a difference, and
9 everybody has to realize that whether
10 it's 17 homes under construction, I mean
11 if any of you drive into Toll Brothers
12 where they're building --- (Interrupted)13 MS. COLE: Yeah, but we're not
14 talking about Toll Brothers.15 MS. ROBERTI: I'm just trying to
16 tell you it's the same sort of equipment
17 that's going to make that kind of noise
18 whether it's on a house or a temple.19 MS. COLE: Well, I'm not going to
20 drive around town looking for a Toll
21 Brothers' site to monitor.22 MS. ROBERTI: I'm just telling
23 you there's a certain amount of things
24 we can control between 7 a.m. and 7 p.m.

25 MS. COLE: I just want to make

1 Proceedings

2 sure what our responsibility is in all
3 this. Okay. Also, the trees that are
4 going to be put around the property and
5 stuff like that to act as a buffer, they
6 will --- let me see, in here it says
7 that --- oh, sorry, wrong page. In here
8 it says that the trees will cover about
9 a third of the building. I should have
10 brought my reading glasses here. Okay.
11 But it's not going to cover the top of
12 the building and certainly not the dome.
13 I have a real problem. Is there any way
14 that the building can be built without
15 the dome?

16 MR. FLOWER: They're within their
17 legal right to build it the way they
18 have it designed. I mean, they conform
19 to the zoning.

20 MS. COLE: Okay. Because it's
21 kind of like, you know, when you have a
22 little three year old kid and all of a
23 sudden a 6'7" guy comes over to the kid
24 and he's like this. You know, it's
25 overwhelming, shall we say, having this,

1 Proceedings

2 a building this size, you know,
3 overlooking our neighborhood. It's just
4 totally overwhelming and, you know, we
5 should have been advised of this before
6 any --- before the property was even
7 sold.

8 But the other thing was those
9 three 1,000-foot areas. Now, on the one
10 hand you say the entire outside of the
11 building is going to be built in one
12 stage, but then on the other hand, well,
13 there's three 1,000-square foot areas
14 that might be built in the future, so
15 you can't have it both ways. You know,
16 is the whole building, exterior of the
17 building going to be built now and no
18 future building or are you going to
19 build everything but those three areas
20 but those three areas will be built in
21 the future?

22 MR. FLOWER: They are allowed to
23 phase the project if they wish. I mean,
24 if they're going to build, you know, a
25 certain portion of it and then, you

1 Proceedings

2 know, down the road they're going to add
3 on to it, I mean that's within with
4 their rights.

5 MS. COLE: Well, I'm asking for a
6 --- (Interrupted)

7 MR. FLOWER: The scope of the ---
8 (Interrupted)

9 MS. COLE: --- clear schedule.

10 MR. FLOWER: The scope of the
11 other additions, you know, wouldn't be
12 as invasive on the neighbors, the
13 smaller additions, because most of the
14 work will be done at that point.

15 MS. COLE: Okay. Well, when were
16 they thinking they were going to put
17 those others three areas on, is it
18 three years from now?

19 MR. FLOWER: They may never.

20 MR. CAPPELLI: They may never be
21 built. They may never be built, you
22 know. They were just included so that,
23 again, we don't come back before the
24 planning board within one, two, three
25 years. There's a thing called

1 Proceedings

2 segmentation, we can't nitpick at this
3 thing. We're creating here a master
4 plan. We want to build 17,000 square
5 feet, we think that will meet our needs.
6 However, the parking and originally the
7 septic system, we don't have a septic
8 system, and everything else related to
9 it is for the 20,000 square foot
10 building.

11 So, again, it may be that one of
12 the 1,000, 1,000, 1,000-square foot
13 additions are needed. Again, 1,000
14 square feet is smaller than a house.

15 MS. COLE: May I ask why they are
16 not building those three 1,000-square
17 foot sections now?

18 MR. CAPPELLI: We don't need it,
19 we don't need it. It's economics. So
20 there's --- we don't need that space
21 necessarily.

22 MS. COLE: Well, it just seems to
23 me it would be more cost effective to
24 build those three areas now than to do
25 it in the future when you have to bring

1 Proceedings

2 in --- (Interrupted)

3 MR. FLOWER: Okay. Miss Cole,
4 all right, we're going to move on to the
5 next item, the next item we have for the
6 record.

7 MS. COLE: Okay. Let me see.
8 The next item is --- I forgot what the
9 current congregation is, how many
10 members, can you...

11 MR. FLOWER: Off the top of my
12 head I don't know. I mean, they're
13 designing it in order to accommodate the
14 number of members that they have or they
15 plan on having in the future with what's
16 designed. It doesn't --- the design is
17 based upon the square footage of the
18 whole building.

19 MS. COLE: How many members in
20 total do they think this temple will be
21 able to service?

22 MR. FLOWER: It would be
23 determined by the fire inspector once
24 the plans for the building construction
25 have been issued. He will at that

1 Proceedings

2 point, once he sees what they plan on
3 doing with different areas, then he will
4 set the occupancy limit for those areas.

5 MS. COLE: When will we know
6 that?

7 MR. FLOWER: That's once they get
8 done. They're saying --- apparently in
9 the past they said 300 members that they
10 have.

11 MS. COLE: 300?

12 MR. FLOWER: Up to, that would be
13 the maximum.

14 MS. VISCONTI: Right.

15 MS. COLE: Okay. And then I
16 guess my last issue today would be the
17 issue of air quality. Once they start
18 construction there's going to be a lot
19 of dust floating around and things like
20 that, and pollens, dirt, all kinds of
21 stuff, and who's going to be monitoring
22 the air quality as it drifts into our
23 neighborhood?

24 MR. FLOWER: Go ahead, Bob.

25 MR. GRAY: Yeah, this is part of

1 Proceedings

2 the --- when I said the erosion control,
3 it's not only waterborne, it's airborne.
4 There will be water trucks, there will
5 be measures taken during construction to
6 keep the dust --- I mean, that's any
7 construction site today, you don't see
8 mountains of dust. You're not allowed
9 to do that, there's rules against that
10 and we enforce that.

11 MS. COLE: Okay. And there's
12 going to be somebody there monitoring
13 all this?

14 MR. GRAY: Oh, yeah. There will
15 be building inspectors, there will be
16 the stormwater officer for the town,
17 there will be our stormwater consultant,
18 there will be the zoning administrator
19 and myself as the engineer, but on a
20 routine basis there is the building
21 inspectors and the stormwater officer
22 for the town and the stormwater
23 inspector for the town and the
24 applicant's own stormwater qualified
25 official.

1 Proceedings

2 MS. COLE: Okay. And speaking of
3 stormwater, all --- (Interrupted)

4 MR. GRAY: So that will be
5 monitored. Not only the stormwater but
6 also air, dust in the air, it's all part
7 of transporting material eroding the
8 site.

9 MS. COLE: Okay. And the
10 stormwater that's going to be diverted
11 to the catch basin across the street,
12 what happens when that starts flooding
13 Old Hopewell Road, who's going to pay
14 for, you know, all the changes that are
15 going to have to be made there?

16 MR. FLOWER: You can answer that,
17 Bob.

18 MR. GRAY: Yeah, it wouldn't.
19 This is designed for a peak rainfall and
20 you see those ponds or those pool areas
21 on the map, those illustrate where we
22 have detention ponds. The purpose of
23 detention ponds is so buffer those large
24 storms so that the release from those
25 ponds is the same as it is today or

1 Proceedings

2 less, a lesser rate.

3 MS. COLE: Okay. Let's say it's
4 not going to happen, but if it does.5 MR. GRAY: Well, that's why we
6 monitor it. That's why those
7 inspections are done, to monitor that
8 those structures and the outlet
9 structures are maintained.10 MS. COLE: Okay. But what if,
11 okay, the water that's being diverted
12 over there does start flooding Old
13 Hopewell Road? Okay. Because water
14 levels over there are getting higher and
15 higher on both sides of the street and
16 starting to encroach on other
17 properties.18 What happens, if, okay, we have
19 to make some changes to Old Hopewell
20 Road because of flooding now from this
21 water being diverted over there, who is
22 going to pay for it? I don't think the
23 taxpayers should have to foot the bill
24 for this, because it wouldn't be our
25 fault.

1 Proceedings

2 MR. GRAY: They will not, they
3 will not. It's the applicant's
4 responsibility.

5 MS. COLE: What assurance do we
6 have?

7 MR. GRAY: Well, it's the
8 applicant's responsibility and their
9 professionals.

10 MS. COLE: Well, would you send
11 me a letter in writing to that effect?

12 MR. GRAY: It's the law.

13 MS. COLE: Well, I ---

14 (Interrupted)

15 MR. ROBERTS: Ma'am, you're not
16 going to get a letter in writing to that
17 effect. This project is designed in
18 accordance with contemporary engineering
19 standards, that's the standard that they
20 have to build to, to design to and
21 that's the way every project in New York
22 State is designed and developed. They
23 don't have to do anything more than
24 everybody else.

25 MS. COLE: Well, you have to

1 Proceedings

2 excuse me if I have zero trust in what
3 you guys are doing, because if you
4 really cared about the neighborhood you
5 would have notified us five years ago
6 when you knew that this project was
7 going to be done.

8 MR. FLOWER: Okay. Miss Cole,
9 you're done.

10 MS. COLE: Yes, I am.

11 MR. FLOWER. Thank you, thank
12 you.

13 MS. COLE: And so are you.

14 MR. FLOWER: All right. Are
15 there any other questions? The
16 gentleman in the back.

17 MR. ORTEGA: My name is Jorge
18 Ortega and I live at --- (Interrupted)

19 MR. FLOWER: Hold on. Sir, you
20 have to come up the podium so that
21 everybody can --- so that we can hear
22 you in the front.

23 MR. ORTEGA: I think I can ---
24 (Interrupted)

25 MR. FLOWER: No, no.

1 Proceedings

2 MR. ORTEGA: Anyway, I just want
3 to --- (Interrupted)

4 MR. FLOWER: Could you please
5 give your name and address to the
6 secretary?

7 MR. ORTEGA: Jorge, J-O-R-G-E,
8 Ortega, O-R-T-E-G-A, 10 Balfour Drive,
9 B-A-L-F-O-U-R. I just have one
10 question.

11 MR. FLOWER: Okay.

12 MR. ORTEGA: The same question
13 that I have the first meeting that I
14 came over here is environmental. My
15 concern is for the future generation,
16 your families or whoever live out there.
17 We don't have a future in there with the
18 environmental.

19 The Department of Environmental
20 in New York State, the EPA, the national
21 level requires, I don't know if you guys
22 have the protocol, I believe you guys
23 follow the protocol, but it's called an
24 Environmental Impact Study and any
25 project over 10,000, 20,000 you have to

1 Proceedings

2 have a study before you start the
3 construction for any structure in there
4 and then after you have that impact and
5 it be approved by Albany guys, I
6 believe, or send it to Albany, right,
7 after that you guys can do the
8 construction or whatever and you got to
9 comply to that study. Okay,

10 I know the fish and the turtles
11 that he's talking about and they are
12 there, I saw it. I have pictures of
13 those, raccoons, deer, fox, a lot of the
14 species that used to live there, that
15 was their habitat. By the way, I think
16 I still research the (Inaudible), they
17 forgot to talk about the (Inaudible),
18 but forget about that now.

19 My concern is was that study done
20 before, because according to the
21 protocol following the Environmental
22 Protection from New York State, the EPA
23 and the federal level, you got to
24 replace those species somewhere around
25 the neighborhood or around the area. I

1 Proceedings

2 don't know how big is the area to
3 replace that, because it's going to be
4 destruction there.

5 I just asked that the first time,
6 the meeting, I think it was March 6th,
7 7th, whatever. I just looking the other
8 day all day at minutes that you have,
9 three, four minutes. The only thing I
10 seen over there they're talking about
11 one, the tree fog or whatever, that's
12 the only thing that I see according to
13 that. Maybe I'm looking at the wrong
14 pages that you have or maybe you guys no
15 have no call to follow --- to reply to
16 the agencies at the State and national
17 level.

18 I just want wonder if somebody
19 can answer that question for me, because
20 the future is there, the future for your
21 kids, for your grand kids, it's the
22 future for all.

23 MR. FLOWER: Right. Well, we
24 received the impact, Dave? We received
25 the draft environmental impact study on

1 Proceedings

2 this?

3 MR. STOLMAN: No, not ---

4 (Interrupted)

5 MR. FLOWER: Just the ---

6 (Interrupted)

7 MR. STOLMAN: We've received an
8 expanded full environmental assessment
9 form with attachments.10 MR. FLOWER: Which it basically
11 has negative impact?12 MR. STOLMAN: Well, we haven't
13 come to that conclusion yet, but it's
14 all in the record. This gentleman was
15 referring to one study.16 MR. ORTEGA: Yeah, I said I came
17 for awhile and he was saying that ---
18 yeah, I came to the first meeting and
19 just now, because, like I say, like I
20 did then, that's my concern.21 MR. STOLMAN: I think you have to
22 read the whole record.23 MR. ORTEGA: I didn't have, I
24 have all the minutes.

25 MR. STOLMAN: That's not the

1 Proceedings

2 record.

3 MR. ORTEGA: No, no, no. I went
4 to the computer and, you know, I have
5 the computer and what you have there,
6 the meetings, the minutes and
7 everything, I saw everything there the
8 other day.

9 MR. STOLMAN: You may have to
10 come and ask --- (Interrupted)

11 MR. ORTEGA: That's why I came
12 today, because I didn't see anything
13 there.

14 MR. STOLMAN: We're following the
15 protocols of not the federal ---
16 (Interrupted)

17 MR. ORTEGA: Okay. The State, as
18 long as it's the State.

19 MR. STOLMAN: The New York State
20 Environmental Review Act, we're
21 following all those protocols, and
22 you're right, they have to be followed.

23 MR. ORTEGA: Yeah, you've got to
24 see what is there before.

25 MR. CAPPELLI: You're absolutely

1 Proceedings

2 right.

3 MR. ORTEGA: And what I remember
4 and what you have to do is clear
5 everything. Because hopefully,
6 hopefully, you've got the study before
7 that, because that doesn't take a day or
8 two. It's awhile so you can see and
9 it's experts in environmental, in
10 ecology that do that study. So when you
11 going to do that?

12 MR. STOLMAN: We do this on every
13 project, so...

14 MR. ORTEGA: Is there somewhere I
15 can see the records? Can I see it
16 somewhere? Can you take me to a website
17 or maybe here and, I mean, I pay for
18 copies or whatever? Because I would
19 like to see that.

20 MS. ROBERTI: You're welcome to
21 come in and fill out a FOIL request ---
22 (Interrupted)

23 MR. ORTEGA: Fill out a FOIL?

24 MS. ROBERTI: Fill out a FOIL
25 request. We have five days, only

1 Proceedings

2 because some days we're just too busy to
3 pull it out.

4 MR. ORTEGA: But it's a FOIL
5 request?

6 MS. ROBERTI: But we'd be more
7 than happy to pull it out for you.

8 MR. GRAY: Freedom of
9 information.

10 MS. ROBERTI: Yeah, it's a
11 Freedom of Information.

12 MR. ORTEGA: Yeah, I know that.
13 I know what that is, but I need a FOIL
14 to see that? I thought it was public
15 --- (Interrupted)

16 MR. ROBERTS: You need a FOIL to
17 get copies or you can review the file
18 under supervision of the town employees.

19 MR. STOLMAN: There are certain
20 things that are online.

21 MR. ORTEGA: I got you.

22 MR. STOLMAN: Other things are in
23 the general file for this property.

24 MR. ORTEGA: And it's there, the
25 environmental impact is there? What was

1 Proceedings

2 there before and how it's going to be
3 replaced is there?

4 MR. ROBERTS: Not how it's going
5 to be replaced, how it's going to be
6 addressed. We don't replace everything.

7 MR. ORTEGA: No, no replace, but,
8 I mean, it's got to be that the portion
9 that is going to be located here is
10 going to be over there or over there,
11 it's going --- that's what the standard
12 procedure is for that.

13 MR. ROBERTS: That's not how it
14 works, sir. You have to address the
15 environment, potential environmental
16 impact.

17 MR. ORTEGA: What is your e-mail?
18 I can send you the reference to that.

19 MR. ROBERTS: Sir, I know, I've
20 been doing this a long time.

21 MR. STOLMAN: SEQR, the SEQR
22 process.

23 MR. ROBERTS: It's called SEQR,
24 State Environmental Quality Review Act.
25 There's a procedure that we follow along

1 Proceedings

2 with every other --- on this project and
3 every other project, every municipality
4 is required to follow.

5 MR. ORTEGA: And you're concerned
6 about that? You made sure, you know?

7 MR. ROBERTS: This gentleman...

8 MR. STOLMAN: This is the 40th
9 anniversary of SEQOR, we've been working
10 with SEQOR literally for 40 years now.

11 MR. ROBERTS: And it will be
12 complied with and it has been complied
13 with to this day.

14 MR. ORTEGA: So you said what day
15 I can see that?

16 MS. ROBERTI: Just give us a call
17 in the morning so someone is there.

18 MR. ORTEGA: Can I have your
19 number?

20 MS. ROBERTI: Sure, as soon as
21 we're done. In fact, here's my card.
22 (Handing)

23 MR. ORTEGA: All right. Sorry to
24 bother you for that, but I know it's
25 going to happen. I mean, you're not

1 Proceedings

2 going to see it, I think it's --- but to
3 me it's very important, but that should
4 be important for everybody.

5 MR. STOLMAN: We agree with you.

6 MR. ROBERTS: We don't disagree.

7 MR. ORTEGA: Thank you.

8 MR. FLOWER: Okay.

9 MS. ABREU: I have one more
10 question about the construction.

11 MR. FLOWER: The woman in the
12 second row.

13 MS. ABREU: Oh, I'm sorry. My
14 name is Jessica, 31 Carroll Drive.

15 MS. FLOWER: Can you give us your
16 last name?

17 MS. ABREU: Jessica Abreu,
18 A-B-R-E-U, 31 Carroll Drive. We're
19 fairly new to the neighborhood. I'm
20 just concerned because, I mean, like I
21 said, I'm fairly new and I wasn't aware
22 of this at all. This is my first
23 meeting. If it wasn't for this woman
24 here coming to my home and telling me
25 about it I would have never known. So

1 Proceedings

2 I'm a little concerned that the
3 neighborhood had no idea. I mean, I
4 didn't have any idea, nobody else came
5 to me besides her.

6 I have three small children, one
7 being here. I have pictures in my
8 phone, I can show you the view from my
9 backyard is this site. I mean, directly
10 in my backyard. I have no trees, I
11 guess you guys cut them down prior to me
12 moving in or whatever.

13 I'm concerned about privacy, my
14 children play back there. They're going
15 to build trees, I suppose, from what I'm
16 hearing. What about a fence, maybe?
17 Because I just spent \$20,000 on a down
18 payment on my house. I don't have
19 another 10, 15 to spend building a fence
20 for privacy. I'm concerned because,
21 like anywhere, it's a public place,
22 there's going to be many, many people
23 coming in and out.

24 My children can get snatched up.
25 I'm not saying by anybody here, but by

1 Proceedings

2 anybody, and this is my home and I
3 bought it because of that view, because
4 of the serenity of the area. I mean, I
5 go out there and I just breathe
6 sometimes and now it's going to be a
7 construction site that I had no idea
8 about. And, to be honest, if I did I
9 wouldn't have bought my home.

10 So I am concerned and I want TO
11 know what you guys are going to do for
12 us. I mean, are you going to give me a
13 fence? Because a couple of trees is not
14 going to protect my children from
15 strangers that are in my backyard. I'm
16 very concerned and I'm really
17 contemplating on selling my home now and
18 I don't have another 20 grand to put
19 down on another house so I really don't
20 know what we're going to do.

21 MR. FLOWER: Well, they are
22 providing screening, which is what the
23 --- you know, what's required.

24 MS. ABREU: Okay. Screening?

25 MR. FLOWER: Yeah, plants, trees.

1 Proceedings

2 MS. ABREU: Okay. So trees are
3 going to protect and give me privacy?

4 MS. VISCONTI: You're also in the
5 middle of 17 acres here.

6 MS. ABREU: Okay. But I saw
7 where that balloon was and that balloon
8 was about ten feet from my yard.

9 AUDIENCE MEMBER: No, no, no.

10 MS. ABREU: I mean, I was having
11 a barbecue over the weekend and we were
12 all staring at the balloon, my children
13 could run to that balloon.

14 AUDIENCE MEMBER: No.

15 MS. ABREU: Please don't tell me
16 no.

17 MR. ROBERTS: The wind may have
18 blown it down.

19 MS. ABREU: I don't know if you
20 know where I live, but please come to my
21 home and see what the view was, it was
22 very close to my home.

23 MR. ABREU: That field is our
24 backyard.

25 MS. ABREU: That field is my

1 Proceedings

2 backyard, our children play back there.

3 AUDIENCE MEMBER: Show him the
4 pictures.5 MS. ABREU: Do you want to see
6 the pictures of what I look outside to
7 and what I'm going to look outside to?
8 Because I promise you I would not have
9 bought my home and I wish somebody would
10 have had the decency to tell me. You
11 said you've been doing this for
12 nine months to a year. I'm new. Why?
13 Why didn't anybody tell me this?14 MR. FLOWER: How long did you own
15 the house?

16 MS. ABREU: A year.

17 MR. FLOWER: The current owner
18 didn't disclose this to you?19 MS. ABREU: No one told me
20 anything, no.21 MR. FLOWER: Or the previous
22 owner, I'm going to say.23 MS. ABREU: So, I mean, what am I
24 supposed to do?

25 MR. FLOWER: You ought to take it

1 Proceedings

2 --- (Interrupted)

3 MS. ABREU: I'm done. Three
4 small children who can now, what, not
5 play in the backyard?6 MR. FLOWER: Is there any others?
7 Woman in the back with the blue shirt.8 MS. KURTZ: Joan Kurtz(Proper
9 noun subject to correction), 39 Carroll
10 Drive. I've been to all of these
11 meetings and I know a lot of these
12 issues have been addressed already and
13 we're just kind of spinning our wheels
14 here, but I do have a concern about the
15 traffic coming across Carroll Drive. A
16 few months ago a stop sign was put not
17 too far up from where my property is.
18 You know what the name of that road is?
19 Well, anyway, it was put there for a
20 reason.21 MS. ABREU: The stop sign is on
22 my property. Rowell.23 MS. KURTZ: Rowell? So it's
24 funny, I live there almost 40 years and
25 in 40 years that I live there we never

Proceedings

1
2 had any stop signs there, but apparently
3 there was a need to put that stop sign
4 there. I don't know was it was, but I
5 am very, very concerned about the
6 traffic coming across Carroll Drive,
7 because if there was a need for a stop
8 sign that means that traffic was
9 speeding across there before or they
10 wouldn't have put the stop sign right in
11 the middle of nowhere, because it's a
12 silly place to put a stop sign, and I do
13 believe that with the traffic that's
14 going to come with this building of the
15 temple I do believe that a lot of people
16 are going to divert across Carroll Drive
17 and we're going to have a traffic
18 problem and we're going to have maybe an
19 accident or somebody getting hurt.

20 So I really think that that
21 should be taken into consideration, and
22 I know we've heard it all before
23 already, but it's a real consideration
24 because somebody put that stop sign
25 there about, what, three or four months

1 Proceedings

2 ago.

3 AUDIENCE MEMBER: Longer.

4 MS. KURTZ: About six months ago.
5 It's like a dead area, there's not --- I
6 couldn't believe there was a stop sign.7 MR. GRAY: You're sure it's not
8 Davies? Because the last one that was
9 put up was Davies.10 MS. KURTZ: And that was only,
11 what, six months maybe, maybe.

12 AUDIENCE MEMBER: Davies.

13 MS. KURTZ: And it is going to be
14 a real problem because people are not
15 going to want to wait at that light at
16 Old Hopewell Road and All Angels,
17 they're not going to want to wait so
18 they're going to divert across Carroll
19 Drive. So I think something should be
20 done to help the people on Carroll Drive
21 with that flow of traffic. Thank you.22 MR. FLOWER: This woman on the
23 aisle here.24 MS. BECKER: Laurel Becker,
25 Fieldstone Boulevard in Wappingers.

Proceedings

1
2 Okay. I must say that I think you'll be
3 surprised to hear me say this, because
4 I'm very much in support of the Sikh
5 temple, but I have a question regarding
6 traffic. I'm a teacher, I mean kids I
7 think are an important issue. If you
8 can picture this, when you're going down
9 Vassar Road just before that right turn
10 that you would take to go to the Olive
11 Garden or cut over to the Bed Bath and
12 Beyond or so, the block before that
13 there is another right turn, I don't
14 remember the name of the road, it's
15 somewhere right before Spring Road
16 there, and there is a sign that says
17 school buses only or no right turn.
18 There's something about no through
19 traffic. That's got to be a public
20 road.

21 MR. ROBERTS: It is a public
22 road, it doesn't say no through traffic.

23 MS. BECKER: It's a sign that
24 says --- somehow it inhibits the flow of
25 traffic down that road, I don't remember

1 Proceedings

2 the exact --- (Interrupted)

3 MR. ROBERTS: That was a
4 directional traffic and it's done in the
5 town of Poughkeepsie and it was a
6 consequence of school buses, but you
7 cannot prohibit traffic from going on
8 what is a public road or a public
9 highway.

10 MS. BECKER: Okay. That's a
11 public road? You're saying it's because
12 it's school traffic, you said?

13 MR. ROBERTS: No, no, it was just
14 limiting certain types of traffic,
15 school buses at certain times, and I
16 forgot --- I travel that frequently and
17 I have seen it.

18 MS. BECKER: Would something like
19 that help these people on Carroll Drive?
20 I suppose that can be investigated.

21 MR. ROBERTS: To my knowledge I
22 don't think so. And with respect to
23 what Mr. Gray addressed, the stop sign
24 that was just discussed, I believe that
25 was in response to some complaints from

1 Proceedings

2 other neighbors who requested the stop
3 sign to be put up, so, you know, certain
4 groups of people want one thing, other
5 groups of people want another, and we
6 try to balance interests. And, Bob, do
7 you want to address that stop sign?

8 MR. GRAY: Yeah. Regardless of
9 this project, there are concerns with
10 traffic and speeding on Carroll Drive,
11 those need to be addressed with the town
12 board and also with the town highway
13 superintendent regardless of this
14 project. For instance, that light on
15 Davies or that stop sign on Davies was a
16 result of a complaint. I know myself, I
17 went out with highway superintendent
18 Bettina, looked at the intersection.
19 It's a three-way intersection --- it's a
20 T-intersection.

21 AUDIENCE MEMBER: Correct.

22 MR. GRAY: And we looked at where
23 the signs could be. As a matter of
24 fact, on Davies I think there was a tree
25 that had to be trimmed or maybe even

1 Proceedings

2 removed so that you'd be able to see the
3 sign on Davies, but that's the procedure
4 for any kind of additional signage or
5 speeding complaints and things like
6 that, the town board as well as the town
7 highway superintendent.

8 MS. BECKER: Is it possible for
9 you gentlemen to investigate how it was
10 that that road near Spring Road was able
11 to get some sort of traffic control and
12 see whether that rule can apply to what
13 these people need on Carroll Drive?

14 MS. ROBERTI: I think there's a
15 grammar school on that street.

16 MR. ROBERTS: It's two different
17 issues, ma'am.

18 MR. GRAY: My sense is you would
19 need to make a request of the town board
20 and that would be given to the highway
21 superintendent.

22 MS. BETTINA: Yeah, but it's up
23 to the town board to make the decision
24 on that. So if there is concern, you
25 need to bring it to the town board.

1 Proceedings

2 MR. FONTANA: Okay.

3 MS. BETTINA: Thanks.

4 MR. FONTANA: If you have enough
5 people to go to the town board for a
6 stop sign or whatever you think that
7 will push that through?8 MS. BETTINA: I think they will
9 listen to you. I think that's what the
10 town board is there for, to listen to
11 the residents, and not just on stop
12 signs, on anything. That's what they're
13 there for, bring your concerns.

14 MR. FONTANA: Thank you.

15 MS. BETTINA: You're welcome.

16 MR. FLOWER: All right. Any
17 others?18 MS. FONTANA: I just have one
19 question about the construction. You
20 mentioned 7 to 7, I'm assuming they're
21 not going to work 7 to 7. Do we have a
22 timeline of what they're going to work?
23 Monday through Friday, I'm assuming.
24 Like what's the timeframe? Like when do
25 you allow --- when are they allowed to

1 Proceedings

2 bring in and start work?

3 MS. ROBERTI: 7 to 7.

4 MS. FONTANA: P.m., 7 to 7 p.m.?

5 MS. ROBERTI: 7 a.m. to 7 p.m.,
6 and it's up to the construction company
7 that's hired at the time. Now, I mean,
8 I don't know what each construction
9 company does, but I'm sure a lot of them
10 are union and they work seven hours or
11 whatever, so it would really be up to
12 the construction company.

13 MS. FONTANA: Okay. That's what
14 I'm saying, can we appeal that to the
15 town board? Because I really don't feel
16 like, you know, coming home for dinner
17 and having to hear construction at
18 night. I don't care what happens during
19 the day, but I think after 5 p.m. it's,
20 like, unreasonable.

21 MS. BETTINA: If I'm correct,
22 now, isn't that the code for the town
23 for the construction?

24 MR. ROBERTS: 7 p.m. Yeah, it's
25 7 p.m.

1 Proceedings

2 MS. BETTINA: 7 a.m. to 7 p.m.
3 for the entire town. It's not for
4 specific jobs, it's for the entire town.

5 MS. VISCONTI: Correct. It's for
6 everything.

7 MS. BETTINA: Exactly. So any
8 construction, from dogs barking,
9 anything like that. You know, I mean,
10 anything as far as noise, if you feel
11 that it's over and beyond call up,
12 that's what you have people here for.

13 MS. FONTANA: I get it. We're
14 just trying to be a little bit more
15 proactive. As you can understand, we're
16 very concerned, it's going to affect our
17 property values, it's going to affect
18 our quality of life. This is a big deal
19 and, you know, I mean obviously you have
20 your answer.

21 My sense is that you guys are
22 going to approve this and be done with
23 us, but, you know, you have to consider
24 that there are like 25 homes that are
25 affected and I just feel like we're, you

1 Proceedings

2 know, being dismissed and saying, okay,
3 we have our environmental study, we're
4 going to go ahead and proceed. That is
5 why I would like to correspond with
6 somebody that can really talk to us and
7 assure us that our interests are going
8 to be protected.

9 You know, this is my one and only
10 big investment. It may be small peanuts
11 to some people, but I live there. And,
12 you know, I bought a home. I went out
13 there and did my due diligence and, you
14 know, found a place where it's my ---
15 where I have privacy, where I love my
16 neighbors, where I can --- you know, my
17 children can play safely and now that's
18 all changing and we're just supposed to
19 sit here and accept it?

20 AUDIENCE MEMBER: And none of
21 knew, I mean, it was going to be behind
22 us.

23 MS. FONTANA: Yeah, we didn't
24 know. It's not that we oppose, but we
25 would like somebody to correspond with

1 Proceedings

2 so that we can at least be assured and
3 be comfortable with what's going to
4 happen. I think that's what we're
5 asking.

6 MS. BETTINA: I think you need to
7 understand that we also live in this
8 community, too. So please don't go
9 under the assumption, you're saying that
10 we've already made a decision where
11 that's not true.

12 MS. FONTANA: I'm assuming, so
13 correct me.

14 MS. BETTINA: No, but don't
15 assume, don't assume. We're here for a
16 reason. We're here to do what's right,
17 be it for these gentlemen, they're part
18 of the community also, you're part of
19 the community, I'm part of the
20 community. I've lived here all my life,
21 I've seen changes. I've seen a lot of
22 things. I have construction going down
23 my road, through the state, though the
24 city, and this is for 20 years.

25 MS. VISCONTI: 23 years it's

1 Proceedings

2 going to be.

3 MS. BETTINA: And I have no say
4 in it. It's unfortunate. It is, it's
5 unfortunate, and I'm happy that you do
6 live there and I'm happy that we're all
7 taking an interest, because it's very,
8 very important.

9 But, rest assured, we are trying
10 to do the right thing for everybody
11 involved as long as the T's are crossed
12 and the I's are dotted for you and for
13 them, because we have to live together
14 and we want everybody to be happy.

15 MS. FONTANA: Well, we're not
16 happy, but okay.

17 MS. BETTINA: But we're trying,
18 but we're working together and the lines
19 of communication need to stay open so we
20 do come to the right decision.

21 MR. FLOWER: Real quick.

22 MR. FONTANA: Yeah, real quick.
23 You're saying, you know, construction is
24 7 to 7. You know, do we have ---
25 Michael Fontana, 41 Carroll Drive. Do

1 Proceedings

2 we have like a town ordinance that, you
3 know, like people can't mow their lawns
4 until after like nine in the morning or
5 is that just out of respect to your
6 neighbor? I always thought it was a
7 town ordinance.

8 MR. FLOWER: It's in the zoning,
9 I'm sure. It's within the zoning.

10 MS. ROBERTI: Go to Chapter 166,
11 it's online. You go to the Town of
12 Wappinger and you go to the town code.
13 And so construction noise is 7 a.m. to
14 7 p.m. on weekdays and 9 a.m. to 6 p.m.
15 on weekends.

16 MR. FONTANA: Okay. Thank you.

17 MS. ROBERTI: It's in the code.

18 MR. FLOWER: Mrs. Cole, is there
19 something pertinent at this time,
20 though?

21 MS. COLE: Yes. Arlene Cole, 4
22 Scott Drive. How many days a week will
23 the construction be allowed to go on?
24 Is it Monday through Friday or is it
25 seven days a week?

1 Proceedings

2 MS. BETTINA: She just told you.

3 MS. VISCONTI: They just told
4 you.

5 MR. ROBERTS: She just told you.

6 MS. COLE: I didn't hear, I'm
7 sorry.8 MR. ROBERTS: We can't control
9 the days that they're going to construct
10 the building, we can only control the
11 noise levels. And, as Mrs. Roberti
12 indicated, it's 7 to 7 during the week
13 and 9 to 6 on the weekends. Sometimes
14 they --- you know, the union, the
15 contractors will require some overtime.16 MS. COLE: Well, is there
17 anything that we could do to have Sunday
18 free of noise? I mean, that's, you
19 know, a holy day for a lot of us.20 MR. ROBERTS: I don't know. I've
21 lived here almost 50 years and I don't
22 know of any projects that have actually
23 had any construction on a Sunday. It
24 has happened on occasion but it's
25 extremely rare and if they do work on

1 Proceedings

2 Sunday the costs are generally
3 prohibitive because it's usually double
4 or triple time depending on the union.

5 MS. COLE: Okay. So if they do
6 have construction on Sunday can we
7 complain to somebody?

8 MS. VISCONTI: She just told you
9 that the hours are 9 to 6 on Sunday, so
10 if the contractor who's building it ---
11 I mean, if all of a sudden you know that
12 it's rainy season or something, they may
13 want to push it up and get it done
14 before the rainy season and that's why
15 we have the latitude in the ordinance.

16 MS. COLE: Okay. Thank you.

17 MS. BETTINA: Anybody else?

18 MR. FLOWER: Okay. All right.
19 If there's no other further new
20 questions.

21 MR. ABREU: It's not a new
22 question. Felipe Abreu, A-B-R-E-U, 31
23 Carroll. I'm a union worker in
24 construction, I worked in the city for
25 eight years. There's certain streets in

Proceedings

1
2 the city you can't even get dirt on the
3 sidewalk, it happens. We're working ---
4 they're going to be working behind my
5 house. They'll be, like my wife said,
6 ten feet up in the field. There's going
7 to be debris and dust on my house. My
8 house is brand-new, just refurbished.
9 Who's going to pay for it if it gets
10 dirty? It's going to happen. I'm a
11 union worker, I've seen it, I've done
12 it, it's going to happen. Who's going
13 to take care of us on a brand-new house?

14 MR. FLOWER: There should be ---
15 if there's excessive dust, report it to
16 the zoning administrator and obviously
17 they'll send somebody out to take a look
18 at it.

19 MS. ABREU: My son has asthma.

20 MR. FLOWER: I mean, naturally
21 it's going to get dirty anyway. I mean,
22 there's no house that --- (Interrupted)

23 MR. ABREU: No, a hundred
24 percent. Like I said, I worked on
25 streets on 5th Avenue, downtown

1 Proceedings

2 Manhattan where you literally can't put
3 dust on the sidewalk. Now we're talking
4 country. Like, I moved out of the city
5 to come up here to be outside and not
6 deal with that. Like, I understand you
7 can build houses and whatever, but I
8 came up here to just be free. I didn't
9 come here to see my backyard, go on my
10 deck and see a big temple. I'm not
11 being racist or nothing.

12 MS. ABREU: Just like we said, we
13 just should have been notified and we
14 weren't and it's not fair.

15 MR. ABREU: And it sucks.

16 MR. FLOWER: Unfortunately you
17 bought the house from somebody who knew
18 what was going on and they apparently
19 didn't share with you, you know, what
20 was going to happen in the backyard.

21 MR. ABREU: Granted, but nobody
22 from the town or anybody gave us notice
23 or anything in a year and change we've
24 been here, which is not ---

25 (Interrupted)

1 Proceedings

2 MR. FLOWER: The notices may have
3 been sent out prior, prior to you.

4 MS. VISCONTI: To the old people.

5 MR. FLOWER: They may have been
6 sent to the prior owners.

7 MR. ABREU: But nobody lived
8 there before, it was a construction
9 company that bought it out and
10 refurbished it.

11 MR. ROBERTS: Well, it probably
12 got sent to that home or that address.

13 MS. ABREU: So when we did our
14 closing and I --- you know, I came here,
15 I came to this location to do my taxes
16 and everything, no one could have told
17 me that?

18 MR. ROBERTS: Well, the tax
19 department doesn't know any of that.

20 MS. ABREU: Well, I'm just saying
21 in general. I mean, you roll your eyes
22 and everything, I understand, but...

23 MR. ROBERTS: Can I just make a
24 comment, Ma'am? There is an obligation
25 for a developer on any project to notify

1 Proceedings

2 MS. ABREU: Okay.

3 MR. ABREU: For the backyard,
4 what are you guys gonna do, just trees,
5 bushes? Like we said, our backyard is
6 literally the field, so what safety do
7 we have with our children, because I see
8 somebody crossing that line...9 MS. BETTINA: You have every
10 right to call the police if somebody
11 trespasses.12 MR. ABREU: I have three little
13 kids, I'm going to wait on the police,
14 like?15 MS. BETTINA: No, wait. I
16 understand the problem with traffic and
17 people speeding.18 MR. ABREU: No, no, no, not
19 traffic. I'm talking about my backyard.20 MS. BETTINA: No, no, let me
21 finish. Let me finish for a minute. If
22 you're living in your home and somebody
23 comes into your property line or crosses
24 over, you have every right to call the
25 police. That's your property. That's

1 Proceedings

2 not just you, that's anybody that lives
3 in this community.

4 If you see somebody speeding ---
5 even where I live, my speed limit is
6 30 miles an hour, I see somebody doing
7 60 you don't think I'd call up? That's
8 why I'd call up and I'd want them there.

9 MR. ABREU: Yeah, but it's a
10 different story when you have 300 people
11 in your backyard.

12 MS. BETTINA: What do you mean
13 300 people in your backyard?

14 MR. ABREU: You said the capacity
15 of the building is 300 people; right?

16 MS. VISCONTI: On Sunday.

17 MR. ABREU: It doesn't matter
18 what day of the week it is.

19 MS. BETTINA: The square footage
20 of that building accommodates 300
21 people.

22 MR. ABREU: Granted, but it's
23 still in my backyard.

24 MS. BETTINA: Yes, unfortunately
25 it is your backyard, unfortunately you

1 Proceedings

2 did buy that, but, yes, unfortunately
3 nobody told you.

4 MR. FLOWER: Yeah, but do you
5 have a fence on both sides of your
6 backyard to keep your neighbors out?

7 AUDIENCE MEMBER: Who's going to
8 compensate him for that, to have a fence
9 there?

10 MR. ABREU: But they're my
11 neighbors.

12 MR. FLOWER: They're going to be
13 your neighbors also.

14 MS. FONTANA: I think it's not
15 right. You're supposed to be the town
16 board and represent all of us and it
17 doesn't seem like you are.

18 MR. FLOWER: Sir.

19 MR. TORRES: Good evening. Joe
20 Torres, 19 Partners Road. Thank you all
21 for your time. I do understand that
22 there's some valid concerns here and
23 while I'm familiar with the setback
24 rules and the actual diagram, maybe it
25 would behoove the board to explain to

1 Proceedings

2 those members, to those community
3 members with privacy concerns what the
4 setback rule is, what the actual setback
5 is. And just keep in mind that the Sikh
6 community has been in existence formally
7 for about 30 years in our community,
8 never have we had one issue.

9 So for those that are concerned
10 that there might be negative
11 consequences with their presence, I
12 counter that. For others who have
13 concerns about the prices of their
14 homes, remember, I think I mentioned it
15 the last time, it's not the actual
16 building but it's the dilapidated
17 houses. For instance, 33 Pye Lane has
18 been vacant nine years, it has had
19 vegetation growing out of the siding.
20 That brings down my property values.

21 Toll Brothers has built less than
22 a mile away from me. I live on 19
23 Partners, right across from Edge Hill.
24 Since that time I've seen coyotes run in
25 my backyard from what they've done.

1 Proceedings

2 They bought a lot of vermin and other
3 things into my community, but no one
4 opposed the Toll Brothers.

5 Somehow we all have to adjust to
6 it, we have to deal with it, and that's
7 the price you pay for living in what I
8 think is a fantastic community and I'm
9 glad to live here for the last 18 years.
10 Thank you for your time.

11 AUDIENCE MEMBERS: Thank you.

12 MR. FLOWER: Okay. At this time
13 any further questions? Yes, go ahead.

14 MS. FELD: Hi, my name is
15 Patricia Feld(Proper noun subject
16 correction) and I live in Wappingers
17 Falls, Reed Road. I'd just like to read
18 a statement. "While many people may
19 wish that the property could have been
20 made into a nature preserve, the
21 previous owners have already sold it for
22 development and that can't be undone.
23 Given that the land will be developed,
24 the surrounding neighbors are getting a
25 much better situation as far as

1 Proceedings

2 distance, spacing and privacy than a
3 commercial developer would give them.

4 A developer would build the most
5 houses possible on the least amount of
6 space that would almost certainly only
7 give the minimum requirement of
8 separation distance of 40 feet, as
9 opposed to the 100 feet setback plan for
10 the Sikh center. Practically speaking,
11 the Sikh center is likely to be the best
12 deal the neighborhood will get.

13 What needs to be addressed,
14 however, is that practical
15 considerations don't seem to be the only
16 thing why most or some of the people are
17 opposed to this project. People at the
18 previous meeting have accused the Sikhs
19 of somehow being unwilling to display an
20 American flag and someone even cited an
21 online article about how religious
22 groups are starting to steal the homes
23 of people in the surrounding areas.

24 It's one of the most serious
25 problems in our time that there's so

1 Proceedings

2 much false and hate based information
3 which is flooding the internet and the
4 world at large and this needs to be
5 addressed because it can have huge and
6 terrible consequences. It has to be one
7 of the world's most tragic ironies that
8 having been persecuted by Muslims in
9 India for hundreds of years the Sikhs
10 are now being persecuted in America by
11 people who mistake them for Muslims.

12 Since September 11th there have
13 been over 300 confirmed hate crimes in
14 this country against Sikhs. The worst
15 of these, as you probably are familiar
16 with, was on August 5, 2012 when a
17 gunman shot and killed six people at a
18 Sikh center and wounded three more.
19 This is the most extreme example of what
20 can happen when lies and hate are spread
21 and are unquestionably accepted in the
22 defiance of commonsense and common
23 goodness.

24 I have seen just the beginning of
25 this here in this forum, but even that

1 Proceedings

2 small insinuation, knowing how far it
3 can go if its not opposed, even that
4 vague insinuation is a terrible thing
5 and it needs to be stopped at once. The
6 people who oppose this project no matter
7 what need to take a good, clear look at
8 their real motivations and ask
9 themselves how they would feel if the
10 position were reversed, if they
11 themselves were trying to build a church
12 and they encountered bias not on
13 practical issues of the project itself
14 but on underlying and undeserved
15 hostility against you, yourself.

16 You would not like to be treated
17 like this. Please do not treat your
18 neighbors in this way. If your only
19 problems are practical considerations,
20 practical considerations can, with good
21 intentions on both sides, be worked out.
22 Thank you very much.

23
24 (APPLAUSE)
25

1 Proceedings

2 MR. GRAY: Bruce?

3 MR. FLOWER: All right. Yeah, go
4 ahead, Bob.5 MR. GRAY: Just a small clarity,
6 there's a five foot high picket steel
7 fence proposed around the entire
8 property.

9 AUDIENCE MEMBER: Okay.

10 MS. COLE: Steel, you said, I'm
11 sorry?12 MR. ROBERTS: Yeah, steel, that's
13 in the app, it's in the application
14 document. Just I wanted to clarify
15 that. Thank you. Sorry, Bruce.

16 MR. FLOWER: Miss Cole.

17 MS. COLE: Yes. Arlene Cole, 4
18 Scott Drive. I would just like to state
19 for the record that from the very first
20 meeting the opposition to this project
21 was never about the fact that it's a
22 Sikh temple, but about the fact that
23 it's a very large building and we stated
24 right at the beginning that we didn't
25 care if it was a Walmart, an A&P or

1 Proceedings

2 whatever.

3 Okay. We didn't want a building
4 of this size looming over the houses in
5 our neighborhood. Okay. And my concern
6 about the American flag was if it was
7 going to be placed properly on the
8 property. And that's all I have to say.
9 Thank you.

10 MR. FLOWER: Okay. At this time
11 I think it's --- I think we've gathered
12 enough information at this time to close
13 the public hearing. Can I get a motion?

14 MS. VISCONTI: Make a motion to
15 close the adjourned public hearing.

16 MS. BETTINA: Second.

17 MR. FLOWER: All members in favor
18 of closing the public hearing?

19
20 (ALL SAY AYE)

21
22 MR. FLOWER: All opposed?

23
24 (NO RESPONSE)

25

1 Proceedings

2 MR. FLOWER: All members have
3 voted aye in terms of closing the public
4 hearing. Okay. At this time we're
5 going to review our information. I
6 think before we make a negative
7 declaration I think we need to go back
8 and review and make sure we've answered
9 all our questions. Okay. We probably
10 should put this on for...

11 MS. VISCONTI: Next meeting date?

12 MR. FLOWER: Next meeting date
13 would be?

14 MS. OGUNTI: July 5th.

15 MS. VISCONTI: July 5th.

16 MR. FLOWER: July 5th. Do we
17 have room on our agenda?

18 MS. OGUNTI: We do.

19 MR. FLOWER: Okay. Can we get a
20 motion to go ahead and place them on the
21 agenda for the July 5th meeting?

22 MS. VISCONTI: I make a motion to
23 place them on the July 5th agenda.

24 MS. BETTINA: Second.

25 MR. FLOWER: Okay. All those in

1 Proceedings

2 favor?

3
4 (ALL SAY AYE)5
6 MR. FLOWER: Any opposed?7
8 (NO RESPONSE)9
10 MR. FLOWER: So all members have
11 voted aye in favor of adding it to the
12 next meeting.13 MS. ROBERTI: Can I just --- I
14 just want to tell the public, as well as
15 you, that July 5th is a Wednesday
16 because of the holiday.17 * * * *
18
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	add (1) 36:2	airborne (1) 40:3	40:24;43:3,8	attended (1) 17:15
\$	added (1) 5:3	aisle (1) 61:23	application (2) 27:4;87:13	audience (13) 3:14;8:19;19:6; 57:9,14;58:3;61:3, 12:64;21;69:20;81:7; 83:11;87:9
\$20,000 (1) 55:17	adding (1) 90:11	Al (1) 11:9	applications (1) 78:23	August (1) 85:16
A	addition (1) 15:20	Albany (2) 46:5,6	apply (1) 65:12	available (4) 16:17,19;20:18; 24:23
A&P (1) 87:25	additional (3) 11:25;15:22;65:4	Alfred (1) 3:24	appointed (1) 21:18	avenue (2) 10:11;75:25
ABC (1) 20:14	additions (3) 36:11,13;37:13	allow (1) 66:25	approval (1) 10:8	aware (1) 54:21
able (5) 27:16;28:15;38:21; 65:2,10	address (5) 8:7;45:5;52:14; 64:7;77:12	allowed (4) 35:22;40:8;66:25; 72:23	approve (2) 10:4;68:22	away (1) 82:22
ABREU (37) 54:9,13,17,17; 56:24;57:2,6,10,15, 19,23,25;58:5,16,19, 23;59:3,21;74:21,22; 75:19,23;76:12,15, 21;77:7,13,20;79:2,3, 12,18;80:9,14,17,22; 81:10	addressed (8) 10:21;18:15;52:6; 59:12;63:23;64:11; 84:13;85:5	allows (1) 13:22	approved (1) 46:5	awhile (2) 48:17;50:8
A-B-R-E-U (2) 54:18;74:22	addresses (1) 78:3	almost (4) 12:9;59:24;73:21; 84:6	architect (1) 3:25	AYE (6) 3:10,13;88:20; 89:3;90:4,11
absolutely (2) 28:14;49:25	adjacent (1) 8:2	along (5) 7:22;23:3,7;25:7; 52:25	area (11) 4:21,23;5:5,6;13:9, 11;26:21;46:25;47:2; 56:4;61:5	B
abutting (1) 10:23	adjoining (1) 23:8	alternatives (1) 13:23	areas (12) 4:12;26:18;35:9, 13,19,20;36:17; 37:24;39:3,4;41:20; 84:23	babies (1) 32:3
accelerating (1) 27:14	adjourn (1) 9:3	Although (1) 7:8	Arlene (3) 28:22;72:21;87:17	back (13) 3:18;6:3;17:5; 18:24;19:3,22,25; 36:23;44:16;55:14; 58:2;59:7;89:7
accept (1) 69:19	adjourned (2) 3:5;88:15	always (1) 72:6	around (6) 33:20;34:4;39:19; 46:24,25;87:7	backyard (17) 55:9,10;56:15; 57:24;58:2;59:5; 76:9,20;79:3,5,19; 80:11,13,23,25;81:6; 82:25
accepted (1) 85:21	adjust (1) 83:5	America (1) 85:10	art (1) 26:11	balance (1) 64:6
accident (1) 60:19	administrator (3) 31:11;40:18;75:16	American (2) 84:20;88:6	article (1) 84:21	Balfour (1) 45:8
accommodate (1) 38:13	advised (1) 35:5	amount (2) 33:23;84:5	Assessment (2) 24:7;48:8	B-A-L-F-O-U-R (1) 45:9
accommodates (1) 80:20	affect (3) 20:7;68:16,17	analysis (1) 16:23	asset (1) 20:6	balloon (9) 6:19,24,25;7:7,10; 57:7,7,12,13
accordance (3) 18:7,15;43:18	affected (3) 9:13;11:7;68:25	and/or (1) 12:2	associated (1) 12:22	balloons (6) 5:10,17;6:3,11,15; 7:17
according (2) 46:20;47:12	again (13) 6:21;10:18;12:3,6, 15,23,23;14:10,14; 32:23;36:23;37:11, 13	Angels (5) 4:10;7:23;10:24; 25:20;61:16	assume (2) 70:15,15	barbecue (1) 57:11
accurate (1) 19:19	against (3) 40:9;85:14;86:15	animals (1) 13:14	assuming (5) 23:9,18;66:20,23; 70:12	barking (1) 68:8
accused (1) 84:18	agencies (1) 47:16	anniversary (1) 53:9	assumption (1) 70:9	based (2) 38:17;85:2
acres (2) 4:9;57:5	agenda (4) 3:3;89:17,21,23	answered (1) 89:8	assurance (1) 43:5	basically (2) 11:14;48:10
across (8) 6:21;41:11;59:15; 60:6,9,16;61:18; 82:23	agendas (1) 78:14	anticipated (1) 12:7	assure (2) 16:13;69:7	basin (1) 41:11
act (3) 34:5;49:20;52:24	ago (7) 5:16;13:24;19:24; 44:5;59:16;61:2,4	apex (2) 7:9,11	assured (4) 17:15;18:3;70:2; 71:9	basis (1) 40:20
actual (5) 6:4;11:11;81:24; 82:4,15	agree (1) 54:5	apologize (3) 8:12,16;31:8	asthma (1) 75:19	
actually (2) 23:25;73:22	ahead (9) 8:6,21;24:3;25:10; 39:24;69:4;83:13; 87:4;89:20	app (1) 87:13	attachments (1) 48:9	
	air (4) 39:17,22;41:6,6	apparently (3) 39:8;60:2;76:18	attempt (2) 5:10,20	
		appeal (1) 67:14	attempted (1) 7:17	
		APPLAUSE (1) 86:24		
		applicant's (3)		

basketball (1) 27:9	64:12;65:6,19,23,25; 66:5,10;67:15;78:15, 15,16,23,24;81:16,25	80:15,20;82:16; 87:23;88:3	cared (1) 44:4	clear (7) 29:4;31:14,23; 32:12;36:9;50:4;86:7
Bath (1) 62:11	Bob (4) 39:24;41:17;64:6; 87:4	built (12) 11:18;12:23;14:6; 19:3;34:14;35:11,14, 17,20;36:21,21;82:21	careful (2) 16:9,22	clearer (1) 7:14
BECKER (6) 61:24,24;62:23; 63:10,18;65:8	bog (1) 24:15	bumps (1) 25:15	Carroll (20) 8:10,23;10:23; 22:2;25:13,19;27:8; 54:14,18;59:9,15; 60:6,16;61:18,20; 63:19;64:10;65:13; 71:25;74:23	clearing (1) 15:7
become (1) 15:23	both (4) 35:15;42:15;81:5; 86:21	buses (3) 62:17;63:6,15	center (9) 6:20,24,25;7:15, 16;17:14;84:10,11; 85:18	close (3) 57:22;88:12,15
Bed (1) 62:11	bother (1) 53:24	bushes (2) 17:7;79:5	carry (1) 31:25	closing (3) 77:14;88:18;89:3
begin (1) 22:20	bought (7) 56:3,9;58:9;69:12; 76:17;77:9;83:2	busy (2) 17:14;51:2	catch (1) 41:11	CO (1) 28:16
beginning (4) 4:4;29:5;85:24; 87:24	Boulevard (1) 61:25	buy (1) 81:2	center (9) 6:20,24,25;7:15, 16;17:14;84:10,11; 85:18	code (13) 17:20,21;18:8,16; 19:15;29:10,14,18; 30:2;31:18;67:22; 72:12,17
begins (2) 23:17,18	brand-new (2) 75:8,13	call (13) 15:24;16:14;30:10; 32:14,19,21;47:15; 53:16;68:11;79:10, 24;80:7,8	central (1) 12:16	codes (1) 21:10
behind (4) 13:8,8;69:21;75:4	breath (1) 5:12	called (4) 31:17;36:25;45:23; 52:23	certain (9) 23:22;26:18;33:23; 35:25;51:19;63:14, 15;64:3;74:25	COLE (50) 28:22,23;29:11,21; 30:3,9,20;31:24; 32:11,20,25;33:6,13, 19,25;34:20;36:5,9, 15;37:15,22;38:3,7, 19;39:5,11,15;40:11; 41:2,9;42:3,10;43:5, 10,13,25;44:8,10,13; 72:18,21,21;73:6,16; 74:5,16;87:10,16,17, 17
behoove (1) 81:25	breathe (1) 56:5	calling (1) 31:14	certainly (2) 34:12;84:6	color (1) 8:14
besides (1) 55:5	brief (1) 3:22	came (8) 45:14;48:16,18; 49:11;55:4;76:8; 77:14,15	certainty (1) 19:13	comfortable (1) 70:3
best (2) 5:20;84:11	briefly (1) 23:12	can (60) 9:15,16,17,21; 13:21;14:5;16:10,12; 17:22;18:16;19:13; 21:6,19,21;23:7; 25:23;28:5;33:24; 34:14;38:10;41:16; 44:21,21,23;46:7; 47:19;50:8,15,15,16; 51:17;52:18;53:15, 18;54:15;55:8,24; 59:4;62:8;63:20; 65:12;67:14;68:15; 69:6,16,17;70:2; 73:10;74:6;76:7; 77:23;78:6,12;85:5, 20;86:3,20;88:13; 89:19;90:13	chairman (1) 13:22	coming (6) 14:5;54:24;55:23; 59:15;60:6;67:16
bet (1) 24:9	bring (4) 37:25;65:25;66:13; 67:2	calling (1) 31:14	change (1) 76:23	comment (1) 77:24
better (2) 12:17;83:25	bringing (1) 32:10	calling (1) 31:14	changes (4) 5:7;41:14;42:19; 70:21	comments (1) 3:23
BETTINA (23) 3:6;64:18;65:22; 66:3,8,15;67:21;68:2, 7;70:6,14;71:3,17; 73:2;74:17;79:9,15, 20;80:12,19,24; 88:16;89:24	brings (1) 82:20	called (4) 31:17;36:25;45:23; 52:23	changing (2) 20:2;69:18	commercial (1) 84:3
Beyond (2) 62:12;68:11	brokers (1) 19:17	calling (1) 31:14	Chapter (1) 72:10	common (1) 85:22
bias (1) 86:12	Brothers (5) 21:15;33:11,14; 82:21;83:4	calling (1) 31:14	charge (1) 23:16	commonsense (1) 85:22
bicycle (1) 27:9	Brothers' (1) 33:21	calling (1) 31:14	children (11) 26:21;27:22;55:6, 14,24;56:14;57:12; 58:2;59:4;69:17;79:7	communicate (1) 21:19
big (6) 31:16;47:2;68:18; 69:10;76:10;78:11	brought (2) 3:17;34:10	calling (1) 31:14	church (2) 26:19;86:11	communication (1) 71:19
bill (1) 42:23	Bruce (2) 87:2,15	calling (1) 31:14	cited (1) 84:20	community (20) 8:12;9:4,12;10:22; 15:24;17:13;18:23; 20:6;21:16;70:8,18, 19,20;78:12;80:3; 82:2,6,7;83:3,8
bit (2) 6:18;68:14	buffer (2) 34:5;41:23	calling (1) 31:14	citizen (1) 12:21	company (4) 67:6,9,12;77:9
blacktop (1) 5:5	build (10) 34:17;35:19,24; 37:4,24;43:20;55:15; 76:7;84:4;86:11	calling (1) 31:14	City (5) 18:11;70:24;74:24; 75:2;76:4	comparisons (1) 13:25
Blanding's (5) 22:9,24;24:10,18; 25:4	building (47) 5:12,13,23;6:5,16, 17;7:2,4,9,15,16; 11:16,19,20;12:7,7, 17;15:8;20:5;21:15; 23:3;28:16;32:7; 33:12;34:9,12,14; 35:2,11,16,17,18; 37:10,16;38:18,24; 40:15,20;55:19; 60:14;73:10;74:10;	calling (1) 31:14	clarify (1) 87:14	
block (2) 31:16;62:12	blown (2) 13:4;57:18	calling (1) 31:14	clarity (1) 87:5	
blown (2) 13:4;57:18	blue (2) 21:24;59:7	calling (1) 31:14	classroom (1) 12:20	
blue (2) 21:24;59:7	board (18) 10:4,7;36:24;	calling (1) 31:14	classrooms (1) 12:2	
board (18) 10:4,7;36:24;		calling (1) 31:14		

<p>compensate (1) 81:8</p> <p>complain (2) 31:11;74:7</p> <p>complaint (2) 30:7;64:16</p> <p>complaints (2) 63:25;65:5</p> <p>completed (1) 12:18</p> <p>completely (2) 23:20;25:2</p> <p>compliance (1) 15:19</p> <p>complicated (1) 29:17</p> <p>complied (2) 53:12,12</p> <p>comply (4) 17:19;21:9,10;46:9</p> <p>computer (2) 49:4,5</p> <p>concern (7) 7:3;45:15;46:19; 48:20;59:14;65:24; 88:5</p> <p>concerned (10) 53:5;54:20;55:2, 13,20;56:10,16;60:5; 68:16;82:9</p> <p>concerns (8) 4:15;9:8;21:20; 64:9;66:13;81:22; 82:3,13</p> <p>conclusion (1) 48:13</p> <p>conclusions (1) 22:15</p> <p>confines (1) 7:19</p> <p>confirmed (1) 85:13</p> <p>conform (1) 34:18</p> <p>congregation (1) 38:9</p> <p>consequence (1) 63:6</p> <p>consequences (2) 82:11;85:6</p> <p>Conservation (1) 16:3</p> <p>consider (1) 68:23</p> <p>consideration (3) 6:5;60:21,23</p> <p>considerations (3) 84:15;86:19,20</p> <p>constraints (1) 8:25</p> <p>construct (2) 4:7;73:9</p> <p>construction (39)</p>	<p>9:9,17;10:17;11:6, 10;13:4,12;20:8,10; 21:13,14;29:22; 30:25;31:19,20; 33:10;38:24;39:18; 40:5,7;46:3,8;54:10; 56:7;66:19;67:6,8,12, 17,23;68:8;70:22; 71:23;72:13,23; 73:23;74:6,24;77:8</p> <p>consultant (1) 40:17</p> <p>contact (3) 20:16;21:18,21</p> <p>contemplating (1) 56:17</p> <p>contemporary (2) 18:9;43:18</p> <p>contractor (2) 74:10;78:4</p> <p>contractors (1) 73:15</p> <p>control (7) 15:11;27:17;33:24; 40:2;65:11;73:8,10</p> <p>controls (1) 15:19</p> <p>conversation (2) 31:25;32:2</p> <p>copies (5) 16:11;21:4,7; 50:18;51:17</p> <p>copy (1) 3:16</p> <p>corner (2) 4:12;6:16</p> <p>Correct (4) 64:21;67:21;68:5; 70:13</p> <p>correction (2) 59:9;83:16</p> <p>correspond (3) 9:22;69:5,25</p> <p>cost (1) 37:23</p> <p>costs (1) 74:2</p> <p>counter (1) 82:12</p> <p>country (2) 76:4;85:14</p> <p>County (1) 27:14</p> <p>couple (2) 3:22;56:13</p> <p>course (1) 19:18</p> <p>court (1) 30:18</p> <p>cover (2) 34:8,11</p> <p>coyotes (1) 82:24</p>	<p>crawling (1) 13:14</p> <p>creating (1) 37:3</p> <p>creed (1) 8:14</p> <p>crimes (1) 85:13</p> <p>crossed (1) 71:11</p> <p>crosses (1) 79:23</p> <p>crossing (1) 79:8</p> <p>curious (1) 23:6</p> <p>current (2) 38:9;58:17</p> <p>cut (3) 25:20;55:11;62:11</p> <p>cut-through (1) 27:21</p>	<p>71:20</p> <p>decisions (1) 30:18</p> <p>deck (1) 76:10</p> <p>declaration (1) 89:7</p> <p>dedicated (2) 25:25;26:15</p> <p>deer (1) 46:13</p> <p>defiance (1) 85:22</p> <p>definition (3) 7:8;29:12;32:12</p> <p>delineated (1) 4:13</p> <p>deliveries (1) 4:25</p> <p>delivery (3) 4:21,23;5:6</p> <p>delve (1) 10:16</p> <p>deny (1) 20:8</p> <p>Department (3) 16:2;45:19;77:19</p> <p>depending (2) 11:23;74:4</p> <p>depends (1) 12:24</p> <p>DERESH (7) 21:25;22:2;24:8, 12,19,25;25:5</p> <p>design (2) 38:16;43:20</p> <p>designed (5) 34:18;38:16;41:19; 43:17,22</p> <p>designing (1) 38:13</p> <p>destruction (1) 47:4</p> <p>detention (3) 15:9;41:22,23</p> <p>determined (1) 38:23</p> <p>develop (1) 18:6</p> <p>developed (2) 43:22;83:23</p> <p>developer (4) 15:15;77:25;84:3,4</p> <p>development (1) 83:22</p> <p>diagram (1) 81:24</p> <p>difference (1) 33:8</p> <p>different (6) 18:10;29:19;31:21; 39:3;65:16;80:10</p> <p>difficult (1)</p>	<p>6:13</p> <p>dilapidated (1) 82:16</p> <p>diligence (1) 69:13</p> <p>dimensional (1) 6:14</p> <p>dinner (1) 67:16</p> <p>dipping (1) 6:2</p> <p>direction (1) 13:7</p> <p>directional (1) 63:4</p> <p>directly (1) 55:9</p> <p>dirt (2) 39:20;75:2</p> <p>dirty (2) 75:10,21</p> <p>disagree (1) 54:6</p> <p>disagreeable (1) 20:4</p> <p>disclose (1) 58:18</p> <p>discussed (1) 63:24</p> <p>discussions (1) 10:7</p> <p>dismissed (1) 69:2</p> <p>display (1) 84:19</p> <p>dissertation (1) 4:19</p> <p>distance (2) 84:2,8</p> <p>disturbance (1) 12:11</p> <p>divert (2) 60:16;61:18</p> <p>diverted (3) 41:10;42:11,21</p> <p>document (1) 87:14</p> <p>documents (1) 25:8</p> <p>dogs (1) 68:8</p> <p>dome (5) 6:8;7:3,16;34:12, 15</p> <p>done (19) 15:15,17;22:10; 31:22;32:8;36:14; 39:8;42:7;44:7,9; 46:19;53:21;59:3; 61:20;63:4;68:22; 74:13;75:11;82:25</p> <p>dotted (1) 71:12</p>
D				
		<p>date (2) 89:11,12</p> <p>Dave (1) 47:24</p> <p>David (1) 24:2</p> <p>Davies (7) 61:8,9,12;64:15,15, 24;65:3</p> <p>day (10) 29:20;47:8,8;49:8; 50:7;53:13,14;67:19; 73:19;80:18</p> <p>days (5) 50:25;51:2;72:22, 25;73:9</p> <p>dead (1) 61:5</p> <p>deal (4) 68:18;76:6;83:6; 84:12</p> <p>dealing (1) 8:17</p> <p>debris (2) 13:13;75:7</p> <p>DEC (1) 16:5</p> <p>decency (1) 58:10</p> <p>decibel (1) 29:14</p> <p>decibels (9) 29:15,16;30:4,6,13, 22,24;31:5;33:2</p> <p>decided (1) 19:24</p> <p>decision (4) 12:10;65:23;70:10;</p>		

<p>double (1) 74:3</p> <p>doubt (1) 33:4</p> <p>down (11) 7:22;30:21;36:2; 55:11,17;56:19; 57:18;62:8,25;70:22; 82:20</p> <p>downtown (1) 75:25</p> <p>dozen (1) 14:6</p> <p>draft (1) 47:25</p> <p>drain (1) 14:19</p> <p>drainage (2) 11:22;14:2</p> <p>drifts (1) 39:22</p> <p>Drive (23) 10:23;22:2;25:13, 19;27:8;28:23;33:11, 20;45:8;54:14,18; 59:10,15;60:6,16; 61:19,20;63:19; 64:10;65:13;71:25; 72:22;87:18</p> <p>driving (1) 7:21</p> <p>due (2) 8:25;69:13</p> <p>dump (1) 32:10</p> <p>duplication (1) 21:5</p> <p>during (8) 9:9;19:18;29:19, 23;30:25;40:5;67:18; 73:12</p> <p>dust (8) 9:14;39:19;40:6,8; 41:6;75:7,15;76:3</p> <p>Dutchess (2) 18:10;27:14</p>	<p>eight (1) 74:25</p> <p>else (4) 37:8;43:24;55:4; 74:17</p> <p>e-mail (1) 52:17</p> <p>employees (1) 51:18</p> <p>encountered (1) 86:12</p> <p>encroach (1) 42:16</p> <p>endangered (4) 22:6,13;24:6,13</p> <p>ends (1) 7:14</p> <p>enforce (1) 40:10</p> <p>engineer (3) 14:24;15:2;40:19</p> <p>engineering (1) 43:18</p> <p>enough (2) 66:4;88:12</p> <p>entire (8) 11:16,17;12:8; 26:2;35:10;68:3,4; 87:7</p> <p>entirely (1) 19:14</p> <p>entitled (2) 26:2,16</p> <p>entrance (1) 6:23</p> <p>environment (1) 52:15</p> <p>environmental (17) 9:6,14;16:2,11; 45:14,18,19,24; 46:21;47:25;48:8; 49:20;50:9;51:25; 52:15,24;69:3</p> <p>EPA (2) 45:20;46:22</p> <p>equipment (2) 32:10;33:16</p> <p>eroding (1) 41:7</p> <p>erosion (2) 15:18;40:2</p> <p>especially (1) 9:9</p> <p>estate (1) 19:17</p> <p>etc (1) 8:25</p> <p>even (10) 22:6,12,19;35:6; 64:25;75:2;80:5; 84:20;85:25;86:3</p> <p>evening (3) 21:25;28:22;81:19</p>	<p>events (1) 15:20</p> <p>everybody (12) 6:12;17:19;18:5; 26:16;31:14;33:9; 43:24;44:21;54:4; 71:10,14;78:22</p> <p>everybody's (1) 7:3</p> <p>exact (1) 63:2</p> <p>Exactly (1) 68:7</p> <p>example (1) 85:19</p> <p>excavation (1) 13:5</p> <p>exceed (1) 23:4</p> <p>excessive (11) 17:21;18:13;29:5, 12;30:11,15,16;32:5, 13,16;75:15</p> <p>excuse (1) 44:2</p> <p>exist (1) 22:15</p> <p>existence (1) 82:6</p> <p>exists (1) 5:25</p> <p>expanded (1) 48:8</p> <p>expect (2) 23:7,12</p> <p>expected (1) 31:4</p> <p>experts (1) 50:9</p> <p>explain (1) 81:25</p> <p>exterior (1) 35:16</p> <p>extreme (1) 85:19</p> <p>extremely (1) 73:25</p> <p>eyes (1) 77:21</p>	<p>Falls (2) 28:23;83:17</p> <p>false (1) 85:2</p> <p>familiar (3) 28:25;81:23;85:15</p> <p>families (1) 45:16</p> <p>fantastic (1) 83:8</p> <p>far (5) 27:5;59:17;68:10; 83:25;86:2</p> <p>Farms (1) 28:24</p> <p>fault (1) 42:25</p> <p>favor (4) 3:8;88:17;90:2,11</p> <p>federal (2) 46:23;49:15</p> <p>feel (4) 67:15;68:10,25; 86:9</p> <p>feet (12) 6:8,17,17,19,23; 23:4;37:5,14;57:8; 75:6;84:8,9</p> <p>FELD (1) 83:14</p> <p>FeldProper (1) 83:15</p> <p>Felipe (1) 74:22</p> <p>fence (10) 5:3;17:2,3;23:20; 55:16,19;56:13;81:5, 8;87:7</p> <p>few (1) 59:16</p> <p>field (4) 57:23,25;75:6;79:6</p> <p>Fieldstone (1) 61:25</p> <p>file (3) 21:2;51:17,23</p> <p>fill (4) 6:6;50:21,23,24</p> <p>final (1) 10:8</p> <p>fine (1) 14:9</p> <p>finish (2) 79:21,21</p> <p>fire (1) 38:23</p> <p>first (5) 45:13;47:5;48:18; 54:22;87:19</p> <p>fish (1) 46:10</p> <p>fit (2) 11:25;12:13</p>	<p>five (5) 5:16;14:7;44:5; 50:25;87:6</p> <p>flag (2) 84:20;88:6</p> <p>flat (3) 6:21,22;7:6</p> <p>flew (7) 5:16;6:18,19,24; 7:7,10,17</p> <p>floated (1) 6:4</p> <p>floating (1) 39:19</p> <p>flooding (4) 41:12;42:12,20; 85:3</p> <p>floor (1) 3:22</p> <p>flow (3) 10:19;61:21;62:24</p> <p>FLOWER (74) 3:2,7,12;8:6,20; 9:23;10:6;11:4,9; 14:12,23;21:23;24:2; 25:10;28:21;34:16; 35:22;36:7,10,19; 38:3,11,22;39:7,12, 24;41:16;44:8,11,14, 19,25;45:4,11;47:23; 48:5,10;54:8,11,15; 56:21,25;58:14,17, 21,25;59:6;61:22; 66:16;71:21;72:8,18; 74:18;75:14,20; 76:16;77:2,5;81:4,12, 18;83:12;87:3,16; 88:10,17,22;89:2,12, 16,19,25;90:6,10</p> <p>flown (1) 6:11</p> <p>fly (1) 5:10</p> <p>flying (1) 5:19</p> <p>fog (1) 47:11</p> <p>FOIL (6) 50:21,23,24;51:4, 13,16</p> <p>follow (5) 31:12;45:23;47:15; 52:25;53:4</p> <p>followed (1) 49:22</p> <p>following (3) 46:21;49:14,21</p> <p>Fontana (52) 8:9,9,22,23;10:2, 13;11:5;12:25;13:18; 14:9,14,17;15:3; 16:10,17,24;17:23; 18:17;19:7,12,21;</p>
E				
<p>early (1) 12:6</p> <p>Ecological (2) 22:11;24:23</p> <p>ecology (1) 50:10</p> <p>economics (2) 11:24;37:19</p> <p>Edge (1) 82:23</p> <p>effect (2) 43:11,17</p> <p>effective (1) 37:23</p>				
		F		
		<p>facility (1) 5:2</p> <p>fact (5) 5:23;53:21;64:24; 87:21,22</p> <p>factor (2) 17:12;18:8</p> <p>fair (1) 76:14</p> <p>fairly (2) 54:19,21</p>		

20:23;21:17,22; 25:12,13;26:4,8,12, 17,24;27:6,18;28:3,4, 11,17,20;66:2,4,14, 18;67:4,13;68:13; 69:23;70:12;71:15, 22,25;72:16;81:14 foot (8) 4:8;17:7;35:13; 37:9,12,17;42:23; 87:6 footage (2) 38:17;80:19 force (1) 27:13 forget (1) 46:18 forgot (4) 29:15;38:8;46:17; 63:16 form (1) 48:9 formally (1) 82:6 formula (1) 29:17 forum (1) 85:25 forward (2) 17:17;20:20 found (1) 69:14 four (2) 47:9;60:25 fox (1) 46:13 free (3) 21:3;73:18;76:8 Freedom (2) 51:8,11 frequently (1) 63:16 Friday (2) 66:23;72:24 front (5) 6:20,22,23;23:3; 44:22 full (4) 13:4;17:6;22:23; 48:8 funding (1) 12:24 funny (1) 59:24 further (2) 74:19;83:13 future (10) 35:14,18,21;37:25; 38:15;45:15,17; 47:20,20,22	gabled (1) 7:10 garbage (1) 13:13 Garden (1) 62:11 gathered (1) 88:11 gave (1) 76:22 general (3) 51:23;77:21;78:25 generally (1) 74:2 generation (1) 45:15 Gentleman (6) 21:23;25:10;29:6; 44:16;48:14;53:7 gentlemen (2) 65:9;70:17 gets (1) 75:9 given (4) 5:22;65:20;78:14; 83:23 glad (1) 83:9 glasses (1) 34:10 gonna (1) 79:4 good (7) 13:2;15:4;21:25; 28:22;81:19;86:7,20 goodness (1) 85:23 grade (3) 5:24;6:2,9 grading (1) 5:22 grammar (1) 65:15 grand (2) 47:21;56:18 Granted (2) 76:21;80:22 Gray (22) 14:25,25;15:4; 16:14,18,22;39:25; 40:14;41:4,18;42:5; 43:2,7,12;51:8;61:7; 63:23;64:8,22;65:18; 87:2,5 groups (3) 64:4,5;84:22 growing (1) 82:19 grown (1) 17:6 guarantee (1) 27:23 guess (2)	39:16;55:11 gunman (1) 85:17 guy (1) 34:23 guys (12) 8:16;25:16;44:3; 45:21,22;46:5,7; 47:14;55:11;56:11; 68:21;79:4	H Habitat (3) 24:7,10;46:15 hall (2) 12:19;78:22 hand (3) 9:20;35:10,12 Handing (1) 53:22 happen (11) 9:15;10:16;14:18; 23:25;42:4;53:25; 70:4;75:10,12;76:20; 85:20 happened (3) 4:20;5:7;73:24 happens (4) 41:12;42:18;67:18; 75:3 happy (6) 9:21;51:7;71:5,6, 14,16 hat (1) 25:11 hate (3) 85:2,13,20 head (1) 38:12 hear (7) 17:9;31:9,24; 44:21;62:3;67:17; 73:6 heard (2) 19:16;60:22 hearing (10) 3:5;9:24;10:3,9,10; 55:16;88:13,15,18; 89:4 heavy (1) 15:20 height (8) 5:11,13;6:4,7,23; 7:9;23:5,10 help (2) 61:20;63:19 here's (1) 53:21 Hi (3) 8:22;15:3;83:14 high (3) 6:17;17:3;87:6	higher (4) 5:24;6:18;42:14,15 highway (12) 25:25;26:7,9,14; 28:9,12,14;63:9; 64:12,17;65:7,20 Hill (2) 4:10;82:23 hired (1) 67:7 Hold (1) 44:19 holiday (1) 90:16 holy (1) 73:19 home (12) 19:24;54:24;56:2, 9,17;57:21,22;58:9; 67:16;69:12;77:12; 79:22 homes (7) 7:25;14:6;19:2; 33:10;68:24;82:14; 84:22 honest (2) 32:9;56:8 hopefully (2) 50:5,6 Hopewell (7) 4:11;7:22;25:21; 41:13;42:13,19; 61:16 hostility (1) 86:15 hour (1) 80:6 hours (2) 67:10;74:9 house (12) 4:8;33:18;37:14; 55:18;56:19;58:15; 75:5,7,8,13,22;76:17 houses (5) 10:23;76:7;82:17; 84:5;88:4 huge (1) 85:5 humps (1) 25:22 hundred (1) 75:23 hundreds (1) 85:9 hurt (2) 27:24;60:19	illegal (1) 25:16 illustrate (5) 5:11;6:10;7:2,13; 41:21 immediate (2) 12:18,19 immediately (4) 11:18;12:23;13:8; 15:21 Impact (7) 45:24;46:4;47:24, 25;48:11;51:25; 52:16 important (5) 22:3;54:3,4;62:7; 71:8 inaccurate (1) 19:15 Inaudible (2) 46:16,17 included (1) 36:22 increased (2) 10:19;16:7 India (1) 85:9 indicated (1) 73:12 indigenous (1) 23:2 infiltrates (1) 13:10 information (9) 10:11,14;20:17; 22:22;51:9,11;85:2; 88:12;89:5 infrastructure (1) 11:17 inhibits (1) 62:24 inside (1) 12:14 insinuation (2) 86:2,4 inspection (1) 15:17 inspections (2) 15:22;42:7 inspector (2) 38:23;40:23 inspectors (2) 40:15,21 instance (4) 4:20;6:8;64:14; 82:17 intended (1) 11:18 intention (1) 10:3 intentions (1) 86:21 interest (1)
G			I		
			idea (3) 55:3,4;56:7 ifs (2) 14:15;20:11		

71:7 interests (2) 64:6;69:7 interior (2) 11:25;12:5 internally (1) 78:10 internet (1) 85:3 Interrupted (32) 14:8,11,13,22; 18:4;24:16;26:5,23; 27:5;31:6;32:22,24; 33:5,12;36:6,8;38:2; 41:3;43:14;44:18,24; 45:3;48:4,6;49:10, 16:50;22:51;15:59;2; 63:2;75:22;76:25 intersection (3) 4:10;64:18,19 into (9) 6:5;10:16;13:15; 33:11;39:22;60:21; 79:23;83:3,20 invasive (1) 36:12 investigate (2) 19:13;65:9 investigated (2) 30:8;63:20 investment (1) 69:10 involved (1) 71:11 ironies (1) 85:7 I's (1) 71:12 issue (4) 39:16,17;62:7;82:8 issued (1) 38:25 issues (7) 9:14;10:21;16:25; 17:16;59:12;65:17; 86:13 item (4) 3:3;38:5,5,8 items (1) 9:19	J-O-R-G-E (1) 45:7 July (6) 89:14,15,16,21,23; 90:15	74:15 Laurel (1) 61:24 Law (3) 26:14;28:19;43:12 lawns (1) 72:3 least (5) 12:16;22:18;25:23; 70:2;84:5 leave (1) 8:3 legal (1) 34:17 legally (1) 28:2 less (2) 42:2;82:21 lesser (1) 42:2 letter (2) 43:11,16 level (5) 29:14;31:21;45:21; 46:23;47:17 levels (2) 42:14;73:11 library (1) 12:20 lies (1) 85:20 life (5) 10:21;16:25;19:22; 68:18;70:20 light (4) 10:15;23:23;61:15; 64:14 likely (1) 84:11 limit (3) 27:19;39:4;80:5 limited (1) 27:4 limiting (1) 63:14 limits (1) 27:17 line (2) 79:8,23 lines (1) 71:18 list (2) 9:18;24:14 listed (1) 24:15 listen (3) 20:9;66:9,10 literally (3) 53:10;76:2;79:6 little (7) 4:19;5:25;6:18; 34:22;55:2;68:14; 79:12	live (18) 11:2;19:23;27:7; 28:24;44:18;45:16; 46:14;57:20;59:24, 25;69:11;70:7;71:6, 13;80:5;82:22;83:9, 16 lived (3) 70:20;73:21;77:7 lives (1) 80:2 living (4) 18:20,23;79:22; 83:7 lobby (1) 12:16 located (1) 52:9 location (2) 23:13;77:15 logistics (1) 23:16 long (6) 9:11;49:18;52:20; 58:14;71:11;78:20 Longer (1) 61:3 look (7) 17:22;27:8;58:6,7; 75:17;78:24;86:7 looked (2) 64:18,22 looking (5) 4:7;24:12;33:20; 47:7,13 looming (1) 88:4 lot (15) 8:17;9:8;16:6; 18:25;24:20;26:20; 31:15;39:18;46:13; 59:11;60:15;67:9; 70:21;73:19;83:2 lots (1) 15:8 loud (1) 31:10 love (2) 20:5;69:15	20:10 Manhattan (1) 76:2 many (12) 4:15;5:18;6:12; 13:23,23;30:13;38:9, 19;55:22,22;72:22; 83:18 map (1) 41:21 March (1) 47:6 master (1) 37:3 material (1) 41:7 matter (3) 64:23;80:17;86:6 mature (1) 23:5 maximum (1) 39:13 may (21) 8:5;11:23,23,24; 12:3,22,22;23:17; 29:11;36:19,20,21; 37:11,15;49:9;57:17; 69:10;74:12;77:2,5; 83:18 maybe (11) 12:4;25:14;47:13, 14;50:17;55:16; 60:18;61:11,11; 64:25;81:24 mean (41) 10:25;11:9;13:7; 14:21;17:2,8,10; 18:17,19;26:8,9; 27:21,22;33:10; 34:18;35:23;36:3; 38:12;40:6;50:17; 52:8;53:25;54:20; 55:3,9;56:4,12; 57:10;58:23;62:6; 67:7;68:9,19;69:21; 73:18;74:11;75:20, 21;77:21;78:5;80:12 means (1) 60:8 Meanwhile (1) 18:20 measure (2) 29:18;30:12 measures (2) 28:5;40:5 meet (2) 4:23;37:5 meeting (15) 8:10;9:3,4;12:16; 25:14;45:13;47:6; 48:18;54:23;84:18; 87:20;89:11,12,21; 90:12
J	K			
Jessica (2) 54:14,17 Joan (1) 59:8 jobs (1) 68:4 Joe (1) 81:19 Jorge (2) 44:17;45:7	Kathleen (1) 8:22 keep (3) 40:6;81:6;82:5 Ketchamtown (1) 22:25 kid (2) 34:22,23 kids (7) 27:7;28:6,9;47:21, 21;62:6;79:13 killed (1) 85:17 kind (11) 5:19;6:13;8:23; 9:5;17:4;22:13;23:5; 33:17;34:21;59:13; 65:4 kinds (1) 39:20 knew (3) 44:6;69:21;76:17 knowing (1) 86:2 knowledge (1) 63:21 known (1) 54:25 knows (1) 9:14 KURTZ (5) 59:8,23;61:4,10,13 KurtzProper (1) 59:8			
	L			
	lady (1) 31:3 land (2) 19:25;83:23 landowners (1) 78:2 landscaping (1) 11:22 Lane (1) 82:17 large (3) 41:23;85:4;87:23 last (12) 3:17;4:17;5:9,16; 8:10;9:2;12:15; 39:16;54:16;61:8; 82:15;83:9 latitude (1)			
		M		
		Ma'am (8) 18:5;20:21;28:13; 30:17;32:6;43:15; 65:17;77:24 main (1) 22:7 maintained (1) 42:9 maintenance (1) 26:25 manager (1)		

<p>meetings (5) 8:25;13:24;23:15; 49:6;59:11</p> <p>MEMBER (11) 8:19;19:6;57:9,14; 58:3;61:3,12;64:21; 69:20;81:7;87:9</p> <p>members (12) 3:12,14;38:10,14, 19;39:9;82:2,3; 83:11;88:17;89:2; 90:10</p> <p>mention (1) 4:20</p> <p>mentioned (7) 11:15;14:15;17:2; 19:17;29:7;66:20; 82:14</p> <p>meter (1) 33:4</p> <p>Michael (4) 8:9;22:10;25:12; 71:25</p> <p>middle (4) 17:24;18:18;57:5; 60:11</p> <p>might (2) 35:14;82:10</p> <p>mile (1) 82:22</p> <p>miles (1) 80:6</p> <p>mind (1) 82:5</p> <p>minimum (1) 84:7</p> <p>minimums (1) 15:16</p> <p>minor (1) 4:18</p> <p>minute (1) 79:21</p> <p>minutes (5) 10:15;47:8,9; 48:24;49:6</p> <p>Miss (3) 38:3;44:8;87:16</p> <p>missing (1) 22:21</p> <p>mistake (1) 85:11</p> <p>modifications (1) 4:18</p> <p>moment (1) 31:2</p> <p>Monday (2) 66:23;72:24</p> <p>monitor (7) 30:22;31:5;32:25; 33:21;42:6,7;78:13</p> <p>monitored (2) 21:12;41:5</p> <p>monitoring (6)</p>	<p>16:4;30:4,6,24; 39:21;40:12</p> <p>months (10) 4:16;11:19;14:4; 20:22;29:3;58:12; 59:16;60:25;61:4,11</p> <p>more (10) 3:22;8:10;13:3; 20:17;37:23;43:23; 51:6;54:9;68:14; 85:18</p> <p>morning (2) 53:17;72:4</p> <p>most (8) 7:20;22:3;36:13; 84:4,16,24;85:7,19</p> <p>Motion (5) 3:4;88:13,14; 89:20,22</p> <p>motivations (1) 86:8</p> <p>mountains (1) 40:8</p> <p>move (1) 38:4</p> <p>moved (1) 76:4</p> <p>moving (1) 55:12</p> <p>mow (1) 72:3</p> <p>Mrs (2) 72:18;73:11</p> <p>MS4 (2) 15:24;21:11</p> <p>much (5) 7:14;62:4;83:25; 85:2;86:22</p> <p>municipality (1) 53:3</p> <p>Muslims (2) 85:8,11</p> <p>must (1) 62:2</p> <p>myself (2) 40:19;64:16</p>	<p>near (1) 65:10</p> <p>necessarily (1) 37:21</p> <p>need (19) 10:21;11:8;12:18; 14:19;37:18,19,20; 51:13,16;60:3,7; 64:11;65:13,19,25; 70:6;71:19;86:7;89:7</p> <p>needed (1) 37:13</p> <p>needs (5) 10:7;37:5;84:13; 85:4;86:5</p> <p>negative (4) 6:9;48:11;82:10; 89:6</p> <p>neighbor (1) 72:6</p> <p>neighborhood (11) 12:12;31:23;35:3; 39:23;44:4;46:25; 54:19;55:3;78:19; 84:12;88:5</p> <p>neighboring (1) 7:25</p> <p>neighbors (10) 5:17;13:10;36:12; 64:2;69:16;81:6,11, 13;83:24;86:18</p> <p>new (17) 8:23;15:25;18:11; 20:24;23:8,14;26:13; 27:15;43:21;45:20; 46:22;49:19;54:19, 21;58:12;74:19,21</p> <p>newspaper (1) 78:8</p> <p>next (10) 3:2;6:15;10:5; 14:7;38:5,5,8;89:11, 12;90:12</p> <p>night (2) 29:19;67:18</p> <p>nine (4) 20:22;58:12;72:4; 82:18</p> <p>nitpick (1) 37:2</p> <p>nobody (6) 19:20;30:5;55:4; 76:21;77:7;81:3</p> <p>noise (25) 9:13;16:25;17:11, 15,20,21;18:8,9,11, 12,13,15;29:6,12; 30:11;31:16,18,21; 32:15;33:4,17;68:10; 72:13;73:11,18</p> <p>none (2) 8:15;69:20</p> <p>nonetheless (1)</p>	<p>7:11</p> <p>noon (1) 32:21</p> <p>normal (3) 31:22;32:2,2</p> <p>northwest (1) 4:11</p> <p>notice (2) 76:22;78:18</p> <p>notices (2) 77:2;78:10</p> <p>notified (3) 5:18;44:5;76:13</p> <p>notify (1) 77:25</p> <p>notwithstanding (1) 5:2</p> <p>noun (2) 59:9;83:15</p> <p>nowhere (1) 60:11</p> <p>Nowicki (1) 22:10</p> <p>number (3) 30:18;38:14;53:19</p>	<p>10:17;20:8,10; 25:24;26:15;38:23; 39:2,7,17;86:5</p> <p>one (24) 5:7;6:16;12:17; 29:3;35:9,11;36:24; 37:11;45:9;47:11; 48:15;54:9;55:6; 58:19;61:8;64:4; 66:18;69:9;77:16; 78:6;82:8;83:3; 84:24;85:6</p> <p>ones (1) 20:13</p> <p>online (4) 17:22;51:20;72:11; 84:21</p> <p>only (13) 40:3;41:5;47:9,12; 50:25;61:10;62:17; 69:9;73:10;78:12; 84:6,15;86:18</p> <p>open (2) 3:4;71:19</p> <p>oppose (4) 11:6,7;69:24;86:6</p> <p>opposed (6) 83:4;84:9,17;86:3; 88:22;90:6</p> <p>opposition (1) 87:20</p> <p>order (1) 38:13</p> <p>ordinance (3) 72:2,7;74:15</p> <p>originally (2) 19:2;37:6</p> <p>ORTEGA (27) 44:17,18,23;45:2,7, 8,12;48:16,23;49:3, 11,17,23;50:3,14,23; 51:4,12,21,24;52:7, 17;53:5,14,18,23; 54:7</p> <p>O-R-T-E-G-A (1) 45:8</p> <p>others (5) 8:21;36:17;59:6; 66:17;82:12</p> <p>otherwise (1) 28:15</p> <p>ought (1) 58:25</p> <p>ourselves (1) 12:11</p> <p>out (22) 9:19;13:15;14:5; 31:17;45:16;50:21, 23,24;51:3,7;55:23; 56:5;64:17;69:12; 72:5;75:17;76:4; 77:3,9;81:6;82:19; 86:21</p>
	N		O	
	<p>nail (1) 30:21</p> <p>name (9) 8:7;19:10;44:17; 45:5;54:14,16;59:18; 62:14;83:14</p> <p>national (2) 45:20;47:16</p> <p>natural (1) 6:2</p> <p>naturally (1) 75:20</p> <p>nature (2) 16:12;83:20</p>	<p>obligation (1) 77:24</p> <p>obviously (4) 17:10;68:19;75:16; 78:18</p> <p>occasion (1) 73:24</p> <p>occupancy (1) 39:4</p> <p>occur (1) 15:13</p> <p>o'clock (1) 32:21</p> <p>odd (1) 22:13</p> <p>Off (1) 38:11</p> <p>office (6) 12:20;16:19;24:24; 31:15;32:15,19</p> <p>officer (2) 40:16,21</p> <p>offices (1) 12:2</p> <p>official (1) 40:25</p> <p>OGUNTI (2) 89:14,18</p> <p>Old (9) 4:11;7:22;25:21; 34:22;41:13;42:12, 19;61:16;77:4</p> <p>Olive (1) 62:10</p> <p>once (10)</p>		

<p>outer (1) 7:20</p> <p>outlet (1) 42:8</p> <p>outside (4) 35:10;58:6,7;76:5</p> <p>over (17) 4:16;29:2;34:23; 42:12,14,21;45:14, 25;47:10;52:10,10; 57:11;62:11;68:11; 79:24;85:13;88:4</p> <p>overlooking (1) 35:3</p> <p>overtime (1) 73:15</p> <p>overwhelming (2) 34:25;35:4</p> <p>own (2) 40:24;58:14</p> <p>owner (2) 58:17,22</p> <p>owners (2) 77:6;83:21</p> <hr/> <p style="text-align: center;">P</p> <hr/> <p>page (1) 34:7</p> <p>pages (1) 47:14</p> <p>paperwork (2) 22:4;24:20</p> <p>parking (4) 4:12;11:21;15:8; 37:6</p> <p>part (12) 16:20;17:12;21:7; 24:5;27:12;39:25; 41:6;70:17,18,19; 78:6,7</p> <p>Partners (2) 81:20;82:23</p> <p>party (1) 31:16</p> <p>past (3) 4:16;29:3;39:9</p> <p>Patricia (1) 83:15</p> <p>patrol (1) 27:15</p> <p>pay (6) 21:5;41:13;42:22; 50:17;75:9;83:7</p> <p>payment (1) 55:18</p> <p>peak (1) 41:19</p> <p>peanuts (1) 69:10</p> <p>peeking (1) 7:24</p> <p>people (31)</p>	<p>4:4;6:12;20:15; 27:20;32:7;55:22; 60:15;61:14,20; 63:19;64:4,5;65:13; 66:5;68:12;69:11; 72:3;77:4;78:21; 79:17;80:10,13,15, 21;83:18;84:16,17, 23;85:11,17;86:6</p> <p>percent (1) 75:24</p> <p>perhaps (1) 4:21</p> <p>perimeter (2) 23:14,21</p> <p>permit (1) 28:16</p> <p>persecuted (2) 85:8,10</p> <p>person (2) 19:11;21:17</p> <p>pertinent (1) 72:19</p> <p>phase (4) 9:10;10:5;23:24; 35:23</p> <p>phased (1) 11:11</p> <p>phases (1) 12:8</p> <p>phone (1) 55:8</p> <p>photographs (3) 7:19,21,23</p> <p>phrase (1) 28:7</p> <p>picket (1) 87:6</p> <p>picture (1) 62:8</p> <p>pictures (4) 46:12;55:7;58:4,6</p> <p>pine (1) 5:3</p> <p>pitched (1) 7:6</p> <p>place (7) 15:6;28:5;55:21; 60:12;69:14;89:20, 23</p> <p>placed (3) 6:7,9;88:7</p> <p>plan (9) 4:13;10:4;15:5; 16:16;23:17;37:4; 38:15;39:2;84:9</p> <p>planning (4) 24:24;36:24;78:15, 24</p> <p>plans (1) 38:24</p> <p>planting (2) 23:6,11</p>	<p>plantings (2) 23:2,24</p> <p>plants (2) 23:14;56:25</p> <p>play (4) 55:14;58:2;59:5; 69:17</p> <p>playing (2) 28:6,9</p> <p>please (6) 32:18;45:4;57:15, 20;70:8;86:17</p> <p>plus (2) 6:9,24</p> <p>pm (11) 32:18;33:24;67:4, 4,5,19,24,25;68:2; 72:14,14</p> <p>podium (1) 44:20</p> <p>point (5) 5:21;19:21;20:16; 36:14;39:2</p> <p>police (4) 27:13;79:10,13,25</p> <p>pollens (1) 39:20</p> <p>pollution (2) 15:5;16:15</p> <p>ponds (6) 15:9,11;41:20,22, 23,25</p> <p>pool (3) 13:9;14:18;41:20</p> <p>portion (4) 7:20;11:20;35:25; 52:8</p> <p>portions (1) 23:22</p> <p>position (1) 86:10</p> <p>possibility (1) 13:25</p> <p>possible (3) 25:18;65:8;84:5</p> <p>posted (1) 78:10</p> <p>potential (1) 52:15</p> <p>Poughkeepsie (1) 63:5</p> <p>practical (4) 84:14;86:13,19,20</p> <p>Practically (1) 84:10</p> <p>prayer (1) 12:19</p> <p>presence (1) 82:11</p> <p>present (2) 5:18;13:20</p> <p>presentation (2) 3:21;4:3</p>	<p>presently (1) 5:25</p> <p>preserve (1) 83:20</p> <p>pretty (1) 28:25</p> <p>prevention (2) 15:5;16:15</p> <p>previous (3) 58:21;83:21;84:18</p> <p>previously (2) 4:6;11:15</p> <p>price (1) 83:7</p> <p>prices (1) 82:13</p> <p>prior (6) 15:20;23:15;55:11; 77:3,3,6</p> <p>privacy (6) 55:13,20;57:3; 69:15;82:3;84:2</p> <p>proactive (2) 18:2;68:15</p> <p>probably (5) 27:13,23;77:11; 85:15;89:9</p> <p>problem (7) 17:24;20:3;27:12; 34:13;60:18;61:14; 79:16</p> <p>problems (4) 13:19;15:12;84:25; 86:19</p> <p>procedure (3) 52:12,25;65:3</p> <p>proceed (1) 69:4</p> <p>Proceedings (88) 3:1;4:1;5:1;6:1; 7:1;8:1;9:1;10:1; 11:1;12:1;13:1;14:1; 15:1;16:1;17:1;18:1; 19:1;20:1;21:1;22:1; 23:1;24:1;25:1;26:1; 27:1;28:1;29:1;30:1; 31:1;32:1;33:1;34:1; 35:1;36:1;37:1;38:1; 39:1;40:1;41:1;42:1; 43:1;44:1;45:1;46:1; 47:1;48:1;49:1;50:1; 51:1;52:1;53:1;54:1; 55:1;56:1;57:1;58:1; 59:1;60:1;61:1;62:1; 63:1;64:1;65:1;66:1; 67:1;68:1;69:1;70:1; 71:1;72:1;73:1;74:1; 75:1;76:1;77:1;78:1; 79:1;80:1;81:1;82:1; 83:1;84:1;85:1;86:1; 87:1;88:1;89:1;90:1</p> <p>process (3) 20:21;21:8;52:22</p>	<p>professionals (1) 43:9</p> <p>prohibit (1) 63:7</p> <p>prohibitive (1) 74:3</p> <p>project (17) 12:4;31:2;35:23; 43:17,21;44:6;45:25; 50:13;53:2,3;64:9, 14;77:25;84:17;86:6, 13;87:20</p> <p>projects (1) 73:22</p> <p>prolong (1) 12:3</p> <p>promise (1) 58:8</p> <p>properly (1) 88:7</p> <p>properties (2) 23:8;42:17</p> <p>property (22) 5:14,15;6:20;7:18, 20;9:25;18:7;19:16; 20:9;23:22;34:4; 35:6;51:23;59:17,22; 68:17;79:23,25; 82:20;83:19;87:8; 88:8</p> <p>proposed (1) 87:7</p> <p>protect (4) 27:7;28:6;56:14; 57:3</p> <p>protected (1) 69:8</p> <p>Protection (1) 46:22</p> <p>protocol (3) 45:22,23;46:21</p> <p>protocols (2) 49:15,21</p> <p>provide (2) 4:23;21:6</p> <p>providing (1) 56:22</p> <p>provision (1) 30:24</p> <p>public (27) 3:5;8:5;9:24;10:3, 9,10,12;25:25;26:2,2, 5,6,15;28:8,14;51:14; 55:21;62:19,21;63:8, 8,11;88:13,15,18; 89:3;90:14</p> <p>published (1) 78:8</p> <p>pull (2) 51:3,7</p> <p>purchase (1) 19:25</p> <p>purchased (2)</p>
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<p>19:2,24 purpose (1) 41:22 push (2) 66:7;74:13 put (19) 15:10;25:18,22,23; 26:19;28:5;34:4; 36:16;56:18;59:16, 19;60:3,10,12,24; 61:9;64:3;76:2;89:10 putting (1) 17:5 Pye (1) 82:17</p>	<p>really (8) 10:16;44:4;56:16, 19;60:20;67:11,15; 69:6 rear (1) 7:4 reason (3) 11:12;59:20;70:16 reasonably (1) 18:6 received (5) 9:7;22:4;47:24,24; 48:7 recently (1) 9:6 record (9) 8:8;16:18,21;38:6; 48:14,22;49:2;78:3; 87:19 records (2) 20:25;50:15 reduce (1) 27:20 Reed (1) 83:17 reference (2) 5:21;52:18 referring (1) 48:15 refurbished (2) 75:8;77:10 regard (1) 21:11 regarding (2) 14:13;62:5 Regardless (2) 64:8,13 regrettably (1) 78:11 reiterate (1) 11:16 related (2) 12:5;37:8 release (1) 41:24 religion (2) 8:11,14 religious (1) 84:21 remember (5) 4:22;50:3;62:14, 25;82:14 removed (1) 65:2 rendering (2) 6:15;7:13 reopen (1) 3:21 replace (4) 46:24;47:3;52:6,7 replaced (2) 52:3,5 realize (1) 33:9</p>	<p>47:15 report (11) 15:14,16,17;16:4; 24:7,11,14,14,18; 25:2;75:15 reported (1) 18:14 reports (1) 9:6 represent (1) 81:16 representing (1) 3:25 request (4) 50:21,25;51:5; 65:19 requested (1) 64:2 require (1) 73:15 required (2) 53:4;56:23 requirement (1) 84:7 requirements (2) 4:24;21:11 requires (1) 45:21 research (1) 46:16 residential (3) 5:5;14:3;19:16 residents (1) 66:11 resolve (1) 20:12 resolved (1) 20:15 respect (2) 63:22;72:5 response (3) 63:25;88:24;90:8 responsible (1) 16:3 responsibility (5) 15:25;32:14;34:2; 43:4,8 rest (2) 25:8;71:9 result (1) 64:16 reversed (1) 86:10 review (7) 21:4;25:7;49:20; 51:17;52:24;89:5,8 reviewed (1) 15:7 Richard (1) 22:2 right (36) 3:2,7;13:8;17:23; 18:6;19:4,20;26:17;</p>	<p>29:4;31:15;34:17; 38:4;39:14;44:14; 46:6;47:23;49:22; 50:2;53:23;60:10; 62:9,13,15,17;66:16; 70:16;71:10,20; 74:18;79:10,24; 80:15;81:15;82:23; 87:3,24 rights (1) 36:4 Road (27) 4:10,11;7:22; 21:14;23:2;25:21,24; 26:16;36:2;41:13; 42:13,20;59:18; 61:16;62:9,14,15,20, 22,25;63:8,11;65:10, 10;70:23;81:20; 83:17 roadway (1) 11:21 Robert (1) 14:25 ROBERTI (23) 21:21;29:24;31:13; 32:6,17,23;33:3,7,15, 22;50:20,24;51:6,10; 53:16,20;65:14;67:3, 5;72:10,17;73:11; 90:13 ROBERTS (48) 17:18;18:5;19:4,9, 14;20:21,25;25:24; 26:6,10,13,22;27:3, 11,25;28:8,13,19; 29:9,13,25;30:5,16, 23;31:7;43:15;51:16; 52:4,13,19,23;53:7, 11;54:6;57:17;62:21; 63:3,13,21;65:16; 67:24;73:5,8,20; 77:11,18,23;87:12 Rockingham (1) 28:24 roll (1) 77:21 roof (5) 6:21,22;7:6,6,10 room (3) 3:19;12:21;89:17 routine (1) 40:20 row (2) 23:2;54:12 Rowell (2) 59:22,23 rule (2) 65:12;82:4 rules (2) 40:9;81:24 run (2) 57:13;82:24</p>	<p>runoff (3) 15:11;16:7,7 runs (1) 25:20</p> <hr/> <p style="text-align: center;">S</p> <hr/> <p>safeguards (1) 16:6 safely (1) 69:17 safety (2) 28:5;79:6 sales (1) 19:18 same (3) 33:16;41:25;45:12 sanctuary (2) 7:5,12 saw (4) 6:3;46:12;49:7; 57:6 saying (10) 22:18;39:8;48:17; 55:25;63:11;67:14; 69:2;70:9;71:23; 77:20 schedule (1) 36:9 school (6) 26:19;62:17;63:6, 12,15;65:15 scope (3) 5:13;36:7,10 Scott (3) 28:23;72:22;87:18 screening (2) 56:22,24 season (2) 74:12,14 Second (7) 3:6,7;12:19;25:14; 54:12;88:16;89:24 secretary (1) 45:6 sections (1) 37:17 security (1) 23:20 seem (2) 81:17;84:15 seems (2) 23:4;37:22 sees (1) 39:2 segmentation (1) 37:2 selling (1) 56:17 send (4) 43:10;46:6;52:18; 75:17 senior (1)</p>
Q				
<p>qualified (1) 40:24 quality (7) 10:20;16:25;19:22; 39:17,22;52:24; 68:18 question (11) 14:10,24;23:19; 29:8;45:10,12;47:19; 54:10;62:5;66:19; 74:22 quick (2) 71:21,22 quickly (1) 11:10</p>				
R				
<p>raccoons (1) 46:13 race (2) 8:11,14 racist (1) 76:11 rain (1) 15:20 rainfall (1) 41:19 rainy (2) 74:12,14 rare (1) 73:25 rate (1) 42:2 read (3) 9:5;48:22;83:17 reading (1) 34:10 real (7) 19:17;34:13;60:23; 61:14;71:21,22;86:8 reality (2) 20:12;30:17 realize (1) 33:9</p>				

12:21 sense (2) 65:18;68:21 sent (3) 77:3,6,12 separate (1) 25:2 separating (1) 5:4 separation (1) 84:8 September (1) 85:12 septic (2) 37:7,7 SEQR (5) 52:21,21,23;53:9, 10 serenity (1) 56:4 serious (1) 84:24 service (1) 38:21 services (1) 14:2 set (1) 39:4 setback (4) 81:23;82:4,4;84:9 seven (3) 14:7;67:10;72:25 several (2) 5:15;29:3 sewer (1) 14:2 shall (1) 34:25 share (1) 76:19 shell (2) 11:19;12:13 Sheriff's (1) 27:15 shirt (2) 21:24;59:7 shot (1) 85:17 show (3) 16:5;55:8;58:3 showed (1) 19:15 sides (3) 42:15;81:5;86:21 sidewalk (2) 75:3;76:3 siding (1) 82:19 sign (16) 59:16,21;60:3,8,10, 12,24;61:6;62:16,23; 63:23;64:3,7,15; 65:3;66:6	signage (1) 65:4 signs (4) 25:19;60:2;64:23; 66:12 Sikh (10) 3:3,15;4:2;8:12; 62:4;82:5;84:10,11; 85:18;87:22 Sikhs (3) 84:18;85:9,14 silence (1) 32:8 silly (1) 60:12 siltation (1) 15:10 simple (1) 17:18 sit (1) 69:19 site (18) 4:13;5:22;8:2; 11:17;12:8;13:4; 14:3;16:8;21:13,14; 23:8,14;30:25;33:21; 40:7;41:8;55:9;56:7 sites (1) 13:12 situated (1) 5:14 situation (2) 5:22;83:25 six (5) 4:16;14:7;61:4,11; 85:17 size (2) 35:2;88:4 skateboard (1) 27:10 slightly (1) 5:24 small (5) 55:6;59:4;69:10; 86:2;87:5 smaller (2) 36:13;37:14 snatched (1) 55:24 society (1) 18:9 sold (2) 35:7;83:21 solicit (1) 10:11 Solutions (2) 22:11;24:23 somebody (17) 9:21;27:23;40:12; 47:18;58:9;60:19,24; 69:6,25;74:7;75:17; 76:17;79:8,10,22; 80:4,6	somehow (4) 22:22;62:24;83:5; 84:19 someone (3) 4:20;53:17;84:20 sometimes (3) 21:5;56:6;73:13 somewhere (4) 46:24;50:14,16; 62:15 son (1) 75:19 soon (1) 53:20 sorry (9) 20:24;28:12;34:7; 53:23;54:13;73:7; 78:17;87:11,15 sort (2) 33:16;65:11 sounds (1) 31:10 Southern (1) 18:10 space (2) 37:20;84:6 spaces (2) 12:3,22 spacing (1) 84:2 speak (2) 7:12;23:13 speaking (2) 41:2;84:10 species (7) 22:6,7,16;24:6,13; 46:14,24 specific (2) 24:17;68:4 speed (5) 25:15,22;27:17,19; 80:5 speeding (5) 60:9;64:10;65:5; 79:17;80:4 spend (1) 55:19 spent (1) 55:17 spinning (1) 59:13 spread (1) 85:20 Spring (2) 62:15;65:10 square (5) 37:4,9,14;38:17; 80:19 stage (1) 35:12 staked (1) 5:15 standard (2)	43:19;52:11 standards (1) 43:19 staring (1) 57:12 start (8) 3:14;13:5;29:22; 32:17;39:17;42:12; 46:2;67:2 started (1) 22:8 starting (2) 42:16;84:22 starts (5) 10:17;20:9,10; 31:14;41:12 State (15) 8:7;16:2;26:14; 27:16;28:19;43:22; 45:20;46:22;47:16; 49:17,18,19;52:24; 70:23;87:18 stated (1) 87:23 statement (1) 83:18 stay (1) 71:19 steal (1) 84:22 steel (3) 87:6,10,12 still (3) 10:6;46:16;80:23 stockade (1) 5:3 STOLMAN (22) 16:20;24:4,9,17, 22;25:3;31:3,9;48:3, 7,12,21,25;49:9,14, 19;50:12;51:19,22; 52:21;53:8;54:5 stop (16) 32:9;59:16,21; 60:2,3,7,10,12,24; 61:6;63:23;64:2,7, 15;66:6,11 stopped (1) 86:5 storms (1) 41:24 Stormwater (14) 14:21;15:5;16:4,6, 15;21:12;40:16,17, 21,22,24;41:3,5,10 story (1) 80:10 strangers (1) 56:15 street (8) 23:4;26:9;28:7,10, 11;41:11;42:15; 65:15	streets (2) 74:25;75:25 structure (2) 17:11;46:3 structures (2) 42:8,9 studied (1) 22:18 studies (1) 20:18 study (14) 16:12;22:5,8,19, 23;45:24;46:2,9,19; 47:25;48:15;50:6,10; 69:3 stuff (3) 32:4;34:5;39:21 subject (2) 59:9;83:15 subjective (1) 30:17 sucks (1) 76:15 sudden (2) 34:23;74:11 suffering (1) 20:14 suggested (1) 4:18 Suitability (2) 24:7,11 Sunday (6) 73:17,23;74:2,6,9; 80:16 superintendent (4) 64:13,17;65:7,21 supervision (1) 51:18 support (1) 62:4 supporting (1) 22:17 suppose (2) 55:15;63:20 supposed (3) 58:24;69:18;81:15 Sure (15) 3:24;6:11;13:17; 14:16;15:18;22:21; 23:23;26:24;34:2; 53:6,20;61:7;67:9; 72:9;89:8 surprised (1) 62:3 surround (1) 23:21 surrounding (2) 83:24;84:23 SWPPP (2) 16:14,16 system (2) 37:7,8
---	--	--	---	---

	timeline (1) 66:22	treated (1) 86:16	understands (1) 78:22	view (3) 55:8;56:3;57:21
T	times (1) 63:15	tree (2) 47:11;64:24	undeserved (1) 86:14	VISCONTI (13) 3:4;39:14;57:4;
table (1) 3:19	T-intersection (1) 64:20	trees (9) 5:4;34:3,8;55:10, 15;56:13,25;57:2; 79:4	undone (1) 83:22	68:5;70:25;73:3; 74:8;77:4;80:16;
talk (5) 13:21,23;22:3; 46:17;69:6	today (4) 39:16;40:7;41:25; 49:12	trespasses (1) 79:11	unfortunate (2) 71:4,5	88:14;89:11,15,22
talked (4) 12:15;13:24;25:15; 29:5	together (3) 23:17;71:13,18	tributary (1) 22:17	Unfortunately (4) 76:16;80:24,25; 81:2	voice (1) 21:19
talking (8) 13:3;15:12;27:2; 33:14;46:11;47:10; 76:3;79:19	told (9) 18:25;19:5;58:19; 73:2,3,5;74:8;77:16; 81:3	tried (1) 7:2	union (5) 67:10;73:14;74:4, 23;75:11	voted (3) 3:13;89:3;90:11
tax (1) 77:18	Toll (6) 21:15;33:11,14,20; 82:21;83:4	trimmed (1) 64:25	unless (2) 4:4;33:4	W
taxes (1) 77:15	tone (1) 32:2	triple (1) 74:4	unquestionably (1) 85:21	Wait (5) 14:12;61:15,17; 79:13,15
taxpayers (1) 42:23	took (3) 6:5;7:21,23	trucks (2) 32:10;40:4	unreasonable (1) 67:20	Walmart (1) 87:25
teacher (1) 62:6	top (2) 34:11;38:11	True (2) 11:4;70:11	unshielded (1) 4:22	Wappinger (1) 72:12
telling (2) 33:22;54:24	TORRES (2) 81:19,20	trust (1) 44:2	unwilling (1) 84:19	Wappingers (4) 25:17;28:23;61:25; 83:16
temple (11) 3:3,15;4:2;20:5; 22:25;33:18;38:20; 60:15;62:5;76:10; 87:22	total (1) 38:20	try (2) 5:11;64:6	up (29) 3:17;8:4;11:25; 12:13;17:22;18:9; 21:14;29:4;30:9,10; 31:12;32:3,21;39:12; 44:20;55:24;59:17; 61:9;64:3;65:22; 67:6,11;68:11;74:13; 75:6;76:5,8;80:7,8	water (8) 13:6,10;14:2,18; 40:4;42:11,13,21
ten (3) 19:23;57:8;75:6	totally (1) 35:4	trying (10) 4:14;27:6,19; 30:21;32:12;33:15; 68:14;71:9,17;86:11	upon (3) 11:24;12:24;38:17	waterborne (1) 40:3
terms (3) 10:9;13:3;89:3	towards (1) 13:7	T's (1) 71:11	use (4) 26:3,15,16;27:20	way (6) 28:7;34:13,17; 43:21;46:15;86:18
terrible (2) 85:6;86:4	town (47) 15:2,17,23,25;16:3, 8;17:19;18:8,14; 19:6,7,8,10;25:17; 28:24;29:10;30:2; 33:20;40:16,22,23; 51:18;63:5;64:11,12; 65:6,6,19,23,25;66:5, 10;67:15,22;68:3,4; 72:2,7,11,12;76:22; 78:6,9,13,15,22; 81:15	turn (3) 62:9,13,17	used (4) 10:10;15:10;23:7; 46:14	ways (1) 35:15
Thanks (1) 66:3	towns (1) 27:16	turtle (7) 22:9,14,20;24:10, 15,18;25:4	usually (3) 13:13;29:14;74:3	weather (2) 5:10,17
thinking (1) 36:16	town's (1) 17:20	turtles (1) 46:10	V	website (2) 50:16;78:9
third (3) 9:24;12:17;34:9	traffic (23) 10:19;25:18,23; 26:20,25;59:15;60:6, 8,13,17;61:21;62:6, 19,22,25;63:4,7,12, 14;64:10;65:11; 79:16,19	two (7) 6:14,15;7:14;12:9; 36:24;50:8;65:16	vacant (1) 82:18	Wednesday (1) 90:15
though (2) 70:23;72:20	tragic (1) 85:7	type (2) 23:6,11	vague (1) 86:4	week (4) 72:22,25;73:12; 80:18
thought (2) 51:14;72:6	transporting (1) 41:7	types (1) 63:14	valid (1) 81:22	weekdays (1) 72:14
threatened (3) 22:5;24:6,13	travel (1) 63:16	typical (1) 23:11	values (2) 68:17;82:20	weekend (1) 57:11
three (21) 9:11;11:12,14; 12:4;17:6;34:22; 35:9,13,19,20;36:17, 18,24;37:16,24;47:9; 55:6;59:3;60:25; 79:12;85:18	treating (1) 85:7	U	various (2) 12:8;21:10	weekends (2) 72:15;73:13
three-way (1) 64:19	transporting (1) 41:7	ultimately (1) 23:15	Vassar (1) 62:9	weekly (2) 15:14,16
throwing (1) 13:15	travel (1) 63:16	under (5) 26:13;31:19;33:10; 51:18;70:9	vegetation (3) 17:4,6;82:19	weeks (4) 5:15;17:25;18:19; 20:12
Thursday (1) 5:16	treat (1) 86:17	underlying (1) 86:14	vehicles (1) 31:20	welcome (2) 50:20;66:15
timeframe (1) 66:24		understand (13) 9:10;18:21,22; 20:19;27:11,25;31:8; 68:15;70:7;76:6; 77:22;79:16;81:21	vermin (1) 83:2	weren't (2) 4:5;76:14
				Westchester (1) 18:11
				what's (8) 10:16;11:10;14:17; 38:15;56:23;66:24;

70:3,16 wheels (1) 59:13 wherever (1) 27:8 whole (4) 4:3;35:16;38:18; 48:22 who's (9) 13:18;23:15;30:3; 39:21;41:13;74:10; 75:9,12;81:7 wife (1) 75:5 wind (1) 57:17 windy (1) 5:19 wish (3) 35:23;58:9;83:19 withheld (1) 21:2 within (5) 7:19;34:16;36:3, 24;72:9 without (2) 7:18;34:14 woken (1) 32:3 woman (5) 29:7;54:11,23; 59:7;61:22 wonder (1) 47:18 wonderful (1) 10:14 wondering (1) 25:6 word (2) 26:10;30:14 work (9) 8:25;12:5,6;36:14; 66:21,22;67:2,10; 73:25 worked (3) 74:24;75:24;86:21 worker (2) 74:23;75:11 working (4) 53:9;71:18;75:3,4 works (1) 52:14 world (1) 85:4 world's (1) 85:7 worry (1) 12:13 worship (1) 4:8 worst (1) 85:14 wounded (1)	85:18 writing (3) 28:18;43:11,16 written (1) 9:19 wrong (4) 9:16,17;34:7;47:13	23:10 15 (4) 11:19;14:4,6;55:19 166 (1) 72:10 17 (3) 4:9;33:10;57:5 17,000 (1) 37:4 17,000-square (1) 4:8 18 (1) 83:9 19 (2) 81:20;82:22	5 (2) 67:19;85:16 50 (1) 73:21 5th (7) 75:25;89:14,15,16, 21,23;90:15
	X		6
	XYZ (1) 20:14		6 (3) 72:14;73:13;74:9 60 (3) 29:15,16;80:7 65 (1) 29:16 6'7 (1) 34:23 6th (1) 47:6
	Y		
	yard (1) 57:8 year (4) 34:22;58:12,16; 76:23 years (22) 9:11;11:12,14; 12:4,9;14:7;18:25; 19:23;36:18,25;44:5; 53:10;59:24,25; 70:24,25;73:21; 74:25;82:7,18;83:9; 85:9 York (8) 16:2;18:11;26:14; 27:16;43:21;45:20; 46:22;49:19	2	
		20 (2) 56:18;70:24 20,000 (2) 37:9;45:25 2012 (1) 85:16 22 (3) 6:17,17,19 23 (1) 70:25 24/7 (1) 4:25 25 (1) 68:24	
			7
			7 (30) 29:24,24,25,25; 30:2,2;32:18,18; 33:24,24;66:20,20, 21,21;67:3,3,4,4,5,5, 24,25;68:2,2;71:24, 24;72:13,14;73:12,12 7th (1) 47:7
	Z	3	9
	zero (1) 44:2 zoning (11) 4:24;7:8;16:19; 19:15;31:11;34:19; 40:18;72:8,9;75:16; 78:16	30 (3) 6:23;80:6;82:7 300 (7) 39:9,11;80:10,13, 15,20;85:13 31 (3) 54:14,18;74:22 33 (1) 82:17 37 (1) 22:2 39 (1) 59:9	9 (3) 72:14;73:13;74:9
	1		
	1,000 (3) 37:12,12,13 1,000-foot (1) 35:9 1,000-square (3) 35:13;37:12,16 10 (2) 45:8;55:19 10,000 (1) 45:25 100 (1) 84:9 11th (1) 85:12 12 (4) 11:18;14:4;23:4; 32:21 12-foot (1)	4	
		4 (3) 28:23;72:21;87:17 40 (6) 6:8,9;53:10;59:24, 25;84:8 40th (1) 53:8 41 (4) 8:9,23;25:13;71:25	
		5	