

DEERPARK PLANNING BOARD - JULY 27, 2011 - PAGE #
PUBLIC HEARING - DRAGON SPRINGS BUDDHIST, INC.

The Deerpark Planning Board met for a continuation of a public hearing on Wednesday, July 27, 2011 at 7:00 p.m. at Deerpark Town Hall, 420 Route 209, Huguenot, N.Y. The following were present:

PLANNING BOARD MEMBERS

Al Schock, Vice-Chairman Theresa Santiago Mike Hunter Willard Schadt Rob Vicaretti Derek Wilson

OTHERS

Mr. Alfred A. Fusco, III, Town Engineer	Mr. David Dean, Town Board Liaison
Ms. Lana Han, Esq.	Mr. Chun Feng, Architect
Mrs. Rochelle Johnson, Adjoiner	Mr. Ronnie Bertucci, Adjoiner
Mr. Patrick Cavanaugh, Adjoiner	Mrs. Kelli Brink, Adjoiner
Mr. Robert Decker, Adjoiner	Mr. Sully Redwell, Citizen

Al Schock: Okay, next on the agenda, a continued public hearing for Dragon Springs Buddhist.

Lana Han: I think we have the public hearing, the continuance. There's some traffic concerns and I think our architect and engineer can address some of those concerns.

Derek Wilson: Just to make the record clear, you had submitted a lot of information within a few hours of the last meeting, that was one of the reasons to hold the public hearing open. Do you have a copy of our engineers' comments of July 26th?

Lana Han: Yes.

Al Schock: Would you state your name please?

Lana Han: Lana Han, H-A-N, counsel for Dragon Springs. We got the letter, dated July 26th, and the comments about the DEC, is the first one. The information, we are in the process of preparing them. Second, the Orange County Planning Department, talking about bio-diversity. There's a DEC Heritage letter dated sometime in 2005. We sent a copy over, just saying about the changes in the site plan. This was a couple of days after the last public hearing. But our engineer is going to prepare something to address the Orange County Planning Department comments.

Derek Wilson: I have a question too. I read the letter, 2005, has anything in this application changed since they came out and reviewed that, I mean, it's been six years.

Lana Han: Minzy, do you want to tell them, if there are any changes?

Derek Wilson: My point is, you've provided us with a letter that's 6 years old, from the DEC. I'm wondering if we need something more current from them. Whether they want to refresh a 6 year old letter, you said something about re-reviewing it?

Lana Han: Yeah, we're working with them on this application, so they're looking at all of these aspects also. And there's a letter from Orange County Planning which we mentioned last time, so that one has overlapped issues, and we're actually working on those two. And with the engineers' comment about having a downgrading report with downstream impact, we will be providing that information to you also. About the traffic study, Chun, you want to mention about that.

Chun Feng: My name is Chun Feng, I'm the architect. When we just applied first in 2001, there was a traffic report done. And I just read a traffic report about one hour ago, and our engineer studied the traffic situation. They took a traffic count, and then this is their report. The peak hour trip generation in the worse case, they say, from Dragon Springs, is 29 trips in and 29 out. And this is assuming that members will arrive in car pools, and then also, some people will come in vans. Then also, I read in the town engineers report, they did a traffic count, I think it was last week. They say that during the peak hours, traffic is every two hours, is 25 trips. That is the peak hour trip. That means that our traffic report says 29 trips per hour. And then their current report is 25 trips for 2 hours. So, it's well within what we predicted. And also the real situation, is just like our report says. We come in and out, a lot of times it is car pools, and also by vans and small buses. There is an established that we will have an increase, of course. We cannot say that there is no increase, they predict an increase. But the study says that the current situation is well below what we said.

Al Schock: Any more comments?

Rochelle Johnson: My name is Rochelle Johnson. Okay, first thing I want to find out is, what's going on? According to this lake, it was supposed to be made larger, and the dam was supposed to be fixed. And last time at the meeting, they're talking about a totally new dam on the other side.

Derek Wilson: I have one question for you. Did you get to inspect the site plan that they provided that was on file?

Rochelle Johnson: I went in, and asked for the map, but there wasn't any available, and when I stopped in, it was not there.

Derek Wilson: I heard this before. Does Flo and the Clerk, you provided them with maps.

Secretary: The map was not in the file, we were supposed to be given a map, but they didn't get a map until about a week after the hearing. So, the map was in the file, but it wasn't until last Wednesday.

Derek Wilson: Okay, so who's fault was that? Was it ours or they didn't provide us with a map?

Secretary: It wasn't in there, I don't know what happened to it. But they did bring one in later.

Derek Wilson: Did the applicant provide us with enough maps? Was it a problem with no map?

Secretary: It might've been, there was no map in there, but they did provide a map.

Derek Wilson: In fairness for the people to see... I just want to make sure, it appeared there last Wednesday, so it's been there for seven days. Okay.

Rochelle Johnson: Okay, so they want to build another lake, are they going to re-do this lake?

Derek Wilson: Your question is, are they going to build an entirely new lake? I'll answer it, to move this along. That is what they're proposing. Essentially, it's south of the existing lake and it will be connected, they'll be touching, and there will be an outflow from the upper lake to the lower lake. I don't know whether it'll flow back and forth.

Rochelle Johnson: So, that means that I'll have more water down by me. I guess I will.

Derek Wilson: Please stop, you need to address the Board.

Rochelle Johnson: Okay. No problem. This isn't doing any good, because they have ways of making sure that they get what they want. It started off with 9 buildings, 50 monks, and they have a city, they have a school, they have a visitors center, they have a theater, they have a tower, they have 20,000 other buildings. I thought you guys were supposed to go up and look, and you're going to say, "hmm, it's beautiful." You don't have to live here and have the traffic going by. Now, who did the traffic? Who is doing the traffic study?

Derek Wilson: Apparently, we were told that they're referencing a traffic study that they did themselves in 2001 at our request, I believe.

Al Fusco: We did a preliminary traffic count, it was very....

Rochelle Johnson: This is a lot of traffic, there's 11 pages here. From Wednesday to Saturday, it was so quiet and peaceful, I was waiting to see if my deer would come through but they didn't come through because they don't come up no more. For instance, today, concrete. How many trucks, 15 in and out, 4 came in too early, they're not supposed to come in until 7:00, he came in at 6:40 this morning. The first truck came in at 6:51, which, they're not supposed to come in until 7:00. Sorry. Okay, that's just concrete, that's not including Bottini's in and out all of the time. Septic trucks have been going up in the last two days, so they must be having a problem with their septic. Concrete pumper left at 11:45, that's early. Sometimes they're still running until 6:00 and 7:00 at night. Tractor trailer, Coca Cola came in today. A little bus went out at 2:15 and came back in at 3:10. And then I left, so... that's just today. Do you want yesterdays? If you want this, you can have it, I'm just going to make copies and give everyone of you guys a copy of it.

Derek Wilson: If you want to provide it to our secretary, she can make it part of the public hearing record.

Rochelle Johnson: What does he do? The guy on the end?

Derek Wilson: He's our engineer.

Rochelle Johnson: He's your engineer.

Al Schock: He's your engineer too.

Derek Wilson: My question was, on the concrete trucks and the other trucks, we brought this up at the last meeting, they're entering the site from the school side?

Rochelle Johnson: Yes, Route 209.

Derek Wilson: I'm just trying to make sure that that was the...

Rochelle Johnson: And the worst part of it was, I called the cops a couple of years ago. I stopped down at the police station and asked them about heavy trucks on my road, because we have so much tractor trailers and steel, unbelievable steel trucks. In fact, they just took a load of old cars out of there. I've got 175 cars that came in, in the morning, from both ends. The reason I can count them from both ends, is because their lights, I can see them when they go in. Now there's only supposed to be 200 people living up there, and where's all of these other people staying? Like I said, I'll give them to Barbara, and she can do whatever she wants with them. But this is ridiculous. Thank you very much.

Sully Redwell: Good evening, my name is Sully Redwell. I also live in the (Meyers) Grove. What I would like to proposed, to the people here, is that we have a total impact study on the environment, the same way that they did with the Bashakill. A complete study. How many trees are coming down, where they're coming down, old growth, new growth, what kind of animals will be affected, what kind of rare birds, the red-headed woodpecker, the owls, the golden eagle, the bald eagle, etc.. Before anything is granted, there must be an impact study on everything. What did they build a garage, was it a hall, what did they build a college? There must be an impact study of what's coming down ahead of time. The same way that they did for the Bashakill, that's going to take a little time. Not a rush study, and not one of their people doing it, but an outside study, like they done before in other place. No matter what they built, there should be a study on it. Our environment is too fragile to lose. I'm up here almost 35 years because of the pristine water and everything else. And what kind of impact that would have, if something were to go wrong with the dam, blowing up, cracking or something. Coming down and crashing on the people on the other side of the river. There must be an impact study done on everything, before this Board grants anything. I like what they're doing up there, I'm not going to say no, if they want to further their people, that's fine, that's wonderful. But not on the backs of the other people. Not on the backs of the people that are paying taxes, struggling, losing their homes, keeping this place alive. That's all I have to say, and take it into mind, that it should be done, and I will probably do a few shows on this in the area, on channel 23. Thank you very much.

DEERPARK PLANNING BOARD - JULY 27, 2011 - PAGE #
PUBLIC HEARING - DRAGON SPRINGS BUDDHIST, INC.

Ronnie Bertucci: Ronnie Bertucci, Meyers Grove. What will happen to this water, if this dam let's go. Where will that water go from those lakes? Right down to the bottom of the mountain, and it'll wipe out everybody in Meyers Grove, everybody. We suffered a flood in 2005, it took a lot of people out. Now you're adding more water, you're adding a problem to our environment. The EPA should do a terrific study, and not grant right away, real quick. Do a good impact study on this water, this dam, because everything that is made, can be broken. The dam could let go, and it affects not only the lives of the people down in Meyers Grove but in Port Jervis and everything else. Another question I have is, this is Dragon Springs, I can address this to you people. What is Dragon Springs? Is it a religious camp?

Derek Wilson: I can't define what Dragon Springs is.

Ronnie Bertucci: I'm asking, it's a not-for-profit organization, they don't pay any taxes, they're putting lots and lots of money into that. It it's a religious organization, why do I not have access to go up there and worship, or to find out what...I have to find out, I have to get my answers. I want to know why I can't go up onto that mountain and either join their organization, pray with them, or to see what they have. There's armed guard up there. You cannot get on the property. Every time I've asked to get on there, they kept telling me, "no, it's under construction." When Dragon Springs first started, they came to the community, and they talked to everybody, "come see what we're doing." And they brought us all up there, they're having a temple... now they're having a community up there. They have a compound up there, with armed guards. If this is a religious organization, the Jews can worship in any temple, the Protestants can go to any church, and the Catholics can go to any church 24/7. Why am I denied access to go up there? You're the Town Board, or the Planning Board, you should know what that is up there. I don't know, I can't go up there. I'd like to have answers to what that is, and so would the rest of the people in my community. If it's a not-for-profit organization, if it's a religious organization, why do we the people of the United States, do not have rights to go up there onto the property? I'd like to have answers to that.

Derek Wilson: Well, if there's some questions that are specific that the Board can answer...

Ronnie Bertucci: Okay, how can I get those answers...who do I get those answers from.

Al Schock: The man that's not here tonight, would be better to answer that.

Ronnie Bertucci: The lawyer?

Al Schock: Yes.

Derek Wilson: Just as a practical point, I don't think that every religious organization is open to every person. They can restrict their occupancy to their own membership, if they wish. That is a question for our attorney though.

Ronnie Bertucci: I feel that there is something going on up there that we don't know about, and we the people should know about it. And if the Board could do something for me, that's fine.

Derek Wilson: Everybody on the Board has heard your comments. There's some questions we can't answer. We can answer specific questions, like are they building a separate dam? And then the nature of the organization, I can't define the exact nature of that organization. I can't do it, and I don't know anyone else on the Board who could do it. So, unless you want a specific answer to a question, I don't think that we can answer that.

Ronnie Bertucci: Can you help me, who can answer that question?

Al Schock: What is Kiryas Joel?

Ronnie Bertucci: It's another organization, I can walk in there anytime I want, and see them people down there.

Al Schock: That's a Jewish organization, I don't know. This one is obviously Buddhist.

Derek Wilson: I think you can walk in there, because there are public roads. But in this facility, I believe there are no public roads. That's a critical difference in the two things that you are talking about.

Ronnie Bertucci: Well, you really didn't answer my question then.

Derek Wilson: I'm sorry, I'm trying to tell you that there are some questions that we don't have the ability necessarily to answer them.

Ronnie Bertucci: Well then, I guess we'll have a continuation of this meeting about this water and this lake and stuff like that. I mean the lawyer will be here at the next meeting, and I can ask him that question about that. Okay.

Kelli Brink: My name is Kelli Brink, I live on 479 Galley Hill Road, and it all sounds great on paper. And everybody is okay with 29 cars, 25 cars, But this is my home I don't begrudge you the right to practice the way you want to live, and I resent you begrudging me the way I want to live. I resent that my taxes have to repair that road. And I resent that everybody thinks that it's not a big deal, because it's 25 cars going past my house every hour, every two hours. The whole point of a residential area, is to live. I don't want to live on a highway, otherwise I wouldn't live there. And I have as much right to practice my way of living. I resent the fact that the apples are getting knocked off brutally. The reason I love living on that road was the fact that I could sit on my porch, sit in my back yard and watch the deer and the bear and the turkeys. And now, you know, there's carcasses all over the yard all of the time. It's a damn shame. I don't like the fact that cars are zipping by, and I don't care who's job it is to enforce it. It's not being done. And it's not just my life that's being impacted, there are two very small little boys that live next to me in a house with many other people. Like little boys do, they like playing in the little ditch across the street, where my kids played when they were little. I am in fear, whenever I see them out there, because I know that they're going to get hit. It's a deep thing, they're going to pop up, people fly down that road. This is not what I bought this property for. No offense, but the homeowners were there first. I'm not begrudging them the way of practicing the way that they want to live, and how they want to live, but we were there first. And I think that that entitles us at least the same amount of consideration.

Derek Wilson: I have to say something, because I keep hearing comments on the problems with the speeding and traffic on the road. To be fair to the applicant, believe me, I live on a road that's a limited use, and it becomes a Route 97 detour. You're assuming that all of the speeding traffic is coming from either Dragon Springs and these other things. And I don't think that it's fair to the applicant.

Kelli Brink: I'm not assuming anything, I know who lives next to me.

Derek Wilson: Okay, if there's a problem with speeding on the road, and there's a problem on the road that I live on constantly. I'm just trying to tell you, that you need to notify the police. And the more people who make the same notification, if there's a problem, the greater there's a chance that the problem will be dealt with. Even if you bring it up to the Town Supervisor and the Town Board. Just so everybody's clear on what the Planning Board could do. The Planning Board can't say because somebody wants to do something with their property, and there's going to be 3 or 4 more car trips, or 20 more car trips, the Planning Board doesn't have the ability to say "no" because something is going to create more traffic. Because there would be no development anywhere in the U.S. if that occurred. Do you understand that from this point of view. What we try to do, if there's a problem we try to look at how it can be addressed and basically mitigate the problem as best as possible.

Kelli Brink: Isn't that the work of zoning boards in general, to protect the residents and keep them residential?

Derek Wilson: No, to be absolutely clear, your question, from my understanding and my studying of planning and zoning, that is not the primary purpose. Okay, we keep hearing the same thing, that it's a problem of speeding on the road.

Kelli Brink: It's not just the speeding, it's an increase in traffic.

Derek Wilson: And we're taking that into consideration. That's our next discussion with our engineer. A lot of times at these meetings, I see new faces, people come in, but for the Board, it's the same thing over and over again. And we understand that traffic is a problem now, that on this application, the changes made, it creates more traffic. And we're going to take that into account.

Kelli Brink: I'm not assuming it's them, I know who's lived there, I know most of their relatives. I know the cars. And the other thing is, I built a new home on that road, 5 years ago. And let me tell you, my c/o got held up for 3/8th of an inch on a handrail. I mean, this can be as easy or as difficult a thing, as somebody wants to make it.

Al Schock: Any other comments? Richard?

Richard Decker: I apologize to you guys, and I know you're putting up with a lot...

Al Schock: Would you state your name again please?

Richard Decker: Richard Decker, do we know how much water is going to be in this lake? Do we have that?

Al Schock: It's 19 acres.

Richard Decker: But we should have an idea of how much volume of water there is.

Derek Wilson: Guys, I believe they did a volume calculation, because we were discussing it at the last meeting. Do you want to know the exact volume?

Richard Decker: Well, because we should actually know, how much there is going to be, if there is a breach in the dam. And that should be studied very seriously, because we've had a big problem in Meyers Grove, and the river and the water coming down already from both roads in previous times.

Derek Wilson: You were not at the last meeting, were you. Okay. The subject came up from the DEC's point of view, and the applicants' point of view. The case was made that the creation of the dam could have some beneficial aspects of flood control, just so you're aware of that. Because there's basically a reserve area on the top of the lake. So that it's filled to a certain level, and then when there's a sudden rain, it fills up high and let's out slowly. So you would have less of a surge in the brook, as long as the dam doesn't fail.

Richard Decker: Exactly. Which what has happened with the other lake, that is on Galley Hill already, we had a problem with that. So, it does happen, and we should understand the fact that, if it does break, where is it going to go, and who's going to be affected?

Derek Wilson: The other piece of information, because you were not at the last meeting, was that they provided information to us that the DEC considers this one of the lowest hazard type of dams, you said it was a Class I, you said?

Lana Han: Class A dam.

Derek Wilson: Class A dam, which I believe they said is the lowest hazard type of dam. I'm just trying to provide you with information.

Richard Decker: And do we have a reason why this lake is needed?

Derek Wilson: The Board was provided with a narrative from the applicant: Fire protection, flood control... and stormwater, and aesthetics.

Richard Decker: I mean, to me they're going to need more than a lake. Because six story buildings, you're going to need a lot for fire protection, so I'm not understanding that point of it, at all. But, the people down below, also I would like to request of the board, that the people in Meyers Grove are somehow notified of this, because they definitely would be involved, if something did happen. And I think that they should know. Especially with the tragedy we had in the last few years. So, if you could at least get a hold of them, and let them know. And also, because like I said, you never know. I mean things can happen. All right, thank you.

DEERPARK PLANNING BOARD - JULY 27, 2011 - PAGE #
PUBLIC HEARING - DRAGON SPRINGS BUDDHIST, INC.

Al Schock: The proposed lake is 1.2 million cubic feet.

Rochelle Johnson: Where was I last meeting? I didn't hear anything about that business with the difference in the lakes or any of it. All I heard was that they were going to put a new lake in, and on the paper it said that they were going to re-do the old lake. So, was I not here. Did I not hear right?

Chun Feng: We did mention that.

Rochelle Johnson: You mentioned the new lake. But on the paper, was nothing about the new lake, it was the old lake and... there it is right there. He's saying no.

Derek Wilson: Please direct your questions to the Board.

Rochelle Johnson: I'm sorry, he's the one that told me. As far as the impact on water, in 2005, I was totally surrounded. I've lived there since 1969 and I've never ever had water totally around me. But the whole Galley Hill was too. I was going to bring some pictures down and show you, but my prints were the barn next to me, the one on the corner and down below toward the river. Because the river backed up the hill, and the brook came down and had no place to go, so it went around us. So, I'm concerned. Now, I have 3 lakes going in up there?

Derek Wilson: I don't know where you're getting the third lake from...

Rochelle Johnson: There's one up above on Tang, there's one on there property, and now they want to put in another one.

Derek Wilson: All right, I understand now. I understand your statement.

Rochelle Johnson: And Meyers Grove is really bad. So, if there is water, and it goes into the Neversink River, then it's going to back me up more, and it's going to kill them some more. Why do they really need it? I know, fire.... Well, maybe if their buildings weren't that big, and that many.... Anyway, as far as the traffic goes. I'm going to say this, and then I'm going to get out of your hair. Saturday, July 23rd, you made a remark about traffic. I woke up about 4 a.m., 5 a.m. they started coming in from Route 209, and from Route 211. For three hours, 175 cars. Now where are they parking them, according to them, they don't have that much parking lots, and that's why they want a parking lot. And I want to know where they keep their buses up there, because they have buses up there too. That's the one day. The next day would be Sunday, a day of rest. Not for some. I woke up early about 4 a.m., 5 a.m. they started coming in. And it kept on all day. In from Route 209 and down from Route 211. And I'm at an area where I can see lights when they go in. Lights when they come out late at night. Cars will come out of there, 10:00, 11:00 at night, they're coming out of there. And they go up the hill, most of them go up the hill. I get some that go by me. I have no more turtles, they killed them all. I'm not just saying them, because we've gotten a lot of heavy traffic. The trucks and everything else. I saved two turtles, five got squashed. I had thirty deer, they used to come across my front lawn, no more. They used to come down at night, down in the field. They can't even go across the bridge, because they have a dog by the gate for security reasons, I guess. And now the deer don't even come across the bridge. I don't even know where they go. No more. So, what do you do? Let them keep building and building and building and building? Or do they stop? In 2000 I went up. They had part of a temple done. In 2003 I went up, and they had all 3 temples and the other 6 buildings. And then it kept growing and growing and growing. Fifteen monks, that was the original plans. There's over 200 people living there. They say 100 and then another 100 that come in, there's a lot more than that. A lot more. Thank you.

Al Schock: Any other comments?

Al Fusco: For the previous applicant, we're using the same traffic count information. Basically, like their architect had said that we've seen 24 vehicles going in, 25 vehicles coming out during that 2 hour time frame. Again, this is a preliminary traffic count, it's not a true study. It was done from one day, peak hours in the morning and then peak hours in the afternoon. I can't stress that enough, that it was preliminary and it was basically just for us to be able to recommend whether or not a traffic study was needed. And basically with out knowledge of traffic studies, it's hard to get a general classification of Dragon Springs. Somebody had mentioned, what does Dragon Springs do? They have a lot of different uses, a lot of different classifications. So, for us to do our count, to do our study, it was difficult to classify what they have. So, that is again, one of our recommendations is for them to provide us with an updated traffic study, is what they have on their site now. What they're proposing, what their future proposals is going to be. And try to give us an updated traffic study with their classifications, with their classifying what their site is at. Again, when we were doing our study, we had a difficult time, trying to classify what they have up there. We were taking, of course, what they are approved for, is 100 people working there, and 100 people on the weekends, that was kind of what we were basing everything off of. Again, that's what they're approved for, but what their classification is, may be different, per square footage of the classification of the building that they have, and that sort of thing. So, we would recommend that they provide us with a traffic study that is more specific to their needs now and their future.

Derek Wilson: On that too, they did provide us with information on a traffic study 2001, so based on the construction that has occurred up there, and whatever use is going on, it's not unreasonable, ten years later, that they update it.

Al Fusco: Again, the approval is for the 200 total, and I believe that that was the same back then.

Derek Wilson: I'm just saying, ten years later...

Al Fusco: There has been significant changes, and that's what we're asking for. Not only what was back then, which is still true now for the 200 people, but for what the future is going to hold for the traffic.

Derek Wilson: In their traffic, they're going to be measuring... because we've run into this on other applications, where the rush hour doesn't necessarily apply to traffic that they generate. Between the construction traffic...and the construction traffic should actually be more temporary, rather than the long term. But they're going to take... we had input on Saturday, you know, citizens said they saw this many vehicles on Saturday and Sunday. I got the impression that that was higher than they saw during the week. So, we would direct them to provide weekend traffic counts.

Al Fusco: Exactly, and that's what I was saying. Their specific needs are again, different then general traffic engineering analysis.

Derek Wilson: When they do a traffic study, they're going to be counting the actual amount of trips that will be occurring?

Al Fusco: They are going to be counting the number of cars that are on the road now, how many people that are going in and out of their place, and how many cars going in and out of each intersection on Galley Hill Road. And then they're going to be looking at specific needs and determining what is the additional flow of traffic, and will the existing infrastructure hold that. If not, what needs to be done to upgrade the infrastructure.

Derek Wilson: And I also see that you suggested, because Mr. Gottlieb does not represent Dragon Springs, you've recommended that maybe their professional wants to talk with the professional from Datang to do...

Al Fusco: We're not opposed to that.

Derek Wilson: Okay, I just wanted to bring that up, because you suggested that.

Al Fusco: Our firm has suggested that we're not opposed to a joint traffic study, if that's at all possible. If not, if it's completely improbable to do that, then we can review both studies and put them together. So, either way is fine.

Rob Vicaretti: I just have one question. Just for general knowledge, maybe the public would like to know also. You referred to Dragon Springs doing a traffic study. I mean, isn't that like a fox watching the hen house? You know, is the traffic study actually done by an independent... do they hire somebody independent, or do they just stand outside the gate and count. I'm just asking.

Al Fusco: They have to have a certified professional engineer provide the study. Now whether it's an in house engineer, you know, the board can ask them for a third party, if they would like that.

Rob Vicaretti: The Board, you're talking about us, not the Town Board.

Al Fusco: Correct. We'd have to talk to the attorney about that, I'm not 100% sure. Our recommendation would be for a professional engineer.

Rob Vicaretti: Because we made a motion for a traffic study, they actually have to fine tune, who is going to do that stuff.

Chun Feng: The traffic study information was a third party.

Derek Wilson: The one done in 2001.

Chun Feng: Right, right, right.

Derek Wilson: So, you had an independent engineering firm do it.

Al Fusco: Would you have a problem with an independent traffic engineer do this study?

Chun Feng: No.

Al Fusco: So you're amiable to that.

Derek Wilson: I have a question, did we start the SEQRA notification on this? I just looked in the book before and I didn't see anything. So, we have to send out the notification on that?

Al Fusco: Maybe, I'll have to check.

Derek Wilson: Because we notify the County.

Al Fusco: Yeah, there's notification to Orange County Planning...

Derek Wilson: Right, for lead agency we have to circulate. Maybe you can check with your father on that.

Al Schock: Okay, so would you like to make a motion to keep this open for the traffic study, public hearing left open for the traffic study?

Derek Wilson: My concern with keeping the public hearing open, is that the map was only on file since last Wednesday. Now if it was our fault or whoever's fault it was, for the fairness of the public. Anybody who actually didn't get to see the proposal, because at the previous meeting they gave us changed maps a few hours before the meeting, so that was on them. But there might have been some confusion, so really the maps should be on file ten days prior to the public hearing, so that the people could comment. So, last Wednesday was three day short. So, I think procedurally we want to hold the public hearing open, because it's just a map issue. On the traffic study, that would have to be a vote of the board. So, if someone wants to make a motion,

Rob Vicaretti: I make a motion that we have a traffic study done, as part of the application process.

Derek Wilson: And mention too, that you interface with them to make sure that it's not just a Monday through Friday, but make sure that the weekend is covered?

Al Fusco: We will review that.

Rob Vicaretti: So, I make a motion that a traffic be done, as part of the application.

DEERPARK PLANNING BOARD - JULY 27, 2011 - PAGE #
PUBLIC HEARING - DRAGON SPRINGS BUDDHIST, INC.

Derek Wilson: And that we hold the public hearing open.

Theresa Santiago: I'll second that.

Derek Wilson: We have a motion and a second.

Al Schock: Okay, we have a second. All in favor?

Mike Hunter: Aye.

Theresa Santiago: Aye.

Bob Vicaretti: Aye.

Willard Schadt: Aye.

Derek Wilson: Aye.

Al Schock: Aye.

Motion carried. Public hearing held open until next meeting date, August 10, 2011.

Respectfully submitted,

Barbara Brollier, secretary