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STATE OF NEW YORK
VILLAGE OF SUFFERN

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Minutes of The Village of Suffern
Planning Board

April 26, 2023 - 7:00 P.M.

At

Suffern Village Hall
61 Washington Avenue
Suffern, New York 10901

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B E F O R E:

- RICHARD GANDON, Chairman
- RICHARD BYRNES, Member
- ANDREW DALE, Member
- ANDREW HALPER, Member
- DANIEL McINERNEY, Member
- HUDSON VANSICKLE, Member

Nathan Davis
Court Reporter

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HEARING

MR. CHAIRMAN: Next up is a public hearing for IV2 Rockland Logistics, LLC for their draft environmental impact statement.

You want to come up, Mr. Chafizadeh?

MR. CHAFIZADEH: Sure.

Good evening. My name is Darius Chafizadeh, an attorney at Harris Beach Law Firm, here for the owner and developer IV Logistics, Rockland Logistics.

This is the DEIS public hearing. As you know, we have been working with your team of planners and experts on finalizing the DEIS. It was before your board last month and it was deemed complete for public comment. Since that time we have sent out all the required notices to the various interested and involved agencies. We've also sent it out to the -- prior bulletins to the Department of Environmental

HEARING

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2 Conservation.

3 So we wanted to walk you
4 through, just quickly, for the
5 public, if anyone's here and hasn't
6 seen the project before -- I know the
7 Board has, or at least most of you
8 have -- just a quick little proposal
9 of what we're proposing for the
10 project.

11 We'll have Ryan McDermott from
12 Dynamic Engineering here. We do have
13 our team here from the owner, and
14 also from our planner if there's any
15 questions.

16 Our plan tonight, we have a
17 stenographer here taking down
18 everything; we'll provide a copy to
19 the Village once it's complete.

20 But it's not to try to go back
21 and forth with the public on
22 questions and answers but to get all
23 the questions down on the steno and
24 then try to respond to those in the
25 FEIS, working with your planners

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HEARING

during this hearing, if that's okay with the Board.

MR. CHAIRMAN: Perfect. Thank you.

MR. CHAFIZADEH: Great.
Ryan?

MR. McDERMOTT: Thank you, Darius.

Again, for the record, my name is Ryan McDermott, M-C-D-E-R-M-O-T-T, civil engineering consultant on behalf of the Applicant with Dynamic Engineering.

The plan you see before you, this is a variation of what this board has seen before, just updated with the latest and greatest plan set. It's a colorized version of the site plan sheet and overall site plan rendering, colorized with proposed landscaping so you can kind of see the differential on the larger sites and point out, with black-and-white lines, what's going on. So this is,

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you know, a more clear depiction of what we're proposing.

So as you heard from Darius, the Applicant has submitted a draft environmental impact statement for the proposed redevelopment of a warehousing and logistics center on the site which was formally occupied by the Novartis manufacturing facility on Old Mill Road. That DEIS has been submitted and reviewed by the Board's professionals and revised to address comments from the Board's professionals.

So we are here tonight to get comments from the public, take inventory of what those comments and concerns might be, and then work towards a final EIS wherein all feedback will be thoroughly assessed and addressed.

The project consists of demolishing the existing complex and constructing three class A modern

HEARING

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2 warehouse distribution facilities
3 consisting of a total gross square
4 area of approximately 1.2 million
5 square feet. Additional improvements
6 will include loading bays for each of
7 those buildings, trailer storage
8 spaces, lighting, landscaping,
9 utilities, storm water management
10 facilities, driveways, parking,
11 et cetera.

12 The site is located within the
13 PLI -- planned light industrial --
14 zoning district, where the use is
15 permitted as of right. A special use
16 permit will be required from the
17 Planning Board for disturbance within
18 a portion of the site which lies in
19 the Suffern floodplain overlay zoning
20 district.

21 Furthermore, a portion of the
22 site is located within the Village of
23 Montebello, off to the east side,
24 which is the right side of this plan.
25 However, we are not proposing any

HEARING

1
2 buildings for site improvements
3 within the Village of Montebello.

4 Access to the site is currently
5 provided via a full-movement driveway
6 at the southern end of the site along
7 Hemion Road, if you follow my finger
8 right here, and a full-movement
9 driveway at the northern end of the
10 site along Old Mill Road, which
11 eventually connects out to Hemion
12 here. It is proposed to maintain
13 both of those driveways and add a
14 second full-movement driveway on
15 Old Mill Road.

16 It is important to note that
17 recently, Old Mill Road was owned by
18 the New York State Thruway Authority.
19 However, as recently as this week,
20 the applicant has closed on Old Mill
21 Road and now owns the roadway. It's
22 the intent to continue using Old Mill
23 Road for our primary access point, as
24 the applicant's predecessors on this
25 site have for decades.

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That concludes a brief overview of the site and what we're proposing.

Again, this truly has remained largely the same as the Board has seen it presented over the past several months, but we did want to provide a brief summary for the public that might be here with us tonight. Thank you.

MR. CHAIRMAN: Thank you.

Can we have the representatives from Nelson Pope, if you could, make your comments? And then we'll open up the public hearing.

MR. CHAFIZADEH: All of this is available. We're moving it to the side so you can see.

MR. BRADY: All right. Thank you very much.

My name's Bill Brady, again, with Nelson Pope Voorhis, the Town's planning consultant on this matter.

And just to refresh everyone, the public comment period is going to

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HEARING

be open until May 8th. So again, the public, if they're not speaking here tonight, they still have that time to submit comments to the Village, and those will be accepted as well.

And again, the Planning Board is more than welcome to submit comments as well, on the matter.

So thank you very much, and we will help to answer any questions today as things come up. Thanks.

MR. MAGRINO: I'm sorry, Bill, I know we had this discussion. Obviously, the public hearing is taking place tonight.

MR. BRADY: Right.

MR. MAGRINO: Your recommendation is the public hearing be closed, but the public comments will still be open --

MR. BRADY: That's right.

MR. MAGRINO: -- until the 8th, and then we'll go from there in terms of the EIS, and have the

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HEARING

applicants -- those issues raised there.

MR. BRADY: Right. Thank you, thank you very much.

MR. CHAIRMAN: Can I have a motion to open the public portion of the hearing?

MR. HALPER: I'll make a motion.

MR. CHAIRMAN: Motion by Mr. Halper.

Do I have a second?

MR. McINERNEY: I'll second.

MR. CHAIRMAN: Second Mr. McInerney.

All in favor, say "aye."

(A chorus of "ayes.")

MR. CHAIRMAN: The motion carries.

Are there any members of the public who would like to speak? Please come up to the podium and state your name and address for the record.

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HEARING

MR. GIANNETTINO: Jim
Giannettino.

My only question is, are the
planners satisfied with the plan as
it sits? **Not substantive**

MR. BRADY: We're reviewing it
right now.

MR. GIANNETTINO: Excuse me?

MR. BRADY: It's under review
right now with our staff.

MR. GIANNETTINO: So you
haven't made a final decision?

MR. BRADY: Exactly. It's --

MR. GIANNETTINO: Okay. Thank
you.

All I can say, I was a member
of this board for a long time. This
is a professional company. They've
done everything I had asked them when
I was chairman, and I'm glad to see
they got Old Mill Road and they're on
their way. And I wish them luck.

MR. CHAIRMAN: Thank you.

Any other members of the

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HEARING

public?

Again, please state your name and address for the record.

MS. WOOTERS: My name is Patricia Wooters -- that's W-O-O-T-E-R-S -- and I welcome this project to the Village of Suffern as a resident and taxpayer. And in looking at it, I have two small requests:

The executive summary reports the potential impact of losing 534 trees that are 12 inches in diameter or more, and it would be 534 trees planted, which is wonderful.

And I understand they will not be planting trees of equivalent size -- that would be ridiculous -- but I'm asking that the oak tulip tree forest be replanted with similar trees that are already found there: American beech, red maple, red oak, tulip oak, black oak, white oak. I

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HEARING

1
2 get this from the draft DEIS that I
3 read. And there are suitable
4 plantings to recreate the red maple
5 hardwood swamp and floodplain forest,
6 similar trees.

7 But what I'm asking is that the
8 replacement trees not be ornamental
9 cherry trees, pollard, pollard oak,
10 you know, pear trees, but actually
11 trees that will eventually provide
12 shade; I'm looking for shade.

13 I'm looking at climate change,
14 and I know you are as well. I can
15 see that from what you said, and
16 that's wonderful. The Village will
17 be losing mitigation from climate
18 change by expanding the building
19 environmental footprint, so this is
20 important that as many -- as many
21 acres of forest shade can be replaced
22 over the long-term. I know it takes
23 time for trees to grow.

24 And the other request that I
25 had, I salute the fact that the

HEARING

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2 buildings will have white covering on
3 top, which I don't know if that may
4 be code here in Suffern, I don't
5 know. But I'm asking, in addition,
6 that the roadways be coated with
7 reflective paint to -- again, to
8 mitigate against the enlarged
9 footprint and coming climate change.
10 Thank you.

11 MR. CHAIRMAN: Thank you.

12 Any other members of the public
13 who would like to speak?

14 Now, Mr. Millman, Mayor Millman
15 from Montebello, we do have the
16 letter that was dropped off yesterday
17 afternoon. I have read it. We
18 haven't had time to discuss it, but
19 by all means, feel free to make your
20 comments.

21 MAYOR MILLMAN: Okay. So once
22 again, my name is Lance Millman. I'm
23 the mayor of the Village of
24 Montebello. We have been involved in
25 certain aspects of this project.

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I'm here tonight with Richard D'Andrea, our Village traffic consultant from Colliers Engineering & Design. I'm going to let Mr. D'Andrea talk first, and if the board will let me finish off with my comments afterwards.

MR. CHAIRMAN: Absolutely. Go ahead.

MAYOR MILLMAN: Okay. Thank you.

MR. D'ANDREA: Good evening. Rich D'Andrea, Colliers Engineering & Design.

You mentioned that you had our letter that was submitted to you. It was dated -- I think it was April 12th was the date or -- is that -- no, it was the 21st, sorry.

And, you know, I'm not going to go through every point that's in there because we did submit that in writing, and we would expect that would be addressed as part of the

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HEARING

FEIS, but there are some bigger items that I think we would just like to highlight for you.

There were a couple of things in the scoping document that we didn't see, that were fully addressed. Maybe we missed them; it is a large document. So there's a couple of things in there that you'll see.

Getting more into the technical things, you know, we had some questions about the distributions of traffic, especially to and from the thruway. They're only showing ten percent of their traffic to and from there. We think that is a low percentage and maybe that needs to be adjusted a little bit to know what the true impacts are.

We did question the build year that was utilized in the traffic analysis. They used a build year of 2024. That seems significantly

III.F.43

III.F.44

HEARING

1
2 aggressive, especially since they're
3 showing 22 months -- I think it's
4 22 months -- construction timeframe
5 at this point. Considering where we
6 are in 2023, 2024 seems like an
7 aggressive build year. So that may
8 need to be adjusted and re-analyzed a
9 little bit.

10 We do have significant concerns
11 about -- basically, the mitigation
12 measures they're proposing at
13 59 Hemion and 59 Airmont Road are
14 basically timing changes. There's
15 some other modifications to the **III.F.45**
16 Hemion intersection to increase
17 storage length.

18 The timing changes, we have
19 significant concerns about whether or
20 not those are realistic, whether they
21 can be implemented. We really think
22 DOT input is necessary to know that
23 these can be made, and that we
24 haven't seen yet.

25 We continue to have concerns

HEARING

1
2 about the left turn from 59 onto
3 Airmont Road. Everybody knows that
4 that is a queuing issue today. **III.F.46**
5 You're going to add more vehicles,
6 more trucks to that left turn with
7 this project. So that is something
8 that, again, needs Department of
9 Transportation input on.

10 Again, going back to the
11 intersection of 59 and Hemion,
12 those -- they're proposing to extend
13 the storage length of left turn lanes
14 there. We would like to see how
15 they're going to accomplish that.
16 They say it's going to be re-striping
17 only. I'm not clear that that's --
18 that it's just re-striping that gets
19 that done. We would like to see a
20 full plan in conceptual form that
21 shows that. **III.F.47**

22 I think, sight distances along
23 Hemion Road for both the access
24 points at Hemion need to be looked
25 at. Those weren't addressed in the

HEARING

1
2 study. I think those are critical,
3 especially for trucks coming in and
4 out of the site. **III.F.48**

5 And then the DEIS appendix does
6 show a plan with truck-turning
7 maneuvers for the southerly access
8 driveway. It shows what appears to
9 be significant improvements along
10 that southerly access driveway and at
11 the access driveway at Hemion Road.
12 I don't see those mentioned anywhere
13 in the study. I think the
14 presentation tonight indicated that
15 there are no improvements in the
16 Village of Montebello, that although
17 it's a County roadway on Hemion, it
18 is within the Village, and there's
19 other -- if they are improving that
20 driveway, those would be in the
21 Village of Montebello. **III.F.49**

22 A couple of other things:
23 There was a separate analysis done
24 considering potentially higher
25 traffic generation, which was

HEARING

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2 something that we'd actually
3 requested earlier on.

4 You know, one of the things we
5 have done in the past and the State
6 has done in the past is a -- what's
7 called a post-monitoring study, that
8 is done after occupancy of the
9 development, to assess what the real
10 traffic generation is after the
11 project's been occupied. As part of
12 that, you would assess specific items
13 which they identified in the study
14 that could need potential
15 improvements after the fact that may
16 need to be made. That could be
17 something that is done here as part
18 of any approvals, and I think it is
19 warranted, especially with some of
20 the things that they've identified in
21 the study for that condition. **III.F.50**

22 And then we had made several
23 other comments about just the
24 construction traffic analysis. They
25 are saying they're going to bring in

HEARING

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2 a lot of fill material to the project
3 to make this work. There's some
4 assumptions in there that we didn't
5 see clearly identified, how they got
6 to that analysis; we would like those
7 clarified. **III.F.51**

8 And there was no real
9 discussion about the actual
10 construction-worker traffic in there.
11 When you look at the timeframe of
12 construction-worker traffic coming in
13 and out of the site, especially
14 leaving the site, it's going to be
15 pretty much coincident with the peak
16 hour they identified for the
17 P.M. peak hour, which is 3:15 to
18 4:15. So we think that we may need
19 additional analysis there that needs
20 to be looked at to make sure that
21 there's no impacts from that end of
22 things. We understand that it's
23 temporary, but maybe the timing
24 changes that they're recommending, if
25 they can be implemented, can be done

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HEARING

before the construction starts in full order, so...

And then lastly, I would just mention that if there are **III.F.52** improvements along that southerly access route on Hemion, we wouldn't expect that they would have to come to the Village of Montebello Planning Board for those improvements. So at some point in the future we may have, you know, further review upon that portion of the project.

That's all I have for now, and I'll hand it back to the Mayor.

MAYOR MILLMAN: Thank you.

First, I just wanted to say that the Village of Montebello is thrilled with the new owners of the property. We know they're an extremely reputable company and they will do everything possible, and have been as transparent as possible with what they're doing to both Suffern and to Montebello. And we applaud

HEARING

1
2 that, that both Suffern and
3 Montebello have been involved.
4 Granted, the majority of -- I mean,
5 all of -- the Villages in Suffern.
6 And we know that's in good hands with
7 your board, sir.

8 Where we've been involved even
9 before this is that when the first
10 traffic study came out, we actually
11 hired Colliers to review it
12 immediately, even before we were
13 involved, and we sent it over to, I
14 think, both the Planning Board and to
15 the applicant, and they did take a
16 bunch of suggestions from there.

17 But the main concern of
18 Montebello since day one is the III.F.53
19 traffic, the flow of the traffic, the
20 anticipated -- and I know it's not
21 225 trucks a day -- the anticipation
22 of 18-wheelers. And it's not just
23 the anticipation of originally going
24 through Montebello but the
25 anticipation of going on a county

HEARING

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2 road, to a state road, to another
3 state road, to parts of the Town of
4 Ramapo and Airmont, where I've lived
5 in my village for over 26 years. And
6 all the improvements that have been
7 said to occur to Airmont Road haven't
8 really occurred, and everybody's
9 really aware of that.

10 I think the biggest improvement
11 was they added soft-noise controls
12 over by the railroad tracks, so that
13 would be -- so that would lessen the
14 sound.

15 We know that this is a major
16 project and that it is good for the
17 Village of Suffern, Town of Ramapo,
18 Village of Montebello, the County,
19 and everybody else involved. There
20 will be anticipated, we were told --
21 and I don't know if it's an exact
22 number -- 1,500 cars of employees,
23 not coming at the same time, but
24 coming into the area.

25 In reviewing with our traffic

HEARING

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2 consultant, and reading and having
3 discussions, we are still extremely
4 concerned about Hemion Road and
5 Montebello Road, Hemion Road and
6 Route 59, Route 59 and Airmont, the
7 thruway exits, the potential cars
8 that it's our understanding, and I
9 think the applicant has agreed and
10 the County has agreed, in theory,
11 that trucks would be right-turn only,
12 so there won't be any left turns
13 going into Montebello onto roads that
14 cannot hold those sized trucks.

15 But there still could be
16 hundreds of employees coming through
17 the Montebello area, passing the
18 middle school that involves the
19 students of Suffern, Montebello, Town
20 of Ramapo, Airmont, all the areas.
21 And the buses are coming all
22 throughout different parts of the
23 day.

24 There is one part where, in
25 theory -- and I understand that from

HEARING

1
2 a -- I guess, a logistics engineering
3 point of view, the Hemion Road and
4 Montebello Road, with an all-way
5 stop, sounds nice in theory, but you
6 have a road that's coming up hills
7 from a winding road, in front of a
8 middle school, across from another
9 complex, that it would be almost
10 impossible to do anything like that.
11 And the widening of the road with the
12 thruway overpass over there is not
13 something that should ever be, you
14 know, considered.

15 We've had some concerns that
16 they spoke about making -- I think III.F.54
17 it's called the storage part of the
18 read on Hemion Road, you know, for
19 the left turns. There's Indian Rock
20 Shopping Center there, and there's
21 the Indian Rock community of housing
22 that's there. If that is extended
23 backwards, and 18-wheelers are going
24 to be sitting there until they can
25 make the turn, the visibility out of

HEARING

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2 the Indian Rock Shopping Center is
3 going to be hindered. And I don't
4 even know if it's going to go as far
5 back as the Indian Rock Shopping
6 Center; that's why our engineer is
7 asking for expanding views of the
8 plan in doing this.

9 So once again, our main
10 concern -- and it's not just the
11 Village of Montebello. I mean,
12 Airmont and 59 affects everybody in
13 this room and everybody surrounding
14 it.

15 And Hemion Road to Route 59 is
16 a main road that leads across the
17 street to Good Sam Hospital, where
18 emergency vehicles may need to come
19 through. The last thing we need is
20 the potential of having 18-wheelers
21 blocking the way, and having to go
22 around.

23 I actually had a resident of
24 Suffern who I know called me the
25 other day, said, "I saw 18-wheelers

III.F.55

HEARING

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2 turning from Hemion onto Route 59 and
3 they couldn't make the turn. And
4 everybody knows they're going to have
5 to do something with the turn radius.
6 They had to go up on the sidewalk to
7 make the turn." Well, that's not
8 acceptable to anybody.

9 So I just wanted to reiterate
10 the importance of this aspect of this
11 project. We in no way want the
12 project to be stopped; we think it is
13 good for everybody. But we don't
14 want to become the Rockland County
15 hub being surrounded by 18-wheelers
16 coming in many directions.

17 Even across Village Hall, we
18 have another project that's been
19 approved light industrial, that I
20 think is going to have anywhere from
21 25 to 50 more 18-wheelers.

22 And then there's the expansion
23 of Raymour & Flanigan, okay, which is
24 also going to be utilizing their
25 train -- you know -- tracks coming

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across.

So as my village attorney said to me, this isn't just a moment in time; this is a moment in the future that everybody has to take into consideration, this traffic flow and the impact it will have on the entire area. And that is why I am here tonight.

And I know you know it's important to us, and we know that you're very important to this whole project. And we want you to carefully consider to make sure that these answers are given so that everybody's satisfied.

III.F.56

The changing of the timing of the lights, never gonna do it. I mean, it won't change anything. If you were coming on Route 59 to Airmont Road during parts of the day, it's 50 cars backed up already. So we'll add a lane with a couple of 18-wheelers or something?

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HEARING III.F.57

And last thing I have to say is that they're going to have to take over -- if they're going to widen part of the road, take over parts of businesses and properties not only by us, Hemion and 59, but Airmont Road with Airmont, the Town of Ramapo.

So I thank you for listening to us tonight. I know you know this is extremely important.

We are, once again, extremely happy with the new applicants, you know, in this type of property. But everything has to be done to the satisfaction of not just today's living, of the living in the next 25 years, 50 years, what the impact will be.

I thank you very much.

MR. CHAIRMAN: Thank you for your comments. And just so you know, we do take it very seriously. I got this yesterday.

And as Mr. Giannettino said,

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the applicant's been very responsive to suggestions and things of that nature. I believe that you are an involved agency.

MAYOR MILLMAN: We are now.

MR. CHAIRMAN: Were you here last year?

MAYOR MILLMAN: No -- yes, yes.

MR. CHAIRMAN: Okay. So, I mean, we look forward to working -- we want to be good neighbors. I believe that you know Rockland Logistics wants to be a good neighbor. So we look forward to working with you and, you know, transparency.

And you're right, this is a long-term impact, and we do look forward to coming up with, hopefully, a suitable solution if we get to that point.

MAYOR MILLMAN: I thank you again, Mr. Chairman, and your board. Thank you so much.

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HEARING

MR. CHAIRMAN: Thank you.

Is there anybody else, any other members of the public who would like to speak?

Do I have motion to close the public portion of this hearing?

MR. DALE: I make a motion.

MR. CHAIRMAN: Motion by Mr. Dale.

Do I have a second?

MR. McINERNEY: I'll second that.

MR. CHAIRMAN: Second McInerney. All in favor, say "aye."

(A chorus of "ayes.")

MR. CHAIRMAN: The motion carries.

Do you have any responses -- does the applicant have any responses to any of the comments, that you'd like to share?

MR. CHAFIZADEH: I don't think we want to get into details right now; we will respond to them in the

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HEARING

draft FEIS and get it to Nelson Pope for their review.

But, you know, I don't know want to get into a back-and-forth with things, but we hear your comments, we got the letter, we are reviewing with our traffic consultant, and we will be, you know, responsive.

Thank you for your comments.

MR. CHAIRMAN: Thank you.

And, you know, we are accepting public comments until May the 8th, so, you know, this is not done; it's not over.

And this is a DEIS, it's a draft environmental impact statement. It belongs to the applicant. You know, with the review process, anything like that, we will work with all the stakeholders -- and again, they've been very responsive -- and we'll go from there.

This is not done yet by any

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HEARING

stretch of the imagination; we're just getting started.

MR. CHAFIZADEH: Thank you, Mr. Chairman.

MR. CHAIRMAN: Thank you.

Any members of the board have any questions, comments?

MR. MAGRINO: Okay. So again, procedurally, we mentioned that at this point it would be appropriate to entertain a motion to close the public hearing on the DEIS.

And again, as the Chairman mentioned, the public comments will be held open until the 8th, and then we'll proceed from there with addressing the comments.

So, again, unless anybody has any questions or comments, at this point it would be appropriate to make a motion to close the public hearing.

MR. CHAIRMAN: Do I have a motion to close the public hearing?

MR. McINERNEY: I'll make that

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HEARING

motion.

MR. CHAIRMAN: Motion
Mr. McInerney.

Do I have second?

MR. VANSICKLE: I'll second.

MR. CHAIRMAN: Second
Mr. Vansickle.

All in favor, say "aye."

(A chorus of "ayes.")

MR. CHAIRMAN: Opposed?

The motion carries. Thank you.

MR. CHAFIZADEH: Thank you.

(Time noted: 7:34 P.M.)

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HEARING

C E R T I F I C A T E

STATE OF NEW YORK)
: SS.:
COUNTY OF WESTCHESTER)

I, NATHAN DAVIS, a Notary Public for
and within the State of New York, do hereby
certify:

That the witness whose examination is
hereinbefore set forth was duly sworn and
that such examination is a true record of
the testimony given by that witness.

I further certify that I am not
related to any of the parties to this
action by blood or by marriage and that I
am in no way interested in the outcome of
this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 4th day of May 2023.



NATHAN DAVIS

| | | | |
|--|---|--|--|
| & | 59 17:13,13 | additional 6:5 | anticipation |
| & 15:5,14 28:23 | 18:2,11 25:6,6 27:12,15 28:2 29:21 30:7 | 21:19 | 23:21,23,25 |
| 1 | 6 | address 5:14 10:24 12:4 | anybody 28:8 32:3 34:19 |
| 1,500 24:22 | 61 1:6 | addressed 5:22 15:25 16:8 18:25 | anyone's 3:5 |
| 1.2 6:4 | 7 | addressing 34:18 | appears 19:8 |
| 10901 1:6 | 7:00 1:4 | adjusted 16:20 17:8 | appendix 19:5 |
| 12 12:14 | 7:34 35:14 | affects 27:12 | applaud 22:25 |
| 12th 15:19 | 8 | afternoon 14:17 | applicant 4:13 5:5 7:20 23:15 25:9 32:20 33:19 |
| 18 23:22 26:23 27:20,25 28:15 28:21 29:25 | 8th 9:2,23 33:14 34:16 | agencies 2:23 | applicant's 7:24 31:2 |
| 2 | a | agency 31:5 | applicants 10:2 30:13 |
| 2023 1:4 17:6 36:21 | absolutely 15:9 | aggressive 17:2 17:7 | appropriate 34:11,21 |
| 2024 16:25 17:6 | acceptable 28:8 | agreed 25:9,10 | approvals 20:18 |
| 21st 15:20 | accepted 9:6 | ahead 15:10 | approved 28:19 |
| 22 17:3,4 | accepting 33:13 | airmont 17:13 18:3 24:4,7 25:6,20 27:12 29:22 30:7,8 | approved 28:19 |
| 225 23:21 | access 7:4,23 18:23 19:7,10 19:11 22:7 | american 12:24 | approximately 6:4 |
| 24408 36:23 | accomplish 18:15 | analysis 16:24 19:23 20:24 21:6,19 | april 1:4 15:19 |
| 25 28:21 30:18 | acres 13:21 | analyzed 17:8 | area 6:4 24:24 25:17 29:9 |
| 26 1:4 24:5 | action 36:17 | andrew 1:13,14 | areas 25:20 |
| 3 | actual 21:9 | answer 9:11 | asked 11:20 |
| 3:15 21:17 | actually 13:10 20:2 23:10 27:23 | answers 3:22 29:16 | asking 12:21 13:7 14:5 27:7 |
| 4 | add 7:13 18:5 29:24 | anticipated 23:20 24:20 | aspect 28:10 |
| 4:15 21:18 | added 24:11 | | aspects 14:25 |
| 4th 36:21 | addition 14:5 | | assess 20:9,12 |
| 5 | | | |
| 50 28:21 29:23 30:18 | | | |
| 534 12:14,16 | | | |

| | | | |
|---|--|--|--|
| <p>assessed 5:21 assumptions 21:4 attorney 2:10 29:3 authority 7:18 available 8:17 avenue 1:6 aware 24:9 aye 10:17 32:15 35:9 eyes 10:18 32:16 35:10</p> | <p>blocking 27:21 blood 36:17 board 1:4 2:18 3:7 4:3,17 6:17 8:5 9:7 11:18 15:7 22:10 23:7,14 31:24 34:7 board's 5:13,14 brady 8:19,21 9:17,22 10:4 11:7,10,14 brief 8:2,8 bring 20:25 build 16:22,24 17:7 building 13:18 buildings 6:7 7:2 14:2 bulletins 2:24 bunch 23:16 buses 25:21 businesses 30:6 byrnes 1:12</p> | <p>certain 14:25 certify 36:10,15 cetera 6:11 chafizadeh 2:7 2:8,10 4:6 8:16 32:23 34:4 35:13 chairman 1:11 2:2 4:4 8:11 10:6,11,15,19 11:21,24 14:11 15:9 30:21 31:7,10,24 32:2,9,14,17 33:12 34:5,6 34:14,23 35:3 35:7,11 change 13:13 13:18 14:9 29:20 changes 17:14 17:18 21:24 changing 29:18 cherry 13:9 chorus 10:18 32:16 35:10 civil 4:12 clarified 21:7 class 5:25 clear 5:2 18:17 clearly 21:5 climate 13:13 13:17 14:9 close 32:6 34:12,22,24</p> | <p>closed 7:20 9:20 coated 14:6 code 14:4 coincident 21:15 colliers 15:4,14 23:11 colorized 4:19 4:21 come 2:6 9:12 10:23 22:8 27:18 coming 14:9 19:3 21:12 24:23,24 25:16 25:21 26:6 28:16,25 29:21 31:20 comment 2:20 8:25 comments 5:14 5:17,18 8:14 9:5,9,20 14:20 15:8 20:23 30:22 32:21 33:7,11,14 34:8,15,18,20 community 26:21 company 11:19 22:21 complete 2:19 3:19</p> |
| b | | | |
| <p>b 1:9 back 3:20 18:10 22:15 27:5 33:5 backed 29:23 backwards 26:23 basically 17:11 17:14 bays 6:6 beach 2:11 beech 12:24 behalf 4:13 believe 31:4,13 belongs 33:19 bigger 16:2 biggest 24:10 bill 8:21 9:13 bit 16:20 17:9 black 4:24 12:25</p> | c | | |
| | <p>c 4:11 36:2,2 called 20:7 26:17 27:24 carefully 29:15 carries 10:20 32:18 35:12 cars 24:22 25:7 29:23 center 5:8 26:20 27:2,6</p> | | |

| | | | |
|---|--|---|--|
| <p>complex 5:24 26:9 conceptual 18:20 concern 23:17 27:10 concerned 25:4 concerns 5:19 17:10,19,25 26:15 concludes 8:2 condition 20:21 connects 7:11 conservation 3:2 consider 29:15 consideration 29:7 considered 26:14 considering 17:5 19:24 consisting 6:3 consists 5:23 constructing 5:25 construction 17:4 20:24 21:10,12 22:2 consultant 4:12 8:23 15:4 25:2 33:9 continue 7:22 17:25</p> | <p>controls 24:11 copy 3:18 county 19:17 23:25 24:18 25:10 28:14 36:5 couple 16:5,10 19:22 29:24 court 1:19 covering 14:2 critical 19:2 currently 7:4</p> | <p>demolishing 5:24 department 2:25 18:8 depiction 5:2 design 15:5,15 details 32:24 developer 2:12 development 20:9 diameter 12:15 different 25:22</p> | <p>draft 2:4 5:5 13:2 33:2,18 driveway 7:5,9 7:14 19:8,10 19:11,20 driveways 6:10 7:13 dropped 14:16 duly 36:12 dynamic 3:12 4:13</p> |
| | <p style="text-align: center;">d</p> <p>d 4:11 d'andrea 15:3 15:6,13,14 dale 1:13 32:8 32:10 daniel 1:15 darius 2:10 4:9 5:4 date 15:19 dated 15:18 davis 1:19 36:8 36:24 day 23:18,21 25:23 27:25 29:22 36:21 decades 7:25 decision 11:13 deemed 2:19 deis 2:14,17 5:11 13:2 19:5 33:17 34:13</p> | <p>differential 4:23 directions 28:16 discuss 14:18 discussion 9:14 21:9 discussions 25:3 distances 18:22 distribution 6:2 distributions 16:14 district 6:14,20 disturbance 6:17 document 16:6 16:9 doing 22:24 27:8 dot 17:22</p> | <p style="text-align: center;">e</p> <p>e 1:9,9 4:11 12:7 36:2,2 earlier 20:3 east 6:23 eis 5:20 9:25 emergency 27:18 employees 24:22 25:16 engineer 27:6 engineering 3:12 4:12,14 15:4,14 26:2 enlarged 14:8 entertain 34:12 entire 29:8 environmental 2:5,25 5:6 13:19 33:18 equivalent 12:19 especially 16:15 17:2</p> |

| | | | |
|--|---|---|---|
| <p>19:3 20:19 21:13 et 6:11 evening 2:9 15:13 eventually 7:11 13:11 everybody 18:3 24:19 27:12,13 28:4,13 29:6 everybody's 24:8 29:17 exact 24:21 exactly 11:14 examination 36:11,13 excuse 11:9 executive 12:12 existing 5:24 exits 25:7 expanding 13:18 27:7 expansion 28:22 expect 15:24 22:8 experts 2:17 extend 18:12 extended 26:22 extremely 22:21 25:3 30:11,12</p> | <p style="text-align: center;">f</p> <p>f 1:9 36:2 facilities 6:2,10 facility 5:11 fact 13:25 20:15 far 27:4 favor 10:17 32:15 35:9 feedback 5:21 feel 14:19 feet 6:5 feis 3:25 16:2 33:2 fill 21:2 final 5:20 11:13 finalizing 2:17 finger 7:7 finish 15:7 firm 2:11 first 15:6 22:17 23:9 flanigan 28:23 floodplain 6:19 13:5 flow 23:19 29:7 follow 7:7 footprint 13:19 14:9 forest 12:22 13:5,21 form 18:20 formally 5:9 forth 3:21 33:5 36:12</p> | <p>forward 31:11 31:15,20 found 12:23 free 14:19 front 26:7 full 7:5,8,14 18:20 22:3 fully 16:7 further 22:12 36:15 furthermore 6:21 future 22:11 29:5</p> | <p>26:23 27:3,4 28:4,20,24 30:3,4 gonna 29:19 good 2:9 15:13 23:6 24:16 27:17 28:13 31:12,14 granted 23:4 great 4:6 greatest 4:18 gross 6:3 grow 13:23 guess 26:2</p> |
| | | g | h |
| | | <p>gandon 1:11 generation 19:25 20:10 getting 16:12 34:3 giannettino 11:2,3,9,12,15 30:25 given 29:16 36:14 glad 11:21 go 3:20 9:24 15:9,22 27:4 27:21 28:6 33:24 going 4:25 8:25 15:5,21 18:5 18:10,15,16 20:25 21:14 23:23,25 25:13</p> | <p>hall 1:5 28:17 halper 1:14 10:9,12 hand 22:15 36:21 hands 23:6 happy 30:13 hardwood 13:5 harris 2:11 hear 33:6 heard 5:4 hearing 2:1,3 2:15 3:1 4:1,2 5:1 6:1 7:1 8:1 8:15 9:1,15,19 10:1,8 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</p> |

| | | | |
|---|---|---|--|
| <p>24:1 25:1 26:1 27:1 28:1 29:1 30:1 31:1 32:1 32:7 33:1 34:1 34:13,22,24 35:1 36:1 held 34:16 help 9:11 hemion 7:7,11 17:13,16 18:11 18:23,24 19:11 19:17 22:7 25:4,5 26:3,18 27:15 28:2 30:7 hereinbefore 36:12 hereunto 36:20 higher 19:24 highlight 16:4 hills 26:6 hindered 27:3 hired 23:11 hold 25:14 hopefully 31:20 hospital 27:17 hour 21:16,17 housing 26:21 hub 28:15 hudson 1:16 hundreds 25:16</p> | <p style="text-align: center;">i</p> <p>identified 20:13,20 21:5 21:16 imagination 34:2 immediately 23:12 impact 2:5 5:6 12:13 29:8 30:18 31:19 33:18 impacts 16:21 21:21 implemented 17:21 21:25 importance 28:10 important 7:16 13:20 29:12,13 30:11 impossible 26:10 improvement 24:10 improvements 6:5 7:2 19:9,15 20:15 22:6,10 24:6 improving 19:19 inches 12:14 include 6:6 increase 17:16</p> | <p>indian 26:19,21 27:2,5 indicated 19:14 industrial 6:13 28:19 input 17:22 18:9 intent 7:22 interested 2:22 36:18 intersection 17:16 18:11 inventory 5:18 involved 2:22 14:24 23:3,8 23:13 24:19 31:5 involves 25:18 issue 18:4 issues 10:2 items 16:2 20:12 iv 2:12 iv2 2:3</p> <p style="text-align: center;">j</p> <p>jim 11:2</p> <p style="text-align: center;">k</p> <p>kind 4:22 know 2:15 3:6 5:2 9:14 13:10 13:14,22 14:3 14:5 15:21 16:13,20 17:22 20:4 22:12,20</p> | <p>23:6,20 24:15 24:21 26:14,18 27:4,24 28:25 29:11,11,12 30:10,10,14,22 31:13,16 33:4 33:4,9,13,15,20 knows 18:3 28:4</p> <p style="text-align: center;">l</p> <p>lance 14:22 landscaping 4:22 6:8 lane 29:24 lanes 18:13 large 16:9 largely 8:5 larger 4:23 lastly 22:4 latest 4:18 law 2:11 leads 27:16 leaving 21:14 left 18:2,6,13 25:12 26:19 length 17:17 18:13 lessen 24:13 letter 14:16 15:17 33:7 lies 6:18 light 6:13 28:19 lighting 6:8 lights 29:19</p> |
|---|---|---|--|

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|--|---|--|--|
| <p>lines 4:25 listening 30:9 little 3:8 16:20 17:9 lived 24:4 living 30:17,17 llc 2:4 loading 6:6 located 6:12,22 logistics 2:4,12 2:13 5:8 26:2 31:14 long 11:18 13:22 31:19 look 21:11 31:11,15,19 looked 18:24 21:20 looking 12:10 13:12,13 losing 12:13 13:17 lot 21:2 low 16:18 luck 11:23</p> | <p>major 24:15 majority 23:4 make 8:13 10:9 14:19 21:3,20 26:25 28:3,7 29:15 32:8 34:21,25 making 26:16 management 6:9 maneuvers 19:7 manufacturing 5:10 maple 12:24 13:4 marriage 36:17 material 21:2 matter 8:23 9:9 36:19 mayor 14:14,21 14:23 15:11 22:15,16 31:6 31:9,23 mcdermott 3:11 4:8,11 mcinerney 1:15 10:14,16 32:12 32:15 34:25 35:4 mean 23:4 27:11 29:20 31:11 means 14:19</p> | <p>measures 17:12 member 1:12 1:13,14,15,16 11:17 members 10:21 11:25 14:12 32:4 34:7 mention 22:5 mentioned 15:16 19:12 34:10,15 middle 25:18 26:8 mill 5:11 7:10 7:15,17,20,22 11:22 million 6:4 millman 14:14 14:14,21,22 15:11 22:16 31:6,9,23 minutes 1:3 missed 16:8 mitigate 14:8 mitigation 13:17 17:11 modern 5:25 modifications 17:15 moment 29:4,5 monitoring 20:7 montebello 6:23 7:3 14:15 14:24 19:16,21</p> | <p>22:9,18,25 23:3,18,24 24:18 25:5,13 25:17,19 26:4 27:11 month 2:18 months 8:7 17:3,4 motion 10:7,10 10:11,19 32:6 32:8,9,17 34:12,22,24 35:2,3,12 movement 7:5 7:8,14 moving 8:17</p> |
| n | | | |
| <p style="text-align: center;">m</p> <p>m 4:11,11 made 11:13 17:23 20:16,22 magrino 9:13 9:18,23 34:9 main 23:17 27:9,16 maintain 7:12</p> | | | |

| | | | |
|--|--|--|--|
| <p>nelson 8:13,22 33:2</p> <p>never 29:19</p> <p>new 1:2,6 7:18 22:19 30:13 36:4,9</p> <p>nice 26:5</p> <p>noise 24:11</p> <p>northern 7:9</p> <p>notary 36:8</p> <p>note 7:16</p> <p>noted 35:14</p> <p>notices 2:21</p> <p>novartis 5:10</p> <p>number 24:22</p> | <p>once 3:19 14:21 27:9 30:12</p> <p>open 8:14 9:2 9:21 10:7 34:16</p> <p>opposed 35:11</p> <p>order 22:3</p> <p>originally 23:23</p> <p>ornamental 13:8</p> <p>outcome 36:18</p> <p>overall 4:20</p> <p>overlay 6:19</p> <p>overpass 26:12</p> <p>overview 8:2</p> <p>owned 7:17</p> <p>owner 2:12 3:13</p> <p>owners 22:19</p> <p>owns 7:21</p> | <p>past 8:6 20:5,6</p> <p>patricia 12:6</p> <p>peak 21:15,17</p> <p>pear 13:10</p> <p>percent 16:17</p> <p>percentage 16:19</p> <p>perfect 4:4</p> <p>period 8:25</p> <p>permit 6:16</p> <p>permitted 6:15</p> <p>place 9:16</p> <p>plan 3:16 4:15 4:18,20,20 6:24 11:5 18:20 19:6 27:8</p> <p>planned 6:13</p> <p>planner 3:14</p> <p>planners 2:16 3:25 11:5</p> <p>planning 1:4 6:17 8:23 9:7 22:9 23:14</p> <p>planted 12:16</p> <p>planting 12:19</p> <p>plantings 13:4</p> <p>please 10:23 12:3</p> <p>pli 6:13</p> <p>podium 10:23</p> <p>point 4:24 7:23 15:22 17:5 22:11 26:3 31:22 34:11,21</p> | <p>points 18:24</p> <p>pollard 13:9,9</p> <p>pope 8:13,22 33:2</p> <p>portion 6:18,21 10:7 22:13 32:7</p> <p>possible 22:22 22:23</p> <p>post 20:7</p> <p>potential 12:13 20:14 25:7 27:20</p> <p>potentially 19:24</p> <p>predecessors 7:24</p> <p>presentation 19:14</p> <p>presented 8:6</p> <p>pretty 21:15</p> <p>primary 7:23</p> <p>prior 2:24</p> <p>procedurally 34:10</p> <p>proceed 34:17</p> <p>process 33:20</p> <p>professional 11:19</p> <p>professionals 5:13,15</p> <p>project 3:6,10 5:23 12:8 14:25 18:7 21:2 22:13</p> |
| o | | | |
| <p>o 1:9 4:11 12:7 12:7</p> <p>oak 12:21,24 12:25,25,25 13:9</p> <p>obviously 9:15</p> <p>occupancy 20:8</p> <p>occupied 5:9 20:11</p> <p>occur 24:7</p> <p>occurred 24:8</p> <p>okay 4:2 11:15 14:21 15:11 28:23 31:10 34:9</p> <p>old 5:11 7:10 7:15,17,20,22 11:22</p> | <p>p.m. 1:4 21:17 35:14</p> <p>paint 14:7</p> <p>parking 6:10</p> <p>part 15:25 20:11,17 25:24 26:17 30:5</p> <p>parties 36:16</p> <p>parts 24:3 25:22 29:22 30:5</p> <p>passing 25:17</p> | | |
| | p | | |

| | | | |
|---|--|---|---|
| <p>24:16 28:11,12 28:18 29:14 project's 20:11 properties 30:6 property 22:20 30:14 proposal 3:8 proposed 4:21 5:7 7:12 proposing 3:9 5:3 6:25 8:3 17:12 18:12 provide 3:18 8:8 13:11 provided 7:5 public 2:3,14 2:19 3:5,21 5:17 8:9,15,25 9:3,15,19,20 10:7,22 12:2 14:12 32:4,7 33:14 34:13,15 34:22,24 36:8</p> | <p style="text-align: center;">r</p> <p>r 1:9 4:11 12:7 36:2 radius 28:5 railroad 24:12 raised 10:2 ramapo 24:4 24:17 25:20 30:8 raymour 28:23 read 13:3 14:17 26:18 reading 25:2 real 20:9 21:8 realistic 17:20 really 17:21 24:8,9 recently 7:17 7:19 recommenda... 9:19 recommending 21:24 record 4:10 10:25 12:4 36:13 recreate 13:4 red 12:24,24 13:4 redevelopment 5:7 reflective 14:7 refresh 8:24 reiterate 28:9</p> | <p>related 36:16 remained 8:4 rendering 4:21 replaced 13:21 replacement 13:8 replanted 12:22 reporter 1:19 reports 12:12 representatives 8:12 reputable 22:21 request 13:24 requested 20:3 requests 12:11 required 2:21 6:16 resident 12:9 27:23 respond 3:24 32:25 responses 32:19,20 responsive 31:2 33:10,23 review 11:10 22:12 23:11 33:3,20 reviewed 5:12 reviewing 11:7 24:25 33:8 revised 5:13</p> | <p>rich 15:14 richard 1:11,12 15:2 ridiculous 12:20 right 6:15,24 7:8 8:19 9:17 9:22 10:4 11:8 11:11 25:11 31:18 32:24 road 5:11 7:7 7:10,15,17,21 7:23 11:22 17:13 18:3,23 19:11 24:2,2,3 24:7 25:4,5,5 26:3,4,6,7,11 26:18 27:15,16 29:22 30:5,7 roads 25:13 roadway 7:21 19:17 roadways 14:6 rock 26:19,21 27:2,5 rockland 2:3 2:13 28:14 31:13 room 27:13 route 22:7 25:6 25:6 27:15 28:2 29:21 ryan 3:11 4:7 4:11</p> |
| <p style="text-align: center;">q</p> | | | |
| <p>question 11:4 16:22 questions 3:15 3:22,23 9:11 16:14 34:8,20 queuing 18:4 quick 3:8 quickly 3:4</p> | | | |

| | | | |
|--|---|--|--|
| <p style="text-align: center;">s</p> <p>s 12:7 salute 13:25 sam 27:17 satisfaction 30:16 satisfied 11:5 29:17 saw 27:25 saying 20:25 school 25:18 26:8 scoping 16:6 second 7:14 10:13,14,15 32:11,12,14 35:5,6,7 see 4:15,22 8:18 11:21 13:15 16:7,11 18:14,19 19:12 21:5 seems 16:25 17:6 seen 3:6 4:17 8:6 17:24 sent 2:21,23 23:13 separate 19:23 seriously 30:23 set 4:19 36:12 36:21 several 8:7 20:22</p> | <p>shade 13:12,12 13:21 share 32:22 sheet 4:20 shopping 26:20 27:2,5 show 19:6 showing 16:16 17:3 shows 18:21 19:8 side 6:23,24 8:18 sidewalk 28:6 sight 18:22 signature 36:23 significant 17:10,19 19:9 significantly 16:25 similar 12:22 13:6 sir 23:7 site 4:20,20 5:9 6:12,18,22 7:2 7:4,6,10,25 8:3 19:4 21:13,14 sites 4:23 sits 11:6 sitting 26:24 size 12:20 sized 25:14 small 12:10 soft 24:11</p> | <p>solution 31:21 sorry 9:13 15:20 sound 24:14 sounds 26:5 southerly 19:7 19:10 22:6 southern 7:6 spaces 6:8 speak 10:22 14:13 32:5 speaking 9:3 special 6:15 specific 20:12 spoke 26:16 square 6:3,5 ss 36:4 staff 11:11 stakeholders 33:22 started 34:3 starts 22:2 state 1:2 7:18 10:24 12:3 20:5 24:2,3 36:4,9 statement 2:5 5:6 33:18 steno 3:23 stenographer 3:17 stop 26:5 stopped 28:12 storage 6:7 17:17 18:13</p> | <p>26:17 storm 6:9 street 27:17 stretch 34:2 striping 18:16 18:18 students 25:19 study 19:2,13 20:7,13,21 23:10 submit 9:5,8 15:23 submitted 5:5 5:12 15:17 suffern 1:2,3,5 1:6 6:19 12:8 14:4 22:24 23:2,5 24:17 25:19 27:24 suggestions 23:16 31:3 suitable 13:3 31:21 summary 8:8 12:12 sure 2:8 21:20 29:15 surrounded 28:15 surrounding 27:13 swamp 13:5 sworn 36:12</p> |
|--|---|--|--|

| | | | |
|--|--|---|--|
| t | 19:22 20:4,20 21:22 31:3 33:6 | top 14:3 total 6:3 towards 5:20 town 24:3,17 25:19 30:8 town's 8:22 tracks 24:12 28:25 traffic 15:3 16:15,17,23 19:25 20:10,24 21:10,12 23:10 23:19,19 24:25 29:7 33:8 trailer 6:7 train 28:25 transparency 31:17 transparent 22:23 transportation 18:9 tree 12:22 trees 12:14,16 12:19,23 13:6 13:8,9,10,11,23 truck 19:6 trucks 18:6 19:3 23:21 25:11,14 true 16:21 36:13 truly 8:4 try 3:20,24 | tulip 12:21,25 turn 18:2,6,13 25:11 26:25 28:3,5,7 turning 19:6 28:2 turns 25:12 26:19 two 12:10 type 30:14 |
| t 4:11,11 12:7 36:2,2 take 5:17 23:15 29:6 30:3,5,23 takes 13:22 talk 15:6 taxpayer 12:9 team 2:16 3:13 technical 16:12 temporary 21:23 ten 16:16 term 13:22 31:19 terms 9:24 testimony 36:14 thank 4:4,8 8:10,11,19 9:10 10:4,5 11:15,24 14:10 14:11 15:11 22:16 30:9,20 30:21 31:23,25 32:2 33:11,12 34:4,6 35:12 35:13 thanks 9:12 theory 25:10,25 26:5 thing 27:19 30:2 things 9:12 16:5,10,13 | think 15:18 16:3,18 17:3 17:21 18:22 19:2,13 20:18 21:18 23:14 24:10 25:9 26:16 28:12,20 32:23 thoroughly 5:21 three 5:25 thrilled 22:19 thruway 7:18 16:16 25:7 26:12 time 2:20 9:4 11:18 13:23 14:18 24:23 29:5 35:14 timeframe 17:4 21:11 timing 17:14,18 21:23 29:18 today 9:12 18:4 today's 30:16 told 24:20 tonight 3:16 5:16 8:10 9:4 9:16 15:2 19:14 29:10 30:10 | u | |
| | | under 11:10 understand 12:18 21:22 25:25 understanding 25:8 updated 4:17 use 6:14,15 used 16:24 using 7:22 utilities 6:9 utilized 16:23 utilizing 28:24 | |
| | | v | |
| | | vansickle 1:16 35:6,8 variation 4:16 various 2:22 vehicles 18:5 27:18 version 4:19 view 26:3 | |

| | | |
|---|---|--|
| <p>views 27:7 village 1:2,3,5 3:19 6:22 7:3 9:5 12:8 13:16 14:23 15:3 19:16,18,21 22:9,18 24:5 24:17,18 27:11 28:17 29:3 villages 23:5 visibility 26:25 voorhis 8:22</p> | <p>week 7:19 welcome 9:8 12:7 westchester 36:5 wheelers 23:22 26:23 27:20,25 28:15,21 29:25 whereof 36:20 white 4:24 12:25 14:2 widen 30:4 widening 26:11 winding 26:7 wish 11:23 witness 36:11 36:14,20 wonderful 12:17 13:16 wooters 12:5,6 work 5:19 21:3 33:21 worker 21:10 21:12 working 2:16 3:25 31:11,16 writing 15:24</p> | <p>yesterday 14:16 30:24 york 1:2,6 7:18 36:4,9</p> |
| w | | z |
| <p>w 12:7 walk 3:3 want 2:6 8:7 28:11,14 29:14 31:12 32:24 33:5 wanted 3:3 22:17 28:9 wants 31:14 warehouse 6:2 warehousing 5:8 warranted 20:19 washington 1:6 water 6:9 way 11:23 26:4 27:21 28:11 36:18 we've 2:23 23:8 26:15</p> | <p>x</p> <p>x 1:3,7</p> <p>y</p> <p>year 16:22,24 17:7 31:8 years 24:5 30:18,18</p> | |