STENOGRAPHIC MINUTES OF SPECIAL MEETING conducted in the above-entitled matter on Friday, the 11th day of May, 2018, at the Rotterdam Town Hall, 1100 Sunrise Boulevard, Rotterdam, New York, commencing at 6:00 p.m.

TOWN BOARD AND OFFICIALS:

STEVEN TOMMASONE, Supervisor
EVAN CHRISTOU, Deputy Supervisor
JOSEPH GUIDARELLI, Councilmember
SAMANTHA MILLER-HERRERA, Councilmember
STEPHEN SIGNORE, Councilmember
DIANE MARCO, Town Clerk

REPORTED BY: THERESA L. ARDIA, CSR, RPR, RMR
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SUPERVISOR TOMMASONE: Ladies and gentlemen, we're going to start. Good evening, everyone.
Welcome to the May 11th, 2018 Special Meeting of the Rotterdam Town Board.

Ms. Marco, would you call the roll, please?

MS. MARCO: Mr. Christou.
MR. CHRISTOU: Present.
MS. MARCO: Mr. Guidarelli.
MR. GUIDARELLI: Present.
MS. MARCO: Mrs. Miller-Herrera.
MS. MILLER-HERRERA: Present.
MS. MARCO: Mr. Signore.
MR. SIGNORE: Present.
MS. MARCO: And Mr. Tommasone.
SUPERVISOR TOMMASONE: Present.
MS. MARCO: Five present.
SUPERVISOR TOMMASONE: Please stand for the Pledge.

(Whereupon, all present stood and recited the Pledge of Allegiance.)

SUPERVISOR TOMMASONE: So before we begin and get into the public comment privilege of the floor for this evening's meeting, I just want to make
mention of a couple things. We have, I think, well over 20 people signed up to speak this evening.

What we're going to do is I'm going to set a timer just for four minutes. When you're at four minutes, I'm just going to put my hand up like this. It doesn't mean you have to stop right away. Please don't put your brakes on. Just take a few seconds and wrap up your comments so you can make sure whatever it is you'd like to say you get out. But I don't want to be put in a position where someone wants to command the microphone for 10 or 15 minutes or longer, please. So I appreciate your attention with that.

Also, please, if you can, refrain from making any comments back and forth in the seats, the people that may be in support or not of the proposed project that is really before us and during this public hearing. Be professional. It just doesn't help us to not be.

Also, more importantly, the stenographer is here in order to take accurate notes of the questions that are being asked, the comments that are being made here this evening. So I ask you
for your patience and, again, your professionalism. I appreciate it very, very much.

So the first order of business that I'd like to have is just have a presentation by Jean Lowenstein. She is the Town-designated engineer from Clough Harbour & Associates. So she's only going to take a few minutes and say something, tell us about the project and where we are in the process right now. Thanks, Jean.

MS. LOWENSTEIN: Thank you, Supervisor. As the Supervisor stated, I'm here tonight just to give a really quick overview of this project and also to identify where we are in the SEQRA process.

As most of you already know, the Whispering Pines Senior Living District is a 96-acre parcel located between Helderberg Avenue and the New York State Thruway. It consists of 125 single-family homes, both town homes and detached; 119 independent living units, 144 assisted living units, 109 memory care units and will include a 9-hole executive golf course.

Maximum structure height is three stories. There will be two access points and the project
will be constructed in four phases and will take place over approximately four years.

In regards to SEQRA, the project is a SEQRA Type I action. The Town Board -- excuse me. For those of you who don't know, SEQRA stands for the State Environmental Quality Review, which is the process we're in right now.

The Town Board, as lead agency, issued a Positive Declaration on February 14, 2018 and, at that time, determined that there would be public scoping. They accepted a draft scoping document on February 14 and allowed public comment on the scope through March 14, 2018.

Comments that were received by the Town were considered and changes were made to the final scope, which was submitted to the Town on March 21st. At the Town Board's March 28th Town Board meeting, they accepted final scope.

Subsequently, the applicant submitted the Draft Environmental Impact Statement, or EIS, to the Town on April 11, 2018. A completeness review was conducted to ensure that the document meets the criteria for completeness based on the final scope.
Completeness comments were issued on April 20th and the applicant submitted an updated DEIS on April 23rd. Again, the DEIS was evaluated against the scope for completeness in order to determine if it was complete and adequate for public review.

As Town-designated engineer, we recommended that the Town Board could consider it as complete for public review. And at their April 25th Town Board meeting, they did determine -- they did deem the document adequate for public review and opened the public comment period.

The public comment period runs through May 25th, 2018. All comments that are received tonight and in written form up until and including May 25th will be reviewed and considered to be included in the Final EIS.

If anyone has not had the opportunity to review the document, it is on the Town's website. It's also available at the Town Hall in hard copy form as well as at the Rotterdam branch of the Schenectady Library.

All substantive comments will be addressed in the Final Environmental Impact Statement. And
once that is submitted, the Town will be
responsible for assessing it and preparing a
Statement of Findings on whether to approve or not
approve this project.

Thank you.

SUPERVISOR TOMMASONE: Okay. Thanks for your
time.

And as Ms. Lowenstein said, comments will be
accepted through May 25th, 2018. The Rotterdam
Town website is www.RotterdamNY.org. And when you
go to the Town's website, there is a section that
basically says "Town proposed concepts", but if
you put in "RotterdamNY.org" and backslash, then
just type the words "senior" dash "living" dash
"community.ashx", it will bring you right to the
page on the website that has the Draft
Environmental Impact Statement section.

What we're going to do is we're going to open
up three public hearings at once this evening.
And what we will do is call each speaker up to the
podium -- again, I saw some people come in, so I
just want to be brief again and let everyone know
the process here.

We're going to hold you to four minutes and
after the four minutes is up, I'm just going to put my hand up, try to wrap up your comments, take another 15 seconds or so, so that the next speaker can have the opportunity to get up and speak.

So Ms. Marco, let's start with -- if you don't mind, we're going to open all three public hearings at once. So please read each public hearing.

THE CLERK: Number 1: Draft Environmental Impact Statement, DEIS.

Number 2: To create a new zoning classification of Chapter 270, "Zoning", Article XXXI, entitled "Senior Living District".

Number 3: "To allow for a Change of Zone request from Lecce Senior Living, LLC for property located in Rotterdam, New York 12306, known as Tax Map Nos. 71.5-1-5.112 (2188 Helderberg Avenue), 71.5-1-7.1 (2196 Helderberg Avenue), 71.5-1-5.111 (2200 Helderberg Avenue), 71.5-1-9 (2204 Helderberg Avenue), 71.5-1-8.111 (No Address), 71-5-1-8.112 (2208 Helderberg Avenue), 71.5-1-10.21 (2212 Helderberg Avenue) and 71.9-2-21.11 (Brown's Farm). The applicant is requesting a Change of Zone from Agricultural
(A-1) to Senior Living District (SLD) for a project to be known as the Whispering Pines Senior Living Community. The proposal is to generally consist of the construction of 125 single-family homes (town homes or detached), 119 independent living units, 108 memory care units, 144 assisted living units, reconfiguring the existing 18-hole executive golf course into a 9-hole executive golf course that includes a new 2,500 square foot clubhouse and 1,300 square foot maintenance building on a plus-or-minus 90 acres. A total of 496 residential units are proposed and will be developed in up to four phases over an estimated four-year period, depending upon market demands. This will be accompanied by the addition of sewer and water infrastructure and roadways, as well as stormwater management features."

SUPERVISOR TOMMASONE: Okay. Thank you. And when you do come up, please address your comments to the Board. Also, I ask that we not get into again a question and answer session here this evening. The comments and the questions that you have we will collect and then provide written comment back to everyone.
So Ms. Marco, who's first?

THE CLERK: Joel Bianchi.

MR. BIANCHI: Good evening, Town Board, Supervisor. Joel Bianchi from M.J. Engineering. My firm, M.J. Engineering, was the primary author of the DEIS supported by various consultants. I will be brief because a lot of the information that I was going to cover has already been talked about.

The project is located on Helderberg Avenue. It includes eight adjacent parcels totaling approximately 96 acres. Under the proposed Senior Living District zoning designation, senior housing will be applied to approximately 84 acres of the project.

While the current proposal reduces the number of units, it removes all commercial elements with the exception of the golf course and attempts to address comments received from the Town and the public over the last year. The primary concept of the project to create a senior living community to allow residents to age in place remains intact.

So to briefly summarize the changes from what the original proposal was versus what we're
proposing today, the original concept had roughly 680 units, maximum building stories of four stories, uses and facilities of the living community center, including pool, fitness center, spa, cafe; all of those uses were open to the public.

We also have reconfigured the golf course into a 9-hole course and we originally proposed a five thousand square foot medical office and urgent care available to the public.

Now, we're proposing 496 units, reduced the number to a max stories of three stories and uses and facilities associated with the living community of a spa and pool are still available but only available to the residents, and then the 9-hole course is still planned to be reconfigured.

So to just summarize those changes, the living units got reduced by 184 residential units. We've reduced the building height from four to three stories max. The medical office/urgent care has been eliminated.

Other changes: Parking spaces have been reduced from 456 to 374, not the 600-plus that may have been reported. And then again with the
exception of the golf course remaining open to the
general public, there are no aspects of the
current project that are considered commercial
uses.

So briefly to go over infrastructure
improvements, the project will extend water from
the Town water system on Helderberg Avenue into
the site at no cost to the Town. Electric and
natural gas will be extended from the National
Grid system at Helderberg Avenue into the site at
no cost to the Town.

Sewer will come from the Town system either
at Helderberg Meadow subdivision to the east,
Hamburg Street to the west, both approximately a
third of a mile away from the project at no cost
to the Town.

Stormwater management will be on-site where
the majority of these systems are located away
from adjoining properties. We will be
maintaining or decreasing the amount of runoff
that leaves the site. All stormwater management
systems will be owned by the project sponsor at no
cost to the Town.

Two drives are proposed off Helderberg
Avenue, both full access. There's internal roads. Emergency access will be provided off Keator Drive with locked gates and access available only to emergency responders.

Now, speaking to the Town's Comprehensive Plan, the Town's Comprehensive Plan speaks to the need for senior living arrangements in the Town of Rotterdam. Specifically, the Findings Statement states: "With an aging population comes the need for senior citizen housing. Rotterdam has a severe shortage of senior citizen apartments; however, the recent approvals of funding by the New York State and HUD will improve the number of available units located in the Town. The Town should encourage the development of new housing that is reasonably priced through the adoption of specific regulatory measures."

The Comp Plan also had other implementing tasks. We believe this project meets those. It provides housing options strictly for seniors. It provides housing diversity. It provides nonresidential uses in the form of the golf course and, most importantly, conserves natural resources.
Some other facts, and I'll be brief. Again, all improvements proposed are completed without any funding provided by the Town. The project will impact the local school district in a positive manner with an increase in tax revenue without any school-age population.

And again, to talk about the study, the DEIS includes various studies that were taken in-depth covering various topics. I won't go into detail. And again, we look forward to addressing public comments in a response summary of the FEIS as the next step of the process.

SUPERVISOR TOMMASONE: Thank you.

THE CLERK: Melvin Mintz.

MR. MINTZ: Good evening. Obviously, my name is Melvin Mintz. I live at 2273 Helderberg Avenue. And I just want to say this before I really get started; I was remiss the last time I spoke. I didn't welcome the two new Board members and congratulations on winning and I wish you a lot of luck.


Holy mackerel. Where is this?

Well, one would use the terminology right around the corner from Helderberg Avenue on Curry Road. It's called Vista Square and it has over a hundred apartments, et cetera, and in two phases.

So why do we need another existing type of entity in a highly residential primarily beautiful community in Rotterdam, A Nice Place To Live, that's strictly residential one hundred percent from Curry Road to County Line Road?

It has approximately 12 roads that are access to Helderberg directly. I didn't count the houses on the side streets, but there are 98 homes on Helderberg Avenue plus, not counting homes on the corners.

Secondly, we now have large trucks coming down, tractor trailers. Why? Because they can't travel on Curry Road and go under the underpass. They have to turn at Curry Road and Helderberg, go down to County Line, and I happen to live on the corner and I live with it, and go down County Line
to go around and circumvent the underpass.

Three. Has anyone checked the Thruway -- the bridge over the Thruway structurally for the additional traffic that's going to be created and the type of trucks that are going to have to come and continue coming down Helderberg Avenue?

We have a situation on Helderberg now that's called Birch Gardens. It started out one way and had to change over the year or two, because they couldn't fill it necessarily on the project the way it was, senior citizen only.

Now, they have people in certain sections of that project that has changed when it started one way and, now, it's different where we have, understandably, people with children.

Putting to that point, I think we've all seen the school district called Mohonasen School District and what it's going through, positions eliminated and the proposal included one full-time administrator, ten full-time teaching positions and other part-time teaching positions.

The district officials estimate the reductions will increase class size in grades K through 6. Now, we're supposed to have senior
citizens this development, but who knows what's going to change in six months or a year from now if they don't fill it or when the second phase comes along? And Rotterdam has allowed a change on some of its projects after it's presented to us, the public.

What I am saying to you is that I am not against the 9-hole golf course and I'm not necessarily against the single homes. Why can't we have the developer take a look at building two hundred and three hundred and four hundred thousand dollar homes throughout this project area instead?

I understand the people that own the golf course would like to sell it. They've been here 70 years or plus, the people. I've been in the Town of Rotterdam where I live for 55 years, so it's not as great.

So I'm asking you to take a look and see why we can't develop so you get tax money. This development definitely could have the negative effect on the 98 homes and the homes on the side roads that tax money will be reduced by this development. Thank you.
SUPERVISOR TOMMASONE: Thanks, Mr. Mintz.

THE CLERK: Kirk Armstrong.

MR. ARMSTRONG: Hi. Kirk Armstrong. I'm one of the owners of Whispering Pines. Mainly, I just wanted to come down today to thank a lot of the neighbors I've been friends with for years; a majority of the people in our neighborhood actually support this program.

SUPERVISOR TOMMASONE: Excuse me. Please. Come on.

MR. ARMSTRONG: You're going to hear a lot of noise from a small, very vocal minority, but I've gotten letters over the years, all last year, letters, nice letters from people, telephone calls and, mostly, a lot of them just stop in to let us know that they're in support of the project.

And let's talk about the way development should be done these days. Putting a bunch of single-family houses in there is not the way to go. Modern development these days is cluster housing.

When we first talked about selling this, that was the first thing that builders came to us
wanting to do, single-family houses. That's why I got a hold of Lou Lecce. When I saw the development, the senior development, that he did over in Glenville, to me, that's the most appropriate thing for that area.

It's not going to have the negative impact of the suburban sprawl again. Okay? So mainly, I just wanted to thank a lot of the neighbors for coming in. I want to thank Joe Guidarelli for stopping over to look at the land. He's the only member of the Town Board who's come over to look at it. Steve was over one time last year. Whether he votes for it or not, I don't know, but at least he says he's going to have an open mind and that's all I can ask.

So I'd just like to tell the Board members you guys are there to do what's best for the majority of people in this town. This is a project you want to vote for and it should be a unanimous vote of approval for you. Thank you.

SUPERVISOR TOMMASONE: Thank you.

THE CLERK: Mary Mlodzianowski.

MS. MLODZIANOWSKI: Good evening, everybody.

My name is Mary Mlodzianowski. Good evening to
the Board, everybody in the room tonight. I'm here tonight to let everybody know that I support the project. I've lived in Rotterdam for 63 years, resided in my home for 43.

There's a lot of seniors in Rotterdam. And I would ask that people really give a turn to them, time for them to move on, relocate. So make that your consideration. And we are for the project ourselves, my husband and I. Thank you.

THE CLERK: Bill Sheehan.

MR. SHEEHAN: Hi. My name is Bill Sheehan. I live at 2241 Helderberg Avenue. There's a long list of people to speak, so I'll get to the point.

This is the wrong project in the wrong place. Literally, residents in the area south of the Thruway don't really want it. A simple drive through the area will tell you that. Signs on almost every property between the high school and County Line Road are sending you that message.

What we have is a really nice residential neighborhood. We have plenty of rush hour traffic as it is, morning and evening. It's an easy route between Schenectady and Guilderland and a lot of people take advantage of it. But in those
off-peak hours, it's an area that joggers, bicyclists, dog walkers avail themselves to and enjoy quite a bit. It's quiet enough in the quiet times that you can hear cars running up and down the Thruway. You can hear a train passing on the tracks that are over a half a mile away.

And from my house on the corner of Helderberg and Fisher, you can hear the marching band rehearsals all the way from the high school. It's a good quality of life. It's why I live here. I've been here for 23 years. And I've spent that time and a lot of money, as a lot of people on the street have, to make it and keep it nice.

This development will ruin all of that. The project construction, four years worth, the additional traffic, will degrade that quality of life.

Zoning is meant to protect areas like this and spot zoning, which is what I see this as, undermines that whole concept. It's unfair to people who have invested here, who work daily to keep our neighborhood as we like it.

Surely, there are other places that the developer could build without disrupting an area
that really doesn't need the headache. If the Armstrongs want to move along, it's understandable; people do want to move along.

Has the Town given any thought to the purchase of the golf course and adding it to the Town's recreational options?

The City of Schenectady and the Town of Colonie have golf courses and they make them work for the community. Perhaps, that's an option here. The developer's fortunes and their considerably sized company after looking over their website, their fortunes don't rise and fall on this project but ours do.

Don't ruin one of the nicer neighborhoods in this town. Find the developer acreage somewhere else. We ask you to reject this zoning change and stop this plan for this place once and for all. Thank you.

THE CLERK: Rachel Rappazzo.

MS. RAPPAZZO: Hi. Thank you very much for allowing me to speak. I came tonight to support this project and I wanted to voice the perspective of a family that actually needs assisted living in this community.
My family and I have, over the past year, started to deal with a parent that has become significantly ill and needed a lot of care. During the time that we started to deal with this, we started to realize we need to find other options and when we looked around in our town, we had no options. There are zero options here.

My mother-in-law needs assisted living and needed assisted living desperately and we have nothing in this town. We're a very close-knit family. We see her at least every other day. My husband is at her house at least every day. And she now has to be too far away from us for us to be able to continue to do that.

One of the things that I would point out is when you have an elderly parent that needs a lot of care, you have to enlist the help of a lot of people. And one of the issues that the proponents bring up is that there's going to be about 200 employees coming in and out of this project.

Well, when we attempted to keep my mother-in-law at home, we had to bring in Hospice and visiting nurses and home health aides and preachers and massage therapists and people to
handle her medication and people to clean her
house. I was there at least three times a day
myself changing diapers, cleaning the house,
making sure she had food. My husband had to leave
work every single day to bring her lunch, bring
her dinner.

There is a significant amount of people that
are already coming into this town just for one
elderly parent. I can't imagine the amount of
people that are coming into this town already for
all of the elderly people that need care here, and
I think it's probably far more than 200 people.

On top of that, my mother-in-law purchased
her home in Rotterdam in 1968. For 30 years prior
to that, she lived on Cox Avenue and then
purchased a home on Cox Avenue. I now live in
that home on Cox Avenue.

She raised five children in this community.
She paid taxes. Her husband ran a small business,
a business that her sons took over, my husband
included. She deserves better. She deserves to
be in the middle of this town, in a nice area and
not on the outskirts, not in a commercial
district.
We want access to her close and daily, and we want her to have a nice home that provides some assisted living that we can visit on a daily basis. The residents of our town that need this type of care deserve better. They deserve a nice area and they deserve a nice home. So I would ask the Board to support it. Thank you.

SUPERVISOR TOMMASONE: Thank you.

THE CLERK: Chet Pennacchia.

MR. PENNACCHIA: Hi. Good evening. My name is Chet Pennacchia. I'm speaking on behalf of my mom who is a senior in the Town of Rotterdam. She resides at 1133 Trinity Avenue.

And we're kind of going through the same thing with her as this lady just mentioned a little while ago. So I'm here to speak in favor of this project tonight and support the Whispering Pines development.

Seniors in Rotterdam need a development so they can retire and stay in their hometown, so they can continue to live their lives. This development allows residents to stay in a place that will consistently meet their needs as they age and get older.
The Town and the Mohonasen School District will greatly benefit from the new taxes they receive based on this project. With the type of construction and the maintenance-free living that they're proposing, the nature trails, the golf and tennis courts that they're proposing, all these features of this project make it a win/win for the residents and seniors in the Town of Rotterdam.

So I would vote in favor for the Town to pass and approve this project. Thank you.

THE CLERK: Anthony DiCarlo.

MR. DiCARLO: I'm Anthony DiCarlo. I live at 426 Janie Court in the Town of Rotterdam. I also own property on Curry Road. I grew up on Helderberg Avenue. I've had every opportunity to leave this area. I chose not to. And as I grow older, I choose not to in the future. So I support this project one hundred percent. That's it.

THE CLERK: Kathleen Conboy.

MS. CONBOY: Good evening. I'm Kathleen Conboy and I live on Fabian Drive here in Rotterdam. I moved here -- oh, I'm a youngster -- only maybe 20 years ago, because I knew this was a
nice place to live. I love the access to healthcare, doctors, pharmacies. There's great grocery shopping. There's public transportation. Rotterdam has a lot going for it.

But I'm finding -- and I worked for many years with seniors here in Schenectady County -- that most of us, again, as we get to a certain age, begin to realize we can't always continue to maintain our homes, but we sure would like to stay here in the area.

When I first heard about this project, I thought "Doesn't that sound like just exactly what I and so many of my friends are looking for?"

I honestly can't imagine how this is threatening to people to have a group of people like me sharing a housing area with meals available if you don't feel like cooking and exercise and all the things that are important as we age.

Staying where we are, aging in place, remaining independent, staying as healthy as possible and having friends that we can walk with and talk with.

So as I get older and realize that I'm going
to have to give up my home, like others who have spoken, I'm thinking "Where will I go?"

This is a wonderful opportunity in Rotterdam for those of us who want to continue to live here. I strongly support the project. I have spoken with many others who also do. I just don't want a small minority to speak for many of us who truly think this is a great project and who support it. Thank you.

SUPERVISOR TOMMASONE: Thank you.

THE CLERK: Del Pierce.

MR. PIERCE: Good evening, Mr. Supervisor, members of the Town Board, Madam Secretary. So I'm here --

SUPERVISOR TOMMASONE: Just state your name and address, please.

MR. PIERCE: Oh, I'm sorry. Del Pierce. I live at 2253 Ghents Road. I've been a resident at that address for a little over 40 years.

I'm not at all surprised that we're here again tonight one year after you voted down the initial proposal. Let me tell you why.

On June 14th of 2017, by happenstance, I sat next to a person I had never met, Shelley Dodson.
Directly in front of Ms. Dodson sat Mr. Lecce, the developer of the Senior Living Project at Whispering Pines.

During the debate on that project involving people from the audience, including Mr. Dodson, Shelley's husband, and members of the Board, Mr. Lecce leaned back in his seat and said a remark to Ms. Dodson that I clearly heard. I quote: "If this doesn't pass, I'm not going away. I hope you have deep pockets." Closed quotes.

I e-mailed each and every one of you, including Ms. Marco, with my concern regarding the appropriateness of that remark. I never received a single reply.

So I'm here again tonight to voice my opposition to the Village at Whispering Pines for the following reasons:

Spot zoning. The classic definition of spot zoning is, in quotes, the process of singling out a small parcel of land for a use classification totally different from that of the surrounding area for the benefit of the owner of such property and to the detriment of other owners.

I got that from Anderson's American Law of

So the traffic, we've all talked about the traffic. There's no sidewalks. I'm going to cut some of this short, because I've added some things at the end. It's very difficult to walk on that road.

I have a very good friend who I love very much who was struck and nearly killed while walking along that very stretch of road right near where the entrance will be for this new project should it be approved. She had to be medevac'd by helicopter to Albany Med and, thank God, she's still here today with some sustaining injuries.

Schoolchildren. Many schoolchildren walk this road to and from classes and extracurricular activities. The cross country kids run on this road, this massive increase in traffic, as has been cited before, and four years of construction. That's like four years of Hamburg Street that we're going through right now.

There will be extra services required. There will be a need for extra police coverage adding to a public safety budget which already threatens to
break the bank in this town, but I'll get back to
that in a moment.

Also, there will be more stress on our
volunteer fire department currently struggling to
meet staffing needs as older members drop out.

Water and sewage. It sounded very good when
the engineer -- I'm sorry, I've forgotten his
name, but when he came up here and said this is no
cost to the Town and that's no cost to the Town,
this and that, they're no cost to the Town.

But I'll ask this; if we have to -- if the
Town has to supply a lot more water to that area
for the golf course and -- not for the golf course
but for the spas and pools and houses and all the
development and everything, will we have to run
new pipes? Will we have to drill new wells? I
really don't know.

And will our current wastewater plant handle
the additional strain of the sewage that will come
out of that particular place? And then if it
doesn't, then who will pay for that?

So I understood the people that were -- I
understand the folks that were talking about the
needs of their family and, believe me, I know
that. My mom just passed away in a nursing home. I'm currently caring for my aunt in another nursing home. I understand about assisted living units and memory care units. They cost a lot of money, eight to ten thousand dollars a year. If you don't have it, you have to leave. There's no Medicaid or Medicare in these units whatsoever.

And if you get sick, you're going to have to leave and go to a nursing home because Medicaid will not pay for it. I mean, there's no nursing care there. So I urge you to vote down this project.

SUPERVISOR TOMMASONE: Thank you.

THE CLERK: Christine LaBou-VanBuren.

SUPERVISOR TOMMASONE: She doesn't want to speak. Next name.

THE CLERK: Joe Matarazzo.

MR. MATARAZZO: Good evening, Board members and residents of Rotterdam. My name is Joe Matarazzo and I reside at 2216 Helderberg Avenue with my wife and daughter.

I own four acres of land adjacent to the proposed project. I am not here to talk about the Senior Living Development being proposed at the
Whispering Pines Golf Course tonight. There are plenty enough other residents here just for that. I'm not here to talk about the traffic even though I believe this proposed project will significantly increase the traffic on Helderberg Avenue.

Nor am I here to talk about the size of this project or the impact that it will have on this nice, quiet neighborhood, or even the study that has been done on the water, soil, and the wildlife even though I do now enjoy having deer, turkey, Woody the woodpecker, bats, fox, rabbits, owls and a number of other wildlife in my back woods that will, in my opinion, potentially disappear from my property once this project goes through.

I am here to talk about the future, the future of our neighborhood and my property once this project is approved.

I want everybody to jump into their time machines now and skip ahead to the year 2023. Helderberg Avenue is now a busy corridor with shops, gas stations, convenience stores and possibly even a small shopping plaza similar to
the way Altamont Avenue has become, still with no sidewalks. Why?

Because in 2018, the Town Board decided to push a Senior Living Project through even though there was significant opposition from so many town residents that the Town-elects were supposed to be representing.

That project was the Whispering Pines Senior Living Project. Once the project was pushed through, there was a need for more development in this area. And at my property, 2216 Helderberg Avenue, where a nice family residential house once stood in a quiet neighborhood setting is now a bustling four-acre hotrod shop with cars, motorcycles and small engines being repaired, possibly 24 hours a day, customers in and out, all because a variance was issued for that business that the Town unanimously approved.

Keep in mind that the Town Board is no longer made up of any of the elected officials that are here tonight. You guys were all voted out by the town residents after the Senior Living Project went through.

Of course, prior to the Town approving the
hotrod shop, there was opposition and that opposition came from the neighbors of the senior living complex, because they did not want a hotrod shop built in their backyard.

There was no neighbors on Helderberg Avenue opposing this, because there are no Helderberg Avenue neighbors left. Most have sold out for commercial development.

The senior living neighbors were strongly opposed to the zone change, however, the Town believed that the hotrod shop, motorcycle shop would benefit the Town of Rotterdam and it would increase the tax base.

Okay. Now, let's come back to the year 2018. When the Senior Living Project goes through on almost a hundred acres with a zone change, I'll be asking to change my property that is currently zoned for agricultural to commercial. I believe with all the studies that Mr. Lecce has done that this shouldn't be a problem for the Town Board.

Of course, I don't have deep pockets like Mr. Lecce does, but I'll be riding on the coattails of Mr. Lecce's studies. And if the neighbors oppose, who cares? It'll be what the Town Board wants.
As a matter of fact, I ask all residents in the neighborhood to ask for a zone change so that this neighborhood can become the new gateway to the west. I'll be asking for a zone change on my property after this project goes through. Thank you.

THE CLERK: Shelley Dodson.

MS. DODSON: Good evening, members of the Board, all the fine residents that took time on this nice Friday night to come out for this meeting. My name is Shelley Dodson. I reside at 1311 Cypriana Terrace.

I'm not surprised to be standing here again for this same zone change request for a Senior Living District for the Village at Whispering Pines. Mr. Lecce threatened me at the June 2017 meeting when the zone change was voted down and he said, "If this doesn't go through, I hope you have deep pockets, because I'm not going anywhere."

I don't believe Mr. Lecce's pushing this project for the benefit of seniors in Rotterdam. He was inspired to develop properties by the game Monopoly in his interview in the Business Journal from September 14, 2017.
He chose not to submit the alternative plan, which is for a single unit housing development, because he can make more money in this massive commercial project. Mr. Lecce has a reputation for controversial projects in the Capital District. There was a stop work order February 27, 2018 for his personal four thousand square foot home on 17 acres in Niskayuna.

They were clearing and grading beyond what was approved in the building permit. And many of the Lecce Group projects require tearing down homes and existing buildings to build three-story commercial and apartment units that require zone changes and modifications.

I don't like being treated as a game of Monopoly. Rotterdam residents work hard to raise their families and pay their taxes. I have attended Planning Board meetings and Board meetings for this project.

Mr. Lecce and his people have attended these meetings. And at the April 25th, 2018 Board meeting, there were two main topics; one being the DPW facilities, the plow trucks and the salt shed, and the other was the shutdown of the brush lawn.
waste location in Rotterdam.

I witnessed Mr. Lecce as he was leaving laughing and joking while having to sit through these mundane items. He just wanted to hear the Board approve his public hearing for this Village at Whispering Pines.

I'm a resident of over 15 years in this neighborhood. We purchased our home there, because it was quiet and away from the hustle and bustle of Altamont Ave.

I'm a runner. Mr. Christou has passed me twice in the last week while I was on my midmorning run. Both times, there was traffic coming from both directions and there's not a lot of room for a pedestrian and two vehicles to pass.

In 23 minutes of my run, on several occasions, I counted 77 cars; another time, 66 cars. This project will impact the safety of all pedestrians who walk, run, ride their bikes on Helderberg Ave. It will be a danger to have construction vehicles and service deliveries to the commercial complex along with additional vehicles from the new residents and 206-plus employees.
The Town implemented a new school zone speed limit of 20 miles an hour for Helderberg Ave by the school. The additional traffic will be going through the school zone. It's amazing that our leadership would consider having all this additional traffic go through this low speed school zone, and people still speed through the whole length of Helderberg Ave.

I sat through the Planning Board Commission meeting on this project. All the members stated that they were for this project and they'd like to live there. One of them said it would be great for her parents. None of them asked any questions other than adding a sidewalk. A project this large and none of them had serious questions? None of them asked about the alternative plan? The area is much more suited for single-family housing.

Mr. Tommasone wants the revenue from this complex and touts there will be no added burden to Mohonasen School District. Did he care about the additional burden to the school when they approved the large Vista Square apartments or Draper Apartments?
Tax revenues from single homes would add more
money in tax revenue than this development will.
The owners of the Whispering Pines met with Mr.
Lecce in 2015 and were quietly interested in
selling their golf course. They never listed it
for sale as a golf course.

The neighborhood will definitely be changed
by adding this commercial complex. It does not
match the character of the existing homes.
Sixty-foot high buildings are way too large.
They're 20 feet taller -- rounding it up --
they're 20 feet taller than the Vista Apartments
on Curry Road. There will be noise from emergency
vehicles, lighting to light the 600-plus car
parking lot, service delivery trucks, traffic from
new residents, employees and visitors, and that's
not talking construction.

This exact zone change request was voted down
last June by 4-0-1. Mr. Tommasone abstained. Ms.
Miller-Herrera, you voted no. And Mr. Christou,
you voted no.

I would ask them to still vote no as the
project is only smaller by 24 units. Nothing else
has changed. We have two new Board members, Joe
Guidarelli, who ran on a two-year no new
construction, commercial construction, apartment
construction moratorium, and Mr. Signore. I would
ask them to vote no on this zone change from the
agricultural residential to Senior Living
District. It's a great concept, wrong location.
Thank you for your consideration.

THE CLERK: Nick Esposito.

MR. ESPOSITO: My name is Nick Esposito.
I'm at 1318 Cypriana Terrace. I have quite a few
notes prepared here, but I'm not going to get into
the project itself. I will agree, I will say
maybe we do need housing like this. I don't
disagree with that. I just disagree with the
area.

I mean, this area -- you know, when this area
turned into farmland, I don't know how many years
ago, 50 or 60 years ago, and it's never really
changed with the infrastructure, the roadways,
systems like that.

You're putting in a building, a massive
project, in an area that can't be changed. Look
at the roadway system. We don't own -- I believe
it's a county road. Okay. If the traffic cannot
handle what's about to come down the road, we have a problem. You guys can't do anything about it. That's what I see.

And there's a lot of people, you know, a lot of people out here that use the place. We're going to have an issue with that. Other than that, that's all I have to say.

SUPERVISOR TOMMASONE: Thank you.

THE CLERK: Richard Larmour.

MR. LARMOUR: I'm Rick Larmour, 2026 Westside Avenue. I just wanted to mention the two things that I think before you even consider any kind of project in this Helderberg section of town need to be handled before a project is even considered, let alone already ready to go with it.

First of all, I heard for years on the Town Board, the number one thing I've always heard, public safety. Well, we need sidewalks along that road from where the bridge is past Cypriana further down. That has to be done before anything is done, because even one extra car could be a problem for somebody's life.

I've been on those roads handing out flyers and getting signatures. It's very dangerous for
an adult. How about a child walking on it? How about somebody wanting to actually go visit a neighbor or somebody wanting to ride a bicycle? It's dangerous. And all you're going to do is add to the problem.

The other issue I want to bring up is sewers. Now, there's no sewer lines anywhere in the vicinity. So that means you're going to have to run sewer lines a long distance. Now, that's not on the Town or the Town's taxpayers to pay for that. That's going to be on the developer. And that's a lot of money involved for that kind of a distance to go.

Plus, it's going to be on them for the maintenance and if there's a problem, we have a leak or something, they're going to have to deal with that. And also, how about how many lines and families and different peoples' properties that you're going to have to go through to get there?

There's going to be so much involved with that. That itself is the cost of the project just about. That's very involved. And there's so many things that can go wrong, so many spills, so many problems that can happen. That needs to be taken
care of and considered and figured out completely, not just ideas. That needs to be figured out completely before you even vote positive on it. And that's all I have to say.

SUPERVISOR TOMMASONE: Thank you.

THE CLERK: Joe Barone.

MR. BARONE: My name is Joe Barone. I live at 2261 Helderberg Avenue. Steve, I've known you for quite a while. Diane, you've helped me so many times. I just want to tell you guys I grew up in Hamilton Hill, Schenectady where if you left your windows open at night, you would hear gunshots, you would hear screaming, you'd hear fighting and sirens.

I bought this house out here on Helderberg Avenue about 18 years ago, I think it is. I love it. I can leave my windows open at night. I can hear the birds chirping in the morning, frogs, the peepers. It's great. I look out the window, see my neighbors across the street. They just moved in a couple years ago, five little kids, revitalizing the neighborhood.

Bringing this project and adding all this traffic, it's just wrong. I wouldn't have even
thought of coming out here if I knew this was going to happen.

As far as them selling the golf course, maybe they ought to go down to New York City where the people have a lot of money, advertise it down there. There's a lot of rich people down there that come up here for the summer. They'd probably buy that thing and get more than what he's getting from the developer or whatever it is.

I just say you gotta vote no. I want to stay here. I don't want to move out of here. I love it. I've put a lot of money in that house. I've had several neighbors come up and tell me how they like what I've done with it. I don't want to leave. But if you do this, I don't know. I just don't know. I love it here. Don't change it.

Thank you.

SUPERVISOR TOMMASONE: Thank you.

THE CLERK: Jack Dodson.

MR. DODSON: Thank you. Jack Dodson, 1311 Cypriana Terrace. I've spent a lot of time with you. I'm going to keep it to the point. I have been very proactive in informing the public on the details of this development. I've attended
numerous planning meetings, numerous board meetings, to stay abreast and to ensure transparency and conformance to SEQRA for this project.

It is my position that the proposed Senior Living District at Whispering Pines is the same commercial project with the zone change that was defeated in 2017. There was overwhelming opposition to the project.

Why would a new Town Board reconsider a project to be built in the same location that was previously rejected? The zone change is the same that was rejected in 2017.

Once the matter has been decided, an application seeking the same relief must be denied. This new development submitted on January 8, 2018 is essentially the same proposed project that was withdrawn and the zone change defeated.

In fact, the developer used the same reports and environmental reports from last year. If you look in the DEIS, the Environmental Assessment Form is the same form from 2017. They didn't even update it. You cannot have a continuous application that are a duplicate of the previous
one that was discussed both by the public and by
the Town and was rejected by the Town Board. All
matters must come to an end.

I submit the proposal by the Lecce Group is
considered illegal spot zoning. I believe their
request is arbitrary, capricious and unreasonable
treatment of a limited parcel of land.

It is unjustified benefit to the property
owners to the detriment of the general land use
and it only benefits a particular owner and
undermines -- and I'm going to repeat this --
undermines the preexisting rights we have and the
uses of adjacent property owners.

A determination whether the zoning should be
granted should be made either after an extensive
review process, including consideration of the
impact on adjoining residential areas, consistency
with existing zone plans, environmental concerns
and the availability of other suitable sites; not
a lot of work here on other suitable sites.

In this case, the evidence reveals that
rezoning would not benefit the community as a
whole and would be enacted without regard to the
community and non-pursuant to a Comprehensive Plan
that was enacted by this Town.

During the various steps of the SEQRA process, I submit the Town Board, as lead agency, has committed several procedural violations, which I provided notice in writing to the Town Board. They include my February 26, 2018 letter to the Town Board. Why did the Town Board accept and post on the Town website a Draft Environmental Impact Statement before scoping the project was even started?

Okay. The regulations note that scoping precedes preparation of the DEIS. This circumvents the intent of SEQRA and compromises the integrity of the process.

March 8th letter to the Town Board. Why is the Town Board, as the lead agency for the proposed Whispering Pines Senior Living District Development, intentionally, intentionally hindering a robust debate?

The Planning Commission never allowed any public comment or questions at any meeting where the project was discussed. They put on their agenda: "Public, you cannot speak." That is ridiculous.
The Town Board is haphazardly approving of developments in this town with no guiding principles. The Town Board proclaims they are for open government, transparency and public trust; yet, they shield the Planning Board members who ultimately make the recommendation to you guys on the zone change, okay, you guys making the zone change.

Residents who own property adjacent and opposite to this project were buffered out with a zoning district, okay, so they couldn't have anything to say. This is noncompliant with the Town Comprehensive Plan and Town regulations. Buffering that includes utilizing private property, okay, defeats the intent of the zoning.

Given the previous decisions by the Town Board to reject the zone change for the Senior Living District, the fact that this current proposed development does not include significant changes from the previous withdrawn project and several SEQRA procedural issues, I urge the Town Board to vote no, no for the zone change and no for the Village at Whispering Pines Senior Living District. Thank you.
THE CLERK: Shane Mahar.

MR. MAHAR: Good evening, Supervisor Tommasone and members of the Town Board. I am Shane Mahar from Lecce Senior Living. I'd like to take a moment to thank the individuals, many of them senior citizens, who support the Village at Whispering Pines project.

I've had the opportunity to speak with several of them personally and I've gotten to know quite a few over the last year. The seniors with whom I have chatted remind me a lot of my grandparents; hardworking, family-oriented people that care for and contribute to their community.

At 91 and 92, my grandparents have just recently taken residency at a 24-hour care facility. As a family, we have been very fortunate to have had them home and independent for as long as we have; whereas, many families need to make a difficult decision regarding long-term care much sooner than we did.

The Village at Whispering Pines has been designed to allow seniors the ability to age in place as they live out their retirement years in the community they built and in a location that
offers them convenient access to services.

Some of the people who have spoken against our proposal have said they support the concept but believe the location is wrong. Although there are tracts of land still available in the western area of the Town, to our knowledge, none of them have access to the utilities and infrastructure needed and bringing those services to a remote location would make the project too expensive and unaffordable for the senior citizens.

In many of my conversations with seniors from Rotterdam, I am often asked two questions: Will you be open before I die? And how do I reserve a spot in the new development?

My response to the first question is: I sincerely hope so. In reference to the second question: We already have a waiting list.

In our initial submission during 2017, we gathered 120 signatures of support. Over the last week, staff from our office has reached out to those individuals and were able to confirm that an overwhelming majority still support the project. There were a few that we were unable to reach.

In addition to confirming their support, we
circulated a new petition ahead of this evening's hearing that has a total of 167 signatures of support. So in total for tonight, Diane, I'm submitting to you 287 signatures of support between the two petitions.

The project team is aware that as of 10:30 this morning, the Town received fifteen written comments ahead of this meeting, nine supporting the project, four against, one neutral.

Several of the supporting letters were from neighbors of the project site. One of those letters was received from Assemblyman Santa Barbara. I'd like to take a minute to read his letter.

April 19, 2018.

"Dear Supervisor Tommasone: I write to support the application submitted for the Village at Whispering Pines, a senior housing project on a 96-acre parcel located on Helderberg Avenue in the Town of Rotterdam.

"In the New York State Assembly, I represent Montgomery County and parts of Albany and Schenectady County. In all of these upstate communities, there's a growing need for senior
housing to accommodate the aging population. With this project, the Town would add 125 single-family homes, 119 independent living units, 144 assisted living units and 108 memory care units to help meet this need and still at a tremendous demand for housing of this type.

"As a civil engineer, I'm also pleased to see a number of site-specific improvements in this project that consider public safety and quality of life for future residents. The proposal offers a maintenance-free property, including the roadways managed by homeowners' associations and the expected combined town, county and school real property tax receipts for this project upon full build-out are estimated at more than one million dollars.

"Since permanent residency is age restricted, the local school district also has potential of receiving additional real property tax revenue without adding to the school population.

"With this proposal, we have an opportunity to help meet the increasing need of the aging population in which to live here in our beautiful town. I ask that you keep all of this in mind as
you consider this proposal. Sincerely,
Assemblyman Angelo Santa Barbara".

On behalf of the project team, thank you.

THE CLERK: Terry Copeland.

MS. COPELAND: Hi. I'm Terry Copeland. I live at 2209 Helderberg Avenue. I am going to read Section 4 of the Draft Environmental Impact Statement. Section 4 of the DEIS acknowledges unavoidable impacts, change in character of the neighborhood, increased traffic, decreased quality of life, increased demand on municipal water and sewer systems, increased demand on public service, police, fire, ambulance, long-term operation and maintenance and infrastructure demands, increased noise, increased lighting, reduction in undevelopment open space, and loss of habitat.

Don't accept these unavoidable impacts. Town Board, you have to vote to reject this commercial development. Vote no to the Village at Whispering Pines Senior Living District.

THE CLERK: Fred Polsinelli.

MR. POLSINELLI: Hi. Good evening. My name is Fred Polsinelli. I live in the Town of
Guilderland, however, my family has owned property, has been doing business in the Town of Rotterdam for four generations starting with my grandfather Vincenzo in the '40s down to my daughter who owns property in the town.

I'm here tonight to express my support for the Village at Whispering Pines project. My reasons are many, such as good for the tax base, it'll generate school taxes but will not add children to the school system, thereby, generating more usable income to support our school infrastructure as well as teachers and the student body.

Our senior population. My story of being involved in this town for generations is not unique. Many seniors have grown up in the town and would like to stay in town and enjoy their later years. This project gives seniors quality homes to live in, appropriate healthcare, nutrition, socialization, a sense of community and the ability to enjoy the outdoors from active fitness choices to quiet time.

The golf course. I personally learned to play the game at Whispering Pines as a young
teenager. In general, golf courses today are struggling to survive. Competition is greater and golfers are fewer. This project would not only keep an active 9-hole course but would enhance the clubhouse and maintenance facility. The residents will receive a discount to play and the course will still remain open to the public. This is an example of a good win/win.

The developer, Lou Lecce, is a local resident and has a track record of several successful large-scale projects in the Capital Region. I am confident that this project will be done in a tasteful and professional manner.

In closing, I encourage the Town to do the right thing and approve this project. Thank you.

SUPERVISOR TOMMASONE: Thank you.

THE CLERK: Antoinette Polsinelli.

SUPERVISOR TOMMASONE: She's not going to speak.

THE CLERK: Kathleen Nash.


THE CLERK: Susan Sempremo.
MS. SEMPREMO: Actually, I was just signing in, but I really am against it. I live at 2245 Helderberg Avenue and, as it is, it's really difficult to walk down the street, to walk the dogs or anything else. Going to work in the morning, it's 15 to 20 minutes, sometimes half an hour, from my house to the Thruway. And if you add a lot more cars to it, it's going to be impossible.

And I go through the same thing when I come home; it takes me more time off the Thruway to my house than from downtown Albany to Exhibit 25. So I'm against it and I'm totally behind all the people that have come up before me and presented their case. Thank you.

SUPERVISOR TOMMASONE: Thank you.

THE CLERK: Peter Jeworski? I'm sorry.

SUPERVISOR TOMMASONE: Peter. No? Okay. Who's next?

THE CLERK: Joe Villano.

MR. VILLANO: All right. To my fellow Rotterdam residents and this most honorable Board, for those of you who don't know me, my name is Joseph Villano. I live at 532 Stanek Road and I'm
a former Town Board member.

I knew if I waited long enough, I would finally get invited to a Friday night happy hour. However, this wasn't the venue I expected, but I'm very pleased to see the number of people that showed up tonight. Unfortunately, that's not why we're here tonight.

We're here for the Whispering Pines Senior Project. Yeah, just like having a Town Board meeting on a Friday night, this project is a terrible idea, too. But you Board members already know that. Maybe you needed to hear it from the residents again before finally putting this monstrosity to bed.

Why do I think that in your very heart of hearts, you already know that this is the second worst example of spot zoning the Town has considered in recent years, second only to the Draper Center. Oh, let me count the ways.

First is the fact that we're here on a Friday night instead of on a standard Wednesday night at 7:00 o'clock. We've changed the time, we've changed the night. But unfortunately, for the Board, the people still found you tonight and
they're here.

Also, the thing is if it's because it was in Rotterdam Junction, well, the people would have went the 10 miles and they would have appeared or you could have switched it.

Second: Last year, we had a public hearing on this matter to a sell-out crowd that filled an auditorium at the Mohonasen Technology Building. It was standing room only and you heard many of the same things that were brought up tonight.

However, let's get down to the logical argument, and it's that people buy houses knowing what is going to be built around them. People buy houses knowing what the zoning is and what will and will not be built in their backyard.

It would obviously be fruitful to see what the zoning law actually says and to see what people should have expected in their neighborhood and with agricultural zoning, they should have expected senior family housing. Check.

Outdoor recreation. Check.

Barns and farm structures. Sure. Check.

Five hundred unit residential complex with commercial aspects to it. Oh, I can't seem to
find it anywhere in the agricultural zoning law.
But it is there on Chris Gardner and Steve
Tommasone's Christmas lists. Not intended,
people.

Despite the arguments to the contrary, the
last time that this particular project was
proposed and ultimately shot down, it is
remarkably similar, all right. And once again,
maybe the charts didn't work.

Single-family housing in May of 2017 when it
was shot down, there were 67 units. Oh, 67 units,
people.

Town homes, 58. Oh, 58.

Apartments. Can't be, can't be. 119. A
little movement.

Assisted living. 144. A moneymaker in the
project. 140. Can you imagine that? This is a
different project, people. I've been hearing
that.

108 memory. Oh, 108. Can you believe that?
I wish I had Vanna White up here turning the
letters.

196 units. They've gone down by like 30.
Isn't that great?
I did hear 167 a little earlier, but between Bianchini (sic) and the Town-designated engineer, there's a 30-number difference.

One more thing. We've done a lot of talking about traffic, all right, and they've had some studies done, my friends. What kind of studies? Studies that tell you that under the current plan, there's only going to be two less cars per hour. We're going in the right direction, but is that the change you were looking for, people? Is that the change the Board would have expected?

Because I'm being asked to move along, you'll see in the evening, a little different, we're talking nine less cars a day. Thank you, people. That's the change we're looking for. Right, Board? This is the change that you wanted when the project came back.

I ask you members who did have the opportunity to vote on this last time, stick to your guns. It was a no then, it's a no now. The people of the Town of Rotterdam deserve better. They deserve a preservation of what they bought into in the town. They need you to do what you were asked to do. Put the people of the Town of
Rotterdam first. Thank you.

THE CLERK: Kathleen Nash?

SUPERVISOR TOMMASONE: Kathleen Nash.

Kathleen Nash.

THE CLERK: No.

SUPERVISOR TOMMASONE: How about the other person?

THE CLERK: How about Peter Jeworski?

SUPERVISOR TOMMASONE: No.

THE CLERK: Adam Gray and Megan Walsh.

SUPERVISOR TOMMASONE: Is there an Adam and Megan here?

MR. GRAY: Adam Gray. 994 Burdeck Street.

MS. WALSH: Megan Walsh, same address.

MR. GRAY: We moved here about two years ago to a new apartment complex that I believe had similar opposition, I don't know for the same reasons, because I wasn't here when those meetings took place. I think you gotta think about, you know, what people are saying. There's a lot of opposition to this project, but change can be difficult.

And you have a tough to decision to make and I don't think that you can necessarily take into
account the future when making this decision. You have to think about now and what's the best decision for the community and for your citizens. And we've heard different sides and I'm personally in support of this project.

MS. WALSH: We plan to spend the rest of our lives here, but we can't do that if there's no place for us to go when we're older.

AUDIENCE: We can't hear.

MS. WALSH: I said we want to spend the rest of our lives here, but if there's no place for us to go when we're older, we can't. We want our parents to live here, but they're at the age that they're not going to have anywhere to go either. They can't be here with us if there's nowhere for them to go. That's why we support the project.

SUPERVISOR TOMMASONE: Thank you.

THE CLERK: Howard Vincent.

MR. VINCENT: I'm Howard Vincent. I live at 2253 Helderberg Avenue. I was here last year in opposition to this zoning change and I'm back, because you're back. In preparing what I would say during my four minutes at this podium, I researched traffic patterns and their effect on
quality of life. I read old Daily Gazette articles about Lecce Group projects in Niskayuna where neighborhoods challenged Lecce projects and zoning changes were required.

I researched communities where senior living developments in New York and other states were challenged and fought. Some of those places digressed into court battles that lasted for years at great expense of time and money, but each of those issues in some way represents a fight.

I don't think we want to fight. We're a great town. I love Rotterdam. My parents moved here when I was a young boy. Our house was on Eugene Drive in Carman neighborhood right down the road from where Diane grew up. I used to pal around with her brother Frank.

I knew people like Mel Mintz back then, because I went to a Catholic school downtown and our school bus dropped us off and picked us up in front of his jewelry store at the corner of State and Jay Street. Now, we're neighbors.

I've also known the Armstrongs for many years. Kirk Armstrong graduated from high school with my sister Sheila. And later, he gave golf
lessons to my son. I remember when tragedy almost struck that family when Brett had a terrifying tractor accident. We were all glad everything turned out okay.

The Armstrongs have always been good people and good neighbors who, I'm sure, many will miss when this Whispering Pines' golf course is gone. I know Lyle and Frances Brown from church. We went to the same church for years and they're good, hardworking, generous people.

The Browns and the Armstrongs have been fixtures in Rotterdam for as long as I can remember. They're good people and I wish both families well in retirement. They worked hard all their lives and deserve to reap the rewards that come from that kind of hard work.

But I worked hard, too, and so did my neighbors and we just want to keep the value of our homes. We worked so hard to get where we are today, we don't want this yanked away from us. I'm at a point in my life where I may want to sell and reap the rewards of all my hard work. This is going to change that for me.

It's a terrible thing to be at this stage of
life and be threatened with that. Those of us living within this half mile stretch of Helderberg Avenue that goes from the Thruway bridge to County Line Road bought homes here because of the life-style it offers. We live minutes from a shopping district in one direction and enjoy quick access to the Thruway on the other, and all this while living in a rural setting.

There's no other place like it in Rotterdam. Rezoning to a business district or whatever name you want to call it threatens to alter uniqueness of this neighborhood that's made it such a great place to live. Mr. Tommasone responded last year to criticisms of his support for this project stating in the newspaper that this is not a done deal and that we have more dialogue.

Dialogue is a conversation between two or more people. Who is this discussion with? The people most affected by this project were left out. Four minutes at a podium does not constitute a conversation. It allows a forum for stating our views, but it certainly isn't dialogue.

It's impossible to have meeting meaningful dialogue with a hundred people. In view of the
fact that this project has changed back from a hundred home development which Mr. Lecce alluded to in the newspaper after it was shot down last year, now, it's back to the regular plan. If parliamentary procedure would allow it, I would table this discussion from the floor but I can't. So I'm asking one of you representatives of mine to please table this thing.

We need time to really discuss this and it's a bigger project than any of us could ever imagine. I'd like to see the Board set up a meeting with a few representatives from our neighborhood to sit down with the Browns, the Armstrongs and representatives of the Town Board and the developer. There's too much to be discussed in a four-minute speech.

Many of us feel that this is a done deal, that the only reason for this hearing is to gain another checkmark.

Site plan application. Check.
Planning Board review. Check.
Public hearing. Check.
We have literally no say in this process.
And it looks like we're heading towards a
predetermined conclusion. Tell me I'm wrong and prove it by tonight's vote and give us an opportunity to sit down for real dialogue.

Finally, I'd like to briefly talk about this from the perspective of a senior citizen. The idea of a 55 and older community has a real appeal to somebody in my age group, but my idea of that type of development is far from yours. I would look for a quiet neighborhood where there might be a gym or a swimming pool, maybe a community hall, the golf course is great. There would be a place where people could meet, share dinners, entertain guests, play cards on a Wednesday night or share any kind of a neighborhood activity.

I'm not interested in moving to a development where I can die in place. Thank you.

SUPERVISOR TOMMASONE: Thank you.

By the way, just a point of clarification. We are not voting on anything this evening having to do with this project. There are still two weeks worth of written comments that we have to take in.

So we're having a public hearing tonight, but the written comments can be submitted through
May 25th.

THE CLERK: Jack Sheely.

MR. SHEELY: Good evening. Jack Sheely. 99 Stacey Crest Drive. Supervisor Steve, Town Board, Diane, I'm here in support of this. I want to say that last year when we had the meeting, I was there and so forth and as you can tell, my health has gone to hell since then. And now, I'm being forced to move out of Rotterdam to Scotia just to get housing that I need. We don't have it in Rotterdam. We need it here. And I hope I can live long enough to see this project completed so that I can move back to my town, Rotterdam. Thank you.

THE CLERK: Vincent Gallo.

MR. GALLO: Good evening. My name is Vincent Gallo. I live at 38 Miles Standish Road. Most of you folks here know my family. We've been around the neighborhood for, you know, about 70-plus years.

I'm here tonight in support of the Village at Whispering Pines project. This development will benefit most of our neighboring senior citizens that live in this area that do want to stay in the
area. You know, the tax, you know, benefits will
benefit the town, the school districts in both
Schalmont and Mohonasen. You know, residents will
also -- that are in that area will enjoy, you
know, the amenities that have been discussed, you
know, overall creating, you know, a wonderful
environment for hopefully, you know, my parents
that will need something like this when they want
to live in the area. Thank you very much.

THE CLERK: Jennifer Abel.

MS. ABEL: Hi. My name is Jennifer Abel. I
live at 28 Keator Drive. I was approached the
other day and I was asked how I thought about or
what I thought about this project at Whispering
Pines. My exact words were: "It sucks".

I have just moved in about three years ago to
this house and there was a reason that I moved
into this neighborhood, because it is quiet, it's
a nice dead end road. I can walk my dog without
the potential of being hit by a car to which my
dog actually had lost his eye from a previous
neighborhood.

This directly affects my neighborhood with
the possible emergency route -- emergency vehicles
that would be going to the development that would be built behind our house. I am looking to have a family one day and if I have a child sleeping, I do not want to have the sirens coming up and down our road.

I can't imagine how this is actually going to be affecting the people that live on Helderberg Ave or Cypriana Drive. It sucks. And it is not welcome on Keator Drive and it should not be welcome on Helderberg Ave and Cypriana Ave.

That's all. Thank you.

SUPERVISOR TOMMASONE: Thank you.

THE CLERK: Peter Frigaletto.

MR. FRIGALETTO: Hello. My name is Peter Frigaletto. I'm at 1315 Cypriana Terrace. I really didn't have my name on the list, but I thought there was an open spot, so I did want to be here today and say how I'm in opposition to this.

I also wanted to say, which hasn't come up, I don't believe, of all the opposition we hear throughout this for the last year and a half, no one is against seniors.

I dare to say if 55 and older is a senior,
then, hello, welcome, everybody, because I'm right there. This is throughout the town here, everywhere I go, Stewart's in the morning, the gas stations on the other side of town, the conversation's going on everywhere.

I have heard some people that are for this, but the opposition is -- you know, I can't throw numbers -- nine to one. Not a bad idea. Not a bad concept. But there's other areas for this.

I realize the push by the firm that's trying to put this out there, because I'm sure there's hundreds of thousands of dollars in engineering and so forth that's gone into this. However, if this does get voted down, and I hope it does, because it was already voted down one time, I would think that minds weren't changed by anything because the opposition is all still here, but it just doesn't belong here. There are other areas.

I heard and I read somewhere that they had said maybe it brings $400,000 worth of revenue in taxes into the town. I would say how much is the cost of a circle at the Stewart's and Dunkin Donuts up there? Because you can't get through that light. I'm sure that's all of that or more
being in the construction business.

I've also talked to some other business owners, I dare to say even a town worker or two, that are against this but are afraid to come and stand here for the -- they're afraid of maybe coming before here for future projects, they just didn't want to get involved. But they were not for this and there are a few, but I cannot mention their names.

There has been overwhelming opposition to this. The main thing, spot zoning, this is spot zoning. There's no if's, and's or but's. I'm not a lawyer, but it's all here. Some other people have done the homework. I know a lot of people from Rotterdam here want to come here, want to enjoy this. I would say: Are there really that many seniors in Rotterdam to come here?

I think this thing will get filled by others from other towns which, in my mind, puts this as a commercial thing for a moneymaker for someone, not our town.

It's the same project. I mean, you voted no last year and, now, it came to us again and a building was shrunk and some bushes removed and a
road was changed, but it's the same monster.

I urge you to vote no again. Please listen to the opposition on this matter. Thank you.

SUPERVISOR TOMMASONE: Is there anyone else that would like to be heard this evening?

DR. OYANGEN: I would.

SUPERVISOR TOMMASONE: Just please state your name and address for the record.

DR. OYANGEN: My name is Dr. Roy Oyangen. I live at 26 Ronnie Court. I'm right across the street from Whispering Pines.

I was at the meeting last year when this came to a vote and I just want to -- the traffic is one thing. Not having kids walk along the street is another thing. Trying not to get -- walking the dogs, trying not to get hit by cars is another thing.

But when it comes right down to it, it's a bad idea to put it there. I mean, I just hit 60 in January. So I went from interior firefighting to exterior firefighting, because I didn't want to be a burden or I didn't want to be a liability to the rest of the fire department, because I'm a member of Rotterdam District 2. And I know 60
feet up is going to be a real problem. It's going to have to go to Carman for their snorkel. We have a new truck on order, but it's going to be a while before if gets here.

I know trying to get in and out is a real nightmare if there's a fire in there. We went from 220 calls five years ago to over 300 calls and a lot of that happens to be smoke alarm detectors. People didn't change the batteries. It comes down to false alarms. Somebody puts a pizza in the oven, fell asleep and forgot it and then the alarm goes off.

It's gotten to the point now where we have 43 active firefighters. We went from 51, 52. A lot of the guys that have been in for 10-plus years have gone to honorary retirement. It's difficult now when the alarm goes off Monday through Friday from 8:00 o'clock to 5:00 o'clock. You're asking everybody to -- all the townships, all the different Carman and Rotterdam District 2 and Rotterdam 6 and 4 will all meet together because they don't have enough guys to get on the truck.

Now, you want to add 125 houses, another 300-plus developments, a whole lot more alarms
going off. You're going from 320 to maybe 400 by the end of the year.

There aren't enough firefighters out there to cover it and the liability with the police officers and other problems with it, it's going to be a burden that's going to be hard to recover from. And then the sewer lines and the drainage and the water flow and everything else that goes with it.

There's got to be a better place to put it for senior citizens. There's got to be a better place where there's going to be better access. Putting everything on Helderberg Avenue is going to be a real difficult problem, not only with the four-year construction project but with the houses, with the burden on the ambulances, the burden on the fire departments, the burden on the police officers. It's going to be overwhelming.

You may not see it now, but it's going to happen five years, six years down the road and bad things are going to happen and we're not going to be able to recover from it.

THE CLERK: Roy, can you tell me your last name again?

THE CLERK: Thank you.

SUPERVISOR TOMMASONE: Anyone else?

MS. DODSON: Hello. My name is Christy Dodson. I live on 1311 Cypriana Terrace. I think that my parents and neighbors did a really good job discussing their concerns about the project going through. I would not like it to go through, but I have a little bit of a different perspective on why I believe that.

For all of you who did not like taking your high school literature class, this is now your time where you can take a nap. I'd like to read a poem that I found about nature, and it is by Gabriel Mistral.

"Stand up and look outside. See out your window and all the precious things nature has to offer. Look at all the green fields we have. Look at the children playing in them. Not a single child sits down inside. The very four walls of his home. Look at all the beautiful green trees. Look at all the birds sheltering from the scorching sun under these trees. Listen
to the laughter of the children. Listen to the chirping of the birds. Other than that, it's complete and utter silence. No other sound can be heard. It's like you could hear the earth speaking to us. Breathe the crisp, soft air, clean as can be. Breathe as it fills your lungs, like no other experience you've ever experienced. Breathe before it's too late. Now, open your eyes. What do you see? See out of your window. All the precious things nature offered. Offered because we have lost it all. Mankind has destroyed nature with his very own hands. We have no one to blame but ourselves. Look at all the brown buildings we have. No child may go and play in such a building. No. It's private property now. It no longer belongs to nature, which was free to us all. Now, everyone feels comfortable within the four walls of his home. Even the children having nowhere to go and play. They can't complain as they never got to experience nature and its once everlasting beauty. Look at the few trees that are left barely green. Look at the few birds sheltering from the evermore blazing sun. Look as the birds fly away having nowhere to
go. Look as those men cut down these little trees we have left so that mankind could sit comfortable at home. Burn these very trees to keep warm. Where shall these birds go? Where? Listen. Listen. Listen. You can no longer hear the screams of the earth, screams of agony asking us to stop. All you can hear out your window is noise. Noise created by mankind. Construction, traffic, music, polluting the earth with noise. Don't even try to breathe. What was once transparent and crisp is now brown and heavy. Don't breathe if you want to save your lungs. With every breath, your lungs cough up all the pollution and the garbage we have thrown out into this world. Have we not seen enough of this tragedy? Have we not seen enough of this nightmare? We are grabbing earth and pulling her down into destruction."

I think that we need to address the many seniors looking for housing in Rotterdam but also consider the beautiful wildlife and nature that Rotterdam possesses on this side of the town. As a kid who has grown up here, that is something that I will really miss. Thank you.
SUPERVISOR TOMMASONE: Anyone else wishing to speak?

MS. GRASSO: Thank you for hearing me tonight. My name is Debra Grasso. I live on 10 Edward Drive, which is a dead end street off the end of Keator. My property is directly affected by this development, so I'm here to indicate my opposition to the growth of this development.

I certainly can associate with and empathize with the seniors that are here today talking about staying in their town for senior housing. I definitely think it's something that needs to be addressed by this town. I just don't believe that this is the area for it.

My mother is a senior and she has been at Kingsway for the last several years. I literally see her every day. It's a less than five mile drive to get to see her. There are other facilities available and I certainly think that the Town would be good in making available senior living for the seniors in this community as well.

My property, as I said, is directly affected by this construction. I have seven and a half acres that will board the property that they're
talking about developing which, to address the young lady's poem, all of my wildlife will be gone. The noise that comes up and down the street will increase. The woman in the back who is my neighbor on Keator said it succinctly; I think this project sucks for the people that are directly affected by the land that's around this development.

I understand the people that have a need for senior housing, but please, this is not the area for it. I beg you to please defeat this project. Thank you for listening to me.

SUPERVISOR TOMMASONE: Thank you. Anyone else this evening before we close?

(No response.)

SUPERVISOR TOMMASONE: Okay. So we're going to go through and just begin by closing the public hearings one at a time.

Anyone else like to be heard on public hearing 1 this evening?

(No response.)

SUPERVISOR TOMMASONE: Anyone else like to be heard on public hearing 1 this evening?

(No response.)
SUPERVISOR TOMMASONE: Anyone else like to be heard on public hearing 1 this evening?
(No response.)

SUPERVISOR TOMMASONE: Okay. None. Declare public hearing 1 closed.

Public hearing 2. Anyone else like to be heard on public hearing 2?
(No response.)

SUPERVISOR TOMMASONE: Anyone else like to be heard on public hearing 2?
(No response.)

SUPERVISOR TOMMASONE: Anyone else like to be heard on public hearing 2?
(No response.)


And anyone like to be heard on public hearing 3 this evening?
(No response.)

SUPERVISOR TOMMASONE: Anyone like to be heard on public hearing 3?
(No response.)

SUPERVISOR TOMMASONE: Anyone like to be heard on public hearing 3?
(No response.)

SUPERVISOR TOMMASONE: Okay. Declare public hearing 3 closed.

I want to thank you all for taking the time to come here this evening as well. I appreciate it very, very much.

(Whereupon, at 7:45 p.m., the public hearings were closed.)

* * * * *
CERTIFICATION

I, THERESA L. ARDIA, Shorthand Reporter and Notary Public within and for the State of New York, do hereby CERTIFY that the foregoing record taken by me at the time and place noted in the heading hereof is a true and accurate transcript of same, to the best of my ability and belief.

THERESA L. ARDIA, CSR, RPR, RMR

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