

November 23, 2009
Continuation of Public Hearing
Tuxedo Reserve Development
Application for Amendments to
Special Permit, Preliminary Plan and Zoning
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Notice of Meeting having been posted, a Public Hearing Continuation held before the Town Board of the Town of Tuxedo on Monday, November 23, 2009 at the Tuxedo Town Hall, One Temple Drive, Tuxedo, New York, was called to order by Supervisor Peter M. Dolan at 7:40 p.m.

Town Board Members Present:	Mr. Peter M. Dolan	Supervisor
	Mr. Thomas Darling	Councilperson
	Mr. Daniel Castricone	Councilperson
	Mr. Gary Phelps	Councilperson
	Ms. Lisa Spivak	Councilperson

Town Board Members Absent: None

Other Town Officials Present: Donald Nichol, Esq., Town Counsel; Ms. Bonnie Franson, Town Planner; Mr. Jeff Marsden, Town Engineer; Mr. Daniel J. Carlin, Police Chief; Mr. Patrick Welsh, Police Sergeant; Mr. Edward Pfizenmaier, Acting Highway Superintendent; Mr. Michael Marusich, Highway Department; Mr. David Maikisch, Building Inspector; Ms. Dale Mottola, Architectural Review Board; Ms. Susan Goodfellow, Planning Board; Messrs. Frank Peverly and Clifford Loncar, Zoning Board of Appeals; and Mrs. Elaine M. Laurent, Town Clerk.

The meeting was opened by a pledge of allegiance to the flag.

The purpose of the Public Hearing Continuation was to hear comments regarding the application of Tuxedo Reserve Owner LLC for a third amendment to the Special Permit granted by the Tuxedo Town Board to permit construction of the Planned Integrated Development (“PID”) known as Tuxedo Reserve. The proposed action is a set of amendments to the special permit and preliminary plan for the Tuxedo Reserve PID. The proposed amendments would change the unit mix of the project, change the locations for proposed development, increase the amount of permitted commercial development, revise various design and performance standards for the project, as well as propose other changes more particularly described in the DSEIS. In addition, the proposed action would include a zoning map change to cause the zoning for Tuxedo Reserve to be consistent with the changes proposed to the Tuxedo Reserve special permit and preliminary plan. Finally, the proposed action includes an amendment to Local Law No. 4A of 1998 to change the permitted unit mix for Tuxedo Reserve. Under the proposed action, there would be no increase in the number of housing units or bedrooms that would be constructed. However, location of the areas to be developed would be changed. The DSEIS states that certain lands that are more environmentally sensitive would be avoided and lands that are more suited to development would be developed. It further states that the unit mix change and increase in permitted commercial development would result in a more viable Tuxedo Reserve Commons and a project that is more responsive to the needs of the projected population of the development, especially its active adult component. The proposed action would also revise various performance standards and design guidelines. The DSEIS analyzes those elements of the proposed action that the Town Board determined may have the potential to generate new significant adverse environmental impacts and concludes that those elements do not have the potential to generate any new significant adverse environmental impacts.

Supervisor Dolan asked for comments from the public regarding the Tuxedo Reserve Draft Supplemental Environmental Impact Statement, the Proposed Amendments to Special Permit and Preliminary Plan, Introductory Local Law entitled “Tuxedo Reserve Rezoning,” and Introductory Local Law entitled “Amendments to Local Law No. 4A of 1998.” Thirty-nine individuals spoke personally or by a representative, nineteen of whom submitted written comments at the hearing, and six of whom submitted comments subsequent to the hearing. All written comments are attached to these Minutes.

[Transcript of Public Hearing attached hereto and made a part hereof]

RESOLVED, motion made by Councilperson Darling, seconded by Councilperson Phelps, that, all persons desiring to be heard having been heard, the Public Hearing regarding the Tuxedo Reserve Proposed Amendments to Special Permit, Preliminary Plan and Zoning be closed.

Adopted:	Councilperson Daniel Castricone	Nay
	Councilperson Thomas Darling	Aye
	Councilperson Gary Phelps	Aye
	Councilperson Lisa Spivak	Aye
	Supervisor Peter M. Dolan	Aye

The Public Hearing was closed at 10:40 p.m.

Respectfully submitted,

Elaine M. Laurent, Town Clerk

**PUBLIC HEARING
CONTINUATION**

**APPLICATION
FOR
AMENDMENTS
TO SPECIAL
PERMIT,
PRELIMINARY
PLAN AND
ZONING**