

October 26, 2009  
Public Hearing  
Tuxedo Reserve Development  
Application for Amendments to  
Special Permit, Preliminary Plan and Zoning  
Page 1 of 1

Notice of Meeting having been posted, and proof of publication of notice in the *Times Herald Record* having been furnished, a Public Hearing held before the Town Board of the Town of Tuxedo on Monday, October 26, 2009 at the Eagle Valley Firehouse, 14 Scott Mine Road, Tuxedo, New York, was called to order by Supervisor Peter M. Dolan at 7:44 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: Larry Wolinsky, Esq., Town Counsel; Ms. Bonnie Franson, Town Planner; Mr. Jeff Marsden, Town Engineer; Mr. Daniel J. Carlin, Police Chief; Mr. Edward Pfizenmaier, Acting Highway Superintendent; Mr. David Maikisch, Building Inspector; Mr. Michael Reardon and Ms. Dale Mottola, Architectural Review Board; Mr. Nils Gerling, Ms. Mary Hanson and Ms. Susan Goodfellow, Planning Board; Messrs. Frank Peverly and Cliff Loncar, Zoning Board of Appeals; and Mrs. Elaine M. Laurent, Town Clerk.

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

A Public Hearing was held 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. Thirty-eight individuals spoke, eleven of whom submitted written comments, and two individuals submitted written comments prior to the hearing. All written comments are attached hereto..

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

**RESOLVED**, motion made by Supervisor Dolan, seconded by Councilperson Castricone, that, the Public Hearing regarding the Tuxedo Reserve Proposed Amendments to Special Permit, Preliminary Plan and Zoning be adjourned to Monday, November 23, 2009 and be continued on that date at the Town Hall, One Temple Drive, Tuxedo, NY 10987.

<b>Adopted:</b>	Councilperson Daniel Castricone	Aye
	Councilperson Thomas Darling	Aye
	Councilperson Gary Phelps	Aye
	Councilperson Lisa Spivak	Aye
	Supervisor Peter M. Dolan	Aye

The Public Hearing was adjourned at 10:43 p.m. and will be continued on November 23, 2009.

Respectfully submitted,

Elaine M. Laurent  
Town Clerk

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