

VILLAGE OF WOODBURY
PLANNING BOARD

IN THE MATTER OF: :
: TRANSCRIPT
CPG PARTNERS/WOODBURY : OF
COMMON/RENOVATIONS : PROCEEDINGS
:-----

WEDNESDAY, JUNE 6, 2012
WOODBURY TOWN HALL
511 ROUTE 32
HIGHLAND MILLS, NEW YORK 10930
COMMENCING AT 7:54 P.M.

BOARD MEMBERS PRESENT:

MARIA HUNTER, Chairwoman
MARK CHRISTMAN, Member
ROBERT ANZALONE, Member
RICHARD CATAGGIO, Member
CHRIS CORREIA, Member

ALSO PRESENT:

GALE NAUGLE, Secretary
DENNIS LINDSAY, Engineer
STUART TURNER, Planner
PHILIP GREALY, Engineer

APPEARANCES:

KELLY M. NAUGHTON, ESQ.
Counsel for the Board.

PRICE, MEESE, SHULMAN & D'ARMINIO
BY: LOUIS L. D'ARMINIO, ESQ.
Counsel for the Applicant

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WITNESSES:

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DANIELLE DE VITA

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ANDREW ATTINSON

30

PATRICIA RUSKAN

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EXHIBITS MARKED INTO EVIDENCE

NUMBER

DESCRIPTION

PAGE

(NO EXHIBITS MARKED)

1 CHAIRWOMAN HUNTER: All right. The
2 next item on the agenda is Woodbury Commons,
3 overview of proposed renovation and site plan
4 including architectural elements, landscaping,
5 traffic, etc. Said property is located on Route 32
6 and known in the Village of Woodbury tax map as
7 Section 225, Block 1, Lot 70.2.

8 While the applicant sets up, the Board
9 members and consultants, you should have the
10 presentation package that was in your mailboxes this
11 afternoon. If you need to move that one back,
12 Danielle, you take it out of your way. Is it in
13 your way?

14 MS. DE VITA: No. It's okay.

15 CHAIRWOMAN HUNTER: Fine. And who's
16 going to start giving us an overview?

17 MR. D'ARMINIO: Good evening. Lou
18 D'Arminio of Price, Meese, Shulman & D'Arminio, for
19 the applicant. I was on my way to Scranton before I
20 realized that I had missed my exit and I had to turn
21 around and come back.

22 CHAIRWOMAN HUNTER: You might want to
23 take the microphone with you.

24 MR. D'ARMINIO: Actually, by way of
25 introduction, obviously this is the 2012 renovation

1 of Woodbury Common. This evening, what we would
2 like to do, I'm going to call Danielle De Vita, who
3 is the Vice President of Development for Simon
4 Premium Outlets, to basically give you an overview
5 of the renovation and the key elements of the same.
6 We provided you with a presentation package, which
7 Danielle will pretty much follow, but she never
8 really follows everything anyway, but I think it
9 will be helpful in any event, and then, of course,
10 any time you have any questions, and please, I mean,
11 this is the purpose of this and to understand your
12 questions and to be responsive to them.

13 We also have here Andrew Attinson, who
14 is the Director of Architecture for Simon, and
15 Andrew's here to answer any technical questions,
16 perhaps, if you have any, and we have David
17 Estretta, who I'm sure that you're familiar with.
18 David is the manager of Woodbury Common and he would
19 also speak to any operational questions that you
20 might have.

21 Then I believe we would have time after
22 Ms. De Vita finishes her presentation to go to
23 Patricia Ruskan, who's our engineer and the designer
24 of the project is here. I would like to call Mrs.
25 Ruskan up to give you a little overview of the

1 engineering aspects, but more specifically, to
2 respond to two memorandums we received. We kindly
3 were given the opportunity to be able to look at
4 Turner Miller Group's memorandum and Riddick
5 Associates and Ms. Ruskan will be responsive to
6 them. Then we hope, of course, any technical
7 engineering questions that might pop up, Ms. Ruskan
8 would be responsive to them. I enjoy coming to New
9 York to work, because I just give it over to Ms.
10 De Vita now, and she can handle it.

11 CHAIRWOMAN HUNTER: Just before you
12 start, Danielle, I just want to reflect on the
13 record the revised notices were sent out to the
14 Orange County Department of Planning. They did
15 respond to the second notice we sent out, but they
16 did not respond to this actual application as of
17 yet, but it's an ongoing process. So they did
18 respond to the initial one so I know they're working
19 -- there was a revised one sent out. So I just want
20 that for the record. All right? But it won't hold
21 us back. You're good.

22 MS. DE VITA: Good. Okay.

23 Good evening to the Board. My name is
24 Danielle De Vita, Senior Vice President of
25 Development for Simon Property Group. We've been

1 here, I think, on two different occasions so far and
2 hit upon some general components of this site plan
3 application, and we formally submitted the site plan
4 and now we're before you. So we're here to talk
5 globally on some of the specifics and, really, what
6 you can anticipate with this filing. If I am
7 repetitive, I notice there's a new Board member, so
8 to the other Board members, if I'm repetitive,
9 excuse me, but I'll walk you through the process one
10 more time.

11 This center is over 25 years old, and
12 in order to maintain our position in the market,
13 which over the past 25, 26, 27 years, we are one of
14 the best outlet centers in the world. We need to
15 upgrade this center. People are coming from all
16 over the world to come to this center and locally.
17 They expect a different level of finish. They
18 expect different amenities these days, and it's
19 really critical for us to do this. It's our
20 intention to stay the leader in the outlet industry
21 with this outlet center for the next 25 years.

22 So we hope you're happy with what we're
23 presenting to you today. I'm not sure how this is
24 going to work with me pulling this back, but just
25 bear with me on it. This is just a photo of the

1 existing site. The overall plan and -- Madam
2 Chairperson, I am going to try to follow along with
3 the book. If I go out of order, I'll do my best,
4 but stop me if I do anything out of order.

5 Right now, I'm just speaking to the
6 overall renovation plan, which I believe you have in
7 your book. There are certain important components
8 of what we're coming in with, and when thinking
9 about it, I think it can be broken down and
10 organized into four categories. The first is the
11 road system and the new parking deck. The second is
12 the new tower building main entrance. The third are
13 the other new buildings throughout the site, and the
14 fourth is the renovation and architecture component.

15 So in that order, I'm going to take you
16 through each piece of these and give you a general
17 overview of it broke down that way. I think it
18 organizes it a little better and probably makes more
19 sense. So I'm going to leave this overall plan up,
20 and I may be talking to this in addition to some of
21 these sheets.

22 So we're going to start with the road
23 system and the parking deck. The overall site, this
24 is as it exists today, the parking ratio is 6.7 per
25 thousand. This is the one that you have, by the

1 way.

2 MR. D'ARMINIO: That's Sheet 2, right,
3 Danielle?

4 MS. DE VITA: Sheet 2. Sheet 2. Okay.
5 So the goal of the -- of the application that we're
6 submitting is to create a more organized,
7 streamlined, upgraded, concise, efficient site for
8 the customers, for visitors from all over the world,
9 for everyone.

10 One of the ways that we can do this,
11 and we are trying to do this, is by creating an
12 exterior ring road within the center as well as an
13 interior ring road within the center. One of the
14 things that we deal with today is that there is
15 customer/pedestrian and customer/driver conflicts.
16 We're trying to eliminate those conflicts by putting
17 an interior ring road and an exterior ring road. As
18 a result, the cars will stay to the roads. They'll
19 stay out of the parking fields. The parking fields
20 we'll be re-striped.

21 Right here, currently, there is a
22 straightaway. This is one of the worst points in
23 the center today where cars and pedestrians
24 conflict. This is a perfect example, what we're
25 doing here is striping this and changing the access.

1 So if you're going to utilize parking in the
2 section, you're coming in and you're going to take
3 your internal ring roads and come out. It's not as
4 easy as it is today to try and fly across. It slows
5 the traffic down and most of the drivers are going
6 to want to keep to the outside.

7 This area over here is new. This is a
8 new access point on the exterior that brings the
9 drivers down to the new parking deck. Currently,
10 this parking lot is the toughest lot that we have
11 for filling up and for exiting. When this exits
12 today, it exits after all of the rest of this. So
13 the addition of this road and creating a real
14 outside ring road around the entire center brings
15 the cars to the outside. It also creates a valve
16 for this lot to exit this way, to exit this way.

17 The parking deck itself, we've located
18 down here. It's right next to the buildings. This
19 will become an important entrance for the center
20 because the customers will park in the parking deck.
21 They'll be able to access this deck easily. They'll
22 go right into the center at this point. With the
23 addition of the parking deck, the parking ratio
24 today is 6.7 per thousand it will be increased to
25 7.3 per thousand. And if you have any questions,

1 let me know.

2 One other point to note here, which
3 I'll get into on the next page, on the existing
4 access drive today, there's a maintenance yard right
5 in the front of everything. The intention is to
6 take the maintenance yard and everything affiliated
7 with it, relocate it to a new maintenance building
8 that's down by the salt and sand sheds, and
9 consolidate all those operations together.

10 CHAIRWOMAN HUNTER: Danielle, if you
11 would just take a step back. When you mentioned the
12 parking, we're looking at approximately a thousand
13 more total parking spaces?

14 MS. DE VITA: Spaces.

15 CHAIRWOMAN HUNTER: With all the
16 reconfigurations?

17 MS. DE VITA: Correct, correct. Just
18 one more thing to talk about, and I know we're not
19 talking specifically about traffic today. In my
20 view, one of the benefits of the parking deck is
21 that it provides a place for the cars to go. Right
22 now, the cars are all over the site and they're
23 backing up onto 32. The exterior ring roads that
24 we're creating, as well as the parking deck, provide
25 a place for the cars to come onto site, to go -- to

1 go into the parking deck, to pull them off of the
2 highway.

3 Okay. The second topic I'm going to
4 talk about is the new main entrance, slash, new
5 tower building.

6 MR. D'ARMINIO: And, Danielle, you're
7 looking at Sheet 3 now.

8 MS. DE VITA: I'm looking at Sheet 3.
9 This photo, to me, I love leaving in because I feel
10 like it's so self-explanatory, with a perfect
11 example of some of the things that we're just trying
12 to correct. The tower building as it sits today was
13 located here to avoid utilities. All right?

14 If you look at the corresponding courts
15 that are next to it, a customer is walking down
16 Evergreen. The natural thing to do would be to
17 continue to walk to enter Grapevine. Instead,
18 there's buildings in the way. That's when we
19 started saying, "We need to move these buildings out
20 of the way. We need to make this easier for the
21 customers so they're not getting lost." You know,
22 we have customers there all the time who are walking
23 around. They don't know where they are going.
24 They're confused. There's maps. It's not fluid.
25 What we are trying to do is to open up these valves

1 so that people are not getting lost.

2 There are very definitive pathways that are taking
3 them through the center.

4 Another thing to note here on these
5 pictures is the road, the curve in the road, and
6 this is the main access road. Not much of a main
7 access road, and the center today has approximately
8 six, eight different points of access that you can
9 enter the center from, but there really isn't a main
10 entrance. There's nothing that says, "You have
11 arrived. This is your main entrance to the center."

12 So going to Sheet 4, this is a view of
13 the new welcome tower building, Market Hall, which
14 will replace the existing tower building, and the
15 view is from the parking lot. Now, the last of the
16 four items that I mentioned was the renovations and
17 architecture. So we are going to get to the
18 renovation and the architecture at the end of the
19 presentation, but please note throughout with the
20 plans that you're seeing the architecture that we're
21 proposing is in these renderings. So you will see
22 the new colors, the new design, the new
23 architecture, everything.

24 This is the Market Hall. This is from
25 the parking field. This building gives a sense of

1 arrival. The customers come in, they know that they
2 have reached their destination. There's project
3 identification signage. There's a water feature.
4 There's landscaping. There's a place of purpose
5 here. You know where you are. What will be in this
6 -- I'll get to that in a minute. I'm not going to
7 get into that yet. Let's look at the next page
8 first, so I can take you through it. I'm going --
9 this is in your packet, I believe. I'm just not
10 sure what number it is.

11 MR. D'ARMINIO: It's 4, Danielle.

12 MS. DE VITA: Okay. This is the view
13 -- the next page in your packet is the view from
14 inside, from current Red Apple Court, looking back
15 towards the tower building. You can see that the
16 tower icon is preserved. It is not the same tower.
17 It is a new tower, but it is a softer tower. It is
18 still the tower. The tower is a very important
19 piece of the center. We have people from all over
20 the world who come and, believe it or not, have
21 many, many photo opps in front of this tower. I
22 couldn't believe it myself when I first found out
23 about it. It's a very important thing for us to
24 preserve. It's the icon for the center.

25 Again, on the inside, you're going to

1 see new hardscape, new landscape, seating. This
2 will house the food court. This will house the food
3 tenants.

4 It's two tenants. The first level is going to be
5 the food tenants. The second level is just some
6 outdoor seating and also the management offices and
7 other operations functions that we have there today.

8 This is the view from inside the food
9 court. We're calling it the Market Hall. Someone
10 said this the other day, and I absolutely agree with
11 it, I think it was Andy, was this is the antithesis
12 of the food court that we have now. This is bright.
13 It is organized. There's room in it. There's light
14 in it. There's organization to the tenant space.
15 There's organization to the seating space. There'll
16 actually be less leasable area than there is in the
17 current food court today, but because we are making
18 them more efficient, there may be more tenants.
19 Marginally, but there may be more food tenants.

20 Because this will sit, and this is a
21 very important piece, what we've decided to do
22 instead of moving the building completely out of
23 this crosswalk, we are putting in the crosswalk;
24 however, there will be dedicated walkways going
25 through this building that will lead you from one

1 court to the next and, this way, leading you from
2 current Red Apple Court into the parking field.
3 They will be dedicated walkways. They will not be
4 obstructed by tables, by chairs. There will be
5 dedicated walkways.

6 So that's important to note when you're
7 looking at this rendering, because we'll also have
8 glass above those walkways creating that access
9 within that space. So the customers know, "if I
10 continue walking down this path under this light, I
11 know exactly where I'm going to end up." The
12 clarity of getting from one district to another
13 district is the absolute priority in laying this
14 out.

15 This also shows the second floor, which
16 we have no tenants planned for the second floor,
17 only the first, and this is an aerial view of how it
18 will be laid out and how it will work. So, again,
19 your walkways are preserved in this X pattern.
20 We'll have sliders on the doors for ease of moving
21 in and out of this space. The seating will be in
22 these areas. The current food court seating is
23 about 500 seats. We are proposing about 700 here on
24 the first floor and another hundred upstairs. So
25 we're doubling the seating that there is currently

1 in the food court.

2 MR. LINDSAY: Danielle, again, how do
3 the doors work? You said sliders?

4 MS. DE VITA: Sliders.

5 MR. LINDSAY: Are they double doors?
6 In the winter, how do you handle that?

7 MR. ATTINSON: They are sliding doors
8 with a heating element above and it will be part of
9 the vestibule system.

10 MS. DE VITA: Again, very light, airy,
11 bright, organized, efficient. Other amenities
12 associated with it, there will be a customer service
13 information booth as there is today. We're also
14 building two brand new restrooms, one in this
15 location, one in this location, to service the
16 Market Hall customers.

17 MR. LINDSAY: Service area, Danielle?

18 MS. DE VITA: Well, the service area, I
19 was going to talk about in a few minutes. The
20 service area, you are right, will be back behind
21 specific screen walls. That's another thing that
22 we're looking to modify with the existing site.
23 We're not looking for customers to get lost going
24 down service courts. There's going to be a clear
25 delineation. This is a service area. This is the

1 screen wall. This is why it's here.

2 CHAIRWOMAN HUNTER: And as we go along
3 in the process, we'll iron out times, dates and what
4 we are going to do. We're just doing a brief
5 overview.

6 MS. DE VITA: A brief overview, right.

7 CHAIRWOMAN HUNTER: The only thing that
8 I'm going to ask you is: I heard you use the word
9 "districts." The development is going to be
10 separate areas, so you're calling them "districts"
11 now? Is that what the goal is going towards?

12 MS. DE VITA: Yes. Our internal word
13 for it has become "district," yes. We are
14 districting them and I will explain why. I will
15 explain.

16 CHAIRWOMAN HUNTER: Okay. Thank you.

17 MS. DE VITA: Okay. The next piece out
18 of the -- I've gone through the roads and the
19 parking deck. I've gone through the tower, slash,
20 Market Hall building. I'm now going talk about the
21 other new buildings that are on site. Again, back
22 to the larger map, and a few of these, you are not
23 going to have in your book, but I'll let you know
24 where they are.

25 MR. D'ARMINIO: This one is No. 8.

1 MS. DE VITA: This one is No. 8.
2 Adjacent to the new tower building, slash, Market
3 Hall, there is an opening that we are proposing.
4 There's actually a tenant there now, John Varvatos,
5 and we're demolishing that and putting in its place
6 an approximately 4,000 square feet welcome center.
7 So this is the location on the large map.

8 One of the main features that will
9 accompany the new main entrance/Market Hall tower
10 building is a realigned boulevard that brings you up
11 to the front door of the center. It will be
12 landscaped, tree-lined, beautiful, beautiful entry
13 into, "You've arrived at Woodbury Common."

14 Right now, if anybody's been there
15 lately, that's where the bus shelters are. People
16 line up and this through is very clogged. It's
17 actually slightly over from where it is here. This
18 is to be realigned so as to align it with the tower
19 building, but the intention is that you come into
20 the main drive and pull around this way, so you're
21 brought by the main entrance.

22 We will have two bus shelters, one here
23 and one here on either side of the new welcome
24 center. Each will have bus shelters for protection,
25 but the welcome center itself, which is depicted

1 here, is really the place for everyone to go in to
2 wait for the bus, to get shelter from the elements.
3 It's heated; it's cooled. It's got plenty of seats
4 in it, and it's a place to handle all of our bus
5 customers. It also will have full information
6 inside. The coupon book will be inside. The
7 directories will be inside, maps. We have full
8 customer service inside this feature, this new
9 addition.

10 MR. D'ARMINIO: Danielle, maybe before
11 you leave that, what about the circulation benefits
12 of the --

13 MS. DE VITA: Of the buses?

14 MR. D'ARMINIO: Yeah, where they are
15 compared to where they are now.

16 MS. DE VITA: The buses do now, as they
17 come into the center and they stop, they drop off,
18 they pick up. Right here, they come down the inner
19 ring road and they either exit this way and out or
20 they come this way. They can park up here. They
21 come in this way. They either park and then they
22 leave. The buses will be making the same movements.
23 All right?

24 Except for the tour buses. The tour
25 buses currently are parking here. That will no

1 longer be the case. There will be at these two
2 lay-bys and using the same movement they're doing
3 now except they will stop internal to the site as
4 opposed to the main road at these two locations, and
5 then they'll exit using the same movement. This
6 keeps them out of the remainder of the site. It
7 keeps them on the site, and it keeps them on the
8 same path that they're on now.

9 MR. CORREIA: So there's no access
10 going right to where the bus station would be.
11 There's nothing coming in from the other side then,
12 right? There's no access there, right?

13 MS. DE VITA: You mean this way.

14 MR. CORREIA: No, coming toward the bus
15 station. You know how you can come across the
16 parking lot?

17 MS. DE VITA: You mean is there car
18 traffic coming in this way?

19 MR. CORREIA: Actually, coming the
20 other way, toward the bus station.

21 MS. DE VITA: Yes, there is.

22 MR. CORREIA: I'm sorry. Going from
23 east to west.

24 MS. DE VITA: Okay. This way?

25 MR. CORREIA: Yeah, but toward the bus

1 station. That's all going to be solid parking.

2 There's no access for people to come across.

3 MS. DE VITA: In here?

4 MR. CORREIA: Yeah.

5 MS. DE VITA: We were actually just
6 talking about this. These are typical drive aisles.

7 So if a customer comes in and they can't find a
8 place to park and they're circulating, they can do
9 this. Is that what you're asking?

10 MR. CORREIA: Yeah, that's exactly what
11 I'm asking. People are going to be coming in from
12 east to west toward that way. They're not going to
13 follow the ring road, is my point.

14 MS. DE VITA: They're not going to
15 follow this ring road?

16 MR. CORREIA: That's right. They are
17 going to start from the outer ring road and start
18 cutting across to get into the building.

19 CHAIRWOMAN HUNTER: The pedestrian and
20 car traffic, they're going to use the outer ring
21 road.

22 MR. CORREIA: Right, and they are going
23 to come across right there.

24 MS. DE VITA: And come in?

25 MR. ATTINSON: The buses have a lay-by

1 so they are indented in.

2 MS. DE VITA: Yeah. The lay-bys are
3 indented in, so they're off of the ring road.

4 MR. CORREIA: Okay.

5 CHAIRWOMAN HUNTER: What's that island
6 called? What's the name of the island that you're
7 going to have there?

8 MS. DE VITA: Canoe.

9 CHAIRWOMAN HUNTER: That's the Canoe
10 Island so the buses will be off the ring road.

11 MR. CORREIA: Okay.

12 CHAIRWOMAN HUNTER: Thank you.

13 MS. DE VITA: You're welcome. Any
14 other questions?

15 MR. TURNER: Putting aside the
16 circulation question, where are the tour buses?
17 Where are they stored?

18 MS. DE VITA: Right now, they're going
19 here. So bus parking is right here, it always has
20 been. It's the same thing.

21 MR. D'ARMINIO: Danielle, could you
22 just repeat that for the Board in terms of where
23 that is?

24 MS. DE VITA: Sure. So it's where the
25 buses will park. This is bus parking now, this will

1 be bus parking then, so same location.

2 CHAIRWOMAN HUNTER: Anyone else with
3 the subject?

4 (No response)

5 CHAIRWOMAN HUNTER: Okay.

6 MS. DE VITA: Okay.

7 CHAIRWOMAN HUNTER: Now we're going to
8 Page 9.

9 MS. DE VITA: This is Page 20. We're
10 jumping a little bit. Okay? This, we called
11 "Madison Avenue," and your point earlier, this
12 really isn't a district. It's more of a connection.
13 The primary purpose of this and the benefit of it,
14 this is where the current food court exists today.
15 So after the current food court is demolished, these
16 will be constructed. They're smaller. They're
17 boutique type, that's why we're calling it "Madison
18 Avenue." They will be beautiful, very nice,
19 high-end tenants, but there will be access through,
20 which there is not today unless you're walking
21 through the food court. There will be real access
22 now. So it will connect what's currently Red Apple
23 to what's currently Bluebird.

24 In addition, because this is really the
25 center of the center, we are going to build new

1 restrooms here as well. So there will be nice, new,
2 big restrooms here, and as long as you're smiling, I
3 might as well tell you that the latest calculations
4 are that we will have double the fixtures when we
5 are done with the entire center, double the fixtures
6 of what we have today.

7 CHAIRWOMAN HUNTER: Yeah?

8 MS. DE VITA: It's one of my favorite
9 parts of this whole thing. So this is Madison
10 Avenue, and again, you know, there's going to be
11 landscaping throughout, hardscaping throughout,
12 facades, lighting, signage.

13 Okay. This one, you do not have, so
14 just go with me on this one. The location for the
15 rendering, I actually just saw this for the first
16 time today, and I thought it was worthwhile to bring
17 to show to you. Today, when you come down Red Apple
18 Court, you end up at Cole Hann, who is the current
19 tenant, and I have a little picture up here which I
20 am sure you can't see. It's tiny, but it's Cole
21 Hann and then there's this big opening, and when
22 you're standing there, you're looking at the
23 throughway and you don't know whether to go left,
24 whether to go right, and a lot of people think this
25 is the end. I've reached the end of the center and

1 go back up Red Apple. They don't realize that if
2 you turn to the left and you started walking, all of
3 the Bluebird court is over here.

4 Again, this is something that we need
5 to orient the customer. We need to make sure the
6 people don't get lost. We have to fix this. So
7 what we are proposing is to add in a sweep of
8 stores, which bring you through so that you realize,
9 okay, I continue this way. I continue this way to
10 see more stores. This is the rendering if you're
11 walking straight down Red Apple. This is what you
12 will see at the end of Red Apple. This right here
13 is Cole Hann. So instead of seeing trees and a
14 road, you're going to see stores and you'll continue
15 walking in this direction to the next leg of stores.
16 It's another way that we're trying to organize the
17 center, to make it more navigable for the people who
18 are walking through it, to make sure that they see
19 all of stores, that they go through all the
20 districts, and we're going to build new restrooms,
21 big, beautiful, nice restrooms.

22 MR. D'ARMINIO: And there's also the
23 outside seating.

24 MS. DE VITA: Yes, yes. This shows
25 outside seating, and we'll get to this too with the

1 renovations and the architecture. That's another
2 thing we're really focusing on. We're focusing on
3 giving people a place to sit. We're focusing on
4 giving people a sense of place. We're focusing on a
5 more park-like environment, feeling of, you know,
6 it's not just a stark-looking mall. "Okay, let me
7 sit down for a few minutes. Let me take my bags and
8 put them down and sit in this nice chair with the
9 nice umbrella and have a coffee for a few minutes."
10 So where we found opportunities were at the bottom
11 of Red Apple and in front of Cole Hann. There is
12 some space we are going to introduce some furniture
13 and places for people to sit and have some outdoor
14 seating and outdoor umbrellas. So that's something
15 that's depicted here and you can see the landscaping
16 is brought in also. Well, we'll get to that, but
17 that's the roof feature.

18 The last one, and this is not -- I
19 won't even show -- this is the districts. The last
20 one, which I do not have a rendering of this in
21 terms of new buildings. Currently, this building
22 right here which juts out into the parking lot is
23 called Marigold. These are new buildings that are
24 proposed, and the idea here is to complete the
25 circle. Right now, customers walk up and they would

1 have to walk back. This way, they walk up and they
2 continue the loop and they walk back around. Again,
3 you're directing the customers so they are not
4 confused, they are not lost. It brings them back to
5 the point.

6 This is the restaurant that we're
7 proposing. As Lou pointed out, we would have
8 outdoor seating, we would have a sense here, because
9 this is the Applebee's, a sense of place, a sense of
10 outdoor, eating a sense of sitting, a sense of
11 sitting in the sun.

12 This will be a pedestrian walkway.
13 This is a very important outdoor restaurant, outdoor
14 seating section for the center. Then these would be
15 tenant spaces, and again, up here, another brand-new
16 restroom. There's also two little bumpouts for two
17 existing tenants, but as far as the new buildings
18 are concerned, this piece here, the swoop at bottom
19 down by Cole Hann, bumpouts, Madison Avenue
20 component, and the customer service, and of course,
21 the main entrance, Market Hall tower building.

22 Are there any questions on...

23 MR. CATAGGIO: I have one question. Up
24 in the upper left-hand corner, I think where the
25 Sony store is --

1 MS. DE VITA: Yes.

2 MR. CATAGGIO: I was there this past
3 weekend and I noticed two things in the rear of the
4 building. It was a van and it was a lot of trash
5 cans, you know, the commercial?

6 MS. DE VITA: Right.

7 MR. CATAGGIO: That road looks almost
8 right against the building. Is that what's planned?

9 MS. DE VITA: Yes. Well, there are
10 two, and what we presented to you, if you want to
11 talk about this later too if you want, you have two
12 options proposed to you. One is right up against
13 the building to show that it will still work. It
14 can still work. One is further away from the
15 building and it's predicated on an agreement with
16 the DOT, which is connected to the off-site
17 improvements. Okay? So I think the one that's a
18 little further away is preferable to everyone, but
19 what we've chosen to do is submit to you the
20 preferable one, and then one that shows that even if
21 that doesn't, you know, work out, we can fit a road
22 back there and it will still work.

23 MR. CATAGGIO: Again, I discounted the
24 space which is like 30 feet across, which is like
25 the natural road?

1 MS. DE VITA: Right.

2 MR. CATAGGIO: And I was surprised
3 there's not that much land back there.

4 MS. DE VITA: No, there's not.

5 MR. CATAGGIO: Okay. So you're going
6 to present that?

7 MS. DE VITA: Yes, yes, yes. That was
8 definitely a challenge but --

9 MR. D'ARMINIO: Actually, Patty was
10 going to talk about that.

11 MS. DE VITA: Okay. Anything else on
12 the new buildings?

13 (No response)

14 MS. DE VITA: No. Okay.

15 The last piece, and I won't do this
16 justice because I'm an attorney, not an architect,
17 but that's why Andy is here, is the districting.
18 This Board approved roofs not long ago, which I
19 promised was consistent with the overall theme and
20 architecture that we would be coming to you with. I
21 notice that Boardman Christman is laughing because
22 he did not believe me at the time. Nonetheless, the
23 roof colors are depicted here, perhaps not exactly,
24 but this is what you approved, believe it or not,
25 and I can now share with you that what we've -- the

1 direction we decided to go on the court names or the
2 districting.

3 We looked at various areas of New York
4 State and took architecture that was indicative and
5 derived from those areas and some of the areas of
6 architectural significance we felt were worthwhile
7 to bring into the center were: The Hampton,
8 Adirondack, Saratoga, Hudson Valley, down the spine
9 and Niagara. These are loose concepts. There's not
10 going to be signs up that say, "You are in
11 Saratoga." The idea of this is to take this
12 architecture and bring it throughout, bring it
13 through the roofs, the facades, through the
14 landscaping, through the colors, through the
15 materials. We have a lot of international people
16 that come to the center, a lot of international
17 travelers. The visual aspect, "Okay, I know where I
18 am," is the important component here. All right?
19 Knowing, "You know what? I'm looking around me and
20 this is all themed in a certain way. I can identify
21 which district I am in," and it gives the customers
22 security of knowing their location. So it's also
23 part of the mapping and directional clarification
24 and organization of the center.

25 I'll take you through each of the

1 districts, you know, just so, globally -- like I
2 said, Andy's here on the specifics, but Hudson
3 Valley, this is the rendering of that building right
4 next to Cole Hann.

5 MR. D'ARMINIO: This is Page 10, right,
6 Danielle?

7 MS. DE VITA: This is Page 10. Is
8 everyone with me on that? Hudson Valley, we have
9 paint colors. Here's your roof right here,
10 Williamsburg slate, all the colors of the facades.
11 You have the siding, you have all kinds of materials
12 here. They're all consistent with Hudson Valley
13 architecture, Hudson Valley colors, a Hudson Valley
14 feel. We'll be where there are sections of the
15 center today that have extremely flat roof lines,
16 despite the fact that we've just redone the roofs,
17 and I know that we just talked about if we're
18 putting in a roof feature to break up that flatness.
19 It will take on whatever the color is of the shingle
20 of that roof. There's one exception, which is, in
21 Adirondack, we've added a different color.

22 The next page you have is --

23 MR. ATTINSON: But also, Danielle, we
24 are varying the siding.

25 MS. DE VITA: Yes. See, Andy, you're

1 going to have to come up here and discuss this with
2 me.

3 MR. ATTINSON: You're doing great.

4 MS. DE VITA: Each one, each district
5 will have -- we have a different page for each one.
6 The siding varies, materials vary, the colors vary,
7 and they're not, you know, you're not walking into
8 the blue area and the red area and then the purple
9 area. There's a much more calm flow to this, but
10 you are significantly in a different district in
11 terms of this mapping. The signage will follow, the
12 lighting will follow, the landscaping will follow,
13 and you should be able to visually orient yourself
14 to where you are within the center. Make sense?

15 CHAIRWOMAN HUNTER: Yes. I have --
16 just have a quick question before you move on. With
17 the district plan on Page 9, the new buildings, you
18 do not have them color coordinated with the roof
19 colors. The main entrance, the Market Hall, what
20 color is that roof going to be? Will it match
21 through the Hudson Valley, through the center?

22 MS. DE VITA: That's a good question.

23 CHAIRWOMAN HUNTER: You're right on
24 that, right there.

25 MS. DE VITA: I know. I'm just

1 wondering, you know, maybe that roof is just a
2 completely different thing because it's comprised of
3 glass.

4 MR. ATTINSON: Well, we were
5 considering something perhaps different than the
6 adjoining districts. Perhaps it was metal or a faux
7 slate or something that sort of mediated both
8 districts, that it was adjacent to but a little bit
9 different.

10 CHAIRWOMAN HUNTER: Because I see the
11 Hudson Valley goes from one end to the other and
12 then you do not have the new building in Marigold
13 Court. I presume it's going to be the same color as
14 the Niagara?

15 MS. DE VITA: Yeah.

16 CHAIRWOMAN HUNTER: And then where it
17 sweeps, where it divides with the little walkway,
18 you're going to do the colors.

19 MS. DE VITA: Right, exactly.

20 CHAIRWOMAN HUNTER: And Madison Avenue
21 is going to be --

22 MR. ATTINSON: We're considering
23 perhaps a metal there as well but mixed in with
24 asphalt roofing too. I think the Madison Avenue and
25 certainly the Market Hall would be, I think, unique

1 structures and perhaps we accentuate the difference
2 a little bit more with that.

3 CHAIRWOMAN HUNTER: Okay. Thank you.
4 Sorry for me to interrupt.

5 MS. DE VITA: Okay. So just returning
6 to Hudson Valley, the page after, this is not
7 precise but it's representative. It's to give you
8 the idea of the thought that's going in per district
9 through the landscaping, a lot of thought. You're
10 not only going to get color from the new facades,
11 from the new roofs, from the new hardscaping.
12 You're going to get color from what we're proposing
13 with the landscaping. It's a big piece of the
14 renovation of the center.

15 MR. ATTINSON: It's going to be a lot
16 less mulch and a lot more plants.

17 MS. DE VITA: No more dirt pits.
18 Although I must say, it looks beautiful right now.
19 They just planted some beautiful flowers.

20 CHAIRWOMAN HUNTER: Are you taking the
21 huge pine tree down?

22 MR. ATTINSON: Yes.

23 MS. DE VITA: Special requests.

24 This is Marigold, which would be
25 Niagara. This is a view looking up existing

1 Marigold. Again, Niagara colors, Niagara siding,
2 brick, limestone, lime- cultured stone and the
3 oyster-gray shingles, and again, you can see the
4 landscaping. These have more of a purple, a
5 lavender hue to it than the one that you just saw a
6 minute ago for Hudson Valley. This one is the
7 Hamptons.

8 MR. ATTINSON: More subtle colors, some
9 soft pastels and perhaps some natural cedar siding
10 could accent some of the gables that we have
11 proposed.

12 CHAIRWOMAN HUNTER: Are you really
13 going to put metal seating like that one shows?

14 MS. DE VITA: I would actually like to
15 address the place making a little bit, because I
16 can't do it the justice that you can, but you know,
17 one thing that I think is very important is that, in
18 all of this restructuring and all of the relining
19 and having straightening of all these corridors and
20 creating easier paths for the pedestrian to be on,
21 some natural intersections arise where have you
22 districts that meet.

23 There are a couple of them, maybe one
24 down here. There's a few of them up here, and we
25 are treating them as very important intersections.

1 They will either have a water feature that will be
2 landscaped, maybe they are a place for people for
3 seating, a place for people to be, a place for
4 people to rest, a place for people to get shade or
5 shelter from whatever, to sit down for five minutes.

6 I told a story the other day, we
7 introduced five Adirondack chairs in one section
8 just to see what would happen, and the next day,
9 Dave sent out a picture. There must have been 15
10 people sitting in these five chairs with 75 bags
11 laying, sleeping all over. I could not believe, you
12 know, there is not enough places for people to just
13 sit and enjoy it and it's not all about walking and
14 moving every single second. So that's a big
15 component of what we're trying to introduce with
16 this application.

17 MR. ATTINSON: Now, your focus is going
18 to be about greening the project. No doubt about
19 it. You will see new plantings that are higher in
20 density. There's going to be more of it. There's
21 going to be a layering of planting, much more color.
22 We'd also like to select plants that look nice in
23 the winter so that it doesn't look bare, but the
24 whole idea of place making is actually to allow
25 people, customers, a comfort zone, to be able to not

1 necessarily shop but to rest, stay longer. Perhaps,
2 it's family oriented, to have a cafe scene, take a
3 cup of coffee and be able to rest, and that needs
4 both landscape and hardscape pulled together.

5 Outside of the current tower now,
6 there's a nice row of trees with a walkway in the
7 middle. If we have the ESO route to each side now,
8 as we're planning, we're planing to make that a very
9 beautiful park at a very strategic spot in the
10 project. We're going to make it larger. There's
11 going to be more greening. There's also going to be
12 food kiosks and merchandising as part of it, but
13 chairs, tables, umbrellas will be provided out there
14 as an amenity to our customer.

15 So we're planning that type of thing,
16 place making, in each of the districts. There will
17 be one major focus, a park experience, or garden,
18 that we would like to build upon so...

19 MS. DE VITA: Better than me, right?
20 Much better than me.

21 CHAIRWOMAN HUNTER: You're doing great.

22 MS. DE VITA: So just to continue
23 through, it's distinctly different, but I think that
24 they all flow together very, very well.

25 MR. ATTINSON: Many of these are also

1 sustainable, so they're going to take the hot
2 weather, but in any case, all of it's going to be
3 irrigated.

4 MS. DE VITA: Right. The last one is
5 Adirondack, second-to-last one.

6 MR. ATTINSON: We'll be having two
7 fireplaces in the center, outdoor fireplaces, for
8 people to sit around in the cooler weather.

9 MS. NAUGHTON: How does that work? Is
10 that a regular fireplace or is it gas, or what is
11 it?

12 MR. ATTINSON: It's gas. It won't be
13 logs or anything, not a bring-your-own, but it's
14 gas. It will have glass doors and enclosure to it
15 so no one can get to it, and then the hearth itself
16 will be raised a certain distance from where people
17 are sitting, so...

18 MS. DE VITA: Adirondack landscaping,
19 and finally, Saratoga.

20 MR. ATTINSON: Here's the red roof.

21 MR. CORREIA: Yes, I see both of them
22 are still there.

23 MS. DE VITA: But what's interesting
24 about this one is you'll see there's two colors, the
25 red and then some of the features we brought in the

1 brown, so it -- we just wanted to make sure that you
2 are all happy with it.

3 CHAIRWOMAN HUNTER: Now, I know earlier
4 we discussed a name.

5 MS. DE VITA: Yes. Saratoga. You
6 know, I'm not overly concerned. I think that that's
7 really something that's not going to be a problem.
8 The issue is that I think 911 has addresses that
9 they respond to, and if one of the districts is
10 named Saratoga, there is already a Saratoga Road in
11 town, but that doesn't -- I mean, first of all, you
12 know, this is still a work in progress, but as we
13 said earlier, it's districting.

14 The name "Saratoga" is not going to be plastered all
15 over, but maybe the name of the address for that
16 district is Seneca Street. It doesn't -- I don't
17 think it impacts the architecture and, you know,
18 really, the theming for that area. I think it can
19 still stay and it's not a problem.

20 CHAIRWOMAN HUNTER: So the people that,
21 let's say Grapevine, they have their address, suite,
22 whatever, Grapevine. Is it going to be Suite 101,
23 Adirondack?

24 MS. DE VITA: I can't confirm that it's
25 the exact same numbers just yet.

1 CHAIRWOMAN HUNTER: But instead of
2 being Grapevine, it's going to be identified as
3 Adirondack. See, right now, you're identified with
4 the stores as Grapevine No. 101, 102, so you need to
5 know what is the road name, the street address.

6 MS. DE VITA: The address, exactly. I
7 think it's doable. I don't think it's going to be a
8 big problem.

9 MR. LINDSAY: Many times, you approve
10 roads that are Road A, Road B, Road C, and that
11 matter is handled with the Village Board and the 911
12 service and they're going to have to satisfy the
13 requirements no matter what we call it here.

14 MS. DE VITA: Right.

15 CHAIRWOMAN HUNTER: Not a problem.

16 MS. DE VITA: I think the next thing on
17 your agenda is to go through Dennis and Stu's
18 reports, unless the Board has any questions about
19 anything I presented.

20 MR. D'ARMINIO: Also, Danielle, there
21 was one other thing.

22 CHAIRWOMAN HUNTER: Did you want to go
23 over -- we went over Madison Avenue. Before we go
24 to Stu or Dennis, did you want to talk about Page 21
25 or not?

1 MS. DE VITA: Is that the deck?

2 CHAIRWOMAN HUNTER: I'm leaving it up
3 to you.

4 MS. DE VITA: Honestly, I have it in
5 here, it is actually backwards in here.

6 CHAIRWOMAN HUNTER: No problem. I
7 mean, we can come back to it.

8 MS. DE VITA: Honestly, I wasn't going
9 to talk about how it works or how it is navigated or
10 anything along those lines. This rendering was
11 really included to show, you know, one of the things
12 that we heard from day one was "It better look
13 nice," and this is what we have come up with so far.
14 There's a lot of attention that's being given to the
15 way this deck is going to look and the materials
16 that are going to be used, the towers that are on
17 it.

18 It's going to be a very nice-looking
19 deck. So this was included for that purpose mostly,
20 Maria, and I did not reference it because I talked
21 about it in the beginning and I didn't want to
22 confuse the Board, because it's the last sheet in
23 the packet, but that's sort of the main purpose for
24 why this was included.

25 CHAIRWOMAN HUNTER: Okay.

1 MR. D'ARMINIO: Again, the only other
2 aspect, and maybe we'll wait until later on, but
3 both Dennis and Stu mentioned about phasing and
4 construction aspects in terms of how are you going
5 to be able to do all this and still be able to keep
6 things open and how does that work. We can do it
7 now, we can do it later, whatever your desire is.

8 MS. DE VITA: Yeah, again, that is
9 another -- we're required as part of the EIS to
10 discuss the phasing of construction and how this is
11 going to work. You know, I told you that we're not
12 going to close the center. We're not going to close
13 sections of the center. We are going to do this so
14 everything remains fluid throughout the entire
15 proses.

16 When we go through it, there are very
17 logical things that you need to do first, do second,
18 do third in order to achieve that and keep
19 everything moving and fluid and open for the town,
20 for customers, for everyone, for us. So, for
21 example, the parking deck and this outer ring road
22 would need to be constructed first. They would be
23 need to be constructed first prior to any new
24 buildings going in, prior to anything.

25 We need to increase this parking ratio

1 and get more spaces. That's one of the biggest
2 priorities. So the road system, this section here
3 and this section down here. Another example of
4 something we would have to do is maybe the next
5 phase would be the addition of the Marigold
6 building, for the reason that there are tenants in
7 the current tower building that would need to be
8 relocated temporarily or permanently, so that this
9 gets vacated and can be demolished and constructed.

10 Similarly, this needs to be constructed
11 before the food court gets constructed -- I mean
12 gets demolished, because the day this is finished,
13 all the food tenants move over. The next day, this
14 gets demolished. Also, for the period of
15 construction for this building right here, this
16 parking field would be done. So you're only
17 disrupting areas of the center at one time.

18 We wouldn't work on this parking field
19 while we are working on this field. It doesn't make
20 sense. The parking field would go with this
21 building, this with this, and clearly, you're not
22 tearing up more than one parking field at a time.
23 You're not doing it. You're phasing it so that does
24 not happen.

25 The renovation would be ongoing. It

1 would be ongoing, because that doesn't really impact
2 the parking field, the facades, the roofs; the roofs
3 are being started now, all of that, that's ongoing
4 throughout the project. Obviously, if you're
5 working on this, it may make sense to be doing the
6 renovation on this at the same time because then
7 you're impacting one area.

8 So that's the kind of thing that we're
9 looking at. I think it makes a lot of sense. We'll
10 certainly have a full phasing plan and discuss it
11 with the Board. That's where we are at this point.

12 CHAIRWOMAN HUNTER: You have a comment,
13 Rich?

14 MR. CATAGGIO: Yeah. I just have a
15 comment on the garage. What was the rationale and
16 thought process for putting it there, which is the
17 furthest part of the entrance, versus putting it
18 someplace like across from the welcome center to get
19 people into the garage quicker, and the other thing
20 is, from getting off the throughway? It seems to me
21 that that's what they're going to see this structure
22 versus all the beautiful facade which you just
23 described, if it wasn't there.

24 So what was the thought process and
25 rationale for putting it there?

1 MS. DE VITA: I think that's a good
2 question. First and foremost, this parking lot now
3 is the most problematic for the center because it
4 exits last and it fills up last. It is just -- it's
5 in the back. So creating a valve here and creating
6 a valve here is very important to utilizing this
7 parking lot. So a deck in that location, you know,
8 at the point of these two roads, is going to make
9 sense. People are going to go right to it. They
10 may avoid this area. It's going to help with the
11 traffic flow around the whole center.

12 MR. CATAGGIO: I shop there and I park
13 closest to where I'm going to shop, and to me, I'm
14 not sure people would think that way. They would
15 want to park in the open area where they're going to
16 shop so they don't have to walk a half a mile.

17 MS. DE VITA: But it's also reliable.
18 If you know you can get a spot in the deck and
19 you're not going to be driving around, you know you
20 can get a spot, and there's a straight road right to
21 it, and people learn that.

22 MR. CATAGGIO: So you have experienced
23 that in building others, that they are going to go
24 right there?

25 MS. DE VITA: Yeah. I mean, if people

1 want to find a spot and they don't want to circulate
2 in the flat lots for a while and see and hope that
3 they find something else.

4 MR. ATTINSON: People may prefer it
5 because it's covered parking.

6 MS. DE VITA: It is. It's covered,
7 it's protected and no wait. In terms of your other
8 question, we looked at other areas, you know, we
9 looked at putting it out here, but what customer is
10 going to walk all the way across an entire parking
11 field with bags to get to it all the way out here?
12 You know, it's not practical. Putting it in the
13 front, as you suggested, it's the first thing you
14 see when you come in.

15 MR. CATAGGIO: Now, I'm talking about
16 the front.

17 MS. DE VITA: Here?

18 MR. CATAGGIO: Yes. Where your hand is
19 down below.

20 MS. DE VITA: Here?

21 MR. CATAGGIO: I mean, you must have
22 your good reasons. I just couldn't figure out why
23 it was there, which is the furthest point from the
24 entrance to get in.

25 MS. DE VITA: Another reason, we think

1 it's important to have a deck close to the
2 buildings, very close, so that you're there, you
3 walk down to ground level, you walk right across.
4 This road here, you can see the circle is
5 designating different kinds of paving. It is going
6 to be pedestrian heavy. People are going to be
7 crossing here. This is going to maximize this as a
8 new entrance, maybe this is the main entrance and
9 this is the second. We're planning on customer
10 service here as well with information servicing for
11 everybody coming out of the deck. It puts you right
12 into the center. You're not walking across aisles
13 and, you know, parking in remote sections. You're
14 right there. You're right there, you walk in,
15 you're done, you walk back out. So that's another
16 benefit to having it there.

17 MS. RUSKAN: Can I interrupt for a
18 second? Patty Ruskan, I'm the site engineer on the
19 project. One of the other items is there's an
20 Orange and Rockland overhead easement, and the poles
21 that exist there, they've been relocated twice, and
22 they do not want to relocate them again. So putting
23 the parking deck in that area that you were pointing
24 out before would require relocation of the overhead
25 pole. So that was another consideration and it was

1 considered at the time, but that was a big
2 consideration. The last time, the relocation was
3 more than a million dollars just for those poles,
4 and that's 15 years ago, so I'm sure the price is
5 much higher now.

6 MR. CHRISTMAN: I have a question,
7 Danielle. You said the first part you are going to
8 do is that new road and the parking garage. Is that
9 going to be upon completion before the start of the
10 other renovations?

11 MS. DE VITA: You mean this gets
12 completed and then the next phase starts? Yes.

13 MR. CHRISTMAN: What's your time frame
14 on the parking garage?

15 MS. DE VITA: Well, it depends on our
16 time frame for approval. How long does it take to
17 build a parking deck? I'd say it's generally
18 between nine months to a year. Patty's giving me
19 the "up" sign, so let's say a year.

20 CHAIRWOMAN HUNTER: And as you're doing
21 the construction of the garage, you'd be doing the
22 road as well?

23 MS. DE VITA: Right.

24 CHAIRWOMAN HUNTER: Okay.

25 MR. ANZALONE: A quick question. Will

1 the entrance of the mall be aligned with the current
2 traffic lights on 32 or would there have to be a
3 change where they are?

4 MS. DE VITA: The access points will
5 remain as they are today. When the DOT project gets
6 done, we will need to do some minor realignment to
7 tie into the DOT work. Does that make sense?

8 MR. ATTINSON: Yes.

9 MS. DE VITA: Okay.

10 CHAIRWOMAN HUNTER: The north entrance
11 of the exit, where it currently is right now, the
12 DOT has grand designs for that. I think it goes
13 into six lanes or something on 32. The southern
14 exit, that will be taken off of 32 and will be
15 rerouted to the back of where Marigold is now.
16 That's why the ring road is being constructed. So
17 all that changes from the DOT.

18 I did get a map from Scott. I forgot to make a
19 copy. I probably can e-mail it to you, their plans,
20 but I mean, they could change. Hopefully they won't
21 change, because they're basing their renovation on
22 the State.

23 MS. DE VITA: We met with them at
24 length and what we're doing, to use Patty's word,
25 "marry" what their plan is. They haven't approved

1 EIS, Maria, I believe, so I don't know how much
2 other than, like -- I should not be speaking to this
3 in terms of the field changes.

4 CHAIRWOMAN HUNTER: But I'm a sitting
5 committee member for the Route Exit 131 there, so
6 you asked Scott for an updated map, because I hadn't
7 seen it and because I can't locate it now, but
8 they're ready to put the shovel in the ground.

9 MS. DE VITA: Right. That's my
10 understanding too, that as soon as this is released,
11 there's not a lot that has to happen.

12 CHAIRWOMAN HUNTER: All it is, is land
13 acquisition that they have to finish with and then
14 they can go into Phase 1 of their program relatively
15 easily and then Phase 2 is when it involves Woodbury
16 Common.

17 MS. DE VITA: But Phase 1 is the bigger
18 piece. It's the most important piece, right, and
19 phase one is down here on 32. Phase 2 of their
20 project is here and that piece is the most critical,
21 because they're putting in a big cloverleaf and
22 widening the roads. So that's a big deal.

23 CHAIRWOMAN HUNTER: It's going to be
24 very interesting, very interesting.

25 Okay. Who's next?

1 MR. D'ARMINIO: Okay. That's Ms.
2 Ruskan. Thank you, Danielle.

3 Ms. Ruskan has put together an exhibit
4 that you have in front of you as well. You have
5 this in your packets, but for just ease of review,
6 Ms. Ruskan --

7 MS. RUSKAN: No, that's not in the
8 packet.

9 MR. D'ARMINIO: But portions of the
10 packet, you put them together, right, the four
11 quadrants?

12 MS. RUSKAN: It's not in the packet
13 that they had before, you know, that's correct, but
14 it's in the site plan set and it's been put
15 together. So it's all on one sheet as opposed to
16 being on four or five separate sheets.

17 MR. D'ARMINIO: Okay. Mrs. Ruskan,
18 would you just please introduce yourself to the
19 Board in terms of that you're a professional
20 engineer and a civil engineer for the project,
21 correct?

22 MS. RUSKAN: Correct.

23 MR. D'ARMINIO: And you have tremendous
24 experience doing this all over the area, correct?

25 MS. RUSKAN: I have, and I actually

1 worked on this project when it was the prior
2 expansion. It was called the "North Expansion." I
3 was heavily involved in the project at the time as
4 well. So I'm very familiar with the Woodbury Common
5 and I'm happy to be back.

6 MR. D'ARMINIO: Well, maybe just orient
7 the Board with this exhibit and then maybe we can
8 get right to the comments of the professionals that
9 we have.

10 MS. RUSKAN: Sure. This board here
11 that you see is really what we call the "overall
12 landscaping plan," and what we did is we took the
13 sheets that you have in your site plan set, they are
14 at 40 scale, and it's been merged so it's a single.
15 You can see the whole project site on one sheet, and
16 because of the way the orientation is of these
17 sheets, the Board had to be vertical. So north is
18 not quite up on the page, it's at about ten o'clock.

19 So what we have here is just a little
20 bit of a different orientation. As Danielle
21 described, to the left is Route 32, same exact
22 entrance and exit points as today. All the
23 improvements are internal to the site. The new ring
24 road that goes back to the rear of Marigold, or on
25 the southwestern side of the property, comes and

1 meets up with the existing ring road on the southern
2 part of the property.

3 One of the things that is a key element
4 of creating this ring road is back behind existing
5 Marigold, on the southwestern portion on the site,
6 there's an existing detention basin that is there
7 today. It serves the southwestern area of the site.
8 That is actually being put into a subsurface
9 detention basin. It's being split into two smaller,
10 narrow subsurface basins underneath this road system
11 right in the actual, if you want to call it, the
12 excavated portion of the detention basin. So we're
13 using that hole, if you will, and filling it in with
14 a subsurface basin, and also under the parking field
15 within the Marigold Court, we'll call it another
16 subsurface basin, to basically take the volume of
17 that existing detention basin and place the
18 stormwater underground, because today there's
19 several detention basins and retention ponds that
20 serve at the site.

21 The existing slit pond, which is really
22 the water-quality treatment pond, if you will, for
23 the bulk of the site, we have the fire pond
24 immediately to the east of that. Also, on the north
25 part of the property as part of the north expansion,

1 there were two retention ponds constructed at the
2 time, and those will remain, still functioning to
3 capture the runoff from the northern portion of the
4 property.

5 So as part of the improvements, it's
6 not just the relocated roads, it's not just the
7 architecture and the courtyard enhancement, but
8 there's a lot of utility relocation that needs to be
9 accomplished, some enhancements to the utilities,
10 new water lines, because there are some issues with
11 some of the existing waterlines. So there's a whole
12 infrastructure program as well going on with this
13 renovation project.

14 So taking the detention basin and
15 putting it underground is a very expensive
16 proposition, but there's a maintenance program that
17 goes along with it. What it does also is it takes
18 the detention basin that you see, that maintenance
19 component, and places it, the maintenance, with
20 everything in the overall program.

21 There will be a slip that has to be
22 submitted and we're working on that. We submitted
23 an early copy to Dennis to review the stormwater
24 management. It basically functions the same way as
25 today, just replacing the existing retention basin

1 and two subsurface basins, the main part of the
2 site, again, draining to the fire pond and the silt
3 pond.

4 MR. LINDSAY: What is a SWPP?

5 MS. RUSKAN: I'm sorry. A SWPP is a
6 stormwater pollution and prevention plan. It's a
7 plan that goes into effect during construction and
8 post construction. During construction, it's a
9 mechanism that needs to be followed so that you
10 minimize the amount of silt and runoff on your
11 property and off the property. The key is really
12 maintenance of that and following that program so
13 that during construction, you're doing everything
14 you can to minimize any offsite erosion and sediment
15 issues, because this fire pond drains into Peckham
16 Pond off site, underneath the railroad tracks. It
17 drains right into Peckham Pond in the east.

18 So I think, if everyone's okay with it,
19 I think we can go through the letters we received
20 and go through the questions and how we plan on
21 addressing some of these. A lot of the items will
22 be incorporated into the draft supplemental BIS that
23 we are working on and will be submitted shortly.

24 CHAIRWOMAN HUNTER: Are you talking
25 about Dennis and Stu's memo?

1 MR. D'ARMINIO: I think, first, we are
2 going to go over the May 21, 2012 memo from Turner
3 Miller Group.

4 CHAIRWOMAN HUNTER: Okay. We do things
5 differently here. Usually what I do after you do
6 your overall presentation, we go to our consultants
7 with the Board members and then we can have you talk
8 about that.

9 MR. D'ARMINIO: That's fine.

10 CHAIRWOMAN HUNTER: All right?

11 MR. D'ARMINIO: Great.

12 CHAIRWOMAN HUNTER: And you have an
13 extra copy of this for the building department?

14 MR. D'ARMINIO: We have a number of
15 copies.

16 CHAIRWOMAN HUNTER: I just want to make
17 sure we have it in the file for Maria, if you can
18 get that in there, if you can get that extra map...

19 MR. CATAGGIO: Five dollars.

20 CHAIRWOMAN HUNTER: Five dollars?
21 Perfect. All right, Stu, not Stu -- Dennis, which
22 memo are we working off of?

23 MR. LINDSAY: This is No. 4312016.
24 It's dated June 1, 2012.

25 CHAIRWOMAN HUNTER: Okay. It's the new

1 one.

2 MR. LINDSAY: There's nothing on the
3 first page besides an overview. The first
4 substantive item is under "variances." This isn't
5 necessarily that they're questions to variances, as
6 variances would be required here in terms of the
7 height of the
8 structures. They have a number of structures that
9 exceed 35 feet. One is the tower building, and as I
10 think the Board knows, there was a variance granted
11 at one time.

12 Now, quite frankly, the variance was
13 granted for two towers but only one was ever built,
14 as far as I know. In any event, there's one tower
15 structure there and they are permitted to have that.
16 That variance goes with the land, and if they knock
17 down the structure, it's still a variance. It's not
18 a nonconforming use, it's still a variance. So they
19 can reconstruct it and that's what they plan to do
20 on the tower building.

21 However, in conjunction with the tower
22 building, there is the Market Hall. So that has
23 roof lines, and the way they've defined it on the
24 drawings is they said that the average height is
25 less than

1 30 feet and that's your requirement. Your
2 requirement is that the average from the peak of the
3 roof to the eave on a hip roof, or a gable roof, be
4 35 feet or less, but what they're doing in their
5 average is they're averaging a number of roofs. I
6 spoke to the building inspector about it. He
7 basically thinks that most likely the interpretation
8 would be that every roof segment in there would need
9 to be less than 35 on its individual height.

10 But that's something Gary's going to
11 have to take a look at and I do not think that's
12 something that the Board -- and I'll defer to Kelly
13 in a minute.

14 I don't believe that's a plain reading. I think you
15 would need to get a definition or an interpretation
16 from Gary. That's on the tower structure.

17 CHAIRWOMAN HUNTER: Do we have to
18 submit a formal request to him or is he going to
19 give us a response back? Should we do it formally
20 or --

21 MR. LINDSAY: I think this is in. I
22 don't think you need to do that. They can ask for
23 an interpretation. I'll ask for an interpretation
24 and I also spoke to Kelly about it.

25 MR. D'ARMINIO: Just so I know, though,

1 we're looking at the same definition. The
2 definition is the one that says you have to average
3 from the eave to the top?

4 MR. LINDSAY: That's correct, and it
5 does give some exceptions for bulkheads, certain
6 roof features, which gets into the area where
7 there's some interpretation involved, and that's
8 what Gary will be doing.

9 MR. D'ARMINIO: I see.

10 MR. LINDSAY: That's for the tower.
11 There's also an issue with the parking garage and
12 the way that Patty's described it to me is, they're
13 considering a roof on the parking garage, the roof,
14 the upper-parking plaza if you will. That's less
15 than
16 35 feet. There's also a bulkhead that runs around
17 the top, which is the wall that prevents cars from
18 going over the side or defines the edge of the roof.
19 Again, the Board could define that as the bulkhead.

20 However, there are certain towers
21 associated with the structure, for elevators, for
22 stairwells, and they go considerably above that, and
23 the roofs on those, the little hip roof on the top,
24 if you will, and that roof has a height of about 58
25 feet. They are important elements for the design.

1 They also are something I think you asked for
2 because you wanted architectural amenities provided
3 with the garage structure.

4 If you look at the garage structure,
5 they're all stone lined. They got nice roof lines
6 on them. They got architectural amenities. I don't
7 want to see them go away, but nevertheless, they're
8 above the 35-foot requirement and I don't know how we get
9 around that, and I think Gary's going to take a look
10 at that and give an interpretation on the roof
11 structure as well as to whether that needs a
12 variance.

13 MR. D'ARMINIO: Madam Chair, can we
14 just respond to that now?

15 CHAIRWOMAN HUNTER: Sure.

16 MR. D'ARMINIO: I had actually
17 mentioned this to Mr. Golden this morning. Here is
18 the corners of where we have the elevator shafts
19 that come up from the stairwells that come up. On
20 those corners, we've considered that to be roof
21 construction. You're allowed to have roof
22 construction. Typically, you do have elevators that
23 bump up through a roof and that's our position on
24 that.

25 The bulkhead, I think, is something

1 that would be averaged. We do have a center area.
2 The tower, I think that Mr. Lindsay was mentioning,
3 is that basically the entrance tower that's right at
4 this point, which it goes parallel, it continues the
5 major entranceway into that second entranceway into
6 the Common. You do remember that we were allowed to
7 put two towers up, as was referenced by Mr. Lindsay,
8 and I believe they indicated they could be in any
9 section of the center. It may very well be that
10 that's maybe a way that we can present that area,
11 but Mr. Atkinson said before that that's really an
12 important feature in terms of having people realize
13 that's the parking garage and that's the major
14 entrance, correct?

15 MR. ATTINSON: No. That's a very
16 important part of the garage because that's where
17 the elevator is located, the stair, the open stair
18 for people to either walk down or up depending on
19 the level they're located, and also at the top level
20 of the garage, you'll see some windows at the top
21 and that needs to be enclosed.

22 We want to provide an environment
23 that's out of the elements, protected from snow and
24 rain. So, certainly, that is an enclosure that is
25 above the 35- foot limit and then we wanted to add a

1 decorative roof as we have throughout the entire
2 center. So that was the reason why this core, this
3 vertical core, is just a very, very important
4 element in the garage design.

5 MR. D'ARMINIO: And what I was talking
6 about before, Mr. Atkinson, that these are the
7 elevator and the stairway shafts. We tried to make
8 them decorative. We can put witches' hats on them.
9 I'm sure we can work with you in terms of those
10 sorts of issues.

11 MR. ATTINSON: Well, again, those are
12 actually stairs at the corners and we brought them
13 up higher because they need an enclosure at that top
14 level of the garage.

15 MR. D'ARMINIO: Otherwise, then they're
16 exposed.

17 MR. ATTINSON: That's right.

18 MR. LINDSAY: If I may, it's a question
19 of jurisdiction. It's not a question of the reasons
20 and the value of them, because if this Board had the
21 authority, those reasons might be wonderful reasons
22 to get it approved. The Board doesn't have the
23 authority to review it if it's outside their
24 purview, which is given to them by the zoning code.
25 The zoning code says it has to be 35 feet; however,

1 there is a Board, the Zoning Board of Appeals, that
2 listens to appeals on that for just the reasons that
3 you've given.

4 So if the building inspector, in fact,
5 finds that the interpretation that you might want to
6 have him give, he can't give, and he says there's
7 relief required, if he says, in fact, he agrees with
8 you and the arguments and it is a roof feature, it
9 would have standing in the Board and the Board could
10 make a determination, but right now, what we need is
11 not from any discussions with Mr. Golden and with
12 Kelly, that it's not a plain reading of the code,
13 which is the only way this Board can go. If a plain
14 reading of the code leads them to believe that
15 something is conforming, they can proceed with it.
16 If not, then there needs to be an interpretation by
17 an authority having that power. The first authority
18 having that power is the building inspector. If he
19 can't interpret it or believes that it needs a
20 variance, it would go to the ZBA and the ZBA would
21 either give an interpretation that does not need a
22 variance or give an opinion on the variance.

23 MR. D'ARMINIO: Okay. In terms of the
24 garage, I understand that, but I think if we need to
25 sit down with someone, if it's possible, in terms of

1 how the calculation of the averaging was, I mean, we
2 did calculate as per the definition. If understand
3 it right, Ms. Ruskan, that was certainly done and I
4 don't know if the center's area there exceeds it.
5 There is the possibility of being a tower, but we're
6 only talking about the garage with those issues.
7 The other areas do maintain that 35-foot average,
8 right?

9 MR. LINDSAY: It's how you look at the
10 average.

11 MS. RUSKAN: Correct, and we spoke
12 about that earlier and there are several isolated
13 roofs in the Market Hall and at a couple other
14 locations that are very easy to modify; because of
15 the way we had interpreted it, it's very easy to
16 modify, to get to the average height calculation.

17 MR. D'ARMINIO: For interpretation, I
18 think we want to get the minimum questions we can
19 and we would like to work with you on it.

20 MR. LINDSAY: Okay. What I saw here
21 was there are a number of things that might need
22 interpreting. There are a number of areas where you
23 could modify the structures to comply. If you need
24 to get an interpretation from the ZBA, for example,
25 you might want to go with everything rather than

1 change your design.

2 If you fail on any approval by any one
3 of those, you have a fall-back option of modifying
4 the design to comply, but it looks to me right now
5 that most of the designs that you provided are
6 things that are in proportion, a structure that's
7 built on the side, like your Building L, but it
8 matches the structure and the tower on the side. I
9 think it's in proportion. So you could make an
10 argument, if the ZBA doesn't like that, if you have
11 to go to that level, then you can modify it. It's a
12 win/lose. It's something you could present to them.

13 The other issues, like the garage, if
14 you have to go to the ZBA, I think you may need
15 relief to keep those towers, but in any event, the
16 advice to the Board is this: I think it's not a
17 plain reading. I think it has to go to Gary for
18 interpretation. If Gary decides that it's all
19 within your code, then you have the interpretation
20 and then you can proceed right here.

21 If he says "no," then you'll have to
22 make a determination under appeal to the ZBA. If
23 the Board would like to give authorization now, you
24 can authorize me to write a referral letter to the
25 ZBA subject to the opinion of the building inspector

1 and move it along.

2 CHAIRWOMAN HUNTER: Board members, is
3 that okay? Just what I was asking before, the
4 height of the welcome center, what is the height of
5 that little tower?

6 MR. LINDSAY: Well, the tower that's
7 there is -- they say "match the existing tower."
8 They say "81 feet" and I think they say "match the
9 existing tower." So the tower structure portion of
10 it is okay. It's the other roofs that are
11 associated with it.

12 CHAIRWOMAN HUNTER: The welcome center,
13 I notice, had --

14 MS. RUSKAN: There's one of the
15 features that is slightly over.

16 CHAIRWOMAN HUNTER: But it looks like
17 it was a little over 40 feet, so if we're going to
18 send a letter, let's include everything at once.
19 You know what I'm saying, Dennis? If you look at
20 Page --

21 MR. LINDSAY: A-12, yes. That's the
22 one I had just listed down as Building L.

23 CHAIRWOMAN HUNTER: It looks like it is
24 40 feet. If you're going to send a letter to the
25 ZBA, include everything.

1 MR. LINDSAY: That was one of
2 instructions we are talking about. It's not 40
3 feet, just to let you know, it's the average between
4 the eave and the peak. So that one, I think it's
5 about 36 or 37 feet.

6 MS. RUSKAN: That eave is at 33 feet,
7 so when you take the average, it's slightly over.

8 CHAIRWOMAN HUNTER: Go through Gary
9 first, see what he says with each building, and
10 we'll take it from there. Sound good to everybody?

11 MR. D'ARMINIO: Okay. Do it.

12 MR. LINDSAY: The other things we went
13 over, the circulation here on the inner ring road,
14 and one of the things that they're attempting to
15 accomplish with this is to avoid conflicts between
16 pedestrians and vehicles, and we initially looked at
17 -- I'm going to come up here.

18 The concern was right here. This is
19 that extension of Marigold and this area in here,
20 and that's where we saw the potential for a lot of
21 conflicts. However, Patty did the same thing I did.
22 We colored in the ring roads, and you if you look at
23 the exterior ring road around here, that's where the
24 people are going to move at fairly reasonable speeds
25 to try to get in or out of the center to get to

1 their destination, to park.

2 Quite frankly, I park the same way you
3 do, but you and I go for one thing and probably one
4 store. There are people that come here and they
5 stay all day. When they come here and they're
6 parking in a parking garage, they are not troubled
7 by that aspect. They do want to park in a
8 convenient location and spend the whole day. They
9 are going to start here, but they are going to end
10 up all over the place. But anyway, we were
11 concerned about this, but they now made the inner
12 ring road. You used to come in here, off here and
13 you'd swing right here and zip over like this and
14 this was the -- this is Levi's over here. This was
15 the point of real pedestrian and vehicle conflict.
16 I was concerned when they put this in that we were
17 going to have the same thing here, but if you look
18 at this, when you come into this inner ring road, it
19 brings you all the way in down by Ralph Lauren, and
20 then you have to go all over here and then back
21 around, and we were talking about that today.
22 You're going to do that once. If you're a normal
23 shopper and you're used to this, you're not going to
24 do it a second time. You're going to go a different
25 route. So that concern that I had here has been

1 arrested somewhat.

2 I'm really not that concerned other
3 than I think they've done the mitigations that are
4 necessary. I didn't realize that we had this kind
5 of a loop through here. After looking at it
6 further, I think we probably won't, but that's an
7 area that there's some pedestrian, or there's a
8 large crossing of the road.

9 As you know, when you're in the center
10 here, there are no vehicles other than some service
11 vehicles. This location here and the other location
12 here is where the center is interrupted by some of
13 its road patterns, and that's just an area that we
14 mentioned early on and I mentioned again to you so
15 we can at least talk about that a little bit.

16 One of the other items, and I think
17 we've talked about it a little bit too, is that the
18 parking garage where that main tower structure is,
19 the elevator shaft, that is where they're inviting
20 people to come into the parking garage and go out of
21 the parking garage. They have access points to the
22 parking garage on all four sides. You can go to a
23 lot of parking garages associated with hospitals and
24 elsewhere, they only have one way in and one way out
25 and maybe they have an emergency access. This has

1 all four sides having access, which is very good,
2 and the only thing we are recommending is that we
3 try to limit the amount of activity that takes place
4 in front of that main pedestrian walkway, and I
5 think that it's going to happen that way anyway
6 because most people that come down the outer ring
7 road and turn in here, they're going to go into the
8 parking garage. But when we talk to management
9 about this, my understanding is, and this is
10 something you might want to consider in a finding or
11 some kind of conditions on your site plan, and that
12 is that they manage this site properly, because
13 during heavy, heavy periods when this is a very busy
14 area, they may want to close this off to traffic,
15 because the traffic can easily go around the ring
16 road, enter the parking garage here, enter the
17 parking garage here, and come around the other side,
18 enter the field parking or the garage on this side
19 or continue on, if they want to go out.

20 So this really isn't an impairment to
21 the motoring public and it would be much better to
22 avoid any conflicts in very high-traffic periods,
23 both pedestrian and vehicle traffic, but I think
24 they can manage that probably by their management
25 team, but it's up to the Board if you want to put a

1 mitigation or condition in findings or anything like
2 that, and it comes out when you look at the site
3 plan, that this could be a potential conflict there,
4 and we should have some kind of mitigation or action
5 with the applicant on this.

6 I'm going to go real quick by this one,
7 because I think we already talked about this. We
8 talked about service areas in the memo, and that is
9 a concern, that the service areas that allow the
10 deliveries to the stores sometimes need to cross
11 where the pedestrians are walking and they need
12 adequate access for their trucks. One is in
13 Marigold and that's that area that we talked about a
14 very high preference for the alternate plan, and
15 that is the one that provides a wider area in the
16 back. Otherwise, it gets very narrow back there,
17 and although they may be able to function that way,
18 it certainly would better if we could have a full
19 access back there where they can bring a vehicle in
20 there and offload and maneuver these vehicles and
21 not have to use handcarts or something like that to
22 bring in their supplies, and that's in Marigold and
23 that's an item that we mentioned there.

24 There's a courtyard area that is now
25 the food court. That is the service area right in

1 here. This is the foot court right now and this is
2 a service area, which now derives access from this
3 road in the back here, and trucks back in actually
4 right here and I've seen semi tractor-trailers going
5 back there to serve the McDonalds. They're going to
6 close that off. There's not going to be any access
7 from the roadway now, and what they're proposing --
8 and there's no vehicle access to the area, so what
9 they are proposing is to bring it into this larger
10 service area and whatever they want to bring over,
11 they're going to have to park here and they're going
12 to have to bring it across by handcarts, and that is
13 something that you would want to put a requirement
14 in, in working with the applicant. That's one way
15 to do it. We're not going to have to worry about
16 pedestrians with the handcarts going across here,
17 but this will be a high-traffic area and anything
18 that goes across here. There couldn't be a car
19 going through this narrow alleyway or you might have
20 a problem or conflict right here.

21 And without belaboring the point, there
22 are a few areas that we're going to need to talk
23 about, service areas and how they service buildings
24 because of the reconfigurations because of the bus
25 area here and would need to make sure, within all

1 the buildings, that they have adequate services.
2 One thing I will let you know, we just talked today
3 and they worked out an arrangement for the food
4 market, the Market Hall here; this would be a very
5 difficult area.

6 The two -- the through walkway through
7 Evergreen over to Grapevine, they are going to have
8 those large vehicles come in and feed the service,
9 the market area here, and so what they're going to
10 do, as I understand it, is restrict the hours of
11 deliveries in here so that they don't conflict with
12 the traffic and restrict them severely at night so
13 that they won't conflict at all with pedestrian
14 traffic. If that's going to be something they offer
15 in mitigation, that is something that you should
16 have as a condition in your approval or condition or
17 in findings here and that would avoid those
18 conflicts and that's a good answer to a potential
19 problem here.

20 I mentioned ESOs. We had an ESO
21 meeting today with the police department. They had
22 some input on this, and we're going to have some
23 additional ESO meetings with the fire department.

24 Construction sequence, we've already
25 gone over, and I'm not going to belabor this

1 anymore. There's some comments in the report, but
2 if there's any questions, I'd be happy to answer it.

3 CHAIRWOMAN HUNTER: Applicant have any
4 concerns or questions of Dennis's memo at this time,
5 or you can work it out amongst yourselves, or you
6 need an engineer, or you want to --

7 MR. D'ARMINIO: Patty, any comments in
8 response? I believe much of this, we've accepted
9 and we've dealt with and we've spoken about and
10 Dennis has reported what we need to, but is there
11 anything additional? Do you we need to add anything
12 to the points?

13 MS. RUSKAN: No. I think that we will
14 work out the details. We understand that there's a
15 technical letter forthcoming, so we would work those
16 out as well.

17 CHAIRWOMAN HUNTER: Okay. Stu, before
18 you start, Stu, I know it's about 9:30. We're going
19 to be having ongoing meetings with you. When do you
20 want to -- we'll aim for 10:00 maybe? We'll see
21 where we are, okay?

22 MR. D'ARMINIO: We were hoping that
23 there would be a meeting on the 20th that we could
24 have some time on.

25 CHAIRWOMAN HUNTER: We'll have to talk

1 about that, because we have to cancel our July 4th
2 meeting. I'm not going to be here.

3 MR. TURNER: Oh, you're canceling July
4 4th?

5 CHAIRWOMAN HUNTER: I think so, don't
6 you? Go ahead, Stu, I'm sorry to interrupt you.

7 MR. TURNER: It's okay. Actually,
8 through the presentation and through a lot of
9 Dennis's comments and so on, I think we've covered a
10 lot of ground. A lot of comments which the
11 applicant has have to do with representation on some
12 of the sheets, the maps, clarify some questions.
13 You know that early on, how important certain things
14 were to the town/village, such as ensuring the
15 protection of the cemetery, and there's some sheets
16 that just need to highlight where those things are
17 so they are there.

18 Some of the things we are concerned
19 about, we did not want to belabor because we think a
20 lot of it's going to be addressed through the
21 environmental review process and I don't think we
22 need to spend a great deal of time. In addition,
23 the concerns that we had also have a lot to do with
24 this whole question of phasing and there are some
25 matters, for instance, that we need, that we suggest

1 that the Board have, not just signage plans when the
2 project is finished but interim plans that suggest
3 traffic direction and so on.

4 I am sure this is going to be done
5 during construction, during these difficult periods,
6 while certain parts of the Common are operating at
7 less than full throttle. So we suggested that there
8 be an interim temporary construction signage,
9 identification signage, detailed plan be submitted
10 for the process and I'm sure it will.

11 There are issues related possibly to
12 lighting. I guess that's going to be addressed by
13 the EIS as well and the question we raised was
14 lighting that may overflow the site itself. So
15 that's really an exterior impact or external impact.
16 I'm sorry. Dennis has also talked about we had some
17 concerns about the garage elevations. I think my
18 notes, in addition to a short note in the memo about
19 the height, there is a sense of proportion and so
20 on, so that question has to be addressed pretty
21 early on, as Dennis indicates.

22 There's a point, I'm sorry I didn't
23 mark the sheet, there's the point on the early
24 sheets that a number of items that we think need
25 just to be corrected or addressed. The coverage,

1 for instance, if you recall way back when, when you
2 had your findings in the EIS originally, there was a
3 limit and I think it looks like the way the
4 presentation is now, the coverage, the impervious
5 surface, is actually reduced. If that's accurate,
6 that's fine, but it can't go beyond 65 percent.

7 MS. RUSKAN: We actually went through
8 the calculation when we first started the project
9 back in 2008, and we looked at based upon the
10 existing conditions at that particular time. We did
11 not go back to 1997. We looked at that and said
12 "What is the beginning point?", but when we did go
13 back to 1997, you're correct, in the findings, there
14 was a statement that the coverage was approaching 65
15 percent.

16 In reality, the plans had called out 62
17 percent, but when we checked in 2008, that coverage
18 was 62.7 percent. So yes, it is approaching 65
19 percent but it is, when you take an area of
20 approximately 150 acres, that's a big differential,
21 but in this particular project, there is a slight
22 increase in impervious coverage, .59 acres. So that
23 is how we came to the 63.2 percent that's shown on
24 the cover sheet.

25 MR. TURNER: Okay. As long as it

1 explains you are dealing with the internal functions
2 of the center. What we are concerned with is the
3 village planners and the external impacts and the
4 external appearance and so on. So that's sort of
5 the concern that our comments reflect. There's a
6 note in one of the sheets that the HVAC units are
7 being moved to the roofs of buildings, and I just
8 wanted to be sure that they do not appear to be
9 shown but that maybe because they're so well covered
10 in the architecture.

11 MS. RUSKAN: Right. As you have heard,
12 there are two alternates and this is in the back
13 behind Marigold. We'll call it the base plan, which
14 is what you see here on the colored rendering. It
15 is all the improvements within the property that is
16 currently owned by Premium Outlets Simon.

17 You've heard the alternate plan being a
18 road that is partially off of the property. That is
19 something that has to be worked out with the DOT.
20 That obviously is the preferred alternative, but
21 they do not have control over that property now. So
22 it was important to show what they can do on their
23 site today and what you see on the plan.

24 So in order to accomplish that, the
25 HVAC units that are currently on the ground behind

1 the buildings would be put on the roof into, I want
2 to say completely hidden, but in a nice presentation
3 so they are out of the way of the service area,
4 which would be a hand truck in those select areas of
5 the center and functionally on the roof so they can
6 function.

7 MR. TURNER: That is true. The Board
8 would be most concerned with the potential visual
9 impact.

10 CHAIRWOMAN HUNTER: So the structure
11 and the integrity of the roof is going to change
12 because now you have to have a weight-bearing load
13 on it with the HVAC. Is that in here? Tell us how
14 you're going to achieve it. So you're also going to
15 change the roofline or the shape of the roof to
16 accommodate the HVAC. I'm asking because, you know,
17 those things aren't light. They are quite heavy.
18 We drove down the other night based on Stu's memo
19 and I'm just curious, when you do this, you're
20 changing the structure of the building, if I'm not
21 mistaken. So how do we handle that?

22 MR. LINDSAY: That would be a building
23 department issue.

24 CHAIRWOMAN HUNTER: Okay.

25 MR. LINDSAY: They would have to make

1 it structurally sound. They can either support it
2 by additional columns, they can parallel the joist;
3 there's a number of ways to handle that.

4 MR. TURNER: Just a couple more things.
5 Sheet C11 suggests a title change to make it clearer
6 for everybody. It's really a traffic and
7 directional, a sign plan for traffic and directional
8 signs.

9 MS. RUSKAN: That's correct. That's a
10 good point.

11 MR. TURNER: Now, Dennis really covered
12 this one. There are a number of issues, I think,
13 particularly on Bluebird where it appears in this
14 initial run through that access to the service
15 areas, and I think Bluebird was the place that
16 popped out. It seems very, very tight. Again, as
17 you go through the process, you heard about access
18 to those areas. That needs to be -- I'm sure even
19 emergency vehicles or emergency personnel need to
20 access those areas. So I think you just have to be
21 conscientious of the tight distances between
22 buildings.

23 The last two items I just want to
24 cover, we really covered the facing. One of the
25 things that struck us when we did your first review

1 is, with all of the reconstruction, how are you
2 going to go about this? I think it's critical that
3 the EIS and the subsequent discussions of the site
4 plan have to be made clear to everyone how we all
5 get through this process so that there aren't
6 external impacts.

7 Now, the landscaping, absolutely
8 gorgeous landscaping. We usually do a landscape
9 review on large projects. I would suggest to the
10 Board that from your perspective or a main concern
11 is really the external, the buffering, the external
12 or the surrounding landscaping, not so much the
13 landscaping in the courts except that they might
14 create issues of safety or access. So we'll all be
15 looking at that, so I think in terms of your
16 direction to us, I think maybe we should be looking
17 primarily at the external landscaping. At the
18 moment, we're waiting for the environmental impact
19 statement.

20 CHAIRWOMAN HUNTER: I'm sorry, before
21 we move on to you, Kelly, Patty, do you have
22 anything about Stu's memo or you're good?

23 MS. RUSKAN: No. We are going to and
24 we can address these issues.

25 MR. D'ARMINIO: We are going to address

1 them first, but this was a better way.

2 MS. NAUGHTON: Well, I don't have
3 anything, but I think he's going to go up there.

4 MR. GREALY: A lot of what we're going
5 to get into really is, it is going to be in the
6 supplemental relative to the traffic projections and
7 traffic analysis. We do have some comments. I
8 think, in general, this plan is set up to coincide
9 and work cohesively with the DOT, so what you see
10 here is a plan that will improve the on-site
11 circulation, will eliminate the pedestrian/vehicle
12 conflicts by creating this outer ring road.

13 There are some details that we'll get
14 into very briefly tonight, but a couple of points to
15 make. The alternative plan is a better plan in
16 terms of the alignment here, increase separation, as
17 I think Richard pointed out, the closeness of the
18 road to the back of the building. The applicant has
19 started those discussions with DOT. Timing may be
20 right, because DOT needs some of the lands of the
21 Common to accomplish their Phase 2.

22 FHWA and New York State Throughway
23 Authority are also involved with that lands swap,
24 but I think that's something that should be pursued
25 because that will allow a better plan and a better

1 ring road around that part of the building. In
2 terms of the, you know, Dennis and Stu already
3 referenced some of these areas.

4 In the scoping document, we had asked
5 for what we call a Maintenance and Protection of
6 Traffic Plan. So I'm sure that will be forthcoming.
7 Some of the details are already in the plan set, but
8 in terms of how do you control traffic while
9 construction is being done in different areas and
10 that will be part of the SDIS, but it will also be
11 part of your finding statement when we get to that
12 point.

13 The other is what we call a Traffic
14 Management Plan, not during the construction, but in
15 actual operations, and the Common has that. It
16 works today. Okay? It may not be a written formal
17 plan, but they implement it on holidays and when
18 they close off areas and traffic is controlled by
19 their staff. Again, as part of SDIS, we have asked
20 for a description of that traffic management plan.

21 So basically to put it down on paper is
22 something that shows an on-beat basis as opposed to
23 an off-beat basis. It will give kind of a guideline
24 and an outline in the finding statement to deal
25 with. For example, Dennis's comment about this

1 parking garage will become a prime parking area, as
2 far as I'm concerned.

3 If you look at distances on busy days,
4 the way that this outer ring road is developed, this
5 can be closed off. So now we eliminate total
6 pedestrian/ vehicle conflicts. So that would be
7 part of a traffic management plan, you know, on
8 certain number of days per year that would be closed
9 off to traffic, and it would still function and we
10 would have, as Dennis pointed out, multiple points
11 of access even with that being closed off.

12 A couple of just important areas, and
13 we'll put this in a memo so the applicant can
14 respond, because this site plan will continue to
15 evolve, I just want to focus on a few areas. You
16 know, Dennis already pointed out that this will now
17 become a less traveled way, of course. The
18 applicant has proposed speed tables and raised
19 crosswalks to calm the traffic down. Those are all
20 good things. We'll comment on the location of
21 those.

22 In terms of this parking area here, it
23 is in a very high-traffic area, and we're going to
24 have to take a really hard look as how we provide
25 pedestrian- safe access there. That may be

1 something, again, part of the traffic management
2 plan on those real busy days. We don't want any
3 pedestrians coming around this curve with vehicles.
4 So, again, something that we'll deal with.

5 In terms of the food court or the new
6 tower building, again, Dennis has pointed out a lot
7 of these already, but we are going to have a lot of
8 bus traffic. The bus traffic is there today, but
9 now we have a different demand here. The applicant
10 has already created some of these what we call
11 "canoe islands" to control -- so we do not have
12 traffic accessing the inner ring road at every
13 break. We would like to, you know, see what else
14 could be done here, because if you look at this
15 parking area, to get to the outer ring road, because
16 of the grade break, there's really only one way to
17 get out. Anyone else would have to come to the
18 inner ring road and work their way. So we are
19 trying to see if we can eliminate some of the
20 conflicts. They've already started dealing with
21 that in some of these changes, these canoe islands,
22 and I think there's a lot of tweaking that can go on
23 here.

24 The other item, which, again, it will
25 come in as part of a review of the traffic numbers,

1 there may be an on-site location that will require a
2 traffic- control device. We don't know that yet,
3 but again, looking at points of access, we may need
4 that. There's other comments relative to the ring
5 road where we feel we may want to have a dedicated
6 left-turn movement.

7 For example, at this intersection here, you don't
8 want to be in a through lane and all of the sudden,
9 someone is stopping to make a left turn. There's a
10 couple of areas where, currently, there are
11 left-turn lanes striped out; however, the way they
12 are striped today, there's an opposing traffic
13 opposite. Again, just cleanup items that we have.
14 As we go through this, we can deal with those.

15 I think, in general, the plan goes a
16 very long way to work with the future of the 32
17 improvement. Right now, DOT is advanced in their
18 design. It's a question of money. I think
19 everyone, including the applicant, will keep the
20 pressure on DOT so that it doesn't slip any further
21 out and we'll work, once we get the traffic report,
22 work on other interim things that can be done to
23 improve what's external. That's pretty much it.

24 CHAIRWOMAN HUNTER: Any questions of
25 the Board members?

1 MR. CORREIA: Yeah. Phil, so the plan
2 is to wait to get some of this information that
3 you're gathering now for outside the Common?

4 MR. GREALY: Well, in the SDIS, there's
5 going to be a complete traffic study that the
6 traffic engineer is preparing. Once we get that
7 traffic projections, we've done some of our own data
8 collection just so we know what we're dealing with,
9 is see what other mitigation needs and what other
10 mitigation can be done externally. Right now, the
11 focus is here on the site plan, in the internal
12 circulation. So we'll have comments on that. We do
13 not have the study yet. It will be part of the DEIS
14 and that will also include what we call the MTPP
15 plans, the Maintenance and Traffic Protection Plans,
16 the traffic management for on site, but the actual
17 analysis and what happens and what's proposed to
18 happen on Route 32, we do not have it yet. That
19 would be coming shortly once we get the SDIS.

20 We would also recommend that once we
21 have that in hand, that we have a meeting with DOT
22 representatives and representatives from the town
23 and the applicant just to coordinate and to see what
24 can be done to make sure that this project stays on
25 its current track, if not better, and then what

1 other information that they may be looking for,
2 because they're an involved agency as part of the
3 SDIS review.

4 MS. DE VITA: We can have an expert
5 here on the 20th to walk you through the traffic.
6 The problems is -- and it's not a problem; if that's
7 what the Board wants, it's not a problem. The
8 problem is that the study has not been submitted to
9 Phil yet. So there are not going to be comments
10 from Phil like we did tonight with Dennis and Stu.

11 MR. CORREIA: I'm fine with that then.

12 MS. DE VITA: He can come twice, you
13 know. It's totally up to you how we handle it.

14 MR. GREALY: I think until we get the
15 review, the report, you know, I think the focus is
16 on the site plan. There's plenty to be done here.
17 That's probably the most productive, and once we get
18 the traffic report, we can review it, make comments,
19 and then it would be the appropriate time to have
20 the applicant's traffic engineer.

21 MR. CORREIA: I understand. I just
22 want to make sure we don't lose focus. I think it's
23 been brought up by the Board numerous times that, I
24 think internally a lot of the plans are right
25 internally, but how does it flow into the town?

1 When customers leave here, what is the impact on the
2 town? That's the big issue.

3 MR. D'ARMINIO: Absolutely.

4 MR. GREALY: Absolutely.

5 MR. CORREIA: And I know we are talking
6 in terms of the DOT Phase 1, but let's face it,
7 there's going to be a transition.

8 MR. D'ARMINIO: Absolutely.

9 MR. CORREIA: You're five years out on
10 that.

11 MR. GREALY: And I think, in the terms
12 of the DOT Phase 1, that's the major improvements.
13 You know, one of the things in terms of meeting with
14 DOT and discussing this with DOT, a lot of times,
15 DOT likes to hear, "Okay, here's our whole big
16 project," and they don't really separate, even
17 though it's been done to look at Phase 1, "Well, you
18 know, how can we speed up Phase 1 even if Phase 2
19 may be a year further back?"

20 MR. CORREIA: Sure.

21 MR. GREALY: Because, to me, that's the
22 most critical item in terms of the corridor
23 movement.

24 So we need to get that DOT input early, and once
25 that study is done, that should also get in the

1 hands of -- you know, even if it's not a part of an
2 official circulation, because we have to accept it
3 as complete first, but there's nothing wrong with
4 DOT getting their hands into it early also and then
5 having the joint meetings so that we're not just
6 spinning our wheels in terms of -- they are the
7 approving agency, in terms of anything on 32. So we
8 need -- they already know this area, they know the
9 problems, they know the improvements, but they need
10 to know what we want to do in the interim to get
11 traffic moving better along 32, and I think we can
12 work it out.

13 Thank you.

14 CHAIRWOMAN HUNTER: Rich, Robert,
15 you're good?

16 MR. CATAGGIO: We're good.

17 MR. D'ARMINIO: Can we talk a little
18 bit about what additional information you may want
19 to see or some of the timing? I mean, right now, if
20 we're not going to do traffic on the 20th with the
21 Board, we would, by the 20th -- well, let us tell
22 you a little bit about what our planning is at least
23 right now, is that we hope to have the draft
24 supplemental EIS, including the traffic provisions
25 of that, completed and submitted, Danielle, by the

1 end of the month.

2 MS. DE VITA: Yes.

3 MR. D'ARMINIO: The extra time -- the
4 time lag there is, of course, gathering the traffic
5 information and putting it into a form that you
6 want. So that's kind of taking us a little bit of
7 time. Most of the other elements are all done
8 already. Again, I mentioned we'll have most of the
9 materials by the 20th, the meeting of the 20th, but
10 if you'd like to wait for something written, we
11 understand and we'll do that.

12 We'll wait to a subsequent date, and I
13 guess that would mean that we would be scheduled for
14 another informal hearing, a meeting -- excuse me, a
15 meeting sometime in July, right? And then by that
16 time, you would have the supplemental EIS. You
17 have, I think, pretty much everything already. We
18 do have some boards for you showing -- material
19 boards for your ARB meeting, but you can see that.
20 It's pretty detailed now in terms of the material
21 and the like. Okay? And you have the site plans; I
22 don't know if there's going to be any additional
23 tweaking but we can do that.

24 MR. LINDSAY: In the process, we'll
25 have to review, then there would be a finding for

1 completeness by the Board, and the Board would then
2 either make a determination of completeness or give
3 you a list of items that are needed to be added if
4 the scope is incomplete.

5 MR. D'ARMINIO: So that would be in
6 July?

7 MR. LINDSAY: Yeah. There's a little
8 bit more to it. I know you want to move it along
9 but hopefully we're all done, but if there's -- the
10 Board has to have our opinions so they can make a
11 determination of completeness and then we would move
12 on after that, and if it's complete, then we'll
13 schedule a public hearing.

14 MR. D'ARMINIO: Then just to understand
15 it, the public hearing then would be on -- the
16 secret hearing as well as the ARB as well as the
17 site plan. So much of this is interrelated --

18 MR. LINDSAY: We'd like to do it in
19 pretty much one shot, at the same time, the Board
20 does.

21 MR. D'ARMINIO: Okay. So we're looking
22 at a process, then, somewhere in August potentially.

23 MR. LINDSAY: That's sounds about
24 right. It depends on whether it's complete or not,
25 and the secret documents is one of the main things,

1 but also, you want to have your site plan up to
2 speed too so that can have an ARB if you're going to
3 make any modifications, and you want a determination
4 as to whether you're going to the ZBA or whether to
5 modify things and that gives a little time to do
6 that.

7 MR. D'ARMINIO: So we have a little
8 time to deal with the height issue. May I just
9 speak to that? We had provided an addendum to your
10 application, which dealt with some of the height
11 issues and some of the definitions and the like, if
12 we could have the opportunity to do an additional
13 addendum, maybe a letter? I understand that it
14 would be submitted to the zoning official and we
15 would just like the opportunity to put our view, our
16 legal view on it, then I could coordinate that with
17 Mr. Golden.

18 CHAIRWOMAN HUNTER: Well, I would --
19 before you submit to the ZBA, let's wait for Gary's
20 interpretation first, and if Gary deems that we need
21 to go to the ZBA, to coordinate with Dennis --

22 MR. LINDSAY: The only way you can go
23 to the ZBA is you have to be referred by the
24 Planning Board or a referral board.

25 MR. D'ARMINIO: I understand, but

1 before -- this is to the ZBA, I'd like to -- I'd
2 like an opportunity to draft a memorandum to the
3 building inspector as to how we view it. For
4 example, that center tower, we do have the ability,
5 under the original variance agreement, to put two
6 towers pretty much on the site, and if that is
7 considered a tower, that center area, that is very
8 important to us. That would take care of that
9 aspect of it and then I would like to be able to
10 provide a brief memorandum as to the height
11 averaging in the areas that are potentially in
12 question.

13 MR. LINDSAY: That's fine. You know, I
14 suggest you hurry on that.

15 MR. D'ARMINIO: We will and maybe we'll
16 have a brief huddle, and if there's questions of
17 lowering ten feet, we'll do that.

18 CHAIRWOMAN HUNTER: Now, in the
19 Hamptons, I was looking at the plan that you gave us
20 tonight, there's going to be a tower or does it look
21 like a lighthouse or something? It looks like you
22 should be heading out to your boat or something. I
23 don't know what page it's on now. If you look at
24 the Hampton one, that -- it's right here, you have a
25 rendering on Page 14. It looks like a lighthouse.

1 Are you really doing that or is that just for
2 illustrative purposes? Because if you're going to
3 do something like that, you have to take that height
4 into consideration also, because I'm not sure
5 exactly what you plan on doing there. Do you see
6 what I'm talking about, Dennis?

7 MR. LINDSAY: Yeah, but it depends what
8 the height is.

9 CHAIRWOMAN HUNTER: Do you take that
10 into consideration also? Because if it exceeds your
11 35 feet, make sure to include that also.

12 MR. TURNER: I was just going to say --
13 you're on point. I was going to suggest that they
14 take a look at the potential height issue. If you
15 do it all at once and if you have to go to the ZBA, you
16 do not have to go once, twice...

17 CHAIRWOMAN HUNTER: And then also, is
18 this what you were calling the "pergola" before,
19 Patty? I'm on Page 14.

20 MR. ATTINSON: That's a trellis.

21 CHAIRWOMAN HUNTER: A trellis? Okay.
22 That doesn't impact into the 20-foot space for the
23 emergency vehicles?

24 MR. ATTINSON: No. We would maintain a
25 gap between that.

1 CHAIRWOMAN HUNTER: Okay. So there are
2 20 feet between that. So we have a number of ways
3 we can go here. Once we finish with you, I'm going
4 to ask for a motion to cancel July 4th's meeting. I
5 think none of us are going to be there for that
6 night, which leaves us with the 18th. We can have
7 another meeting in July which would be the 4th,
8 which is what the 25th, Dennis? Dennis is checking
9 his calendar right now.

10 So we have a couple things here. We
11 can come back on the 20th to go over different
12 things, but I don't think that's worth coming back
13 in two weeks. I mean, what do you think? Do you
14 think we need to have him come back in two weeks or
15 should we wait until the 18th of July?

16 MR. TURNER: I think we can wait.
17 Look, there's going to be a lot of documents to
18 review. In fact, if we get the secret documents in,
19 we can make a determination on completeness.

20 CHAIRWOMAN HUNTER: Okay. Could we --
21 keeping that in mind for July 18th, if -- could we
22 take a vote tonight? I'm trying to -- do we need to
23 review it first before we go to a public hearing?

24 MR. TURNER: Yes.

25 CHAIRWOMAN HUNTER: So to give Maria

1 enough time here, do we want to have a meeting on
2 the 25th and schedule a public hearing at the next
3 meeting, or are we going to wait until August to
4 have a public meeting? There's multiple steps here.
5 I need to know what we are looking at.

6 MR. TURNER: Notice requirements and
7 documents to be distributed, let's assume that it
8 comes in and everyone feels that it's complete and
9 you vote on it completeness. After it comes in,
10 it's going to take some time for us to review it.

11 CHAIRWOMAN HUNTER: Okay.

12 MR. TURNER: I'm sure they are going to
13 do a wonderful job. A project of this complexity,
14 it's not unusual that there are a few items that
15 need to be tweaked. So just to let you know, it's
16 not unusual for some items to have to be embellished
17 a little bit or added to.

18 MS. NAUGHTON: And also, the notice
19 requirements for secret are 14 days, and generally
20 when you get the first submission of any items, you
21 have 45 days to review it and then you give them
22 comments saying that there's a few things that need
23 to be fixed, and then the second time is 30 days.
24 So after that, it's a 30-day period.

25 CHAIRWOMAN HUNTER: So it's 45 days

1 after receiving it.

2 MS. NAUGHTON: Yes, for the first --

3 CHAIRWOMAN HUNTER: I'm just trying to
4 put forth a time frame here. Let's say you submit
5 it on June 29th --

6 MS. NAUGHTON: You have 45 days just to
7 give your comments back to them in writing. They go
8 back, they make the changes, they submit it from
9 that next date. Then you have 30 days, but once you
10 deem it complete and you schedule your hearing, the
11 notice is a 14-day notice. It needs to be published
12 at least 14 days.

13 CHAIRWOMAN HUNTER: So we'll -- Dennis
14 will start on July 18th to have a meeting. We'll
15 put Woodbury Common on the agenda. I'm just
16 wondering if we should make that just solely
17 Woodbury Common.

18 MR. LINDSAY: Look, you don't have to
19 make that determination now. We are not scheduling
20 a hearing. We're not doing anything like that.
21 They have an obligation. They told you that their
22 commitment is to try to get it by the end of the
23 month.

24 They have things that they're trying to
25 do to meet that deadline. It's a deadline. Maybe

1 they meet it, maybe they don't. So let's see what
2 comes in and we can schedule it. If the Board -- if
3 the Board decides now you'd like to have it on the
4 18th subject to receiving the document, then we'll
5 have it on the 18th for consideration, obviously, in
6 its completeness.

7 MS. DE VITA: That's my question. So
8 if it's submitted -- so you have to have a meeting
9 on the 18th to deem it complete, not to discuss it.
10 Then you have to go to the meeting on the 25th to
11 start a discussion?

12 CHAIRWOMAN HUNTER: No. What we're
13 saying --

14 MR. LINDSAY: There's a number of
15 things that have to happen. If it's not complete,
16 you have to do something. You have to modify it.
17 The documents they are going to get, it's a couple
18 of loose-leaf bound books. So if we're getting it
19 on June 30th, or whatever two weeks is, you know, we
20 need that kind of time to determine whether we think
21 everything that's supposed to be in there is in
22 there.

23 We are not reviewing it for substantive
24 comment, but we are reviewing it for completeness.
25 That still takes an effort to take a look and to

1 determine whether it is, in fact, complete. So we
2 need a little bit of time to determine that, and if
3 we find that it's not, we have to write a memorandum
4 to the Board to advise them what's sufficient. They
5 don't want to get that on the 18th. They want to
6 get that a week before. So the time gets compressed
7 a little more.

8 MS. NAUGHTON: I'm just looking at the
9 calendar thinking July 4th, that's a Wednesday, so
10 if we get it that -- really, a full week from the
11 9th to the 13th, the 13th is when we would typically
12 have a meeting. So that gives about --

13 MR. LINDSAY: It's only on
14 completeness, though, so -- but still, that does
15 take that kind of time and that's a reasonable
16 effort.

17 CHAIRWOMAN HUNTER: But I'm thinking,
18 instead of the 18th, we schedule it the 25th to give
19 you that extra week, because I don't want it rushed
20 through. If I get anything less than a
21 two-inch-thick binder, I'm going to be worried about
22 it, because I expect at least four to five inches
23 thick. I mean, I'm sorry.

24 MR. LINDSAY: I love a one-inch binder.

25 CHAIRWOMAN HUNTER: Okay. If you want

1 a one-inch binder, I would be worried about this.

2 MS. NAUGHTON: You have the ability to
3 schedule a special meeting on the 25th. You can
4 always cancel it.

5 CHAIRWOMAN HUNTER: I know. Okay. So
6 you might be on the 18th or you might be here on the
7 25th. It's somewhere in there, and we're looking --

8 MR. D'ARMINIO: We understand and we
9 hope to make it sometime in July to use July
10 profitably, and then at that point, we'll know more
11 specifically as to a hearing date.

12 CHAIRWOMAN HUNTER: And it depends if
13 it's deemed incomplete or it's ready to go.

14 MR. D'ARMINIO: Okay.

15 CHAIRWOMAN HUNTER: So, I've been 13
16 years on the Board, and before that, I've seen
17 scoping documents come in and they've gone back and
18 forth three and four times. I'm not scaring them,
19 but I'm being honest.

20 MR. LINDSAY: What you would get is
21 pointed comments. If it's deficient, then you just
22 have to adjust it for the area. It's not like
23 you're redoing the entire book.

24 MR. D'ARMINIO: True.

25 MR. TURNER: If you forgot to do an

1 intersection, that would be an issue.

2 MS. NAUGHTON: You are talking about
3 just addressing the scope. As long as it's
4 addressed, it's really for purposes of deeming it
5 adequate for public review. Completeness comes at a
6 later step. So the first round of this review, as
7 Dennis was talking about, just to make sure they've
8 addressed the items that you set forth in the scope
9 to determine adequacy.

10 MR. LINDSAY: Then after that, the
11 substantive comments of the Board will say that we
12 think this should happen or this should be looked
13 at. They'll do that in the FEIS, and so they'll
14 have some other documents that address any
15 substantive items that we have. Okay.

16 MS. DE VITA: Kelly, can I ask a
17 question? Kelly, if it's deemed complete, then you
18 have the hearing on the 18th officially deeming it
19 complete?

20 MS. NAUGHTON: The Board takes a look
21 at it. If they have comments, you revise it, it
22 comes back to the Board and the Board deems it
23 adequate for public review, then they can schedule
24 the public hearing. At that public hearing, there
25 will be public comments. Technical comments would

1 be submitted, then go back to you for the FEIS to
2 start that. So the first thing is deeming it
3 adequate and then that's sufficient to mail it out
4 to everyone.

5 MS. DE VITA: Okay. So if they deemed
6 it adequate on the 18th, there's sufficient notice
7 time to then --

8 MS. NAUGHTON: Not for the 25th.
9 You're going to end up probably a week just to do
10 printing for all of the involved agencies, and then
11 the notice -- they have the ability to set a public
12 hearing, but the notice needs to be published a
13 minimum of 14 days prior to the hearing.

14 MR. D'ARMINIO: So we're looking at
15 mid-August.

16 MS. NAUGHTON: They can't set that
17 public hearing prior to deeming it adequate of
18 public review.

19 MS. DE VITA: And just to finish this
20 out, do we know what the hearing dates in August are
21 right now?

22 CHAIRWOMAN HUNTER: Sure. It's the 4th
23 or the 15th.

24 MR. LINDSAY: The 1st and the 15th, and
25 there's an extra week in August, if we need to do

1 something. There are five Wednesdays in August.

2 MS. DE VITA: Okay.

3 CHAIRWOMAN HUNTER: All right. So in
4 the next two months, it's going to be back and
5 forth. We'll pull it together. All right?

6 MS. DE VITA: Okay.

7 MR. D'ARMINIO: Okay.

8 CHAIRWOMAN HUNTER: Anything else?
9 Anyone? We're good? Stu?

10 MR. TURNER: It's more of a logistical
11 thing. I think Patty and Kristen spoke this
12 afternoon. There's some individual comments on
13 sheets, and I don't know if it makes any sense at
14 this point to reproduce a whole set. Were you
15 talking about a whole set of site plans?

16 MS. RUSKAN: We talked about what would
17 be the best way to go about it, and I think we
18 determined that we wanted to wait to get most of the
19 comments and then we do one cleanup. If there's
20 something that needs to change, obviously, we would
21 present that, but these housekeeping items, we would
22 like to do it all at once because there's a lot of
23 sheets in the set.

24 CHAIRWOMAN HUNTER: If there's
25 something that we need to note, you could identify

1 the sheet, page, and just give us a listing right
2 now for the interim. Will you go ahead and
3 reproduce a whole set? Board members, are you all
4 right with that? If there's anything -- Kristen,
5 does that work for you? All right. Lou, anything
6 else?

7 MR. D'ARMINIO: We're good.

8 CHAIRWOMAN HUNTER: So it's all based
9 on you now. Once you submit the documents and
10 depending on when we get it, we'll either have you
11 come back on the 18th or the 25th, if not the 1st of
12 the August.

13 MR. D'ARMINIO: Okay.

14 CHAIRWOMAN HUNTER: All right. So it's
15 when you submit everything in to us, and in the
16 meantime, everything is going along. We reviewed
17 the site plan. We're going to have an ESO meeting
18 hopefully next week. We're moving along with the
19 site plan, as you know, without the scope document
20 being complete. So we're doing two things at the
21 same time.

22 MR. D'ARMINIO: We appreciate that.

23 CHAIRWOMAN HUNTER: All right? Thank
24 you.

25 MR. D'ARMINIO: Thank you very much.
(Board meeting adjourned at 10:12 p.m.)

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I, ALISON GULINO, a Court Reporter and
Notary Public of the State of New Jersey, do hereby
state that the foregoing is a true and accurate
verbatim transcript of my stenographic notes of the
within proceedings, to the best of my ability.

ALISON GULINO
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