

August 16, 2023

I live directly across the road from the proposed project and therefore have a direct interest in the applicant's proposal.

I received notice of the August 17th public hearing regarding 4 Heights Trail Subdivision on August 16th.. Although the meeting notice is dated July 20, 2023, and the meeting is scheduled for August 17th, the notice was not mailed to me until August 11th; the US Postal Service estimated the delivery date to be August 14th—only three days before the hearing. Because I was at my home at 50 Mountain Road on that date I was not able to obtain the notice (which was mailed to my address of record) until August 16th—one day prior to the hearing.. Applicant had one month to send the meeting notice to me; therefore, I consider this failure to provide notice in a timely manner as evidence of bad faith on the part of the applicant because the notice is dated July 20th and the mailing was deliberately delayed until August 11th. To add insult to injury, the applicant, Joel Mizrahi, called me on August 15th asking me to sell my home to him.

Because I have had insufficient notice to research his project, I have many unanswered questions. I also note that the applicant's deliberate delay in notifying me means that I have not been able to submit my questions/objections by mail in order to reach the Village Hall by noon on August 17th as is required by the Village. Thus, I may have to make a 106- mile round trip in order to deliver my questions and objections.

This project is in a RR (rural residential) zone. According to the Village code, "The purpose of this district is to promote the Village's rural character; protect open space and environmentally sensitive resources and to guide residential development in a manner that is consistent with the Village's Comprehensive Plan."

Frankly, I fail to understand how jamming multiple houses onto .858 acres will "protect open space" on land that many years ago was a cow pasture. What is the minimum permissible lot size for a house? If I remember correctly, it used to be one acre. Is that still the case or has the zoning been changed to cram even more houses into this de jure RR zone? So, is the applicant proposing multi-family homes, single-family homes, homes with accessory apartments, or what?

Second, part of "the Village's rural character" is biodiversity. Additional construction drives wildlife from its habitat. Thus, as the RR district becomes more crowded and the RR zoning designation is constantly subject to "exceptions", my neighbors and I have witnessed more deer, bears, and coyotes on our properties in the past five years. These incursions are dangerous to humans as well. For example, my car was struck by a deer six years ago—a dangerous situation which will only increase as unchecked development proceeds.

My family has owned our house directly across the road from the proposed development for the past eighty-two years. I remember that residents of what was the Delano Heights bungalow colony where the applicant wants to build very often complained to my family of the lack of sufficient water for their needs as well as problems with their private sewage system.. Yet, the applicant proposes to draw water from existing wells. What are the results of the perc tests? Where are the leach fields and where is proof of demonstrated capacity to accommodate even more construction? Can the applicant demonstrate that there is enough surplus water to allow for successful firefighting? How does extracting even more water from a meager supply impact his neighbors?

Applicant states that his project will not impact traffic flow. We do not need any more sources of residential and construction traffic on Mountain Road—we have exceeded the saturation point!! The Board should note that in the past few years there has been a noticeable increase in traffic on Mountain Road; it has become so congested that it took me five minutes to exit my property last Saturday. I have from time to time found evidence of car crashes on my property such as pieces of vehicles involved in crashes; in fact, I no longer have a mailbox because my boxes have been destroyed three times in the past ten years or so by crashing vehicles. Last Sunday morning, at 3:45 A.M., two cars came to a screeching halt directly in front of my house and remained there for about twenty minutes.. During the week, heavy construction vehicles and many, many cars go up and down the road. Mountain Road not too many years ago was a sparsely trafficked road; now we have a traffic light at the intersection of Mountain Road and Route 208 and drivers incessantly speeding up and down from early morning until well into the night. No peace and quiet anymore. Rural Residential—hah!

From August 2015 until 2022, the house next door to mine was operated as a commercial enterprise and was allegedly converted to a two-family house without a proper C of O. It took five years of complaints by my neighbors and me for the situation to be rectified and for the illegal activities to end.

Therefore, in questioning the proposed development, I point out all of the above deterioration in our quality of life in addition to the lack of information provided by the applicant. I still don't know exactly what he intends to do with the property and how he intends to solve the longstanding water and sewage problems on the property given that he has no access to the municipal water system which is itself insufficient to meet the Village's needs. He also gives the proposed development's address on the application but another (2 Galveston Drive) on the letter that he sent to me. So, does he intend to build a house on the property in which he intends to live? Is he building for rental or sale? Is anything constructed on the property to be used for any purpose other than housing? Furthermore, upon glancing at his application, I can't tell if Abraham Mizrahi or Joel Mizrahi is the property owner or if they jointly own the property.

Bottom line: There are too many unanswered questions which, if unsatisfactorily resolved, could negatively impact our RR district. Therefore, if and until they are satisfactorily answered I am opposed to granting a permit and/or a variance; the intent of the RR designation must be respected and the character of our RR district must remain unchanged; our RR neighborhood has already begun to deteriorate.

Vivian J. Oleen