

TOWN OF PATTERSON
PLANNING BOARD MEETING
January 3, 2008

APPROVED

AGENDA & MINUTES

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Waiver for parking spaces and drive aisle granted.
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| 2) Cingular Wireless/Maldunn Site – Request for Final Approval | 10 – 14 | Final Approval Granted.
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| 3) The Shamrock Castle – Sign Application | 14 – 16 | Sign Approval Granted, Verification by Town Planner required.
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| 4) Putnam Steel/T & T Sporting Goods – Sign Application/Bond Release | 16 – 20 | Sign Approval Granted.
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| 5) Barjac Site Plan | 20 – 32 | Discussion on new plan design, wetland disturbance, soil testing. |
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| 7) Papitto Site Plan – Continued Review | 36 – 42 | Final Approval Granted.
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| 9) Genovese Site Plan – Continued Review | 48 – 57 | SEQRA Determination Granted.
Discussion on architectural and plantings. |
| 10) Minutes | 57 | November 27, 2007 Approved |

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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

ZONING BOARD OF APPEALS

Howard Buzzutto, Chairman
Mary Bodor, Vice Chairwoman
Marianne Burdick
Lars Olenius
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PLANNING BOARD

Shawn Rogan, Chairman
David Pierro, Vice Chairman
Michael Montesano
Maria Di Salvo
Charles Cook

**Planning Board
January 3, 2008 Meeting Minutes**

Held at the Patterson Town Hall
1142 Route 311
Patterson, NY 12563

APPROVED

Present were: Chairman Rogan, Board Member Pierro, Board Member Montesano, Board Member DiSalvo, Board Member Cook, Rich Williams, Town Planner, Gene Richards with the Town Engineer's office, Stantec Consulting Services Inc, David I. Raines, Town of Patterson Building Inspector, Ted Kozlowski, Town of Patterson Environmental Conservation Inspector and Anthony Molé, from the Town Attorneys Office, Curtiss, Leibell, Herondes & Molé P.C.

The meeting was called to order at 7:30 p.m.

Michelle Russo was the secretary and transcribed the following minutes.

There were approximately 9 audience members.

Chairman Rogan led the salute to the flag.

Chairman Rogan stated thank you, happy New Year everyone, first order of business I would like to appoint Vice Chairman David Pierro.

Board Member Cook stated second.

Chairman Rogan stated okay, Charlie seconded.

1) BONIELLO SITE PLAN – Public Hearing Wetlands

Mr. Joel Greenburg and Mr. Joe Fassacesia of Architectural Visions and Misters Anthony and Michael Boniello were present.

Chairman Rogan stated first public hearing, we have Boniello. Joel do we have the green cards, you have everything.

The Secretary stated yes we do.

Mr. Greenburg stated we handed in everything.

Chairman Rogan stated okay great, Michelle can you please read the public hearing notice.

The Secretary read the following legal notice into the record:

NOTICE IS HEREBY GIVEN by the Town of Patterson Planning Board of a public hearing to be held on Thursday, January 3, 2008 at 7:30 p.m. or as soon thereafter as may be heard, at the Patterson Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider an application entitled **“Anthony & Michael Boniello Wetlands/Watercourse Permit Application, to allow for the demolition of three buildings, the construction of one new building for use as a showroom/retail use, warehouse and ancillary parking area. The property is located at 2180 Route 22,”** Patterson, New York. All interested parties and citizens will be given an opportunity to be heard in respect to such application.

Chairman Rogan stated good evening.

Mr. Fassacesia stated good evening.

Chairman Rogan stated Joe, are you here to speak on behalf of this one or is Joel going to.

Mr. Fassacesia stated both.

Chairman Rogan stated both, alright. Could you just state your name for the record please.

Mr. Fassacesia stated Joe Fassacesia.

Mr. Greenburg stated Joel Greenburg.

Chairman Rogan stated okay, do you want to just give the audience just a brief summation of this project.

Mr. Fassacesia stated sure, the project is currently three buildings in this area over here, which are going to be coming, we are looking to remove. The parking lot is in the exact same location as that parking lot that we have now just basically we are looking to resurface and get better drainage conditions and to just give better circumstances. We are going to remove those three buildings and create one large building to house all the items that are exposed out on the site as the main aspect of the project. We had met with the Town Planner and the Town Engineer and I thought we resolved most of our issues but Gene had put a bunch of, has a bunch of additional items.

Chairman Rogan stated Joe, if you could hold on one second.

Mr. Fassacesia stated yes.

Chairman Rogan stated just respective to the site we are going to see if we have any comments, then we will get into that, that's okay.

Mr. Fassacesia stated okay.

Chairman Rogan stated any questions or comments from the audience relevant to this application. Can I have a motion to close the public hearing.

Board Member DiSalvo stated make a motion that we close the public hearing.

Board Members Cook and Montesano seconded the motion.

Chairman Rogan stated I thought we even had a third there.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated okay, Ted, do you want to come up please. You got a copy of the watercourse permit application; everything is all set on that.

Board Member DiSalvo stated right now.

Ted Kozlowski stated except the permit, it's been paid.

Chairman Rogan stated yup, great, okay. Okay Joe, I'm sorry, go ahead, you were saying that you had met with the Town Engineer, Town Planner.

Mr. Fassacesia stated to review the items as we had talked about during the last meeting and Gene had showed us a few more items that still need to be addressed.

Chairman Rogan stated okay and where are we at with those items.

Mr. Greenburg stated well we just got the memo this afternoon.

Chairman Rogan stated in terms of forecasting, how are you going to do with those.

Mr. Greenburg stated we have an engineer on board already.

Chairman Rogan stated okay.

Mr. Greenburg stated the major thing we are waiting for, and maybe we might be able to do something next week is the, we have to, the area where we are putting our drainage is to do a couple of deep percs. They are talking about 50 degrees next week, so hopefully we will be able to get that done and hopefully for the next meeting we can have a resolution.

Chairman Rogan stated that would be wonderful. There was an issue that we discussed at the work session in reference to the parking spots, if the Board recalls they are one spot short from what was required by Zoning. Can I have a motion to waive the one parking spot.

Board Member Pierro stated in the matter of Anthony and Michael Boniello, 2176 and 2180 Route 22, Patterson, I make a motion that Town of Patterson Planning Board waive one spot for the required number of spaces needed.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated that waive will allow 31 spaces to be installed.

Mr. Greenburg stated I think there was one other issue that was brought up in one of the memos, in regard to this one spot for the employee parking and where this aisle space is 25 feet. The Board had a comment in the comment letter from Rich's office is that that was not a problem and the Board could address that.

Board Member Pierro stated does that require a waiver.

Chairman Rogan stated I actually, Gene, Rich, can you help us out on this, in terms of which parking spot, can you point it out on the map, if I'm not. You've got less then 25 foot distance you're saying from the corner of the dumpster location to that spot, is that what you are saying.

Mr. Fassacesia stated from the corner of where the curbing is to that location.

Chairman Rogan stated okay, okay.

Gene Richards stated there are actually two spots, that is one in the parking lot that I mentioned in the memo and the other issue was the drive aisle between buildings two and three, which wasn't dimensioned but by scale it appeared to be about twenty-two feet.

Chairman Rogan stated okay. Either of you gentlemen have, do you see any problems with the distance for turning and picking up that dumpster.

Rich Williams stated it won't affect the dumpster at all, it shouldn't.

Gene Richards stated it would depend on what time of day they come to empty out the dumpster, if cars would be parked along that entire rear boundary, it could get tight for them but very often it will come when there aren't a lot of customers on the site.

Board Member Pierro stated dumpster pick ups are subject to change, Anthony what time do they normally pick up.

Anthony Boniello stated yeah he used to want to do it around 7 o'clock in the morning, 6:30-7, sometimes the gates weren't open and he would just swing back around, if its that much of an issue I can get it done at 6:30 in morning (inaudible).

Chairman Rogan stated and what is the actual distance that you would be able to provide.

Mr. Fassacesia stated the vertical height, which is item that Gene had concern, is 15 feet to that area, so there is plenty of room to pick up the dumpster, not to flip it back in, but pick up, back up, flip it in and put it back, without having to worry about hitting the roof on top of the dumpster.

Gene Richards stated and that is just something to coordinate with the dumpster driver of the carter.

Mr. Fassacesia stated right.

Rich Williams stated if I might though, I think the issue with the 22 foot drive aisle is off the diagonal of the dumpster, it really isn't right there at the dumpster phase.

Gene Richards stated it is slightly to the south of the dumpster, it's the curb line, the measurement between the curb line and the parking space.

Rich Williams stated right.

Gene Richards stated and as long as nobody is parked there, then there will be plenty of room.

Rich Williams stated right.

Chairman Rogan stated anyone on the.

Mr. Greenburg stated as Anthony said, we will work with the company to make sure that is done and that is basically that parking space.

Board Member Montesano stated (inaudible).

Gene Richards stated I was actually, I'm sorry, I was actually pleased to see that you left the dumpster there because I think it is a good location, it hides it behind the building. I certainly wasn't trying to kill that the last time but we have to be practical if there are any concerns.

Mr. Greenburg stated okay.

Chairman Rogan stated does anyone on the Board have any further questions or comments about this.

Board Member Cook stated maybe you could just talk a little bit about the restaurant.

Chairman Rogan stated yeah, great question. Do you want a waiver on this, do we need a waiver on this specific item.

Rich Williams stated on the restaurant.

Chairman Rogan stated no, no, for the distance being less then what is required.

Rich Williams stated the Code requires 24 feet or 25 feet, you said 25.

Mr. Greenburg stated I think.

Gene Richards stated I think its 25 feet.

Chairman Rogan stated and you are showing.

Mr. Fassacesia stated 22 [feet].

Board Member Montesano stated 22 [feet].

Chairman Rogan stated does the Board feel comfortable giving the waiver on this.

Board Member Pierro stated I have to understand what the waiver is for, the difference in.

Board Member DiSalvo stated three feet.

Chairman Rogan stated the difference in horizontal distance from the corner of the dumpster to the parking spaces, if they'll show it right there.

Mr. Greenburg stated this one little spot right here.

Chairman Rogan stated the horizontal distance is two feet short.

Board Member Montesano stated 22 feet.

Mr. Greenburg stated just that one.

Rich Williams stated well, Gene brought up the second area also.

Chairman Rogan stated okay, the drive aisle.

Rich Williams stated between buildings two and three.

Mr. Greenburg stated yeah but there is no parking there, the parking is over and it offsets the two handicap spots, now this is really is just a drive aisle.

Rich Williams stated just a drive aisle for 24.

Board Member Pierro stated I am going to get a closer look.

Gene Richards stated the Code would require 24 [feet] you have, it looks about 22 [feet] and that is actually wider I think then your existing driveway approach.

Mr. Greenburg stated I thought since you said 24.

Rich Williams stated yeah.

Chairman Rogan stated unless of course Ted wants to permit you to go two feet closer to the wetland with the parking lot but I think he would rather have twenty-two instead of 24, huh Ted.

Board Member Pierro stated this area here is the overhang.

Mr. Greenburg stated that is for the outdoor storage.

Board Member Pierro stated (inaudible).

Mr. Fassacesia stated yes.

Mr. Greenburg stated yes.

Gene Richards stated Dave to the right of that whole area in the back is for employee parking.

Mr. Greenburg stated you are going to get employees here and if this is done by 6 or 7 o'clock in the morning (inaudible).

Board Member Pierro stated part of those 22 feet appears to be an area that we requested that they put an overhang in to keep storage out of the weather, so we created part of this problem.

Chairman Rogan stated so its to the overhang, okay. Any.

Board Member Pierro stated I don't have a problem with a waiver for those two items.

Chairman Rogan stated can I have that in the form of a motion.

Board Member Pierro stated in the matter of Anthony and Michael Boniello, 2176 and 2180 Route 22, I make a motion that the Town of Patterson Planning Board waives the distance requirement between the employee parking and the dumpster location and the area between buildings two and three for the drive aisle.

Board Member DiSalvo stated from 25 to 22.

Board Member Pierro stated from 25 to 22.

Mr. Greenburg stated 25 to 22 from the dumpster and 24 to 22 on the drive aisle.

Chairman Rogan stated and 24 to 22 correct.

Board Member Pierro stated thank you.

Chairman Rogan stated can I have a second.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated okay, Charlie, you had asked about the restaurant.

Board Member Pierro stated yeah.

Board Member Cook stated yes.

Mr. Greenburg stated well, we have a walkway here, it is basically going to be like a snack bar and all paper goods are going to be used. I met with Mike Budzinski from the Health Department today to review the situation with the septic, we did the calculations and the existing septic system will basically be able to accommodate that based on the fact of the number of people, the number of gallons per day and then based on the system that we have there, we are getting close to the capacity but we haven't reached it. And we will, I have submitted a report to (inaudible) and it will be approved by, probably by next week I will it (inaudible).

Board Member Pierro stated okay so for that seating capacity there is no.

Mr. Greenburg stated we are talking about a total, we have two tables at two each and we have six bar stools, so you are talking about ten seats.

Board Member Pierro stated and no public restrooms are required, okay.

Mr. Greenburg stated like I said, they are using all paper goods. The water usage will be minimal.

Chairman Rogan stated while it may not require public restrooms it seems like more and more it seems like a customer service issue if you can work your employee bathroom to also serve as a public restroom.

Mr. Greenburg stated oh absolutely.

Mr. Fassacesia stated as a matter of fact it is a handicap bathroom.

Chairman Rogan stated okay, good, because it seems to be coming up more and more that that is a customer service issue.

Mr. Fassacesia stated that will be taken care of.

Mr. Greenburg stated it will be there.

Chairman Rogan stated okay.

Mr. Greenburg stated we will reverse the doors.

Chairman Rogan stated okay and can you also explain the changes to the layout for the accessory apartment upstairs and how that relates.

Mr. Fasscaesia stated that is actual, that is what is actually there right now, previously.

Chairman Rogan stated okay.

Mr. Fassacesia stated the previous drawing didn't have it in there of what the actual layout was. We went in, measured up the existing locations and changing the aesthetics on the building to have building number two to match our new building, this way there is uniformity within the site.

Chairman Rogan stated and the bathroom and laundry for the apartment is on the first floor.

Mr. Fassacesia stated that was always there.

Mr. Greenburg stated the entrance to apartment is right over here and so is the laundry.

Chairman Rogan stated anyone else have anything they want to discuss.

Board Member Pierro stated signage for that hot dog joint.

Mr. Fassacesia stated it is part of the entire sign here.

Mr. Greenburg stated if you look at the what we have here is basically is a bump here, the name of the plaza and boards for each of the stores.

Chairman Rogan stated if I can find it.

Board Member DiSalvo laughs.

Board Member Pierro stated bad sinus issue.

Board Member DiSalvo stated (inaudible).

Chairman Rogan stated its two piers with.

Mr. Fassacesia stated the address is on the sign.

Board Member DiSalvo stated the address.

Chairman Rogan stated they have the 911 which is great.

Board Member DiSalvo stated what is it there.

Chairman Rogan stated 2180.

Board Member DiSalvo stated okay.

Mr. Greenburg stated there will be the number, the street number, the name of the plaza and then each store will have their own [Board].

Chairman Rogan stated okay so, gentlemen we are looking at trying to resolve the technical engineering issues.

Mr. Greenburg stated yes it is basically related to the drainage, the basins and the swale, hopefully by next week will have it done and we will get these done.

Chairman Rogan stated we say quite often to applicants that, if you do your job, we'll do ours. If you can get your work done, we'll get ours done.

Mr. Greenburg stated we appreciate that.

Chairman Rogan stated okay thank, yeah sure.

Dave Raines stated Shawn.

Chairman Rogan stated sorry, I didn't ask you if you had any.

Dave Raines stated that's okay, I didn't realize the direction you were going. David Raines, the Building Inspector, I just want to go on record on the modifications that are proposed to the restaurant/ residential occupancy, that is going to have to be brought up to the existing building code requirements, you are changing the occupancy. What is there now is not going to fly as a global statement as far as the layout so we are going to have to look at that as a separate issue to bring that up to code.

Mr. Greenburg stated we've done many buildings with mixed use, so we will do that.

Dave Raines stated as long as you understand that it goes with change of occupancy.

Mr. Greenburg stated yeah when we are ready to work, we will be in touch with you.

Dave Raines stated as long as you know that, we'll move forward. Thank you.

Chairman Rogan stated okay thank you. Okay gentleman thank you.

Mr. Fassacesia stated thank you very much.

Chairman Rogan stated thanks very much.

2) CINGULAR WIRELESS/MALDUNN SITE – Request for Final Approval

Mr. Neil Alexander of Cuddy & Feder was present to represent the application.

Chairman Rogan stated okay, Cingular Wireless/Maldunn Site. We have not done SEQRA, thank you. Good evening how are you.

Mr. Alexander stated I'm alright.

Chairman Rogan stated good, could you just state your name for the record please.

Mr. Alexander stated Neil Alexander, partner of Cuddy & Feder on behalf of Cingular Wireless.

Chairman Rogan stated okay so, did you want to ask Dave, you had said that you wanted to ask Dave about his visit out here, okay, have you not had a chance yet.

Board Member DiSalvo stated I don't know if it is in this memo or not, the results of that.

Chairman Rogan stated has Dave Raines had a chance to get out there yet.

Board Member DiSalvo stated Dave was out inspecting the auxiliary buildings. Oh there he is, I thought he left.

Chairman Rogan stated I thought you left too.

Dave Raines stated (inaudible).

Board Member DiSalvo stated did you want to make any comments about your inspection of the property with the auxiliary buildings in the back.

Dave Raines stated I don't think it is going to have an impact on your decision relating to the tower but certainly we had an initial meeting scheduled with the Maldunn representatives to ensure that we are complying to the accessory uses, which is really the outstanding issue.

Chairman Rogan stated okay, okay.

Dave Raines stated and my recommendation to them right now is to just maintain a (inaudible) by each accessory occupant within the main building so that any of the out buildings are used as a storage only and not as a primary office space or work area. But that is something I think aside from what you are letting people do and we will make that correction without a problem, okay.

Chairman Rogan stated okay, great. And actually at the last meeting we had discussed the two different, the pronged approach of dealing with this of course with your application and not approving any additional uses of the site but as accessory to the primary structure. Does anyone have any questions or comments at this time, if not we need a SEQR determination and we have resolutions prepared.

Mr. Alexander stated wait a minute; I saw one thing in Rich's memo that, before you make your determination.

Chairman Rogan stated sure.

Mr. Alexander stated I am not trying to grab or deter it.

Chairman Rogan stated it just better not be a typo or anything.

Mr. Alexander stated no, I would like to just discuss very quickly, Rich pointed out, can we get a waiver for the gravel drive. We are talking about this area right here, it is one of the points that Rich brought in his

memo. I don't think there is any benefit to anyone paving this area, this is just a cut of the compound, this is 12 feet by approximately 30 feet, so you are talking about, it's the access way, its about 360 square feet, let's keep it pervious, why make it impervious it is only going to be used once a month, I just thought it makes more sense overall.

Rich Williams stated the issue is that our Code requires that all driveways be paved and I concur because it is a low use, low impact.

Chairman Rogan stated yeah.

Board Member DiSalvo stated what is the length of the driveway.

Mr. Alexander stated I am eyeballing it but.

Chairman Rogan stated 12 by 30.

Board Member DiSalvo stated coming off the main parking area.

Chairman Rogan stated yeah.

Mr. Alexander stated this 10 by 25, so just carrying this forward, it is about 30 feet and this dimension is about 12 feet wide, it is about 360 square feet.

Chairman Rogan stated Mike, what do you think.

Board Member Montesano stated I have no problem with the stipulation that if the driveway causes a problem that it be paved upon our request.

Chairman Rogan stated that is reasonable.

Mr. Alexander stated that's fine. I think it just more sound from a pervious stone, I mean it is not exactly like you are going to have much sheet flow but why bother having it water interacting instead of (inaudible).

Board Member Montesano stated I would just like to have that.

Mr. Alexander stated that's fine.

Chairman Rogan stated I have no problem, anyone.

Mr. Alexander stated I just wanted to put that in before you did a neg. [negative] dec. [declaration]

Chairman Rogan stated would someone like to do a SEQR determination.

Board Member DiSalvo stated I'll do that, that's easy. What is the official title of this now.

Chairman Rogan stated Cingular.

Board Member DiSalvo stated I am just going to do this here, right.

Chairman Rogan stated yup.

Board Member DiSalvo stated in the matter of Cingular Wireless PCS LLC telecommunications facility/Millworks site plan, I make a motion that the Town of Patterson Planning Board find the proposed action will not have a significant impact on the environment and hereby issues a negative declaration of significance.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated can I have a motion on the resolution with the one waiver and the stipulation that Mike added.

Board Member Pierro stated waiver, in the matter of Millworks Site Plan, 2022 Route 22, Patterson New York and Cingular Wireless, I make a motion that we adopt a resolution date January 3, 2008, with the five general conditions and three special conditions identified in the resolution as well as waiver of the requirement to install a paved driveway leading to the cell tower site and that if this waiver is deemed to cause a negative effect in the future that the applicant will pave that driveway as per Town Code.

Chairman Rogan stated can I have.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated thank you.

Mr. Alexander stated I have one other, not quitting while I'm ahead, a quick aspect, as far as the intersection, maybe this goes more to Rich, if you want me to do it offline I can, but you put a 62 day timeline in the resolution to fulfill the conditions, here is how we are linked up with the property owner.

Some of the stuff is a little difficult, I am trying to figure out what if anything of the other, you know what I mean.

Rich Williams stated he's done, you adjust your plans, get yours plan, and they'll sign your plans.

Mr. Alexander stated that's all I needed. Thank you.

Chairman Rogan stated have a good evening, thank you.

Board Member Pierro stated I am going to get some water.

Chairman Rogan stated okay.

3) THE SHAMROCK CASTLE – Sign Application

Mr. Joseph Savio, the owner was present to represent the application.

Chairman Rogan stated The Shamrock Castle sign application, Mr. Savio.

Mr. Savio stated hi, how are you.

Chairman Rogan stated hi Joe, how are you. Joe, could you please state your name for the record.

Mr. Savio stated yeah, Joseph Savio, owner of the Shamrock Castle on Putnam Lake in Patterson.

Chairman Rogan stated welcome to Patterson Joe.

Mr. Savio stated thank you, so far, so good.

Chairman Rogan stated okay, you see the review memo, it is pretty straight forward, the sign meets the square footage requirement, we were just obviously curious about the lighting, whether or not that would be shielded. And to let you know the reason is we don't want people driving by the place to be blinded or to have a distraction from the sign of course.

Mr. Savio stated right, right, after reading what, I'm sorry I forgot your name.

The Secretary stated Michelle.

Mr. Savio stated Michelle handed me, there are a few little discrepancies that don't need to be there but the square footage, first off with the sign is exactly the way it was, its not twenty-four, maybe I made a mistake and wrote four by six, its probably four by five.

Chairman Rogan stated okay.

Rich Williams stated yeah, it came off of the application.

Chairman Rogan stated yeah.

Mr. Savio stated four by five. 20 square.

Chairman Rogan stated okay.

Mr. Savio stated I am changing absolutely nothing, the colors will be remaining the same, they will be dark green and the letters will be gold that is exactly what it is now.

Chairman Rogan stated okay and the same lighting that exists.

Mr. Savio stated the same lighting that exists; I have actually shielded the lighting. The lighting that was there, it was problematic for the cold weather and water so I had an electrician come and put a box that is better as far as rain and shorting anything out.

Chairman Rogan stated okay.

Mr. Savio stated the lighting is basically exactly where it was, on the floor, shining up on to either side of the sign.

Chairman Rogan stated okay,

Mr. Savio stated the letters I plan on gold and the background is as dark green as I could find.

Chairman Rogan stated okay, it sounds very similar, close.

Mr. Savio stated it is very similar to what is there, they actual have a black border that is probably an inch and half and then it is dark green, I don't know if there is a reason for that border, I just think that it makes the sign look smaller visually. I would rather it not look smaller visually, so to keep it two color is a lot more simple and I think that what is there was probably approved those colors, in fact downstairs where the 524 Real Estate office is, their sign is exactly those colors also.

Chairman Rogan stated and did you see the note on there about adding the 911 address.

Mr. Savio stated yes.

Chairman Rogan stated no problem, okay. Dave what we had basically just found out is the size of the sign is the exact same as what is existing, there was a discrepancy on the application.

Mr. Savio stated yes.

Chairman Rogan stated the same color as what is there, changed the lighting because of problem with moisture and the lighting boxes that were there. I would say as a condition of the approval, if we could just ask Rich to go out verify the lighting, that that doesn't create a problem. Does anyone have any questions or comment. We need a SEQR determination and a motion on the sign application. Do you want to do SEQRA.

Board Member DiSalvo stated in the matter of Shamrock Castle that the Planning Board of the Town of Patterson finds the proposed action will not have a significant impact on the environment and hereby issues a negative declaration of significance.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated okay.

Board Member Pierro stated in the matter of Shamrock Castle, I make a motion that we approve the sign application as presented on January 3, 2008 with the specific colors mentioned in the discussion and that Rich Williams verifies that the lighting installed, the new lighting installed meets Town Code.

Board Member Cook seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated thank you Joe and good luck with your business.

Rich Williams stated Joe, the lighting is already there, correct.

Mr. Savio stated the lighting is already there, you know the basic difference of the lighting from what it was, is actually a piece of rubber so the water doesn't go down to what makes it light up. It was done the right way by David Adams along with electrician that worked for Ronan Brown (inaudible).

Rich Williams stated okay.

Mr. Savio stated thank you.

Chairman Rogan stated thank you, good evening.

4) PUTNAM STEEL/T&T SPORTING GOODS – Sign Application/Bond Release

Mr. Anthony Anzalone and Mr. Rob Nelson were present representing the application.

Chairman Rogan stated Putnam Steel/T&T Sporting Goods. Good evening gentlemen, please state your names for the record.

Mr. Anzalone stated Anthony Anzalone.

Mr. Nelson stated Rob Nelson.

Chairman Rogan stated great, we have the sign application and as the Board may recall, this is the last step that is required in the process to enable the applicant to have a bond release. The sign, we have a copy of the application that shows the location, one thing that we noted and you might want to note for your files the sketch for the Putnam Steel sign there is a discrepancy on area code, you caught that.

Mr. Nelson stated we saw that.

Chairman Rogan stated we don't want you to print it up and then.

Mr. Nelson stated we caught that.

Chairman Rogan stated the colors of this sign are black and red. Is this sign indeed going to be ten foot above grade as it shows, I thought that sounded awfully high when I, it says four foot for the Tri County, two foot three for the Putnam Steel and four foot above grade for the bottom, that is ten foot three.

Mr. Nelson stated we were thinking about putting four foot under the sign and then the sign from there up.

Chairman Rogan stated yeah, I don't have a problem with it but it just occurred to me when I read it that it sounded like an awful tall sign.

Board Member Pierro stated is there any Code restriction for that height, okay.

Chairman Rogan stated and you had heard us ask the last gentleman for the 911 address, 2656, if it possible you could put that on the top of the sign, or in a place where it is.

Board Member DiSalvo stated like up here.

Chairman Rogan stated unless you can work it in, in way that.

Mr. Nelson stated can it be like a fancy molding on the top like.

Board Member Pierro stated sure.

Chairman Rogan stated yes, is there minimum, there has to be some size suggestion for.

Rich Williams stated four inch letters.

Chairman Rogan stated four inch letters, okay, obviously is should be easy to letter.

Mr. Nelson stated 2656 Route 22 or the numbers.

Chairman Rogan stated I think it just needs 2656.

Mr. Nelson stated just the number.

Chairman Rogan stated that would suffice. Anyone on the Board have anything else on this, questions, comments.

Board Member Pierro stated nope.

Chairman Rogan stated SEQRA determination and a motion for the approval.

Board Member Pierro stated in the matter of Tri County Sporting Goods that the Town of Patterson Planning Board grants a negative determination significance of SEQRA.

Board Member DiSalvo seconded the motion.

Chairman Rogan stated oh I'm sorry.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Board Member Pierro stated in the matter of Tri County Sporting Goods, I make a motion that the Town of Patterson Planning Boards grants approval for a sign application dated December 14, 2007, I'm sorry, with approval for a sign as described in the application attached here.

Chairman Rogan stated and the addition of the address.

Board Member Pierro stated and the addition of the 911 numbers.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated okay gentlemen. The bond release that gets done after the sign is installed.

Rich Williams stated that is up to the Board, whether you are comfortable at this point with letting them go forward or not.

Board Member Pierro stated how much do we have left, roughly.

Rich Williams stated you mean the bond amount.

Board Member Pierro stated yeah.

Rich Williams stated I don't recall.

Mr. Nelson stated it is like fifty thousand or forty-eight thousand.

Chairman Rogan stated why don't we do the motion so that it doesn't take effect until after the sign is installed.

Board Member Pierro stated the sign is completed and inspected.

Rich Williams stated how soon do you plan on having the sign up.

Mr. Nelson stated probably within 30 days, roughly by the time I order it and get it made.

Board Member Montesano stated we can do it next meeting.

Rich Williams stated then we can just slide it into a Town Board meeting.

Chairman Rogan stated okay.

Board Member Pierro stated in the matter of Tri County Sporting Goods/Putnam Steel, I make a motion that the, the bond is in Putnam Steel, correct Rich, it is not in Tri County Sporting Goods right.

Rich Williams stated no I don't believe it is.

Chairman Rogan stated and this is, not to interrupt you, but so that I am clear, this is a recommendation to the Town Board for a bond release contingent or subject to.

Rich Williams stated Dave, just make it the bond related to the T&T Site Plan Application.

Board Member Pierro stated okay. In the matter of T&T Site Plan Application, I make a motion that the Town of Patterson Planning Board recommend to the Town Board that they release the outstanding bond on the T&T project, contingent upon the successful completion of the installation of the sign which was applied for, or approved on January 3, 2008.

Board Member Montesano seconded the motion.

Rich Williams stated if I might, to amend the application for the removal of the existing sign.

Chairman Rogan stated second on that amendment.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated thank you gentlemen.

Board Member Pierro stated okay.

5) BARJAC SITE PLAN

Mrs. Theresa Ryan of Insite Engineering was present to represent the application.

Chairman Rogan stated Theresa, Barjac Site Plan.

Mrs. Ryan stated good evening.

Chairman Rogan stated good evening Theresa. Theresa, before we begin, you will be happy to know that you don't have to stay until the end, we did the bond reduction already for Telecom, isn't that one of yours.

Mrs. Ryan stated yes.

Chairman Rogan stated and you would have stayed through the whole meeting until the end so we thought we'd let you know.

Board Member Montesano stated we could try.

Chairman Rogan stated yeah.

Board Member Pierro stated is this a new plan Theresa.

Mrs. Ryan stated pardon me.

Board Member Pierro stated is this a new plan.

Mrs. Ryan stated no, this is the original plan with a sketch on it.

Chairman Rogan stated oh I see.

Rich Williams stated if I might, I had a conversation with Theresa.

Board Member DiSalvo stated in the corner.

Rich Williams stated the problem that we had was she e-mailed me the sketch, it did not come out according to scale, and so some of the issues that I raised in the memo are not relevant.

Chairman Rogan stated okay.

Rich Williams stated because when I scaled it out, they weren't scaling specific to the plan.

Mrs. Ryan stated Rich got like a scanned in version of a sketch that was sent over to.

Chairman Rogan stated not to send a.

Mrs. Ryan stated I don't know what happened but basically what had happened was I traced the building and the indoor ring and somehow wound up in front of that bridge, it was weird.

Chairman Rogan stated okay.

Mrs. Ryan stated so I didn't realize the size.

Chairman Rogan stated okay.

Mrs. Ryan stated and just to fill the Board in on the sequence of events, I know that we submitted this concept to you, this (inaudible).

The Secretary stated Theresa, I'm sorry, could you just use the microphone.

Chairman Rogan stated thank you Michelle.

Mrs. Ryan stated this is the plan that I have in your file. We realized when we started to develop the plans with grading and stormwater et cetera. that the site was really flat, as you probably saw when you were out there and as it turns out, in order to get the run off into the stormwater facility and then eventually discharge it back to the wetlands, we have to put the stormwater in a lower portion of the site and it wasn't working having the building over here because there was too much fill required adjacent to the DEC wetland buffer. So in order to get everything to work right, we have to shift the building over, there is actually kind of a high point here, it's a knoll, it is not a high, high point but higher then this point and it would require less fill and less grading in order to put the building in that place and get the run off from that building into stormwater facilities. So we did a sketch for our client in order to get their blessing on the revised layout before we came back to this Board and then in the mean time we went to schedule testing with the Health Department for the septic system and with the DEP for the stormwater. So I had a copy of the latest Health Department requirements and it said that we had to get a letter from the wetland board, saying that it was okay to do testing out there in the buffer and so Rich said well you don't have anything in the buffer for the stormwater, which we actually do because this is the buffer here and the concept that we sent you before had the stormwater here but the stormwater basin got a lot bigger in this area. So I sent Rich the sketch that I had provided to our client just to show him where the stormwater is being proposed now, again it is not fully developed, we are in the process of doing the grading and really developing the plans for preliminary site and so the sketch showed a bigger stormwater management area here and the road was traversing in a different spot and I had met with out client since we last met with this Board to try and pick a better location then that because this is a wide part of the wetland and so we decided that it would be

best to bring it through a narrower portion of the wetland. It is about one hundred feet to traverse in here a little bit more and in this spot where we are showing it on this sketch it is about seventy feet. So we really won't have any more disturbances by relocating the entrance access drive. Because in either location, whether it is here or here, we will still have to traverse one hundred feet of buffer on both side but here we are traversing only seventy feet as opposed to a hundred feet, plus or minus of the wetland. So there actually won't be any more disturbances by relocating, because it is just above the line.

Ted Kozlowski stated you are on a diagonal though.

Mrs. Ryan stated yeah.

Ted Kozlowski stated you are going to be effecting more surface area with grading then you would if you were to go in a straight line.

Mrs. Ryan stated not if we bridge.

Ted Kozlowski stated you are going to bridge on a diagonal and you are okay with.

Mrs. Ryan stated that was the intent, yeah, and it's the distance here, it is about thirty feet less then it is here.

Ted Kozlowski stated and you have, don't you have more surface area buffer on a diagonal. So you are saying that the diagonal is less disturbance in the buffer zone. In the hundred foot buffer zone, there is less disturbance on an angle.

Mrs. Ryan stated it's the same, it's the same because this is a hundred feet and this is a hundred feet, it is about the same, it is not going to be that much more disturbance. It will be less of an area crossing over that wetland.

Ted Kozlowski stated well this is all new to me and I would like to look at it.

Mrs. Ryan stated and also when we submitted this plan, this was our very first submission and it was a concept and basically we and I know Rich said that we substantially changed it and we have moved everything around but we still have the building is the same size, the barn and the indoor structure, you still have pasture, we still have paddocks and we still have an access with parking. And basically all of that lays out in the exact same area that we had before, we are not going into the buffers over here, we are not increasing the buffer and wetlands for this, so even though its changed, we just rearranged everything and the stormwater is still in the buffer because it was before. And we didn't intend to encroach any closer then fifty feet to the wetland with our stormwater management facility, so even though we are in the buffer we are try not to get any closer then fifty feet. So that is how this is involved and it's just because we wanted to do testing, witnessed testing.

Chairman Rogan stated so now after the testing Theresa, you will know basically how large your stormwater facilities will be.

Mrs. Ryan stated we will know what kind of practice (inaudible) because we'll know where the ground water elevation is.

Chairman Rogan stated okay.

Board Member Cook stated so after the testing you will provide us with a new layout.

Mrs. Ryan stated yes, we actually are working on it, we plan to submit for the next submission date which is the 22nd of this month. So we have been developing this, working on that stormwater management and the SWPPP and all that but in order to design our stormwater basins we need to know what (inaudible).

Board Member Cook stated Ted, when would you want to look at the site, after the testing, before the testing.

Ted Kozlowski stated I would like to look at the site when they come up with exactly it is that they want to do out there.

Chairman Rogan stated we'll have them flag the alternative.

Ted Kozlowski stated I've been onto the site a number of times and I've looked at it the way I thought they were going, that site is a combination of undisturbed and disturbed areas, while this site may be the same amount of disturbance it may be of an already disturbed area or it might be in a more undisturbed area which might have a greater effect on the functions of the wetland. I don't know, right now it is confusing to me which way they are going, they aren't sure which they are going so.

Mrs. Ryan stated well this is the way that we would like to go, over the narrowest part of the wetland.

Ted Kozlowski stated right but you see that is a nice way of saying going through the narrow part but I don't know that is the best and that is the way to cross that wetland from an environmental standpoint. Again I looked at it from a different standpoint back in the fall when we looked at this, now this is new and its new because these DEP requirements, did you know this was coming, so I really have to go back out there once they know which way they are going.

Board Member Pierro stated and they won't know which way they are going.

Ted Kozlowski stated right.

Board Member Pierro stated until they do the perc tests.

Ted Kozlowski stated so I recommend to the Board to hold up on this wetland permit until we have this information. At this wetland.

Mrs. Ryan stated (inaudible) recommendation.

Chairman Rogan stated yeah, just concept.

Ted Kozlowski stated right and this is going to require a functional analysis.

Chairman Rogan state sure.

Mrs. Ryan stated we already have that done.

Ted Kozlowski stated you have that done for which crossing.

Mrs. Ryan stated for this one.

Ted Kozlowski stated on the diagonal.

Mrs. Ryan stated because yeah.

Ted Kozlowski stated and when did you decide to do that.

Mrs. Ryan stated well we are designing the plans and we told our wetland consultant to do an assessment based on this layout.

Ted Kozlowski stated when.

Mrs. Ryan stated since we last met with the Board, we have been developing these plans.

Ted Kozlowski stated yeah so since November.

Mrs. Ryan stated since November.

Chairman Rogan stated okay.

Ted Kozlowski stated again, I want to wait until spring that way we know, you know we are looking at a different season now, the time of year, we are looking at this in the dead of winter.

Mrs. Ryan stated but did you, I thought you already verified the wetlands.

Ted Kozlowski stated that is not the issue.

Mrs. Ryan stated okay.

Ted Kozlowski stated the issue is the impact, I was looking at it from crossing in a different direction and looking at previously disturbed areas, you are coming from a new location on a diagonal with additional impacts and also within one hundred feet of the buffer in the lower end and I want to understand all of that.

Mrs. Ryan stated I mean we have no problem.

Ted Kozlowski stated you know again this is coming in, in the eleventh hour in the middle of winter, I have to wait until spring.

Mrs. Ryan stated actually we have no problem crossing there ultimately, so that it won't disrupt the wetland but we would like to have possibly an alternative for crossing because the bridge is going to get really expensive.

Chairman Rogan stated understood.

Mrs. Ryan stated there is no doubt about, every ten feet we add to the bridge, it is going to cost more and quite frankly I'm not so sure what that bridge is going to look like as an entrance to an equestrian center. So if there is some alternative to that that you would consider.

Chairman Rogan stated I think what you began to say was if it is indeed, if you're confident that it is the same or less of an impact that will bear itself out. But if the functional analysis shows, you know maybe its worth looking at both alternatives in the functional analysis.

Ted Kozlowski stated yeah.

Chairman Rogan stated why not.

Board Member Pierro stated does the functional analysis have to be done at this time prior to them doing soil testing.

Ted Kozlowski stated you know, you are doing a functional analysis during the dead of winter is not really going to helpful to you.

Board Member Pierro stated no but there is not connectivity to the functional analysis and the permit that they need to do soil testing.

Ted Kozlowski stated no.

Chairman Rogan stated and its not even a permit, its just an allowance from this Board that you know, there is not going to be significant impact to going in and digging some perc and deep tests.

Board Member Pierro stated right.

Mrs. Ryan stated and when we submit, if it happens to be January (inaudible).

Chairman Rogan stated Ted is kind of.

Ted Kozlowski stated I'm saying that.

Chairman Rogan stated you might be able to submit it but it sounds like its going.

Ted Kozlowski stated the functional analysis in January is not going to be very helpful.

Board Member Pierro stated well why don't we.

Chairman Rogan stated right, so you certainly could submit what you have.

Mrs. Ryan stated the analysis of the wetland, I mean a wetland, he has already done an assessment on it.

Ted Kozlowski stated I was looking at it from a whole different approach back in late summer, early autumn, you are now coming in with a revision, a different scheme, a different land crossing, on an angle, going to a different area that we haven't looked at. When we went on the site walk, we were looking at it from a certain aspect that you guys presented to us, now you are coming in, in January with a new location, different impacts to the wetlands and January 22nd, we might have four feet of snow on the ground and I am not prepared to this Board, hey that's a great idea, I'm sorry.

Mrs. Ryan stated I just need a little more clarification, sorry Ted.

Ted Kozlowski stated well.

Mrs. Ryan stated the wetland, are we analyzing the functionality of this wetland.

Ted Kozlowski stated I don't know what you are affecting by doing the new location, I had an idea at the previous location.

Mrs. Ryan stated but if we submit.

Ted Kozlowski stated you are going through a disturbed site, going on a straight line through the wetland.

Mrs. Ryan stated and we still are because this is all disturbed on this side of the wetland.

Ted Kozlowski stated but you are going down further into an area, which I believe is more native and more natural. We don't know what is there in the spring Theresa, plus you are putting a sedimentation basin within the wetland buffer that wasn't proposed before.

Mrs. Ryan stated it was, it is on this plan right here Ted.

Ted Kozlowski stated yes but it is much bigger now.

Mrs. Ryan stated yes but it was there.

Ted Kozlowski stated yeah but it is much bigger, it is within fifty feet, inside the buffer.

Mrs. Ryan stated I thought you said it wasn't there before.

Ted Kozlowski stated so I am just saying you know, the information, we are going to need additional information and I am not going to out there in January, like I said when everything is dormant, everything is frozen and could be buried under snow and I'm not doing that.

Mrs. Ryan stated that is not a problem.

Chairman Rogan stated that sounds reasonable.

Mrs. Ryan stated but we will still submit that.

Board Member Pierro stated we could still review the functional analysis, if its flawed, its flawed.

Ted Kozlowski stated Shawn.

Board Member Pierro stated and we don't know when the functional analysis is done, was done until we look at it, so let us look at it.

Ted Kozlowski stated right, sure.

Board Member Pierro stated and you can make a determination at that time when we have it in front of us.

Chairman Rogan stated okay.

Mrs. Ryan stated okay.

Board Member Pierro stated on the motion.

Chairman Rogan stated we don't need a motion.

Board Member Pierro stated okay.

Board Member DiSalvo stated there is nothing.

Board Member Cook stated Mr. Chairman also.

Chairman Rogan stated yes.

Board Member Cook stated I think it was either two or three months ago, we approved a negative declaration for what was previously submitted, so we just have to keep that in the back of our minds.

Chairman Rogan stated good point to remember, that if its significantly impacted with this change that that could alter that. Since we are in concept phase, just want to have everybody continue to look at the proposed plan and especially Maria because I know you have a lot more expertise the then rest of us in this area for any kind of problems that you might see with changes to the plan with the functionality of this barn and indoor ring, you know it would be better to bring it in early.

Board Member DiSalvo stated do you still have the location of the dumpster in the same place.

Mrs. Ryan stated yes.

Rich Williams stated Shawn.

Chairman Rogan stated yeah.

Rich Williams stated I have a question actually for Maria, something came up today was I had taken a look and you could shorten up the driveway, the parking area, everything by reorienting the barn 90 degrees and it came up that they want to keep this orientation because of the sun and I didn't get it, I didn't understand it.

Board Member DiSalvo stated I, that really means a lot when you keep horses outside, you know I have a lot of outside paddocks and I make sure that the sun is always, the way I angle my outdoor shed. Rico, you would know this too, you want the sun shining on it all the time so the horses butt is against the wind and the sun is on it all the time. As far as a barn I don't know how much sun is going to come in there unless you are using solar panels on it. That really only comes into play when you have horses outside, getting more sunlight in that spot so they stay warm so that if the horses are outside all the time, the sun is shining on that area all the time.

Rich Williams stated and typically the sun is in the, slightly in the southern hemisphere for most of the year, so I would think.

Chairman Rogan stated southern exposure.

Rich Williams stated reorienting the barn so that it was on a 90 degree would provide some heat the barn or locations of the barn longer then it is now.

Board Member DiSalvo stated I had recommended to Theresa to flip it to put the indoor ring where the barn is and the barn where the indoor ring is because, it all gets labor intensive when you are walking these horse into the paddocks.

Chairman Rogan stated I see it.

Board Member DiSalvo stated you have to go around the indoor ring and here the building is bumped out a little bit here.

Mrs. Ryan stated that is so we can have pedestrian access through that part of the building.

Board Member DiSalvo stated but you still have to walk the horses around this way to go out to the paddocks.

Mrs. Ryan stated or go through the parking lot.

Board Member DiSalvo stated you don't do that, there are people in it. and I also suggest flipping it so there really is not much activity going with the back of an indoor ring with that street that abuts over there, so the people are not looking at, for the few people that are going to be sitting in their back yard at the time they are not looking at activity, they can just look at the back of the indoor ring with some plantings around it, it kind of cuts down on the noise and whatever, everybody is different.

Mrs. Ryan stated I did recommend that but they preferred to keep it this way but if the Board would like me to bring recommendations to my client.

Chairman Rogan stated we certainly will rely on your experience for this.

Mrs. Ryan stated that one I already recommended, your suggestion, I thought it might work better for them.

Chairman Rogan stated the Board supported your suggestion in that regard.

Board Member DiSalvo stated that is the only, what I would do.

Mrs. Ryan stated (inaudible).

Rich Williams stated I was actually talking about rotating it 90.

Board Member DiSalvo stated the barn, bringing it this way.

Rich Williams stated yeah because you shorten your driveway access and you come straight in to the parking lot and you'll have pasture on either side of the barn to get out and you have (inaudible) that are still orientation.

Board Member DiSalvo stated that way, yeah I see what he means.

Board Member Montesano stated we have to take a look at it, draw a picture.

Board Member DiSalvo stated a courtyard area there.

Rich Williams stated right.

Board Member Pierro stated I agree Rich.

Board Member Montesano stated we can try it.

Chairman Rogan stated they are all good comments, its just I don't know anything about a barn or horses.

Board Member DiSalvo stated then you can have the dumpster in the back of the barn sort of like hidden, as long as they have access to get in and out and you are making it two bays wide, right, the dumpster pad.

Chairman Rogan stated for the flip flop, like you were saying.

Mrs. Ryan stated yeah.

Board Member DiSalvo stated now they are charging over time if they have to spend time pulling the dumpster out.

Mrs. Ryan stated it is three wide and a trailer for shaving.

Board Member DiSalvo stated you are putting a trailer there for shavings.

Chairman Rogan stated so three wide.

Board Member DiSalvo stated at five dollars a bag.

Mrs. Ryan stated so we are going to have two dumpsters and one for shavings, one trailer for shavings.

Board Member DiSalvo stated and that could be, and you may want to think about that being extra wide too for when they bring the trailer, they just exchange trailers.

Mrs. Ryan stated I think your loading spaces are required at 10 by 45 and I think I made them 12 wide.

Chairman Rogan stated the boxes or the dumpsters have to be 8 foot wide.

Board Member DiSalvo stated yeah, they are charging overtime now, if they have to, if there are obstacles in their way.

Mrs. Ryan stated yeah.

Board Member DiSalvo stated I got mine, I never have a problem with that, but other places do, if they only have one dumpster pad he has to unload, move that one and now they are 75 dollars an hour to move that.

Chairman Rogan stated why don't you get a copy from Michelle from the minutes, especially in regard to this conversation and bring them to the client so they can see verbatim, maybe they can get a better sense of some of these because some of them sound like really good.

Mrs. Ryan stated tomorrow.

The Secretary stated as soon as I can get them done.

Mrs. Ryan laughs.

Chairman Rogan stated thank you.

Board Member Montesano stated he doesn't mind volunteering you.

Chairman Rogan stated anyone have anything else.

Board Member Pierro stated that's it.

Chairman Rogan stated thanks Theresa.

Mrs. Ryan stated that was a good letter that Rich wrote to Mike Budzinski.

Chairman Rogan stated oh.

Mrs. Ryan stated so relative to the testing.

Chairman Rogan stated the letter was sent.

Rich Williams stated no.

Board Member Montesano stated no.

Rich Williams stated the letter to Mike Budzinski was sent, not specific to Barjac.

Chairman Rogan stated not specific to this, okay I think we should.

Rich Williams stated you want me to send a letter allowing them to do the testing in the wetland buffer for the stormwater ponds.

Board Member Pierro stated I see no problem.

Chairman Rogan stated we have to at least know what, that is the only way we are going to know how big these things are going to be and what we are going to do but we should just be clear as to where they are going to be testing.

Ted Kozlowski stated I think you need a letter from them explaining exactly what they are going to do and how they are going to do it.

Chairman Rogan stated how they are going to get in there.

Ted Kozlowski stated so we don't have a situation where a bulldozer, where it is going to hand dug or bulldozer.

Chairman Rogan stated they are going.

Ted Kozlowski stated or a backhoe.

Mrs. Ryan stated actually some of the testing as it turns out is going to be where they did the trenching for the archeological dig, so a lot of that has already been ripped up.

Chairman Rogan stated okay, I think Ted is just a little concerned about how we get to that, how we get to those areas.

Ted Kozlowski stated we get burned all the time.

Chairman Rogan stated we do get burned a lot on these, so.

Ted Kozlowski stated and the date of when it is going to happen.

Chairman Rogan stated you want to be notified.

Mrs. Ryan stated we won't know that until we get the letter and it's scheduled.

Chairman Rogan stated we can make that a contingency of.

Rich Williams stated twenty-four hour notice.

Ted Kozlowski stated call us twenty-four hours before so.

Chairman Rogan stated it gives Ted chance to at least stop by.

Ted Kozlowski stated right.

Mrs. Ryan stated okay.

Chairman Rogan stated okay that seems reasonable, okay.

Rich Williams stated I am going to issue the letter based on their submitting a letter.

Board Member Pierro stated right.

Chairman Rogan stated that will allow you to schedule with Mike or whomever from the Health Department which is what we are talking about. Unless we get some really warm weather like you said or somebody else said, Joel.

Mrs. Ryan stated (inaudible).

Board Member Pierro stated its supposed to be fifty.

Chairman Rogan stated that will feel good compared to tonight.

Board Member Pierro stated that is for sure.

Board Member DiSalvo stated next week it will be all mud.

Chairman Rogan stated yeah.

Rich Williams stated I haven't even been outside yet.

Chairman Rogan stated I bet.

The Secretary stated I guess we'll see you on Monday.

Chairman Rogan stated I hope California is loading the wood into the stove.

Rich Williams stated no, we are doing oil.

Green Chimneys Discussion

Mrs. Ryan stated can I still stick around though, did Rich talk to the Board about Green Chimneys.

Chairman Rogan stated no.

Board Member Pierro stated about what.

Mrs. Ryan stated Green Chimneys.

Chairman Rogan stated no.

Mrs. Ryan stated at the last meeting that I was here.

Board Member DiSalvo laughs.

Mrs. Ryan stated I asked for a SEQR determination on Green Chimneys but the thirty days hadn't been quite up yet.

Chairman Rogan stated okay.

Mrs. Ryan stated so you said next month, so that's now.

Chairman Rogan stated yeah did, didn't we, you're right and that was pretty straight forward, that is the dormitories on the site.

Board Member DiSalvo stated did we get site walk comments on that.

Chairman Rogan stated I think we did get site walk comments, didn't we.

Board Member Pierro stated yes we did.

Chairman Rogan stated yeah.

Rich Williams stated there were no comments because it was too cold to make any.

Mrs. Ryan stated there were no comments because you were cold and wanted to go home.

Chairman Rogan stated it was pretty cold that day.

Board Member Pierro stated it was tough that day, it wasn't as tonight but.

Chairman Rogan stated I remember saying that it was an open field that you know there were comments about how to situate the buildings but in terms of impact to the land and you know.

Board Member DiSalvo stated the driveway.

Board Member Cook stated the driveway.

Chairman Rogan stated increasing the width of the driveway.

Board Member DiSalvo stated and extending it to a, the entrance of the driveway to the new buildings.

Board Member Pierro stated a SEQR determination.

Chairman Rogan stated can I get a SEQR determination.

Board Member Pierro stated go ahead Maria. In the matter of Green Chimneys site plan, I make a motion that the Town of Patterson Planning Board grants a negative determination of significance of SEQRA.

Chairman Rogan stated can I have a second.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Mrs. Ryan stated thank you very much.

Chairman Rogan stated thank you.

Board Member Pierro stated good night Theresa.

Chairman Rogan stated it's the earliest you've even been out of here Theresa.

Mrs. Ryan laughs.

6) APAP SITE PLAN – Continued Review

Mr. Joe Mansfield of JFM Architect was present to represent the application.

Chairman Rogan stated Apap site plan.

Board Member Pierro stated oh boy.

Chairman Rogan stated good evening.

Mr. Mansfield stated good evening my name is Joe Mansfield, I am the architect on the project. I understand that you did a site walk.

Chairman Rogan stated we did.

Mr. Mansfield stated I wanted to see if you had any comments or concerns regarding that.

Chairman Rogan stated we made sure that we made lots of tracks in the snow so they knew that we had been out there because there isn't a whole lot out there to see.

Mr. Mansfield stated there's not, no.

Chairman Rogan stated but as obviously as you are aware, the site lays out pretty straight forward. We are excited about this project from the stand point that the current building loots very complementary to the character of the community, this will move us forward in terms of getting rid of some structures that we particularly don't want to see there and provide a building that is going to promote this business. Something that I think is good for the Town of Patterson. There was an issue that you probably have read about with the dumpster and just a little bit of a concern about picking it up.

Mr. Mansfield stated yes.

Chairman Rogan stated any objection to diagonally turning it.

Mr. Mansfield stated I have reviewed that with the client and when we revise these drawings we will look into orienting in such a way that they will be able to pull in easier and resolve that issue.

Chairman Rogan stated great, great. How about the situation with the electrical easement is that going to be necessary.

Mr. Mansfield stated I went out to the site and investigated, that utility pole is actually a NYSEG pole, it does have a NYSEG on it, I presume that there is an easement of some sort. Mr. Apap the client is going to contact NYSEG tomorrow to find out how we can access utility services and what variances or easements rather, that are needed to do that.

Chairman Rogan stated okay.

Mr. Mansfield stated hopefully there is an easement existing that runs up to his property line, it is our intent to go underground entirely if we can, this current application is assuming that we would come across overhead to a private pole on our property and then underground from there.

Chairman Rogan stated okay.

Mr. Mansfield stated but certainly if we can.

Chairman Rogan stated we certainly would prefer you to go underground as much as possible. Does anybody on the Board have a problem with the idea of waiving the loading space; we had spoken about that at the work session.

Board Member Montesano stated yeah.

Chairman Rogan stated I think the generally consensus was that everybody was okay with that.

Board Member Montesano stated yeah, you want a motion on that.

Chairman Rogan stated sure.

Board Member Montesano stated in the matter of George Apap Inc. site plan, I make a motion that we waive the parking, waive the parking loading zone requirement.

Chairman Rogan stated a second.

Board Member Pierro seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated okay, do you want to set a public hearing, does anybody have a problem with setting a public hearing for this, let's get this wrapped up.

Board Member Montesano stated in the matter of George Apap, Inc. site plan I make a motion that we have a public hearing on February 7th at the appropriate time.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Board Member DiSalvo stated hold it.

Board Member Pierro stated time out.

The Secretary stated that was good timing.

SIDE 1 Ended.

Chairman Rogan stated any other comments or concerns that they would like to discuss.

Board Member Pierro stated none.

Board Member DiSalvo stated the houses around there.

Board Member Cook stated do we need SEQR.

Chairman Rogan stated we don't need to; it's a Type II action. Do you have anything for us.

Mr. Mansfield stated I don't, these drawing represent revisions made from the comments from November 29th, it is pretty straight forward.

Chairman Rogan stated it is pretty straight forward.

Board Member Pierro stated thank you Joe.

Chairman Rogan stated thank you. Okay, make sure that you speak to Michelle, I'm sure you know about the noticing that is required for the public hearing but get that nailed down and we can finish this up.

Board Member DiSalvo stated not too many people.

Board Member Pierro stated you.

Chairman Rogan stated excellent, thank you.

Mr. Mansfield stated thank you very much.

7) PAPIITTO SITE PLAN – Continued Review

Mr. Robert Cameron of Putnam Engineering and Mr. Jeff Papitto were present to represent the application.

Chairman Rogan stated Papitto site plan. We are batting a thousand tonight.

Board Member Montesano stated I am sure Rob has.

Rich Williams stated you have the public hearing.

Chairman Rogan stated yes.

Board Member DiSalvo stated I said February 7th for the next meeting.

Chairman Rogan stated (inaudible).

Board Member DiSalvo stated not like last time.

Chairman Rogan stated too much.

The Secretary stated and if you look in your packets there are minutes.

Board Member Pierro stated I lost it.

Chairman Rogan stated I have it right here. Good evening Rob.

Mr. Cameron stated good evening.

Chairman Rogan stated how are you doing.

Mr. Cameron stated good.

Chairman Rogan stated good, happy New Year.

Mr. Cameron stated Robert Cameron, Putnam Engineering, representing the client, Vince Papitto. This project has been before the Board over the past several months, this is a proposed storage building in the I zone.

Chairman Rogan stated I'll make you a good deal, if you give us all the right all right answers you'll get an approval.

Board Members laugh.

Mr. Cameron stated okay, just tell me.

Chairman Rogan stated do you want multiple choice or true and false.

Mr. Cameron stated the easiest one, just give me the answers.

Chairman Rogan stated the answer is yes. How are we doing on drainage and grading easement.

Mr. Cameron stated we have submitted the grading easement, I think I copied Anthony on that, did you get a copy of that.

Rich Williams stated that wasn't a yes.

Anthony Molé stated I may have.

Chairman Rogan stated but he is working towards a yes, okay.

Mr. Cameron stated we have the grading and I think brought copies with the cover letter and attach the grading easement.

Anthony Molé stated perhaps.

Chairman Rogan stated obviously.

Rich Williams stated I talked with the attorney today and he said (inaudible).

Anthony Molé stated (inaudible). I received a letter from the owner of the adjoining lot, he stated (inaudible) the drainage (inaudible).

Mr. Cameron stated yes I have that. Is this working.

Anthony Molé stated okay.

Rich Williams stated is it working.

Mr. Cameron stated I don't think its working.

The Secretary stated I don't know.

Board Member Pierro stated check the switch.

The Secretary stated check the switch on it, it might have gotten pushed down.

Chairman Rogan stated try it now.

Mr. Cameron stated by pass the switches.

Board Member Pierro stated gently tap it up against the pipe there.

Rich Williams stated check your mics.

Chairman Rogan stated yeah, they are working.

Board Member Montesano stated try this one.

The Secretary stated yeah, try that.

Mr. Cameron stated hello, hello.

Chairman Rogan stated no, give him the wireless.

Board Member Montesano stated either that or switch it, check the bottom button.

Chairman Rogan stated that is why Theresa was so quiet.

Mr. Cameron stated I think I would have to lean way over here.

Board Member Montesano stated can you switch that with this one.

The Secretary stated nobody has really been using it. This is not good.

Board Member DiSalvo stated it was used a lot last night.

The Secretary stated here you want mine [microphone] you have to stand in the middle of room though.

Board Member DiSalvo stated is there like a fuse or something in there that is loose.

Chairman Rogan stated so Ted, this is a perfect public service announcement time to congratulate West Virginia Mountaineers on their 48 to 28 win over Oklahoma.

Board Member Montesano stated I know Rob, you really need a mic.

Mr. Cameron stated I will talk really loud.

The Secretary stated that is good idea.

Ted Kozlowski stated something red and black.

Chairman Rogan stated something.

Board Member DiSalvo stated some of the wires.

Chairman Rogan stated they looked, they made me feel like what we did, that was the way I felt for them.

Rich Williams stated there it is.

Board Member Pierro stated are the prongs bent.

The Secretary stated did it work last night.

Rich Williams stated I don't know the wire is disconnected.

Board Member DiSalvo stated no, they used it.

Board Member Montesano stated can you try one of the, can you take this one apart.

Chairman Rogan stated see what happens when you rely on all of this stuff.

Mr. Cameron stated testing, 1, 2, 3.

Chairman Rogan stated Michelle, if you knew short hand we wouldn't need all this stuff.

The Secretary laughs.

Board Member Montesano stated modern day electronics (inaudible).

Chairman Rogan stated look at how much time it would save you on minutes though, they would all be done after leaving. Okay, Rob, back in action.

Anthony Molé stated I spoke with Rob earlier today, I understand he is submitting a letter from the adjoining land owner, with the drainage and grading easement, we don't have the actual easement that has been drafted yet and the Board in order to move on this tonight I would have problem approving it conditioned upon my review of the drainage and grading easement as form only because.

Chairman Rogan stated it's in the resolution.

Anthony Molé stated (inaudible) party so we don't know the bulk of it.

Chairman Rogan stated yeah, it is actually we had that added to the resolution.

Anthony Molé stated okay.

Mr. Cameron stated and I do have a letter here from Mr. Von Essen and he gave it to him "To Whom It May Concern, Vincent Papitto the owner of the property located at 867 Fair Street, has requested that I grant him a drainage easement on my property, we are presently waiting for the necessary paperwork from Mr. Papitto's lawyer but at this time I have no objection to granting the easement."

Chairman Rogan stated wonderful.

Board Member Pierro stated fine.

Mr. Cameron stated this is from Mr. William Von Essen.

Chairman Rogan stated that is certainly a nice letter of intent which helps.

Board Member DiSalvo stated was that over there.

Board Member Montesano stated can we get a copy of that.

Mr. Cameron stated yes you can have that.

Rich Williams stated do you want to make copies now.

Chairman Rogan stated he just meant for your file.

Board Member Montesano stated for your file.

Anthony Molé stated one thing the Board may want to do is attach some sort of time frame to that provision.

Chairman Rogan stated what would you suggest on that for a time frame.

Anthony Molé stated if they started it or not, that would be 30 days, would be sufficient.

Board Member DiSalvo stated for the lawyer to draft it.

Chairman Rogan stated to have it so you can review it, submission.

Rich Williams stated when we did the (inaudible) if there is a resolution.

Chairman Rogan stated keep them on the edge.

Rich Williams stated that would be a condition of the resolution that they have 62 days from that date.

Chairman Rogan stated oh okay, so it's built right in.

Board Member Pierro stated very well.

Chairman Rogan stated Rich put it in the resolution. We have anything else that we would like to discuss, considering that we just tipped the hat and that we have a resolution planned. Gene did mention though, there are some engineering issues that need to be fine tuned, there is still some work but there are things that he wants to talk about right now, I can tell.

Gene Richards stated well I figured I would just update the Board.

Chairman Rogan stated that would be great, thanks.

Gene Richards stated Rob, Jeff Papitto and Ping from Rob's office and I met yesterday afternoon to go through the drainage comments that they had previously, they left me a revised a report, Rich hasn't seen it yet, I have been given a preliminary copy essentially. I have gone through as much as I could in preparation for tonight's meeting, I haven't finished everything, they have made significant head way, so they are certainly in a good position at this point, they may be a couple of minor clean up items which we can certainly address after words. I don't object to the Board, if they want to grant an approval tonight, it would just be conditioned up cleaning up any remaining comments from our 12/14 and our 12/26, I believe memos.

Chairman Rogan stated put those in there, 12/14 and 12/26. Thank you Gene, thank you very much.

Board Member Pierro stated nice color scheme Gene, very dapper tonight, very Greenwich Village tonight, Gene. In the matter of Papitto site plan, Fair Street, Patterson, New York, I make a motion that the Town of Patterson Planning Board grants final site plan approval with the resolution date January 3, 2008, with the five general and four special conditions and in addition to those conditions that all items addressed in the Stantec memos dated on 12/14 and 12/16 be addressed.

Chairman Rogan stated 12/26.

Board Member Pierro stated 12/26 be addressed, I could read my own writing, be addressed within.

Chairman Rogan stated second.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Mr. Cameron stated thank you.

Chairman Rogan stated you're welcome but you are still here aren't you.

Mr. Cameron stated yes.

8) BEAR HILL ESTATES SUBDIVISION

Mr. Robert Cameron from Putnam Engineering was present to represent the application.

Chairman Rogan stated Bear Hill Estates Subdivision, switch gears. No not yet, it hasn't been staked, they keep moving things around.

Board Member Pierro stated do we have to declare intent tonight or did we already do that.

Chairman Rogan stated we haven't done anything on this. This also by virtue of the timing has to be classified, if I am not mistaken, as a major subdivision.

Board Member Pierro stated yeah.

Board Member DiSalvo stated yeah.

Board Member Montesano stated (inaudible).

Mr. Cameron stated I believe we did that at the last meeting.

Chairman Rogan stated you know I thought we did but I have a memo here. Subdivision classification, no I don't. Demerits for Rich. What was the date of the last meeting, it doesn't really matter.

The Secretary stated December 1st.

Chairman Rogan stated it was the first.

Rich Williams stated sorry.

Chairman Rogan stated okay Rob, so you gave us an alternate lay out for lot two.

Mr. Cameron stated yes, lot two.

Chairman Rogan stated walk us through it.

Mr. Cameron stated yes, at the last meeting you had reviewed this subdivision which is a two lot subdivision located on Bear Hill [Road], each parcel is four acres in area and there were some comments from the previous memo that indicated you know the relocation of the driveway for lot one, we have addressed the relocation of the driveway and unfortunately I will admit that when my draftsman moved the building he put it into the rear yard set back. Which unfortunately I didn't catch until after I got back from vacation so we will just shift that back to where it belongs I apologize for that.

Chairman Rogan stated no need to.

Mr. Cameron stated lot two, there was discussion as to the, because of the configuration of lot two trying to get four acres out of each other these lots, I looked at reconfiguring the lot and location of the house to achieve a greater set back. The concern with this Board, has always been that when you put the house to close to the setback line and somebody wants to put an addition or add a deck or something like that, it becomes an issue and almost immediately necessitates a trip to the Zoning Board. So what I have tried to do here is on this alternate plan I have located, I changed the lot line and located the house, basically I put the front along the set back line, it does necessarily have to be there but this creates a greater back yard area so that if you wanted to add a deck or do anything like that. The plan that is shown on the subdivision plan has an orientation consistent with the existing lot line and I shifted it so that I have eleven feet behind the building and technically either one can work. I guess when the builder comes in to file for a building permit and they want to do something different, they would submit a plan indicating the different house configuration. I have enlarged the house to, I think they were originally 25 by 40, I have now enlarged them to 35 by 60, or something like that, so they are a larger house. The major issue here is basically the configuration of the lot line.

Chairman Rogan stated yeah, they are difficult lots to draw out and still maintain the four acres, we certainly recognize that, you do end up with some funny lot lines. I think as we had discussed we probably can still tweak the house location for lot two and maybe just make it a little better but nothing to drastic. Would a concrete walkway, in this case, under this proposal require a Zoning.

Rich Williams stated the walkway wouldn't but the steps up would.

Chairman Rogan stated right, right.

Rich Williams stated so, yeah, my suggestion at the work session was go with the alternate layout but kind of twist the house so that you take advantage of the grades and move it back towards the septic.

Chairman Rogan stated pull down, in other words if they pulled the house about ten or fifteen feet.

Mr. Cameron stated this, move this down.

Chairman Rogan stated closer to the septic and then turned it clockwise and pull it off that line a little bit.

Rich Williams stated yeah.

Chairman Rogan stated is what I think, you are still maintaining the front to the road but you are getting a little bit more use.

Mr. Cameron stated my concern was with this one was the configuration of the odd lot line.

Chairman Rogan stated yeah, yeah.

Rich Williams stated it is not the best situation but it gives a better useable area.

Chairman Rogan stated yeah that would be.

Mr. Cameron stated yeah it basically gets our house farther away from the septic system and it allows me to do some type of drainage, I can put the roof drains into dry wells in there, I noted your comment about the dry wells I will look into that. At this point in time I didn't do too much engineering on this until I had evaluated what we are going to be able to do here.

Chairman Rogan stated it has been a while since we've been out there and obviously we did want to go out and take a look but the grade coming down off the hill, the way you have the house shown on your addendum there or attachment. What Rich was talking about was turning it more and keeping it slightly more parallel to the grade, wouldn't that be a little easier.

Mr. Cameron stated which is basically taking this plan and putting it on this one.

Chairman Rogan stated right, right, correct because I think would probably for grading and use of the property be a little bit easier too, you know.

Mr. Cameron stated that could work just as long as you are okay with this lot line.

Chairman Rogan stated yeah I mean, anyone on the Board have any strong, we haven't seen it so one of the things if we can put some locations out there we all wanted to go take a look at this.

Mr. Cameron stated yes.

Chairman Rogan stated when is the next coldest day when we can go.

Mr. Cameron stated I was out there today, it was extremely uncomfortable.

Chairman Rogan stated you're a good man, you earned your money today then, that was rough. But Charlie you've never been up there, we were up there for the original subdivision but we know, obviously would like to see it relevant to this specific lot one and two. So can we get some staking done out there.

Board Member DiSalvo stated before Dave goes away.

Chairman Rogan stated well, whenever they can get it. You didn't stake it today did you but you're not in the surveying.

Mr. Cameron stated no.

Board Member DiSalvo stated (inaudible).

Rich Williams stated I was told they were staking Pondview today.

Board Member Montesano stated can you get some nice orange paint.

Chairman Rogan stated heated sticks.

Board Member DiSalvo stated you get that nice wind blowing across the pond.

Board Member Montesano stated spray it where the spots are and we can get out there before the melt.

Chairman Rogan stated stakes or spots or anything that is easy for you to put out there.

Mr. Cameron stated what I would also, I mean, I may also like to get the property line staked, maybe I can do a stake, this one is pretty simple to see but maybe this one I can get a stake out over here so we can take a look at that as well.

Chairman Rogan stated that would be great.

Mr. Cameron stated and maybe one along here, this one is going to pretty clear to follow but the one along the back is going to be difficult to assess.

Chairman Rogan stated sometimes they look more clear on paper and then you get out in the woods and you know, we've had some good experiences and some not so good.

Board Member Montesano stated do you have a couple of GPS units that we can use.

Chairman Rogan stated Rich has one, if it gives us coordinates and we are golden.

Rich Williams stated yeah.

Board Member DiSalvo stated which lot is that.

Mr. Cameron stated it will tell where you are but it won't tell you what the lot looks like.

Board Member DiSalvo stated the first one out that practically over looks that modular house (inaudible).

Board Member Montesano stated (inaudible).

Mr. Cameron stated I would have to give you coordinates.

Board Member Montesano stated now you are going to get fancy, Gene know that off.

Chairman Rogan stated that is down gradient of this, I know what you mean.

Board Member DiSalvo stated that house.

Chairman Rogan stated how far down, do you have on this how far down lot two goes. Because that was your question, the curve of the road down on the bottom of your page that is where if you go off to the left there is a new existing house that has been.

Board Member DiSalvo stated that house by itself.

Mr. Cameron stated this is where Kasey has their septic system.

Chairman Rogan stated so then the.

Mr. Cameron stated where it is all clear.

Chairman Rogan stated so then the non-useable part of this lot is closest to that Kasey system.

Mr. Cameron stated yes.

Chairman Rogan stated so that is your answer, when we were on that, so that is part of this lot but not part of the build able portion.

Board Member DiSalvo stated okay.

Chairman Rogan stated okay, that is why we are going to out and take a look.

Mr. Cameron stated being that you declared this a major subdivision at the last meeting, are we at a point where we can do SEQR on this, what is your opinion on SEQR, are you going to do a Lead Agency or are you going to do an Unlisted.

Chairman Rogan stated in this case, it is a major subdivision but it's really it's a two lot subdivision.

Board Member DiSalvo stated a major in a minor.

Chairman Rogan stated usually we do a coordinated review and just roll everything together, right. It doesn't seem, we don't seem to do too much, we do our thing and we let everybody else do their thing on these types of projects.

Rich Williams stated the involved agencies are DEP and the Health Department and that's it.

Chairman Rogan stated yup.

Board Member Pierro stated is the application complete, everything we have so far.

Rich Williams stated there are other agencies (inaudible).

Board Member Pierro stated okay.

Chairman Rogan stated except it's, we've done subdivision classification.

Board Member Pierro stated major, declare our intent to be lead agency.

Chairman Rogan stated did we do that, no, so we are looking at that and a determination.

Board Member Pierro stated I make a motion in regards to Bear Hill Subdivision that we declare the Town of Patterson Planning Board to be lead agency.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated okay.

Board Member Pierro stated now you need SEQR, no, what else do you need.

Chairman Rogan stated can we do SEQRA tonight, I mean; we haven't, let's get out there and take a look.

Board Member DiSalvo stated yeah.

Rich Williams stated you just.

Chairman Rogan stated we have to circulate and get.

Rich Williams stated you have to circulate to other agencies and they need to have at least 30 days.

Board Member Pierro stated okay so we will do it at the next juncture.

Mr. Cameron stated see if you had done it as an unlisted I think you could have done SEQR but if you do lead agency you have to wait the 30 days.

Chairman Rogan stated yeah because you have to wait for people to have a chance.

Rich Williams stated if you do an uncoordinated.

Mr. Cameron stated an uncoordinated, I'm sorry.

Rich Williams stated then you can just go straight to SEQR, straight to a determination.

Chairman Rogan stated straight to, which is what we did with Apap, it's a type II, SEQR process doesn't apply.

Board Member Montesano stated right.

Rich Williams stated yeah, right.

Chairman Rogan stated it is a good New Year refresher for all of us because we do tend to forget some of these steps; we are continually working on that.

Board Member Pierro stated okay.

Chairman Rogan stated alright so you are going to let Rich know when we can get out there and take a look.

Mr. Cameron stated yes.

Chairman Rogan stated thank you.

Mr. Cameron stated thank you very much.

Rich Williams stated and you'll get me the stuff to circulate.

Mr. Cameron stated yes and actually that brings up a question, I will put this on the map because that is what we will circulate, is that, we should decide on that. Because technically my map, this was a.

Rich Williams stated you are going to put that on that map and that is what you are going to circulate.

Mr. Cameron stated okay.

Chairman Rogan stated okay, thanks Rob.

Mr. Cameron stated thank you very much.

Chairman Rogan stated okay, one left.

Board Member Montesano stated okay.

9) GENOVESE SITE PLAN – Continued Review

Ms. Terri-Ann Hahn of LADA P.C. and Mr. Enrico Genovese were present representing the application.

Chairman Rogan stated this is the one that we got the architecturals on, the front page right.

Board Member DiSalvo stated yes.

Board Member Pierro stated we did lead agency on this.

Board Member DiSalvo stated maybe a smaller door or something.

Chairman Rogan stated we got a response from DEP.

Chairman Rogan stated good evening.

Ms. Hahn stated good evening.

Chairman Rogan stated how are you.

Ms. Hahn stated good. Terri Hahn.

Chairman Rogan stated we saved the best for last, huh.

Ms. Hahn stated LADA, Land Planners. We were in front of the Planning Board over a month ago, you guys did the intent to declare lead agency so we are back again to finish that up but as part of the original review letter, there were a number of items that we thought that we needed to address up front to get feedback and make sure that we were heading in the right direction. In addition we also had the beginning of a public hearing with the ZBA regarding the special permit for the use of the light manufacturing and warehouse and I wanted to bring up to date as to what discussion came out of that because that was the first time that the public came and those are probably going to be the same questions that will come up at our site plan public hearing, so if I could. One of the questions that came up was with the respect to the elevation of the building, the original building was very blocky, very sort of utilitarian and we did spend a little bit of time trying to dress up the front elevation to see if this was something that as far as you were concerned met the requirements of the regulations and basically it is a combination of block and brick, breaking it up into three entrances and just wanted to get some feedback because this was a comment that had been raised about the elevation and see if it is what were supposed to, so that is our first questions.

Chairman Rogan stated okay.

Board Member Pierro stated it is a lot more attractive but I am sure for, you know I don't know the cost of designing those three copulas there but the installation of it I'm sure is going to be a little pricier and it is much more attractive and it looks like where Rico and I went to high school, right Rico.

Mr. Genovese stated right.

Board Member Pierro stated it looks like Port Chester High School, except he was 20 years ahead of me though.

Ms. Hahn stated I don't if anybody else, what were doing here is we just had a little bump out, this is the floor plan down here and then the columns would be off the face of the building here and then a little bump out here.

Board Member Pierro stated that looks nice.

Ms. Hahn stated to sort of not only change the roof lines but also to put some shadows and stuff along the face of the building.

Board Member Pierro stated excellent.

Ms. Hahn stated hopefully that's.

Chairman Rogan stated we appreciate that fact that you went away from just doing the typical, like you said a utilitarian box building, we tend to start with the box and then try to get the applicant to dress it up a little bit. You have started with that, so, very nice.

Ms. Hahn stated okay.

Board Member Pierro stated another good point is that if we begin to get this type of design out on Route 22 then we can use this as an additional example.

Chairman Rogan stated as a gage.

Board Member Pierro stated to other opportunities that come before this Board.

Rich Williams stated where it does apply.

Board Member Pierro stated well you never know.

Chairman Rogan stated in other areas there have been buildings that have gone up recently, where we have pointed new applicants towards the existing buildings to try to mimic the architectural style. I don't know of any buildings that I can think of in that area that would lend themselves toward this style or but I'm certainly open to it.

Board Member Pierro stated right.

Ms. Hahn stated that sounds good.

Chairman Rogan stated what kind of a style building would this be considered, this kind of architecture.

Board Member Pierro stated a little more gothic right.

Ms. Hahn stated we put it in the Federal Georgian style component, you know, with the.

Chairman Rogan stated it is very stately.

Ms. Hahn stated yeah, we really were headed in that direction for Jeffersonian. It's a Federal Georgian style, something that just looks, honestly more like a school then (inaudible).

Chairman Rogan stated that is what, I think we all kind of agreed that it looks like a school.

Ms. Hahn stated yup.

Ted Kozlowski stated that is what you would see from Route 22.

Ms. Hahn stated this is what you would see from Route 22 as you are coming down south, it's the north, coming up on the north on this side of the building, here and this side doesn't really have, there are two doors here, there is not really much happening on that side of the building and in the discussion with the

ZBA and the neighbors, it ended up that we added planting all along this entire side of the building because there is really not much that we can do, this then being the face of the building that you would see coming this way, so that is sort of where we are at, with respect to the elevations.

Chairman Rogan stated I think there was quite a drop off from that row of plantings down to road from what I remember.

Ms. Hahn stated that is correct, yup.

Ted Kozlowski stated Mr. Chairman.

Chairman Rogan stated yes of course, please.

Ted Kozlowski stated Route 22 there, the green space between the building and the, is your plan to remove those existing trees or.

Ms. Hahn stated no.

Board Member Pierro stated it never.

Ted Kozlowski stated as I recall, those trees aren't the greatest.

Ms. Hahn stated its um, the best way to describe it is that its not thick, okay, there are some shrubs in there, there are some trees that just need to sort of pruned but the idea is to leave this as woods and then supplement it along the edge of the building so. We can certainly enhance the.

Ted Kozlowski stated my point is this, if you are going to go through the expense of putting in nursery stock trees on that side of the building, you want them to grow.

Ms. Hahn stated right.

Ted Kozlowski stated and do well and if you want to maintain that forest on that side, which as I recall, I may be wrong, it is kind of scrubby in there.

Board Member Pierro stated its swamp.

Ted Kozlowski stated a lot of red oak and red maple, you might just want to open that up and you know, if you are going to go through the expense of planting quality trees, then make a quality planting site and spend your money on the façade of the building, that is what I would recommend.

Ms. Hahn stated well.

Ted Kozlowski stated I don't think it is worth it to save all those trees over there.

Board Member Pierro stated that is quite a switch from where we were in the past.

Rich Williams stated that is a very steep slope (inaudible).

Ted Kozlowski stated but the grading, I mean the only thing, how much disturbance are you going to have.

Ms. Hahn stated we are holding pretty much the top of this slope here without having to disturb that. I can see some going in and taking down the vines and taking some of the shrubs out, to let the trees have a little bit of air but its.

Ted Kozlowski stated right.

Board Member Pierro stated you need something to stabilize that bank.

Ms. Hahn stated I wouldn't want to go and sort of muck around with the soil.

Ted Kozlowski stated I understand that but you are going to have to provide enough light this time, you are taking, a lot of people make this mistake, you are taking nursery stock trees, white spruce, it does need a fair amount of sun, they are not going to grow in dense shade and you are going to need that room and you are going to need that light and now you are putting those trees between a building and I don't know how high the building is and the existing forest span, so how much sunlight are you really getting this quality planting that you want to put in. You have to, people misunderstand.

Ms. Hahn stated I think this is not as thick a woods as it would appear on this picture. So that's, I agree with you.

Ted Kozlowski stated it is not a great quality woods, so I just.

Ms. Hahn stated I agree with you, I agree with you.

Ted Kozlowski stated I would just hate to see you go through all this and then that become a really marginal planting.

Ms. Hahn stated it's intended to be buffer planting not a habitat.

Board Member Pierro stated a buffer.

Ms. Hahn stated it is to preserve the soil and all that sort of stuff.

Ted Kozlowski stated I am looking at it also as an aesthetic accent.

Ms. Hahn stated we will see if we can come up a little bit more detailed information about that.

Ted Kozlowski stated or you might want to switch over to a more shade tolerant tree.

Ms. Hahn stated okay.

Ted Kozlowski stated a white spruce might not do it, I would say hemlock but hemlock has its own problems.

Ms. Hahn stated I haven't really planted hemlocks for a while.

Rich Williams stated and then you are starting to get into the.

Ms. Hahn stated yeah.

Rich Williams stated and they are planting them very close together and then over time they are just going to grab each other.

Ted Kozlowski stated that (inaudible).

Ms. Hahn stated yeah, I don't have a problem with that that sounds fine.

Chairman Rogan stated what if they did a selective thinning of some of those trees along that bank just to allow the sunlight to get in.

Ms. Hahn stated yeah.

Ted Kozlowski stated I think.

Chairman Rogan stated what I am thinking of, just not for the planting you are adding but for the existing trees with start to thicken up also.

Ms. Hahn stated that is correct.

Ted Kozlowski stated yeah as I recall it is a lot of die back.

Chairman Rogan stated scrubby maple like you said.

Ms. Hahn stated its not.

Chairman Rogan stated it is all pole size timber.

Ted Kozlowski stated its not you know the greatest strain of trees I've seen.

Ms. Hahn stated yeah, that would be fine, we will put that note on and in addition to this, the ZBA wanted us to put planting all along this, the cut slope here for the adjacent uses, even though the adjacent uses have actually taken down most of the trees back here but its.

Chairman Rogan stated so you are shielding yourself from them then, put it that way.

Ms. Hahn stated that's right, exactly. We also, there is some additional planting planted on this side for the Boniello house over here and.

Ted Kozlowski stated do you show the existing wetland on that plan.

Ms. Hahn stated yeah right here, on ours and then theirs continues up.

Chairman Rogan stated how and maybe you were going to say this, so I apologize if I am jumping ahead, how are we doing with preliminary stormwater, are you.

Ms. Hahn stated we have the stormwater basins shown, more in the process of doing the drainage calculations and the stormwater management report. We did submit erosion control plans so we could see how that was going to work out but the book isn't ready yet.

Chairman Rogan stated okay.

Ms. Hahn stated let's see, what else did I want to tell you about, oh, in the observations from Gene and Rich, we did find out, on this plan but on the utility plan that the existing wells, there are several existing wells on the site, both of which are located in the wetland buffer area and so we will need a wetland permit to allow a pipe to connect to the building. There is a well located someplace over here, so those.

Chairman Rogan stated the wells are existing.

Ms. Hahn stated the wells are existing. We are not going to use the one that is over here, this one over here should be suitable.

Chairman Rogan stated proposing to abandon it.

Ms. Hahn stated that seems to be the way we are headed, yes.

Board Member Pierro stated do those wells have to be.

Ted Kozlowski stated you tested the water and its safe.

Ms. Hahn stated it was relatively recently tested so I have all the documentation being together as well.

Board Member Pierro stated is there adequate water supply.

Ms. Hahn stated yes, I don't remember what the gallons per minute.

Board Member Pierro stated that is fine.

Mr. Genovese stated like 40 gallons a minute.

Ms. Hahn stated I just, yeah.

Board Member Pierro stated you could sell water to the Town at that rate.

Ms. Hahn stated we certainly don't need anything to that level for this building.

Board Member Pierro stated right.

Ms. Hahn stated the other thing that I just wanted to mention was that just for clarification, it ends up that the Mr. Genovese intends to grow into this building so he will need to, he has room for additional tenants, so he can't occupy the entire building at this particular moment but intends to grown into the building which also ties into the three entrances, so I just wanted to clarify that for the record.

Chairman Rogan stated will the loading spaces that you are proposing be able to service the individual tenants.

Ms. Hahn stated the interior tenants would them be located here with this one, this one for this one, and then this one would work for the biggest space on this side, yes.

Chairman Rogan stated okay.

Ms. Hahn stated but that is pretty much where we are at at the moment.

Chairman Rogan stated great.

Ms. Hahn stated so I guess the question would be, what comes next.

Chairman Rogan stated that is a great question, what comes next, we are always asking ourselves that question and we don't always get it right either. Rich, what comes next, what is the next step for them, they haven't gotten through ZBA yet or you are in the process.

Ms. Hahn stated the public has been continued due to I was unable to attend the December meeting and so we should finish that up.

Chairman Rogan stated so you'll get a decision.

Ms. Hahn stated as far as I know, they can't issue the special permit until SEQR is done, so.

Chairman Rogan stated oh that's right, that happened with the cell tower.

Rich Williams stated they did lead agency on this already.

Ms. Hahn stated you did the intent and now you have to do the actual.

Rich Williams stated yeah.

Ms. Hahn stated the lead agency determination today I think.

Rich Williams stated today.

Ms. Hahn stated yes, please.

Chairman Rogan stated we haven't done, let me back up a second, because we got a little confused on the last application. We circulated intent to be lead agent, have you heard back.

Rich Williams stated yes I believe, if not, the 30 have passed.

Chairman Rogan stated okay so then by, then by default we are lead agent.

Rich Williams stated correct.

Chairman Rogan stated okay, so appropriate time has lapsed, so we are allowed to make a SEQR determination. I saw some eyebrows going so I tend to hesitate.

Rich Williams stated not my eyebrows.

Ms. Hahn stated that you would be great but I didn't know if you were ready to do that.

Chairman Rogan stated I didn't either but I was trying to work through the process so that we all learn and get it straight. What typically happens after the 30 days.

Rich Williams stated the question at this point to the Board is are the plans developed enough so you can adequately assess the environmental, the potential environmental impacts, do you require any additional information.

Chairman Rogan stated okay.

Rich Williams stated if the answer is no, you think that the plans are fine and you've got everything you need if you were in a position to make a determination, whether it is a positive dec. that the project may have an environmental impact and there for needs to do a further evaluation with an environmental impact statement for negative determination. You can reasonable perceive that there will not be an impact.

Board Member Pierro stated I think that the stormwater basins are outlined and the main environmental issue at hand.

Board Member DiSalvo stated and then you have the septic in the back.

Board Member Pierro stated but the septic is not near the buffer of any kind.

Chairman Rogan stated Gene, Rich, do you guys want anything additional on this, at this time.

Rich Williams stated if all we are looking for is SEQR, then I don't have a problem with it.

Board Member Pierro stated no, I am comfortable with a SEQR determination.

Chairman Rogan stated okay.

Board Member DiSalvo stated want me to do it.

Chairman Rogan stated sure.

Board Member DiSalvo stated in the matter of Genovese Site Plan, I make a motion that the Planning Board of the Town of Patterson finds that the proposed action will not have a significant impact on the environment and hereby issues a negative declaration of significance.

Board Members Pierro and Montesano second the motion.

Chairman Rogan stated Mike and Dave.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye

Board Member Montesano - aye
Board Member Pierro - aye
Chairman Rogan - aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated that was very good.

Ms. Hahn stated since we are still doing the ZBA.

Chairman Rogan stated at least this will allow them to do their final.

Ms. Hahn stated that is correct and then we will come back and you guys will do your public hearing.

Board Member Pierro stated yes.

Ms. Hahn stated is that how it will be.

Rich Williams stated at this point I would recommend the significant detail, there is a lot of additional information.

Chairman Rogan stated this is just concept.

Rich Williams stated there are a lot of additional concerns that Gene and I raised.

Chairman Rogan stated sure.

Rich Williams stated that haven't been addressed and they need to be addressed.

Ms. Hahn stated right.

Rich Williams stated you get those wrapped up and then you can be in a position for a public hearing.

Ms. Hahn stated excellent.

Chairman Rogan stated thank you.

Ms. Hahn stated very good, thank you.

Board Member Pierro stated thank you.

Chairman Rogan stated thanks very much.

10) MINUTES

Board Member Pierro stated I make a motion to accept the minutes dated November 27th.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

Chairman Rogan stated do you guys have anything that you want to talk about.

Board Member Pierro stated Michelle, got anything to talk about.

The Secretary stated no.

Board Member Pierro stated motion to adjourn.

Chairman Rogan stated can I have a second.

Board Member Montesano seconded the motion.

Chairman Rogan stated unless you have anything.

Board Member DiSalvo stated I am trying to think.

Board Member Montesano stated you're thinking about a second.

Board Member DiSalvo stated there are so many project lingering there.

Chairman Rogan stated when we find out from Rob, we can schedule a site walk on Bear Hill. That shouldn't be too bad, hopefully we pick a warm day.

Rich Williams stated you also have Pondview outstanding.

Chairman Rogan stated Pondview should be letter us know, that will be an interesting walk.

Board Member Pierro stated Rich said they were staking it, you were kidding or its done.

Chairman Rogan stated good night.

Rich Williams stated the attorney said that they were out there staking it.

Chairman Rogan asks for all in favor.

Board Member DiSalvo stated for that subdivision by Dave, the wetland permit. They were just getting the letter from you to go out there and perc around.

Board Member Pierro stated for what.

Chairman Rogan stated for the motion to adjourn.

Board Member Pierro stated oh, aye.

Rich Williams stated they were testing, when I looked everything was out of the buffer.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried by a vote of 5 to 0.

The meeting adjourned at 9:10 p.m.