

**TOWN OF PATTERSON
PLANNING BOARD MEETING
January 5, 2006**

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PLANNING BOARD

Herb Schech, Chairman
Michael Montesano
David Pierro
Shawn Rogan
Maria Di Salvo

**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

**Planning Board
January 5, 2006 Meeting Minutes**

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

Present were: Chairman Herb Schech, Board Member Mike Montesano, Board Member Dave Pierro, Board Member Shawn Rogan, Rich Williams, Town Planner, Gene Richards, Representative from Town Engineer's Office, Dufresne-Henry, Anthony Molé, Attorney with Curtiss, Leibell & Shilling and Kozlowski, ECI.

Meeting called to order at 7:33 p.m.

There were approximately 19 audience members.

1) WYNDHAM HOMES LOT 28 WETLAND WATERCOURSE PERMIT - Public Hearing

The Secretary read the legal notice for the public hearing.

Mr. Joe Darnell, Applicant was present.

Chairman Schech asked Mr. Darnell to make his presentation.

Mr. Darnell stated we are proposing to build a single family house on our Lot 28. We are going to be doing a little bit of grading into the wetland buffer area. We are keeping all the impervious surfaces such as the driveway and the house on the other side of the wetland buffer so that it does not go into the wetland buffer. We are doing a little bit of grading off of the edge of the driveway in the back of the house into the wetland buffer area as shown.

Chairman Schech asked any comments from the audience. There were no comments.

Board Member Montesano made a motion to close the public hearing. Board Member DiSalvo seconded the motion.

Chairman Schech asked all in favor:

Board Member Montesano	-	aye
Board Member Pierro	-	not present at this time
Board Member Rogan	-	aye
Board Member DiSalvo	-	aye
Chairman Schech	-	aye

Motion carried by a vote of 4 to 0.

Chairman Schech stated that is an awfully tight lot. What size house are we putting on there and what not.

Mr. Darnell replied about thirty-two hundred square feet.

Chairman Schech asked that is similar to the ones that are in the development.

Mr. Darnell replied yes. This is one of our smaller footprint houses.

Board Member DiSalvo asked are you going to maintain that stonewall in the back there, close up where the openings were.

Ted Kozlowski stated one of the conditions that we are going to ask for Joe is that obviously the A.T.V.'s are going in there you know that, there is a stonewall that was breached on the other side of that right of way.

Mr. Darnell asked in the back of it.

Ted Kozlowski replied yes. We would like to see that stonewall closed off.

Mr. Darnell stated no problem.

Ted Kozlowski stated and made natural. It is a good delineator and it is (unable to hear the rest of his statement).

Mr. Darnell stated no problem.

Chairman Schech stated so you want the stonewall restored right.

Ted Kozlowski stated Rich we will have it spelled out right for the permit.

Rich Williams stated yes.

Chairman Schech asked Rich do we have any other conditions on that. I don't have anything here.

Rich Williams replied it has been what five months.

Chairman Schech stated yes it has been awhile I forget.

Mr. Darnell stated we had to change the house that we had on there because the bedroom criteria changed with the Putnam County Health Department so we had to redesign one of our houses so that it would comply that was what the delay was about.

Rich Williams stated Mr. Chairman if I might, Chairman Schech stated yes. Rich Williams asked is this the original plan that was submitted.

Mr. Darnell replied no.

Rich Williams asked this is a new plan.

Mr. Darnell stated the only thing that changed was the house everything else is the same.

Rich Williams asked and you submitted this plan to the Board, the Board has seen this plan.

Mr. Darnell replied yes. This is not different from what they have here no. It is different from the one that we originally came for the first meeting.

Board Member Montesano asked Ted do you recall any problems with the drainage or anything like that.

Ted Kozlowski replied no I remember the size of the house has been reduced correct.

Mr. Darnell replied I am not sure.

Ted Kozlowski stated because I thought when we went out there one of the concerns was once the house was built was there enough area for normal,

Mr. Darnell stated the footprint of this house is smaller not by much.

Ted Kozlowski stated this is one of the easier ones in the sense that the wall really clearly defines the natural wetland area.

Board Member Montesano stated we are going to make a statement that the future tenant of that property should not be allowed to open up the stonewall so that it gives them access to the back. If we can make a note somehow on the plat or whatever.

Rich Williams stated you do it within the approval that you grant tonight it would be carried over into the permit that you would require the wall to be closed up and not be altered without prior Planning Board approval.

Chairman Schech stated we are requiring that the wall be restored.

Board Member Montesano stated and also maintained that way if not the homeowner is going to come in, open that up and start using the property behind it.

Rich Williams stated I would not use the word restore because we are actually closing a gap where the old farm equipment used to go through.

Chairman Schech asked in other words the opening was there already.

Ted Kozlowski asked are you sure Rich because it looked like it was breached. I mean there is an established way through there.

Rich Williams stated trust me.

Ted Kozlowski stated he was there in his younger days.

Chairman Schech asked anyone want to make a motion on that.

Board Member Montesano and Board Member DiSalvo asked what are we making a motion on.

Chairman Schech stated that the stonewall be closed off and not removed.

Board Member Montesano made a motion in the matter of Wyndham Homes Lot 28

Board Member Rogan stated make that a condition of the approval for the resolution you don't need to make a motion on it.

Ted Kozlowski asked Joe how many more lots do you have to go.

Mr. Darnell replied three more to go in the ground including this one.

Ted Kozlowski asked and then you are done.

Mr. Darnell replied yes we are hoping to be completed and punched out in the summer.

Chairman Schech asked how do we put this down as final approval; put this on a final plat.

Rich Williams stated no this is part of a wetlands watercourse permit application. If you are comfortable with it, you address SEQRA and you make a motion to approve the permit subject to any conditions you may have.

Board Member DiSalvo made a motion in the application of Wyndham Homes Lot 28 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 Member Montesano seconded the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

Chairman Schech made a motion in the matter of the application of Wyndham Homes Lot 28 that the Planning Board approves the wetland watercourse permit with the condition that the stonewall will be one continuous stonewall.

Rich Williams asked and not to be altered.

Chairman Schech stated and not to be altered at any time.

Ted Kozlowski stated just one thing that I want to add is that the stonewall should be done, you should have a time frame on when that stonewall gets completed.

Chairman Schech stated before we sign the plat.

Rich Williams stated it would be before he gets the C.O. because it would be a condition of the C.O.

Mr. Darnell stated no so much you Joe but the house gets built and you know, (too many talking at the same time unable to transcribe).

Mr. Darnell stated I would like you to see it up.

Board Member Montesano stated I would like to see the wall put up as soon as possible before construction starts on it this way it will give them a guide where they can bring equipment back and forth.

Ted Kozlowski stated exactly.

Mr. Darnell stated not a problem.

The Secretary asked Mr. Chairman that was your motion.

Chairman Schech replied yes.

The Secretary stated then we need a second.

Board Member DiSalvo seconded the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

Mr. Darnell thanked the Board.

2) KING WETLANDS WATERCOURSE PERMIT – Public Hearing

Mr. Joe Buschynski, Bibbo Associates and Mr. King were present.

The Secretary read the legal notice.

Chairman Schech asked do you want to explain what we are doing.

Mr. Joe Buschynski stated my name is Joe Buschynski with Bibbo Associates representing Mr. Don King who owns a one-acre parcel on Mountain View Road. It is the second parcel in on the right hand side from 164. Mr. King currently resides on the first parcel on the right. It is proposed to develop the one-acre lot with a three-bedroom residence. The reason that we are here is the property is impacted by a watercourse off to the south side of the property and the one hundred foot buffer extends on to the parcel. A portion of our work is proposed within the one hundred foot buffer consisting of a corner of the driveway. The driveway was reviewed, alternates for the drive was reviewed with the Board it was decided that since Mr. King's drive currently crosses the parcel, the best grading condition, the least disturbance was achieved by accessing from the existing driveway to the new house and the plans provide for erosion controls, provide for captured roof runoff to try and put it back in the ground with infiltrators and the parcel is approved by the Putnam County Health Department for a septic system, it actually received its original permit back in the early nineties and has since been renewed.

Chairman Schech asked any comments from the audience. There were no comments.

Board Member Pierro made a motion to close the public hearing. Board Member Montesano seconded the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

Chairman Schech asked we had a problem with that Ted didn't we.

Ted Kozlowski stated not so much a problem just some challenges. The driveway being in the buffer really does not impact the stream at all. My concern was one of erosion because of the removal of trees and it seems like they moved it a little bit and changed it a little bit to be somewhat less impactful on that hill. It is still going to be an impact. What I would like to see especially within that buffer area is delineate a zone that they are just not going to go into with any kind of disturbance, any kind of fill, any grading, tree removal, put a nice bright orange fence in there and make that before you do anything don't go into that zone with any kind of machinery or any kind of staging at all. Any of those trees that you intend on saving because those trees are holding up the hillside designate those trees and make sure that whoever is doing the work understands that and that we don't have things piled on top and we don't have banging into. You

want to walk away from that as much as a natural site as possible and then once you have got that roadway in and the construction of the house and the clearing for the septic and all that those erosion controls remain in place. You are required to do that anyway but just common sense stuff, which seems to get lost in the shuffle when these projects start.

Chairman Schech asked so you want to see all the erosion controls on the plan.

Ted Kozlowski replied yes and Richie would, he is going to look at that anyway.

Rich Williams stated they actually have to file for an erosion control permit they do have one pending. It is relatively complete.

Chairman Schech stated all right get them all on there and you will be all set. Anthing else.

Board Member DiSalvo asked what about in the future with the new homeowner with the disturbance in that area.

Ted Kozlowski stated because of the steepness Maria, I don't know how much he is going to really or the person is going to be able use that site and if there is a clearing proposed in there they are going to have to come before the Board for a permit. It would be in everybody's best interest to keep that as natural as possible. The value of the house will be better if that hillside is pretty much a forested hillside.

Chairman Schech asked we have to do SEQRA on this one.

Board Member DiSalvo made a motion in the application of King Wetlands Watercourse Application 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 Member Pierro seconded the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

Chairman Schech stated okay thank you.

Rich Williams asked you don't want to take an action on the permit.

Chairman Schech replied I thought we wanted to see all the stuff on the plan first.

Rich Williams stated the only two outstanding issues are the orange construction fence which you can make a condition of the permit and seeing the easement agreement and making sure there is an easement agreement to share the driveway and certainly we can take care of it as part of the erosion control permit.

Chairman Schech asked would you like that tonight.

Mr. Buschynski replied certainly would.

Ted Kozlowski stated we would just like to check the site before they start the work.

Chairman Schech stated all right I thought you wanted it all down on the plan first.

Rich Williams stated and we are going to do that as part of the permit anyway.

Board Member Pierro made a motion in the matter of King Wetlands Watercourse Permit that the Planning Board issues the permit with three conditions.

1. That the easement agreement be provided to the Planning Board office.

Rich Williams stated and it is filed with the County.

Board Member Pierro stated and filed with the County.

2. That orange construction grade fencing be placed along the buffer area.
3. The site be inspected prior to any work being started.

Chairman Schech stated and the trees marked.

Ted Kozlowski stated and those things identified in the field so we can just come out and say yeah fine or tweak it if we have to and then go ahead.

Board Member Montesano seconded the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

3) THE PADDOCK SIGN APPLICATION

Chairman Schech asked is there anyone here from the Paddock.

Mr. Raymond Knox, Applicant was present.

Chairman Schech asked did they give you a violation on that sign yet.

Mr. Knox replied no.

Board Member Pierro asked has any determination been made with Paul.

Rich Williams stated I did talk to Paul and asked him to provide the Board a letter, I don't believe he did but verbal discussions that I had with him the original was Boomers and Boomers did go to court, and there was a fine.

Mr. Knox stated there was a fine the fine was paid.

Rich Williams stated and then Paul has not but intends to proceed with a violation because the current sign is up.

Board Member Pierro asked he does not.

Rich Williams replied he is.

Board Member Pierro stated he is.

Rich Williams stated that was what he communicated to me.

Board Member Pierro stated he has not yet.

Rich Williams stated I don't know if he has or not.

Board Member Pierro stated then back to what we discussed at the work session I don't think that it would be proper for us to react to this application with an impending violation going to be issued.

Anthony Molé stated I know there was a violation on the Boomers sign that was before court. I don't know if this is going to be in the same location, same size as the Boomers sign.

Mr. Knox stated it is the same sign; it is the same sign that has been there since it was Shenanigan's.

Anthony Molé stated what happened in Justice Court was they had a certain amount of time, I forget how much time it was to come here and get their sign approval which they didn't for Boomers I guess obviously because they were changing the ownership or changing the restaurant to a different name so if they obtain their sign permit here then there may not be a violation as far as what Paul wants to issue. I don't know what his exact violation is I assume it is the same as what was issued for the Boomers sign.

Board Member Pierro stated I thought there was lighting also was the issue with,

Chairman Schech stated our problem is not with the sign it is with the lighting although the sign was installed,

Anthony Molé stated the lighting I am not aware of.

Chairman Schech stated without any permission at all.

Rich Williams stated the lighting has been there for a very long time but this is a new application, which opens the door for the lighting.

Chairman Schech stated so we would like to have the lighting changed.

Rich Williams stated there was some issues with the lighting and I am doing this from memory so bear with me that some of the lighting was not shielded and or,

Board Member Pierro stated none of it, none of it was shielded.

Rich Williams stated was directed so you could see it visibly off site and that is contrary to what the Code requires. Within our Code, any lighting has to be shielded and directed directly at the sign so that you can't see it from off site areas. It is just a matter of correcting those issues.

Board Member Pierro stated again, I would like to wait until those issues are corrected even though it is winter weather I don't think there is any reason why he can't put the shrouds up on the lights. It is not a question of digging into the ground and burying the wires and putting up plantings.

Anthony Molé asked if we know are the violations that he is going to issue something that need to go to the Zoning Board to resolve or any variances.

Board Member Pierro stated I don't believe so. It is just for the lighting on the sign.

Board Member Montesano stated the sign went up without any approval. Boomers took care of their situation and he proceeded to put the sign up with his name on it under technically I guess it would be a different violation one sign or the other. I don't know if they are the same or not.

Rich Williams stated I don't know what the court said.

The Secretary stated but all that it is going to do is if Paul issues a violation it is going go to court and it is coming right back,

Anthony Molé stated it is going to go to court that is my point, it is going to go to court and it is going to come back here to get an approval so the Board proceeding tonight wouldn't, he will go to court and he will say I came to the Planning Board to do what I had to do but they said no because they are sending me back to court and the court is going to send him back here.

Board Member Pierro stated well I am sure if we get the shrouds placed on the lights we can stall Paul for a moment or two so that this application can be granted at the next meeting before summons are issued as long as, the problem with the last time is that we never had contact with this gentleman. He did not come before this Board at least now he is hearing what our issues are.

Anthony Molé stated right to address all the issues and that is what the Board should do is address all the issues that are a problem; make sure they are all resolved before any approval is granted.

Board Member Pierro stated you have to get some shrouds on the lights and then we will react to the sign permit. It will take you the time to get an electrician in there.

Chairman Schech stated check with Rich and see what type of lighting we want.

Rich Williams told Mr. Knox to give him a call.

Chairman Schech stated and then come back and we can probably do away with the violation.

Mr. Knox stated all right great thank you.

Chairman Schech stated next time try to do these things before hand that way we don't get too excited although sometimes excitement is good for the heart.

4) MICKY & MIA PET BOUTIQUE SIGN APPLICATION

Applicants were present.

Chairman Schech asked give your name please.

Mr. Daniel Nation stated his name for the record.

Chairman Schech asked what did we have on that sign.

Board Member DiSalvo showed the Chairman a picture.

Chairman Schech asked Board Member DiSalvo to show it to them.

Mr. DiSalvo stated this is a copy of the freestanding sign that is there now. She is going to place her sign where it says space available down here.

Mr. Nation replied well we really wanted to put it up on the top where the space is up there.

Board Member Montesano stated no that is supposed to be,

Chairman Schech stated we figured that.

Board Member Montesano stated but the name of the plaza, etc is supposed to be up there and then the tenants below it.

Board Member DiSalvo stated there is no street address here.

Board Member Montesano stated there is no emergency address.

Mr. Nation stated on the other side.

Board Member DiSalvo stated so this has to be installed by the landlord on the top here.

Chairman Schech stated you need a street address sign up on the top.

Mr. Nation stated yes that is on the other side.

Board Member Montesano stated yes but it has got to be on both sides.

Mr. Nation stated if I remember correctly I have not looked at in awhile but the one on the other side doesn't totally cover up that space either.

Board Member Montesano stated yes but he also has to put down what it is, the address number would be fine and it is supposed to be what 311 Plaza.

Mr. Nation stated yes.

Rich Williams stated that was the original application.

Chairman Schech stated I don't know what they call it.

Board Member Montesano stated if that is the name that he has been using since that was the approval that was given with that name.

Mr. Nation stated Route 311 Plaza is what is on the other side.

Board Member Montesano stated so it would be underneath,

Board Member DiSalvo stated the address.

Board Member Montesano stated yes the address on the top part of it. To tell you the truth I have not looked on the other side of it.

Board Member DiSalvo stated you pass by it all the time so you don't, Board Member Montesano stated so you don't pay attention to it but that is what the guy has to do in case of an emergency you are in trouble because nobody knows where you are.

Chairman Schech stated and the colors are,

Board Member DiSalvo stated well the red background; this is the approved Hamlet color for the red the color on top here referring to the photo.

Mr. Nation stated he didn't say what color it is. It needs to be,

Board Member Pierro stated it looks pink to me.

Mr. Nation stated this may just be the way it was,

Chairman Schech stated within the Hamlet we have a certain standard for colors. All those sign colors are going to change eventually to bring it within the standards of the Hamlet colors.

Mr. Nation asked is this red too light.

Board Member Montesano stated yes.

Chairman Schech stated yes that is a little too bright.

Board Member Montesano stated it is supposed to be a colonial color.

Chairman Schech stated it is supposed to be muted an antique color.

Board Member DiSalvo asked can you make the sweaters a little darker and on the picture too.

Mr. Nation replied I guess.

Board Member Montesano stated those are the colors he has to pick from.

Board Member DiSalvo stated then we are going to go back to where we are going to put the sign on the,

Board Member Montesano stated the landlord has to come up with some way of putting the sign on there. Are all these tenants still here.

Board Member DiSalvo replied yes. The salon has two, the deli has two.

Chairman Schech asked the deli has two.

Board Member Pierro stated yes.

Chairman Schech asked why would the deli need two.

Board Member Pierro stated it says breakfast, lunch and catering if you are looking at the main sign.

Board Member Montesano stated apparently aside from Allstate they have one. This is two, this is two the sign is completely covered.

Chairman Schech stated you are going to have to talk to your landlord about finding some space.

Mrs. Nation stated he is the one that told us to put it up there because originally the florist sign was where Allstate is.

Board Member Montesano stated unfortunately he can't, Board Member Pierro stated he does not issue the permits.

Board Member Montesano stated he can tell you where to put it unfortunately, Mrs. Nation stated I am just telling you what he told us.

Board Member Montesano stated I am just saying I don't know if he is aware, the sign should have two sides so you can see it as you are coming and going.

Mrs. Nation asked so even if we put the 311 in the arched area that would not be good enough.

Board Member Montesano replied the numbers have to be large enough, the numbers belong on the top.

Mrs. Nation stated that is what I am saying there is an arched area above,

Board Member Montesano stated and then below the arch, Chairman Schech stated if it can be readable, it has to be Route 311 Plaza and the address. There is an address also.

Mr. Nation asked so it needs the numbers of all the buildings that go across.

Board Member Montesano replied yes.

(Too many talking at the same time unable to transcribe).

Board Member Montesano stated the number has got to be on the top significantly so you can notice it in case you have an emergency someone is going to be driving that may not be familiar with it he has to look for an address. You can't make it this big.

Mr. Nation asked are you saying the arch should say 1072.

Board Member Montesano stated yes.

Mr. Nation asked and underneath it should say Route 311 Plaza.

Chairman Schech stated somewhere up there yes.

Board Member DiSalvo stated and the numbers have to be a certain height right.

Rich Williams stated there is a minimum size yes.

Mr. Nation stated one question that I have if you are saying that they are going to have to be changed eventually then why not tell us what you want now so we can do it now.

Board Member Pierro stated that is what we are doing.

Chairman Schech stated we are trying to.

Mrs. Nation stated no I mean you were saying about all the stores,

Board Member Montesano stated the colors have been in existence for a few years now,

Rich Williams stated 2003 we adopted the colors.

Board Member Pierro stated right the Allstate sign is to the current color scheme.

Board Member Montesano stated he has it blue and white you can either use a green background and white letters, correct me if I am wrong,

Mrs. Nation stated Sauro's we picked the red based on Sauro's red.

Chairman Schech stated no Sauro's is not the colors.

Board Member Rogan stated the sign pre-dates the sign ordinance so as establishments change hands or change signs they will be brought up to code or brought up to the standard that they are talking about.

Mrs. Nation stated that is where we took the red from we thought that was allowed.

Board Member Rogan stated understood.

Board Member Montesano stated you can either get a red and there is a green and a blue.

Board Member Rogan asked Rich did we ever specify the colors that were allowed for lettering. I remember the three major colors, the red, the green but I thought the letters were either gold leaf or white.

Rich Williams stated I think it was gold or white.

Board Member Rogan stated so there is your combinations. If you do a red background, you either do white lettering or gold leaf lettering which ever you prefer.

Mrs. Nation asked and the photograph is okay on the sign.

Chairman Schech asked the photograph.

Board Member DiSalvo stated with the dogs.

Chairman Schech asked on the sign.

Mr. Nation replied yes on the one against the building.

Chairman Schech replied on the building yes that should be all right on the building.

Board Member DiSalvo stated yes.

Board Member Montesano asked does it fit in the size.

Mr. Nation replied yes. We sent you a copy.

Board Member DiSalvo stated they are actually under.

Chairman Schech stated but the rest of the sign has to have the same colors also right.

Board Member Rogan stated I will tell you my impression of the sign ordinance when we talked about it was with regard to background and lettering I don't remember anybody discussing at that time pictures such as these dogs on there and I don't believe that was the intent of the Hamlet sign ordinance was to have more than just the lettering on the signs but I could totally be wrong. Do you remember Rich.

Board Member Montesano stated I don't know if we limited it.

Board Member Rogan stated because no one has come in with a sign that has had poodles on it.

Chairman Schech stated nobody has every thought of it.

Board Member Montesano stated they are not poodles. They are Maltese.

Board Member Rogan stated sorry did I say poodles.

Mrs. Nation stated yes.

Board Member Rogan stated I apologize.

Mrs. Nation stated they are called Morkies.

Board Member Rogan stated the intent of course was to give the Hamlet an identity so as we go ahead into the future the signs will take on a character of that Hamlet that will correspond to those three colors that we have shown you. I think this is the first sign application with animals on it.

Board Member Pierro stated we have had a couple of logos but that is it.

Board Member Rogan asked how does the Board feel about the logo with the dogs.

Board Member Montesano stated the logo does not bother me as long as it sits, it is not an action thing. It does not increase or decrease the size that is allowed.

Board Member Pierro stated I have no problem with the picture of the dogs.

Chairman Schech asked what about the colors.

Board Member Pierro stated as long as the colors are correct.

Chairman Schech stated let's get the colors right and put the dogs on there as long as they are not moving around.

Mrs. Nation stated no it is just a still photo.

Board Member Pierro stated they are not alive.

Mrs. Nation stated they will be in the window.

Board Member Montesano stated and the specialize in little guys I guess that will have to match the color of the rest of the lettering.

Mrs. Nation asked so you want it white.

Board Member Montesano replied white or gold it has got to be.

Board Member Montesano stated drive through take a look at some of the other signs that we do have up the green or and see if that will fit in.

Mr. Nation asked green background with the gold letters like Patterson Village.

Board Member Montesano stated the Town Hall has one.

Chairman Schech stated and something like we specialize in the little guys they are not going to read it anyway it is too small.

Board Member Pierro asked would the Board be amenable to granting the application to get it off our plate and just have them come in and review the color and get approvals from Rich on this.

Chairman Schech stated yes.

Board Member Rogan asked the application is for a building mounted sign as per the diagram and two small signs one on each side of the freestanding sign correct.

Mrs. Nation stated right. I know Sauro's and the Salon were looking to change their sign too. If there is something standard that you wanted maybe I can talk to them and we can all try to do the same thing.

Board Member Rogan stated we tried to give a couple of choices and we probably would have been better off to just pick one color with one lettering and be done with it but we did what we thought was right at the time in picking the three different colors.

Chairman Schech stated so come in with it and get the final approval on it.

Board Member Montesano stated Dave why don't you make the motion, I will second it, and we will give Richie,

Board Member Pierro stated in the matter of Mickey & Mia's Pet Boutique, 1072 Route 311, Patterson that the Planning Board makes a negative determination of SEQRA and that the Planning Board approves the sign application for one, building mounted signs and two, stanchion mounted signs as depicted in the drawings provided with utilizing Hamlet colors that have been explained to the Applicant which will be a white or gold leaf lettering with a colonial red background,

Board Member Pierro asked is that what you have chosen.

Mr. Nation stated drumbeat.

Board Member Montesano seconded the motion.

Board Member DiSalvo asked do you want to put in about the address on top.

Rich Williams stated that is the property owner.

Chairman Schech stated that is the property owner.

Board Member Pierro stated we will communicate that to the property owner.

Board Member Rogan stated you might want to do the size of the sign.

Board Member Montesano seconded the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

Board Member Pierro stated do you want to throw the size of the sign in there one, twelve by ninety-three inch colored to be approved at the time it is obtained by the Applicant by going to Rich Williams and secondly one, eight and a quarter by forty inch by half inch.

Board Member DiSalvo stated two.

Board Member Pierro stated two, eight and a quarter by forty inch by half inch stanchion mounted signs to go out on 311 so moved.

Board Member Montesano seconded the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

Mrs. Nation thanked the Board.

Mr. Nation asked the background can be green also.

Chairman Schech replied yes.

Board Member Montesano stated you can either have a green, a blue (too many talking at the same time unable to transcribe).

Chairman Schech stated you have green, red and blue backgrounds.

Mrs. Nation asked and the blue is the Allstate blue.

Chairman Schech stated yes.

(Unable to transcribe too many speaking at the same time).

Board Member Rogan asked Rich in the ordinance did we ever limit it to say that a sign could only have one of those background colors and not more than one. We could end up with signs that come in that have all three of the colors.

Board Member Pierro stated right they would be very busy.

Board Member Rogan stated that is my point of bringing it up is it is something the Board should consider.

Board Member Montesano asked can we re-word that so it does have or, or on the coloring.

Rich Williams asked on this application.

Board Member Montesano replied no I am talking about in the future, future reference that we have red or green or blue.

Rich Williams stated I will make a note to make a change.

Mrs. Nation asked and the outside sign does that matter the self-standing.

The Board replied yes the same.

Mrs. Nation thanked the Board.

5) PUTNAM COUNTY NATIONAL BANK SITE PLAN

Ms. Theresa Ryan, Insite Engineering was present representing the Applicant.

Board Member Pierro asked on the motion, do we need to discuss this.

Ms. Ryan stated I am just looking for an extension.

Board Member Pierro made a motion in the matter of Putnam County National Bank that the Planning Board grants a ninety-day extension for the proposed building on Front Street. Board Member Montesano seconded the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

Chairman Schech stated we thought the one hundred and eighty was too much. You can always come in again.

Ms. Ryan stated no problem. I would love to. Thank you.

Board Member Pierro stated we hope the next time we see you on this project we have a building permit in place.

6) DIPASQUALE WETLANDS WATERCOURSE PERMIT

No one was present to represent the application.

Board Member Rogan asked is Mr. DiPasquale here.

Rich Williams stated I did not notify him because I did not get a chance.

Chairman Schech asked which one was that.

Board Member Rogan stated the pool, the wetland buffer.

Chairman Schech stated okay.

Rich Williams stated the wetlands watercourse application and I believe the Board decided that they would rather see the pool placed behind the house.

Board Member Rogan stated if you communicate that to Mr. DiPasquale he does not need the wetlands permit correct.

Rich Williams stated correct.

Board Member Rogan stated we don't need any other action by this Board.

Rich Williams stated it is your option whether you want to deny the permit so that it is done and we have a finality to it or leave it to Mr. DiPasquale to withdraw it.

Board Member Pierro stated let's deny it if that is okay with you gentlemen.

Chairman Schech replied yes.

Board Member Pierro made a motion in the matter of DiPasquale Wetlands Watercourse Application that the Planning Board denies the permit as applied for. Board Member DiSalvo seconded the motion.

Chairman Schech asked all in favor:

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

Board Member DiSalvo - aye
Chairman Schech - aye

Motion carried by a vote of 5 to 0.

Board Member Rogan asked Rich should we include in the denial that the reason we are denying is that there is sufficient area in the backyard to stay outside of the wetlands buffer.

Rich Williams stated conservatively I probably would put something in the resolution stating that there was sufficient area even though it is located in the bridle path, there was sufficient area in the bridle path and the horses could still pass.

Board Member Pierro stated so moved.

Board Member DiSalvo seconded the motion.

Board Member Pierro stated amend the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

7) KEASBEY SUBDIVISION

Ms. Edie Keasbey was present.

Chairman Schech stated you are here. I didn't hear you I didn't think you were here.

Ms. Keasbey stated I didn't say anything.

Chairman Schech asked name for the record please.

Ms. Keasbey stated Edie Keasbey, Couch Road.

Chairman Schech stated I think we are pretty well set on the final on this except for,

Ms. Keasbey asked do you have any papers for me.

Rich Williams asked do you want some papers.

Ms. Keasbey replied no.

Rich Williams stated where we stand on this Mr. Chairman if I might, they had gotten a review memo from me they had addressed most of the comments. There are still a few that are outstanding that I haven't reviewed I believe so you might want to approve this the subdivision subject to addressing the Town Planner's last comment memo however the reason that no action was taken at the last meeting was because they had not been to the Town Board. They have now been to the Town Board and gotten a variance from the standards of 138 clearing the way for the Board to take a final action tonight.

Chairman Schech stated the only thing that I can recall is the road opening. We don't have a road opening permit.

Ms. Keasbey stated we have a year to do that.

Chairman Schech stated that is the only thing that is missing I think. Was there anything else.

Board Member Pierro asked what were the final issues that you were speaking to.

Rich Williams replied there were a couple of minor additions to the plat as far as notes I believe.

Ms. Keasbey stated I still have not gotten my updated, third update of my plat back from Terry Bergendorff and very honestly I thought with this weather and the holidays I was not going to bother her at that time. I will now.

Board Member Pierro asked do they need a SEQRA movement on this.

Rich Williams nodded yes.

Board Member Pierro made a motion in the matter of Keasbey Subdivision that the Planning Board grants a negative determination of SEQRA and that the Planning Board grants Final Subdivision Approval with the contingencies listed in the last comment letter by the Town Planner. Board Member DiSalvo seconded the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

Board Member Pierro stated final approval you have got a year from today to get a hold of Charlie.

Ms. Keasbey replied I am not going to do it. It is going to be up to the Land Trust. Thank you very much gentlemen.

8) DUNNNING SUBDIVISION

Mr. Rob Cameron, Putnam Engineering was present representing the Applicant.

Mr. Cameron stated we have been before the Board on this application before. I have the copies of the most recent comments from the Planner and the Town Engineer. In looking through the comments I can see that I can address most of these comments. There were some graphic issues. It appears as though our plotter had a line type error and some of the silt fencing and other information appears to have not appeared on plat but it is there and it was shown on the previous submissions so a lot of those comments should go away in regard to that. Most of these other issues I believe I can take care of or I can discuss with the Planner or the Town Engineer.

Chairman Schech stated the single silt trap you are being out voted two to one apparently and you know which way we are going to lean.

Mr. Cameron stated I don't necessarily think I am being out voted I think they are just saying they don't prefer that option.

Rich Williams stated we don't vote it comes down to a 5 to (hard to hear).

Mr. Cameron stated the single silt trap does present some complications as far as access and easement but I believe that we can overcome those by clarifying the easement and the access. I spoke to Mr. Dunning just today and he indicated the purpose of Lot 2 is he wants to sell that to his son and he is going to keep the additional lot. Whatever easements or accesses he needs he says he is more than willing to grant those. The intention is to sell Lot 2 first and if he has to condition that then he will agree that he will sell Lot 2 first and therefore any improvements on Lot 4 he will abide by whatever requirements there are by the Town and the sequence of construction or easements to grant access to Lot 4 for the silt trap. It does indicate in the comments that there are issues that I believe I can address.

Mr. Cameron stated there was something that I did want to bring up and that was the conservation easement that was brought up I think by Rich. I would like to get some comments from the Board on what we should do with that as well. There were also a series of comments related to the plat and I think again we can address those it is just a matter of some house cleaning issues just to take care of notes and all like that.

Board Member Rogan stated the Board felt very strongly about preserving the vegetated buffer, the wooded buffer,

Mr. Cameron pointed to it on the plan.

Chairman Schech stated down in that area.

Board Member Rogan stated correct and we would like to come up with something that gives us an assurance that the person who builds the house there does not go in and clear cut that entire area and so we thought a conservation easement would be appropriate.

Mr. Cameron asked to what extent are you looking at just say fifty foot or twenty.

Board Member Rogan replied from the time we were out there I don't remember it was probably closer to seventy-five foot wasn't it from the roadway.

Rich Williams replied I am not sure but I mean reality is if you are going to do it you are going to do it from any line of disturbance out. I think that is a little bit more than seventy-five feet.

Mr. Cameron stated seventy-five feet will be right along this part.

Chairman Schech asked can you manage that without doing any disturbance in that area.

Board Member Rogan stated there is no disturbance proposed currently.

Rich Williams stated it looks like you can go an easy hundred without any disturbance.

Mr. Cameron replied I don't think I can well a hundred gets kind of close over here. I would prefer not to go to a hundred because of the temporary silt trap.

Rich Williams stated we can solve that.

Mr. Cameron stated I still have to have this trap here. This really can't go away. I discussed it with my stormwater engineer today and basically what is happening this trap is still taking care of this drainage area irregardless of what I do here.

Board Member Pierro asked can you use the trap as a line of demarcation so to speak.

Board Member Rogan stated Rich had the idea he said use the area of disturbance that is currently shown, create the conservation easement based on using outside the area of disturbance that is shown on that plan and that line may vary. It might be in some areas be eighty-five feet from the road and in other areas ninety feet. I think we can come up with some kind of compromise.

Mr. Cameron stated basically the trees are along here and what we are looking to is to create the buffer.

Board Member DiSalvo stated right.

Mr. Cameron stated I don't think the trees are a whole lot farther into the site then the seventy-five foot mark.

Board Member Rogan asked Rob, what is the distance from the property line to the final edge of the silt trap.

Mr. Cameron replied one hundred feet.

Board Member Montesano stated you can always make it ninety, ninety-five.

Board Member Pierro stated split the difference.

Chairman Schech stated ninety foot would be nice.

Mr. Cameron stated I will see if he is agreeable to that. I will relay that information. I needed to get some idea on that to go to him as far as what you were talking about and what you were considering.

Rich Williams stated if I can make a suggestion just to make it simple why don't you make it a hundred feet even and accept out the sediment trap.

Chairman Schech stated ninety feet sounds like we are really working at it.

Board Member DiSalvo stated yes calculate a figure.

Board Member Montesano stated but a hundred makes it so much easier to calculate.

Mr. Cameron stated I will talk to the Applicant and get some type of an agreement.

Chairman Schech stated come up with a number between ninety and a hundred feet.

Board Member Pierro asked anything else Rob.

Board Member Rogan asked do you want to take care of the waiver on the topography.

Mr. Cameron stated yes.

Board Member Rogan asked how does the Board feel about granting a waiver from showing the rest of the topography on the portion of the site that is not affected by this application.

Board Member Pierro stated fine.

Board Member Rogan stated in other words he has already shown enough topography to do the engineering for site development.

Board Member Montesano stated okay with me.

Board Member Rogan made a motion in the matter of Dunning Subdivision that the Planning Board grants a waiver from the requirement to show topography over the entire site. Board Member Montesano seconded the motion. Board Member Rogan stated and just limit the topography to what is shown on the current set of plans. Board Member Montesano seconded the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

Chairman Schech stated okay. Can we agitate you anymore tonight.

Mr. Cameron stated I think that is pretty much it. I will work on the easement agreement for the sediment trap. I am not getting a clear reading here if that is really going to be a show stopper or not. Like I said I do believe that we can get it to work. The implication of trying to put another area over here is we are going to be cutting into the trees that are on this side. Right now, I am even planning on pulling this SSDS area back away from this tree line a little bit which I can do but because of the perc that we got we don't need any fill in this area. We don't have to disturb anything until unless an expansion is needed. All this vegetated buffer here can remain but if I put the silt trap over here I am going to have to clear that out in this area and I am also going to be going to the limits on my area of disturbance which if I go over the two acres which we are really trying hard not to do we are going to have to go to New York City with a stormwater pollution plan and a pollutant offset plan. That is going to mean even more disturbance to this site because then we are going to have to develop larger ponds and other techniques to reduce the nitrogen and other requirements of New York City for pollutant offsets.

Chairman Schech stated I can live with what he is proposing.

Board Member Rogan stated as long as these gentlemen are comfortable that it will work. They seem to be offering a different scenario though.

Board Member DiSalvo stated ask Gene.

Chairman Schech asked is this going to work.

Rich Williams asked will this work.

Chairman Schech replied yes.

Board Member Pierro stated we have reviewed this a few times with you guys already.

Rich Williams stated yes I think this will work.

Chairman Schech asked Gene.

Board Member Rogan stated Gene doesn't look as confident.

Gene Richards stated no Rob and I spoke earlier this week and what we had agreed to at that time was to get together primarily on Eurostyle but also talk about this project and figure out a way to do it.

Mr. Cameron stated I am agreeable to that.

Board Member Rogan stated you have to start working on bond calculations on this also.

Board Member Montesano asked a question Rich, if a septic system has to be expanded we don't get any notification of that right.

Rich Williams replied no are you talking about in the conservation easement.

Board Member Montesano stated we were just discussing here the possibility that the tree line on that house would have to be moved. Right now it is not being disturbed and that is the possible future

expansion if there is a septic problem and trees would have to be taken down we don't get any notification that it is strictly,

Board Member Rogan stated no but when you approve it you should approve it considering that it will be used make that a,

Board Member Montesano stated that is what I am trying to figure out right now. (TAPE ENDED).

Mr. Cameron stated I am also going to try to pull that septic area back so it will impact the tree line less. My issue of concern with that area was that if I have to put in the temporary sediment basin in that area.

Rich Williams asked so I am clear now we are talking about the tree line along Harmony Road.

The Board replied right.

Rich Williams asked are we talking about a conservation easement on that area.

The Board replied no.

Chairman Schech stated the only one that we are interested in is the one down below.

Board Member DiSalvo stated on 292.

Rich Williams stated then there would not be any limitation for a property owner to come in and clear cut that.

Board Member Montesano stated I was just asking the question if an expansion has to be done if we gave it a condition will we be notified.

Board Member Rogan stated no you will not.

Board Member Montesano stated that is all thank you.

Mr. Cameron asked Jungle Gym is on for other business do I need to be here for anything.

Rich Williams stated what I have done because of the time of the year usually we get out on the site walks right away, I have been keeping a list of site walks we have to do on the agenda so it stays fresh in everybody's mind. There was some discussion at the work session whether they were actually going to do a formal site walk or go out individually. I am not sure where that ended up.

Board Member Rogan stated I looked at it today.

Chairman Schech stated I know I have been there and looked at it myself.

Board Member Montesano stated the day I was there they had the truck parked and they were moving jungle gyms and the truck was sinking.

Chairman Schech stated I thought that if we go out there officially anymore they would probably rent us space.

Mr. Cameron asked okay so that basically is what it was on the agenda for to look at it.

The Board replied yes.

Rich Williams asked has everybody been out there at this point.

Board Member DiSalvo stated I have again but it was covered with snow I want to go back again. I went there in the squall. I want to go back.

Mr. Cameron thanked the Board.

9) CIPRIANO SITE PLAN

Mr. Peter Cipriano Jr. was present.

Chairman Schech stated I see colors.

Mr. Cipriano stated they can be changed.

Chairman Schech stated no that is all right we just like colors.

Mr. Cipriano stated it is a red and a gray like an off gray not a gray. We did see a lot of notes and I spoke to Steve Miller at Badey & Watson and we do have a lot of things to go over but if you want to ask me any questions about specific notes you can go ahead.

Chairman Schech stated I think if you take care of the Engineer's comments you have enough to do for awhile.

Mr. Cipriano asked just real quick in terms of a light plan that has to be proposed prior to,

Gene Richards stated as part of the site plan.

Mr. Cipriano stated as part of the site plan.

Gene Richards stated the site should have lighting on the site and you need to show it on the plans.

Mr. Cipriano asked the actual engineering of the buildings is that supposed to be proposed prior to site plan approval or after site plan approval.

Gene Richards replied the buildings are the Building Department. Your plan is showing the footprint and the Board also needs architectural elements.

Rich Williams stated you might address one issue on this, I did go through the plan they addressed most of my prior comments, some are just procedural that they still have to do. The big issue that I saw on this

though was the current configuration places all the outdoor storage now to the rear of the building prior to this it was a little bit on the rear and to the side of the building and the concern that I want to bring to the Board that you might want to discuss is by putting it all to the rear you are going to have to anticipate that whole area is going to be lit, and well lit and that is something that is adjacent to residential areas (unable to hear someone shuffling plans in front of the microphone drowning out Rich).

Chairman Schech stated as to the type of lighting.

Rich Williams replied as to the type of lighting, to the screening and or whether it is appropriate to be there at all.

Board Member Pierro asked is there any location that is preferable that lighting won't impact the adjoining area.

Board Member Rogan asked are you talking about the area where the storage bins are shown.

Board Member Pierro pointed it out on the plans to Board Member Rogan.

Board Member Rogan stated okay that was going to be my next question as to what was going to be displayed in that area, the outside display area.

Mr. Cipriano stated the outdoor display area would be plant material. There would be no lights out there for night at least in terms of sales or anything.

Board Member Rogan asked so that will be what nursery stock.

Mr. Cipriano replied nursery stock.

Board Member Rogan stated heeled into that area, temporarily planted in that area.

Mr. Cipriano stated there will be no, I don't think we are going to plan on having any lights in the back there even with the storage bins.

Rich Williams asked Christmas time you are not going to sell Christmas trees.

Mr. Cipriano replied no because it would be too far away from the main structure and Christmas your seasonal area is going to shrink down to your main areas surrounding the building. We run a garden center in Long Island and in the winter most of the garden center is shut down there is no lights in the back. There is only lights where people actually congregate which is the front. There is no reason to go to the back. There is no brick path or anything it is muddy, it is wet we just close it down.

Chairman Schech stated and you don't want them back there anyway.

Mr. Cipriano stated no and it is also the storage bins regarding salt and stuff. We are not interested in putting salt up there. It is mostly topsoil, mulch and even that area will not be used at night. We really don't want to light it except for the parking lot has to be lit but that area is not supposed to be used. We would just use it during the main hours of the day.

Chairman Schech stated it sounds okay to me.

Board Member Pierro stated it sounds reasonable to me.

Chairman Schech stated looking good.

Gene Richards asked Peter would there be any activities late at night, any deliveries coming in.

Mr. Cipriano replied the only deliveries that would come in late at night you see there is a large area behind the greenhouse that is for tractor-trailers to come in and park usually like right now the way we schedule tractor-trailers to come in early in the morning, five thirty, six and be unloaded seven thirty, eight but they have a place to stay at least over night so that they can park there and show off their tractors otherwise they will be parking all over the place.

Chairman Schech stated do like mine do they go up to Home Depot and park in there.

Mr. Cipriano stated that is the current situation we face on Long Island because we have no space and that poses a problem because sometimes they get ticketed. Sometimes they get chased out of there and we don't have that. We want to have an area where they can park and shut their trucks off and that is it.

Gene Richards stated that is something that the Board needs to review during the process if there is going to be any restrictions placed on it for instance winter time although you probably won't be getting a lot of deliveries in the winter. Is a truck going to be park there that is go to run its engine all night.

Board Member Pierro stated we don't want to create a parking spot for any tractor-trailer.

Mr. Cipriano stated no it would only be for deliveries. We could I guess at the site if we have to put an entrance like a gate or whatever, a chain across the front so people can't come in at night that would be fine for us. In terms of protecting the storage area you were saying making a fence or something. We are not interested in putting a fence unless it becomes pretty bad up here. We don't know yet. We will find out.

Board Member Rogan asked you mean in terms of somebody stealing your stock.

Mr. Cipriano replied in terms of somebody stealing all the stock and if that starts occurring I think most likely we do have a fence where we are right now and it does not work anyway so we have a dog now and that works much better.

Board Member Montesano asked your trucks are going to come in at night there is a possibility of looking into one thing some of the truck stops have it where they can hook into a heater unit and a plug in, in case they want to watch TV. or whatever without running the truck all night.

Mr. Cipriano stated that is a fine idea in terms of behind the greenhouse.

Board Member Montesano stated if you can do something like that where the neighbors don't have to hear the trucks running all night.

Board Member DiSalvo stated you can't anymore with diesel only like twelve minutes.

Chairman Schech stated if it is going to be a constant thing it would be a good thing to look into but if you are going to get one a year.

Mr. Cipriano stated the hook-up idea is a good idea because sometimes they don't listen anyway.

Chairman Schech asked is there any other comments on this.

Board Member Pierro asked what kind of siding are you going to use on this building.

Mr. Cipriano asked the siding.

Board Member Pierro replied yes.

Mr. Cipriano replied we are not sure yet there is steel siding that you see,

Board Member Pierro stated no I don't think so right Rich.

Chairman Schech stated no metal.

Mr. Cipriano stated I don't know because I think on the greenhouse, can you use steel siding on greenhouses or no.

Chairman Schech stated no.

Board Member DiSalvo asked what did they use on the horse hospital.

Board Member Pierro stated concrete and hardy plank.

Board Member DiSalvo stated he can use that over there the hardy plank.

Rich Williams replied yes.

Board Member Montesano stated you have more types of siding today.

Mr. Cipriano stated I think but I am not sure but I believe the greenhouses are mostly steel construction.

Rich Williams stated steel construction is fine, even steel roofs are okay but steel,

Mr. Cipriano stated siding not okay that is fine.

Ted Kozlowski stated the greenhouses shouldn't have siding. They are going to be a glaze.

Mr. Cipriano stated this will be glass but this area will not be glass because the problem being is this is going to be a check out area where we don't want to have too much light coming in where you are checking out where you are hot and uncomfortable. Originally, it was going to be a greenhouse but it was told to me that the sun comes around here it is bright all day long there it is not going to work as glass.

Ted Kozlowski stated I would imagine these are going to be commercial greenhouse units that you buy from,

Mr. Cipriano stated they are not commercial greenhouses well I guess they are commercial greenhouse but they are,

Ted Kozlowski asked whose the supplier.

Mr. Cipriano replied Excess Smith. They are designed to,

Ted Kozlowski stated I have heard of them.

Board Member Pierro asked it is like panelized glass.

Mr. Cipriano stated yes it is ten and a half units.

Ted Kozlowski stated they are made for these kind of operations.

Mr. Cipriano stated they are not polycarbonate. We want to have glass so it would not be polycarbonate if you ever see,

Ted Kozlowski stated you can't use regular glass glazing for public area you need,

Board Member Pierro stated safety.

Mr. Cipriano stated no this is for retail, this is strictly a retail greenhouse.

Ted Kozlowski stated right but when you have a public situation you have to have the same kind of glass they use in cars.

Mr. Cipriano stated no it is.

Board Member Pierro stated safety glass.

Mr. Cipriano stated that is what it is.

Board Member Montesano the Fair Acre Farms building up in Poughkeepsie among the others if you look at them their greenhouse opens out. They have a wooden structure that they had up for years they just took the wall out, you walk in and that is where the registers are so the greenhouse stops here, you can get that plastic curtain material.

Ted Kozlowski stated I would think that these commercial units have that availability.

Mr. Cipriano stated they also have curtain units but it would not make any sense to put up all glass and then go back and put a curtain up so that is why actually I did drop off a pamphlet awhile ago with Excess Smith stuff in it and they actually show a building with the red roof on it or a green roof on it I can't remember and it is for retail purposes, it does have a nice look to it but it allows for a better shopping environment than curtains and glass.

Board Member Montesano stated the curtains when they did have them up was just to separate the temperature.

Mr. Cipriano stated yes they also have those.

Board Member Montesano stated the greenhouse stayed at the temperature desired for the plants and the retail section where you came out to pay was fine. I don't even know if they have the curtains up anymore.

Mr. Cipriano stated with the building we want to I guess when we get further along we want to just propose this area is the first area we want to build. We don't want to build these greenhouses yet to the left. We just want a site plan, we want to build the main house with the other and then this would be I guess display area before it becomes covered greenhouse.

Ted Kozlowski asked are they going to be production greenhouses or are just strictly retail.

Mr. Cipriano replied strictly retail.

Rich Williams asked are those last three greenhouses are they currently shown on the plan.

Mr. Cipriano replied I believe they are yes.

Rich Williams asked they are shown on the plan.

Mr. Cipriano stated they are not shown as separate they are shown as one big, large building that we want to start with a small unit and expand into but we want to show you the entire site plan before we.

Chairman Schech stated okay you have got to get going.

Mr. Cipriano stated I don't know.

Chairman Schech stated you don't want to open in the spring anymore I don't think.

Mr. Cipriano replied no. I will discuss with the engineers another time, spend more money but that is fine.

Gene Richards stated Peter I think one of the key elements of your site plan is going to be the road, it is a Town Road that is something that your engineer is going to have to contact our office and Charlie Williams (hard to hear no mic).

Mr. Cipriano asked I do have a question regarding the Town road, in terms of the Town Road if they propose the entrance there is a stonewall to the north that extra piece of property and they propose an entrance a little further south of that stonewall can they get closer to the stonewall because it would be an easier entrance or you can't go close to a property line with a Town road. I don't know.

Gene Richards stated you have a fifty foot right of way and then within that the road bed from center.

Mr. Cipriano asked so within the fifty foot line is the center line of the road from the wall.

Gene Richards stated if it is within the right of way the Highway Superintendent would not want any stonewalls.

Mr. Cipriano stated okay no there is an existing stonewall I was just wondering.

Gene Richards stated I understand that but you are re-aligning the road, you are pushing it closer to that wall he is not going to want a stonewall within the right of way (unable to hear).

Mr. Cipriano stated all right so after the wall fifty feet from there that is fine.

Board Member Pierro stated thank you Peter.

Board Member Montesano asked Pete, if I can trouble you with that you are adjacent to Ballyhack, the back of the buildings those trucks and I expect them to be a lot of forty and forty-five footers coming in this area here I don't know what the situation is but I am just giving your trucks are going to come in on that narrow, they are going to make that sharp turn coming in off 22 and then try to turn and go in here that shouldn't be a problem but getting back out if they are taking a forty or forty-five foot box and they are going to try to pull straight out I am wondering if they would be better off it is possible to come in on Ballyhack and have a truck entrance back there where they would come, turn around in here and just come straight out.

Mr. Cipriano stated the only problem with Ballyhack it is a very bad intersection so we would have a better chance of getting out.

Rich Williams stated the vertical grade coming into that entrance also I mean every bus that went in there got hung up on that entrance I am sure it will be worse for the boxes.

Board Member Montesano stated the boxes are higher usually. The problem is will they be able to make the turn from if they wanted to come up the distance between the Old 22 and then coming out to 22 itself are they going to be on angle. This way when the guy hits the gas pedal he is going to have to first come around, straighten half way out to head south he is going to be making almost a U-Turn.

Mr. Cipriano stated actually with the revision, with the new we are proposing to put a different entrance way it would be a Town road now which you can go straight out to 22 instead of,

Board Member Montesano stated okay.

Mr. Cipriano stated that was the big problem before.

Board Member Montesano stated I know that was the original problem when the original project got brought in a few years back.

Chairman Schech stated this should work okay.

Board Member Pierro stated I think that will be better.

Board Member Montesano stated it will.

Chairman Schech stated okay.

Board Member Pierro stated thank you Peter.

Mr. Cipriano thanked the Board.

10) D'OTTAVIO SITE PLANS & FOREST VIEW APARTMENT SITE PLAN

Mr. Harry Nichols, P.E. was present representing the Applicant.

Chairman Schech asked Harry you got anything for us.

Mr. Nichols asked do you want me to put plans up.

Chairman Schech replied I don't know do you have anything. Did you do anything on the plans.

Mr. Nichols replied yes I did.

Chairman Schech asked are you sure. Did anyone have a chance to review them, Gene.

Chairman Schech stated it says nothing.

Gene Richards stated there are still some issues. They have made progress.

Mr. Nichols stated we have contracted with Beth Evans Associates to go out there and do the stream and wetlands evaluation.

Ted Kozlowski asked and a functional analysis.

Mr. Nichols stated a functional analysis. They were until we got this last snow storm they were ready to go out there and unfortunately now we have to wait for the snow to melt down.

Chairman Schech asked I saw some comments in there from New York City does that have to do with these two sites too.

Rich Williams replied it is in response to our Lead Agency Notice, New York City sent us comments on this project and also Field and Forest significant comments about their opinion on how we should adjust their design (unable to hear the rest of his statement).

Mr. Nichols stated I saw one of them.

Rich Williams stated there is one on Forest View and there is one on D'Ottavio.

Mr. Nichols stated I just copied on the one on Forest View.

Mr. Nichols stated so we expect to hopefully get this work done within the next week or so assuming that we don't hit another snow storm because it is melting pretty rapidly out there.

Chairman Schech stated this is only January Harry.

Mr. Nichols stated I understand. At the same time we bring that in we will provide the completion of the wetland permit application that needs some correction.

Chairman Schech asked are we going to have a party when this happens.

Mr. Nichols replied yes.

Ted Kozlowski asked how is Jay Hogan holding up.

Mr. Nichols replied Jay is doing very well.

The Secretary stated I am sorry I stepped up did we just do both of these combined, D'Ottavio and Forest View.

The Board replied yes.

Chairman Schech stated in other words we still have a little bit more to do on both of them.

Board Member Pierro stated let's go.

Chairman Schech stated okay Harry go to it.

11) PATTERSON VILLAGE CONDOMINIUMS

There was no one present from Patterson Village.

Chairman Schech stated the only question that I had is what are they going to store in there. I think we all had the same thing.

Ted Kozlowski stated I want to know the big building, there is a big sign that says hazardous chemicals and it is right on the stream and I would just like to know what is in that building myself. That is not the building that is being moved it is the one next to it.

Chairman Schech stated it is probably chlorine.

Ted Kozlowski stated I would think so.

Chairman Schech stated because it used to be in one of the buildings that they live in. I would rather see it out there.

Ted Kozlowski stated right but I hope that is all that it is.

Chairman Schech stated I am pretty sure it is chlorine.

Board Member Montesano asked do you want to do anything with this or just notify them that they should have a representative here for the next meeting.

Rich Williams stated they are looking for a fairly simple until they get to spring and they get the ability to move the shed to a better location that is what they are looking for. Paul is looking to issue them a violation

and apparently they have to have the shed there for the chemicals for the waste water treatment plant. That is the issue.

Board Member Rogan asked this particular shed that we are talking about tonight is not,

Rich Williams stated yes it is the same issue yes.

Board Member Montesano stated but we still don't have an answer on the original.

Rich Williams stated I don't know what they are storing in it.

Board Member Montesano stated don't you think we should know what we are going to store before we tell them yes you don't need any other information.

Chairman Schech stated I don't know even though my mother-in-law used to live there I will tell you what they are probably doing, they are probably storing the chlorine in with the equipment that is running their sewer plant and naturally chlorine is doing what it does best eating up everything that is in there so they are trying to get it out of there and put it somewhere else.

Ted Kozlowski asked would the fire department know, are they required to know what is in there.

The Secretary stated I think Dave Raines does.

Chairman Schech stated if it is chlorine yes but it never seem to bother them when it was stored in the basement of one of the buildings.

Ted Kozlowski asked so it is not gas it is pure product.

Chairman Schech replied no it is liquid.

Board Member Pierro asked we are talking about placing a small shed on the south side of this lot.

Rich Williams replied on the south side of the existing big shed.

Board Member Montesano stated if the Board feels like we should approve it I would still like to know exactly what they are storing in a letter and a letter would at least let me,

Chairman Schech stated yes before we give the approval let's find out what they are going to put in there.

Board Member Montesano stated and if it is chemicals then we should have at least a notification from the fire department what they have to put up.

Board Member Pierro stated I am sure that if it is chlorine that the fire department is already notified of that because we have a couple of fire fighters living in that complex for years.

The Secretary stated I also think that Dave Raines may have the information I think that is what he gathers.

Ted Kozlowski asked does that represent a considerable amount of chlorine Herb, do you think.

Chairman Schech replied no I think they had like twenty cans the last time I saw it. The thing is inside a building it can be a big hazard if they leaked.

Ted Kozlowski stated it is just that it is right on the edge of the stream pretty much.

Board Member Pierro asked Rich the application is for a temporary placement how long is temporary.

Rich Williams replied when I talked to them they indicated they wanted to find a more permanent location away from this area over by the pool house but they could not move anything until the spring. I would assume for five months.

Board Member Pierro asked is the new construction in that area for the septic system going to involve the movement of these sheds.

Rich Williams replied no but the new waste water treatment plant if it ever gets constructed and goes on line would be the necessity of having the sheds out there.

Board Member Pierro stated right so we are going to have other opportunities to review this matter correct.

Rich Williams replied probably.

Board Member Pierro stated I am for making the motion to waive the shed for temporary placement and let them get on with this and notify Paul that we have approved the temporary placement and have him get a hold of Dave Raines and verify that they know what is being stored in the sheds.

Rich Williams stated if you are doing that seeing that there is a concern from the Board you might want to consider in the resolution that you are going to limit the storage in that shed to items related to the waste water treatment plant and or just chlorine (unable to hear the rest of his statement).

Board Member Pierro stated that is why I want to ask Paul what is a safe amount and what is not and what should not be co-mingled with chlorine if in fact it is chlorine.

Board Member Montesano stated but you are willing to approve something without having that knowledge and since,

Board Member Pierro stated it is already there Mike, my point is that it is already there.

Board Member Montesano stated if it is already there does not mean you approved it. If you approve it and something happens then we are responsible for it.

Chairman Schech stated let's find out what they are putting in there first.

Ted Kozlowski stated the only thing is Dave they are not moving it until the spring so you might be better off waiting,

Chairman Schech stated they are not moving it until the spring to the final location right now they are putting one up temporarily.

Board Member Pierro stated the final is going in the spring.

Ted Kozlowski stated I would want to know what is in that shed.

Board Member Montesano stated they say they can't move it near the pool house where is the temporary building going to be put right next to the old the one that exists.

Rich Williams stated yes.

Board Member Montesano stated so that means it is still close enough to the stream.

Board Member Pierro stated we are guessing with them not here so.

Board Member Montesano stated the shed that they are putting up they gave us a description that it is a shed. Is that the prefabricated unit are you aware of.

Rich Williams stated yes.

Board Member Montesano stated so they could not drop it off by the pool house because of the snow.

Rich Williams stated I don't have the details.

Board Member Montesano stated no that is what I am saying. There is a question there. We are going to give them the right to put it up near the stream again I would rather see why they can't put that temporary shed near the pool house. No one is going to be using the pool house.

Chairman Schech stated let's find out what in the world they are going to put in it. I can recall years ago when I was an Assessor somebody wanted to put up a temporary shed it turned out to be a twenty-four by forty foot garage.

12) NEW LIFE CHRISTIAN CHURCH

Rich Schult stated his name and that he is an Elder and Treasurer of the organization. This is our Pastor Tony Kobert.

Mr. Kobert stated good evening.

Mr. Schult stated this is the old Jewish Community Center that we have refurbished and roofed. All we are proposing to do is to put a deck probably this door will have to come over to the center in order to give us clearance for a properly sloped ramp for handicap access and actually what is going to happen the artist who did this did not know where the floor line was and the floor line is actually down quite a bit from there. It is going to be something more like that referring to the plan and the door will be located consistent so that the ramp will clear and the builder will have to determine the exact location of the door. It probably will be in the middle of the windows on either side giving it an attractive appearance. We are also here because this upstairs has not been in use. It is currently storage area and we need to get Planning Board approval for the use of the upstairs. In doing this job the only ground disturbance that we are talking about is for the posts for the deck. We are not talking about any ground disturbance anywhere on the lot other

than a couple of post holes. There already is a set of cement stairs down here probably the posts will rest on the cement stairs if they are deemed sufficient to support the deck.

Chairman Schech stated Ted.

Ted Kozlowski asked are you finished with your presentation.

Chairman Schech stated yes.

Mr. Schult stated on the way in we got a couple of letters that we had not we would be happy to talk about those.

Ted Kozlowski stated it just seemed like you were not finished with what you were discussing.

Mr. Schult stated that is the proposal. That is all we are proposing to do.

Chairman Schech stated Ted you have got some old issues with.

Ted Kozlowski stated just to give you a little explanation first of all because of the building being within a hundred feet of the regulated wetland you are require to come before the Board for a Town Wetland Permit at least a determination and once that happens that opens up a review to that wetland and to what the project may or may not do to the functions of that wetlands. Putnam Lake especially is quite developed and quite challenged to its natural resources. Most of the drainage in that area winds up in Putnam Lake and it is extremely important that we try to as best we can protect the water quality of that Lake. The wetland that is on your parcel is flowing from the northeast, through your property and then on out to others and eventually what flows through your property winds up in Putnam Lake. If you recall I was out to your site in November of 2003, I met with you (referring to the Pastor) in the parking lot area. My concerns are not so much with the building and the ramp and your immediate needs right now with regard to the permit but you do need to address certain issues that are going on in that parking lot and the wetland proper. The one question that I have for you is someone going into the wetland during the growing season and mowing that. Is that mowed.

Mr. Schult replied not mowed weed whacked.

Ted Kozlowski stated okay it is important that you not do that. You must discontinue that practice. That is affecting the function of the wetland. That wetland there to some may be a useless or an un-sightly swamp but that small pocket wetland and associated stream is acting like a small filter if you will for that water. It is important that we keep the integrity of that wetland and allow its natural function to continue. When you do a practice such as weed whacking which is basically mowing you are converting the less tolerant plants into more tolerant plants which are probably going to be grasses and not as functional and not as diverse as a wetland could be so you need to refrain from that practice and as I discussed with you in November of 2003 those slopes because of the mowing and because of the parking lot and the paved path with the bridge crossing the stream you are allowing, not you intentionally but the action that has occurred there is allowing erosion and runoff to go from that parking lot right directly into the stream. That also needs to be addressed either through plantings and diversions. Finally, as I discussed with you in 2003 the parking area I was just out there last week just before in between Christmas and New Years I did a site inspection. The dumping is an issue I don't know but it is there. That needs to be somewhat cleaned up and you need to put some sort of a barrier whether it is a post and rail fence or something at the edge of that parking lot delineating the parking area and then the natural wetland because it is just too tempting for a truck to back

in there or maintenance workers to just heave it over the side and it goes into the wetland. Those I would recommend to this Board are conditions of this permit because once you go for this permit it allows us to review the site and that is what we are doing. We are looking for the best interest in your site but to me more importantly for the public in that area and for the quality of Putnam Lake.

Mr. Schult stated okay the only dumping that,

Mr. Kobert stated I would like to address this since I am the one that had the conversation with you. I would like to take it back to as far as I was concerned it was a conversation that was taken place between you and I in the parking lot, and you were making suggestions and when I read this it seems like we made an attempt to somehow not do what we were, it seemed like more of a suggestion when you put it on paper.

Ted Kozlowski stated well no not really, Mr. Kobert stated let me finish because you had your say.

Mr. Kobert stated when we were talking you explained the thing with the whole wetland to me and I was in agreement with you and you said to me what would be good to be done was have plantings here and you said I will even give you the seedlings. I said great, fine you give us the seedling we will be glad to plant them. I remember sometime later getting a phone call you had the seedlings, I returned the call I think that I got your daughter on the phone, I said tell your Dad let's connect, time passed you never connected. So, it was just one of those things that I thought was a suggestion not an ordinance or something that we had to comply to but a suggestion. Is it a suggestion or is it a,

Ted Kozlowski replied now it is going to be a condition of the permit.

Mr. Kobert stated so now that starts. I just want to get plain that it seems like,

Ted Kozlowski stated no those were issues that I asked you to address then.

Mr. Kobert stated and we were glad to address them.

Ted Kozlowski stated I was concerned about the erosion, I was concerned about the dumping.

Mr. Kobert stated we were glad to address them.

Ted Kozlowski stated and I was concerned about the wetland.

Board Member Pierro stated Sir we find no fault with not having done those items then.

Ted Kozlowski stated right.

Board Member Pierro stated but we need them done now.

Mr. Kobert stated okay then let's start with a clear.

Board Member Pierro stated we are starting with a clear slate.

Mr. Kobert stated okay.

Board Member Pierro stated I am a little annoyed with this guy (referring to Ted) messing with the church standing too close to me because if a bolt of lightning comes through I am going to get it. (Some laughed)

Mr. Kobert asked and the dumping issue could you clarify that because I don't know what you mean by the dumping.

Ted Kozlowski replied who put all the wood stumps there and all the stuff that has been there for years.

Board Member Pierro stated all that stuff has to be cleaned out.

Ted Kozlowski asked you are not suggesting that is natural there are you.

Mr. Kobert replied no but you are suggesting that is an on going thing that we seem to be using the property to dump.

Ted Kozlowski stated that has been going on in the past.

Mr. Kobert asked clarify past before our conversation.

Ted Kozlowski replied in 2003 that was occurring that was why I was there.

Mr. Kobert asked okay so was it prior to 2003 or are you still saying that it is,

Ted Kozlowski replied I don't know but it is just too easy,

Board Member Pierro stated Sir, it makes no difference.

Mr. Kobert stated it makes a difference to me.

Board Member Pierro stated we are not casting blame or,

Board Member Montesano stated excuse me we are getting into a conflict where it is not a personal issue anymore. I would appreciate it, I know what Ted is trying to do, I realize what you are trying to do but we have already started with it, we are in the clean slate situation so I would say we are going to do a lot of bickering for no reason.

Mr. Kobert stated no it is not bickering for no reason it is because there is a matter of integrity here because we are a church so that is important to us.

Board Member Montesano stated I realize that and,

Board Member Pierro stated and we appreciate that Sir. We are on a clean slate I promise you.

Board Member Montesano stated we are not testing your integrity or anything else. We are assuming that,

Mr. Kobert stated reading this it did.

Board Member Montesano replied well I am sorry that is taking his information whether we agree with it or not.

Mr. Kobert stated I just want to make it clear. The conversation as far as my view was a casual conversation, which we came to a mutual agreement. You made suggestions, we would agree to the suggestions, somewhere along the line it fell apart. I don't think through your intention or through my intention it just fell apart and that is all that happened to it.

Board Member Pierro stated and we appreciate that. We have a new slate today let's get started.

Mr. Schult stated I would say we would have no trouble putting a split rail fence across (unable to hear). Is leaves, organic material all right.

Ted Kozlowski replied no that area should not be used.

Chairman Schech stated no, no dumping at all. The problem is if people see it even though it has been there for twenty years they see stumps and things thrown over a bank, they come driving down the road and they say there is a place to dump it.

Mr. Kobert stated I have one other point though, the reason we do weed whack it is because it is dangerous.

Mr. Schult stated the line of sight is terrible.

Mr. Kobert stated there is a little grade that comes up right in front of our building. That people fly up that road and when our people are coming out of church when those weeds are high you can't see beyond that grade. We have had people almost hit because I don't know if you are familiar with that road but they use it like a racetrack. One of the reasons that we weed whack that area there is it gives us a much greater view and it is safer if that could be thought out and some way accomplish both things.

Board Member Pierro stated we will take a look at it on one those ride by.

Mr. Schult stated limit the height of the weeds to six feet. I don't know how to do it.

Chairman Schech stated if you are limiting it for sight distance I can understand that. Let's take a look at this thing.

Board Member Pierro stated we will take a ride by it.

Mr. Kobert stated when it grows up we will let you drive that road.

Chairman Schech stated we will come out and take a look at this.

Board Member Pierro asked are we going to need a functional analysis Ted.

Ted Kozlowski replied that is required of every permit.

Mr. Schult asked what is a functional analysis.

Ted Kozlowski replied an analysis of that particular wetland and how it relates to what the functions of that wetland does. What does that wetland exactly do. I pretty much gave you a pretty big hint that it acts as a filtration area for Putnam Lake.

Mr. Schult asked how do I make a functional analysis I don't understand.

Ted Kozlowski replied you need to get a copy of our Wetlands Law then you need a Consultant to help you with that.

Chairman Schech stated it is not easy today when you come into wetlands.

Ted Kozlowski stated you are no different than any other wetland applicant.

Chairman Schech stated in the mean time we will go out and take a look and see what is going on out there. I know it looks a hell of a lot better than it used to.

Chairman Schech stated okay.

Mr. Schult asked anything else.

Mr. Kobert asked so where are we at.

Rich Williams stated the only thing that the Board really needs to perhaps decide on tonight or maybe you want to wait until after the site walk.

Chairman Schech stated I would rather wait until after the site walk.

Board Member Pierro asked what are you looking for Rich.

Rich Williams replied what sort of process you are expecting them to go through in relation to the site plan issues.

Chairman Schech stated let's take a look at it first and we should be able to take a look at it before the next meeting.

Board Member Pierro stated and see whether it requires a full site plan review.

Mr. Schult asked can we get a notice so we can have the building open so you can see the building as well.

Chairman Schech replied no we don't want to go inside.

Board Member Pierro stated I don't think we need to go inside the building.

Chairman Schech stated besides we don't like to give people notice we like to sneak up on people.

Mr. Schult laughed.

Board Member Pierro stated and I assure you he is kidding.

13) CARMEL AUTO SALES SITE PLAN

Mr. Joe Buschynski, Bibbo Associates, Chip Robertson and Brian Beanland, Applicants were present.

Chairman Schech stated we have Carmel Auto Sales who is Brewster Honda I am trying to get my towns squared away who wants to come to Patterson anonymously.

Board Member Pierro stated surreptitiously.

Mr. Buschynski stated with me tonight from the organization Carmel Auto Sales, Brewster Honda is Chip Robertson and Brian Beanland. The company would like to consolidate inventory of new vehicle storage and this site is the former Hamilton Corporate Park. It is seventeen acres on Route 22 where the use seems to be allowed by Special Permit. The proposal would be to build a section of road up to the vehicle prep building with room for vehicle unloading and parking for roughly 290 cars. It is strictly for private use of the auto dealership. It is not for public access. There are a minimal number of employees anticipated in the building. The building is for bringing new cars up to condition ready for customers. It is not a service bay type of operation, changing oils and tearing down engines.

Chairman Schech asked it is only prep.

Mr. Buschynski replied yes.

Board Member DiSalvo asked detailing like.

Chairman Schech asked it is not like Green Tree where they do prep and repairs and everything off site.

Mr. Buschynski stated no just prep.

Board Member Pierro asked would you only be doing new car preparation here.

Mr. Buschynski replied yes.

Board Member Pierro asked what about cars that are brought back in on trade or lease give backs.

Mr. Buschynski stated no.

Board Member Pierro asked would they be serviced at this site.

Mr. Buschynski replied no. There would be a provision for washing them. There will be a car wash.

Board Member Pierro asked how will new cars be transported into this site. Would they be flat bedded in or trucked.

Mr. Robertson stated a truck.

Board Member Pierro asked they would be trucked in.

Mr. Robertson replied yes.

Board Member Pierro asked and an occasional courier type of thing from one location to the other.

Mr. Robertson replied yes.

Mr. Buschynski stated there are a couple of issues brought up in Rich's review.

Chairman Schech stated several.

Mr. Buschynski stated well a couple of pretty important ones that will impact the site's use. Number one, would be the need for the extent of landscaping that calls for between nine thousand square foot sections of parking, this lot is large enough to have essentially ten to eleven, nine thousand square foot sections. If we looked at it simplistically and said here is nine thousand feet I need twenty foot of landscape buffer.

Chairman Schech stated I think they are trying to put that in there to reduce the temperature of the blacktop.

Mr. Buschynski stated well the impact is we could not achieve half of this parking under the Code in this area. It would have to spread through out the site.

Board Member Pierro stated larger impervious surface.

Mr. Buschynski stated that is a huge issue.

Board Member Rogan asked Rich was that also in the Code for aesthetics when you were thinking, you are not thinking of it with a use like this. You are thinking about a use for,

Rich Williams stated it was a multitude of reasons and stormwater was another I mean if you have that kind of a landscaped area you have a greater times chance of doing some sort of bio-filtration, bio-retention in those areas. We write the Code for generic applications, when specifics come in then we have to take a look at it.

Ted Kozlowski asked Rich, with regards to the blacktop that is forested area, and if they kept the integrity of the forest around that blacktop the shade of that forest would have some impact on that.

Chairman Schech stated well they are proposing to do it between the road and the blacktop. That is going to be a buffer right.

Rich Williams stated when we are talking about cooling stormwater coming off of the blacktop area you are looking at the thermal impacts to receive water by and in this case you know it is going across the street to a wetlands that is DP-22 I think it is close to the Great Swamp. It is somewhat impacted by Route 22 although Route 22 in there it has got some issues to wetlands. I don't know that the thermal impact is going to be that great of an issue and if the Board is concerned about thermal impacts we can probably do something with the design of the stormwater ponds to cool the stormwater down somewhat.

Board Member Rogan stated in driving down 22 the other day I looked at this site just to get a sense of where we were talking about and it appears that the forest composition is like pole size trees that are real leggy, not real good structure to them and probably are not going to create as much shade as better quality stock. It must have been cleared was that farm land.

Ted Kozlowski stated it was cleared many years ago.

Board Member Rogan asked but I mean pretty recent like thirty years.

Rich Williams stated yes within the last thirty years that site has been cut.

Board Member Rogan stated because the forest composition definitely is leggy.

Ted Kozlowski stated there is a positive to though which is that because it is not a mature forest the amount of root damage is not going to be anywhere so that the surviving trees are probably going to do all right as opposed to if it was a mature forest. It is debatable.

Chairman Schech asked how does this impact with between like the Wunner property. Is that still considered a service area, Wunner's.

Rich Williams replied at this point it has been out of use for better than a year so.

Chairman Schech stated so it is null and void.

Board Member Pierro stated but this impact will impact Wunner wouldn't it.

Rich Williams replied oh sure. I don't know for certain that it is within a thousand feet but I anticipate it is.

Chairman Schech stated the nine by eighteen I don't think there is any problem with that the parking spaces.

Ted Kozlowski stated just so the Board knows I met with Joe back in October and we did walk the site together and he did take my advice and stayed out of the wetlands.

Board Member Pierro stated I had a question about we were told there would be a on site car wash utilizing or recycling water.

Mr. Buschynski stated yes I believe all car washes have to recycle today.

Board Member Pierro asked do you have one of those facilities in place at one of your locations already.

Mr. Robertson replied yes.

Board Member Pierro asked what do you do with the solids that are left over, the spoils of the filtered car wash water.

Mr. Robertson stated it is generally goes into like an oil water separator. I don't understand the total mechanics of it and then it just gets taken out just like whatever waste oil or whatever gets filled up or popped out as a normal part of operation. We have one down in New Rochelle.

(TAPE ENDED)

Mr. Buschynski stated the other issue that is very important is the Special Permit requirement for parking in back of the building and obviously a building this size would offer no screening on this site. It is strictly a functional building. The merit to this site is that from Route 22 this is pretty much obscure.

Chairman Schech stated if we can handle the water temperature through the ponds that can be handled through the ponds decreasing the temperature of the water down to the reasonable level.

Rich Williams replied perhaps.

Chairman Schech asked perhaps.

Rich Williams stated again, I am not sure what the issue is with the thermal impacts we are not discharging,

Board Member Rogan stated I was just going to say we are not discharging to like a Stephen's Brook or anything.

Ted Kozlowski stated I also think that if you keep the integrity of that forest and really protect it especially to the south and west along 22 and the southern part of the border, don't go in there, don't mess that up, keep that well protected you want that for a visual buffer anyway.

Mr. Buschynski stated yes.

Ted Kozlowski stated the shade from those trees is going to help your cause. I would think you would want that for aesthetic reason too.

Mr. Buschynski stated we didn't approach that math but these folks would like this site to remain as private as possible not become an attraction. We will need to fence it no higher than allowed by Code.

Ted Kozlowski asked is it going to be lit at night.

Mr. Buschynski replied no.

Board Member Rogan asked not even for security lighting.

(Unable to hear Mr. Robertson's response)

Mr. Buschynski stated there may be some strategic lights with motion sensors.

Mr. Robertson stated that could be sure but not as lit up like Shea Stadium or anything.

Board Member Montesano asked the chain link fence would that be just chain link or would there be the ribbon link through it as to better obscure the cars themselves.

Mr. Buschynski replied un-decided initially I was thinking vinyl coated, (too many talking at the same time unable to transcribe).

Board Member Montesano stated the ribbon that runs through, Chairman Schech stated those things are horrible. (Too many talking at the same time unable to transcribe).

Chairman Schech stated it looks like a junk yard.

Board Member Rogan stated like Yonkers.

Board Member Pierro stated and I think if they protect the border, if they protect the edges along the road and along the sides you are not going to be able to see through the buffer for the most part.

Ted Kozlowski stated you want to keep that forested buffer.

Mr. Robertson stated yes we do we absolutely do.

Board Member Rogan stated plus there is about what Joe, twenty or thirty foot elevation change from Route 22.

Mr. Buschynski stated from the south end it is a good forty feet and from the north end it is ten, twenty, and thirty.

Board Member Rogan stated in a fairly short distance so it is a fairly good incline.

Chairman Schech stated something along the southern buffer and the northern buffer, property lines some plantings. If you are going to get those severe cuts you are going to be taking down most of the trees between 22 and you are going to have to replace them.

Ted Kozlowski stated the key is site disturbance is when you start. Put up the fencing, the orange construction fencing and keep the machines out of that area.

Board Member Pierro stated I don't think that you would want to look into the back of Boniello's on a regular basis either because that is a rough spot back there.

Mr. Buschynski stated that is quite an operation back there.

Ted Kozlowski stated there is issues there.

Board Member Pierro stated right well he is talking about taking down that big building there and maybe doing something there as well so we have site plan approval to do on that in the future.

Ted Kozlowski stated he has got a lot of soil piled there he has got to get out.

Chairman Schech stated I am comfortable with this thing.

Board Member Rogan asked they need a Special Use Permit for the proposed use right.

Rich Williams replied they need a Special Use Permit and in addition if they pursue this current layout they will need two area variances from the standards.

Board Member Rogan stated because this use although customers are not going there is still considered like a car dealership having mass, a hundred, two or three hundred cars out there which is something in the Master Plan that we said we didn't really want any more of like what is the one up in Pawling just over the line, M & S I think we used that as an example. Granted this one you won't be able to see from Route 22 as much as them so they have a hurdle to tackle with going to the Zoning Board on this.

Rich Williams stated well it is a Special Use Permit. It is not like you are looking at out right prohibiting use we did it with gas stations but we certainly wanted to limit the use, which is why we put that thousand foot separation in.

Mr. Buschynski asked in terms of that requirement for the landscaped islands every nine thousand square feet, do you have any direction.

Board Member Pierro stated personally I don't think it is necessary for this type of use. I don't know how the rest of the Board feels. If this use were ever to evolve into something different then all bets are off then we have to bring this up to current code inclusive of putting the parking space size to the larger number.

Mr. Robertson stated yes we understand that. We totally understand that if something else happens back to square one with the plan. That is not a problem.

Rich Williams stated generally in determining an area variance standard there are five different tests that you have to look at and you are going to have to look at how you are going to comply with them, what mitigation you can offer. The intent of having those islands I think you have heard here tonight and how you are going to somehow,(unable to hear Mr. Buschynski) yes under the current design. I think it is possible. You may want to try to dump some pavers in between.

Board Member Montesano asked the Board would you consider sending a recommendation to the ZBA about that situation.

Chairman Schech replied sure.

Board Member Pierro asked would we require that now at this juncture wouldn't it be a little bit premature until we saw some more design.

Rich Williams stated I don't know when they are going to go to the ZBA whether it is going to be for the next meeting or not and I don't know how long the ZBA is going to review it.

Board Member Pierro stated so maybe it would be best that we start the process with ZBA now.

Board Member DiSalvo stated yes.

Rich Williams stated I would suggest to this Board if you are interested in doing something with the ZBA not worry so much about when they are going to go to the ZBA or what the ZBA is going to do but take a look at the existing application and judge it on its merits and decide if you are comfortable with this making a positive or negative recommendation or you need additional information before you can make a positive or negative recommendation. They can track both processes together.

Board Member Pierro asked the Board what do you think.

Board Member DiSalvo replied let's get it rolling.

Board Member Montesano stated as long as it is not a retail operation I have no problem eliminating the islands because the only thing that I can see the islands doing at this time would be spreading out the product that is going to be there and make it more viewable to the public. As long as the tree line is staying there and it is shielded from 22 and the neighbors which is what I think they are trying to do is keep it as

private as possible I have no problem with it because it is not a retail operation. If it ever turns into something like that, Board Member Pierro stated as we said then all bets are off. Board Member Montesano stated then I would like to have them come back and we start over again. The height, the tree line, the location itself does not bother me with a recommendation to go along with it.

Board Member Pierro asked Shawn.

Board Member Rogan stated I agree.

Chairman Schech stated I am okay.

Board Member Rogan asked Maria what do you think.

Board Member DiSalvo stated I agree with Mike.

Board Member Pierro asked on the motion.

Board Member Montesano made a motion in the matter of Carmel Auto Sales that the Planning Board recommends to the Zoning Board of Appeals that the Planning Board gives a positive recommendation for the Special Use Permit. Board Member DiSalvo seconded the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

Rich Williams asked and the conditions that were previously discussed.

The Board replied yes.

Mr. Buschynski asked our next step is to make an application to the ZBA.

Rich Williams replied yes you can make an application to the ZBA. You can also if you are comfortable moving forward,

Chairman Schech stated do some staking so we can take a look at it.

Rich Williams stated get it ready for the Planning Board to do a site walk (unable to hear no mic).

Board Member Rogan asked Joe when they stake that can you make sure they stake the perimeter of that impervious area of the parking lot to encompass the building, maybe center of the building and a few points around the outside perimeter and then also the center line of the entrance road thanks.

Mr. Buschynski, Mr. Robertson and Mr. Beanland thanked the Board.

Chairman Schech asked are you going to change the name to Patterson Honda or what.

Board Member Rogan asked Dave since you put it on the record at the work session I just figured you might want to put it on the record at the meeting also.

Board Member Pierro replied if you would like. I did have a conversation not being able to get a hold of Anthony, not because I did not try because I just stopped calling, I spoke with the AG's regarding that conflict that I thought was a conflict and they said there really is no issue with it. The previous owner just to let Anthony know the current owner of this property was a law client of my father's for like thirty years so I just ran it by them. He is still a current client of my father's firm but my father is retired.

14) CINGULAR WIRELESS/FRYER BUSINESS MACHINES SITE PLAN

Chairman Schech asked there is no lynch mob in here from Cingular because you are right next to a residential area.

The Applicant's Representative replied I know.

Board Member Rogan stated the cat is not out of the bag yet.

Board Member Montesano stated they haven't been notified yet.

The Applicant's Representative stated right we haven't started the public hearing process yet.

The Applicant's Representative stated my name is Lucia Chiocchio I am with Cuddy & Feder and we represent New Cingular Wireless. We are here tonight for preliminary site plan review and we are requesting a referral to the Zoning Board of Appeals. We will need a use variance and a height variance for our proposed facility. We are seeking to install a ninety foot monopole at the site, the Fryer Business Machine site. We are also seeking to install a forty by sixty, fenced equipment compound for the facility. We do have drawings we submitted with our site plan and our construction detail. We did receive comments today from the Planner. I guess one of the major issues in the comments is the amended site plan from the summer and we did not include those details in our site plan so we will have to go back and take a look at the site again, take a look at those plans, see if we have to shift anything around and make sure that we are not causing any problems for the stormwater detention pond but there is room there for us to move our facility around. Our basic design will remain the same, the height of the monopole, and the size of the equipment compound. The equipment compound will include a fence, a secured fence. The facility is unmanned, it does not require water, waste water facilities. About once a month a technician will come to service the facility, the service lasts about an hour or so. We are proposing an access drive, a gravel access drive to our facility from the existing parking lot. We are trying to tuck it into the existing tree line here, we are trying to use existing vegetation as much as possible to screen it. The suggestion was made to add some more landscaping around our equipment compound, which we are more than willing to do around the fence area. We are designing the site, just a detail of our equipment compound, the monopole right in the middle, our equipment here referring to the plan. The site's design and for the record we are not proposing a purple monopole, this was drawn to help it stand out a little bit here. We are designing it to accommodate

Cingular's antennas and equipment and two additional carriers so that co-location opportunities are available if other carriers need to use the site.

Chairman Schech asked is this the only location you are looking at in the area.

Ms. Chiochio replied right now yes. Now, this monopole is needed by Cingular to provide service along Route 22 mainly. We provided some what we call propagation plots that show that we have a gap in service along 22. We have an existing roof top site at the Noletti Bakery I think to the north. There is a roof top site to south in Brewster and this will connect service so that we will get coverage along Route 22.

Board Member Montesano asked and Noletti's is considered a roof top.

Rich Williams stated let's be clear about Noletti's there is a lattice tower.

Ms. Chiochio replied I am sorry that is right it is a lattice tower I apologize. I am getting my sites confused.

Chairman Schech stated I thought maybe they snuck in a roof top when we were not looking.

Ms. Chiochio stated no the Brewster Business Park to the south is the roof top site. This site would be in between the two to provide coverage along Route 22.

Board Member DiSalvo asked do you have any further north.

Ms. Chiochio replied we don't show them on our diagram, Jake do you know of any other sites further north.

(Unable to hear Jake's response). I noted that he said County Road 69.

Chairman Schech asked 292 and.

Board Member DiSalvo stated Old Route 22 and County Road 69.

Board Member Pierro stated that is the radio station tower.

Board Member Montesano stated Old 22 that is not Old 22.

Board Member Pierro stated 292.

Rich Williams asked is Harmony Road 69.

Ms. Chiochio and Jake reviewed the map they had of towers for a few minutes.

Jake stated Haviland Hollow Road looks like 69.

Chairman Schech stated that is probably the bakery.

Ms. Chiochio stated our proposed site is here referring to the plan that is the bakery site so it is in between.

Chairman Schech stated this isn't going to fly because of the people next door. I am telling you they are going to come in here and hang us.

Rich Williams stated this is very easy for this Board it is a site plan issue for the Board and it either meets our site plan requirements or it does not. The heart ache is going to be for the ZBA.

Ms. Chiochio stated yes our hurdle is the use and area variance with the ZBA.

Board Member Pierro asked so at this juncture Richard.

Rich Williams replied at this juncture they needed to make an application to the Planning Board in order to go to the ZBA unless there is additional details that you need on the plans at this point their next move would be to proceed to the ZBA.

Ms. Chiochio stated right.

Chairman Schech stated this way you get away from here for at least a year.

Ms. Chiochio stated this way we won't even tell them we were here.

Board Member DiSalvo asked so are you going to do the Pine Tree affect.

Ms. Chiochio replied there is a lot of different opinions about the Pine Trees.

Rich Williams stated there is very interesting court decisions about the Pine Trees.

Ms. Chiochio stated yes.

Ted Kozlowski stated you are not going to make it look like that toilet bowl brush on the Hutch.

Ms. Chiochio stated you know it is very funny because we get these comments a lot and some people actually prefer that.

Ted Kozlowski stated I have seen them look like a tree but the one on the Hutch looks like a toilet bowl brush.

Ms. Chiochio stated right because it is out there in the middle of that island.

Rich Williams stated now in California they have them shaped like Palm Trees.

Ms. Chiochio stated and in Arizona they are cactus.

Ms. Chiochio stated there are other applications this is actually, putting up a monopole or putting up a tower what we call a raw land is usually our last resort for a wireless carrier. They will look for roof top sites, they will look for existing towers and co-locate on existing towers. What happens in this case, they know, we have advised that they are going to need a use variance and that is not so easy but it turns out that there is just no other location and they need coverage in that area so this is like I said it is usually a last resort.

Board Member Montesano asked what is the output on either end as far as,

Ms. Chiochio stated if you look at this map here, this is showing an estimate of what kind of coverage we are getting from the existing sites and that is in your application package.

Board Member DiSalvo stated people complain that they lose contact on these cell phones but they fight against the towers.

Ms. Chiochio stated I know it is hard.

Rich Williams stated when we did propagation maps for Brown Mountain we got some good coverage along 22.

Ms. Chiochio asked Brown Mountain.

Rich Williams replied Brown Mountain is west of the church.

Ms. Chiochio asked when you say you did the propagation maps who was it.

The Secretary stated wasn't it the outside engineer we had.

Rich Williams replied I don't know if our Consultant did or.

The Secretary stated I think it was our RF that we hired.

Rich Williams replied I don't think so I think it was Sprint that did the propagation maps.

Ms. Chiochio asked is there a site there or was that just to look at.

Rich Williams stated they were looking at a site in Putnam Lake and again, through the use variance process, Ms. Chiochio stated you came up with alternatives. (Hard to hear Rich due to Board Members conversing).

Ms. Chiochio stated okay we may contact you for maybe details on that or come in and take a look at the file.

Rich Williams stated if I get the time next week I was going to pull the propagation maps we should have them on file.

Ms. Chiochio stated we will contact you, we will have someone come up here and take a look at that. We will be more than happy to look at something else.

Chairman Schech stated this way you don't raise an up roar in Town.

Rich Williams stated we also had a letter from the property owner saying yes fine.

(Too many talking at the same time unable to transcribe).

Ms. Chiochio stated we will apply to the Zoning Board of Appeals. Thank you for your time.

Chairman Schech stated lots of luck with Brown Mountain.

15) APPOINT VICE CHAIRPERSON

Chairman Schech appointed Board Member Montesano to Vice Chairman.

16) OTHER BUSINESS

a. Joint Meeting January 18, 2006

Chairman Schech stated January 18th joint meeting with Town Board.

Board Member Rogan stated we will probably meet somewhere else I think the Zoning meeting is that night.

Rich Williams stated yes.

The Secretary stated and Rich and Anthony will be at the Zoning meeting.

Chairman Schech asked maybe we should re-schedule for another night.

The Board stated no.

(Too many talking at the same time unable to transcribe)

Rich Williams stated generally I (hard to hear) but for the most part these are issues between the Town Board and Planning Board that you guys have to work out and to have me there and some of the others is not necessary as long as we know what the direction is.

Chairman Schech stated so we can have the meeting downstairs in the conference room.

Board Member Montesano asked what time four o'clock.

Chairman Schech asked what time did they have it for.

Rich Williams replied I don't remember. I will find out.

Board Member Rogan made a motion to adjourn the meeting. Board Member DiSalvo seconded the motion. All in favor and meeting adjourned at 9:52 p.m.