

**APPROVED**

**TOWN OF PATTERSON**

**PLANNING BOARD MEETING**

**January 7, 2010**

**AGENDA & MINUTES**

- |  | <b>Page #</b> |   |
|--|---------------|---|
| 1) <b>Verizon Wireless at 801 Route 311 – Public Hearing</b>       | 1 – 9         | Public Hearing held open and closed.<br>Negative Determination of SEQRA granted.<br>Site Plan Approval Granted. |
| 2) <b>Clocktower Frame – Sign Application</b>                      | 9             | Applicant did not appear.   |
| 3) <b>Steakhouse 22 – Sign Application</b>                         | 9 – 12        | Negative Determination of SEQRA granted.<br>Sign Approval Granted.  |
| 4) <b>Ice Pond Estates – SEQRA Determination</b>                   | 12 – 19       | Discussion of second site walk.<br>Lead Agency Declaration.   |
| 5) <b>South Patterson Business Park West – SEQRA Determination</b> | 19 – 30       | Discussion of Office/Warehouse Ratio.<br>Positive Recommendation to ZBA.  |
| 6) <b>Wireless Edge at Quail Ridge – Lead Agency</b>               | 31 – 56       | Discussion of site, access, tower, power, wetlands and views.   |
| 7) <b>Other Business</b>   |               |   |
| a. <b>D’Ottavio Site Plan – Request for Bond Reduction</b>         | 56 – 60       | Recommendation made to Town Board with Conditions.  |
| b. <b>Field and Forest – Request for Bond Reduction</b>            | 60 – 62       | Negative Recommendation made to Town Board.   |
| 8) <b>Minutes</b>  | 62            | November 5 <sup>th</sup> & November 24 <sup>th</sup> Approved.  |

**PLANNING DEPARTMENT**

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**TOWN OF PATTERSON  
PLANNING & ZONING OFFICE**

**ZONING BOARD OF APPEALS**

Howard Buzzutto, Chairman  
Mary Bodor, Vice Chairwoman  
Marianne Burdick  
Lars Olenius  
Gerald Herbst

**PLANNING BOARD**

Shawn Rogan, Chairman  
Charles Cook, Vice Chairman  
Michael Montesano  
Maria Di Salvo  
Thomas McNulty



**Planning Board  
January 7, 2010 Meeting Minutes**

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

Present were: Chairman Rogan, Board Member Cook, Board Member Montesano, Board Member DiSalvo, Board Member McNulty, Rich Williams, Town Planner, Ted Kozlowski, Town of Patterson Environmental Conservation Inspection, Andrew Fetherston of the Town Engineer's office Maser Consulting and Mr. Carl Lodes of the Town Attorney's office, Curtiss and Leibell.

Chairman Rogan called the meeting to order and led the Salute to the Flag.

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

Michelle Russo was the Secretary and transcribed the following minutes.

Ted Kozlowski stated Charles, you did a Dave.

Board Member Cook stated I did.

The Secretary stated yes.

Ted Kozlowski stated I know.

Chairman Rogan stated first off Happy New Year everyone, looking forward to a good New Year for everyone. First order of business is I would like to appoint Board Member Cook as Vice Chair and I would also like to introduce our new Board Member Tom McNulty, I hope everybody is very kind to him as he learns the process and I am sure Tom is going to be an asset to this Board. I would also want to take a moment to just thank previous Board Member Dave Pierro for 10 years of service to the residents of Patterson, its not always an easy job and its certainly thankless at times but he did give his time to the Town and we appreciate that. Michelle, if you please read the public hearing notice for Verizon.

**1) VERIZON WIRELESS AT 801 ROUTE 311 – Public Hearing**

Mr. Jordan Fry of Snyder & Snyder and Mr. John Watson of Insite Engineering were present.

The Secretary read the following legal notice into the record:

**NOTICE IS HEREBY GIVEN** by the Town of Patterson Planning Board of a public hearing to be held on Thursday, January 7, 2010 at 7:30 p.m. or as soon thereafter as may be heard, at the Patterson Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider an application entitled **New York SMSA Limited Partnership d/b/a Verizon Wireless Site Plan for the installation of a telecommunications facility within an existing silo and construction of an associated equipment shelter**. The property is located at 801 Route 311, Patterson, New York. All interested parties and citizens will be given an opportunity to be heard in respect to such application.

Mr. Fry stated good evening everyone, Happy New Year, my name is Jordan Fry, I am from the law firm of Snyder & Snyder, Tarrytown New York. We are here to represent New York SMSA doing business as Verizon Wireless, also with me is John Watson of Insite Engineering. As you recall Verizon Wireless is here tonight with respect to request site plan approval for a proposed wireless communications facility at 801 Route 311 Patterson New York. Just a reminder that the facility consists of antennas within an existing silo at the property and equipment at the base thereof, as you'll recall Verizon Wireless proposes to replace the existing dome on the silo and replace it with a radio frequency transparent dome, which will not increase the size or the look or the height. As you may recall the Zoning Board of Appeals issued the required variances on November 23, 2009, they also issued a negative declaration pursuant to SEQRA finding that there is no significant impact from the facility. As you recall, Verizon Wireless added the requested landscaping to the plans which we presented to you at the December 3<sup>rd</sup> meeting and also we submitted the proposed elevation plan for the equipment shelter which I hope you guys were able to review and we will be happy to answer any questions. Aside from that, I figure the Board is pretty familiar with the proposal, we would be happy to go through it another time but that being said we do respectfully request site plan approval tonight.

Chairman Rogan stated do we have any questions or comments from anyone in the audience in regards to this application. Ma'am, just come up and please use the microphone, please state your name for the record.

**Darlene Castrovinci** stated hi, I'm Darlene Castrovinci and this is going up in my backyard, we were just wondering how large this structure is that is going to be up with the silo.

Chairman Rogan stated you mean the enclosure.

**Darlene Castrovinci** stated it says a separate structure on the paperwork.

Chairman Rogan stated oh the separate structure is an equipment shed and that is going to go up on the, if you want to point to it on the map.

Mr. Watson stated are you familiar with the silo in the backyard, the silo is here, we are putting an equipment shelter right here, it's a shed, its going to look like the...

Chairman Rogan stated Michelle, can you pick him up.

The Secretary stated yes.

Mr. Watson stated like a little barn, it is going to be made to look like a shed, its going to be 12 feet high at the peak.

**Darlene Castrovinci** stated oh okay.

Chairman Rogan stated it's a small equipment shed and can you point on the map to where your house would be located ma'am.

**Darlene Castrovinci** stated right here, literally it's our backyard, okay.

Chairman Rogan stated oh okay because there is a significant stand of evergreens along I think between where the shed will be and your house, I'm looking at. We asked the applicant to put in supplemental plantings, additionally, I think they are about 8 foot tall trees to help.

Mr. Watson stated it is, this is the silo, this is where the building is going to go and there are some trees in this area (inaudible)...

Chairman Rogan stated you're sure...also John is if can speak to the change in topography and grade because I know there is berm where that, where we wrote, the shed will be at a lower elevation than...

Mr. Watson stated we are at approximately 505 feet in elevation and your elevation is approximately 475 [feet], so there is another 30 feet in elevation change as you go up and it terraces up as you go.

Chairman Rogan stated not only ma'am are you looking up hill but when you get to the top of the hill it levels off and then it goes down into a depression or a low area around the base of the silo so the Board thought that it would be less visually intrusive on neighbors if we could put that equipment building near the base of the silo and take advantage of that topography so that natural topography also helps to shield that equipment shed.

**Darlene Castrovinci** stated okay.

Mr. Watson stated just to, the elevation change in the relative scale of things, this is the existing silo, it is approximately 72 feet tall and this is the scale of the shed, it is going to be wood sides. We purposely made it look like that barns that are on the property so it is wood siding, gable roof and its going to painted to match the color of the existing sheds.

**Darlene Castrovinci** stated okay.

Mr. Watson stated to help blend in.

**Darlene Castrovinci** stated okay.

Chairman Rogan stated can I ask how much, when you look up towards the silo, how much of the silo do you see, from the top down, do you see all the way to bottom of it.

**Darlene Castrovinci** stated yes.

Chairman Rogan stated you do.

**Darlene Castrovinci** stated yes sir.

Chairman Rogan stated okay, all right, I am wondering whether you are going to see any of this shed but the good thing is that we did ask for architectural drawings on the shed that would make it look just like many of the structures on the property in keeping with the rural character of this site. This is kind of unique, we don't get many projects like this where we can get a cell tower that is using existing rural structures that we would like to keep in Patterson, so it is kind of a unique project.

**Darlene Castrovinci** stated okay, well I did have one other question, we were just wondering how the electronics is going to effect our homes in that area, for example our reception for televisions and phones and what not.

Mr. Fry stated sure, I can answer that for you, Verizon Wireless operates under an FCC license which is designed not to only, not to interfere with other FCC permitted frequencies, so to the best of my knowledge there should be no interference at all and again Verizon Wireless will be operating under their FCC license.

**Darlene Castrovinci** stated okay, that's all, thank you.

Chairman Rogan stated thank you very much.

Mr. Fry stated one thing that I just wanted to mention is John [Watson] and Andrew [Fetherston] had discussed some sediment control notes that Andrew wanted added to the plans. So what we did is we just simply added sheet SP-2 where the construction notes are, which I believe John and Andrew went through, so we just wanted to hand that into you tonight.

Andrew Fetherston stated we had a conversation, yes that's fine.

Chairman Rogan stated okay, okay.

Mr. Fry stated so I am just going to...

Chairman Rogan stated any other questions or comments from anyone in the audience, sure.

Ron Taylor stated hi Tom, welcome, I'm Ron Taylor, I'm representing the Patterson Historical Society for this comment. We submitted comments in writing on this, I just wanted to reaffirm them that we think this is a great use and maintenance of an existing structure in the Town, it is a wonderful thing to see us save a building instead of lose it.

Chairman Rogan stated thank you, appreciate that. Anyone else, please. Can I have a motion to close the public hearing.

Board Member Montesano stated so moved.

Chairman Rogan stated can I have a second.

Board Member Cook seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries on a vote of 5 to 0.

Chairman Rogan stated any comments from our technical staff, anything, all set.

Board Member DiSalvo stated they were supposed to supply us with like a colored...

Chairman Rogan stated it was going to be...perfect.

Board Member DiSalvo stated I'm looking at that.

Rich Williams stated yes, that is one of our previous comments, is that...

Chairman Rogan stated that's better.

Rich Williams stated they need to provide colors, they haven't done that. We also haven't seen you know a comprehensive set of plans which address all the comments all together you know we are just getting these tonight. The landscaping, we've seen sketches with the landscaping, everything has been fine and we know what we are going to do but we haven't seen that on a submission yet.

Mr. Fry stated did you say that you didn't receive the color...

Rich Williams stated did we receive color.

Mr. Fry stated I have the color sample, which I thought was included in the packet...

Rich Williams stated that's right, we did see the color chips, they did come in...

The Secretary stated it's, I'll go grab it.

Rich Williams stated do you have them with you.

Mr. Fry stated sure and also the landscaping was shown on the plans that were submitted at the, I believe December 3<sup>rd</sup> meeting, so the only change...

Rich Williams stated I just looked at them, I didn't recall seeing them on there...

Mr. Fry stated I have an extra set for you, if you wanted to take a look but the only change to the plans that were submitted tonight were just those simple notes.

Mr. Watson stated (inaudible – not using microphone).

Rich Williams stated okay.

Chairman Rogan stated having said that though Rich, if, I mean the Board is comfortable with the project but we want to make sure that all the technical aspects are nailed down, so if there is any doubt to anything being covered, we certainly want to wait and wrap this up in the form of a resolution, say for the next meeting. It's up to you, we want to make sure that you have everything nailed down.

Rich Williams stated well most of these, we've reviewed them, we know what we are looking for on the plans...

Chairman Rogan stated okay.

Rich Williams stated they are pretty minor in nature, certainly you know you could do a resolution similar to the ones we've done in the past where you place these as conditions to make sure that we do through the plans one last time.

Chairman Rogan stated okay, you're comfortable with that.

Rich Williams stated yes.

Chairman Rogan stated everyone else from staff is all set on this...Carl, anything.

Carl Lodes stated nope.

Chairman Rogan stated you're all set...so Lady and Gentlemen...

Mr. Fry stated Rich, just prior to submitting the building permit, we'll show you a set of the plans for your approval, is that what...

Rich Williams stated what we are going to request that you do is resubmit full sets of the plans with the architectural, three sets so we can take a look at them, we'll certify that they are complete, Andrew will, I will, you'll have to submit five additional sets that we'll sign off, plus whatever you'd like back and the Board will sign them and then you can go and get a building permit.

Chairman Rogan stated let me see if I can capture this Verizon Wireless...

Rich Williams stated no, no, no, no...

Chairman Rogan stated what.

Rich Williams stated well let's talk about something else first...

Chairman Rogan stated okay.

Rich Williams stated the Zoning Board of Appeals had done SEQR but they did an uncoordinated review...

Chairman Rogan stated okay.

Rich Williams stated so this Board still has to do SEQR.

Chairman Rogan stated thank you, always like you keeping us on track. You want to do SEQRA.

Board Member DiSalvo stated okay, I make a motion that the Planning Board, 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 regarding Verizon Wireless at 801 Route 311.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries on a vote of 5 to 0.

Chairman Rogan stated okay, Charlie you look like your jotting notes down there...

Board Member Cook stated I make motion that with regard to the applicant, New York SMSA...

Chairman Rogan stated here you go, he made it easy for you, maybe you can get a copy and one for the record, thank you.

Board Member Cook stated whereas the Planning Board has considered the application of New York SMSA Limited Partnership d/b/a Verizon Wireless Amended Site Plan approval pursuant to chapter 154 of the Town Code and a final site plan entitled New York SMSA Limited Partnership, dated July 17, 2009, last revised December 3, 2009 and whereas the Planning Board opened a duly noticed Public Hearing on the subject application and final site plan at its meeting on January 7, 2010 and closed the public hearing the same night after receiving comments from the public, now therefore be it resolved in the application of New York SMSA Limited Partnership d/b/a Verizon Wireless for Final Site Plan Approval, pursuant to Chapter 154 of the Town Code, the Planning Board finds that the subject application of final plan as modified in accordance with any applicable conditions set forth in this resolution complies with all requirements of the Town Law and Chapter 154 of the Town Code and hereby grants Final Site Plan Approval subject to the applicant's compliance with six general, I mean five general and three special conditions within 62 days of the date of this resolution.

Chairman Rogan stated so moved.

Board Member Montesano seconded the motion.

Chairman Rogan stated Tom, just to put you at ease, if you haven't been involved in this process at all, you certainly can abstain from the vote.

Board Member McNulty stated okay.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	abstain
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Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries on a vote of 4 to 0.

Chairman Rogan stated any opposed, any abstentions.

Board Member McNulty stated I abstain.

Chairman Rogan stated just let the record show that Tom is abstaining because he is brand new on the Board, okay...

Rich Williams stated there is one more matter that the Board needs to take up and that is the issue of whether the Board is going to be expecting a performance bond and/or inspection fees to be posted on this application.

Chairman Rogan stated that is when we look back to you gentlemen, what would you guys consider, what would be the...

Rich Williams stated well there are minor improvements to the road, there are minor improvements to the site, certainly nothing that a quick five minute inspection isn't going to entail...

Andrew Fetherston stated its not really a road, it will have the item...

Board Member Cook stated like a driveway right.

Chairman Rogan stated an item four driveway, do you gentlemen feel that it is necessary or not necessary, its really up to you guys, I feel, you know.

Andrew Fetherston stated what do you think.

Rich Williams stated yea, I don't see a need for a performance bond on this, I think you know...

Board Member McNulty stated its existing.

Chairman Rogan stated it's a travelled way that they are just improving, yea. We all drove up it to get to the site...

Board Member McNulty stated graded.

Chairman Rogan stated I don't even think graded, just item four. So do we waive the requirement for performance bond...

Rich Williams stated just acknowledge that you are not going to require a performance bond.

Chairman Rogan stated let the record show that...Mike are you okay with that.

Board Member Montesano stated yea, not a problem.

Chairman Rogan stated let the record show that in this matter, the Board acknowledges that a performance bond will not be set, okay, fair enough.

Mr. Fry stated thank you.

Chairman Rogan stated thank you gentlemen, we appreciate your time.

Mr. Watson stated thank you very much.

## **2) CLOCKTOWER FRAME – Sign Application**

Applicant did not appear.

Chairman Rogan stated do we have anyone here for Clock Tower Frame, for the sign application, I don't believe so.

## **3) STEAKHOUSE 22 – Sign Application**

Mr. Jim Troetti was present.

Chairman Rogan stated but we certainly have someone here for Steakhouse 22, Mr. Troetti, you're up.

Mr. Troetti stated thank you.

Chairman Rogan stated we understand that you have an application basically keeping the same sign just repainting or making a new sign, same size, same location, no changes except the name. We are going to Country House Tavern and Bar, how did it read...

Mr. Troetti stated Restaurant and Tavern.

Chairman Rogan stated Restaurant and Tavern, just...

Mr. Troetti stated basically it's the old sign just...

Chairman Rogan stated sir, thank you, just state your name for the record.

Mr. Troetti stated Jim Troetti, owner of Steakhouse 22, basically it's the same sign, the exact same design we just added restaurant and tavern that we initially had when we first opened almost ten years ago, its almost ten years.

Chairman Rogan stated and the Board had, we had spoken about this at the work session and one Board Member remembered quite vividly the conversation we had when you first opened your business about the old sign being larger than what the Town Code allows. The thought back then was as long, because you were using the same, at that time, I think it was the same piece of wood and just repainting it that the Board felt that obviously would be a pre-existing, non-conforming sign...

Mr. Troetti stated we've come a little distance since then.

Board Member DiSalvo stated it's a new piece of plywood that you bought, right.

Chairman Rogan stated and I think generally speaking, again this is the first time that Tom is seeing this but everyone else felt that this sign, same size, same location no changes except the wording would be appropriate however else, we got the sense that if you look at, in the future, you or another owner to totally revamp the signage out there, then we are going to be looking for this to come down to the 25 square foot maximum for the site.

Mr. Troetti stated oh, okay, fair enough.

Chairman Rogan stated was that a fairly accurate synopsis of what everyone remembers.

Board Member Cook stated yes.

Board Member Montesano stated yea.

Mr. Troetti stated you mean in another six years, if I change it again, I'll have to comply.

Board Member DiSalvo stated go back to Steakhouse.

Chairman Rogan stated as long as you keep the same size and everything but if you sell the business and somebody comes in and says I want to completely redo the signage out there, we are going to be looking for them to meet current code.

Mr. Troetti stated okay.

Chairman Rogan state this is kind of, it's a unique situation to look at signage and look at what is pre-existing non-conforming, we have other people that come in for signs and we try to get them either into compliance or we force them into compliance. Thinking of some of our previous cases but I think in this case, the point was made last time that we were literally just changing the painting on this sign, whether it's a new piece of plywood or not, it's the same...

Mr. Troetti stated I tried to use the old signs but the...they got damaged.

Chairman Rogan stated they start to weather.

Board Member Montesano stated its better than the paper ones.

Mr. Troetti stated it's a wall covering now.

Chairman Rogan stated any questions or discussion from anyone on the Board, or Rich or anyone.

Board Member Montesano stated no.

Chairman Rogan stated need a SEQRA Determination and a motion for the sign.

Board Member Montesano stated you're on it.

Board Member DiSalvo stated I'll do SEQR. In the matter of the County House Restaurant and Tavern, I make a motion that the Planning Board of the Town of Patterson finds that the proposed action will not have a significant impact on the environment and hereby issues a negative declaration of significance.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries on a vote of 5 to 0.

Chairman Rogan stated okay, for the sign application, let's just make sure that we note that the square footage is the same as what is existing on the site for, as long as we are aware of anyway.

Board Member Cook stated I make the motion that the Planning Board approve the sign application for Steak House 22...

Board Member Montesano stated Country House Tavern and Restaurant.

Mr. Troetti stated Country House.

Chairman Rogan stated you're right, the business is listed as Steak House 22 on the application.

Board Member Cook stated okay, Steak House 22, to change their sign within the same perimeters of the existing sign, to read Country House Restaurant and Tavern.

Chairman Rogan stated and the colors are black and white.

Mr. Troetti stated no, it will be blue and white.

Chairman Rogan stated blue and white, I apologize.

Mr. Troetti stated we are going back to blue and white.

Board Member Cook stated blue and white.

Chairman Rogan stated okay, can I have a second.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	abstain
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries on a vote of 4 to 0.

Chairman Rogan stated okay.

Mr. Troetti stated I think you.

Board Member DiSalvo stated go put them up right now.

Board Member McNulty stated abstain.

Chairman Rogan stated this is a brand new application for us, that is up to you.

Board Member McNulty stated it sounds like you spoke about it already, so I'll just abstain.

Chairman Rogan stated fair enough.

Board Member DiSalvo stated just a little quick story, my girl friend called me New Year's Eve and said what is the number for the Steakhouse, I want to see if they are going to be open, I can't find it in the phone book and I said go look for Country House and sure enough, you're still listed under the old name.

Mr. Troetti stated oh really.

Chairman Rogan stated oh wow, you'll have to change it.

Board Member McNulty stated maybe its just an old phone book.

Mr. Troetti stated for whatever its worth, I found my old bank stamp for the Country House.

Chairman Rogan stated wow, thank you Jim, we appreciate you being in Town and doing the kind of business that you do. There is nobody here for Ice Pond...

Rich Williams stated yes, they are here.

#### **4) ICE POND ESTATES – SEQRA Determination**

Mr. Chris Fisher of Cuddy & Feder and Mr. Rick Lamontagne from Bibbo Associates were present.

Board Member DiSalvo stated they are all outside.

Chairman Rogan stated oh they are.

Board Member Montesano stated they are all hanging out, out there.

Chairman Rogan stated good evening gentlemen.

Mr. Fisher stated good evening.

Chairman Rogan stated wow, you do have the whole crew here.

Mr. Fisher stated just wanted to say Happy New Year.

Chairman Rogan stated Happy New Year, is that it.

Board Member Montesano stated no, next.

Mr. Fisher stated that's easy, right.

Chairman Rogan stated yea.

Mr. Fisher stated Chris Fisher with Cuddy & Feder on behalf of the applicants. This project obviously, you're aware of, subdivision, 25 lots at this point called Ice Pond Estates. We were last here in November, had a discussion about the preliminary plat filing we had made, the full EAF and a number of the attachments and the status of the project after some revisions that we had been working for some months. You re-circulated for lead agency status, at this point I believe you can confirm yourselves as lead agency and we did receive one comment memo that was submitted to you from DEP. By and large, in my experience that was a good comment memo, it largely raised issues that we think are able to be dealt with as part of the stormwater pollution prevention plan that we are going to have to do and subdivision process as opposed to SEQRA. So, it's really within the Board's purview at this point to deal with SEQRA itself and a possible resolution...

Chairman Rogan stated that is kind of confident.

Mr. Fisher stated so that is kind of where we are, I want to react to any comments you might have.

Chairman Rogan stated we had taken a look recently at the traffic impact study that you had submitted, Andrew, actually, we just gave him a copy tonight, he had not gotten that and we had also spoken about getting out and doing another site walk because of the busy schedule around the holidays and everything, we have not gotten out there but we wanted to bring out the gentleman from the historical society and we now have a new Board Member. So certainly we want to gather as much positive feedback on this as possible. The comment from the DEP, I read through it, not every word but I breezed through it and it did seem like a lot of comments that were typical engineering comments, did you have a chance to read that document.

Andrew Fetherston stated I did, I agree with the statement that was made by the attorney.

Chairman Rogan stated we also and we don't want to get into a lengthy discussion on this but we mentioned while the traffic impact study talks about the increased flow on Ice Pond Road and in some of the surrounding network roads, we haven't had a lot of discussion, we had asked for input on the Highway Superintendent on the roads and that was pretty blanket statement that said improvements are needed, if I remember correctly, something to that effect.

Rich Williams stated right.

Chairman Rogan stated many of us who travel the local roads know that Ice Pond Road, especially in that section, has some challenges and is obviously an unpaved road.

Mr. Fisher stated right.

Chairman Rogan stated and we wanted to get your input as to any improvements that might be planned for the increased traffic you'll be putting onto Ice Pond, if Joe or anyone can speak to that.

Mr. Fisher stated we can have that conversation, we, I think in our application we didn't identify any specific improvements, I think that we did note that there have been some improvements that the Town has done more recently.

Chairman Rogan stated yea.

Mr. Fisher stated I had a conversation with Rich earlier today that you know, in the area where obviously we are developing in the access road, some of the stormwater connecting systems to the Town right of way we should probably be looking at and how those interconnect and if there are some improvements that are going to be needed in the Town right of way, beyond that I am going to defer to our engineers. I think from a volume and capacity standpoint, we think the road in existing condition can support what we are proposing but...

Chairman Rogan stated you mean in an unpaved condition.

Mr. Fisher stated yes.

Chairman Rogan stated okay because that road is, I drive that road everyday, that road can become quite a mess seasonally depending on and the Highway [Department] is very about getting out there and doing what they need to do, I don't want to take anything away from them. In the section where the entrance is proposed to the subdivision, going up gradient, when you get into that S-turn and the rock cuts and everything through there, it becomes, what do they call it, washboard and washed out and everything. The Town has done a lot improvements up there but I think we want to at least determine if this is the time with 25 lots going in there, there aren't 25 houses almost along the whole road, certainly not in Patterson, down on the Brewster side and that section is all paved. I think that the Board always figured that at some point in time, when some progress was made on that road on the Patterson side, that section would be paved, either by you or the Town, not by you but by whomever was proposing...

Mr. Fisher stated okay.

Chairman Rogan stated and I think we are just concerned with the volume of traffic, the impact study shows some of the numerical, that quantifies the impact at the end of the study, it basically just says, taking all of this into account I don't think there is any impact to the road, I don't know if I agree with that 100%, there is always an impact associated with an increase in traffic.

Mr. Fisher stated I think obviously Adler was focusing on volumes and capacities as opposed to...

Chairman Rogan stated right, in terms of like geometry and how the...

Mr. Fisher stated use or anything like that, right.

Chairman Rogan stated I can honestly say I have not waited in traffic on that road, except for school buses, in fairness, that is when it can get backed up, when you have school buses doing three point turns to get in and out of that road, so...I'm sorry, go ahead.

Mr. Fisher stated obviously we don't have an answer this evening and its probably the kind of topic we would want to talk about with the Highway Department, Rich and others...

Chairman Rogan stated sure.

Mr. Fisher stated to just get to a point of, what are we talking about, what are the possibilities, what are the scopes, I mean obviously we would have concerns with paving that entire section as part of this development, so while I don't think it's a SEQR issue, I did have the conversation, I think we have to have the conversation continually before we get the preliminary plat obviously, so we are prepared to have. I don't know what the answer are tonight, though.

Chairman Rogan stated understood.

Rich Williams stated before the next meeting, why don't we set up a meeting between the applicant, myself, the Town Engineer and hash out some road improvements, I'll see if I can get Charlie [Williams] over...

Chairman Rogan stated that's a great idea because we have for larger projects in the area, we have certainly looked at improvements to the road, not to Ice Pond so much but in the area but they were projects that started out when these improvements were considered, they were much larger in scale. They were may be 80 or 100 lot subdivisions rather than 25 [lots].

Mr. Fisher stated right.

Chairman Rogan stated but there is a cumulative effect that, I just can't see 25 lots coming out onto this unpaved road, these people, the first thing as soon as they are in is they are going to be screaming at the Town to have that road paved and I think we should at least have that conversation that you are talking about and make sure that we move forward in a progressive way.

Rich Williams stated why don't you call me when you're ready and we'll work out some dates for that.

Mr. Fisher stated yea, I think that makes sense, we should start having that discussion.

Chairman Rogan stated in terms of getting site walk done, we realize that you gave us full approval back in, I think it was November to get out there and we haven't and we understand but we will get out there with your permission within the next week or two, the snow isn't really that deep right now. It would be great for Mr. McNulty to be able to walk the site, as it stands now, of course he doesn't have any background on this application.

Mr. Fisher stated sure.

Chairman Rogan stated it's been a long time since we've been out there, the layout has changed somewhat, I'm not saying that increased the impacts, I'm hoping that that decreased the impacts, we stayed away from

steep areas, we've reconfigured things, you've been very you know, you've listened to our comments and I appreciate that in terms of changing the subdivision to meet some of the requirements. I think the Board is in a position right now where we want to get out there one more time before we do SEQRA Determination.

Mr. Fisher stated okay.

Chairman Rogan stated and take a look, we are real happy with where you've come, you know its still a challenged site and we just want to make sure that everybody is comfortable with where we are before we move forward.

Mr. Fisher stated okay, the only thing I would ask is if there is anything we need to get you other than trying to do the meeting and the site visit before now and the next meeting because I assume at the next meeting you would be a position to go through SEQRA at that time.

Rich Williams stated one quick question Rick, do we have the most current layout plans here...

Mr. LaMontagne stated yes.

Rich Williams stated okay.

Mr. LaMontagne stated they have been revised (inaudible), the plans from the last, from your last memo and also DEP's.

Chairman Rogan stated I've got it, October 20<sup>th</sup> of 09 is the last set, is what I'm holding.

Mr. LaMontagne stated the last set of plans.

Chairman Rogan stated the last set of plans, the last revision date is October 20<sup>th</sup>.

Mr. LaMontagne stated is that the first sheet or...

Chairman Rogan stated that probably, if you want to take a look, I was just looking through those today.

Board Member Montesano stated the last one we got.

Chairman Rogan stated yea.

Mr. LaMontagne stated this is the latest.

Chairman Rogan stated its current, okay and please gentlemen, I hope you know me well enough by now that we don't ever do anything to delay people, its really just a comfort level with the project, that one month or whatever the time is may put the Board in a position where we are much more comfortable to just move forward and you know, again I always say, you do your work and we'll do ours. In this case, given the circumstances, I think we want to just get out there and just take a look because we have changed some things around.

Mr. Fisher stated okay.

Chairman Rogan stated and if you are okay with that, then we appreciate that and...

Mr. LaMontagne stated we will, we have revised the plans somewhat, we will finish that for the comments that are out there now...

Chairman Rogan stated okay.

Mr. LaMontagne stated and get them to you so we can keep moving forward.

Chairman Rogan stated because that is not going to change the layout, those are technical issues...

Mr. LaMontagne stated right, exactly.

Chairman Rogan stated absolutely.

Mr. LaMontagne stated I'm not saying you are going to have a full SWPPP by the next meeting but...

Chairman Rogan stated understood.

Mr. LaMontagne stated we will get you new plans.

Chairman Rogan stated okay, what the Board can do tonight is reaffirm our intent to be lead agent on this, you had mentioned that earlier, right, wasn't that on this.

Rich Williams stated no.

Chairman Rogan stated oh I thought, I'm sorry, I thought there was comment earlier about...

Mr. LaMontagne stated yes there was a comment earlier that you can...

Mr. Fisher stated the last time you circulated saying we intend to be the lead agency...

Rich Williams stated right.

Mr. Fisher stated 30 days have passed, no one has objected but you are.

Chairman Rogan stated okay so then it's a de facto, we are.

Rich Williams stated it's by default.

Mr. Fisher stated yea.

Chairman Rogan stated all right, I wasn't dreaming too much then.

Rich Williams stated no, you don't need to reaffirm it.

Chairman Rogan stated okay.

Board Member Montesano stated can you just make lighter papers please.

Chairman Rogan stated yea.

Rich Williams stated (inaudible).

Chairman Rogan stated please.

Board Member Cook stated I just have two quick questions, on the traffic study, now the study is based on one day, is that normal review, I mean.

Mr. Fisher stated yea, especially on a project like that, they are looking at existing conditions, actually a lot of the traffic analysis here is based on also projected conditions from speaking to the Town of Southeast and projects that are approved but not built, so that with the traffic count, especially given the light traffic conditions by and large on Ice Pond is sufficient for that kind of analysis.

Board Member Cook stated my second question is you touched the point, does the Town of Southeast have a copy of this report.

Mr. Fisher stated they probably do not, no. It is really just that the traffic consultant has to take that into consideration. I mean everything that is happening that far south as part of the access to this particular parcel.

Board Member Cook stated I mean, should they copy from the standpoint that intersection down there of Ice Pond and [Route] 312...

Chairman Rogan stated 312.

Board Member Cook stated is like has been identified as a...

Mr. Fisher stated it was E I think...

Board Member Cook stated whatever you call it there...

Chairman Rogan stated that is a difficult intersection there.

Mr. Fisher stated yea.

Board Member Cook stated right.

Rich Williams stated if the Board would like us to get them a copy and set of plans, we can certainly do that, I mean I know their Planner well, I know their engineering well.

Board Member Cook stated I think so.

Chairman Rogan stated and I think it's just good from an awareness standpoint that they know what is being proposed which will have an impact on their road network. Anything from anyone else on the Board, Rich, anything else for tonight.

Rich Williams stated nope.

Chairman Rogan stated okay.

Mr. Fisher stated we will coordinate on the meeting and I guess see you back in February.

Chairman Rogan stated great, we will also have Rich reach out to you as an FYI to let you know, it will probably be a Saturday morning when we go on the site walk, obviously we are not asking for any staking or anything because you've already gone through that when we were out, we are just going to, I think the demarcations with some of the stonewalls are pretty straight forward so, but we will let you know. Rich, who is the point of contact for...

Mr. Fisher stated Rick can do that.

Chairman Rogan stated okay, thank you gentlemen.

Mr. LaMontagne stated would it be appropriate for any of to walk with you just if you have any questions.

Chairman Rogan stated if you'd like, typically the Board would go out, I mean, I think we will be okay on our own, you know. I think its just more comfort level with getting a feel for the way the project lays out, you know again, Ron has not been on site, we just wanted to get a little bit of his input, make sure that any sensitive areas are outside the construction. I don't think that is necessary, save yourself a Saturday, stay with your family. Okay, anything else gentlemen, thank you, have a good evening.

Mr. Fisher stated thanks very much.

Chairman Rogan stated we appreciate your time. I think we are going to jump right into Mr. D'Ottavio.

The Secretary stated Rob is here...

Chairman Rogan stated I'm sorry, Rob is here, sorry Steve, we always try to get you out of here.

## **5) SOUTH PATTERSON BUSINESS PARK WEST – SEQRA Determination**

Mr. Robert Cameron of Putnam Engineer was present.

Rich Williams stated he is hiding outside where it's cooler.

Chairman Rogan stated yea, it is warm in here.

Board Member Montesano stated it's only your imagination.

Board Member McNulty stated I thought it was me.

The Secretary stated no.

Chairman Rogan stated its warm that is why they call it the hot seat.

Board Member McNulty stated no, you're in the hot seat.

The Secretary stated do you want me to open a window.

Chairman Rogan stated I'm sorry.

The Secretary stated do you want me to crack a window.

Chairman Rogan stated good evening Rob.

Mr. Cameron stated good evening, Happy New Year; I hope your holidays were well this year.

Chairman Rogan stated very well, how about you.

Mr. Cameron stated I'm glad it's over.

Board Member DiSalvo stated let everybody.

Mr. Cameron stated I am here before you tonight to present a revision to the plan that we had previously submitted to the Board for South Patterson Business Park, it is a 34 acre site, located on Route 22. The previous proposal was to place a building close to Route 22, approximately thirty-six thousand some odd square feet. It became apparent to the owner and developer that the ratio of office to warehouse was just not feasible, I think the Zoning permitted 65% office, 35% warehouse and the market really is for the warehouse section of the building and I have amended the plan to show the change in the ratios, obviously I would need to go to the Zoning Board for a special permit. The area in the back, I generally haven't increased any area, any impervious area, the building got slightly larger just to round off the numbers, I just made it 160 by 162 and put the percentage, about 30% office and that is just kind of how it wound up getting a couple hundred square feet larger in the area of the building but the area in the back, previously where we had the parking, I dedicated that to the truck dock area where the trucks could turn around, there area in the front, the basic shape of the building has stayed the same, I believe the ponds and all like that that we have shown, will work, we had done a preliminary SWPPP, obviously we haven't finalized it because we are not at that point, to do the finalization of the SWPPP, Rich had noted that we are lacking pre-treatment, we will address that issue. In the front we did have the pre-treatment, there is some underground pre-treatment, I talked to my designer about the stormwater, she said that the surface run-off would act as pre-treatment, I mean, we can discuss that if that works for the SWPPP or not.

Rich Williams stated it was difficult to understand what you were doing, I think we both have, myself and the Town Engineer had concerns about how the water is flowing through the site...

Mr. Cameron stated yes.

Rich Williams stated and it was difficult without seeing the SWPPP, seeing what you are really doing and really understand based on what you are submitted how the water is flowing through, so it will be good to see the SWPPP.

Mr. Cameron stated yes.

Rich Williams stated I don't know if you want to add to that.

Andrew Fetherston stated I agree without the SWPPP it was difficult to follow, there was some partial, there was some information that was lacking that details would have certainly facilitated more understanding on my part.

Mr. Cameron stated yea and in a previous submission we had submitted the details and there was discussion about the SWPPP but with this I...

Rich Williams stated you changed this.

Mr. Cameron stated yes and honestly before I pursue the SWPPP, I would really need to get over to the Zoning Board of Appeals to see how they feel about this, I mean preparing an SWP...there isn't that much difference but there is difference and it would effect SWPPP, so I wouldn't want to go ahead and prepare an SWPPP until I get to the ZBA and get their opinion on this.

Chairman Rogan stated Rich, procedurally, the Board could do a SEQRA determination and then give a recommendation or would we wait for Zoning.

Rich Williams stated I would suggest you hold off for a couple of reasons, one is the ZBA was never identified initially, I mean we did have the conversation, I did strongly suggest you go to the ZBA, you felt it wasn't needed and now it is...

Chairman Rogan stated okay.

Rich Williams stated they were never included in the Lead Agency circulation, so we could now address that concurrently with them making an application...

Chairman Rogan stated sure.

Rich Williams stated so the ZBA understands what is going on and then you could do lead agency.

Chairman Rogan stated it's not going to slow anybody down doing that.

Rich Williams stated there were a couple of other issues that needed to be talked about with regard to SEQRA, the environmental assessment form, one of them in particular they put within the environmental assessment form that they haven't really evaluated the site for endangered species or plants, they listed it as to be determined and I think you should at least you know you can go up online and do a preliminary screening and do that for endangered species and plants that exist within the area...

Mr. Cameron stated obviously we are going to get hit on that, it's a 34 acre site, the front portion...

Rich Williams stated isn't...okay...

Mr. Cameron stated on the 34 acres, I am going to hit on the ferns, Bog Brook, Bog Turtle, so its, if I send that in, that is going to be what I am going to get, I mean I can do a more detailed analysis, see if I can get somebody out there to analysis just the front portion of the site.

Chairman Rogan stated this part is...

Rich Williams stated it is going to be a difficult time to do something like that, you know.

Andrew Fetherston stated that was one of my comments, the EAF was done of the entire site, you are only touching a small piece so it is not quite as accurate as maybe, when the Board looks at the EAF it may not be all telling, it may not be accurate...

Chairman Rogan stated right.

Andrew Fetherston stated for what the disturbance really is.

Mr. Cameron stated well in the EAF we did identify the front portion of the site like the disturbance areas and all like that, that is all for the front portion of the site...

Andrew Fetherston stated I absolutely agree.

Mr. Cameron stated the back portion that goes across the stream, goes up into Bog Brook.

Andrew Fetherston stated right.

Mr. Cameron stated so I don't know where that leaves us with the...

Rich Williams stated again I still think you need to do a preliminary screening at least, you can't leave it open ended...

Chairman Rogan stated (inaudible)

Rich Williams stated saying we haven't even looked and we don't know what might be out there...

Mr. Cameron stated okay.

Rich Williams stated if they do a preliminary screening they say well jeez you've got Bog Brook and you come back and say well that's great, I mean if you have Bog Turtle but there is no Bog Turtle Habitat on the site, I mean we can concur with that, it's an upland forested area we are talking about...

Mr. Cameron stated yea.

Chairman Rogan stated okay.

Rich Williams stated but you know we need something.

Mr. Cameron stated okay, I can do that.

Chairman Rogan stated okay, so you want to get the ball rolling with the ZBA...

Mr. Cameron stated I would like to...

Chairman Rogan stated make an application.

Mr. Cameron stated yes.

Chairman Rogan stated get a recommendation from this Board.

Rich Williams stated that's up to you.

Chairman Rogan stated yea, well they usually look for something from this Board.

Mr. Cameron stated will the ZBA be able to make a determination for a special permit for me, I mean, what do I need from here...

Rich Williams stated we get going with the chicken and the egg here; procedurally they can't make a decision until SEQRA is complete and generally they default back to the Planning Board, you know taking care of SEQRA but until they have an application and can respond to a Lead Agency, you know, nobody can do anything.

Chairman Rogan stated they are going to want to...

Mr. Cameron stated so Lead Agency is the first issue to address.

Rich Williams stated right, so you are going to make an application, we are going to draft a letter out of my office, send it to the ZBA, include them in the circulation process for lack of a better way to phrase it...

Mr. Cameron stated okay.

Rich Williams stated so that they are aware, my concern is that I am going to draft a letter and send it over to them saying you know there is this application before the Planning Board coming in that is looking for a special use permit, without your plans, without the initial application made by you, they are not going to have a full understanding...

Mr. Cameron stated they are not going to have any idea what it is, right.

Chairman Rogan stated yea.

Mr. Cameron stated okay.

Chairman Rogan stated okay.

Mr. Cameron stated that's fine.

Chairman Rogan stated they will probably get out and take a look at the site, I imagine that they will do a site walk on something like this and they will, you know you can explain the reason for the special permit and then concurrently we can be wrapping up our SEQRA Determination which will allow them to be able to make their determination, right.

Rich Williams stated right.

Mr. Cameron stated okay...

Chairman Rogan stated its sound easy when you say it like that.

Mr. Cameron stated I can also come back here and we can still grown through the SEQRA, I mean that's...

Chairman Rogan stated yea.

Mr. Cameron stated I can address that get back here ASAP, correct.

Chairman Rogan stated yes.

Rich Williams stated well...

Mr. Cameron stated we can do that whether or not I'm at the ZBA, correct.

Rich Williams stated as long as you've gone to the ZBA and made an initial application and they've responded that they are okay with the Planning Board being Lead Agency and then you can come back here and wrap up SEQRA.

Mr. Cameron stated okay.

Chairman Rogan stated yup.

Mr. Cameron stated first them and then shortly there after, back to the Planning Board.

Rich Williams stated right.

Chairman Rogan stated Mike.

Board Member Montesano stated no, no.

Board Member Cook stated I was going to say, should we go with the ZBA...

Chairman Rogan stated I don't think...I don't know.

Board Member Cook stated is that necessary.

Rich Williams stated it's not necessary.

Chairman Rogan stated I don't think it's necessary unless they ask us to accompany them I think we are better off not stepping on toes.

Rich Williams stated I don't know if Mr. McNulty would like to go out to the site, we certainly can let the Planning Board Members know when the ZBA is going to be out there, so if you so choose to go out with the ZBA you can.

Chairman Rogan stated we also, Tom, I don't know what your schedule is like, what kind of hours you work but we can also arrange for Rich to possibly take you out on the site, he's always looking for a site walk.

Board Member McNulty stated or if the ZBA goes, I'll be glad to hook up with them and take a walk, I haven't really, I just kind of quickly looked there, I don't know what's going on.

Chairman Rogan stated understood, yea.

Rich Williams stated Shawn brings up a great point, we don't know your schedule, and usually the Planning Board is going on a Saturday morning...

Board Member McNulty stated my Saturdays are generally open; I'm my own boss so I can tend to work my schedule around, if I have a few days notice.

Chairman Rogan stated (inaudible).

Rich Williams stated usually the ZBA is going out during the week.

Chairman Rogan stated not at this time of the year but...

Rich Williams stated yea, as early as they can.

Board Member McNulty stated if I have a few days notice, I can usually work my schedule.

Chairman Rogan stated typically our site walks; we go pretty early, we usually meet at 7 for breakfast and 8 for the site walk...

Board Member McNulty stated that's fine with me.

Chairman Rogan stated usually we get things done fairly early.

Ted Kozlowski stated don't rookies buy breakfast.

Board Member Montesano stated for the year.

Chairman Rogan stated I think rookies should be bought breakfast, they don't know what they are getting into.

Board Member McNulty stated I'll bring the bagels.

Chairman Rogan stated would the Board want to send a positive recommendation to the Zoning Board on this application. What does everybody feel...?

Board Member Montesano stated I have no problem.

Chairman Rogan stated we are all kind of in favor of this so.

Board Member DiSalvo stated the whole project is designed to stay out of the back property, so.

Chairman Rogan stated exactly.

Ted Kozlowski stated yea.

Chairman Rogan stated it seems like a great use of the site.

Board Member McNulty stated what kind of business is being solicited for the warehouse is it one user or is going to be multi-tenants...

Mr. Cameron stated actually at present, he'll take anyone. He would like to get one user, maybe two; I mean it is designed so that we could divide it up...

Board Member McNulty stated okay.

Mr. Cameron stated being that the docks are only in the back, you are going to be limited as to how much you can divide it up, I mean you could easily divide it in half, in two, more divisions than that would be more difficult.

Board Member McNulty stated okay, any type of particular business looking for, is this going to be for mechanics or excavation or warehouse...

Mr. Cameron stated no, he is looking for bulk warehouse, right.

Board Member McNulty stated okay.

Mr. Cameron stated a lot of the industries they just need a place to store their stuff, we consume so much stuff, the trucks need some place to put it before they deliver it to the stores or wherever they are disturbing to.

Board Member Montesano stated including the trucks.

Chairman Rogan stated anything from anyone else, going once, going twice.

Rich Williams stated one quick question.

Chairman Rogan stated okay.

Rich Williams stated the applicant now shows a 30 foot roll off on the site, considering it is a warehouse use what is the intended use of the roll off.

Mr. Cameron stated well that was my ingenious thought, I thought if there was ever a need for a roll off that I would show it on the plans so we could have it there. Honestly, they might not be needing one but if I show it on a plan and need a roll off for any type, maybe they have some merchandise there that they whatever, they want to get rid of, they need a roll off there for a couple weeks or something like that, they dump it in there and then they take the roll off away.

Rich Williams stated the concern is that typically you are going to have a roll off when you are generating a lot of waste...

Chairman Rogan stated right.

Rich Williams stated that leads to light manufacturing, you know so it would be set up for that without having that special use permit and so, that was the concern about having the roll off there, compounded with the fact that you now have a roll off, I flagged that it is, in my opinion too close to the building, it

really needs to be set back a little bit, fire safety, not necessarily the building code, I recognize that but I think we need to be able to get somebody between the roll off and the building, should anything ever happen.

Mr. Cameron stated yea, that is actually on this, not a problem, that can easily be, we can put bollards or something in there or a platform, (inaudible) platform.

Rich Williams stated my suggestion was just put white lines on the pavement so we can go out and say you know its obvious and that is probably the easiest way to do it, you know create the box. Also, there is always the concern with not having them covered and blowing and as long as the Board in comfortable with the concept that's...

Board Member McNulty stated does roll off equal compactor, is it one in the same or is it...

Mr. Cameron stated well that is the other thing I was thinking of, it could also be a compactor, you know if they would need to brush up boxes and...

Board Member McNulty stated then you need electrical connections and...

Mr. Cameron stated well that would happen when they come back with the architectural.

Board Member McNulty stated a lot of crushing, if they have any kind of liquids, where is the runoff go, is there drainage after that.

Rich Williams stated yea, it all runs down to the pond from there.

Board Member McNulty stated and is that...

Rich Williams stated stormwater pond.

Board Member McNulty stated I'm not familiar with this site, is that container viewable, the back of the building viewable by neighbors, is it...

Mr. Cameron stated no.

Board Member McNulty stated not really, I kind of quickly saw where it is by Old [Route] 22...

Mr. Cameron stated this house is actually up, this is that garage right here.

Rich Williams stated it would be more viewable from a residential subdivision that is to the west if it is viewable at all but I don't think it is.

Board Member Montesano stated down in the hole.

Andrew Fetherston stated Tom's discussion is bringing up something that I put into my memo that the DEC is, somewhat unclear where it says loading facilities and industrial uses can be hot spots so I asked as one of my comments if you can confirm that for the Board because certainly with any type of liquid leaving the site...

Board Member McNulty stated and you have hydraulics involved too, so.

Andrew Fetherston stated yea so that was something I posed and recognize not having an end user, having something on spec makes it more difficult for the Board perhaps but I posed that question and it would be another stormwater issue, so, its in the memo. Really I think the applicant is in a great place where he could go to the Zoning Board and address with that and you do have some technical comments that you can review also, at the same time, so.

Board Member Montesano stated one question with that in mind, if you are going to put that location, with an awning of some type where it would cover that so that moisture wouldn't theoretically wouldn't get directly dumped into that container be of any use and would that be something that we would consider.

Board Member DiSalvo stated and where would...

Board Member McNulty stated it's another structure.

Board Member DiSalvo stated rain water go off of the roof in the corner.

Board Member Montesano stated well you have...

Board Member McNulty stated that's just...

Board Member Montesano stated you have blacktop to begin with...

Board Member DiSalvo stated yea.

Board Member Montesano stated so if you put an awning up, instead of it hitting the ground right away, its going to hit the awning.

Andrew Fetherston stated you would prevent rain water to adding to leachate and making more leachate, you could still have leaching depending on what your throwing away that is what Tom is bringing up...

Board Member Montesano stated right.

Andrew Fetherston stated but that would be one solution sure to not magnify the problem once its...

Board Member DiSalvo stated there could be a fire.

Andrew Fetherston stated you don't know that there is going to be, you don't know that he is going to store liquids, it could be all dry storage, you don't know that right now.

Rich Williams stated the easier solution to the whole problem is just not have the roll off, if you have a use, you come back to the Planning Board.

Board Member Montesano stated we being completely polite about trying to steer that way, I think but...

Chairman Rogan stated I think Rob's intention was, as he said was if a new user comes in and they have a set up phase where they need a roll off in there, they are going to have a roll in there for a couple of weeks time, they are going to park it in a spot, they are going to load it, its going to be gone, its not part of the site

plan, its not part of the long term use of the site, you have your garbage, you know so that still fits within what you had said earlier, its not an approved location of the site, you bring in a dumpster, you take care of business and two later everybody is in business and you use your approved garbage location, so.

Board Member McNulty stated I bring up Rich's point though, you start to get a container there and then the light industrial, you get some kind of manufacturing going on inside.

Chairman Rogan stated right.

Rich Williams stated which again maybe perfectly fine, as long as we know what the use is and what the impacts are and you know to address Andrew's, we know what the potential there is for leachate, what the leachate consists of and how it needs to be addressed and that is one the reasons that we would want to take a second look.

Mr. Cameron stated they'd actually have to come back here anyhow if we went to the light manufacturing because I don't, is light manufacturing permitted...

Rich Williams stated yes, by special use permit.

Mr. Cameron stated okay, so they would get reviewed someplace along the way before they were able to do that.

Rich Williams stated yes assuming that we haven't made a site that is conducive for that use and your applicant doesn't just rent it out before he comes back to the Board.

Board Member McNulty stated I have one other question too, would this, whatever we approve here, would it allow storage of trailers, it sounds like it is set up for tractor trailers or trucking of some sort, is there going to be storage of trucks there or fleets of trucks stored.

Mr. Cameron stated no.

Board Member McNulty stated it's just in and out.

Mr. Cameron stated no, its just a dock, if I was to store stuff I would have to indicate that on the plan, I mean you know there could be trucks parked there for short term while they are loading, unloading waiting for something...

Board Member McNulty stated sure.

Chairman Rogan stated sure.

Mr. Cameron stated to get unloaded but not.

Rich Williams stated in the past we have had concerns about tractor trailer bodies being set at a site, we actually put a note on the plat that says any tractor trailer body that is there for more than 30 days is considered outdoor storage and it can't happen without approval from the Planning Board.

Chairman Rogan stated okay.

Andrew Fetherston stated the plan would have a number of loading docks, a number of spaces, parking and larger vehicles (inaudible).

Board Member McNulty stated loading docks I can understand because that is moving all the time and you don't want to block it but I mean, you see blacktop there I don't know if there are places for trailers to be stored.

Mr. Cameron stated no, that is not the proposal.

Board Member McNulty stated not the intent, okay.

Chairman Rogan stated okay, I had brought up the question about sending a positive recommendation to ZBA, sound like a good idea, everybody okay with that.

Board Member Montesano stated I have no problem.

Chairman Rogan stated make a motion for South Patterson Business Park West that the Planning Board sends a positive recommendation for the special permit to the Zoning Board, so moved.

Board Member Cook seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries on a vote of 5 to 0.

Chairman Rogan stated so we are going to work on this...

Mr. Cameron stated yes.

Chairman Rogan stated while you work with ZBA, we'll get Mr. McNulty out on site so he can take a look...

Mr. Cameron stated okay.

Chairman Rogan stated that way he can be an informed Board Member on this and we tank you for your time.

Mr. Cameron stated thank you very much.

Chairman Rogan stated thanks Rob.

**6) WIRELESS EDGE AT QUAIL RIDGE – Lead Agency**

Mr. Neil Alexander of Cuddy & Feder and Mr. John Arthur of Wireless Edge were present.

Chairman Rogan stated we have Wireless Edge at Quail Ridge.

Board Member Montesano stated Shawn, do you want something in writing on the fact that we went out there.

Chairman Rogan stated just something, you can even do an e-mail so we can stick it in the file, yea, that's fine.

Board Member Montesano stated okay.

Chairman Rogan stated absolutely, I think that is always good, with every site walk, that we have something.

Board Member DiSalvo stated (inaudible).

Board Member Montesano stated yea they are in there somewhere. All I know is they better (inaudible).

Mr. Alexander stated good evening, Chairman and Members of the Board.

Chairman Rogan stated good evening.

Mr. Alexander stated my name is Neil Alexander, partner in the law firm Cuddy & Feder, with me tonight is John Arthur, he is a principal in Wireless Edge. Given that you have a new Board Member, we thought we just sort of back up a little bit and textualize, I know that some of you are much more familiar with this, essentially for about a decade now the wireless industry has been trying to figure out a way to provide wireless and coverage to the Putnam Lake Community area, it started with an infamous mono-cross and which really had its own problems which was brought forward by Sprint. Then subsequently a couple years later Wireless Edge came forward with an application for the southern end of the lake, there was a fair community opposition, this is actually the first time we've actually met on this tower in this building, every other time we've met on this tower, we've met at the community center, down there by the train stop. During the course of reviewing that southern part of the lake location, we were asked to consider probably almost a dozen sites in moving forward with the Zoning Board of Appeals, including Brown Mountain, including County Park land, there was a lot that went on and transpired. We were able to subsequently identify this Quail Ridge Homeowners' Association parcel and we went back to the ZBA, even though the Lake Shore site had been in front of you prior to going to the ZBA, went back to the ZBA to see if they would entertain it as an alternative location, still again trying to meet the FCC demands with out anchor tenant carrier being T-Mobil. T-Mobil is still very interested, we also have started to receive trickles and interests from many other carriers, at this point I am going to let John sort of explain to you what the site entails, I think its fair to say subsequent to our site visit, we met with the ZBA and the ZBA has essentially.

The Secretary stated hold on one second.

(Side 1, Tape 1 – Ended at 8:29 p.m.)

Mr. Alexander stated where I feel we are with the ZBA is that the use variance is something they are very comfortable with granting for this use of a wireless facility on this property. The area variances required with regard to a fence height and with regard to overall height of the tower, they seem very comfortable with, I think they are still mulling over whether they like the extra height for emergency communication to be able to collocate on, I think they are interested in that but I'm not sure where they stand a hundred percent on that, maybe Rich can jump in at some point during the evening. I think that they are also aware that regardless of which access point is used, the one that we have proposed and believe is the best one which is Garland Road that a variance will have to be granted for frontage because none of the sites meet the frontage requirement given some of the idiosyncrasies of how frontage is defined under your code that you are familiar with, so I think that is where we are, we are going to have John go through the site pretty quickly and I know some of you were at the site visit we had in December on that snowy day and with that I am going to pass it to John.

Mr. Arthur stated good evening everyone, John Arthur with Wireless Edge. I know that the Board is familiar with the site, having been out to the site walk, what I would like to do is go through the general design of the site and then you know, obviously we are going to follow up with a formal application with a lot more detail but if you have any questions, we can just go through that one at a time.

Mr. Alexander stated these are small size, the distance gets a little far.

Board Member McNulty stated okay, great.

Mr. Arthur stated the site is orientated at the north end of Putnam Lake, north of Garland Road, south of Phillard Road. The property is owned by the Quail Ridge Homeowners' Association, it is roughly centrally located in the property between Garland and Phillard [Road], probably a little closer as the crow flies to Phillard [Road], and this is the Connecticut border, right here. The proposed access route to the site comes through Garland [Road], the road right now just terminates and we would come off as a slight bend, there is an existing stone wall, it looks like maybe at one point it may be have been an old road, maybe a logging road because there are thinner trees and there seems to be kind of a gentle slope going up toward the site. The site is located in this area right over here, between several stone walls. I am going to get back to access route a little bit later, this is sheet ZO3, this shows a detail of the site layout, it is roughly a hundred foot by a hundred foot area which is a suitable area for the monopole, centrally located along with space for 6 wireless carriers plus utilities and an extra space for public safety, municipal type equipment. Entrance is coming off from the south side, also that road would be used for underground utilities from Garland [Road], there is an existing line of telephone poles that terminate at Garland Road that is where the utility would be basically picked up from. By the way, the road coming up here would be basically a gravel road, like a DOT surface gravel, you'll notice of corner of the compound is cut, originally we had it squared off and one of the comments that Rich had made is that there is quite a slope going up in this direction and that was really the worst culprit, so we cut this off so we wouldn't have to really grade that out, so we are going to follow the natural contours of the site, which does still have a slope to it but the equipment doesn't necessarily have to be a on level plane. The site itself would be enclosed by an eight foot height high chain link fence with a double gate for access, the intention is that vehicles really do not go into the compound, we generally don't want vehicles in the compound and we do have a little turn around area just in front of the site. Utilities, it is typically a multi-meter bank, so that is all preplanned on the site and as carriers come in they would just need to order a new meter and there would be no further need to trench or put conduits back in from Garland [Road].

Board Member McNulty stated how much power has to be supplied, is there enough power on Garland [Road] now or is there any work on Garland [Road] that has to be done.

Mr. Arthur stated there is, we had met with the PSE&G representative, we walked the site, they basically gave us what their design would be and you know generally speaking, they determine if they have enough power and they tell us what size conduits that we need to bring up to the site and that is about it. We also met with Verizon who would provide the communications back haul...

Board Member McNulty stated that would be fiber.

Mr. Arthur stated it would be fiber; there would be a fiber cabinet there, coming known as a CSC Cabinet.

Board Member McNulty stated so they would bring that all in through Garland [Road].

Mr. Arthur stated it would come in all in Garland [Road], on the side of the access road. Again, they typically ask for multiple conduits, its kind of, you want to get everything in once and then never have to worry about it again.

Board Member McNulty stated that would be overhead through Garland [Road] or underground there as well.

Mr. Arthur stated Garland [Road] right now is overhead but we would basically take that and bring it underground...

Board Member McNulty stated from your point of entry.

Mr. Arthur stated correct, and all the way into the site it would be underground.

Board Member McNulty stated does that much to the overhead on Garland [Road], what has to be brought in.

Mr. Arthur stated I believe, you mean as far as additional overhead.

Board Member McNulty stated additional power or whatever might be needed for your site.

Mr. Arthur stated I think they use the existing wires; the transformer for the site would be on site, so there is no transformer on Garland [Road].

Board Member Montesano stated okay.

Mr. Arthur stated in fact it is shown right here in the corner.

Rich Williams stated can I follow up to that, does fiber cable actually exist in that area right now.

Mr. Arthur stated they have fiber, I mean it would be Verizon fiber, I don't know if they have it there now or they would basically string it along but all of these sites because they require so many T-1's, the copper generally doesn't support the sites anymore so, sometimes carriers need, they start off with two or three T-1's, a minimal basis, it could be ten or twelve...

Board Member DiSalvo stated they could come in this way.

Board Member McNulty stated fiber is probably not that much of an issue and you can put a lot of capacity on something this big...

Board Member Montesano stated yea.

Rich Williams stated my concern is whether it exists in the area or not, whether it exists in Putnam Lake or not.

Board Member McNulty stated I would hope so.

Mr. Arthur stated all the sites that we are aware of, even if they have copper and they are an existing site, they are going over to fiber because they have basically maxed out at capacity.

Board Member McNulty stated would it be Verizon that does all the fiber there.

Board Member Montesano stated has any...

Mr. Arthur stated it would be.

Rich Williams stated my...

Board Member Montesano stated is there anything that...

Rich Williams stated my understanding is they were starting to string fiber and stopped, so...

Board Member Montesano stated we'll get the unit in.

Rich Williams stated and no we don't have, this Town doesn't have an agreement with them to operate fiber within the area.

Mr. Arthur stated like a pole top (inaudible), that is something that is really up to them, in fact from a tower operator standpoint, you know, we don't need fiber, we don't need power, it's the wireless carriers who need those utilities, they provision them and order them...

Board Member McNulty stated but it is something that we should address as a Board then because it is going to be a future development that would come up if your site exists, the need would come about to have that additional...

Mr. Arthur stated I know that Verizon all over is putting Fios in, so its basically the same type of physical installation.

Board Member Montesano stated okay...

Chairman Rogan stated Mike, you had a question.

Board Member Montesano stated yea, what about Phillard [Road], since that is in the development and the distance I see by your map is considerably less then coming in from Garland [Road] according to this you have a 570 yard area, versus eight hundred and ninety-something here. Why aren't we coming in through there and why is there no engineering...

Mr. Arthur stated okay I will, I can address that now...

Chairman Rogan stated it's coming up.

Mr. Alexander stated we're getting there.

Mr. Arthur stated I was going to leave that until the end because that seems to be kind of a major issue but I can address that now if the Board so desires.

Chairman Rogan stated I think go through your natural progression...

Board Member Montesano stated go ahead, its there, I'll wait.

Mr. Arthur stated okay.

Chairman Rogan stated because knowing that you're getting to that point...

Mr. Arthur stated I was going to spend time on that.

Chairman Rogan stated sure.

Mr. Arthur stated and then also, in general we were kind of looking for your input for what you want to see from us...

Chairman Rogan stated sure.

Mr. Arthur stated for when we come back...

Chairman Rogan stated appreciate that.

Mr. Arthur stated as far as engineering and exhibits but I will kind of give you my general concept with that we experienced and why we selected that road.

Chairman Rogan stated okay.

Mr. Arthur stated okay...

Board Member Montesano stated (inaudible).

Mr. Arthur stated the proposed tower is a tapered monopole, 145 feet to the top, the top wireless carrier position is 140 feet and there is typically 8 foot separations, the reason why it's 8 feet is because we are trying to get as much carrier usage at the pole and there is very high tree cover in that area, so carriers typically like 10 feet, it's a little bit of an arbitrary number in the industry, even though they will tell they like, we have been able to successfully crunch them down to 8 feet when we have to because of tree issues. The top of tower is generally reserved for narrow band antennas, which are whips and we open that up for the Town for use as public safety, fire, police and other agencies that may come along, we generally don't use it, it's not generally a revenue generating position. The site is designed for 6 wireless carriers, we generally design for pretty heavy capacity so we tend to over design the site from day one because a lot of

the problems the industry is having now are these sites are under designed, typically carriers built towers that went in, even 5 or 6 years ago designed for 3 or 4 carriers, now they are over capacity even two carriers max them out. So we designed everything so you can get 6 carriers, plus there is probably another several hundred percent over design on top of that, so you will never have to worry about another tower going down the road because this one maxed out or having to structurally modify this tower. The design for visibility, we have selected a low profile mount, a standoff style mount, not a typical low profile, so that is a single arm that comes off where the antennas are mounted on a cross arm, there is no platform or work surface, there are no hand railings up there, so this is kind of what would see from this level, this is actually a good detail of a top down view.

Board Member Cook stated excuse me, how far off the pole does the antenna come.

Mr. Arthur stated this is about four feet right here.

Board Member Cook stated and then...

Mr. Arthur stated and this is about twelve foot length, so typically carriers for diversity want to have a 12 foot separation, some carriers will put two antennas on, other carriers will put four antennas on and they will space them accordingly.

Board Member Cook stated so there is going to be how many of those off...

Mr. Arthur stated there is capacity for six locations like this and obviously...

Mr. Alexander stated six vertical points...

Board Member McNulty stated 6 stacks.

Chairman Rogan stated 6 layers.

Mr. Arthur stated 6 stacks.

(Inaudible – too many speaking).

Mr. Arthur stated so as wireless, which is about what the carriers in the market, there are about 6 carriers operating in the market right now.

Chairman Rogan stated an to tack on to Charlie's question, from the monopole to the furthest edge of that apparatus, you said four feet is the...

Mr. Arthur stated is the T on it.

Chairman Rogan stated T but how far from the pole to the furthest point...

Mr. Arthur stated I would have to do the math but I would say yea, it's basically if this was a triangle with 6, this is probably, that might be about 5 feet, maybe 6 feet...

Board Member McNulty stated and what is the diameter of the pole at the top.

Mr. Arthur stated the diameter of the pole at the top is about 2 feet diameter, it tapers from about 5 or 6 feet at the base going up, then in addition we require all the carriers to paint all their antennas and devices, we also, the pole is painted, we use a dark brown color, we call it Turkish Coffee, it's a Sherwin Williams color, we've had a lot of success with that tending to blend in with background and wood settings. I think I even have a sample of that.

Board Member Montesano stated it's not going to look like a certain antenna on the parkway...

Chairman Rogan stated saying it won't look like...I was thinking of the silo.

Board Member Montesano stated whose name we won't mention.

Mr. Arthur stated the infamous tree on the Hutch.

Mr. Alexander stated the bottle brush.

Mr. Arthur stated yes, the bottle brush.

Chairman Rogan stated yea...

Board Member Montesano stated toilet bowl brush is what I heard.

Mr. Arthur stated that is the color we have used on other brown monopoles successfully and we had a good track record of seeing how they actually look in real life after the fact.

Board Member McNulty stated how is maintenance done on there, is it done by climbing the tower or boom trucks or cranes, how is it, after its all, later on.

Mr. Arthur stated it's done by climbing, typically starting about 15 feet up or so, there are climbing pegs and you just have to get a certified tower climber, steeple jacks that come in and they climb it.

Board Member McNulty stated so after construction there's not a lot of heavy equipment that is required after.

Mr. Arthur stated no, in fact, I generally don't like anything in the compound, heavy equipment wise because we have underground conduits and things and we want to make sure that nothing gets disturbed or rolled over, even though its generally buried normal trenching standards but nevertheless...

Board Member Montesano stated is there going to be a generator on this place.

Mr. Arthur stated that's a good question, that is really a carrier by carrier situation, what has happened, in the past carriers did what they wanted, some carriers wanted generators, some used batteries, the FCC recently mandated and this was really after [Hurricane] Katrina, they mandated that wireless carriers have to provide 8 hours of back-up power at a cell site. So carriers still have an option of how they are going to do that and one way is to have batteries, you know probably more than they normally would and the other way is to have a generator. Typically in this area, I believe there is no natural gas, we prefer natural gas if its available but it could be propane or it could be diesel, I'm not too fond of having fuel sources on the site, propane is probably the least offensive to me. Some carriers, again each carrier does their own thing, Verizon for example, they have a much larger shelter, they package the generator in the shelter and it

comes as one long 30 foot package which actually it s fairly nice installation although it takes up a lot of ground space, other carriers will come in and just put a separate generator and fuel source.

Board Member McNulty stated just means you can have up to 6 generators on site, if there are six carriers.

Mr. Arthur stated theoretically yes but pretty unlikely because most of the carriers, I would say Verizon would typically have a generator built in, AT&T will generally put a shelter in or an extra battery cabinet, I have not seen generators from AT&T but they would be the next candidate for that. T-Mobile does not use generators, Nuclear Wire, Metro, Sprint they do not generally use generators. So you might get a situation where you could be two of the majors carriers would put generators in, the other ones are operating off of batteries.

Chairman Rogan stated Rich.

Rich Williams stated just for a point of clarification, (inaudible) of these are going to use generators, when there is a power outage, an extended power outage, I mean they are running off of batteries, they will bring generators in...

Mr. Arthur stated that is correct, in fact someone like T-Mobile, they have arrangements with contractors all over the area, they have these roll-up generators and you know if they get more than so many hours, they will call up the guy who is down the street who has one in his back shop and he'll bring it out to the site for them.

Board Member Montesano stated that generator, that site that is up there by Patterson Crossing, now that things up there is a hell of a generator sitting outside of the fenced area. I told you about it, what, its been the last year since we went up there and that thing is huge, now if there is another generator in one of those buildings, I don't recall ever seeing anything about having a generator outside the fencing but that is where it is and its been there for a considerable length of time and that is one hell of a generator...

Rich Williams stated I haven't had a chance to get up there, I mean it's not, it hasn't been high on the priority list but with that particular site, there was an application made for an equipment shelter outside of the fenced area.

Board Member DiSalvo stated its not a shelter.

Board Member Montesano stated let me put it this way, its unsecured, its not, to me, it's a safety hazard because kids do ride their quads up there and sooner or later something is going to happen with that generator, they can figure out some way to kick it one day, you're going to have some kids that are going to have a voltage to play with.

Board Member McNulty stated I have a quick question on safety issues, with this equipment here, there is a lot of equipment, do they have their own self contained fire extinguishing systems at all or do they rely on municipal emergency equipment to fight the fires and if they do, is that road adequate for that kind of thing, it sounded like it was (inaudible).

Mr. Arthur stated generally speaking, the equipment that is cabinet based, does not have any type of fire suppression in it, they would have typically temperature alarms or smoke alarms built in. Similar to the shelters that we've seen have smoke or in under temperature alarms but generally do no have fire suppression systems in it.

Rich Williams stated the road would be designed to handle a small brush truck but not a large tanker, typically.

Board Member McNulty stated okay because you would use a lot of water there if one of those buildings went.

Mr. Arthur stated the buildings themselves are generally fire proof, they are generally a fiber-crete or concrete mixture and the, there is really nothing inside them that burns, we really haven't seen any interior shelter fires, they are very conservative. Typically the carriers that use shelters are typically carriers that evolve from wire line carriers, Bell-Atlantic days, they tend to keep those standards, those bilcore type standards even to today, so they generally design these things to very high standards.

Chairman Rogan stated okay.

Mr. Alexander stated want to do the road profile, want to jump to that or the proposed.

Mr. Arthur stated (inaudible).

Chairman Rogan stated we drove all around, we couldn't see it, the balloon test.

Mr. Arthur stated I am going to orient this because this is basically north so this is easier to recognize.

Mr. Alexander stated (inaudible) something I heard you say, we are not going to, we are going to go over the photo sims [simulations] in a couple minutes but just to, we sort of did the other Pythagorean Theorem here and I looked at the girth, its basically to five feet, it's the same as the five feet of the balloon. I just caught a little of that and I just sort of wanted to address that, you're thinking about that right, you were saying we were looking at the tower and we weren't thinking about how far apart the arms are, well the girth is 5 feet which is what the balloon was.

Chairman Rogan stated okay.

Board Member McNulty stated at the base, it's the same as the top basically.

Mr. Alexander stated no, no.

Chairman Rogan stated no, what he is saying is that when we did the balloon test on site they put up a balloon that was a five foot in diameter balloon and he is basically, essentially saying that it is consistent with the top of the tower from one extent to other would be.

Board Member McNulty stated I understand.

Mr. Alexander stated once you get on to the angle, essentially the vector of this twelve foot span where you are looking at it, is only five feet.

Chairman Rogan stated got it.

Mr. Arthur stated the pole itself might be anywhere from two, two and a half feet in diameter, it's usually about half the balloon width. When we were looking at this property and taking a look at access, there are

really three ways that you could get into the property. There is Phillard Road right here, which is common area, there is this piece of road going along Brimstone [Road] and up around Phillard [Road], there is a basically like flag lot type situation over by Danand [Lane], it kind of goes in and goes like that and there is Garland [Road] right here. So those are the basic choices, now when you take a look at, forgetting terrain a second, when you take a look at Brimstone [Road], this area and the reason why this is the last house here but this area right here is basically wetlands/marsh, I mean its all basically like that, the, there is a stream, there is kind of a ravine and a stream which kind of goes down like this which really blocks access from here. So that leaves you with Phillard [Road] and Garland [Road] and those are the two other only places you can get access from. When we first looked at the site we were focusing on Phillard [Road] and the problem that we had was there is and we'll come back and give you more detailed terrain rather than this kind of my rough sketching. There is a, I call it a hump right here, basically a hill and what happens here is this kind of goes down and it goes down from here like this and then it goes down here towards the site and then again it goes over here and then this goes down to where the stream is. Right in here there is also, I'm not sure if I would call it a stream or a wetlands that run in this general area and when we first walked the site, you walk down a very steep slope and then you cross skunk cabbage and get your feet wet and then you walk back up this way and then we came into the site like this. The other feature that is here, there is a little well house, so to get to the site basically, you have to, to get to the site and not have to walk through the water, you would have to come through here, you would have to kind of hug the property and get along very close to this property owner's yard and I have walked back through this property as well and when you get to the corner of this property, after you get through some messy terrain it becomes more of a normal slope getting down this way but you have to get over to that point to begin with, so you have to come back around this way before you can kind of go in. Then you don't really want to be over here because the terrain starts going up you know where we cut the compound, so the problem with that is you know, first of all we don't know what's going on as far as piping and the wells over here, this slope would require embankments, if you wanted to bring in any kind of a road, so we thought that would be a fairly extreme type of installation, when you build the site, you need to be able to bring in tractor trailer trucks to bring the tower in, we need to bring in a big crane so the type of switchbacks and the reinforcement of the banks. We felt would cost prohibitive and we didn't know if we could make type of turn for a tractor trailer and I said I've walked this 100 different ways and its always the same, you kind of walk down, you are kind of walking on a little bit of slope a little bit of a goat path and as long as you stick to that goat path, you're okay. So when you look at it and you compare that to Garland [Road], Garland [Road] was just like a natural even slope, it goes almost straight up, also the nice part about it is there is a little bit of a jog, its not like you are looking straight in and you see the site in the distance, so you wouldn't see the site from Garland Road. The tree cover was fairly thin here, like I said it was pretty straight, just follow the stone wall all the up, I think the largest slope was about seven percent, plus we had the existing utilities at Garland [Road], everything at Phillard [Road] is underground and just basically pre-planned for the houses, where as here you have a pole sitting right here. So that is why we chose that route and maybe it was the most logical route from a general access for another carrier applications, I'm sure they've told you that, typically they visit a site once a month with a technician and that is a guy coming up in a ford focus or a Jeep Cherokee and you know he drives up to the site, does something with their radios and then leaves, so it was carrier installation. You might have at most, ten visit a month and you know as far as Wireless Edge, we have site inspectors that go up, maintenance people, we might do that four times a year so that would kind of add to the number of trips and that is maybe a one or two hour visit. So traffic is relatively light, as far as people passing by your or commercial folks passing by Garland Road to get to the site and we are also planning on putting a chain or a gate right really after the jog so you would be able to kind of pull right in and then you know take down the chain, we don't want other vehicles just driving up there or kids with all-terrain vehicles or whatever, so we would have a chain across there typically and that would be set back and that's...

Chairman Rogan stated when we were on the site walk, a few Board Members and Rich walked up to that area and we certainly observed that the terrain is more difficult than the gentle slope of walking in on almost the natural roadway, walking in from Garland. What I think everyone is obviously considering is, well number one if maybe there is the potential if a well house is in the way, we saw well heads, I don't remember seeing well houses, I saw two well heads, I thought.

Mr. Arthur stated it's a little building.

Rich Williams stated you can see it, it's off to the side.

Chairman Rogan stated I didn't actually even see that.

Board Member Montesano stated yea, it's there.

Chairman Rogan stated but you know, if it were all engineering things being equal, I think everyone would point you in that direction because what we haven't said so far is that the people that are benefitting from the tower financially are the people on the high side of that map. There is certainly a concern that the impacts should be, if everything being equal, the impacts should be more with the people who are getting the benefits...

Board Member DiSalvo stated benefits.

Chairman Rogan stated it would be like me going through my neighbor's yard because I want to put a shed in or something because I would rather go that way and have the impact run through their yard, rather than coming in another way. It's kind of, it's hard I imagine for people to consider that, the people on Garland [Road] get no benefit from this but the impact is directed their way, the road traffic, so you can imagine why people...

Mr. Alexander stated I can see that, yes.

Chairman Rogan stated there is a human element to this, I mean you can certainly imagine what people would say, if the people at the cul-de-sac on the top side, what is that road again Phillard [Road], if they were saying well we don't want this coming this through our back yard well yea but you guys are the ones who want this, so you can understand the human aspect of that...

Board Member Montesano stated and since the equipment is going to be coming through Garland [Road] and the rest of the community and with no benefit other than who is going to pave [this] in case the road does give out, under that crane that is coming in there to put a tower up for a couple of weeks while they are running in and out, if the Homeowner's Association is making it, then the inconvenience should be given to them [the HOA], not the community.

Mr. Arthur stated and really the Homeowner's [Association] they didn't tell us you can't go this route...

Chairman Rogan stated of course, we understand.

Mr. Arthur stated they, you know, I was really...

Board Member McNulty stated (inaudible) a logical look at it this way.

Mr. Arthur stated when we first looked at the site on day one, we weren't even really aware of Garland [Road]...

Chairman Rogan stated (inaudible) that's an easy one.

Mr. Arthur stated we walked from Phillard [Road] and you know, the first thing we said was how the hell are we going to get to this site...

Chairman Rogan stated sure.

Mr. Arthur stated because there are problems.

Chairman Rogan stated it is a little bit challenged and we acknowledge that.

Mr. Arthur stated in fact the first balloon test we did for the [Homeowners'] Association, we came in through Phillard [Road] and we had to drag the tank down through the marsh and back up again.

Chairman Rogan stated it seems like they should fill the balloon out at the road and then carry it in, instead of dragging the tank.

Board Member Montesano stated (inaudible).

Mr. Arthur stated we've actually tried that and...

Chairman Rogan stated lose him.

Mr. Alexander stated pop goes the weasel.

Mr. Arthur stated right...

Chairman Rogan stated right.

Mr. Arthur stated and at like thirty dollars a balloon, it gets annoying, actually it's the gas these days that cost the money.

Chairman Rogan stated sure.

Mr. Arthur stated in any case, we did focus on that originally and then at one point we were kind of walking all over the property and we kind of came down and we said this way is just natural...

Chairman Rogan stated yea.

Mr. Arthur stated and it terminated, we just followed what seemed like a natural road in the woods...

Chairman Rogan stated absolutely, it's a natural...

Mr. Arthur stated like Garland and its like here we are.

Chairman Rogan stated I don't think anyone will disagree with that...

Board Member Montesano stated they may not disagree with you...

Chairman Rogan stated you know it's...

Board Member Montesano stated the community might.

Chairman Rogan stated right.

Mr. Arthur stated so it's all about slopes and then what is the cost impact to use (inaudible), if it is so expensive then it isn't even worth building a project because we would have to put ten foot embankments and reinforce...

Chairman Rogan stated I think we need to look at the engineering and the slopes and take a hard look at that because there were a lot of spoils up in that area from when they put in the subdivision road that could be used for fill. There was a lot of on-site material. You are only talking about a road that is going to be what, 12 feet wide...

Mr. Arthur stated 12 feet wide.

Chairman Rogan stated you're not talking about you know a two lane highway down through this, so I mean, the obvious approach that everyone is looking for, including Zoning it sounds like is to take a real hard look at that, you know if at the end of the day, it just basically turns out that one is so clearly the obvious choice, then that is a decision that the two Boards have to make you know but we need the...

Mr. Alexander stated I think you framed exactly where we realize and understand we are...

Chairman Rogan stated sure.

Mr. Alexander stated are you getting me...

The Secretary stated I am getting you, you're good.

Chairman Rogan stated I think you're fine.

Mr. Alexander stated I don't want to get in trouble with you.

Chairman Rogan stated thank you, I don't either, so I appreciate that.

The Secretary stated I appreciate that.

Chairman Rogan stated sorry Michelle.

Mr. Alexander stated I think that we realize that, I think what John is sort of saying and what we would love to get into a little more of a dialogue tonight about is, we really, our gut instinct from our experience of having designed a lot of these roads is that you're total area of disturbance is going to be greater even though your lineal footage distance is much shorter and we're looking at retaining walls and...

Chairman Rogan stated I agree with you in that regard.

Mr. Alexander stated given the switchbacks you're looking at, you're probably going to have to switch from gravel to macadam...

Chairman Rogan stated right.

Mr. Alexander stated which then now means you're disturbing more area to put in stormwater controls and now am I going to wind up over an acre...

Chairman Rogan stated right.

Mr. Alexander stated where as right now I'm at like half acre, so it's a totally different permitting scheme and so when you start balancing, the other aspect is we also don't want to basically fully engineer a road to disprove the road. So how do we work together to provide you with the right information without over providing information, would it be enough if we just gave you two foot contours for this whole area and the template for our turning truck and basically show, we were trying to thread a needle here.

Chairman Rogan stated Andrew, you have not been on the site.

Andrew Fetherston stated I haven't been on the site, I haven't seen the plans...

Chairman Rogan stated right.

Andrew Fetherston stated I'm paying attention...

Chairman Rogan stated good, good.

Andrew Fetherston stated there is no topography on that map...

Chairman Rogan stated right.

Andrew Fetherston stated no physical features...

Chairman Rogan stated I think what we want to get then is a real good, accurate topo of that area, from Phillard [Road] down, we are going to arrange for our engineering representative to actually walk the site and take a look at what they are proposing because I totally agree, I think at the end of the day, the impact may be much greater, it doesn't mean that it isn't going to be that way that it's chosen. In some cases you are willing to accept a little more of an impact to the property when it means less of an impact to people, so there is a balance here and that is what I'm sure both Boards are going to wrestle with but I think we need to get a real hard look engineering wise to quantify, I think we are going to be looking at least a rough engineering sketch of what it takes to grade out each road.

Andrew Fetherston stated if the concern that you seem to be bringing is a monetary concern for maintenance of a public road, is there some mechanism that can be brought forth that some of the benefit that the owner is reaping on that property is in perpetuity dedicated to keeping the maintenance on the road.

Mr. Alexander stated it's a private road, it will be a private road, (inaudible)...

Chairman Rogan stated you mean the road it empties out on to...

Andrew Fetherston stated I mean the road that the crane...

Board Member McNulty stated Garland [Road] or...

Chairman Rogan stated that is a Town road.

Andrew Fetherston stated do I understand what you had said...

Board Member DiSalvo stated (inaudible).

Andrew Fetherston stated that this is an HOA road, a private road, this is a Town road.

Board Member McNulty stated Town road, that's correct.

Andrew Fetherston stated that is exactly what I'm saying then, if this HOA is benefitting by the sale and the lease of that property, is there a mechanism to have some of that funding given in perpetuity to the maintenance of that road...

Chairman Rogan stated that would actually go to...

Andrew Fetherston stated and if that is...

Chairman Rogan stated that would go towards the Town is what you're saying, that wasn't even a concern that was raised.

Board Member Montesano stated mine...

Andrew Fetherston stated if, if that is, the engineer looks for the most physically easy...

Chairman Rogan stated sure.

Andrew Fetherston stated to get in and of course less environmental impacts coming in, I'm sensitive to the permitting that the applicant is speaking about but maybe that is way to, maybe it's a pumping.

Board Member Montesano stated the problem you are going to have and basically what I'm, this is my personal opinion. I have to talk to these people that live there, I see them on average, two or three times a week, if I am going to tell him in all honesty that they are making the money on this, you are getting the 10 or 12 visits a year...

Board Member DiSalvo stated (inaudible).

Chairman Rogan stated whatever it is, right.

Board Member Montesano stated or a month, somebody coming through, you're the one with the gate, you're the one with all the...

Mr. Alexander stated earlier Fios...

Board Member Montesano stated all the other nonsense.

Mr. Alexander stated earlier cable...

Board Member Montesano stated the object is Fios isn't here and they keep saying they are not coming here.

Mr. Alexander stated the cable will be pulled earlier into that neighborhood...

Board Member Montesano stated the object would be, do they consider a benefit at the present time.

Mr. Alexander stated that not really the balancing the Planning Board is (inaudible)...

Board Member Montesano stated that is how we start wars...

Chairman Rogan stated I think what Mike was going to say though...

Mr. Alexander stated it will also be pulled...

Chairman Rogan stated what he was going to continue was, he wants to be able to at least answer questions that are raised and say we did look at all the possibilities, we did take a hard look at what the options are and at the end of the day, if the option is down through Garland [Road] it is because we took a real hard look at the option and you know, it just wasn't feasible, if that was your only option, if there was no other access that would be the best place in the world to put it, you would say no problem, we are going to do it, its going to be in but we have options here. So we are balancing these things, so I agree within the context of the purview of this Board and we are not going to go outside the scope of that purview but in terms looking at this when we have two possibilities and we have impacts that are to opposite ends of the road here, we want to be able to look people in the eye and say look, we took a hard look at this and this is the best way or you know we looked at the other side and it can be done and its reasonable, it's a little more impact but we think that is the way to go. I think where we are leaning with this is to at least take a real hard look at it and to have our support staff look at the topography and schematic and a rough sketch of what it would take to put a roadway in. We walked it and I did see some of your concerns, its certainly not impossible but there are...

Mr. Arthur stated you mean this topo map is not good enough...

[Board Members laugh.]

Chairman Rogan stated it works well for me because I was on site but I'm not an engineer so...

Mr. Arthur stated we'll come back and have a proper analysis of that and certainly flush it out.

Chairman Rogan stated sure.

Board Member Cook stated did you ever consider giving monetary consideration to those three family's that live on Garland [Road].

Mr. Arthur stated well you know, I would say no, first of all, that is really a decision really for the Homeowners' [Association], in our contract with them...

Chairman Rogan stated (inaudible).

Mr. Arthur stated the other thing you have to think about is that these sites are not real big money makers, the site development cost is fairly small in the big scheme of things, two hundred fifty thousand dollars. The revenue that we get from the carriers and we share with the property owners is not that much, so there really is not a lot of go around and you know, what is to say that it is only three people and its not you know this guy or the next one down, its not really practical.

Mr. Alexander stated its also such an amazingly better step in the right direction for the neighborhood, think about...

Board Member Montesano stated only if you have Verizon.

Mr. Alexander stated no but I meant compared to what we were dealing with in the community opposition with regard to the southerly side of the lake.

Chairman Rogan stated oh absolutely.

Mr. Alexander stated so I think that is also important to do is what we have been able to do is to compare what the pictures look like with the lake, with the photo simulations, you may have seen them, we can provide, some of you drove around and just go through them tonight and just think about how there really isn't that much of an impact anymore visually at all to the immediate community or the surrounding community and I mean yea its 8 to 10 trips a month and it's a two month construction period beginning to end but, right but what is important unlike another construction project where it keeps going, there is a lot of on and off time and John can speak to that a lot better than I can. From start to finish may be two months but you are probably fifteen or twenty (inaudible).

Mr. Arthur stated realistically you only have about two or three days where there is heavy activity and it depends the type of foundation we put in, it will either be one or two days where you are going to have to bring a concrete truck in there. It's going to be one day to put that monopole up and then after all that, it is just technicians on site and in between we have a lot of waiting for the utilities to come around and do their thing and waiting for the concrete to cure and test, so there is not a lot of heavy activity besides those periods...

Board Member Montesano stated there is only one problem and I am going to be honest as hell about it, I have to live and when you gentlemen are done with that, you're gone to the next community...

Rich Williams stated maybe I can just jump in here and just move this along a little bit, John, from what I am hearing from the Board, they want to see the alternative, they want to see what is going to work, I don't think they really care if it is one car, they want to see if the alternative can work and I think we need to take a look at that.

Mr. Arthur stated that is our intention.

Mr. Alexander stated we are not fighting that, I think what we would like to try and figure out is what kind of data do we need to do, so we don't go off and...

Chairman Rogan stated I think we laid that out, I thought we were pretty clear in laying that out. Whatever it takes to take a hard look where this man and this man to some extent, the engineering to be able to say...

Board Member Montesano stated and that guy back there in the green sweater...

Chairman Rogan stated well yea, I think the impacts are certainly going to have to be looked at but just to be able to say, okay, here is what it would take to put a roadway in, rough, you can get it from rough grade, you can get a real sense.

Board Member McNulty stated maybe outline a proposed access from Phillard [Road], you have the one from Garland [Road] now but show a proposed road where it could possibly work if it did. I have one other question about lighting, as far as on the pad itself, is there any exterior lighting or marker lighting on the tower.

Mr. Arthur stated there is none, the site has already gotten a determination from the FAA, it does not need to be lit or painted and there are no lights, sometimes the wireless carriers. They have a shelter that they will put either a motion sensor light on there or have a little timer, when they are on site they twist it, its on for an hour but that is really it, other than that its dark.

Board Member McNulty stated okay.

Chairman Rogan stated Andrew do you want to wrap...

Board Member DiSalvo stated (inaudible).

Andrew Fetherston stated I was just thinking, just so the Board has what they are looking for, topography so he can design road, how large is the site, I don't have any feel.

Mr. Arthur stated this is about 70 acres.

Andrew Fetherston stated how much do you, how much topography do you have, do you have the whole site done.

Mr. Arthur stated no, what we did is we did a survey which basically included this piece.

Andrew Fetherston stated so I guess, you know a similar strip and it would be because I don't know anything about the site, it would be at their best estimate of where they would want to, unless you want to do the site walk.

Chairman Rogan stated why don't you want to hook up and do a site walk first, walk it.

Andrew Fetherston stated okay.

Chairman Rogan stated get a feel for what you are going to need.

Andrew Fetherston stated (inaudible).

Chairman Rogan stated whether or not you do it with them or without...

Mr. Arthur stated and I can just flag it as we go along, that will give the surveyors kind of a guide...

Chairman Rogan stated honestly because you are going to have a hundred foot swap...

Mr. Arthur stated that would be very helpful...

Chairman Rogan stated we'll get him out there also.

Andrew Fetherston stated topo, do cut fills and do a cost estimate of both.

Board Member Montesano stated and we've got wetlands that were mentioned, so can we get something...

Ted Kozlowski stated and a marsh that we dragged something through, that was interesting.

Mr. Arthur stated I think I lost a boot in that...

Chairman Rogan stated okay, we want to switch gears to visual, you were talking about.

Mr. Alexander stated while we are doing it, turn now to SEQRA real quickly or you want to do visuals first.

Rich Williams stated you're doing lead agency.

Mr. Alexander stated we need it...

Chairman Rogan stated yea.

Mr. Alexander stated we've been back and forth between the two Boards, you can do uncoordinated...

Chairman Rogan stated we can declare intent to do, we can do coordinated.

Mr. Alexander stated we don't (inaudible).

Board Member Montesano stated what I am wondering right now is if we do the SEQRA...

Chairman Rogan stated no, no, just intent...

Board Member Montesano stated all right.

Chairman Rogan stated that's all, we're not doing any kind of a determination or anything.

Mr. Alexander stated we've been gone for awhile and we just want Board to be (inaudible).

Chairman Rogan stated yea.

Board Member Montesano stated I don't want to put a clock on us, that's all that we don't need.

Chairman Rogan stated well we have to circulate right and then, okay.

Board Member Montesano stated I just asked a question.

Chairman Rogan stated no, I appreciate that because we do need to remember those time frames.

Board Member DiSalvo stated even with the time frame, what if they design another section that will take longer to design.

Rich Williams stated Ron Taylor is our Historic Preservation.

Chairman Rogan stated Rich.

Rich Williams stated sir.

Chairman Rogan stated when we circulate intent; we circulate a complete set of documents with that.

Rich Williams stated typically yes.

Chairman Rogan stated so we would want to...

Rich Williams stated right now, I need a complete set of documents for 239-M but its going to the ZBA, they are the only other agency, they already have, for the most part a complete set of documents so we probably would give them another...

Board Member Montesano stated all right, if for some reason, we come up with another route in there and that is what we go with, that is not going to interfere in any way, shape or form with the timing.

Rich Williams stated nope.

Mr. Alexander stated that's fine, from a SEQRA standpoint that shouldn't be a problem, for a major change you could argue that you wanted it to be circulated to the County but I don't think we necessarily need to do that.

Chairman Rogan stated okay.

Rich Williams stated and again the only two agencies are the Planning Board and Zoning Board of Appeals.

Chairman Rogan stated in the matter of Wireless Edge at Quail Ridge...

Board Member Montesano stated that is what General Custer told me about the Indians.

Chairman Rogan stated I'll make a motion that the Planning Board declares its intent to be lead agent and circulate.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty - aye

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

Motion carries on a vote of 5 to 0.

Chairman Rogan stated okay, visuals, and just Tom, as the gentlemen had mentioned, we started out, this has been a long, over many, many years. Recently, more recently, maybe two years ago, three years ago, they were looking at a site that was on the southern end of Putnam Lake near the dam and the boat house which had a lot of opposition...

Board Member McNulty stated a very populated area.

Chairman Rogan stated and visible from just about every where around the lake that we drove and so this is now the next progression. When we had done the balloon test, many members of the Zoning and Planning Board drove all around the lake and all up and over, the only person who said they saw it was [Former] Board Member Pierro, who said with binoculars from the dam area, he could look up the lake and spot it, nobody else saw the balloon.

Rich Williams stated I did see it from Jackson but you really have to look through the trees.

Chairman Rogan stated Jackson, we really drove up and around the road so, you know the site is completely wooded and just really difficult to see, so visual, I think most people were much less concerned about but certainly since you did the pictures, you might as well, let's take a look at them.

Mr. Arthur stated and the (inaudible) I don't have all the full size boards.

Chairman Rogan stated okay.

Mr. Arthur stated I have site photos, typical tower...

Mr. Alexander stated actually I have...

Mr. Arthur stated we have the books...

Mr. Alexander stated I have the book, sorry...

Mr. Arthur stated we'll get that out so you can see it and when we come back, we'll bring the full size simulations.

Chairman Rogan stated okay.

Mr. Alexander stated we will submit that as part of our, we submitted it as part of our package, I'm sorry I thought that was in there.

Mr. Arthur stated (inaudible) what I did have, just to give you an idea of what the wireless coverage is going to be. This dot actually represents the original site at the south part of the lake; the red dot is the new site. This is coverage by Omnipoint d/b/a T-Mobile and the yellow blotch is basically the coverage that

they would expect from the new site, the green is their existing coverage. As you can see terrain kind of inhibits most of the signal because it is basically a big bowl and the, you know, there is kind of a large hill here and then as it goes up into Connecticut, there is another large hill here, another one over here, so it is pretty well constrained by the mounds but coverage wise you will get good coverage by most of the community around the lake and they set their coverage limit at negative 84 dbm, which is basically what they want to achieve, its what most of the wireless carriers want to achieve for vehicle coverage. You are going to be able to get better coverage when you are walking around when you are outside of your vehicle because you don't have the vehicle between you and the site. So this is generally what they are looking to achieve even though if you put another band on there you would probably pick the rest of the roads and surrounding areas, except maybe where it kind of dips back down over here. So that is really about what the coverage would be, a little piece of Haviland Hollow Road but not a lot, that is really a big valley all by itself. This is not really a great scale, this is the site location, so unfortunately this one really doesn't have some of the neighborhoods on here but roughly speaking where this little dot is, is about where Phillard [Road] is and Danand [Lane] is over here right kind of, right about there, right before it drops down, Garland [Road] is right there at the edge of that and we are kind of in this little flat area and you can see it is fairly gentle slope up here but from this direction, you have some extreme changes as you go along, so like I said if you come off Phillard and you kind of walk this way, you're kind of level with along like a goat path until you get over toward here and then you come down. Now these photo locations, we have floated a balloon, we actually did a couple of floats but we did a prior float for the [Homeowners'] Association and we actually left the balloon up the whole weekend, so if no one really heard anything for literally three days, that is pretty good. We covered every road in this area, we found 5 locations where we could see the site and we actually had an observer from the Association come with us and we are kind of trained to look at these things, we have GPS, we know which direction to look in and we can almost predict where to stop the car, when to get out and which trees to look through, so that was the only way we could see a lot of these sites. So, in our package, I do have photos of all these locations and we took photos with the naked eye and then what we do is we take a zoom lens, which is typically a 400 millimeter zoom, to see what the site really looks like, how far above the trees it is and gage distances and then we did photo simulations which we included in a package for the ZBA. We were only able to simulate four of the site because one of them was just so far away it was pin prick, you couldn't see it on a large board and, let me see if I can get...

Mr. Alexander stated do the sims.

Mr. Arthur stated I have the sims, so this is, it starts with photo simulation number two, I believe one was the one that we couldn't make it and you can pass that around. The view and this will be very similar to what to saw during the balloon test more recently except that the balloon test was floated like another 10 feet higher understand than what is shown in these photos, that was measured off at 145 feet to the top of the balloon. The view is with a 50 millimeter shot which simulates the naked eye, so that is what you would normally see, so you should be able to take that book and look at the site in the book and you'll be seeing the same thing and then we did the blow up with the high powered lens and then we simulated the site on top of that based on an actually site that we have with similar characteristics, as you can see its pretty much a little dot. Number two, that was taken right off of the shore line, you actually have to walk, there is a little boat launching area over here, I don't know if it is a former one but there were few boats sitting there, you had to walk right out to the waters edge, you look and you can see that site and you're on number...

Chairman Rogan stated we're on two.

Board Member DiSalvo stated two.

Mr. Arthur stated two okay, so we were actually going around counter-clockwise, number four is from this neighborhood right here, which juts out and that seems like an obvious place because you are looking across the lake and whenever you look across and open field, there are no trees or a lake, that is usually the best opportunity to see a site in the distance...

Board Member DiSalvo stated is this the dam.

Mr. Arthur stated and from that point you can see it, you are talking extreme distances, I forget what that was but it might be a mile and a half or something, it was pretty crazy. This is actually mislabeled, four and four but four is really, and this four is really three and let me mark that for next time. Four is actually from the board house where the original site was; at that point you were a couple of miles from the site, it was virtually impossible to see without binoculars. All the views were really, the view options would be from this side of the lake and of course because of the way the lake is shaped, unless you are actually on the lake or in like this area right here, you really can see anything and then the view from the east side of the lake, there is really nothing to see, you just can't see the site because there are too many trees and obstructions in the way and then when you get up to five, I forget the name of that road but there was one opportunity we found, this was literally one opportunity where if you were looking across the road, through the trees and you're standing in the exact right spot, you could see the balloon and I believe we simulated that as well but if you stood two feet across you couldn't see it, so it was one of those situations. Again, these are the only five locations where we could see the site at all. Thanks...

Mr. Alexander stated you're welcome.

Mr. Arthur stated from the ground level, this is the site, this is a view looking east, this is the stone wall to the east which is, its not even shown in this particular view from here but its over here and this is actually the original string from the first balloon test we did, which was still on site it was stuck on a branch because it left a nice line and as you can see it starts to slope up a bit this way but its fairly level in this area. This is the view at the end of Garland Road, you can see the road.

The Secretary stated one minute.

(Tape 1, Side 2 – Ended 9:23 p.m.)

Mr. Arthur stated to just gravel and there are a few remnants of a stone wall there and our site basically comes in, we go through this way, around the right of this street and then kind of we head in that towards the site and I believe what we were planning on doing was paving a driveway in for the I think first 25 feet and then transitioning to a gravel road after that.

Board Member Cook stated would you chain that off.

Mr. Arthur stated we would, yea but we are going to leave the chain say 25 feet back so someone can pull all the way in and you know typically it is just a couple of posts, you know if we can find rocks or trees we can get around it, that is what we would ideally do, or we might put a little sign on there as well, like an emergency phone number. This is the view of the road looking at the site, so this is about standing right around, where the gate is roughly before the gate, looking back toward kind of a natural opening in the wall and through, as you can see the trees are kind of, maybe 8 or 10 inches over here and they kind of thin out as you go down if you can see this, the cover above it a little bit lighter.

Board Member McNulty stated how much, how many trees would you have to cut down away from your chain link compound, how big is your clearing.

Mr. Arthur stated we typically, just to be able to work around the fence, typically go about five feet beyond the fence but that is about it, we generally try to shape the compounds to avoid any large trees, one because they are expensive and you know we don't necessarily want to be under the canopy of a big tree, a lot of leaves and branches could fall on the site. So we try to adjust the site as best as possible so that we can preserve any large trees and most of these are not, I didn't really see any that were real growth type trees.

Andrew Fetherston stated John, can I ask you something, before the site walk, is the site flagged off right now, will it be at that time when we arrive at the spot...

Chairman Rogan stated the entrance, the way we walked in, wasn't there some flagging.

Mr. Arthur stated I think we left a banner...

Rich Williams stated along the road but not at the, I don't think it was...

Mr. Arthur stated I think we actually left a banner around the site the last time I was there...

Chairman Rogan stated the string was still hanging on the tree.

Mr. Arthur stated there are stakes for sure and there was a banner.

Andrew Fetherston stated I mean actually where the facility will be.

Board Member McNulty stated where that tower is.

Andrew Fetherston stated how large is that facility.

Mr. Arthur stated its about 100 feet by 100 feet with a cut corner.

Chairman Rogan stated not very big.

Andrew Fetherston stated all right.

Mr. Arthur stated this is kind of an up close and personal view of the tower type, this is an actual site that we developed in Connecticut and this is the exact same brown color, same mount, same type of municipal mount at the top. That is basically what it looks like through a zoom lens, if you are standing very close to the site.

Board Member Montesano stated is that near lake too.

Mr. Arthur stated this one is, no, it's not near a lake...

Board Member Montesano stated what I'm thinking right now is its going to make a beautiful eagles nest.

Mr. Arthur stated we generally don't want that...

Chairman Rogan stated yea.

Mr. Arthur stated the last thing you need is to have somebody up there, you can't climb up there...

Board Member Montesano stated I realize that but you have beautiful lake down there...

Mr. Arthur stated that is another reason why we like, you know, when you have a platform up there, its basically begging them to come put a nest there. That is a big problem in a lot of areas in the Northeast, so even though its more of a pain for carrier, they like the platforms, they feel its safer and easier for technicians to work on, this really avoids that situation because there is nothing for them to really branch on. So there is a small benefit in that birds don't tend on nest on this type of design versus the platforms. You don't want to go up there and find a giant eagle in your face when you are climbing a tower, not that I would be the one who was doing it anyway, someone wouldn't be happy. That is actually about it.

Chairman Rogan stated I think our next step is just what we spoke about tonight, evaluating the options for the roadway. That is really up to you, if they want to meet you out there...

Andrew Fetherston stated coordinate with them.

Chairman Rogan stated that's up, yea, I mean if that will help you.

Andrew Fetherston stated you want any of the Board Members there.

Board Member McNulty stated if you find out, let me know, I would like to walk to site.

Chairman Rogan stated that would be great for Tom to go.

Mr. Arthur stated maybe after this breaks up we can just get together for a few minutes and put something down get a date.

Andrew Fetherston stated sure.

Board Member Montesano stated call me, I'll go take a walk with you Tom, again.

Board Member McNulty stated okay.

Chairman Rogan stated great.

Board Member Montesano stated I'll show you how I got lost. I kept looking for the tower.

Chairman Rogan stated Rich, would you go because you walked around with us and...

Rich Williams stated if you want me to go, I will but (inaudible).

Chairman Rogan stated yea, I actually would like you to do that.

Rich Williams stated that's fine.

Chairman Rogan stated because we walked it together and we were kind of checking out some...

Rich Williams stated want Ted to go...

Board Member Montesano stated yea, we can have Ted come to.

Chairman Rogan stated hail, hail, the gang's all here, I think it would be a great idea.

Board Member Montesano stated just think, we got the new guy paying for breakfast

Board Member McNulty stated (inaudible).

Board Member Montesano stated that's all right, dinner is fine.

Chairman Rogan stated gentlemen, thank you for your time and in fairness to a very patient gentleman in the back, we appreciate your time, thanks.

Mr. Alexander stated thank you very much.

Ted Kozlowski stated you're going to adjourn now.

Chairman Rogan stated oh yea, we're all done, he's just here to listen.

Ted Kozlowski stated he's got no life.

Board Member DiSalvo stated he's got no life.

Rich Williams stated 6 items, 3 hours.

Mr. Alexander stated no, that's fine.

(Inaudible – too many side conversations).

## **7) OTHER BUSINESS**

### **a. D'Ottavio Site Plan – Request for Bond Reduction**

Mr. Steve D'Ottavio was present.

Chairman Rogan stated hey Steve, do you have any comment on the numbers that are in that memo, let's get you out of here.

(inaudible – too many side conversations).

Board Member Montesano stated oh Steve, hello Steve.

Chairman Rogan stated Andrew, this is in reference to Field and Forest, we have a memo from your firm with a proposed bond reduction memo of a hundred and fifty-eight thousand, almost a hundred fifty-nine

thousand. Steve, thank you for being so patient, we almost snuck you in before them but we weren't quick enough, I apologize.

Mr. D'Ottavio stated thank you for that.

Board Member Montesano stated all right.

Mr. D'Ottavio stated my question was why do I need to bond a well and a septic system, if I do remove myself from the project and the bonding company comes in and takes over, will the Town require them to put the wells and the septic in.

Chairman Rogan stated good question, Rich...

Rich Williams stated sure.

Chairman Rogan stated did you hear the question.

Mr. D'Ottavio stated I asked him already.

Rich Williams stated well know a little bit about the question.

Chairman Rogan stated yea.

Rich Williams stated why is back when your bond was established with the site, under the old Code, we bonded all the site improvements, as far as the cost, I can't talk to the cost, I'm not willing to do that.

Mr. D'Ottavio stated okay so my direct question that this Board can answer is if I leave the site, does the Town come and put the well and septic it, does it require the bonding company to put the well and septic in.

Chairman Rogan stated I think the answer of course would be of course not unless there was some extreme situation where the building was already. Rich, under the new Code requirements for bonding would those items be bonded.

Rich Williams stated no, we've changed that they would be erosion control bonds...

Chairman Rogan stated all right.

Rich Williams stated but again this is a project that is under the old Code.

Chairman Rogan stated yea, so basically there are a lot of things that are being bonded here that might not potentially be bonded under the new Code.

Andrew Fetherston stated every bond I've ever done has been for public improvements.

Chairman Rogan stated so its an honest question, would everybody be comfortable with releasing the bond, a hundred and fifty, almost a hundred fifty-nine thousand and also including the amount for the septic and well.

Andrew Fetherston stated understanding that the septic and well is not (inaudible).

Chairman Rogan stated understanding that, yea, they are not public improvements.

Andrew Fetherston stated right, not public improvements.

Rich Williams stated nothing on this is a public improvement.

Board Member DiSalvo stated can we do it or do we have to make a recommendation.

Chairman Rogan stated well its just a recommendation.

Rich Williams stated a recommendation.

Chairman Rogan stated to the Town Board, I apologize that is what I mean, the recommendation.

Board Member DiSalvo stated yea.

Mr. D'Ottavio stated I have to ask one more question.

Chairman Rogan stated you're asking for more.

Mr. D'Ottavio stated no, well one other thing.

Chairman Rogan stated go right ahead.

Mr. D'Ottavio stated if I go through the process of trying to get that off, is that going to delay that approval on the bond reduction.

Chairman Rogan stated you have to go back Town, you have to go to the Town Board anyway, right...

Rich Williams stated right.

Chairman Rogan stated so it's not a difference in, we are just recommending a different amount.

Mr. D'Ottavio stated right.

Chairman Rogan stated in essence, we would be recommending the amount of the improvements that have already been made and also recognizing that there was a request for a bond reduction for two improvements which are not public improvements and we recommend and now the, we can't guarantee what the Town Board would say...

Mr. D'Ottavio stated okay.

Chairman Rogan stated but it seems reasonable to make that request.

Mr. D'Ottavio stated okay.

Rich Williams stated the only other thing I would caution the Board is in the resolution again, our Code does not let you reduce the bond below 50%.

Chairman Rogan stated right, so we have a bond that...

Mr. D'Ottavio stated I'm still not...

Rich Williams stated well I just don't know.

Chairman Rogan stated I looked at the numbers, in thinking about what we were talking about with another application, I was looking at those numbers and it looked like we would not be below 50%.

Rich Williams stated then make the motion to you know, take out what the Town Engineer and the additional items that you feel are appropriate but in no case be reduced below 50% of the original bond.

Chairman Rogan stated that's reasonable.

Mr. D'Ottavio stated my next thing was New York State DOT concrete curb is not required, its only twenty-eight hundred dollars on the bond but its not required by the DOT per site plans and approvals from them, excuse me.

Andrew Fetherston stated the site plan, I don't know what the site plan approval was.

Mr. D'Ottavio stated yea, it's just...

Rich Williams stated I don't know why we would calculate an amount if it wasn't required by the DOT and I can't imagine the DOT not requiring a concrete curb.

Andrew Fetherston stated on an entrance...

Mr. D'Ottavio stated on a road that the mileage is above 40 miles per hour, they no longer require it because it kills people rather than saves people.

Rich Williams stated that's news to me.

Andrew Fetherston stated I'm not aware of that.

Mr. D'Ottavio stated I'll check my papers and if I have...

Chairman Rogan stated okay.

Andrew Fetherston stated okay.

Mr. D'Ottavio stated plus that one of the things that they took off because they messed up my entrance from [Route] 164.

Rich Williams stated well then that begs the question does your plan to the DOT for your entrance differ from the approved site plan.

Mr. D'Ottavio stated no, they are part of the approved site plan, I couldn't get the site plan without the DOT approvals.

Rich Williams stated typically we do that.

Mr. D'Ottavio stated before right, absolutely.

Rich Williams stated yea.

Mr. D'Ottavio stated I'll check it and make sure, if I have a note on there but my main concern was the well and septic.

Chairman Rogan stated and Steve just to be clear, the well and the septic we are looking at twenty and thirty thousand dollars respectively, the amount on the bond.

Mr. D'Ottavio stated I believe so, yes.

Chairman Rogan stated I make a motion in the matter of D'Ottavio office/warehouse on Route 22 that the Planning Board recommends to the Town Board, number one that the bond amount one hundred fifty-eight thousand nine hundred fifty-one dollars and sixty-three cents for the amount of improvements that have already been made be released to the applicant and additionally the amount for the septic and well of twenty and thirty thousand dollars respectively for those improvements that have not been done but that are not public improvements, also be considered to be released but not to make the bond amount less than 50% of the total amount of the bond, so moved.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries on a vote of 5 to 0.

Chairman Rogan stated okay.

Mr. D'Ottavio stated thank you.

Chairman Rogan stated sorry that you had to wait so long Steve, we really tried to...

Mr. D'Ottavio stated this is my night out, I could have gone out but I decided to come here, good night everybody.

Board Member Montesano stated she'll never believe you anyway.

Chairman Rogan stated hope everything is going well, Happy New Year to you.

**b. Field and Forest – Request for Bond Reduction**

Chairman Rogan stated to bring up a, since we just had that conversation, we have a request for a bond reduction for Field and Forest and we, it has come to our attention that we have already released a bond, or we have recommended to the Town Board to release bond withholdings that would already be greater than 50% of the total. The current request is to reduce the bond by a hundred and ninety thousand dollars more which would leave only about seventeen thousand dollars in reserve, is that correct.

Rich Williams stated I believe that is what Andrew did, yea.

Andrew Fetherston stated that is the right number, yes.

Chairman Rogan stated so Carl, do you have any input on this.

Carl Lodes stated did you already release it.

Chairman Rogan stated the Town Board has already released, our original bond was eight hundred thousand dollars on the project and we are down right now to about a hundred and, two hundred and six right now...

Andrew Fetherston stated two oh six.

Chairman Rogan stated and they have completed enough work where they are looking at a hundred and ninety thousand dollars worth of improvements and our Town Code specifies to, we have already basically the Town Board has already reduced below that, so what, where does that leave us other than in a pickle.

Carl Lodes stated you have no power to move around the Town Board, I would just not vote in favor of any further reduction...

Chairman Rogan stated okay.

Carl Lodes stated (inaudible) further recommendation but...

Chairman Rogan stated they can still act on that.

Carl Lodes stated they can do it but (inaudible).

Chairman Rogan stated okay so based on advice from council, I make a motion that the Planning Board does not recommend a reduction in the bond amount, noting of course that work has been done but that we are already below the 50% threshold of the Town Code for the total bond amount, so moved.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye

Chairman Rogan - aye

Motion carries on a vote of 5 to 0.

Chairman Rogan stated all right, do we have anything that we didn't cover tonight. Clocktower Frame Rich, did not come in, I thought they were going through Zoning, right.

Rich Williams stated they haven't been, they haven't been in to Zoning but I mean this, you know when he made the initial application we let him know right from the get go that, right from the beginning that he didn't comply with Zoning and that he would need to go to Zoning for the sign, we haven't seen him since.

Chairman Rogan stated and we have...

Board Member Montesano stated you want to mention that please.

Chairman Rogan stated sure.

The Secretary stated minutes.

## 8) MINUTES

Chairman Rogan stated we have two sets of minutes that were given to us, obviously Tom you can't vote on these they are minutes for minutes you weren't part of.

Board Member McNulty stated okay.

Chairman Rogan stated November 5<sup>th</sup> and November 24<sup>th</sup>, I'll make a motion that we approve, so moved.

Board Member Cook seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	abstain
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries on a vote of 4 to 0.

Chairman Rogan stated any opposed, any abstained.

Board Member McNulty stated abstain.

Chairman Rogan stated thank you and we have the New York State Agricultural District Law and Agricultural Assessment program that will be on Tuesday January 12, 2010 from 7 to 9 p.m. at Putnam County TOPS which is over at the Bureau of Emergency Services.

Board Member DiSalvo stated open to municipal officials, Planning Board Members, Zoning Board, general public, land owners, any interested...

Board Member McNulty stated what is it again.

Chairman Rogan stated its next Tuesday.

Board Member DiSalvo stated orders of agricultural.

Chairman Rogan stated next Tuesday the 12<sup>th</sup>, from 7 to 9, no fee.

Board Member DiSalvo stated no.

Chairman Rogan stated great. Lori Taylor, I know I had seen this before; I got a copy of that.

Board Member DiSalvo stated have we had any responses to those memos on those violations been received.

Chairman Rogan stated those three letters that we sent out.

Rich Williams stated we sent out three letters on behalf of the Board, we've received no response from Patterson Garden Center or, what was the other one.

The Secretary stated Justin's.

Rich Williams stated Justin's Automotive, the other one was Eurostyle Marble, we sent that to the address we have listed on record here where we send the taxes and it came back as no such address, so I have to re-send it.

Board Member DiSalvo stated did the bill always come back for the taxes, no such address.

Board Member Cook stated is it a Post Office designation or was it just written on the envelope.

Board Member DiSalvo stated to this Highland Avenue...

Rich Williams stated from the Post Office.

Board Member Montesano stated you sure.

Board Member DiSalvo stated holiday help sometimes at the Post Office.

Chairman Rogan stated also...

Board Member Montesano stated because they could have gone right next door to the Post Office and tried to send it...

Ted Kozlowski stated you going to talk about the site walks.

Chairman Rogan stated that is just what I was going to talk about.

Board Member Cook stated okay, thank you.

Chairman Rogan stated yea, Ice Pond, since we said we were going to get out there, what is everybody's schedule for Saturdays, we are going to Ice Pond and we went to reach out to Ron because, do we want to shoot for next Saturday, not this coming but the Saturday after.

The Secretary stated the 16<sup>th</sup>.

Board Member Cook stated that is okay by me.

Chairman Rogan stated would that work for you, if we do an early morning site walk...

Board Member McNulty stated yes, should be.

Chairman Rogan stated that will be Ice Pond Subdivision, the 16<sup>th</sup>.

Andrew Fetherston stated the 16<sup>th</sup>.

Chairman Rogan stated we'll meet at the diner at 7 a.m. for anybody who wants to have breakfast and then we'll drive over to the site...

Board Member McNulty stated the Putnam Diner.

Chairman Rogan stated yes, Putnam Diner at 7 a.m. and we'll do the site walk at 8. If you could reach out to Ron for us for the Historical Society and also let the applicant know that we will be out there.

Board Member Montesano stated we are going to be out on that day anyway so...

Chairman Rogan stated is that the day they are looking at...

Board Member Montesano stated I don't know, that is what I'm saying, can we continue that for those of us that want to, if we meet on the 16<sup>th</sup>...

Andrew Fetherston stated yea.

Board Member Montesano stated should we go out and look at the tower site...

Andrew Fetherston stated sure, that's fine with me.

Chairman Rogan stated if it'll work with.

Board Member Montesano stated if we...

Board Member DiSalvo stated if the weather is cooperative.

Rich Williams stated the difficulty we have with doing something like that, just (inaudible).

Chairman Rogan stated we don't know how long we are going to be on Ice Pond.

Board Member Montesano stated yea well I'm just saying we're there, we get done with the one shot and then we see how it looks.

Chairman Rogan stated Ice Pond is a two hour walk and given the snow.

Board Member Cook stated okay.

Board Member Montesano stated we could end up with a 60 foot blizzard.

Board Member DiSalvo stated don't even say that.

Board Member Montesano stated there is a 70 degree temperature, so who knows.

Chairman Rogan stated anything else from anyone.

Board Member Cook stated make a motion to adjourn.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries on a vote of 5 to 0.

The meeting adjourned at 9:45 p.m.