

TOWN OF PATTERSON

APPROVED

PLANNING BOARD MEETING January 8, 2015

AGENDA & MINUTES

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| 1) Illescas – Wetlands/Watercourse Permit | 1 – 5 | Public hearing opened and closed:
Board issued a negative SEQRA determination and approved wetland permit for proposed 24'x14' shed and existing gravel parking area. |
| 2) Mancini Subdivision – Public Hearing | 5 – 16 | Public hearing opened and closed:
Discussion of proposed house and septic layout. |
| 3) Frog Hill, LLC – Bond Calculations | 16 – 17 | Recommendation to Town Board on bond calculations dated 12.4.14 by Ron Gainer |
| 4) Wilkins Motorsports – Site Plan Waiver Request | 17 – 24 | Discussion of location of proposed 12'x24' shed and creating site plan from survey. Public hearing set for the 2.5.15 meeting. |
| 5) Fox Run AARP – EAF Review - Part 3 | 25 – 45 | Discussion of revised plans (buildings now off the ridgeline), sewer information and traffic improvements at intersection of Fox Run Lane and Bullet Hole Road. T. Kozlowski to go out and mark trees. |
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| b) Thunder Ridge – Wastewater Pump Station | 47 – 55 | Discussion on location of proposed pump station and tying into A&P pump station. |
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| d) Ice Pond Estates – Well and Easement Locations | 58 – 62 | Acknowledgement of drilled well on Lot 15 being 2.5' within easement. |
| e) Appointment of Vice Chair | 62 – 63 | Appointment of Board Member R. Taylor to continue as Vice Chair. |
| f) RP Development Lot Line – Septic Location | 63 – 69 | Discussion on when septic needs to be moved. |
| 7) Minutes | 69 – 70 | 11.6.14 & 11.24.14 minutes approved. |

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**TOWN OF PATTERSON
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ZONING BOARD OF APPEALS

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PLANNING BOARD

Thomas E. McNulty, Chairman
Ron Taylor, Vice Chair
Michael Montesano
Edward J. Brady Jr.
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**Planning Board
January 8, 2015 Meeting Minutes**

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

APPROVED

Present were: Chairman Thomas E. McNulty, Board Member Ron Taylor, Board Member Edward J. Brady, Jr, Board Member Michael Montesano, Board Member Robert Ladau, Rich Williams, Town Planner, Ted Kozlowski, Environmental Conservation Inspector, Ron Gainer, Town Engineer and Michael Liguori, Town Attorney.

Chairman McNulty called the meeting to order.

The meeting began at 7:00 p.m.

Sarah Mayes was the Secretary and transcribed the following minutes.

There were approximately 12 members of the audience.

Chairman McNulty led the salute to the flag.

Chairman McNulty stated okay, welcome everyone. New Year. Happy New Year to everyone. 2015. I'd like to thank the Town Board, they...I don't know what they were thinking but they appointed me to another 5 year term so I look forward to it. Hopefully serve the Town well. And we'll get this meeting started.

1) ILLESCAS W/W PERMIT APPLICATION – Public Hearing

Mr. Luis Illescas was present.

Chairman McNulty stated we have a public hearing for Illescas. Would you like to announce that, Sarah.

The Secretary stated sure.

The Secretary read the following legal notice:

NOTICE IS HEREBY GIVEN by the Town of Patterson Planning Board of a public hearing to be held on Thursday, January 8, 2015 at 7:00 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 **“Luis Illescas Wetlands/Watercourse Permit Application to allow for a proposed 24' x 14.5' shed and the**

existing gravel parking area to remain within the wetland buffer. The property is located at 629 East Branch Road, Patterson, New York. All interested parties and citizens will be given an opportunity to be heard in respect to such application.

Chairman McNulty stated okay. Do we have anybody in the audience there to speak. Anything to comment on this application; wetlands application. Mr. Illescas is here in the back. You have anything you'd like to say.

Mr. Illescas stated nothing.

Chairman McNulty stated okay. Ted, you have any comments.

Ted Kozlowski stated nope. Said them at the last meeting. I'm fine.

Chairman McNulty stated okay. I make a motion to close the public hearing.

Board Member Montesano stated second.

Board Member Brady stated second.

Chairman McNulty stated all in favor. Motion carried by a vote of 5 to 0.

Chairman McNulty stated okay. We've had this in front of us for a while now. I'd like to make a motion for SEQRA on this. Well, before I do that, Ted, do you have any other comments. Have you been out there. Anything else going on with the property or...

Ted Kozlowski stated didn't I just say...

Rich Williams stated these are the conditions for the permit.

Ted Kozlowski stated yeah, I don't want to be back here again.

[Laughter].

Ted Kozlowski stated okay. So please, this is the last time, right. Okay.

Chairman McNulty stated okay. Okay, so I'd like to make a motion for SEQRA. After review of this application and the comments, discussion we've had with the Environmental Conservation Officer to have negative determination.

Board Member Brady stated I second it.

Chairman McNulty stated all in favor. *Motion carried by a vote of 5 to 0.*

Chairman McNulty stated and...Let me get the sheet out here.

Rich Williams stated Mr. Chairman, if I could just make one suggestion is that in the resolution you acknowledge that the shed will be placed in a location conforming with the zoning setback requirements.

Chairman McNulty stated and they can't get out of the buffer there at that point, can they.

Rich Williams stated no.

Ted Kozlowski stated not unless they put it up by the road.

Chairman McNulty stated yeah. Okay. I'd like to make a motion on the wetlands application for Mr. Illescas at 629 East Branch Road. Make a motion that in the future any sheds that are proposed to be placed would be placed in accordance to zoning setbacks and he acknowledged that the wetlands are there.

Board Member Taylor stated I would amend that to say any structures instead of just sheds.

Chairman McNulty stated okay. Amended to...

Rich Williams stated well, just so we're clear, what's before the Board is an application to place a single shed on the property to the rear of the house as per the plan. You have the plan.

Chairman McNulty stated yup. Yeah, we have it.

Board Member Brady stated there's a certain (inaudible – too distant).

Rich Williams stated so you might want to reference the...

Board Member Taylor stated plan.

Rich Williams stated the plan. The date of the plan.

Chairman McNulty stated okay. As proposed in the plan presented by Zarecki & Associates dated 8/25 [2014] and the proposed 24' x 14' shed placed on this plan. And it's to...acknowledges the two existing sheds are going to be removed.

Rich Williams stated correct.

Chairman McNulty stated okay.

Ted Kozlowski stated and that the gravel driveway not be enlarged any more than it already is.

Chairman McNulty stated okay. So the driveway remains as is as well. Do I have a second.

Board Member Montesano stated second.

Chairman McNulty stated all in favor. *Motion carried by a vote of 5 to 0.*

Chairman McNulty stated okay. Mr. Illescas, you understand what you have to do. And now you go to the Building Department and...

Mr. Illescas stated I think so.

Chairman McNulty stated move forward.

Mr. Illescas stated yes. I just didn't know what he said. Now...

Chairman McNulty stated please come up to the microphone.

Mr. Illescas stated thank you. I wanted to say thank you to everybody. My question is how long will it last, the permit.

Chairman McNulty stated this wetlands permit.

Mr. Illescas stated yeah.

Chairman McNulty stated it's... There's really no time limit on it.

Rich Williams stated it's good for one year.

Chairman McNulty stated one year. For the shed proposed.

Mr. Illescas stated to build.

Chairman McNulty stated yeah.

Rich Williams stated correct.

Chairman McNulty stated if you decide you want to do anything else you'd have to come back; anything other than that shed.

Mr. Illescas stated no, no, no. Just... I'm not planning nothing, it's just...

Chairman McNulty stated okay. Well that's good but...

Mr. Illescas stated because, you know, it's... I have to have the money in the front so it's hard, you know what I mean. So...

Rich Williams stated if you haven't fulfilled the requirements of the permit within one year, you need to come back to the Board. They would need to renew it. So...

Mr. Illescas stated okay.

Rich Williams stated if you haven't got the shed up...

Mr. Illescas stated uh-huh.

Rich Williams stated you know, next November, submit a letter to the Planning Board...

Mr. Illescas stated okay.

Rich Williams stated so that they can renew the permit.

Mr. Illescas stated okay.

Chairman McNulty stated yeah, do it in the eleventh month. Don't wait till...

Mr. Illescas stated yeah, I'm not.

Chairman McNulty stated a year goes by.

Mr. Illescas stated alright.

Chairman McNulty stated and then what is there, one extension allowed or...

Rich Williams stated I believe there's one extension allowed, but...

Board Member Montesano stated (inaudible – too distant).

Mr. Illescas stated okay. I'm hoping I will do it but in case I...I mean, that's why...

Chairman McNulty stated okay. If you have questions, contact the Planner's office or the Building Department.

Mr. Illescas stated okay.

Chairman McNulty stated okay.

Mr. Illescas stated thank you to everybody again. Happy New Year.

Chairman McNulty stated Happy New Year. Good luck.

Ted Kozlowski stated Mr. Illescas, remember what Tom just said, that's just for the shed. The wetlands is always there.

Mr. Illescas stated yeah.

Ted Kozlowski stated so no matter what you do from now, another 10 years, 20 years from now...

Mr. Illescas stated mmhmm.

Ted Kozlowski stated if you're doing something within 100' of that wetland buffer, you need to talk to us first. Okay.

Mr. Illescas stated yeah. I understand that. I'm not planning on doing nothing because that, like I said, that's kind of just...Thanks a lot.

Chairman McNulty stated you're welcome.

Mr. Illescas stated bye.

2) MANCINI S/D – Public Hearing

Mr. Rick Lamontagne, Bibbo Associates, was present.

Chairman McNulty stated okay, next we have the Mancini Subdivision public hearing. Would you like to announce that, Sarah.

The Secretary stated sure.

The Secretary read the following legal notice:

NOTICE IS HEREBY GIVEN by the Town of Patterson Planning Board of a public hearing to be held on Thursday, January 8, 2015 at 7:00 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 **Mancini Subdivision**. The Applicant, Robert Mancini, is proposing a two-lot subdivision of a 99.9 acre parcel. The Applicant is proposing to subdivide from the larger parcel a 5.1 acre lot, which he would retain ownership of. The present owner of the parcel is the Putnam County Land Trust. The property is located on the east side of Bullet Hole Road, northeast of the Ice Pond Road intersection (R-4 Zoning District), Patterson, New York. All interested parties and citizens will be given an opportunity to be heard in respect to such application.

Chairman McNulty stated okay.

The Secretary stated okay.

Chairman McNulty stated thank you. Okay, this is the Mancini public hearing. Is there anyone here that has comment for this application; this subdivision. Okay. Yes, Sir, please come up to the microphone. State your name and comment.

Reg White stated Reg White. I was just wondering what the property...how it was setup. And maybe I just haven't seen...

Chairman McNulty stated okay.

Reg White stated what was planned. I'm just curious.

Chairman McNulty stated great.

Reg White stated is that it.

Mr. Rick Lamontagne stated yes it is. Here's Bullet Hole Road. This is Ice Pond at the intersection. Currently there is a residence here. Three residence across here. And we're looking to construct a house here.

Chairman McNulty stated excuse me, could you just state your name again for the record.

Mr. Lamontagne stated oh, sorry. Rick Lamontagne with Bibbo. You want to see more up-close view of this. This is the overall view for the public hearing so we could see the relationship of the property.

Bart Campbell stated this includes this entire parcel.

Mr. Lamontagne stated mmhmm. That's the five acres.

Reg White stated where's the drivethis grey line.

Mr. Lamontagne stated yes.

Reg White stated okay.

Mr. Lamontagne stated okay.

Chairman McNulty stated okay. Rick, you have any comment you want to make or...

Mr. Lamontagne stated no. I just was leaving it up. I believe we addressed all the comments a couple of months ago...

Chairman McNulty stated mmhmm.

Mr. Lamontagne stated that were put forward. And we went to the Town Board, go the variance for the lot size on, I believe it was, in October.

Rich Williams stated thereabouts.

Mr. Lamontagne stated yeah. Something right around there. I have it written down there, but...So, I have no other comments unless there's a comment from the Board...

Chairman McNulty stated okay, anybody else from the public with a comment.

Mr. Lamontagne stated to address...

Bart Campbell stated I just have a question. This is...

Chairman McNulty stated yes. Come up. State your name, Sir.

Bart Campbell stated my name is Bart Campbell and I'm next door to that.

Chairman McNulty stated okay.

Bart Campbell stated and I'm just...My understanding is this is a subdivision application, not specifically for that house. Is that correct, or...

Chairman McNulty stated well...

Bart Campbell stated is that...That's where the house would need to go.

Chairman McNulty it's the...That's where the house would go on that...

Bart Campbell stated on that lot.

Chairman McNulty stated yeah. That lot has been broken down at 5 acres. Taken out separate from the remaining 90 acres, I believe.

Rich Williams stated that's correct. Our Code requires that whenever we're doing a subdivision, new residential structures also do a site plan. So this is both a site plan and a subdivision. We had to do that because of the DEC State mandated stormwater requirements because we know...we need to know how drainage is flowing through that lot and off of that lot.

Bart Campbell stated right. So even with all of that land it would be necessary to put that house that close to the property line with all this other property over here.

Rich Williams stated I didn't site the house.

Mr. Lamontagne stated that...All this other property here is too steep.

Bart Campbell stated yeah.

Mr. Lamontagne stated and this is the...

Bart Campbell stated it's too far back.

Mr. Lamontagne stated this area here is the best for the septic. We looked at putting the septic over here and the house over in this area. But the...

Bart Campbell stated it's uphill.

Mr. Lamontagne stated yeah. And it's not the best access and also the stormwater needs to be treated...

Bart Campbell stated mmhmm.

Mr. Lamontagne stated and they have to be 100' away from each other. This is the best area for the house itself. And that's the best area for the...

Bart Campbell stated got you.

Mr. Lamontagne stated septic. But I couldn't fit the septic and the stormwater close to each other.

Bart Campbell stated so we're not really looking at the specifics of that house and...I assume that's a swimming pool and whatever else might be there.

Mr. Lamontagne stated yup. Mmhmm.

Bart Campbell stated but something like that would have to go in that location.

Mr. Lamontagne stated yes. Well, correct me if I'm wrong, but if somebody buys this parcel and they'll have to come back to the Planning Board to...if they want to relocate the house. Is that correct.

Rich Williams stated they have to come back to my office. Not necessarily the Planning Board.

Mr. Lamontagne stated okay. Alright, so the house could be moved.

Bart Campbell stated mmhmm.

Mr. Lamontagne stated it doesn't have to be there. But this is...

Bart Campbell stated the way it works right now.

Mr. Lamontagne stated when they approve it, that's the way it works now, yes.

Bart Campbell stated okay. Good. Thank you.

Mr. Lamontagne stated okay.

Reg White stated Reg White. Just to try to confirm, so this is basically subdivision, it's not necessarily an application to build a structure at the moment. Is that correct. So they're not actually...

Chairman McNulty stated no. That would be a Building Department...

Reg White stated building something.

Chairman McNulty stated that would be a building permit.

Reg White stated yeah, okay.

Chairman McNulty stated this is to prepare prior to getting...

Reg White stated right.

Chairman McNulty stated a building permit.

Reg White stated so if somebody wanted to build like that, essentially they're good to go.

Chairman McNulty stated correct.

Reg White stated but if they wanted to make some changes, they'd have to come back and...

Chairman McNulty stated yes. Well, they'd come back to meet with the Planner at least.

Reg White stated yeah.

Rich Williams stated right.

Reg White stated um....

Chairman McNulty stated and has Board of Health approval been done on this property.

Rich Williams stated no.

Chairman McNulty stated Health Department.

Board Member Montesano stated no.

Mr. Lamontagne stated no.

Rich Williams stated no. That was one of the issues that we wrestled with a little bit. Health Department regulations state that if the lot is over five...Five acres or greater, they can get a non-jurisdictional approval where they don't actually have to prove out the septic system.

Mr. Lamontagne stated yeah.

Rich Williams stated you know, my opinion is if we're creating a lot we need to know it's buildable and we should get Health Department approval but they're regulations don't...

Chairman McNulty stated it's no required.

Rich Williams stated listen to my opinion.

Chairman McNulty stated so this is final as far as the Town's concerned but the Health Department could have it's separate decision on that if it didn't perc. properly.

Reg White stated okay. And I wasn't sure if I heard that a variance had been obtained for the lot size or something.

Mr. Lamontagne stated yes.

Reg White stated is that correct.

Rich Williams stated our Code now requires lots to cluster and that we mandate a certain lot size between 40,000 and 80,000 square feet. If you're going to build over...on a lot over 80,000 square feet, you need to get relief from the Town Board to do that. We did that as a design technique to maintain our community appearance; the rural appearance of our community. Essentially if somebody came in, this being a 100 acre lot, they would be entitled to about 20 homes on it. What they would have to do is they would have to push all those 20 homes in one section of the lot; on lots forty or eighty thousand square feet. If they want to build something bigger, they need relief to do it. In this case, the Town Board reviewed it and there was adequate...They were in substantial compliance with our Code because essentially they're doing one lot on 100-acres and they're protecting a huge area as protected open space. So, the Town Board felt it appropriate to grant that relief.

Reg White stated but you're saying if they want to build on a lot larger than 2 acres roughly...

Rich Williams stated right.

Reg White stated they need to come get approval for that.

Rich Williams stated correct.

Reg Williams stated I would think if they built a single dwelling on a larger lot it would be better and less of a problem for the Town, no.

Mr. Lamontagne stated well, it's the creation of the lot.

Rich Williams stated it's the creation of the lot.

Mr. Lamontagne stated not the building of the lot.

Rich Williams stated not building.

Reg White stated okay. Okay. And did...What was the status of a variance. Did they go to the Zoning Board to get a variance.

Mike Liguori stated it's the Town Board that grants...

Chairman McNulty stated the Town Board grants a variance.

Mike Liguori stated that particular relief.

Reg White stated oh. Okay. Thank you.

Chairman McNulty stated you're welcome. We have any other comment from the public.

I have a comment.

Chairman McNulty stated yes. Please come up. State your name.

Tina Parrino stated sure.

Chairman McNulty stated

Tina Parrino stated Tina Parrino. I live...I would just like to know where that five acres is. I'm next to the larger on...About 99 acres. So are we going to discuss what's going to be done there or are we just discussing with 5 acres with the house.

Chairman McNulty stated well, Rick [Lamontagne] can comment.

Tina Parrino stated okay.

Chairman McNulty stated you show her where Bullet Hole Road it.

Tina Parrino stated yes I'm...

Mr. Lamontagne stated you're up here. You said you're in the larger.

Tina Parrino stated I'm right next to the larger parcel; the 99 acres. I'm right next door to that because there were some...

Mr. Lamontagne stated there's three houses here. There...This is the 99 [acres], this whole thing coming around.

Tina Parrino stated okay. So, there's three houses on the...

Mr. Lamontagne stated there's three houses in here.

Tina Parrino stated yeah.

Mr. Lamontagne stated this is one of them.

Tina Parrino stated and I'm like over...

Mr. Lamontagne stated are you one of these three that are together.

Tina Parrino stated no.

Mr. Lamontagne stated or you're over here.

Tina Parrino stated I'm over there.

Mr. Lamontagne stated okay. This is owned by the Putnam County Land Trust.

Tina Parrino stated yes.

Mr. Lamontagne stated and there is a restriction over there...over it, that they cannot do anything with the property. It will forever be held as is.

Tina Parrino stated okay, because I had some surveyors on my property over there. You know, so I just was...

Mr. Lamontagne stated surveyors were probably...

Tina Parrino stated they had to come along my driveway because they weren't able to...

Mr. Lamontagne stated okay.

Tina Parrino stated it's a little rough over there, so...

Mr. Lamontagne stated right. Yes.

Tina Parrino stated they...

Mr. Lamontagne stated they were just...

Tina Parrino stated so I was interested...

Mr. Lamontagne stated to create the subdivision we have to create a plat and they were confirming the actually...The actual...

Tina Parrino stated (inaudible).

Mr. Lamontagne stated metes-and-bounds.

Tina Parrino stated and where is that now going. Next to three houses that are...

Mr. Lamontagne stated one, two, three.

Tina Parrino stated okay.

Mr. Lamontagne stated if you're here, then there's that open...

Tina Parrino stated yes.

Mr. Lamontagne stated space that comes down the hill. And then there's one, two, three...

Tina Parrino stated yes.

Mr. Lamontagne stated and then there's a fourth one before the...

Tina Parrino stated yes.

Mr. Lamontagne stated corner where the barn used to be.

Tina Parrino stated yes.

Mr. Lamontagne stated where...coming down in between, right before the fourth one on the left.

Tina Parrino stated thank you so much.

Mr. Lamontagne stated okay.

Tina Parrino stated thank you.

Chairman McNulty stated you're welcome. Okay. Anybody else for public comment. I make a motion to close the public hearing.

Board Member Montesano stated second.

Chairman McNulty stated all in favor. *Motion carried by a vote of 5 to 0.*

Chairman McNulty stated okay. Rich, I believe we did SEQRA already on this, didn't we.

Mr. Lamontagne stated yes.

Chairman McNulty stated yeah.

Mr. Lamontagne stated sorry.

Chairman McNulty stated thanks, Rick.

Mr. Lamontagne stated yes, excuse me.

Chairman McNulty stated Rick, Rich.

Rich Williams stated it works either way.

Board Member Montesano stated it's close enough.

[Laughter].

Chairman McNulty stated so I think by next meeting we'll have this buttoned up to close it out. We don't have a resolution tonight.

Mr. Lamontagne stated oh, no.

Chairman McNulty stated we wanted to wait to get the public hearing and get public comment.

Mr. Lamontagne stated okay.

Board Member Taylor stated are we going to require the septic. It seemed like... Was it DEP that said we need...they wanted the septic.

Rich Williams stated the difficult aspect of that is the fact that the Putnam... Well, it flows out of the State Health Department Regulations that if you have a lot that's 5 acres or greater you can get a non-jurisdictional. They're not required to do it and, you know, I strongly suggest that they did it. That, you know, they get that. And they have chosen to go otherwise.

Board Member Taylor stated well, can we require them to do it. What does DEP...

Rich Williams stated it's not your jurisdiction.

Board Member Taylor stated say about it.

Rich Williams stated you can't...

Board Member Taylor stated we can't. Okay.

Rich Williams stated you can't.

Board Member Taylor stated DEP... Didn't DEP say something; that they wanted that. They're not going to approve it without it. I mean what did they say.

Rich Williams stated well, DEP has no approval over it. DEP has approval over the septic system when they go to design it. When they go to build it. But...

Board Member Taylor stated when they actually go to build it.

Rich Williams stated DEP has no... Mike, jump in.

Mike Liguori stated yeah, you're not over an acre of disturbance, right.

Mr. Lamontagne stated no.

Mike Liguori stated so... alright. So, they haven't triggered any other jurisdiction of the DEP on the plan.

Board Member Taylor stated okay.

Mike Liguori stated on this proposal.

Board Member Taylor stated until they start to build.

Mike Liguori stated until they go to the Health Department and make an application for a septic system.

Board Member Taylor stated okay.

Mike Liguori stated so the rub is that the State and the City don't exactly see eye-to-eye as to how the Health Department...

Board Member Taylor stated right.

Mike Liguori stated regulates. How it works...

Board Member Taylor stated okay.

Mike Liguori stated so, until such time as they do, which I don't know when that will ever happen, if it ever does, but right now the primary agency with jurisdiction is the Putnam County Health Department. And until the State says you can...Until the State says that you have to prove out a septic on a piece of property that's five acres or greater, it is what it is. I can tell you though, Rich knows, the Town knows, I have represented Mr. Mancini in the past and actually worked on the restrictive convenient on the other...the conveyance of the land trust, the reservation of the right to keep the five acres where ever developable on the parcel. And I worked on this thing, I don't know, maybe 8 or 9 years ago and I...Mr. Mancini's a pretty savvy guy so I have a pretty good idea that he did his homework to make sure that it was going to work, you know, before he spent all the money to come here. But it is...

Mr. Lamontagne stated yes, we have...

Mike Liguori stated what it is.

Mr. Lamontagne stated preliminary test results all over here and all across here. And that's why we had it designed the way we do.

Chairman McNulty stated okay. So Rich, where do we stand on this.

Rich Williams stated I'll have a resolution for the Board next...

Chairman McNulty stated we can button this up next month.

Rich Williams stated yes. Next meeting. You know...

Chairman McNulty stated okay.

Rich Williams stated identifying any issues outstanding, what have you.

Mr. Lamontagne stated okay.

Chairman McNulty stated okay.

Mr. Lamontagne stated great. Thank you.

Chairman McNulty stated sounds good. Thank you, Rick.

3) FROG HILL – Bond Calculations

Chairman McNulty stated okay, we have bond calculations for Frog Hill. I haven't seen them.

Rich Williams stated how have you not seen them.

Chairman McNulty stated from last month or...I didn't get anything this month. Did you get a copy.

Board Member Taylor stated I think last month we did.

Rich Williams stated there...

Chairman McNulty stated there was some talk about Ron. I think Ron [Gainer] was going to look at it again. Or we...

Ron Gainer stated that's right. We...

Rich Williams stated that's from Ron.

Ron Gainer stated you had conditionally approved the project at last month's meeting. Rich had identified some areas where my bond calc[ulation] had exceeded...had exceeded the Town requirements for bonding for site plans. So I recalculated it based on Rich's guidance, and that's the revised calc you do have before you. Now identifies the amount of the performance bond as \$23,130. It specifies the required inspection fee of \$4,100.

Chairman McNulty stated okay.

Ron Gainer stated and this is now before you just to make a recommendation to the Town Board.

Chairman McNulty stated to the Town Board, yes.

Ron Gainer stated right.

Chairman McNulty stated does anybody have any comment on this. It looks reasonable to me.

Board Member Taylor stated this is...Yup.

Chairman McNulty stated I'll make a motion to refer the bond calculations for Frog Hill, LLC to the Town Board.

Board Member Ladau stated second.

Board Member Brady stated second.

Chairman McNulty stated all in favor. *Motion carried by a vote of 5 to 0.*

Board Member Taylor stated we need to make a recommendation, do we not.

Chairman McNulty stated I just did that, didn't I.

Board Member Taylor stated you just referred them.

Chairman McNulty stated well, check that. This will be a recommendation to the Town Board to recommend these bond calculations dated December 4, 2014, prepared by Ron Gainer.

Board Member Taylor stated second.

Chairman McNulty stated all in favor. *Motion carried by a vote of 5 to 0.*

Chairman McNulty stated yeah, we need to keep it (inaudible). Thanks, Vice. Okay, thanks Ron.

Mike Liguori stated five more years.

[Laughter].

Board Member Taylor stated yeah, pushing it so that it doesn't...

Chairman McNulty stated I'll be greyer.

4) WILKINS MOTORSPORTS - Site Plan Waiver Request

Mr. Adam Wilkins was present.

Chairman McNulty stated ok, next on the list is Wilkins Motorsports, site plan waiver request. Do we have anyone here in the audience.

Mr. Adam Wilkins stated yes.

Chairman McNulty stated please come up, Sir. Okay, Rich, you want to give us a little background on this.

Rich Williams stated sure. This is a site down on Route 22. It's been...It had been operated as a public garage for a number of years dating back to around the mid 70s. Most recently the Planning Board had approved it for a motorcycle repair operation. Recently, I believe, Mr. Wilkins has purchased to the property and is continuing to run that, you know, motorcycle repair operation along with some ATVs out front.

Mr. Wilkins stated correct.

Rich Williams stated he currently is before the Board because he wishes to put a shed on the property. I don't want to speak out of turn, but it's for additional storage because it is a small shop.

Mr. Wilkins stated yeah, 12' x 24' shed.

Chairman McNulty stated yeah, I see that.

Mr. Wilkins stated my shop is real small so I'm just looking for...Kind of help clean the yard up, some extra storage. That type of stuff.

Chairman McNulty stated okay. Just off the gravel parking lot there.

Mr. Wilkins stated correct. Gravel parking lot and it's all ledge underneath.

Chairman McNulty stated no I see 24' drawn in for the setback for the zoning...for the sideline. Does that meet...

Rich Williams stated I think it's 25' from the side yard. I'd have to check to be sure.

Mr. Wilkins stated I think so.

Rich Williams stated so it needs to be 25 [feet] and my only other concern was that it's in the gravel parking lot. Is there any way to shift it back out of the parking area.

Mr. Wilkins stated if you...Yeah. I actually shifted it back; as far back as possible. So if you're pulling up into the door and you're turning left, you can physically park...If the shed is in place, you can physically park four full-size vehicles in front of it, to the left or to the right. So you can kind of pull up and completely get out of the right-of-way driveway. It works out pretty decent.

Chairman McNulty stated okay. My question on this application is...There is no current site plan for the property, is there.

Rich Williams stated no. There is actually no site plan. A number of years ago the former owner came in, made an application for a site plan and then withdrew it.

Mr. Wilkins stated I actually...For the record, I do not own the property yet. I did a...I did a lease with an option to.

Rich Williams stated yeah.

Chairman McNulty stated okay.

Rich Williams stated and you do have a survey in front of you...

Chairman McNulty stated mmhmm.

Rich Williams stated showing, you know, the basic site improvements along with, you know, the shed being penciled in.

Chairman McNulty stated yeah. I have some reluctance to just go with a full site plan waiver because there is no current site plan.

Mr. Wilkins stated I thought there was one done in 2007, no. I guess...

Rich Williams stated no, John Moriarty applied for one and then withdrew the application.

Mr. Wilkins stated I see.

Chairman McNulty stated so I look through this, one of my thoughts were to no waiver the entire site plan but waiver aspects of a site plan so you don't have to go the full...It's pretty involved to do a full-blown site plan.

Mr. Wilkins stated I see.

Chairman McNulty stated but to get a...What we're trying to do as we move forward as a Town, things advance, it's when we don't have properties that have a record to create one.

Mr. Wilkins stated sure.

Chairman McNulty stated so, but...welcome comment from other people what they think here on this. Is to somehow let this survey, if it's accurate, I guess we'd have to...Somebody would have to inspect it to see...

Rich Williams stated well, the survey is accurate.

Board Member Taylor stated the survey's accurate.

Chairman McNulty stated are the buildings accurate on the survey.

Rich Williams stated the buildings are accurate on the survey with the exception of the shed which has been drawn in by the applicant. But the shed is not there so...

Chairman McNulty stated okay.

Rich Williams stated it would then be his responsibility to place it in accordance with the survey/site plan.

Chairman McNulty stated okay. What are the other members' feelings about a full site plan waiver.

Board Member Brady stated oh, I think we have a survey. We, you know, you need the shed put on the survey.

Chairman McNulty stated we don't have it on here.

Board Member Brady stated yeah, it's just drawn in. But it's not located or anything. It should be on the survey so it shows exactly how far it is from the building and the property lines.

Chairman McNulty stated well, that would be an as-built after it's done.

Rich Williams stated yeah, if you're going to put the shed up and then show it on a survey that it's an as-built.

Board Member Brady stated isn't there storage sheds behind that building now. I thought there was...

Mr. Wilkins stated no.

Board Member Brady stated I would have sworn there was storage sheds back there.

Rich Williams stated there's a... Well...

Chairman McNulty stated I think you had like a pen or storage.

Mr. Wilkins stated that's not mine.

Rich Williams stated there's something that's in question currently.

Board Member Brady stated okay.

Rich Williams stated there's a trailer out there.

Board Member Brady stated okay.

Rich Williams stated we're not exactly sure whose property it is on. We're not exactly sure it's going to stay there. Actually, it's probably not going to be staying there much longer but it's not being used by Mr. Wilkins.

Board Member Brady stated I thought I saw something back there. It was just...

Mr. Wilkins stated no comment.

Board Member Brady stated that's alright. That's fine.

Rich Williams stated that's a smart move.

Board Member Brady stated sometimes I don't want to ask the question.

Rich Williams stated well...

Board Member Brady stated I...

Rich Williams stated you know, procedure, you know again, he's drawn the location on it. It then becomes his obligation to meet it. You certainly could take what he's already done, schedule a public hearing for the next meeting, waiver, you know, most of the requirements. Topo[graphy]s on there but, you know...

Chairman McNulty stated the only thing I'd want to make sure is that the shed is drawn accurately to scale and meets the zoning setbacks. If we approve the plan as a site plan with a waiver to the site plan. At least that minimum. Not technically drawn by a surveyor. But to be accurately...

Rich Williams stated I hear what you're saying.

Chairman McNulty stated be displayed with the proper setbacks. I'm not sure if the 24, 25' be...

Rich Williams stated yeah, I'm drawing a blank right now as to whether an accessory structure is 15' or 25'.

Mike Liguori stated Rich, do you know the district. I don't recollect...

Rich Williams stated C-1.

Mike Liguori stated C-1. Okay, give me a second.

Board Member Brady stated is the...Is there a distance from the right-of-way driveway to the house in the back. Is there a distance that the shed has to be away from that.

Rich Williams stated the shed has to be 15' away from any other structure.

Board Member Brady stated okay.

Chairman McNulty stated which he has that noted here.

Board Member Brady stated yeah here but it's structure so it's...

Board Member Taylor stated yeah...

Board Member Brady stated it makes nothing there.

Board Member Taylor stated yeah, it probably is. The 15' here is about the same as the 24' there.

Chairman McNulty stated yeah.

Board Member Taylor stated it's just the way it's drawn on the plans...

[Laughter].

Chairman McNulty stated yeah. That's why I'd like to see it accurately plotted and create a site plan out of this and waive certain aspects of the site plan so you don't have to go crazy. Rich, would you be able to...

Rich Williams stated sure, I could provide adequate guidance to make sure that we get everything up to snuff. If you want to...If you want to move this thing forward, set a public hearing for the next meeting and then...

Chairman McNulty stated yeah, I think we could do that.

Rich Williams stated I can work with Mr. Wilkins. We could get it all squared away and...

Chairman McNulty stated okay.

Rich Williams stated and then wrap it up next month. I don't think you're going to put a shed up between now and then anyway.

Mr. Wilkins stated no.

Rich Williams stated no.

Chairman McNulty stated okay. Plus it will be to your benefit if you do purchase a property to have a site plan and you'll have a record and...It just makes your property better off.

Mr. Wilkins stated correct. Yeah, it's a...Yes.

Chairman McNulty stated okay. Well, I'll make a motion in the Wilkins Motorsports Site Plan Application to set a public hearing for the next scheduled meeting in February.

Board Member Brady stated second.

Chairman McNulty stated all in favor. *Motion carried by a vote of 5 to 0.*

Chairman McNulty stated so Rich, from here you'll...Is you name...Mr. Wilkins. You'll advise him of what needs to be done.

Rich Williams stated is it the what. Yes, I'll be meeting with Mr. Wilkins. I'll give him...

Chairman McNulty stated okay.

Rich Williams stated I'll give him a call probably Monday.

Chairman McNulty stated so if this...If you have a survey that's to scale, just scale it out as best you can because you're tight on your tolerances and you don't want to end up being a foot off and then having a problem down the line with it.

Mr. Wilkins stated yeah. Correct. I agree.

Chairman McNulty stated so...

Mr. Wilkins stated and...No problem.

Board Member Montesano stated question, that driveway, now that runs on two pieces of property.

Rich Williams stated no.

Board Member Taylor stated it's got an easement. It runs on the easement.

Board Member Montesano stated yeah, I just wanted to know if he had a copy of it.

Board Member Taylor stated oh, of the easement.

Board Member Montesano stated yeah, because it runs across the swamp. Well, according to this it...

Board Member Taylor stated it runs on the easement.

Rich Williams stated there's an easement, I believe, behind the structure.

Board Member Taylor stated that's what he said. The driveway...

Board Member Montesano stated yeah.

Board Member Taylor stated before the house.

Board Member Montesano stated the driveway for the house...

Rich Williams stated the driveway for the house is shared with the driveway to this principal building.

Board Member Taylor stated right.

Chairman McNulty stated there's a picture somewhere.

Board Member Montesano stated you've got a drive here [referring to the survey].

Rich Williams stated okay. You've got a driveway easement here.

Board Member Montesano stated right.

Rich Williams stated oh, I see what you're saying. Yes. It comes up and loops through here. But this easement was created for this.

Board Member Montesano stated okay.

Rich Williams stated so, this easement isn't really for that. That's all on this property.

Board Member Montesano stated should that be part of this.

Rich Williams stated no. You know what, I'm wrong. I'm wrong.

Board Member Taylor stated it's not...

Board Member Montesano stated no. I'm saying...

Rich Williams stated it's not on.

Board Member Taylor stated no, it's the easement to the adjacent property.

Board Member Montesano stated it comes right through it.

Rich Williams stated yeah, it is.

Board Member Taylor stated yeah.

Board Member Montesano stated it cuts right through there.

Rich Williams stated yeah, it does. It loops back. You're right.

Board Member Montesano stated I don't want see them get separate if ...without anybody...

Chairman McNulty stated oh, with an easement on this property...

[Inaudible – too many talking]

Board Member Montesano stated the driveway to house it comes through, crosses the line...

Board Member Taylor stated are you saying it's also an easement to get back in here.

Mr. Wilkins stated so, oh. So it goes right through...It goes onto the neighbor's property and then back.

Board Member Montesano stated right.

Mr. Wilkins stated I see what you're saying.

Chairman McNulty stated would we have a copy of that in our records.

Rich Williams stated it probably is from our records.

Chairman McNulty stated yeah. Okay. Alright. Any other comment on this. You understand what you have to do.

Mr. Wilkins stated yeah.

Chairman McNulty stated okay. Public hearing you have to do a mailing within 500'. Right, Sarah.

The Secretary stated correct.

Chairman McNulty stated so you can contact Sarah or she could help you...

The Secretary stated come up with a name list...

Chairman McNulty stated get a list and...

The Secretary stated and notice.

Chairman McNulty stated and you'll have to mail out a certified mailing for people to know that you're proposing this and if they come to the public hearing and they comment and if not, you see how we do them on the two previous ones.

Mr. Wilkins stated no problem.

Chairman McNulty stated okay. Great. Anything else. Thank you, Sir. Good luck.

Mr. Wilkins stated thank you. So we'll talk next week.

Rich Williams stated yup.

Chairman McNulty stated okay.

5) FOX RUN ACTIVE ADULT RESIDENTIAL PROJECT - EAF Review – Part 3

Mr. Curt Johnson, Zarecki & Associates, Mr. Mike Hartman, Chazen Company and Mr. Bob Marvin, Marvin & Marvin, were all present.

Chairman McNulty stated okay, next on the list we have Fox Run Active Adult.

Mr. Curt Johnson stated good evening.

Chairman McNulty stated hi, Curt. How are you.

Mr. Johnson stated happy New Year.

Board Member Montesano stated same to you.

Mr. Johnson stated well, since we were before the Board at the last meeting we met with Rich and went over some key issues on the project. As you saw it previously, one of the main issues it seemed to be a sticking point was these buildings along the ridge.

Chairman McNulty stated yeah, after review of the EAF we pointed out some significant areas.

Mr. Johnson stated right. And that...

Chairman McNulty stated okay.

Mr. Johnson stated was one of the major ones we took a look at there. So, we went back to the drawing board and took a hard look at this and what we've done...I think we gave a preliminary plan to Rich to take a glance at. But what we've done here is actually further refined this so that we have taken those buildings off the ridge here...

Chairman McNulty stated great.

Mr. Johnson stated pulled this over. Made this softer curve on here [referring to revised plans]. So really our high...This is the high point of the ridge here. This is like 798 right here. So we're holding that. And then so really, this is all folding itself behind the ridge of the site.

Chairman McNulty stated nice.

Mr. Johnson stated so, that's what we've done. We're still at a unit count of 80 but we've taken it off the ridge here, given us a good separation to keep as many mature trees up on this ridge as we can. We're holding the grading really only into right here and we're pretty much on grade as we follow around here and this falls off on this side, so...

Chairman McNulty stated now, is that...pull the whole project to the east a little bit.

Mr. Johnson stated no. We really can't...This is way too steep over here. We looked at that option, too. We really can't pull anything that way. We're kind of in this troth of land here. So we really tightened

everything up as we could here. And that's what's allowed us to get this...to get those buildings off the ridge.

Chairman McNulty stated keep the distance between the backs of the buildings...

Mr. Johnson stated actually...

Chairman McNulty stated suitable for...

Mr. Johnson stated when we looked at it, it actually works out a little bit better this way with the buildings between here because we've taken some of the grading around here away and I think it opens us up a little bit from what we had previously...It seems like these were a little tighter in here, especially over in this corner.

Chairman McNulty stated any chance you can pop those up side-by-side. You need a hand [referring to the plans before and after revisions].

Mr. Johnson stated we can do that. Okay, so...

Chairman McNulty stated yeah, it did (inaudible). Pulled the buildings away a little bit.

Mr. Johnson stated yeah, so we really have...

Board Member Taylor stated moved it over.

Chairman McNulty stated yeah.

Mr. Johnson stated really preserved this highpoint here and really tucked everything on this side of the ridge.

Chairman McNulty stated okay.

Mr. Johnson stated so, that was item #1. Item #2 is we looked at the sewer information also. And we looked at it over a period of two years. The flows...

Chairman McNulty stated the previous two years.

Mr. Johnson stated yes. November 2012 up until 2014. So 25 months we looked at that. The peak flow of any given day, was I think July 4, 2014, and that was 39,000 gallons into the sewage treatment plant. The design flow for the bedroom count in the existing Fox Run is actually 39,900. So we're at the peak daily flow throughout the 25 months, we're below the design flow there. So, that's seems to work as well.

Chairman McNulty stated okay.

Mr. Johnson stated and the third issue that we identified was traffic improvements on Bullet Hole Road and the intersection. Mike Hartman from Chazen took a look at that, too, and he'd like to present something to you. Take a look at that as well. So...

Chairman McNulty stated okay, great.

Mr. Mike Hartman stated good evening.

Chairman McNulty stated hi.

Mr. Hartman stated as Curt said, we had a conversation with Rich; it was very productive. And one of the things we focused on was the intersection of Fox Run Lane with Bullet Hole [Road]. And one of the problematic areas was sight distance looking east toward the hill and the curve where the firehouse has been behind.

Chairman McNulty stated mmhmm.

Mr. Hartman stated so, if you look at the handout, page 1 shows you what that view looks like sitting in a car waiting to turn onto Bullet Hole Road, okay. Looking east, the sight distance is somewhere between 210 and 220 feet.

Chairman McNulty stated okay.

Mr. Hartman stated the next...Figure 2 shows the same view with the utility poles moved back away from the road. Now you can see that opens it up a little up. Takes the utility pole out of the sight line and sight line then would be about 230 to 250 feet. Third page shows...continues with the poles moved, setback and some of the rock outcrop and vegetation removed up at the curve. And we're looking at sight distances there between, roughly between, 260 and 275 feet. Okay.

Chairman McNulty stated now, this third page shows the house in the picture but...

Mr. Hartman stated right.

Chairman McNulty stated the second page doesn't.

Mr. Hartman stated well...

Chairman McNulty stated is that rock...

Mr. Hartman stated second page does show the house as more in shade.

Chairman McNulty stated okay.

Mr. Hartman stated when you photoshop...

Chairman McNulty stated oh, I see it.

Mr. Hartman stated yeah.

Chairman McNulty stated I got you.

Mr. Hartman stated photoshopping's way beyond my ability so...

[Laughter].

Mr. Hartman stated the person that did it for me at work, you know, he has to pull these things off of one picture, put them on to another etcetera, etcetera.

Chairman McNulty stated I was thinking...I didn't see that much rock removed.

Mr. Hartman stated yeah.

Chairman McNulty stated so that's why I was curious.

Mr. Hartman stated yeah.

Chairman McNulty stated okay. I see it though.

Mr. Hartman stated so...And the fourth page shows you some sight distance criteria. You are...The Town's site distance is 300' for major roads. 200' for minor roads. I think earlier on when we were doing our reports and stuff, you indicated that Bullet Hole was going to be considered a major road. So that's what we're looking at; 300'. Okay. DOT [Department of Transportation] looks at AASHTO, American Association of State Highway and Transportation Officials, or something like that. So they have various requirements for sight distances and stopping sight distance. And according to them, if you were making a left turn from Fox Run you would need...at 30 miles an hour, which is the posted speed limit on Fox...on Bullet Hole, right. You would need 335'. I think...Every time I've ridden that road, I know I have not gone around that curve and down the hill toward Fox Run at 30 miles an hour. I just don't think you can do that very safely because you have the curve, you have the downhill, you have the intersection with Tammany Hall, and you're still continuing around that curve. So I know...I think every time I've run that my foot's been on the break. So, if you're going 25 miles an hour you need 280'.

Board Member Taylor stated okay.

Mr. Hartman stated okay. If you're making a right turn from Fox Run and you have...Of course you have to look toward the east, you know, to see if any cars are coming, you don't need as much sight distance because you're turn puts you in the same line of travel and you're stepping on the gas, etcetera. So you need 290' at 30 miles an hour and 240' at 25 miles an hour. Now cars coming down Bullet Hole toward the intersection, once they see a car come out of Fox Run, their stopping sight distance, they're going to require 200' at 30 miles an hour and 155' at 25 miles an hour. Now DOT goes along with these AASHTO distances. And DOT also establishes what they call a critical sight distance for when they're looking to put signs such as "Intersection Ahead" signs, things like that, on the roadway to warn people of intersections. And they're critical sight distance for 30 miles an hour is the 200' stopping sight distance mentioned above and the 155' at 25 miles an hour. So that's what they look at. If someone says well we need an intersection sign here, they'll come and say okay, you need that, if you have less than that sight distance, boom, we'll give you the sign. So basically all this is telling us is probably something we already know, that the sight distance is limited there. The roadway alignment all through Bullet Hole Road, you know, creates these situations.

Chairman McNulty stated mmhmm.

Board Member Taylor stated mmhmm.

Mr. Hartman stated but we feel that doing the work shown in figures 2 and 3 will get us looking to the east, will get us a sight distance of between 260 and 275' and at 25 miles an hour, AASHTO was telling us we need 280'. So, you're talking about 5 or 10' which can easily be made up with a little bit of extra trimming

that we might not show on this diagram. So I think this work will get that intersection and the turn movements into conformance with sight distance requirements.

Chairman McNulty stated okay. How about assessment from the other direction though; westbound traffic.

Mr. Hartman stated okay.

Chairman McNulty stated if you were making a left bound...left-hand turn...

Mr. Hartman stated mmhmm.

Chairman McNulty stated in a westbound...

Mr. Hartman stated yup.

Chairman McNulty stated car. I'm sorry, an eastbound car.

Mr. Hartman stated if you're on Fox Run, making a turn, you know...

Chairman McNulty stated in either direction.

Mr. Hartman stated right.

Chairman McNulty stated but the view...

Mr. Hartman stated well...

Chairman McNulty stated to the west because I've been up there to see that...

Mr. Hartman stated yeah.

Chairman McNulty stated and it...There's like a hump in the road there.

Mr. Hartman stated yup.

Chairman McNulty stated it's limited.

Mr. Hartman stated yeah, and there's also, if I recall right, there's also a residential driveway almost right in that same area where the...

Chairman McNulty stated I don't recall.

Mr. Hartman stated either a rock outcrop or a stonewall. But there is vegetation that we could trim and we would certainly look to do that to the extent possible to facilitate that sight distance also.

Chairman McNulty stated yeah. The concern I had there was a left-hand turn out of Fox Run.

Mr. Hartman stated right.

Chairman McNulty stated and a car traveling eastbound...

Mr. Hartman stated right.

Chairman McNulty stated coming up on a car.

Mr. Hartman stated right. Yeah.

Chairman McNulty stated not having the view...

Mr. Hartman stated yeah.

Chairman McNulty stated on that.

Mr. Hartman stated I mean, the sight distance required there would be a little bit less than what we were talking about for making a left and looking left simply because you're...Once the car is out into the road it's accelerating and it's accelerating as the car is coming with it. Not in opposition to it.

Chairman McNulty stated I understand.

Mr. Hartman stated so like this would be a little bit less...

Chairman McNulty stated okay.

Mr. Hartman stated than that and...

Chairman McNulty stated has that been surveyed at all, those distances. Have you looked at that...

Mr. Hartman stated well, unfortunately...

Chairman McNulty stated from that direction as well.

Mr. Hartman stated all the times we went and took pictures of stuff, I did not have a good photo to photoshop of that direction.

Chairman McNulty stated okay.

Mr. Hartman stated but looking back on it and with our discussion, we're fairly certain there is some trimming we can do which will help that situation. And especially since there is a school bus stop there, you want to be as safe as possible.

Chairman McNulty stated yeah, I'm just going...because I personally went up there to just take another look.

Mr. Hartman stated mmhmm.

Chairman McNulty stated did a second site walk a few months back with Bob [Board Member Bob Ladau] and noticed that the left-hand turn out of that area...

Mr. Hartman stated mmhmm.

Chairman McNulty stated of eastbound car, that distance is a little cut. It looked like if the driveway just moved to the west a little bit...

Mr. Hartman stated no, you're...

Chairman McNulty stated it opens it up.

Mr. Hartman stated you're balancing things here.

Chairman McNulty stated well, it would give more...it would give...

Mr. Hartman stated if you move the driveway to the west, you're...

Board Member Montesano stated you're shortening the...

Mr. Hartman stated you're shortening the sight distance looking west.

Chairman McNulty stated yeah, but you create a better view. That's just, as a layman...

Mr. Hartman stated yeah.

Chairman McNulty stated looking at it.

Mr. Hartman stated yeah. Yeah.

Chairman McNulty stated so, it's just...Maybe that's a direction we need to address a little further. You know, saying this is great here. I mean, you're proving it out. So, we need to do it from both directions though.

Mr. Hartman stated well, I think one of the things with Bullet Hole, looking to the west from Fox Run, is I don't think the road alignment itself is...It's not going to lend itself to as much of an improvement as looking to the east because it's the road itself that is humped.

Chairman McNulty stated yup.

Mr. Hartman stated it's not the things on the side of the road where if looking to the west you've got the utility poles, you've got the overgrown vegetation...

Chairman McNulty stated it's a true obstructions.

Mr. Hartman stated and the rock cut. Right.

Chairman McNulty stated yeah.

Mr. Hartman stated which you could take care of to facilitate looking to the east then, you know, east...or west of Fox Run, you've got vertical and horizontal curve in Bullet Hole itself which is contributing to this. But there is vegetation there that certainly could be trimmed to help it.

Chairman McNulty stated okay.

Board Member Ladau stated in terms of this vegetation that's going to be trimmed, who maintains that as the vegetation grows back, assuming that it will.

Mr. Hartman stated well, my initial answer would be whoever maintains the vegetation on the hole...Bullet Hole Road.

Board Member Ladau stated Rich, I mean...

Rich Williams stated well, it's a Town road.

Chairman McNulty stated Town.

Rich Williams stated yeah.

Board Member Ladau stated it's a Town road.

Rich Williams stated it's a Town road.

Board Member Ladau stated the Town then has the obligation to continue to trim the vegetation.

Rich Williams stated true but, you know again, I have to go take a harder, closer look at what they're talking about trimming vegetation. Typically, we, when we're doing this kind of improvement, and I don't know what they're proposing to do right now. Sitting here I couldn't...

Board Member Ladau stated mmhmm.

Rich Williams stated tell you. But typically they're going to be taking some trees down, cutting the shoulder back, turning it into grass, so...Now we're just running down, you know, with a mower.

Board Member Ladau stated yeah. Okay. I didn't hear that. I mean, I'm looking at this and it...

Mr. Hartman stated yeah.

Board Member Ladau stated just appears...

Mr. Hartman stated the vegetation and the rock...

Board Member Ladau stated the trees are being pruned.

Mr. Hartman stated face are basically one in the same. They're in the same location.

Board Member Ladau stated okay.

Mr. Hartman stated you know, so once you take that rock face back you've taken some of the vegetation with it.

Board Member Ladau stated okay.

Mr. Hartman stated so...And the other thing we're proposing are improvements right at the area of the intersection where the turnoff is and the little shelter to better define what's there. Put some parking spots in and make it a little bit...circulation a little bit better and a little easier for people to use. So...

Board Member Brady stated have you been down there in the morning when the school buses get down there.

Mr. Hartman stated personally, no.

Board Member Brady stated it's packed.

Board Member Ladau stated yeah.

Board Member Brady stated yeah, it's...

Chairman McNulty stated I haven't been up there.

Board Member Brady stated yeah, it's...

Board Member Montesano stated yeah, it's...

Board Member Brady stated there's cars on the street. There's cars all over the place.

Mr. Hartman stated I saw a school bus stop in the afternoon.

Board Member Brady stated mmm.

Mr. Hartman stated earlier, you know, earlier in 2014 when I was looking, yes.

Chairman McNulty stated I'd still like to...

Mr. Hartman stated to be honest with you, the first time I stopped there I thought that the school buses came in here and left but they don't [referring to the plans]. So that was...

Chairman McNulty stated the only thing from my own vision in looking at it is as you come out of there the view to the right, to the west, is a little blind. My thought was if the driveway was just...See where those hedges...where it says proposed plantings, kind of angles.

Mr. Hartman stated yeah.

Chairman McNulty stated if that was just moved over, I think, about 30' it opens up a view. But maybe, Rich, if you're going to go out and take a look...

Rich Williams stated I could certainly take a look. You know, we could all take a look at it.

Chairman McNulty stated I'm not an expert in that field, but I'm a seasoned driver, if I'm making a left I'm going fast because I don't see what's coming up on me on the right.

Mr. Hartman stated yeah.

Rich Williams stated yeah. Also keep in mind that, you know, if we're going to do any sort of major realignment to the driveway entrance it's going to require the approval of the Phase 1 project so...because it's their property.

Mr. Hartman stated I apologize if I misunderstood your comment before. I thought you were talking about moving the driveway...

Chairman McNulty stated no, no.

Mr. Hartman stated this way.

Chairman McNulty stated the other...Move it to the west.

Mr. Hartman stated okay.

Board Member Ladau stated the other way.

Mr. Hartman stated yeah.

Board Member Ladau stated yeah.

Chairman McNulty stated because when you come to that end of that street...

Mr. Hartman stated mmhmm.

Chairman McNulty stated you're going to make a left, it's blind to the right. But I got out of the car...

Mr. Hartman stated yeah.

Chairman McNulty stated and I walked over in that area and I said it opens up the whole view. So, I think it's something that I'd like to see looked at.

Mr. Hartman stated okay. Thank you.

Chairman McNulty stated you're going to be making improvements to the driveway as it is, correct, so...

Mr. Hartman stated right.

Chairman McNulty stated you know, if there's stormwater there or any of those controls I don't know.

Mr. Johnson stated mmhmm.

Chairman McNulty stated so I don't know how involved that is but...

Mr. Johnson stated yeah, we'll take a look at that.

Chairman McNulty stated yes, Ted.

Ted Kozlowski stated can I have the thing [referring to the microphone].

Rich Williams stated if I'd had known I wouldn't have left it there [referring to the microphone].

Ted Kozlowski stated Happy New Year, Curt.

Mr. Johnson stated thanks. You, too.

Ted Kozlowski stated would it be possible for me to go out to the site...Thank you, Rich. What would I do without you. Is it possible for me to go out to the site and identify some of the more important, we thought, oaks that were up on that ridge with flagging. Would you be kind enough to put them on the plans for the next meeting.

Mr. Johnson stated we can certainly do that.

Ted Kozlowski stated so we could see where they were...

Mr. Johnson stated right.

Ted Kozlowski stated in relation to this nice move...

Mr. Johnson stated I'm hoping they're all...

Ted Kozlowski stated off the ridge.

Mr. Johnson stated right here.

[Laughter].

Ted Kozlowski stated I'm hoping so, too. But in my mind, those were the ones that really should be saved.

Mr. Johnson stated yeah. We can do that. And hopefully we will catch some...

Ted Kozlowski stated yeah.

Mr. Johnson stated if not all of those.

Ted Kozlowski stated well, there weren't a lot. But there were some...

Mr. Johnson stated okay.

Ted Kozlowski stated significant, very large...

Mr. Johnson stated so...

Ted Kozlowski stated oaks that were clearly older and more mature than the rest of that forest, so...

Mr. Johnson stated mmhmm.

Ted Kozlowski stated it would be nice.

Mr. Johnson stated sure.

Ted Kozlowski stated so thank you.

Mr. Johnson stated not a problem.

Board Member Taylor stated and Curt, could you give us an elevation. Do you have an elevation across that.

Mr. Johnson stated elevation of...

Board Member Taylor stated the houses.

Mr. Johnson stated what the houses will look like or...

Board Member Taylor stated no, no, no. Just...

Mr. Johnson stated I don't have a cross section through that but I can tell you that if this is 798, say that high point there, first floor of these in here average about...They go from 784 to 792 here. So the first floors of all these buildings are actually lower than that high point here. So we're dropping that down. So you...There will be a little bit of roof, probably, that comes up above that, but it's setting on the other side of that.

Board Member Taylor stated as long as you don't make them bright red or bright yellow, I don't think roofs are going to matter.

Board Member Brady stated yeah.

Mr. Johnson stated no bright red or bright yellow.

Board Member Brady stated strobe lights on them.

Mr. Johnson stated yeah.

[Laughter].

Chairman McNulty stated now in the redesign, are they still mostly two and three bedrooms.

Mr. Johnson stated it's all the same. We jockeyed some of the four and six unit buildings, but it's the same building design as we had before. Yes.

Chairman McNulty stated okay. And in the lower left corner, that one building looks very close to that stormwater.

Mr. Johnson stated when we do the actual design of the stormwater, that may actually get a little but smaller in there. And our intent there is to actually make that an element that is appealing so that when you drive in that that looks nice. It will be landscaped nicely. So you drive in and we might soften some of these curbs a little, make it feel more natural.

Chairman McNulty stated okay.

Mr. Johnson stated that's the intent of that. To make it a design feature rather than...

Board Member Taylor stated put...

Mr. Johnson stated a detriment.

Board Member Taylor stated put a springboard at the end of the building.

[Laughter].

Mr. Johnson stated we could do that also, yes.

Chairman McNulty stated and in the lower right corner, it looks like a road...

Mr. Johnson stated that's the water treatment plant...

Chairman McNulty stated okay.

Mr. Johnson stated over here...system over here. So, that where that spurt goes off to there.

Chairman McNulty stated and...And then the two units on the right, upper...yeah. Are they cut into the rock there. It looks steep.

Mr. Johnson stated umm, we are at...It's not too bad. It's 810 up here. First floor elevation is 800. So it's about a 10' cut that goes down there and then they have a backyard.

Chairman McNulty stated the little, yellow...

Mr. Johnson stated so it's kind of...

Chairman McNulty stated spots are all decks I take it.

Mr. Johnson stated yes. Those are, yeah, decks. Correct.

Chairman McNulty stated okay. Rich, have you had much time to take a look or review.

Rich Williams stated well, I took a preliminary look at it.

Mr. Johnson stated yeah, Rich hasn't seen this version of it but you had something that was similar with a straight line. We softened it a little bit here.

Rich Williams stated yeah.

Chairman McNulty stated okay.

Rich Williams stated so, you provided about 75 to 100 feet of buffer.

Mr. Johnson stated yeah, this closest point here is actually 80' right there. So actually, anything, this is much greater. This is probably, you know, 160'...

Rich Williams stated about 150'.

Mr. Johnson stated or so.

Rich Williams stated yeah.

Mr. Johnson stated at this point here.

Chairman McNulty stated well, I like the change. To me...

Board Member Ladau stated mmhmm.

Chairman McNulty stated it was...It looks good that way.

Mr. Johnson stated okay, great.

Chairman McNulty stated thank you for moving it.

Mr. Johnson stated well, we listened and we tried...

Chairman McNulty stated okay.

Mr. Johnson stated as much as we possibly could, so...

Chairman McNulty stated what were the other issues. I think we mentioned amenities, too. I guess you're working on that to some degree or...

Mr. Johnson stated yeah, we're working on that. What we want to do is either really push this one here, this clubhouse in here and make that maybe a little bit bigger; more amenities in there. So they're shared. Or there was talk about possibly making a smaller area over here, or clubhouse, over here that could be used for residents on this parcel. So that's something that's being discussed. So it's either really...I mean, that's going to be improved no matter what but really kind of build that up or to provide a secondary, smaller clubhouse over here.

Chairman McNulty stated okay.

Mr. Johnson stated we talked about tennis courts, things like that. But it's kind of been shown that they don't get used, unfortunately. They get built but they don't get used, so...

Chairman McNulty stated okay. You mentioned the sewage treatment plant early on in your comments.

Mr. Johnson stated mmhmm.

Chairman McNulty stated and we did receive a lead agency response from the DEP.

Mr. Johnson stated right.

Chairman McNulty stated have you seen it. DEC.

Mr. Johnson stated DEC, yes.

Chairman McNulty stated DEC. And it addresses in there about creating a corporation or turning it over to a municipality.

Mr. Johnson stated mmhmm.

Chairman McNulty stated have you have any thought on that yet or...

Mr. Johnson stated Bob Marvin, the attorney, may have a couple comments on that.

Chairman McNulty stated okay.

Mr. Bob Marvin stated thank you. Yeah, I saw that letter just yesterday so I haven't had a lot of time to really think about it. I did mention to Rich here tonight if the Town of Patterson would want to take over that sewage treatment plant...

[Laughter].

Mr. Marvin stated I was not surprised by his answer, shall I say.

[Laughter].

Mr. Marvin stated you know, if we're...If that's what we need to do we're prepared to set up a transport...a sewage treatment company...

Chairman McNulty stated okay.

Mr. Marvin stated under the transportation law which would take ownership of the facility and, you know...

Chairman McNulty stated that's something that the existing Fox Run community would have to come on board with.

Mr. Marvin stated yeah, that's right. We haven't had any chance to talk to them about it.

Chairman McNulty stated okay.

Mr. Marvin stated I'm confident that they would be willing to discuss that and ultimately agree to some proposal there because they're very anxious to have this project go ahead. And that is a state of the art facility there, too, so...

Chairman McNulty stated mmhmm.

Mr. Marvin stated it's, you know...I'm confident that we'll be able to work it out. But we do have to reach an agreement with the Fox Run Homeowners' Association which is the current owner of that plant. And the two projects would share in, you know, owner...Well, it would be owned by a separate corporation. I assume the corporation itself would probably be owned some pro rata percentage by the two homeowners' associations and it would operate the facility and charge the homeowners' association pro rata for their use of it.

Chairman McNulty stated okay.

Mr. Marvin stated okay. I'm not sure at what point, Rich, would you need for us to get that setup. I mean, I would think we could...some kind of...when we ultimately get some sort of approvals here, that could be condition of final that we, you know, setup the transportation corporation.

Chairman McNulty stated yeah.

Mr. Marvin stated that make sense, Mike [Liguori].

Mike Liguori stated yeah. Well, there'd be a...

Mr. Marvin stated because it has to be approved by the Town...The Town Board has to agree to it.

Mike Liguori stated yeah. The Highway Super, the Town Board.

Mr. Marvin stated and the Department of Health for...

Mike Liguori stated that's correct.

Rich Williams stated correct.

Mike Liguori stated yeah.

Mr. Marvin stated Putnam County both have to sign on before we can actually...We can't even file the certificate of incorporation until we have the consent of both the Town Board and the Putnam County Health Department. So there's a process that we have to go through to do that which will take some time.

Chairman McNulty stated okay.

Mr. Marvin stated and of course, as I said already, we've got to get an agreement with the Homeowners' Association that's existing already, but I'm sure that we can do that. But all of this will take some time to do. So I don't want, you know, I don't want to go and do it now when we don't have anything yet, you know.

Rich Williams stated right. But I do want to talk to Mike and you both...

Mr. Marvin stated okay.

Rich Williams stated a little bit more about it.

Mr. Marvin stated alright. Sure. So, you know how to get ahold of me, Rich.

Rich Williams stated I do.

Mr. Marvin stated yeah, okay. Okay. Any questions tonight, I'll do my best.

Chairman McNulty stated anybody have any questions.

Board Member Ladau stated nope.

Board Member Montesano stated no.

Mr. Marvin stated okay.

Chairman McNulty stated well, we appreciate...

Board Member Montesano stated Happy New Year.

Mr. Marvin stated you, too. Thank you.

Chairman McNulty stated we appreciate you listening to us and working with us to improve the project in both the review of the EAF...

Mr. Marvin stated I tip my cap to Curt on that one. He did all of that.

Chairman McNulty stated okay.

Mr. Marvin stated that's out of my bailiwick there.

Mike Liguori stated Bob, you're supposed to say thank you.

Mr. Marvin stated well, yeah.

[Laughter].

Mr. Marvin stated I'm hoping I can work with Curt on some more projects, you know what I mean.

[Laughter].

Chairman McNulty stated so, I guess we're down to the Part 3 of the EAF to at this point.

Rich Williams stated right.

Chairman McNulty stated okay. We don't have that yet, do we though.

Board Member Taylor stated I don't think we can. I mean, we've still got a number of unresolved issues. They're minor issues but we need further development of the plan, don't we, to...

Rich Williams stated I don't...

Board Member Taylor stated unless we make them all conditional.

Rich Williams stated well, you're not going to make them conditional to an EAF. You're either going to...I think this is something we're going to talk about at the work session but, you know, we can go through whatever those minor issues are and, you know, whether they're resolvable or they're not resolvable by, you know, further development of the plans.

Board Member Taylor stated well, I think they're all resolvable by further development but until we see them, unless we make it a negative...you know, condition negative...But yeah. We can talk about it at the work session. I had one question on this memo from the DEC.

Rich Williams stated yeah.

Board Member Taylor stated the application indicates that there are federally regulated wetlands on the site. Where did they get that from.

Mr. Johnson stated yeah. No, they're actually...There's not.

Rich Williams stated there's none.

Board Member Taylor stated yeah, we know there aren't.

Mr. Johnson stated there's no wetlands on the site. Correct.

Board Member Taylor stated but do you have any idea where they...

Rich Williams stated no, there's not.

Board Member Taylor stated how they get that.

Rich Williams stated I think there was...they made a comment, too, about there being no endangered species on the site. So...

Board Member Taylor stated right.

Mr. Johnson stated it's the wrong...They have the wrong information.

[Laughter].

Mr. Johnson stated so...

Board Member Montesano stated no.

Chairman McNulty stated they didn't look at their own map.

[Laughter].

Board Member Taylor stated or they were looking at a different map.

Board Member Brady stated cut and paste it from another...

Rich Williams stated wait, we gave them the information that there was shining bedstraw, there was a study.

Board Member Taylor stated yeah.

Rich Williams stated you know...

Board Member Taylor stated so, okay.

Rich Williams stated so...

Chairman McNulty stated okay.

Board Member Taylor stated so maybe the same applies to...

Board Member Brady stated is that an animal you can hunt.

Board Member Taylor stated does the same apply to the water district or the sewer district.

Rich Williams stated you know what, I'm going to leave that to the applicant to confirm.

Board Member Taylor stated okay.

Mr. Johnson stated so what do you need from us at this point so that...We can submit the...

Rich Williams stated I would submit plans.

Mr. Johnson stated revised plan which you have not...

Rich Williams stated I submit the plans. I would submit, you know, the traffic...If you've got some plans showing the amount of grading at the...

Mr. Johnson stated okay.

Rich Williams stated site entrance.

Mr. Johnson stated mmhmm.

Rich Williams stated so we could take a harder look at that.

Mr. Johnson stated sure.

Board Member Taylor stated and the cross...If you could give us the cross section.

Mr. Johnson stated okay. Not a problem.

Ron Gainer stated are you also going to look to see if there's a realignment that's appropriate for the entrance.

Mr. Johnson stated correct.

Chairman McNulty stated yeah, look to the west.

Mr. Johnson stated yes. Okay.

Chairman McNulty stated so if you could look at those things. I think this has been good progress so far and, you know, we'll address issues at the work sessions. If you can get anything to us for this work session and...

Mr. Johnson stated okay.

Chairman McNulty stated and keep taking a hard look at it.

Mr. Johnson stated alright. Very good.

Ted Kozlowski stated I'll mark the trees over the weekend.

Mr. Johnson stated okay. And...yeah. Just give us a number of how many there are...

Ted Kozlowski stated yeah, just give me contact information...

Mr. Johnson stated yup.

Ted Kozlowski stated and I'll call you Monday.

Mr. Johnson stated okay.

Ted Kozlowski stated let you know exactly what I got.

Chairman McNulty stated what are you going to mark them with, Ted.

Rich Williams stated flags.

Ted Kozlowski stated flagging tape. I'll identify the tree species and the diameter.

Chairman McNulty stated no, I know that. I...

Ted Kozlowski stated number...

Chairman McNulty stated there are already trees marked out there so I just want to make sure...

Ted Kozlowski stated yeah, I know.

Chairman McNulty stated that they know your marks from the existing marks.

Rich Williams stated going to use blue paint.

Ted Kozlowski stated no. Just use flagging. I'll number them, identify them by species and diameter.

Chairman McNulty stated okay.

Mr. Johnson stated and we're locate it, too...

Chairman McNulty stated great. Excellent.

Board Member Taylor stated good.

Mr. Johnson stated alright. Okay.

Chairman McNulty stated okay. Thank you, Curt.

Mr. Johnson stated thank you very much.

6) OTHER BUSINESS

a) Zoning Code - Restaurants

Chairman McNulty stated okay. We have other business here. Zoning Codes for restaurants. Has everybody gotten to take a look at the notes Rich prepared. I really didn't look at them too close.

Board Member Brady stated I just saw it for the first time today.

Board Member Taylor stated I didn't get them, I don't think. I saw the note from Dede Lifgren but I didn't see anything about...

Chairman McNulty stated revising the Code.

Board Member Taylor stated yeah. I didn't...

Board Member Brady stated that's the Dede Lifgren...That's a...

Board Member Taylor stated she lives next door to the barbeque place in Putnam Lake and she's one of the neighbor's who's suffered through the summer there.

Board Member Brady stated yeah.

Chairman McNulty stated well, what this is is...

Board Member Montesano stated should she be here.

Board Member Taylor stated she might be. I didn't see her.

Chairman McNulty stated everybody's familiar with...There was a restaurant that opened in Putnam Lake, barbeque restaurant, and it was a restaurant previously and there were no triggers for us to address basically a non-change of use, if I'm wording that correctly.

Ted Kozlowski stated it was a pizza place, right.

Chairman McNulty stated it was Zegarelli's, believe.

Ted Kozlowski stated yeah. It was pizza, Italian.

Chairman McNulty stated yeah. And now it's creating odors and nuisance to the neighbors. So the Town Board and Rich have been talking back and forth to revise the Code to create some triggers when this situation arises. I haven't really looked at it in depth yet myself. So I don't think we're prepared to make a recommendation to the Town Board tonight. But I would like to get it on for next month and move it along.

Board Member Taylor stated Sarah, can you send me an email with...

The Secretary stated send you the...

Board Member Brady stated me, too. Because I don't...

The Secretary stated you don't have it either.

Board Member Brady stated I don't think so.

The Secretary stated you have...

Board Member Brady stated I don't remember seeing it.

The Secretary stated you have a copy, right [referring to Chairman McNulty].

Chairman McNulty stated yeah, must have stole it off your desk.

[Laughter].

The Secretary stated alright.

Board Member Taylor stated you just gave it to the Chair.

Board Member Montesano stated well, the Chair's the...

The Secretary stated I'll send...

Board Member Montesano stated only one who has to read it. The rest of us just look at the pictures.

Board Member Taylor stated okay.

Chairman McNulty stated um, okay.

Board Member Montesano stated except the Vice Chair. You have to...

Chairman McNulty stated anybody have any comment on that. No. Rich, we stated...None of us have really looked at this in depth. We'll try and get it together for next meeting and make a recommendation.

Rich Williams stated that would be good.

Chairman McNulty stated okay.

Rich Williams stated you got any questions, let me know. We'll talk about it.

Chairman McNulty stated alright.

b) Thunder Ridge – Wastewater Pump Station

Chairman McNulty stated moving along. Thunder Ridge. Wastewater pump station. Rich may have pictures for us.

Rich Williams stated yeah.

Board Member Montesano stated oh good. We get to see (inaudible – papers and chairs shuffling).

Board Member Brady stated this is only a draft.

Rich Williams stated interesting being on this side of the...

Mike Liguori stated yeah, I was going to say, Rich, please step to the mic.

Board Member Brady stated state your name.

Board Member Montesano stated identify yourself.

[Laughter].

Rich Williams stated where's the mic so I can get it as far away from Ted as I can. So, this is kind of just for informational purposes. We've been working with Insite and O'Gere, Brian...Brien O'Gere [misspoke: referring to the engineering firm O'Brien & Gere], on how we're going to handle wastewater at Thunder Ridge. Here's the Thunder Ridge Lodge. We're talking about coming right behind the lodge and putting a pump station right in this area. I'll show you a bigger plan of it in a little bit. And then doing underground drilling from here coming down, crossing over, coming down through here, crossing over and coming down and discharging to the A&P pump station.

Board Member Taylor stated oh, they finally agreed on that.

Rich Williams stated getting rid of the wastewater treatment plant.

Chairman McNulty stated and it's only going to service the lodge itself.

Rich Williams stated only for the lodge itself. Here's the lodge [referring to plans]. For those of you who know the ski area this is where the practice run is right next to the lodge. Going to put a retaining wall up here with a driveway coming in off of Birch Hill Road. I've got to get out there and look at sight distance here. And then a fenced in pump station right here. A very small pump station. And I believe it's a 2 inch diameter pipe we're running out of there all the way over.

Chairman McNulty stated and where's their reservoir for their water. Because...

Rich Williams stated over here.

Chairman McNulty stated it's over there. Okay.

Rich Williams stated yeah. It comes back here.

Ted Kozlowski stated it's up further, isn't it.

Rich Williams stated excuse me.

Ted Kozlowski stated it's above the lodge, isn't it.

Chairman McNulty stated yeah.

Rich Williams stated well, the topo's showing it right here. I would have said it's a little bit more up here but the topo is showing it down here. So here's the backside of the lodge.

Chairman McNulty stated yup.

Rich Williams stated coming back.

Mike Liguori stated so they're not going to pick up the restaurant.

Rich Williams stated no. At this point it is not going to pick up the restaurant.

Chairman McNulty stated not going to pick up what.

Rich Williams stated the restaurant.

Chairman McNulty stated okay.

Rich Williams stated Alpine.

Board Member Brady stated they'd change a lot of things if they do that. They're going to boar.

Rich Williams stated yes. Directional boring.

Board Member Brady stated that's what they did out here.

Rich Williams stated yeah.

Ted Kozlowski stated City going to pay for that, Rich.

Rich Williams stated City is picking up the cost for doing this.

Board Member Taylor stated and how much. Do you know.

Rich Williams stated no.

Board Member Taylor stated it's less than 4.5 million probably.

Rich Williams stated I would think so but, you know, when you get into directional boring I don't know.

Board Member Taylor stated you don't know.

Ted Kozlowski stated Rich, wouldn't it make sense if they did pick up the restaurant.

Rich Williams stated listen, it would make sense to all of us sitting in the room because we know it's a challenged septic system out there.

Ted Kozlowski stated right.

Rich Williams stated but, you know, DEP has their own way of thinking about things.

Ted Kozlowski stated I mean, it's right next Steven's Brook.

Rich Williams stated yeah. So, in the future it may be possible to, you know, again going back and taking a look at this.

Chairman McNulty stated do they...When they directional bore and put in a new main all the way out to the A&P, do they size it for...to increase it later or they...

Rich Williams stated no.

Chairman McNulty stated size it just for that building.

Rich Williams stated they size it for the building.

Chairman McNulty stated oh.

Ron Gainer stated paved it.

Board Member Brady stated because they're paying for it.

Ted Kozlowski stated that just seems so short sighted.

Ron Gainer stated yeah.

Board Member Brady stated it is.

Rich Williams stated but, you know, understand, I mean 2", 3", this is going to be a significant amount of flow so, you know, in the future there may be so ability to, you know, another pump station and bring it out and tie into the line.

Ron Gainer stated and that only may require changes in pumps, so...

Board Member Brady stated yeah, they're...the high velocity pumps.

Ron Gainer stated whatever...Right. Whatever you're...

Board Member Brady stated you're going to pump a lot of water through it and run sludge through there.

Rich Williams stated yeah.

Ron Gainer stated yeah, not a big deal.

Board Member Brady stated you just wouldn't want to be on the other end of it.

[Laughter].

Chairman McNulty stated does that then create an additional sewer district for the Town.

Rich Williams stated no, we're just going to extend our existing sewage treatment district to incorporate this user.

Board Member Taylor stated so did you merge the SPDES Permit from there with...

Rich Williams stated we haven't gotten to that point of the conversation whether we're going to add that or we're going to incorporate it. I know DEP position's going to be that they want to just, you know, we've got more than enough flow.

Board Member Taylor stated right. Okay.

Rich Williams stated so...

Board Member Brady stated when's Jehovah Witnesses' going to tie in.

[Laughter].

Rich Williams stated Jehovah Witnesses' owns and operates a wastewater treatment plant...

Ron Gainer stated yeah, they're...

Rich Williams stated that's the example...

Ron Gainer stated right.

Rich Williams stated in the watershed. You can eat off of the floor in there...

Board Member Brady stated really.

Rich Williams stated in their building. Yeah. It's...

Board Member Montesano stated but don't drink the water.

Board Member Brady stated wow.

Ron Gainer stated that's right.

Board Member Taylor stated okay. Looks good.

Chairman McNulty stated so Rich, what are we looking at here. Are we...Is this just for review for us.

Rich Williams stated no. That was just for informational purposes.

Chairman McNulty stated okay.

Rich Williams stated because it's going to be a Town owned facility, the Planning Board for the most part is out of any sort of approval on this. So it's a courtesy.

Chairman McNulty stated okay. Well thank you. Glad to see it's going to be treated and hopefully improve the business in that building. They can...

Board Member Brady stated yeah.

Chairman McNulty stated make it a little more useable.

Mike Liguori stated Rich, any discussion about or any possibilities for the gas station and Wood Bench and...Anyone else tying in.

Rich Williams stated again, you know, this is all driven by the DEP.

Mike Liguori stated mmhmm.

Rich Williams stated the Wood Bench, you know, is up for sale.

Mike Liguori stated yeah, yeah.

Rich Williams stated and I have somebody who's very interested in buying it and would be very interested in having the ability to tie in.

Mike Liguori stated I got a call today from the owner to represent him on a sale but he didn't have it fully negotiated. He called me to see what my rates were and to introduce to, you know, to meet me. So we talked for a few minutes and he said tomorrow actually he's going to get down to brass tax and hopefully it's the same person that you're thinking of.

Rich Williams stated I hope so because it would be a great business for the Town of Patterson.

Mike Liguori stated mmhmm.

Ron Gainer stated is it possible for them to tie into the A&P. They're right next to Dunkin Donuts.

Rich Williams stated yes.

Ron Gainer stated yeah.

Rich Williams stated yeah.

Chairman McNulty stated but isn't A&P...

Ron Gainer stated and...

Chairman McNulty stated well, A&P's tied in now to...

Ron Gainer stated right.

Chairman McNulty stated or...

Ron gainer stated but I don't know where their flows are.

Rich Williams stated we could... We could, I mean, it's probably going to take a pump station either way but...

Ron Gainer stated right.

Rich Williams stated we could push it over to Dunkin Donuts and then across...

Board Member Brady stated right.

Ron Gainer stated right.

Rich Williams stated if they can work something out with Fitzgerald.

Ron Gainer stated right.

Rich Williams stated which I've already discussed with him. Or we could, you know, we could position it so it could come right down between the gas station and Apap. But you know, again, he would still need easements from those people to...

Mike Liguori stated right. Right.

Rich Williams stated make it work.

Mike Liguori stated well, he had the property listed with the broker Lou Bishop at Covington. Used to be Prudential...

Rich Williams stated mmhmm.

Mike Liguori stated now it's just Covington Commercial. And I had talked to Lou at length a few...over the summer, basically, to say hey look, you know, if you don't know the Fitzgeralds then let me know and I'll put you in touch with them and see if you can get across to Dunkin Donuts because to me that was going to be a lot easier than going into the State right-of-way and then, you know, cutting around the corner.

Ron Gainer stated from an engineering design, it will be a lot easier design to get into the A&P.

Mike Liguori stated right. Right. That's...

Ron Gainer stated hardly effect anything...

Mike Liguori stated yeah, that's...

Ron Gainer stated at the A&P's facilities.

Mike Liguori stated that's what I thought and he...

Ron Gainer stated and again, you could possibly tie in the gas station there, too.

Mike Liguori stated right. Right.

Rich Williams stated but it all comes down to DEP approving the tie in.

Ron Gainer stated right. Exactly.

Rich Williams stated and that's the heartache in all of this.

Mike Liguori stated all this. Right. Is that.

Rich Williams stated yeah.

Ron Gainer stated I don't know where the...

Chairman McNulty stated what do you mean. DEP tie in...

Rich Williams stated any sort of sewer connection requires DEP approval.

Ron Gainer stated right.

Chairman McNulty stated oh, for any addition of any portion of it.

Mike Liguori stated yeah and they're myopic. They, you know, we have the restaurant, which would...everyone would...I think anybody that...I know saying for the meetings with Bob Ravallo and the guys from Thunder Ridge it was...

Rich Williams stated Bob Ravallo was the one that first brought it up to me.

Mike Liguori stated that's right.

Rich Williams stated wouldn't you want to tie in the restaurant.

Mike Liguori stated wouldn't you...

Rich Williams stated absolutely.

Mike Liguori stated yes. Let's do it. Don't even...It shouldn't even be a discussion point. It should just be done.

Chairman McNulty stated but I thought they didn't want to do that when they came in front of us last time.

Rich Williams stated I don't...

Chairman McNulty stated the Alpine Restaurant. I didn't think they wanted...

Mike Liguori stated well, when...

Chairman McNulty stated anything to do with that.

Rich Williams stated no, no, no.

Mike Liguori stated they were before you the last time, they weren't tying into the Town's...

Chairman McNulty stated Town.

Mike Liguori stated system. They were building the bridge and having it be...

Chairman McNulty stated yeah up...

Mike Liguori stated self-contained and then they could tell the restaurant to, you know...

Chairman McNulty stated yeah.

Mike Liguori stated but since they'd be tying into the Town we'd figure, you know, hey look. You're tying into our system now. We're doing you a favor.

Rich Williams stated and I've got two letter from Dino Rentoulis, both requesting to be tied into the system.

Chairman McNulty stated no response from DEP yet.

Rich Williams stated no.

Chairman McNulty stated oh.

Rich Williams stated no, they...

Mike Liguori stated but the rationale should be, hey, if you have a sewer treatment plant get these people on it because...

Rich Williams stated right.

Mike Liguori stated hey, if we're all in the watershed and we're...

Chairman McNulty stated yeah.

Mike Liguori stated kumbaya, we're in this together, then let us treat it like...

Chairman McNulty stated and you're doing it a lot cheaper than you were originally going to do it with the bridge and self-contained unit, I would think.

Mike Liguori stated but the rationale doesn't carry through.

Chairman McNulty stated oh, I know. I'm dealing on State projects now. It's frustrating.

[Laughter].

Chairman McNulty stated okay. Anything else on Thunder Ridge.

Rich Williams stated not on Thunder Ridge.

c) Hebert Site Plan

Chairman McNulty stated so we have the Hebert Site Plan.

Rich Williams stated yeah. We were approached recently by Mr. Hebert. He's looking to modify his energy costs. And he's...yeah, okay. So, here's Jon Barrett Road coming in. Here's the driveway coming in. Here's the front of the building. He would like to put an underground propane tank right in front of the building and he would like to do it as soon as he possibly can.

Chairman McNulty stated under the pavement.

Rich Williams stated not under the pavement. In the grass area.

Chairman McNulty stated that little hashed area there [referring to plans].

Rich Williams stated yup.

Chairman McNulty stated so what is he asking for. A site plan waiver or...

Rich Williams stated well, he's asking permission to put the propane tank in. That's about it.

Board Member Taylor stated what about the site plan...

Chairman McNulty stated that's kind of outstanding.

Board Member Taylor stated modifications...Outstanding, yeah.

Rich Williams stated he has since hired Insite Engineering...

Board Member Taylor stated oh, okay.

Rich Williams stated to redesign the plans. I've got a meeting tomorrow morning with Matt Gironda to go through the plans and the issues.

Chairman McNulty stated he's actually prepared...They've...

Rich Williams stated yes. They've got...

Chairman McNulty stated Insite has...

Rich Williams stated they've got a plan.

Chairman McNulty stated prepared some plans so it's not just...

Rich Williams stated yeah. So...

Chairman McNulty stated talk. He's actually doing things.

Rich Williams stated he's actually moving it forward.

Board Member Taylor stated I think I'd be willing to say let's move it as quickly as we can and incorporate the two things together.

Rich Williams stated okay. Does the Board have any problem being as it's an underground structure it's really not an aboveground improvement and of letting him go ahead with the tank.

Board Member Taylor stated mmhmm.

Chairman McNulty stated the only thing I would ask is if...Have you seen the Insite plans yet.

Rich Williams stated no. I'll see them in the morning.

Chairman McNulty stated as long as the new proposed plan from Insite has no bearing on that, I don't have...on the underground tanks, I wouldn't have an objection.

Board Member Brady stated I'm fine with that.

Chairman McNulty stated but to be incorporated into that plan.

Rich Williams stated yeah, absolutely.

Chairman McNulty stated yeah.

Board Member Montesano stated as long as it's done legally.

Board Member Taylor stated well...

Board Member Montesano stated in other words...

Chairman McNulty stated well, with...through the Building...

Board Member Montesano stated not just dig a hole and throw a tank in there...

Chairman McNulty stated no. They'd have to get a building permit.

Board Member Montesano stated and say it's done.

Rich Williams stated oh yeah, he's got to get a building permit.

Chairman McNulty stated yeah.

Board Member Brady stated yeah, I don't see any problem with...

Board Member Taylor stated personally, I'd like to hold him hostage, but...

Rich Williams stated well, I have him hostage in court.

Board Member Taylor stated okay.

Rich Williams stated so he ain't going anywhere until he solves everything.

Chairman McNulty stated seems like something small we could kind of throw some grace his way and say listen...

Board Member Brady stated right.

Chairman McNulty stated we're going to hold your feet to the fire but we've worked with you.

Board Member Brady stated right.

Board Member Taylor stated well...

Chairman McNulty stated as long as you review the new plan and it doesn't...

Rich Williams stated we're going to make sure it will all work.

Chairman McNulty stated so, do we need to make a motion on that.

Rich Williams stated no. I'm just going to let him go do it.

Chairman McNulty stated okay.

Rich Williams stated but I wanted your acknowledgment before I did anything.

Chairman McNulty stated yeah, as long as he knows we're trying to work with him. So we'll be looking for him maintain his stormwater treatment.

Board Member Taylor stated well, if he's gone to Insite that's a good step right there.

Chairman McNulty stated yeah. Yeah.

Rich Williams stated alright.

Chairman McNulty stated okay.

Rich Williams stated what's next.

d) Ice Pond Estates – Well and Easement Locations

Chairman McNulty stated we have Ice Pond Estates; Well and Easement location.

Rich Williams stated oh, yeah.

Board Member Brady stated you're doing a lot of presentations tonight.

Rich Williams stated yeah. Where'd he go.

Board Member Taylor stated yeah, where's all this paperwork...

Chairman McNulty stated who, Rick.

Board Member Taylor stated we're supposed to get two weeks before these meetings.

Rich Williams stated well, these all just came in so...

Board Member Taylor stated okay.

Board Member Montesano stated so this is the new year. We're going into...

Rich Williams stated I'm just trying to be efficient.

Ted Kozlowski stated hot off the press.

Rich Williams stated yeah, I mean, we're dealing with a lot of stuff.

Board Member Montesano stated you want to vote on something.

Board Member Taylor stated no, I don't want to vote on anything.

Board Member Montesano stated oh, good. Then we don't need to...

Board Member Taylor stated I would just like to have a chance to read something and look at it beforehand.

Board Member Montesano stated (inaudible – too many talking).

Board Member Taylor stated alright, while we're on Ice Pond, I've got a question for Mike here. Oh, he's busy texting. I'm sorry.

[Laughter].

Mike Liguori stated the boss, busted.

Board Member Montesano stated he had to check in with the...

Board Member Taylor stated the emails that we have...

The Secretary stated you need this.

Board Member Taylor stated and the documents that we have.

Rich Williams stated yeah. You have that there.

Board Member Taylor stated say I wanted to put a plan into the archives into of the Historical Society. Are these documents privileged in some way or are they public domain or, I mean...

Mike Liguori stated well, you would...What capacity are you operating in.

Chairman McNulty stated historian or planning board member.

Rich Williams stated well, I guess that the question is that the historical Society, are they a public agency.

Mike Liguori stated yeah, I mean, are they...Is it a Town.

Board Member Taylor stated no.

Board Member Brady stated no.

Mike Liguori stated no. Then they'd have to be FOILED.

Board Member Taylor stated okay. That's what I wanted to know.

Rich Williams stated well, but if he's not a public agency is he subject to FOIL.

Mike Liguori stated well, hold on. He's asking about documents that are Town documents to bring into the archives...

Rich Williams stated oh, I'm sorry.

Mike Liguori stated of the...

Rich Williams stated I'm sorry.

Mike Liguori stated yeah.

Board Member Taylor stated okay. That's all I wanted to know. I just...

Chairman McNulty stated good question.

Rich Williams stated do you...

Board Member Brady stated Sarah's going to love you.

[Laughter].

Rich Williams stated what Town documents are we talking about.

Board Member Taylor stated well...

Rich Williams stated stuff in my department.

Board Member Taylor stated no.

Rich Williams stated okay.

Board Member Taylor stated like Ice Pond.

Rich Williams stated then I don't care.

Board Member Taylor stated the Ice Pond plot, for example, that has the historic little building preserved on it. Something like that. That's the kind of thing I would stick in a file and...not that anybody's going to see it but in the future or someday if somebody looks, there it is. It's on the plot, you know.

Rich Williams stated okay. I have it...

Board Member Taylor stated so I just...

Rich Williams stated digitally, so...

Board Member Taylor stated well, I know we have it digitally. But that's why I was asking about it. It's not just the fact it's paper. But the digital documents are the same thing, right. They have to be FOILED...

Mike Liguori stated same thing.

Board Member Taylor stated too. Yeah.

Mike Liguori stated yeah.

Board Member Brady stated yeah.

Board Member Taylor stated alright, so that's...

Mike Liguori stated and, you know, you could...We could just give you a letter. The Town Clerk could.

Board Member Taylor stated alright. So, I just was curious.

Rich Williams stated Ice Pond Estates Subdivision. They're working to wrap up their requirements in order to meet their conditions of their approval. One of those...One of the things they have to do is they have to go out there and drill some test wells to meet the Health Department requirements. So, they have for Lot 15 a well that they chose and they went out and had the surveyor flag it and the well driller go out and drill it, it is right on the edge of the 20' wide drainage easement. When they went back and picked the well up that was drilled by the well driller, it went from being on the edge of the easement to 2.5' inside the easement.

[Laughter].

Board Member Taylor stated of course.

Board Member Ladau stated go to watch out for those easements; they keep moving.

Board Member Montesano stated you know how the drill wanders if you don't...

Rich Williams stated yeah.

Board Member Montesano stated if you don't....

Chairman McNulty stated so what does that require of us.

Rich Williams stated well, my opinion is it really doesn't impact that the drainage coming through there, the pipe coming through there, or our ability to go in and maintain that pipe because it's still is like right on the edge. Two and a half feet in a 20' wide easement. We still have plenty of room. But again, you know, I'd like the Board to acknowledge that it, you know, their acceptance of the change in the location of the well and then we're just going to have to modify the easement.

Board Member Brady stated okay.

Rich Williams stated because I want, you know, I want the easement to recognize and I want the property owner to recognize that the well is in the easement.

Chairman McNulty stated that the well is in the easement now.

Rich Williams stated correct.

Board Member Brady stated now is this...This is a test well. Is this a well for one of the houses and they're going to use. It's a test...

Rich Williams stated yes.

Board Member Brady stated well, but they're going to use it for the house.

Rich Williams stated yes. No, it's a useable well.

Board Member Brady stated okay.

Rich Williams stated yeah.

Board Member Montesano stated okay. Next question I want to ask is, it's going to be in the easement. Is there going to be some kind of deed restriction to the owner of that property that they can't just come in with the well rig in case they have to redrill that hole or...and damage everything within 20' of the hole without redoing it.

Rich Williams stated well, there's going to be some sort of notice either in the easement or the deed and probably it's just the easement. I don't know that we need anything in the deed.

Mike Liguori stated no. Just the...If we're going to amend the easement document, then it's going to have the language that's already in easement documents that say any land that's disturbed in connection with the performance of the work, you know, contemplated herein, they'll restore the premises back to...

Chairman McNulty stated here, pass him the microphone. Sarah's going to be struggling with that one.

The Secretary stated inaudible.

[Laughter].

Ron Gainer stated inaudible.

Chairman McNulty stated thank you, Mike.

Mike Liguori stated it will be resolved.

[Laughter].

Chairman McNulty stated so that doesn't create an easement over an easement, does it so to speak.

Mike Liguori stated umm...

Chairman McNulty stated or does the easement line get redrawn around the well...

Rich Williams stated no.

Chairman McNulty stated for the 2.5'.

Mike Liguori stated no, we're just going to recognize...

Chairman McNulty stated just going to acknowledge the well is in the easement.

Mike Liguori stated that the well is in the easement.

Rich Williams stated yeah.

Chairman McNulty stated okay.

Rich Williams stated put the property owner on notice.

Chairman McNulty stated so do you need a formal motion from us. It's just an acknowledgement that we recognize that. I have no problem with that.

Board Member Montesano stated okay.

Chairman McNulty stated okay.

e) Appointment of Vice Chair

Chairman McNulty stated next on the list brings...I guess it's in the...

Board Member Montesano stated victimization.

[Laughter].

Chairman McNulty stated is being invested with the authority as a Chairman, I'd like to, if Ron would accept, to appoint as Vice Chair to continue.

Board Member Taylor stated fine...

Board Member Brady stated I second it.

Board Member Taylor stated I will accept this.

Chairman McNulty stated okay.

Board Member Brady stated I seconded it.

Board Member Taylor stated it's not a second.

f) RP Development Lot Line – Septic Location

Rich Williams stated I have one more.

Chairman McNulty stated oh, I'm sorry Rich.

Rich Williams stated well it wasn't on the agenda. I mean, these things are just coming in.

Chairman McNulty stated okay. Hey, we're busy.

Ron Gainer stated moving that along.

Rich Williams stated moving right along. So, the Board approved a lot line adjustment for RP Development a month or so ago.

Chairman McNulty stated condolences.

Rich Williams stated condolences.

[Laughter].

Rich Williams stated one of the conditions of that was that the Applicant show the septic system on the plat.

Board Member Taylor stated yeah.

Rich Williams stated because we want to know where it is. We want to make sure it's not going to be on the adjacent lot.

Chairman McNulty stated this is the one from November we approved.

Rich Williams stated yeah, whenever it was.

Chairman McNulty stated yeah, okay.

Rich Williams stated so, low and behold, the septic system is on the adjacent property.

Board Member Taylor stated on the adjacent property.

Rich Williams stated so they have acknowledged, even prior to coming in here because they knew that that in the deed of sale that the owner of Lot 2 when they went to build, would move the septic system out of the, you know, the means of access...

Chairman McNulty stated isn't that the roadway almost.

Rich Williams stated excuse me.

Chairman McNulty stated isn't this almost in the roadway here.

Rich Williams stated well, yeah. The roadway's very close to here.

Chairman McNulty stated yeah, okay.

Rich Williams stated but they're going to move the septic system for Lot 1, you know, to a suitable location here [referring to plans]. I don't know that Health Department is going to accept this. You know, I'm waiting to hear but as I explained to him my opinion would be that we put some sort of timeframe on it because what ultimately will happen is Lot 2 won't build. He'll sell this off. Lot 1 will sell this off and the new property owners all of the sudden when he goes to build will be told you've got to go on the property, you know, and redo the septic system and he's going to say I didn't know that.

Chairman McNulty stated if I remember right, Lot 2 was Joe Reilly.

Rich Williams stated yes.

Chairman McNulty stated okay. So...

Rich Williams stated you see what I'm talking about.

Chairman McNulty stated we...

Rich Williams stated here's the access in to...2 we created.

Board Member Brady stated mmhmm.

Rich Williams stated here's the septic system on the access.

Board Member Brady stated wow.

Rich Williams stated they don't want to move it until they build on this lot.

Board Member Brady stated okay.

Rich Williams stated my recommendation is...

Chairman McNulty stated we made a condition for the septic on our approval or we didn't do that.

Rich Williams stated you made a condition that they show the septic system. They've showed it. But, you know, now that they showed it and it's not on the lot then, you know, my recommendation is that we put a timeframe in at a minimum in which that septic system has to get moved.

Board Member Montesano stated done by June.

Rich Williams stated well, and certainly, you know, prior to the sale to any party of either of the lots.

Board Member Montesano stated or he won't get his CO.

Rich Williams stated so I'm waiting to hear back from the Health Department. If the Planning Board occur...you know, concurs with that then if the Planning Board...If the Health Department says it's okay then I'm still going to bring it back to the Planning Board.

Chairman McNulty stated so what happens if they say it's not okay. Can we rescind that lot line.

Rich Williams stated if the Health Department says it's not okay, then the Health Department has basically told them that they have to go move that septic system now.

Chairman McNulty stated but what if Lot 1 is not...doesn't have a good place to put...

Rich Williams stated well that's...

Chairman McNulty stated the septic system.

Rich Williams stated that's the concern.

Chairman McNulty stated yeah. And then...

Board Member Montesano stated that's the problem.

Chairman McNulty stated so then how does that come back to us. That's what my question is. Can we rescind...

Mike Liguori stated well, you...

Chairman McNulty stated the lot line after approving it.

Mike Liguori stated you don't even have to because they can't record the map.

Board Member Taylor stated without the approved septic.

Chairman McNulty stated without the Health Department's approval.

Mike Liguori stated right. On this particular plan. If I understand what they're doing correctly, then...If they don't have the Health Department's stamp, they can't record. So our resolution would just expire on its own merits unless...

Rich Williams stated right.

Mike Liguori stated you wanted to take a, you know, affirmative act.

Board Member Taylor stated well...

Rich Williams stated if they do get Health Department approval then, you know, my recommendation is...

Chairman McNulty stated still put a time limit on it.

Mike Liguori stated do they still have to come back to us.

Rich Williams stated I would say...They...Technically they don't have to come back to us.

Mike Liguori stated to sign the plat, right.

Rich Williams stated but to sign the plat.

Mike Liguori stated to sign the plat they do.

Rich Williams stated yes, they do.

Mike Liguori stated okay.

Rich Williams stated but at that point I'd bring it back to the Planning Board...

Mike Liguori stated yeah, I'd...

Rich Williams stated and...

Chairman McNulty stated what's the name of that applicant again.

Mike Liguori stated Horton and RP.

Rich Williams stated RP Development.

Board Member Montesano stated does he have a who.

Board Member Taylor stated hasn't there been a situation in the past where the County has filed plans with things that are incorrect in them and haven't bothered to check.

Mike Liguori stated well, you're not going to...They will file deeds in any way that you present them provided that they meet the requirements of being notarized correctly and have a meets and bounds description, but they don't care if it's been approved. But a map is a different story.

Rich Williams stated opinions vary on that.

Mike Liguori stated yeah, well that's...

Rich Williams stated and I fight this fight all the time. Real Property law says you need to record a deed with the tax map number on it.

Mike Liguori stated right.

Rich Williams stated they record the tax map number xyz part of.

Mike Liguori stated right. Right, part...

Rich Williams stated part of is not a tax map number.

[Laughter].

Mike Liguori stated no. Well, they do that because there are parcels created that don't get assigned tax map numbers. That's why they do it.

Rich Williams stated well, you know what, when they do a subdivision they take it down to Real Property and Real Property sits right there and assigns tax map numbers.

Mike Liguori stated yeah, well...

Rich Williams stated alright, so...

Mike Liguori stated I've been in situations where there are...dealt with parcels, for instance, you know, strips long roads. Road widening strips don't have...When you convey them to a Town, they don't have tax map parcels. And they're going to an entity that doesn't have any tax map parcel whatsoever.

Rich Williams stated then they can just merge that right in with the right-of-way.

Mike Liguori stated well, they do but it says, you know, on my deeds I put formerly part of, to be become part of...

Board Member Taylor stated the reason I ask was you said we could just let it lie because they can't file it.

Mike Liguori stated right.

Board Member Taylor stated or we could be more proactive. The reason I asked was well, they might file it anyway.

Mike Liguori stated no, they can't.

Rich Williams stated they can't file it.

Mike Liguori stated they can't.

Board Member Taylor stated they can't.

Mike Liguori stated it's not a deed.

Rich Williams stated not without your signature and you haven't signed it.

Mike Liguori stated right.

Board Member Taylor stated alright. So then we don't need to be proactive because we...

Mike Liguori stated no.

Board Member Taylor stated would be controlling.

Mike Liguori stated because of that, yeah. And unlike a deed where they're not, you know, a map gets a little more scrutiny than the deed because of...

Board Member Taylor stated yeah.

Mike Liguori stated you're going to have a big, fat blank on it.

Chairman McNulty stated yeah.

Mike Liguori stated you know.

Board Member Taylor stated okay. That's fine because we can't sign that.

Chairman McNulty stated yeah, we can't.

[Laughter].

Board Member Taylor stated we can't sign it.

Board Member Montesano stated you're not signing the papers.

Chairman McNulty stated so.

Board Member Brady stated let the Vice Chairman sign it.

[Laughter].

Chairman McNulty stated he's not signing it either.

Board Member Taylor stated I'm not signing it either.

Chairman McNulty stated okay. Anything else on that, Rich.

Rich Williams stated nope.

Chairman McNulty stated any other surprises.

Rich Williams stated no, I think that's it.

Chairman McNulty stated okay.

Board Member Montesano stated clean your board off already.

Board Member Taylor stated is there a surge in Town for sales...car lot sales or something. I mean, it seems like we had all these memos about people who want to start selling cars or are already selling cars.

Board Member Ladau stated yeah, because it's action...

Chairman McNulty stated well, Motorsports Equipment...

Board Member Montesano stated M&B.

Chairman McNulty stated the economy's on an uptake. Gas is \$2.50 a gallon.

Mike Liguori stated time to buy a suburban.

Board Member Taylor stated so...

Ted Kozlowski stated under two [dollars] in New Jersey.

Board Member Montesano stated all of the sudden he's (inaudible – papers shuffling) Jersey.

Mike Liguori stated I was in law school the last time it was under two.

[Laughter].

7) Minutes

Chairman McNulty stated so we have any comments or is that it.

Board Member Montesano stated how about the minutes.

Chairman McNulty stated well, we have minutes on the schedule. I have not looked at December. But I have looked at the two November minutes. Is anybody else up to speed.

Board Member Montesano stated yeah, I looked at even December's.

The Secretary stated thank you.

Board Member Brady stated I...One of those meetings I missed. I don't know which one it was. It was...

Board Member Montesano stated it was the one in the middle.

[Laughter].

Board Member Montesano stated it is.

Chairman McNulty stated are we good to make a motion on November's meetings.

Board Member Montesano stated yeah, I have no problem.

Chairman McNulty stated I'll make a motion to accept the minutes from November 6, 2014 and November 24, 2014.

Board Member Montesano stated and I'll second it.

Chairman McNulty stated all in favor. *Motion carried by a vote of 4 to 0 for the November 6, 2014 minutes and motion carried by a vote of 5 to 0 for the November 24, 2014 minutes.*

Board Member Brady stated I'm in favor but I need to abstain from whatever meeting I wasn't at.

The Secretary stated okay.

Board Member Brady stated okay.

Chairman McNulty stated okay. And then we'll address December at in the next meeting.

Board Member Brady stated okay.

Board Member Montesano stated be that way.

Chairman McNulty stated anybody have any other comments. Make a motion to adjourn.

Board Member Montesano stated second.

Chairman McNulty stated all in favor. *Motion carried by a vote of 5 to 0.*

Meeting was adjourned at 8:30 p.m.