

**PLANNING DEPARTMENT**

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**TOWN OF PATTERSON  
PLANNING & ZONING OFFICE**

**Planning Board  
January 28, 2016 Meeting Minutes**

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

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

Mary Schartau was the secretary for this meeting and transcribed the following minutes.

Chairman McNulty called the meeting to order at 7:02 p.m.

**1. Birch Hill Associates, LLC – Wetland/Watercourse Permit Application (Cont.)  
180 Birch Hill Road  
Tax Map #4.-1-76**

No one was present to represent the application.

Ron Gainer stated that he has been working with Zarecki & Associates, LLC to revise the submitted plans, and that they are close to being ready. Chairman McNulty confirmed that the Planning Board is going to move forward with SEQR, and it was determined that a public hearing will have to be held on the application due to its proximity to Stephen's Brook.

**2. White Birch Realty – Site Plan (Continued Review)  
35-37 Commerce Drive  
Tax Map #23.-2-10**

Pete and Christine Monteleone were present to represent the application.

Chairman McNulty acknowledged that the applicant had submitted everything that had been requested. Rich Williams stated that he was working on finishing a comment memo, and that the plans were currently in good shape, as the Planning Board had declared their intent for lead

agency at the last meeting. He will be in contact with Ralph Alfonzetti (Alfonzetti Engineering, P.C.) about changes to be made to the EAF.

Board Member Taylor stated that the EAF was filled out incorrectly, and that the wrong boxes were checked in several places on the form. The Planning Board agreed that the rest of the document can be circulated for notice for Lead Agency.

Chairman McNulty stated that the SWPP and final engineering must be completed and that the applicant must now focus on plan details, including the building details, elevations, heights, landscape plans. Supervisor Williams confirmed that he and Ron Gainer will work with Ralph Alfonzetti to move the engineering aspect of the project along.

Supervisor Williams stated that because the application was initially for a plan with no building on it, the application and escrow fees previously submitted have been credited toward the account. The addition of the building to the plans means that the applicant must submit additional application and escrow fees. He also discussed the details of the memo that he is currently writing, including the need for the metal trailer to be removed from the site and for the dumpster pad to be constructed of concrete or asphalt, rather than gravel.

Pete Monteleone stated that the building will be composed of both warehouse and office space and confirmed that the existing building's parking lot is now connected to the new building. Ron Gainer stated that he had not yet looked at the plans.

**3. Black Birch, LLC – Site Plan (Continued Review)**  
**56 Commerce Drive**  
**Tax Map #34.-3-58**

Pete and Christine Monteleone were present to represent the application.

Supervisor Williams stated that he is working on a memo for the project and that the issues with this project are almost identical to those at White Birch Realty: that the plans need to be touched up.

Pete Monteleone stated that the building would be three stories with one below, and that it is slightly lower than the maximum height requirements; he also confirmed that the building received the appropriate variances from the Zoning Board.

The Planning Board did a site walk previously, but, had not yet declared their intent for lead agency for SEQR. Supervisor Williams confirmed that he has not yet seen an EAF for the project, and Board Member Taylor informed the applicants that only a short EAF is required.

Pete Monteleone stated that he has verbal confirmation for five out of the seven properties on the street for the road maintenance agreement; Supervisor Williams confirmed that if there are property owners on the street that will likely not build on their lots and will not sign the maintenance agreement, the Town of Patterson can include provisions in the maintenance agreement that those property owners cannot build on the lots in the future until they are paid up on the road maintenance agreement. Christine Monteleone also requested that the Planning and Zoning Department provide documentation of frontage amounts for all of the lots involved in the road maintenance agreement for her to give to their attorney.

Tom McNulty stated that the Planning Board would wait for some further review from Supervisor Williams and look to do lead agency and move SEQR along. Pete Monteleone was instructed to get final detail for lighting and landscape; the Planning Board acknowledged the tree species are identified on the submitted plans, but confirmed that a schedule of plantings is required.

#### **4. Camp RE: Lake Charles Dam – Wetland/Watercourse Permit App**

No one was present to represent the application.

Ted Kozlowski stated that while he finds the wetland flagging to be sufficient, he did recommend that the board schedule a site walk on the site to evaluate the dam and familiarize themselves with the area to better understand the repercussions of a potential breach. Ted also urged Robert McCarthy to condemn most (“if not all”) of the buildings currently on the site, and also to examine a rotting oil tank on the site that is located adjacent to a stream. Ted noted that he did speak with Andrew Fetherston of Maser Consulting, P.A and was given the impression that the buildings were going to be demolished. Supervisor Williams confirmed that the DEC and DEP have both signed off on the submitted plans, and that he, therefore, would not be doing a review.

The board scheduled a site walk for Saturday, January 30, 2016 at 7:00 AM; Ron Gainer and Ted Kozlowski will also be attending.

#### **5. Other Business**

##### **A. Site Plans & Code Violations**

Rich Williams explained to the Planning Board the process through which site plan violations are remedied, and Robert McCarthy discussed the difficulties faced by the Building Department in enforcing the code to bring properties into compliance.

The Planning Board explained to Robert McCarthy what corrections need to be made to bring several properties into compliance; these included the properties of S.A. Hebert (20 Jon Barrett Road) and Jay Maxwell (3161-3169 Route 22). Rich Williams told Robert McCarthy that he would go out to Jay Maxwell’s site with him to explain what areas of the site must be cleaned up to bring the property into compliance.

##### **B. Hamlet Zoning**

Chairman McNulty reintroduced the Planning Board’s previous discussion about the potential of establishing floating zones (and their respective criteria) in the hamlet for Bed & Breakfasts. Board Member Taylor suggested that the Planning Board consider establishing floating zones town-wide, rather than only within the hamlet, with the understanding that further criteria may need to be established. A recommendation will then need to be made to the Town Board, who would be responsible for implementing the change. The Planning Board agreed to review the section of the comprehensive plan that addresses floating zones and will try to formulate a recommendation to the Town Board at the next meeting.

### **C. Comprehensive Plan**

Chairman McNulty further discussed the potential for implementing form-based code in the hamlet, recognizing that water, parking, traffic flow, and stormwater are hindrances to the development. He also stated that the setbacks currently required of a GB-Zoning District may be difficult for developers to meet, and revisited the possibility of designating a specific Zoning District just for the hamlet. Different strategies of enticing developers were discussed, in addition to reiterating the need to improve the public transit system and determining the need for residential versus retail space in the hamlet. Board Member Ladau introduced the idea of partnering with a local school to have a class design an architectural plan for Front Street. The Planning Board agreed to look into these projects further prior to their next meeting.

### **D. Recurring Problems**

Board Member Taylor expressed his concern about potential inconsistencies regarding signage along Route 22, and discussed the possibility of standardizing the variance amounts that are given for signs. He also introduced the idea of creating a standardized checklist for determining which properties require paved driveways and which do not.

### **E. Minutes**

Ted Kozlowski confirmed that he sent changes to be made to the minutes to Sarah Mayes (Secretary in Planning and Zoning Department) prior to the meeting. All members of the Planning Board had not reviewed the minutes prior to the meeting; they will make a decision on the minutes at their next meeting.

- Chairman McNulty motioned to adjourn the meeting. Board Member Ladau seconded the motion. *Motion passed by a vote of 4 – 0.*

Meeting adjourned at 8:30 p.m.