

PLANNING DEPARTMENT

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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

**Planning Board
February 4, 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, 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 7:00 p.m.

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

Curt Johnson from Zarecki & Associates, LLC was present to represent the application.

Ron Gainer stated that he has been working with Zarecki & Associates, LLC to review the plans for the pond, and confirmed that he is satisfied with the most recent set of plans that was submitted.

Curt Johnson gave an update on the project, including the plan to raise the freeboard around the pond by one foot and increase the protection of the outlet with rip rap. He also stated that he hickory tree on the site will remain, and that an attempt will also be made to preserve the apple trees. Ron Gainer recommended that when the Planning Board does take an action on the application, it is conditional upon Tod Kozlowski being on site when the initial grating is done to determine whether the trees can be spared.

Curt Johnson stated that work is set to begin in early spring. Chairman McNulty stated that a public hearing must first be set because the project will be affecting Stephen's Brook.

- Chairman McNulty motioned to declare a negative SEQR determination. Board Member Ladau seconded the motion. *Motion passed by a vote of 4 -0.*
- Chairman McNulty motioned to set a public hearing on the application for the March 3, 2016 Planning Board meeting. Board Member Brady seconded the motion. *Motion passed by a vote of 4 - 0.*

**2. White Birch Realty – Site Plan & Wetland/Watercourse Permit Application
(Continued Review)
35-37 Commerce Drive
Tax Map #23.-2-10**

Ralph Alfonzetti from Alfonzetti Engineering, P.C. was present to represent the application.

Ralph Alfonzetti confirmed that the necessary variances were obtained from the Zoning Board of Appeals. He also stated that the SWPP was submitted, and Ron Gainer confirmed that he is currently reviewing it. Rich Williams did a review of the SWPP; Chairman McNulty advised the client to consult that review when moving forward with the plans.

Ron Gainer confirmed that lighting details are included on the plans. Ralph Alfonzetti confirmed that he had submitted a detailed schedule of plantings; it had not yet been circulated to the Planning Board. Ralph Alfonzetti also explained the details of the current septic system; he is still waiting on Putnam County Health Department approval.

Ron Gainer pointed out that the topography of the site is going to result in a fair amount of material being removed from the property. The Planning Board requested that the amount of material being removed from the site and transported outside of Commerce Park be quantified on paper to help the Planning Board determine the possibility for any construction or traffic issues.

Ralph Alfonzetti confirmed that there is a stone wall around the wetlands on the site, protecting them with a continuous physical barrier. Board Member Taylor pointed out that a short EAF is all that is required of the application, and that there is very little concern about the environmental impacts of the project.

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

Ralph Alfonzetti from Alfonzetti Engineering, P.C. was present to represent the application.

Ralph Alfonzetti confirmed that the necessary variances were obtained from the Zoning Board of Appeals. He also stated that the building will be constructed with a green roof to mitigate stormwater, as it is a large building on a small site.

Board Member Taylor stated that this site, too, has a solid stone wall between the wetlands and the structure, which creates a physical barrier to protect the wetlands. He also asked about the suitability of the site for the construction of a basement to the building due to water. Ralph Alfonzetti confirmed that test pits were done, and that most did not hit water. However, some in a different location did, and, therefore, it has yet to be determined whether a basement

constructed with pumps will be sufficient to allow the developer to move forward with the current plan to construct a basement in the building.

Ralph Alfonzetti confirmed that parking on-site would not be problematic, as the building is strictly for storage and will only have between two and six employees.

Ted Kozlowski and Ralph Alfonzetti addressed concerns about any spills on-site, confirming that each car would be stored in an individual steel apron and would be transported without ever running. There will be no washing or servicing on the site.

Chairman McNulty instructed Ralph Alfonzetti to continue working on the renderings and architectural details for the building, including lighting and planting details. The board will review the short EAF and Ron Gainer will review the SWPP and give his comments to Ralph Alfonzetti before the next meeting.

- Chairman McNulty motioned to declare the Patterson Planning Board lead agency on the project. Board Member Ladau seconded the motion. *Motion passed by a vote of 4 -0.*

Notice for Lead Agency will be circulated.

**4. Camp RE: Lake Charles Dam – Wetland/Watercourse Permit App
111 Ballyhack Road
Tax Map #35.-5-44**

Andrew Fetherston with Maser Consulting, P.A. was present to represent the application.

Andrew Fetherston explained the history of the project; the current plan involves placing fill and stone, and putting in a pipe between the two wetland lines, for which they have received a DEC permit. They are still waiting for the DEP relocation permit.

The Planning Board completed a site walk on Saturday, January 30, 2016; however, an EAF was never submitted. Andrew Fetherston submitted a copy of the EAF (previously submitted to the DEP) to the secretary at the meeting.

Andrew Fetherston stated that the Hazard Class on the dam has been reduced from “B” to “A” (because the camp is abandoned, and, therefore, would not directly endanger anyone if it were to be breached), though it was built to the “B” standard. He also stated that trees would be removed, stumps would be pulled, and then the soil will be replaced with select fill and rip rap.

The Planning Board will determine whether a public hearing is necessary. Ted Kozlowski recommended that only properties downstream be notified. The applicant has paid all of the required fees.

Ted Kozlowski asked about the future of the structures on the site; Andrew Fetherston stated that the buildings would likely be left to decay. Ted Kozlowski also expressed his concern about any fuel tanks on the site; Andrew Fetherston replied that he would mention it to the property owner.

5. Other Business

A. Hamlet Zoning

Chairman McNulty stated that he would like to re-recommend the addition of Bed & Breakfasts to the Town Code, and the possibility of implementing floating zones. Michael Liguori explained the difference between overlay zones and floating zones, namely how precisely they are defined (as far as the boundaries of the zone). He stated that the easiest way to include Bed & Breakfasts in the Town Code is to add it as a special permit use in all of the residential districts. The Planning Board also discussed which roads (county, town, private) would be appropriate to locate a Bed and Breakfast, and concluded that evaluating properties on a case-by-case basis would be best.

- Chairman McNulty motioned to make a recommendation to the Town Board to amend the Town Code to permit Bed and Breakfasts as a use, subject to the criteria that the Planning Board has determined would make it appropriate, and including traffic in that review. Board Member Taylor seconded the motion. *Motion passed by a vote of 4 -0.*
- Board Member Taylor motioned to make a recommendation to the Town Board that the zoning map be digitized and added to the town website. Board Member Ladau seconded the motion. *Motion passed by a vote of 4 -0.*

B. Comprehensive Plan

Chairman McNulty drafted an interoffice memo dated January 31, 2016 about the revitalization of the Hamlet and discussed the use of form-based code in doing so. Mike Liguori explained that an amendment to the comprehensive plan about reanalyzing just the hamlet could be adopted. Board Member Ladau expressed his concern about the need for a mechanism to review and approve what it being proposed if form-based code were to be used.

Board Member Ladau discussed the idea of reaching out to a local school (such as Columbia) that has an architectural or urban planning program to develop a hamlet design. He also cautioned of the importance of being able to articulate what the Planning Board's vision before doing so. He also volunteered to draft a letter to the head of Columbia for Supervisor Williams to sign. Board Member Taylor stated that he would like the Planning Board to review the history of the hamlet, including previous plans that had been drawn up for the hamlet, and will get those plans to the other board members.

Chairman McNulty asked the secretary to add "Hamlet Revitalization" under "Other Business" to every meeting agenda indefinitely.

- Chairman McNulty motioned to make a recommendation to the Town Board to consider form-based code for use in the revitalization of the hamlet area. Board Member Brady seconded the motion. *Motion passed by a vote of 4 - 0.*

C. Recurring Problems

Board Member Taylor discussed the Planning Board revisiting the issues discussed at the last meeting in more detail (signs, driveway paving, useable land, etc.) by compiling a list and then deciding what order to address them in at future meetings.

D. Minutes

- Chairman McNulty motioned to approve the minutes from November 5, 2015, November 24, 2015, December 3, 2015, and December 29, 2015. Board Member Ladau seconded the motion. *Motion passed by a vote of 4 -0; Board Member Brady abstained from voting on the December 29, 2015 minutes, as he was not in attendance at the meeting (approved by a vote of 3 – 0).*

E. Metro-North Cell Tower

The Planning Board discussed the documents received from Metro-North about the cell tower to be erected on Route 164. Board Member Taylor confirmed that the historical society did receive paperwork from Metro-North, but had no need to respond.

F. Training

Chairman McNulty stated that he would speak to Supervisor Williams about the Planning Board attending the April New York Planning Federation training session in Saratoga, NY.

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

Meeting adjourned at 8:30 p.m.