

TOWN OF PATTERSON
PLANNING BOARD MEETING
February 6, 2014



AGENDA & MINUTES

	Page #	
1) AT&T/Nolletti Site – Site Plan Application	2 – 3	Public Hearing opened. Awaiting Owner Authorization and details.
2) Triple B BBQ – Sign Application	3	Granted at 1.30.14 Work Session
3) Haviland Farms – Site Plan Application	3, 15 – 28	Discussion of septic system, wetlands intrusions, and glare issues.
4) Fox Run – Site Plan Application	3 – 15	Discussions of ridgeline, view shed, and traffic analysis.
5) Ice Pond Estates – Final Plat	28 – 38	Public Hearing on Wetlands Application waived. Discussion of easement, DEP, and conditional final approval.
6) Frog Hill LLC – Site Plan Application	38 – 51	Discussion of garage use, wetlands delineation, and septic system.
7) Garrett Site Plan – Parking Area for Walsh’s Town Tavern	51 – 58	Discussion of site use, parking layout, parking signage, striping. Site Walk TBD.
8) Anthony Boniello – Site Plan Application	58 – 70	Discussion of site, parking, impacts, wetlands, and signage.
9) Other Business		
a. NYSEG Site Plan – Request to be Tabled	70 71-72	Discussion of Smart Grid Program
b. Watchtower – Sign Modification	70-71	Sign approved as submitted.
10) Minutes	72	December 23, 2013 & January 9, 2014 Approved.

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Planning Board
February 6, 2014 Meeting Minutes
Held at the Patterson Town Hall
1142 Route 311
Patterson, NY 12563

APPROVED

Present were: Chairman Shawn Rogan, Board Member Thomas E. McNulty, Board Member Michael Montesano, Board Member Ronald Taylor, Rich Williams, Town Planner, Ted Kozlowski, Environmental Conservation Inspector, Ronald J. Gainer, Town Engineer, and Michael Liguori of the Town Attorney's office, Hogan & Rossi.

Chairman Rogan called the meeting to order and led the salute to the flag.

There were approximately 8 members of the audience

The meeting was called to order at 7:02 p.m.

Michelle Lailer was the Secretary and transcribed the following minutes.

Chairman Rogan stated thank you, Michelle before you read the public notice, first item on the agenda prior to number one is appointing Vice Chairman. I appoint Tom McNulty, if he's willing, to be Vice Chairman for this year.

Board Member McNulty stated sure, I'll accept.

Chairman Rogan stated thank you and secondly I wanted to welcome the Town Engineer, Ron Gainer, welcome back, welcome back home.

Mr. Gainer stated thank you.

Chairman Rogan stated happy to have you.

Mr. Gainer stated thanks.

Ted Kozlowski stated hey Ronnie.

Chairman Rogan stated and Michelle said you already know everything about every application going on.

Mr. Gainer stated not exactly but I'll get there.

Chairman Rogan stated alright so the hot light is over here, so we'll put you. Okay, Michelle, please the first public hearing, the only, the only public heard.

1) AT&T/NOLLETTI SITE PLAN – Public Hearing

Mr. Joseph Rollins of Black & Veatch was present.

The Secretary read the following legal notice into the record:

NOTICE IS HEREBY GIVEN by the Town of Patterson Planning Board of a public hearing to be held on Thursday, February 6, 2014 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 **AT&T Site Plan Application to allow for the expansion of the existing telecommunications compound for the installation of an emergency generator and associated 4' by 10' concrete pad.** The property is located at 2680 Route 22 (C-1 Zoning District), Patterson, New York. All interested parties and citizens will be given an opportunity to be heard in respect to such application.

Chairman Rogan stated good evening, you're here for this application.

Mr. Rollins stated yes. Good evening, my name is Joseph Rollins, I'm here from Black & Veatch on behalf of AT&T Wireless. We are proposing an emergency generator to back up the AT&T Wireless equipment so, we're doing about 700 throughout the tri-state area, this is a direct response of Sandy and all those communities that were affected last year. This is part of AT&T's ongoing project just to upgrade the equipment, god forbid we have another storm then people will still be able to make calls.

Chairman Rogan stated do we have any questions or comments from anyone in the audience on this application. We're going to leave this public hearing open, there was an issue with the letter of authorization that we have to clarify before we close the public hearing but I'm sure you're aware, you have the memo that there's an issue with the fence.

Mr. Rollins stated yup, ypu.

Chairman Rogan stated you know how you want to resolve that.

Mr. Rollins stated we're working on it but we'll have it together before the 6th of March, absolutely, if not sooner.

Chairman Rogan stated alright, very good, fantastic. Anything from anyone else on this application for tonight.

Board Member McNulty stated no, it was just the fence I saw about the height.

Board Member Montesano stated no.

Chairman Rogan stated okay, thank you.

Mr. Rollins stated very good, thank you.

Chairman Rogan stated have a great evening, it pays to be first on the list. See that in and out.

Board Member McNulty stated close the public hearing.

Chairman Rogan stated no, we're keeping it open.

Board Member McNulty stated still open.

Chairman Rogan stated yeah, okay, okay...

2) TRIPLE B BBQ – Sign Application

Chairman Rogan stated the second item on the agenda Triple B BBQ sign application, we approved at the work session, third item on the agenda is Haviland Farms site plan application, anyone here for that application, come on up sir.

3) HAVILAND FARMS – Site Plan Application

Mr. Wheeler stated is it okay if I wait until Guido shows up.

Chairman Rogan stated sure, you got it.

Mr. Wheeler stated he'll be here in like 5 minutes.

4) FOX RUN – Site Plan Application

Mr. Kurt Johnson of Zarecki & Associates and Mr. Bob Marvin of Marvin & Marvin, were present.

Chairman Rogan stated sure, do we have anyone here for Fox Run.

Mr. Johnson stated yes.

Chairman Rogan stated good.

Mr. Johnson stated how are you tonight.

Chairman Rogan stated good evening, how are you.

Mr. Johnson stated good thanks.

Mr. Marvin stated do you need help putting this up, is this all together.

Mr. Johnson stated yeah. Alright, Kurt Johnson from Zarecki & Associates.

Chairman Rogan stated good evening Kurt.

Mr. Johnson stated basically we got a letter from Rich which detailed a lot of the information that was gathered from the site walk that the Board Members took and what we did with this submission was we

went through those item by item, I think there was some discussion at the last meeting also of some additional information that the Board had requested us to take a look at and I can just go through those issues there. One of things that we did do, is that there's a small depression area, we maintain that is not a wetland but a result of grading on the site that was done in the past and what we did is we went in, in mid-January, did a series of nine test pits in there to see what the extent of the debris that was collected in there was. Several of the tests pits showed no debris, there was a couple that showed a 1 to 2' deep and there was one that was 4 or 5' deep but just household garbage and other stuff, that's all going to be taken out there when the site is developed so that is the intent of that so and I think you all have a copy of that report. Another thing we did is, I know there was some concern about the ridgeline and the buildings that were on the ridgeline, here is a sight analysis, this was a plan that was submitted last time here and it had a series of, more buildings here, we were keeping the buildings within 40', or actually 40' minimum from the setback line here which is what was required in the zone, what we've done is we took a look at this again and we have the same number of units, which is 80, we relocated some of these buildings, brought one of them down in this area here which takes it off the ridgeline and we moved buildings back from that property line a minimum of 50' and more like 60' as you get further away in here, so that gives us a little more visual buffer there. We also took a look at kind of globally the area around the site, here is the subject site right here, hopefully you can see it, we took a map of Google Earth here, so here's the proposed development, this is the existing Fox Run and what, there is a lot of vegetation around the site here between Interstate 84 which sites quite a bit lower, there is a cell tower over here, more residential on the other, on the west side of [Interstate] 84 and look at this here, we took some sight sections across that area, this is taking a section basically from the cell tower down across the site here, as we can see here's the cell tower, here is the proposed development...

Mr. Marvin stated here, let me help you, let me hold this.

Mr. Johnson stated thanks.

Board Member Taylor stated how many, how many does it take.

Chairman Rogan stated cross sections.

Mr. Johnson stated so here's the proposed development over here, we have vegetation, here's [Interstate] 84, cell tower up high and there's another section taken basically across this way from [Interstate] 84, there is a wetlands down in here, [Interstate] 84, good visual buffer here with the trees that are here and the buildings are about 24' tall maximum to the ridge so we have good visual buffer. I know that there was some concern that it would not look like the development that's happening in Carmel right now by Put Plaza, that is very visible, you have an exposed hillside, you're basically approaching it from a high spot coming down, we've got the opposite, mostly low looking up high, so I think that is an opposite situation so, there's that.

Board Member McNulty stated when you say 24', that's from above grade.

Mr. Johnson stated yeah, that's to the ridge, yes.

Board Member McNulty stated from grade.

Mr. Johnson stated yeah, they're two story, they're one and a half story buildings, there's lofts in them so peak of the ridge at the high points, I would say.

Board Member McNulty stated okay.

Mr. Johnson stated and the other issue was the traffic, we did go back to the Chazen Associates who did the most recent traffic analysis, they did reiterate that it was done for active adult communities, that's the numbers that were used and the level of service would remain at A for the three major intersections near the site. So the increase in units would not change, would very negligibly change the existing traffic patterns on those roads.

Chairman Rogan stated do you remember what the, offhand, the three intersections were.

Mr. Johnson stated it was Tammany Hall, I think it's right in the...

Board Member McNulty stated it's...

Mr. Johnson stated it's the site intersection with Bullet Hole, Tammany Hall and there's one more...

Chairman Rogan stated probably Fair Street.

Mr. Marvin stated it's listed in your cover letter.

Board Member Montesano stated yeah.

Mr. Johnson stated yes, Bullet Hole, Tammany Hall Road, the site entrance and Ice Pond Road, excuse me...

Chairman Rogan stated it's fine.

Mr. Johnson stated those were the three that were looked at and also in terms of the traffic on the site and existing Fox Run Lane, I believe it's part of the proposal with the homeowners' association to upgrade that road in terms of paving it. There's also other issues that we can do to help slow the traffic flow there, one thing that was thought of was maybe putting some kind of median at the intersection of Bullet Hole [Road] and the site which would force traffic to go around that entering and exiting the site, hopefully visually just telling people that you're entering a residential area and would slow you down, we can put speed humps in there, there's speed bumps in there now, they're somewhat deteriorated, we could upgrade those and there's other striping issues that you can do to help visually slow traffic on that site. So there's ways, we'd have to get approval from the homeowners' association to be able to go forward with any of those but I would think that they would be amendable to one or several of those issues, we need to look at more but there are ways and visual cues that we can help slow down the traffic in there.

Chairman Rogan stated and the traffic study done by Chazen was age qualifying housing...

Mr. Johnson stated yes, it was done specifically for...

Chairman Rogan stated at what number.

Mr. Johnson stated senior, ITE Land Use 251 which is senior adult housing.

Chairman Rogan stated senior adult, at what density.

Mr. Johnson stated that's the 80 units.

Chairman Rogan stated 80.

Mr. Johnson stated yes, correct...

Chairman Rogan stated okay, I think we discussed it last meeting, if we didn't I apologize, we might have discussed it at the work session but the, probably the one fundamental hurdle at this point that the Board is wrestling with is that in all due respect, we're not comfortable with the impacts specifically with the senior, I can't, I don't know why I can't keep that...

Board Member McNulty stated active adult.

Chairman Rogan stated active adult, thank you.

Mr. Johnson stated okay.

Chairman Rogan stated because we hear so much and Ron brought to our attention an article that was just in the New York Times about the fact that people are working further and further into what we would traditionally think of as retirement years and we are also seeing mixed family structures more so now than we have in the last 30 or 40 years. So the idea that people would just move into this community just being of retirement age, certainly begs the questions of whether that's valid because we see when and even if you're proposing three bedroom structures, certainly that begs the question well why would they need a three bedroom structure, people don't, you know visit that often to necessitate that. So having said that I think and I understand counsel you're going to want to speak but I think our challenge is to be able to be in favor of the density of this magnitude, I think we need to feel comfortable that the traffic impacts have been properly assessed, so that is the fundamental difficult question we've been wrestling with, Ron I don't know if you want to jump in.

Board Member Taylor stated if I could just like to add one thing, you can't guarantee us that it is in fact going to be an adult community that you can restrict it to people who are owners who are 55 and older but you can't guarantee that those are the people that are going to be living there that they're not going to have children, that they're not going to be working, you can't guarantee any of those things, and so we think that you then should give us a traffic study of the worst case scenario and then we can evaluate and do some evaluation of whether that would have serious impacts or not, if it would then we've got to deal with how do you figure how much of the community will be actively employed while they're there.

Mr. Marvin stated I don't have the answer to who would be employed but I can tell you that we can guarantee that the, not just the owners but we can guarantee through various covenants and restrictions and bylaws of, if it's a condominium association or whatever legal entity ends up being the owner of the common areas and stuff but primarily through deed restrictions, covenants and restrictions, we can absolutely guarantee that the premises must be occupied, it doesn't have to be owned, you can own it and rent it but you would have to own or occupy by someone 55 years of age or older and that would be a requirement to occupy the property. If you're an owner and you're going to reside in your own place, you got to be 55 or over or you've got to rent it to somebody who is 55 or over, that is and those are perfectly permissible and done all the time through, it's an exception to the Federal laws which prohibit, otherwise prohibit age discrimination for housing and it's...

Board Member Taylor stated we understand that.

Mr. Marvin stated okay.

Board Member Taylor stated we're looking for your being able to say yes they're going to be retired so they won't be traveling at 8 in the morning with everyone else which is what your traffic study says, we want you to tell us that they won't have grandchildren living with them permanently and children living with them permanently who are going to be taking the school bus at 8 in the morning or 7:30 in the morning, which then impacts the traffic study which you haven't calculated in, that's what we're trying to say.

Mr. Marvin stated well we, I think we can probably get some, some information Kurt, about how, what assumptions are made, when they come up with these numbers for the traffic study, which whatever those factors are they use to evaluate traffics impacts of a 55 and older community, I don't know as I sit here today but I can tell you I will try find out but I believe that when they use that data it incorporates into coming up with that data the very facts that you're talking about that you know, if it's 55 and over there probably is some percentage of those who still go to work and I but there is probably a lot them who don't go to work anymore but those factors are probably and we'll try to get further information for you but I believe that those kinds of factors are included in the assumptions and the data that is used by the traffic study experts to tell you what the traffic impact is going to be, so maybe that's what we need to do to give you that level of comfort.

Board Member Taylor stated that's exactly what you need to do...

Mr. Marvin stated okay, alright.

Board Member Taylor stated and you need to see whether they have projected the changing trends in retirement in the country into those traffic studies or not.

Mr. Johnson stated I would ask or I would think, if we can get comfortable with a number to work with, if we can say we had 80 units that we're talking about here and that we're somewhat comfortable with and we can provide that information to you on the traffic study, if that study bears out that there needs to be improvements to intersections or that the traffic or the unit count needs to be reduced to bring it down to a number then I think we can discuss it at that point but at least it gets us a jumping off point so that we can bring this forward to the next step with some engineering that needs to be done on this.

Board Member Taylor stated then do a traffic study on the 80 units as if they weren't age qualified and let's see what the maximum impact might be.

Mr. Marvin stated well but they have to be age qualified I mean I don't, that's the zoning, so.

Board Member Taylor stated you're missing the point of what we're trying to say, we're looking at impacts you cannot guarantee us, this is the problem even though you're saying they have to be age qualified, you can't say that the conditions that make that not have impacts on traffic will be there.

Chairman Rogan stated Rich, is that inherent flaw with the zoning, if the zoning is for age qualifying specific. I'm not sure how to word this, in looking at that zoning, there would have to be some planning assumptions that would say that certain impacts are related to specific uses within the zoning and is that kind of, is this, it seems like we're chasing each other in this, in this scenario because on one hand you have someone saying well we're designing based on the zoning that we're allowed, so there should be in some intuitive or inherent impacts related that zoning, we're saying yeah but you know in a perfect world you know what your outcome is going to be but you can't really control that, we know what happens.

Rich Williams stated true but while I agree with the applicant there are certain inherent assumptions based on the zoning, you know if we get into SEQRA and if this goes into an environmental impact statement and one of the alternates that the Board wants to see studied is a multi-family housing project that is not age qualifying, you know they're going to have to look at SEQRA anyway. So if that's something the Board feels will give them a comfort level, I certainly would encourage them to do it now and you know maybe we can resolve these issues in an easier fashion.

Chairman Rogan stated well I mean I think that no one on the Board wants to have anyone study anything just for the, you know, for the practice of it, nobody wants anyone to go through this just to do it but I think the main concern is not knowing what the worst case scenario is on these impacts knowing the roads and knowing the impacts that exist, I mean I encourage you to go out there from 6 to 8 o'clock in the morning and sit at that intersection and just watch the way the people come in and out of there, it is, it's, I think and we've said this, if this proposal sat directly, had direct access to the main road it would be a little bit different but obviously you're going through a subdivision, a multi-family complex that already exists and already has its own concerns, so it's like adding on to the already existing impacts. So I think we just need to move forward in a way that makes sense that we all have a comfort level, no one here has said well it has to be 50 units, I has to be 80 or it can be 100, I think it's more, figure out what the impacts are and then back calculate you're trying to calculate forward, you're saying give us, you know, a nod that yes 80 is a good number, I would say yes 80 is a good number if all the impacts work out, I'd say 100 would be a good number if all the impacts work out and you can't put that in front of it.

Mr. Johnson stated well and I think you're saying kind of what we're hoping you would say, is that 80 is not off the table but we have to analyze the impacts, correct.

Chairman Rogan stated correct.

Mr. Johnson stated and if the impacts work out then 80 is a comfortable number so I think that we're kind of both saying the same thing.

Chairman Rogan stated I think so.

Mr. Johnson stated so we can work with an 80 number but now you're asking us to do the traffic study based on the condominium use.

Board Member McNulty stated basically.

Chairman Rogan stated yeah, so that...

Mr. Marvin stated as if there were no age qualification.

Mr. Johnson stated no age restriction.

Chairman Rogan stated correct.

Board Member McNulty stated because the trends today show an article Ron brought to our attention from the New York Times, people are working, they're not retiring in their 50's, they're going into their 60's, their 70's, people are living, the families are living with their parents and these conditions happen and you can't stop it with whatever deed restrictions you have, so we need to know the worst possible impacts to know if 80 is good or not good, how else are we going to know.

Chairman Rogan stated because we have other projects before us tonight that are impacting these very same intersections...

Mr. Johnson stated okay.

Chairman Rogan stated you know Ice Pond Estates for instance, which is somewhere around 32 or 34 lots...

Rich Williams stated 24 [lots].

Chairman Rogan stated oh, 24, sorry.

Mr. Marvin stated is that just a regular subdivision or is that multi-family.

Chairman Rogan stated they were also gearing that towards age, senior type housing, weren't they are one time...

Rich Williams stated no.

Chairman Rogan stated yes they were, they were talking about that being yeah...

Rich Williams stated that had to be a long time ago.

Mr. Marvin stated we kind of beat them to the punch.

Chairman Rogan stated no but I'm, point is that they throw, people throw things out as hey we're going to do this and then something changes, you know. So how do we get, Ted please, jump in.

Ted Kozlowski stated not about the density, should I Michelle, yes...

The Secretary stated yes.

Ted Kozlowski stated I just want to reiterate when I was out on the site walk, there were a number of trees and they're the good ones that have been clearly marked by a forester for logging...

Mr. Johnson stated it was done a while go.

Ted Kozlowski stated I want to make sure that this site is not going to be logged now or after this because that will affect the tree density that this Board is trying to protect...

Mr. Johnson stated right.

Ted Kozlowski stated from the visual standpoint.

Mr. Johnson stated there is no intention by the applicant.

Ted Kozlowski stated so that dark green area that we're looking at, it going to remain green and the area of disturbance is the light green area...

Mr. Johnson stated yes.

Ted Kozlowski stated and of course the buildings.

Mr. Johnson stated yes, yes, that is the intent, this is going to be passive recreation and that's going to be kept as that natural...

Ted Kozlowski stated and the owner has no intention of logging that...

Mr. Marvin stated the letter that was submitted states that in writing.

Chairman Rogan stated yeah.

Ted Kozlowski stated okay, I just, I want it for the record.

Mr. Johnson stated that was done prior to this application coming before the Board, so that was done a while ago.

Ted Kozlowski stated okay and while we were on the site walk, there were several, not many but very large landmark trees that are that vicinity and I was hoping that they would be part of some sort of plan that you were going to save those particular trees, they're quite aesthetic and they do offer quite a visual buffer.

Mr. Johnson stated and I think the intent is to do that and if we're comfortable with a starting point of maybe 80 units, if it becomes that or not, we can get into further engineering work on this, the grading and really take a look at this thing and try to save those trees, relocate buildings as necessary, that's the intent.

Ted Kozlowski stated right but also remember, if you're going to try to save those trees, the root systems of those trees extend beyond...

Mr. Johnson stated certainly.

Ted Kozlowski stated what many people call the drip line, okay.

Mr. Johnson stated okay.

Ted Kozlowski stated alright, thanks.

Board Member McNulty stated back to the traffic study for a minute, also not only a basic condo use but follow up on those assumptions you talked about on the existing survey, to let us know what is taken into account, that will help us decide, is that accurate.

Mr. Marvin stated I got you on that.

Chairman Rogan stated I have a question, then Rich...

Mr. Marvin stated that way you can evaluate the validity of the senior analysis that was done, correct.

Board Member McNulty stated correct.

Mr. Marvin stated okay.

Chairman Rogan stated so procedurally gentlemen, what would be the difference between them moving forward with doing a more in depth traffic study based on what was discussed tonight versus doing it through an environmental impact statement or an enhanced EAF.

Rich Williams stated well its process...

Chairman Rogan stated that's...

Rich Williams stated and that's basically where I was going...

Chairman Rogan stated right.

Rich Williams stated I mean the next step in this process is for them to do a new EAF, I would suggest that it be a full EAF with an enhanced part three which includes both the visual analysis and the plans that we see here which we haven't seen before but also you know, a more in depth traffic analysis based on the comments that the Board has seen, in reviewing that EAF then you may say jeez we've got enough information here, we can do a negative determination, possibly a conditional negative determination or you know we need these further, these areas further studied within an environmental impact statement, we can work out the details of the scope and those same traffic studies and visual analysis would get rolled into that document.

Chairman Rogan stated okay.

Board Member McNulty stated I also have a question, you talked about pulling on the western edge, those buildings back 50'...

Mr. Johnson stated yes.

Board Member McNulty stated where does that put us on the topo lines because the plans submitted...

Mr. Johnson stated right.

Board Member McNulty stated it didn't look like it changed the elevation all that much.

Mr. Johnson stated the 10', it gives us more, basically that ridgeline kind of goes like this, so moving it 10' doesn't get it like way over one line or the other but it does give us another 10' of vegetation that we can preserve.

Chairman Rogan stated well and it gives you 10' of trees that you can control...

Mr. Johnson stated correct.

Chairman Rogan stated which has been the, you know, the kind of the conversation all along.

Mr. Johnson stated well, yeah and I'm sure we'll have, if this gets developed over here, I would assume this would be a commercial or industrial use...

Mr. Marvin stated it's an industrial zone.

Mr. Johnson stated which would provide and next to a residential zone, I think there would be an increased setback required there because of those two uses together, so I would assume that we're getting the 50' here plus a good buffer on the other side of that, it would save the trees.

Board Member McNulty stated okay, also I had a question on, I don't see any real amenities proposed in this concept plan as far as an active adult community as far as a clubhouse or hiking trails or a pool house to the existing pool, are there amenities planned that aren't shown yet to really make it a true active adult community.

Mr. Marvin stated well it's really age qualified is what it is, I mean, you know...

Board Member McNulty stated I thought the Town Board approved active adult.

Mr. Marvin stated no, I don't think that was factor in it.

Rich Williams stated age qualifying.

Mr. Marvin stated right.

Rich Williams stated its age qualifying, yeah.

Mr. Marvin stated right, yeah.

Board Member McNulty stated which is different than an active adult.

Mr. Marvin stated I mean active adult, I think as you're thinking it sort of has that connotation that there are a lot of amenities. There is no requirement in your zoning code that there be those amenities, I don't honestly know all the client has in mind as far as what those amenities would be, I do know, I believe, I'm not going to guarantee it because I haven't read the offering materials and stuff for existing Fox Run one but I believe that the future build out of this development retained the rights to use the amenities of Fox Run one which we've promised them in writing that we would help them to upgrade because they need some work on the pool and things like that.

Chairman Rogan stated it seems like we were talking about that two years ago.

Mr. Marvin stated yeah that came that was back a few years ago but that, we made that promise in writing to the homeowners association of Fox Run one.

Board Member McNulty stated well maybe something you want to take back to your, to who you represent, maybe you want to introduce that to enhance the project somewhat, bring it around, make it a true active adult community, bring some real appeal to it.

Mr. Johnson stated I think the intent is to do a trail system through here on this side of the property and again the pool that's close to it over here could use some upgrades.

Board Member McNulty stated of course it wouldn't require cutting any big timber.

Mr. Johnson stated of course not, we're going to walk around those trees.

Chairman Rogan stated Rich, a thought I just had about the proximity of the proposed residences to the property line and what would be on the other side of property, industrial, the types of uses that could be proposed for that property and house close they could potentially be to this residential area. You know, it's kind of like you get one application then five years later you get another and now we're going to have 100 people in here saying you're proposing a factory there next to our house, you know really.

Rich Williams stated yeah, rear setback line is 50' ...

Chairman Rogan stated yeah.

Rich Williams stated so that's how close it could get.

Chairman Rogan stated yeah, now I don't know based on topography or but you know we've seen people...

Rich Williams stated everything...

Mr. Johnson stated it drops off pretty deep.

Rich Williams stated dropped down probably 70 to 100'.

Mr. Johnson stated once you get over this ridge, it drops down pretty good.

Chairman Rogan stated yeah, just thinking forward to the next chairman who's going to sit up here after I'm long gone that's going to have to struggle with why did these guys approve this and now we have you know residential right next to industrial.

Board Member McNulty stated one more question, this concept plan is it based on any other project that you may have worked on or completed or any input or compared to anything in the area, Westchester, Putnam, Dutchess, that has similar communities, has there been anything, any other projects looked at to compare to or bring it up to standard or maybe correct on their mistakes.

Mr. Johnson stated I'm sure as we get further down into this thing, you know we will, I know that the applicant has looked at other things in you know, just in for general sales and what works and what doesn't sell and things like that so I know he's looking for a target price and a market to hit with this thing, so I think the amenities will fall into place to follow that.

Mr. Liguori stated there's a median income or I don't know the right categorization but its in North Salem, its called Bridleside and you might just want to take a look at...

Mr. Johnson stated okay.

Mr. Marvin stated is that an age qualified location.

Mr. Liguori stated that's, it goes the other way, that was in response to a litigation against the Town of North Salem where they didn't have enough low income housing...

Mr. Johnson stated okay.

Mr. Liguori stated but can't tell from the construction what the income ratio, you know it's a Wilder Balter project it's called Bridleside...

Mr. Johnson stated Bridleside, okay, North Salem.

Mr. Marvin stated but just to clear, there's no intent here for this to any kind of income related.

Mr. Liguori stated no, no, I only bring it up because when you look at the, you might have a different market analysis but it probably, the closest most recent...

Mr. Johnson stated okay.

Mr. Liguori stated multi- or you know, dense construction project that's been done...

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

Mr. Liguori stated there just haven't been that many constructed in the last year or two, even longer.

Mr. Johnson stated right.

Mr. Liguori stated but they'd be able to give you what might work and what doesn't.

Mr. Johnson stated okay.

Chairman Rogan stated great.

Mr. Marvin stated we'll try to come back with some further information on the traffic and the other things that you mentioned.

Chairman Rogan stated okay, Ron.

Board Member Taylor stated on the visual impacts, one of the things that we deal with all the time as a Board is the problem with enforcement, so for where we can we try to avoid instead of mitigate. So what I'd like to see is an alternative that actually takes the things off the ridge line and moves it farther into the project whether that's possible or not.

Mr. Johnson stated we, just to let you know we have done that and it, the way that this is kind of set up there's not a lot of area, if we focus everything right in here, you can't get a loop road in, we did look at that originally to see if we could get that but it really doesn't work very well with the topography of this and going around because to really, to pull it off the ridge you need to pull way over here and we're backed up against topography here so we did look at that.

Board Member Taylor stated and you can't build up the hill.

Mr. Johnson stated up this way.

Board Member Taylor stated yes.

Mr. Johnson stated there's a lot of rock up this way and...

Board Member Taylor stated yes I know, I know there's a lot of rock.

Mr. Johnson stated yeah, the topography really doesn't lend itself to getting a road to work in there without really taking a lot...

Board Member Taylor stated the economics doesn't lend itself to getting a road in there.

Mr. Johnson stated yes.

Chairman Rogan stated what's the high point on the property.

Mr. Johnson stated there's probably a high point over here and then we have the ridge over, that's kind of...

Chairman Rogan stated okay, runs around 800' elevation, roughly.

Mr. Johnson stated I think probably yes, 789, here's 790 right here.

Chairman Rogan stated well okay, well, okay actually 840, okay.

Mr. Marvin stated it's sort of saddled, type of...

Chairman Rogan stated okay, alright, anything from anyone or can we move on. Okay, thank you gentlemen, we can go back Haviland Farm, you guys both are here, okay.

Haviland Farm Site Plan Discussion

Mr. Guido Prospero and Mr. Pete Wheeler were present.

(Side conversations ensue.)

Board Member Taylor stated did you get back out there Ted.

Ted Kozlowski stated I couldn't get there before the snow, we had the Monday and then followed by yesterday.

Chairman Rogan stated good evening gentlemen, nice to see you again.

Mr. Wheeler stated hi, my name's Pete Wheeler, good to see you, this is Guido Prospero.

Chairman Rogan stated nice to see you gentlemen.

Mr. Wheeler stated and we're here to propose more cold frame houses.

Chairman Rogan stated okay, did you, you got a copy of the memo, you gentlemen read through that...

Mr. Wheeler stated yeah.

Chairman Rogan stated pretty basic stuff right.

Mr. Wheeler stated you had a couple questions about a couple things.

Chairman Rogan stated a couple of different questions, yeah, somebody mentioned bathroom when we were out at the work session, where, where do you guys, what's the future intention for facilities out here.

Mr. Wheeler stated I guess we'd have to see if we could put a septic in, right now we just use a port-a-john and there is like a slop sink in the barn, that I think it just goes to a dry well something.

Chairman Rogan stated okay, so probably something preexisting that was put in.

Mr. Wheeler stated yeah.

Mr. Prospero stated yeah.

Board Member McNulty stated there are wells on the site.

Mr. Wheeler stated there's two wells.

Chairman Rogan stated okay, so we certainly want to get those marked up on the plans and I mean, I think it would be a great idea for the future of this facility to investigate whether it's possible to do a septic system just for a bathroom. Harry, what's the going design capacity for just having a bathroom, no bedrooms, that sort of thing.

Mr. Nichols stated do it for a one bedroom design.

Chairman Rogan stated one bedroom, so what's that 150 gallons a day.

Mr. Nichols stated yeah.

Chairman Rogan stated yeah, so it's not, it's not a terribly large system but that's something that we should ask you to get a...

Mr. Wheeler stated like a perc test or something like...

Chairman Rogan stated well yeah, go talk to Health Department engineering about what they might possibly want out here for this site and Ted you had, you want to...

Ted Kozlowski stated yeah, I was going to go out and look at the...

Chairman Rogan stated thank you.

Ted Kozlowski stated the two northern most cold frames which wasn't discussed with me.

Mr. Wheeler stated north is, where are we.

Ted Kozlowski stated keep going, right there, right there Peter. We didn't discuss that field and the Board and myself wanted to see how that relates to the wetland, unfortunately we had two snow events this week.

Mr. Wheeler stated right.

Ted Kozlowski stated I want to see it when it's not covered in snow.

Mr. Wheeler stated it's, if you follow the placards, they're actually like back here and then I think the line moves like this and then it kicks back here. This is a, like a hedge of willow trees.

Ted Kozlowski stated right, I just want to see it like I said and unfortunately we now have a pile of snow and the other thing was that, Peter, if you remember we walked on the black...

Mr. Wheeler stated that would be this area here.

Ted Kozlowski stated material and we kind of drew a line and I see a cold frame that, keep going with your finger towards Guido, go up one, right, that one, wasn't in our game plan, that area.

Mr. Wheeler stated oh that area.

Ted Kozlowski stated yeah because it was too close to the wetland.

Mr. Wheeler stated okay.

Ted Kozlowski stated so there was a crease if you remember Ron, there was a crease in the fabric.

Mr. Wheeler stated okay.

Ted Kozlowski stated we said just got parallel with the crease.

Mr. Wheeler stated parallel, got it.

Ted Kozlowski stated so it's still a lot more cold frames then you originally asked for and we'll, let's just respect that wetland line because you're going to need access back there, you're going to eventually put a fence up...

Mr. Wheeler stated if you want, I mean I can just erase that.

Ted Kozlowski stated I'm going to leave that to the Board.

Mr. Wheeler stated I mean it's really...

Ted Kozlowski stated that's kind of what we shook hands on out in the field.

Mr. Wheeler stated okay, I wasn't, yeah, I must have misunderstood.

Ted Kozlowski stated okay and I don't, the other ones I just got a see how they lay.

Mr. Wheeler stated I remember us, we were talking about like putting them this way, so they wouldn't...

Ted Kozlowski stated yes, parallel to the road.

Mr. Wheeler stated and then it kind of like juts out a little bit like that so I figured another one there but yeah, I misunderstood, that's not problem.

Ted Kozlowski stated okay, it's not a big deal.

Mr. Wheeler stated okay.

Ted Kozlowski stated and we did, we hope you will investigate looking into a pond, sediment pond and water pond.

Mr. Wheeler stated right that would be, yeah, for this area, you started to walk right around there, you saw some sedimentation.

Ted Kozlowski stated yup, yup and then you guys could use it for water.

Chairman Rogan stated and just to clarify, the cold frames are, they'll be taken down for the growing season or however you remove them right because you're only using them to get that extra month or so of growing time and then the overwintering cuts down on some of this real cold weather, right.

Mr. Wheeler stated the frames will stay...

Chairman Rogan stated right.

Mr. Wheeler stated that plastic, white covering...

Mr. Prospero stated that comes off.

Mr. Wheeler stated that goes on in the fall and comes off in the spring.

Chairman Rogan stated so it comes off, so it's going to come off like April.

Mr. Prospero stated I'd say April, yeah.

Mr. Wheeler stated yes, probably April, you don't want to keep it on too long...

Chairman Rogan stated after the danger of frost, right.

Mr. Wheeler stated because then plants stretch inside and then they can't be exposed to the cold until, you know maybe June.

Chairman Rogan stated so to kind of harden them.

Mr. Wheeler stated yeah, to harden them off, so usually April. I think the only one we're probably going to keep on this year, there is an existing house right here, the short one that's 22' by 96'...

Chairman Rogan stated okay.

Mr. Wheeler stated and we just plan to keep that on for anything tender that we get throughout the spring and sometimes it's good to keep the rain off certain plants, so that keeps the rain off them too.

Chairman Rogan stated so and then they go back, the plastic goes back on in November, roughly, October.

Mr. Wheeler stated yeah, usually by Thanksgiving I plan to have most of them up.

Chairman Rogan stated yeah, okay, so 6 months off, 6 months on roughly.

Board Member Montesano stated with the white plastic or are we going to cover that.

Mr. Wheeler stated well the white poly is really, you know the only thing they make because it reflects the light and provides the shade.

Ted Kozlowski stated you can't have it be that Mike, you can't have those greenhouses be that.

Board Member Montesano stated yeah, no, no, what I'm trying to figure out is we had that request, so I'm just...

Ted Kozlowski stated right.

Mr. Wheeler stated I was experimenting with reducing the glare on some of the houses that were...

Board Member McNulty stated it was like a black mesh you applied.

Mr. Wheeler stated these right here, yeah there was a black mesh that we put over to reduce the glare but essentially...

Chairman Rogan stated it might be the kind of thing where once, you know we have a game plan in place on how to deal with the issues that are created and then it's almost like you have to see it in place to really figure out what's going to cause the problem, maybe you know 10 of them need to be corrected, maybe 5 maybe none, I don't know but you know rather than to blanketly say everything out there needs to be x, we deal with the problem.

Mr. Wheeler stated right and that you know, that ties into maybe adding some more screening out by East Branch Road...

Chairman Rogan stated right.

Mr. Wheeler stated especially you know right here, this berm.

Chairman Rogan stated yeah, so there might be multiple ways to handle this.

Board Member McNulty stated does that black mesh work for you, is it suitable to apply and you get the same results.

Mr. Wheeler stated it's adding a little bit more shade than I'd like and what we're finding is you know, the plastic is very smooth and the snow load just sheets right off where that mesh actually makes the snow cling...

Chairman Rogan stated a little more friction.

Mr. Wheeler stated so I had Ken out there a couple days ago and he was beating the snow off the mesh houses because those were the only ones that had snow on them, all the rest the snow sheeted off. So it does add some weight if you don't get the snow off of them.

Chairman Rogan stated yeah.

Board Member Montesano stated oh yeah.

Board Member McNulty stated okay because I didn't go with the rest of the Board on the site plan, I went on Tuesday, a week following, I was there at noon, no one was around, I didn't go out on the property but the glare from the sun at noon, it is bright off the top of those, if I lived across the street at sunset, I think I might get upset over the glare myself.

Mr. Wheeler stated yeah, agreed, I experimented with some white wash, just something like a flat finish, you know but it's kind of hard to get it to stick but a grower told me to do that so I might try to do a little bit more of that but I guess the worst ones where, you know the ones in question, you know, these where they're creating a glare right across the street, I think, some of the existing ones too, you know certainly like the worst ones we can probably cover with the black.

Board Member McNulty stated and there's no alternative coverings for those.

Mr. Wheeler stated not that I'm aware, everywhere that I've ever seen, they do it like this.

Board Member Montesano stated have you checked with a printing shop...

Board Member McNulty stated they'll have to invent something.

Chairman Rogan stated yeah, a million dollar idea.

Board Member Montesano stated because they use colors on plastic.

Mr. Wheeler stated yeah but I don't know if that would reduce the glare though because I think it's the material, you know it's like a...

Board Member McNulty stated it's the sheen.

Mr. Wheeler stated the sheen, yeah.

Board Member Montesano stated they make up signs and some want the glare, most of them don't because then you couldn't see what the picture was or what the advertisement is.

Mr. Wheeler stated yeah, I mean, if I could just find a paint that would stick to it, you know that would probably solve the problem.

Board Member Montesano stated they would probably know what you could probably use on the plastic.

Chairman Rogan stated it would have to be a very pliable paint, something that retains its elasticity because as soon as you fold the stuff...

Mr. Wheeler stated yeah.

Chairman Rogan stated you know its one thing when it's stretched out tight and then you slide these off and it you know it blister and fall off.

Board Member McNulty stated what about a white mesh just to kill the glare, it doesn't help the snow situation...

Ted Kozlowski stated still going to hold the snow.

Board Member McNulty stated might not hold as much heat, might still reflect.

Mr. Wheeler stated yeah well the white might not provide as much shade, it might be a better alternative, we could try white.

Chairman Rogan stated Rich, do you have any thoughts on, any other, just coming up with different products and screening and...

Rich Williams stated no, I mean I could do a search for something but the reality is he's limited because it needs to be a commercial grade and it needs to be affordable.

Chairman Rogan stated sure.

Mr. Wheeler stated that's true.

Rich Williams stated and there aren't too many products out there that I've been familiar with...

Ted Kozlowski stated do you go to Grower's Supply.

Mr. Wheeler stated yeah.

Ted Kozlowski stated that's who we go to and it's always white.

Mr. Wheeler stated yeah. Well there's clear too but just out of the question, the plants would just incinerate inside of it.

Chairman Rogan stated well I think you answered the question though earlier, probably the best thing is invest also in some really great living screening, you know the planting which you obviously have a better access to than most people.

Mr. Wheeler stated yeah, right here, this spot or so.

Chairman Rogan stated and really bang that out.

Mr. Wheeler stated yeah.

Chairman Rogan stated and it might be the kind of thing that we come up with a game plan and we say look, you're going to have to as, 6 months after this is all installed we might have to do several site visits and just have that agreement that says if there's something observed we fix it as we go. What we don't want to have is, we got an approval, now we're good to go and I'm sorry if they don't like the glare but tough...

Mr. Wheeler stated right.

Chairman Rogan stated we need to have that gentlemen's agreement to say we're going to work on this and figure out a way that works for everyone, you're going to be a member of the community just like the people across the street and we want to respect your rights as much as theirs.

Rich Williams stated Shawn.

Chairman Rogan stated yes.

Rich Williams stated if the issue is specific to reducing the glare to the residential properties across the street, one of the alternatives might be is a mesh wall to block off, to screen off...

Chairman Rogan stated that's funny, I was thinking about that before.

Rich Williams stated I mean if the landscaping doesn't work you can throw up a mesh wall.

Chairman Rogan stated yeah.

Board Member McNulty stated like a driving range has.

Rich Williams stated yeah only maybe a denser material that is still is not going to have the same problems with wind or icing.

Chairman Rogan stated yeah.

Mr. Wheeler stated up along East Branch [Road].

Board Member McNulty stated like a driving range, you see to keep the...

Rich Williams stated but not that high.

Chairman Rogan stated let's hope we can do it without that.

Ted Kozlowski stated and I'd look at some evergreen trees too.

Chairman Rogan stated yeah, something really dense with a staggered planting pattern.

Board Member Montesano you'll come up with something.

Ted Kozlowski stated some white pines, spruces, mix it up.

Mr. Wheeler stated right.

Board Member Montesano stated just nothing big that you're going to want to see at Rockefeller Center and then you've got a big gap.

Chairman Rogan stated other issues from anyone.

Board Member McNulty stated just quick on that septic that was talked about earlier, if you do talk to the Health Department, you'd want to show that on the plan where it would be proposed.

Rich Williams stated if they're going to do that, they're going to need a civil engineer.

Chairman Rogan stated yeah, Rich the waivers that you mentioned in the memo, I know we talked about topo, we were talking about waiving that requirement for the plans, at some point we're going to need a laundry list of items that aren't, that are under consideration.

Board Member McNulty stated your, Rich's memo touched on things as far as our code requires for a plan, so we'd have to know what we want to waive and what we want to keep.

Rich Williams stated section A to G, gives you the basic laundry list.

Board Member Taylor stated one thing that hasn't been mentioned was the existing buildings, we talked about moving them farther in like you were saying you would take some end section off and move it to the other end that needs to be shown on the plan.

Mr. Wheeler stated right, I think the only question of the setback is 50' to the property line.

Board Member Taylor stated yes, you would need to show that.

Mr. Wheeler stated the existing buildings.

Board Member Taylor stated yes.

Mr. Wheeler stated I think those are the closest.

Board Member Taylor stated yes, those...

Mr. Wheeler stated we'd have to take the sections off...

Board Member Taylor stated right but...

Mr. Wheeler stated yeah the new ones actually are 50'.

Board Member Taylor stated right I'm just saying you need show that on the plan, don't show what's there now, show what's going to be there, if you took that section off, erase it from the plan and move it down the other end, what you're doing...

Mr. Wheeler stated okay.

Board Member Taylor stated we also had said before, we would like to see the wells, mark where the wells are on the plan.

Mr. Wheeler stated okay.

Board Member Taylor stated the plantings, show where you're going to do the plantings.

Mr. Wheeler stated okay.

Board Member Taylor stated so we have these things on the plan, it helps us to orient ourselves here. Do you have the laundry list.

Chairman Rogan stated no, it's within the code.

Board Member Taylor stated oh, oh, okay.

Chairman Rogan stated I don't have a copy of the code in front of me, so, we have some.

Rich Williams stated you have it, you have what I was talking about.

Chairman Rogan stated no, I don't. Oh is that.

Board Member McNulty stated yeah, this list.

Chairman Rogan stated this right here.

Rich Williams stated yeah.

Chairman Rogan stated oh, I'm sorry, I apologize. Alright location of, topo...

Ted Kozlowski stated Peter what do you need for this upcoming season.

Mr. Wheeler stated in the way of more houses.

Ted Kozlowski stated yeah.

Mr. Wheeler stated it's just, it's going to be dictated by our budget, I mean we plan to do about, you know, maybe two in the spring, two in the fall, maybe two to four every season, every year, you know. As we get going, maybe more just for the long shot, but this is more of a long term. Like we talked about before when we were walking around, the way we're doing it now is we're, everywhere that there's an existing house is a growing patch and then the guys have to cram everything into the existing houses and carry it all.

Ted Kozlowski stated so this is your ultimate wish list.

Mr. Wheeler stated just to be able to cover the plants and have them.

Chairman Rogan stated are you talking about here.

Rich Williams stated I'm going to take this chair.

Chairman Rogan stated I know, you can sit down.

Rich Williams stated a, g...

Board Member McNulty stated oh g, I thought you said d.

Chairman Rogan stated d, no, no, I was thinking the same thing, parking.

Rich Williams stated g, I said d right here, right here.

Chairman Rogan stated you did and I apologize gentlemen, we're just clarifying something because there are certain things in here that we would like to show.

Rich Williams stated to show.

Chairman Rogan stated absolutely, yeah, no, I understood that, I just, okay. Alright, so there are some things that are not shown on your map that the Board has the ability waive based on whether or not they are necessary for the approval of this process, the, we talked about topography because at this point you're not proposing anything, it would come into play with a pond of course, that would have some grading but not necessarily benchmarked topography. So, Ron I know you're just getting this, Rich do you have any problem with us waiving the topo on this plan.

Rich Williams stated no.

Chairman Rogan stated location map we know where it is, height of the buildings, location of parking, I think parking and loading areas should be shown, you know where you pull in, where you plan on maintaining for those points of access and loading and unloading. Not that we're asking you to change, the surfaces are already there but just something that's delineated so that we know that it's designated for that intended purpose and all of a sudden there's not another building on, now you're pulling in and backing out onto the road.

Mr. Wheeler stated okay.

Board Member Taylor stated do you have a cut from a catalogue that shows the dimensions of these buildings.

Chairman Rogan stated I was thinking the same thing.

Mr. Wheeler stated well they're custom made...

Board Member Taylor stated oh so they're custom made, okay.

Mr. Wheeler stated yeah I don't have like a boiler plate...

Board Member McNulty stated is there a boiler plate, boiler plate one that maybe you could...

Chairman Rogan stated take a photo of one.

Mr. Wheeler stated I mean I could, yeah I could print something out from the internet.

Chairman Rogan stated just take a photo of one yours.

Board Member McNulty stated just show the construction.

Mr. Wheeler stated okay.

Chairman Rogan stated just take a couple of photos of the ones you have as the intended future structures, the size may change, obviously they're all different sizes and we can attached that to the application as something submitted as you know what the final outcome will be, based on some of the changes of course for glare issues. So we're going to show the wells, we're going to show, I think you should determine

where that water goes from that slop sink, I mean even if it's an existing dry well, I'd find out where that's located maybe talk to, I know septic companies, they can trace those lines with, how do they do that, with the...

Board Member McNulty stated dye.

Chairman Rogan stated no, no, not with dye, they use an electrical.

Mr. Gainer stated yes, I would just be a snake, right.

Rich Williams stated a snake.

Chairman Rogan stated yeah.

Mr. Gainer stated right, they can find the line.

Chairman Rogan stated so that they can see where it goes.

Rich Williams stated depends on whether it's PVC or its metal, sometimes they just clip it with electric...

Mr. Gainer stated right.

Chairman Rogan stated right.

Rich Williams stated and trace it out, sometimes they stake it.

Mr. Gainer stated right.

Board Member McNulty stated or see where the snow melts first.

Chairman Rogan stated well it's all wet down there but so I think trying to get a handle on your, where the water's coming from which we know your well is located and where's going to the existing slop sink. If you get somebody out there to assess that you might have more in the ground than what you realize and you might work towards, possibly towards your approval for a facilities, I don't know, for all we know you might uncover and find you have galleys out there or something, who knows. Maybe, maybe it's an old car buried, that might work better, who knows.

Mr. Wheeler stated if there was, but if there was a septic there you know and it was done by the previous owner or something, what would be the process of you know...

Chairman Rogan stated I would go and have that conversation with the Health Department, with their engineer department and find out what your process would be there. I mean we know what it is if you're proposing it you can go hire an engineer, let them go do, like you said a perc test and get the approvals through that. So from the list though, we certainly can waive the location map and the topo and the height of the building, those three things and an architectural renderings of the buildings we can waive in lieu of getting photos submitted.

Mr. Wheeler stated okay.

Chairman Rogan stated so those...

Board Member Taylor stated with dimensions, with dimensions.

Mr. Wheeler stated with the dimensions of, okay.

Chairman Rogan stated so I'll move to waive those four items mentioned.

Board Member Montesano stated I'll second.

Chairman Rogan asked for all in favor. The motion carried by a vote of 4 to 0.

Chairman Rogan stated okay, alright, so why don't we move forward with getting some of the cleanup work...

Mr. Wheeler stated okay.

Chairman Rogan stated some of those items shown, you have a little bit of work to do, we have a little bit of work to do.

Mr. Wheeler stated revised, would you, I can show the wells but with the pond are we getting into that quite yet on the plan or...

Chairman Rogan stated well it depends on what you, I think it would be...

Mr. Wheeler stated should I just kind of start to...

Rich Williams stated the pond the really is hinging on what the Watershed Agricultural Council is going to do.

Mr. Wheeler stated okay.

Rich Williams stated and I haven't had the chance to contact them.

Ted Kozlowski stated I'd just have on the plans proposed future pond, that's all.

Chairman Rogan stated we won't hold up your process for that.

Rich Williams stated I wouldn't even do that.

Ted Kozlowski stated no.

Rich Williams stated nope, you don't where it's going to be, you don't know how it's going to size out.

Ted Kozlowski stated okay.

Chairman Rogan stated okay, the other thing is these units are moveable, so if you end up with one thing and you have to move one over 10' you know, so we want you to further the process, don't worry about showing it on the plans at this point because you don't know what it's going to be as Rich said but the more important thing right now is the visual barriers identifying some of the key elements, answering some of the questions, some of the items that haven't been addressed yet and...

Mr. Wheeler stated okay.

Board Member McNulty stated one comment, Rich, in your notes you mentioned about the driveway and Patterson code requirements, it was your note number four...

Mr. Wheeler stated he's talking about this right here.

Rich Williams stated talking about the one that doesn't really exist.

Board Member McNulty stated gravel driveway in the southeast corner of the property.

Mr. Wheeler stated there was kind of like a gravel run, but it's, we put boulders there and planted.

Board Member McNulty stated so you're abandoning it.

Mr. Wheeler stated yeah.

Rich Williams stated but it's shown on the plan, so my concern is it's shown on the plan, we probably should just label it as...

Board Member McNulty stated abandoned.

Rich Williams stated yeah, abandoned or not in use or...

Board Member McNulty stated okay.

Mr. Wheeler stated okay.

Chairman Rogan stated okay, thank you gentlemen.

Mr. Wheeler stated okay.

Chairman Rogan stated appreciate your time. Okay, Ice Pond...

5) ICE POND ESTATES – Final Plat

Mr. Joseph Buschynski and Mr. Rick Lamontage of Bibbo Associates, Mr. Geoff Ringer, Owner, Mr. Neil Alexander of Cuddy & Feder, and Ms. Judy Terlizzi of the Putnam County Land Trust were present.

Chairman Rogan stated good evening Joe. How are you sir.

Mr. Buschynski stated good evening.

Mr. Lamontagne stated we're back.

Chairman Rogan stated nice to see you. Okay, so we're back with the final plat.

Board Member Montesano stated still trying to scare us.

Chairman Rogan stated have any changes been made since last time we spoke to you.

Mr. Buschynski stated yes, one of the items we touched on are our last session was concern for a pipe from a vital retention basin on lot 7 that we initially intended to bring down the slope to the wetland buffer.

Chairman Rogan stated yeah.

Mr. Buschynski stated and it's a rather small diameter pipe, carrying a small amount of water, there was a question do we have to do that and we relooked at the situation and we found that we can bring it to our dry swale, we have capacity in these systems for that small amount of water and that eliminates the trenching and the restoration of the rather steep hill for that pipeline. That...

Board Member McNulty stated that minimizes the disruption to the buffer as well, correct.

Mr. Buschynski stated it actually, yes it takes away one more disturbance.

Chairman Rogan stated awesome.

Ted Kozlowski stated thank you Joe.

Chairman Rogan stated you know we were saying at the work session that everyone on your team has been very gracious and good to work with, everyone has been open to suggestions and the process in this regard has been one of the better, one of the better subdivisions we've worked on in a long time, so we want to thank you, in case I forget to do that later. Ted, you were talking about the wetlands, you had a couple of comments you had sent to the Board, you want to talk about the stone wall.

Ted Kozlowski stated right just, yeah, briefly, I don't have an objection to you getting the functional analysis waived, I don't see the need for it, so I'm recommending to the Board that you don't need to do that. I'm not crazy about waiving the public hearing just because it's a big project, there are a lot of neighbors that are nearby, considered nearby and adjacent to the wetland, they should notified and they should be heard. That's just my opinion, it's up to the Board to decide to waive it or not, I'm very grateful to you to listen to our advice and put a stonewall along the wetland buffer between lots 19 and 22 to keep specifically ATV's and other wayward vehicles out of the wetland, it would be nice if you could fishhook [lot] 19 a little bit with the stonewall...

Mr. Lamontagne stated just come up this.

Ted Kozlowski stated yeah, you know, not a straight line but just fishhook just to where you get to an impossible slope and then guys I really had a hard time with the plans that were given, to read them, I'm not sure if you put a detail of that stonewall on your details map but I would hope it's not going to be a pile of rocks, that it's going to be an aesthetic and a study stonewall, so I would like to see some sort of detail.

Mr. Buschynski stated we envision 30" high, dry rubble, 3' wide, stonewall.

Ted Kozlowski stated right, but just if you would put it on the plans...

Mr. Buschynski stated yes.

Ted Kozlowski stated because Joe your interpretation may be different from whoever develops the site...

Mr. Buschynski stated yes.

Ted Kozlowski stated and I would really like to lock that into something that you know, it's also going to be an asset and aesthetic feature to those lots so I would hope that you would put that on there.

Mr. Ringler stated we envision it being consistent with what's on the property now.

Ted Kozlowski stated sure.

Rich Williams stated that's 8' wide.

Mr. Ringler stated yeah, the big one.

Ted Kozlowski stated you know I wasn't thinking of that one.

Mr. Ringler stated we'll need a wetland permit for that.

Ted Kozlowski stated no, wasn't thinking of that one but I think that's it, you know I just I think if you come again with, from my end, with wetland or environmental, I don't need all the plans and everything enlarged but for future use, I had to look at them with a magnifying glass.

Rich Williams stated we had it in PDF, I just didn't know it.

Ted Kozlowski stated and I didn't know it, so.

The Secretary stated that's my fault.

Ted Kozlowski stated I would just appreciate when you submit a plan...

Mr. Gainer stated at least you're honest.

The Secretary stated I'll admit it.

Ted Kozlowski stated just submit so old guys like me can read it.

Mr. Buschynski stated you'll get full size sets.

Board Member Montesano stated you gotta get something that will...

Chairman Rogan stated I offered him my glasses but he said it wouldn't help, so, yeah.

Mr. Buschynski stated on the topic of potentially waiving the public hearing, we would just like to point out that there's been no change from the final public hearing to the disturbances in the buffer, except for that one elimination. So these issues have essentially been heard...

Chairman Rogan stated vetted, yeah, it's a good point.

Board Member McNulty stated you just redirected what you had, basically.

Mr. Lamontagne stated yes, there are a number of, a number of comments that we're gone through and I know that that was the major one and so we haven't received any other comment letters that indicate that we did anything to hurt our chance of moving forward here...

Chairman Rogan stated right.

Mr. Lamontagne stated we haven't received any, so we're hoping that the Town is happy with the latest plan, we're waiting on the DEP and the County is pretty pleased with it, we just haven't received their final stamp on it.

Chairman Rogan stated sure, no, I think all of the feedback from our group has been very positive up into this point so...

Mr. Lamontagne stated I didn't know if you wanted to go step by step, point by point with all the...

Chairman Rogan stated no, I think the concern was that we had a lot of comment at the public hearing and if no one had showed up for the public hearing last time or one person and there were no real comments, I think the Board would probably feel a little differently about waiving the public hearing but given that we did have so much response and in consideration of process and maybe you know, people that didn't comment last time that might have, you know do I think that it will drastically change anything, probably not no but I think also there are issues that were brought up...

Board Member McNulty stated it is part of the process with the wetlands application.

Mr. Lamontagne stated right.

Ted Kozlowski stated its just the wetlands application, not the project.

Chairman Rogan stated right.

Board Member McNulty stated no, just the wetlands application.

Ted Kozlowski stated it's just the wetlands, it's not a project hearing.

Rich Williams stated but along those...

Mr. Lamontagne stated they can't comment on...

Rich Williams stated along those vein, along that vein, I mean when we had the public hearing back in 2012, you got comments basically in two general areas, one was...

Chairman Rogan stated bears.

Rich Williams stated you know density and the type of people that are going to live and traffic on the road.

Chairman Rogan stated yeah, right and no, you're right.

Rich Williams stated there was nothing regarding the wetlands and certainly what you're looking at...

Chairman Rogan stated except for maybe the one lot that is, oh no, it wasn't wetlands, it was density, closest to, someone didn't want a neighbor.

Rich Williams stated right and you know we're talking about wetlands to, some minor intrusions in the buffer for some stormwater outfalls.

Ted Kozlowski stated I'm not adamant, I'm just saying historically what we usually do.

Chairman Rogan stated no, I'm not...

Mr. Alexander stated I think and the engineers have a great point, that you know, it sort of, Geoff and I were sort of going back and forth, it's not that it make a huge never mind...

Chairman Rogan stated I understand.

Mr. Alexander stated it's just sort of are we opening a door, I think that's where Rich was sort of going a little bit, is you know we all who do this and you are gracious enough to be volunteers, us who are paid professionals...

Chairman Rogan stated yeah.

Mr. Alexander stated and do this night after night, we know what the scope of where the comments are supposed to lie.

Chairman Rogan stated oh I understand, I was at the last public hearing too.

Mr. Alexander stated which you know, are we, basically what's the game, you know what I mean and I'm going to let you weigh that...

Chairman Rogan stated yeah, no I agree, yeah.

Mr. Alexander stated you know I was given the opportunity to at least you know put that in and it doesn't matter that much, it just...

Chairman Rogan stated sure.

Mr. Alexander stated what kind of night do we need to have.

Chairman Rogan stated completely understood, I completely understood. What is the rest of the Board's opinion on this matter.

Board Member McNulty stated looking at it closer, the impacts are minimalizing, it's a mitigation to the original plan, there was a lot of comment but I would be in favor of waiving the public hearing.

Chairman Rogan stated Ron, what's your feeling.

Board Member Taylor stated well I feel like the public should have as much input as they can in this process and in these processes and even though you know, nothing's changed it's the appearance of what we're doing I think is important to consider that is if we do waive the public, what the appearance, how it will appear to people in the Town, as Shawn said you've been wonderful to work with, I sat out in the

audience for several years and watched this thing unfold and you were always responsive to concerns. I think I would be in favor of the public hearing though just because of, we want to appear and be as open to the public as we possibly can in the process.

Board Member Montesano stated well we've had this project going on, I have, we've offered to accept written comments through the entire process, I haven't seen any and since nothing major has changed, at least as far as I'm concerned because it seems to go in the right direction, so if we, what exactly we'll save I don't know but I appreciate the public, I appreciate their comments, we've given them sufficient time, I feel to make comments so, waiving it is not a problem with me.

Chairman Rogan stated okay.

Board Member McNulty stated make a motion.

Chairman Rogan stated yeah sure.

Board Member McNulty stated I make a motion, where's the application, in the wetlands application for Ice Pond Estates to waive the public hearing.

Board Member Montesano stated second.

Chairman Rogan stated Michelle can you do a roll call, please.

The Secretary stated sure.

Chairman Rogan stated you remember our names don't you.

The Secretary stated no.

Board Member Montesano stated just look on the paper there.

UPON ROLL CALL VOTE:

Board Member McNulty	-	yes
Board Member Taylor	-	no
Board Member Montesano	-	yes
Chairman Rogan	-	yes

The motion carried by vote of 3 to 1.

Chairman Rogan stated but I want to also add that since this is a public meeting that is advertised that the Board, regardless of whether a public hearing is open or not, we'll always accept written comments on any application and take them with as much importance as any comment in person and I think that's important for people to realize because I don't weigh, if somebody speaks and stands up versus something in writing, in fact many times when somebody submits something in writing, it's more clearly thought out and you know sometimes those comments tend to be the best comments, so I would encourage anyone who has any comment on this application to submit that in writing or come to a meeting and we've allowed people to have public comment, we did it on the Haviland Farm application last meeting where someone wished to speak.

Rich Williams stated sure and you did it on the Gottwald Subdivision.

Chairman Rogan stated yeah, so if anything I do think this Board is open to public comment at any time and would encourage it.

Ted Kozlowski stated Shawn...

Chairman Rogan stated yes sir.

Ted Kozlowski stated I would again just would like to acknowledge the applicant and the engineers for being very sensitive to the wetlands, dealing with the land in a much respectful way and this has been a better project that I have been involved with.

Chairman Rogan stated there's some items contained within the memo from Bibbo that were in response to the engineers comments and it raises a few questions about potential waivers and things or some slope issues with some access roads.

Board Member McNulty stated tree screening.

Chairman Rogan stated street trees which we spoke about at the work session, Ted I believe you were in favor of waiving that.

Ted Kozlowski stated right, yeah.

Chairman Rogan stated want to make a motion on waiving the, do one at a time, waiving the street trees.

Board Member McNulty stated Rich, I didn't see a review on this letter, have you done that yet.

Rich Williams stated no, I apologize, there were considerable materials, I haven't had a chance to finish everything up, I have started but haven't got it finished up, I haven't, we've now go some road names that I think are applicable, I want to make sure that they're okay with OEM, so I will have a review done for the next meeting and certainly to Bibbo well before then, you know, you know, in the same vein we have a new Town Engineer, he's just getting up to speed on some of this and we just dumped all this information on him beginning of this week, he hasn't had a chance...

Chairman Rogan stated he's still sitting upright though, he's doing okay.

Rich Williams stated so far but I don't see it in the, you know I don't see it all in the...

Board Member McNulty stated you want to hold off until we see Rich's comments.

Chairman Rogan stated let me ask procedurally with the wetlands application, we roll that right into the final plat approval or do we do that separately.

Rich Williams stated yes, yes, no we roll that right in.

Chairman Rogan stated so we're not holding anything up.

Rich Williams stated with regards to the street trees, I don't have a problem with the street trees because we don't want the trees in the road right of way to begin with.

Chairman Rogan stated right.

Rich Williams stated the other waiver had to do...

Board Member McNulty stated there was on grade...

Chairman Rogan stated something with a slight 20% grade on one of the access roads to the stormwater...

Board Member McNulty stated and lot 13 at 20% grade.

Mr. Lamontagne stated stormwater maintenance paths.

Rich Williams stated yeah, I want to take a look at that.

Board Member McNulty stated why don't we hold off...

Chairman Rogan stated that's fine.

Board Member McNulty stated and get Rich's review and we can do it all at once.

Chairman Rogan stated there was something else, what was it, I lost my train of thought.

Board Member McNulty stated the creation of the district.

Board Member Taylor stated the grade between the two roads.

Mr. Buschynski stated it was the grade issue between the two roads are, the comment was that all intersections should approach each other at 3%...

Chairman Rogan stated oh, I see.

Mr. Buschynski stated I don't believe that was the intent of that provision of the ordinance but if it is, we're asking it be waived...

Chairman Rogan stated it's for the access.

Mr. Buschynski stated because if we were at this location...

Chairman Rogan stated yeah.

Mr. Buschynski stated to accommodate that 3% there would be unacceptable excavation.

Chairman Rogan stated yeah, you're saying the intent was to, where the subdivision road access the public, the main road would be more the 3% grade, so you can take a look at that.

Rich Williams stated you can take a look at it, I can tell you that was the intent because we do want a level area at the intersection you know it helps cars from, you know sliding out into the intersection, so.

Chairman Rogan stated yeah, well and the roads are...

Mr. Buschynski stated well again, it's this road is approaching this road at its 3% but this road is a hill at 10%.

Chairman Rogan stated I think Rich is saying the way you've designed would meet the intent of the Code because it's...

Rich Williams stated I'm saying I want to take a look at it but yes, you're right.

Chairman Rogan stated oh okay.

Mr. Lamontagne stated that hasn't changed, yes.

Chairman Rogan stated okay and then you have Hinkley...

Mr. Buschynski stated Pond Drive.

Mr. Lamontagne stated Hinkley Pond Drive.

Board Member McNulty stated Mabie...

Chairman Rogan stated Pond Drive and Mabie Way, we were saying Mabie Left and Mabie Right but now they're certainly tied to the history of the property, we appreciate that as well.

Mr. Lamontagne stated reading the history of the property you know Hinkley was spelt three different ways and Mabie was spelt a couple of different ways too, so.

Chairman Rogan stated yeah.

Board Member Montesano stated depends on what school you went to at the time.

Mr. Lamontagne stated I guess so, I guess so.

Chairman Rogan stated well we want somebody to move onto this road and say what were these people thinking, nobody gets our street name right, nobody can spell it right but anything else from anyone, gentlemen, no, okay.

Board Member McNulty stated no.

Board Member Montesano stated no.

Chairman Rogan stated thank you, we appreciate your time.

Mr. Buschynski stated thank you.

Mr. Lamontagne stated okay, thank you.

Chairman Rogan stated absolutely. Always nice to see you gentlemen.

Mr. Ringler stated thank you,

Chairman Rogan stated Joe, don't make it only a once a year occurrence though.

Mr. Buschynski stated appreciate your time, next month.

Board Member McNulty stated just, I have one question, Rich...

Rich Williams stated yeah, you'll be on automatically next month.

Board Member McNulty stated what's left in the process...

Mr. Alexander stated so that will be 3/6.

Mr. Lamontagne stated we come back...

Rich Williams stated that way we're going to get you in here twice a year.

Board Member McNulty stated Rich, what's left in the process now to finalize everything here.

Chairman Rogan stated finish up the plans.

Rich Williams stated we have to get the easement documents in and agree on them, I think Mike has provided some already so that you've been looking at them.

Mr. Alexander stated we, I don't know if we actually got there Mike, we got there but I was looking at they changed, we can talk about this offline...

Mr. Liguori stated sure.

Mr. Alexander stated but they changed 279, so I don't know how much with regards to the roads and stuff like that, we may not need as much documentation to get the, some of it's now considered offers for streets and stuff, at now considered with a plat filing, you don't even need a separate offer. I'll let you take a look at the way they changed 279, if you disagree, we'll draft, it's not a problem.

Mr. Liguori stated okay.

Rich Williams stated well that always comes later anyway, so.

Mr. Alexander stated right, the acceptance is later too right, so...

Rich Williams stated yeah, so we have that, we have the drainage district, there is a little bit of cleanup, I know we're waiting for DEP comments back.

Chairman Rogan stated bond calculations at some point.

Rich Williams stated yup, bond calculations, I've got to get through the stormwater.

Chairman Rogan stated the minutia.

Rich Williams stated yeah.

Chairman Rogan stated all the fun stuff.

Rich Williams stated it's more administrative at this point.

Chairman Rogan stated yeah, yeah, okay.

Mr. Lamontagne stated good, thank you very much.

Chairman Rogan stated have a good evening gentlemen, just be careful going home, a lot of black ice out there.

Board Member McNulty stated good luck.

6) FROG HILL LLC – Site Plan Application

Mr. Harry Nichols, P.E., was present.

Chairman Rogan stated okay, Harry, I believe you're up, Frog Hill. Harry you're looking pretty good tonight.

Board Member McNulty stated hey Harry.

Mr. Nichols stated well thank you.

Chairman Rogan stated yeah.

Mr. Nichols stated you look pretty good yourself.

Chairman Rogan stated how are you doing, thank you, flattery will get you everywhere.

Board Member Montesano stated is this a paper (*inaudible – mumbling*).

Mr. Nichols stated I know about you Mike.

Board Member McNulty stated okay Harry, what do you have for us tonight.

Mr. Nichols stated are you missing somebody.

Board Member McNulty stated Shawn will be right back.

Mr. Nichols stated oh okay.

Board Member Montesano stated don't worry about him, you'll get three votes, yes, yes, no.

Board Member McNulty stated I know Rich put a memo out, I haven't had a chance to look at it yet, I don't know if you have.

Mr. Nichols stated yes, I've got to it. Basically what we've done is, is we've started to clean up the loose ends that we had before, provided the rest of the grading in the road, there is a comment in here saying the road is steeper than the 8% or something like that anything 8% or greater...

Rich Williams stated no I said, I suggested that anything 8% or greater be paved.

Mr. Nichols stated okay, well we are paving it down to where it...

Rich Williams stated but it's not shown on this plan or it's not shown on the plan that I had.

Mr. Nichols stated okay, it's shaded.

Rich Williams stated it was in the previously plan, it was labeled.

Mr. Nichols stated yeah, it's not like it was shaded, we'll clarify that.

Rich Williams stated okay.

Mr. Nichols stated as far as the use goes, I'm kind of confused as to what we have to go to get the use for what the auto lots, he wants to do repairs, a public garage, a garage is allowed as long as it's open to the public. I think he's thinking more of working on his own cars and whatever repairs, I don't know if he does repairs now or not but that's, I know he wanted that use put in there and that's the reason for the application, we noticed as a possible change in the allowable use.

Rich Williams stated and that's the \$64 question I think everybody needs to resolve to move forward, if the applicant is looking and Mike weigh in any time you're ready to weigh in...

Mr. Liguori stated okay.

Rich Williams stated if the applicant is looking to work on his own equipment on the site and it is construction related equipment, that is a contractors' yard, in my view and not something that is permitted in this zoning district, then he would, you know, he would either have to get a use variance which is highly, highly unlikely or he would have to get a zoning change to allow but seeing as the Town made a decision a number of years back specifically eliminating contractors' yard along Route 22, it might be a difficult sell.

Board Member McNulty stated I thought it was originally going to be a little retail shop and a stone fabricator.

Mr. Liguori stated yeah, wasn't that, I thought that's what we were...

Mr. Nichols stated it's half the building would be allocated for the manufacturing of kitchen stone...

Board Member McNulty stated marble, granite.

Mr. Nichols stated marble, granite...

Chairman Rogan stated Rich, was...

Mr. Nichols stated and part of it would be a show room.

Chairman Rogan stated wasn't the intent though of the Town changing in regard to contractors' yards along Route 22, with the idea that you didn't want to have contractors' yards directly on [Route] 22 visible, I mean where you have prime real estate that could be used for retail, for restaurants, for whatever, case in point, the lot that we've been talking about with Bill Henry, that is a classic example of why the Town probably didn't want contractors' yards...

Rich Williams stated sure.

Chairman Rogan stated you have a beautiful piece of property, it's available for retail, you want your contractors' yards to be kind off and not seen because of what they typically are and I would almost argue that this site is the epitome of that, it's you know, not that that changes the zoning or anything or not that I'm saying that he would get a use variance but it doesn't seem like this fits with that original intent as much.

Rich Williams stated it was two fold, one it was visual the appearance of the community as seen along the streetscape, second it was environmental, contractors' yards are notorious for leaking equipment, petroleum, you know storage of materials that sometimes leaks, and the whole Route 22 corridor is adjacent to the Great Swamp, so there was a lot of concern with both contractors' yards and if you remember public garages and gas stations...

Chairman Rogan stated yeah.

Rich Williams stated ultimately we took gas stations right out of the code.

Chairman Rogan stated right, so...

Board Member Taylor stated well so if they want a contractors' yard or if they want a public garage, they either go to the Zoning Board, correct, either one of those...

Rich Williams stated public garage I believe goes to the Zoning Board.

Board Member Taylor stated right and if they want a contractors' yard then they got to change the zoning or do something else so they have to go the Zoning Board so those issues...

Rich Williams stated go to the Town Board.

Chairman Rogan stated Town Board.

Board Member Taylor stated Town Board okay but they're not before us for those issues.

Rich Williams stated no.

Board Member Taylor stated so you need to make a decision Harry or the owner needs to make a decision whether he wants to go to those other venues for approvals.

Mr. Nichols stated are those the only two classifications that you have.

Chairman Rogan stated well that's what I just going to ask is...

Rich Williams stated for working on equipment.

Mr. Nichols stated yeah.

Chairman Rogan stated well in other words, are we penalizing this guy for being honest, if he had said equipment storage on there, you know, garage, truck storage, you know are we, I mean at what level are people, a full blown mechanic shop where you're bringing vehicles in versus somebody who wants to store a few a vehicles in there, I don't know what, you know I'm trying to determine what, how you differentiate between the two, you know.

Rich Williams stated you make a reasoned determination based on the definitions within our code.

Board Member Taylor stated he's not just...

Chairman Rogan stated I mean common sense wise, to heck with the code, no I mean like reasonably, somebody says well I want to have...

Rich Williams stated just throw the code out.

Chairman Rogan stated a garage space, and I'm going to put a, I'm going to store my excavator in there, I don't about an excavator because that's pretty tall but you know...

Rich Williams stated yeah I guess it, you know the impacts from a contractors' yard in my mind are slightly different, slightly more intense than you would have with a public facility where there is public going in and out where there is a constant turnover and where you have professionally trained mechanics.

Chairman Rogan stated right.

Rich Williams stated you know if this was going to be an HO dealership, you know I would that's not a contractors' yard, that's more of a retail equipment repair, you know we run into the same thing with Anthony Boniello, you know small engine repair, you know well our Code doesn't really define small engine repair but I would say that small engine repair that's Anthony's been doing for years is a legally permitted use under our Zoning Code based on a couple of different, you know criteria.

Board Member McNulty stated so it could obtain a special use permit for...

Rich Williams stated no, no, I didn't...

Board Member McNulty stated no, it could possibly get a public garage special use permit if it's open to the public, could it be specific to heavy equipment.

Rich Williams stated yeah, yeah I would say that.

Board Member McNulty stated but for a contractor but open to the public.

Rich Williams stated yeah, if it's open to the public now if he goes down this road...

Board Member McNulty stated that fits in the C-1.

Rich Williams stated they get site plan approval, they you know get the special use permit for a public garage and then later on we find that that's not really what they're doing, they're running it as a contractor's yard, then they're going to get a violation and we're going to into court and we're going to have to prove our case.

Chairman Rogan stated what's the clear definition of public garage, you're open for business.

Mr. Liguori stated a building or part thereof other than a private garage, there's a definition for that, used for storage, care, repair, or painting of motor vehicles for remuneration or for the sale of motor vehicles or accessories or where such, or where any such vehicles are kept for hire. So a building used for the storage, care, repair, or painting of motor vehicles for profit. Want me to read private.

Chairman Rogan stated sure.

Mr. Liguori stated its long, just warning.

Board Member McNulty stated you need the microphone.

Mr. Liguori stated thanks Harry, private garage is a...

Chairman Rogan stated wow, there you are.

Mr. Liguori stated portion of a principal building or an accessory building with a building area of greater than 250 square feet but which does not exceed in size a bulk area ratio of 50% of the principal dwelling on a lot as measured from the above ground exterior walls of each structure, is this private garage, next to your house private garage.

Rich Williams stated yes, yes.

Mr. Liguori stated alright, I'm sorry. I thought it was going to be a...

Rich Williams stated no, it's a residential unit.

Mr. Liguori stated okay, alright, alright, sorry, it's not even relevant.

Board Member Taylor stated it doesn't apply. I think what we have to be concerned with is not whether he's being honest or not but whether we are approving a use that is going to be the use.

Chairman Rogan stated right.

Board Member Taylor stated and one of the things we'd be concerned about is if he's doing repairs in there, one of the things I'm going to ask about is what about the drains and what about containing liquids and I mean all those things, we had this garage we went and looked at over on...

Board Member McNulty stated Commerce Drive.

Board Member Taylor stated in the industrial park.

Chairman Rogan stated that's the one I was thinking of, there were no drains.

Board Member Taylor stated and we were talking about containment and what does he do with spills and particular drains and traps and all those things that needs to be in here.

Chairman Rogan stated didn't that not have though I thought the whole deal was we just had him curb the front, the slope of the garage doors on...

Rich Williams stated are we talking about Leardi's.

Board Member McNulty stated no, Smith's, Frank Smith's.

Chairman Rogan stated Frank Smith's place.

Board Member Montesano stated Frank's.

Chairman Rogan stated that's a public garage...

Rich Williams stated yeah.

Chairman Rogan stated and it had no drainage, no oil/water separators, nothing like that, we talked about where the slope of the...

Rich Williams stated yeah, he was...

Chairman Rogan stated they talked about how they would respond to a spill and...

Board Member McNulty stated well he's right up against the wetland.

Board Member Taylor stated so is he here.

Rich Williams stated he is but we talked about curbing, everything was going to be done inside...

Board Member McNulty stated curbing the dry, the garage.

Rich Williams stated curbing the garage and everything was going to be done inside.

Chairman Rogan stated right.

Rich Williams stated that way everything was contained.

Chairman Rogan stated but you know I remember that one, we had considerable conversation with them about how they're working on the vehicles, what would happen if there was a spill and felt, the Board felt pretty comfortable with the way that they were doing things and I agree I mean that's within 100' of flowing water right there, less than 100' actually...

Board Member McNulty stated it was right outside the door.

Chairman Rogan stated it was right outside there, you know, well, so it sounds like though from what I'm hearing that if he's proposing to have equipment repair of any kind, whether it's public or private, it's not for this Board to approve that use we would need another Board's approval because it's discrepancy or a going-ness away from what it approvable for the property, correct, okay. So we could approve, we could

approve a site plan for it provided he gets either a zoning variance or a special use permit or a approval from the Town Board, right.

Rich Williams stated mmhmm.

Chairman Rogan stated so I guess Jay has to figure out what he wants to do, you know.

Board Member McNulty stated a public garage though, just to be clear, is permitted under special use, in that C-1 zoning.

Rich Williams stated yeah, I believe that's where...

Board Member McNulty stated according to your notes, yeah.

Mr. Liguori stated we were just taking a look.

Chairman Rogan stated this gravel area, loading area.

Board Member Taylor stated are we alright with the parking and all that, with...

Rich Williams stated no.

Board Member Taylor stated okay, alright, so we're moving down.

Mr. Nichols stated yeah, no, the additional spaces will be added.

Board Member Taylor stated okay.

Rich Williams stated the additional what.

Mr. Nichols stated the additional spaces that you have pointed out to me will be provided.

Rich Williams stated or they can waive it but you know, again it depends on what's going...

Mr. Nichols stated I don't think the intensity though for parking is there.

Chairman Rogan stated no, they wish that had many parking, people parking for a showroom.

Mr. Nichols stated they wish they had that kind of customers coming in.

Rich Williams stated here's where I get a little confused, is you know, we go out onto the site for a site walk and we see what's really out there and what's really out there is a lot of large construction equipment...

Chairman Rogan stated yeah.

Rich Williams stated some of it at this point is scrap metal, they're storing contractor materials, you know they're storing those beams in the back...

Chairman Rogan stated generators and all kinds of stuff.

Rich Williams stated they're got, you know the little sheds on the side and you know if that's going to be going on out there, I don't know that the site is sufficient for storage area because it's all over the place...

Chairman Rogan stated right, well Jay has a pretty good, an eclectic group of storage items out there now, at one point he said the plan was to cleanup a lot of that stuff.

Mr. Nichols stated he is going to clean that up.

Chairman Rogan stated and just for the price of scrap metal alone, he would clean house.

Mr. Nichols stated and those people that left equipment there, owe him money, so why shouldn't he benefit by selling the scrap.

Chairman Rogan stated just this last time we were there, three big Onan generators showed up by the dilapidated house that's up on the hill...

Mr. Nichols stated okay.

Chairman Rogan stated and they weren't there when we initially did the site walk and they were like in boxes, I mean those are like probably \$10,000 generators a piece, they were commercial, huge, diesel generators.

Rich Williams stated point being we did talk about cleaning up the site and it's going the other way. Now, you know, I don't...

Chairman Rogan stated yeah.

Rich Williams stated I'm still very confused about what his intent is out there...

Chairman Rogan stated yeah, what's going, right.

Rich Williams stated because I see what is there and I see what people are saying he wants to do there and they're not the same thing and the site right now and the site plan isn't going to be sufficient for what he wants to do out there, in a number of different fronts and I know Jay, I like Jay, I've got nothing against Jay, I hope he's successful but I think we need to clearly define what he's doing out there, create the box and then you know decide how it's going to be addressed.

Chairman Rogan stated so you're saying he's showing what he'd like to do increasing the use of the site, not what's actually out there and what's currently being used or might continue to be used.

Rich Williams stated my concern, we've seen this in the past is people give us a site plan for what they think we're willing approve, not what they really want to do.

Chairman Rogan stated right, well and we just did that with the greenhouses.

Rich Williams stated we did.

Chairman Rogan stated that's exactly what, this exact...

Board Member Taylor stated the cold frames.

Chairman Rogan stated the cold frames, thank you, sorry cold frames. Strike that from the record Michelle. On the cold frames, they were only showing us what they thought we would approve.

Rich Williams stated so it's kind of hard to progress this application forward without having a clear understanding about what the intended use is which has always just been listed equipment repair. Who's equipment, how much...

Chairman Rogan stated why don't we, Harry, why don't you reach out to Jay and get him into the next meeting, get back on the agenda and get him in here.

Mr. Nichols stated I'm surprised he's not here tonight.

Chairman Rogan stated well if he shows up, we'll chat with him but see if he can...

Mr. Nichols stated he did at the last meeting, he committed himself to cleaning up all that miscellaneous junk that's out there.

Rich Williams stated he did.

Chairman Rogan stated that's a lot of stuff out there.

Mr. Nichols stated I know there is.

Chairman Rogan stated he's rich in junk.

Board Member Montesano stated welcome to the world of reality.

Mr. Nichols stated it's only junk when you're going to throw it away, when you need it...

Chairman Rogan stated yeah, if he just sold all the wood that was stacked up on that site as fire wood right now he'd probably, I mean there was truck loads and truck loads of log link wood just stacked out on that site, just for however long it's been there, right, you remember how big that pile is.

Rich Williams stated yeah.

Chairman Rogan stated it was like 200' long, just logs, you know, get a big firewood processor in there and turn it into cash but, so why don't we get Jay in here and see if we can clarify some of these issues, I don't want him to spin his wheels, I don't want to spin our wheels either, we want to get something that's approvable out there for him, that's the end result, something that will work for him, you know instead of something on paper that the minute it's approved, he's not doing it that either, you know, so what do you think, sound good.

Rich Williams stated yeah and while you're doing that one of the issues that has come to light that I'm a little concerned with is there's water to building.

Mr. Nichols stated yes.

Rich Williams stated where's the waste water going.

Mr. Nichols stated there are...

Rich Williams stated please tell me...

Mr. Nichols stated out here, parked up against the fence where the food trailer is...

Rich Williams stated yeah.

Mr. Nichols stated next to there, that, there are a couple of port-a-johns that have been there for years.

Rich Williams stated yeah, I think you're missing the point, he's got water in the building, he turns the tap on, where's the water going.

Mr. Nichols stated oh, I see what you're saying.

Rich Williams stated I'm hoping he puts it into a holding tank and is not directly discharging out.

Board Member McNulty stated because your water line is clearly marked on the plan...

Mr. Nichols stated yup.

Board Member McNulty stated and it goes to a number of buildings.

Mr. Nichols stated right.

Chairman Rogan stated but the other buildings have, yeah...

Board Member McNulty stated but we had talked about you know, exactly what Rich said, when you turn the water on, where does it go.

Mr. Nichols stated well we are proposing a septic system to be installed.

Ted Kozlowski stated that's proposing.

Mr. Nichols stated so that's where it will go.

Chairman Rogan stated so that's where it will go.

Rich Williams stated okay just find out where it goes and make sure it's not being discharged directly into the wetlands, that's my only concern.

Board Member McNulty stated maybe if there are some dry wells, you can note that they're going to be abandoned or...

Chairman Rogan stated or just...

Rich Williams stated yeah, something.

Chairman Rogan stated show that everything's going into that system, move forward but alright, anything else from anyone, Ron...

Mr. Nichols stated we did delineate, Ted can probably answer this one, we delineated the limit of the adjacent area by putting large rocks, is that something that will be acceptable to you.

Ted Kozlowski stated explain it to me Harry, show me what you're talking about.

Mr. Nichols stated yeah.

Chairman Rogan stated yeah.

Rich Williams stated candy.

Chairman Rogan stated no.

Mr. Nichols stated we're showing these, these are supposed to be large stones...

Chairman Rogan stated I wish there was a tavern around we could get some food at.

Mr. Walsh stated oh, you.

Ted Kozlowski stated on the buffer or the wetland line.

Mr. Nichols stated this is the buffer line.

Ted Kozlowski stated buffer, you did that now.

Mr. Walsh stated very soon.

Mr. Nichols stated this was put on the plan, yes.

Ted Kozlowski stated no, no, the boulders are out there now.

Mr. Nichols stated no, no, no, we know better than to do our work until we get the permit.

Chairman Rogan stated Harry, you're good, that's experience talking.

Ted Kozlowski stated we love you.

Mr. Nichols stated yeah, we're showing them and we showed them, as a matter of fact I discussed with Rich one day when I was in his office, where we should go and the suggestion came up to start here, bring it around...

Rich Williams stated that was a suggestion and I made it very clear that that was my suggestion and Teddy was going to weigh in on it.

Ted Kozlowski stated big boulders.

Mr. Nichols stated yeah.

Rich Williams stated well I just said where they were going to go, not what they were.

Mr. Nichols stated three and four hundred pound boulders, just don't pick up...

Ted Kozlowski stated where are these, where are they coming from, you're just going to get boulders and...

Chairman Rogan stated boulders are easy to get...

Board Member McNulty stated yeah, they're everywhere.

Chairman Rogan stated welcome to Putnam County.

Mr. Liguori stated from that guy's driveway.

Board Member McNulty stated go to Fox Run.

The Secretary stated that's right.

Rich Williams stated he's going dig them out of a hole in the west of the site.

Chairman Rogan stated a hole.

Ted Kozlowski stated can I, can I think on this one.

Board Member McNulty stated we're going to have a lot comments Ted, so.

Ted Kozlowski stated yeah, let me think.

Mr. Nichols stated the concern of a fence was it's going deteriorate with age and...

Ted Kozlowski stated I just, look, I don't conceptually I don't have a problem with it but let's think about this for a second, Jay Maxwell isn't going to live forever and this property isn't necessarily stay this way forever so the next person that comes in, is he going to want to see giant boulders sitting there in what basically is a field, is that going to aesthetically...

Board Member McNulty stated well it's down along the edge of the swamp, is it not, the buffer.

Ted Kozlowski stated is the purpose of the boulders to delineate the buffer line, that's what it is.

Mr. Nichols stated yes.

Board Member Montesano stated can we paint the boulders with artistic scenes on them...

Board Member McNulty stated no.

Rich Williams stated what do we want happy faces on them now.

Board Member Montesano stated happy faces, frowns...

Ted Kozlowski stated it's a long ways from Route 22, so I guess it's okay.

Board Member Montesano stated he caught it.

Chairman Rogan stated have you seen Jay, the man does not age.

Ted Kozlowski stated no, I know.

Chairman Rogan stated looks the same as he did 20 years ago.

Ted Kozlowski stated I met with him in the fall when I flagged that.

Chairman Rogan stated that man will be here long after we're all gone.

Ted Kozlowski stated he looks the same.

Chairman Rogan stated amazing.

Ted Kozlowski stated just like Ron [Gainer].

Mr. Gainer stated you're a liar.

Chairman Rogan stated alright.

Board Member McNulty stated any questions Harry, you get Jay in to...

Chairman Rogan stated yeah, he's got work.

Board Member Montesano stated this is.

Mr. Nichols stated well I'm getting a message of what the issues are and that's what I really need to do is know what they are...

Chairman Rogan stated us too.

Mr. Nichols stated and put him in a corner and just say look, this is what you're choices are.

Chairman Rogan stated true.

Board Member Montesano stated you can do that, I'm glad it's going to be you.

Mr. Nichols stated he's a little bigger than but that's alright.

Chairman Rogan stated I have a feeling you'll have pretty good luck though but alright, let's, in fairness to the folks that are being very patient here tonight, behind all you guys. Why don't we move forward, see if you can talk to Jay and get him in here, let's hammer out some of these issues because we're not trying to slow him down at all but we need a couple of answers first.

Board Member McNulty stated need some clarity.

Chairman Rogan stated alright, thank you.

Mr. Nichols stated okay.

Chairman Rogan stated appreciate it Harry.

Ted Kozlowski stated good night Harry.

Chairman Rogan stated Harry, send regards to your lovely wife for us please.

Mr. Nichols stated of course, thank you.

Chairman Rogan stated thank you. Okay, we have Garrett Site Plan, parking for Walsh's Tavern. That's got a good ring to it, Walsh's Town Tavern, I like it.

7) GARRETT SITE PLAN – Parking Area for Walsh's Town Tavern

Mr. Jack Walsh of Walsh's Town Tavern, was present.

Ted Kozlowski stated I could go for a cold one right now.

Board Member Montesano stated okay, let's go.

Mr. Walsh stated how we doing.

Chairman Rogan stated how are you sir.

Mr. Walsh stated good thank you.

Chairman Rogan stated what's your name.

Mr. Walsh stated Jack Walsh.

Chairman Rogan stated Jack, pleasure to meet you sir, awesome, haven't met you yet, welcome to Patterson, I hope you're going to do really well.

The Secretary stated yes you have, you did the sign.

Board Member McNulty stated yeah he did the sign.

Board Member Montesano stated he did the sign.

Mr. Walsh stated yup, yup.

Board Member Montesano stated but that's alright, he sometimes forgets.

Chairman Rogan stated oh I forgot, you know.

Board Member Montesano stated and he didn't even drink yet.

Chairman Rogan stated okay so we're looking at, actually where you used to have your building, right Tommy.

Board Member Taylor stated yup.

Board Member McNulty stated yeah, I used to lease there at one time, in the parking area, the proposed parking area.

Mr. Walsh stated yup, proposed parking area, that was you that one time, it's vacant now, I spoke with Mr. Garrett the current, you know the property owner and we worked out a, basically a month to month agreement...

Chairman Rogan stated sure.

Mr. Walsh stated to use it as a, you know, a dedicated parking area for the Tavern.

Chairman Rogan stated and acknowledge that the parking there along the street is kind of no man's land and it's first come first serve and that this would be a month to month issue, lease, so we would, obviously you're not looking to increase the seating of your facility...

Mr. Walsh stated no, not at all.

Chairman Rogan stated it's just more of convenience.

Mr. Walsh stated it's just to make it easier for folks to park.

Chairman Rogan stated understood and there were just a couple of comments about delineation of the lot and the telephone pole that's right square in the middle of, yeah in the middle of some of the parking area.

Rich Williams stated there's some things to consider.

Mr. Walsh stated sure.

Chairman Rogan stated but nothing that looks too crazy.

Mr. Walsh stated yeah I mean, what we would look to do is, I mean I would look to rope off that area, this way people on the street can't come in or vice versa you can't when you're in there parking your car you don't go too far forward.

Chairman Rogan stated well I think then the roping would just need to be done in a way that's going to be a little bit, even though this is somewhat of a temporary situation because 6 months from now you could be, they could hopefully have something they want to do with that property but something that's going to hold up, you know I think as the plan showed it looked like it was spaced quite far and you know maybe we can figure out something that would be a little more, you know suitable, you know...

Mr. Walsh stated more sturdy, okay. I mean also for signage, I know Rich had mentioned signage and we were looking to put signs, you know parking for Walsh's Tavern only...

Chairman Rogan stated yeah.

Mr. Walsh stated out there so it's not just like a free for all...

Chairman Rogan stated well and the barbershop is next door and I know back before there were signs up when I went to the barber I would park in that, in that lot there...

Mr. Walsh stated right, right.

Chairman Rogan stated you know and they put a sign up now and I certainly respect that but...

Board Member McNulty stated well back in the day on dart night, that whole lot would fill up, so it would get crowded.

Rich Williams stated so if you can show the size, basic design and location where you might want to put them up.

Mr. Walsh stated okay, okay.

Rich Williams stated you know.

Mr. Walsh stated would you want it lined as well, like the spaces lines within the area.

Rich Williams stated again I threw out a bunch of things for the Board to consider, I don't know that I would necessarily want it lined.

Mr. Walsh stated you know being that if it's temporary or, you know I'm not sure.

Chairman Rogan stated I don't think, this is something...

Board Member McNulty stated well I'd use Rich's notes that he prepared we just got them tonight, I didn't get a chance to really go through them, it mentioned in your plan that you were going to clean up the site, to what degree.

Mr. Walsh stated well part of the opening and closing activities of the tavern would be to walk the lot and to clean it, clean it up, if there's any garbage out there, anything, we would keep it clean, we would maintain it.

Board Member McNulty stated I meant more in the current condition that it's in, is there any repaving included.

Mr. Walsh stated I wasn't looking to do any...

Board Member McNulty stated is there, going to clean the shrubs out, is the pole going to come down, I mean...

Mr. Walsh stated I mean...

Rich Williams stated that was really the unfortunate part with all this and the timing and snow...

Mr. Walsh stated with the snow, right.

Rich Williams stated because I really wanted to get out there and it never really melted off, I want to get out there, kind of mark this out and see because you know, when you overlay his plan on the aerial, it looks like it goes into where the buildings were and I've got some concerns about you know, the foundation, so you know really it's...

Board Member McNulty stated you have different levels too, I'm somewhat familiar with the site so there's...

Rich Williams stated yeah.

Board Member McNulty stated what's left over there are different levels and they're not all at street level.

Mr. Walsh stated I mean the area that I was talking to Mr. Garrett, he said it was 33' by 100', it's the front portion, it's flat, it's level, it's paved, I think there's one corner of it that was where a building might have been that when it came down but it was, you know it was, it was concrete, it was solid but it was that front area, so it wasn't, it was one level it wasn't like...

Board Member McNulty stated well I know the slab is up and down in a couple places so if you're walking out there in the snow, be careful.

Mr. Walsh stated no, I wasn't.

Rich Williams stated no, I'm aware of that, I need the snow gone but I really and I know timing is critical on this...

Board Member McNulty stated yeah.

Rich Williams stated and I think we can make this work, I'm sure we can make this work.

Board Member McNulty stated I'm sure we can make it work.

Board Member Montesano stated maybe you can borrow from (*inaudible - mumbling*).

Rich Williams stated I think the question is laying it out, out there...

Mr. Walsh stated right.

Rich Williams stated and seeing how it's going to work.

Chairman Rogan stated okay.

Board Member McNulty stated yeah, I saw Rich had a note about exit and entering, I know there's a curb cut that's pretty wide out there.

Mr. Walsh stated I know the entrance, but when I, before it snowed the entrance it was on Route 311.

Board Member McNulty stated on [Route] 311.

Mr. Walsh stated right there in front, it's all, there's no curb, it's like its right rolls right out into there.

Chairman Rogan stated yeah, it rolls right off.

Mr. Walsh stated that would be the, you know come in, come out, entrance, exit.

Board Member McNulty stated that's how we used to enter the property, in and out that way.

Mr. Walsh stated right.

Board Member Taylor stated and so you wouldn't need a drive aisle then.

Rich Williams stated you would need a drive, you're going to need a drive aisle for cars to back out, you know, to make their turn, the turning movement...

Board Member McNulty stated rather than.

Rich Williams stated so that they can drive out, there's got to be some sort of drive aisle.

Board Member McNulty stated you don't want them to back out onto [Route] 311.

Board Member Taylor stated right.

Board Member McNulty stated that's I think the big concern.

Mr. Walsh stated that's the concern, right, right.

Board Member Taylor stated but he's showing this whole area as staying open.

Mr. Walsh stated I'm showing all this...

Board Member Taylor stated it's not an aisle in the sense that you've got a row of cars here and a row cars here with the aisle between them.

Mr. Walsh stated it's straight on, pull in spaces.

Rich Williams stated I follow that but he's showing a 33' wide area, he's showing 16' car stalls, that really narrows up your drive aisle, if you account for you know what we normally show for a parking stall 20'...

Chairman Rogan stated right.

Rich Williams stated he's got 13' left for a drive aisle, for somebody to back a 16' car out and turn it.

Board Member Taylor stated okay.

Rich Williams stated that's concern, is how this lays out on the site.

Board Member Taylor stated right.

Chairman Rogan stated yeah.

Rich Williams stated and making sure there's adequate room out there for cars to mane, you know maneuver without actually having to back out on to [Route] 311.

Chairman Rogan stated yeah and the 8 ½' wide versus the 10' wide if we don't stripe it, isn't really an issue you know we show it as the area available for parking...

Rich Williams stated yeah.

Chairman Rogan stated so the reality is, it's you know, if it fits 9 cars that's what it fits, whatever, however, people pull in Honda Civics, you might get 20 of them.

Rich Williams stated yup.

Mr. Walsh stated right, whatever you want the spacing to be, right, you know it's obviously, as many as we can possibly fit is what we're looking for but whatever, the size of the space needs to be, it'd be.

Chairman Rogan stated yeah.

Board Member McNulty stated just a recommendation on the striping, it does corral people...

Board Member Taylor stated they're not going to stripe.

Board Member McNulty stated and yeah, if you don't but if you did...

Chairman Rogan stated no, he's saying he's not but if he chose to.

Mr. Walsh stated it's not a free for all with people pulling in.

Board Member McNulty stated and you may gain a spot because people park, they're going to take two spots...

Mr. Walsh stated right, right.

Board Member McNulty stated so for that consideration it may make it more efficient parking with striping.

Rich Williams stated and it's usually not that expensive and not that difficult to do.

Mr. Walsh stated yeah.

Board Member McNulty stated and on the roping, what do you consider, what I mean you're talking about 5/8 nylon yellow rope or a 2" mooring line or...

Mr. Walsh stated no, more like the yellow nylon rope, you know just, putting around the perimeter of it to kind of outline it so you see it.

Board Member McNulty stated are you going to have posts every so many feet or so.

Mr. Walsh stated yeah, I was looking, it would be easier to maybe cement them in a bucket, the fence pole and then in a, like some type of bucket or something.

Chairman Rogan stated you mean like some kind of planter box or something that would just sit there, so they won't tip over.

Mr. Walsh stated yeah, cement them in.

Board Member Montesano stated they get bumped, they'll give.

Board Member McNulty stated this is our chance to try and make this site look a little better right in the middle of Town.

Mr. Walsh stated oh yeah.

Board Member McNulty stated good, so maybe it's not a steel bucket that's going to rust with concrete in it.

Chairman Rogan stated no, maybe a planter is the way to go, maybe figure out something that the center is a post and you can plan a little bit of...

Mr. Walsh stated some shrubs around it, some flowers or something.

Chairman Rogan stated some annuals or something right in there for the spring and summer, right in there for the spring and summer and put them every 25' or something and just run between them something decorative, you know, like you said it's again acknowledging I hope that this parking works out for you and that you know, it's, you know.

Mr. Walsh stated yeah.

Chairman Rogan stated we always hope the businesses have too many people and not enough parking.

Mr. Walsh stated that would be a good thing.

Chairman Rogan stated so, but, well I have a feeling though, if you make the place a friendly, welcoming, we heard...

Mr. Walsh stated that's what we're doing, that's exactly what we're doing.

Chairman Rogan stated one of our Board Members said that the previous facility, he and his wife when they were thinking about buying their house in this area, they walked in and like, you know it's like, the screech of the thing coming off the turntable...

Mr. Liguori stated the record needle.

Chairman Rogan stated and everyone goes, everyone looks at them, they said we turned around and left. They still bought the house but...

Mr. Walsh stated I mean it's, we're gutting it, not gutting it but everything's coming down, it's...

Chairman Rogan stated but you make a nice friendly atmosphere, you probably, it's something that will be a really nice welcome feature to the area, so.

Mr. Walsh stated that's our goal.

Chairman Rogan stated so let's see if we can figure out a couple of these little minor issues and get you approved for next meeting and get you out of here.

Mr. Walsh stated alright.

Board Member Montesano stated St. Paddy's Day is coming.

Chairman Rogan stated you know, work with Rich, we ask you just work with Rich through his office...

Mr. Walsh stated okay.

Chairman Rogan stated through his office, I mean there's no real problem with this, it's just a matter of nailing down what it's going to be.

Mr. Walsh stated doing it the right way.

Chairman Rogan stated yeah and I apologize I didn't remember meeting you but we look forward to you opening up...

Mr. Walsh stated that's alright.

Chairman Rogan stated when do you think you're going to open the door.

Mr. Walsh stated I mean we're trying to get open the end of the month, early March.

Ted Kozlowski stated St. Paddy's day, you got to be open for that.

Chairman Rogan stated you got to be open for St. Paddy's day.

Mr. Gainer stated I was going to St. Patrick's day.

Mr. Walsh stated oh we're open before St. Paddy's Day, we're going to have, we have to, we're trying the end of the month.

Chairman Rogan stated oh alright, good. Awesome, alright, thank you sir.

Mr. Walsh stated alright, thank you.

Board Member McNulty stated okay.

8) ANTHONY BONIELLO – Site Plan Application

Mr. Anthony Boniello was present.

Chairman Rogan stated okay Boniello Plaza sign application and Boniello Site Plan application, roll these right together.

Mr. Boniello stated hello gentlemen, lady.

Chairman Rogan stated how are you.

Mr. Boniello stated good.

Board Member McNulty stated hi Anthony.

Chairman Rogan stated Anthony, good to see you, okay.

Board Member Montesano stated ah, I made it, I woke up this morning, what's your excuse.

Mr. Boniello stated me too, same situation.

Chairman Rogan stated so the sign we noted when we looked at the work session that the sign, the sign proposed is within the code but there's the Boniello Plaza up top, the little whoop-de-doo on top and...

Mr. Boniello stated I didn't do that, my brother did that but that's the way it was, is that part of the footage.

Board Member McNulty stated yes.

Chairman Rogan stated it is but what we said was we just need to acknowledge it in the application and consider whether or not you want to, if you want to keep that, whether you're going to just go to Zoning and ask for a variance on that or not, it's really up to you whether or not it's worth it to you, I mean, you know.

Board Member Taylor stated or reduce your signs enough so that that includes the 25 square feet.

Chairman Rogan stated right, how do you even figure, that's going to be an interesting one to figure out what, just measure it all up and figure out, you know, it's got all those little curves but it can, you know...

Board Member McNulty stated just a close guesstimate.

Mr. Boniello stated its definitely part of that.

Chairman Rogan stated the Accurso Construction is up, everything else is right now down or blank, there's like a white wash...

Mr. Boniello stated from my understanding I never had...

Board Member Montesano stated let me go back to the blanch.

Mr. Boniello stated I never had, I would have put mine back up but I didn't have an application, did I, in years.

Board Member McNulty stated there was some mention about rolling the sign plan into the site plan.

Chairman Rogan stated yeah, well yeah because we do the site plan, usually signs are part of a site plan so we figured since the...

Mr. Boniello stated what.

Board Member Montesano stated you do you got light bulbs with all you watts.

Chairman Rogan stated no, since the Accurso Construction and Development is part of the site plan, right...

Mr. Boniello stated yes, he couldn't make it, he has another meeting.

Chairman Rogan stated right but what I mean is that it just makes sense to roll this all into one approval when we do it...

Mr. Boniello stated yes.

Chairman Rogan stated the site plan, we appreciate, we have the application, this will be part of it. There are some issues, if we can switch from the sign since the sign is really minor at this point, I mean we have to figure out what you're going to do with the Boniello plaza but that's really minor. The site [plan] application we looked at the drawings that you submitted, the sketches of the proposed display area which everybody thought looked pretty darn nice, we also stated that you still need to go to Zoning for the front porch...

Mr. Boniello stated correct.

Chairman Rogan stated right, so that's a process you still have to go through. The main issue that was expressed that I think you need make everyone comfortable with is deliveries in and out of the site, the big, the bigger trucks and how they're going to be able to get in and out, whether it's they get in and do a 3-point turn, however that it works.

Mr. Boniello stated no, I think, I drive...

Chairman Rogan stated do you currently, do you get tractor trailers at all.

Mr. Boniello stated oh yeah.

Chairman Rogan stated yeah, are they routine.

Mr. Boneillo stated they pull in, what's that.

Chairman Rogan stated are they routine, they come every week.

Mr. Boniello stated well they used to come every other day but they pull in.

Chairman Rogan stated so they pull into the left and back up...

Mr. Boniello stated towards the pond and back up...

Board Member McNulty stated they actually turn around behind the building.

Mr. Boniello stated it's actually...

Board Member McNulty stated in front of your lawn mower shop.

Mr. Boniello stated yes, in front of the two shops.

Chairman Rogan stated behind the display building, so they pull, go to the left, go to the north...

Mr. Boniello stated some guys just back in off [Route] 22 but I don't suggest that, they pull in.

Chairman Rogan stated that's what we're trying to avoid really.

Mr. Boniello stated yeah, they pull in, they do.

Rich Williams stated Shawn, one of the problems we have right now in reviewing all this is he actually submitted a hybrid plan of what he had, what he was going to do and isn't anymore...

Chairman Rogan stated okay.

Rich Williams stated and what he wants to do and it's really not clear about you know how he's melding this all together, what improvements are going to be done, what improvements are not going to be done, he's not certainly going to put the parking in that's right up against the building in the back.

Chairman Rogan stated okay, so...

Rich Williams stated see what I'm saying.

Board Member McNulty stated the handicapped parking.

Board Member Taylor stated no, any of the parking.

Mr. Boniello stated I thought Joel Greenburg addressed that.

Rich Williams stated for example, right in here...

Chairman Rogan stated oh right.

Rich Williams stated he's not going to put that parking in.

Chairman Rogan stated because the existing building is there, right.

Rich Williams stated right and this isn't here, is this going in or is not going in.

Chairman Rogan stated you have the plan that...

Mr. Boniello stated what's that.

Chairman Rogan stated you have the plan that we're referring to, this one.

Mr. Boniello stated yeah, I do.

Chairman Rogan stated okay, yeah, no I mean and it makes sense what Rich is saying is right now you're showing parking proposed behind your existing building, probably, Empire Tool, so if the plan that we're approving, that we're working on right now is going to be to keep the repair shop where is...

Mr. Boniello stated yes.

Chairman Rogan stated not knocking it down, then you might as well eliminate those spots behind it because you're not going to get them, right.

Mr. Boniello stated yes, it's not shown, what plan is that.

Board Member McNulty stated Mike's got it.

Board Member Montesano stated it's right there.

Rich Williams stated it's the one you marked up.

Mr. Boniello stated this is the one Joel, this is not the one the Joel...

The Secretary stated that's the one that you submitted.

Rich Williams stated that's the one that Joel did, that you marked up.

The Secretary stated you submitted that back in September to us.

Chairman Rogan stated is there a more recent one that you had Joel work on.

Board Member Montesano stated does it look familiar.

Mr. Boniello stated no, it does but I thought we eliminated, I guess it is.

Board Member Montesano stated it's got your name on it.

Board Member Taylor stated yeah, so you need an updated plan.

Chairman Rogan stated well and maybe even more appropriate, take the plan and modify it based on the comments that are actually a couple months old at this point, since October. So the notes, not the notes, the comments on the plans are the same Anthony, as what they were in October, they haven't really because the plans haven't been updated, that's the plan we got a while back, like three months ago.

Mr. Boniello stated I didn't make you copies of Joel did.

Mr. Gainer stated yeah, Joel has to turn in a real plan.

Mr. Boniello stated yeah, that's what I thought I gave you.

Rich Williams stated no, no, I've never seen anything that Joel has drawn since 2012.

Chairman Rogan stated well maybe it's just us getting what he worked on.

Mr. Boniello stated this was just, I guess for the work session.

Rich Williams stated right.

Mr. Boniello stated when we came in...

Chairman Rogan stated we haven't gotten anything, we haven't gotten anything else.

Rich Williams stated we haven't gotten anything since.

Board Member McNulty stated that's the only plan we have, you need to get us the real plan.

Chairman Rogan stated call up Joel and get us a couple of copies of what he worked up.

Mr. Boniello stated oh boy, that's not good, I didn't give that to you.

Rich Williams stated you didn't give it to us.

Chairman Rogan stated a lot going on.

Rich Williams stated Anthony, I wouldn't lie to you, honest to God.

Mr. Boniello stated no, I know but I remember going through with you, you said well this is not stamped and I said well if I have to change anything, you don't have that.

Rich Williams stated no, you did not go through a plan that Joel drew up.

Chairman Rogan stated was it just this.

Mr. Boniello stated no, it was a whole sketched in, each bin measured out.

Board Member McNulty stated it was scaled plan.

Mr. Boneillo stated it was a scaled plan, it was a scaled plan, the front side patio, front patio...

Chairman Rogan stated because I mean, I can see where you drew in the bins and stuff on this one.

Mr. Boniello stated yeah but this is all on a plan.

Chairman Rogan stated this is all, hmm.

Board Member Montesano stated well you need to give him a call tomorrow morning and find out if you can get...

Chairman Rogan stated well let's...

Board Member McNulty stated that would help us a lot if you had that.

Chairman Rogan stated let's talk about, let's talk about if we did have this plan in front of us, showing these bins, right, showing the mason supply store, right, so the parking in the back there is eliminated is what you're saying, the parking behind building two is to remain, right, where the one handicap spot and all that...

Mr. Boniello stated yup.

Chairman Rogan stated the new display area, right, the signs, I'm sorry, the fencing out front that's on the left hand corner, that's going to stay, that fence display area...

Mr. Boniello stated yeah, actually we're going to, the fence...

Chairman Rogan stated are you going to turn that into the pond.

Mr. Boniello stated we're going to replace it with a new fence...

Chairman Rogan stated okay.

Mr. Boniello stated have to show the fence on there.

Chairman Rogan stated so that would be to the left if you're looking from Route 22, to the left of the proposed pond.

Mr. Boniello stated yes.

Chairman Rogan stated yeah and we had approved that previously that fencing for a different guy that was out there.

Mr. Boniello stated boy that was a screw up then, I don't know why I thought he put everything in.

Chairman Rogan stated excuse me, so the full, when the site is utilized based on this plan it will be Accurso, which is selling the pavers...

Mr. Boniello stated yeah.

Chairman Rogan stated right, your repair business.

Mr. Boniello stated yeah.

Chairman Rogan stated and what are the other, I saw it on the...

Board Member McNulty stated Campenella Fence...

Chairman Rogan stated Campenella Fence.

Mr. Boniello stated Campenella Fence, he's going to be in where Matthew's was.

Chairman Rogan stated right, that's three...

Rich Williams stated there's four.

Chairman Rogan stated and then rental, the rental equipment is yours...

Mr. Boniello stated yes.

Chairman Rogan stated just renting, what kind of equipment.

Mr. Boniello stated what I've been doing like lawnmowers and skid steers and little excavators...

Chairman Rogan stated oh, you rent like, oh okay.

Rich Williams stated are we going to rental or are we going to, are we staying with small repair, are you doing rentals now or are you doing small repair.

Mr. Boniello stated well I've always done both, why is it different, rentals.

Chairman Rogan stated well like if you rent like a little mini excavator or something like that, you know, so is it Patterson Equipment Repair and Rental.

Mr. Boniello stated rentals, yeah. I was almost positive I gave that to you Rich.

Chairman Rogan stated is there a distinction for the purposes of this discussion really.

Mr. Boniello stated do you remember the one corner.

Rich Williams stated no, the only reason I raised and I'm sorry that I hadn't picked up on the whole rental issue, is you know again, it's permitted under zoning, that's fine you know, do the site improvements support the intended use.

Chairman Rogan stated right.

Rich Williams stated sitting here right now, I don't know.

Chairman Rogan stated yeah.

Rich Williams stated the light bulb didn't go off.

Chairman Rogan stated fair enough.

Rich Williams stated so to get out from under that, have you decided what you're going to do with the storage bins because the storage bins are over on the adjacent property.

Mr. Boniello stated yes and that's what, I, I was almost positive I gave you...

Board Member McNulty stated which property.

Mr. Boniello stated the copy because remember you said...

Chairman Rogan stated they were over here...

Mr. Boniello stated the bins in the corner, may be a little, when I showed you the plan, it may be a little close and you said you were going to evaluate it for turning for trucks going around and I said well I can eliminate that bin, if that needs to be.

Rich Williams stated yeah, I remember that, that was the hand drawn sketch you brought in.

Mr. Boniello stated that was Joel's then you told me well Joel didn't sign it yet, I said well you know I pay for it, he's going to sign it but this is going to be submitted, I'm almost positive...

Chairman Rogan stated okay, alright, so can we get...

Mr. Boniello stated but I can get it tomorrow.

Chairman Rogan stated okay.

Rich Williams stated wait, listen, I can go get you the plan that you gave me that we went through, you know that's...

Mr. Boniello stated oh it's much better than this though, this is like...

Rich Williams stated I don't know...

Mr. Boniello stated sure it is, can you get it.

Rich Williams stated let me go get it, I'll go get it.

Chairman Rogan stated you want to go get it, yeah.

Mr. Boniello stated this is all hand written, this was done by an engineer exactly the way it's going to be.

Board Member McNulty stated a real plan.

Chairman Rogan stated yeah.

Mr. Boniello stated a real plan.

Chairman Rogan stated well anyway, look, you cleared the room.

Mr. Liguori stated for the record, these chairs hurt after a while.

Chairman Rogan stated those are the worst chairs, whoever ordered those...

Board Member Montesano stated it's all in your imagination.

Mr. Liguori stated they're very uncomfortable.

Chairman Rogan stated they're, you've got to sit out there for a while to appreciate how horrible those chairs are.

The Secretary stated no thanks.

Board Member McNulty stated it keeps the crowd light.

Board Member Montesano stated what do you think of the Dollar Store chairs.

Mr. Liguori stated I'm going to bring my own chair.

Chairman Rogan stated and truthfully Mike, I'm surprised you don't steal that and sit right up here next to Michelle with this nice comfy chair.

Mr. Liguori stated my first night representing the Board, I sat down and Rich said what are you doing, you don't there, sit over here.

Chairman Rogan stated really.

Board Member Montesano stated that's because you got the chair first.

Board Member McNulty stated and you listened to him.

Mr. Liguori stated he's the boss.

Board Member Montesano stated that's why Richie complained.

Chairman Rogan stated when I first got on the Board at the old Town Hall...

Mr. Gainer stated (*inaudible – spoken over*).

Chairman Rogan stated the engineer sat up with us on the dais.

Mr. Liguori stated I'm sorry, I'm sorry, Michelle is the boss.

Board Member Montesano stated yeah, Gene used to sit up here.

Chairman Rogan stated yeah, I had one meeting or two meetings in that Town Hall until, then we moved here.

Board Member Montesano stated then we got violated, then we got a new building but...

The Secretary stated you know you're all still on the record, right now.

Chairman Rogan stated yeah, I didn't say that anybody got violated.

Mr. Gainer stated well you did with me.

Chairman Rogan stated I just did now.

Mr. Gainer stated the minutes they have to do verbatim.

Rich Williams stated this is one that you brought in, this is the only plan we've ever gotten in the office.

The Secretary stated and that is back from September from when you made the original application.

Rich Williams stated and this is where we talked about being too close to the building, getting trucks around, right in here.

Mr. Boniello stated wow.

Rich Williams stated and that's what I'm saying, these are not in the right place, well this one is but this one's actually over in here and we've never gotten another plan other than this one that you brought in.

Board Member McNulty stated you're saying there's another plan, Anthony.

Rich Williams stated way back in October.

Mr. Boniello stated oh yeah.

Rich Williams stated well I haven't seen it.

Mr. Boniello stated that might be a cross up between me and Dominick.

Chairman Rogan stated you and who.

Mr. Boniello stated so I can get it to you, no it's, I had everything measured out...

Rich Williams stated and our records...

Mr. Boniello stated we addressed what Rich said, you know we've eliminated the parking...

Chairman Rogan stated yeah.

Mr. Boniello stated that was all done on the...

Chairman Rogan stated do you want to, at the same time, while you're going through this, start getting into the zoning for your front patio...

Mr. Boniello stated would that, is that going to be a problem with this site.

Chairman Rogan stated what, with, I mean you've got to do it either way because it's an existing violation, not a violation, problem.

Rich Williams stated it's not a violation but you know, he's at least got to, we talked about this either you're going to have to do the lot line adjustment...

Board Member McNulty stated you have to bring it up to Code.

Mr. Boniello stated or take it out.

Rich Williams stated or you're going to have to pull those concrete bins off the adjacent property.

Chairman Rogan stated oh, yeah, you're talking, I was talking about the patio up front.

Mr. Boniello stated I was talking with...

Rich Williams stated oh with the patio.

Chairman Rogan stated yeah, just to get over to zoning for that...

Board Member Montesano stated and get the sign done, since you're going to go there at one time, you might as well pay once.

Mr. Boniello stated alright.

Chairman Rogan stated right.

Rich Williams stated yeah.

Chairman Rogan stated you might as well do it ahead of time, not ahead of time because it should have been, it should have been, it could have been done already...

Rich Williams stated yeah.

Board Member Montesano stated did you hear me.

Mr. Boniello stated what's that.

Board Member Montesano stated get the sign done too, this way it's done.

Rich Williams stated but when he goes over to Zoning he needs to decide whether he's going to go over for one area variance or two.

Chairman Rogan stated oh I see.

Rich Williams stated one for the sign and one for the patio.

Chairman Rogan stated right, that's what Mike was just saying.

Rich Williams stated yeah, yeah.

Chairman Rogan stated if you want to keep Boniello Plaza, the top part...

Mr. Boniello stated yeah, we do, yeah...

Chairman Rogan stated it's not, you know, you're probably talking about adding, that's probably 3 or 4 square feet of sign, you know, it's, you know, why not ask.

Board Member Montesano stated you're going to be there.

Chairman Rogan stated I don't think that's the biggest deal in the world but...

Mr. Boniello stated I'm sorry you didn't have that, I should have made copies, maybe it was my mistake but I do, you'll have that.

Chairman Rogan stated we'll move forward with what you give us and...

Mr. Boniello stated sounds good, thank you.

Chairman Rogan stated thank you, sorry you had to wait so long.

Mr. Boniello stated have good evening, no, no problem.

Chairman Rogan stated okay, we have an application for...

Board Member McNulty stated thank you.

9) OTHER BUSINESS

a. NYSEG Site Plan – Request to be Tabled

Chairman Rogan stated I'm sorry, not an application, we have a request for the NYSEG site plan to be tabled which we will do, as they re-evaluate their plan...

b. Watchtower – Sign Modification

Chairman Rogan stated and we have a request to amend, I'm going to say request to amend our original approval for the Watchtower sign application to change the design. Everyone has that, any problems with that.

Board Member Taylor stated no, I don't.

Board Member Montesano stated no.

Board Member McNulty stated no, I don't either.

Chairman Rogan stated motion on Watchtower...

Board Member McNulty stated just one question, no proposed lighting changes, right, that all stays the same.

Rich Williams stated no, it's just the size and design.

Chairman Rogan stated make a motion to amend their previously approved application to the design as submitted.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 4 to 0.

Chairman Rogan stated do we have to SEQRA on it, it's just an amendment, we did it on the.

Rich Williams stated that's fine.

Chairman Rogan stated yeah, okay.

Rich Williams stated I do have one thing on NYSEG though.

Chairman Rogan stated yeah.

Rich Williams stated just to keep everybody up to speed, I received a phone call from NYSEG, who, they're looking to begin evaluating implementation of their Smart Grid Program within the Town. Their Smart Grid Program connects all the substations independently of any of the hard wiring that we have and NYSEG, not NYSEG but Verizon or Comcast and the way they do it essentially is they install towers at each one of the substations.

Board Member McNulty stated any description of the tower, how big.

Rich Williams stated they have to, they have to do an evaluation about you know, what they need for the, to get from one substation to the other but they have to see each...

Board Member McNulty stated they're a point to point tower system.

Chairman Rogan stated no way, that's going to put more (*inaudible – spoken over*).

Rich Williams stated yeah, they said they try to keep them as low as they possibly can, they've been averaging up in Western New York, the towers have been averaging 100 to 180' each and the tallest one was 300'.

Board Member Taylor stated what.

Board Member Montesano stated and of course that's going to be right here in the middle of Town, like right down the street, having a 300' tower sitting there.

Rich Williams stated yeah, over on Mooney Hill, yeah...

Board Member McNulty stated with today's technology, that's the best they can do huh.

Rich Williams stated wait, wait, I don't live over there, anybody know anybody that lives over there.

Ted Kozlowski stated Ron.

Mr. Gainer stated he's making fun.

Rich Williams stated yeah.

Board Member Montesano stated with that note.

Chairman Rogan stated thank you for that Rich.

Rich Williams stated yeah, I'm serious.

Board Member Montesano stated they've got guts.

Rich Williams stated and the Smart Grid implementation is a public service commission requirement, hang on to your boots.

Board Member McNulty stated minutes.

10) MINUTES

Chairman Rogan stated yeah, we have minutes of December 23rd and January 9th.

Ted Kozlowski stated might as well.

Board Member McNulty stated I'm going to abstain from December 23rd, I wasn't here.

Chairman Rogan stated okay, let's do, Mike or Ron do you have modifications or...

Board Member Taylor stated no.

Board Member Montesano stated no.

Chairman Rogan stated make a motion on December 23, 2013, so moved.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 3 to 0.

Board Member McNulty stated I abstain.

Chairman Rogan stated Tommy abstains because he wasn't there. Motion on January 9, 2014.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 4 to 0.

Chairman Rogan stated motion to adjourn.

Board Member Montesano stated second.

The Secretary stated wait. You wanted to talk about the March meeting.

Chairman Rogan stated oh, the March meeting is set for...

The Secretary stated March 6th.

Chairman Rogan stated I will not be here, I'll be out of town until the 9th, anybody, we'll have to check into but let's see if everybody check their schedules, if we can move it to the following Thursday which would be...

The Secretary stated March 13th.

Chairman Rogan stated the 13th, if not, you guys are welcome to have it while I'm gone, I won't be offended especially under the fearless leadership of our Vice Chairman, I have the utmost confidence.

Board Member McNulty stated is that why you appointed me.

Chairman Rogan stated that's only one of the many reasons.

Rich Williams stated did he, wait, did he actually get appointed today.

The Secretary stated yeah, he did, he did it first thing.

Chairman Rogan stated yeah, first thing, well second thing, first thing Pledge of Allegiance.

The Secretary stated true.

Chairman Rogan stated then that, then we recognized Ron.

Mr. Liguori stated you recognized him.

Mr. Gainer stated it's hard not to.

Chairman Rogan stated we said who is that.

Mr. Liguori stated who is that guy.

Chairman Rogan stated who is that guy.

Mr. Gainer stated hard not to.

Board Member Montesano stated you had no choice.

Chairman Rogan stated motion to adjourn.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 4 to 0.

The meeting adjourned at 9:06 p.m.