

APPROVED
MCK 5/3/07

TOWN OF PATTERSON

PLANNING BOARD MEETING
February 22, 2007 *Work Session*

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David Pierro
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Charles Cook

**Planning Board
February 22, 2007 Work Session Meeting Minutes**

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

APPROVED

MICR 5/3/07

Present were: Chairman Rogan, Board Member Dave Pierro, Board Member Mike Montesano, Rich Williams, Town Planner, and Ted Kozlowski, Town of Patterson Environmental Conservation Inspector.

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

Michelle Russo transcribed the following minutes.

There were approximately 2 audience members

1) GREENLANDS SITE PLAN

Mr. Paul Suozzi and Mr. Andy Suozzi were present.

Chairman Rogan stated in all fairness gentlemen, since Mr. Suozzi is here, do you want to do Greenlands so that he doesn't have to hang on any longer.

Board Member Pierro stated sure, let me just find some paper work on it.

Chairman Rogan stated what we have for Greenlands, LLC is a survey plat that was prepared showing some additional loading spaces, there is a review memo from Rich. Here I have one out, we can all take a look at it. We are also going to get a technical review from Gene, which we don't have tonight. I think what this is basically showing is one loading space by the dumpster, which is the one that you had spoken about in the past, a loading space here straight in and then they changed the, Rich you can probably speak better to this but they modified this so that they increased the size of the spaces on the southerly side of the building.

Rich Williams stated correct, essentially if you look at the approved site plan, the islands don't match but those are the actual islands that were constructed when they did the project out there so really all they had to do was do the re-striping in there.

Chairman Rogan stated in this area, it hasn't changed.

Rich Williams stated in this area.

Chairman Rogan stated what was.

Mr. Paul Suozzi stated if you don't mind, it is actually not because we did something different with the islands it is because of the stair detail.

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

Mr. Paul Suozzi stated you can see it going down. On the original site plan it didn't really show close detail on how to build the stairs. When we were actually out there and in order to do this you have to have side walled stairs, you know going down and that is actually the way that it had to get built. It was coordinated with the Town Engineer and we wound up with extra room in the parking area.

Rich William stated that was Paul Suozzi. I have to get it on the tape so that they can take the minutes.

Chairman Rogan stated so this, these concrete islands on this side, is that existing.

Rich Williams stated on that side, yes, it is existing that way, it has been constructed with retaining walls to account for the change in grade. As opposed to how it was shown on the original plan, which everything went with the slope.

Chairman Rogan stated so I read through Rich's memo quick, I haven't read through all of it but the size of the loading spaces. We didn't ask them to put in for tractor trailers because we are not anticipating that kind of a use, we were talking about Federal Express or UPS size vehicles. The technical information suggests that the size of those spaces be twelve by thirty-five, I think it was.

Rich Williams stated well that is.

Chairman Rogan stated Department of Transportation.

Rich Williams stated that is not the Department of Transportation.

Chairman Rogan stated oh, I'm sorry, Institute of Transportation.

Rich Williams stated ITE, that is there recommendation for the smaller box trucks.

Chairman Rogan stated and in each of these cases it looks like they have enough room to show the space, the more important question is whether or not that space is appropriate for that use. We know that a truck pulls in there and grabs the dumpster, whether or not for loading purposes that these vehicles would be able to maneuver in and out of this site becomes a question and quite honestly it is not for us to even decide tonight, that is why we are asking for Gene to do a technical review on it. This spot concerns me a little bit

because the only way from that spot to get back out of the place, the way I see it, I am not a truck driver, is to back directly out the way they came in. Also, you are consolidating or reducing your traffic area.

Board Member Pierro stated right.

Board Member Montesano stated they are going to back in there for that spot. The only problem I have.

Board Member Pierro stated I don't see it.

Chairman Rogan stated oh so you mean that they would all back in.

Board Member Montesano stated especially UPS guys, they do it all the time, we used to back right in, it makes it easier because you can pull out. You can not see when you are backing out on to a road, so you always back into the area, this way you proceed forward. The thing that I am worried about is how do we enforce that parking space with someone coming with a station wagon or a van and sees it available and just parks there.

Chairman Rogan stated you can't enforce it, the only way to enforce it is by good design. If you design something appropriately hopefully it gets appropriately used, if you design something inappropriately, it gets used however anyone decides.

Board Member Pierro stated driving by last week I realize that it would be expensive but if there were a possibility that we could widen this area here, it would require moving the light post back and cut this back a little bit. That was the only other suggestion that I could come up with that wasn't terribly expensive.

Chairman Rogan stated we are on Greenlands, just jumping ahead because these gentlemen are here tonight, so we figured that we would do it first.

Ted Kozlowski stated okay.

Board Member Pierro stated that wasn't a terrible expense.

Chairman Rogan stated you are talking about something like this.

Board Member Pierro stated yes, to widen the whole roadway there.

Chairman Rogan stated that could be suggested, if the current plan doesn't work. Let's start with the most simple.

Board Member Pierro stated right, I agree.

Rich Williams stated I don't know if the one downstairs is on.

Chairman Rogan stated I think we were very clear at the meeting to come up with some ideas that would improve, not improve the traffic layout because any increase now within the already defined drive aisles would restrict movement obviously, anything that you take up is going to take away from space that people have to drive. I think that we need to at least with turning radii on these vehicles, normally how a vehicle would pull in and out not accounting for someone backing into the facility and see if it works. The other issues that we have been talking about and kicking around and some of which are in Rich's memo, I think

that we are pretty well clear on that with Anthony's interpretation of what we can and can not do and how that all works. I think that the Board is fairly comfortable with that, in summary that if we found an acceptable plan, that we could approve a retail for a portion of the building, predicated on certain improvements and approve it for retail but not for a specific retail, something to that effect, so I think that is what we are looking at right now whether or not that is possible. You think that Gene will have something for us by the meeting on this.

Rich Williams stated he should.

Chairman Rogan stated this probably isn't overly time sensitive, you know the volume of this review isn't that much for him, I don't think. He is only doing it in reference to the changes, he is not reviewing the whole site plan, it is just the changes that we are asking for.

Rich Williams stated right. Anything else Mike.

Board Member Montesano stated no.

Chairman Rogan stated Rich is there anything else that you want to add for tonight.

Rich Williams stated I laid it out in the memo.

Chairman Rogan stated that is pretty straight forward. We can give them a copy of it or do they already have it.

Rich Williams stated they don't have it yet, we generally don't fax them out until the day of the next meeting simply because we found that we would fax them out a week or two ahead of time and the engineers would be walking in with plans that addressed all the comments and it got to be a headache.

Chairman Rogan stated okay, I understand.

Rich Williams stated so.

Chairman Rogan stated I think in this case we can probably make an exception since none of these comments are going to change this plan between tonight and the next meeting so we can just shoot off a photocopy of this before you guys leave, if that is okay with the rest of the Board.

Board Member Pierro stated okay.

Chairman Rogan stated so that is one half of the review on this latest plan. Dave do you have anything else.

Board Member Pierro stated no.

Chairman Rogan stated okay. Who folded these things.

Board Member Montesano stated the little old map maker.

Rich Williams stated it is not that hard.

Board Member Montesano stated he does it by machine.

Chairman Rogan stated you do it by machine, I want it be out so I can see it instead of folded in.

Rich Williams stated yes and what are you doing.

Chairman Rogan stated the way I got it was that this was out, I wrote on it.

Rich Williams stated it doesn't work that way.

Chairman Rogan stated it doesn't work what way.

Rich Williams stated I always fold them in first then when you fold it back you can flip and pull it out right.

Chairman Rogan stated that is all we are going to discuss on your project tonight. At least we got you out of here without you having to wait. Take care and be careful driving.

Board Member Montesano stated alright.

2) JMT CONSULTING GROUP, INC. - Sign Application

Chairman Rogan stated okay, JMT Consulting sign application.

Rich Williams stated yes.

Board Member Montesano stated I read a big story about sign applications, I should say signage in Town.

Chairman Rogan stated oh yeah.

Board Member Pierro stated you went down here.

Board Member Montesano stated you can always tell when there is a change in administration, they can not afford to spend a lot of money because they don't know what there budget is going to be and they have to have time to get the name of the new person on all the literature but they use all the stuff so half of it has George's name on it and the other has Elliot's name on it.

Chairman Rogan stated oh, I got you.

Board Member Montesano stated so some of Elliot's people were very upset because he shows up.

Chairman Rogan stated so where is this site located on Route 22, I can not place this.

Rich Williams stated down near Bobby Herman's site, just up from Boniello.

Chairman Rogan stated so it is north of Boniello.

Rich Williams stated north of Boniello and on the same side of the road.

Chairman Rogan stated and the building, what is the building used for.

Rich Williams stated it was Just 4 Kids.

Chairman Rogan stated oh okay, I got it.

Rich Williams stated now it is a consulting firm.

Chairman Rogan stated I thought that Just 4 Kids went out or were forced to move because they were doing something with the property.

Rich Williams stated they were selling it.

Chairman Rogan stated they were just selling it.

Board Member Pierro stated they were a vendee, a tenant.

Chairman Rogan stated so all they are looking to do is put up this sign that sits pretty far away from the road as Rich's memo says. Why in the world would they need lighting on both sides of it, well we will talk to them.

Rich Williams stated yes, I think that they need to be clear because I think they really want to pull it closer to the road and have it perpendicular to the road not parallel.

Chairman Rogan stated yes, they probably are not thinking of it that way. If they want to have like that, that is fine sometimes those are appropriate signs, like the guy who got approval over by Mobil, the painting, his sign sits parallel to the road. He doesn't need, he is not attracting business, so I think that might be the difference where it is just a business sign. The size conforms and the square footage is right, it is just a couple of square foot less.

Board Member Pierro stated what is he proposing for colors without looking at the.

Chairman Rogan stated I think that it is just black and white.

Board Member Pierro stated just black and white, lighting yes.

Chairman Rogan stated colors of letters black and blue with a background of white.

Board Member Pierro stated okay, no big deal.

Chairman Rogan stated pretty uneventful on that, we can just double check on the lighting.

3) **RUFFLER-COLARUSSO W/W PERMIT APPLICATION**

Chairman Rogan stated Ruffler-Colarusso wetlands/watercourse, I didn't even see the application on this, I must.

Rich Williams stated I have not had a chance to take a look at it, I was counting on Ted being here.

Board Member Pierro stated Ted is here, where did he go.

Rich Williams stated he went downstairs to make copies.

4) 2J2BM INC. W/W PERMIT APPLICATION

Chairman Rogan stated so let's jump to 2J2B, well that is a wetlands permit also, we will wait for Ted for that also.

Board Member Pierro stated we can't do it anyway, I have to recuse myself, I am told, I was surprised by this today, I didn't know this was coming about, we were going to dump this off on the vendee who bought the property. I don't know why they decided to do this all of sudden.

Rich Williams stated I don't know there are all sorts of issues with the application.

Chairman Rogan stated that is a heck of a name to, but we aren't even going to discuss it tonight because we don't have a quorum and you are recused.

Board Member Pierro stated we don't have a quorum.

5) KEASBEY SUBDIVISION

Chairman Rogan stated it Keasbey Subdivision it looks like they let their approval expire and so they are looking to waive the application fees.

Rich Williams stated well that is an issue before the Town Board.

Chairman Rogan stated oh that's right.

Board Member Montesano stated I hope so because then I wouldn't have to make any comments, I can't.

Chairman Rogan stated so has anything changed on the site of the application so we can.

Rich Williams stated pretty much pro forma, following the procedures that are laid out for a subdivision to reinstate the approvals.

Chairman Rogan stated we certainly don't have to do another, do we have to do another SEQR determination and another public hearing.

Rich Williams stated you have to do a public hearing. You only have to do an environmental review on an action once, it doesn't matter how many times it keeps coming back to you, if it is the same thing, unless it has new information you are done.

Chairman Rogan stated so then they still have to then notify property owners and do the public hearing. Alright then we can set the public hearing for the following meeting for April and just wrap that one up, unless anybody. How are they working out with that whole parking lot issue.

Rich Williams stated I think that has been the delay on that in that Charlie wanted a better design then what they had been provided that they went looking for an engineer that took an inordinately long time to get back to them with a huge bill or a huge estimate so then that had to go looking for someone else and at this point they found someone who is going to do it and get it done in short order and very economically.

Chairman Rogan stated if you don't have to do SEQR because it is not a change in the action why do you have to do another public hearing.

Rich Williams stated one has to do with SEQR review and the other has to do with the procedures for a subdivision.

Chairman Rogan stated okay, you can't waive the procedures of the subdivision being that there is no actions.

Rich Williams stated there are some things that you can waive but the requirement for a public hearing is mandatory.

Chairman Rogan stated alright.

6) PADDOCK VIEW ESTATES SUBDIVISION

Chairman Rogan stated and that brings us to Paddock View Estates, I'm sure Rich has some information on this for us.

Rich Williams stated I just started looking at Paddock View Estates and my first comment that has been in my memo from the past three times that I have reviewed the project. It is that the subdivision application, the site plan and the subdivision plat all need to show the same owners of the property and consistently they don't and still don't so I am not all that hopeful at this point.

Board Member Pierro stated are they contract vendees, these guys or has it changed title.

Chairman Rogan stated no, the guy that owns it is going to build it, Mark usually does smaller subdivisions and builds them out himself. I think at the last meeting we basically said that they have to clean up the engineering and the planning issues and obviously that is one of them but certainly not a make or break for the project receiving approval, that is an easy condition.

Rich Williams stated it is an easy condition.

Chairman Rogan stated what I think concerns me most and what I have been hearing about and what maybe these guys aren't even aware of is the archeological, could you take us through that a little bit.

Rich Williams stated I could talk a little bit about that. Certainly the Board took a look at it and took a look at what is appropriate, I went over to DOT and took a look what they had and came back and reported to the Board about what I found in the archeological study that was done over there. It didn't appear that it was really warranted even though there were some historic structures in the immediate area. Subsequent to that Judy Kelley Moberg who is on the Historic Commission has taken up the cause.

Chairman Rogan stated but subsequent meaning within the last month, not six months ago when we had a public hearing and when we did all this stuff.

Rich Williams stated correct and at this point she has sent some e-mails back and forth to SHPO.

Chairman Rogan stated is that DOT.

Rich Williams stated no that is State Historic Preservation Office.

Chairman Rogan stated oh, okay.

Rich Williams stated anyway, she sent some e-mails back and forth letting them know that this is a very historic site and with the original archeological study they were finding all sorts of colonial artifacts out on the site which I am not sure where she is getting this from because I did have a conversation with her and clearly that is not what they found in the DOT archeological study that they did. The issue at this point and I think that the Board has made a determination that you didn't want the archeological study and it would be difficult for me to go back on that, so at this point what is going on is if they need a State permit that state agency may require, that state agency always coordinates everything whether it is DEC or DOT through SHPO and because of the highway permit that they need SHPO may step in and say that you need an archeological study on this site.

Chairman Rogan stated and if they do that then it is outside of our control, if eight months ago they had stepped forward and said no we really believe that this is really an archeological site and we need to do some work. I don't think that the Applicant would have had a problem with that.

Rich Williams stated well let me talk a little bit to that, when I went up and did do the whole review I did acknowledge that this is a likely scenario that is going to happen because even if Judy Kelley Moberg hadn't brought this issue up to SHPO that it would be likely that DOT when the permit came in they may ship it over to SHPO and SHPO would have required. So he did do a phase one and one A study.

Chairman Rogan stated right.

Rich Williams stated which he finally got into this office.

Chairman Rogan stated so you just got the phase one in recently not months ago.

Rich Williams stated no, we are talking like last week or the week before, or the week before that.

Chairman Rogan stated I thought they said something to the effect of dropping off a copy of it like in the summer time.

Rich Williams stated they did but they never got it to me, they never brought it in.

Chairman Rogan stated oh okay.

Rich Williams stated so they finally did get it and it did go through, what the report said I don't know that the report helps them all that much.

Chairman Rogan stated did the report say what action it recommended.

Rich Williams stated the conclusion of the report was that the site may have significant colonial and prehistoric artifacts on it but that no further study was warranted.

Chairman Rogan stated so it served both but you know the Applicant hires somebody but you can probably say that of almost any site in Patterson that you can get prehistoric or colonial artifacts.

Rich Williams stated sure.

Chairman Rogan stated you guys have any input on this, you guys have been listening right.

Board Member Montesano stated when we originally told him not to bother it was because that we were under the impression that nothing was ever discovered. Now we should have an understanding with the people that suddenly walk in now and say no that is has to, that you have had all this time why didn't you keep abreast of what was going on or at least keep us informed that you have found stuff. We can't keep running around, it is not our job to keep running looking for this, if they want a point brought in that should have brought it in a long time ago.

Chairman Rogan stated I also don't think that it is fair to the Applicant where they are basically at a point where they are hoping for final approval and now someone is going to bring something up about archeological potential. If the DOT wants to slow them down to do that, then let them do it.

Board Member Montesano stated then let them do the work. We did it with the best of our ability with the information that we had at hand.

Chairman Rogan stated I think that is the key right there.

Board Member Montesano stated and nobody has come up with anything and then suddenly somebody wakes up and says oh, that's that project, we have to go down there.

Chairman Rogan stated right.

Board Member Montesano stated then you go somewhere else to get it stopped.

Chairman Rogan stated you know that reminds me of to some degree is when the gentleman came in on the Burdick Farms on the eleventh hour and was yelling and screaming at us about all these issues and we have had all these public hearings and he never spoke and now he spent all that time screaming at us.

Rich Williams stated my favorite person.

Chairman Rogan stated yes, then what we are waiting for is, you haven't really had a chance to really review the Paddock View though, the technical.

Rich Williams stated I just scratched the surface, I told him to get it done today and of course I got pulled off of everything.

Chairman Rogan stated so you have to do a review and Gene has to do a review and we will leave it up to you guys if it can be made into a resolution to get this done, we will do it that way.

Rich Williams stated okay.

Chairman Rogan stated okay.

Board Member Pierro stated okay.

Board Member Montesano stated sounds good to me.

Chairman Rogan stated okay. Greenlands we covered, Ted now that you are back, we have been jumping all over the agenda, sorry Michelle.

Ted Kozlowski stated I had to go downstairs and make a whole bunch of copies.

Chairman Rogan stated yes, you let us down.

Ted Kozlowski stated I didn't want to interrupt you.

3) RUFFLER-COLARUSSO W/W PERMIT APPLICATION

Chairman Rogan stated we are back to Ruffler-Colarusso wetlands/watercourse.

Ted Kozlowski stated you have a memo from me there.

Board Member Montesano stated we have a memo here on both of them.

Ted Kozlowski stated you have a memo from there, I don't have a problem with that at all, that should fly.

Board Member Pierro stated how far is that from the wetlands.

Ted Kozlowski stated they are within the buffer but the extension and the deck are below the pond, in other words the pond is up here, it is man made and it is all lawn and it slopes down to the house. What they are going to do there is in no way going to impact this pond and because it is all mowed lawn and its in the buffer but there is really little or no impact.

Board Member Pierro stated okay.

Ted Kozlowski stated I would recommend that you give them an approval, just make sure they get the right permits and all that.

Board Member Montesano stated okay here.

Chairman Rogan stated what I didn't see was anything on, wait a minute.

4) 2J2B, INC. W/W PERMIT APPLICATION

Board Member Montesano stated you have another memo on that 2J2B.

Chairman Rogan stated we can not discuss the next one because the wetlands/watercourse permit for 2J2B because of Dave.

Rich Williams stated you can discuss it.

Chairman Rogan stated we can.

Board Member Montesano stated you can discuss we just can't vote on it.

Rich Williams stated you can discuss, you just can't make any decisions.

Chairman Rogan stated well we aren't making any decisions, we aren't doing that anyway.

Board Member Montesano stated we are not making any decisions.

Rich Williams stated Dave can't discuss it.

Chairman Rogan stated so Dave you are recusing yourself on this project.

Board Member Pierro stated I am going to have to.

Chairman Rogan stated okay.

Ted Kozlowski stated you have a memo from me on that one too. It is kind of, I think that Rich brought some of these things to my attention too, that area is, I don't have a problem with the whole concept of using the existing driveway to get a house in there, the problem is, is that the flagging that they have delineated happened in 2003, I never verified it and that is what is on the plans.

Board Member Pierro stated I am sure that Rich is aware that they re-flagged.

Chairman Rogan stated you can't say anything.

Rich Williams stated there has been a couple of things going on with this and I talked to one of the principles about this and they have recently re-flagged.

Ted Kozlowski stated right but I never verified it.

Rich Williams stated right and that may be but the other issues is that they have recently had the DEC out there and according to one of the principles is the wetland line that they are showing on the plans that were submitted to the Town isn't even close to what the DEC flagged out there, the DEC flagged the wetland line that is much closer to the stream, so they need to also get us that DEC wetland map as well as get you out on the site to verify the flagging.

Ted Kozlowski stated right and I don't verify when there is snow covering.

Rich Williams stated they know that.

Chairman Rogan stated okay.

Board Member Montesano stated don't like getting your feet wet.

Ted Kozlowski stated no, it's that you just can tell. I don't mean to sound this way because.

Rich Williams stated (unable to hear).

Ted Kozlowski stated yes, because what they want to do is pretty minimal. What I don't understand is when they flagged this back in 2003 or whenever and now they had it re-done, why they don't call me and let me see it before they did a survey.

Rich Williams stated he did not know why Insite had not called you.

Ted Kozlowski stated yes and Insite of all people should know that.

Board Member Pierro stated yes.

Ted Kozlowski stated they know the rules.

Board Member Montesano stated Jeff was on vacation and a certain young lady is very busy.

Ted Kozlowski stated does Melissa get a copy of everything I do for the file.

Rich Williams stated the Planning Board files get a copy of everything you do.

Ted Kozlowski stated so there should be six copies and one for the file.

Rich Williams stated yes and actually if you want to get technical, I always make probably eight or nine, nine copies.

Chairman Rogan stated okay.

7) **BONIELLO SITE PLAN**

Chairman Rogan stated Boniello.

Rich Williams stated Boniello.

Chairman Rogan stated Boniello, they are in and now these are plans for the commercial.

Rich Williams stated yes.

Chairman Rogan stated okay, this is what Dave, you have been talking about for quite awhile, they were trying to get some real valid improvements out there for their site.

Board Member Pierro stated I was concerned mainly with parking.

Chairman Rogan stated okay.

Board Member Pierro stated as long as they agree to take down that obviously on building or redesign the parking lot in such a way where you have enough spaces. I am pretty happy with it because it would be a mess.

Chairman Rogan stated okay, what else is going on here for a minute and we have this now or formally Bruen house or whatever is on the front, is that part of this project.

Board Member Pierro stated well he owns that now.

Chairman Rogan stated but it is not show as.

Rich Williams stated he has included it but he hasn't included it.

Board Member Pierro stated I think the garage has already come down, right.

Rich Williams stated I don't know.

Board Member Pierro stated I think that garage is coming down, the one with the striped.

Chairman Rogan stated can you put your plan down and point to the one you are talking about, are you talking about this.

Board Member Pierro stated yes, that I think is coming down. My last recollection of our.

Rich Williams stated it is marked to be removed.

Board Member Pierro stated yes.

Chairman Rogan stated remove building and the other thing is that the property line shown that each building goes right to the property line so that wouldn't work anyway if these aren't combined.

Rich Williams stated right.

Board Member Pierro stated but he now owns that but I guess they have to do a change of title on the maps and he is going to have to obliterate that line or combine it.

Rich Williams stated if this gets approved then he would absolutely have to merge those two lots.

Board Member Pierro stated which is standard procedure anyway.

Chairman Rogan stated so this building that is shown, the existing building, is that a residence.

Board Member Pierro stated I believe that it is.

Rich Williams stated we have it on our records as a single family residence, he has it listed as a two-family residence.

Chairman Rogan stated okay, well that is for Building and the Assessors to squabble about.

Board Member Pierro stated right.

Rich Williams stated no, they both agree, it is a single family residence.

Chairman Rogan stated so what we are looking at is potentially removing the building that may already be down Dave, putting in some parking.

Board Member Pierro stated no, removing this building.

Chairman Rogan stated oh, sorry, okay.

Board Member Pierro stated putting in the parking here, if he couldn't make this work then I think that this other building may have to come down.

Chairman Rogan stated it looks like it has to just for the parking.

Board Member Pierro stated right.

Chairman Rogan stated you can't use one, two, three, four, five, six of the spaces.

Board Member Pierro stated he is right up against the stream there, I mean he is parking all over this now.

Rich Williams stated he has indicated on the plans that he is taking three buildings down.

Board Member Pierro stated okay.

Chairman Rogan stated it looks like it.

Board Member Pierro stated so I would say that it is the garage and these two other existing buildings, which is just as well because now that enables him by taking this building down that he can then pull this parking out this way.

Chairman Rogan stated that coming down and that coming down.

Board Member Pierro stated yeah.

Chairman Rogan stated this building and this building, the show room and the new building.

Board Member Pierro stated right.

Chairman Rogan stated okay.

Board Member Montesano stated this is coming down.

Chairman Rogan stated yes.

Board Member Pierro stated yes.

Board Member Montesano stated that one.

Board Member Pierro stated this is coming down and this is coming down.

Board Member Montesano stated what about those bin, those bins are going to be gone.

Chairman Rogan stated those are bins, they are shown as parking spaces now.

Board Member Pierro stated what bins.

Board Member Montesano stated he has stones here on the side here.

Board Member Pierro stated oh he has them back here.

Chairman Rogan stated yes, they are over here.

Board Member Pierro stated he has them behind the building, so that is gone, that to be gone you won't be able to access them.

Board Member Montesano stated I am just wondering, okay.

Chairman Rogan stated by reviewing this and approving this plan at some later date, are we okay with having the mixed use of having the commercial and the residential by virtue of having that zoning in that area.

Rich Williams stated the residential is a pre-existing non-conforming use, if he was actually touching that building, he wanted to go let's say halfway retail, then I would say that is an issue and that is a problem and I would say that you should probably go all or nothing but the residential end of it is pre-existing non-conforming.

Chairman Rogan stated it is still showing the driveway going to the back on the plan.

Board Member Pierro stated well that isn't happening, it is not happening until anything and I saw him, we were there on Sunday at Griffin's.

Rich Williams stated yes.

Chairman Rogan stated the brunch.

Board Member Pierro stated and he said that he is not completely abandoning this thought of developing those lots but it will wait until something happens with that subdivision in the back, if he can work something out there.

Chairman Rogan stated that would be great.

Board Member Pierro stated yes that would be nice, he took our advice which is sort of nice.

Rich Williams stated it is up for sale maybe he wants to buy it.

Board Member Pierro stated no, he's not that rich.

Rich William stated there are couple of things on this one, first off even though they submitted it they didn't bother to submit an application or the application fees, I did reviews, everybody likes Anthony and we would like to see this done.

Board Member Pierro stated I thought he already had an application fee on the original, no, alright well.

Rich Williams stated I have talked to Joel Greenburg about that and he knows that he has to get that in.

Board Member Pierro stated he knows he has to do it.

Rich Williams stated but I haven't seen it yet.

Board Member Pierro stated beautiful.

Rich Williams stated and I recognize that everybody wants this project to go forward, it is a mess and I agree with everybody but there are still some hard issues that are going to have to be wrestled with on this and you have to recognize that.

Board Member Pierro stated such as.

Rich Williams stated such as there is considerable disturbance within the wetland and the one hundred foot buffer so he is going to have to file a wetlands/watercourse application.

Board Member Pierro stated in what regard.

Rich Williams stated on the plan there are additional encroachments.

Board Member Montesano stated two following one, following two, following three on your sheets, I was just looking at the pages.

Board Member Pierro stated you mean by placing the parking.

Rich Williams stated yes.

Board Member Pierro stated yes.

Rich Williams stated there is also an issue about the stream channel that goes down there and he may be in that area with the one hundred feet of that stream channel which is going to trigger.

Board Member Pierro stated you mean this building.

Rich Williams stated there is a stream channel that comes right down through here someplace which isn't clear.

Board Member Pierro stated right.

Rich Williams stated so this, especially if it going to be paved.

Board Member Pierro stated right.

Rich Williams stated alright, it is within the one hundred feet and that is going to trigger some issues with New York City DEP.

Board Member Pierro stated but it is all.

Rich Williams stated I am not disagreeing.

Board Member Pierro stated being that it is all pre-existing.

Chairman Rogan stated that is it all pre-existing as gravel.

Board Member Pierro stated but if they leave it and it can remain as gravel.

Rich Williams stated he is really not clearly delineating on the plan what is existing and what is not and when I am overlaying the aerials and my knowledge of the site, those parking spaces weren't there three, four, or five years ago. The other thing is, I am just trying to raise these issues so that we can get them out in front and I am not saying that it is not a good thing to do.

Board Member Pierro stated yes.

Rich Williams stated the other thing is that he is widening out the driveway at the entrance and right across the street is a DEC regulated wetland, so similar to the site right next door that has the same issues.

Ted Kozlowski stated but his site does flow into that wetland.

Board Member Pierro stated right, I am sure that it does but these parking spaces that he has shown here, one does he require that many, does he even have to have, it looks like nine or ten spots.

Chairman Rogan stated it is a lot for the business that he runs because it looks like the new building, we have to ask this, if it is being used for the mechanical portion of his business, the repair, which is what the other building was for and the show room is really the retail component, that retail component probably doesn't nearly utilize six of those spots at any one time. I know that probably more are required but also you do have employees to consider, where right now they are parking all over the place, you do pull in there and there are vehicles just anywhere haphazardly, I've been blocked in there a couple of times, you you pull in and then a contractor pulls in behind you with a trailer and that might be another thing to look at. We might want to at least consider the idea of providing a few spaces for truck and landscape trailers, that is what a lot of his business is, these guys bringing equipment to and from and that might not be a bad idea to consider that and mention that to him.

Board Member Pierro stated my big concern is to get and I don't know if we can but to limit the amount of dead equipment that is stored in the back of that place.

Rich Williams stated you can do that by limiting the storage area and then if he had dead equipment it would either have to be all inside or all kept in the storage area.

Board Member Pierro stated because that has always concerned me and you go out there and there are old machines leaking oil and dripping stuff on the ground and if we can shrink that size a little bit he has to have a dumpster pick up more often, maybe twice a year instead of just once.

Chairman Rogan stated that is a smart idea, it shouldn't be laying around.

Board Member Pierro stated just to get rid of that stuff.

Board Member Montesano stated I think that we should specify we want a dumpster, not a trailer.

Board Member Pierro stated well he has the trailer and that thing has got to go.

Board Member Montesano stated well you have a forty footer back there, you can get the twenty footer back there and say that's a dumpster and keep putting them in there and then the guy comes and picks it up, so I am just saying that is something we should consider because I would rather see this stuff in a box, hopefully being contained so that you don't get all that oil and gasoline dripping all over the ground because you are going to right by the stream and you know that, the pond and everything else is going to be full of it.

Rich Williams stated those dumpsters are notoriously not water tight.

Board Member Montesano stated that is why I am wondering if we get the box, if we allowed him that box that had to be removed, let's say once a month, rather than a dumpster, you might have something that is sealed better anyway, it's possible.

Rich Williams stated if you are going to do that you are probably better off putting it on some sort of permeable pad.

Board Member Montesano stated that would be even benefit them because if you tell them that yes, you can have the container you have to put the pad underneath the container.

Chairman Rogan stated Rich, who talks through the process when they go to design the building if they are going to put, I am thinking of the bus garage now, the floor drains in here, where those floor drains drain to and oil/water separators and that sort of thing, where does that come up.

Rich Williams stated it is coming up now in these plans because for the longest time it has been an after thought or forgotten all together and if we know we are going to have some problems like Danny Finney's building, DEW Construction, we set it up right from the beginning that the floor drains are going to be tied into an oil/water separator.

Board Member Pierro stated would he need floor drains here.

Chairman Rogan stated maybe not.

Rich Williams stated probably.

Board Member Pierro stated because I know that he recycles oil now, they cart it away.

Board Member Montesano stated there is still going to be a certain amount of dripping, you are going to be changing oil.

Board Member Pierro stated he recycles it.

Board Member Montesano stated I understand but even then when you are draining you get splash over (unable to hear).

Chairman Rogan stated and then the bring power washers in and they degrease and power wash the bay.

Board Member Montesano stated and then they bring the power washer in.

Board Member Pierro stated what worries me is that you put the floor drain and stuff is going to go down there.

Rich Williams stated you are right.

Chairman Rogan stated that is why you plan on it with the right drain.

Board Member Montesano stated that is why you want the separator there because the separator will catch not only that, it is going to be there, it sits down here in a pit and then you just pump it out but at least it catches it rather than have it just drain out into the ground which is what you look at, that one we kept pushing and oh God that was mess.

Chairman Rogan stated remember too with these sites we have to try to plan these for Anthony selling five years from now and another guy going in and being able to utilize the site for some type mechanic shop of whatever they are planning for but think of it in terms of more generally speaking.

Rich Williams stated well here one of the things that came up when I am doing this, with in our Code we really don't define or permit small engine repair.

Chairman Rogan stated that is surprising.

Rich Williams stated so it is something that you just don't think about or I didn't think about.

Board Member Montesano stated a point of order.

Rich Williams stated essentially this business is a pre-existing non-conforming business, so somebody else coming in, they could continue to do this but if they wanted to go into a car mechanic, then they would have to comply with the zoning and they would have to meet the one thousand foot set back and they would have to get a special use permit.

Board Member Montesano stated let's put it this way, the guy that opened up behind the gun shop, that building was really not designed for that, I don't recall for.

Rich Williams stated which gun shop.

Chairman Rogan stated what are you talking about Mike.

Board Member Pierro stated Danny Finney's

Board Member Montesano stated what.

Board Member Pierro stated behind the gun shop.

Board Member Montesano stated behind the gun shop, if you go to the top of the hill.

Chairman Rogan stated that is what Rich was just talking about.

Board Member Montesano stated well the object is that is now an automotive repair facility.

Rich Williams stated right but we have floor drains in there going to an oil/water separator.

Board Member Montesano stated oh, we did put them in.

Rich Williams stated yes we did.

Board Member Montesano stated I am glad one of us knew.

Rich Williams stated because even if we didn't have automotive, we have repair of construction equipment.

Board Member Montesano stated well he is repairing (unable to understand).

Board Member Pierro stated right, insularly.

Board Member Montesano stated (unable to hear).

Board Member Pierro stated do we have anything in our Code that requires the amount based on the square footage of the proposed building on the amount of parking and is this truly going to be parking or is he going to do sort of have his gravel and mulch storage over there too.

Rich Williams stated I did take a look at it and I don't recall what I put there. One of the things you can consider is if you think that the actual parking demand is going to be less than our parking requirements you can show some of it as future parking.

Board Member Pierro stated because he has parking along the driveway here, I mean it is already there he is apparently going to grade it.

Rich Williams stated well it is not there like that and there is a slight difference between parallel parking, which is generally what is there and what he is showing.

Board Member Pierro stated but he has old foundation beds here which I presume are all going to be carved out and it is going to be leveled.

Rich Williams stated but here is one of the things that I threw out on the table that you need to think about is if you are parking in there when you go to leave, there is going to be some car is going to be backing out of the space or they are going to be pulling in or backing in or whatever they are going to be but now you have cars coming up and pulling in and you have a problem with the distance between the parking spaces and the throat length of the driveway and queuing back out onto Route 22.

Board Member Montesano stated and that same trailer that guy comes up in his pick-up and that trailer is going to park right there because does he have enough room to turn around to unload because if he doesn't he is going to park there and he is going to unload and you are going to wait.

Rich Williams stated so we may lose a couple of those parking spaces there just to make sure that there is enough throat length to get a couple of cars in off a Route 22 safely.

Board Member Pierro stated he has a eleven spaces there and I don't think that it would be a terrible hindrance if he lost two of three.

Rich Williams stated no but.

Chairman Rogan stated you are talking specifically of the spaces that are closer to Route 22 on this as he said they back out and get jammed by someone pulling it.

Board Member Pierro stated there may be an advantage to losing two or three and angling the spaces this way.

Board Member Montesano stated what is the width because you are going to have a majority of cars coming and they are going to pick-ups anyway.

Chairman Rogan stated the problem with that Dave is that they are angled this way for instance now you have to pull in to turn around and back out.

Board Member Pierro stated but without that building there it allows for a bigger parking lot and I thought that he had septic up in the front and we don't want to take parking over here.

Chairman Rogan stated is the fence company still in here.

Board Member Pierro stated I think that they are.

Chairman Rogan stated the display area and everything.

Rich Williams stated none of the outdoor display area has been permitted is show on these plans. They have a long way to go.

Chairman Rogan stated yes but this is concept. This is really the bare bones beginning of a concept.

Board Member Pierro stated but I tell you.

Chairman Rogan stated it is a step in the right direction.

Board Member Pierro stated it is a step in the right direction that is for sure and as long as we don't create any worse problems like going into the wetlands.

Chairman Rogan stated well I was just going to say you can do nothing and you can reject it and keep what you have here if you like what you have but I think we can do better.

Board Member Montesano stated I really don't want to chuck him out every time he brings something.

Board Member Pierro stated there is a pipe, didn't we walk over, when we walked out, there is a pipe underneath that.

Rich Williams stated there is a pipe in there some place.

Board Member Pierro stated there is a pipe in there too but I don't know if we even have to address that.

Rich Williams stated I'm not sure there are a couple of pipes in there.

Board Member Pierro stated no.

Chairman Rogan stated okay let's move on.

Board Member Pierro stated that was your map Shawn.

Chairman Rogan stated no, that's yours.

Board Member Pierro stated oh, that was mine, okay.

8) RP DEVELOPMENT SUBDIVISION

Chairman Rogan stated RP Development.

Board Member Pierro stated RP.

Chairman Rogan stated this is the one.

Board Member Pierro stated Joel Greenburg.

Chairman Rogan stated so this is the Putnam Lake one that was in originally with about eight lots.

Ted Kozlowski stated Hazel Drive.

Chairman Rogan stated yes.

Ted Kozlowski stated you have a memo from me on that one too.

Board Member Pierro stated who was the Applicant here.

Rich Williams stated who is the Applicant, RP Development Corporation which I believe is Joe Riley, there may be other principles involved.

Ted Kozlowski stated that is another where they have wetland delineation and I never verified.

Chairman Rogan stated why don't we.

Ted Kozlowski stated the other thing, Shawn, my memo. The lots that they are proposing, especially lot three, back yards (unable to hear).

Chairman Rogan stated oh yes, that was the first thing that stuck out was that they are showing the house about six feet from the buffer.

Rich Williams stated and the well in it.

Chairman Rogan stated and the well in it.

Ted Kozlowski stated the well in it, there is also storm water on that lot.

Chairman Rogan stated before we get to wrapped into this though why don't we get the wetland verified because that could throw a whole monkey wrench into a lot of this.

Ted Kozlowski stated and again this one goes back a long time.

Rich Williams stated oh yeah.

Chairman Rogan stated I was just saying to Rich earlier that I think this is one of the projects that was on the table when I first got on the Board five years ago.

Board Member Pierro stated John Petrillo had a piece of this years ago.

Rich Williams stated he may have.

Board Member Pierro stated when I first came on the Planning Board we looked at it.

Chairman Rogan stated now lot one there is an existing house if I remember.

Rich Williams stated yes.

Chairman Rogan stated so really what we are looking at is all this for two houses.

Board Member Pierro stated yes.

Rich Williams stated the recommendation that I gave you gentlemen is to seriously consider about removing that house, which is very small to begin with and rebuilding farther back on that lot because you are trying to squeeze that road in there and you don't have a fifty foot wide right of way and I think a road is better then the common drive scenario for a couple of reasons.

Chairman Rogan stated trying to get something more like.

Board Member Pierro stated that is this.

Rich Williams stated and then you have a small area to do something with storm in because the way that they have it laid out most of the storm water is going to go past the storm water pond.

Chairman Rogan stated so Rich do you think that there is enough room between the septic and the building envelope line to get a house in here even if it was somewhere in here.

Rich Williams stated maybe or you can take a look at flipping the septic system, I don't know, I don't know what they have done for septic system testing whether this is just where they waggged the septic systems or if it based on some testing that they did.

Chairman Rogan stated right.

Board Member Pierro stated so this is lot one.

Chairman Rogan stated is that septic even here unless that is probably ledge sticking up because that could even be squeaked closer to the property line, pull it.

Board Member Pierro stated interesting.

Rich Williams stated well I am surprised that they have to septic system.

Board Member Pierro stated that far away.

Rich Williams stated well up hill from the house.

Chairman Rogan stated well look at this map, they are showing existing house location.

Rich Williams stated yes, you are right.

Chairman Rogan stated so there isn't any place else for it.

Rich Williams stated and it may be that they had to push it up that high because of other wells along that road.

Chairman Rogan stated ironically it is pretty darn flat right here, there is not changing contour, it is flat as a pancake here and then this is a little bit of slope. It might possible for them to get all their septic in this area, even if they keyed into where the old house is or something who knows, although the slope is kind of funny there. Yes, this is kind of crazy.

Rich Williams stated we have requirement for a thirty foot building envelope to prevent stuff like that.

Ted Kozlowski stated no garages, no decks, it is another lot that how can you expect somebody to move in and use it without running into problems.

Chairman Rogan stated that's right and these are the ones that we have said on some of the other ones that they are existing lots and we have to work a little bit with these people with these subdivisions but this is one that we have all the control in the world on, so this is the time to make sure that it doesn't happen, so that we don't end up with the same problems.

Rich Williams stated you have to remember too that this is going to be a fairly large lot, I think that it was like twelve or fifteen acres.

Board Member Pierro stated with no usable area.

Rich Williams stated or all the usable area is on the other side of this big wetland system, so now they are paying taxes on all this land and they can't get to it, well not me.

Chairman Rogan stated right.

Board Member Pierro stated I think that there is way that they can probably move that house directionally.

Chairman Rogan stated to make more use of this corner.

Board Member Pierro stated right.

Board Member Montesano stated if John is involved in this.

Ted Kozlowski stated who is going to live there.

Board Member Montesano stated if John is involved in this then he knows exactly what he is doing because he has run into it before. He's been a contractor for over thirty-five years that I know, he has built some beautiful homes.

Board Member Pierro stated I think that he dumped this though.

Rich Williams stated he is not listed in the principles of this.

Board Member Pierro stated I think he dumped this.

Board Member Montesano stated okay.

Chairman Rogan stated he knows more.

Board Member Pierro stated I think that he dumped this and he is going into that other one where the torn the barn down there.

Rich Williams stated Triple J.

Board Member Pierro stated the last nightmare that he had.

Rich Williams stated he has been trying to get a building permit on that for awhile.

Chairman Rogan stated I drove down in there a couple of weeks ago, that is Triple J right.

Board Member Pierro stated right.

Chairman Rogan stated well it was ironic because somebody said that it looks like such a great subdivision but the houses that are built aren't really in the subdivision they are all out on the main road and I drove down in and there is nothing to look at other then a big pond on the right and big pond in front of you and there is a for sale sign on it, that's it. There really isn't anything to look at inside the subdivision.

Board Member Pierro stated well isn't going to be moving on that any time soon because he is having a difficult time selling a house he's got, that he lives in up on Quaker Hill Road and it is just way out of whack, he does that flip, that two year flip.

Chairman Rogan stated to avoid capital gain.

Board Member Pierro stated that is for sure, wish I had that kind of money.

Board Member Montesano stated the way the market is going.

Chairman Rogan stated he said his wife likes it because they get new furniture every two years, his words, she doesn't mind.

Rich Williams stated his wife, he is getting married in a month or so.

Chairman Rogan stated this one, I think that we had a lot of really initial ideas on this but getting the wetlands verified and getting to take a look at it once they are verified, give them the first instincts about what we said tonight and then go and take a look at it and not put a whole lot of energy into this yet.

Ted Kozlowski stated who is (unable to hear).

Board Member Pierro stated Folchetti.

Chairman Rogan stated I haven't seen them in years, Folchetti.

Board Member Montesano stated well they are down in the city every year, I will tell you that, they do a lot of money down there.

Chairman Rogan stated a big subdivision over by Lake Mahopac that was all rock it should have been called Rock Point or something.

Board Member Pierro stated let's try to find something to do on this.

Chairman Rogan stated it was one hundred and fifty acres of all rock and I think that they got about fourteen lots in there but that was about eight years ago.

9) PAPIITTO SITE PLAN

Chairman Rogan stated Papitto.

Rich Williams stated yes.

Chairman Rogan stated what is this, oh Fair Street.

Board Member Montesano stated a plan.

Chairman Rogan stated now is this the Von Essen house.

Rich Williams stated it is the residential house.

Chairman Rogan stated so they are looking to put a big building behind a residential house that is in.

Rich Williams stated the house will be the office.

Chairman Rogan stated so they are going to take it out of residential.

Rich Williams stated yes.

Chairman Rogan stated interesting and that is a beautiful house, that's a nice house.

Rich Williams stated but they are keeping the pool.

Chairman Rogan stated of course.

Board Member Montesano stated have it for your employees.

Ted Kozlowski stated is that the one that has the big pine trees.

Chairman Rogan stated yes.

Ted Kozlowski stated we were out there awhile ago.

Chairman Rogan stated it is a beautiful house.

Rich Williams stated not me.

Ted Kozlowski stated a site walk a long time ago.

Rich Williams stated I have never stepped on this site.

Chairman Rogan stated there are beautiful stone walls anyway.

Rich Williams stated you are talking about.

Ted Kozlowski stated they have a shop there or something.

Rich Williams stated the auto shop.

Board Member Pierro stated next door.

Rich Williams stated what is his name, he just died.

Board Member Pierro stated who.

Rich Williams stated last summer, what was his name.

Ted Kozlowski stated so it's not the same place.

Rich Williams stated it is not the same place.

Chairman Rogan stated that is kind of interesting.

Rich Williams stated Tanzi.

Chairman Rogan stated they are going to turn it into an office and keep the pool.

Board Member Montesano stated to keep your employees happy.

Chairman Rogan stated so what happens after this and they decide they want to turn that back into a residence.

Rich Williams stated that can not be done by our zoning.

Chairman Rogan stated then we have to make sure that they understand that once they turn this over it will never without a special use.

Rich Williams stated if there is a contractors yard in the back, you are not going to sell it as a residence anymore besides in this area it is too valuable as a contractors yard, you can't buy these places anymore.

Chairman Rogan stated it is a pretty nice office.

Board Member Montesano stated and he is going to put a building up back there.

Board Member Pierro stated what type of work does this contractor do, does anyone know yet.

Rich Williams stated no.

Chairman Rogan stated no.

Board Member Pierro stated does anybody care.

Chairman Rogan stated we will find out when they come.

Board Member Montesano stated you want to know what equipment he is going to store that is for sure.

Board Member Pierro stated sixty by one hundred that is pretty big.

Rich Williams stated he is going to have to shift the building, Putnam Engineering thought that that building might be an accessory building and that would not be my opinion.

Board Member Pierro stated accessory building is too close to the property line.

Rich Williams stated yes.

Board Member Montesano stated well how close do you want to get to bus garage, in case his equipment has to be repaired.

Chairman Rogan stated interesting.

Board Member Montesano stated it was amazing when the kid put that building up there and then put the house next to it, I always thought he was crazy.

Board Member Pierro stated but they made a lot of money.

Board Member Montesano stated but he wanted to be next to the plant, I should say the warehouse had more value to it.

Board Member Pierro stated they made a lot of money those guys.

10) OTHER BUSINESS

a. Camp RE Lot Line Adjustment

Chairman Rogan stated under other business we have the Camp RE Lot Line adjustment which we approved at the last meeting, the only minor issue on that is that they don't really want to formally abandon the well that was out there, they want to weld a cap on it. We are looking to protect it bottom line is that if they have a use in there that they can use and not have to drill another well, I am fine with that but that was left wide open when we were out there.

Board Member Montesano stated the main thing was to get closed off.

Chairman Rogan stated so if welding a cap on.

Rich Williams stated my only concern is this, if they had a use for it, I would be comfortable and they don't and twenty years from now everybody is going to forget about which is probably how they lost the cap in the first place, twenty years ago it was fine and it is a direct conduit to pollute the ground water in that area should anything happen. Twenty years from now those welds may have rusted right off.

Board Member Montesano stated that's it.

Rich Williams stated and you may have another issue and that was my only concern for why I said seal it, permanently seal it.

Chairman Rogan stated you're right, the only saving grace is that in this case we are going to have something before us that is going to utilize that area.

Rich Williams stated I have heard everything from a huge residential subdivision multi-family to corporate park to no way this guy is.

Chairman Rogan stated we haven't heard anything, you have heard a lot more then we have.

Rich Williams stated this guy just goes around buying property and he has property all through five counties that he is just buying to hold the property to do nothing with it.

Chairman Rogan stated really, that's not such a bad idea.

Board Member Montesano stated he buys it cheap and then when the area fills up he has the property.

Rich Williams stated future investments.

Chairman Rogan stated that is interesting.

Board Member Montesano stated a lot of people do it and a lot of people have made a lot of money from it now.

Chairman Rogan stated we saw a lot of big scrapes and rubs out there didn't we Dave.

Board Member Montesano stated you guys have to have more field trips during hunting season.

Rich Williams stated I have a couple of other quick things to run by you and we talked about it a little bit before the meeting and we did get a memo from an attorney on Barjac application for an equestrian center and their opinion it and I did forward it to Anthony. The other thing is the cell tower down at the Maldone site was in before the Zoning Board of Appeals last night.

Chairman Rogan stated is that the one that we are going to joint walk.

Rich Williams stated they decided that they wanted to do a site walk on the twenty seventh at four fifteen.

Chairman Rogan stated that is a Tuesday or Wednesday, Tuesday.

Rich Williams stated but they are doing the balloon test, this is what I wanted to bring to your attention, tentatively they are doing the balloon test March tenth at eight a.m. in the morning, if there is problem with weather that is going to get pushed off until the following Saturday, the seventeenth.

Chairman Rogan stated they don't leave the balloon up that long I guess.

Rich Williams stated no, a couple of hours.

Chairman Rogan stated I won't even be back, actually the seventeenth wouldn't even work, I am not going to be back until late, I forgot.

Rich Williams stated but MaryAnn said.

Chairman Rogan stated I was thinking back on the seventeenth which probably means midnight.

Rich Williams stated she said eleven.

Chairman Rogan stated we are going back to the south west and we actually change the dates so that I could be here for this work session and this meeting so we changed it. We are a little nervous.

Board Member Montesano stated when they come back and the dog bites them then they'll know.

Chairman Rogan stated he is a puppy and he's a rip. So what is the deal right now with Burdick Farms, they submitted.

b. Cell Tower Discussion

Rich Williams stated before we wander off of cell towers, I just wanted to let everyone know I got approached by Taconic Engineering who has been retained by Verizon to site a hundred foot cell tower right in the middle of the Hamlet. Just to let you all know.

Chairman Rogan stated Taconic does.

Rich Williams stated Burdick Farms.

Board Member Pierro stated so if Peckham doesn't get their horse farm we are going to get a cell tower.

Rich Williams stated I actually told them to go look at the quarry and/or the blacktop plant, you had to do it, I also gave them a couple other locations.

Chairman Rogan stated it seems like such a low area to put in a tower, you would think that you would want to.

Rich Williams stated this area.

Ted Kozlowski stated we are in a valley.

Rich Williams stated well here is the issue, normally we are looking at grids that are three to five miles big and they are looking at a grid that is a mile, mile and one half here because they are saying that the search area, the gap in coverage that they are looking to fill runs from like Route 292 to the Croton River. You don't have cell tower cells that small.

Chairman Rogan stated that's crazy.

Rich Williams stated I suggested that they go look at the big tower up here and they can't do it because it covers to much area, well come on, it covers too much area.

Chairman Rogan stated they have to cram down cell coverage on every square inch of every.

Rich Williams stated but ultimately this is what is going to happen it comes down to not coverage but capacity, they start dropping calls because too many people in a particular area are using the service and then they have to start filling it in with towers and that is what you see here now for cell towers, they probably need another five or six cell towers to get full coverage within a town and then they are going to triple that by the time they deal with the capacity issue.

Chairman Rogan stated I wonder what the technology will be twenty or thirty years from now, they probably won't even need the cell towers.

Board Member Montesano stated they won't need the cell towers and you'll see how many people get stuck buying them, it will be like missile silos, they are going to be all over the bloody place and nobody is going to want them.

c. Burdick Farms Discussion

Rich Williams stated alright Burdick Farms. Agenda deadline was on Tuesday and they didn't submit anything until after I had the agenda all laid out and out to you Shawn, which was on Thursday, so they came in on Thursday, they came in with everything but again the landscaping plans for the storm water basins, we still don't have them. Gene and I are going to get on it and get through it as best we can, as soon as we can.

Chairman Rogan stated so what does that mean.

Board Member Pierro stated it is up to us.

Rich Williams stated it means it is up to God.

Chairman Rogan stated we have been up front and said that really that this Board has been comfortable but it still comes down to making Rich and Gene happy, I realize that we haven't officially heard from the Health Department or the DEP, right, especially on this latest submission but whether or not the site is going to change or anything that is going to change relating to what we have to do.

Rich Williams stated I know that the Health Department has looked at it, there have been comments back and forth.

Board Member Pierro stated how important is the landscape plan for the drainage basin.

Chairman Rogan stated it is important to get done ultimately but is it important to that layout of this site or changing this site, no. Do you want to have them get a resolution together for the next meeting and get this done, I think that we are at that point.

Board Member Pierro stated beating a dead horse.

Board Member Montesano stated you can always make it to the point where we can approve it.

Chairman Rogan stated there will always be conditions.

Board Member Montesano stated right.

Rich Williams stated you want it on this agenda, is that what you are saying.

Chairman Rogan stated yes, can it be done, well that is up to you guys, you and Gene because you guys are still going to have to.

Rich Williams stated can we get the reviews done, that I can not guarantee.

Chairman Rogan stated and you don't even have to, it doesn't really have to be done because if you, what I think should be done quite honestly is a review of what you deem to be your top items on there because if there is anything that will impact the layout because let's face it, that is what our Board is about, is it going to impact the road layout, the lot layout, maybe not a house that sits a certain way on the lot but the majority of this and at this point I don't know if we have anything left and correct me if I am wrong I don't know if we have anything left that is going to impact this subdivision. I think our guidance to the Applicant has been resolve these technical issues we are happy with it, let's get it through and let's get it done, unless there is any reason we can't get it wrapped up.

Rich Williams stated having not been through the plans I don't know what the big outstanding issues are and I will convey what is going on to Gene and certainly the both of us will do our best to at least try to get through the big issues to see if there is anything that jumps out at us.

Board Member Montesano stated with that note, rather than taking the change and putting ourselves in a bind and getting these guys to work their tails off, if it is that important to him either we can convene a special meeting and do it if it is that important to him as well as us, rather than to put the two of them in a position where they don't have the time.

Chairman Rogan stated here is what we can do also, we can put it on this agenda with the intent that if they review it through then the resolution is prepared and if they find something we can either do a special meeting or bump it ahead. Putting it on the agenda doesn't mean we have to approve it, so that can be done also.

Board Member Montesano stated yes.

Rich Williams stated just so that everyone is aware, the resolution is done, all I have to do is punch the dates in and punch the map dates in and the resolution is done.

Chairman Rogan stated I think that is a real good idea, let's put them on as other business or put them on as a regular.

Rich Williams stated why don't I just put it on as a regular item.

Chairman Rogan stated okay.

Board Member Montesano stated okay.

Chairman Rogan stated then why isn't Camp RE on a regular item, the ten a.

Board Member Montesano stated well it is, it's item ten.

Rich Williams stated officially it is not an active application anymore.

Chairman Rogan stated okay.

Rich Williams stated so it is just clean up details so that is why.

Chairman Rogan stated so it would be on as, Burdick Farms would be ten and then eleven a would be Camp Re, got it, I understand, I am glad I asked that.

Rich Williams stated yes.

d. Little League Container Discussion

Board Member Montesano stated are we getting involved with this nonsense.

Rich Williams stated I don't know, are you.

Board Member Montesano stated I don't know, I see that it is here, I can't see how.

Chairman Rogan stated we allowing them to have that box.

Board Member Montesano stated I can't see how we are going to get involved, it's a box.

Chairman Rogan stated plus they are asking Mike Griffin, aren't they.

Rich Williams stated they went to the Town Board.

Board Member Pierro stated plus it is on the site with a mine in a residential area.

Rich Williams stated this is what I have conveyed to some of the Town Board members before it got out of hand just to let them know that it has been considered by both the Planning Board and the Zoning Board in the past and that everybody tried to work with the Little League, how it came up was that there were two boxes on the site and everybody compromised and bent over and made them take one of the boxes away but left the other box there and essentially what they want to do is bring the other box in.

Chairman Rogan stated not to replace the one that is there.

Rich Williams stated no, bring another one in. I mean if they wanted to replace one that was in time they could do that but no they want to bring another one and it has been considered by the Planning and Zoning Boards.

Board Member Montesano stated we aren't allowing any industrial, commercial businesses to have them, how do we look putting it for the Little League because it is a not for profit organization, that is not their fault they try to make a profit.

Chairman Rogan stated I was just curious what time it was because I am never late for a date.

Board Member Montesano stated right, Theodore, the hot dog wagon and all that other stuff.

Ted Kozlowski stated fond memories.

Chairman Rogan stated motion to adjourn.

Board Member Pierro seconded the motion.

The Meeting ended at 8:45 p.m..