

TOWN OF PATTERSON
PLANNING BOARD MEETING
February 28, 2008 *Work Session*

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**TOWN OF PATTERSON
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**ZONING BOARD OF
APPEALS**

Howard Buzzutto, Chairman
Mary Bodor, Vice Chairwoman
Marianne Burdick
Lars Olenius
Martin Posner

PLANNING BOARD

Shawn Rogan, Chairman
David Pierro, Vice Chairman
Michael Montesano
Maria Di Salvo
Charles Cook

**Planning Board
February 28, 2008 Work Session Meeting Minutes**

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

Present were: Chairman Rogan, Board Member Pierro, Board Member Montesano, Board Member DiSalvo, Board Member Cook, Rich Williams, Town Planner, Ted Kozlowski, Town of Patterson Environmental Conservation Inspector and David I. Raines, Town of Patterson Building Inspector.

The meeting began at 7:22 p.m.

There was one audience member.

Michelle K. Russo was the secretary and transcribed the following minutes.

1) MCINTYRE W/W PERMIT APPLICATION

Board Member Montesano stated we're starting.

Board Member Pierro stated we're starting early, nobody is here.

Chairman Rogan stated McIntyre Wetland/Watercourse Permit Application, this is the one in Wyndham Homes, we had the gentleman in.

Rich Williams stated that is correct.

Chairman Rogan stated we walked it remember.

Board Member Pierro stated I went out to see 11 Teal Lane.

Chairman Rogan stated we haven't been out there as of this application but we were out there less than two years ago.

Board Member Pierro stated right but I was under the impression that you may have gone to see it while I was away, I wasn't sure but I just wanted to take a ride by and look down the driveway.

Chairman Rogan stated and basically what we said to the applicant and he came in on a wetlands permit for, remember the long driveway that borders his property, the wetlands application, what is the name on that Rich.

Board Member Pierro stated to the right.

Chairman Rogan stated I never remember.

Rich Williams stated Mezger.

Board Member DiSalvo stated Mezger.

Board Member Pierro stated Mezger.

Board Member DiSalvo stated yeah down the hill.

Chairman Rogan stated and so he knows about the wetlands laws.

Board Member Pierro stated right.

Chairman Rogan stated and he knows about where the limits of disturbance and Ted posted the signs.

Board Member Pierro stated right.

Chairman Rogan stated we basically told him look, we made some allowances for you to get your well and we set up kind of a line in the sand. Do your best to get this thing out of that line and you know, it may mean say going to Zoning if you want to do something on the side but let's see what we can do with it.

Board Member Pierro stated were the allowances to him or to the builder.

Chairman Rogan stated to the builder and we.

Board Member Pierro stated okay.

Chairman Rogan stated a copy of the minutes, we had Michelle print out, did you see those.

Board Member Pierro stated right.

Chairman Rogan stated and we had asked the question because we struggled with that application.

Board Member Pierro stated I know.

Chairman Rogan stated and we had said to the gentleman of Wyndham Homes, Joe Darnell, you know we want to make sure that the owner knows what they are getting here. And he said yes we have represented it as such and you know there isn't anything.

Board Member Pierro stated is there any notification on the plat when this guy got a survey for the property. I'm sorry [Board Member Pierro's cell phone rings]. Is there any notice that was no building in the buffer or the buffer line.

Rich Williams stated no quite to the contrary, the Planning Board at the time, they did review the subdivision made a determination, they wanted to review these lots on a case by case basis.

Board Member Pierro stated case by case, right.

Rich Williams stated so that is when they started coming in. Specifically Joe Darnell's application was well after the plat was filed.

Board Member Pierro stated okay, excuse me.

Chairman Rogan stated okay, so what did they come in with.

Rich Williams stated they came in with a plan that essentially pulls the pool right up and extended the deck off of the house.

Board Member DiSalvo stated like we recommended.

Rich Williams stated right, they did that before they met with Ted.

Chairman Rogan stated okay.

Rich Williams stated which was also part of their direction. Ted took this plan and went out and subsequently met with them, he may be coming in tonight I don't know. Ted suggested they come in and discuss alternatives that they talked about with the Board tonight, one of them being moving the pool around towards the side of the house and then Ted came in and talked to me about that and that is when I let him know that there is a separation distance between and potential septic fields. Whether it is the expansion area or the primary fields and an in ground pool and generally it is about thirty-five feet as I understand it. So clearly it wouldn't work by moving the pool around the house.

Board Member Pierro stated is there something wrong with this presentation that we have, it still requires a variance because the pool is too close to the house.

Rich Williams stated I really haven't looked at it that hard and its really not that clear but it looks like the pool is being attached to the house, therefore it all becomes part of the principal structure.

Dave Raines stated part of the principal structure and the set back issue with the.

Chairman Rogan stated so the only issue would be is if it's too close, if the pool is too close to the expansion area, they would have to look at that. We certainly wouldn't want to approve something that would violate that separation distance.

Board Member Pierro stated unless they could find a different location for expansion.

Chairman Rogan stated exactly, we had spoken to them about that.

Board member Pierro stated right.

Chairman Rogan stated might be able to prove out, we don't know where the test pits were and what they might be able to prove out as additional.

Board Member Cook stated bless you.

Board Member Montesano stated thank you.

Chairman Rogan stated it becomes a matter of how far this guy wants to go to get this pool in.

Board Member DiSalvo stated or how much he wants to spend.

Chairman Rogan stated but we really did try to stand firm on the delineation that we did out there and the allowances that we previously made on this.

Dave Raines stated how far inside the buffer did he pull this.

Rich Williams stated about another fifteen feet.

Dave Raines stated he is inside the buffer.

Rich Williams stated out of the buffer.

Dave Raines stated out of the buffer, I'm sorry.

Board Member DiSalvo stated so what is the total inside.

Rich Williams stated the total inside, I am guessing is twenty feet.

Board Member DiSalvo stated is that the pool or is the walk around that included.

Rich Williams stated it includes the walk way.

Board Member Pierro stated but what is in the buffer, I can't tell from this map, is it the actual pool or is it the walk way.

Rich Williams stated and let's be clear, when I am talking about what's in, there is an area that was designated as allowing them to have a lawn and some backyard, so we are talking about what is beyond that.

Board Member Pierro stated right.

Board Member DiSalvo stated and.

Rich Williams stated additional to it.

Board Member DiSalvo stated and he can't pull it any closer to (inaudible).

Board Member Pierro stated he is beyond that area.

Rich Williams stated oh yeah.

Chairman Rogan stated the proposal yeah.

Rich Williams stated well there wasn't that much there.

Board Member Pierro stated is this the second proposal or the first proposal.

Chairman Rogan stated that is the second.

Dave Raines stated I don't have mine, I gave mine back to him.

Chairman Rogan stated (inaudible).

Dave Raines stated no, no, I meant the original one that showed the pool was out here.

Chairman Rogan stated the original, no we put in a line and actually I think it was just to allow the well.

Dave Raines stated close to the wall.

Board Member DiSalvo stated that's the original line, that is way off. So he wanted it moved pretty good.

Dave Raines stated this was last month.

Board Member Pierro stated last submission, it is much closer to the stonewall.

Board Member DiSalvo stated and he can't get any closer to that deck.

Rich Williams stated he moved the pool in but then he expanded the deck area on that side.

Board Member DiSalvo stated he carried it around.

Rich Williams stated yeah.

Chairman Rogan stated what this doesn't show is the limits of disturbance that we set up which, you know may very well be something about.

Board Member DiSalvo stated looks like the area is bigger then the pool.

Chairman Rogan stated like this, the flags are out there but it basically but the wetland line is way out here so everything they do is within that.

Board Member Pierro stated is in the wetlands.

Chairman Rogan stated in the wetland buffer, I'm sorry.

Board Member Pierro stated oh in the buffer.

Chairman Rogan stated the buffer, see the 100 foot line right here, it goes through the corner of the house.

Board Member Pierro stated can we hold this guys feet to the fire though if he wasn't aware of that, that is the key, its not like we are.

Chairman Rogan stated yea, so.

Board Member DiSalvo stated I would see if he can pull it in closer to the deck.

Dave Raines stated that is what I suggested but he doesn't want to be in the shadow of the house, that was his whole thing and then Shawn had pointed out.

Chairman Rogan stated and I think Ted even had said you know you are going to have to cut some trees down to get some light on this, the way the light goes through the natural light on that property.

Board Member Pierro stated and provide a heater.

Chairman Rogan stated exactly.

Rich Williams stated he is providing a heater but you know, everybody that owns a pool knows, you want the sun.

Board Member DiSalvo stated I guess he is more concerned with the shadow of the house.

Rich Williams stated on you when you get out of the pool.

Chairman Rogan stated yeah.

Board Member Montesano stated then you put a heated floor and a heated cabana and you put a big tent.

Chairman Rogan stated I kind of think this is the type of application that he is going to have to, whatever it is, do the best the he can, we are going to have. He is going to have to mark it off and we are going to have to go and take a look relating to where the existing markers are that Ted placed, we can see that line that is delineated, they should still be there, he said they were still there and.

Board Member Pierro stated you are talking about the tree markers.

Board Member DiSalvo stated unless he flipped the pool around.

Chairman Rogan stated we had him mark the area. So we will see.

Board Member DiSalvo stated what if he flipped the pool, would that bring it in closer.

Rich Williams stated hello Ron.

Mr. Taylor stated hi.

Rich Williams stated how are you.

Chairman Rogan stated good, good evening. That is really it, I don't know how the rest of the Board really feels but we went through a lot, we have to go look at it.

Board Member DiSalvo stated we have to go look at it anyway.

Chairman Rogan stated we went through a lot, I'm glad that we had the minutes from, Charlie you weren't on the Board then but to be able to see what we spoke about and the allowances that were made.

Board Member Pierro stated again I will bring it up but the allowances were made to the builder.

Chairman Rogan stated yup.

Board Member Pierro stated we don't know for a fact that they were made to this gentleman or the applicant but.

Chairman Rogan stated the good thing is the markers were in place.

Board Member Pierro stated right, okay.

Chairman Rogan stated I think, didn't he actually already own or they were building the house for him. Darnell represented it that way.

Rich Williams stated they built a lot of houses before they sold them, so.

Board Member Pierro stated yeah, I don't, who knows.

Chairman Rogan stated yeah.

Board Member Pierro stated well, in a few weeks we will be able to go out there and see it without snow on the ground, maybe even less than that.

Rich Williams stated twenty-two days until spring.

Board Member Montesano stated right.

Chairman Rogan stated Rich using this as an example on some of the other subdivisions like NRA that we are working with that have these limitations on backyards, we have always talked about, we were trying to get applicants to plan for, you know structures in the back, show us something. Would it make more sense if we were to try to figure out a way to set up a requirement for usable area like in a square footage.

Rich Williams stated when I wrote the Code the last time, I started going that way in that you have to have a thirty foot building envelope free of wetlands and buffer.

Chairman Rogan stated okay.

Rich Williams stated the thing with NRA is that doesn't account for steep slopes.

Chairman Rogan stated I think it would have, I think that the usable area would have to account for less than fifteen percent grade or something.

Rich Williams stated in which case we wouldn't have another look at the house up on NRA's property.

Chairman Rogan stated yeah (inaudible).

Dave Raines stated how would deal with a buffer that came right to the back deck like this.

Rich Williams stated that lot wouldn't be there, just, Dave, you missed a lot of the history with this.

Dave Raines stated I'm glad I did.

Rich Williams stated with Deerwood, I fought this subdivision from day one because they were shoe horning in all of the homes out there up against steep slopes, up against (inaudible).

Dave Raines stated I experienced a little of it with the several problems that we have been dealing with.

Rich Williams stated yes.

Chairman Rogan stated Ted.

Board Member DiSalvo stated find a chair.

Ted Kozlowski stated hi guys.

Chairman Rogan stated pull up chair.

Board Member Pierro stated sit on the desk Ted.

Chairman Rogan stated we started a few minutes early.

Ted Kozlowski stated you knew I was coming.

Rich Williams stated as a matter of fact we are finished with McIntyre so.

Board Member Montesano stated we don't need you, you can go home now.

Board Member Pierro stated they have a pool like yours Ted.

Board Member DiSalvo stated we told him to double it.

Ted Kozlowski laughs.

Board Member Montesano stated we told him to just cut down the trees with the little signs on them, this way you don't notice them.

Rich Williams stated thank you.

Board Member DiSalvo laughs.

Board Member Montesano stated it must be my hair tonic.

Chairman Rogan stated Ted we were just kind of discussing McIntyre, the wetlands application for the pool.

Ted Kozlowski stated I have some stuff to fill you in on.

Chairman Rogan stated about McIntyre.

Ted Kozlowski stated are you ready for me now.

Chairman Rogan stated sure.

Ted Kozlowski stated good evening ladies and gentlemen. I met with Mr. McIntyre on Sunday. What.

Board Member Montesano stated you are sitting on her desk.

Ted Kozlowski stated what. I met with Mr. McIntyre on Sunday and I went to the site and I looked at the, is there something hanging from me.

Rich Williams stated no, you are sitting on the desk.

The Secretary stated I have a complex about my desk.

Ted Kozlowski stated oh.

Chairman Rogan stated she is getting red over there.

Ted Kozlowski stated sorry.

Board Members laugh.

Board Member Pierro stated it sounds like a hostile work environment to me, Michelle.

Ted Kozlowski stated I see her getting all red.

Board Member DiSalvo stated I know, shes matching her shirt.

The Secretary stated I have a complex about my desk, I'm sorry.

Chairman Rogan stated (inaudible).

Ted Kozlowski stated do you want to re-start that tape.

Board Member Pierro stated no, no.

Rich Williams stated it will be in the minutes.

Chairman Rogan stated okay.

Ted Kozlowski stated I met with McIntyre on Sunday.

Chairman Rogan stated one second.

Rich Williams stated I thought you'd get the short one.

Ted Kozlowski stated one of the positives is the guy is trying to do his best to work with us, he is not in my face, he's trying to be flexible and trying to do the right thing. And I do appreciate the fact that he has come to us instead of us finding out about it and having a situation that we have had in the past. Never the less you know, he wants a rather large swimming pool in a small usable space and what I suggested to him was to work with his pool company and try to be a little more imaginative and maybe reduce the size of the pool, maybe put it on an angle, maybe do what you can to fit the site. He is, no matter what he does, he is going to be impacting the buffer line, now the buffer line, part of it is grass and already developed area, as I have on other projects I don't mind giving that up, what I do mind or what I would mind and what I advise the Board against is giving up enough area where you've got to cut down a whole bunch of trees and make the sun field that he is going to need for this pool right. The first three trees in that buffer zone are relatively small trees and in my estimation will not mean that much as far as a buffer but once we get to the stonewall that returns to natural forest and is sloped going down to the wetland and that to me is the no fly zone and I think when the Board went out there, those Members that were part of it awhile ago, I think we kind of made that clear, even though the buffer line goes beyond that stonewall towards the house. I spoke with Mr. McIntyre, as late as today, he was going to come in tonight and just offer whatever he could offer to you. He has been researching trying to reduce these impacts. One of the questions, which Richie answered and I don't know if that is set in stone is the set back that is required for the expansion of the septic, that is thirty-five feet and if that is a golden rule, that kills him on almost every thing. Quite honestly I find that, thirty-five feet.

Rich Williams stated if (inaudible) yes.

Ted Kozlowski stated I find that really excessive.

Rich Williams stated they've backed off to thirty-five [feet] at times but thirty-five is locked in stone.

Ted Kozlowski stated if it's thirty-five, then he doesn't have much room because then you've got the well and all sorts of other issue. So he was going to try and reduce and he made it clear that this was not an adversarial thing and he wanted to do the right thing, which again I appreciate because it just believe I don't enjoy the confrontations that I have recently been having to go through. So I really strongly recommend that this Board on the next site walk we go there, and I have asked him in the mean time to stake out the where the septic ends and I have asked him to stake out the pool, how he would lay out the pool so this Board can get a feel. You know like I said I am willing to you know recommend to you guys to remove some of the trees which he would have to do anyway no matter where he puts the pool but this is going to be a difficult case.

Chairman Rogan stated if you remove those trees, do you allow him to yank the stumps out or you just remove them and cut them like back.

Ted Kozlowski stated I don't know if removing the trees is required to take the stumps out because I don't know if he would dig that far with the pool.

Chairman Rogan stated I just mean with the disturbance to the buffer because you can cut a stump real low to the ground especially if they are small trees.

Ted Kozlowski stated yeah, he wouldn't have to.

Board Member DiSalvo stated at some point.

Rich Williams stated yeah but pulling the stumps is a real short term minor.

Chairman Rogan stated yeah.

Ted Kozlowski stated yeah I wouldn't again when we go out there and Shawn I really recommend we all go out to this site.

Chairman Rogan stated yeah we were actually talking about that before you got here.

Ted Kozlowski stated and you know there is that stonewall and I think that's where you draw the line.

Chairman Rogan stated yeah.

Ted Kozlowski stated and of course, I explained this to him and I was very clear, you know and he was talking to me about compromise and all and I understand where he is coming from you know but I said to him, look at this neighborhood, if the we, if the Board allows you to do what you want to do here, we can't say no to this guy and this guys and everybody else who is bordering. The only spaces that are left there is wetland or very steep slopes so you know. They are very big houses and they are squeezed, they are shoe horned into these lots.

Board Member DiSalvo stated anybody else have pools in that subdivision.

Rich Williams stated oh yeah.

Dave Raines stated yeah.

Board Member DiSalvo stated so its not, this wouldn't be the first one.

Dave Raines stated most people have kept the pools marginally smaller then.

Board Member DiSalvo stated and no impact, none of them have come before us before.

Rich Williams stated they are out of the wetlands too.

Dave Raines stated yeah.

Ted Kozlowski stated I told him.

Board Member Pierro stated I don't think the size of the pool is really that big of an issue, I think the size of the patio, that is the killer.

Board Member DiSalvo stated that is going to be (inaudible- too many talking).

Ted Kozlowski stated I wasn't sure whether he drew that pool to scale because the pool that he wants to put in, I believe is 21' by 30' or 20' by 30'. That's.

Board Member Pierro stated in the grand scheme of things that's really not a terribly large pool.

Ted Kozlowski stated Dave, I understand but when you've got a short little area to work with, you have to think about reducing the size.

Board Member Pierro stated I think the patio is much, the patio is what the killer is.

Ted Kozlowski stated you have to reduce that.

Chairman Rogan stated I see that.

Board Member Pierro stated yeah.

Ted Kozlowski stated then you have to deal with all the other stuff that goes with the pool like the heater and the filter and all that other stuff, where are you going to put it.

Dave Raines stated which is a whole nother issue for the Board.

Board Member Pierro stated and that may be in the buffer.

Dave Raines stated where he shows it here, isn't really.

Ted Kozlowski stated right.

Dave Raines stated out in the middle.

Rich Williams stated he is in the expansion area.

Dave Raines stated yeah.

Rich Williams stated that ain't going to fly.

Dave Raines stated yeah.

Ted Kozlowski stated I have recommended to him to try to reduce the size of the pool and reduce some of the stuff and I told him to go on the website for the pool company that I went to because I had to reduce the size of my pool to fit the site and make it work. He wants a diving board and it has to be eight and a half feet deep and there are a lot of issues there and I don't know if he can.

Chairman Rogan stated one question I have is.

Board Member Montesano stated tell him to buy the aerator to go swimming.

Chairman Rogan stated the area that is shown for the expansion area this looks like this was just hand sketched in.

Board Member Pierro stated right.

Chairman Rogan stated we should look at like an approved plan from the Health Department and see where that is because I don't want to drive him and us crazy, if we can set at least we know when we go out there hey this is thirty-five feet off of this of whatever the case may be.

Rich Williams stated they should be if I recall what.

Dave Raines stated you remember what number that is Rich, the address.

Rich Williams stated 11 Teal Lane.

Chairman Rogan stated lot 24.

Ted Kozlowski stated the other thing is.

Rich Williams stated I think what he is doing, this is off an as built.

Ted Kozlowski stated these are not his sketches, this is NeJame's, whatever the heck the name of the pool company is.

Rich Williams stated NeJame.

Ted Kozlowski stated NeJame, I told him that, the second submission is not good enough for this Board and he is relying on NeJame. Because I think what is going on is NeJame is telling him hey look the guy up the road, you know, at the horse farm that you guys approved. He is telling them, hey, I got the pool over there no problem.

Board Member Pierro stated the guy up the road.

Chairman Rogan stated oh yeah.

Ted Kozlowski stated the horse farm, Laura Parker.

Chairman Rogan stated the, Laura Parker's.

Board Member DiSalvo stated oh yeah.

Ted Kozlowski stated remember that, we went out she has a horse farm.

Board Member DiSalvo stated yeah.

Chairman Rogan stated yeah.

Ted Kozlowski stated but that pool was in an open field and the impacts there.

Board Member Pierro stated and plus the other issues with the buffer, the enforcement of the trail and all that other stuff was.

Board Member DiSalvo stated (inaudible – too many speaking).

Ted Kozlowski stated right, so.

Chairman Rogan stated you are right though Ted about the guy coming, he was polite, he was wanting to just see what he could do, he wasn't pushing too much, he was doing exactly what we are trying to avoid with these subdivisions.

Ted Kozlowski stated right.

Chairman Rogan stated is trying to avoid this kind of stuff.

Ted Kozlowski stated right and I have to say through the whole process, he has been very courteous, very respectful, no big stink, nothing like that, he is really trying to make it work, I have to give him an A for effort. So I am not looking to kill him but you know, you as a Board have to make a decision, where are you going to draw the line. I'm not even going to look at your desk and I'm sorry my jacket is on there.

The Secretary stated that's okay.

Rich Williams stated jackets are fine.

Ted Kozlowski stated just not hineys.

Board Member DiSalvo stated okay, site walk.

Ted Kozlowski stated so I really think a site walk is order.

Chairman Rogan stated site walk, we just have to clarify a few issue with the expansion area and you know.

Board Member Pierro stated Dave may have a map for us in a moment.

Chairman Rogan stated this is like, compromise, everybody starts with more then what they really want and we end somewhere in the middle.

Board Member Pierro stated its all a negotiation.

Chairman Rogan stated exactly.

Ted Kozlowski stated well I think he realizes it's a compromise and you know and I told him if you come in and say this is what I want, the chances are you're not going to get it. I was pretty honest with him.

Chairman Rogan stated good and until Dave comes back, oh there he is.

Board Member Pierro stated pitter patter.

Board Member DiSalvo stated that's what we have.

Dave Raines stated we gave him a generator.

Board Member Pierro stated oh man, figures, she should barely (inaudible) Shawn.

Chairman Rogan stated it looks drawn in.

Board Member Pierro stated it looked a little closer.

Chairman Rogan stated yeah.

Board Member Pierro stated the one on our map looked a little closer. In the grand scheme of things as we have said before how many times do people actually, I know we have to provide for it by Code but by County rule.

Chairman Rogan stated I wonder if he can prove out, if any of this area is usable for expansion instead of what he showing up in here, he might be able to add on to some of this.

Ted Kozlowski stated what I was questioning because this area here, let me show the Board.

(Dave Raines cell phone rings).

Ted Kozlowski stated this is the wetland here, okay and this is Mezger's property remember you guys have been working that, the wetland affected.

Board Member DiSalvo stated that stonewall, is on there.

Ted Kozlowski stated the wetland affected is kind of like this line this is all open here, you know and its all been cleared and all and I'm just wondering is it possible to push because his well is here.

Chairman Rogan stated you would think he would want that further away.

Board Member DiSalvo stated oh so, alright, its way out of the way.

Ted Kozlowski stated and I was wondering if I don't know what it takes for the Health Department to.

Rich Williams stated yeah but listen, they out there they are doing deeps and they are doing percs, they are not going to go looking for a second area away from the primary area unless there is a reason.

Chairman Rogan stated well right, it ended up that way because the soil obviously out was pretty difficult otherwise it would have been one whole area.

Rich Williams stated or just wedge.

Chairman Rogan stated they would have continued this.

Rich Williams stated absolutely.

Chairman Rogan stated I totally agree with Rich on that one.

Ted Kozlowski stated but let him explore that, let him go to the Health Department, its not our.

Chairman Rogan stated the point really here is if they take a thirty-five foot arch off here, its to about the center of the deck.

Board Member Pierro stated what is this line here.

Chairman Rogan stated that is the 100 foot wetland buffer line.

Board Member Pierro stated yeah so.

Chairman Rogan stated yeah.

Board Member Cook stated Ted where is the stonewall at.

Ted Kozlowski stated I would say the stone, well here is the well, okay and the well is definitely in front of the stonewall so the stonewall is somewhere around here.

Chairman Rogan stated yeah.

Rich Williams stated I don't know, I don't know he could have.

Chairman Rogan stated Dave, you know.

Rich Williams stated put the pool where he was proposing it originally.

Chairman Rogan stated right I think I would agree with you on that.

Board Member Montesano stated this is the existing septic field.

Chairman Rogan stated well no, this is the existing.

Ted Kozlowski stated now one of the alternatives that I offered to him was behind the house here but then he has his line through the pool.

Chairman Rogan stated that is not (inaudible).

Board Member DiSalvo stated yeah the well line.

Board Member Montesano stated what is that open space down here with the fifty foot set back.

Ted Kozlowski stated what's that.

Board Member Montesano stated this area down here.

Chairman Rogan stated nothing.

Ted Kozlowski stated this is all open lawn.

Board Member Montesano stated I am just wondering if this should be moved down here.

Chairman Rogan stated what Rich was saying is the reason that is not there already is because the area probably wasn't suitable or as suitable as the area that they show it in.

Board Member Montesano stated or yeah but the possibility exists that it may be usable but this is the preferred spot, possibly.

Chairman Rogan stated possibly.

Board Member Pierro stated those were the best percs but then again, Shawn, how often are people actually using their expansion areas, primarily they are rebuilding their existing.

Chairman Rogan stated good point but the problem is that we don't have any jurisdiction or review on that so it doesn't matter.

Board Member Pierro stated but if he can prove it out.

Chairman Rogan stated I think what this Board should do is have them show thirty-five foot arc off this area, give us a line that we can look at.

Rich Williams stated well if you are going to do that, Dave brought up a valid point very quietly over there is that typically the Health Department is going to, you know, I've got one pool if I recall correctly they actually allowed within twenty-five feet of the septic system but they would prefer fifty feet. So I've kind of been waiting until this really gets to where you know everybody thinks that where it should be, then I was going to send it over.

Chairman Rogan stated before you kick it over.

Rich Williams stated the Health Department and say is this going to work.

Chairman Rogan stated sure.

Rich Williams stated so before we start having arcs on anything, if that is what you want to do, you know I will call Mike Budzinski, get something back in writing about this what he is going to permit.

Board Member Pierro stated okay.

Chairman Rogan stated you know, I mean I get the general consensus seems like from the Board is that we are willing to work with the guys.

Board Member Pierro stated sure.

Chairman Rogan stated but we are not willing to give up what we fought so hard for a year or two ago.

Ted Kozlowski stated well considering these constraints I don't think its going to be, I don't see how it can work.

Chairman Rogan stated so let's see what.

Board Member Montesano stated how about we just tell him to put a steel deck and put the thing up above the house.

Board Member DiSalvo stated what if we cut down on the patio area and move the pool another five feet closer to the house.

Board Member Pierro stated I think he could do it if he cuts down on the patio area.

Board Member DiSalvo stated yeah there is a lot there on the side.

Board Member Pierro stated and if he puts the deck.

Board Member DiSalvo stated and this is all concrete or is there like a little grass area around.

Chairman Rogan stated it looks like concrete and plantings.

Ted Kozlowski stated I think he was talking about a wood deck.

Board Member DiSalvo stated around the whole pool.

Board Member Pierro stated I don't see any reason why he can't cut down on this space here.

Chairman Rogan stated that is landscaping you see, he's got this, this is the deck, he is showing this x mark as the plantings around it.

Board Member Pierro stated okay but this area here Shawn.

Chairman Rogan stated yeah I don't disagree.

Board Member Pierro stated if he cuts back on this and builds a fixed deck to the back of the house here, he cuts down on the amount of disturbance in that rear yard and in the buffer. So he doesn't have a concrete patio like Dave Pierro does but he's got a wooden deck on the outside of the house.

Dave Raines laughs.

Chairman Rogan stated Dave Pierro's is nice but you don't have a wetland sticking up next to your house either.

Board Member Pierro stated right.

Chairman Rogan stated I mean.

Board Member Pierro stated I was waiting for that to show up, I thought somebody was going to deliver one during the process.

Chairman Rogan stated so we are all clear then and we are all on the same page, what we are looking for this guy to minimize this to the greatest extent and see if it can fit in and we will go take a look at the site and see if it something that we can all live with.

Ted Kozlowski stated so Rich, is it definitely thirty-five feet, is that the golden rule.

Rich Williams stated my understanding based on the other stuff that I seen some through here is that they are pretty firm on the thirty-five feet, they would like more, I have seen them go a little bit less, they go on a case by case basis from what I have seen, depending on is the pool directly down gradient of the septic system, is it off on the side, is it above it, where is it, whatever day it is.

Ted Kozlowski stated now is that thirty-five just for a pool.

Chairman Rogan stated I think they are using.

Rich Williams stated there is a whole, this is one of the things with pools, there is a whole list about required separation distances between certain features, you know catch basin, storm drain systems, septic tank, property, whatever, pools really aren't listed anywhere so they have, from my understanding some flexibility when they are looking at it.

Ted Kozlowski stated I am just wondering, just for arguments sake, if there is no rule out there that says pools have to be thirty-five feet or more away from, right.

Rich Williams stated right.

Ted Kozlowski stated say he wants to put it twenty feet and there is no golden rule out there, its just seat of the pants with the way they are calling it, he has recourse.

Rich Williams stated it falls back to the policy, no, because it falls to the policy, they are the reviewing agency, they are the experts, they are the ones that make the call.

Board Member Pierro stated the Health Department.

Chairman Rogan stated they probably are looking at the pool similar to what they would look at as another foundation in the ground except with the.

Rich Williams stated the footing drain.

Chairman Rogan stated the footing drain.

Rich Williams stated yeah.

Chairman Rogan stated but let's, he is going to have to do the best he can to minimize this, we are going to have to find out what the Health Department will allow. I think we should have them, him go to the or talk to Mike or someone.

Board Member DiSalvo stated before next weeks meeting.

Rich Williams stated I talked to him, he called me today about all this and I talked to him about that and I said you really want to get over there early on, you know tap dance, song and a dance, he really doesn't have the time, you know, I said fine, if it gets to that point we are just going to refer it over, we'll take care of it.

Chairman Rogan stated true enough.

Rich Williams stated but its going to go.

Chairman Rogan stated alright.

2) **BONIELLO SITE PLAN – Final Approval**

Chairman Rogan stated Boneillo.

Rich Williams stated Boniello, there are still some clean up issues but you know they are really minor.

Chairman Rogan stated okay.

Rich Williams stated you know we are pretty well locked in as far as the design and the grading and stormwater and everything else.

Board Member Pierro stated I didn't get to Boniello, did he shrink down that porch in the front, there were some issues with the size of that.

Chairman Rogan stated there was something where it was going to create a Zoning issue and they said they were going to shrink the stairs.

Rich Williams stated the moved the stairs around to the side.

Chairman Rogan stated yeah, so we are.

Board Member Montesano stated front porch has been reduced in size to maintain a fifty-five foot front yard set back.

Chairman Rogan stated the very first one, good job.

Board Member Pierro stated very good Mike, I didn't get a chance to read that.

Rich Williams stated that was two reviews ago.

Board Member Pierro stated it was.

Rich Williams stated so you'll have a resolution.

3) **NRA REALTY SUBDIVISION – Continued Review**

Chairman Rogan stated NRA Realty. Dave what we really, we spent quite a bit of time with the gentleman from Zarecki.

Rich Williams stated right.

Chairman Rogan stated Zarecki.

Rich Williams stated yes, John Walsh.

Board Member Pierro stated how come you got colored maps.

Chairman Rogan stated I don't know but the last time I didn't get a colored map, this time I got one.

Board Member DiSalvo stated I got a colored one too.

Chairman Rogan stated the color is for the steep slopes.

Board Member DiSalvo stated topo.

Chairman Rogan stated Rich had given them a couple of ideas for modifying some of the lots, especially close to the cul-de-sac.

Board Member DiSalvo stated and the windows.

Chairman Rogan stated he said he was going to start working on some of these difficult lots, I noticed he showed a pool here. There are difficult grades on some of these lots.

Board Member Pierro stated weren't we concerned about the grading on the road.

Board Member DiSalvo stated oh we are on NRA already.

Rich Williams stated yeah somehow we went right by it.

Board Member DiSalvo stated what happened with NRA.

Dave Raines stated I was sitting here looking at Boniello, saying okay I guess we are done now. Nothing, I'm good, sorry I missed the boat.

Chairman Rogan stated okay.

Board Member Pierro stated again, weren't we concerned about the grading on the road.

Rich Williams stated guys, you are covering the mic up. There we go.

Board Member Pierro stated weren't we concerned about the grading on the road.

Dave Raines laughs.

Board Member DiSalvo stated we were concerned about that common driveway.

Rich Williams stated not a lot, you were concerned about the grading on the common driveway coming up and around to lots ten and eleven.

Mr. Taylor stated can I ask something.

Board Member Pierro stated sure.

Mr. Taylor stated the common driveway, why isn't it a road, why didn't they just extend the road.

Chairman Rogan stated oh because of the length of the.

Mr. Taylor stated its only allowed to be so long.

Rich Williams stated there are a couple of issues regarding that, the additional disturbance and this is what the applicant proposes, that the additional disturbance the grade, turning radius because he is actually coming back off of the cul-de-sac going up a hill and he has to switch back to get to both lots. He crosses both lots to get to both lots.

Chairman Rogan stated this is a beautiful piece of rugged property.

Ted Kozlowski stated he has a pretty good stream crossing there and its already done and they are making a whole new mess.

Rich Williams stated where are you referring to Ted.

Ted Kozlowski stated where the existing access is now.

Chairman Rogan stated the existing access is the other side, right. With the switchback coming up the hill.

Ted Kozlowski stated yeah.

Chairman Rogan stated that is such a tough, I don't like that at all as the primary access.

Ted Kozlowski stated I know, I was just saying I like the fact that he's got.

Chairman Rogan stated well they are proposing bridging this from the last meeting, what I recall.

Ted Kozlowski stated oh are they.

Chairman Rogan stated yeah, they said they were going to bridge that.

Board Member Pierro stated Shawn, remind me which is the most elevated portion of the site.

Chairman Rogan stated well look at your steep slope variant, when you start getting into these colors, I don't have the key, but your yellow must be fifteen, probably orange is.

Board Member Pierro stated that is not my question.

Chairman Rogan stated oh I'm sorry.

Board Member Pierro stated the highest part of the site.

Rich Williams stated over by Dave.

Chairman Rogan stated yeah, remember we walked up this way and around and then came back down that real steep slope.

Board Member DiSalvo stated and that is where those house would be off that common driveway.

Chairman Rogan stated here is the existing cabin and.

Board Member Pierro stated right.

Ted Kozlowski stated when you look at some of those lots, referring to the Deerwood situation, how much of this land are these people going to be able to use.

Chairman Rogan stated exactly.

Ted Kozlowski stated take a look at this one, its carved into a slope.

Chairman Rogan stated right, you are looking at the back corner of a house to a, what does that say on the orange Dave, right by you.

Dave Raines stated greater then fifteen percent.

Chairman Rogan stated greater, that slope butting up to those house, we walked down it but we barely walked down it.

Board Member Pierro stated there is no pool in that backyard.

Chairman Rogan stated but they are showing one, see.

Board Member Pierro stated yeah well its in the side yard.

Ted Kozlowski stated yeah you are looking at pretty significant cuts.

Chairman Rogan stated terrible lots.

Rich Williams stated to both Daves one of the things he said at the meeting was that he recognizes the grade issues, they are going to have to come in with not your typical house design. They were talking about coming in with three tiered houses where the living area on the top floor and the bedrooms were all underneath and having three floors to meet the grade. And just so everybody is aware, that may raise some height issues.

Chairman Rogan stated yeah.

Dave Raines stated I have something to discuss, sorry.

Chairman Rogan stated what is that thirty-five feet.

Rich Williams stated thirty-eight.

Chairman Rogan stated thirty-eight.

Dave Raines stated there is something I want to bring to the attention of the Board. I have been up there numerous times, I actually went up with Richie this week, I have been up numerous times to lot five. What they did was they took the existing cabin and the doubled it in size without a building permit.

Chairman Rogan stated wow.

Dave Raines stated that was that mention of the blue tarp in the woods from a couple meetings ago, so I went and checked it out, yeah there is a blue tarp on top of a.

Board Member DiSalvo stated that was the house that they were going to keep small.

Dave Raines stated yeah so now we have debacle, they, unfortunately, I have a couple of pictures here, I didn't grab my camera with the others, this was all stuff done without my knowledge but this give you an idea of what they did.

Chairman Rogan stated whoa.

Board Member Pierro stated holy Christ.

Chairman Rogan stated oh boy.

Board Member Pierro stated oh man.

Dave Raines stated so they did that.

Board Member Pierro stated its uglier then sin with that other flat roof, that other.

Dave Raines stated so what they did was they built an addition on to the cabin that's thirty by twenty five, Rich.

Rich Williams stated twenty by thirty without the porch.

Dave Raines stated twenty by thirty.

Board Member Pierro stated did you issue a violation.

Dave Raines stated yeah, a stop work order and a violation.

Board Member Pierro stated what is the name of this applicant or all we know is NRA Realty, can we put a name on it.

Dave Raines stated the builder is Vito Adreano. I don't remember, I have a notice of violation.

Board Member DiSalvo stated now its going to look like a house.

Dave Raines stated NRA got the violation, I don't recall the gentleman's name.

Board Member DiSalvo stated it must be on the application somewhere.

Dave Raines stated in any case, they were nice enough to take pictures of the footings so could see how long ago.

Chairman Rogan stated they gave you those pictures.

Dave Raines stated they wanted me to guess.

Ted Kozlowski stated they were prepared for you to do an inspection.

Dave Raines stated well when I showed up the guy said to me I knew I would see you eventually.

Chairman Rogan stated really.

Ted Kozlowski stated really.

Dave Raines stated yeah.

Chairman Rogan stated so they just figured well.

Ted Kozlowski stated they knew they were guilty and they.

Dave Raines stated so this is the debacle, now we had a cabin that just met our Zoning as a cabin by size and height, now they have increased it to a situation, we have a violation not only in size but in height.

Board Member Pierro stated what about Board of Health, septic.

Dave Raines stated no septic, no plumbing, this is just, they took the cabin with no utilities, they installed a gas generator.

Board Member Pierro stated explain to me, what is this.

Dave Raines stated that is the slab.

Board Member Pierro stated that is this.

Dave Raines stated that is the slab underneath, that is the footprint, that is it, I'm sorry.

Board Member Pierro stated this is this.

Dave Raines stated yup, so its slab, they built this on a slab, they did footings and they built the addition on a slab. So now, we know we have a cabin but we don't a single family residence, we don't have a driveway, we don't have a septic, so I said what are we doing here. I was just at a Planning Board meeting, the guy that is working for you, I don't know the gentleman's name who is proposing this, NRA is proposing this, you are building. So now I said you are taking this and changing lot five into a single family dwelling because the proposed site plan shows a single family dwelling on lot five, nope, we want a hunting lodge and we want the subdivision, no its not going to work like that. So what I'm trying to do so no one dies in this hunting lodge because they may use this as a hunting lodge for the next whatever years,

I am making sure that all the work is done to Code. They aren't going to get a C of O on it but they are going, I can't stop from going up there I don't have the injunctive ability to say you can't go up there and hunt anymore, you can't go up there. So, I am making sure that everything is done to Code but where do I go, do I send them for a variance to ZBA for variances for the size the heights and the set back to the accessory structure because now they are outside the parameters and how does that tie into or effect the application because now the application with the conditions that they have put forth to you guys are not what they are doing up there. It clearly shows a single family dwelling, 1,800 square feet or something, I forget what they proposed.

Board Member DiSalvo stated you said it was small right.

Dave Raines stated it was eighteen hundred square feet they have proposed for that lot five.

Rich Williams stated for that lot.

Board Member DiSalvo stated a small house.

Dave Raines stated yeah.

Rich Williams stated yeah the house that they are showing on there is about eighteen hundred square feet.

Ted Kozlowski stated and how many square feet is this thing.

Dave Raines stated we are at.

Rich Williams stated six and seven-fifty.

Dave Raines stated six and seven-fifty now.

Rich Williams stated thirteen-fifty.

Dave Raines stated but no plumbing, no, this is just a couple of small bedrooms for cots.

Ted Kozlowski stated where do people go to the bathroom.

Dave Raines stated right now there is port-a-potty outside but you know, they have set back issues for the accessory structure that you can barely see here, they are eight feet to that, again we have a height issue, we have a size issue, it no longer meets the cottage or the cabin criteria.

Rich Williams stated and once you break it off of a fifty acre lot you can't have a cabin.

Dave Raines stated right, so not sure where they are going and taking out the subdivision piece I would send them to the ZBA, you know saying you went beyond the limitations of our Code. You need to get a variance but is that the right thing to do when they are in front of the Planning Board with another set of ground rules saying I am building a single family residence on this lot.

Board Member Cook stated when did you go up to do the inspection or visit.

Dave Raines stated I was up the day after the last Planning Board meeting was the first one, that is when I issued the violation which was February 16th, then I was up four times since then.

Board Member Cook stated because it is interesting.

Rich Williams stated what happened at the meeting was the neighbors came in and saw Dave and myself both and said there was a lot of noise going on, a lot of activity.

Dave Raines stated yeah.

Board Member Cook stated the point of bringing it up was that you were up there, what was the date you said.

Dave Raines stated February 16th.

Board Member Cook stated the 16th and here we have a letter dated the 19th from the architect fellow who was in and it talks about this lot, understandable the existing structure currently shown on lot five will require upgrades to satisfy the concerns of the Building Inspector.

Dave Raines stated that is because I had written a letter prior to that saying that you know, you are showing a single family residence on this lot five and there is currently a C.O. for a cabin which doesn't meet the single family residence.

Board Member DiSalvo stated the roof line doesn't even match.

Dave Raines stated that was the first thing I flagged when I was doing the initial plan review, so I assume that that letter was a response to my letter because I said that you need to bring this, we also stated it on the record at the meeting that you need to bring this house up to Code, not knowing that they had done an addition and there was a set back issue with the. I mean this was my letter of the 7th that he responded, I wrote this to Shawn and copied the applicant, that the cabin as depicted is not a single family dwelling, it does not meet the minimum requirements of the Building Code, it would have to be brought up to today's Code, because the cabin is not a single family dwelling, the accessory structures will be considered illegal. Not knowing, again that they had done all that work.

Board Member Cook stated to talk about a hunting lodge or something, is certainly different then what this fellow is saying in his letter because he is talking about a three bedroom residence.

Dave Raines stated right and again they are far from, there is not septic, there is no, even the layout, I don't know if that, with the way the lot lines are currently drawn I don't know that would.

Board Member DiSalvo stated where is it, lot five.

Rich Williams stated the way they are proposing the lot lines, it doesn't meet the front yard and side yard set backs.

Dave Raines stated right.

Board Member Pierro stated this set back here.

Dave Raines stated right.

Ted Kozlowski stated can the Board just stop reviewing this project until it is (inaudible).

Dave Raines stated I mean this is why I kind of wanted to bring it to is.

Rich Williams stated that of all places.

Dave Raines stated I'm sorry.

Ted Kozlowski stated they don't know what they are approving. This obviously isn't.

Rich Williams stated if the applicant puts an application in and wants to go forward with it, the Board will still have to consider it and make a decision, there may be substantial grounds to deny it because it doesn't meet our Zoning requirements. Probably the better tact to go would be to approve it with conditions and then he either meets those conditions or he doesn't. Those conditions being that he has to comply with the Zoning requirements.

Ted Kozlowski stated well.

Dave Raines stated doesn't he misrepresent on the application though.

Ted Kozlowski stated yeah, the application is not what he is presenting to you.

Dave Raines stated I mean.

Board Member Pierro stated I would like to hear from Council, that really pisses me off Rich.

Dave Raines stated I knew it was going to throw, I mean Richie pointed out a lot more things that I haven't flagged as far as the set backs and the.

Board Member Pierro stated where is the addition, the addition is in this corner.

Rich Williams stated it is shown on here, just not the right size.

Board Member DiSalvo stated to the right of the house.

Dave Raines stated yes, the addition.

Board Member Pierro stated then that makes the set backs even worse.

Rich Williams stated no, the addition doesn't meet the set back requirements.

Chairman Rogan stated yeah it probably did prior to the addition, that is what it sounds like.

Dave Raines stated its in there just like that Dave.

Chairman Rogan stated oh it will, the set backs (inaudible).

Board Member Pierro stated this is not a set back here, the side yard violation.

Dave Raines stated it is, it is, it would not.

Board Member Pierro stated it is now, even with this.

Rich Williams stated no, that property line is not there.

Dave Raines stated right but I've been saying if we overlaid the existing structure into there it would create a set back.

Rich Williams stated the property line is not there so it wouldn't create one now but when we create the property line.

Chairman Rogan stated correct.

Dave Raines stated so if we overlaid the.

Chairman Rogan stated they are going to have to at least in my mind create the lots lines that don't create zoning problems.

Rich Williams stated or get a variance for them.

Chairman Rogan stated or get a variance for it but before they go to that point.

Board Member DiSalvo stated we are starting with variances already.

Chairman Rogan stated I would be pushing to say well you can't have your lot lines there, you have to move the road away from that.

Board Member DiSalvo stated let's not start with variances before its approved.

Chairman Rogan stated exactly.

Board Member Pierro stated and then this septic has to get moved.

Chairman Rogan stated you know that's.

Board Member Pierro stated the septic on the adjoining lot looks like it has to come over.

Rich Williams stated it is the domino effect.

Chairman Rogan stated it is the domino effect.

Dave Raines stated that is why I'm saying.

Chairman Rogan stated yeah.

Dave Raines stated its been.

Chairman Rogan stated you went out when you.

Board Member Pierro stated and then this drive.

Dave Raines stated they just spent a ton a money, this is, you should see the inside there is stone work and sawed beams, there is you know, fourteen inch, sixteen, sawed beams that go thirty feet, they didn't just slap up a.

Chairman Rogan stated yeah.

Rich Williams stated they did a nice job.

Dave Raines stated its done, this is all roofed and windows are in and.

Chairman Rogan stated and that may all be fine provided that they bring this up to make it a legal one family residence and they make the lot line such that they don't have Zoning issues but that is what I would tell him, I'm not going to.

Board Member Pierro stated can we communicate to them that they aren't doing themselves any favors here.

Chairman Rogan stated (inaudible – too many speaking).

Dave Raines stated I.

Board Member Pierro stated they did disservice to themselves of the Board.

Dave Raines stated well they knew.

Board Member DiSalvo stated the brothers over there, they had a fight Dave, right.

Ted Kozlowski stated but you know what is amazing is this guy is before this Board with a site plan and yet he knows you are reviewing them. And he knows there are eyes and ears out there and at the same time he is developing the lot, doing it illegally and he knew you were going to show up and when he shows up he says I knew you were going to come.

Rich Williams stated I don't find that as audacious, outrageous but that is what I'm saying I don't find that, him having an application before this Board and doing the addition as outrageous as doing the whole addition with no building permits.

Ted Kozlowski stated and he knew that Dave was going to show up eventually, so its again a case of better to ask for forgiveness then permission.

Dave Raines stated crazy Dan was. I wanted to bring that to your attention.

Board Member Pierro stated we appreciate it.

Dave Raines stated I am going to work with Richie and try to figure out whether I send them to ZBA, I'm not.

Rich Williams stated the bigger issue is what do you send them for, how many variances, do you just deal with the cabin at this point or do you deal with the cabin and subdivision.

Dave Raines stated I have to deal with the cabin as the lot is now, which is one single lot, I'm not going to.

Rich Williams stated I think that is going to be his call, I mean we have to flag it to him that if he is going to pursue the subdivision with the cabin on it, he either has to change to lot lines or he has to get the variances for them. He may want to go in all at the same time.

Board Member Pierro stated is that Rich's memo.

Rich Williams stated it also becomes an issue with the ZBA, they may consider one variance or two variances or four variances, when it gets to six or seven.

Chairman Rogan stated I will tell you that I'm not, I won't vote for a positive recommendation.

Board Member DiSalvo stated we have a chance to keep this real clean, this subdivision.

Chairman Rogan stated that's right.

Board Member DiSalvo stated no one else screwed up with it, we didn't inherit it from anybody, you know.

Chairman Rogan stated and this, its not like we are dealing with an easy layout, this is, such problems with this, forget it, they didn't create the topography but they are trying to work with it and they've got to you know. We are going to have lots out there that are going to be twenty feet behind the house, there will be steep slopes and we are going to have the owners come in and they are going to say I want to put a pool or a shed in the back yard or somewhere.

Board Member DiSalvo stated and why focus on the Zoning Board, we are trying to avoid all that and that is a public hearing and then you are going to have the whole neighborhood out again.

Dave Raines stated with all the pipes in and out with the drainage and the cut backs and the wash out and all that.

Ted Kozlowski stated where on the property.

Board Member DiSalvo stated the probably say when they come for subdivision they'll knock it down.

Dave Raines stated (inaudible – too many speaking).

Board Member Cook stated these four lots (inaudible – too many speaking).

Ted Kozlowski stated (inaudible – too many speaking) from the road.

Chairman Rogan stated well on.

Board Member DiSalvo stated I guess we can use that (inaudible – too many speaking).

Chairman Rogan stated a push out.

Board Member Cook stated to push this.

Chairman Rogan stated yeah.

Board Member Cook stated this is not one isolated thing here.

Chairman Rogan stated you're right.

Rich Williams stated they are going to have to deal with once you guys approve this subdivision.

Chairman Rogan stated frontage is different then set back though.

Rich Williams stated they are going to have to deal with it within a year.

Board Member Cook stated still.

Chairman Rogan stated I understand.

Rich Williams stated whatever they are going to do deal; they have to deal with it within a year. You guys can't sign, the Planning Board can't sign the plat with a violation on it.

Board Member DiSalvo stated with the house being there.

Board Member Pierro stated I didn't get that.

Board Member DiSalvo stated the violation now.

Board Member Pierro stated Rich's memo.

Rich Williams stated I think the simpler thing to do ultimately is they are going to have to bring it up to a single family home.

Chairman Rogan stated (inaudible – too many speaking).

Dave Raines stated right and that's what I said to them, are we going to phase this where the next phase is to bring in plumbing, can't do that until we have septic layout, so you know.

Rich Williams stated and they will do all that (inaudible – too many speaking).

Dave Raines stated clearly the lot lines would have to or as genius said we will get a bulldozer. He said to me we will just bulldoze it and use the existing layout and we'll just bulldoze it.

Board Member DiSalvo stated they'll know the house down, what do they care.

Board Member Montesano stated the thing is right there.

Dave Raines stated and that will be a condition of I guess the approval if we said we are just going to bulldoze it to get the approval on this site plan and we would have to bulldoze the entire structure.

Board Member DiSalvo stated if you bring this up to a single family house you are going to want to have the septic, right.

Chairman Rogan stated here it is in your mailbox.

Dave Raines stated right.

Board Member DiSalvo stated and how are you going to get electricity in there.

Dave Raines stated right in the middle of that there are no utility poles.

Board Member DiSalvo stated off the telephone pole.

Board Member Pierro stated okay, I was here yesterday.

Dave Raines stated you don't have any of that.

Rich Williams stated well no, I mean.

Board Member DiSalvo stated temporary.

Rich Williams stated you know as part of the subdivision they are going to be putting utilities, they are going to be putting in.

Dave Raines stated I understand that but I am talking about now.

Board Member DiSalvo stated now.

Dave Raines stated if they were to bring it up, I couldn't let them bring it up to a single family residence now, so in order to make it right as it is.

Rich Williams stated no it would be a problem today.

Dave Raines stated right, so down the road, yes we can say its going to be a two thousand square foot house and its going to be oriented this but what do I do with it, which isn't your problem as a Board.

Board Member DiSalvo stated does he have any plans of like putting a garage on it now or enlarging what he is going there now.

Rich Williams stated he's already got a canvas garage out there.

Dave Raines stated there is a canvas garage over to the left. I mean I have another problem with a fourteen by twenty-five shed with all the deer feed in it that is eight feet off the porch, I mean that is another.

Board Member Pierro stated is it illegal deer feed.

Dave Raines stated they feed the deer and they shoot them.

Board Member Pierro stated they are not allowed to.

Dave Raines stated I know.

Board Member Montesano stated you're not supposed to feed deer in the State of New York.

Board Member Pierro stated yeah.

Board Member DiSalvo stated but they sell deer feed in Tractor Supply.

Board Member Pierro stated the ones in my back yard that are eating the bird seed out of my feeders.

Dave Raines stated so will this be addressed with the applicant at the meeting or do I just address it from my.

Board Member DiSalvo stated should we talk to Anthony before the next meeting.

Board Member Pierro stated Rich I honestly don't have a good feeling about these guys.

Board Member DiSalvo stated and maybe they will talk and maybe they will cancel.

Board Member Pierro stated I think if we don't do a full court press now, we are going to be in for a lot of abuse later on as this project goes on and I respect your opinion about approving it with conditions and I don't want to.

Rich Williams stated I gave you opinions, you know.

Board Member Pierro stated right.

Rich Williams stated I am just giving you the options.

Board Member Pierro stated but I would rather, I would rather set the tone now because if this is what they are going to do and they are not even really before us yet, I think we ought to lay the ground work.

Ted Kozlowski stated I don't think you are anywhere near an approval anyway.

Chairman Rogan stated no, we haven't even gotten to that.

Dave Raines stated just as long as you guys know that.

Chairman Rogan stated we need to get the layout down. That is why, bringing to light what is going on out there, I mean I can swallow saying hey, you got issues to clear up with the Building Department to make this legit but you have to now change what you are sending us to properly show what is out there and proper setbacks. It is one thing Charlie, brought up that we've got before us, frontage issues.

Board Member Pierro stated frontage.

Chairman Rogan stated and based on the way the layout was, we've talked about those but set back issues are a different, to me anyway, are a different scenario and you know.

Dave Raines stated I guess the conditions would be that the structure would have to be totally removed in order to have that site plan approved, I mean.

Chairman Rogan stated yeah, well the way it is drawn sure.

Dave Raines stated because.

Chairman Rogan stated yeah,

Dave Raines stated the variances will be, if they get the variances but the cabin I mean it's a size, it's a height, its we are talking four variances right off the bat.

Chairman Rogan stated it was a silly thing to do.

Rich Williams stated but again if it becomes a single family residence, the size and height issue go away.

Dave Raines stated yeah but let's say they want to leave the site plan the way it is and the condition is the whole thing comes out because as soon as those lot lines are there.

Ted Kozlowski stated the other thing is.

Chairman Rogan stated you have a cabin in the middle of a subdivision that is going to have three thousand square foot homes.

Board Member Pierro stated these guys figure they are three years from a subdivision approval, where they would be able to break ground.

Chairman Rogan stated well that is understandable.

Ted Kozlowski stated I have to tell you something and maybe you already know but I met this gentleman a few years ago when we went out to this site, I did a follow up on the wetland, remember he had a wetland violation and we went for a site walk there.

Board Member DiSalvo stated on this property.

Ted Kozlowski stated on that property, they drove through that little wetland.

Board Member DiSalvo stated with the quads.

Ted Kozlowski stated the quads.

Chairman Rogan stated oh yeah, yeah.

Ted Kozlowski stated I sub.

Board Member DiSalvo stated subsequently.

Ted Kozlowski stated I subsequently met with him one afternoon and we got to talking and he told me that he was going through this process for the way future, that he had no intention.

The Secretary stated hang on.

Side 1 Ended.

Ted Kozlowski stated that he had no intention of making this an active subdivision.

Board Member Pierro stated yeah.

Ted Kozlowski stated he just wanted to lock in the subdivision now before regulations change and all this.

Board Member DiSalvo stated and sell it.

Ted Kozlowski stated and he had planned on using the property for his family with the possibility of living there, so, my feeling is that he is developing this house for himself and his family to live and then get a subdivision and then somewhere in the future maybe to sell it. However the thing is he has no septic, so we don't know if the Health Department is going to approve a septic anywhere around that house so, wherever the septic goes there are lot lines there, so we don't know if the subdivision that you are looking and approving, is going to be the fixed lines until he gets a permit for a Health Department septic system.

Board Member DiSalvo stated or a house up here.

Ted Kozlowski stated if you are investing in that house including all that stuff he did, you are going to be using a porta-potty, I don't get it.

Chairman Rogan stated well based on this you are going to put in your own septic system.

Board Member Pierro stated Angelina, go outside and take a dump in the porta-potty, at three o'clock in the morning.

Rich Williams stated this isn't for his family, this is for him and his friends to get away his family.

Ted Kozlowski stated I just don't seem them doing a porta-potty if they are doing all this.

Board Member DiSalvo stated oh look there's my truck.

Board Member Pierro stated I noticed that.

Chairman Rogan stated based on the.

Board Member Pierro stated you were there that day.

Board Member DiSalvo stated so were you..

Board Member Pierro stated no I wasn't, yes you were.

Rich Williams stated what am I doing with it.

Board Member Pierro stated you are going to take one out and throw it back.

Board Member DiSalvo stated here give me.

Chairman Rogan stated alright, so okay, the guy wants to have his hunting property up in the woods and that is fantastic and we can still go forward with the review and possibly the approval of a subdivision but then he's got to show the set backs as being, you know meeting the requirements.

Board Member Pierro stated right.

Chairman Rogan stated and you know there is nothing to stop him from getting an approval and not building this thing out for twenty years, if he was, you know.

Dave Raines stated absolutely.

Rich Williams stated but as soon as he gets the approval he has to bring that to a single family home.

Board Member Pierro stated or he has to take it down if the lot lines don't change.

Dave Raines stated right that is what I am saying, that is what doesn't make any sense to me.

Chairman Rogan stated so then we have to, maybe we have to have that conversation, he may want to wait to do his subdivision.

Rich Williams stated I understand that he doing the subdivision for the future.

Chairman Rogan stated is there a minimum lot size that would allow him to have.

Rich Williams stated fifty acres.

Chairman Rogan stated oh, fifty acres. He built the cabin in the wrong place, if it was higher up on the hill, it would have worked.

Rich Williams stated if you want the history on this, we changed the Code so that he could keep the cabin he had already built.

Dave Raines stated yup.

Chairman Rogan stated really.

Board Member Pierro stated was it for this, that applicant.

Rich Williams stated yeah because he pulled a building permit for a shed and when everybody went up on the hill to see the shed it was actually a little cabin. We talked about it and you know it made sense really you have a very big piece of property, you want to use it for some sort of recreational aspect, whether it is

hunting of ATVs, you are going to need a staging area place to hang out. You know, what is the harm, it was beneficial.

Chairman Rogan stated right. It is a beautiful property for just exactly what they are trying to do with it, even with a septic system and utilities just to have a nice, you know, its fantastic for that.

Dave Raines stated well they put a kick ass propane generator in. But all the documentation is here, how it was a shed and then they changed the Code and the letter to him and fifty acres, its all documented, there are letters back and forth to him which was Bauer at the time.

Board Member Pierro stated I thought it was Bauer.

Rich Williams stated Bauer pulled the thing on the shed.

Dave Raines stated right.

Rich Williams stated the building permit was NRA for the cabin.

Dave Raines stated okay, all the letters are there.

Rich Williams stated so it crossed right there.

Dave Raines stated yes they voided it, they did void the permit, there was permit to Bauer and then they voided it.

Chairman Rogan stated I can't imagine why, well I can imagine but why they wouldn't have just drawn a building permit on it to tackle some of these things instead of now coming in with your hat in your hand saying.

Ted Kozlowski stated they didn't pull a building permit.

Dave Raines stated no.

Chairman Rogan stated so it's the same, its like what have over on this other lot that we had in last month where they try to get as much as they can up before they get caught, figuring that they would never make us tear it down. Take this issue out of it and we still have a very difficult subdivision.

Board Member Pierro states sure is.

Chairman Rogan stated this is one unfortunate distraction from what we have at hand really, which is our lots that are very difficult. Going back to what Maria said, you know trying to do things as clean as possible so that we're not sitting here three years from now because you don't know what they are going to, they might get it done and say hey wow, this is worth five million dollars let's get out of here, we can go two thousand acres some please else.

Board Member Pierro stated sure.

Chairman Rogan stated alright.

Dave Raines stated that is the deal so.

Chairman Rogan stated okay, so, let's. I think the conversation that is going to be interesting with them is just Rich what you hit on, that as soon as the subdivision gets approved, they can't have that use, so if they truly, we have to have that conversation with them.

Rich Williams stated they can still keep the single family home up there and using it as a hunting lodge and.

Chairman Rogan stated they just have to make it a legal single family home is what you are saying.

Dave Raines stated right.

Rich Williams stated yup.

Chairman Rogan stated and what do they, what does that entail, septic and running water.

Dave Raines stated and a driveway.

Chairman Rogan stated and a driveway.

Rich Williams stated utilities.

Chairman Rogan stated well the utilities can't be propane generator, do we have a requirement that says.

Dave Raines stated it doesn't have to be city, it doesn't have to be NYSEG.

Rich Williams stated no.

Chairman Rogan stated so the propane generator.

Rich Williams stated alright and he's got the existing driveway.

Dave Raines stated he has to be able to maintain a minimum of 100 amp service.

Chairman Rogan stated okay, which they can do.

Dave Raines stated right.

Rich Williams stated he's got the existing driveway going in, it's a question of whether the Board wants to approve it or waive some of the requirements like paving and the grade issue because I'm sure there are sections that.

Dave Raines stated its only a little bumpy.

Board Member DiSalvo stated if and when this gets approved, that access that he's using now, that is going to be a used as an emergency exit.

Chairman Rogan stated right and that would be, abandoned, not abandoned, when we approved.

Rich Williams stated it would be permanently stabilized and covered with grass and go back to natural.

Board Member DiSalvo stated and getting back to that now, if and when the subdivision gets approved is he still going to be, say he still has this cabin residence up there, is he still going to be able to use the road going in that he is using now or does that get abandoned or.

Chairman Rogan stated I would say yes until he started construction of the other, until the other roadway was put in just to access that single lot. I mean, what harm would it be.

Rich Williams stated it would almost be necessary to put the bridge in.

Chairman Rogan stated before you pull your first building Permit you would have to abandon that use. You wouldn't be able to pull your first building permit on that subdivision and still use that, because you know, to pull your first building permit you would have to have the roadway into those lots so by that alone that would.

Board Member DiSalvo stated so how would he start building, would he put that bridge in first.

Chairman Rogan stated the bridge and the roadway.

Board Member DiSalvo stated you would have to leave the roadway that is there now and get in from the other side.

Chairman Rogan stated without the top course but the binder course.

Board Member DiSalvo stated to attach the other side.

Rich Williams stated to build the bridge abutments, that is the problem we always have with these bridges, you need to be able to get in both sides.

Board Member DiSalvo stated which side do you start on.

Chairman Rogan stated at least in this case you could.

Dave Raines stated right, you could.

Chairman Rogan stated so those are all things that can be worked out.

Dave Raines stated the complicated thing is to explain this to the ZBA because for the variances.

Board Member DiSalvo stated so that's.

Rich Williams stated (inaudible) you're going to miss.

Chairman Rogan stated yeah and again I say modify the subdivision so that they don't for that particular lot have to go to ZBA for the setback issues and if it means they've, let's face it if means they've got to move the road twenty or thirty feet, hey, you picked the wrong side to put the illegal addition on, I don't know what to tell you.

Board Member DiSalvo stated maybe they'll realize that they don't want the house next door to them so close to them too once that addition is one.

Chairman Rogan stated I'm sure it looks nice inside architecturally I don't understand the way they designed that addition.

Rich Williams stated I'm sure this gentleman who is using the property once the subdivision is there he might not be living in the cabin, he is not going to care about the proximity of another house.

Chairman Rogan stated right.

Dave Raines stated I think they will probably come back and say you know, we will just bulldoze the house if we get approved. I mean I think, that is just.

Board Member DiSalvo stated and the house that they put on there would have to meet the setbacks.

Dave Raines stated yes, which to you know.

Chairman Rogan stated you are probably right.

Dave Raines stated I just can't understand why, I mean if you saw the stone fire place and dollars and the time, how big was that stone.

Rich Williams stated what did he say it was fifteen hundred pounds.

Dave Raines stated fifteen hundred pounds, (inaudible) its beautiful.

Chairman Rogan stated awesome.

Rich Williams stated it went right across. Its called the (inaudible).

Dave Raines stated yeah.

Rich Williams stated the (inaudible).

Dave Raines stated they hand cut it, they set up pulleys and.

Chairman Rogan stated wow.

Board Member Montesano stated practice.

Rich Williams stated I don't know how the hell in the world he ever thought he was going to pick that thing up with that.

Dave Raines stated whatever, but anyway its not just.

Rich Williams stated a single big pulley.

Chairman Rogan stated oh.

Dave Raines stated the poor guy was pulling.

Rich Williams stated its just dead weight.

Chairman Rogan stated yeah.

Board Member Pierro stated oh boy.

Chairman Rogan stated okay. Is everybody ready to move on to the Plaza.

4) THE PLAZA AT CLOVER LAKE – Continued Review

Chairman Rogan stated the Plaza at Clover Lake, where are we at for that one.

Rich Williams stated they are back in, they've made some modifications. One of the big issues at the last meeting had to do with the well.

Board Member DiSalvo stated they found the location of the second well.

Rich Williams stated there are two wells providing a water supply to the residential facility, all the way down by the residential facility.

Chairman Rogan stated okay, I kind of figured that.

Rich Williams stated they missed it. There is still a little bit of a question about exactly what well is on lot three, whether it is really that hand pump well or if there is another well some place because the site plan shows a well in a different location from that hand pump.

Chairman Rogan stated well that hand pump isn't even where, that is a separate issues.

Board Member DiSalvo stated where is the hand pump.

Chairman Rogan stated I think the hand pump was up in like a, closer to Fair Street from where the building is, isn't it.

Rich Williams stated oh yeah, no I'm talking about on lot three.

Chairman Rogan stated okay.

Rich Williams stated there should be a, there is a third well.

Chairman Rogan stated right a drilled well.

Rich Williams stated there is another well, whether it is the hand pump or another well some place else, we're not sure.

Chairman Rogan stated oh I see. I thought we saw the well head when we were on the site walk close to the building.

Rich Williams stated I thought we did too.

Chairman Rogan stated yeah we did and the hand pump is up in the field so there is the well and the hand pump and actually the dry hydrant.

Rich Williams stated so.

Board Member DiSalvo stated so those two wells down by the facility were put in when the facility was built.

Rich Williams stated yes and there is (inaudible).

Chairman Rogan stated I vaguely remember that, looking at their site plan for Health related issues but I wasn't sure enough to speak up, I just thought there were two wells posted.

Board Member DiSalvo stated so that well up by the barn probably services that stone house down there. When I used to rent that place the stone house was down there and the facility wasn't there, the well was up on top.

Rich Williams stated and I think you are right, there is a well on there, what they are saying right now is the well that is up there is just that hand pump.

Chairman Rogan stated oh yeah that not right, we saw a well head.

Rich Williams stated yes.

Board Member DiSalvo stated I don't think, I don't remember I used to turn that faucet and water used to come out.

Rich Williams stated they got a (inaudible – too many speaking).

Chairman Rogan stated right.

Rich Williams stated I think the only other real big issue that I flagged was the driveway coming out on the White Birch Realty property, they are saying that they are just going to leave that and they are going to deal with it some other time when they do something with that lot. I don't know if we allow them to do that, if they are not establishing some legal right, so I've thrown it out that we need to talk to Anthony about that. You know we are going to say leave your driveway there, the next thing you know they got an adverse possession claim.

Chairman Rogan stated right, well that is something to talk to Anthony about.

Board Member DiSalvo stated that is the driveway for that abandoned house.

Board Member Cook stated Rich wasn't there also a concern about the other lot, the driveway coming down, the lot on the left hand side where the senior center.

Chairman Rogan stated that is the lot that we are talking about where it has the existing stables, there was just a corner of it that needed an easement.

Board Member Cook stated right.

Chairman Rogan stated or something for that.

Rich Williams stated yeah there are like four easements that they need to do.

Chairman Rogan stated is that what you were referring to.

Board Member Cook stated no, well yes, but I thought we were speaking about on the other side.

Board Member DiSalvo stated the hill.

Chairman Rogan stated he was just now.

Board Member Cook stated yes.

Chairman Rogan stated yes, off Commerce Drive.

Board Member Cook stated okay, going into the senior center.

Board Member DiSalvo stated that is where the sign (inaudible).

Rich Williams stated they have to create an easement for that corner of that driveway to be on lot three, as well as an easement to give lot three rights to the driveway.

Board Member Cook stated so all of those easements are they, you get the feeling Rich, they are working on those now, I mean let's say if this came before us to approve, next week, we would approve it with all those conditions about this easement, this easement and this easement.

Board Member DiSalvo stated why wasn't that corner property ever part of the whole property.

Chairman Rogan stated it was just the way they drew in the lot line, I mean lot three was part of the, that was the whole point of the subdivision.

Board Member DiSalvo stated right.

Rich Williams stated the whole thing was one piece at one point.

Board Member DiSalvo stated so why are we so concerned about this corner then in here.

Dave Raines stated there is no other frontage from the (inaudible) to get into this lot.

Chairman Rogan stated they need road frontage.

Board Member DiSalvo stated okay.

Chairman Rogan stated so it's really more of an issue for Zoning.

Dave Raines stated sorry, anybody need this, no, good.

Chairman Rogan stated it will be interesting to see what they eventually propose for that back, that big, that is a neat parcel with all that lake frontage.

Dave Raines stated the one in the back.

Chairman Rogan stated yeah.

Board Member DiSalvo stated what would, by Code what would be permitted there.

Chairman Rogan stated residential.

Rich Williams stated I walked that site a week or ten days ago.

Chairman Rogan stated did you.

Rich Williams stated yeah.

Board Member DiSalvo stated no like senior living or anything like that.

Rich Williams stated that side of the lake.

Chairman Rogan stated its rugged huh, I've never been.

Rich Williams stated its so rough.

Board Member DiSalvo stated take the front side, take the right side coming in on the driveway.

Rich Williams stated on the right side is the septic system, the left side that they are breaking off for lot three.

Board Member DiSalvo stated the right side corner is the septic, it's a pump up system obviously for this facility.

Board Member Pierro stated right.

Chairman Rogan stated on Sundays I can get out there.

Board Member Pierro stated if Steve (inaudible) gives you permission to run that quad right down the road.

Board Member DiSalvo stated that is basically view shed there.

Rich Williams stated yup, the whole back, I walked, there were some questions about what could be built back there, you know whether there was any opportunity to maybe do something with Commerce Drive and maybe swing something around so I walked it.

Board Member DiSalvo stated and then we left that little jog up there to connect to Camp Herrlich, didn't we.

Chairman Rogan stated yes for, if there was ever an open space dedication, it would be connected.

Board Member Montesano stated see Adam.

Rich Williams stated it backs up to Steiblings.

Chairman Rogan stated its not eve, as I had said before you can't even walk where they provided that, it is so steep to go over to the Wilbur Herrlich property, I've tried, you literally can't walk it, it's a cliff.

Dave Raines stated we had a brush fire back there a few years ago and it was brutal, falling all over each other, you can't get water.

Chairman Rogan stated okay.

5) BARJAC SITE PLAN – Continued Review

Chairman Rogan stated Barjac. I saw Ted's e-mail, a couple of clean up issues needed. I saw the add in the paper not too long ago.

Rich Williams stated the article.

Chairman Rogan stated yeah.

Board Member Montesano stated which one do you want.

Board Member DiSalvo stated which article was that.

Board Member Montesano stated the covered bridge.

Board Member DiSalvo stated the covered bridge.

Board Member Montesano stated or the Patterson quarry.

Board Member DiSalvo stated or the Tractor Supply.

Board Member Montesano stated the retail center.

Chairman Rogan stated that's it, I have it, I have it here.

Board Member Montesano stated yeah I'm saying.

Board Member DiSalvo stated they must be running out of news.

Board Member Montesano stated we've got plenty of articles.

Chairman Rogan stated yeah, it must have been a slow day for the press.

Board Member Montesano stated the covered bridge.

Board Member DiSalvo stated I can't even get them to cover my solar water troughs that I have.

Rich Williams stated they've progressed the plan a little bit, they are still some outstanding details on the bridge that they need to address. They are looking to schedule the public hearing, I say the site plan is complete but I don't know how Ted feels about the wetlands application.

Ted Kozlowski stated well you saw my e-mail, did you put that in a memo.

Board Member DiSalvo stated no, just the e-mail.

Chairman Rogan stated we have a copy of it.

Ted Kozlowski stated oh just a copy of that.

Rich Williams stated I just.

Ted Kozlowski stated yeah, their application is not complete based on that e-mail.

Board Member DiSalvo stated alright, so, now getting back to the bridge, remember we were talking about NRA, how you can access both side to build the bridge, how would you access, through the ball fields.

Rich Williams stated no, you have to go through the whole wetland then, they have that existing driveway.

Chairman Rogan stated the one we walked in the gate there.

Board Member DiSalvo stated oh that's right, so there will be a little bit of a commotion there for a while.

Chairman Rogan stated yeah.

Board Member Montesano stated where.

Board Member DiSalvo stated where that house is where we gave that other permit to, that hasn't started.

Board Member Montesano stated but you still have the side (inaudible).

Rich Williams stated one of the things I picked up, I don't know if they just showed it on the plans or I've been missing it all along, one of the properties along Route 311 owned by Victor Scaperotti, has a shed.

Dave Raines stated on the other side of the property line, yeah.

Board Member DiSalvo stated which house is that.

Dave Raines stated [Route] 311.

Board Member Montesano stated and you want to know why he didn't like the idea.

Board Member DiSalvo stated he has a shed.

Dave Raines stated right here.

Board Member DiSalvo stated where is the house that we gave the other permit to.

Dave Raines stated here, oh not its back.

Board Member DiSalvo stated yeah, and that is where the driveway, the access here, this is the wall right here, there is a shed.

Dave Raines stated yeah, Michelle will remember everything.

The Secretary stated oh yeah.

Chairman Rogan stated it makes your job easier, when things are blocked out.

The Secretary stated see me taking short hand.

Chairman Rogan stated unable to transcribe, too many people talking at once.

Board Member Montesano stated on occasion.

Ted Kozlowski stated so I just want to add that I sent an e-mail and Richie corrected me, it should be in memo form, my purpose of sending an e-mail to Theresa was that she was to have this addressed in time for the next meeting and it obviously hasn't been addressed. So the wetlands application has not been completed and you can not act on that.

Chairman Rogan stated okay.

Ted Kozlowski stated and there are specific things, there are no details on the bridge, there are no details on what it is, how its going to be place, erosion controls.

Rich Williams stated it is going to be set on top of the head walls, they showing the head walls and they are showing how the erosion controls are going to be installed to make sure that nothing goes into the wetlands while they are putting the head walls in, the wing walls.

Ted Kozlowski stated right.

Rich Williams stated the bridge in and of itself just sets on top of that.

Ted Kozlowski stated right but there are no details, there is not enough detail for that, there is no mention of a staging area, where that is going.

Rich Williams stated the staging area is up between the wing walls and the barn.

Ted Kozlowski stated oh and the other thing is that there are no details on after that's all done, what is the restoration, there are no planting plans for the storm water basins that I saw in my submittal.

Rich Williams stated there are no planting plans for the storm water basins.

Ted Kozlowski stated and those storm water basins are in the wetlands. One of the questions I asked Theresa was why do they have to be within the buffer, they seem to have area outside of the buffer.

Board Member Montesano sneezes.

Dave Raines stated bless you.

Ted Kozlowski stated why aren't they in there and the other thing is and the big thing is that, the wetland buffer on the north side of the proposed improvements is unprotected and subject and I brought this up at the meeting, subject to further disturbances, further uses, parking, piles of stuff and we talked about putting up a fence.

Rich Williams stated they show a, they don't show the detail for the wood fence but they show the location of the wood fence going around all the wetland, there is a small area that they missed.

Ted Kozlowski stated and there is nothing on the south side that I saw.

Rich Williams stated its there.

Ted Kozlowski stated also the functional analysis and I don't want to make a big issue of it but the applicant's consultant says that there is no impact and I just find that hard to believe. You are going through a wetland and you are building a bridge, you are disturbing areas, you are putting a stormwater basin in the wetland buffer, no impacts.

Board Member Cook stated its interesting that in.

Chairman Rogan stated minimal impacts.

Ted Kozlowski stated minimal but I find it hard when you say there are no impacts, no impacts means you are not touching it.

Chairman Rogan stated leave it alone, right.

Board Member Cook stated a little different then though Ted, it says in the memo from them, the applicant's wetland consultant will address the impacts to the wetlands from the bridge construction after the bridge design is complete.

Ted Kozlowski stated after this design.

Board Member Cook stated there is a host of items here that talk about this will be submitted at a later date, this will be submitted at a later date, this will be addressed at a later date.

Board Member Montesano stated you can't say when.

Rich Williams stated so I am assuming that the public hearing will be addressed at a later date.

Board Member Montesano stated I don't think that is an unreasonable request.

Board Member Cook stated I just think that Insite should go back and look at all this later date stuff and try to have the later date by next week.

Rich Williams stated no because we are not going to look at it between now and then.

Chairman Rogan stated but your point is well taken though Charlie.

Ted Kozlowski stated well I haven't heard Theresa, so, have you.

Board Member Cook stated there are a ton of them.

Rich Williams stated not on this, no.

Dave Raines stated surrounded by a sixty foot, there is a sixty foot buffer around it, from a Building Code stand point.

Board Member DiSalvo stated so you have to have sixty feet between here and here.

Board Member Cook stated and there are some items that talk about the Board's consultants suggest that the Board may wish to refer this project to the Fire Inspector.

Chairman Rogan stated can you treat that as an atrium.

Dave Raines stated yeah, what.

Chairman Rogan stated people aren't allowed to build an atrium.

Dave Raines stated there is a technical bulletin from the State in reference to the indoor riding rings for commercial use and the different between Ag. and personal, your own personal horse barn or riding ring and how this occupancy and Theresa brought this to my attention. She wanted me to research it and I researched it and she didn't get the answer she wanted because it says it has to be sprinkled and it has to have a sixty foot public way or yard around the entire thing.

Chairman Rogan stated wow.

Dave Raines stated to meet Building Code.

Rich Williams stated they have to have a sixty foot public.

Dave Raines stated sprinkled and sixty foot public way or yard.

Board Member Pierro stated if it's commercial.

Dave Raines stated right.

Board Member Pierro stated if its commercial not if its private.

Rich Williams stated sprinkled or.

Dave Raines stated no, public way or yard.

Rich Williams stated okay.

Chairman Rogan stated so if its commercial you need a sprinkler system and a sixty foot clear path around the building.

Dave Raines stated if such arena is used for other then private purposes, such as teaching horsemanship skills or entertainment for the public. The occupancy is to be classified as an A-3, which then kicks in these other things.

Chairman Rogan stated that changes the layout of that a little bit, that kicks things around doesn't it.

Chairman Rogan stated that really.

Chairman Rogan stated we have to handle that before we do public hearing.

Rich Williams stated that changes that whole design.

Chairman Rogan stated huge, so.

Board Member DiSalvo stated what if you want to make this sixty foot.

Chairman Rogan stated so you've spoken to her about that Dave.

Dave Raines stated yeah.

Chairman Rogan stated okay.

Ted Kozlowski stated does that take out paddocks.

Chairman Rogan stated it takes out something.

Rich Williams stated it takes out the outdoor riding ring, it takes out paddocks.

Board Member DiSalvo stated would you consider fencing a structure.

Dave Raines stated I don't know if the outside riding ring would a issue, I wouldn't consider it a structure.

Rich Williams stated so, okay so you.

Dave Raines stated I would consider it an open yard or, because it's a setback from the standpoint of.

Rich Williams stated so then its not going to affect anything.

Chairman Rogan stated of blocking.

Rich Williams stated so then its not going to affect the design.

Dave Raines stated it would affect the proposed horse barn, one bedroom apartment.

Chairman Rogan stated yeah.

Rich Williams stated oh, that wouldn't all be part of it.

Dave Raines stated well we would have to make a determination if that is going to be a single structure and all sprinkled, and then we are good.

Chairman Rogan stated I understand.

Rich Williams stated okay.

Dave Raines stated her question was do I detach the barn and the ring and does that change anything or if it is connected by the breezeway are we considering it one structure.

Chairman Rogan stated didn't we kind of point them in the direction of the connectivity. Maria, you were saying about bringing the horses from the barn to the ring.

Board Member DiSalvo stated no, I just said to, when I wanted the whole thing flipped, rather than walking the horses all around here, to the paddocks over there. I didn't think the first plan had the connection there.

Chairman Rogan stated not originally it didn't.

Dave Raines stated my answer to her was quite simple, you have to sprinkle it and we have to conscience of the setbacks on the other structures that they may propose.

Chairman Rogan stated okay.

Dave Raines stated you know, which its going to cost more to sprinkle it but.

Chairman Rogan stated yeah, it is what they want.

Dave Raines stated it is what it is, I mean Ramirez had to sprinkle the whole thing down on East Branch Road, that cost him three hundred grand.

Board Member DiSalvo stated you don't use water, what do you use that powder.

Dave Raines stated no, no, its water, its dry system, it's a dry valve, there is air in the system, he has glycerin in the red barn, the residence and he has a dry system in the big barn.

Board Member DiSalvo stated does it warrant, do you have enough water pressure coming out of there to enter.

Dave Raines stated he put a thirty thousand dollar fire pump in the pond, piped it up with underground fire hydrants and everything.

Board Member DiSalvo stated so if you don't have a pond you have to put a tank in.

Board Member Montesano stated I have a big pond.

Board Member DiSalvo stated that is what Kathy McWilliams had to do, a five thousand gallon inside tank.

Rich Williams stated the sediment pond.

Dave Raines stated yeah, your pond, he called it your pond by the way, he put.

Rich Williams stated did he put a sign up there that says Rich's pond.

Dave Raines stated he might.

Rich Williams stated that would be nice.

Board Member DiSalvo stated and put fish in it.

Board Member Montesano stated watch out you don't become the statue.

Board Members laugh.

Dave Raines stated and aerator.

6) CIPRIANO SITE PLAN

Chairman Rogan stated we were just saying last month that we wondered if Cipriano would ever come back in.

Board Member Montesano stated yeah well it's his yearly thing.

Rich Williams stated and if you read my memo.

Board Member Montesano stated which you implied.

Rich Williams stated sarcasm is growing on me.

Board Member Montesano stated he has to put up with his family, until they give him permission.

Rich Williams stated I don't, the last time they submitted was January of '07, and they submitted a multi sheet set of drawings, this time they come back with one sheet.

Chairman Rogan stated same outfit.

Rich Williams stated yeah, yup, they took a big step back.

Chairman Rogan stated how do they do that.

Dave Raines stated Badey & Watson.

Rich Williams stated I don't know, it took them a year to get the wetland boundary line.

Board Member Montesano laughs.

Rich Williams stated yeah I did put it in, didn't I.

Board Member Montesano stated yes, you did.

Board Member Cook stated site inspection 2002.

Board Member Montesano stated I thought that was very cute.

Rich Williams stated you know, I went back, the application was initially made in 2002, six years ago.

Chairman Rogan stated wow.

Rich Williams stated they have appeared before the Board seven times in six years.

Ted Kozlowski stated who's this.

Chairman Rogan stated Cipriano.

Board Member Montesano stated Cipriano, the guy behind the barber shop on [Route] 22.

Ted Kozlowski stated of this is the one with the nursery, the ice cream shop.

Chairman Rogan stated remember an application that the Board was more amenable to that has taken longer to progress, you know.

Board Member Pierro stated probably the economy.

Board Member Montesano stated well he doesn't have the money, it's the family.

Dave Raines stated the group with the hot dog thing down the road.

Rich Williams stated all valid reasons but you know, then wait until you are ready to get an approval.

Board Member DiSalvo stated that is what is going to happen, things just get more and more expensive.

Rich Williams stated I understand but it is frustrating on the formal review of it.

Board Member DiSalvo stated we had our hopes set up on having something nice, right.

Rich Williams stated you know we are reviewing this thing once a year, it takes us a long time to get back up to speed to where we were and we don't know where.

Chairman Rogan stated I found your spot about yet another annual review.

Board Member Montesano stated well look, we got lead agency taken care of, didn't we, what more do you want.

Board Member DiSalvo stated who is the engineer on this.

Dave Raines stated what is the proposed use of that quad there, (inaudible – too many speaking).

Board Member Pierro stated a nursery.

Dave Raines stated oh is that what it is.

Board Member DiSalvo stated ice cream stand, like Adams Fair Market.

Dave Raines stated oh okay.

Chairman Rogan stated (inaudible) a big nursery out on Long Island.

Board Member DiSalvo stated and then they are going to rent space out too.

Chairman Rogan stated some airy market.

Board Member Pierro stated some offices upstairs for them.

Chairman Rogan stated what the Board had been talking to them about in the beginning was kind of destination where people are going to get out of their car and spend a little bit of time instead of just walking the store, a little bit of open air market.

Board Member Montesano stated that was already discussed and okay'd.

Ted Kozlowski stated guys, Richie motioned to me, I have to go back to Barjac, they submitted some stuff last week and I just opened it and it looks like they addressed some things but there is not planting plan.

Chairman Rogan stated okay.

Rich Williams stated no absolutely not, I am not saying that they did everything but they did do some of it.

Ted Kozlowski stated they are still incomplete but they did address some of the things.

The Secretary stated I hit my elbow on my desk.

Chairman Rogan stated its not funny is it.

Board Member Montesano stated don't ever beat on your desk.

Ted Kozlowski stated there you go.

Board Member Pierro stated its getting back at you for mistreating Ted.

Rich Williams stated maybe you should have let Ted sit down.

Ted Kozlowski stated if I was sitting there you wouldn't have done that.

The Secretary stated I highly doubt that Ted.

Ted Kozlowski laughs.

Board Member Cook stated I remember these guys coming in (inaudible – too many speaking).

7) KENT SUPPLY CO. – Initial Site Plan Application

Chairman Rogan stated okay, Kent Supply. They didn't show up last [meeting], if I recall.

Rich Williams stated Kent Supply was in last month for a sign application, now they are in for a site plan application.

Board Member DiSalvo stated yeah, what happened.

Chairman Rogan stated but they didn't come in for the sign.

Board Member DiSalvo stated being that they weren't at the meeting.

Dave Raines stated I met with him the day after the meeting.

Board Member DiSalvo stated okay.

Dave Raines stated asked him what the story was, I wanted to find out what else was going on out there and him and his partner, said well we didn't realize we just thought it was a sign and he said to me its only a temporary sign and I said I don't know if you made that clear to them, the Planning Board, that's. Did they show it was temporary.

Chairman Rogan stated yes it was a temporary.

Board Member Pierro stated the picture looked like a temporary sign.

Dave Raines stated I don't know, did he come in Michelle, do you know if he came in, he was supposed to come in right after that.

The Secretary stated the only time he came into the office was to drop off his escrow fee and he did not say anything.

Dave Raines stated he was supposed to come in and find out from the staff here when he was supposed to appear and if he didn't come in I don't expect him to show up next meeting.

Rich Williams stated well his engineer will be here and I did tell his engineering.

Dave Raines stated oh you did.

Rich Williams stated that you know, there is the other sign application, which is kind of separate and he didn't show up and you should talk to him.

Chairman Rogan stated yeah and the only issue I recall with the sign though is that it was a V sign and it needs to be pulled together, location I drove by it, it seemed like it was alright. We were going to do an approval for a six month.

Rich Williams stated do it.

Chairman Rogan stated or something, if I remember right.

Board Member DiSalvo stated right.

Chairman Rogan stated I don't trust my memory.

Board Member DiSalvo stated what is going on with the site work there.

Rich Williams stated well they did some clearing, everybody has seen that, the original plan was there was not supposed to be any (inaudible) along Route 22, I don't know why that was, it is a commercial business, what do you expect. He has you know, Dave could talk better about some of the improvements that he has already installed, he has run a cable through the detention pond, I'm not sure if that is going to be able to stay.

Board Member Pierro stated what is the cable for Rich.

Dave Raines stated data.

Rich Williams stated (inaudible) line.

Dave Raines stated data, it's a data line, a Verizon data line.

Board Member DiSalvo stated oh for the computers.

Dave Raines stated yeah.

Chairman Rogan stated my house.

Board Member DiSalvo stated do we have it up here.

Chairman Rogan stated in some areas.

Dave Raines stated he had nothing in the building, he had just a phone line, he had just a land line phone line, he ran a digital Verizon.

Board Member DiSalvo stated what did that cost.

Dave Raines stated he needed it because he does all his inventory, all his dispatching, he has GPS on his trucks.

Chairman Rogan stated through the stormwater pond and they ran it through the stormwater pond.

Board Member DiSalvo stated they tried to put it in our building, they wanted four thousand dollars.

Rich Williams stated its buried but yeah, it goes through the detention pond.

Chairman Rogan stated through the top of the slope or something or.

Rich Williams stated through the side slope yeah.

Chairman Rogan stated oh, okay, still does that create an, that has to create an issue for potential maintenance for that basin.

Rich Williams stated I haven't looked at that close, I don't think there is a detail showing what they did you know, we have to get a detailed at least knowing what they buried and what is there, so if someone goes in there to clean out. You know with the MS-4 program we are going to be expanding that pond.

Chairman Rogan stated yeah.

Board Member DiSalvo stated who puts it in, Verizon puts it in.

Rich Williams stated they put it in.

Board Member DiSalvo stated they did it.

Dave Raines stated they trenched and I believe that Verizon just pulled it because when I got up there Verizon was pulling it.

Chairman Rogan stated yeah.

Dave Raines stated but they did the trenching, they had to provide the trench and then the over fill.

Board Member DiSalvo stated they take it off a telephone pole.

Chairman Rogan stated that seems to be a common way of doing things ass backwards.

Rich Williams stated so they are doing some other improvements up there and they are looking to do a very small addition on the back which is, if you look closely at, it does restrict the driveway going around.

Board Member DiSalvo stated did they ever use it going around.

Chairman Rogan stated I don't know what building it is, I can't picture it.

Board Member DiSalvo stated Holiday on Wheels.

Rich Williams stated there was a black topped area parking in the back, there are garage doors on the back.

Board Member DiSalvo stated and it went all the around the building.

Board Member Montesano stated when you had service on your bus.

Board Member DiSalvo stated okay.

Board Member Montesano stated you would bring it in here and they would bring it out and around to park it.

Board Member DiSalvo stated oh okay.

Dave Raines stated they have already done, to bring the loading dock elevation, they, as Mike just said, they had a drive through and they needed to set it up as a dual loading dock with a thirty inch rise so they could back the trucks up, so if they dug down and put in retaining walls and built a loading dock with a drain, no oil/water separator, so I flagged that. When we stopped them from doing anything else, we didn't know this was done, the, Mr. Maloney who was looking to purchase the property actually called and said hey, I'm in the middle of purchasing this property why is someone doing site work and that is what brought me up there initially. I gave them a stop work order on any additional site work.

Board Member Pierro stated Kent Supply is a tenant.

Dave Raines stated Kent Supply owns the building, they own the building.

Board Member Pierro stated owns the building.

Dave Raines stated Paul Futterman, no Joe.

Rich Williams stated Joe Futterman.

Board Member Pierro stated and who was the purchasing the property.

Dave Raines stated Maloney.

Board Member Pierro stated the subdivision.

Dave Raines stated no, Maloney, he is part of Patterson Supply, he is a partner in Patterson Supply. They were all set to close on it and he went up there to take some measurements and there were these guys building a loading dock. The Sheriff got involved, the whole nine yards because this guys thought, but that has nothing to do with it.

Board Member DiSalvo stated so he didn't buy it.

Dave Raines stated Kent Supply bought the building out from under Maloney and Maloney was the complainant and so I went up there and the first issue was the loading dock and the next issue was the cable that was put in, the underground and the third issue was the butting of the trees which Richie went up and stopped that from going any further. Inside the building there is rack storage that was installed, there is

several million dollars of inventory in the building, the alarm system has been put in, the emergency lighting system has been put in, the offices, the existing offices have been renovated, new carpeting and things like that. No structural work inside, you walk in and there is a retail or a wholesale counter, there is rack storage and then there is warehouse storage which is filled with boilers and heaters and what not, which was the drive through portion, originally the drive through portion.

Chairman Rogan stated that is what their business is, boilers.

Dave Raines stated yes.

Board Member Montesano stated plumbing supply.

Dave Raines stated plumbing supply.

Chairman Rogan stated oh, plumbing.

Board Member DiSalvo stated oh like N&S, like that.

Dave Raines stated yes.

Board Member Pierro stated yeah, they are the only game in Town.

Ted Kozlowski stated is that a detention pond or a natural pond.

Board Member DiSalvo stated the one on Route 6.

Rich Williams stated detention.

Ted Kozlowski stated (inaudible – too many speaking).

Board Member DiSalvo stated so I am glad to hear that people are fighting over buildings.

Board Member Montesano laughs.

Board Member Pierro stated excuse me.

Board Member DiSalvo stated I'm glad to hear that people are fighting over buying buildings.

Board Member Pierro stated not much, a lot of commercial vacant in Patterson.

Dave Raines stated so currently he has, currently.

Ted Kozlowski stated show me the thirty foot setback, is that existing or is that proposed.

Board Member DiSalvo stated so he's not going to use this as a drive around.

Rich Williams stated (inaudible – too many speaking).

Dave Raines stated nope, no driving.

Ted Kozlowski stated so it's a parking area, septic and the thirty foot setback.

Rich Williams stated the septic and parking are existing and it's not a violation, it is Code compliant.

Ted Kozlowski stated so why is there a thirty foot setback shown.

Rich Williams stated the building.

Ted Kozlowski stated oh, the building.

Board Member DiSalvo stated (inaudible).

Ted Kozlowski stated by the way the neighbor to the left is not national auto sprinkle, its national fire sprinkler.

Dave Raines laughs.

Ted Kozlowski stated I've never heard of auto sprinkling.

Board Member DiSalvo stated auto sprinkler.

Board Member Pierro stated National Automatic Fire Sprinkler.

Dave Raines stated with this bump out, they indicate one story to be removed but they told me they weren't going anything in the back when I did the walk with them.

Rich Williams stated yeah no, there is small, almost like a lean to shed that was build, I believe it was built without permits.

Dave Raines stated okay.

Rich Williams stated they want to tear that off and put a much, much larger formal building in the back for pipe storage I believe and you know it chokes down that rear area to a spread of about twenty-one feet.

Board Member DiSalvo stated that is kind of a stupid place to put it.

Chairman Rogan stated that is pretty tight though for a choke down for a commercial lot, we are talking about fifteen, sixteen feet on the next one between the corner of the house and the wall for residential traffic, twenty-one feet.

Dave Raines stated I don't have an issue with fire access, you know because I addressed that with him that there shouldn't be anything there, I mean, we wouldn't have allowed that lean to, to begin with because you can't get around. The only upside of the whole thing is that that propane tank is going to go bye, bye, so that is a big plus but overlooking [Route] 22.

Board Member DiSalvo stated where are they going to go.

Dave Raines stated off, gone.

Board Member DiSalvo stated they are not using propane at all, does he have any oil tanks here, do you recall.

Rich Williams stated they did have a dump tank which I believe they removed but it's a question we have to ask to make sure, because there was a whole remediation out there at one point about two years ago.

Dave Raines stated Rich, they address the oil/water separator for their loading docks, I didn't look at this.

Rich Williams stated not on there.

Dave Raines stated no.

Rich Williams stated I don't believe its on there and again I have not done an in depth review of this plan yet.

Dave Raines stated okay but what you see on the C-210 is really what is existing, that first floor plan is, that is what it is right now.

Board Member DiSalvo stated they want to put in a sign permit, a permanent sign permit for the building or.

Chairman Rogan stated it will be part of the site plan.

Board Member DiSalvo stated oh okay, they open to the public.

Rich Williams stated just, you know, one of the things I want to, they also have a sign that they are proposing for the building but they are proposing it on the northern side, in a fairly obscure area, so I'm not sure what that is about.

Board Member DiSalvo stated maybe that is where.

Board Member Montesano stated just to let the people next door know.

Board Member DiSalvo stated maybe they can see it from [Route] 22 coming up the hill.

Rich Williams stated you are probably going to be able to see from national fire sprinkler.

Dave Raines stated national auto sprinkler.

Board Member Montesano stated national auto.

Rich Williams stated I will get to the programs a little bit later.

Dave Raines stated yeah, that is why we are trying not to chase him away but I told him he has to follow the rules and the last three people that looked at this building over the last year and a half have walked away because there is just so much to renovate. It was left in a total mess, those guys just picked up and left and then there were a thousand liens on the building, all kinds of liens.

Board Member Montesano stated when Frank died the whole thing fell apart.

Dave Raines stated the marshals are still showing up there trying to collect money.

Board Member Montesano stated when Frank died the bottom fell out.

Board Member DiSalvo stated you means those liens didn't get satisfied.

Dave Raines stated now they have been but up until the closing they were still.

Board Member DiSalvo stated there must have been a line out the door.

Dave Raines stated and there is still an issue with that front piece, did you hear about that, there is still a lien on the front piece that they are trying to clear.

Rich Williams stated the front piece of what.

Dave Raines stated there is a, believe it or not they took, there was credit line that was taken out on the strip of property, I don't know how they did this but the strip of property along [Route] 22, had a separate lien on it as if it was separate parcel.

Rich Williams stated laughs.

Board Member DiSalvo stated how do they do they.

Board Member Montesano stated I have no idea.

Dave Raines stated the attorneys called me and I said we have no document, that is not, its one parcel.

Board Member DiSalvo stated its not on the tax parcels.

Dave Raines stated somebody got creative and they took out in 2000 or 2001.

Board Member Montesano stated they probably took another loan on the property.

Dave Raines stated yup.

Board Member DiSalvo stated how many liens on it from buyers.

Board Member Montesano stated and said that was (inaudible).

Dave Raines stated no, the bank, on a credit line.

Board Member DiSalvo stated oh.

Board Member Montesano stated just make a mistake with a number.

Dave Raines stated we will look at this together at some point this week Rich.

8) OTHER BUSINESS

a. GDC Subdivision Lot 5

Chairman Rogan stated Charlie it looks like you have a much different agenda then I have here, yours has four things on other business.

Board Member Pierro stated yeah we changed the agenda tonight.

Board Member Montesano stated we changed the agenda.

Board Member Pierro stated GDC, Paddock View, Guiding Eyes and Burdick Farms.

Chairman Rogan stated did, Dave you haven't been out to GDC have you, you were in Florida.

Board Member Pierro stated no I have not.

Ted Kozlowski stated that was a good one Dave.

Chairman Rogan stated you have to take a look at that one, get over there before the meeting.

Board Member DiSalvo stated what is that one.

Rich Williams stated well I put them on just to keep everybody aware.

Board Member DiSalvo stated GDC who's that.

Chairman Rogan stated okay.

Rich Williams stated they haven't submitted anything, they haven't done anything.

Chairman Rogan stated okay.

Rich Williams stated I don't believe they are coming back in.

Chairman Rogan stated alright.

Rich Williams stated given the nature, I just left it on the agenda.

Chairman Rogan stated I appreciate that. The minutes that we have here.

The Secretary stated the work session.

Chairman Rogan stated the work session.

The Secretary stated yeah.

Chairman Rogan stated as soon as you have the minutes, do you have them.

The Secretary stated they are not proofed and they have my writing in them at this time.

Chairman Rogan stated but, really what I was getting at was.

Board Member Pierro stated I read it.

Chairman Rogan stated Rich, for what we spoke about with GDC.

Board Member Pierro stated before it was proofed I read it.

Chairman Rogan stated oh good, so you get a sense.

Board Member Pierro stated the driveway issues, the driveway was changed to the other side of the house, the house was built.

Chairman Rogan stated well basically the subdivision was approved with a house layout.

Board Member Pierro stated they changed it.

Chairman Rogan stated they are saying that the person who wanted the house basically, they flip flopped the house but then they also turned, they rotated the layout.

Board Member DiSalvo stated what property is this.

Chairman Rogan stated GDC lot 5.

Board Member Pierro stated GDC on Tammany Hall [Road].

Board Member Montesano stated the one with the drop behind the house.

Chairman Rogan stated across from High View, that subdivision, at Bullet Hole [Road] and Fair Street.

Board Member DiSalvo stated the one with the foundation.

Board Member Montesano stated the foundation is all up and there is no place to go.

Board Member DiSalvo stated so what are we doing with that.

Chairman Rogan stated as of last meeting, we basically were all telling them they are going to have to take it out and they begged us for thirty days to come back with some kind of means of fixing it.

Board Member DiSalvo stated yeah, has anything been going on.

Chairman Rogan stated they haven't been in yet.

Board Member DiSalvo stated has anybody been there.

Board Member Cook stated we also talked about meeting with staff before coming to the Board.

Chairman Rogan stated right.

Ted Kozlowski stated has anybody been there to see if they actually stopped working on it.

Rich Williams stated a week ago I got a call from Joe Buschynski, he had a conversation with me about putting in a very substantial retaining wall right behind the building and he wanted to know if the Board would find that acceptable. I said ask the Board and fired back at him, do you think you can put the retaining wall in without structurally effecting that foundation, this is quite of curiosity and he said yeah probably as long as the footings are all the way down to virgin soil.

Board Member DiSalvo stated the retaining wall would replace those two stone walls they made in the back.

Rich Williams stated yeah.

Chairman Rogan stated I guess.

Board Member Montesano stated they can still go in and drop it down.

Board Member DiSalvo stated and you still have that corner.

Board Member Montesano stated and you still have some kid taking a header.

Chairman Rogan stated and I honestly and I said it on the record last meeting, I won't vote for a retaining wall that doesn't give at least ten foot clearance off the corner of the. Right now off the corner of the house there is about two and half feet and then it drops down, you can't even walk around, whatever the finish grade will be, you wouldn't be able to walk around the corner of your foundation without hugging the house to safely get, it's terrible.

Board Member Montesano stated they are going to give you a permanent rope you see, you can just stand around, put the rubber tires on it.

Dave Raines stated this is Festo.

Chairman Rogan stated yeah.

The Secretary stated yeah.

Board Member Pierro stated Theodore Trail.

Chairman Rogan stated Theodore Trail, yes it is.

Ted Kozlowski stated it is.

Dave Raines stated he called me and I asked him, he asked me he said really where do you stand and I said you have to take the foundation out so don't be surprised when you get the official word but there are too many.

Chairman Rogan stated yeah, right.

Dave Raines stated forget about the Zoning, the Planning and Zoning issues, is the fact that you can't provide me documentation on the footing modification, you didn't have any inspection on the walls, you did it without any approvals, you changed the design.

Chairman Rogan stated yeah.

Board Member Pierro stated what kind of wall is it.

Dave Raines stated it's a poured wall but he did it on a modified footing and that is when I showed up and I said something is wrong and I came right to Rich, it was pouring rain out and I said Rich, when it gets a little better can you run out there because something is very wrong, then I realized that the whole thing is flopped and switched.

(Tape 1 Ended – 9:04 p.m.).

Board Member Pierro stated there and it collapses, you're hanging.

Dave Raines stated especially since, even the way and then they started to back fill it with boulders that are bigger then you know and its not, I said you can't back fill, so stop, stop and they stopped and they didn't stop and Richie went out on a second follow up and they had done more work and.

Chairman Rogan stated Dave when we did the site walk, I mean, it was one of the site walks that we, one of the few that you do and your gut just gets in a knot and you say wow, there are so many things out here, the walls are in my lay persons opinion, poorly constructed, they are not chinked tight, these are just boulders walls that have gravel thrown on top.

Ted Kozlowski stated just piles.

Chairman Rogan stated water, pipes, running water, there was supposed to be a level spreader out there, they made like a sump area by moving the house location the way they did, there are just so many issues out there.

Board Member Montesano stated you can't get a car.

Chairman Rogan stated that they created by not doing it.

Dave Raines stated you can't pull in the garage.

Board Member Montesano stated you can't get the car in.

Chairman Rogan stated the other thing I noticed when we were out there.

Board Member Pierro stated grade.

Chairman Rogan stated the electric line going into the pump.

Board Member DiSalvo stated its about as wide as this table.

Chairman Rogan stated on the septic tank is about this deep.

Dave Raines stated I didn't walk up the hill.

Chairman Rogan stated the garage.

Dave Raines stated for the pump.

Chairman Rogan stated for the pump.

Board Member Montesano stated let me put it this way, you better get a mini because you aren't going to get anything else in there.

Chairman Rogan stated that is not, its got to be at least fourteen inches down.

Dave Raines stated he wasn't supposed to back fill, it wasn't inspected so.

Chairman Rogan stated you know.

Board Member DiSalvo stated so we haven't heard anything from the last meeting.

Chairman Rogan stated just what Rich said, he got a call from an engineer about.

Board Member DiSalvo stated doing the retaining wall.

Chairman Rogan stated doing the retaining wall, I mean.

Board Member Pierro stated I should go armed with a tape recorder when I go there.

Chairman Rogan stated go take a look just so you get a sense of it. Be careful because its.

Board Member Pierro stated I'm going to get out there.

Chairman Rogan stated it's a dangerous.

Dave Raines stated especially right now, I mean I was out there Saturday and it was horrific.

Chairman Rogan stated they started out by saying that it all evolved from putting in the pad to put the well in, they had to put a pad in and when they got the well truck in.

Board Member DiSalvo stated the well truck.

Chairman Rogan stated then he kind of lost track and said well we were building it for someone who wanted to flip flop it and then they backed out and then we heard that the plan the guy had that he was building from, had the original approved location and then he had a piece of paper with a new one taped over it, scotch taped over it. I agree with you.

Board Member DiSalvo stated we gave him the opportunity.

Chairman Rogan stated we all said it, take the thing out.

Ted Kozlowski stated all that constructed and the DEP.

Dave Raines stated yes.

Chairman Rogan stated and that is other thing, to add matters to it, it's a DEP watershed improvement easement.

Rich Williams stated a water quality buffer area that is protected, deed restricted by the DEP and an easement by the Town and the DEC.

Board Member Pierro stated I don't think they have any choice.

Chairman Rogan stated that is kind of what Anthony said, you know, putting everything on the record in terms of the safety concerns of the Board, you would have to really have a lot of documentation to then. We were basically voting last week Dave, to tell them that you have to build according to plans, cut your losses now, the septic is in and that's fine, the well is fine.

Dave Raines stated and I stood up and I said I will take this off the Board, you are going to have to take this out, I mean just from the, even if it was in the right spot, he didn't meet any of the Building Code criteria for the inspections for, he can't provide engineered documentation that the footings were.

Board Member Pierro stated aside from all of the other easements and watershed violations, if this house continues to get built and there is a collapse.

Board Member DiSalvo stated its not going to continue.

Dave Raines stated we can't that's why I made them stop.

Board Member Pierro stated the liability is huge.

Dave Raines stated but we talked about well, you can cut the foundation but its.

Chairman Rogan stated its ridiculous.

Dave Raines stated to move it east and it.

Chairman Rogan stated it was just one of the, fortunately the rare, but becoming more common but.

Ted Kozlowski stated the other thing is they tried to nip them in the bud and this guy kept going.

Board Member Pierro stated kept going so.

Chairman Rogan stated the paperwork trail on it is excellent, in terms of laying out.

Dave Raines stated yeah.

Chairman Rogan stated okay, stop you've done something, let's figure it out and they well we are just stabilizing things, we pour walls, we built retaining walls, in essence they tried to get as much into the ground as they could.

Board Member Pierro stated yeah sure.

Chairman Rogan stated to show.

Dave Raines stated and he had the other foundation in, which he seemed to have done correctly, the lot four, five, six, I get them mixed up.

Chairman Rogan stated whatever the neighboring lot is.

Board Member DiSalvo stated we came in the other.

Dave Raines stated yeah.

Rich Williams stated I think its six.

Dave Raines stated right.

Board Member DiSalvo stated what is this.

Dave Raines stated Rich can I bring this up or do I have to, because its not on the agenda.

Rich Williams stated what is it.

Dave Raines stated I just advised the Board on what I did or.

Rich Williams stated can we just wrap up these.

Dave Raines stated yeah.

Rich Williams stated it's Shawn's call.

Chairman Rogan stated I'm glad you're here.

Dave Raines stated okay.

b. Paddock View Estates – Bond Recommendation

Rich Williams stated Paddock View we got a bond recommendation and I guess that wraps up.

c. Guiding Eyes for the Blind

Rich Williams stated Guiding Eyes a couple of years ago we got a recommendation for a bond release, subject to the Planning Board signing on a couple of things. The Planning Board never reacted to it and it never got wrapped up.

Chairman Rogan stated okay.

Board Member Pierro stated what were those couple of things, can you remember.

Board Member DiSalvo stated the driveway.

Rich Williams stated I remember vaguely but I forgot to print it out.

Board Member Pierro stated okay.

Rich Williams stated its little minor stuff.

Board Member Pierro stated okay.

Rich Williams stated that was actually done in a better way.

Board Member Pierro stated okay.

d. Burdick Farms Subdivision

Rich Williams stated and Burdick Farms, the 180 days from when the Board granted the approval is expiring and they need a 90 day extension.

Board Member Pierro stated okay, we have a Stantec memo from Patterson Crossing, have you produced a new memo.

Rich Williams stated I have no.

Board Member Pierro stated okay.

Rich Williams stated I have done, I have gone through the whole thing once, I want to go back and check a couple of things here and there, I didn't find anything.

Board Member Pierro stated do we have any time restrictions.

Board Member DiSalvo stated do we have anything on it.

Board Member Pierro stated or at this point.

Board Member DiSalvo stated nothing on Patterson Crossing.

Rich Williams stated that is what we are talking about.

Board Member DiSalvo stated but we haven't gotten anything back from the applicant.

Rich Williams stated Gene has and I have, we've got.

Board Member Pierro stated they are working.

Rich Williams stated we've got an FEIS that is all marked up with all the changes and I said to Dave, I've been through it and preliminarily I didn't find anything but I want to go back and cross check it a couple of things and make sure that everything lays out the way it is supposed to layout and everything is (inaudible). Not much time left to really do that, Gene I think is pretty well wrapping up.

Chairman Rogan stated okay Dave.

Dave Raines stated I just wanted to bring to the Board's attention that I had a proposal come in from Garden Homes Management, which is managing the Wooded Hills Trailer Park and they wanted to construct several substantial stone strong system walls which are kind of like big legos.

Board Member Pierro stated behind the back of the office place.

Dave Raines stated yeah.

Board Member Pierro stated we knew this was coming.

Dave Raines stated this something that I deferred back to, I advised the applicant that he needs to go to the Planning Board for approval because this constitutes substantial changes to the site, there are changes in drainage, they are talking about changing an easement that is there but isn't being utilized and they want to incorporate it due to grade changes so this is a substantial project and it is not just a permit to build some retaining walls. So I sent a letter back to the applicant and we are returning one set of drawings, I had Richie maintain one and I maintained on, so we could kind of mark it up and look at this, you know, to get ahead of the curve, but you should be seeing this.

Chairman Rogan stated this on Route 22, across from Nolletti.

Dave Raines stated Route 22, yes.

Board Member DiSalvo stated on Route 22 by the Steak house.

Chairman Rogan stated so is the wall bordering the property that we had the proposal on for.

Rich Williams stated Neubauer.

Chairman Rogan stated Neubauer.

Rich Williams stated well they are below it, I don't know (inaudible – too many speaking).

Board Member DiSalvo stated there is a railroad tie wall.

Board Member Montesano stated yeah because if you recall when we went out on the site walk.

Rich Williams stated (inaudible – too many speaking).

Board Member Montesano stated we said something had dropped down onto the trailer right below.

Chairman Rogan stated right.

Board Member Montesano stated and had missed the kids, so I would assume that was one reason.

Dave Raines stated there are several walls proposed.

Chairman Rogan stated this just changed ownership in the last year or two.

Board Member DiSalvo stated yeah.

Board Member Pierro stated is this Neubauer.

Dave Raines stated no, that's the trailers.

Board Member Pierro stated the Steak House.

Chairman Rogan stated they have been doing a lot of replacement of the mobile homes from what I remember.

Board Member DiSalvo stated the steak house is here.

Board Member Pierro stated oh, this is down low, this is not high.

Chairman Rogan stated double wide.

Dave Raines stated yeah.

Board Member Pierro stated yeah okay.

Board Member DiSalvo stated Neubauer is over here right.

Dave Raines stated Neubauer is here.

Board Member Montesano stated Neubauer is up there.

Board Member DiSalvo stated yeah, what is going on with them, Neubauer.

Chairman Rogan stated they are waiting for the walls to be built.

Board Member Montesano stated waiting for the son.

Board Member Pierro stated he needs other, he has to take down that building.

Dave Raines stated he's not talking to me, he won't move that shed.

Board Member DiSalvo stated so where did you say they have an easement.

Dave Raines stated (inaudible).

Chairman Rogan stated oh really.

Board Member DiSalvo stated Dave, where is the easement, who owns that.

Dave Raines stated they do.

Board Member DiSalvo stated because some of their.

Dave Raines stated Charry.

Board Member DiSalvo stated who is that.

Rich Williams stated Charry was the former owner.

Dave Raines stated oh okay, this show Wooded Hills and it still shows Charry and it shows a proposed.

Board Member DiSalvo stated because he had a lot of problems with their sign.

Dave Raines stated access easement coming down.

Rich Williams stated Charry did sell the whole thing, just part of it.

Board Member Montesano laughs.

Dave Raines stated when I spoke to the folks from Glen Freer, he indicated the want to incorporate this.

The Secretary sneezed.

Rich Williams stated bless you.

The Secretary stated thank you.

Dave Raines stated into an access for the park, so it's a lot more then just walls.

Rich Williams stated I guess so.

Board Member Pierro stated has there been any change in Fire Code that requires a larger access road for.

Dave Raines stated not that I am aware of but I will certainly look it up, there are a ton of Code changes in reference to these trailers, basically you can't replace them anymore. Like and kind is out the window, I just went to the Association of Towns and spent six grueling hours listening to just this, they had a whole.

Board Member Pierro stated they pulled it on me.

Dave Raines stated and all the folks up north are excited about it because three quarters of their jurisdictions are trailers but.

Board Member Pierro stated but.

Board Member DiSalvo stated so what are you going to do, you are just going to let these things deteriorate and fall apart.

Dave Raines stated when they become an unsafe structure they go away and they go away.

Board Member Pierro stated you can't put them back, you can't use them anywhere.

Dave Raines stated we don't have the set backs and the sizes required to replace them based on.

Board Member DiSalvo stated in ten years this could be nothing here then.

Dave Raines stated correct.

Board Member Pierro stated no you.

Dave Raines stated they are hanging hat, their attorney is saying well our deed says that we can replace like and kind but they are not going to get a building permit to do that from the current Code.

Board Member DiSalvo stated right.

Board Member Pierro stated I am applying for a septic upstate on my property, the building department tells me that after next year you won't even be able to apply for the permit without pulling the trailer out and putting up a house.

Dave Raines stated you have to bring it up to the standards.

Board Member Pierro stated I can't live it (inaudible).

Dave Raines stated again they could put trailers down here for probably one for every two if you went by the current Building Code that applies some of these.

Board Member DiSalvo stated so how many are there.

Dave Raines stated it's a space, it's a size, everything is pretty much a double wide, the whole code is based on double wide.

Board Member Pierro stated right.

Dave Raines stated standard.

Board Member DiSalvo stated so instead of fifteen trailers you would end up with seven or eight.

Dave Raines stated the way these are laid out, there are all parallel. Again this proposal, I assume you will see if he brings it back.

Chairman Rogan stated okay.

Board Member DiSalvo stated I just don't want them really getting run down.

Dave Raines stated its quite involved.

Chairman Rogan stated well replaced quite a few over there, just since the new owner took over.

Dave Raines stated yes they have they replaced four of them, one is gone, one they totally removed.

Chairman Rogan stated some of them were really ratty and they put in brand new. They maintain that pretty well down there.

Dave Raines stated that is Illescas, Ted is harassing them.

Board Member Pierro stated again.

Chairman Rogan stated anybody have anything else.

Mr. Taylor stated yeah I've got some pictures Tojant.

Chairman Rogan stated wonderful.

Mr. Taylor stated I thought I get you some, I got the thing about their criteria which is no windows and the perfect building with no windows is a barn.

Chairman Rogan stated someone said that to me just today, they said.

Mr. Taylor stated those are styles of barns in Town.

Chairman Rogan stated why don't they build it and make it look like a barn.

Mr. Taylor stated the first one is classic New England horizontal barn and there are a couple of fancier ones, cross gable and sheds in the back.

Board Member Pierro stated the one off of [Route] 311, the.

Board Member DiSalvo stated put mine up.

Board Member Pierro stated that is where the guy came in with the subdivision.

Board Member Montesano stated keeps the windows out and put skylights in.

Mr. Taylor stated no that is Cushman [Road].

Rich Williams stated no that's.

Dave Raines stated can you just make a copy for Shawn and for Maria, thanks.

Mr. Taylor stated this is behind the trailer park.

Board Member Pierro stated this one.

Ted Kozlowski stated you are going to change that look that much.

Board Member DiSalvo stated if they didn't get the hint from the last meeting.

Board Member Pierro stated I've been reading.

Ted Kozlowski stated the example they offered was (inaudible).

Board Member Montesano stated if I put skylights in mine it would have been a lot easier.

Mr. Taylor stated if you want I can write something up to go with it and what I will do is print these out as separate pictures so you have (inaudible).

Board Member Montesano stated share.

Chairman Rogan stated we appreciate that, someone said to me today because I was describing this Tractor Supply and how we are, how architecturally we always feel bad saying to people we are looking for something but we are not really able to steer other than pointing to other structures. They said why don't you ever put together a little binder of pictures of different styles that you could say you know you could copy some and say maybe in this style and it gives them a reference. And this is a start to something like but you know in lieu of having an architect on staff.

Board Member DiSalvo stated just take pictures of the buildings that you like.

Dave Raines stated thank you Michelle.

The Secretary stated you're welcome.

Chairman Rogan stated it seems like we struggled with this a lot and we don't want people to waste their money to say and I think back to D'Ottavio and well what about this, well we aren't, well, it didn't, you didn't get a good sense of it but you didn't really know where to point them.

Mr. Taylor stated is this enough or do you want more, we have all weird houses and all kinds of things.

Board Member Montesano stated I will tell you, with that in mind you've got enough companies that provide pictures of their buildings.

Chairman Rogan stated thank you very much.

Board Member Montesano stated now you can cut out the name and just utilize the pictures if it something that we are interested.

Board Member DiSalvo stated we will just take pictures of buildings that we like.

Chairman Rogan stated satellite dish.

Dave Raines stated I know the Town of New Milford, in reference to Tractor Supply really battled with Tractor Supply, there is a new facility on Route 7, my neighbor was heavily involved with the wetland up there but they really fought and fought and Tractor Supply seemed to have won out and they got their standard ugly and with the parking up front and the display area.

Chairman Rogan stated yeah.

Dave Raines stated which again it is in an area, Route 7 has been widen there, its now a very commercial, a very you know but.

Board Member DiSalvo stated they even have the access off the side road.

Ted Kozlowski stated consider the Hamlet.

Board Member DiSalvo stated they even have the entrance to the parking lot through the side road.

Ted Kozlowski stated I get the sense that they aren't going to make a pretty barn.

Board Member DiSalvo stated then what are we going to do.

Chairman Rogan stated you could even have on the facility, windows that are false windows that are there for architectural, they don't even have to go through the building but they can be done in a way.

Board Member Pierro stated they have them on the A&P.

Chairman Rogan stated right, so there you go.

Board Member DiSalvo stated even the Hannaford building, where Hannaford's is.

Chairman Rogan stated I mean we did point them to some very specific structures, I mean you can take the A&P, you can take the horse, the facility across from Thunder Ridge.

Board Member DiSalvo stated take a box store and put a façade on it.

Chairman Rogan stated you can take George Apap's building, Old Fredricksburg Feed or whatever that is called now, you have four or five right there, they can pick any one of those complimenting styles and get right through this part of the process, you know.

Board Member DiSalvo stated so what are going to do if they don't want to budge.

Chairman Rogan stated I am not going to vote for it.

Board Member Montesano stated then we vote no.

Chairman Rogan stated it's the wrong architectural for the spot.

Board Member Montesano stated we have the architectural review, if you don't want to put in something we like then you can't come in.

Board Member DiSalvo stated yeah I know.

Board Member Cook stated they are looking for a large waiver on the parking.

Chairman Rogan stated yeah, you're right.

Board Member Cook stated plus the fact that the front outdoor display is right there by the detention pond.

Chairman Rogan stated the stormwater basin.

Board Member Cook stated stormwater basin.

Board Member Montesano stated and they insist it has to be an open storage area.

Board Member DiSalvo stated well you've been to the one up Amenia, so has Dave.

Board Member Montesano stated yeah well I've been there so many times but the object is that if I am going to go and buy a tractor from them.

Chairman Rogan stated alright.

Board Member Montesano stated I don't want the damn thing laying out there in the rain and the snow because that is where the hell it is laying because they don't cover it and they don't care, if you don't want it they will sell it to someone else.

Mr. Taylor stated do you want more Shawn.

Board Member Montesano stated and they get top dollar.

Chairman Rogan stated well, only if its no trouble these are great I enjoy them anyway.

Mr. Taylor stated I can just print them out.

Chairman Rogan stated that would be great.

Ted Kozlowski stated I just get a sense from those meetings that they are not going to budge on that.

Rich Williams stated Shawn do you want to read those and we'll copy for everyone.

Chairman Rogan stated yeah, that's fine, absolutely.

Board Member DiSalvo stated do you have the picture that they submitted the last time, for Tractor Supply, Dave missed that meeting.

Chairman Rogan stated where is the first picture, number one.

Board Member Pierro stated up on Cushman.

Mr. Taylor stated way up on Cushman.

Board Member DiSalvo stated its Mr. Ludemann's barn.

Chairman Rogan stated the second page the barn, its so funny to see up on top of it, a satellite dish.

Dave Raines stated I made it clear to him when I went up there that they are in violation.

Board Member Pierro stated there were deer on my deck today licking the bird seed out of the feeders.

Dave Raines stated Illescas.

Board Member DiSalvo stated what is that.

Dave Raines stated that little tiny (inaudible) on East Branch.

Board Member Pierro stated 3 o'clock in the afternoon.

Chairman Rogan stated it just seems like this kind of a business you would want it to look country and.

Board Member Montesano stated they are not interested.

Board Member DiSalvo stated swings out there for the kids and stuff.

Rich Williams stated that has nothing to do it.

Chairman Rogan stated I found.

Ted Kozlowski stated its like Home Depot.

Board Member Montesano stated right.

Ted Kozlowski stated Home Depot has an image, Lowes has an image, Tractor Supply has an image, I don't see them changing that image.

Board Member DiSalvo stated Lowes has an image but that is going to be part of Patterson Crossing and we are working to try to make that not look like a box.

Chairman Rogan stated that is true.

Ted Kozlowski stated but that is a commercial zoned area and not in the center of a Hamlet.

Board Member Montesano stated right.

Board Member DiSalvo stated I am agreeing with you.

Ted Kozlowski stated up on a knoll.

Board Member DiSalvo stated they are even working with us to.

Board Member Montesano stated you are coming into town and its going to be a show place and they don't care.

Ted Kozlowski stated it almost looks like prison complex.

Board Member DiSalvo stated that is exactly what it looks like.

Board Member Montesano stated they don't care.

Board Member DiSalvo stated and who knows if that is going to be a tenant forever, then who else is going to want to move in there.

Chairman Rogan stated take one down and pass it around.

Ted Kozlowski stated it going to be ugly.

Board Member Montesano stated but we went through that with a certain coffee shop.

Rich Williams stated that's my great grandfather.

Chairman Rogan stated probably.

Board Member DiSalvo stated Rich Williams was born here.

Ted Kozlowski stated I think that article you know what to build momentum and jobs and Tractor Supply coming into Town.

Rich Williams stated you know where these are, is this (inaudible), Greenbaums.

Board Member DiSalvo stated which one.

Board Member Montesano stated hey, I have seen Tractor Supply's.

Board Member DiSalvo stated that is over here, that is O'Hara's, that's O'Hara's.

Mr. Taylor stated [Route] 311.

Board Member Montesano stated like I say, you go out to Pennsylvania, the one I know the most is in York and that came out to be.

Board Member DiSalvo stated I know every barn around.

Board Member Montesano stated and I don't care who that idiot George Strait thinks he is, he don't look much like he belongs in Pennsylvania but he came up for the store opening.

Board Member DiSalvo stated well why don't I go around taking some pictures for Mr. Tractor Supply. (inaudible – too many speaking).

Ted Kozlowski stated he never said yes.

Dave Raines stated he made it clear to me.

Board Member DiSalvo stated Mike is right, make it more like me.

Chairman Rogan stated that was a little bit of latitude.

Board Member Montesano stated as you can get.

Chairman Rogan stated motion to adjourn.

Board Member Montesano stated motion to adjourn.

Board Member Pierro seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Pierro	-	aye
Chairman Rogan	-	aye

Motion carried 5 to 0.

The meeting adjourned at 9:23 p.m.