TOWN OF PATTERSON

PLANNING BOARD MEETING
March 3, 2005

AGENDA & MINUTES

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	a. T & T Associates Site Plan	42	Granted a 90 day extension
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Planning Board
March 3, 2005 Meeting Minutes

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

Present were: Board Member Mike Montesano, Board Member Dave Pierro, Board Member Maria Di Salvo, Rich Williams, Town Planner, Gene Richards, Dufresne-Henry, Town Engineer's Office and Anthony Molé, Town Attorney and Ted Kozlowski, Town ECI.

Meeting called to order at 7:39 p.m.

There were approximately 18 audience members.

Vice Chairman Montesano took the seat of the Chairman in his absence

Board Member Pierro stated ladies and gentlemen bear with us we have an abbreviated Board with us tonight.

1) BUDAKOWSKI SUBDIVISION – Public Hearing held open

Mr. Brendan Mayer, Attorney with Shamberg, Marwell was present representing the Applicant.

Board Member Pierro stated for the audience this is a continuation of a public hearing that occurred the last meeting. We are going to finish it up.

Board Member Pierro stated okay gentleman you had some homework to do.

Mr. Mayer stated yes as the Board knows and for the members of the public this is an application to subdivide an existing twenty acre parcel into two lots; one, sixteen acres where the existing house is located and another approximately four acre site there as well. The last time we were before the Board we were going to have the proposed driveway staked out unfortunately due to the weather the project surveyor was unable to get that work done so we are hoping to have that for you by next meeting.

Board Member Pierro asked Rich, is there any problem with rolling this over again.

Rich Williams replied no but we are getting close to the statutory time frame when it does have to be closed.

Board Member Pierro asked didn't we need information relative to the roadway layout and where it was going to be in order to close the public hearing.

Rich Williams replied that was the opinion of the Attorneys that it would be prudent to keep the public hearing open while that issue was trying to be resolved. It is not an absolute mandatory requirement but it is just in everybody's best interest.

Board Member Pierro stated okay we will keep it open for another meeting.

Mr. Mayer stated sounds good thank you.

2) MUSHKOLAJ SITE PLAN – PUBLIC HEARING

The Secretary read the legal notice.

Mr. Harry Nichols, Engineer and Mr. Fraser Mushkolaj was present.

Mr. Nichols stated we are here for a public hearing on a site plan for Fraser Musholaj. This is an existing commercial building existing in a residential zone. To my knowledge it has been used as commercial every since anybody can remember. There has been various different uses here consisting of an oil company, a sand and gravel company, and probably many others. Mr. Mushkolaj proposes to use it to operate a fence company which will store the fence materials on the premises utilizing the existing building and as part of the requirements the concrete storage bins that currently exist on the site will be removed as well as the trailers that are parked against the building which we have more or less agreed to with the Board that they would be removed. Access will be from the existing driveway so there will be very little changes to the whole existing facility. There will be a new fence installed fortunately he is in the fence business and this will replace the existing fence that is there which has deteriorated over the years and that is mainly on the rear and two sides. The wood fence in the front for the most part will remain.

Vice Chairman Montesano asked is there anyone interested.

Edie Keasbey stated her name. I would like to know if the gentleman is going to use any preservatives or stuff that you treat lumber with or what do they use nowadays because so much of it is banned.

Mr. Nichols replied nothing that is banned will be used.

Edie Keasbey asked what about other things.

Mr. Nichols asked Mr. Mushkolaj are you planning on using any type of preservative on the premises or are all your materials already treated before they are delivered.

Mr. Mushkolaj replied most of the fence is vinyl, a vinyl coat.

Mr. Nichols asked the wood posts would they be treated at all.

Mr. Mushkolaj replied no.

Edie Keasbey asked your fencing is plastic or is it wood.

Mr. Mushkolaj replied it is plastic and wood and it is chain.

Edie Keasbey stated this as Harry has said has been through many different types of uses. Some of them pretty grubby and it is literally sitting smack in the middle of the Great Swamp on three sides. The only side it isn't is Route 22 and the swamp is under that anyway. I would like to suggest that some ground water testing be done there once and for all to find out what if anything has been spilled there so at least we have a base line to carry forward. I really, really, really would like this to be done and if anything is found well that is a problem but this place has been not only an eyesore although it is much nicer now. The ground water I am worried about I mean it goes right into the swamp. There has been those damn, excuse me oil trucks, delivery trucks and they all leak I mean it is very serious and if we really care about the Great Swamp I would ask you to require this to be done some ground water testing.

Board Member Pierro stated I don't know that we can require this Applicant to do ground water testing, Edie, because any location along Route 22 corridor backs up to the Great Swamp and if we are going to start doing it here we are going to require, there has been no reports of any spills that we know of on this property.

Edie Keasbey stated well I am sure there hasn't that is a given. Mobil didn't report anything either and we found that out through the back door. If well it is a nice thought and if you cared at all I wish you would do it and I don't know why you can't require it.

Board Member Pierro asked Rich, can you speak to that point.

Rich Williams stated certainly if the Board in its review of the application suspects that there may be a ground water problem there they can require testing. There is an existing well on the site. The property just transferred was there any testing done at the time of transfer.

Mr. Nichols replied no.

Rich Williams stated if you suspect that there may be a problem there you certainly have the authority to have it investigated to ensure the use of the site is not going to be a problem. I guess my question is you know we suspect a lot may have gone on on that site but there is no indication of that going on. There is no adjacent wells that, no adjacent wells period but there is no adjacent wells that are coming up polluted, there has been no indication of the owners well having been affected. It is something that the Board could considerably to do.

Board Member Pierro asked can we require the Applicant to test the drinking water supply on this property to see if there is any contamination.

Rich Williams replied sure the question is if anything comes up then what are you going to do or you going to then deny the application.

Board Member Pierro stated right if there is a contamination in the drinking water supply then there could be remediation done and there ought to be remediation done on that well. I don't know that at this juncture this Board wants to make this determination without the other members of the Board here so I suggest,

Edie Keasbey stated I will go along with that because you are missing two people but has the well been tested Harry.

Mr. Nichols replied I will check with the Health Department and see what their records are. If there has been any testing done recently they will have copies of it.

Edie Keasbey stated okay because I sure would like at least that done. Where is the well by the way.

Mr. Nichols replied it is in the front near the road.

Edie Keasbey stated it probably has got salt in it. The uses of that place have not been high class shall we say and I am sure there was a lot of dumping there.

Board Member Pierro stated I know it has been there for at least fifty years.

Edie Keasbey stated since I can remember that is awhile.

Board Member Pierro stated I remember it when I was knee high to a grasshopper.

Edie Keasbey stated you were not around then.

Board Member Pierro stated yes I was. I grew up in Columbia County Edie. I was up and down this road every weekend of my life.

Peter Hansen stated his name and that he lives on Farm to Market Road. I just have a question about the materials that you are going to use on the site you alluded a little bit to it but if you are going to have vinyl coated fencing are you going to do any cutting. Are there going to be particles that might wash into the environment or how are you going to contain that and what other materials are you going to use on site, maybe the Board could look at the material safety data sheets and see if there are any potential that could harm the environment or how he would mitigate and prevent that from harming, somehow containing whatever might have bi-products of his operation.

Mr. Mushkolaj stated most of the wood is cedar, white cedar that we use and all the cutting whatever it is going to be is going to be inside the building.

Board Member Pierro asked it is not your plan to scrape up your cuttings and throw it over the fence correct. It is going to be bagged and put into commercial garbage.

Mr. Mushkolaj replied yes there is going to be a little dumpster there.

Board Member Pierro asked do you have a system in place, are you going to be vacuuming sawdust and stuff in your shop, in your woodworking shop there.

Mr. Mushkolaj replied yeah.

Board Member Pierro asked and what do you do with the sawdust that is left over.

Mr. Mushkolaj replied straight to the dumpster.

Board Member Pierro asked it is not your intention to dump it into the swamp.

Mr. Mushkolaj replied no.

Mr. Hansen stated just beware any of your hosing out just try to be aware to sweep instead of hose because it will wash away.

Board Member DiSalvo asked are you expecting a large volume of sawdust or shavings.

Mr. Mushkolaj replied no once in awhile we have to make a gate.

Board Member Montesano asked they come in sections right, eight foot sections or six foot sections.

Mr. Mushkolaj replied yes they come in eight and six foot.

Vice Chairman Montesano asked any other questions.

Edie Keasbey stated for the record vinyl which is polyvinyl chloride is the worst of all the plastics and it is terrible material.

Vice Chairman Montesano asked for a motion to close the hearing.

Board Member Pierro made a motion in the matter of Mushkolaj Site Plan that the Planning Board closes the public hearing. Board Member DiSalvo.

Vice Chairman Montesano asked all in favor:

Board Member Pierro	-	aye
Board Member DiSalvo	-	aye
Vice Chairman Montesano	-	aye

Motion carried by a vote of 3 to 0.

Rich Williams stated Mr. Chairman if I might, there are a couple of other issues identified in the memo which you might want to discuss with the Applicant tonight so we can resolve them.

Board Member Pierro asked do we have a sign application with this.

Rich Williams replied there is a sign shown on the plan there is just a couple of details that should be added.

Mr. Nichols stated the color of the sign would be black letters on a white background.

Vice Chairman Montesano asked what kind of material are you going to use, you could use vinyl, you could use wood.

Mr. Nichols replied the sign is going to be made out of wood.

Board Member Pierro asked more importantly Harry, do you have the memo.

Mr. Nichols replied yes.

Board Member Pierro stated section b, we requested that visible notes be placed on the plans identifying DEC and Town of Patterson Wetlands.

Mr. Nichols replied that is on there.

Board Member Pierro asked and the two metal storage containers are they on site as well.

Mr. Nichols replied they are to be removed.

Mr. Nichols asked Mr. Mushkolaj have they been removed.

Mr. Mushkolaj replied not yet.

Board Member Pierro asked the concrete storage bin has been removed.

Mr. Nichols replied that is to be removed.

Mr. Mushkolaj stated I moved half.

Board Member Montesano stated it is pre-existing.

Board Member Pierro stated most of the building is pre-existing. The truck bodies are also gone.

Mr. Nichols asked when you say truck bodies,

Board Member Pierro stated the storage trailers.

Mr. Nichols stated no they have to be removed. There is a note on the plan that they will be removed.

Vice Chairman Montesano stated this is what we have to look at if we give it a negative dec and find out about a water problem.

Board Member Pierro stated I think at this juncture he has been around just a couple of months I think we could wait until we have a full Board present and then we will make the SEQRA determination and hopefully you will have a test result of the drinking water supply there.

Mr. Nichols asked is that a condition of the approval, a water sample.

Board Member Pierro stated I think it would be wise to discuss that with a full Board.

Mr. Nichols stated we would not want to come back next month and then have a decision made that it was needed so why don't we just proceed and see what we can dig up on it or have one taken.

Board Member Pierro stated we are not talking about a hardness test we are talking about a full water test.

Mr. Nichols asked when you say a full test there is different full tests.

Board Member Pierro stated we would like to know whether the water is potable, whether it is drinkable.

Mr. Nichols stated well if we do the standard test that you do at your house, the Health Department test.

Ted Kozlowski stated Harry you would want to check for petroleum and volatiles considering the past use of that property I think it would be in this gentleman's best interest to understand what the drinking water situation is. If that is a severely contaminated well it is going to be a huge expense to fix it and it might not be fixable and this guy, if I was buying that property I would want to know this.

Board Member Pierro stated Ted it may not be necessary to fix it, we are not talking about a restaurant here we are talking about flushing a toilet.

Ted Kozlowski stated but if it is a piece of property with a contaminated well it has to be addressed especially it is on top of the Great Swamp. It has got to be addressed whether he does it or someone else does it.

Board Member Pierro stated but it does not mean that this man can't use the site.

Ted Kozlowski stated I am not saying that but again buyer beware.

Board Member Pierro stated I would like to know if you can drink the water because I don't want to be liable.

Ted Kozlowski stated I think he would want to know that for the benefit of his employees.

Board Member Montesano stated and not just for coliform bacteria but the whole process for any chemical traces that are in there.

Ted Kozlowski stated well Mike you really have to identify that because you could run the gammit on hundreds of thousands of dollars.

Board Member Montesano stated well considering it was used for automotive repair, truck storage so you are looking for gasoline, petroleum based products.

Edie Keasbey stated solvents.

Ted Kozlowski stated solvents and petroleum products.

Ted Kozlowski stated I think it would be a wise move Harry.

Rich Williams stated one last issue the issue of whether you want the improvements bonded or whether you are looking to have the improvements installed as a condition of the approval but prior to the plans being signed.

Board Member Pierro asked what is your suggestion Counsel.

Anthony Molè replied I think it is a discretion of the Board really.

Mr. Nichols stated he is a fence contractor and certainly it is in his purview to install it.

Rich Williams stated let's throw it back to the Applicant. Would you rather put a bond up and get the plans signed or would you rather get the work done and then get the plans signed.

Mr. Nichols asked Mr. Mushkolaj what is your preference. Do you want to put a money bond up or put the fence up before they sign the approval. (Unable to hear Mr. Mushkolaj).

Mr. Nichols stated he will put the fence up first.

Rich Williams replied there is also the issue of moving the trailers and some of the other things that all has got to be done also.

Mr. Nichols replied yes.

The Board thanked Harry.

Mr. Nichols asked you will have us on for the next agenda.

The Board replied yes.

3) GREEN CHIMNEYS SITE PLAN – Bond Release

Vice Chairman Montesano stated we are waiting until the spring.

Rich Williams stated the Board decided at the work session they weren't going to consider this.

4) A&P (PATTERSON COMMONS) SIGN APPLICATION

Mr. Frank Ferraro, Attorney was present representing the application.

Mr. Ferraro stated I do not have extra color copies. I do have color samples of what the green that A&P is proposing on the building gable will look like. It is the last one called Piel Green the one that is similar to forest green.

Board Member Pierro asked clue me in they are changing the color of the gable itself.

Mr. Ferraro replied yes. I can give you my color copy.

The Secretary stated we have one for the file.

Mr. Ferraro stated one thing I want to point out on this color copy of the plans is that color that is shown that green shown on the plans is not correct. It was a limitation of the printer that is why I have the color samples here so you can see. It is not going to be a lime green it is going to be more of a deep green. Essentially, what A&P is looking to do is to remove the existing signage at the site, the building façade mounted signage and also change out the freestanding signage on Route 22. This is conjunction with a nationwide change in A&P Logo and also their signature colors.

Vice Chairman Montesano stated I thought you were going to follow Dollar Tree.

Mr. Ferraro stated it is actually pretty similar a little darker.

Board Member Pierro asked Rich, if I might, I wasn't at the work session but the freestanding sign conforms with our new Town Code.

Rich Williams replied it conforms with the variance granted by the Zoning Board of Appeals in its entirety.

Board Member Pierro asked in its entirety.

Rich Williams stated well I am trying to figure out how to phrase this.

Board Member Pierro stated because I remember I recall there was a problem with the first sign and they had to get a variance.

Rich Williams stated what they are proposing does not make any material change to the size of the sign that is already out there. The size of the sign that is out there appears to be somewhat in compliance with the intent of the ZBA Resolution but if you read the specific resolution, it is less clear about what the ZBA actually approved.

Board Member Pierro asked but it is close.

Rich Williams replied I think we are in the ballpark.

Board Member Pierro stated I think it is an improvement over what is there at least what is on the façade.

Mr. Ferraro stated actually the signage that is going on the building façade is actually less square footage then what is there right now.

Mr. Ferraro stated they are doing this at over six hundred stores nationwide.

Board Member Pierro made a motion in the matter of Service Select, Patterson Commons, A & P Fresh Market that the Planning Board approves the changes to the building façade and to the Route 22 signage as applied for in the application dated March 3, 2005. Board Member DiSalvo seconded the motion.

Vice Chairman Montesano asked all in favor:

Board Member Pierro	-	aye
Board Member DiSalvo	-	aye
Vice Chairman Montesano	-	aye

Motion carried by a vote of 3 to 0.

Board Member Pierro stated amend the motion to include the SEQRA determination of a negative determination.

Mr. Ferraro thanked the Board.

5) GAGLIARDO LOT LINE ADJUSTMENT

Mr. Jimmy Gagliardo was present representing the application.

Board Member Pierro asked this is the one we did a site walk on in Put Lake.

Vice Chairman Montesano replied no we didn't do a site walk on this.

Rich Williams stated his brother proposed a wetlands application.

Mr. Gagliardo replied that was a totally different scenario, different person.

Board Member Pierro asked why do we need a lot line adjustment.

Mr. Gagliardo replied what we are trying to do is get a lot line adjustment in order to meet the compliance for Putnam Lake zoning for two lots.

Vice Chairman Montesano asked did you get a copy of this memo.

Mr. Gagliardo replied I just got it yes.

The Board reviewed the memo for a few minutes.

Vice Chairman Montesano stated we may have to go on a field trip to take a look at this.

Board Member Pierro stated we have to get a lot of this staked.

Vice Chairman Montesano stated yes what we are going to need because we want to go out and take a look at it first off. What we are going to need is the corners of the properties the way you want it done and then if you could put a second color in if they could show us where the existing lines are. Just let us know which colors you use so we don't get confused although it should be obvious. I think that would be the best thing.

Vice Chairman Montesano stated the well will be obvious.

Board Member DiSalvo stated there is one that is a hand pump does that,

Mr. Gagliardo stated yes that is still there it is still sticking out.

Vice Chairman Montesano stated that is the hand pump that is not the one that is being used for the house.

Mr. Gagliardo replied at this point no it is not hooked up to anything that is existing from the original house.

Vice Chairman Montesano asked is there a well for this.

Mr. Gagliardo replied that is why we are trying to propose the lot line adjustment is in order to move the existing wells over to that end so that we can get this other piece of property here for another lot.

Vice Chairman Montesano asked do me a favor mark the wells.

Mr. Gagliardo asked where the proposed wells are going to be.

Vice Chairman Montesano replied yes.

Mr. Gagliardo stated that one is obvious on the bigger lot that one is obvious the other two are not even in yet.

Board Member Pierro asked have you reviewed the comments by the Town Planner.

Mr. Gagliardo replied no I just got them today myself as I walked in.

Board Member Pierro stated there is some housekeeping issues that have to be taken care of as far as the application form and the indication on who the owner of the property is.

Board Member Pierro asked Rich this has to go in front of zoning correct.

Rich Williams replied not at this time no.

Board Member Pierro stated there was a variance granted way back when.

Rich Williams replied yes.

Mr. Gagliardo asked so we need the property lines surveyed old, new, and proposed wells.

Vice Chairman Montesano replied yes.

Board Member Pierro stated we will see you next month.

6) D’OTTAVIO SITE PLANS

Mr. Harry Nichols, Engineer and Mr. Steve D’Ottavio were present

Board Member Pierro asked Rich do you have a current memo on D'Ottavio.

Rich Williams replied I do not Gene did a memo.

Board Member Pierro asked Harry have you got Gene's memo.

Mr. Nichols replied yes I do.

Mr. Nichols stated the proposed office warehouse use "A" and "B" on two separate tax lots and we combined them as requested. We have revised our stormwater management system to meet the new requirements; the New York State DEC they have different requirements than the DEP does. There is a difference in this pond and the design of it we have to use a sand filter (unable to hear) as opposed to the standard gravel perforated pipes in it. We had responded to a fire memorandum. We have to clean up some of the outstanding items. Apparently there are some new items in here we have to take care of as well as some of the old ones that haven't been totally satisfied. We are in the process of completing our stormwater management report, which will be submitted to the Town, DEP and DEC.

Board Member Pierro stated I want to reiterate Harry, I know we spoke at length with Mr. D'Ottavio about the tree canopy in the back of this property that during the initial construction phase we would like him to protect that. We don't want it exposed to the rear of that property if at all possible. I think we limited some of the disturbance to the back of that purposely correct.

Board Member Pierro asked Ted, the half circle in the rear the building to the left I remember our conversations were that we didn't want that whole area cut down. I just want to make sure that the Developer respects our wishes and limits that area.

Mr. Nichols stated limit it to the, Board Member Pierro stated right, Mr. Nichols stated yes there will be a typical orange fence do not trespass or whatever.

Rich Williams stated first he has to get a site plan, second the new requirements, the new laws that we have on erosion control wouldn't allow him to do that without a permit so if he attempted to do it he would be stopped and given a violation.

Ted Kozlowski stated Harry, the other thing there is a stream on the property, there is disturbance within a hundred feet of that stream.

Mr. Nichols stated yes.

Ted Kozlowski stated you are aware that wetlands/watercourse permit.

Mr. Nichols stated yes.

Ted Kozlowski stated and the hundred foot buffer.

Mr. Nichols stated yes.

Ted Kozlowski stated it used to be a fifty foot buffer it is now a hundred foot. You have a lot of stuff in the buffer.

Board Member Pierro asked I believe the easements were reviewed by our Counsel early on or earlier.

Rich Williams replied it has been so long I don't recall.

Anthony Molè asked what is that.

Board Member Pierro replied the easements.

Anthony Molè asked for D'Ottavio.

Board Member Pierro stated I thought we had some easements for the septic system.

The Secretary replied that was probably before Anthony.

Anthony Molè stated that was before me.

Gene Richards stated Dave, I know there was an issue before with the easements and our prior review suggested some changes I think before they worked up the legal descriptions to go along with them so the latest plans did address those. I think there was one item to clean up and then they could prepare the legal descriptions.

Mr. Nichols stated with the changes on the site that changed the easement, there were easements crossing over each other we are trying to reduce them down to as few as easements; one could be utilities, one could be access otherwise we would have overlapping and criss-crossing easements which would be a nightmare.

Gene Richards stated this one is cleaner.

Gene Richards asked Harry, where do you stand on architectural plans.

Mr. Nichols asked Steve if he wanted to come up and address that.

Mr. D'Ottavio stated I was going to ask the Board if I could bring in some photos of like the building that I want to do rather than go through the process of paying somebody thousands of dollars and bringing it in and you guys saying it is no good.

Board Member DiSalvo asked is this an existing building somewhere else.

Mr. D'Ottavio replied yes.

Board Member Pierro asked I thought we required certain architecture renderings to be drawn.

Mr. D'Ottavio stated I originally I submitted plans way back when I don't know if you still have those but it is going to be similar.

Rich Williams stated we still have the conceptual architectural plans that you did, they really don't meet all the requirements for architecturals that the Board likes to see. The question is whether you are comfortable on approving an architectural concept on a picture rather than,

Mr. D'Ottavio stated you are talking thousands of dollars to get plans drawn up for one site that I am going to hopefully have for sale one day.

Rich Williams stated I think the other issue that Mr. D'Ottavio has because I have talked to him briefly about this was that he doesn't know what the other building is going to look like because he is not sure who he is going to sell it to or what the tenant is going to be. I haven't thought greatly on the issue but I think there might be a way we can approve it subject to a later approval on the architectural scheme.

Board Member Pierro stated it was always my impression that the buildings were going to be similar.

Vice Chairman Montesano stated conceptually that might have been at that time.

Mr. D'Ottavio stated that is fine. If that is what you want to put in there that is fine.

Board Member Pierro stated I think it would look better. I would hate to see two different architectural styles.

Mr. D'Ottavio stated I would like permission to take a picture of the building I would like to build and if you guys like it then I will get the plans drawn up and then you could put something in there that the second building would need to be similar to that building that is totally fine.

Board Member Pierro stated I think that would be a good way to get started.

Mr. D'Ottavio stated okay thank you.

Board Member Pierro stated I can't speak for the other Board Members they are not here but at least if we have a start we could give you our comments on the photographs that you bring in.

Mr. D'Ottavio thanked the Board.

7) YONKERS REALTY SITE PLAN

Mr. Joe Buschynski, Bibbo Associates was present representing the application.

Vice Chairman Montesano asked Mr. Buschynski to give them a quick run down.

Mr. Buschynski stated previously we had got a memo from the Town Planner and made a number of revisions to the plan in response to that memo. Some of those revisions are contingent upon getting the actual topography of the site on this plan, the owner has contracted with a surveyor for topography, and stream location and we will be able to address drainage specifics once that is obtained and clearly identified where work will be occurring within a hundred feet of the stream. The plan has been clarified with respect to the proposed parking and large vehicle storage area, parking area. We were advised that the screening of the parking of the large vehicles at this location is too high for the fence height so we will certainly correct that.

Vice Chairman Montesano asked Rich, is there a Health Department issue.

Rich Williams stated we had requested that they meet with the Health Department and review the situation with the dump out there for the buses. I believe that occurred last week I don't know what the result of that meeting was I assume a memo would be coming forthwith on that issue.

Mr. Buschynski stated we met with Mike Budzinski, showed him the condition. The proposal to approve upon on it is (unable to hear) provide that funnel within a riser covered with a Bilco for easy access, the additional manhole cover, the tank will also be brought to grade and placing a high level alarm in the tank. That was agreeable to Mike. We have the information that the Health Department originally approved the septic system on this site I think it was in excess of three thousand gallons of flow in this location, a leach field system, we are far under that now, and that will not be an issue with the Health Department.

Board Member Pierro asked even with the buses using that.

Mr. Buschynski replied that is removed from the site it has nothing to do with it.

Board Member Pierro asked the buses are not going to be there after this goes on.

Mr. Buschynski stated yes.

Board Member DiSalvo stated he means the bus waste.

Mr. Buschynski stated it is two different things; the building waste water and bus waste water are handled differently. The septic system for the building and the bus the water goes to a holding tank, which is pumped by a hauler and removed.

Vice Chairman Montesano asked is there going to be any separation in the building itself between the two businesses.

Mr. Buschynski asked in terms of firewall.

Vice Chairman Montesano replied yes.

Mr. Buschynski stated the Building Department was requiring that yes.

Board Member DiSalvo asked is it completed or started or.

Vice Chairman Montesano stated until he gets an approval he does not have to start it.

Board Member Pierro asked again, Rich I wasn't at the last work session but what variances are required by the Zoning Board. Is there a use variance required.

Rich Williams replied there is a Special Use Permit required for a public garage.

Gene Richards asked Joe can I just ask you when you met Mike Budzinski out there did you review at all the proximity of the septic system from that holding tank for the drainage system.

Mr. Buschynski replied it wasn't an issue normally a septic system has separation from a catch basin under the DEC standards but this obviously was a pre-existing condition under a different standard.

Gene Richards asked so at this point Mike really didn't have anything to say about that.

Mr. Buschynski replied not about that no.

Gene Richards stated it is existing I understand.

Mr. Buschynski stated the concern that you have is for an overflow of the holding tank reaching the catch basin and I think we could propose there at least a diversion away from that basin not a containment that traps water that leads a diversion out to the grass area (hard to hear).

Gene Richards stated you had mentioned it is going to be a high level alarm is that going to be an audible alarm or visual alarm.

Mr. Buschynski replied audible, visual in the building.

Board Member Pierro asked Rich, is it premature to schedule a public hearing or would you rather wait for the other Board Members.

Rich Williams replied I would prefer to see the stream and the topo on there and a couple of the other issues done. I think if we do that between now and next meeting certainly next meeting you can set a public hearing but more importantly Dave just so you know the Board really can't move forward until they get the Special Use Permit. That is kind of on hold until we get the Code changes cleaned up.

Board Member Pierro asked and how long is that going to take Rich.

Rich Williams replied well yesterday I was directed to write another law that has to go into the Code changes so every time we come across this it gets delayed but hopefully within the next six weeks or so we should have everything wrapped up.

Mr. Buschynski asked does that Code change affect this site.

Rich Williams replied yes.

Mr. Buschynski asked public garages.

Rich Williams stated yes.

Mr. Buschynski asked would that change be in the Applicant's favor.

Rich Williams replied it might be.

Vice Chairman Montesano stated I think that is all we can do with this for now.

Mr. Buschynski thanked the Board.

8) SOUTH PATTERSON BUSINESS PARK WEST SUBDIVISION

Mr. Paul Lynch, Putnam Engineering was present representing the Applicant.

Vice Chairman Montesano stated put the plan up so the audience can take a look at it.

Board Member Pierro stated I am sure Ted is going to have some,

Ted Kozlowski stated you have got comments.

The Secretary asked on South Patterson.

Mr. Lynch stated my recollection is we are trying to get the wetland line worked out on the one lot.

Ted Kozlowski stated I left a message with Kyle Kaylor. When I was out with the Planning Board back in early fall when ever we did the site walk we noticed on that left hand side of the wetland flagging where you have the flagging identified it really comes up a little more and I had put flags out.

Mr. Lynch asked blue flags.

Ted Kozlowski replied no pink flags un-numbered and I left that message with Kyle Kaylor a couple of weeks ago. I have not heard anything since.

Mr. Lynch stated I talked to him the other day he is waiting to get back out there. He wasn't too sure.

Ted Kozlowski stated you can't really do anything now the way the weather is.

Mr. Lynch stated I think we are looking to do SEQRA and I guess the public hearing.

The Secretary asked didn't we do the public hearing on this.

Mr. Lynch replied we did.

The Secretary stated we did the public hearing last month or the month before.

Ted Kozlowski stated Edie is saying yes.

The Secretary stated I have the notice in on my desk.

Rich Williams stated I didn't record it.

Mr. Lynch stated I was hoping to get a final approval subject to getting this wetland line worked out.

Vice Chairman Montesano stated with only three of us here good case, see you next month.

The Secretary stated February 3rd was the public hearing.

(Unable to Board Member DiSalvo)

Vice Chairman Montesano stated if you want to do it then make the motion.

Board Member DiSalvo stated but I want to get the wetlands line.

Vice Chairman Montesano stated that is a condition on,

Board Member Pierro asked Rich can we do a SEQRA determination.

Rich Williams stated yes I didn't think we did a public hearing.

Board Member Pierro asked okay but we are waiting for the wetlands line,

Rich Williams stated either way we can put it on the next agenda and wrap it up.

Board Member Pierro stated I think we can take care of it next month.

Vice Chairman Montesano stated okay with me.

Board Member Pierro stated I would like to see the wetlands line.

(TAPE ENDED)

9) TRIPLE J SUBDIVISION WETLANDS WATERCOURSE PERMIT

Mr. Paul Lynch, Putnam Engineering and Mr. Jay Hogan, Applicant were present.

Vice Chairman Montesano stated this property is off of Welfare Road bordering Patterson and Southeast.

Vice Chairman Montesano asked Mr. Lynch to give them a quick run down or what the status is.

Mr. Lynch stated we have been able to make in essence what I call a three pond concept work.

Vice Chairman Montesano stated for the information of the audience the Town line separates the properties from Southeast and Patterson. The buildings will be in Southeast there will be one in Patterson, we still have a building going in right.

Mr. Lynch replied yes.

Vice Chairman Montesano stated and the retention ponds or whatever, at the present time we are confused.

Mr. Hogan stated you have six lots coming off of Welfare Road in the Town of Southeast that has a conditional final approval from the Town of Southeast. There is a natural subdivision line, which creates a lot in the Town of Patterson, which is at the end of the cul-de-sac that is proposed in the Town of Southeast. We are here to try and satisfy the wetlands commission with respect to the basins, wetland mitigation and remediation. That having been said, the comments, we have looked at Ted's comments and Rich's comments we really don't have any problem with any of them. We are willing to satisfy them and the Town Engineer obviously and we will satisfy every condition raised. One issue that we have in the

Town of Southeast is we are under some pretty significant time constraints. We have a plat that has got to be signed on the twentieth of April and thereafter you have sixty-two days to record your plat. If the Board is satisfied with what has been proposed what we would respectfully request is that you consider granting a conditional wetland permit and we would agree to accommodate your consultants accommodate whatever their concerns are, address their comments, have them submitted and circulated and comply with whatever the Town of Patterson is asking of us before that plat has to be filed.

Ted Kozlowski stated from my end I don't have a problem with that.

Board Member Pierro asked Rich.

Rich Williams replied I don't have a problem with that.

Vice Chairman Montesano asked Gene.

Gene Richards replied that is fine.

Board Member Pierro stated a motion Mr. Chairman, Rich Williams interjected hold it.

Mr. Lynch stated Rich had a thought last month whether or not we can make this work with two ponds and it appears that we may be able to make it work with the lower pond a filter type pond but right now my numbers I am high on my one and two year storms. It is going to take me a little bit of time to tweak the outlet structures up above to get things to work. I think it is possible the problem is I obviously can't make that kind of submission and meet our constraints that we have.

Rich Williams stated there is one more Planning Board Meeting between now and the deadline that you just stated so I guess the option then would be to hold off, resubmit so that we can take a look at what you are proposing or proceed with what you have got now and then, if you need to amend it.

Mr. Lynch stated I prefer to go the route where we amend it because to me it would be a lot easier to amend with the City of New York.

Mr. Lynch stated I told you I would look at it.

Rich Williams stated I appreciate you looking.

Mr. Lynch stated it actually gets us back to a concept we had back in October of 2002.

Board Member Pierro made a motion in the matter of Triple J Subdivision Wetlands Watercourse Permit that the Planning Board grants a conditional wetlands permit conditioned on the successful completion of 13 items mentioned in the memo written by Town Planner, Rich Williams and the 5 issues written by the ECI, Ted Kozlowski and the Comments made by Stanley Gene Richards, our Town Engineer,

Gene Richards stated made by Dufresne-Henry.

Board Member Pierro stated Dufresne-Henry I am sorry.

Board Member DiSalvo seconded the motion.

Vice Chairman Montesano asked all in favor:

Board Member Pierro	-	aye
Board Member DiSalvo	-	aye
Vice Chairman Montesano	-	aye

Motion carried by a vote of 3 to 0.

Mr. Lynch and Mr. Hogan thanked the Board.

Board Member Pierro asked is there any limitation on when he has to come back with the amendment. It still has to be done within that 62 day time period.

Rich Williams replied no you probably should amend the motion to do that.

Board Member Pierro made a motion to amend the Triple J Subdivision Wetlands Permit that they have to meet the conditions of the granting of the conditional permit within 62 days. Board Member DiSalvo seconded the motion.

Vice Chairman Montesano asked all in favor:

Board Member Pierro	-	aye
Board Member DiSalvo	-	aye
Vice Chairman Montesano	-	aye

Motion carried by a vote of 3 to 0.

10) PATTERSON GARDEN CENTER SUPPLY SITE PLAN (Poppy's Place)

Ms. Theresa Ryan, Insite Engineering was present and Mr. Bob McCormack, Applicant was present.

Board Member Pierro stated Theresa, we had a pine tree demarcated and I left for a week and I come back and there is a concrete building on it.

Board Member DiSalvo stated a concrete wall.

Board Member Pierro stated so much for my good idea.

Ms. Ryan stated it is going to be wood.

Vice Chairman Montesano stated it is going to be made from the pine tree to make the wooden fence.

Board Member Pierro stated this is going to require another site walk I think.

Vice Chairman Montesano stated that is a possibility.

Board Member Pierro asked Rich do you agree.

Rich Williams replied that is up to you what you feel you need to make a decision on the application.

Ms. Ryan stated actually what we did was we delineated the areas that are already disturbed in the shaded areas and we are proposing to put permanent fence in the areas that are going to just have the material stored in it.

Vice Chairman Montesano stated yeah but didn't we have a problem with the size of the storage area in the back.

Ms. Ryan stated that is existing though.

Vice Chairman Montesano stated because the vehicles, Ms. Ryan stated this shaded area is the area that was previously filled and used for storage of materials and we are going to delineate it with a fence here and in back on the north end and along the east side of the brook and then on the southern portion. So, this whole area will be fenced in so this portion of the site won't be used even though that was originally disturbed we are not going to do anything back here. Rich had a comment that this is an existing fenced in area too that was used and Rich made a comment that we were going to keep everything this side of the tree so we are just going to continue this fence right through here. You look confused.

Rich Williams stated I don't think it is anybody's recollection that the disturbed area extended north of the drive going in, north east.

Ms. Ryan stated yeah this was all previously disturbed including this fenced in area.

Rich Williams stated but that is an area (unable to hear, no microphone and plans rattling in the mics).

Ms. Ryan asked a burrow.

Rich Williams replied a donkey, Jackass.

Ms. Ryan asked jokingly what did you call me and that is on the record. (All laughing).

Vice Chairman Montesano stated I think you are right I think we may have to go take another look at this.

Board Member Pierro stated my recollection is that mulch storage area northeast is kind of soggy and as Rich notes I think our ECI ought to,

Ted Kozlowski stated I think there are some things here that have to be discussed. When Bob came in with the hand drawing plan in our discussions it didn't really reflect what is shown on that plan right now.

Board Member Pierro stated right this is much more extensive.

Ted Kozlowski stated there is a greenhouse right on top of the stream that is the first time I am hearing that maybe they were on the plans and I missed it originally but a greenhouse operation involves pesticides, it involves other things besides just growing plans. That is right on top of the stream.

Ms. Ryan stated that could be moved.

Ted Kozlowski stated that is a operation that I would have to be fully appraised on, is pesticides going to be used in there, is it going to be a gravel floor or sub-base where everything just runs into the ground. If it is a commercial greenhouse, it should not be on top of the stream. That was not presented to me originally. Also my impression was that when we were out in the field we said (unable to hear). My experience with the Telecom property, is this the same person that flagged these wetlands as Telecom.

(Unable to hear Ms. Ryan's answer).

Ted Kozlowski stated when I did Telecom's, when I looked at those wetlands I followed them into Poppy's Place. That is why I have not looked at the flagging, I will not look at that flagging until spring until the plants and all the other things have merged. It is not just Poppy's Place or anyone else. This is the worst time of year to be making judgments of where the wetlands is. That plan is not the plan that was presented to us originally and it has substantially increased in size.

Ms. Ryan asked but didn't the Board already identify

Ted Kozlowski stated and it just seems to be changing and where are we going with this. You know Poppy when he upgraded that place there was plants a holding yard for a nursery now we have got bays in there for a lot of material. Now, Bob did say originally that you were going to put that in there but to me it seemed like a small area. That holding area is now on top of a wetland that requires a Town of Patterson full blown wetland permit application.

Ms. Ryan stated we submitted that.

Ted Kozlowski stated again, it just seems to me that each time we go back to this it has changed. What is the final product, is this it, is this the last thing you are doing, what are we doing beyond it.

Ms. Ryan stated well originally Bob said that he was going to store material in the areas that were already disturbed and so we were asked to delineate those areas that are already disturbed and used for Poppy's Place and that is what you see there in the shaded area.

Ted Kozlowski stated I understand that Theresa but now there is a greenhouse, now there are some other things you know.

Ms. Ryan stated well you know they also, Poppy also stored topsoil and mulch in the back there too besides plant materials so all we are proposing to do is put the bins in, Ted stated Poppy didn't have a greenhouse, a big commercial greenhouse.

Ms. Ryan stated he didn't have a greenhouse too.

(Too many speaking at the same time unable to transcribe).

Rich Williams stated let me jump in here at this point because I used to dump wood chips for Poppy's extensively I know where the disturbed area was. He didn't store topsoil back there. It was all just wood chips, (unable to hear too many speaking). Rich stated because I was there four or five times a week so I do know.

Ms. Ryan stated there is topsoil, there is an existing stockpile of topsoil right now.

Rich Williams stated where he pushed it out of the way so he could dump woodchips.

Ms. Ryan asked who.

Rich Williams replied Poppy's. Poppy's pushed it up it wasn't like he was storing it, it wasn't like he was selling it off the site.

Bob McCormack stated we were selling it though.

Rich Williams stated you were.

Bob McCormack replied right.

Rich Williams stated yes you were Poppy's was not.

Bob McCormack stated I am Poppy's for five years.

Rich Williams stated Mr. Bellucci was not.

(Unable to hear Bob McCormack).

Rich Williams stated that is what I just said Bob, is when I ran a tree business for many, many years I used to go in there three, four times a week to dump the wood chips so I do know where the disturbed areas were and I am not trying to kill your proposal in any way shape or form. I don't have a problem with what you are proposing to do out there at all but I do know where the disturbed areas were when Mr. Bellucci had the site and they were not this extensive in any way shape or form absolutely were not.

Mr. McCormack stated they were though.

Rich Williams stated they were not. I am telling you they were not.

Mr. McCormack stated there were piles of wood chips all the way to the back there to the far east of that shaded area they were in there since Bellucci's left.

Rich Williams stated there were piles of wood chips a little bit past that pine tree but not to the north east of the road going in.

Ted Kozlowski stated I think the other thing was the Board's intention was the pine tree was the line, they wanted to keep the pine tree as sort of a, Board Member Pierro stated the end, a demarcation. Ted stated it wasn't intended to remove the pine tree, push this out. Again, I have said enough my comments will be come spring. The wetland is bigger than what is shown out there. Somebody flagging a wetland in December, January and February leaves a lot of discussion. I am not about to approve a wetland that is flagged in those months. That is a standard operating procedures with many agencies including New York State DEC.

Ms. Ryan asked and I though that when our office spoke with you when we flagged it a couple weeks ago that you were going to go out that following weekend.

Ted Kozlowski replied I was until I saw this Theresa. This is not what was presented to me months ago. This is a substantial change.

Ms. Ryan asked but I mean you were going to verify the wetlands a couple of weeks ago.

Ted Kozlowski replied I was going to go take a look, I was going to take a look but this goes beyond what we were lead to believe again.

Ms. Ryan asked so where do you think that the limits were when Poppy had it. I mean what do you think (hard to hear) this area in the back.

Rich Williams stated I think we need to get past that argument because if this is what your client is proposing to do then that is what the Board needs to evaluate.

Ms. Ryan stated he is only proposing to use the areas that were already filled and disturbed.

Rich Williams stated like I said I think we need to get past that argument and just talk about what your client is proposing to do in context of whether it is acceptable to the Board or not.

Ms. Ryan stated well he is not proposing to disturb new areas or use areas that weren't previously disturbed so,

Rich Williams stated well if you want to go down that road then in the spring we will go out there with some soil augers and prove it out.

Ted Kozlowski stated again, you know Theresa I could be wrong but what was presented to me awhile ago, Bob was that we have a nursery operation above ground all kinds of stuff, Bob had approached me months ago about storing some materials for landscape purposes. This now has a different feel. This almost has a contractor's yard.

Board Member Pierro stated its evolved tremendously.

Ted Kozlowski stated it changes from a nursery, small little Poppy's Place nursery operation, we are now going into something different.

Mr. McCormack stated not really though I mean I am just looking basically to store that material back there, put the bins up.

Ted Kozlowski stated Bob, I see how many whatever number of bins, when I was first asked about it I was shown a small area, pretty much where I guess where the donkey was kept where some materials were going to be stored and at the time I remember saying well whatever was here I don't have a problem with I just don't want to see Mount Everest being formed. Now, I am seeing organized bins,

Mr. McCormack stated that is basically what we,

Ted Kozlowski stated well you know Bob now you are crossing with trucks over some rinky, dink culvert, Board Member Pierro stated and I am not sure that culvert pipe is going to support that kind of, Ted stated the whole scenario now changes. This is a place that started out as a little Mom and Pop operation and now it has expanded into and is expanding into something that really never had a site plan for. Not to mention streams, wetlands, all the other issues on a piece of property that nobody seems to have a survey about that two other businesses are running on and this is what we run into. I will go on record every time it seems that I try to be accommodating it comes back, it bites me in the rear and quite frankly I am really tired of it. So, and I am quite annoyed that a greenhouse was never mentioned to me. Now, I operate a greenhouse for Westchester County and I know what goes into a greenhouse and I don't put a greenhouse on top of a stream going into the Great Swamp.

Mr. McCormack stated that is basically just for storage, holding area in the spring when the weather is cold, the flowers are in jeopardy of being frosted and they would die so you would have a place to store it instead of having to cover them up.

Ted Kozlowski stated I don't put it on top of stream Bob.

Mr. McCormack stated that is a not a problem.

Ted Kozlowski stated that was not brought to me and again why didn't you tell me and this Board months ago this is what you wanted to do.

Mr. McCormack stated that wasn't what I wanted to do at the time but, Ted Kozlowski stated you come in and you changed it and you expect the Board and everybody else to go okay fine.

Mr. McCormack stated well we weren't going to have to go for the site plan originally I think either so now that we had to go for the expensive site plan I put everything on it.

Ted Kozlowski asked how come, I would like to know why this stuff was not brought up from the beginning. Why wasn't this is my wish list, this is what I plan to do on this site and here we are in the eleventh hour I know spring is coming you want to get going, the business is about to open and we are hit with this and you expect us to make a decision, you expect us to verify wetlands with twenty inches of snow on the ground and granted there was no snow when you made that call Theresa but there was no greenhouse on that plan when I got that call. So, I am finished until spring.

Vice Chairman Montesano stated we will have to take another site walk in the spring.

Board Member Pierro stated sorry Theresa.

Board Member Pierro stated and I am not about to make any moves on this particular project without the other members of the Board here because I know they are going to be incensed when they see this plan.

Ted Kozlowski stated well you were not at the work session and the other Board Members were incensed

Board Member Pierro stated enough said, next.

11) PUTNAM COUNTY NATIONAL BANK SITE PLAN – Front Street

Ms. Theresa Ryan, Insite Engineering was present representing the Applicant.

Ms. Ryan stated I just got Rich's memo tonight, which I don't have any issues with and I also got Gene's memo earlier today. Gene brought up some I don't have issues with most of the stuff that Gene said but he did bring up some items that we need to discuss with the Board.

Vice Chairman Montesano asked the driveway still goes around the back of the building.

Ms. Ryan replied yes.

Ms. Ryan stated one is that the three individual tax lots should be merged.

Vice Chairman Montesano stated I would think so.

Board Member Pierro stated it is a common building why we would confuse the issue.

Ms. Ryan asked the existing configuration of the lot going out into Front Street. That is an existing condition. It has been that way for a number of years. The property bumps out into Front Street, Gene wanted us,

Board Member Pierro asked is the building going to bump out as well.

Ms. Ryan replied no.

Board Member Pierro asked is the sidewalk going to bump out.

Ms. Ryan replied no we show parking in the street just the way it always was.

Ms. Ryan stated and we had discussed this with the Board and the Town Attorney they didn't see that there was any reason for an issue with that right, the parking.

Rich Williams stated it is not so much an issue I think the thing that we were thinking about is it is really a public use area, it has always been, it is always probably going to be a public use area and do we want to just clean up the lot lines and then your client is not going to have to worry about the liability.

Ms. Ryan stated I will talk to him about it.

Board Member Pierro asked Rich, as far as elevations in your memo it says that it is not recommended that a clock be located in the building.

Rich Williams replied yes.

Board Member Pierro asked why is this a my clock is better than your clock kind of thing. You know what let the Ryder's put a bigger clock in if they want to I personally disagree with that. I think a clock is a very nice approach and people on the train can waive at it when they drive by.

Vice Chairman Montesano stated we will be known as two clock Town.

Board Member Pierro stated you know what that old saying is any Town that can't afford one lawyer can also afford two the same thing as with a clock. Who knows we will fight on whose has the best time.

Rich Williams stated my opinion for community wide appearance that multiple clocks is not going to look as attractive as a single.

Board Member DiSalvo stated if they are in sync.

Rich Williams stated I think the bigger issue is the overall appearance of the building and about a year ago, eleven months ago when they were last here the Board had wanted to get an architectural consultant and (unable to hear).

Board Member Pierro stated I happen to like the circle there anyway even if they don't put a clock in but they could do something with glass or stained glass and really make it look attractive.

Rich Williams stated but it wasn't even so much that what I was looking at is the way the building looks comparing to the other buildings around it you have two basically very big square buildings, one is a mansard the other is an early American style and then you have got this style.

Board Member Pierro stated my suggestion I was looking at it at home and my suggestion would be maybe it would help architecturally if we don't find a consultant is to maybe brick the front of the clock tower so to speak.

Rich William stated I have got somebody that could take a look at it, it is the person who designed the renovations on the old Lawlor Building and they did a very nice job down there.

Board Member Pierro asked would that be a problem Theresa I know you guys would have to underwrite the cost of that.

(Too many speaking at the same time unable to transcribe)

Vice Chairman Montesano asked we are going to have the driveway running through the back of the property so we are losing approximately what four parking spaces in the front.

Ms. Ryan replied right. This is a one way so,

Vice Chairman Montesano stated well we are still going to lose four spaces whether it is one way or three ways the object is where are we going to put these additional parking are they required to have parking on this property.

Ms. Ryan replied we are showing six spaces on the property.

Board Member Pierro asked Edie have you seen this, would you like to come up and take a look.

Vice Chairman Montesano stated what I am looking at is you are coming around this way and you are going to have parking here and that is six spaces.

Ms. Ryan stated three against the building, Vice Chairman Montesano stated three over here and three there. Ms. Ryan stated right. Vice Chairman Montesano stated we are going to have another one of our favorite donut concession type deals.

Ms. Ryan stated we don't do take out here.

(Unable to hear Board Member DiSalvo).

Vice Chairman Montesano stated yes well that is another thing with the dumpster, Board Member Pierro asked by Code we have to provide a certain number of spaces.

Rich Williams replied yes unless you waive that requirement.

Board Member Pierro asked and what would be the number that is required on a site like this.

Ms. Ryan stated it is on the plan. We are required to have thirty-two spaces.

Rich Williams stated this is a unique situation because they are along Front Street and we have alternate strip parking on either side.

Board Member Pierro stated we went through a lot of effort to take those spaces over and pull that whole parking area down towards Metro North platform and one of the reasons the Town did that was because we knew we needed the parking for anything to happen on this particular site and I think if we were going to waive the parking requirement this would be the one thing that we may be able get away with a clear conscience.

Vice Chairman Montesano asked you are going to have sixteen spaces and you are going to have a dumpster back there that guy is going to come in early in the morning and that dumpster should end up out here somewhere. What I am worried about is the day someone comes in with their little vehicle and we end up with that same situation. You have no idea what is going to be put into the building. If you eliminate these that gives him a wider,

Board Member Pierro stated we can't make the property any bigger and the building is small.

Vice Chairman Montesano stated yes what I am saying, Ms. Ryan stated we had eliminated those three spaces we were asked to put them back.

Board Member Pierro stated it is only a conceptual review Mike and I think the other Board Members, have the other Board Members seen this did this come in in time for the work session.

Vice Chairman Montesano replied yes.

Vice Chairman Montesano stated what I am saying right now is what you are looking at is conceptual that is fine what I am saying is would it be sensible to eliminate these if we are going to allow this.

Board Member Pierro stated I would rather keep the spaces there my opinion.

Vice Chairman Montesano stated I am just asking the question.

Board Member Pierro stated I am only one vote.

Vice Chairman Montesano stated my point of view I would rather not have the accident.

Board Member Pierro stated and if there comes a time when the feel they need to get access to the back with a big truck the management or the landlord could just say no parking here today we are putting a big truck in no parking Monday mornings between five and six a.m. they deal with it.

Vice Chairman Montesano stated okay what ever you want to do with it.

Ms. Ryan stated we had also asked for a waiver on tying the project into USGS because we have an assumed datum. We should discuss that with the Board too.

Board Member Pierro asked Rich why the waiver for USGS, why should we use assumed datum.

Rich Williams replied it is a relatively flat site there is no flood plain, wetlands, watercourses within the site. (Unable to hear Board Members talking)

Ms. Ryan stated basically we will be tying into the DOT drainage eventually we will tie that into what we have on the site.

Gene Richards state Theresa, just so you know when you do run down to tie in you are going to have to shoot Front Street on your side.

Ms. Ryan asked say that again please.

Gene Richards stated I don't know what survey work you have gotten already to make that tie in that DOT but we are going to need additional information on the plans I guess to show between your lot and that tie in your datum.

Ms. Ryan stated exactly sure. That is understood.

Gene Richards stated and you can't just use DOT's plans they are in a metric system.

Ms. Ryan stated we don't plan on doing that.

Ms. Ryan asked so is the Board okay with the waiver.

Board Member Pierro stated I would be okay with the waiver.

Board Member DiSalvo asked there is a well too right in the middle of the street under the street there is an old well.

Ms. Ryan stated I guess the Town paved over them.

Board Member DiSalvo asked do you have to close them up.

Ms. Ryan replied there are two wells there I don't know. We have to find out if they have already been abandoned because they are under the pavement now.

Board Member Pierro stated I think the building on the corner is already tied into the septic system correct.

Board Member DiSalvo stated the sewer system.

Board Member Pierro stated I understand that there was a septic out there in the back that was very close to the property line of this property, the back left hand corner the southerly corner of the photography shop.

Ms. Ryan asked the southwest corner.

Board Member Pierro replied yes they may still be using it for curtain drains and.

Vice Chairman Montesano stated to Rich, Dave was wondering if the old septic system behind the photography shop is being used for any kind of stormwater management.

Board Member Pierro asked are they dead those septic systems there, there were leach fields there for,

Rich Williams asked for Ryder.

Board Member Pierro replied no for Meatball's building it was very close to the property line for this site.

Rich Williams stated their septic system yes.

Board Member Pierro stated so they are going to find it when they start digging I just want to make sure they were abandoned.

Ms. Ryan asked is it on the Ryder property.

Board Member Pierro stated very close.

Ms. Ryan asked when they tied in did they have to abandon that.

Rich Williams replied I don't know. I would assume so. I wasn't out there, I was not managing the project so specifically no I don't know that anybody crushed their tanks.

Board Member Pierro asked what action do we have to take on this tonight, or can we or should we.

Ms. Ryan stated the waiver.

Board Member Pierro made a motion in the matter of Putnam County National Bank that the Planning Board waives the requirement for USGS datum and use assumed datum. Board Member DiSalvo seconded the motion.

Vice Chairman Montesano asked all in favor:

Board Member Pierro	-	aye
Board Member DiSalvo	-	aye
Vice Chairman Montesano	-	aye

Motion carried by a vote of 3 to 0.

Vice Chairman Montesano asked do you want to do SEQRA.

Board Member Pierro replied I don't think we should do SEQRA let's wait for the other guys. As far as the architectural renderings Rich how do we go about that process it is a new step for us.

Rich Williams replied if the Board is acceptable to the concept then I will just take care of it.

Board Member Pierro stated I personally am acceptable to the concept with the clock.

Board Member DiSalvo asked is there going to be a second floor or you don't know yet.

Ms. Ryan replied yes.

Board Member Pierro stated Rich, in your memo there was a notation regarding a second floor access does that have to be from the exterior of the building.

Rich Williams replied no it was not clear within the plans.

Board Member Pierro stated right we don't have an interior layout yet.

Rich Williams stated they gave us a conceptual and the problem that I had is within that conceptual they showed leaseable area but the leasable area again was only for the first floor so they showed four tenants, leaseble area for the first floor only. It was not clear whether the first floor tenants were also going to be leasing the second floor there was no stairs shown on the interior.

Board Member Pierro stated but if there is going to be access to that second floor now we are talking fire escapes correct.

Rich Williams stated I don't know that is Building Code.

Board Member Pierro stated if we are talking fire escapes then we are talking about reducing the parking in the rear.

Rich Williams stated Paul has not indicated that we need fire escapes.

Vice Chairman Montesano asked how about a storage tank.

Board Member Pierro stated this may be a perfect site for a sprinkler system.

Vice Chairman Montesano stated I have no problem with the concept and the architecturals, the clock since we have three up here now.

Board Member Pierro asked where is the third.

Rich Williams stated Dave, here is my problem our clock is running ten minutes slow I don't want another clock around here that is going to have the right time.

The Board laughed.

Board Member Pierro stated thank you Theresa for your time.

Ms. Ryan stated we are not done.

Ms. Ryan stated Gene also suggested that the Board take a look at we are removing existing large trees in the back based on the recommendation from Rich because he said they were not really in that great of shape and we are proposing a stockade fence in the back for screening in lieu of landscaping due to site constraints and we just need to see if that is okay with the Board.

Board Member Pierro asked the removal of the tree.

Ms. Ryan replied the stockade fence in lieu of landscaping.

Board Member Pierro stated I don't think we have enough room for landscaping.

Ms. Ryan stated the last time we discussed it the Board was going to go out and look at the trees to see if they were worth saving.

Board Member Pierro stated I drove by those trees are in danger.

Rich Williams stated there certainly isn't sufficient room on this site to do any landscaping. The question came up as to whether we were going to do a fence for the (unable to hear) if the adjacent property owners were incline to do so. I believe they reached out to the adjacent property owners and there wasn't a great interest.

Ms. Ryan stated the Applicant wasn't interested because he was afraid it was going to become a continuous liability in case the trees didn't live and he would have to go on their property and maintain them and he just didn't want to deal with that.

Board Member Pierro stated I agree I don't want to create that kind of relationship. We are not talking about a street scape we are talking about the back of the building and quite frankly the back yards of those homes were use to having pretty decrepit property there I think a new stockade fence would be a welcome addition.

Rich Williams asked stockade or an architectural fence.

Board Member Pierro stated an architectural would be nice but I understand stockade is must cheaper but maybe you could go down to Mr. Mushkolaj over there.

Vice Chairman Montesano asked the dumpster enclosure is going to be a six foot fence type of deal, it should match the fencing.

(Too many talking at the same time unable to transcribe)

Ms. Ryan asked if the Board thinks there is any further landscaping on this side boundaries required.

Board Member Pierro stated there really is no room.

Ms. Ryan stated we have one foot here, (unable to hear).

(Too many talking at the same time unable to transcribe).

Board Member Pierro stated we waived the USGS datum I think your clients could build some nice horse troft looking containers out in that three to five foot out in the front to put some landscaping green stuff in.

Rich Williams stated they have done that.

Ms. Ryan stated we have in the front. Gene is talking about along the sides where we have between one and four feet on our left and between three and five feet on the right.

Board Member Pierro stated I would be concerned about the drive area.

Rich Williams stated who is going to see it and what purpose is it going to serve.

Vice Chairman Montesano stated then there is no sense in worrying about it.

Ms. Ryan stated I guess we are going to need the waiver from the Planning Board with regard to the loading space and on site parking and the Board should formally act upon this request.

(TAPE ENDED)

(Unable to hear Rich Williams no microphone).

Rich Williams stated we will address it the next time they come in, in 2006.

Board Member Pierro stated well all bets are off if they wait until 2006.

Rich Williams stated well there is a couple of issues that were raised tonight, they waited so long they have to go back to the ZBA.

Ms. Ryan stated we will get to that.

Ms. Ryan stated Gene also mentioned that you should determine if only one handicap space is adequate.

Board Member Pierro stated for the on site parking we will do that at the same time.

Ms. Ryan stated it is in front we don’t have it on site.

Board Member Pierro asked wouldn’t that be up to the Town Rich.

Rich Williams stated the requirement for the new buildings and ADA to have parking spaces we are going to have to take a look at that.

Vice Chairman Montesano asked is there a possibility of a back door in this building.

Board Member Pierro stated there has to be.

Vice Chairman Montesano stated what I am looking at is those designated parcels directly behind the building were designated as handicap you might be able to get two spots back there rather than in the street.

Board Member Pierro stated I think there ought to be one in the street anyway.

(Unable to hear too many speaking at the same time).

Ms. Ryan stated and then Gene also suggested that the Board seek the Town Attorney's guidance as to whether the ZBA variances previously granted for the building must now be modified because I guess there is a roof overhang on the architecturals that would only be seven feet from the property line and a variance was granted for the building to be ten feet.

Board Member Pierro stated we can wait until we discuss the architectural issues of the building correct. I think we would be so inclined to grant the variance or recommend a variance.

(Unable to hear Anthony Molè)

Rich Williams stated the problem is the variance didn't consider the overhang. (Hard to hear). It is clear within the Code that you have to meet setback for any portion of the building that protrudes out.

Ms. Ryan asked and we were going to ask for a referral for the ZBA for building coverage because the zone has changed, the Applicant had until December 25, 2004 to get through the site plan process under the old zoning so now that the zone has changed the Applicant will need a variance for impervious coverage so we would need a referral to the ZBA for that. So, we are going to go to the ZBA we may as well do if there is going to be,

Vice Chairman Montesano stated I would assume that you are scheduled to go and see them this month.

Board Member Pierro stated no.

The Secretary stated no they can't make it until April.

Vice Chairman Montesano asked their meeting is after ours.

The Secretary replied the deadline for that meeting is the sixth no it falls on Wednesday before your meeting.

Vice Chairman Montesano stated I just wanted to see if we could include the other two guys but it is too close.

Rich Williams stated in reality they don't need any referral or recommendations from the Planning Board in this case so they can make the application and the Board can do a recommendation prior to the next Zoning Board Meeting.

Board Member Pierro stated we can do that with the other members of the board present. Make sure we react to that put it on.

Ms. Ryan stated I think that is it thank you.

12) FRYER SITE PLAN

There was no one present to represent the application.

13) CHESTNUT RIDGE SUBDIVISION

Mr. Harry Nichols, Engineer and Applicant was present.

Mr. Nichols asked who do we see to get something of a historic name that you would like to link to this subdivision since you don't like the name Chestnut.

Rich Williams stated there is a Town Historian, I did contact him and he was supposed to give us a list of names if that is what you want to do.

The Applicant stated that would be great actually Chestnut Ridge is the name of the street that we live on Millbrook it wasn't meant to be it was just the name of the LLC that we bought it under but we are happy to do whatever is good for the Town so or would it use the same name of the continuation of the cul-de-sac.

Board Member Pierro stated Kings Way.

Rich Williams stated actually it would.

Board Member Pierro asked historically is that area the area where settlers revolt occurred.

Edie Keasbey stated down below.

Board Member Pierro stated do your history it is an interesting story.

The Applicant replied okay. (Unable to hear the rest of her statement).

Rich Williams stated it is just that we have a couple of Chestnut subdivisions.

Board Member Pierro stated okay Harry we are down to a thirteen lot subdivision here.

Mr. Nichols stated we are down to thirteen lots.

Board Member Pierro stated maybe.

Mr. Nichols stated under (d) this is our wetland that we have shown up here it has been survey located.

Rich Williams stated I understand that.

Mr. Nichols stated it doesn't say that in the memo though.

Rich Williams stated I was trying to be kind Harry. It should be located by a consultant verified by the ECI then surveyed located rather than having the surveyor locate it and then Ted changes the boundaries and having the surveyor do it again.

Ted Kozlowski stated Harry, I haven't been on that site to look at the wetland flagging in ten years. I had verified it back then.

Mr. Nichols stated that was the old wetland we had on the first submission.

Ted Kozlowski stated this project is a new project and the site has to be flagged.

Mr. Nichols stated I understand it is flagged. It is flagged.

Board Member Pierro stated I was out there deer hunting in November, Board Member DiSalvo asked after we walked it. Board Member DiSalvo asked when did we walk it. Board Member Pierro stated I thought we walked it in October. Board Member DiSalvo stated no it was cold. Board Member Pierro stated it hasn't changed significantly and the Applicant is looking at me like whose this guy. Board Member Pierro stated I had permission from the former owners I did not know it was sold.

Ted Kozlowski stated this is no different from any other project, Board Member Pierro stated it has not changed that much, Ted stated it has to be verified.

Ted Kozlowski stated and as you heard with the previous Applicant we are not looking at flagging until the spring.

Board Member Pierro stated I haven't had a chance to go over this completely but we are still talking about making this a through road to Kings Way.

Rich Williams replied yes.

Board Member Pierro stated that is going to make for an interesting public hearing from the people from the Manor Road Subdivision.

Rich Williams stated I have even gone so far to even suggest to Mr. Nichols that there is an existing detention pond at the end of Kings Way that he might want to take a look at that and maybe utilize retrofitting that and using that to address some of the stormwater issues.

Mr. Nichols asked isn't that addressing other stormwater issues right now.

Rich Williams replied yes it is.

Mr. Nichols asked is that on a separate lot or is that on somebody's parcel.

Rich Williams replied somebody's parcel.

Mr. Nichols asked and you think they would give us permission.

Rich Williams stated there is a drainage easement. I am saying we need to take a look at it.

Ted Kozlowski stated Harry, the other thing with regard to the wetlands you are crossing the wetlands with that road you will probably be looking at a Army Corp. of Engineer permit determination. I want to be very up front with you, and since you are the owner Applicant, you didn't have to do that ten years ago now you do.

Mr. Nichols stated they do have a threshold, you have to submit anyways but they will look at it and the threshold is usually is about four thousand square feet.

Ted Kozlowski stated well that is not true.

Mr. Nichols stated we have just gone through it on a couple of projects.

Ted Kozlowski stated Harry, I am just going on record take that to the bank. Just go and get it done. It can be a long process.

Mr. Nichols stated we understand.

Mr. Nichols stated we would like to get some comments from the Board though on the layout itself so that we can proceed with these various things. Are we in agreement that the through road is the design that is desired by the Board.

Vice Chairman Montesano stated it was back in the original time and for safety issues,

Board Member Pierro stated I think once the wetland flagging is done you are going to find the front portion of that road is going right through a wetlands, correct.

Rich Williams stated yes and that was the initial issue which is why we actually walked it before it was staked so that we could just take a look at it whether it would be appropriate to even consider something like that and based on the site walk,

Vice Chairman Montesano stated it looked like it would.

Rich Williams stated the Board had suggested at that time even Ted said it would be okay, Ted Kozlowski stated I am going to say that now when I was on the site walk because there was already an existing traveled way through there, there already is a culvert I didn't have an issue because it is not a precedence setting thing however,

Board Member Pierro stated right but on the Mooney Hill side on the front those are pretty extensive wetlands in the front.

Ted Kozlowski stated when we were out there too yes the wetlands did come I thought a lot closer to Mooney Hill Road on the west side of the road. I thought they came down in that and I think #2 is a little bit in jeopardy there with regard to that.

Board Member Pierro stated anything that is done there is going to impact that house that is down gradient to this property. We may be flooding out some people there I mean we have to look very carefully.

Ted Kozlowski stated there is a reason why this property, Board Member Pierro stated was never built

upon. Ted stated and there is a reason why ten years ago when they looked at it to put houses there it never happened. There are constraints on this property no doubt about it.

Vice Chairman Montesano stated the original when that thing came up originally we didn't have that much in constraints there it was a financial situation at the time.

Ted Kozlowski stated everybody's rules and regulation including the Town, the DEC and everyone else has changed significantly in those ten years.

Mr. Nichols asked as soon as the snow leaves the ground will you be able to get out there and take a look at it.

Board Member Pierro replied absolutely.

Ted Kozlowski asked is it flagged.

Mr. Nichols replied yes.

Ted Kozlowski asked it was flagged when.

Mr. Nichols replied it was flagged just recently and survey located.

Ted Kozlowski asked when.

Mr. Nichols replied approximately six months ago.

Ted Kozlowski stated I am just curious why didn't you notify me.

Mr. Nichols stated now in developing the stormwater management and the stormwater pollution prevention plans we have shown (unable to hear). In the memo I noticed that it was recommended that we do not do that and that we try to do it on a lot by lot basis.

Rich Williams stated I suggested that on Lot 1 and Lot 2 rather than, Mr. Nichols stated cutting through, Rich stated you look at low impact development designs, rain gardens, there is a couple of other techniques that you could use rather than disturbed the buffer. It certainly would be a good, it is a good technique overall to do things like that on that subdivision. If you couldn't do it on the other lots I wouldn't be as concerned but what you are showing is individual lot piping which is crossing other people's lot and that you don't want. They should be following the driveway and out to the road. There is no reason you can't look at managing stormwater on an individual lot, keeping the stormwater on the site, (hard to hear) to minimize the size of the basins that are impacting the wetlands.

Mr. Nichols stated until the wetland is confirmed we really can't do much.

Rich Williams stated I just want to remind the Board the Board was looking to do another site walk out there because the house sites were not staked.

Board Member Pierro stated we are not going to be able to do anything for this for at least a month and a half until we get in there.

Mr. Nichols stated the road is the same alignment basically that you wanted.

Rich Williams stated yes stake the driveways and houses.

Mr. Nichols asked so you want the driveways, four corners of the houses.

Rich Williams stated just center.

Mr. Nichols asked center of the septic.

Rich Williams replied yes.

Mr. Nichols stated we would like to try and have that ready when the ground does clear up so that we can get some feedback.

14) CIOTOLA SUBDIVISION

Mr. Harry Nichols, Engineer was present representing the Applicant.

Mr. Nichols stated what we are trying to accomplish on this and again, we need direction from the Board, Mr. Ciotola occupies the whole site, (unable to hear someone shuffling plans in microphone).

Mr. Nichols stated he wants to retain twelve acres. He also wants to create two lots to the current zoning, four acre lots however with the overlay district the actual development portion of them would be 55,000 square feet.

Rich Williams stated yes let's be very clear on this the new lots do not conform to the zoning.

Mr. Nichols stated I am presenting a problem and then I am going to see which resolves it.

Mr. Nichols stated and then the remaining lot over here would be a thirty acre lot, which would be mostly in the wetlands. This is the layout that he would like to have. I understand there are some problems in conjunction with the overlay district. My understanding of the overlay district that once you come in for a subdivision that each lot theoretically is limited to 55,000 square feet of useable area or that becomes the actual lot area and the rest of it all goes to conservation. Now, obviously Mr. Ciotola doesn't want to take the development that he has here and shrink it down 55,000 square feet, which would eliminate a lot of what is already there, but yet he would like to maintain his homestead as he calls it and then parcel off the rest of it. We are not talking maximizing the density on here because certainly we could get more than four parcels out of it if we worked at it and really cut it up. The idea here is to minimize the development, four lots but maintain a reasonable amount of land for his own use. Under the current regulations there is a little bit of predicament here and I am not quite sure how we can resolve this. His twelve acres if you looked at it from a point of view that is equivalent to three permitted parcels in the R-4 zoned can he take the permitted three parcels and keep it in one parcel and likewise can the piece that is thirty acres in size take whatever the potential development is on that and again lump it into lesser lots. This is something I discussed with Rich.

Rich Williams stated the Code creates a process for subdividing lands within the over development area. It essentially says you go out and you look out the environmentally constrained areas and then you apply two separate formulas and based on the lesser of the amounts you come up with the number of lots. That gives you the maximum lot count that you can get off of that site then we have some flexibility about what we can do, yes if you only break them up into two lots as long as you are not exceeding the maximum you will be okay and then we are going to need to do some maneuvering to protect your development rights but limit your development rights in the future on those two lots or three lots that is fine but you have to come up with an overall concept that is going to work. As you were directed the last time you were in here what eighteen months ago first thing you need to do is to flag out the wetlands, the watercourses, you need to show the slopes on the plan that are greater than twenty percent. We need to have Ted go out there and verify that these are the boundaries, these are the watercourses that are accurately shown on the plan then we can come up with an actual lot count. Based on that lot count then we can start talking about lot area and how we are working this thing out but the intent of the law is to cluster the development within a certain area of a property and keep the remaining area as open space not individual little parcels but as bulk open space and this is a great parcel which illustrates the benefits of doing it that way because there is a tremendous area of the Great Swamp on this property which should be protected. You are not doing that. You are basically taking that whole wetland area and saying we will just make it part of Lot 4.

Mr. Nichols stated no, no we are not, Rich Williams stated Harry I am going to slap it right down because this is same plan you gave us eighteen months ago and you were told no then and here we are eighteen months later, Mr. Nichols stated if you come up here and you look at the plan and you will see the area of the lots and that represents that area of 55,000. Rich Williams stated and there is nothing in the Code that says you can do that but they are basically the same lot configurations and same lot lines. Mr. Nichols stated all of this outside of the (hard to hear) are going to disappear I just used these for illustrative purposes. These are not the lines. The actual lot down here says 55,000 square feet.

Rich Williams stated you were not clear in any narrative that you provided if that was your intent.

Mr. Nichols stated that is why I am in here for discussion. We are not looking to create conventional lots however (unable to hear). The rest of it will go to open space.

Rich Williams stated this is my problem this was my problem eighteen months ago we still don't know what the right lot count is because we don't know exactly where the environmentally concerned areas are to determine that lot count. There are ponds on the site that you are not showing on the plans. I know they are there because we have aerial photos of them.

Mr. Nichols stated there is a pond right here and there is another pond here.

Rich Williams asked okay how about the third one.

(Unable to hear one of the Board Members rattling plans in the microphone).

Rich Williams stated topographically it appears that there are number of streams on the site.

(Unable to hear – Board Members talking amongst themselves).

Board Member Pierro stated Ted that residence that is close to Cornwall Hill, close to the existing driveway that has got some steepness there too.

Ted Kozlowski stated right here the culvert and the topography is showing drainage right down.

Rich Williams stated Ted that is my point we need to get you out on the site to field verify where these areas are where the buffers should be.

Ted Kozlowski stated Harry I get really nervous when I see Freedon.

Rich Williams stated the whole site is Freedon.

Ted Kozlowski stated that is wetter than wet.

Board Member Pierro stated Ted, early on the City of New York was looking to expand Cornwall Meadows septic treatment plant before it evolved into the plan that we have now they looked at purchasing this property and they were out there with the augers doing some digging especially alongside of Cornwall Meadows I was there they said no way they are going to get a septic in there and Harry, I feel terribly for these people but we are a caveat emptor State. It is buyer beware the Wolgast had that property on the market for a long time and these people bought it thinking they were going to put two or three houses in I don't know if a broker screwed them or what but I feel terrible for them but they may not this site has got a lot of problems because it would have been bought up by a lot of other people prior to these guys getting it. To be honest with what I know about it they are my neighbors.

Mr. Nichols stated these septic locations that are shown on there we have done testing with the Putnam County Health Department and the New York City DEP. As soon as we can then you can get out there and look at it the flags are there.

Ted Kozlowski asked who did the flagging.

Mr. Nichols replied Robert Torgensen.

Ted Kozlowski asked out of where.

Mr. Nichols replied he is from Rockland County.

Ted Kozlowski stated Rich that is a State Wetland back there too right.

Board Member Pierro replied absolutely.

Mr. Nichols replied yes.

Ted Kozlowski stated so we will need a verification by DEC.

Mr. Nichols stated DEC is the one who put the flags in.

Ted Kozlowski stated I thought you said Robert, Mr. Nichols stated excuse me I am wrong it was DEC I got my sites mixed up. We had the DEC out there because I followed the guy around he put in about a hundred flags.

Ted Kozlowski stated so you are saying DEC flagged this.

Mr. Nichols replied yes it was DEC.

Ted Kozlowski stated but Harry we also have Town, Mr. Nichols stated I understand that is why you have to look at it.

Vice Chairman Montesano stated next.

Ted Kozlowski stated Harry, I can't do anything for you until the spring.

Mr. Nichols replied I understand.

15) OTHER BUSINESS

Board Member Pierro stated other business site walk comments.

Vice Chairman Montesano stated no T & T needs an extension.

a. T &T Associates Site Plan

Rich Williams asked Theresa left.

The Board replied yes.

Vice Chairman Montesano asked what do they need.

Rich Williams replied give her a ninety day extension.

Board Member DiSalvo made a motion to grant T & T Associates Site Plan a ninety day extension. Board Member Pierro seconded the motion.

Vice Chairman Montesano asked all in favor:

Board Member Pierro	-	aye
Board Member DiSalvo	-	aye
Vice Chairman Montesano	-	aye

Motion carried by a vote of 3 to 0.

b. Site Walk Comments

Rich Williams asked do you just want to approve the site walk comments.

Board Member Pierro made a motion in the matter of Moretti Subdivision Site Walk Comments, Bear Hill Subdivision Site Walk Comments, that the Planning Board approves the comments. Board Member DiSalvo seconded the motion.

Vice Chairman Montesano asked what about Patterson Outdoor Storage.

Board Member Pierro stated it is not on there.

The Secretary stated no it should have been.

Ted Kozlowski stated the only thing on Patterson Outdoor Storage is just put a notation about the vernal pool that we think is probably a significant one. If we are going to send a letter to the Applicant March is the month (unable to hear) so the Applicant might want to have their consultant as soon as this snow melts those amphibians are going to be going at it.

Vice Chairman Montesano asked all in favor:

Board Member Pierro	-	aye
Board Member DiSalvo	-	aye
Vice Chairman Montesano	-	aye

Motion carried by a vote of 3 to 0.

Rich Williams asked one more thing does anybody have a problem with me posting on our website the list of people who submitted comments on Patterson Crossing.

Board Member Pierro replied no I do not have a problem with that.

Peter Hansen asked the people or the list and the comments.

Rich Williams stated just the people. I don't have any way to get the comments up there.

Board Member Pierro asked but we are going to make a hundred copies of these comments and make them available down at the front of the building so people can come in and can get them quickly or do you,

Rich Williams stated the stack of comments are (he showed with his hands the size of the stack).

The Secretary asked don't you still have to FOIL them.

Board Member Pierro stated on the internet would be incredibly difficult.

(Too many people talking at the same time unable to transcribe).

Edie Keasbey (hard to hear) stated electronic copy and make those available.

Rich Williams stated they are available.

Edie Keasbey stated I know but that is paper we would rather have it on a disk.

Rich Williams stated they are available on the Plan Putnam website.

Edie Keasbey stated that is right because I sent them.

Rich Williams stated well they are available.

Edie Keasbey stated they are free.

Board Member Pierro asked Rich have we ever looked into redacting those comments something that large backing them to a CD and handing out the CD.

Rich Williams stated the problem is word processing conversion programs is they don't always get the right word and you really have to go in line by line and make sure that they do it and that level of effort is something that we just don't have the resources for.

Mr. Hansen asked the comments you recorded them all by hand you didn't put them into your computer into your word processing program.

The Secretary replied no we are talking about the actual letters. (Too many talking at the same time unable to transcribe).

Board Member Pierro made a motion to adjourn the meeting. Board Member DiSalvo seconded the motion. All in favor and meeting adjourned at 10:10 p.m.