

TOWN OF PATTERSON
PLANNING BOARD MEETING
March 7, 2013



AGENDA & MINUTES

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2) Saddle Manor – Sign Application	10 – 13	Negative Declaration of SEQRA granted. Sign Permit granted.
3) Putnam Power Equipment – Sign Application	13 – 16	Negative Declaration of SEQRA granted. Sign Permit granted.
4) Other Business		
a. Patterson Crossing – Request for Extension	16 – 17	1 Year extension granted.
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c. Code Violations	18 – 19	Memo to be completed by Building Inspector & Fire Inspector.
5) Minutes	19	January 31, 103 & February 7, 2013 Approved.

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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

ZONING BOARD OF APPEALS
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PLANNING BOARD
Shawn Rogan, Chairman
Thomas E. McNulty, Vice Chairman
Michael Montesano
Ron Taylor
Edward J. Brady, Jr.

**Planning Board
March 7, 2013 Meeting Minutes**

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

APPROVED

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

Chairman Rogan called the meeting to order.

There were approximately 6 members of the audience

The meeting was called to order at 7:00 p.m.

Michelle Lailer was the Secretary and transcribed the following minutes.

1) ZEGARELLI'S SITE PLAN – Public Hearing

Mr. Angelo Zegarelli was present.

Chairman Rogan stated thank you. Michelle, can you please read the public hearing notice.

The Secretary read the following legal notice into the record:

NOTICE IS HEREBY GIVEN by the Town of Patterson Planning Board of a public hearing to be held on Thursday, March 7, 2013 at 7:00 p.m. or as soon thereafter as may be heard, at the Patterson Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider an application entitled **Zegarelli's Site Plan Application to allow for the renovation of an existing structure, addition of an outdoor patio eating area, and associated parking lot improvements.** The property is located at 185 Fairfield Drive (GB Zoning District), Patterson, New York. All interested parties and citizens will be given an opportunity to be heard in respect to such application.

Chairman Rogan stated Angelo, you want to come on up to the microphone.

Mr. Zegarelli stated yes.

Chairman Rogan stated quick change of the heat lamps here.

Mr. Zegarelli stated yup.

Chairman Rogan stated we have anyone from the audience who'd like to ask a question on this application, this is, as everyone knows it was formerly Nick's Restaurant in Put Lake and Mr. Zegarelli is going to take it over, or has taken it over and has made some improvements both to the inside and to the outside of the building and we're doing a site plan here, any questions from anyone, comments. We do have one letter that was sent into the Board, just worth putting into the record from a John Fell, it says in response to the Town of Patterson Planning Board notice of a public hearing in regard to the Zegarelli's Site Plan, we live east of the restaurant and have been customers for many years at the current pizza restaurant and based on our positive experience we feel that the new restaurant will be well operated and has our support. The only concerns for us would be the potential noise level from the outdoor patio late at night, after 11 p.m. and the, I was talking to Rich before the meeting and we were talking about the Town Ordinance on Noise which is 10 p.m., correct...

The Secretary stated I believe so, yes.

Chairman Rogan stated so there would be some actionable, some action somebody could take if there's noise coming from the patio that's above a certain level.

Mr. Zegarelli stated after 10 p.m.

Chairman Rogan stated yes...

The Secretary stated Angelo was in earlier today and picked up the noise ordinance that we have in our Town Code.

Chairman Rogan stated so I think that's something worth noting, that obviously with a restaurant that is surrounded by residential on the backside, that that is something to be aware of, yes...

David Raines stated David Raines, Code Enforcement Officer in Patterson, just wanted to put on record I've conducted 2 inspections in the last 3 weeks out there, progress construction inspections, on specific to some of the outside work on the patio, just for the record, the patio was constructed in a means that it does not impact the egress from the building. There are no trip hazards, it was built in a manner that it should be very sustainable and again I'm not speaking to the Planning portion but from the construction, how it ties into the Fire Code. At the time I looked at it, I wasn't aware or unaware if it was part of the permit but once I returned to the office, I determined that it wasn't on the initial application. I just wanted to bring that to the record.

Chairman Rogan stated thank you, thanks very much.

Mr. Zegarelli stated thank you Dave.

Chairman Rogan stated yes sir, just need you to use the microphone, state your name for the record sir.

Javier Lopez stated thank you, first time here, I live right across at 181 Fairfield Drive, I would like to, I don't know if I should ask questions after he speaks so that it will generate the questions that I might want

to ask regarding the actual blueprint, what's going to be in the area or in the structure, any structures that will be for the first time that weren't there before from the last restaurants, the alcohol that will be sold there, any possible recreational or hang out areas, any possible parking...

Chairman Rogan stated slow down because you've got a lot of questions. Angelo why don't you put your plan up on the board there, quick...

Mr. Zegarelli stated actually, I brought the wrong plan, sorry about that.

Chairman Rogan stated pin that up and then at least this gentlemen can take a look because a lot of...

The Secretary stated Shawn, I'm sorry, I didn't, your name.

Javier Lopez stated **Javier Lopez**.

The Secretary stated thank you.

Chairman Rogan stated because a lot of your questions can be answered by taking a look at that plan.

Javier Lopez stated would I be able to take a copy of it home or...

Mr. Zegarelli stated how are you doing, Angelo.

Javier Lopez stated Angelo...

Mr. Zegarelli stated well basically this is the restaurant right now, there will be parking in front, there's a guiderail here for the bar and then if you were coming into the restaurant, there will be a sign here that says restaurant and pick up, you come in the second entrance which will be right here and this is posted private property and there will be people parking here.

Javier Lopez stated is that anywhere near Fairport...

Mr. Zegarelli stated where are you, here.

Javier Lopez stated I'm right across, right on Fairport.

Mr. Zegarelli stated right here.

Javier Lopez stated yeah.

Mr. Zegarelli stated on the corner.

Javier Lopez stated yup, right on the corner.

Mr. Zegarelli stated the white house.

Javier Lopez stated yes.

Mr. Zegarelli stated right, this...

Javier Lopez stated yes.

Mr. Zegarelli stated so what questions do you have about...

Javier Lopez stated any activity that's going to be going on in terms of the parking area because I notice there's...

Mr. Zegarelli stated this here will be employees parking, the dumpster probably will be placed somewhere here, I already spoke with the company, I don't want it to be picked up at 3 o'clock in the morning, it will be during the day. The patio is here, so opposite of your house, just parking, there is no delivery, probably come from here, again during normal business hours, no, I intend to run a family restaurant, keeping the tone down for everybody that's going to be in there.

Javier Lopez stated no but you said that the garbage pickup at what time, you said they would pick up...

Mr. Zegarelli stated during normal business hours.

Javier Lopez stated normal business hours.

Mr. Zegarelli stated no, sometimes they pick it up early in the morning, at my shop right now it's picked up about 3 or 4 in the morning, I specifically asked not to do that here because of the vicinity of the houses.

Javier Lopez stated so they would come like around 5 or what time would they come.

Mr. Zegarelli stated during normal business, between 8 and 5, yes.

Javier Lopez stated oh between 8 and 5, okay...

Mr. Zegarelli stated yeah during normal business, I don't know exactly what time but I...

Javier Lopez stated so it's totally different.

Mr. Zegarelli stated I asked, specifically asked for that, yes.

Javier Lopez stated the other question I have is like during the nights sometimes there's a cleaning of the...

Mr. Zegarelli's stated yes, I do it now, once every 6 months, actually my shop now is doing it, yeah, there will be steam cleaning of the hood, usually he stays there around 11, 12 o'clock at night, again once every 6 months, if you want we can give you plenty of warning when he's coming, like right now with tenants, I'll let them know when the guy's coming. Do you hear it now when he's there...

Javier Lopez stated oh, well um, yeah when he comes in it's like a pressure wash and then he brings the pans and brings them on the outside...

Mr. Zegarelli stated yeah it's steam cleaning, yeah.

Javier Lopez stated really loud.

Mr. Zegarelli stated after what 12 o'clock at night.

Javier Lopez stated there was a time that it was past it was at like 1 o'clock in the morning.

Mr. Zegarelli stated actually you know what, I can solve the problem right now, I am definitely considering closing of Mondays here, so if I close on Mondays I will probably have him schedule cleaning on a Monday during the day instead of...

Javier Lopez stated during the day.

Mr. Zegarelli stated yes.

Javier Lopez stated oh, okay, great.

Mr. Zegarelli stated yes, I'm definitely considering closing on Mondays because 7 days a week is getting to be too much.

Javier Lopez stated so again the area of Fairport, that's going to be employee parking that's not customer parking.

Mr. Zegarelli stated this is employees, employees and tenants park here.

Javier Lopez stated and the tenants...

Mr. Zegarelli stated this is for customers only.

Javier Lopez stated oh, excellent, okay.

Mr. Zegarelli stated no there will be no, delivery again during the day...

Javier Lopez stated right.

Mr. Zegarelli stated the same thing I have now, a little bit more.

Javier Lopez stated the other thing I'm wondering, in terms of the wear and tear of the road that's coming in, I understand that the City isn't responsible for Fairport Road...

Mr. Zegarelli stated yes.

Javier Lopez stated and the tenants in the area have to actually...

Mr. Zegarelli stated yes, maintain it.

Javier Lopez stated maintain it and stuff like that, is there like some kind of plan as to how everybody is going to chip it.

Mr. Zegarelli stated I know (*Inaudible*) lives down here, he, several times, I've tried to collect money, collect up the road, are you tenant or you own the property.

Javier Lopez stated no, I own the property.

Mr. Zegarelli stated if you are in favor, I'm also in favor, if we can get everybody to chip in, we can probably pave, I have no problem with that...

Javier Lopez stated the pavement is there and also...

Mr. Zegarelli stated it is semi-paved now...

Javier Lopez stated yeah it is but after a while its get cracked and stuff like that and also the snow too, you know when the snow is really bad and you know somehow it gets clean, I think the neighbor, the neighbors there actually pay to get it done...

Mr. Zegarelli stated yes, the neighbor down next to you.

Javier Lopez stated so in terms of the wear and tear, are you going to contact to see where people stand in terms of...

Mr. Zegarelli stated yes, I'm going to be, I'm all for it, I'm kind of broke right now but I'm all for it eventually but yes...

Chairman Rogan stated I wonder why.

Mr. Zegarelli stated but hopefully yes.

Chairman Rogan stated it sounds like you gentlemen need to sit and have a cup of coffee together.

Javier Lopez stated it's a lot of stuff but great.

Chairman Rogan stated it sounds like you have a good conversation going.

Mr. Zegarelli stated any problems just come and see me, I'll answer any questions.

Javier Lopez stated okay.

Mr. Zegarelli stated again, I'm trying to run a family, low key, I'm not going to be open until 3 o'clock in the morning...

Javier Lopez stated what time is closing by the way.

Mr. Zegarelli stated probably around 12 o'clock at night, 1 o'clock max maybe on the weekends, during the summer but that's about it.

Javier Lopez stated alright, those were my questions, thank you so much.

Mr. Zegarelli stated thank you.

Chairman Rogan stated okay, good questions though, appreciate it. Anything from anyone else in the audience.

Mr. Zegarelli stated sorry I came unprepared.

Chairman Rogan stated that's okay, that's fine. Motion to close the public hearing.

Board Member Montesano stated motion to close the public hearing.

Board Member McNulty seconded the motion.

Chairman Rogan asked for all in favor. Motion carried by a vote of 5 to 0.

Chairman Rogan stated Angelo, so Rich, anything procedurally from you, we have a resolution.

Rich Williams stated you do have a resolution, there are a couple of issues in the resolution, a couple of conditions if you want to take a look at and make sure you're comfortable with, one of them has to do with the parking...

Board Member Montesano stated this is your parking.

Mr. Zegarelli stated no, this is on the as built.

Board Member Montesano stated okay.

Rich Williams stated on a couple of different fronts, one is there is a waiver built into the resolution for the size of the parking stalls which don't meet our current requirements, the other is a waiver from the number of spaces that are required based on the size of the facility there. One of things I was not aware of, it's not shown on the plan and I just heard it tonight was there's a plan to add parking to the site for employees down off of Fairport, wasn't brought to our attention, wasn't shown on the plans so that is going to help reduce the waiver that is needed but also we need to make sure that it's placed in the right place and constructed properly.

Mr. Zegarelli stated it is shown as a graveled area, right next to the, on the as-built.

Rich Williams stated but it's not shown as parking or parking stalls so...

Mr. Zegarelli stated okay, so it's not marked, okay.

Rich Williams stated so you know, I can't sit here and say how many parking stalls we're talking about right now, I'm sure you have an idea about what we're talking about.

Board Member McNulty stated looks like more of a parallel parking...

Chairman Rogan stated maybe 7...

Mr. Zegarelli stated yeah, something like that, 6 or 7.

Chairman Rogan stated maybe.

Rich Williams stated but you've got the dumpster going in there as well.

Board Member Taylor stated that's right, right here.

Chairman Rogan stated okay.

Rich Williams stated so that additional parking is not in the resolution.

Chairman Rogan stated right but that additional parking, as you're saying will reduce the amount of the relief that's being given.

Rich Williams stated right.

Chairman Rogan stated okay, so the bottom line is this is our worst case scenario, it can only get better.

Rich Williams stated yes.

Chairman Rogan stated okay.

Rich Williams stated but if there's going to be additional improvements; somehow we need to reflect that on the site plan and/or the resolution.

Chairman Rogan stated so, what would you think would be the most appropriate way, do you want to get this an as-built when it's, can we capture it in an as-built for the site.

Rich Williams stated I think if Angelo can give us a number of parking stalls that he's planning on constructing along Fairfield or Fairport rather...

Mr. Zegarelli stated Fairport, 7.

Rich Williams stated with the dumpster.

Mr. Zegarelli stated with the dumpster.

Rich Williams stated I probably would be more comfortable with 5, if he can get 7 good for him but...

Mr. Zegarelli stated yeah, the dumpster is going here, alright, 6 parking spots.

Rich Williams stated fine, split the different.

Board Member McNulty stated remember there is a size that you have to maintain.

Mr. Liguori stated split the car.

Mr. Zegarelli stated the cars are getting smaller.

Board Member Brady stated they're just going to use piers.

Chairman Rogan stated and...

Board Member Taylor stated there will be 33 parking stalls.

Board Member McNulty stated can we just make that a general condition to reflect the additional parking.

Rich Williams stated Angelo when do you intend to construct that.

Mr. Zegarelli stated construct meaning what.

Rich Williams stated put them in.

Board Member McNulty stated parking.

Mr. Zegarelli stated they are there.

Rich Williams stated they are in.

Chairman Rogan stated they're just not delineated, it sounds like.

Mr. Zegarelli stated the enforcing is in place that's why their shown on the as-built.

Rich Williams stated okay.

Mr. Zegarelli stated I mean nothing...

Chairman Rogan stated 6.

Mr. Zegarelli stated it's just item 4 basically.

Rich Williams stated okay but, okay so they're not paved.

Mr. Zegarelli stated they're not paved, no.

Rich Williams stated so we've got to deal with that.

Chairman Rogan stated so why don't we do this, why don't we change for the record, let's change the special condition number 5 to basically state that the applicant has provided 28 parking stalls, additionally 6 parking stalls will be provided for employees that will be a gravel surface, something to that affect...

Rich Williams stated along Fairport.

Chairman Rogan stated along Fairport, so let's change that language for special condition number 5, does that make sense to everyone and anything else Rich, the rest is pretty straight forward.

Rich Williams stated no, the only other remaining issue is you need to do SEQRA.

Chairman Rogan stated so we have SEQRA determination, thank you for the reminder on that and a resolution with the change, do you want to do SEQRA.

Board Member McNulty stated sure.

Chairman Rogan stated alright.

Board Member McNulty stated make a motion on the Zegarelli Site Plan waiver application, is it a waiver or an application.

The Secretary stated application.

Rich Williams stated site plan.

Chairman Rogan stated site plan, that's why we're going through all of this.

Board Member McNulty stated make a motion for a negative determination of SEQRA.

Chairman Rogan stated can I have a second.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated and then on the resolution.

Board Member McNulty stated I make a motion to approve the resolution for the Zegarelli's site in Putnam Lake including the 5 general, 6 general conditions and 5 special conditions noted that special condition number 5 has 6 additional parking stalls on the Fairport Road side and gravel.

Chairman Rogan stated can I have a second on that.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated okay.

Board Member McNulty stated now Angelo, just to note, these conditions are important before you can get your C.O. so you need to really make note of all these conditions and work with Rich or the Building Inspector before you're going to be able to open.

Mr. Zegarelli stated I will.

Chairman Rogan stated you have a copy sir, you do.

Mr. Zegarelli stated yes.

Chairman Rogan stated alright, thank you.

Mr. Zegarelli stated thank you.

Board Member McNulty stated good luck.

Mr. Zegarelli stated thanks.

Chairman Rogan stated good luck in your business Angelo.

Mr. Zegarelli stated okay.

Chairman Rogan stated thank you for your comments and questions sir, I appreciate it. Okay, Saddle Manor, sign application, come on up sir.

2) **SADDLE MANOR – Sign Application**

Mr. Michael Woods was present.

Chairman Rogan stated good evening.

Mr. Woods stated good evening, I'm Michael Woods.

Chairman Rogan stated Michael how are you.

Mr. Woods stated good.

Chairman Rogan stated so tell us a little bit about this application.

Mr. Woods stated it's a tack store that we're opening up on [Route] 22.

Board Member McNulty stated is that the former tattoo shop.

Mr. Woods stated yes, yes.

Board Member McNulty stated okay.

Chairman Rogan stated a tack shop sounds like a great idea.

Board Member McNulty stated yeah it does.

Mr. Woods stated it is, we have one now, it's up in LaGrange and we want to move locations.

Chairman Rogan stated wonderful, that's fantastic.

Mr. Woods stated we need a little more, you know, traffic from where we were.

Chairman Rogan stated that's fantastic.

Mr. Woods stated we were just looking to for 2 signs though, one on the southbound side of the building and one on the light box, we weren't looking for the north side, so just 2 signs.

Chairman Rogan stated okay.

Rich Williams stated okay, that's, that solves the whole problem.

Chairman Rogan stated even better huh.

Rich Williams stated even better.

Chairman Rogan stated I like the signs, they look great.

Board Member Brady stated yeah, they look nice.

Chairman Rogan stated really sharp.

Board Member Montesano stated with all the horses there.

Chairman Rogan stated and you know it's a good location because of what you have across the street.

Rich Williams stated with the application, it appeared that you were looking for one on the north and south side.

Mr. Wood stated you can't really see the north side.

Rich Williams stated I agree.

Board Member McNulty stated the existing front light box is there, correct.

Mr. Woods stated yes.

Board Member Taylor stated yes.

Chairman Rogan stated that's a good location considering what's across the street with the New England Equine practice...

Mr. Woods stated yes.

Chairman Rogan stated they're great neighbors, so that's...

Mr. Woods stated that's what our thoughts were.

Mr. Liguori stated quiet neighbors.

Chairman Rogan stated quiet neighbors, you know a beautiful facility. Okay, so we have 2 signs, one on the south side and on the...

Board Member Taylor stated in the light box.

Chairman Rogan stated in the light box and they meet the square footage with only these 2.

Rich Williams stated correct.

Chairman Rogan stated so we need a, I make a motion in the matter of Saddle Manor that the Planning Board grants a negative determination of significance of SEQRA having found no environmental impacts from these signs and grant the sign application for the 2 signs as submitted.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated any opposed.

Mr. Woods stated thank you.

Chairman Rogan stated okay, thank you.

Mr. Woods stated thank you very much.

Board Member McNulty stated good luck.

Chairman Rogan stated good luck in your business, welcome, welcome down here to Patterson.

3) PUTNAM POWER EQUIPMENT – Sign Application

Mr. Michael Bruen was present.

Chairman Rogan stated Putnam Power equipment.

Rich Williams stated sorry.

Mrs. Woods stated thank you.

Mr. Woods stated bye now.

Chairman Rogan stated Putnam Power Equipment, Mike Bruen, how are you sir.

Mr. Bruen stated good evening everyone.

Chairman Rogan stated good evening, how are you.

Mr. Bruen stated good good.

Chairman Rogan stated good.

Mr. Bruen stated I'm Mike Bruen and I guess you've got my application for the sign...

Chairman Rogan stated we do.

Mr. Bruen stated it's going in the existing light box that's been there for years. There was color rendition that I dropped that I think is going to have to be toned down a little because the, that's it, the sign people tell me that since it's a lighted sign, it's going to be difficult to reproduce that, I think that's probably going to wind up being a little more generic, in other words, it would just be black letters on the top, I may have to eliminate the blue background so the background would be clear, the letters are all because it's lighted, it's backlit, so it's like on a clear piece of Lexan and the, everything on that sign won't project through.

Chairman Rogan stated that's an illuminated from within sign box out there.

Rich Williams stated yes.

Board Member McNulty stated aren't you going to see all the lights and fixtures inside there.

Mr. Bruen stated I'm sorry.

Board Member McNulty stated won't you see all the fixtures and the lighting inside.

Mr. Bruen stated no because it's like a translucent piece of plastic...

Board Member McNulty stated okay, it's not clear then.

The Secretary stated no.

Rich Williams stated it's not clear.

Mr. Bruen stated which just allows it to be backlit...

Chairman Rogan stated probably with the blue, the light wouldn't shine through it, it won't illuminate.

Mr. Bruen stated I don't think it will project that, it might be, if we can get it to go through, if there was a little blue haze or something for daytime visibility and then allow the lettering to come through but the lawn mower, that may not be visible at night, so as long as I get the message out. The big message is the company name and the phone number and, but as I said, I don't expect it to be anywhere as busy as what's depicted in that picture.

Rich Williams stated so essentially it will be either a blue background or a white background without the lawnmower.

Chairman Rogan stated right, the old bakery, yeah.

Board Member Montesano stated and he was so cute.

Mr. Bruen stated yeah I know, my son designed it, I loved it but I'm not sure I can produce it.

Chairman Rogan stated okay, Rich do you have any concerns with this.

Mr. Bruen stated bring to everybody, the lawn behind the lawn mower was mowed.

The Secretary stated I noticed that.

Mr. Bruen stated did you see that.

The Secretary stated I did.

Chairman Rogan stated yeah, I saw that.

Board Member Brady stated it looks like mine, so it's okay.

Chairman Rogan stated any questions, comments, concerns from anyone.

Board Member McNulty stated I passed by there today, I saw the existing sign box for it, it's all...

Mr. Bruen stated yes.

Chairman Rogan stated okay, anybody want to do the SEQRA and the sign application on this.

Board Member McNulty stated I'll make a motion to declare a negative determination on SEQRA for the Putnam Power Equipment sign application.

Chairman Rogan stated can I have a second.

Board Member Montesano second the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated okay.

Board Member McNulty stated and I'll make a recommendation to approve the sign application, based on the comments that's it going to be a white or blue background with basic lettering of Putnam Power Equipment and the phone number.

Mr. Bruen stated correct.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated okay and Rich, no issue with the site, I remember we talked about this before, the layout.

Rich Williams stated no, I've reviewed what he's proposing to do out there and its in compliance with the improvements that are needed to support the business.

Chairman Rogan stated okay.

Rich Williams stated so it's fine.

Mr. Bruen stated and just while I'm here, I did speak briefly the other day to the Building Inspector, would I come back here with an application, I have to put up a fence to lock up the dumpster and so forth in the back just, what's the approval for that.

Rich Williams stated no, not for a fence, not for screening of a dumpster for the fence but if you're going to put a shed, if you're going to modify the site in anyway, then you would come back here for either a site plan or a site plan waiver. When you get an idea about what you're doing...

Mr. Bruen stated sketch it all into the site plan because I do want to put up some kind of a secure fence for the, where the, the back half of the building which is virtually invisible to the road anyhow but somewhere on that north side I want to come out with a piece of fence just to protect any of the equipment that's stored out and you know, it will keep it out of sight, out of mind.

Chairman Rogan stated makes sense.

Mr. Bruen stated that's...

Rich Williams stated outdoor storage, that's a modification to the site plan, you'd have to...

Mr. Bruen stated okay, yup.

Rich Williams stated run by them.

Chairman Rogan stated it sounds pretty straight forward, just sketch it out...

Mr. Bruen stated I'll come into your office.

Rich Williams stated yeah, we'll work out the details.

Mr. Bruen stated excellent.

Chairman Rogan stated alright, great, when are you thinking about opening.

Mr. Bruen stated 2 weeks.

Chairman Rogan stated wow.

Mr. Bruen stated yeah we're, it's the season, you know, we're running a little bit late, I'd hoped to be open by now but by the end of the month for sure, we got just about everything, we have to get Dave Raines in there, he's got to do a final inspection and then we're good to go. I look forward to seeing everybody.

Chairman Rogan stated well good luck to you, look forward to seeing you out there.

Board Member McNulty stated good luck.

Mr. Liguori stated I have a broke down lawn mower.

Board Member Montesano stated I've got enough lawn mowers and weed whackers...

4) OTHER BUSINESS

a. Patterson Crossing – Request for Extension

Mr. Jeff Contelmo of Insite Engineer was present.

Chairman Rogan stated Patterson Crossing, Jeff how are you.

Mr. Contelmo stated good evening.

Chairman Rogan stated good evening.

Mr. Contelmo stated Jeff Contelmo from Insite Engineering.

Chairman Rogan stated what's going on Jeff.

Mr. Contelmo stated not a lot.

Chairman Rogan stated you came all the way out here for what, extension...

Mr. Contelmo stated for an extension of approval.

Chairman Rogan stated okay, so the approval basically would have expired on September 30th, we're extending it by a year and it will go through September 30th of 2014, correct.

Rich Williams stated that will do it, or October 1st, whatever.

Chairman Rogan stated okay.

Mr. Contelmo stated depends on how you look at it, right.

Chairman Rogan stated make a motion in the matter of Patterson Crossing Retail Center that the Board grant a 1 year extension for those dates September 30, 2013 through October 1, 2014.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Mr. Contelmo stated thank you.

Chairman Rogan stated so what's the good word out there, waiting on the economy.

Mr. Contelmo stated well the good word is despite the economy, the applicant is continuing to make progress with Costco which I believe is fairly well known and others which...

Chairman Rogan stated okay.

Mr. Contelmo stated I don't know a lot of about unfortunately.

Chairman Rogan stated fair enough.

Mr. Contelmo stated but they are making progress.

Chairman Rogan stated okay.

Mr. Contelmo stated thank you.

Chairman Rogan stated thank you.

Mr. Contelmo stated have a good evening.

Chairman Rogan stated get home before the weather gets too bad.

Mr. Contelmo stated yeah, thank you very much.

Chairman Rogan stated thank you.

Board Member Montesano stated take care.

Mr. Liguori stated see you Jeff.

b. Genovese Site Plan – Request for Extension

Applicant did not appear.

Chairman Rogan stated Rich, the Genovese site plan, does anybody else have the extension request, I don't have one but...

Board Member McNulty stated I don't have one either.

Rich Williams stated we did get a letter.

Chairman Rogan stated oh okay, what's the request for.

Rich Williams stated they're requesting a year's extension.

Chairman Rogan stated okay.

Rich Williams stated just to give you some background on this, the initial site plan got, received conditional approval in January of 2011, towards the end of 2011 they came back in and requested a 120 day extension, April of 2012 they came in and asked for a 1 year extensions, they are currently good until May 6, 2013, I'm doing this without glasses, so the 1 year extensions, if so granted would go from May 6, 2013 to May 6, 2014.

Chairman Rogan stated and the Genovese site is next to Empire Power Tools, the one that we were talking about with this company, the new company that came in...

Rich Williams stated correct.

Chairman Rogan stated and no movement or anything at this point with that.

Rich Williams stated no.

Chairman Rogan stated okay.

Board Member Brady stated there was such a big push on that, that first time and this it's just...

Ted Kozlowski stated I know.

Rich Williams stated yeah and they kind of faded away.

Chairman Rogan stated yeah well that tends to happen once in a while with these things, you know. Okay, motion on the matter of Genovese Site Plan to grant a 1 year extensions from May 6, 2013 through May 6, 2014, so moved.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

c. Code Violations

Chairman Rogan stated Dave Raines had said that they, he and the Building Inspector, Nick Lamberti, are working a memo to us on the code violations that will outline some work that both they and Rich Williams have done to date.

Board Member McNulty stated summarize...

Rich Williams stated I have not had an opportunity to meet with Nick or talk about the code violations, other things have come up, so.

Chairman Rogan stated that time of year.

Rich Williams stated it's always that time of year.

Mr. Liguori stated that's just about every day.

Rich Williams stated yeah.

Chairman Rogan stated yeah.

Board Member McNulty stated has the Town Board discussed it at all at any of their meetings.

Rich Williams stated no.

Board Member McNulty stated they're waiting for their summary.

Board Member Montesano stated yeah.

Board Member McNulty stated okay.

5) MINUTES

Chairman Rogan stated and we have minutes of January 31st and February 7th, anybody have any comments or changes to those, no. Make a motion to approve both sets of minutes.

Board Member Montesano second the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated any discussion...

Board Member Montesano stated do we have to discuss any of this on Sauro's...

Chairman Rogan stated Sauro's, it didn't seem like it, I thought that...

Rich Williams stated what do you want to talk about.

Board Member Montesano stated no, I'm just saying, as far as I can see he opening a restaurant.

Chairman Rogan stated it seemed pretty straight forward.

Rich Williams stated yes.

Chairman Rogan stated yeah, replacing Mama's...

Board Member McNulty stated the parking waivers, that was previous in the original site plan that you discussed there...

Board Member Montesano stated yes.

Board Member McNulty stated so that's all done, okay.

Board Member Taylor stated a shared parking agreement with the church, they're already sharing parking.

Rich Williams stated I know that, they would just need to formalize it if it becomes a problem or they're going to have to cut down on the use of the building.

Board Member Montesano stated or they're going to have to have all them certain electric company trucks that park there for lunch every day, on the church property, I just wanted to let us know that we're doing this.

Chairman Rogan stated Ted, how are you.

Ted Kozlowski stated quiet, very quiet.

Chairman Rogan stated anything new and exciting, all the wetlands are frozen, huh.

Board Member McNulty stated not anymore.

Ted Kozlowski stated it hasn't really frozen.

Chairman Rogan stated no sense behind here just to look at each other.

Board Member McNulty stated I make a motion to adjourn the meeting.

Chairman Rogan seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

The meeting adjourned at 7:30 p.m.