

APPROVED
4/3/03 MB

TOWN OF PATTERSON

PLANNING BOARD MEETING

March 13, 2003

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APPROVED
4/2/03 MB

March 13, 2003 Meeting Minutes

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

Present were: Chairman Herb Schech, Board Member Mike Montesano, Board Member Dave Pierro, Board Member Shawn Rogan and Rich Williams, Town Planner, Ron Gainer, Town Engineer, Craig Bumgarner, Town Attorney and Ted Kozlowski E.C.I.

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

Rich Williams took the seat of the Secretary in her absence.

Rich Williams read the legal notice.

1) **FUCA SUBDIVISION – Public Hearing**

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

Ms. Ryan stated the Applicants own a ninety-nine and a half acre parcel in the R-80 Zoning District on East Branch Road which is also County Route 65. The Applicant is proposing five residential lots served by two common driveways. The smallest lot is 2.4 acres. The largest lot is 84.5 acres. The Applicant had the local wetlands flagged and verified which are pretty much in the middle of the site. They also had the watercourses flagged by New York City DEP they were also verified. The project is under the review of several agencies; the Planning Board of course, they review the overall subdivision, every aspect of the subdivision. The Town Board reviews the project for Open Development status which we have already received. The Putnam County Department of Highway and Facilities reviews the permits for the access. It is already under their review and we received initial comments back from them. The Putnam County Department of Health reviews the wells and septic. New York City DEP reviews the septic systems and the Stormwater Pollution Prevention Plan. We have already received approval from the Planning Board, Preliminary Approval and a Wetlands Permit and we are here tonight for the public hearing for Final Approval.

Chairman Schech asked is there any comments from the audience.

Edie Keasbey asked what does DEP say.

Ms. Ryan replied we have been under their review, we have been back and forth with a number of issues with them and we have just received, yesterday we just received their final comments but we are very close to an approval from them.

Chairman Schech asked you don't have final approval from DEP.

Ms. Ryan replied not yet we just received their last comments yesterday.

Board Member Pierro asked have we received those comments Rich.

Rich Williams replied I don't believe we have received those yet. We did receive a set of comments about a week ago unless those are the ones.

Ms. Ryan asked from the DEP.

Rich Williams replied yes unless those are the ones that you are referring to.

Ms. Ryan replied this one is dated March 11th.

Rich Williams replied I don't believe we have received them.

Ms. Ryan replied I can get you a copy.

Rich Williams replied we should be getting them any day.

Ms. Ryan replied I don't see you as a copy on this.

Rich Williams replied who are they from.

Ms. Ryan replied Penny Kelly.

Rich Williams replied the last comments we got were from Mary Galasso I believe.

Ms. Ryan replied really on Fuca.

Rich Williams replied yes.

Ms. Ryan replied I didn't get those.

Chairman Schech asked for a motion to close the public hearing.

Board Member Rogan made a motion in the matter of Fuca Subdivision that the Planning Board close the public hearing. Board Member Pierro seconded the motion.

Upon roll call vote:

Board Member Montesano	-	yes
Board Member Pierro	-	yes
Board Member Rogan	-	yes
Chairman Schech	-	yes

All in favor and motion carried by a vote of 4 to 0.

Ms. Ryan stated the Applicant has done a number of things in response to comments from the Board. One of which being they reduced the length of the Lot 5 driveway, the received letters from the Fire Department and the Building Department about the length of the driveway saying that it was okay. The Applicant has committed to installing a fire protection system for the Lot 5 residence.

Chairman Schech asked did we ever get any paperwork on that.

Ms. Ryan replied we put a note on the plan and we had actually gotten the initial materials from Rich on that so he has that. We got the 280a from the Town Board, we have provided buffers at the property lines where the development is close to the neighboring properties in here and down in this area referring to the plan. That was also at the request of the Board and we submitted the monitoring well results to the Board. We also prepared a wetland mitigation plan for Ted. He had a couple of minor comments on the latest revised plan which are easy to deal with. We also got Ron's comments and they are mostly technical issues which we don't see a problem with so on behalf of the Applicant we would like to request that the Board consider Conditional Final Approval tonight.

Chairman Schech replied I will go for a Conditional Final Approval on condition we get the DEP approval plus all of the Town Engineer's statements here.

Ms. Ryan replied okay and Ted's comments.

Rich Williams asked the Board if that is the way you would like to go.

Chairman Schech replied yes.

Chairman Schech asked for a second.

Board Member Rogan stated I will second it.

Rich Williams stated wait and handed the Board a resolution.

Board Member Pierro stated Mr. Chairman I don't see any reason why we can't hold off another three weeks on this. We are at a postponed meeting, what is the date of the next meeting Rich.

Rich Williams replied April 3rd.

Board Member Pierro stated we are only two or three weeks away.

Chairman Schech replied the only reason I tend to go along with this is the fact that this has been in the pipe line for several years now.

Board Member Pierro replied I understand that but there are also some documents that have been moved around that we have not seen yet. I don't see why waiting another three weeks.

Ms. Ryan asked what documents are those.

Board Member Pierro replied the reports from DEP.

Ms. Ryan replied their latest letter.

Board Member Pierro replied yes. We have not seen them yet.

Rich Williams stated well just to be clear gentlemen I mean there is more than DEP. They basically at this point don't have any approvals though they are very close with everybody.

Ms. Ryan stated yes we have jumped the highest hurdles with DEP already. There is only very minor comments left.

Chairman Schech asked the Board what is their pleasure.

Board Member Pierro asked is there a motion on the floor.

Rich Williams stated while you are considering all that there is one other issue and that is the issue of the bond. We need to set a bond for the project.

Ron Gainer stated we issued a bond calculation but we managed not to provide sufficient copies for the Board. I thought it had been faxed down here and apparently it was not received. We had done an estimated based on the breakdown provided by the Applicant just today and our estimate for the performance bond is \$272,000.00 with associated inspection fees of \$13,600.00.

Chairman Schech asked Ms. Ryan if she had seen that.

Ms. Ryan replied yes that is in the beginning of Ron's letter which I got today.

Chairman Schech stated there is a motion on the floor.

Craig Bumgarner stated could I just jump in here for a second, if you guys are going to move the motion make sure you also put in there as a condition that our office receive and approve the common driveway easement agreement and maintenance agreement.

Ron Gainer stated that is contained in our review.

Chairman Schech asked all in favor.

Board Member Montesano aye
Board Member Pierro aye
Board Member Rogan aye

Chairman Schech stated motion passed.

Rich Williams asked who made the motion.

Board Member Rogan replied Herb did and I seconded it.

Ms. Ryan thanked the Board.

Rich Williams advised the Board that they still have to set the bond amount.

Board Member Montesano made a motion to recommend to the Town Board that the Fuca Subdivision Performance Bond be set in the amount of \$272,000.00 with inspection fees of \$13,600 as per Dufresne-Henry Memo. Board Member Rogan seconded the motion.

Upon roll call vote:

Board Member Montesano	-	yes
Board Member Pierro	-	yes
Board Member Rogan	-	yes
Chairman Schech	-	yes

All in favor and motion carried by a vote of 4 to 0.

2) COLEMAN WETLANDS/WATERCOURSE PERMIT – Public Hearing

Rich Williams stated I don't know if you want to hold off on this Ted is not here. I did talk to him earlier and he did say he was coming on the other hand Mr. Coleman is here and I know he is anxious to get out of here.

Ted arrived at this point.

Rich Williams read the legal notice.

Mr. Coleman stated we have a shed that is within the hundred foot buffer of the wetland.

Eddie Keasbey stated we can't hear.

Chairman Schech asked Mr. Coleman to speak into the mic.

Mr. Coleman stated we were notified that we needed a wetland permit.

Eddie Keasbey stated can't hear.

Board Member Rogan stated Eddie, all he said is so far that he has a shed within the hundred foot buffer and he was told that he needed a wetlands permit.

Eddie Keasbey replied thank you.

Mr. Coleman stated we got the Building Permit and the C.O. for them. There was one in 93 and one in 99 so they are already on the property.

Board Member Rogan stated we asked to pull those permits.

Rich Williams stated yes we were, Mr. Coleman stated I have copies.

Rich Williams stated I assumed that she had given you copies. I do know that she did pull them. The permits are there.

Chairman Schech asked this is the property right on the corner of going into Apple Hill; Mr. Coleman replied Apple Hill and Old 22 yes.

Board Member Rogan stated so basically you went and got a Building Permit to build a shed and were never told to get a Wetlands Permit for it, you constructed the sheds and got Certificate of Construction Compliance or Occupancy on them, Mr. Coleman stated occupancy. Board Member Rogan stated even though you are not occupying the shed.

Board Member Pierro stated I would like to see the permits.

Mr. Coleman stated I have the permits with me.

Board Member Pierro replied good can you get them. It is not that I don't trust you I would just like to see the dates.

Mr. Coleman showed the permits to the Board.

Board Member Pierro stated for the record 1/12/99 is number 2704 and 9/28/93 is number 1972.

Board Member Rogan stated Rich there is a note on the, Board Member Pierro read 3 foot minimum separation as per New York State Code.

Board Member Rogan asked is that a separation between buildings.

Rich Williams replied I believe that is a separation between buildings per New York State Building Code yes.

Board Member Pierro asked who is Frank Blair.

Craig Bumgarner asked Blossi maybe. He was filling in.

Board Member Pierro thanked Mr. Coleman.

Mr. Coleman handed Board Member Pierro the C.O.'s.

Chairman Schech asked do you usually issue C.O.'s for sheds

Board Member Rogan replied it is not for occupancy it is for construction compliance even though it is called C of O.

Board Member Pierro stated it took a couple of years for a C.O. to get issued. This isn't issued until April 1995.

Mr. Coleman stated we had the sheds pre-built.

Board Member Pierro thanked Mr. Coleman.

Chairman Schech asked Ted are you okay with this.

Ted Kozlowski replied yes. Mr. Coleman had some vehicles stored there and some other things that he immediately cleaned up, had the commercial vehicles brought to a more appropriate storage area, correct Brian.

Mr. Coleman replied yes.

Ted Kozlowski stated he cleaned up the site upon my request. There was no second request he did it immediately and since the Building Permit was issued I can't argue with that. This is one that got around the system so and I am not saying Brian did that. I am just saying somebody dropped the ball some where along the line. I don't have a problem with the shed if Mr. Coleman sells the house and moves on and somebody else comes in we may have future problems so I would like to post the edge of the wetlands with our wetland signs. That is our right to do. It is a small little triangular sign just so the next guy that comes in is well aware that within a hundred a feet he is going to need a permit if he wants to do anything else and the shed is rather large so it is conducive to store a lot of things in there. This gentleman is just a family man he has kids I am sure there is bicycles in there but somebody else I don't want chemicals and other things stored in there so close to the wetlands. It is also a DEC Wetland too, BR-8 right Rich.

Rich Williams replied yes.

Board Member Rogan asked Ted would we want to limit outdoor storage behind the shed, on the one particular shed we are already into the buffer.

Ted Kozlowski replied yes I mean it is a storage shed for, it is not a vehicle shed. It is a shed for, Board Member Rogan stated garden equipment, tools, and Ted Kozlowski stated garden equipment, bicycles, and lawn tractors.

Chairman Schech stated in other words what is there now is going to be there, no expansion.

Ted Kozlowski stated yes no further improvements.

Board Member Montesano asked can we make a note on there some where that once this shed deteriorates that no replacement shed is going to be allowed there can that be done.

Rich Williams replied with the issuance of a Wetlands Permit you are basically acknowledging the shed and the impacts related thereto and that is not going to change over time.

Board Member Rogan stated when you went to get a new shed you would have to get a new permit anyway.

Board Member Montesano stated it is already going to be pre-existing in other words there was an approval.

Rich Williams stated what you might want to do is put a condition in there should the shed ever be removed for a period of time it won't be replaced.

Ted Kozlowski stated I also think that you want to put in there the shed is not to be used for a commercial operation.

Rich Williams stated commercial operation really isn't permitted in that area anyway.

Ted Kozlowski replied but at least again it is in writing it is there.

Board Member Montesano stated also if Brian has a chance I would like to have copies of those permits or if we can get them.

Rich Williams stated I know we have I thought Melissa had made you copies.

Chairman Schech stated as long as we have them.

Board Member Montesano stated at least in that file is all that I am worried about that it is in it.

Chairman Schech stated okay as long as it is not a commercial enterprise.

Ted Kozlowski stated just so you know I have also asked him to have everything, there is a pool and another small shed and that is part of that permit. They were there. Did you buy the house with the pool.

Mr. Coleman replied no the pool is five of six years old.

Ted Kozlowski stated it just needs to be acknowledged so the next owner knows that is it. This is as far as we go. There is no further, but this is a case where the house was built right on top of the wetland so this gentleman has absolutely no room and this is what I worry about on future projects.

Rich Williams stated well in fact this was part of the Apple Hill Subdivision and it was done just prior to the Town actually having a wetlands regulation which limited this type of development.

Ted Kozlowski stated are you listening Harry, this is exactly why I don't want to see houses right on the edge of the buffer.

Chairman Schech asked this is prior to the Wetlands.

Rich Williams replied yes.

Chairman Schech stated because I dumped fill from across the street when we put a pool in across the street in that area.

Ron Gainer stated that is not on the record then.

Rich Williams replied I think it was.

Board Member Pierro stated it absolutely is.

Chairman Schech stated as a matter of fact Perragine was doing the job.

Ted Kozlowski stated this is a classic case where a guy comes in he buys the house he does not know that the two acres he has really is not useable.

Board Member Rogan stated difference in useable area versus acreage we have been talking a lot about that with subdivisions.

Chairman Schech asked for a motion on this.

Board Member Rogan made a motion in the matter of the Coleman Wetlands Watercourse Permit that the Planning Board grants a negative determination of significance of SEQRA and grants the Wetlands Permit with the conditions that the wetlands boundary be posted, Board Member Rogan asked Mr. Coleman to ask Ted for the appropriate signage for that.

Ted Kozlowski replied yes we have signs.

Board Member Rogan stated and that if the shed is removed for a period of what would be a, a year something along those lines.

Board Member Pierro replied I would go less than that.

Craig Bumgarner stated our Zoning Code uses six months for pre-existing, non-conforming.

Board Member Rogan stated if the shed is removed for a period of six months that it cannot be replaced. It certainly could be replaced with applicable codes but not in its current location. Are there any other conditions.

Ted Kozlowski replied no commercial.

Board Member Rogan stated no commercial use in the shed which isn't allowed on the lot anyway.

Board Member Pierro seconded the motion.

Upon roll call vote:

Board Member Montesano	-	yes
Board Member Pierro	-	yes
Board Member Rogan	-	yes
Chairman Schech	-	yes

All in favor and motion carried by a vote of 4 to 0.

Chairman Schech stated done and Mr. Coleman thanked the Board

Rich Williams asked can we close the public hearing now.

Board Member Montesano made a motion in the matter of Coleman's Wetland Permit that the Planning Board close the public hearing. Board Member Rogan seconded the motion.

Upon roll call vote:

Board Member Montesano	-	yes
Board Member Pierro	-	yes
Board Member Rogan	-	yes
Chairman Schech	-	yes

All in favor and motion carried by a vote of 4 to 0.

3) **BARTICCIOTTO – Site Plan Waiver Request**

Chairman Schech stated this is down the tubes

(Note: Applicant withdrew)

4) **BURDICK SITE PLAN**

Mr. Harry Nichols, Engineer representing the Applicant.

Mr. Nichols stated we have revised the plan to reduce the amount of disturbed area below the one acre of the DEC buffer. We have added the landscaping to screen the view from 22 which you don't see that far anyway and also from the A&P Shopping Center.

Chairman Schech stated technically the only place you can see it from is the A&P Shopping Center.

Mr. Nichols replied basically but we put it in the front also. One of the comments in the memo was that we should add additional landscaping and I don't disagree with that at least a double row of trees in there. If you plan them too close together on a single row they will choke each other out so I agree we have to put in at least a double row.

Chairman Schech stated the only problem is how many vehicles are going to be stored on this site you must have a number.

Mr. Nichols replied we broke it up into different categories for the normal ten wheeler truck we have provisions for sixteen spaces, for trailer parking we have a total of ten, and then we have a smaller area over here for other equipment such as a roller, paving machine and any other small equipment and that is

the are which will be paved, which will be graded and into a drainage system that will be run through an oil separator.

Board Member Rogan asked Harry, the idea is that these vehicles will be parked there over night and,

Mr. Nichols stated if there is any drippings at all the paving is to collect it and send it through an oil separator from a rain storm before discharging it into the wetlands.

Board Member Rogan stated I guess my question with the way the parking is laid out is where are the people who own these trucks going to park their personal vehicles when they come in the morning to get their trucks.

Mr. Nichols replied where they take the truck out of.

Board Member Rogan replied so pull the truck out and, Mr. Nichols stated park on the blacktop so if there are any drippings coming off of their vehicles it will be collected.

Board Member Pierro stated that is not the case now. They park along the dirt road on the dirt driveway, Board Member Rogan stated along the entrance.

Mr. Nichols replied well I don't think they are parking there at all right now. The yard is cleaned up.

Rich Williams stated not right this minute.

Board Member Pierro stated not at the moment but when they do drive personal vehicles they were there when we did the site walk they parked along the road way.

Mr. Nichols replied but there was no paved area before with the intent of collecting drippings.

Chairman Schech asked are we having any direct discharge to the stream.

Mr. Nichols replied well we had shown a direct discharge from the oil separator but due to the limited amount of impervious area that we are collecting runoff from I did not feel that a detention facility was warranted with such a small area and it would just create another area of disturbance however if that is one of the requirements we have no problem with it.

Chairman Schech stated I would like to see a detention facility.

Rich Williams stated we at least need to start with some sort of hydrologic analysis to understand the amount of water that is being discharged.

Chairman Schech stated and basically the amount of blacktop that you have there you are really squeezing these things in there. Are you going to have a traffic cop there to guide these things in because that is going to be tight parking.

Board Member Montesano stated no they are going to pull the car in and then pull the truck out so why would you have a problem with that. Then you have to let the truck idle as you jump out of that and pull the other in.

Chairman Schech stated valet parking.

Board Member Montesano replied oh that is going to be what is provided.

Craig Bumgarner stated for the record there was one issue that we were taking a look at. There was a question as to the frontage on this parcel and we reviewed the records in the Assessor's office and it does appear that it is pre-existing. It was cut up that way prior to any requirements so I don't really see it having a frontage issue at this point.

Chairman Schech stated there is basically no frontage except for the road right.

Craig Bumgarner replied under today standards there is insufficient frontage but the lot was created prior to those standards going into effect.

Chairman Schech stated the septic issue you took up with the County and it is not necessary because you have no building right.

Mr. Nichols replied that is correct and I think Rich confirmed that with Mike Budinzski.

Rich Williams stated I did confirm that.

Chairman Schech stated we are going to have a dumpster on site for lunch bags and things.

Ted Kozlowski stated at the last meeting we asked for a dumpster just for that purpose and the plans did not reflect it at least the last set of plans that I saw did not show the dumpster area.

Mr. Nichols showed the Board and Ted on the plans where the dumpster was located.

Ted Kozlowski asked is that going to be on impervious surface that dumpster.

Unable to hear Mr. Nichols response.

Ted Kozlowski stated I would prefer it contained just because it is so tempting to just take a five gallon pail of oil and just chuck it.

Mr. Nichols replied no problem.

Chairman Schech stated also for your sixteen trucks and ten trailers I want to see square footage for each one that requires parking so we can relate that to the blacktop area plus the equipment right.

Board Member Montesano stated plus the turning radius on one of these small trucks that you are going to have parked there so that when they change lanes I would like to see how that is going to be done. When you are doing your square footage and everything else you are telling me that these trucks are going to be able to pull half way out, put a car behind and then continue to go out. Well we will see what your square footage is and I will worry about that.

Ron Gainer stated you can put templates over that, show templates for the two extreme parking areas so they understand vehicular movements.

Mr. Nichols replied yes we can do some blow ups.

Board Member Rogan stated quite honestly Harry it looks like you have eight gallons in a five gallon bucket on this site with all the parking. It does not seem like you would be able to get the trucks in and out of these spots.

Mr. Nichols replied well this is a fifty scale drawing.

Board Member Montesano stated all right we make a forty scale drawing, Chairman Schech stated help us out so we can understand.

Mr. Nichols replied we will we will give you a blow up if you like and show you how they fit on there.

Chairman Schech stated that is all I have anyone else.

Board Member Montesano asked the trucks that are going to be parked there they are not going to be full of anything by any chance are they such as; maybe over night storage of asphalt or garbage or anything like that.

Mr. Nichols replied you would not want to store asphalt over night because you would not get it out the next day.

Board Member Montesano replied no I am not talking about the new I am talking about; Board Member Pierro stated we are not talking about hot asphalt we are talking about dry asphalt.

Board Member Montesano stated not the hot stuff the cold stuff.

Chairman Schech stated left overs, we are not storing any left overs on site are we.

Board Member Montesano stated or if you go in and you have to pick up six feet so you can put it in an eighteen foot spot.

Chairman Schech stated it is not only that the fact that when we were there we found left over asphalt and we don't want to see that again.

Mr. Nichols replied okay.

Board Member Rogan stated Harry I think the Board would be more comfortable if we had an isle to reach the spots one through eight maybe it would work but it seems like you have no way to access, to access one through to eight all the other spots have to be empty or at least the spot in front of where you would want to park to get to it obviously because I want to say land locked but it is not land locked it is land locked by vehicles.

Mr. Nichols replied well the purpose of doing it this way is the person who owns the vehicles will have control over each of those spaces so they have more trucks then they use on a daily basis.

Board Member Rogan stated Mr. Burdick said he was going to lease these spots out.

Mr. Nichols replied some spots will be leased out.

Board Member Rogan stated then the leasing of those spots would have to be done in such a fashion that they have a block of spots that would be accessible. If they were leased out just certain spots they may not be able let's say Mr. Burdick's trucks are in the way and they can't get to their spots. It seems like it needs to be clearly defined what spots would be leased to a particular contractor.

Chairman Schech stated do you know what is scary Harry is you go up to Home Depot where Blacktop King has all of his equipment right now and take a look at the amount of space that it is taking up over there and you are going to transfer all those down here you are not going to squeeze them in that little square.

Board Member Montesano stated this is going to be a precision drill team.

Chairman Schech stated seriously.

Board Member Rogan stated on paper it seems like it would work but.

Mr. Nichols stated I will give you an accounting of spaces.

Chairman Schech replied please.

Board Member Rogan stated Harry I think if it were just Burdick if he wasn't go to lease to the outside and it was just one person's control on a business and they said okay guys let's start loading the trucks back into the yard and they did it in a progression where they filled from the back to the front that is fine but I think when you have several businesses because he did mention one time that it could be six different contractors, Chairman Schech stated he is leasing space so we have to get this thing down. Board Member Rogan stated now it seems like not only a nightmare to try to coordinate all that to fill these spots in an appropriate way but then you have probably the back up either along the entry road or out on 22.

Mr. Nichols stated you will never back up on 22.

Board Member Rogan stated I am skeptical about that part.

Chairman Schech stated you have enough to do here Harry.

Mr. Nichols stated we have a lot in the Bridle Ridge Subdivision which they want to move the driveway can we discuss that later on. We just want to shift the driveway from one side of the house to the other.

Chairman Schech asked do you have any paperwork on it.

Mr. Nichols replied I brought a plan with me showing where it was.

Board Member Rogan stated I would be willing to look at it.

Chairman Schech stated hang in and we will take care of it at the end.

5) SHKRELI SUBDIVISION

Mr. Jack Karrell, Engineer and Mr. Shkreli was present

Board Member Rogan asked Ron do you want to start with this one.

Ron Gainer replied sure you have a memorandum from us that has been provided to the Applicant. There are some statutory issues that have to be added to the final plat. The construction drawings for us are pretty straight ahead and they can be accommodated on the construction permits. We also note statutory requirements have to be satisfied prior to final action by the Board including outside agencies, bonding things of that sort. The most significant issue that remains open for us is your stormwater management and that is covered in the memorandum that we provided. We tried to provide some detail to the Applicant to discuss why calculations would be appropriate just to document what if any impact results from the plan that is being proposed on this projected. We tried to identify those changes from the results of this proposal.

Chairman Schech stated we don't have a turn around on the boat house area yet do we.

Mr. Karrell replied sure we do on the construction drawings. There is a turning area just before it goes into the single driveway on Lot #4.

Chairman Schech asked am I missing something.

Mr. Karrell replied it was on the construction plans not on the plans.

Chairman Schech asked do we have that plan.

Rich William stated we do have the construction plans on file. The question becomes do we need to have it transferred over on to the subdivision plat.

Chairman Schech replied I would definitely say so.

Mr. Karrell stated the subdivision plat doesn't even show the proposed road. It shows the existing road; Chairman Schech stated the right of way. Mr. Karrell replied right it shows the right of way.

Board Member Montesano asked the things that are expected to be signed before they get sent they are going to have all this information on it correct.

Rich Williams stated generally we don't sign off on the construction plans.

Board Member Montesano stated no what I am saying is right now we have the construction plans, we have the ones we are looking at and the statement that we don't have to have (unable to hear) when we have our plans that are going to be filed it is going to be on there right.

Mr. Karrell replied the plat refers to the construction drawings.

Rich Williams stated the plat refers to the construction drawings we are going to put them in the resolution if that turn around extends out of that fifty foot right of way, the fifty foot right of way needs to be adjusted certainly. If it does not extend out of that fifty foot right of way then we (unable to hear) but I am not sure sitting here right now because I have not reviewed the plans in two months.

Mr. Karrell stated I think the issue with the stormwater I tried to provide Mr. Gainer with a, I provided a drainage analysis and basically the existing road is on the average of twelve feet wide and we are widening it to fifteen wide there is no drainage issues now. The road drains in a sheet flow off the driveway or road if you want to call it that and there are no drainage problems now and to have the Applicant spend a significant amount of money to do a detailed TR-55 drainage analysis seems a little bit over kill. The one place we are relocating the road we are simply moving the road over and dropping the elevation down a little bit to improve site distance and again, I mean I will do the analysis but we are hoping to get your agreement on final approval so Mr. Shkreli can proceed. He is being held up on that house on Lot #3 for a long time.

Board Member Pierro stated well we didn't build the house without a permit.

Chairman Schech stated we did not hold anybody up.

Board Member Pierro stated we are not holding anybody up on this project.

Chairman Schech stated I want to see the turn around and everything on this plan. I don't care about a construction plan. This is the plan I look at. This is the plan that I have to sign and this is where I want to see it.

Mr. Karrell replied that can be accomplished.

Board Member Montesano asked and.

Mr. Karrell replied the other thing Mr. Gainer wanted the right of way, the fifty foot right of way to continue on to the Lot 4 property line.

Board Member Montesano replied no Mr. Gainer did not want that that is what we requested. Mr. Gainer is following the direction of the Board. The same way we have a problem here I think. I think we requested,

Mr. Karrell stated I don't recall the Board asking for that because if you did that,

Board Member Montesano stated if he suggested it then it is on a recommendation of the Board believe me he doesn't vote we do. If he says it has to be there then it has to be there.

Mr. Karrell replied I am trying to explain what the problem with that would be if we continue this right of way, the Board did ask for or Rich asked for a right of way instead of an easement, if we continue this right

of way to the Lot 4 property then this piece of property would become another lot and this configuration has been shown like this since day one. Mr. Shkreli would like to have Lot 3 have access to the lake and that is why he is keeping this open here. We proposed to provide an easement across Lot 3 from the Lot 4 accesses if that is acceptable to the Board we would like to do that.

Board Member Montesano stated easements cause problems.

Board Member Pierro stated this is family.

Board Member Rogan stated I can understand that.

Chairman Schech stated this is family now.

Board Member Montesano stated let me put it this way the object is easements that were made for family's years ago are no longer easements of families. Why look for trouble when we can take care of it right now.

Board Member Pierro stated we are not talking about a road we are talking about an easement.

Board Member Rogan stated it is a driveway.

Mr. Karrell stated it is a private driveway with a fifty foot, (TAPE ENDED).

Board Member Pierro stated I don't see a big problem with that.

Board Member Rogan asked Craig do you have any input on this easement that we are talking about.

Craig Bumgarner replied I will take a better look at it.

Board Member Pierro stated it allows Lot 3 to access the lake.

(Too many individual conversations going on at the same time unable to transcribe)

Mr. Karrell, Craig Bumgarner and Rich Williams were reviewing the plan and the easement amongst themselves.

Chairman Schech stated you are creating a problem no matter which way you go.

Board Member Montesano stated let me put it this way we have already had an easement problem where it got to be a major problem what the final outcome was is he sold the property to the person who had the easement because it was easier for him and cheaper for him in the long run.

Ron Gainer stated I think our only issue Jack was the issue that we could not perceive that Lot 4 had any legal access.

Mr. Karrell replied none of the lots do because none of them have access off of frontage on the road.

Rich Williams stated they all do. I have to take a look at this.

Mr. Karrell stated Lot 3 does not have any only to this right of way.

Rich Williams stated that is a big issue.

(Too many conversations going on at the same time unable to transcribe)

Craig Bumgarner stated it is going to cut that lot in half if you take the right of way up through there.

Mr. Karrell stated none of these lots have frontage on a Town Road.

Rich Williams stated you have legal frontage off of the right of way by the existence of the right of way.

Mr. Karrell replied he owns the right of way the Town is not going to own the right of way.

Rich Williams replied it does not matter it is still the right of way.

(Too many conversations going on at the same time unable to transcribe)

Rich Williams stated the question that I have for you Jack is there any design issues why you can't extend that fifty foot right of way. I mean if we extend the fifty foot right of way is that fifty foot right of way now out into the lake.

Mr. Karrell replied no we can extend it across to Lot 4 but then you are creating another lot.

Rich Williams replied not necessarily.

Mr. Karrell replied well you can attach this to one of the other lots.

Craig Bumgarner stated in speaking to Ron I understand their point here. I think all they are saying is the way it is laid out right now where is this Lot, I don't think that they were aware that you were planning on doing an easement from here to here so what he did was point out that this Lot lost its access.

Mr. Karrell replied we lost the fifty foot frontage. Would it be acceptable,

Craig Bumgarner stated there isn't sufficient frontage.

Rich Williams stated I am drawing a blank. That is a big issue I can't imagine that we would have missed it but I am drawing a blank on how we addressed it whether he has a variance or open development area. I thought we had steered away from that at one point.

Ron Gainer stated you still need some legal frontage.

Rich Williams replied yes absolutely.

Mr. Karrell stated I thought you had decided that if you do the open development with a 280 that, Rich Williams stated that is what I am drawing a blank on.

Ron Gainer stated a 280a will get you to a small frontage but you still need,

Mr. Karrell stated if we extend this right of way to this property line and attach this piece to one of the adjacent lots and we take an easement across this to get access to the lake is that good for you he asked Mr. Shkreli.

Mr. Shkreli replied whatever makes the Board happy.

Mr. Karrell asked how about we do that we will extend that right of way to Lot 4 and then we will eliminate this easement and give this an easement.

Board Member Pierro stated I like that idea better.

Mr. Shkreli stated the only thing and you probably remember that the lake drains right about here referring to the plan like right by the border there.

Board Member Rogan asked where the drain goes under the road is what your saying.

Mr. Shkreli replied yes and there is also a very large and beautiful Maple Tree there.

Mr. Karrell stated you are not going to be doing anything. It is lines on a piece of paper.

Mr. Shkreli stated fine absolutely I have no objections.

Mr. Karrell asked do you think we can get Final Approval contingent upon filing this map and satisfying Ron with the drainage.

Chairman Schech replied no.

Craig Bumgarner stated let's address the drainage before we go any further let's give the Applicant some direction as to which way to head.

Chairman Schech stated I would say work with Craig and get some of these legal items out of the way.

Board Member Rogan stated but Craig is saying the drainage.

Ron Gainer stated Jack and I can sit down within the next week and get that ironed out.

Chairman Schech asked you are sure.

Ron Gainer replied we will set an appointment and I will have my staff meet with him to walk through this analysis that is required.

Board Member Rogan asked subject to that can we have Craig make sure that the easement issues are proper.

Board Member Montesano stated and the drainage issue has to be satisfied.

Board Member Rogan stated that is kind of a crunch but.

Mr. Karrell replied well if we move the fifty foot right of way to the property line that should take care of that problem right.

Ron Gainer replied then my only question is the fifty foot isn't legal frontage. It provides the frontage but a 280a is still required I think.

Rich Williams stated however if he moves that all the way through and attaches that little parcel to Lot #4 maybe he gets it. I will take a look at it tomorrow and I will go back and see why, Ron Gainer stated that is better than trying to do a 280a at this point.

Rich Williams replied yes.

Craig Bumgarner stated yes we already decided we weren't going to do it with a 280a that is why we wanted a fifty foot right of way.

Chairman Schech stated to Mr. Karrell you have a lot of loose ends to straighten out before we get any Final Approval, Conditional Final Approval.

Board Member Pierro stated but I don't see a problem if we get things wrapped up that we can take care of this at next meeting. It is only three weeks.

Chairman Schech stated I think that is what we said the last time.

Craig Bumgarner stated just for the Board to note also we have received all the easements documents from their Attorney so I will review those by the next meeting.

Mr. Karrell stated well now they are going to change so we are going to have to get you the others.

Craig Bumgarner replied well yes but I will just review the language (unable to hear the rest of his comment, no microphone)

Mr. Karrell thanked the Board.

6) **SCHOEN SITE PLAN**

Mr. Randy Neubauer, Insite Engineering was present representing the Applicant.

Mr. Neubauer stated I have some hot off the press information related to this project specifically for, one copy for the Board this is a copy of the D.O.T. Permit as well as comments from the Health Department for the septic. He handed the copies to the Board.

Mr. Neubauer stated I also have just received today revised engineering drawings for the wall based on comments received at last meeting.

Rich Williams asked Mr. Neubauer it says traffic signal attached.

Mr. Neubauer replied I think that is the traffic signal that is on the property that is part of the support.

Rich Williams stated so if that went with the property that got sold.

Mr. Neubauer replied that is what they say. I have been trying to get a phone call returned in asking that question but I didn't get a phone call with the answer yet.

Mr. Neubauer asked did Charlie Williams speak with you.

Rich Williams replied no.

Mr. Neubauer stated I met with Charlie Williams Tuesday morning at 9:00 and showed him the plans and walked through the project where the driveway access is and he made the statement to me that he had no problems and he had no issues and he would let the Planning Board know.

Rich Williams stated I have not seen him or talked to him.

Mr. Neubauer stated his only caveat was that they reserve the right at any time if they want to put a curb in and I said yes of course.

Chairman Schech asked you have the Engineer's comments right.

Mr. Neubauer replied yes.

Rich Williams stated there is the issue of the bond.

Board Member Rogan asked do we have the bond calcs.

Rich Williams stated you don't have bond calcs.

Board Member Rogan replied I don't have them.

Rich Williams replied that is right I only got a faxed copy; he asked Ron Gainer if he brought the hard copy.

Mr. Neubauer asked while he is providing it do you want me to go through it.

Rich Williams replied sure go ahead.

Mr. Neubauer stated the first one is about the architectural details and at the last meeting there was a little bit of confusion about the architectural plans but I thought, Board Member Rogan stated I apologize for that. That was my doing.

Mr. Neubauer stated it was all clarified at the end from what I recollect.

Board Member Rogan replied yes it was.

Mr. Neubauer stated certainly for the second bullet item that can be added to the drawings the note for TYPAR 3401. The same thing with the third bullet we can add that note.

Ron Gainer stated those are all just small that you are just going to clean up.

Mr. Neubauer replied yes small things.

Ron Gainer stated the issue with the retaining wall comment we are going to have to look at the submittal made tonight. (Unable to hear the rest of his statement, no microphone).

Chairman Schech asked why do we have a highway work permit from the State.

Rich Williams replied they are connecting drainage down into the State drainage system.

Board Member Rogan asked is 164 State also.

Rich Williams replied yes.

Chairman Schech stated I will take a motion.

Board Member Rogan asked do the bond separately.

Board Member Pierro stated do the bond first.

Chairman Schech replied do the bond first then the approval.

Board Member Pierro made a motion in the matter of Schoen Site Plan that the Planning Board recommends to the Town Board that they accept the bond calculation of \$231,000.00.

Ron Gainer stated actually that is the site improvements bond calc on which you base the inspection fees the decision of the Board is whether you want to have that amount posted or typically do the restoration bond.

Board Member Pierro asked the five percent.

Ron Gainer replied yes.

Rich Williams stated generally we set both amounts and then it is up to the Applicant.

Mr. Neubauer asked can I just clarify that and in the audience is the buyer, Andrew Suozzi and his son Paul Suozzi, there is just a little bit of concern about the dollar amounts and I just want them to understand that they need to pay the inspection fee as well as the Restoration Bond amount right or instead of the inspection fees they can post the bond, no.

Rich Williams stated they need to pay the inspection fee regardless. They have the option of posting the full bond amount or the Restoration Bond.

Board Member Rogan stated in this case the Restoration Bond being \$87,000.00.

Board Member Montesano stated you have inspection fees of \$11,550.00. Board Member Montesano asked Board Member Pierro are you still making the motion.

Board Member Pierro replied go ahead Mike.

Board Member Montesano replied no I am saying go ahead finish it I will just second it.

Board Member Pierro stated I make a recommendation that we recommend to the Town Board to accept Dufresne-Henry's bond calcs with the inspection fees being 5% of the Performance Bond at a \$11,550.00 and the Restoration Bond calculation of \$87,000.00. Board Member Montesano seconded the motion.

Upon roll call vote:

Board Member Montesano	-	yes
Board Member Pierro	-	yes
Board Member Rogan	-	yes
Chairman Schech	-	yes

All in favor and motion carried by a vote of 4 to 0.

Rich Williams stated gentleman the next issue is SEQRA has not yet been done on this project.

Board Member Rogan made a motion in the matter of the Schoen Site Plan that the Planning Board grants a negative determination of significance of SEQRA. Board Member Montesano seconded the motion.

Upon roll call vote:

Board Member Montesano	-	yes
Board Member Pierro	-	yes
Board Member Rogan	-	yes
Chairman Schech	-	yes

All in favor and motion carried by a vote of 4 to 0.

Board Member Pierro made a motion in the matter of Schoen Site Plan that the Planning Board grants Final Site Plan approval based on the five general conditions and four special conditions outlined in the resolution prepared by Patterson Planning Board. Board Member Rogan seconded the motion.\

Upon roll call vote:

Board Member Montesano	-	yes
Board Member Pierro	-	yes
Board Member Rogan	-	yes
Chairman Schech	-	yes

All in favor and motion carried by a vote of 4 to 0.

7) PUTNAM COUNTY NATIONAL BANK SITE PLAN– Front Street

Mr. Randy Neubauer, Insite Engineering was present representing the Applicant.

Mr. Neubauer stated he is now representing Putnam County National Bank, the Ryder's for the property that is along Front Street, Tax Maps Lot numbers 53, 54, and 55. The Applicant is looking to construct a single building across three lots as opposed to previously three individual buildings. The building's basic dimensions are 42 feet by 80 feet. It is a two-story building having retail use on the first floor and office use on the second floor. The square footage is approximately 3360 square feet per floor and with this proposal we are proposing much needed parking on the site to achieve vehicular access, egress on to the site we need to eliminate a number of parking spaces about five along Front Street to allow for the aisles for the vehicles to come in though we are providing eight parking spaces around the back of the building. We are just here conceptually at this point. We don't have any sort of architectural information at this time. We are seeking information from the Town on how you feel about this project and this concept.

Chairman Schech stated I am glad they took into consideration our recommendations from the last time around. What is that jog on the bottom there referring to the plan.

Board Member Pierro stated in the front.

Mr. Neubauer replied that is what the existing property line does believe it or not. That is on the survey information that we have based this on for these three individual lots. That lot jogs out like that.

Chairman Schech asked into the street or, where is the existing sidewalk.

Mr. Neubauer replied the existing curb line follows these two property lines referring to the plan approximately and yes this one sticks out about almost ten feet, 9.8 feet on this side and 8.5, Chairman Schech stated the property line. Mr. Neubauer stated the curb line follows basically this line here of these two lots but this property line for the center lot juts out ten feet approximately.

Chairman Schech asked you have no idea of what they have an intent to put in there yet right.

Mr. Neubauer replied right now it is office space on the second floor and retail on the first floor. They do not really know as of yet and the caveat to that is what you may notice here is we have two lanes exiting the back. One of the reasons for this is the Bank is considering possibly providing an ATM or some sort of a drive up device here and therefore this lane would allow that. It may not be them it may be some other retail use that would have a drive up window in the future.

Chairman Schech commented McDonald's.

Mr. Neubauer replied no not McDonald's.

Board Member Pierro stated it sounds like a bank to me.

Chairman Schech stated Edie has been saying you got have a McDonald's in town. She keeps after me all the time.

Chairman Schech stated so there is a possibility of a ATM machine.

Mr. Neubauer replied it is possible.

Chairman Schech asked if there is enough room.

Mr. Neubauer stated room was left for that in this concept. It could be there it could not be there.

Chairman Schech stated it looks okay to me but we would like to see screening in the back between the buildings.

Mr. Neubauer asked screening in the back between this property and, Chairman Schech stated the residential area in the back.

Board Member Pierro stated there really is not enough room for trees and the like.

Mr. Neubauer stated to try and provide ample room for parking as well as an aisle between these three parallel parking spaces and what would be back doors no we are not really left with much and we did do a study on angled parking and we did not come up with anything any better because of the space required for those diagonal parking spaces as well as for the turn to get into them.

Board Member Rogan asked did you guys look at the idea of you are only gaining three spaces from what you are showing me so you are losing five spaces that exist that are impervious surface, you are making all this area except the building it is all going to be impervious and you are only gaining three spaces, moving the building and keeping the front parking and just trying to gain three spaces reducing the impervious surface, creating some screening it seems to me like you are not gaining a whole lot in the way of spacing so it seems like it is maybe not the best plan there and I am only suggesting.

Mr. Neubauer replied certainly that is why we are here.

Board Member Rogan stated the whole Board at least at the work session felt that the screening between the lot and the residences was important.

Mr. Neubauer replied absolutely.

Board Member Pierro stated this might be a novel concept but you might also want to consider having the Applicant approach the neighboring property owners there may be something that they can do with access in the rear to enable them to access the back of that property.

Mr. Neubauer asked some sort of or maybe through the back of either this (referring the plan). Board Member Pierro stated or the other side, maybe they could work out some kind of an arrangement, there can be an access through the back, you can come around, make a right, go by your ATM machine, move this building a lot closer to this side large enough so you can still access a dumpster and then maybe build the building out further the rest of the way or enlarge the parking area on the other side.

Chairman Schech stated well initially when these buildings were here a long time ago they all had access to the back but over the time we use to have what you call midnight construction where as the access to the back was filled in with a building.

Mr. Neubauer stated an addition or something.

Chairman Schech replied yes so we lost all the access to the back then at one time we all came through in the back of a certain person's store on the corner which was quite unfair because you put a building in your access.

Chairman Schech stated I am very comfortable with what we have here. Come up with some sort of screening between the residential properties in the back. It does not have to be a tree. I am sure you can come up with some sort of screening.

Rich Williams stated can I throw an idea out here.

Board Member Rogan replied please.

Rich Williams stated which probably is not the best idea considering the type of neighborhood that this is or the character of the community but there are other types of barriers that can go in between that are not vegetative that would provide adequate screening.

Board Member Montesano stated jokingly plastic palm trees stuff like that.

Rich Williams replied I am talking about very high wood barriers and other type of products that are available for a barrier between the two that could be put in a very small area.

Chairman Schech stated basically it is going to be a sight and sound barrier.

Craig Bumgarner asked how many lots border the rear there is just two is that what I am seeing from here.

Chairman Schech replied McMorrow and Renner yes.

Mr. Neubauer replied I believe it is two directly and indirectly and diagonally.

Craig Bumgarner stated maybe these people wouldn't mind giving you five or ten feet if you are willing to pay for the trees to let them go on their property. I mean I am not trying to make a lot of work so that you are not running around knocking on doors.

Board Member Rogan stated not a bad idea.

Board Member Pierro stated I bet a lot of people back there would be happy that there is something positive going on and they may be willing to extend a hand of friendship which is a novel approach.

Ted Kozlowski stated question you don't know what kind of business is going in there and there is a dumpster located right on the property line and if it is a food establishment or something I don't know what smells are going to be generated.

Board Member Pierro stated there is already two in the general area. There is one in the back of Meatballs building that we all drive by everyday on 311 and Jimmy has one and I don't see or hear of any complaints about his.

Ted Kozlowski replied Jimmy is a very clean guy.

Board Member Rogan stated I would like to know more and maybe the owner doesn't know but I would like to know more of what the proposal is for the building. I think you have to look at the plan and if it is an office with light retail that is one thing. If it is going to be some type of a restaurant or something like that I agree I think it changes the way you look at it slightly.

Rich Williams stated you have to remember it is in a sewage district the water usage out there is going to limit some of its uses.

Board Member Rogan stated I actually am not familiar with the lot I have to go drive by it. What was there previously.

Chairman Schech stated I think compared to the last time that you guys were in well it was somebody else this is a million times better.

Mr. Neubauer stated we have actually taken considerable time just to get to this point because for just that reason being the nature of it, being in the downtown, being in the Hamlet and being short on space there is always a thousand more things that you want to try and do than what you have room for so you need to weigh out what the pro's and con's are. Certainly this is not the end solution.

Chairman Schech stated we would like to see some architectural, we would like to see what you are going to propose for screening in the back and there is all kinds of screening. It does not have to be something that is live.

Board Member Rogan stated I have to ask, Edie where were you when all this midnight construction was going on. You have been in the Town for so long.

Edie Keasbey replied I am never up at midnight.

Chairman Schech stated Edie was a part-time resident up until a few years ago, right.

Edie Keasbey replied well since I was born I don't know.

Chairman Schech replied yes but you spent an awful lot of time down in the islands.

Edie Keasbey replied well yes we worked over seas for thirteen years.

Mr. Neubauer asked being that there are a couple of variances that have been requested with this proposal (unable to hear) it is somewhat understood that they are sort of necessary being that the front yard setback we are proposing it to be ten somewhat consistent with what the existing buildings are to continue that type of facade or line of sight let's say as well as because it is the use and the parking requirements so we are going to need variances.

Chairman Schech stated that is ZBA.

Mr. Neubauer stated if we take three parking spaces away we are going to need three additional spaces.

Chairman Schech stated the parking problems on Front Street are going to be resolved when they shift I hope.

Rich Williams stated they are going to be lessened.

Craig Bumgarner stated alleviated.

Rich Williams stated I would not even go that far but they would be lessened.

Board Member Rogan stated I will say that I don't like the idea of approving a plan that needs a zoning waiver, is waiver not the right word.

Chairman Schech replied we are not approving anything.

Board Member Rogan replied no what I am saying is we are on a conceptual plan saying well to do this they are going to have to go to Zoning. I believe new construction also acknowledging that the way that Front Street is set up that this is already in place I would almost want to say do we want to change the setbacks for this one particular area so that you are I guess I feel uncomfortable with the idea of a new project having variances like this.

Rich Williams stated actually this is an issue that I have been wanting to bring up and was hoping to bring it up next Wednesday. What I did in the proposed zoning, the proposed zoning right now sets in the General Business District a front setback requirement of fifty feet and I did that because generally you are going to have parking in the front and a long Front Street that, Board Member Rogan commented it is a unique situation. Rich Williams stated that setback really does not work at all.

Board Member Rogan replied right it is not the character of Front Street that is understood.

Craig Bumgarner stated and in fact that is one of the things you look at when you are giving a variance anyway is the effect on the character of the neighborhood and what is existing.

Rich Williams stated and in the Putnam Lake area that probably isn't going to work so I mean we need to talk about that in particular.

Board Member Montesano stated and just for a note when we had this conference down in the City one of the new ideas was to have the buildings in the front of the property and the parking to the rear.

Board Member Rogan stated sometimes it looks nicer than looking at parking.

Chairman Schech stated that is not that new. It has been discussed for years. If you go down south you will see an awful lot of areas like that where the parking is in the rear and the building is in front. It looks a hell of a lot nicer.

Board Member Rogan stated it gets people to window shop not that we expect the Hamlet of Patterson to be a Cold Spring but it is a nice idea.

Chairman Schech stated okay so we gave you a little direction.

Rich Williams stated well regardless there are a couple of other variances in regards to loading spaces, parking spaces they are pretty much I believe listed on the second page.

Ron Gainer stated probably the most significant and you can understand the issue of parking but the lot coverage is just about doubling what the permitted Code is. That is a significant impact.

Mr. Neubauer stated again the building size we sort of feel is in keeping with it is not really all that different in shape, overall bulk dimension than the property just to the north as well as trying to have enough space to have viable businesses on the property. Again, we are at the concept phase there is a certain amount of massaging which can and will happen. We will certainly take that comment into consideration and see if there is something else that we can come up with.

Board Member Rogan stated in my mind Rich, the question for us becomes one, is this a concept that is over building this lot is this something that we can be comfortable with because of the character or the nature of Front Street and feel comfortable supporting that versus not supporting it on another project.

Rich Williams replied that is the question exactly.

Board Member Montesano stated well each one of them is unique. The thing is if the building would fit in the overall architecture of the neighborhood that is each decision we would have to make. If the property was twice the size of what it is would you consider that size building on it.

Rich Williams stated well I think it might help to look at it in just the reverse. What would a building look like, what would it look like in the neighborhood if they complied with all the zoning regulations. Essentially that building, that footprint would be half of what is shown on the plan and would that look within character, could they do something architecturally, could they have a reasonable use of that space, would it be economically viable within that Front Street area.

Board Member Rogan stated well certainly there is nothing saying that they couldn't keep more or less the same length of the building but keep it narrow so that it gives you the appearance from the front and then you would have more room for parking or whatever around back.

Chairman Schech stated I would like to see what it is going to look like and plus I am looking at what was there before. What the hell was there before.

Eddie Keasbey stated three houses.

Board Member Montesano stated three boxes.

Chairman Schech stated it was three great big boxes that took up just about the entire parcel.

Eddie Keasbey stated they were not that big though.

Chairman Schech replied they weren't.

Eddie Keasbey replied no.

Board Member Pierro stated they were three stories.

Eddie Keasbey replied a lot smaller than Meatballs.

Chairman Schech stated they were fairly large in width. They were not four stories.

Board Member Rogan stated we are certainly excited about a new project going in.

Mr. Neubauer replied that is great that is why we are here.

Eddie Keasbey stated some of them had a stoop going up to them.

Mr. Neubauer stated what also is difficult with this is part of this whole thing is that as a Landlord for a tenant it is difficult to sell space that has a parking shortage situation and that again is part of the whole thing here.

Eddie Keasbey stated if you would have a smaller building you would have more parking.

Chairman Schech stated actually you could put a parking lot in there.

Board Member Pierro stated if you have a smaller building it may not be worth building it. Then we are back to a grass lot.

Mr. Neubauer stated it is all a balance unfortunately.

Chairman Schech stated okay we gave you enough direction.

Rich Williams stated I think before we walk away here I think we just need to be clear about what the next step is.

Chairman Schech stated he has to go to ZBA.

Rich Williams replied that is what I am saying are you comfortable with this concept.

Chairman Schech replied I am fine with it.

Rich Williams asked are you comfortable with the variances that he needs or do you want to see more information in some form and specifically what information is that. I mean we have given them a lot of guidance in a lot of different areas some of that can't be addressed until later on in the process but what do we need to do, what does Randy need to do to come back to this Board.

Chairman Schech stated see if he can get the variances.

Rich Williams replied okay so you are comfortable with it.

Board Member Pierro stated I am generally comfortable with the design as it is now and I am not saying it has to be that large. I am saying it could be smaller.

Ron Gainer stated you want to see scaled development through architectural.

Board Member Pierro replied right.

Rich Williams asked is that what you want to see is you want to see the architectural rendering of the building.

Chairman Schech replied I think that is what we stated.

Ron Gainer stated before he moves on to the ZBA.

Chairman Schech stated I would say go to ZBA first.

Rich Williams stated there is no sense going to ZBA if you are not going to be happy with the scale of the building.

Board Member Montesano stated we need more concept.

Mr. Neubauer replied or more detail specifically about what the building, Board Member Pierro stated should look like. You have a difficult job ahead just because the architectural of Meatball's building are certainly a far sight different than Jimmy's. You have to come somewhere in between.

Mr. Neubauer stated I just want to be a little careful that we don't get too wrapped up in the details of what the building is going to look like and spend a lot of time and my client's money.

Rich Williams stated that is the next thing, would it be acceptable to have just a rough conceptual rendering of what that building is going to look like and possibly within the context of the other buildings on Front Street is that something that is reasonable Randy.

Mr. Neubauer replied I will have to see.

Ron Gainer stated I think you can tie it down through digital cameras today. It is not going to be very hard.

Edie Keasbey stated it is the relationship to each of them that is important.

Rich Williams stated what we are trying to drive at is not the level of detail that we have gotten from Schoen a much rougher draft.

Edie Keasbey stated roof lines.

Mr. Neubauer replied again I will have to see.

Craig Bumgarner stated walking physically on the lot and looking at the corners of the building in relation to the size of the lot may be helpful. It is probably something that the Zoning Board is going to want to do

as well so maybe we should consider coordinating something. Let's face it they put stakes down there they are going to be gone in a couple of days so it is something that we are going to have to coordinate together so that they are not running around out there staking it a couple of different times. Do you guys want to consider before we get too much further taking a look at the lot coverage from that standpoint.
(TAPE ENDED)

Board Member Rogan stated I do want to reiterate we are saying that we are not providing loading spaces; we are not providing a space for a truck to pull up and load. We are only providing a gain of three spaces. I guess I am un-clear as to why we need to have all this room around the back of the building when we are only in my mind providing three spaces. Why not provide three spaces, not pave the whole back of the building.

Chairman Schech stated one of the reasons is they are destroying a few parking spaces in the front. They are destroying at least three parking spaces in the front with the entrance so they are trying to replace them in the back.

Board Member Rogan stated but they wouldn't if they pushed the building back a few feet.

Chairman Schech stated but we still want to get into the back of the building. We are trying to get into the back of the building.

Board Member Rogan asked why are you trying to get into the back.

Chairman Schech stated to put parking spaces.

Board Member Rogan replied what I am saying is why do you have to get to the back. You are ruining spaces up front to get to the back. I can understand if you are telling me you want all the buildings to line up, Chairman Schech stated because it might have an ATM on the one side.

Board Member Rogan stated let's say they are not going to have an ATM. I can understand if the Board says, Board Member Montesano stated how about a delivery, Board Member Rogan stated let me finish, if the Board says we are going to line up the buildings, well you are not saying that it is not necessarily going to be a bank. If it is an office building,

Mr. Neubauer stated right retail on the first floor and office on the second floor.

Board Member Rogan stated if you are telling me that the buildings on Front Street you want them all to line up visually down Front Street so that makes sense to me but to say that we are going to ruin spaces up front to get to the back to have spaces you are not selling me on that concept maybe I am missing something but it doesn't make sense to me.

Rich Williams stated at a minimum you are going to need a dumpster location at a minimum that would be in the rear of the building.

Board Member Rogan replied that is fine that makes one side of the, Rich Williams stated but you have to provide a way for a truck to get in and out and a reasonable area to maneuver in the back.

Board Member Montesano stated let's put it this way one other thing you have to think about over the years when you have had emergencies did you ever try to figure out how you are going to get back between those buildings. You use to have guys with tanks running through those little spaces to try to get to the back of the building. I would rather be able to get even a small truck to run in there but also if you are going to have a delivery you don't want them parking on Front Street unloading if you can avoid it.

Board Member Pierro stated yes but there are other ways we can get around that make them park on the side where Jimmy parks and walk a hand truck around the front of the building. They can make an arrangement with the neighboring property owner to go across his property and access the back.

Chairman Schech stated we don't want to do those things.

Board Member Pierro stated if they decide they want to make an arrangement they can.

Chairman Schech stated we don't want to do those things he might sell and the next guy doesn't want to do it. We don't do those things. We want this guy to have access in the back of his own building.

Board Member Pierro stated right but if the two property owners decide they want to give each other an easement it runs over the land forever they can do it.

Board Member Montesano stated that is an option.

Board Member Pierro stated I am not saying that we should not have any access to the rear but we can clean up parking and loading problems that way and still have access to get a garbage truck in the front to pick up the dumpster.

Mr. Neubauer stated and I appreciate you looking at losing these spaces. Let's say we get rid of the three and it is almost a swap it is five for five for someone who is renting here or leasing here or owns it here or who has somebody coming for a meeting it is advantageous and it is very interesting to have a space or two in the back that you know is yours as opposed to having it on the street which even though maybe it is reserved just for you it is not necessarily as reserved as if it was in the back if you know what I mean.

Chairman Schech stated all I know is the last time that these people were here they went from property line to property line and we bitched and yelled and screamed. We told them we wanted away from the property line so we can get fire protection, we want access to the back and now you are telling them we were lying. What are you telling these people. You are not telling them anything.

Board Member Pierro asked whose telling them.

Chairman Schech replied you guys. Now all of a sudden you don't want access to the back.

Board Member Pierro stated I am saying that I want access to the back but I want useable parking.

Chairman Schech stated well what I am getting from you guys is you don't want access to the back. Tell me in English.

Board Member Rogan stated I am trying to get the Board to think about what they are doing and say what are we gaining by paving the entire lot. We are gaining three spaces okay fine but we are also saying we don't have a space for loading; we don't have a place for a truck to pull in.

Mr. Neubauer stated I don't know how you are going to have those with less parking.

Board Member Rogan stated I agree with you and so I am saying so if you are not going to have them either way why have this back there. I am just trying to get people to think.

Chairman Schech stated you don't want to pave the backyard you want to have a vegetable garden.

Board Member Rogan replied jokingly it would provide a buffer.

Chairman Schech stated tell them you don't want to pave the back.

Board Member Rogan stated you came up with an ATM and they have not mentioned anything about it. It is not going to be a bank why would they have a drive up ATM.

Chairman Schech replied he mentioned ATM not me.

Board Member Rogan stated an ATM is something that is creating a drive up and maybe that is not something that we need. If it is going to be retail maybe they can put the ATM inside and we don't need all these driving lanes. All I am saying is that we are talking about a large building on a small lot and I am trying to get the Board to think.

Chairman Schech stated we are talking about a smaller building than what was proposed the last time, much smaller.

Board Member Rogan asked when was that.

Chairman Schech replied you were not here.

Board Member Rogan replied well that is why I am bringing up these questions I am sorry.

Chairman Schech stated basically they are coming along with what we asked for the last time.

Board Member Montesano stated what originally came in was a property line to property line building then they came back with this concept so it looks like under the direction of the Board Members that were here it was nicer to shrink the building down a little bit so that you did not have wall to wall building so now you are coming in and saying,

Board Member Rogan replied I am just trying to bring some points up.

Board Member Montesano stated what I am saying is this is your idea coming in because we had previously agreed that if they made the building smaller it would like better so they have done that and your are asking why the parking area is in the back. To me if you go get the variance you may not have any parking in the back.

Board Member Rogan replied that is true.

Board Member Montesano stated so the idea is we have a concept. When we asked them originally to come back with a different design this is what they came back with unfortunately you were not here for that. There were three or four of us that were here. You are asking questions that we should address to you that this is what we as a Board had requested prior for them to make something a little smaller. They came back with something a little smaller that is why the space is in between so rather than screaming and yelling about it it is much easier.

Board Member Rogan thanked Mike for the explanation.

Chairman Schech asked any other questions.

Mr. Neubauer asked so move ahead with, where do we stand now.

Chairman Schech replied I have no idea where we stand right now.

Ron Gainer stated (hard to hear no microphone) some conceptual back to Jimmy's and Meatball's.

Board Member Pierro stated general you don't have to be specific just general float us something that we can look at.

Board Member Montesano stated that can come through that way how much that would gain or not gain I don't know. To me the building is fine. It is a lot better than what the first one was because there is at least room to move around. If some way there can be an agreement to have the open space that originally was there before it suddenly evaporated can be done that is up to the gentlemen that own the property to get together and discuss if that is an option.

Mr. Neubauer stated if I may this is going to have review and consideration and detail I am sure about what the building is going to look like and what the roof pitch is, where the windows are going to be. I mean isn't that sort of something I mean if we are talking about basically a box and you know it can't match anything necessarily on Front Street but it could be something nice I am sure that is the only thing that is going to be approved is something that is going to be nice looking but we are more talking about here I think are site plan aspects than architectural details although I do appreciate the interest in trying to imagine, trying to get a picture in your head of what it looks like and I am not saying that we won't do that but at the same time to know that we can move in a direction with this plan without getting too much architectural detail because I know from my own experience as soon as you put something on paper that has a certain look to it some people love it and some people hate it and you just get deeper and deeper into that whole aspect than maybe what we are really going for here which is the idea of having these kinds of setbacks, this kind of room around the building, a driveway one way in, one way out going around the building needing these types of variances.

Rich Williams stated if I can just jump in here I think the issue is the Board needs a basis for their decision and you are in here right now asking for more than what our Code allows almost double what our Code and we are trying to establish a basis for them supporting that decision. Now, if there is another way to do it that is fine but I think Ron and I agree here that the best way to do it is just to prepare what you are proposing to do, compare what the rest of Front Street looks like to demonstrate to everybody that it is in scale and to reduce that would make it out of context with what the architecture of the Hamlet looks like.

Ron Gainer stated and we are driving it to scale of development now (unable to hear no microphone and other people talking at the same time.)

Mr. Neubauer stated so let's talk more about just a box and the relationship of its presence with this space between it and the adjacent building of what the impact has on it.

Rich Williams stated you can do it by boxes but generally for the layperson it is easier to look at buildings.

Mr. Neubauer replied I understand.

Chairman Schech stated you are not going to match anything you want something that is going to look presentable on its own standing.

Mr. Neubauer replied right.

Board Member Montesano stated because you have concept "a" over here and concept "z" down here you are going to get the middle of it and that is the whole thing it is going to be a middle of the road situation very interesting.

Rich Williams stated the Board did adopt architectural guidelines for development within the Hamlet. It is based on Hillsdale's which everybody has.

Mr. Neubauer stated we will come up with that sketch.

Board Member Rogan stated good luck.

8) GDC SUBDIVISION

Chairman Schech stated no one here for GDC.

Board Member Pierro stated we had a discussion on that at the Work Session.

9) UJA FEDERATION OF NY WWTP UPGRADE

Chairman Schech stated I don't think they are here because we had a problem with a stream.

Board Member Pierro stated there is a lady in the back.

The woman stated I am from JRS on 22.

Rich Williams stated Penwest.

The woman asked should I come up now.

Rich Williams replied now would be a good time.

10) JRS Pharma aka Penwest – Sign Application

The woman stated I am the new Controller down at the company and what it is, is Penwest sold off part of their business to a German Organization and they are going to continue to lease space within the building. So, what they have asked is and these are the current signs I am sorry I did not bring bigger things but you can see the sign is well setback from the road on Route 22. It allows suppliers to see the building and you can see that there is a slope in the lot. That particular lot slopes down from the road and there is a gated wall so you don't have a lot of vision. What we have asked for and it is outside of the new proposed zoning but I think it is within the current zoning but not what has been adopted yet. It is not outside what is adopted it is outside what has been proposed if I am saying that correctly.

Chairman Schech asked how many square feet.

The woman replied it is thirty-five square feet. What they want to do is keep the existing sign and then just add the same size sign to the top that reflects the German name with the same material so that it minimizes the cost and you can see it doesn't obstruct any view from cars. It is about a little over eighteen feet setback from the road so it would be the most economical. It is a quality aluminum sign that if they had to take it down and totally re-do it would be a significant cost.

Chairman Schech asked you can't just take Penwest off and just put the other one.

The woman replied no because they are staying.

Board Member Pierro stated it is still a viable corporation.

The woman stated we were just saying put JRS in the same size so that we are using everything the same so it would raise it by a height of thirty inches.

Rich Williams stated so to clarify you are using the exact same sign that is out there and just doubling it.

The woman replied we are just putting a new top on it.

Rich Williams stated Terry and I met yesterday and we had conversations a couple of days ago. Essentially what it is our sign regulations have a maximum sign for a free-standing sign or in total of all free-standing signs along 22 of twenty-five square feet. What you are proposing now the existing sign is two and a half by eight I believe which is twenty square feet and doubling that size now we are up to forty-square feet.

The woman stated it is thirty-five square feet I did the math.

Rich Williams replied so did I.

The woman replied no, I went over it with the sign guy and right now it would be thirty-five.

Rich Williams stated okay it is thirty inches, the woman replied by ninety-six inches.

Board Member Rogan stated eight feet, twenty square feet.

Rich Williams replied which is eight feet okay so that is two and a half by eight that doesn't.

The woman stated thirty inches, I did not bring my calculator.

Rich Williams stated well twenty-four is two feet with six inches so that is two and a half and two and a half by eight is twenty feet.

Board Member Rogan stated twenty square feet so you are up to forty.

Chairman Schech stated and allowable is twenty-five.

Rich Williams stated and I explained to Terry yesterday that it didn't work and she was supposed to be coming in or somebody was supposed to be coming in with different sketches of smaller signs.

The woman replied okay when we did the calculations off of the sign man, is ninety-six inches eight feet or is it seven feet.

Rich Williams stated let's ask the Engineer.

Ron Gainer stated I think you got eight feet there.

The woman stated okay because they told me it was three and a half by seven feet and that is how we did the calculation.

Rich Williams commented I think you need a new sign guy.

The woman stated I was told this was a proposed modification to the zoning this was not yet adopted.

Rich Williams stated what I gave the sign man who came in was what we are proposing to change because most of the standards are the same but I explained to him that is what is proposed.

The woman stated it is proposed and there are other things on that stretch that are outside of that range right now and that is what I wanted to put before the Board.

Rich Williams asked you mean there are other signs that are greater in size.

The woman replied yes.

Rich Williams replied right and the question is whether they are legally permitted. We have a problem within the Town about signs.

The woman stated the reason we wanted partially to see if this would work because of the way that site is located and the sloping nature of it. We have delivery trucks coming in and people are moving at a high rate of speed on that passage and it is difficult to read the signs so we were trying not to minimize the size of the sign and to pick the most economical solution so we realize it is a variance and I just wanted to bring it up. That is why I took the pictures. I had the plant manager go out and take pictures so you could physically see it. It is difficult to even tell that there is a building back there so for guys delivering truck loads of products this is what it would look like and that is what the difference is. It is the same exact bottom portion, they have taken off the address that will go on the top and added the name technical operations.

Board Member Montesano stated you are still going over what we can approve.

Rich Williams stated this is a non-issue at this point and understand this I don't know that anybody has a problem with the sign or size of the sign per say. The problem becomes it is in excess of what they can actually approve for you which means you would need to go to another Board to get a variance to allow them to approve the size of the sign. We were trying to do something in a very short order to accommodate you because we do want to accommodate you.

The woman replied no I understand I thought it had not been adopted and that is why I thought if it was just proposed this is your proposed new sign ordinance.

Rich Williams replied but we do have an existing and that is what we are talking about here tonight. The existing says the maximum size of free-standing signs along the road in total cannot exceed twenty-five square feet.

The woman replied I am sorry I was told that was what was proposed.

Rich Williams stated that is what I am saying that section which is also proposed is what is also existing.

The woman replied I did not realize that. I thought the existing was the larger and that is why we had the picture taken.

Rich Williams replied no we have not changed that.

Chairman Schech stated I can't see any problem with it except we can't approve it.

The woman asked so where would I go from here.

Rich Williams stated well if that is the sign that you are set on and that you want you need to make an application to the Zoning Board of Appeals to get a variance then you can come back to this Board.

Board Member Pierro asked if they were to make those signs smaller, can you hold up that diagram.

Board Member Rogan stated that is not what they want to do though.

Board Member Rogan stated they don't want to make them smaller.

Chairman Schech stated actually they want a little larger so you can see it. Actually it is lost in the background when you come down the road.

Board Member Pierro stated right but if you were to make that particular sign there if you were to take technical operations out of the bottom of it.

The woman replied they wanted to let, there are two offices now at Penwest one is going to be technical operations here in Patterson and their corporate office is going to be in Danbury.

Board Member Pierro stated if you make the existing sign smaller you could then make the Pharma sign smaller.

Board Member Rogan stated except that their point is to do as little as possible.

Board Member Montesano stated the object would be if they can go to ZBA and get it approved then we can approve it.

Chairman Schech stated I say go to ZBA.

The woman asked so I just need to go present it, do I need to go to a meeting to present it.

Rich Williams replied you are going to need to make an application to the Zoning Board of Appeals. I am not sure what their next meeting is. See this is the problem now we are taking a whole lot of time to do this because now you are talking about two to three months before you can get that sign done and that is why when I talked to Terry, Terry was going to come in with some alternatives for some smaller sized signs that we could accommodate you in a very short order.

The woman replied they did do one but no one liked the sign there and I did bring it in to show but I don't have any kind of this would fit but I think when you look at that compared with the pictures you are not going to be able to read that coming down the highway at any kind of delivery speed. You shrunk them down so that if it was the little retail you can't see it.

Ron Gainer stated you have a choice you can either submit the smaller sign tonight and take an action so you can put up a sign initially and then wait some months until you get your other approvals.

The woman asked is that the better way to do it.

The Board replied that is up to you.

Board Member Pierro stated at least it will get you a sign.

Ron Gainer stated otherwise you are going to wait until final action on your larger sign.

The woman replied okay so they can put up a temporary sign.

Ron Gainer replied right.

Board Member Rogan stated and if zoning denies you you are back to square one at least you have something that is approved that would be there.

Board Member Pierro stated see that was my point if you make the two signs smaller I don't like the JRS I think you are losing Pharma there. If you make JRS a little smaller you can make Pharma a little bigger and I think there maybe something a little bit more palatable and you will have a sign in the short run.

The woman replied yes when you look at that particular picture you can see how they both, you are almost lost with just the Penwest as it stands now with the current size.

The woman stated okay can we go for that and then we will ask for approval for this and then I will talk to you afterwards (referring to Rich) about getting the process rolling on the next.

Rich Williams replied come in tomorrow we will give you all the application forms.

Chairman Schech stated try to get something down to twenty-five square feet.

The woman stated it says forty-two inches by ninety-six inches.

Board Member Rogan stated that is even bigger then. You are really in trouble unless that is the overall.'

The woman stated that is the total of two signs.

Board Member Montesano stated that is not going to do it.

Chairman Schech stated you are still going to be over the twenty-five.

The woman replied I don't know this is from the sign guy I am reading it off the sheet.

Rich Williams stated you have to get a new sign guy. The max that you can go is basically three feet by eight feet.

Ron Gainer asked twenty.

Chairman Schech replied twenty-five.

Rich Williams stated the one sign they have now is two and a half by eight which is twenty square feet.

Ron Gainer replied so you can take a motion and identify that it is not to exceed, Rich Williams stated twenty-five square feet.

Board Member Montesano made a motion in the matter of JRS that the Planning Board approves the sign not to exceed twenty-five square feet. Board Member Pierro seconded the motion.

Upon roll call vote:

Board Member Montesano	-	yes
Board Member Pierro	-	yes

Board Member Rogan	-	yes
Chairman Schech	-	yes

All in favor and motion carried by a vote of 4 to 0.

The woman thanked the Board

11) GDC SUBDIVISION- VERIZON

Rich Williams stated I will let Craig update you on Verizon.

Rich Williams stated GDC went to the Town Board last night. The Town Board requested that the Town Attorney pursue further action on that and Craig is currently working on that.

Craig Bumgarner stated I have something drafter for Verizon and what I will do as a matter of fact it is on my machine right now, I had it done, I should have brought a copy with me. I will fax one over to Rich tomorrow so you guys have it. It is basically a letter to them saying the Town Code says it was supposed to be underground. Our review of your tariff and the applicable New York State provisions say it was underground we have been authorized to pursue legal action and we will be happy to see what you have to say about before we file but it is time you tell us why you decided you were just going to put all the poles in.

Board Member Pierro stated fine.

12) VERIZON SITE PLAN – Route 311

Chairman Schech stated nobody is here.

Rich Williams replied no they were not supposed to be.

Chairman Schech asked Rich did you tell them I want those trees planted before we approve this. I don't care if they have to blast holes into the ground.

Rich Williams replied as I explained you can't require them to do improvements without giving them an approval. You can do it as a condition of. You can say we are not signing the plans until those trees are in that is fine but you can't say go make site improvements, Craig Bumgarner stated and then I will agree.

Board Member Pierro made a motion in the matter of Verizon Site Plan for the new generator replacement that the Planning Board grants the approval with the five general conditions and the two special conditions.

Board Member Montesano stated three special conditions. The trees will be put in before signing.

Board Member Pierro stated the shrubs and trees will be put in before the plans are signed.

Board Member Montesano seconded the motion.

Upon roll call vote:

Board Member Montesano	-	yes
Board Member Pierro	-	yes
Board Member Rogan	-	yes
Chairman Schech	-	yes

All in favor and motion carried by a vote of 4 to 0.

13) UJA FEDERATION OF NY WWTP UPGRADE

Rich Williams advised this is the Camp Solomon the Alliance Camp off of Ballyhack Road they are upgrading their plant. Apparently there is a disagreement between the Engineers and the property owner about the scope of work so they withdrew. Irregardless, I asked him to call me tomorrow because I want to talk to him and I need to bring Ted in on this because they are very, very close to a stream both with the driveway going in which by our Code has to be paved and the grading and other improvements so they are going to need a Wetlands Permit regardless. I don't see any reason that they can't move the improvements away.

Chairman Schech asked who owns the property.

Rich Williams replied an outfit, UJA Federation out of New York City.

Chairman Schech replied I thought it was the same operation owned it and operates it they don't.

Rich Williams replied somebody new has bought it recently. Ted you need to take a look at this.

Chairman Schech stated okay so we have a problem there and that is at a stand still.

14) MINUTES

Board Member Pierro made a motion to accept the minutes of January 9, 2003, January 30, 2003 and February 6, 2003. Board Member Montesano seconded the motion. All in favor and motion carried by a vote of 4 to 0.

15) BRIDLE RIDGE DRIVEWAY RELOCATION

Mr. Nichols showed the Board a plan and explained that in red that is where the driveway is approved.

Board Member Pierro asked where are you shifting it to.

Mr. Nichols replied we are shifting it to the other side of the house but we are putting it right up the center of the curb so you have better site distance in both directions. Actually at that location it is in the middle between two curbs.

Board Member Pierro stated I have no problem with that.

Chairman Schech asked why didn't you do this the way you are supposed to do this, Harry.

Mr. Nichols replied I did not do the original.

Chairman Schech stated you are supposed to come in and make an appointment and all that happy horse sh-

Board Member Rogan asked Harry who did it.

Unable to hear Mr. Nichols response.

Chairman Schech asked all in favor of moving the driveway. Some Board Members replied aye.

Ted Kozlowski asked is there any streams here Harry where you are moving it to.

Mr. Nichols replied no.

(Too many speaking at once unable to transcribe).

Chairman Schech asked for a motion.

Board Member Rogan made a motion in the matter of Bridle Ridge Lot 11 that the Planning Board approves the new location of the driveway. Board Member Pierro seconded the motion.

Upon roll call vote:

Board Member Montesano	-	yes
Board Member Pierro	-	yes
Board Member Rogan	-	yes
Chairman Schech	-	yes

All in favor and motion carried by a vote of 4 to 0.

Board Member Montesano asked Mr. Nichols to give the Board a copy for the file.

Board Member Montesano stated when we have these work sessions I think it would be beneficial especially with Shawn coming on that we explain certain things. We discussed this thing with the building,

Board Member Rogan stated and I did not have the benefit in it.

Board Member Montesano stated unfortunately we didn't explain what we were talking about and he missed it.

Rich Williams stated you also did not have the benefit of what was there before and the Town negotiating to replace it.

Board Member Montesano stated if we are going to bring the new plan in maybe we should grab out the old file when we have the work sessions.

Rich Williams replied that is fine with me.

Board Member Montesano stated I am just saying we have access to it so why not do it that is what the hell the work session is for.

Board Member Rogan stated that I have said to Rich on the side is that one of my frustrations with our work sessions are that we sometimes get in the habit that we feel like we are breezing through things and I am sitting there going woe wait a minute. It seems like there are so many issues. I don't like the idea of giving a person that is up before us well we have given them enough to work on. Let's give them everything that we have that we can come up instead of well we put them off for another month. The idea of the work session is to talk about all this stuff.

Board Member Montesano stated right we should give you the courtesy and the benefit of the doubt that you don't know what is going on and we do.

Board Member Rogan replied true and many times in a work session we will say okay we are all set on Schoen for a dumb example and then when it comes up in the meeting it does not seem like anybody knows what is going on. Honestly like nobody knows what is going on but at the work session we said everything is fine with the lot. It seems like we have to slow down on the work sessions, not try to get out in an hour and discuss these things quite honestly because that is the whole idea of it so that we look honestly more professional in these meetings.

Board Member Pierro made a motion to adjourn the meeting. Board Member Montesano seconded the motion. All in favor and meeting adjourned at 9:25 p.m.