

TOWN OF PATTERSON
PLANNING BOARD MEETING
March 25, 2004 WORK SESSION
AGENDA & MINUTES

APPROVED
Stacy M. M. S.

- | | |
|---|--------------|
| 1) Building Inspector's Request | Page 1 – 11 |
| 2) Kozlowski Wetlands/Watercourse Application | Page 11 |
| 3) Noblet Subdivision | Page 11 |
| 4) Sypko Wetlands/Watercourse Application | Page 12 |
| 5) Thomas Subdivision | Page 13 – 16 |
| 6) Clancy Lot Line Adjustment | Page 16 – 19 |
| 7) Forest View Apartments | Page 19 - 20 |
| 8) Putnam County National Bank – Front Street | Page 20 - 21 |
| 9) Ryder Site Plan Wetlands Watercourse Permit | Page 21 – 22 |
| 10) DEW Construction Amended Site Plan | Page 22 |
| 11) Bri Car Site Plan | Page 23 |
| 12) Tanzi Site Plan | Page 23 – 24 |
| 13) Other Business | |
| a. Site Walk Comments | |
| Bri Car & Paddock View Estates | Page 24 |
| b. South Patterson Business Park | Page 24 - 26 |

PLANNING DEPARTMENT

P.O. Box 470
1142 Route 311
Patterson, NY 12563

Melissa Brichta
Secretary

Richard Williams
Town Planner

Telephone (914) 878-6500
FAX (914) 878-2019



**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

ZONING BOARD OF APPEALS

Howard Buzzutto, Chairman
Mary Bodor
Marianne Burdick
Ginny Nacerino
Lars Olenius

PLANNING BOARD

Herb Schech, Chairman
Michael Montesano
David Pierro
Shawn Rogan
Maria Di Salvo

APPROVED
3/26/04 mbs

Planning Board

March 25, 2004 Work Session 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, Board Member Maria Di Salvo, Rich Williams, Town Planner and Ted Kozlowski, ECI.

Meeting called to order at 7:34 p.m.

1 member in the audience

Chairman Schech stated we will move the Building Inspector up to number one.

1) BUILDING INSPECTOR REQUEST

Mr. Paul Piazza, Building Inspector handed materials out to the Board.

Mr. Piazza stated basically Dave and I put our heads together a little bit and did some research on fire protection water supply. In the past in reviewing some of the subdivisions that have taken place in Town in some cases it was either disregarded, not brought up, not made an issue of and we are very much in tune with it for the obvious reasons. What we did is we put together a package and we are asking that you all review it and we can come back at another time to answer questions about details on it. This is strictly a draft at this point but we do want to get the Board's input on it. We used a combination of NFPA 1142 and the ISO Guidelines. NFPA is the National Fire Protection Agency as you all know. The ISO rating is a rating that everybody's fire insurance is based commercially and residentially. Right now the Town of Patterson is sitting at a nine, a rating of nine. What that will mean if we can get the rating lowered to a six which is what we are looking to do and this is in conjunction with the fire department as well as my office who gets rated, the fire department gets rated and the insurance service organization will send out a representative to conduct a series of testing that the fire department has to pass in order to get the rating lowered. East Fishkill just did this, had their ISO rating lowered to a six. The average saving on a \$200,000.00 house is about a hundred dollars a year, a \$400,000.00 is two hundred dollars a year and a \$600,000.00 will be approximately three hundred dollars a year on the fire insurance. Patterson has never been rated. Nobody has ever requested them to come down and do a ISO rating on us. Ten is the highest rating one is the best rating. We are sitting at a nine because they have never come down here to do a rating. Part of the rating is the amount of water that can be delivered at a scene at any given time.

When they do this inspection, when the Inspector comes down to qualify the insurance rating they will pick a spot in Town it can be anywhere. It could be a commercial building it could be residential. They will say flow your water, where are you getting your water, how are you doing it, what is your manpower the whole nine yards and the fire department has to justify that. The water supply is a big key element to this. That is why we are looking to put in as much water as we possibly can get. We realize there is going to be some subdivisions that we are not going to get the required amount but at least we can get a desired amount. We are asking for five or more houses in a subdivision to put in 60,000 gallons of water be it 30,000 in one tank on the bottom 30,000 one tank on the top or a combination of 60,000 with the two 30,000 next to each other which I understand is a lot of water.

Board Member Pierro commented that is a lot of water. That is a lot of cost for five houses.

Board Member Di Salvo asked are they going to buy it from like Durkin or something.

Paul Piazza replied no.

Board Member Di Salvo asked where does the water come from.

Paul Piazza stated there is a whole slew of things that have to come into play with this. What has got to be looked at is first of all the tanks in the ground, how to supply them. In the proposal here we are calling out well fed just like you did down at Wyndham Homes. It is a well fed tank it is only 20,000 gallons. It does not help the ISO rating. It does help on the fire suppression I am not going to argue that one bit. ISO they call out the 60,000 they are asking us to deliver 500 gallons a minute for two hours. NFPA,

Rich Williams interjected that is not exactly true.

Chairman Schech asked are you taking into consideration the number of tankers we have.

Paul Piazza replied yes.

Chairman Schech asked on stand by and all of that stuff.

Paul Piazza stated the approach we are taking in this and I wanted to bring this out before you actually took this home to review it we have given consideration to the amount of water we can put on the road. Part of this whole program is the lack of manpower that we have today in the volunteer service. Dave knows it, I know it, Putnam Lake feels it, and Patterson feels it every department throughout the volunteer system is feeling a pinch when it comes to volunteers. We can't guarantee we are going to get the trucks on the road but at the same time if the water is there it is a tremendous help. How it is to be maintained in the future has to be worked out. It is called out in here, NFPA is recommending a water supply officer be it a Town employee be it Highway Superintendent, someone out of the highway department, be that of the fire department. That has to got to be looked into. The first is trying to get water established in the subdivisions and in the commercial developments.

Board Member Montesano asked are they using fiberglass and polymer tanks.

Paul Piazza replied in this package they are showing the polymer tanks yes.

Board Member Montesano asked what I want to know is this, you store 60,000 gallons of water is has got

one reason it is there it is fire protection what is the consumption, or human consumption problems with a polymer tank if any.

Paul Piazza replied this is not drinking water.

Board Member Montesano stated that is not what I am asking. I am asking is there a problem with those tanks. Right now you are asking each person in the community and it is a sensible thing but what I am trying to say is if for arguments sake that tank was capable of holding that water as an emergency supply of drinking water that gives you two reasons to have it not just for fire suppression but also if there is a drought, if there is a problem with national security where you are cutoff from your water mainly no electricity can that water be used in that emergency for drinking purposes.

Paul Piazza stated that is something I never even thought of.

Board Member Rogan stated maybe under a boil water notice (too many speaking at the same time unable to transcribe).

Board Member Montesano stated what I am worried about is if you get a fiberglass tank, particles of fiberglass is there someway that if this can be shown as not only as a fire suppression but an emergency drinking water situation now you are going to get more people that may be willing to accept that and spend that extra money because you have dissipated over to the houses anyway. Right now is the time to do this because we are all in this wake up America type of routine.

Paul Piazza stated to be honest with you I have never even looked into that I couldn't answer that.

Board Member Montesano stated well now you have something else to look up.

Board Member Rogan stated that is not even fair to Paul that would be something that we could direct towards our department, Health Department.

Rich Williams asked for what the potable.

Board Member Rogan replied yes the potable water.

Rich Williams stated for me that should not be on the table we can look at it if there was an emergency there is a volume of water yes we may have to go in and shock it with chlorine and then distribute it for boil water that would be under an extreme you wouldn't be designing for it.

Board Member Montesano stated my thing is when you go to sell somebody something if you are going to sell them a wrench that can only be used,

Board Member Rogan stated well you are not selling it to them though if you are making it a requirement of the subdivision.

Board Member Montesano stated but that cost is going to be excruciating.

Board Member Rogan replied that was my question. One 30,000 gallon tank installed do you have any idea what it costs.

Paul Piazza replied I talked briefly with the people over at Wyndham Homes the cost of the tank that they just put in he was not sure whether or not the well was included in it. We all know a well could be two thousand, it could be ten thousand, and his numbers were up around \$42,000.00.

Rich Williams asked for.

Paul Piazza replied for 20,000 gallons.

Board Member Pierro stated so we are talking about a \$120,000.00 for a 60,000 gallons.

Paul Piazza stated some of the costs are shared because you are putting the two tanks in one hole. I am talking about that is his complete cost the excavation everything.

Board Member Di Salvo stated one of the plans has it in, the one (unable to hear due to fire whistle and Paul's pager).

Rich Williams handed the Board a picture of the tank at Deerwood.

Board Member Rogan asked how many thousand gallons do you think that tank is that we already have stored up on Burdick Farms that has to be 40,000 much bigger than this thing.

Board Member Pierro asked what was the cost of the fire suppression system in the single family residence on the upper part of East Branch Road that subdivision there.

The Secretary stated Fuca.

Rich Williams stated no we didn't put a water tank. They had to sprinkle the house up on top. That is going to be part of the (unable to hear fire whistle & Paul's pager). I hear the estimated cost was going to be around six thousand dollars.

Board Member Pierro asked would it be cheaper for the developer and the homeowner to require individual sprinkler systems in the home as opposed to this.

Rich Williams stated Paul and I have been butting heads about this issue for quite some time now.

Board Member Pierro stated yes we heard.

Rich Williams stated my issue with all of this is if we are going to do it and there is no doubt in my mind we need to be developing more water supplies absolutely that goes without question but what is a reasonable standard and how do we do it and how do we do it in the most economical way. It really comes down to two issues for me anyway; what is a reasonable standard and the other thing is this ISO requirement. The ISO standard is basically a fire hydrant standard. That is what they are basing everything on. If you don't have a fire hydrant they they want you to prove that you can within a thousand feet of any structure have a continuous, non-stop flow of water of 250 gallons per minute for 2 hours.

Paul Piazza stated check your date on your data. The reason I am saying that is the old standard was 250 with the construction of today they have up'd it to 500.

Rich Williams stated okay I find that hard to believe because I think we can agree on this that the basic standard is for say a 6,000 square foot home you need about 30,000 gallons of water to fight that fire.

Paul Piazza stated no you need more Rich. I am telling you.

Rich Williams stated well that is the NFPA standard. That is what everybody bases it on. There is a formula right in there to estimate out the cubic footage of the house.

Paul Piazza stated right the fire load of a house. I understand that and I accept that but your numbers are off.

Rich Williams stated and doing that you come up with a viable water of roughly 30,000 gallons a little bit more for these big mansions we are looking at, a little bit less for some of the smaller ones and that is the amount you really need on site when you are fighting a fire and we need to have that line of water within close, reasonable proximity so that we reduce the haul time and that is the other issue that Paul and I have kind of butted our heads on. NFPA 1142 provides a method of calculating the amount of water that you need on any given site and if your firematic responses are based on hauling water there is a formula in there to actually calculate out how much water you are showing up with and how much you need to go get and how long it is going to take you to come up with that 250 gallon per minute number and that is my concern that we are not doing that.

Paul Piazza stated to be honest with you all, what I wanted to do tonight is give this out to you, give you a chance to review it. I am not saying this is hard and fast, this is exactly what we need, this is what I am proposing this is what I want to do. This is a starting point. This gives you all the facts. On the back page of this is copy of the East Fishkill accomplishment that they just did. It is a substantial savings for the taxpayers in the Town. Commercially it is that much more of a savings. We have a lot of work to do as far as the fire service goes but part of my job here in this office, the office I hold here is to insure that we have fire safe properties. This is a proposal we are coming in with. We don't expect that we are going to get this whole proposal. We are not even close to it but we felt it was necessary to bring the facts into you, give you a chance to review it and digest it and we will be back to answer any of your questions.

Chairman Schech asked is there anyway you can get this five inch hose working again.

Paul Piazza replied yes we are working out specs on a truck right now.

Chairman Schech stated a new truck, Paul Piazza stated it is a replacement. Chairman Schech stated I understood that you didn't put the five inch hose out because you had nobody to pick it up.

Paul Piazza stated no we don't have anyway of carrying it right now all of it.

Chairman Schech asked what happened to the truck it was on.

Paul Piazza replied it is down at Bonavenia's.

Chairman Schech stated we had enough to go from here to the school.

Paul Piazza stated five thousand feet.

Chairman Schech asked and you need a bigger truck or a prettier truck.

Paul Piazza stated no we need a work horse and that is what we are spec'ing out right now.

Paul Piazza stated you have to remember I am not just dealing with Patterson Firehouse, I am dealing with Putnam Lake fire also. The geographic situations we have here with the hills and the mountains we have got to climb with these trucks and laying a five inch hose that is a whole lot of truck that has to push it up the hill.

Chairman Schech stated you just spot trucks along the route.

Paul Piazza stated but then you go back to the problem with the manpower. You have to have manpower to operate these trucks. We have the hose, the hose right now is capable of handling a 120 pounds of pressure. We are looking at possibly a new truck that will handle a better five inch hose that will handle up to three hundred pounds of pressure that we can supply two thousand feet away double lay or we can supply a single lay six thousand feet away but there is time elements involved, there is manpower elements involved. The school fire that we had last week, we didn't lay a hose basically because I didn't have the manpower to lay the hose and we only used six thousand gallons of water in that fire. We tankered it but none the less can we lay that much hose, yes we have got the hose to lay it but I don't have the manpower to do it talking with that hat on. This has got yes it ties in with the fire department there is no doubt about it knowing the equipment that is in both fire houses, knowing the manpower shortage that is affecting both fire houses the more water we can get out to the sites, I mean let's face it how many homes are in Wyndham Homes.

The Secretary stated 36.

Paul Piazza stated 36 you split the cost across the amount of homes, Rich stated 34.

Paul Piazza stated split the cost of installing the tank it is not that big of a hit for a house. The developer is only going to roll it down to the homeowner.

Board Member Montesano asked how much would the average homeowner save I am talking about the older homes, in Alpine Village how much money are they going to save. Are they going to save the same amount of money.

Paul Piazza stated the average two hundred thousand dollar home is going to save a hundred dollars a year on fire insurance.

Board Member Pierro stated there is not many two hundred thousand dollar homes.

Board Member Montesano stated what I am looking at is if you get this rating does that mean if Alpine Village doesn't have that water supply you guys have to have it.

Paul Piazza stated we are doing it town wide. If they tell us to go up to Alpine and supply five hundred gallons a minute for two hours we have to have either a water supply up there or we have to automatic mutual aid on a dispatch we can't use Pawling because they are not on our dispatch that can deliver that kind of flow of water.

Board Member Montesano asked let's come out to my house there is six, seven houses sitting there, the guys across the street you are going to go in there and tell these people now that they have to install,

Paul Piazza replied no, no this is new construction.

Board Member Montesano stated what I am asking is we are going new construction to get this rating what about the older houses can the insurance company that is saving you money say to you well you are not included in there because you don't have a tank but can you guys supply the water.

Paul Piazza stated if these tanks went into Astro or if they went into Dorset Hollow that is enough, that covers it close enough that we can tanker shuttle back and forth with other departments helping us with tankers so yes we can reduce your rating as well as everybody else in the subdivision that has the tank.

Rich Williams stated let's be clear about this to the Board because I think there is a little bit of confusion. You are looking to lower the rating town wide.

Paul Piazza stated yes.

Rich Williams stated in order to do that you need to impose a certain standard or have the ability to have a certain volume of water town wide and what is that standard.

Paul Piazza stated the standard we are looking to achieve will deliver five hundred gallons a minute for two hours.

Rich Williams asked and that equates to what.

Paul Piazza replied sixty thousand gallons.

Rich Williams stated wait, wait, wait sixty thousand gallons.

Paul Piazza stated within a thousand feet.

Rich Williams stated okay so every thousand feet for, Paul Piazza stated you are misunderstanding this whole thing if the tanks are not spread out through the Town every thousand feet or every two thousand feet because you can go a thousand each side that is not the worse case scenario the fact that we can go to a water source in close proximity and bring in the water by tankers we can solve the same equation.

Rich Williams stated that was my point from day one with you.

Paul Piazza stated but the fact that we can go to this pond and pull out water and that will give us enough water for this whole geographic area but we can't go down to where Mike is, we can use his pond yes but are we going to make that flow of water out there no. If in working with the Town and I have already approached the subject with the Town of possibly bringing a pipe out of the Town Park on to North Street maybe possibly one up on Maple Avenue behind Brill's house the pond back there bringing pipes out to the road where we can get to this water we can solve the issues with the parcels that are away from these tanks but if we can get it into Dorset, take Wyndham Homes for a second if we had sixty thousand that would cover all of Old Road and Wyndham Homes and the rest of Apple Hill. If we go to Astro if the tanks were

put into Astro we can hit all of Astro, we can hit Shirley Dr, and we can hit part of Cornwall Meadows or Cornwall Hill Road we can also hit down 311 to Maria's place. The trailer court obviously is not going to use 60,000 gallons on a whole trailer park.

Rich Williams stated let me jump in here because to start with I was in your office when you called ISO and they said 30,000 gallons so I am not sure where the 60,000 is coming from but this has been my argument with you all along is that it is not the ability to have 30,000 gallons within a thousand feet of the structure. It is the ability to have a continuous flow for two hours of 30,000 gallons, 250 gallons a minute at the site with a combination of water at the site and the ability to haul. Whatever you show up with whatever you haul with so now you are talking about establishing a formula which NFPA does to figure out the distance that you are going to need to have volumes of water to be able to have within a reasonable amount of time 30,000 gallons on that site so that you can have it there to have your 250 gallons per minute.

Board Member Pierro stated and that is a combination of what is trucked in and what is on site.

Rich Williams stated so we may not necessarily need to put 60,000 gallons on a subdivision or I think I saw in your memo a tank every thousand feet. We just need to look at,

Paul Piazza stated a concentrated look has to be given to each subdivision.

Rich Williams stated and each house within the subdivision.

Paul Piazza stated and each house, Rich stated because if you have a house with an eighteen hundred foot driveway that adds to the travel time.

Paul Piazza stated exactly and laying the hose out and everything else. Burdick Farms I go over to the Girl Scout Camp, fourteen hundred feet from Ice Pond Road to the hydrant I can lay that line in there and bring water out to that point but I am not going to get up on to Burdick Farms and put out a house fire with that hose lay. We are saying give us even if you break up the 60,000 into two tanks or give us 90,000 in three tanks because of the volume of houses up there. The houses are not built the way they are in the lower Westchester area where they are that close together. We realize that. We know we have space between houses. We understand that. What we need to do is put a concentrated effort into getting water sources on these parcels that we can sustain the flow for a fire.

Rich Williams stated I understand that but my concern is this, this Board has to apply standards uniformly across the board and it can't simply be we need to put 30,000 gallons here, we need to put 60,000 gallons here based on the number of homes because that is not a uniform standard. This ten lot subdivision may have 60,000 gallons and a ten lot subdivision right down the road that it is spread out may not I am saying this wrong, a tightly, dense subdivision with 60,000 gallons has a different gallons per minute at each individual house than a ten lot subdivision spread out over a big parcel with the same volume of water.

Paul Piazza stated so like I am saying if you put on a subdivision that is spread out like that you give us two, 30,000 gallon tanks that are some how connected to each other either gravity flow from one to the other or whatever we can work with something. The point being is the 20,000 gallons that went into Wyndham Homes, Deerwood is so low it is almost ludicrous. It is almost why bother, almost. It is 20,000 it is 20,000 more than what we had.

Rich Williams stated it was the best recommendation that we got at the time we did the subdivision.

Paul Piazza stated okay and I am not saying you are wrong probably you are right but things like that have to be looked at and in the past when I have asked why doesn't the fire department have a sign off to the Planning Board directly I was told that the fire department never did submit any plans back, never came back with any recommendations, fine what I have tried to do with both fire departments is my sign off and I don't have an official sign off to the Planning Board, my recommendation is you guys are required to sign off to me and then I will take care of getting it over to the Planning Board and into the subdivision. That is the best I can do at this point.

Rich Williams stated that is fine.

Paul Piazza stated lines of communication are open.

Rich Williams stated in the past it was too difficult and too sporadic with the fire department and we have people responsible for fire inspections and everything else here and they are the people that the Planning Board should be working with. Just to try to bring this to some closure at this point, my opinion is that this Board can't impose this standard because there is no regulatory requirement for them to do so. They can look at it through the SEQRA process the mitigated impacts but it is not what you want to do here. You want a uniform standard applied evenly across the board and that has got to come from regulations because this Board can only impose what is in the regulations. So, ultimately this Board is going to develop a standard, they are going to take it to the Town Board and we are going to amend the Code. Then it is going to be in the Code.

Paul Piazza stated my first stop would be to come to this Board.

Rich Williams stated right.

Paul Piazza stated and that is what we are doing. We are laying out what we feel we would like to see. We understand this is going to be negotiated down. There is no two ways about it.

Rich Williams stated so you know that you came in way too high expecting to go lower.

Paul Piazza stated we know we are going to have to negotiate some of this down but I have to give you the facts and that is what I have done with this handout.

Board Member Di Salvo stated I am just curious one of these developments that we are looking at, Forest View, I looked at the plans they are putting in a tank.

Paul Piazza stated 16,000 gallons.

Board Member Di Salvo asked who is telling them to do that.

Paul Piazza replied I have no idea.

Board Member Montesano stated the insurance company.

Paul Piazza stated and I will tell you right now that is not going to fly.

Rich Williams stated 16,000 gallons probably isn't going to be sufficient, Ted Kozlowski stated these are the apartments so they are probably required by the insurance company to have these.

Paul Piazza stated it is going to be a lot more than 16,000.

Board Member Rogan asked are they proposing sprinkler systems.

Paul Piazza replied no.

Rich Williams stated my end of it I haven't even gotten that far to worry about things like fire protection up there because we have gone from three buildings to two buildings I don't know that two buildings are going to fly.

Board Member Di Salvo stated I was just curious to know because all of a sudden we are talking about it and I remember it being on the plans and who suggested it the builder or like you said the insurance or the Town.

Ted Kozlowski stated it is apartments and there is probably some requirement that they have to have.

Board Member Pierro stated the word on the street is that place is in contract to sell and in the advertisement to sell they put in the MLS sheets and prospectus is that they have approval for additional buildings and I think that is part of the deal. You show us the approval we will contribute to the design and, (too many speaking at the same time unable to transcribe).

Board Member Pierro asked what are the depth requirements of a pond to keep that from freezing.

Paul Piazza replied you need to have minimally six foot of depth because you have the basket that has to be two foot off the pond. You have to allow for pipes going out and not freezing so that is four foot so you are going a minimum of six foot.

Board Member Pierro asked and how deep does this pond freeze, how deep is the ice.

Paul Piazza replied we have had freezes as deep as three foot, thirty inches.

Board Member Pierro asked how do you get through it throw a hand grenade on it.

Paul Piazza replied we go down with axes, a sauger, we have the dry hydrant out here right now it is out of service.

Ted Kozlowski asked what is the depth of that pond Paul.

Paul Piazza stated there are places in the pond that have been depth at fifteen feet.

Chairman Schech asked okay are we finished with the water for a little while.

Board Member Pierro replied yes.

Paul Piazza thanked the Board.

2) KOZLOWSKI WETLANDS/WATERCOURSE APPLICATION

Chairman Schech stated this is the public hearing.

3) NOBLET SUBDIVISION

Board Member Di Salvo asked was Charlie there yet.

Rich Williams replied no.

The Secretary stated no the last meeting the Chairman said irregardless of Charlie.

Board Member Rogan asked we don't have anything else on Noblet right.

Chairman Schech stated the corner is the only thing that is holding it up.

Board Member Pierro stated except that we were going to ask Mr. Noblet if holding him back was the,

Board Member Rogan stated Mike came up with something. We said that we would ask Mr. Noblet to affirm, not ask him to affirm but basically have him affirm that he would be willing to offer that property for dedication for the road improvements if it wasn't for this mortgage problem which is what he said on the record. If he does we can say, Rich came up with a great idea on the plat that says in change of ownership from him that it would then be in affect.

Board Member Pierro stated because then the mortgage holder has no control.

Board Member Rogan stated I think that is a great way to resolve it and it may not resolve it but at least he has the ability to make or break his own.

Rich Williams stated either way the Board had the public hearing and has to take an action within 62 days unless you get a waiver and I very seriously doubt you are going to get a waiver which means you have to take an action at this meeting.

Board Member Di Salvo asked what if he sells the property to his son.

Board Member Pierro stated if his son sells the property.

Board Member Di Salvo stated so now you are talking down the road.

Board Member Pierro stated I don't think it affects if he sells the property to his son.

Board Member Rogan stated well if it is his son it is a different name it would take affect.

Rich Williams stated the note is going to read upon change of ownership of this property the property will be subject to an irrevocable offer of dedication.

4) SYPKO WETLANDS/WATERCOURSE APPLICATION

Rich Williams stated Harry resubmitted the plans there were a couple of minor issues that were not on the plan. I have met with Harry in between and by this time next week I think we are ready to go. There is just one issue that Ted needs to take a look at and that is the landscaping down by the stream. He is proposed twelve, red tipped Dogwoods.

Chairman Schech stated that is all.

Rich Williams stated that is it.

Board Member Montesano asked which would be better to put there. There has got to be something there for the winter time.

Ted Kozlowski stated that is not a lot of plants.

Board Member Pierro stated that is not a lot of coverage.

Board Member Montesano stated but I am just saying on a basis that he is putting in deciduous trees what about the rest of them here. You are going to need something that is solid.

Rich Williams stated not necessarily and Ted's recommendation was that he plant riparian type vegetation in that area.

Board Member Pierro stated river like.

(Unable to hear Ted's full statement too many talking).

Chairman Schech asked why don't you put some Red Maples in.

Rich Williams stated I think Ted and I agree on this we really don't want large trees in this area.

Ted Kozlowski stated no, shrubs preferably.

Rich Williams stated to Ted I am looking for some guidance from you as to what you want there.

Ted Kozlowski asked isn't it like a twenty foot excavation or clearing.

Rich Williams stated something like that.

Ted Kozlowski stated twelve, two gallon containers isn't enough.

Chairman Schech asked Ted, how many trees would you want there, bushes, shrubs whatever.

Ted Kozlowski stated I will give you something by Thursday. I have to look at it.

5) THOMAS SUBDIVISION

Rich Williams stated in between the last meeting and now I have met with Thomas, he is agreeable to the Conservation Easement concept to satisfy the issue with not doing a cluster subdivision and protecting the land. He shows a plan with a proposed Conservation Easement on it. My recommendation is that we should take a look at maybe extending those lines somewhat. I did indicate to him that we could structure the Conservation Easement to meet his needs.

Chairman Schech asked what are his needs.

Rich Williams replied one of the biggest concerns for him pulling the Conservation Easement closer to the house in the rear was that he wanted the ability to be able clear the dangerous or dead trees and he didn't think that we were going to let him do that and when I explained to him that we could write the Conservation Easement so that would occur.

The Board reviewed the plan.

Rich Williams stated what my thinking was picking up all the steep slopes, bringing the line like right down through here, cutting it around, coming down to the drive right around to the wall so we picked up all the steep slopes.

Board Member Rogan stated I don't blame the guy for wanting this to be a little bit up off this house. I agree with down through here and I agree with maybe cutting it maybe follow off this corner up like this up to that point.

Rich Williams asked why wouldn't you want to move it down.

Board Member Rogan replied I don't want Edie Keasbey in my backyard wandering around watching birds.

Rich Williams stated a Conservation Easement doesn't let anybody go on there.

Board Member Rogan asked it doesn't.

Rich Williams replied no.

Board Member Rogan replied okay that is different than. There is no activities.

Rich Williams stated that is how you have to define the Conservation Easement. You can define the Conservation Easement so you can't touch a blade of grass and everybody is allowed to go on it. You can define it so that you just can't touch a blade of grass. You can define it so that you can do anything you want to the vegetation you just can't touch the contours. It is how we want to define it.

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

Rich Williams stated what I suggested to Thomas is that he should develop a list, get it to me, get it to Theresa and the Board about what he thinks should be in there, what he thinks should not be in there and that would start the basis for trying to write the Conservation Easement.

Board Member Di Salvo asked this land isn't going to get dedicated to Putnam Land Trust or anything like that.

Rich Williams replied no.

Board Member Montesano asked but what happens to that.

Rich Williams replied the Conservation Easement gets filed over at County. The way that I envision it right now it is going to be a Conservation Easement held by the Town that is going to limit certain activities to occur on the property.

Board Member Di Salvo stated they are not going to want any activity.

Rich Williams asked who.

Board Member Di Salvo stated the people living in the houses.

Rich Williams stated it is going to be written to the benefit of the Town so it is going to be up to us to determine what is acceptable.

Rich Williams stated so basically what I was thinking is we were going to limit the ability of anybody to go in there and construct structures on the steep slopes and limit the ability to clear cut not necessarily to go in and cut trees out but to clear cut.

Board Member Pierro stated my concern was other homes.

Rich Williams stated not any structures.

Board Member Pierro stated I am not concerned about the steep slopes because they are really un-buildable.

Rich Williams stated yes but every time I turn around in this Town that is where somebody is building them.

Board Member Pierro stated I would like to tie up that rear yard area because I think that is pretty extensive.

Board Member Rogan stated where are you talking about.

Board Member Pierro replied below the house.

Board Member Rogan stated it would be part of his lot. So in other words what you are saying is you want to tie up the fact that you don't want him to be able to subdivide this.

Board Member Pierro replied yes I don't want to see this area because I thought this was pretty much open. I thought this was a good seventy-five hundred yards down from the house.

Board Member Rogan stated it probably is.

Rich Williams stated he had voluntarily indicated that he was going to deed restrict it against future subdivision.

Board Member Pierro stated I don't want to bust this guy I think he did a nice job.

Board Member Rogan stated no I mean if he wants to put a pole barn or something at some point in the future I want him to be able to do that.

Rich Williams stated or suppose he sells it and somebody wants to come in and put a barn on it and have some horses out there.

Board Member Pierro stated I don't want another residence on the site unless he wants, Board Member Rogan stated although by right of use he can put in a smaller residence which I would still be fine that is our Code.

Board Member Pierro stated I don't want to see a residence on a separate piece of property. If he wants to put up a little accessory building and he has got a five acre lot he has the right. I don't want to restrict him that way. I don't want to see another subdivision come in here and flip in here with another.

Board Member Rogan stated and if he wants to do that I am fine with that but let's make it part of this application. He does not have to build it now, he can subdivide it let's plan for it now that is what we said on the record. We are not necessarily objected to the idea of him putting another lot in but we want to plan for it now maybe the lot doesn't work in which case it shoots itself down but we want to know what the use is now.

Chairman Schech stated well he is willing to deed restrict it right.

Rich Williams stated he said he was willing to deed restrict it but let's suppose he doesn't.

Board Member Montesano stated deed restrictions have been proven to be about as useful as a wholly cup.

Rich Williams stated the question is if he wanted to go in there and subdivide out another lot he will have to go through the same subdivision process and you would evaluate the impacts at that point. You would have to get another open development area approval by the Town and they would also have a shot at evaluating whatever the impacts are.

Board Member Pierro asked isn't that what we did with the 280a on 311.

The Secretary stated Budakowski.

Rich Williams asked what about that.

Board Member Pierro asked we did a 280a and then they came back with another 280a.

Rich Williams replied we haven't done anything with Budakowski.

The Secretary stated the ZBA did the first 280a and then they were trying to get another they were supposed to go to the Town Board for a 280a.

Rich Williams stated she is coming back by the way.

6) CLANCY LOT LINE ADJUSTMENT

Rich Williams stated Clancy is basically in to do a lot line adjustment. Mr. Clancy has three contiguous parcels, two of them contain the development of Clancy Moving & Storage the third is vacant land. Essentially, what he is doing is he shifting the lot line on one of the parcels to take up most of the land on the other parcel leaving a five acre piece which he then wants to sell to the New York University to build a records storage and research center.

Chairman Schech asked did you check and see if we can legally make him just lease it to him.

Rich Williams replied no I did not. I don't think we can.

Chairman Schech stated because at least we can get some taxes if he leases the land.

Board Member Di Salvo asked what kind of research.

Rich Williams stated where they store their records and then, Board Member Di Salvo asked an archive center. Rich replied yes and grad students come up and then they do their research right there.

Board Member Pierro asked has he got a tax abatement for Clancy.

Rich Williams replied yes I think he did go through the County Economic Development.

Board Member Pierro stated then Herb has a good point, does this lot fit under that tax abatement.

Rich Williams replied I don't know.

Ted Kozlowski asked what does that mean.

Board Member Pierro stated they get a break on their property taxes for a certain number of years to do this development.

Rich Williams stated New York University is, Chairman Schech stated New York University is tax free. If he leases the land at least you get some taxes off the land.

Board Member Pierro asked is he going to try to extend that tax abatement on this five acre parcel.

Chairman Schech stated it is to a tax exempt organization.

Board Member Pierro stated I don't think so. He is not a tax exempt organization.

Board Member Pierro stated you said lease.

Chairman Schech stated I said I would like him to lease it.

Rich Williams stated that way it stays on the tax rolls.

Board Member Pierro asked where is the access to this parcel on his same driveway or does it have its own frontage.

Chairman Schech stated no frontage.

The Secretary asked does that really matter.

Rich Williams replied it does because right now he owns all three parcels so his frontage is on Route 22,

The Secretary stated I am not talking about his frontage. I am talking about if he sells or leases does it really matter to this Board.

Chairman Schech replied to the Town it does.

The Secretary replied yes to the Town but as for the application.

Rich Williams stated if your question is could the Board deny it based on him selling it to a not for profit I don't believe that would be substantial grounds. Certainly everybody who pays taxes in this Town is concerned about that, The Secretary right I understand from that point of view I am just saying could you have an attorney or somebody turn around and say but what does that matter with this application.

Board Member Di Salvo asked when they build this building does that fall under our jurisdiction if NYU built this building.

Rich Williams stated they are coming in I believe for site plan approval however I don't know where New York University falls under New York State Education Law.

Board Member Pierro stated I think they are a private college.

Board Member Montesano stated I think they will fall under it real nicely because if you go into the City they own quite a few places without paying a penny.

Rich Williams stated then in which case we don't even have site plan approval over it.

Board Member Montesano asked can they go into Clancy's property without frontage on road and get the approval without coming to us.

Rich Williams stated if they need site plan approval they have to comply with our Codes and no they are asking for a 280a to allow that lot to be developed because they don't have any road frontage on that lot. If it is the New York University and they fall under New York State Education rules I don't know. I would have to research it.

Board Member Montesano stated because basically what you are doing is you are coming in and if they don't have to come for it can they create something that is illegal without getting approval and that is what they are doing. If they walked in there without coming to us and getting an approval.

Rich Williams stated the State has basically stepped in and said they are exempt from our rules and regulations that it is not illegal.

Board Member Pierro stated but I don't know that NYU is part of the state university system.

Rich Williams stated it is not. It is a private college.

Board Member Pierro stated it is a private college.

Board Member Di Salvo stated look at Iona College in New Rochelle they are not paying a dime in taxes down there. They keep building dormitories.

Board Member Pierro stated they are part of the church.

Board Member Di Salvo asked how could you find out.

Rich Williams asked as far as whether they pay taxes or whether they have to comply with our rules I would have to do some research on it.

Ted Kozlowski stated I don't think schools, education facilities pay taxes.

Board Member Montesano stated I know that they own a lot of property and they don't pay no tax on them.

(TAPE ENDED)

Board Member Rogan stated NYU is for profit.

Rich Williams stated if it is a concern of this Board I can do the research.

Chairman Schech stated we can always deny the lot line adjustment.

Rich Williams asked based on what.

Board Member Montesano stated we don't like the idea that it is an illegal procedure.

Ted Kozlowski asked are they near the wetlands Rich, there is a lot of wetlands on the site.

Rich Williams stated they sure are.

Ted Kozlowski stated that is DP-22.

Chairman Schech stated we are afraid the road is inadequate for the,

Chairman Schech stated we are afraid the road is inadequate for the,

Rich Williams stated they have no frontage, it is a non-conforming lot. Non-conforming lots are separate ownership or merged (unable to hear his statement clearly too many talking).

Board Member Rogan stated let's go take a look, site walk.

Board Member Pierro asked this is the property to the left going in the driveway correct.

Rich Williams replied no the property to the right all the way in the back.

The Secretary asked where the haunted house was.

Board Member Rogan asked Rich what were you saying before.

Rich Williams stated our Code says that lots that are non-conforming by the Code under single and separate ownership are merged and considered as one lot therefore he could not do the lot line adjustment because they are basically all just one lot.

Chairman Schech stated let's go that route.

Board Member Pierro stated unless of course we receive the taxes.

Board Member Montesano stated if you are one owner you are going to get the same amount of taxes on if you own 300 acres with one name or three people with a hundred acres.

Chairman Schech stated contiguous lots should be merged and then he has to come to us for a subdivision.

Rich Williams stated maybe.

Board Member Di Salvo asked so what is the bottom line here what do we do.

Rich Williams replied the bottom line is I am going to try to get some more information for the Board and probably what you want to do with this is either smile and say thank you very much or defer the whole thing by saying we want to go look at the site.

Board Member Di Salvo stated let's do that anyway.

7) FOREST VIEW SITE PLAN

Rich Williams stated Harry has resubmitted the plans this go round he has put the wetlands and buffer on it as a result he has to reconfigure the project. He is down from three buildings to two buildings.

Ted Kozlowski asked who flagged the wetlands.

Rich Williams replied I don't know.

Ted Kozlowski stated we haven't verified that.

Chairman Schech asked did we do a site walk on this.

The Board replied no not yet.

Ted Kozlowski stated if you guys haven't seen this place you have to,

Rich Williams stated the issue is he is still trying to figure out a design based on the constraints of the property specifically the wetlands.

Board Member Pierro stated so let's get it flagged.

Rich Williams stated Ted has got to get out there.

Ted Kozlowski asked the flagging is done.

Rich Williams replied it is flagged. He has the boundaries but as I recall there is no flagging mark on the plans there is no indication of who did the flagging. I don't recall.

8) PUTNAM COUNTY NATIONAL BANK

Rich Williams stated remember he was going with a two lane going out almost like he was setting up for a drive-thru well that is gone. He shrunk the isles between the buildings down to sixteen feet.

Board Member Pierro asked to give us more parking.

Rich Williams replied no.

Board Member Rogan stated no it says we lost parking.

Rich Williams stated less parking.

Board Member Di Salvo stated how are they going to do that when there is not enough parking. On Saturday morning you can't even get into the post office over there. I have to park by the train station. There is no parking at all.

Board Member Pierro stated my suggestion was to get an easement and do something with Jimmy but then Jimmy loses his parking spaces in the back of the building.

Board Member Di Salvo stated especially with all these people living above Meatballs and parking the garbage truck out there on the weekends. I can't see a drive-thru around there.

Board Member Pierro stated in this regard I mean we all saw the plan I was not thrilled about it. I really would like to,

Board Member Di Salvo stated it is too complicated for a little area there, too busy.

Board Member Pierro replied right I would like to really get some outside help.

Rich Williams asked are we talking about the architecture.

Board Member Pierro replied yes.

Rich Williams stated they have not resubmitted the architecture.

Rich Williams stated the reality is they should take a look at Bruno's building, they should take a look at Weise's building and this building should be the same style block building that those other two are and forget Jimmy's either exist.

Chairman Schech stated so we want to see architectural drawings on it.

Board Member Pierro stated eventually when they are ready to come in.

Chairman Schech stated don't forget we are the ones who insisted they have parking in the back.

Board Member Di Salvo stated I don't think there is enough room there.

Rich Williams stated we didn't insist that they have parking in the back. We were concerned about the amount of parking out there but they put the parking in the back.

Board Member Di Salvo asked wouldn't you have to give up spots in the front to make the driveway go around back.

Rich Williams replied yes.

Board Member Di Salvo stated now you are losing spots in the front.

Chairman Schech stated don't forget you are gaining parking across the street now too.

Board Member Di Salvo stated people don't know that. They still think it is on permits over there. I never park there.

Board Member Rogan stated I didn't know that was open.

9) **RYDER SITE PLAN WETLANDS WATERCOURSE APPLICATION**

Rich Williams stated Ryder is back in with a wetlands watercourse application.

Board Member Di Salvo stated do you guys all know that the beauty parlor is moving out of there. They are going into Pawling.

Chairman Schech asked Ted do you have any problems.

Ted Kozlowski replied actually I was talking to Rich, what they want to do in the wetlands it is all disturbed there anyway. It is a pile of crap. They are just putting in a roof drain in there I don't have a problem with it.

Board Member Di Salvo stated let's get it done.

Ted Kozlowski stated that is right Maria let's get it done.

Board Member Di Salvo stated and then let's put that dumpster behind that fence.

Board Member Pierro asked what is the ex paved parking lot, improvements to the ex.

The Secretary stated existing.

Board Member Pierro asked in the front or in the rear.

Rich Williams replied rear oh, wait, Chairman Schech stated we were talking about the front also. Rich stated that is the wetlands yes they are referencing the rear but they are proposing if you look at the plans to do some improvements to the front parking area to direct water and honestly I haven't been out there because we have not yet had a day where it actually rained.

Board Member Pierro stated we are talking about the possibility of directing water into the culvert or into that grassy basin in the front of the building or to either side of the driveway.

Chairman Schech stated we are trying to get it away from the backside driveway over to the left.

Rich Williams stated right now most of the water is coming down the road or coming off of that parking lot going out to 311 (unable to hear the rest of his statement too many speaking at the same time).

Board Member Pierro stated so she sort of heard us on this I guess.

10) DEW CONSTRUCTION – Amended Site Plan

Rich Williams stated DEW is back in to amend his site plan to move his building ten feet back from the original approved plans. It is really a minor change.

Chairman Schech asked does he have room to do that.

Rich Williams replied with the variance he does.

Board Member Rogan asked do you mean ten feet closer to the property line ten feet closer to MACAL. You know the funny part is we said he did not have enough room out front there to maneuver the trucks and we said he was going to get ready to go, get the approval and then he was going to go for a variance.

Chairman Schech stated well he has got the variance so I don't see anything wrong with it.

Board Member Rogan stated I am fine with it.

11) **BRI CAR SITE PLAN**

Ted Kozlowski stated after our site walk last week I went over to that site and the wetland flagging is horrible. Most of that site is wet. They have to re-do it. It is not appropriate, it is not even close Herb.

Chairman Schech stated I don't have anything to say about that whole site in there because it is so screwed up.

Ted Kozlowski stated it is all screwed up. I don't know if he is going to be able to do anything to be honest with you. It is all wetlands. He has a little section of upland but everything is wet over there. I haven't called Gary but I have got to call him. Joe Steeley did the flagging. Joe Steeley was the guy that had mucho problems with DEC when he worked for them. His wetland floggings are in the middle of the water. He is way off.

Chairman Schech asked so you are going to talk to Gary.

Ted Kozlowski replied I will talk to Gary. Gary will be notified before this meeting next week and I don't know if there is any discussion necessary.

12) **TANZI SITE PLAN**

Rich Williams stated Tanzi, two lot subdivision. One lot is going to be a single-family home the other is going to be 24 multi-family units.

Board Member Rogan asked is this the guy that sells all the cars.

Rich Williams replied yes.

Board Member Rogan asked he doesn't even have road frontage.

Rich Williams stated he will.

Rich Williams stated it scales the disturbance back on the site considerably. It keeps them away from most of the wetlands.

Board Member Di Salvo asked are these going to be like town houses or condos or just rental units.

Rich Williams replied I don't know.

Rich Williams stated and the illegal house is being torn down.

Board Member Pierro stated it really is a nice site.

Chairman Schech asked they admit it is an illegal house.

Rich Williams replied no those were my words but it is too large to meet zoning requirements. It is a rental for somebody other than guests or domestic help. It never got a Special Use Permit. It didn't need one at the time so.

Board Member Pierro asked didn't we change the Code about that kind of rental housing.

Chairman Schech asked what he is proposing in there isn't that a little over.

Rich Williams replied yes to Board Member Pierro.

Board Member Pierro stated so now it could just be straight rental.

Rich Williams stated but it still has to meet certain requirements and it is larger than what otherwise would be allowed. It doesn't do it.

13) OTHER BUSINESS

a. Site Walk Comments

Bri Car & Paddock View

Rich Williams stated you have site walk comments for Bri Car and Paddock View

Board Member Montesano asked do we want to save those Pine Trees on Paddock View.
(unable to hear too many speaking at the same time).

Chairman Schech asked do we want to site walk Tanzi.

Board Member Pierro replied yes these guys have never seen it.

Board Member Rogan stated I have never been out there. I definitely want to go.

b. SOUTH PATTERSON BUSINESS PARK

Rich Williams stated I am just going to update everybody about a conversation I had on South Patterson Business Park with Mr. Heelan. He gave me a call because his concern was he really felt it was important to keep that fifty foot strip of land going to the back and after much back and forth he conveyed to me that he wanted for two reasons; one this is not a donation to the DEC but it is a sale to the DEC. DEC would also like to see it gone because they don't want anybody going in that way but then DEC's opinion is now it is a land locked

Board Member Pierro stated all right can we get him to commit to donate it to the Town for handicapped access in the future.

Rich Williams stated his other issue was that if the DEC did not ultimately take the piece of property he still needed some way to get back in there to put in a couple of houses back there. I explained to him that it was pretty wet and that I don't think anybody would approve of him going through an extensive wetland. He kind of said no it wasn't and I said well I grew up there I know it is and he said yes but isn't that a regulatory taking yada, yada, yada ultimately he was hoping to be able to put a couple of houses way up in the back.

Chairman Schech stated so we are doing away with it.

Rich Williams stated so what he decided after talking and kicking things around with me what Ed hit upon the idea was and I am not so thrilled with this; he is just going to do a two lot subdivision, break off the house and a five acre parcel and then keep the rest as all one big area and then if DEC decides to buy it they will just come back in and do a lot line adjustment to create the other small lot.

Rich Williams stated now here is the issue they have resubmitted, they want to start going through the process with this two lot. The house is already there with the structures. They are not proposing anything on the other piece do you want to have them stake anything or just want to go out.

Board Member Rogan stated if they are not proposing anything no we can just go out.

Rich Williams asked or do you want to wait until they come back in and go out at a later date.

Board Member Di Salvo stated I would like to let it dry up out there.

Board Member Rogan stated I guess the point is if they are just doing a lot line adjustment creating lots with no intended use at this point what do we have to look at.

Board Member Pierro stated I would rather go see it.

Board Member Rogan stated I want to go see it.

Chairman Schech stated let them stake it.

Rich Williams asked what are they going to stake.

Chairman Schech stated the property line.

Rich Williams asked do you want them to stake the property line or do you want to go out before they stake anything.

Chairman Schech stated let them stake the property line.

Rich Williams stated there was an interest expressed in going down to the veterinary center in Southeast Saturday. Is everybody available Saturday if I can get something together.

The Board agreed to the site walk.

Rich Williams asked if they can't do this Saturday how about next Saturday.

Board Member Rogan stated I can't do next Saturday.

Board Member Pierro made a motion to adjourn the meeting. Board Member Rogan seconded the motion. All in favor and meeting adjourned at 8:59 p.m.