

**TOWN OF PATTERSON**  
**PLANNING BOARD MEETING**  
**March 27, 2014**  
*Work Session*

**APPROVED**

**AGENDA & MINUTES**

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**TOWN OF PATTERSON  
PLANNING & ZONING OFFICE**

**ZONING BOARD OF APPEALS**

Lars Olenius, Chairman  
Howard Buzzutto, Vice Chairman  
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**PLANNING BOARD**

Shawn Rogan, Chairman  
Thomas E. McNulty, Vice Chairman  
Michael Montesano  
Ron Taylor  
Edward J. Brady Jr.

**Planning Board  
March 27, 2014 Work Session Meeting Minutes**

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

**APPROVED**

Present were: Chairman Shawn Rogan, Board Member Thomas E. McNulty, Board Member Ron Taylor, Board Member Edward J. Brady Jr., Rich Williams, Town Planner, Ron Gainer, Town Engineer, and Ted Kozlowski, Town of Patterson Environmental Conservation Inspector.

The meeting began at 7:01 p.m.

Michelle Lailer was the Secretary and transcribed the following minutes.

Chairman Rogan called the meeting to order.

**1) HAVILAND FARM – Public Hearing**

Chairman Rogan stated okay, alright, so the first item we have is the public hearing for the Haviland Farm application.

Ted Kozlowski stated I want to add stuff to that when you're ready.

Chairman Rogan stated we're ready.

Ted Kozlowski stated now that the snow's gone, I went out there last Sat, Sunday to take a look and yesterday I stopped in a Prospero's Nursery in Hawthorne, down in, not in Hawthorne, over by...

Board Member Brady stated Greenburg.

Ted Kozlowski stated Greenburg, Travelers' Rest, not Travelers' Rest...

Board Member Brady stated Log Cabin.

Ted Kozlowski stated Log Cabin, it's down there and I met Joe Prospero...

Board Member Brady stated I know those places.

Ted Kozlowski stated and Pete and went over with them. My feeling is and you don't, the four cold frames do not bother me because they are on established, disturbed ground. I spoke to Joe and Pete and if you can

visualize the back of that property, the previous owner filled in wetland with mulch, lots of wood chips and he did it after I told him not to do it, he continued to do it. Their present plan is showing some of the cold frames in that area and I told them that even if there were no wetlands law, that particular area is going to continue to degrade because it's wood chip mulch, it's going to deteriorate and whatever they construct there is not going to stay level, it's going to be uneven ground. So what I would like to see is these two particular areas, I believe, are the areas that I'm referring to with the mulch.

Board Member Taylor stated yes.

Ted Kozlowski stated and there are signs out there that they placed, there's a, I guess it's a lot 7 and a lot 8 and it clearly is defined. I don't mind, I have no objection to the cold frames being in that lot 7 because it's...

Board Member McNulty stated which is where, here.

Ted Kozlowski stated it's, no, it's firm ground, right in here, okay, yes it's within the buffer but the whole site is within the buffer but these particular areas I believe are the areas that are just filled with wood chip mulch.

Board Member Taylor stated yeah.

Ted Kozlowski stated and I asked Joe and Pete that this area should be the area where they put the fence straight through when they put the deer fence up and that area reverts back to wetland.

Board Member Taylor stated okay, good.

Ted Kozlowski stated I believe this area right here is and these areas are the trees that haven't been disturbed from the wetland, they're the willows and the red maple and stuff, so this whole area really should revert back to wetland. This was an area that the previous tenant was told not to go into and he continued to go into, so I still think he can get most of this in here if he wants to, I have no objection from a wetlands standpoint...

Rich Williams stated you're not getting my chair.

The Secretary stated again you're doing this.

Chairman Rogan stated this sounds like a repeat.

Rich Williams stated and you're not sitting on her lap.

Ted Kozlowski stated from a wetlands standpoint I don't have a problem with it.

Chairman Rogan stated yeah.

Ted Kozlowski stated but I really think that and I had spoken to Joe Prospero when he first took over this property about establishing a fence and restoring some of that wetland and allowing it to revert to wetland, he doesn't have to plant anything, that mulch is going to deteriorate and the wetland plants are going to pop up through there and it's just going to become back to wetland.

Board Member Taylor stated wetland again.

Ted Kozlowski stated and it's his own, in his own best interest to put that fence up because he's going to have desirable deer food here and the deer are going to come in and chew on his food in the middle of night, so he you know, really should put that fence up, restore some of that wetland and let him have his and then I asked him about the, going to the ZBA to get the variance for the spacing between the sheds, I told him to call Rich...

Chairman Rogan stated yup.

Ted Kozlowski stated to formalize that or get guidance on that and I'm supposed to meet Peter tomorrow or sometime over the weekend to formalize my observations with the wetland because they, looking at this plan is not as good as being out there in the field and understanding...

Chairman Rogan stated yeah.

Mr. Gainer stated essentially, essentially you're saying that those four cold frames have to go and he has to illustrate...

Ted Kozlowski stated well they have to be pushed back, they can be pushed into here.

Mr. Gainer stated he has to illustrate the deer fence in an area you want.

Ted Kozlowski stated well the deer fence I agreed when Joe first moved in that the deer fence was not a condition of these cold frames. The deer fence was to be put up when he could but he was not to go...

Chairman Rogan stated regardless of this...

Ted Kozlowski stated he was not to go back, this was not to be nursery ground, it was to be wetland to be restored or returned to wetland. He didn't have to do any active manipulation of the property just let it revert.

Rich Williams stated essentially let the mulch rot out...

Board Member Taylor stated yeah.

Rich Williams stated go back down in.

Ted Kozlowski stated right.

Board Member Taylor stated I think we all understand that.

Board Member McNulty stated do we want, do we want to ask him to put the fence on here, so we...

Chairman Rogan stated on the plan you mean.

Board Member McNulty stated create that limited use area.

Ted Kozlowski stated I think you should leave it as, I think you should have it as a condition but I don't think he should have the fence up first and then put the stuff up, it is a big expense because it's going to be

a game fence and I've put those up at my facility and they're not cheap. So, I would really like to see him succeed, be a successful business, what he's doing there is not...

Board Member McNulty stated well maybe just a note limit of use along this line.

Ted Kozlowski stated no, we just, we give him a timeline to put the fence up but I don't think the fence you know, has to be put up today, it's not necessary, as long as he agrees to keep out there, let it revert, I'm fine.

Board Member Taylor stated okay, so we could put future fence.

Board Member Montesano stated yeah, the idea is if he doesn't put the fence up...

Board Member McNulty stated yeah, just some kind of note on the plan to make it final.

Board Member Montesano stated they're going to have less plants to bring around, it's going to become pretty...

Ted Kozlowski stated but then again I have to repeat, like when I saw with everyone else, he may not always be there, he may go out of business, he may sell it and I don't want to next property owner to feel that that's usable land.

Board Member Taylor stated well that's why we should put a note on it that that's where a fence should go.

Chairman Rogan stated parcel view, the overall view, just the tax map.

Board Member Taylor stated do we have his original one handy.

Rich Williams stated the original drawing.

Board Member Taylor stated yeah.

Chairman Rogan stated Tommy just had it.

Board Member McNulty stated oh, right behind you.

Board Member Taylor stated how many frames are on that.

Board Member McNulty stated four, no.

Board Member Taylor stated no, no, no, no, total, total, total.

Rich Williams stated I think there were six or eight.

Chairman Rogan stated orient it the same way, oh this will even answer my question, I was worried about the whole tax parcel. It's much bigger than what...

Board Member Taylor stated 16, 17, 18, 19, he's got 19, how many do we have on here.

Rich Williams stated then that's not the original plan.

Board Member McNulty stated no.

The Secretary stated Shawn, it's these two pieces but they've been combine, so it's just one big parcel.

Chairman Rogan stated it goes back, do it go beyond the actual stream of the swamp.

The Secretary stated this is the property line here.

Rich Williams stated wait, put the aerial up.

The Secretary stated mine doesn't work.

Rich Williams stated you want an aerial.

Chairman Rogan stated I was curious about this line that's drawn through here, how much property owned in total...

Board Member Taylor stated 40, did I count these.

Chairman Rogan stated and it was going to bring up a question I had about coverage on the lot...

Board Member McNulty stated 40 frames plus or minus.

Chairman Rogan stated and whether or not because if all he had was this lot line.

Rich Williams stated they own about 15 acres...

Chairman Rogan stated okay.

Rich Williams stated they are using about 4 [acres].

The Secretary stated no, they own about 27 [acres].

Rich Williams stated that's right.

Chairman Rogan stated okay, yeah but in determining the amount of coverage of you know because you're saying these cold frames are considered structures so therefore it's considered some kind of coverage, you know looking at what's here, it looks like they're using, it's a very high intensity use but when they, when you determine that they have other property, if that falls. I just wanted to make sure we weren't going down a road of approving something that was creating an issue for some other zoning, you know I don't really know off the top of my head what the coverages are.

Mr. Gainer stated the two parcels are 27 acres.

Rich Williams stated yeah.

Chairman Rogan stated 27 [acres] okay.

Mr. Gainer stated the two parcels are 27 acres.

Ted Kozlowski stated so most of that is Great Swamp wetland.

Mr. Gainer stated yeah, right.

Board Member McNulty stated okay, so we're looking to get rid of those four, setup a demarcation...

Ted Kozlowski stated well he can move them, if he can maneuver, if he can move them...

Board Member McNulty stated relocate or.

Ted Kozlowski stated and that lot 7 that's designated 7, there's a lot of open space there, so if he can, he might need it for turning radius for vehicles and trucks, I don't know but remember when we were out there, we told him to submit a plan, what's the max you want, give us everything, so...

Chairman Rogan stated right.

Ted Kozlowski stated we need to knock off a few, we knock off a few.

Board Member Taylor stated that's the point I was about to make that he originally asked for 19, he's got 40 not counting those 4 on this plan, so it's double what he had asked for originally.

Ted Kozlowski stated right but we asked him to give his wish list.

Chairman Rogan stated right.

Board Member Taylor stated well and then but we are then responding to his wish list saying...

Ted Kozlowski stated right.

Board Member Taylor stated you can't have those, you can't four in that area.

Chairman Rogan stated just because it what you want, doesn't mean that's what fits.

Board Member Taylor stated yes.

Chairman Rogan stated right.

Ted Kozlowski stated and Rich I need to be clear in the future when I speak to these folks, can he at the same time go to ZBA for the variance or does he need a determination from the Planning Board first before he goes.

Rich Williams stated based on the requirements of State law, he has an application before the Planning Board that allows him to go to the ZBA. If he doesn't have the application before the Planning Board or something other than a site plan or subdivision, then he has to get a determination from some administrative official.

Ted Kozlowski stated right.

Chairman Rogan stated a denial of some kind.

Ted Kozlowski stated and would it help the Zoning Board if the Planning Board made a recommendation to agree with that separation, is that, is that something that...

Chairman Rogan stated that's always been the million dollar question, hasn't it.

Rich Williams stated that's always been the million dollar question.

Chairman Rogan stated it is true.

Board Member McNulty stated it's out of preview though isn't it.

Chairman Rogan stated purview.

Board Member McNulty stated purview.

Rich Williams stated you know if the Planning Board wants to make a recommendation on any referral over to the ZBA, they certainly you know, can do that.

Board Member Taylor stated whether they listen or not.

Chairman Rogan stated in this regard let's say for the sake of argument that the Zoning Board denies the variance for the spacing of the cold frames just to talk this through, then that's going to change the layout considerably, so would it make more sense to say okay we're at a point maybe not now but when we get there that we're comfortable with the layout, we make a positive recommendation to the Zoning Board based on the layout that we think it would work and we send them over, let them get those variances and then we wrap everything up so it's all done, so that there, you know, I mean is there any.

Rich Williams stated we had talked last meeting about wrapping it up at this meeting because the growing season is upon us...

Chairman Rogan stated yeah.

Board Member McNulty stated yeah.

Rich Williams stated they're out there gangbusters, trying to get thing organized and they need some clear direction to do that at that point.

Chairman Rogan stated yeah, okay.

Rich Williams stated and we had talked about you know doing within the resolution, you know criteria such as the fence, such as you know, you have to, this is the area we're showing to put cold frames and not really setting a density of cold frames just defining an area...

Chairman Rogan stated an area, yeah.

Rich Williams stated and then you know saying, can't be any closer than 15' unless you get that ZBA.

Chairman Rogan stated right, variances.

Rich Williams stated once of the issues that's come up now because I was sent out to ask the question, the answer has come back, they need a septic system, so Health Department wants to see a septic system out there.

Chairman Rogan stated okay.

Board Member McNulty stated based on the current office that they have.

Rich Williams stated yes, based on what is now perceived as a change of use from the, what was originally approved out there by our Building Department, which was a shed.

Ted Kozlowski stated but how is, the, I wonder, I don't think anything that they can put there is going to 100' away from the wetland, so is that going to be a situation where the Health Department then denies them a septic system, what does that mean.

Board Member McNulty stated how can they not get 100' from the well.

Board Member Brady stated wetlands.

Chairman Rogan stated wetlands.

Board Member Montesano stated wetlands.

Board Member McNulty stated wetlands.

Ted Kozlowski stated everything on that property is within 100' of a wetland.

Rich Williams stated it could be challenging for them to try to find a spot that is, that is, percs, out of the wetland buffer, and away from the wells on the site. Again, this is the problem with you know, not following a process that's been laid out...

Chairman Rogan stated right.

Rich Williams stated that's why we have the process so that you know that you're going to have a usable piece of property.

Board Member McNulty stated Ted does your system, I forget the name, what you called it...

Ted Kozlowski stated Clivus Multrum.

Chairman Rogan stated Clivus Multrum.

Board Member McNulty stated would that work.

Chairman Rogan stated good luck with that in the minutes.

The Secretary stated I googled it.

Ted Kozlowski stated yeah but I don't know if, I would think the County Health Department would approve it, it's approved in Westchester.

Chairman Rogan stated it's been approved for certain things.

Board Member McNulty stated and you can use it in a wetland area.

Ted Kozlowski stated why not because it's not going in the ground.

Board Member McNulty stated that's what I'm asking, I don't know.

Ted Kozlowski stated it's not going into the ground.

Board Member Taylor stated it's all self contained.

Board Member Montesano stated it's like a port-a-john.

Councilman McCarthy stated a storage tank with a, and you pump it.

Rich Williams stated end of the day, they're going to have work those details out with the Health Department.

Chairman Rogan stated yeah.

Board Member Taylor stated well can we do a conditional saying that they could...

Chairman Rogan stated well that's what Rich is saying...

Rich Williams stated that's what I was saying.

Board Member Taylor stated like what he was saying, you can use this property, this part of the property and then...

Rich Williams stated for the next meeting I was going to have a resolution which wrapped this all up for the Planning Board.

Board Member Taylor stated okay, right, good.

Board Member McNulty stated okay.

Rich Williams stated if they wanted to pursue other things on the property like...

Board Member McNulty stated they could go to Health Department and ZBA.

Rich Williams stated yeah.

Chairman Rogan stated you know I like the idea...

Ted Kozlowski stated and Rich is right, once the snow's gone, they're already, all the nurseries, all the green industry is late now...

Board Member Taylor stated yeah, they're a month behind.

Ted Kozlowski stated and they, they...

Rich Williams stated I talked to Pete today, he's losing his mind.

Chairman Rogan stated sure.

Board Member Taylor stated yeah, so let's wrap it up.

Board Member Montesano stated losing, I thought he already lost it.

Chairman Rogan stated I like the idea that we have a defined area that we say look this is usable here's the setbacks aside from any zoning variances, we agree with the use, we agree with the impacts of the use, the one thing that we have to ensure, I think is the glare issue, is the impact to the neighbors and that's going to be...

Board Member McNulty stated that's what I was going to bring up too.

Chairman Rogan stated and that's going to be pretty well noted I think at the public hearing, I think we're going to see people back in for that.

Board Member Taylor stated yeah.

Chairman Rogan stated and I want to make sure that we're in a position that we're properly addressing that and not saying yeah, yeah, yeah we hear your concerns but we're doing a conditional approval.

Ted Kozlowski stated but those, as those cold frames go up now there isn't going to be plastic, they're all going to be open.

Chairman Rogan stated no, not now but at some point.

Board Member McNulty stated but at some point there is.

Ted Kozlowski stated but by the fall the plastic is going to go up.

Chairman Rogan stated yeah.

Board Member Taylor stated right but the point we were at with those is they were going to put a barrier up...

Chairman Rogan stated right.

Board Member Taylor stated they were going to put black on...

Chairman Rogan stated yup.

Board Member Taylor stated and we were going to then see what the effect was...

Chairman Rogan stated yeah...

Board Member Taylor stated how do we roll that in...

Chairman Rogan stated and the plantings as you said.

Board Member Taylor stated can we put some kind of timing in where we go back and look at this and depending on what...

Rich Williams stated yes, I think I can structure something.

Board Member Taylor stated okay and then depending on what we see, we'll feed back into the process.

Ted Kozlowski stated well you designate those areas that need the black plastic that's closest to the house.

Board Member McNulty stated any excess glare will have to be addressed.

Chairman Rogan stated yeah, I think that's, we have to have some kind of a working dialogue with this gentlemen...

Board Member Taylor stated yeah.

Chairman Rogan stated that as problems are you know, documented, observed, whatever, reported, that there is some leeway in him addressing them, we can't, I don't feel comfortable just saying yeah okay, we're going to approve it.

Rich Williams stated no, I'm going to do something like we do with the parking...

Chairman Rogan stated okay, yeah.

Rich Williams stated if the Planning Board makes a determination that there's an issue with parking, you have to go put the additional parking.

Chairman Rogan stated yeah, no, I think that's you know, appropriate.

Board Member McNulty stated but what are you going to say here, are you going to have to take the frames down or you're going to...

Rich Williams stated you really want me to sit here and shoot from the hip that quick Tommy...

Chairman Rogan stated no, we'll...

Board Member McNulty stated yeah.

Rich Williams stated can I think about it a little.

Board Member Taylor stated put the black over...

Board Member McNulty stated I figure the discussion might help you.

Board Member Montesano stated we're going to plus white paint and just paint the tops of it.

Board Member McNulty stated okay, so we have this covered I think.

Chairman Rogan stated okay, yeah, we just need to know what the, you know what the proposal is for the glare reduction, I know we say the black mesh but I also know that created some other problems for them. The level of planting may significantly decrease those concerns but the planting isn't there now, so it's hard to envision for the people that have the concerns, you know, so, okay. So now we have number two, Walsh's Tavern, also known as Garrett Site Plan for the parking.

## 2) **GARRETT SITE PLAN – Public Hearing**

Chairman Rogan stated we have, have we been able to resolve some of the issues with the layout on that with the rope and...

Rich Williams stated we, well, I think we came to some resolution on some of the issues at the last meeting, everybody still wanted to take a walk out there and take a look at it and now the snow is finally gone we can do that.

Chairman Rogan stated okay, let's do that.

Board Member Brady stated I make a motion we adjourn so we can go over there and check it out.

Chairman Rogan stated I like the way you think.

Bob McCarthy stated I can't second.

Board Member Brady stated I know you were dying to make that motion.

Board Member McNulty stated I don't know if you're aware but he proposed whiskey barrels with concrete and fence signs...

Chairman Rogan stated no, I wasn't aware of that.

Board Member McNulty stated the reflective rope, these posts and whiskey barrels, it's temporary.

Chairman Rogan stated good, at least it's something.

Board Member Brady stated I'm Irish, what can I say.

Board Member Montesano stated *inaudible*.

Board Member Taylor stated I went over there and looked at it during the week and the, where he defined the back line, I think is fine, you can't go any farther back because you start hitting foundations and things that are sticking up. It's a question on the west line how far you can go and whether he defined it where you have to stop because again, there's a point where you have to stop and it's just whether on this agrees with that or not.

Board Member McNulty stated this line here is a property line because that's where my old shop used to be.

Board Member Taylor stated oh but there's some cement and stuff in here that would pose a problem for somebody trying to drive in there.

Board Member McNulty stated well that's a concrete apron and then the blacktop part.

Board Member Taylor stated yeah, it's uneven.

Board Member McNulty stated but it looks like, I looked at it too it looks like it's become over grown basically where the garage entrance was from my old place and it's, I don't know if the concrete collapsed there or what's happening, it's all.

Board Member Taylor stated because part of it's higher than the other part, or lower or.

Board Member McNulty stated well I think it just looks that way actually I think if they cleaned it up...

Board Member Taylor stated you don't think it really is.

Board Member McNulty stated because we used to park across the whole front without a problem.

Board Member Taylor stated okay, alright, well that's, I think that would be the concern just being sure that that line is where it has to be. I like the idea of the planters and the...

Board Member McNulty stated yup.

Board Member Brady stated it will look nice.

Board Member Taylor stated it seemed to make sense, yeah.

Chairman Rogan stated anything from anyone else.

Board Member McNulty stated well just real quick, I've noticed a couple times already the place is filling up already with cars.

Chairman Rogan stated yeah.

Board Member Brady stated yeah.

Rich Williams stated I went by tonight, there were 8, 9 cars there.

Mr. Gainer stated right.

Chairman Rogan stated I noticed that tonight.

Board Member Brady stated yeah.

Board Member McNulty stated so we might as well make it look safe at least.

Chairman Rogan stated make it safe.

Board Member Montesano stated oh we're going to take a walking field trip then.

Board Member McNulty stated yeah.

Bob McCarthy stated they were Connecticut plates.

Rich Williams stated were they Connecticut plates.

Bob McCarthy stated they were from Connecticut.

Chairman Rogan stated I saw some, yeah, you know, I think they Connecticut.

Ted Kozlowski stated can I ask a...

The Secretary stated Mr. Walsh is from Connecticut.

Bob McCarthy stated huh.

The Secretary stated Mr. Walsh lives in Connecticut.

Chairman Rogan stated of course.

Bob McCarty stated yeah I know, New Fairfield.

The Secretary stated no, Brookfield.

Ted Kozlowski stated Rich, the barbershop has placed signs on the Barbershop for barbershop parking...

Bob McCarthy stated whatever it is, it is.

The Secretary stated hey, if it keeps him in business.

Ted Kozlowski stated is that.

Rich Williams stated placed where.

Ted Kozlowski stated on his building.

Board Member McNulty stated on the front or the back.

Ted Kozlowski stated on the front.

Chairman Rogan stated you mean to designate the spots in the front.

Ted Kozlowski stated along Route 311 and when I went there the other night with my wife, I was like am I illegally parking, can this guy do this.

Rich Williams stated no you're not, he can't, he can't put signs up like that, I haven't seen that yet.

Ted Kozlowski stated yeah, it's on the building, actually I saw it the night we all went over there.

Chairman Rogan stated like, you think about street parking on Main Street, you know, nobody controls, you know.

Ted Kozlowski stated right, it's like, can you do this.

Chairman Rogan stated it's tough, it's one of those difficult things but you've got a barbershop that really only has a few spots designated and that's around back which is typically where I'll park but.

Board Member McNulty stated need a municipal lot, Burdick's old property.

Chairman Rogan stated we need something.

Board Member McNulty stated yup.

Chairman Rogan stated but hopefully Walsh's does really well.

Ted Kozlowski stated there was people in there the other night which I was happy to see.

Chairman Rogan stated good, we need a good friendly place. I know Carriage House a lot people like and you know but...

Board Member Brady stated yeah but I like this.

Chairman Rogan stated you know the Town of Kent has their's, you know we need something here in Patterson.

Board Member Montesano stated and you need something for Thursday night, that's for sure.

Chairman Rogan stated that's right.

Bob McCarthy stated you gotta patronize.

Chairman Rogan stated that's true, gotta be loyal to your Town.

Board Member Brady stated gotta help the local economy.

Board Member McNulty stated that's not a problem.

### **3) HAIR @ COSMO SALON – Sign Application**

Chairman Rogan stated okay, so we have the salon sign...

Bob McCarthy stated make a motion.

Chairman Rogan stated get through this, everything else approved, no...

Board Member Montesano stated yeah.

Chairman Rogan stated salon sign for, this is the one in A&P...

Rich Williams stated this is the one in the A&P Plaza, Patterson Commons.

Board Member McNulty stated they didn't come to the last meeting.

Chairman Rogan stated okay.

Rich Williams stated no, this is a new one.

Board Member Taylor stated this is a different one.

Board Member McNulty stated oh this is Cosmo.

Rich Williams stated this is Cosmo which is Salon 2000.

Board Member McNulty stated I didn't see the dimensions on here.

Rich Williams stated the sign is 15 square feet.

Chairman Rogan stated oh this is out front, not around the corner.

Rich Williams stated they can have up to 18 square feet...

The Secretary stated thank you.

Rich Williams stated but you know, they need a little bit leftover because if they want to throw something up in the window they've got to account for that so.

Chairman Rogan stated so this is near Subway.

The Secretary stated I contacted Benderson to get a better picture from them and I never got a response.

Board Member McNulty stated is this an X saying that's not the sign.

Board Member Montesano stated odd.

The Secretary stated no, it is an X saying that that's what they approved. It's the weirdest thing.

Chairman Rogan stated oh.

Board Member McNulty stated oh okay.

Board Member Taylor stated okay but according to their dimensions, this is more than 15 [square] feet.

Rich Williams stated I happened to actually...

Board Member McNulty stated this says 7' here.

Rich Williams stated no, we did look at the dimensions, the dimensions...

Board Member Taylor stated oh no, it's less.

Chairman Rogan stated 1' 8 1/2"

Rich Williams stated it should add out to 15 [square] feet.

Board Member Taylor stated its less 15 [square feet].

Chairman Rogan stated so...

Board Member McNulty stated 7 times 1.5.

Chairman Rogan stated 1 point 7...

Board Member Taylor stated it's less than 14 [square feet].

Chairman Rogan stated 1.75, 1' 8 1/2".

Board Member Taylor stated okay, so then they're fine.

Board Member McNulty stated that's the spacing.

Chairman Rogan stated in plane, is it.

Board Member McNulty stated oh 1' 8 1/2", no that's height.

Board Member Taylor stated okay, well.

Chairman Rogan stated oh you...

Board Member McNulty stated they're description says 18".

Board Member Taylor stated no it says 1' 8 1/2".

Chairman Rogan stated it's showing Subway is 2' and they're showing a little bit less.

Rich Williams stated the dimensions on there I remember were confusing, I don't remember what the issue was at this point.

Board Member Taylor stated okay.

Board Member McNulty stated but in their description I think they called out 18", height 18" ±, 5" depth.

Rich Williams stated and we did confirm it.

Board Member McNulty stated 2/3 the length of the store front.

Board Member Taylor stated it looks fine. Ccan we approve it tonight.

Chairman Rogan stated would love to.

Board Member McNulty stated 1.83 times 7.

Board Member Taylor stated make a motion we approve the sign as submitted.

Board Member Montesano stated second.

Chairman Rogan stated we have to do SEQRA on it first.

Board Member Taylor stated okay, make a motion we negative determination of SEQRA.

Board Member Montesano stated and I'll second that.

Rich Williams stated what is it.

Chairman Rogan stated 12.81 [square feet] based on the numbers Tommy just gave me.

Rich Williams stated that's not.

Chairman Rogan stated that can't be right.

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

Chairman Rogan stated and then on the sign application, you had made a motion.

Board Member Montesano stated I got a second.

Chairman Rogan stated Ron had made the motion on to approve the sign application as submitted, Mike, you're seconding.

Board Member Montesano stated I am seconding.

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

Chairman Rogan stated okay, anything to get a few things off here and closer to, okay...

#### **4) SWEET HEART NAIL & SPA – Sign Application**

Chairman Rogan stated Sweet Heart Nail & Spa, there's a lot of these salons, nails, it's a big business huh.

Rich Williams stated yeah, we had...

Chairman Rogan stated it seems like every place has...

Board Member Brady stated I wouldn't know.

Chairman Rogan stated I know right.

Board Member Montesano stated everybody's got 10 fingers and 10 toes.

Chairman Rogan stated yeah.

Board Member McNulty stated it just costs us.

Rich Williams stated wait, look at this.

Board Member Montesano stated I don't mind looking at the toes, I can't see taking the shoe off though.

Bob McCarthy stated what did Sue do to you.

Rich Williams stated what.

Bob McCarthy stated what did Sue do to you.

Rich Williams stated nothing, absolutely nothing. This is a holdover from last meeting, they failed to show at the last meeting, we contacted them in between, discussed with them some of the issues, we weren't sure whether they were going to show up at this meeting or not.

Chairman Rogan stated okay because one of their signs is just, it's the sign that's sitting in their window that they already have, right.

Rich Williams stated there's two signs in the window which are not legal and the sign that's sitting up there now was approved by the Planning Board but then they added the Sweet Heart onto which exceeds the size they're allowed to have.

Board Member McNulty stated so what happens if they don't come in.

Board Member Taylor stated they're in violation.

Rich Williams stated we'll talk to Nick.

Chairman Rogan stated it's an enforcement issue, that or they go to Zoning, they can go to Zoning and request a variance for the Sweet Heart, right.

Rich Williams stated yup.

Chairman Rogan stated a Sweet Heart variance that sounds nice. Okay and Hudson Valley Trust/Zachary Cope site plan waiver, is this, this is new.

##### **5) HUDSON VALLEY TRUST/ZACHARY COPE – Site Plan Waiver**

Rich Williams stated we've been approached the Boy Scouts who wish to put a shed out on the property owned by the Hudson Valley Trust in order to store clothes.

Board Member McNulty stated it's just a shed behind the property, correct.

Rich Williams stated it's a shed, it appears from the plan that it is going in the same location as the American Red Cross steel trailers are in.

Board Member Taylor stated that's what I was going to ask, they need to show that on here so we know what the relationship between that is.

Rich Williams stated yeah, I pulled that today for the first time, there's not enough detail on there to know exactly what they're doing and then you know if everybody takes a look at the application they'll see that it's being made by somebody in Farmingdale and I'm not sure why.

Board Member Montesano stated it might be where...

Rich Williams stated it's a local organization.

Chairman Rogan stated Farmingdale could be the...

Board Member Montesano stated the Boy Scout Headquarters.

Chairman Rogan stated it's probably a Boy Scouts, you know doohickey.

Board Member McNulty stated here's the shed.

Rich Williams stated maybe, maybe not.

Board Member Montesano stated unless he's the guy supplying the shed.

Ted Kozlowski stated what's the shed for, what's the purpose of the shed.

Rich Williams stated to store clothes.

Board Member Taylor stated donated...

Rich Williams stated apparently they're going to be going around collecting clothes and storing them in the shed.

Board Member Montesano stated oh the mice will have a field day.

Rich Williams stated for more than that you're going to have to discuss with them at the meeting.

Board Member McNulty stated I can't read this thing, I don't know if it's wood frame, metal frame.

Board Member Brady stated yeah well I have a lot of clothes to get rid of.

Board Member Taylor stated its wood isn't it.

Board Member McNulty stated it looks like trusses but...

Board Member Montesano stated mice will love it.

Board Member McNulty stated I can't read it to tell.

Board Member Taylor stated oh yeah, well...

Chairman Rogan stated just a simple 8 by 10 shed.

Bob McCarthy stated quickly right, you bring it in, you distribute it...

Chairman Rogan stated well the other thing is it looks like based on the placement they've shown if it's, if it is where they've shown it, it would be in front of the doors of the American Red Cross which could cause a logistical nightmare for you know, I mean I wouldn't expect someone to put a shed right in front of the opening to other storage units but.

Board Member Montesano stated well maybe they put it on rollers.

Rich Williams stated maybe they're putting it off on the side.

Board Member Montesano stated maybe they'll put it on rollers.

Board Member McNulty stated the siding...

Board Member Taylor stated the siding is down here.

Board Member McNulty stated it can't be no.

Board Member Montesano stated so it can be portable.

Chairman Rogan stated the nice thing is the existing units that are there, they've been pretty well shielded by the vegetation, you know you don't even really know they're there.

The Secretary stated not a donation bin.

Board Member McNulty stated what are the Red Cross trailers.

Chairman Rogan stated they're storage...

Board Member Montesano stated storage for emergency equipment.

Board Member Brady stated they're metal, they're metal sheds...

Board Member McNulty stated okay, I never noticed them.

Board Member Brady stated they're like containers.

Board Member Montesano stated they're sea containers.

Chairman Rogan stated what do they call those, sea containers.

Board Member Taylor stated yup, yup.

Board Member McNulty stated maybe we can put the shed there to cover them.

Chairman Rogan stated next to them right, alright.

Board Member Brady stated should put it next to the bridge.

**6) FROG HILL LLC – Site Plan Application**

Chairman Rogan stated okay, Frog Hill.

Board Member Montesano stated like magic.

Bob McCarthy stated maybe somebody will use the bridge.

Rich Williams stated Frog Hill.

Chairman Rogan stated also known as Jay Maxwell, right.

Rich Williams stated right, Jay Maxwell submitted a new revised plan, I believe that Jay met out there with Teddy and they talked about some site plan issues and we now have a plan that I don't think is going to meet DEP regulations and they, he's expanded the parking area and the storage area considerably and he's shown loading areas behind the building which are questionably, questionable about whether they're accessible.

Board Member McNulty stated what is Jay going to do for cleanup of the site.

Rich Williams stated clean it up.

Board Member Taylor stated he promised to clean it up.

Chairman Rogan stated very nice, for that existing building, restaurant, right.

Board Member McNulty stated but is he going to do that before he starts, is there any good faith that we, that we approve this plan.

Rich Williams stated I would assume that you're going to approve this conditionally on the site being cleaned up within so many days.

Board Member McNulty stated and cleaned up of what because he is going to be a repair shop.

Chairman Rogan stated all that building debris and stuff that was scattered all around the site when we walked it, remember around the left side especially there was all kinds of...

Board Member McNulty stated yeah there was lumber there was...

Chairman Rogan stated generators, all kinds of stuff.

Board Member McNulty stated what about as far as construction equipment.

Chairman Rogan stated excavators all that kind of stuff.

Board Member McNulty stated but he's going to be a repair shop, is he not.

Rich Williams stated repair of what.

Board Member McNulty stated isn't he heavy equipment repair.

Board Member Taylor stated no, public garage.

Board Member McNulty stated I thought that was...

Rich Williams stated he said he was going to do a public garage.

Board Member McNulty stated alright, I remembered heavy construction equipment, heavy garage open to the public. I don't, maybe I heard that wrong.

Ted Kozlowski stated see this is um, when I met with a couple of Saturdays ago, what's shown on these plans is not really what I discussed with him. I was under the impression that he was going to use the existing gravel area around that building and there is existing gravel area behind the building to the north near the wetlands, within the wetlands buffer. I did not realize that he's expanded that gravel area out into the grassy area which is undisturbed and within the wetlands buffer, it's actually going to the east.

Chairman Rogan stated right.

Ted Kozlowski stated and I didn't know about the materials display area and all that, that was not discussed with me.

Mr. Gainer stated this has all been expanded.

Ted Kozlowski stated right.

Mr. Gainer stated over what exists.

Chairman Rogan stated yeah.

Board Member McNulty stated what's the intent of that area.

Ted Kozlowski stated well I, what I told him was I didn't, I didn't object to what was already disturbed to use it because it was already disturbed.

Rich Williams stated right.

Chairman Rogan stated and the area he's showing that he's expanding is the already disturbed area.

Ted Kozlowski stated so he's expanding more area then...

Board Member Taylor stated yeah.

Rich Williams stated and he's expanding it into a buffer of a state regulated wetland so DEP is never going to have it.

Board Member Taylor stated yeah.

Chairman Rogan stated he's got to pull some of that back.

Board Member Taylor stated now are there two storage containers there now or is proposing adding a second one.

Rich Williams stated there were two.

Mr. Gainer stated there's multiple storage there.

Board Member McNulty stated oh.

Ted Kozlowski stated yeah there's and I think the gravel goes up to that and then it stops...

Mr. Gainer stated right.

Ted Kozlowski stated and this plan shows it's expanded.

Mr. Gainer stated this is also Jay Maxwell and heavy construction, he lives and breathes it, so I don't know if there's any intent or direction of the Board to either prohibit that from the exterior and keep it in the building more otherwise protect that from accidental spills, if he's going to have anything outside the building. Right now he's got construction equipment all over.

Ted Kozlowski stated I'm under the impression that this because he's got materials display area...

Board Member Brady stated yeah, what is that.

Ted Kozlowski stated this is some sort of marble guy or something like that.

Mr. Gainer stated he's got marble out there now.

Board Member McNulty stated that's a lot of marble stored.

Board Member Brady stated yeah.

Rich Williams stated well what they do is they store the pallets of the big sheets of granite so you can go there and pick out your granite.

Board Member McNulty stated no, I understand.

Rich Williams stated they do it over at Eurostyle Marble.

Board Member McNulty stated yeah, they stand them up usually but I'm saying that's a big area, that's a lot of stone.

Ted Kozlowski stated I wish Harry had left the existing conditions on here to show you the expansion, the actual expansion because...

Rich Williams stated well it's not that hard to open up the plan.

Ted Kozlowski stated I know but it's, you know we're looking at this in an office, we're not out there but this has been expanded more than...

Rich Williams stated substantially.

Ted Kozlowski stated more than I was told.

Board Member Taylor stated it seems like he's getting farther away from what we told him we would allow, that's not the process is it, aren't we supposed to be coming closer together here.

Rich Williams stated one would hope.

Chairman Rogan stated so the gravel around back is more means of access to the building, as I remember, right...

Ted Kozlowski stated that's already there too Shawn.

Chairman Rogan stated that's no problem, so really what, I mean it sounds like what I'm hearing is what we're saying is this newly expanded area back towards [Route] 22...

Board Member Brady stated on the east.

Ted Kozlowski stated to the east.

Chairman Rogan stated needs to be reduced back to, to not only, to not trigger DEP, right...

Rich Williams stated well I'm not so sure that...

Mr. Gainer stated he's also running west of the building.

Rich Williams stated here, yeah, this is all expanded out.

Mr. Gainer stated all of that west is new.

Chairman Rogan stated oh yeah.

Rich Williams stated this wasn't here before.

Chairman Rogan stated this was all, this is all storage right now, junk.

Rich Williams stated this ends right about here.

Board Member Brady stated well he's got an existing gravel area there now.

Chairman Rogan stated right.

Mr. Gainer stated not west of the building.

Rich Williams stated and he's added all this.

Chairman Rogan stated right.

Rich Williams stated and then this comes around like this, right in like this...

Chairman Rogan stated right.

Mr. Gainer stated they labeled it existing but it's not there, there's debris there and piles of junk.

Board Member Brady stated yes, there's all sorts of junk.

Rich Williams stated right past these buildings and then this is all added.

Chairman Rogan stated right, so this...

Mr. Gainer stated in the front of the building where you access, that is gravel.

Board Member Brady stated right.

Chairman Rogan stated and this, which one is the one creating the major problem for DEP.

Mr. Gainer stated and he's got the marble and granite there.

Rich Williams stated well here's the buffer.

Mr. Gainer stated but on the side of the building, there's nothing right now and then behind that...

Chairman Rogan stated alright, so he's got to cut that back.

Rich Williams stated he's got this here.

Mr. Gainer stated he's got a lot of his waste stored...

Board Member Brady stated on the west side he's got a storage container too there.

Mr. Gainer stated right.

Board Member Brady stated that's in the wetland.

Chairman Rogan stated yeah.

Board Member McNulty stated what about the proposed septic.

Rich Williams stated and then the buffer comes right around here, look at all this in the buffer area.

Chairman Rogan stated yeah, the whole septic is in the, there are so many lines on this it's hard to tell.

Rich Williams stated the septic is in the buffer.

Mr. Gainer stated he's got all sorts of debris piled out there.

Board Member McNulty stated maybe the septic should be over here, well that's in the buffer too, isn't it.

Mr. Gainer stated its Jay.

Ted Kozlowski stated yeah.

Mr. Gainer stated there's nothing to say, between Jay and Nichols doing the plan, it's going to take you awhile.

Chairman Rogan stated yeah.

Mr. Gainer stated just give him a clear list of what to do.

Rich Williams stated yeah, actually this is not the problem, this is the problem over here.

Chairman Rogan stated yeah, I was going to say it's mainly, you know.

Board Member McNulty stated but is the septic going to be a problem too.

Board Member Taylor stated no, it's not in the buffer, that's not the buffer line, that's a contour or a...

Chairman Rogan stated no, the buffer line is here, wetland buffer, so he's out of the buffer.

Rich Williams stated no, there's local wetlands too.

Mr. Gainer stated he does heavy equipment repair.

Rich Williams stated everything's blurry.

Chairman Rogan stated yeah.

Rich Williams stated there's supposed to be a local wetland line on here too some place.

Board Member Taylor stated it's outside of that, I don't know what that line is.

Chairman Rogan stated 100' wetland buffer.

Board Member Taylor stated contour line.

Mr. Gainer stated but he has a...

Board Member Taylor stated septic looks alright.

Rich Williams stated this is the buffer, this is, down in here is the local, comes through here, see this.

Board Member Brady stated but he's got the proposed septic, oh no, that's contour, right.

Ted Kozlowski stated no, it's proposed septic.

Board Member Brady stated no but that's...

Ted Kozlowski stated proposed SSTS.

Mr. Gainer stated he's probably hasn't approached, probably hasn't approached it.

Rich Williams stated hey Teddy on the west side, do you follow the DEC line.

Chairman Rogan stated do you have a highlighter.

The Secretary stated I do.

Chairman Rogan stated orange is fine.

The Secretary stated Shawn, are you sure.

Ted Kozlowski stated no, I actually went out a little bit more.

Rich Williams stated that's what I thought, it's not shown on here.

Board Member Taylor stated there's no legend on here.

Ted Kozlowski stated he's got me local and then he's got state.

Chairman Rogan stated there are two wetland lines, isn't one enough.

Rich Williams stated no, not with Teddy.

Chairman Rogan stated Teddy can't we agree on one wetland line, why do we need two, very confusing.

Board Member McNulty stated local and...

Board Member Brady stated can't you just eliminate both and then we don't have to worry about it.

Chairman Rogan stated even if we went with the one shown, if we just said look okay, you're good here, minimize this to what you absolutely only need...

Board Member Taylor stated and then he's got this too.

Chairman Rogan stated and we call it a day and be done with it, I don't understand why people don't want to get an approval work through it.

Ted Kozlowski stated but gentlemen what I don't understand is he's got all this land in front to the south of the building...

Board Member Taylor stated yup.

Ted Kozlowski stated which is not in the wetland.

Board Member Taylor stated right.

Ted Kozlowski stated why isn't he going there with it, why do we have to, why do we have to disturb more...

Board Member McNulty stated there's no legend.

Chairman Rogan stated make it look like area disturbed.

Ted Kozlowski stated he's got a lot of property, he's got the room to go to the south...

Board Member Taylor stated well let's tell him go to the south.

Ted Kozlowski stated stay out of the wetland buffer.

Chairman Rogan stated go over into here.

Board Member Taylor stated but the materials lay on the other side of the road.

Chairman Rogan stated yeah, move a couple parking spots and access it from this way.

Board Member Montesano stated you got your local wetland line down here where it says material display...

Chairman Rogan stated that's I mean to get this...

Board Member Brady stated it goes right through it.

Ted Kozlowski stated this is not a hardship.

Chairman Rogan stated move it to here and be done with it.

Board Member Montesano stated yeah I realize that, I'm just wondering.

Chairman Rogan stated that's reasonable, right.

Bob McCarthy stated yeah, I'm sure (*inaudible*).

Chairman Rogan stated yeah and call it a day, we're not prohibiting from him getting access to the back...

Board Member Montesano stated it's amazing.

Chairman Rogan stated this is all, as Rich said, this is all primarily disturbed existing conditions...

Board Member McNulty stated been disturbed.

Chairman Rogan stated up to about the storage container closer to the building, existing gravel area, so.

Board Member Montesano stated yeah well look where he's got material display area.

Chairman Rogan stated and like you said you can flip it over to the other side of the road and do the same thing, well actually in that case the display area that they're showing isn't in the buffer.

Ted Kozlowski stated yeah it is.

Chairman Rogan stated oh, there, I see the local wetland.

Board Member Montesano stated yes it is, see it says local.

Mr. Gainer stated yup.

Chairman Rogan stated can I have...

The Secretary stated now what color.

Chairman Rogan stated green please.

The Secretary stated now you want the green.

Ted Kozlowski stated you know Harry likes to do this where he shows the state because the state is favoring him...

Board Member Montesano stated and then he forgets.

Rich Williams stated he's going to bold the state line and...

Ted Kozlowski stated he'll follow the state line and oh by the way here's the local line, it's not as important.

Chairman Rogan stated okay, alright, so we have a local line and a state line.

Mr. Gainer stated oh Ted, come on.

Chairman Rogan stated so let's make it easy.

Mr. Gainer stated I'm telling you (*inaudible*).

Chairman Rogan stated and give him some clear direction so they can get an approval, right, move this area over to the south side and be done with it.

Mr. Gainer stated when I saw him a year ago, I'm amazed what he is today, he was in bad shape, at least he's walking.

Board Member McNulty stated what is this line.

Chairman Rogan stated I think that's some kind of probably soil boundary or something.

Board Member McNulty stated this is a soil line, I know that.

Board Member Montesano stated let's put it this way, he's walking but he hasn't been thinking except to benefit.

Chairman Rogan stated sorry.

Board Member Montesano stated how come they got colors, they got colors on that side of the table, they got greens and oranges.

Mr. Gainer stated Joe had that rattle and he...

Board Member Brady stated we haven't gotten to crayons yet.

Board Member Montesano stated you know how to stay in the lines.

Rich Williams stated that side is management.

Board Member Brady stated that side is what.

Rich Williams stated management, Chairman and Vice Chair.

Board Member McNulty stated what's a matter.

Board Member Montesano stated stay in the lines, stay in the lines.

The Secretary stated and the Secretary with all the supplies.

Chairman Rogan stated alright so when Harry comes in, we're going to, I was just on a cruise with a 22 month baby doing a lot of crayons and coloring, so you know, this is what I did.

Board Member McNulty stated kid taught you well.

Board Member Montesano stated you can keep up huh.

Chairman Rogan stated I know, stay in the lines.

Board Member Brady stated did you change diapers.

Chairman Rogan stated no, I didn't have to.

Board Member Brady stated because I have my granddaughter Saturday, you can change a diaper if you want.

Mr. Gainer stated the intent of the Board is to get rid of the storage...

Chairman Rogan stated right.

Mr. Gainer stated outdoor storage, all the trailers go except what he needs right at the building.

Chairman Rogan stated correct.

Mr. Gainer stated and he's got existing...

Chairman Rogan stated yup.

Mr. Gainer stated containers and access.

Chairman Rogan stated yup.

Mr. Gainer stated okay and all the equipment is supposed to go, I mean he's got trucks and things parked up there.

Chairman Rogan stated well I mean it's not part of the application, I think he needs to decide if he wants to use it for some storage but we're saying it's not a contractor yard...

Rich Williams stated can't.

Mr. Gainer stated what we suggest is...

Chairman Rogan stated can't so.

Rich Williams stated its going.

Chairman Rogan stated there you go so if...

Mr. Gainer stated he can't have exterior vehicle...

Chairman Rogan stated what we said was let's just show on the plans what's approvable, what we can do for this stone guy, let's make it an appropriate plan...

Board Member McNulty stated a condition to clean up the rest of the stuff. Ron, any idea what this line is.

Chairman Rogan stated if we can get this approved, we'll be a step better than what we had.

Mr. Gainer stated soils.

Board Member McNulty stated this is a soil line.

Mr. Gainer stated that's a soil line. I think.

Chairman Rogan stated love it, thank you.

Ted Kozlowski stated yeah it is, yes Tommy.

The Secretary stated can you tell how often I use them.

Chairman Rogan stated I can tell you like to keep them in their original box so they retain their value and don't dry out.

The Secretary stated that's right.

Chairman Rogan stated okay.

The Secretary stated to retain their value.

Board Member McNulty stated oh that's the contaminated area.

Ted Kozlowski stated actually that's the landfill.

Mr. Gainer stated that's Prisco right, that's Prisco.

Board Member McNulty stated possible location of Prisco Landfill.

Ted Kozlowski stated yeah, that's the landfill.

Mr. Gainer stated the dashed line is the soils.

Board Member Montesano stated oh no that was a landfill, I never realized that.

Chairman Rogan stated alright, let's just give him some clear direction...

Board Member Montesano stated it's amazing.

Chairman Rogan stated how to make this fly.

Ted Kozlowski stated I thought we did that already Shawn.

Chairman Rogan stated yeah but we didn't use colors.

Rich Williams stated Ted.

Ted Kozlowski stated yeah.

Chairman Rogan stated Frog Hill, right.

Board Member McNulty stated that's mine.

#### **7) STONE FIELD CORNERS ESTATES – Preliminary Plat**

Chairman Rogan stated Stone Field Corners Estate preliminary plat.

Board Member Montesano stated this doesn't exist, it says Unicorn.

Ted Kozlowski stated this is that piece that we looked at, we went on the site walk.

Chairman Rogan stated yeah.

Rich Williams stated Fields Corners Road.

Chairman Rogan stated yeah, so this is, so now the application has been made, the fees have been paid.

Rich Williams stated full applications.

Chairman Rogan stated alright.

Board Member McNulty stated they made a lot of changes.

Rich Williams stated he is meeting the direction given to him by the Planning Board as far as providing a road though somewhat downsized standards and access all the lots off of that road.

Board Member McNulty stated grab that cup.

Chairman Rogan stated yup.

Mr. Gainer stated he does have one road, one lot accessing Fair Street.

Rich Williams stated correct.

Mr. Gainer stated he still has that one...

Chairman Rogan stated okay, now it's coming back to me.

Board Member McNulty stated yup, we walked all.

Chairman Rogan stated yeah, right.

Board Member Taylor stated got rid of the common driveway.

Chairman Rogan stated reduced the common driveway, like you said slightly less standards but something we can work with.

Board Member Taylor stated he got rid of it. He eliminated the common driveway.

Chairman Rogan stated we reduced the glare issues that the neighbors were concerned about.

Board Member Taylor stated yup.

Chairman Rogan stated it's nice when people take some of your...

Board Member McNulty stated it still works for him, still got a lot of his lots.

Rich Williams stated and I think it works better.

Chairman Rogan stated yeah, he still has the lot in the back, just a little bit longer driveway but it still works.

Board Member McNulty stated I tell you, I drove past here the other day, this is a nice lot.

Chairman Rogan stated beautiful lot.

Board Member McNulty stated that is a nice lot right there.

Board Member Montesano stated yeah but they took all the tree stands out.

Chairman Rogan stated that's an easy build lot right there coming off of Fair Street.

Board Member McNulty stated yeah.

Chairman Rogan stated yup.

Board Member Taylor stated so we still have the issue, the main issue here is demarcating the wetlands.

Mr. Gainer stated that's right, right.

Board Member Taylor stated wetland buffers.

Chairman Rogan stated yeah.

Board Member Taylor stated so are signs in the trees going to be enough.

Ted Kozlowski stated no.

Rich Williams stated he does have monuments running the wetland line.

Ted Kozlowski stated not with these lots.

Chairman Rogan stated these are big houses though too, you know.

Board Member McNulty stated a flush monument.

Chairman Rogan stated what's a flush monument.

Board Member Taylor stated flush to the ground, you're not going to see them.

Board Member Brady stated flush to the ground.

Chairman Rogan stated oh.

Board Member Montesano so you can cover it with leaves, it's easier.

Board Member Brady stated yeah.

Ted Kozlowski stated Rich what's the current, what's the lot size minimum for horses.

Rich Williams stated you can have one horse for, no, you need 3 acres you can have one horse and then it's, after that it's one horse for every 2 acres you have.

Ted Kozlowski stated now is that acreage that is suitable for pasture and paddocks or is that just the total size property, including wetland.

The Secretary stated it's excludes wetlands, they have to have a certain number of acreage, excluding wetlands.

Board Member Taylor stated and excluding conservation areas.

Chairman Rogan stated that would make sense, it shouldn't be conservation areas.

Rich Williams stated we have it that way, we define usable land and we do that I know with equestrian centers when we set standards for the equestrian centers. Michelle says it carries over into the residential zone.

The Secretary stated it does.

Rich Williams stated I'm drawing a blank right now.

The Secretary stated I'm going to try to find it.

Ted Kozlowski stated what I fear here is what I see on Cushman Road which is, you've got 4 acres and you're coming off a dirt road which is really desirable by people who have horses and what happens inevitably with these properties is they expand the paddocks into the wetlands and that's the one thing and that was from the get go for me that concerns me because it will be intrusions into the wetlands and then we get into that agricultural thing, so.

Rich Williams stated Teddy, Teddy, they're not going to have horses out there, they're going to put contractors' yards on all these, no they're going to put shopping centers on all these, I mean they're going do...

Ted Kozlowski stated no, I'm just saying.

Rich Williams stated it's a residential zone, its 4 acres, they've got 4 acre lots, they're conforming.

Chairman Rogan stated yeah.

Ted Kozlowski stated no but I'm saying Rich that what happens on Cushman Road that guy expanded right into the wetlands with his paddocks.

Rich Williams stated then it's our obligation to go issue a violation.

Ted Kozlowski stated and what happens there.

Rich Williams stated it's you know...

Ted Kozlowski stated I'm not saying, you know...

Rich Williams stated I don't disagree that we have consistently people...

Ted Kozlowski stated I'm not saying you can't stop the building here, what I'm saying is we have to make sure that when these are all built that the property owners coming in understand the limits of the property.

Chairman Rogan stated that's been our age...

Rich Williams stated absolutely.

Ted Kozlowski stated right.

Chairman Rogan stated that's been our question or our concern forever is how to properly let people know about that and it's very difficult because you know that these people are going to look at this beautiful property and say well I can go in there and I can do whatever I want.

Board Member McNulty stated is there any way to incorporate it into the closing on the property.

Chairman Rogan stated somehow I think we've talked about.

Rich Williams stated yeah, we've talked about putting you know, notes in the deed.

Board Member Montesano stated talk to Mike about deed restrictions.

Rich Williams stated I know we can require notes in the deed, DEC's requiring notes in the deeds especially if you've got a stormwater practice on your property now.

Board Member McNulty stated how do you oversee that, does the deed change upon our approval of a plan or is it...

Rich Williams stated we rely on the attorneys.

Chairman Rogan stated a beautiful piece of property.

Board Member McNulty stated oh, so it doesn't get done.

Chairman Rogan stated it looks worse on paper than it is, beautiful property, we walked it we were like blown away I'm not even kidding.

Board Member Taylor stated can we do something besides flush moments, can we put up big orange poles or something that run through the forest.

Chairman Rogan stated right on Fields Corner and Fair Street.

Board Member Brady stated the flush monuments are useless, absolutely useless.

Ted Kozlowski stated no, we're going to put up our posted signs.

Mr. Gainer stated and it will help them all...

Chairman Rogan stated there's an old car in there.

Board Member Montesano stated we put up big make believe trees.

Board Member McNulty stated well maybe it can be a 2' monument, just so it catches the eye that what is that.

Ted Kozlowski stated when they get a, when the property owner gets a survey, a copy of the survey of their property, is our wetland delineations on that survey.

Rich Williams stated again, you know we rely on the surveyors, it depends what the surveyor puts on.

Board Member McNulty stated yeah usually that is what I've seen on surveys, not on a survey for a residence, a site plan yes but not a survey.

Ted Kozlowski stated so the...

Rich Williams stated and as far as the monuments...

Chairman Rogan stated in the middle of the woods of the lot.

Rich Williams stated if you want to use monuments, I would stick them up 6", I wouldn't stick them up any more than that because, Ron jump in here, my opinion is...

Board Member McNulty stated they get broken off.

Rich Williams stated yeah, they're going to break off.

Chairman Rogan stated the wheels are just laying against it, you know the kids have been playing in it for years.

Ted Kozlowski stated so the survey technical, typically wouldn't come in here looking for the site plan to start his process of developing the survey for that property, that wouldn't happen.

The Secretary stated alright.

Rich Williams stated I'm sorry.

Ted Kozlowski stated a survey company that you know you're going to buy lot number 2, when they do the survey do they come, do they come...

Mr. Gainer stated they're going see that it's a filed plat.

Ted Kozlowski stated and get the plat and transfer this information.

Mr. Gainer stated they're going to see the final plat, right.

Rich Williams stated they're going to go start with the filed plat, they're going to pull everything off of that.

Mr. Gainer stated right.

Rich Williams stated and more and more we are seeing especially because of the level of detail the Health Department requires and we require now, more and more we're seeing, you know, other items rather than just the boundaries and a house. So in some cases we are seeing wetland boundaries, septic...

Board Member McNulty stated that's much better.

Mr. Gainer stated this going to be in a conservation easement.

Chairman Rogan stated perfect, they get their lot count.

Mr. Gainer stated I mean no disturbance, none can be...

Chairman Rogan stated proposed conservation easement.

Rich Williams stated we haven't gotten that far yet.

Mr. Gainer stated identify it on the plat, at least make your intent there.

Chairman Rogan stated yeah.

Board Member Taylor stated well but they've identified them as conservation easements on there.

Rich Williams stated have they.

Chairman Rogan stated yeah.

Board Member Taylor stated yeah, that's what the...

Chairman Rogan stated yeah.

Board Member Taylor stated that's what the flush markers are for, they're showing roughly the boundaries, a couple of cases where they cut across but that's...

Mr. Gainer stated the only thing you can do is make those as tight as you can.

Chairman Rogan stated this whole thing.

Mr. Gainer stated because especially if you keep them flush...

Rich Williams stated yup, I don't know who wrote that but he's brilliant.

The Secretary stated it's too bad he just doesn't remember.

Mr. Gainer stated that's just going to be easier for you to mow.

Board Member McNulty stated what are these notes.

Mr. Gainer stated that will go right through them, wouldn't even notice.

Board Member Taylor stated yeah well that's...

Board Member Brady stated yeah and after a while they're going to become covered anyway, buried like the cemetery markers.

Mr. Gainer stated they don't make a space where it's really easy to be...

Board Member Montesano stated like you or age.

Rich Williams stated everything.

Mr. Gainer stated either way, I wonder what Ted would do.

Board Member Brady stated Ted, you buying one of them lots, put some horses on it or what.

Ted Kozlowski stated Tommy and Shawn are, they feel in love with it.

Chairman Rogan stated I thought it was beautiful property when you walked around, it looked so much better in person than it does on paper.

Board Member Brady stated yeah it was beautiful.

Mr. Gainer stated yeah once you got on the property.

Board Member Brady stated it really was a nice piece of property.

Board Member Taylor stated it was a nice area.

Chairman Rogan stated beautiful, some of the nicest lots we've walked in years.

Board Member Montesano stated all of the deer are going to stay up.

Board Member Brady stated that's something that I would, have money, buy the whole thing and just put one house on it and keep the rest, it's such a beautiful piece.

Chairman Rogan stated it's connected to such beautiful property.

Board Member McNulty stated to the right, no the other way.

Ted Kozlowski stated it would be nice for somebody like that.

Board Member Montesano stated could you have horses.

Board Member Brady stated oh man, would it be, as long as you don't go in the wetlands with them.

Rich Williams stated you know he's now gone to taken the Board's suggestion and shown a road out there, we're going to have to start working on a road name for that.

Mr. Gainer stated yeah, those are flags, those are the...

Board Member McNulty stated that's the wetlands boundary.

Rich Williams stated something consistent with the area.

Board Member Taylor stated so that's just showing the flags.

Chairman Rogan stated with the wetland we could call it Teddy Lane.

Rich Williams stated no you can't because Teddy Lane is right down the road.

The Secretary stated actually it's Theodore Trail.

Board Member Taylor stated yeah we see that.

Board Member McNulty stated it's only in that one spot.

Board Member Montesano stated Cucamonga Square.

Rich Williams stated and you know why...

Board Member Taylor stated start putting up flags.

Rich Williams stated he drove them crazy so much they named a road after him.

Board Member Taylor stated because he's got triangles down here and then he's got triangles up there on the buffer.

Ted Kozlowski stated I didn't hear.

Rich Williams stated Theodore Trail.

Ted Kozlowski stated oh.

Mr. Gainer stated I think he just labeled a few of the flags doing the flagging, he doesn't have them labeled everywhere.

Bob McCarthy stated down on Fields [Corner Road].

Chairman Rogan stated I don't know, I don't know where it is.

Bob McCarthy stated where's Theodore Trail.

Rich Williams stated huh.

Bob McCarthy stated where's Theodore Trail.

Rich Williams stated Fields Corners Road.

Chairman Rogan stated oh it off Fields...

Bob McCarthy stated oh, off that.

Ted Kozlowski stated yeah, I remember that one.

Board Member Taylor stated so how do we deal with this issue then.

Rich Williams stated what issue is that.

Board Member Taylor stated of demarcating the wetland boundary or the buffer.

Chairman Rogan stated we'll get a recommendation from our wetlands ECI, what he'd like to see.

Board Member Brady stated stonewalls.

Board Member Taylor stated okay, yeah.

Board Member McNulty stated build them out here.

Ted Kozlowski stated build 'em baby.

Board Member Brady stated can you imagine, its worth more than the property.

Ted Kozlowski stated build 'em.

Chairman Rogan stated wow.

Board Member Taylor stated well that's why I was saying orange posts.

Board Member Montesano stated why, you get ahold of Pete, then environmental park over there...

Ted Kozlowski stated well you know, look at lot 4.

Chairman Rogan stated lot 4 is the worst one.

Board Member Montesano stated or the industrial park and all the noise.

Ted Kozlowski stated lot 4 doesn't have really a lot of land.

Board Member Taylor stated no they don't.

Ted Kozlowski stated for the backyard.

Board Member Taylor stated yeah, so I mean like what the telephone company puts up or the gas company puts up, it's something that you see, something out there that you can't avoid seeing so you can't say well I didn't see it.

Board Member Montesano stated I know where we can get a lot of clown costumes, just stick them out there.

Chairman Rogan stated you know what Teddy, I almost think it's a good idea that as soon as these houses are built and sold that somehow there's a way that you're notified that you go out and personally meet with the property owner like this, at the very beginning, move-in time to say hey...

Ted Kozlowski stated I tried to do that...

Chairman Rogan stated it's tough I know.

Ted Kozlowski stated and the Albano, remember the Albano piece, I was out there and then also that other one down the street.

Chairman Rogan stated was that off of Wyndham Hills.

Ted Kozlowski stated Carl Albano built and I put the signs up...

Chairman Rogan stated yeah.

Ted Kozlowski stated and that's been respected.

Chairman Rogan stated yeah.

Ted Kozlowski stated and then the other one that Harry did that never got finished, it's an abandoned house now.

Chairman Rogan stated oh, where's that.

Rich Williams stated they're still working on it.

Board Member McNulty stated what about a letter of some sort.

Ted Kozlowski stated but it's the test of time Shawn.

Chairman Rogan stated yeah, no I understand, you don't know when houses change hands or whatever but...

Ted Kozlowski stated they change hands or they but I've just find that when you have these bigger lots, which is nice because you've got all this open space when the person who buys lot 4 realizes that all this acreage really is not...

Chairman Rogan stated yeah, yeah I've got 7 acres and I can't use 2 of it.

Ted Kozlowski stated the person who is not educated in wetlands and conservation is going to say I have 7.6 acres and I can only use an acre and a half of this.

Chairman Rogan stated well and the part of this that was difficult walking it is, it's not typically what we think of I mean if it was all underwater it would be obvious this was not that type of property...

Board Member Brady stated it had that dry stream.

Chairman Rogan stated it was dry, you know, it felt upland...

Ted Kozlowski stated although this, lot 4 is pretty wet.

Chairman Rogan stated yeah.

Board Member McNulty stated down, down here.

Ted Kozlowski stated this particular piece, yeah.

Chairman Rogan stated but a lot of it was, you know.

Board Member McNulty stated what's the procedure when a house sells, does the title agency or a lawyer have to come to the Town on every sale for information.

Rich Williams stated not on cash sales but if a bank's involved, there's going to be a title search done...

Board Member Brady stated that's done through the county.

Rich Williams stated they're going to contact our Building Department.

Board Member Montesano stated yeah.

Board Member McNulty stated so maybe through that process there, it could be part of the research, there's a standard letter that goes out, your property is within the wetlands buffer, just to make them aware because people, you know they don't have any awareness of that...

Chairman Rogan stated right.

Board Member McNulty stated that your property lands within a buffer and you need to consult with the Town before any expansion of the property. Just to notify, just to put it in their head.

Board Member Brady stated why not have them put it on the survey, just tell the...

Board Member McNulty stated because we don't have control over there. I'm saying at the time of sale they come through the Town so maybe there's standard form letter that you know...

Ted Kozlowski stated see I would prefer...

Board Member McNulty stated the Building Department looks at it, they pull the plat and oh this is in a wetlands we better give them this letter or give it to everybody, just hand it out as part of the package.

Ted Kozlowski stated in the 20, 21, 22 years I've been doing this...

Rich Williams stated I can tell you this, perhaps the next Supervisor will have some really good ideas on this.

Ted Kozlowski stated in the 22 years I've been doing this...

Board Member McNulty stated I wonder who she'll be.

Ted Kozlowski stated not one new property owner has ever called me.

Chairman Rogan stated no, of course not.

Board Member Brady stated I was going to say something but we're on the record.

Board Member Montesano stated the only way you have a chance at this, in all honesty, would be if there was a form letter, you give it to the person that's representing the sale and he's got to give it in the package. They'll make up a package to sell this property...

Board Member McNulty stated yeah but you don't have a, there's no...

Chairman Rogan stated what's the mechanism to know about that though.

Board Member Brady stated right.

Board Member McNulty stated yeah, the title company has to come to the Town so.

Board Member Montesano stated the real estate agent will have to know because he's a state licensee, if he can get the word that, let's put it this way, if he's a decent agent, he's going to have it in the package.

Chairman Rogan stated right.

Board Member Montesano stated because it's part of his sale unless he feels he's not going to be able to sell it because of it, so they lie through their teeth.

Board Member Brady stated if the title company picks up a letter like that, it's going to be a red flag to them, to let their, to let the bank know.

Board Member McNulty stated that's what we want.

Board Member Brady stated right, it's going to be a definite red flag, the bank is going to notified, everybody is going to be notified...

Board Member Montesano stated the title company is...

Board Member Brady stated because it's, it could be a possible problem for them later on and they're going...

Board Member Montesano stated it may cost them money.

Board Member Brady stated yeah, that's right, that's exactly what it is, if it costs the title company money.

Board Member Montesano stated and the problem with title companies is they don't catch everything either.

Rich Williams stated wait let's backup, if they're putting the wetlands in a conservation easement when they do the title report that conservation easement is going to be flagged.

Chairman Rogan stated yeah.

Rich Williams stated and then the title company is going issue in the title report a description about what the limitations are within that conservation easement.

Ted Kozlowski stated please put in your final determination that they call me when they're about to start construction because then I will go out and do the, I'm not putting, posting the signs now because this property could sit for years before they develop it.

Chairman Rogan stated 100 scale.

Board Member McNulty stated 60 [scale].

Chairman Rogan stated 60 scale.

Board Member McNulty stated to an inch.

Board Member Montesano stated why, brass isn't that expensive.

Chairman Rogan stated 30' off the corner of the house.

Mr. Gainer stated you're saying that note would be prior to the development of the individual lots.

Ted Kozlowski stated yeah because we want to...

Mr. Gainer stated the developer is only putting the road in.

Chairman Rogan stated yeah but if you're going to allow him to put the road in...

Ted Kozlowski stated well the developer is going to put the road but then when they start developing these lots we gotta make sure that the staging area and all the other disturbances are not going into the wetland.

Board Member McNulty stated maybe coming up with standards for that it's educating people.

Chairman Rogan stated true, yeah, they have a big oak tree here, if it comes down it's going to hit the house.

Board Member McNulty stated I love it as a contractor.

Board Member Montesano stated then he gets free oak.

Board Member McNulty stated where are we at procedurally with this now.

Rich Williams stated they've submitted an application for preliminary plat.

Chairman Rogan stated we can be lead agent.

Rich Williams stated yes you can.

Board Member McNulty stated we've done a site walk, we can do lead agent.

Rich Williams stated yup, circulate for lead agency and start the process.

Chairman Rogan stated yeah.

Rich Williams stated rock and roll.

Board Member Brady stated now there's a clock on that right.

Rich Williams stated huh.

Board Member Brady stated there's a clock on that, timing.

Rich Williams stated yeah, there's a 30 day clock on that, in addition you can refer them over to the Town Board for an open development area, if you want to make a recommendation on it.

Chairman Rogan stated why do they need open development on this.

Rich Williams stated because they don't have sufficient, well actually I've got to take a look at the plat, I don't believe they have sufficient lot frontage on one of the lots...

Chairman Rogan stated oh.

Rich Williams stated which now because it's a road...

Chairman Rogan stated right.

Rich Williams stated may end up getting them sent to the ZBA rather than the Town Board, I've got to take a look at the plat.

Chairman Rogan stated okay, yeah because I thought putting in the Town Road we were going to clear up some of those to make it more conforming, so.

Ted Kozlowski stated the other thing I'd like to suggest on lot 4, that septic system is behind the house, that's typically where a deck and a pool would go so then that would force this person if they wanted such a thing, they're going to go right into that wetland buffer because they're not going to put in front of the house.

Rich Williams stated they show the pools and a shed on each lot.

Ted Kozlowski stated this is a pool, not the septic.

Chairman Rogan stated yeah, it's not a septic, it's a pool, yeah.

Board Member McNulty stated the septic is going under the pool.

Ted Kozlowski stated it's a nice size pool.

Chairman Rogan stated we always ask them to show something just so it's...

Rich Williams stated if you look at the plan then you'll see the septic.

Board Member Montesano stated as long as you have an elevated pool.

Chairman Rogan stated we're not telling them have to build pools.

Board Member Brady stated water goes downhill right.

Board Member Taylor stated yeah, it's a nice size pool.

Board Member McNulty stated that's a nice property.

Chairman Rogan stated we started doing that because we get these lots that show up and then a year after they build them somebody's in the ZBA because they want to put a pool or a shed and there's no room for it so we started to try to build that into the idea, show a location, you know.

Board Member McNulty stated Rich did you get my note about S.A. Hebert, I'll bring it up in a minute.

Chairman Rogan stated at least it was considered.

Board Member McNulty stated I sent you an e-mail.

Rich Williams stated we talked about it.

Board Member McNulty stated no, I sent you an e-mail yesterday.

Rich Williams stated no, I don't believe I did.

Bob McCarthy stated septic around the lot.

Chairman Rogan stated just to show that it's been considered in the layout, it doesn't mean it's locked in or anything.

Mr. Gainer stated you bend so well.

Board Member Taylor stated old guy's trying to bend over.

Board Member McNulty stated a little more Ted, it looks like your head's going to pop off.

Bob McCarthy stated you're not going to put the pool in front.

Chairman Rogan stated correct.

Ted Kozlowski stated Tommy, you're going to get into the city late.

Board Member McNulty stated I have nothing to do tomorrow.

Chairman Rogan stated I lost my agenda, what's next, it's in my pile.

Board Member McNulty stated seven, seven.

Board Member Brady stated are we doing that walk through tonight.

**8) S.A. HEBERT PROPERTIES, LLC – Site Plan Application**

The Secretary stated S.A. Hebert...

Rich Williams stated S.A. Hebert Properties, this is the old Marbell building down on Robin Hill Corporate Park, it's the first building in on the left hand side. End of last year he went in and cut out the whole bank behind the building to open it up and give himself some additional storage and took all the soil and pushed it out in front of the building onto his septic area in order to make full access all the way around the building. It is tight though in one corner.

Board Member McNulty stated Rich, I had sent you a note, is there a current existing site plan approved on file for that site.

Rich Williams stated I thought we had that, yes there is, yes I did get that.

Board Member McNulty stated and how does that compare to this, this is an amendment but is this amendment based on that plan or is this a totally new plan.

Chairman Rogan stated well the building hasn't moved.

Board Member McNulty stated my question is can we...

Rich Williams stated well yeah, most of what's on the original plan is still on this, so this is amending that...

Chairman Rogan stated so I guess we just highlight the changes.

Board Member McNulty stated so my question was to compare that.

Rich Williams stated and the applicant did come in, not the applicant but the design engineer did come in and get a copy of the original plan, now in doing that we had the conversation about he's showing existing topo and proposed topo but the existing topo that he's showing was not the existing before they did all the disturbance.

Chairman Rogan stated right.

Board Member McNulty stated that's my point, maybe we should pull that plan out and make a comparison.

Rich Williams stated right now.

Board Member McNulty stated well that's why I sent you a note thought maybe you might have it, if you don't have it, that's okay.

Rich Williams stated yeah I forgot, it's back in the file or did I put it, or do I have it here.

Board Member McNulty stated so maybe for next week we can have it.

Rich Williams stated I don't know I put it back.

The Secretary stated oh yeah you did.

Board Member McNulty stated at least maybe during your review Rich, you can compare the two.

The Secretary stated can you scoot in.

Chairman Rogan stated so this is that first lot when you turn up on to, what corporate park.

Board Member McNulty stated yeah I was in there recently, it looks, Robin Hill.

Chairman Rogan stated Robin Hill.

Board Member McNulty stated it looks horrendous.

Chairman Rogan stated really.

Board Member McNulty stated and then you have nice buildings all up through that property and you turn in and you look to the left and there's a pile of rust, it really looks horrendous.

Ted Kozlowski stated yeah, it's a bad entrance to that.

Board Member McNulty stated now I guess the question is, is he allowed to use the property for that, is it industrial or commercial.

Mr. Gainer stated commercial.

Board Member McNulty stated it's not an industrial lot. Basically it looks like a contractors' yard sitting up there now.

Ted Kozlowski stated auto salvage.

Board Member McNulty stated just construction, scaffolding, and equipment and lifts.

Bob McCarthy stated yeah, I've seen it.

Chairman Rogan stated wow.

Board Member McNulty stated and it's not fair to the other people who keep the buildings nice up in there. I mean if it was way up in the back but as soon as you turn in.

The Secretary stated I'm coming back around.

Board Member McNulty stated she's dancing.

The Secretary stated don't move.

Bob McCarthy stated where's their driveway.

Chairman Rogan stated sorry.

Bob McCarthy stated where's their driveway.

Board Member Montesano stated I don't want to move.

Chairman Rogan stated yeah, good point, let's see.

Ted Kozlowski stated hey Rich...

Chairman Rogan stated they don't clearly show it but it's...

Bob McCarthy stated parking area right in here.

Chairman Rogan stated yeah it must come in here...

Bob McCarthy stated and this is where all the vehicles are.

Mr. Gainer stated he's, you know potentially impacting the septic, he should show the reserve area because he may be affecting that.

Chairman Rogan stated wow.

Board Member McNulty stated where's [Route] 22.

Bob McCarthy stated this is where all the, it's pretty bad.

Chairman Rogan stated right here.

Board Member McNulty stated yeah.

Chairman Rogan stated the road coming up.

Mr. Gainer stated the septic system, he's identifying the reserve area as well.

Board Member McNulty stated the whole back of the building and this area is all, it looks like Maxwell's.

Bob McCarthy stated worse.

Rich Williams stated do you have it.

The Secretary stated I knew you didn't have it, which one.

Bob McCarthy stated there's a lot of vehicles out there.

Chairman Rogan stated yeah like I said, at least Maxwell's is tucked way in the back.

Ted Kozlowski stated what do you think of the landscape plan.

Bob McCarthy stated that used to be DiCamillo, right, granite.

Chairman Rogan stated I don't remember.

Bob McCarthy stated right Jim, Tommy, this used to be DiCamillo.

Board Member McNulty stated yes.

Bob McCarthy stated they sold granite.

Rich Williams stated I have plans, I don't think I put them back.

Board Member McNulty stated we should probably do a site walk out here, huh.

Chairman Rogan stated definitely.

Ted Kozlowski stated I would recommend it.

Chairman Rogan stated absolutely.

Board Member Montesano stated oh yeah, you're going to have to.

Rich Williams stated well maybe not.

Chairman Rogan stated I'm always amazed too when we say we're going to do a site walk that people don't do anything to clean up the site before we come, you know you'd think...

Board Member Brady stated yeah.

Board Member Montesano stated why would they do that.

Board Member McNulty stated no, he's, no way this guy's cleaning up before we come.

Board Member Montesano stated he ain't gonna do a thing and if you don't give him, he'll just waltz.

Board Member McNulty stated thank you Rich, this was the approve plan.

Rich Williams stated yeah.

Chairman Rogan stated there's your flagpole layout of the building.

Board Member Montesano stated who would ever approve a plan like that.

Chairman Rogan stated the building looks the same, flagpole layout.

Board Member McNulty stated parking.

Chairman Rogan stated so the back they graded right to the building, now they're, they pushed that back...

Rich Williams stated they pushed it back about 30'.

Mr. Gainer stated yeah.

Chairman Rogan stated they cut that back, so they made a steeper bank.

Board Member McNulty stated what's this cut here.

Chairman Rogan stated that's the entrance to the road.

Board Member Montesano stated that's the entrance off the road.

Mr. Gainer stated that's the entrance.

Chairman Rogan stated here, see that's here, right here Tom.

Board Member McNulty stated oh, I gotcha, yup.

Board Member Montesano stated and then you come in here and the road continues up this way.

Chairman Rogan stated yup, so yeah the roads are the same way.

Board Member McNulty stated so this 100% future expansion, is that future expansion of what.

Mr. Gainer stated septic.

Rich Williams stated septic.

Mr. Gainer stated probably sanitary, that's all been impacted.

Board Member Montesano stated that's where he threw all the dirt.

Board Member McNulty stated this is where he cut it away, correct.

Mr. Gainer stated yes.

Chairman Rogan stated yeah.

Mr. Gainer stated that's why we say you want to show those things.

Board Member Montesano stated he cut it but piled it up here, didn't he.

Board Member McNulty stated no, he spread it out front.

Mr. Gainer stated no, it's just pushed, taking out a lot of vegetation.

Chairman Rogan stated so he cut into all this to create this part in here.

Rich Williams stated he created his, he cut out his expansion area, whoops.

Board Member McNulty stated he filled this all in.

Chairman Rogan stated yeah.

Mr. Gainer stated yeah, minor detail.

Board Member McNulty stated this is nice, so we can compare.

Mr. Gainer stated and you're saying Zarecki looked at that.

Rich Williams stated yeah, Zarecki got a copy of it.

Chairman Rogan stated okay, so where's the existing area.

Rich Williams stated what are you going to do.

Mr. Gainer stated right, what are you going to do.

Board Member McNulty stated this two-story.

Chairman Rogan stated no, the existing septic area.

Ted Kozlowski stated Rich is he, is this plan proposing to remove all those trees on the north side.

Board Member Montesano stated it was over here.

Chairman Rogan stated SSDS location, future SSDS location, line then front...

Rich Williams stated is he what.

Ted Kozlowski stated I guess he's removing all the trees on the north side because these, he identifies to remain.

Board Member McNulty stated gasoline tank 1,000 gallons.

Board Member Montesano stated it's over in this far corner.

Ted Kozlowski stated don't have that.

Mr. Gainer stated these, yeah these are not...

Chairman Rogan stated yeah, approximate septic tank location, provide riser, so they're showing it.

Board Member Montesano stated yeah it's in the corner.

Mr. Gainer stated they're there today, they're not being impacted, this is the area.

Chairman Rogan stated approximate location of field, right here.

Board Member Montesano stated closer to [Route] 22.

Chairman Rogan stated right here, here, here's the fields right here, we're just not, it's tough because of the colors.

Board Member Montesano stated okay.

Chairman Rogan stated so here's your septic area.

Mr. Gainer stated he needs to put vegetation back in here.

Board Member McNulty stated current.

Chairman Rogan stated the tank, yeah.

Ted Kozlowski stated oh god yeah.

Mr. Gainer stated you know there's the parking for the existing use, right here.

Board Member McNulty stated so the expansion would be here for a separate system.

Chairman Rogan stated they were probably going to pump it up if they had to.

Mr. Gainer stated and right here the parking's, it's pushed right up in that.

Rich Williams stated and again we don't know really what got approved by the Health Department.

Chairman Rogan stated right, alright.

Ted Kozlowski stated guys, the other thing just from a tree standpoint, he's got in the, along [Route] 22 there's two trees identified to remain, ones and 18, they're both supposedly 18" trees, I don't know what they are but that disturbance goes right up to them, so that root zone is going to be destroyed...

Chairman Rogan stated we need a site walk, it looks so much different when you're out there, I bet, better or worse.

Ted Kozlowski stated and those trees are going to be greatly impacted so you're going to have dead trees standing there in a few years after they do all this.

Rich Williams stated Teddy, it's for the most part, done.

Ted Kozlowski stated oh.

Board Member McNulty stated oh yeah.

Ted Kozlowski stated so then they're, then they're going to be dead next year anyway.

Mr. Gainer stated unless you tell him to pull it back.

Board Member McNulty stated maybe get in on the firewood.

Ted Kozlowski stated and they're using knockout roses in the landscape, wasn't much thought put to that.

Chairman Rogan stated what's that, knockout roses.

Ted Kozlowski stated who puts roses in a commercial landscaping, you know what kind of maintenance those things need.

Board Member Taylor stated yeah.

Ted Kozlowski stated it's really not though out very well from a ornamental standpoint.

Board Member McNulty stated they have all the Planning Board notes on here.

Rich Williams stated huh.

Board Member McNulty stated all the Planning Board notes noted on here from '77 to '78.

Chairman Rogan stated Mike were you on the Board in '77-78.

Board Member Montesano stated no, I was just a working stiff. It was me and Teddy Roosevelt and he decided to stay.

Board Member McNulty stated do we have minutes that far back.

The Secretary stated yes.

Board Member Taylor stated so can we get a copy of all this.

Chairman Rogan stated they're not always, they're not typically appropriate minutes.

Rich Williams stated you want a copy of the plan.

Board Member McNulty stated on the minutes that are noted on here.

Rich Williams stated paper copy or electronic.

Board Member Taylor stated electronic is fine with me.

Board Member McNulty stated yeah its okay with me.

Rich Williams stated alright I'll take it out and get it scanned and, actually we already have it scanned.

Board Member McNulty stated it said, it's got the revision number, the date.

The Secretary stated I thought you did.

Rich Williams stated I already stole it.

Board Member McNulty stated the Planning Board comments.

Chairman Rogan stated wow.

Rich Williams stated yeah, we have it, we can send it out to everybody, yeah it should be out there.

Board Member McNulty stated should be easy to find.

Board Member Taylor stated so this is a bit of a nightmare, huh.

Rich Williams stated it's challenging, I've been waiting for the snow to disappear so I can actually go out there and look at the damn thing because this was all done, I have him in court right now.

Chairman Rogan stated and this...

Board Member Taylor stated oh.

Rich Williams stated because I issued a notice of violation and they dragged their feet, dragged their feet, dragged their feet so I sent them to court.

Board Member Brady stated so that will take another two years.

Chairman Rogan stated it's a shame though that they're detracting, like you said Tom.

Rich Williams stated huh.

Board Member Brady stated so that will take another two years.

Rich Williams stated no, no, no that got the plan in right away.

Board Member Montesano stated need a new rug.

Mr. Gainer stated that got him to this point, he's filed an application with Rich, so.

Board Member Brady stated sure wish it helped our filled in house over there.

Board Member Taylor stated not our problem anymore, is it.

Board Member McNulty stated get that tomorrow.

Board Member Brady stated what a mess that was, what the hell was that, what was the name of that...

Board Member Montesano stated oh I don't want to see that.

Ted Kozlowski stated Adam Levine.

Board Member Brady stated Levine, Levine.

Board Member Taylor stated yeah.

Chairman Rogan stated it says the existing use is a distribution warehouse for Action Chutes, a provider of commercial laundry and garbage chutes and associated parts.

Board Member Taylor stated so what's the scaffolding for.

Board Member McNulty stated sheet metal fabrication.

Rich Williams stated they do a lot of the installation down in New York City.

Bob McCarthy stated used to be on Ludingtonville [Road].

Rich Williams stated huh.

Bob McCarthy stated he used to have a shop on Ludingtonville [Road].

Rich Williams stated oh did he.

Bob McCarthy stated Action Chutes, yeah.

Chairman Rogan stated alright.

Board Member McNulty stated you have him in court, violate, what was the violation.

Rich Williams stated he didn't, he did all this site disturbance without any erosion control permits.

Board Member McNulty stated so nothing about zoning.

Rich Williams stated I don't cross that line, I stay with the erosion control.

Ted Kozlowski stated that's what I've got to talk to you about, I got to talk to you.

Board Member McNulty stated that's Nick's office.

Chairman Rogan stated we're down to, do we have anything, are we off this topic, are you done with this topic, application.

Board Member Taylor stated we need a site walk.

Chairman Rogan stated definitely a site walk. Do we have anything new different, or whatever to Boniello.

Ted Kozlowski stated still have Boniello, Shawn.

## **9) ANTHONY BONIELLO – Site Plan Application**

Chairman Rogan stated no, I know, that's what I was...

Rich Williams stated yes, yes we do. They have resubmitted plans...

Board Member McNulty stated I have a copy.

Rich Williams stated they've shown parking, they've shown some arrows giving direction and even though he, yeah well even though we have talked to both Boniello, especially over the years, constantly and got a

call from Joel Greenburg, they submitted Shawn, 7 plans and they submitted them 2 ½ days late and so we do not have plans for the whole Board.

Chairman Rogan stated how many are they supposed to submit, 9.

Board Member Taylor stated 9.

Rich Williams stated so if you want to look at it.

Chairman Rogan stated this is determining...

The Secretary stated I have another one, if somebody else wants to share.

Board Member Brady stated no, it's too late.

Chairman Rogan stated two way traffic and then one way traffic around the building.

Board Member Montesano stated this side of the table is very. Very light.

Chairman Rogan stated for loading, oh if somebody wants bulk.

Rich Williams stated Shawn, I will say this...

Board Member Taylor stated how to move material in there.

Rich Williams stated arrows don't make traffic flow.

Board Member McNulty stated this here, all these units...

Board Member Montesano stated location of property.

Board Member McNulty stated brings me back to these cold frames we're discussing and the definition of structure, you weren't here for that last month.

Chairman Rogan stated no.

Board Member Brady stated oh you missed it.

Chairman Rogan stated with commas.

Board Member McNulty stated with commas.

Chairman Rogan stated okay.

Board Member Montesano stated it's in the minutes.

Board Member McNulty stated if you read our definition of structure, these would be consider structures, correct. That's the way I see it and if they're structures then they have to meet zoning requirements, am I right.

Rich Williams stated if they are determined structures they would have to meet zoning requirements.

Chairman Rogan stated is it your opinion that storage bins are structures.

Rich Williams stated that is not my opinion.

Board Member McNulty stated well...

Bob McCarthy stated with a roof on it.

Chairman Rogan stated no, just open mafia block type...

Rich Williams stated but I don't...

Bob McCarthy stated that's a structure.

Rich Williams stated I recognize that it falls into a somewhat grey area and...

Board Member McNulty stated this is how we define it.

Mr. Gainer stated and structures, even walls 6' or less it says...

Board Member McNulty stated yeah, I mean...

Mr. Gainer stated and then you have to deal with accessory structure setback and it's...

Rich Williams stated yup.

Mr. Gainer stated you're actually over the line, let alone on the line proposed.

Ted Kozlowski stated I think you have to under...

Board Member McNulty stated I mean that's our guidelines.

Board Member Brady stated like a pitfall.

Ted Kozlowski stated you have understand the way his operation is with those, the repair, he's got stuff...

Mr. Gainer stated all over.

Ted Kozlowski stated if he's going to continue to operate a repair business, where is the machinery and stuff going to go in relation to trucks coming in and out of there with all the materials that they're going to store, backing up, picking up.

Chairman Rogan stated it's tough to decipher.

Rich Williams stated again, it's...

Board Member McNulty stated well they're walls aren't they.

Rich Williams stated I don't disagree with Tommy, the last, last month I absolutely disagreed with you.

Chairman Rogan stated yeah.

Rich Williams stated this time I don't know that Tommy's not right.

Chairman Rogan stated but the, maybe the definition doesn't fully explain the intent of what was, you know these definitions were created, they weren't pulled out of...

Board Member McNulty stated I don't think intent is in there.

Chairman Rogan stated yeah but that's the problem, sometimes you're intending a definition to say one thing and it's written and it's not, it doesn't accurately depict that because you can never anticipate every...

Board Member McNulty stated well maybe...

Board Member Montesano stated depending on what you go, if you go before a judge it says this is allowed to be white and you come in and say well it doesn't say it can't be black. Yes it does, it says it's got to be white and that's it, that's the statement he's going to make.

Chairman Rogan stated yeah.

Rich Williams stated and Shawn when we do definitions and remember I'm the one that wrote that definition...

Chairman Rogan stated yeah.

Rich Williams stated you know you have to be somewhat generic to cover a broad range of issues...

Chairman Rogan stated right.

Board Member Brady stated right.

Rich Williams stated and then when you run across these that are very specific that may not really fall, well then that's the ZBA's responsibility to say that it, you know...

Chairman Rogan stated yeah.

Rich Williams stated or to give it a variance so it can.

Board Member McNulty stated to be fair though, I only looked up structure, could there be another definition, what else would this be called storage bin...

Rich Williams stated yeah, no.

Mr. Gainer stated no, it would hit structure, it would hit structure.

Board Member McNulty stated a retaining, it's not a retaining wall.

Rich Williams stated I...

Board Member Montesano stated it's a structure.

Board Member McNulty stated what's your thinking on it Ron.

Mr. Gainer stated I read the ordinance clear, you can't, you can't avoid it.

Chairman Rogan stated anything constructed or erected which has or would normally be expected to have a permanent or semi-permanent location, which we agree this would be permanent...

Board Member McNulty stated semi-permanent.

Chairman Rogan stated or semi-permanent, on or in the ground or attachment to something having a permanent or semi-permanent location on the ground, including patios, decks, stairs, and other improved areas intended as a central location for recreation or leisure activities. That's the tail end of that that throws me...

Board Member McNulty stated yeah, it threw me off too.

Chairman Rogan stated none of it is intended for recreation or leisure activities.

Board Member Brady stated yeah, recreation.

Board Member Taylor stated that's a clause, that's a clause though, including...

Board Member McNulty stated the commas.

Rich Williams stated including, hit the comma damn it.

Board Member Taylor stated the commas.

Board Member McNulty stated yeah I covered, I covered.

Chairman Rogan stated there's no, you didn't cover a comma there after intended.

Mr. Gainer stated read structure though.

Board Member Taylor stated there should be though, it's an intended clause that should be set off by commas.

Board Member McNulty stated I tried this last month.

Board Member Montesano stated put the comma in please.

Chairman Rogan stated location on or in the ground...

Board Member Taylor stated in any case...

Board Member McNulty stated it's the last line that, it brings this, ties this in...

Board Member Brady stated Michelle...

Chairman Rogan stated fences and or poles.

Board Member Montesano stated can I ask you a question, are we all going to become lawyers now.

Board Member Brady stated hey, while we're doing this, can we get off, end the meeting.

Chairman Rogan stated why don't we...

The Secretary stated or can we just have one conversation.

Chairman Rogan stated there you go.

Board Member Taylor stated let's finish this.

Mr. Gainer stated no.

Board Member Montesano stated can we adjourn the meeting to...

Board Member Taylor stated now he's before use with an amended site plan...

Chairman Rogan stated correct.

Board Member Taylor stated is that correct or a site plan.

Rich Williams stated well let's be clear, he, the original site plan is now defaulting back to the '70's to the American Furniture, so that's the original site plan he has out there which is substantially different from what he's got here.

Board Member Taylor stated right.

Rich Williams stated you know back then he had a retail business plus a couple of little storage areas which have now been converted, you know over the years into full use buildings without ever having site plan.

Board Member Taylor stated buildings, right. So it's more of a full scale site plan.

Rich Williams stated yeah.

Board Member Taylor stated but he's proposing uses here, he's proposing a number of uses, I think we need to look at that, I've said this before, I think he's got too many uses, besides all the violations he's got in here that don't go, he's got too many uses for the site, he needs to make some choices or we need to say one of these uses, bulk storage for example, is not going to be allowed on the site, forget about it, take it off the plan. If he's going to continue the equipment repair then we're dealing with the problem that he's got the equipment all over the place. How's he going to do anything else besides that, so do away with equipment repair and we'll consider something else for that space but while you still have equipment repair, there's no other use for that space. I think we need to start saying these things and stop giving him advice about how to fix the plan, he can't do this, you can do this.

Ted Kozlowski stated also...

Mr. Gainer stated you were prepared to tell him that last meeting but he didn't show up.

Rich Williams stated right.

Mr. Gainer stated you talked at the work session.

Ted Kozlowski stated and people are showing up with trailers with equipment on the back of it to be dropped off. There doesn't seem to be a lot of room around those buildings to do all this stuff...

Board Member McNulty stated well no, that's...

Mr. Gainer stated has the Board don't a site walk.

Board Member McNulty stated not recently.

Board Member Taylor stated yeah, well, yeah.

Board Member Montesano stated you drop something off with a pickup and a trailer, it was fun trying to back around that place.

Board Member Brady stated I've done it, it was, I've done it.

Board Member Montesano stated and it's a nightmare and that's when it was a little more open.

Ted Kozlowski stated now you're going to be competing with, now you're going to be compete with tractor trailers.

Board Member McNulty stated now you have some other equipment through stored through here.

Chairman Rogan stated and this is parking, proposed as parking.

Mr. Gainer stated yeah, he's got vehicles, equipment out there in the back.

Board Member McNulty stated looks like a dump truck.

Board Member Brady stated shouldn't we just take a walk through.

Board Member McNulty stated yeah, you haven't been out there, have you.

Chairman Rogan stated you want to do, yeah let's do a site walk, I'll do a site walk.

Board Member Brady stated I mean I've been out there you know when he worked on my tractor and stuff but...

Board Member Montesano stated well mine was still laying out there in the pile in the back.

Board Member Brady stated yeah, mine is too.

Board Member McNulty stated so if he...

Chairman Rogan stated I mean if he, let's face it, if he did away with this whole bin thing because that's the complication here...

Board Member Taylor stated yes.

Chairman Rogan stated if you did away with the bins, you have room to get because the bins are also creating the concern for the tractor trailers which would be necessitated to fill the bins, right.

Rich Williams stated I'm okay with everything on that site but the bins.

Chairman Rogan stated exactly.

Rich Williams stated if the bins go, I'm okay with everything else...

Chairman Rogan stated then it works.

Rich Williams stated and that also solves another problem that we have out there which has come to light recently.

Chairman Rogan stated uh-oh.

Board Member McNulty stated which is.

Rich Williams stated he's selling salt off the site.

Board Member Brady stated yeah.

Chairman Rogan stated bulk.

Rich Williams stated he's selling uncontained salt, uncovered, on dirt and its contaminated wells.

Board Member McNulty stated whose responsible, who regulates that, is that the Town or DEP.

Rich Williams stated DEP.

Board Member Brady stated have they violated him for it.

Rich Williams stated they don't know it.

Bob McCarthy stated you get rid of the bins, you're losing the business anyway.

Board Member Brady stated there's a big sign right out from the road.

Board Member Taylor stated they don't drive up and down that road.

Board Member Montesano stated what, contaminated wells.

Chairman Rogan stated right, that's a big part of it, yeah. The guy going in I'm assuming wants that.

Board Member Brady stated no, salt.

Board Member McNulty stated if it was me they'd fine me.

Chairman Rogan stated you know it's not Anthony's business but.

Board Member Montesano state maybe he's selling it for fish tanks.

Board Member Brady stated I think its bulk and...

Ted Kozlowski stated but I think he's indicated to the Board that...

Chairman Rogan stated the problem is these building are in a shitty location...

Ted Kozlowski stated these bins is the thing he needs to...

Chairman Rogan stated for the site.

Bob McCarthy stated yeah, no I agree with you.

Board Member McNulty stated well the way I read it, these bins are structure.

Chairman Rogan stated his plan he got approved a few years ago, knocked these down, it had one big building to replace it...

Board Member McNulty stated which would require zoning.

Chairman Rogan stated it worked and he never did it.

Board Member Taylor stated well in any case, I think we need to say to him you can't have that, you can't have this bulk storage for whatever, for these, for all these different reasons.

Ted Kozlowski stated I think there's a legitimate safety issue here, I really do.

Board Member Montesano stated its safety schmafety, the thing comes out, he can't have it.

Board Member Taylor stated yeah let's make a list of all the different reasons why he can't but let's say you can't have it.

Board Member Montesano stated you can't have that unless you want to give something else up but you're going to have one maybe two businesses not sixteen on that property and he's trying his best to.

Mr. Gainer stated what about the use of the garage on the frontage parcel, is that now in use or is that proposed as part of this.

Board Member Taylor stated that's illegal too.

Board Member McNulty stated and he needs to show.

Rich Williams stated I haven't been out there in a long time.

Chairman Rogan stated yeah.

Rich Williams stated so I don't...

Mr. Gainer stated does he propose access off the driveway.

Rich Williams stated well he's got...

Board Member Brady stated that's the one on the right hand side.

Mr. Gainer stated yeah.

Rich Williams stated and they've already done that, they've already opened it up but based on my comments he had shown it as a commercial building with this latest site plan, this latest plan shows it as back to being residential.

Mr. Gainer stated okay.

Rich Williams stated just a residential garage but you know it raises the other issue they're two separate parcels, he's really focused on the one commercial parcel but this site plan labels every building on both parcels.

Mr. Gainer stated right, we talked about that last time, right.

Chairman Rogan stated right.

Rich Williams stated yeah.

Board Member McNulty stated and he needs to show the other storage for his lawnmower business, I mean everything's outside, it's not contained within that building.

Board Member Brady stated well these sites, are they both commercial sites.

Rich Williams stated they're both in the C-1 zoning district, one of them traditionally has been used as a residential home.

Board Member Brady stated right.

Rich Williams stated on infinite. Get that in the minutes.

The Secretary stated I actually didn't hear you.

Chairman Rogan stated okay, anything else on this, no, any other business.

Mr. Gainer stated so the intent of this for next week then you expect to define issues and then seek out a site walk or...

Chairman Rogan stated yeah.

Board Member Montesano stated going to have to.

Chairman Rogan stated get out there and get a site walk.

Board Member Taylor stated how are we for this weekend for site walking.

Board Member McNulty stated I'm not around.

Board Member Brady stated not unless I can bring a 5 month old with me.

Chairman Rogan stated sure.

Mr. Gainer stated go ahead.

Board Member Montesano stated you want a papoose.

Board Member McNulty stated its light later though.

Chairman Rogan stated it is, that's true, and it's light later now.

Ted Kozlowski stated 5 month old, what are you up to.

Board Member Brady stated my granddaughter, I'm babysitting.

Bob McCarthy stated I'll say congratulations.

Ted Kozlowski stated oh.

Board Member Taylor stated what we've talked about three site walks now or four.

Chairman Rogan stated well, some of them...

Rich Williams stated well I haven't been notified that any of them are ready.

Board Member Brady stated and my wife's not around.

Chairman Rogan stated right, the other ones are not ready yes.

Board Member Taylor stated they're not ready, okay.

Chairman Rogan stated but...

Board Member McNulty stated yeah, I show three.

Chairman Rogan stated maybe it's possible to get out there. The other thing is if we let Anthony know and call him tomorrow we could do, I prefer that the whole Board is there together, that would be better.

Ted Kozlowski stated well its light later now, we can go early next week.

Chairman Rogan stated yeah, so we could do it at, Ed you can be up at by 6.

Board Member Brady stated I can be, oh, I can be up by 6, yeah.

Chairman Rogan stated up there, straight up to it.

Board Member Brady stated oh yeah, yeah, I can be up there, you know.

Chairman Rogan stated so it's an option, yeah.

Board Member Brady stated I'll leave an hour early, I mean.

Ted Kozlowski stated I think it's a good idea that everybody have fresh in their head before the next meeting.

Chairman Rogan stated before the meeting, we could at least do that one, yeah, next week.

Board Member Brady stated next week is what, what's that, that's first.

Mr. Gainer stated stats with the 31<sup>st</sup>.

Board Member McNulty stated Tuesday's the first.

Bob McCarthy stated the weekend's the 5<sup>th</sup>.

Ted Kozlowski stated the April, 31<sup>st</sup> to the 1<sup>st</sup>.

Mr. Gainer stated the 31<sup>st</sup> is Monday.

Board Member Brady stated okay.

Chairman Rogan stated right. Let's bounce around an e-mail tomorrow.

Board Member Brady stated I can't do the first, okay, I can't do the first.

Rich Williams stated oh that's too bad, it would be so appropriate.

Chairman Rogan stated Fool's Day.

Board Member Brady stated maybe I'll change my dinner.

Board Member Montesano stated what is that Tuesday or Wednesday.

Chairman Rogan stated Tuesday is the 1<sup>st</sup>.

Board Member Montesano stated I may not be back Tuesday.

Chairman Rogan stated well it's got to either be Monday, Tuesday, or Wednesday, so let's pick a day that everybody thinks we can shoot for.

Board Member Brady stated I would say Wednesday.

Board Member Montesano stated nothing wrong with Wednesday, I should be back by then.

Board Member McNulty stated okay.

Chairman Rogan stated sure.

Rich Williams stated Wednesday what time.

Board Member McNulty stated 6.

Chairman Rogan stated sounds like, what time you think you can be up there.

Board Member Brady stated I mean you tell me, if you want me to get there earlier...

Chairman Rogan stated well I don't want you to take time off if we can get up there when you.

Board Member Brady stated I mean if I leave work, I get up here by 6.

Chairman Rogan stated 6 o'clock, 6 okay for everyone.

Board Member Montesano stated alright.

Chairman Rogan stated Tommy.

Rich Williams stated Michelle, you want to call him.

Board Member Brady stated Wednesday.

Board Member McNulty stated if I can get off the job.

Rich Williams stated hey listen, I can't even get plans in here, you know.

The Secretary stated which day are you going.

Chairman Rogan stated Wednesday, next week 6 o'clock.

The Secretary stated the 2<sup>nd</sup>.

Chairman Rogan stated yeah.

Board Member McNulty stated it's the 2<sup>nd</sup>.

Mr. Gainer stated that'd be the 2<sup>nd</sup>, right.

The Secretary stated yes.

Chairman Rogan stated yes.

The Secretary stated alright.

Chairman Rogan stated 6 pm.

Bob McCarthy stated that's your anniversary.

Board Member Brady stated what.

Bob McCarthy stated April 1<sup>st</sup>.

Board Member Brady stated no, no, no.

Bob McCarthy stated I was going to say she was a fool.

Board Member Brady stated yeah, thanks pal, that's on the minutes too and believe me, I will show that to her.

Bob McCarthy stated I said she was a fool, she'll appreciate that.

Board Member McNulty stated Rentoulis, I see...

Board Member Brady stated two.

Board Member McNulty stated you made a response to Mike Griffin. What was the Town Board's reaction to that letter he sent.

Rich Williams stated I don't know what the Town Board's reaction to John Rentoulis' letter.

Board Member McNulty stated the reaction was.

Bob McCarthy stated (*inaudible*).

Rich Williams stated I know Mike had sent a response back, I didn't see Mike's response but I know he had attached my letter and Nick's letter.

Bob McCarthy stated it wasn't discussed.

Board Member McNulty stated okay, it wasn't discussed, alright.

Chairman Rogan stated okay, just for the purposes of the minutes and Michelle, anything else for the record.

Board Member Taylor stated just a question on what they were just saying, he is not proposing going ahead with the parking lot that he was before us with.

Rich Williams stated that's not what the whole issue was about, the whole issue was about his opinion of the unfair enforcement.

Bob McCarthy stated slight of enforcement.

Board Member Taylor stated right, okay, but as far as you know they're going ahead with the parking lot or you don't know.

Rich Williams stated you know, I would be surprised if I saw him come back before he had a tenant for the building.

Board Member Taylor stated okay.

Chairman Rogan stated right, makes sense.

Board Member Brady stated I'll make a motion to adjourn.

Chairman Rogan stated what motion.

Board Member Brady stated I make a motion to adjourn.

Board Member Montesano stated and I already second it.

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

The meeting adjourned at 8:23 p.m.