

APPROVED
6.3.10 MCR

TOWN OF PATTERSON
PLANNING BOARD MEETING
April 1, 2010

AGENDA & MINUTES

	Page #	
1) Tom's Barbershop – Public Hearing	1 – 6	Public Hearing was opened and closed. Awaiting PCHD Approval.
2) Uncle Louie G's – Sign Application	6 – 9	Negative Declaration of SERQA granted. Sign Application approved.
3) Front Street Gallery – Sign Application	9 – 18	Negative Declaration of SERQA granted. Sign Application approved.
4) Joey McKneely – Wetlands/Watercourse Permit Application	18	Public Hearing Schedule for 5.6.10.
5) Rimaldi Site Plan – Continued Review	19 – 22	Waiver of Number of Parking Spaces Granted. Discussion of Comments.
6) Meadowbrook Farms – Discussion	19	Discussion of Notice of Appeal
7) Watchtower Education Center – DEIS	22	Discussion of Response Submitted.
8) Escape – Sign Application	23 – 28	Negative Declaration of SERQA granted. Sign Application approved.
9) Other Business		
a. Fox Run Phase II	28 – 42	Discussion of Multi-Family Zoning.
b. Hudson Valley Trust – Site Walk	42 – 45,	Discussion of site walk w/comments from
Comments	51 – 54	Historical Society.
c. Clubs	47 – 49	Discussion of Moratorium/Master Plan/ Zoning Amendment
d. Performance Bonds	45 – 47	Discussion of Cash Bonds for Residential Zones.
9) Minutes	49 – 50	February 4, 2010 Approved
O'Mara Wetlands Discussion	50	Public Hearing Schedule for 5.6.10.

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

Michelle Russo
Sarah Wagar
Secretary

Richard Williams
Town Planner

Telephone (845) 878-6500
FAX (845) 878-2019



**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

ZONING BOARD OF APPEALS
Howard Buzzutto, Chairman
Mary Bodor, Vice Chairwoman
Marianne Burdick
Lars Olenius
Gerald Herbst

PLANNING BOARD
Shawn Rogan, Chairman
Charles Cook, Vice Chairman
Michael Montesano
Maria Di Salvo
Thomas E. McNulty

**Planning Board
April 1, 2010 Meeting Minutes**
Held at the Patterson Town Hall
1142 Route 311
Patterson, NY 12563

APPROVED
6-3-10 MKR

Present were: Chairman Rogan, Board Member Cook, Board Member Montesano, Board Member McNulty, Rich Williams, Town Planner, Ted Kozlowski, Town of Patterson Environmental Conservation Inspection, Joseph Dopico of the Town Engineer's office Maser Consulting and Mr. Carl Lodes of the Town Attorney's office, Curtiss and Leibell.

Chairman Rogan called the meeting to order and led the Salute to the Flag.

The meeting was called to order at 7:30 p.m.

Michelle Russo was the Secretary and transcribed the following minutes.

There were approximately 11 members of the audience.

Chairman Rogan stated thank you, please be seated.

1) TOM'S BARBERSHOP – Public Hearing

Mr. Tomas Salinas was present.

Chairman Rogan stated okay, first item on the agenda, we have Tom's Barbershop Public hearing, Michelle would be so kind.

The Secretary read the following legal notice into the record:

NOTICE IS HEREBY GIVEN by the Town of Patterson Planning Board of a public hearing to be held on Thursday, April 1, 2010 at 7:30 p.m. or as soon thereafter as may be heard, at the Patterson Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider an application entitled **Tom's Barber Shop Amended Site Plan Application to permit the construction of a rear parking lot for additional parking**. The property is located at 1116 Route 311, Patterson, New York. All interested parties and citizens will be given an opportunity to be heard in respect to such application.

Chairman Rogan stated Mr. Salinas, would you please come up, can you post a, one of you...

Rich Williams stated let me switch this around like we always do.

Chairman Rogan stated thank you, Rich can you help Mr. Salinas post a current plan.

Rich Williams stated do you have a plan with you that you want to put up.

Mr. Salinas stated I have this and this, why I have to change.

Chairman Rogan stated for those that are here for Mr. Salinas' Barbershop, this is an amended site plan, I see a few faces that were here for the last public hearing, the changes that were being proposed was a change in the parking layout and to retain the existing structure that is on the property and a reversal of the septic system area, to make better use of the parking layout. As some people may recall the parking layout that was originally proposed was a little bit difficult for the site and Mr. Salinas believes that this layout will be more conducive to traffic in and out of the site and the use of that property. Does anybody have any questions or comments that they would like to come up and state your name for the record, if so.

Mr. Grady stated what is he going to do with the septic...

Chairman Rogan stated you need to come on up, sorry Frank, we want to make sure we get you on the record. Just please state your name.

Mr. Grady stated Frank Grady, I'm his neighbor, what is he going to do with the septic.

Chairman Rogan stated you see the septic fields, the tank is in the same location but the fields are being reversed to the right. They used to over where the first two parking spots, exactly where you're pointing.

Mr. Grady stated so you're bringing it back.

Chairman Rogan stated they are just flipping the laterals the opposite way, it's a level area so, correct. It has to be approved of course by Health Department...

Mr. Grady stated that is what I was wondering.

Chairman Rogan stated I don't know, Rich have we gotten a letter yet on that.

Rich Williams stated no.

Chairman Rogan stated oaky, so obviously anything that is discussed here has to be approved by Health Department, yea.

Mr. Grady stated yea because there is a well over here.

Chairman Rogan stated again that is something that they are going to have to look, okay, is that it. Okay, Frank I know that you at the last public hearing were concerned about that shed because I know that is a visual buffer, it helps and that is proposed to remain in fact Mr. Salinas said he was going to do a little bit of work to that to kind of spruce it up to match it to building which I think would be great.

Mr. Grady stated it's useful.

Chairman Rogan stated yea, absolutely. Any other questions or comments from anyone in the audience, going once, twice, can I have a motion...

Board Member Montesano stated motion to close the public hearing.

Board Member DiSalvo seconded the notice.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay, Tomas, we obviously still have to get approval from the Health Department for the proposed change and I know you've spoken to Rich, we need to get a clean set of plans with a stamp on it...

Mr. Salinas stated I can do that.

Chairman Rogan stated and I did want to mention I had spoken to the Board earlier that the one concern and Rich maybe you can help Mr. Salinas with this, is that one the corner of the building, you have a gutter that goes across the walkway and that is an area that is shown as handicap accessible, that first spot and its not handicap accessible with the gutter, with the downspout going across it. Maybe we can figure out something to do there, it's on that corner closest to that first spot.

Rich Williams stated all right, I'll take a ride out and take a look at it.

Mr. Salinas stated you're talking about right here.

Chairman Rogan stated yes sir.

Board Member DiSalvo stated yea.

Chairman Rogan stated yea, maybe we can figure out something to do there.

Mr. Salinas stated from the house, 15 or 16 inch wide the walkway.

Chairman Rogan stated I'm not sure I understand what you just said.

Mr. Salinas stated I said the walkway is 36 inch.

Chairman Rogan stated 36 inch, the concern is the handicap accessibility to go, either way I think it's a trip hazard and I think if we can figure out something to do with that you might reduce your liability...

Board Member McNulty stated you can't have the pipe on top of the sidewalk, it has to go underneath or off a different way, so that a wheelchair can get by.

Mr. Salinas stated I can do that here.

Chairman Rogan stated I didn't remember whether the handicap accessibility was through some other door other than the front door, so that's why, if it was through a back door, the gutter wouldn't be as much of an issue for handicap accessibility but it is still a trip hazard and something that I don't think, you know if we can figure out a way to resolve that it would be great, okay.

Rich Williams stated okay.

Chairman Rogan stated all right, so you have to get Rich another set of plans on this...

Board Member DiSalvo stated the Health Department...

Chairman Rogan stated we need Health Department approval which will be wrapped up into the approval before we sign off on it obviously we have to make sure that that is obtained, Rich procedurally, anything else, no.

Rich Williams stated no.

Chairman Rogan stated okay.

Board Member McNulty stated I just have one question.

Chairman Rogan stated sure.

Board Member McNulty stated if the Health Department doesn't pass it, does it just revert back to the old approved plan...

Chairman Rogan stated well he has an approved plan so he can build what he has but um...

Rich Williams stated yes.

Board Member McNulty stated so do you understand that.

Mr. Salinas stated yea I know.

Chairman Rogan stated okay, approval wise, wait until we get the new marked up set of plans.

Rich Williams stated that is within your discretion you can make it a condition of or you wait to see what the Health Department does and see what the new plans are.

Chairman Rogan stated I think we'll just get the approval from the Health Department so we know that that is good because that does impact, that is the whole crux of this plan and our approval process, you won't even, as long as we get we need, it will just be procedural, you won't even have to come back.

Mr. Salinas stated (inaudible) this week, they say they are going to come to do the grass test, I mean the...

Chairman Rogan stated perc test, okay.

Mr. Salinas stated they say everything was all right...

Chairman Rogan stated okay good, once we get something in writing that would be great.

Mr. Salinas stated I mean they want to come to do the test now but they said they want, they want me to get a letter from to bring over to there first, that is what they told me.

Rich Williams stated to say that you can do the test.

Mr. Salinas stated that is what he told me, I think his name is John, right...

Chairman Rogan stated Joe.

Mr. Salinas stated or Joe.

Chairman Rogan stated Joe or Gene.

Mr. Salinas stated no, Joe.

Chairman Rogan stated Joe, okay, we'll reach out to Mr. Paravotti and make sure we are clear.

Mr. Salinas stated he said he will come do the test anytime but I got to get a letter from here to bring over there.

Chairman Rogan stated well Rich will call, we'll straightened it out.

Mr. Salinas stated okay.

Chairman Rogan stated so we can get that...

Rich Williams stated listen I'll send a letter over tomorrow.

Chairman Rogan stated just make sure we are clear in what...

Mr. Salinas stated if you want I can come pick it up and drop it over there.

Chairman Rogan stated we can fax stuff or e-mail...

Rich Williams stated I can probably e-mail it, I'll call him and e-mail it and give you a copy.

Mr. Salinas stated no problem.

Rich Williams stated that way you don't have to make the trip.

Chairman Rogan stated it will be interesting to see what they were requesting, so, okay, thank you, thanks very much.

Mr. Salinas stated okay.

Rich Williams stated just so I'm clear he just needs a letter so he can do the testing (inaudible).

Mr. Salinas stated they said they can come anytime, no problem so...

Chairman Rogan stated Rich, before you send a letter I would call Joe though just to see exactly what he wanted because you know, there might have been a different message in translation. Thank you.

Mr. Salinas stated I take this with me, all right.

Chairman Rogan stated yea.

Mr. Salinas stated thank you.

2) UNCLE LOUIE G'S – Sign Application

Mrs. Nancy Minelli was present.

Chairman Rogan stated okay we have a sign application, Uncle Louis G's, we have Mrs. Minelli, can you please come up to the microphone. Could you just state your name for the record please.

Mrs. Minelli stated Nancy Minelli.

Chairman Rogan stated good evening Nancy, how are you.

Mrs. Minelli stated hi, good how are you.

Chairman Rogan stated good good, we have your application here for the sign and we realize that from the pictures you showed us you had a sign that was proposed over the door but that's not...

Mrs. Minelli stated that's not part of it.

Chairman Rogan stated okay, so just the canopies that are over the two...

Mrs. Minelli stated windows.

Chairman Rogan stated windows and where's Ted, someone was talking about at the work session about the maintenance, I'm sorry maybe it was you...

Board Member McNulty stated just the maintenance to keep them clean and updated, so 2 or 3 years from now they don't look like pigeons have been sitting all over them.

Mrs. Minelli stated I wouldn't like that for business.

Board Member Montesano stated so keep your pigeons home.

Chairman Rogan stated I think the other question was how far they will come out from the building because there is a walkway below them, so do you foresee any problem with the height.

Rich Williams stated no, they are high enough so that they are above the minimum height that you need to walk under them.

Chairman Rogan stated great.

Board Member McNulty stated also there were signs, were the signs being posted in the window or inside.

Mrs. Minelli stated inside the window.

Chairman Rogan stated inside a window.

Mrs. Minelli stated yes.

Rich Williams stated let me just jump in here and clarify that, when I went through the application a second time, I noticed that they were listed as free-standing signs, therefore I thought they were going to be sandwich boards because that is what they were appearing to be at the time. Having talked to the applicant a little bit more, what they are is they are going to be signs mounted on a board that are occasionally going to be in the window.

Chairman Rogan stated okay.

Rich Williams stated so at that point they are really not an issue.

Chairman Rogan stated yea.

Board Member DiSalvo stated so we are not doing the separate sign application.

Rich Williams stated you just need to focus on the canopies.

Chairman Rogan stated okay, we have 2 canopies, anybody have any other questions, comments or concerns, anything from you gentlemen.

Rich Williams stated if I could just touch on the canopies, based on the store front that the applicant is going to be using the one canopy is perfectly okay, we've had a conversation about that, she's still going to be allowed to put up the other canopies its just that they are not going to have sign facing on them.

Chairman Rogan stated say the last sentence you just said.

Rich Williams stated they are not going to have the sign facing on the front of the canopy, of the second canopy.

Chairman Rogan stated it's not going to be there so technically it's not a sign.

Mrs. Minelli stated just blue and white.

Rich Williams stated right.

Chairman Rogan stated okay so we are only voting and approving on 1 sign then.

Board Member DiSalvo stated so it will be the, this sign we are approving and the middle one will have an awning but no advertising on it.

Rich Williams stated right.

Board Member DiSalvo stated and the third one over the door is gone.

Rich Williams stated it was just, it wasn't even...

Mrs. Minelli stated it just got overly canopied.

Chairman Rogan stated okay.

Board Member Montesano stated I'm not stranger to that.

Board Member McNulty stated Rich, in your letter from today you noted about a free standing sign and no...

Rich Williams stated I just went through that, I mistakenly took it to mean that it was going to be sandwich board, a free-standing sign it's not, it's going to be board that are going to have all the menu listed on them...

Board Member McNulty stated hanging in the glass.

Rich Williams stated yea.

Board Member McNulty stated okay, you mentioned about the parking lots in your notes, that is why I was...

Chairman Rogan stated okay.

Board Member DiSalvo stated how long is this sign now.

Chairman Rogan stated what did you ask, I couldn't hear you.

Board Member Montesano stated how long the sign was.

Board Member DiSalvo stated yea, is it still 15 by 24...

Chairman Rogan stated it's 2 foot by 15 [inches] or 30 square foot, it's in the memo.

Board Member DiSalvo stated the last memo.

Chairman Rogan stated yes, so 2 foot high, 15 foot lineal, 30 square foot, I need a SEQRA Determination first from someone on this application, if you are so obliged.

Board Member DiSalvo stated make a motion that in the matter of Uncle Louis G's we, the Planning Board of the Town of Patterson finds that the propose action will not have a significant impact on the environment and here by issues a negative declaration of significance.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay and a motion on the 2 by 15 or 30 square foot canopy.

Board Member Cook stated I make the motion for the Planning Board approve the sign application of Uncle Louis G's dated March 16, 2010 for the one sign, 2 by 15 or 30 square feet.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries by a vote of 5 to 0.

Chairman Rogan stated you're all set.

Mrs. Minelli stated okay, thank you.

Board Member DiSalvo stated good luck.

Chairman Rogan stated good luck in your business.

Mrs. Minelli stated thank you.

3) FRONT STREET GALLERY- Sign Application

Miss Mary Souter and Mr. Gene Cadore were present.

Chairman Rogan stated okay third item on the agenda, Front Street Gallery sign application. Good evening.

Miss Souter stated hi, I'm one of the artists, Mary Souter and one of the owners.

Chairman Rogan stated what is your name sir.

Mr. Cadore stated my name is Gene Cadore.

Chairman Rogan stated Gene, good evening sir. Okay, sign application, I think at the work session everyone like the design of the sign, we were a little concerned about the location. I know that this building is a little difficult with not having so much room above the windows, you certainly can't put one up above the roof on the, up here because it would...

Mr. Cadore stated right, no, it would be with...

Miss Souter stated I think we had one superimposed on the poster...

Mr. Cadore stated right there.

Chairman Rogan stated oh we have it, it's up on the transom area...

Mr. Cadore stated right.

Miss Souter stated right.

Chairman Rogan stated and um...

Rich Williams stated I think there were really two issues, one is they initially came in looking for that sign over the transom, fine but they had also indicated to me that they would possibly prefer having a sign perpendicular to the building and that is where the conversation go in to where it was going to be located and the height.

Mr. Cadore stated and I see in your statement here that 25 square feet.

Miss Souter stated that doesn't allow enough for obstruction, passer-bys.

Chairman Rogan stated well you existing transom sign is only 10 feet...

Miss Souter stated right.

Mr. Cadore stated right.

Chairman Rogan stated so we wondered if you might look at the area and Tom help me out with the technical jargon but the area below the trim...

Board Member McNulty stated in the columns here.

Chairman Rogan stated in the columns, with a sign that is decoratively hung off in that area...

Board Member McNulty stated small sign...

Mr. Cadore stated small, it would have to be very small.

Chairman Rogan stated that people could see as they are walking up and down that area. It would have to be something obviously that doesn't stick out so far that prevents or presents a hazard to people walking...

Mr. Cadore stated so we didn't actually put out a sandwich board in the front...

Chairman Rogan stated we would rather you look into maybe some well designed signs that are mounted to the building that...

Mr. Cadore stated okay.

Chairman Rogan stated you know, that would maybe take some of the design elements of your gallery sign and you know maybe in a smaller format you might be able to on a 2 foot by 3 foot or even a 2 foot by 2 foot sign, be able to have that nice visual as you look down the street...

Mr. Cadore stated yea, I think that would be nice.

Board Member DiSalvo stated what about like a banner, a cloth banner, you see some stores have them in other towns.

Board Member Montesano stated well if you get it...

Chairman Rogan stated how do they look.

Board Member DiSalvo stated they look good, the chamber of commerce does them...

Board Member Montesano stated well if you get it just...

Mr. Cadore stated or that way, yea.

Board Member Montesano stated put the ball in...

Mr. Cadore stated right.

Board Member Montesano stated and bring it down this way.

Rich Williams stated Maria, the problem with those is they are generally located on public property, the Town can do them, the chamber can do them in coordination with the Town but a private business you know really can't do them, they don't have the ownership to just put it on a utility pole or...

Board Member DiSalvo stated no, I'm not saying a utility pole um, without being to technical...

Rich Williams stated you're talking about on the building...

Board Member DiSalvo stated yea.

Rich Williams stated sorry.

Chairman Rogan stated Rich procedurally, we are well within our right to act on this application with this transom sign, can we approve this sign that is proposed tonight and allow them to come back if they can come up with a design such as we were talking you know, a sign that hangs off the front of the building off those decorative features and have them come back still wrapped into this process, so they don't have to go through another sign application, it would just be an amendment to this without having to file new paperwork or pay additional fees I guess is more what I'm thinking because I don't want to slow them down from being able to advertise their business but if they are willing to look at the additional suggestions I don't want to hamper them either.

Rich Williams stated it is a really funny way of doing it but I would think that I would be more comfortable with approving both signs but approving the second sign maybe upon meeting certain conditions, certain height requirements, size, design, which would, one of the conditions would be a review by the Planning Board before it gets erected.

Chairman Rogan stated okay, in essence we would be...

Rich Williams stated that way the record is clean.

Chairman Rogan stated we would be saying that we would be approving an area...

Board Member DiSalvo stated location.

Chairman Rogan stated a location, a size, approximate size or not to exceed a certain size and design perimeters similar to what they have proposed, same color, same, you know...

Board Member McNulty stated I think what you want to look at is a cantilevered sign, off one of the two columns, I kind of sketched something in there and not to exceed you know below the height of the doors, minimum.

Mr. Cadore stated I have a question, there is a fixture for light, I think was a barber pole...

Miss Souter stated its already there.

Board Member Montesano stated there was a barber pole.

Mr. Cadore stated there is an electrical thing and what is the deal with lighting it.

Board Member Montesano stated there is an interior light on the barber pole so that made it that much easier.

Mr. Cadore stated so we couldn't use that to shine a light on the sign.

Chairman Rogan stated you can illuminate a sign but it needs to be a shielded fixture, we don't want things necessarily illuminated from within to avoid that um, neon...

Mr. Cadore stated right.

Board Member McNulty stated I think you'd want to take into consideration that you have apartments above, you don't want anything shining into someone's apartment...

Mr. Cadore stated yea, true, right.

Board Member McNulty stated but if its shielded I think it can be done.

Chairman Rogan stated you know I think with the design of the front of this building with your transom sign tucked in so far that having this secondary sign we are talking about would really help.

Mr. Cadore stated the transom sign is actually on the face of the building, like it is at Magnolias...

Chairman Rogan stated in here.

Mr. Cadore stated yea.

Board Member Cook stated right.

Mr. Cadore stated Magnolia has the same...I hope did...

Chairman Rogan stated on the fascia...

Miss Souter stated no, not on the fascia that would be hanging in front of...

Board Member McNulty stated flush with the glass windows.

Chairman Rogan stated oh okay, that's fine but it doesn't, it's not actually...

Board Member McNulty stated its not recessed.

Miss Souter stated no.

Chairman Rogan stated it's not there.

Miss Souter stated no.

Mr. Cadore stated yea it's up, not it's not up there.

Chairman Rogan stated correct, that is what I was trying to, it's not mounted to the fascia, great.

Board Member DiSalvo stated it's not even here.

Chairman Rogan stated okay, great, oaky everybody comfortable with the idea of approving those two signs...

Board Member Montesano stated yes.

Chairman Rogan stated yup.

Board Member DiSalvo stated so what would be the dimensions of the possible second sign.

Board Member McNulty stated not to exceed 25 square feet.

Rich Williams stated 25 square feet is a very big sign.

Chairman Rogan stated no.

Board Member McNulty stated 5 by 5.

Chairman Rogan stated the height of the door, the difference between the height of the door and the top can't be probably more than 3 feet, in fact I would be surprised if it's 3 feet so if we do a maximum width of the sign, which would, let's just say, would be 2 feet, 24 inches and the height like Tom has said, to not go lower than the height of the door, that is really going to restrict them to probably to 6 square feet. We would be well within the sign requirement, it would give them probably more than enough area to work with, you know and I like what you said about using the door height as that standard to not go any lower than that. That will give a nice visual when you are walking up and down the street, key people into the gallery, you have the nice parking up front the nice transom sign...

Mr. Cadore stated yea, we could really use something like that...

Chairman Rogan stated yea.

Mr. Cadore stated I think the ball of our logo against the white background or something.

Chairman Rogan stated okay.

Board Member McNulty stated you have to keep the sidewalk in relation too, you don't want something sticking too far out over the sidewalk, maybe half the distance of the sidewalk or something like that, proportionate, yea...

Chairman Rogan stated do you think, 24 inches, you think that is okay.

Rich Williams stated is, well assuming that you are going 3 feet tall...

Board Member McNulty stated 24 (inaudible).

Chairman Rogan stated 24 inches wide and I was saying the height of the door...

Rich Williams stated fine.

Chairman Rogan stated you can't go any lower than the height of the door, so it is a limited space between the bottom of that crown molding.

Rich Williams stated that is what I'm saying you are you going to have a very tall sign.

Chairman Rogan stated no.

Board Member McNulty stated you are going to be limited in the height of the sign because you are going to have the cantilever...

Chairman Rogan stated you are going to take the height of the door across here, you're talking here to here, it's probably not more than 24 to 36 inches...

Rich Williams stated and then you are going out 36 inches.

Chairman Rogan stated no, 2 feet.

Board Member DiSalvo stated 24 by 24.

Rich Williams stated so you're talking 4 feet.

Chairman Rogan stated if it ends up only being 2 foot in height, that's 4 foot, I said it probably didn't look anymore than 3 foot, which would be 2 by 3.

Board Member Montesano stated Rich, this way.

Board Member DiSalvo stated yea.

Rich Williams stated that's not what he just said.

Chairman Rogan stated no it is, exactly what I said.

Rich Williams stated so it is going 3 foot high.

Board Member DiSalvo stated no...

Chairman Rogan stated all right, let's be real clear here because we are all frustrating each other. The width of the sign that we would approve would be 24 inches. The height of the sign would be more than that height between the bottom of the decorative molding and the top of the door and I said that can't be probably anymore than 3 feet, so I'm saying probably worst case scenario we are talking about a 6 square foot sign but the actual...

Board Member McNulty stated I would said it is probably going to be about 30 inches at maximum and you are going to have to lessen that to create a support structure because it's going to have to hang off the building and be at an angle so you'll be with about 24 inch height.

Chairman Rogan stated there is not way that is probably more than, like you said probably 30 inches, so what I was saying was it's probably not going to be anymore than a 6 square foot sign.

Board Member DiSalvo stated not to exceed 6 square feet.

Chairman Rogan stated everybody comfortable.

Rich Williams stated I just need to know what the Board is doing, so.

Board Member DiSalvo stated and the color will be similar to...

Miss Souter stated we are going to try to get that maroon color.

Mr. Cadore stated that red is too bright.

Miss Souter stated is there a paint or you know the name...

Chairman Rogan stated we have the approved colors for the Hamlet and one of them is a colonial red that would be great for this and Rich as paint colors...

Rich Williams stated they were going to do the same color, the same maroon color that the doors are.

Miss Souter stated that is what we are trying to get, if someone knows what color that is...

Chairman Rogan stated are the colors of the door similar to the...

Board Member DiSalvo stated ask Mr. DePasquale, can we have a paint can.

Chairman Rogan stated yea right, you might get paint for free. Okay, a SEQRA Determination please on this application.

Board Member DiSalvo stated okay in the matter of Front Street Gallery, make a motion that the Planning Board of the Town of Patterson finds that the proposed action will not have a significant impact on the environment and hereby issues a negative declaration of significance.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay, you want me to do that...

Board Member Cook stated yes.

Chairman Rogan stated you want me to do it or you...

Board Member Cook stated do it, I'll second it.

Chairman Rogan stated in the matter of Front Street Gallery, I make a motion that the Planning Board approves two signs for the proposed application the first being a transom sign, based on the sample provided to the Board, not to exceed 10 square feet, you have 5 foot by 2 foot in dimensions and a second sign to be mounted below the decorative features on the building, now more than 24 inches in width and a height not to be below the top of the doorways for means of safe pedestrian traffic on the street. That sign not being more than 6 square feet, so moved.

Board Member Cook seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay, thank you kindly, so all we want you to do is take that sign, when you propose that second sign, bring it in and let Rich see it before you actually build it or pay for it. Just a design concept, Rich as long as they are in the same you know, design as what we have then and that is fine, it doesn't have to come back before Planning.

Miss Souter stated we are just curious about [Route] 311 and Front [Street], do you allow any kind of, right here...

Chairman Rogan stated right on the corner.

Miss Souter stated yea, any type of...

Chairman Rogan stated that is all community property, right.

Rich Williams stated if I can, I have been working on a concept to do some sort of unified pile-on sign for businesses along Front Street and possibly other businesses in the Hamlet, trying to find the location for doing one sign where you would have a number of different businesses listed on it, it's in the concept stages...

Chairman Rogan stated that would be great.

Board Member McNulty stated that would be great.

Rich Williams stated I just have to find a place to do it and such.

Miss Souter stated okay, thank you very much.

Chairman Rogan stated good luck to you.

Mr. Cadore stated our opening is next Saturday, April 10th, you are all invited.

Chairman Rogan stated okay, great, thank you kindly and good luck to you.

Miss Souter stated take a stop by, thanks, should we take your sketch for you...

Chairman Rogan stated would you like it.

Miss Souter stated just the ornate part of to show the sign makers.

Board Member Montesano stated (inaudible).

Board Member McNulty stated I don't know if this one helps you at all.

Miss Souter stated thank you.

Board Member McNulty stated you're welcome.

Chairman Rogan stated Michelle, can you put that in the file please for that application, thank you.

The Secretary stated you got it.

4) **JOEY MCKNEELY – Wetlands/Watercourse Permit Application**

Application was unavailable to appear at this meeting.

Chairman Rogan stated okay Joe McKneely, we have a wetland/watercourse permit application that the Planning Board did site walks in the last week, we are going to set a public hearing, can I have a motion for the next meeting for a public hearing on this.

Board Member Cook stated I make the motion that the Planning Board set a public hearing for May 6, 2010 on the wetlands/watercourse permit application submitted by Mr. McKneely, 74 South Lake Drive, Patterson, New York.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay.

Chairman Rogan stated and we have Rimaldi Site Plan...

Rich Williams stated umm why don't we move on to the next one...

Chairman Rogan stated fine.

Rich Williams stated he just walked out of the building.

6) MEADOWBROOK FARMS

No one appeared for this application.

Chairman Rogan stated okay, anyone here for Meadowbrook Farms.

Rich Williams stated you want to give them update...

Board Member Montesano stated I recuse myself, they are going to discuss this.

Rich Williams stated don't walk too far.

Chairman Rogan stated thank you.

Rich Williams stated I talked with Tim Curtiss, Town Attorney about this, he has filed a Notice of Appeal as you are all aware. At this point the applicant has been requested to come back and start addressing the design issues before the Board and that is the way its been laid out to me that we are going to make sure all the design issues are complete and then we are going to issue the approval, he is going to be. What the judge decided was he is going to be allowed to go through the process regardless of any other pending litigation and there is additional pending litigation at this point, so this was just on because the original decision, we were sure if we needed to make a decision at this meeting or not and you don't, so.

Board Member Cook stated so the applicant can move through the process but...

Rich Williams stated but he can not make any...

Board Member Cook stated he can't build or put a shovel in the ground.

Rich Williams stated correct.

Board Member DiSalvo stated that's what that judge's decision was.

Chairman Rogan stated okay, back to Mr. Rimaldi's site plan.

5) RIMALDI SITE PLAN – Continued Review

Mr. Ernst Martin of Paggi, Martin & Del Bene was present.

Chairman Rogan stated let the record show that Board Member Montesano has rejoined the Board, you're welcome.

Board Member Montesano stated thank you.

Chairman Rogan stated we need to get you, oh you have a microphone Michelle.

The Secretary stated I don't like to use it.

Chairman Rogan stated oh, I like to see you name in the minutes now and then.

The Secretary stated thank you.

Rich Williams stated I didn't know if you have (inaudible).

Chairman Rogan stated we're doing okay tonight.

Mr. Martin stated okay, good evening.

Chairman Rogan stated good evening, can you please state your name for the record sir...

Mr. Martin stated Ernie Martin.

Chairman Rogan stated can you use the microphone, come up a little bit closer, you can take that out of the mic stand if you'd like.

Mr. Martin stated yea, Ernie Martin, the engineer/surveyor for the applicant. I guess since we've met last, of course we were referred to the ZBA, we had to get variances, we got out special use permit, we got our area variance and we've gone back now and advanced the plan such that we are very detailed now on the drainage, the grading, the landscaping, the placement of the lights and things of that nature. I had a few minutes just to kind of review, to go over the review by the Town Engineer and the Planner, it appears there's a few, there were a number of comments but there was in particular the drainage, there were a few questions on that which we need to review with him and maybe it might be an order that I meet with the Town Engineer and possibly Rich, prior to our next meeting.

Chairman Rogan stated that would be a great idea, usually at this point in the game, it's a great idea to get everybody together at the same table to make sure we are all moving forward in the same direction. There was a comment on your memo to our Board about the number of parking spaces and I'm sure Rich, you probably did it first one on his Zoning requirements, 35 spaces required, 32 provided, Rich do you see any significant concern with eliminating those three.

Rich Williams stated I don't.

Chairman Rogan stated no, any problem from our Engineering staff on those three spaces.

Mr. Dopico stated no.

Chairman Rogan stated so by way of a motion, can I get a motion to waive those three spaces from anyone.

Board Member Cook stated I make the motion that the Planning Board waive the parking, the 35 parking spaces requirement to 32 spaces on the Rimaldi Amended Site Plan Application.

Chairman Rogan stated thank you.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay...

Board Member Cook stated I have a quick question, have you had the opportunity to respond yet to DEP and DEC, I remember those letters coming in...

Mr. Martin stated well first regarding DEC, we met a wetland biologist at the site because there was concern about the proximity of the wetlands and of course there are wetlands in the vicinity but it's probably a good 4 or 500 feet from the back property line, so from the area of activity we are probably about 700 feet away.

Board Member Cook stated I think it would be good to have it in writing, a response to their letters, so we have it for the complete file.

Mr. Martin stated okay.

Chairman Rogan stated anyone have any other questions or comments for tonight because it looks like the next step would be for these gentlemen to meet to nail down the stormwater issues and then we can set a public hearing and start moving forward on this. Anything Rich?

Rich Williams stated nope.

Chairman Rogan stated Joe.

Mr. Dopico stated nothing.

Chairman Rogan stated okay, thank you.

Mr. Martin stated good, thank you.

Chairman Rogan stated you guys just schedule with Rich and Rich will coordinate with the engineers and pick a time that is convenient for everyone and it could be great.

Mr. Martin stated good thank you.

Chairman Rogan stated thanks, have a great evening.

7) WATCHTOWER EDUCATION CENTER – DEIS

Mr. Richard Eldred and Mr. Joel Heier were present.

Chairman Rogan stated okay, next up we have the Watchtower Education Center, Draft Environmental Impact Statement, sure.

Rich Williams stated if you do (inaudible).

Chairman Rogan stated thank you, have a nice evening. Good evening Mr. Eldred.

Mr. Eldred stated good evening.

Chairman Rogan stated I know that both Rich and Andrew from Maser had some comments on the Environmental Impact Statement and I imagine that there have been some modifications made to that. Rich, you want to comment on that.

Rich Williams stated sure, we put this on the agenda just to let the Board know, as an acknowledgement that we had received the revised DEIS back and we are currently going through it.

Chairman Rogan stated okay.

Mr. Eldred stated so that is basically where we're at.

Chairman Rogan stated we pulled you out on a night like, on a beautiful night like tonight for that.

Mr. Eldred stated oh, no that's fine, we enjoyed coming down.

Chairman Rogan stated we always appreciate your time. I guess we wait to hear from these gentlemen.

Mr. Eldred stated thank you.

Board Member Cook stated do you have anything else for us at this point.

Mr. Eldred stated um no, basically that's it, we submitted it and we'll wait to hear back if there are further comments, yea. Thank you for your time.

Chairman Rogan stated thank you very much Mr. Eldred.

Board Member Montesano stated thank you.

Board Member McNulty stated you're welcome.

Board Member Cook stated thank you.

Chairman Rogan stated nice to see you.

8) "ESCAPE" – Sign Application

Miss Sue DeGrazia and Miss Linda Myers were present.

Chairman Rogan stated okay with Escape sign application. Good evening.

Miss DeGrazia stated my name is Sue DeGrazia...

Chairman Rogan stated Sue DeGrazia, how are you.

Miss DeGrazia stated good.

Chairman Rogan stated good, it may take us a little while to get through this because we did just get this in the last day or two so...

Miss DeGrazia stated I know, I appreciate it.

Chairman Rogan stated but we certainly wanted to not slow you down in your business and get your sign up. Do you want to tell us a little bit about your business, where is this located.

Miss DeGrazia stated it's on Route 22, it's like across from Abruzzi's Restaurant, next to the garden center.

Chairman Rogan stated oh, that's right you said Cheira Landscaping.

Rich Williams stated right (inaudible).

Chairman Rogan stated and um...

Board Member Cook stated is it in that building or...

Miss DeGrazia stated it's in where Cheira Landscaping was, it's that middle one in between the other buildings, right there.

Chairman Rogan stated okay and it says color of sign, earth tones or natural wood and sign lit by solar lighting, does that mean like solar lighting that you like stick in the ground and...

Miss DeGrazia stated yes.

Chairman Rogan stated okay, you probably heard up mention earlier we just would want to make sure any lighting it shielded...

Miss DeGrazia stated right.

Chairman Rogan stated and that is mainly when people are driving up and down the road...

Miss DeGrazia stated it doesn't catch them.

Chairman Rogan stated you're not glaring them and then they drive into your building and ruin everybody's day, you know we want to make sure that we don't cause a problem and the size of the sign Rich, 17 ½ square feet, what I will ask is that the lighting, if you could somehow confirm the style of lighting whether or not you have to, either before you buy it, I don't know if you've bought it yet but just talk to Rich about the lighting components to make sure that they are not going to present a problem, I don't want to spend money unnecessarily on this.

Miss DeGrazia stated okay.

Chairman Rogan stated and do you know yet whether its going to earth tones or natural wood, you're not really sure...

Miss DeGrazia stated well we are kind of thinking probably like a darker wood and then the sign would be carved in and then filled in with either black lettering or dark brown, something that can be seen, I mean I have had a massage business for 17 years in Pawling and so now are partnering up together and moving to Patterson.

Chairman Rogan stated cool.

Board Member McNulty stated is the color of the lighting white or is there going to be any different color to the lighting.

Miss DeGrazia stated oh no, it would just be white.

Board Member McNulty stated regular white lighting.

Miss DeGrazia stated yea.

Board Member DiSalvo stated so this will just be the sign, there will be no figures on it or decoration or your logo.

Miss DeGrazia stated we haven't quite figured it all out, it was kind of like short but its not going to be anything you know like neon or...

Chairman Rogan stated yea.

Miss DeGrazia stated it's going to remain all calm.

Board Member DiSalvo stated no skulls.

Miss DeGrazia stated no skulls and cross bones, no.

Chairman Rogan stated the thing is that, go ahead Charlie.

Board Member Montesano stated everybody's got one theoretically...

Board Member Cook stated what we would be approving is just what you've given us here...okay.

Miss DeGrazia stated right, now...

Board Member Cook stated I mean if you are going to have...

Miss DeGrazia stated right but if we change, if we took Escape and make like an arc out of it, just changed it, we would have reapprove that...

Chairman Rogan stated an arc, you mean the...

Miss DeGrazia stated you know, yea, like a half moon.

Chairman Rogan stated no I don't think so what I do see about this though, if this is to scale you're lettering is really small, it's going to be hard to pick out and read that if you...

Board Member DiSalvo stated how big are the letters going to be.

Miss DeGrazia stated I wrote on there, I thought 4 inches.

Board Member McNulty stated 3 ½ by...

Miss DeGrazia stated 3 ½ did I write, 4 inch letters I thought.

Board Member Cook stated block...

Chairman Rogan stated actually that is what they say standard is, 4 inch lettering for your 911 signs and stuff, they say that size, that at least gives a standard. Any comment Rich, on this, no. I think the only thing I will ask like I said the lighting, that you talk to Mr. Williams...

Miss DeGrazia stated okay.

Chairman Rogan stated but also when you get this all conceptualized, bring in something to show him so that he can see that its within the intent of what we are looking at right now and doesn't turn into something that everybody says whoa, this isn't at all what we thought...

Miss DeGrazia stated okay.

Chairman Rogan stated because it is a little hard because you are giving us a theme and an idea and it looks fine, I like the idea that you are going to use something wood and have it carved in so that the, so I'm assuming that means the letter would be raised and the carved in would be the background or vice versa...

Miss DeGrazia stated I think vice versa.

Chairman Rogan stated okay so the letters would be carved into the sign...

Miss DeGrazia stated right.

Chairman Rogan stated recessed into the sign...

Miss DeGrazia sated recessed.

Chairman Rogan stated and then you're lighting, it's interesting.

Board Member McNulty stated some kind of rendering of what the sign would actually look like.

Miss DeGrazia stated yea.

Board Member McNulty stated would you be able to submit something like that.

Miss DeGrazia stated yes.

Chairman Rogan stated what do you think your time frame is for having this constructed.

Miss DeGrazia stated well we are looking to get in there by the first of May.

Chairman Rogan stated okay, when do you think, not for your opening your business, do you think you are going to have this sign constructed like in 3 weeks...

Miss DeGrazia stated yea, I am going to try and do that as soon as possible to get that done and put up so we can advertise.

Chairman Rogan stated okay, yea.

Miss DeGrazia stated is there anything we can put up temporarily until we were to get that sign.

Chairman Rogan stated I would put up the same sign.

Board Member DiSalvo stated well I think that what the former tenant did, they have like a cardboard or plastic sign...

Miss DeGrazia stated like one of those, yes.

Chairman Rogan stated make the same sign and put it in the, if this is going to be, I'm sorry I didn't read the memo yet, is this building mounted.

Miss DeGrazia stated no, its wood posted into the ground.

Rich Williams stated free-standing.

Chairman Rogan stated free-standing, okay.

Board Member McNulty stated (inaudible) the sign...

Board Member DiSalvo stated so you are basically putting over what the sign that...

Miss DeGrazia stated what was already there.

Chairman Rogan stated yea, go to a print shop and have them print up exactly what you are going to do once you figure out and put it in the location.

Miss DeGrazia stated okay, great.

Board Member DiSalvo stated what are we approving.

Chairman Rogan stated I'm sorry.

Board Member DiSalvo stated what are we approving here.

Chairman Rogan stated I think if we are approving we are approving the size of the sign, the information contained within the submission, the color of the, it's going to be a natural wood sign, solar lighting and then to be confirmed by the Town Planner, it would make sense.

Board Member Montesano stated second.

Chairman Rogan stated how about we do SEQRA first.

Board Member DiSalvo stated I'll do that, I'm the SEQRA lady tonight. In the matter of Escape located on 3194 Route 22...

Miss Myers stated I'm sorry I was just caught between the two of you.

Board Member DiSalvo stated we were making a determination...

Chairman Rogan stated we are going to do the, part of the sign application...

Miss DeGrazia stated okay.

Board Member DiSalvo stated environmental determination.

Chairman Rogan stated is a determination of State Environmental Quality Review Act, which is referred to as SEQRA and we are required to do that to assess whether or not your application has any impacts on the environment, so a negative determination is a good thing.

Miss DeGrazia stated okay.

Board Member DiSalvo stated okay in the matter of Escape located at 3194 Route 22, Patterson, I make a motion that the Planning Board of the Town of Patterson finds that the proposed action will not have a significant impact on the environment and hereby issues a negative declaration of significance.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay, and for the sign application...

Board Member Montesano stated now you have tell everybody your name...

Miss DeGrazia stated your name.

Miss Myers stated my name is Linda Myers.

Chairman Rogan stated Linda...

Miss Myers stated Linda Myers.

Board Member Montesano stated you might as well get credit for it.

Miss Myers stated that's right.

Chairman Rogan stated for the sign application we have in the matter of Escape on 3194 Route 22, make a motion that the Planning Board approve a sign not to exceed 17 ½ square feet with the information that was presented to the Planning Board contained on that sign. Sign to be a natural wood, sign of earth tone color and to be lit by solar lighting that much shielded and not present a visual distraction to driver-by or to driver-by. Also that the lighting and the final sign design be presented to the Town Planner just to confirm that it is within the context of that the Board reviewed tonight.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay, good luck to you.

Miss DeGrazia stated thank you.

Board Member McNulty stated good luck.

9) OTHER BUSINESS

a. Fox Run Phase II – Zoning Amendment

Mr. Robert Marvin was present.

Chairman Rogan stated okay we have Fox Run Phase II Zoning Amendment, there is a familiar face.

Mr. Marvin stated yup, how are you tonight.

Chairman Rogan stated good, how are you.

Mr. Marvin stated I really...

Chairman Rogan stated need to just step a little closer to the microphone...

Mr. Marvin stated okay...

Board Member Montesano stated give your name.

Mr. Marvin stated Bob Marvin, representing RC Enterprises which filed a petition last fall for a zoning change, as you know the matter had been referred to this Board for it's opinion to send back to the Town Board. I know we had a long discussion at the work shop meeting last week, I do have something I would like to hand out here, which is a bit of a follow up, we talked about one of things that I was talking about was the benefit particularly to the school district that a build out under the proposed zoning amendment would have and I have done some since that time Mr. Williams calculated what the yield on the site could be based on the proposed amendment as it now stands. I took those figures and made certain assumptions, I made certain assumptions that, let's say that the average unit sold for \$300,000 dollars and then calculated based on the current school tax rate what the aggregate school tax would be on that full build out and then I did the same calculation based on an assumption that the average unit sold for \$250,000 [dollars] and then I did it for the 115 units that Mr. Williams calculated and the same for 100 units and the same 75 units, just so you can see the benefit in hard dollars that I am talking about and these are under the actual school tax rate as it exists. So the only real assumption that we are making is that the sale price of units would either be \$300,000 or 250, just so you get a flavor of what we are talking, so if I could, I'd hand these, pass them around...

Chairman Rogan stated sure hand them right at the end and we will pass them down, one to Michelle.

Mr. Marvin stated and under the, at \$300,000 per unit, if it was 115 units you are talking about over \$600,000 dollars in school tax on an annual basis under the current tax rate with virtually no kids going to school from a project like this so, obviously that number scales back as the prices are lower and if the units are fewer but either way you get a very big positive number.

Board Member Cook stated previously we were talking about 48 units, is that number still in play or...

Mr. Marvin stated I am not really proposing any particular number of units, the top number on the sheet that I just came out, the 115 is because that is the maximum yield that Rich Williams calculated would be available for the site. I am not proposing that that actually be built, I think too many unknowns exist at this time to really say that that is really feasible or not, obviously Rich even made certain assumptions to come up with that number, those assumptions may or may not be accurate, although I certainly don't think that the yield would be higher than that at a maximum, so there is really no way of knowing. My client is not committed to any particular number, he just needs to know that you know when there is a development there it makes economic sense. So I just felt that it would instructive to sort of demonstrate in hard dollars and cents what we are talking about here in the school tax realm. I think the Board also had certain

questions when we met at the work shop last week about desire to review the documents which have been filed with the County Clerk, the declaration and stuff which established the condominium concept for Fox Run I and also those documents apply to this site too. I don't know if the Board has had a chance to do that or not...

Chairman Rogan stated yea.

Mr. Marvin stated but I went back myself and looked at them again and just so the Board knows, I confirmed by reading through them that it is very clear that if and when development is placed on the 44 acres that my client still owns which we are calling Fox Run II for sake of a lack of a better term that there is a single Homeowner's Association that would cover both parcels, so they would in fact be integrated and you know, work together because that is the way it's been set up since 1986, actually is when the condominium was first established and I guess one other thing if I could, I know there was some concern expressed about certain parts of the infrastructure at Fox Run I are not in as good of state of repair as probably everyone would like to see, my client when he converted that project to condos, everything was really in really good shape at that time, so the fact that it may have become deteriorated really I hope that the Board can understand it's not the fault of my client, that was turned over to the Homeowner's Association 25, 26, 24 years ago, if they let it go it's...

Chairman Rogan stated I think the example and I'm glad you brought that up, the way the Board had looked at that was that no one said your client, it was through any fault of your client, what we were saying was some of these systems, even though they can be set up and work very well, can sometimes not work very well, where you have people paying dues or not paying dues and things don't get done, the roads fall apart, the pool that they have is falling apart, they have stonewalls that are caving it, so I think the concern from the Board was you set up a, you expand on a Homeowner's Association and maybe if everything is upgrade at the time it's built then that is fantastic but 20 years down the road now you have twice as big of a complex that still has the same inherent flaws that allow it to deteriorate to the point that it did in the last few years.

Mr. Marvin stated I guess my comment would then be that whatever flaws there may be, they are not inherent, they are, they are not built into the structure of the system, they came from you know poor management...

Chairman Rogan stated poor management, isn't that a fault of the system...

Mr. Marvin stated and if my client is going to want to sell however many units ultimately are approved for phase II, he is going to have every incentive to make it marketable and if that includes you know capital contribution, in excess of whatever the Homeowner's Associations dues are to help you know lift up what is already there then that would be a business decision that he would make at the time but I can't imagine if that is what he has to do to be able to sell what he wants to sell they wouldn't do it. So you know the market forces will control...

Board Member McNulty stated the new phase of this construction wants to tie into the existing infrastructure correct or is there a different...

Mr. Marvin stated as far as roads go yes and the water system, the water system is a Town system but that would have to be expanded, new wells and so on, it's part of the planning process.

Board Member McNulty stated but the sewage and the septic would be separate.

Mr. Marvin stated it is sewer, no we would use the same sewer plant there which has been, it has a permit to cover a great I don't know the actually gallonage Rich what the permit is but it is a lot more than what is currently being treated at that plant so the idea would be to use the sewer treatment plant.

Board Member McNulty stated so you would tie into the existing or expand that...

Mr. Marvin stated yea the pipes and stuff yea, to the extend that pipes had to be repaired or replaced, obviously it has to be done, you're not going to C.O.'s and so on if it's not.

Board Member McNulty stated will there be an burden to existing Homeowner's Association to help improve it.

Mr. Marvin stated umm...

Rich Williams stated they are currently in the process of building a brand new sewage treatment plant out there as part of the New York City DEP upgrade program, DEP is paying for the plant.

Board Member McNulty stated okay.

Board Member DiSalvo stated what is the status of that, are they near completion, they have been working on it for two years now...

Chairman Rogan stated it's a big project.

Board Member DiSalvo stated I remember the last time we were out there...

Rich Williams stated yeah I think they are about 60%.

Chairman Rogan stated they are working, I see activity out there everyday.

Board Member DiSalvo stated would it be fair to say, say if I were, if someone were to purchase the 55 or older units and you are paying Homeowner's Association dues, those dues technical are going to be used to finance repairs for the other buildings.

Mr. Marvin stated it would probably have to be yea, one of the duties of the board that runs the HOA is to establish a budget, obviously in order to establish the budget, they would have to look at what do we have to do this year, where do we need to make repairs or improvements or whatever and then those are allocated across all of the units in what would be Fox Run I and Fox Run II...

Board Member DiSalvo stated is seems like Fox Run...

Mr. Marvin stated on a basis based on the size, typically on the size of the units.

Board Member DiSalvo stated it seems that Fox Run II the new development will be funding the development for the existing repairs and maybe not benefitting for awhile before their units start needing them...

Mr. Marvin stated it is likely to work the other way around only because if you are going to try to sell new units, you are going to have to make them marketable, you are going to want, they are going to have to drive through there to see what is new, you are going to want to make it look pretty good, so.

Board Member Cook stated Maria, that community living, it is all for one and one for all type of thing so your thought of this, if you are part of the group, I mean you know and you pay your maintenance fees, then it is up to the Board, the Homeowner's Board to determine along with, you know if it has to be approved by the Homeowner's where the money gets spent so you know, you can go all over the map on this one.

Mr. Marvin stated I think...

Board Member Cook stated as far as that...

Mr. Marvin stated you know the economics of the situation would really dictate that new development, that is now undeveloped would have to lift up what is already there because there is no other way that you are going to make a project marketable.

Chairman Rogan stated what about the idea, Carl, Rich of treating these proposals as two separate entities with the exception of infrastructure that is shared, like water and septic and roadway and possibly stormwater but physical facilities of the buildings, maintenance of those, the additional roadway infrastructure that would be necessitated to the new area, the fact that it is a completely different age classification, it lends itself to be almost a separate community of sorts, separate recreational space, separate and private recreational space, whether that be pool, tennis courts, that lend itself more towards an age qualifying community.

Board Member McNulty stated the difference between condo and town house.

Mr. Marvin stated the way it is, right now the way it's set up is the...

Chairman Rogan stated excuse me sir, can you just wait for a second, want to.

Rich Williams stated (inaudible – not using microphone).

Carl Lodes stated it's an internal mechanism, oh sorry, what you are proposing seems to be an internal mechanism that something this Board would be necessarily involved in. They can either divide it into two or run it as one, I guess.

Mr. Marvin stated right now it is set up to be an umbrella organization, an HOA that covers the entire, both projects but I think you know if I could, what we are really, at this point in the process, really what we are asking is for this Board to consider whether an amendment to the Zoning code which would allow this age qualified housing to be built, whether that is something good or something not so good, that is really where we are at right now...

Chairman Rogan stated in fairness...

Mr. Marvin stated and the questions that you are all asking are legitimate but I think they are sort of maybe addressed when we can do it more accurately down the road.

Chairman Rogan stated I don't see it that way sir, I respectfully disagree with you because...

Mr. Marvin stated okay.

Chairman Rogan stated I think in order for this Board to evaluate how this proposal will function within the community that we know exists, I think it is important for us to know how these units are going to relate to the existing structures and I see whether or not they are one Homeowner's Association or separate Homeowner's, you know separate entities, you are taking two clearly different communities and putting them together. You are taking a community that rents and you have owners all over the place and kids all over the place, now you taking an age qualifying community and you are putting the two in essence on the same piece of land and cohabitating the same property and I think the way they, the way the two of those melt together is essential to the review, that is just the way I see it. I don't understand how you can say we are going to have a 55 and over community and...

(Tape 1, Side 2 Ended – 8:23 p.m.)

Chairman Rogan stated and I think that the Board needs that information to be able to ascertain how this community will function when it's built, if it's built.

Mr. Marvin stated well the way I've explained it, is the way that the legal mechanism is set up now and has been set up in that way for 24 years, I mean if the Board felt that in order for this to be a positive and to make a positive recommendation on it that it would be better off as two HOA's, I'm sure that those documents could be amended, okay.

Chairman Rogan stated okay, one of the concerns expressed by many Board Members, except Tom who wasn't on the Board was the current state of the properties out there and we are not saying that your client is responsible in any way, shape or form but it is a fault of what can happen when things aren't properly handled by the existing HOA and I know one of the concerns that people expressed, you weren't involved in these meetings but Mr. Zarecki was that if you have a system that inherently allows things to deteriorate to the point that they did because people don't have the funds to kick in whatever. The Board might decide we want to put new roofs on but if nobody has the money to do it, we fall into a state of disrepair, while it doesn't impact on me because I don't own there, it impacts on the general welfare of the community so I see, maybe that entire structure as a negative for the Town of Patterson because it is not set up for the property mechanism to be able to prevent exactly what is out there right now and I'm not, it has nothing to do with your client but you are asking for something that is perpetuating by your own admission, that could 20 years from now be exactly, be twice the size of exactly what we have, only different people living there.

Mr. Marvin stated well it's management of the project after it's been sold, I don't know how a developer can control that, I mean if this amendment were to come to be, to place, you know it gives this Town an opportunity for a very substantial benefit as far as taxes go and the economy of the Town as a whole and I mean it's an opportunity that is there, municipalities throughout the country over the past 10 or 15 years really sought projects like this to come to those municipalities for the very reasons that I'm talking about. Now you know what is there is obviously not perfect and it probably needs some work, I am not trying to dispute that fact but you know ultimately it would come to the Homeowner's, the people who own those condominiums to get better, to vote in different members of the board that are going to bring that place back up to where it ought to be and I still state that you know, sort of as a shot in the arm, if it was necessary to make a substantial capital infusion to upgrade the infrastructure that is already there, if that was necessary to make the second phase marketable, obviously it is going to be done.

Chairman Rogan stated well yea, that is something that is within the best interest of your client...

Mr. Marvin stated sure.

Chairman Rogan stated selling the new things really has nothing to do with us because it's...

Mr. Marvin stated no, I know.

Chairman Rogan stated I mean, I'm not saying that I want your client to put new roofs on...we are saying that obviously there is lack of infrastructure in a water supply or a sewage system, those things that are going to need to be upgraded...

Mr. Marvin stated we'll have to do that.

Chairman Rogan stated that is different because that essential to the support of the proposal. The other things you mentioned I clearly understand that is a business decision between your client and the existing HOA, we have no, that is not within our purview and I am not recommending or suggesting anything of the nature.

Board Member Cook stated and one of things and this is why I asked about where we have this example about the number of units going from 75 to 115, the one of the major issues that we had was the traffic generated when we were talking about a proposal that was 48 units okay and when I read through the material we were given last week and the 55 and above write up, you know I was basing my thought process somewhere around this 48 unit, getting myself comfortable with that, okay where they show the traffic generation of 1.3 cars or something, whatever they have, you start jumping up to 115 units okay and you know 1 or 2 cars per unit going out onto Bullet Hole Road, I start to get concerned so I know where your client, you know he probably doesn't want to say at this point one way or the other about the number of unit but when we were dealing before it was 48 units and we struggled with that okay, for the different reasons.

Mr. Marvin stated I am proposing any of those as numbers of units, it is only to demonstrate the tax benefit on different...

Chairman Rogan stated if I was in your shoes and I was going to propose numbers, knowing that we were looking at 48, I might have made these numbers 30 to 50, 30 to 60, the numbers you picked and I think that is why you are getting this reaction, the numbers you picked are so much in, so much larger than what we were even contemplating prior and honestly weren't comfortable with so I understand you're not proposing it but it's a strange choice of...

Mr. Marvin stated well I picked the 115 because that is the number that Rich said would be the max build out.

Chairman Rogan stated based on if, that is based on if all the property were usable...

Mr. Marvin stated and then I tried to scale back from there.

Board Member McNulty stated are these based on condominiums or town houses as max units.

Mr. Marvin stated it depends on the assessed value which is fair market value.

Rich Williams stated I don't think it matters, multi-family is multi-family...

Mr. Marvin stated right.

Chairman Rogan stated multi-family.

Rich Williams stated condominium and town houses are a different type of ownership.

Board Member DiSalvo stated they're assessed different.

Board Member Montesano stated right.

Chairman Rogan stated Rich, can you speak for a second about...

Rich Williams stated let me just through this at you though...

Chairman Rogan stated sure.

Rich Williams stated I based, on our current zoning I came up with a lot count number, the applicant was looking for, Fox Run Phase II is looking for a zoning change, it doesn't mean that you have to simply say we are going to extend the zone into his property, you could make modifications to it, to reduce the number of units if you think that is appropriate.

Mr. Marvin stated as long as the ultimate unit count that is able to be generated from the property makes economic sense to my client he'll go with it, so if there is a number that this Board feels is the maximum number that you would want to see, that is obviously something that I can take back to my client and say is that enough and he can do his analysis and whatever and determine whether that is a feasible number. If the number was something very low, then it doesn't make sense because you are talking about a substantial investment.

Chairman Rogan stated I understand.

Board Member Cook stated I think I wouldn't be so shocked if you had shown 48 and what that number was.

Mr. Marvin stated well I can do it.

Board Member Cook stated do it like a range but now I am worried about maybe there are going to 115 units in there generating this traffic, generating this intensified usage on the infrastructure, it is a lot different between 48 or 115 going over and using the existing pool.

Mr. Marvin stated you are absolutely right but again I am not proposing 115 and that number strictly came from the calculation that Rich had done just to be able to do the math and I don't think this site would probably support that big of a build out...

Chairman Rogan stated yea.

Mr. Marvin stated even if this was passed...

Chairman Rogan stated we agree.

Mr. Marvin stated because the topography and so on would probably limit it more than the assumptions that you had made.

Rich Williams stated I mean my, the Board at the work session simply said what is the maximum lot count that could be possibly be built out there, so I did a very quick based strictly on lot area, not environmental constraints, not anything else, just strictly on the lot area, the maximum number of units that could potentially could be built out there.

Mr. Marvin stated right, Joe, you did some figuring on how much of the site would be used up by the prior idea that we had or...

Mr. Zarecki stated I don't know if all the Board have seen this sketch of the 48...

Chairman Rogan stated all but one.

Mr. Zarecki stated I don't know if everybody has seen this idea.

Board Member McNulty stated I haven't seen it.

Board Member Cook stated whole he puts that up, Rich let me ask you this question, what was behind the previous zoning change, where it went from multi-family to what, 4 acre single homes.

Rich Williams stated back in 1976, it went from multi-family housing to R-40 and it's been R-40 since 1976 until we made the zoning change in 2005, I just carried on the single family status of the lot at that point we were going from R-40 and R-80 to basically R-4 throughout the town, so all I did was carry on that single family status that was done in 1976. I don't know why they made that zoning change.

Mr. Zarecki stated if I may.

Chairman Rogan stated sure.

Board Member Cook sated yes sir.

Mr. Zarecki stated Joe Zarecki, for the record, the, this is entire property in the green colored area here and well get a little more down here when the road frontage comes out...

Board Member Cook stated show me where Bullet Hole Road is.

Mr. Zarecki stated down in this, way down the end.

Board Member McNulty stated down the bottom of the hill.

Mr. Zarecki stated right, it comes all the way up from up here, this is the Fox Run, Bullet Hole Road out here, Fox Run entrance coming up the main road, right at the bend in there, we had proposed a road to go here to the 12 buildings and each building would have 4 units. They would share the water and sewer and work with the Town for the Town water and all the infrastructure work and this is about 38 acres of open

space and the area within the light green is about 6 acres that was what we had before on the table, the rest of it will stay undeveloped. That is what we had before just a concept of the process, so the disturbances, this is about 13 percent of the 44 acres, I didn't change any numbers because we don't have any numbers so as Mr. Marvin said...

Mr. Marvin stated but just I think the point that there is a lot of that lot that isn't going to be developed, you aren't going to get 115 out of there no matter what.

Chairman Rogan stated yea we can see the topography from here, we walked it, it was very steep up through the right side of that plan.

Mr. Zarecki stated if I may, we were just playing with awhile back what the units were going to look like before the over 55, now the over 55, these plans may not work because they have a second floor.

Chairman Rogan stated yea.

Mr. Zarecki stated so it may change but this is kind of architecture that we were proposing for these units so they had the garage on both sides and a two store...

Board Member Montesano stated and an elevator in the middle.

Mr. Marvin stated yea.

Mr. Zarecki stated and the elevator in the middle for the over 55.

Mr. Marvin stated that would probably change.

Mr. Zarecki stated we would probably change the layout of the floor plan a little bit but this is the kind of architecture that would work, that would go into that development and the whole idea is what we have there now and driving through and excepting a couple of the units that are on this side, you drive through and once you are in here, you're in your own world up there.

Board Member DiSalvo stated I have seen a lot of these over 55 developments, there is one right on Route 9 outside of Cold Spring now and here, and they are starting with vacant land right from the get go, here you are, what is kind of, I don't know if it is a disadvantage or not is you are still driving through an older development to get to this section, it's not really...

Mr. Zarecki stated is that bad.

Board Member DiSalvo stated I would think it is, people that are 55 and older may be more demanding then the people that are there now.

Mr. Zarecki stated sometimes when you build something nice in the back it inspires people because now with this in the back there with the land value, you know the (inaudible) value of the property, it look better, it inspires people to do things...

Chairman Rogan stated we can only hope.

Mr. Zarecki stated (inaudible).

Chairman Rogan stated we can only hope.

Mr. Zarecki stated and with infrastructure, all the way from Bullet Hole Road, with our previous proposal from Bullet Hole Road was to improve this whole main drag up here, blacktop, that was huge, huge.

Chairman Rogan stated yea what is the distance from the entrance of Bullet Hole, do you remember to the entrance of this...

Mr. Zarecki stated I don't remember but I would say its about 1300 feet. It's a good haul and we (inaudible).

Chairman Rogan stated so this would require a waiver from the length of the roadway 1500 feet.

Rich Williams stated it's a private road that requirement is for a subdivision road, this is really a driveway.

Board Member McNulty stated its an extension of the existing.

Mr. Zarecki stated so with these new homes here and as Bob said this is all one Homeowner's Association, the infrastructure costs and the maintenance costs are going to be low and the value of their input would go to the ones Homeowner's Association, go into the pot and then when you have a sewer plant to pay for and all of the other things that the homeowners have to pay for, by the number of people here it gets divvied up, it's a bigger pot.

Board Member McNulty stated I am not familiar with the terrain at the top of the hill, I've been along Bullet Hole Road, is there room for separate amenities, like a pool or a tennis court at the top of the hill that would be separate for that community.

Mr. Zarecki stated there is, there actually is and...

Board Member McNulty stated could you split those amenities within a single Homeowner's Association...

Mr. Zarecki stated they could have their own pool and they definitely would if, we were also talking about if that was that pool was in a condition where this was going to pay to help upgrade their pool if that is when the Planning process came, we would talk about this, this upgrading what we have here or building their own. As you said, this is like a separate entity and they would want to have to their own pool and not share it with them, so those are all planning issues that I think we could work those out.

Board Member DiSalvo stated so phase I would not be able to use their pool.

Chairman Rogan stated if that is the way we set it up.

Board Member Montesano stated if that is the way they set it up.

Mr. Zarecki stated that would be when we go through the Planning process, that you don't want to have shared community, you know shared services the pool...

Mr. Marvin stated that could be modified.

Mr. Zarecki stated we could make a commitment and say yes that's what you want or this is what you want and make it part of it, you know right now it doesn't matter but what is better when we really get into the whole layout because once we get into the whole design we'll see where we have left. We were going to drill a new well, make all the water movements, the pump station, everything else that goes along with improving the water system that is already there, that we've already talked about in Rich's letter.

Board Member Montesano stated it's going to rough marketing, everything's rough.

Mr. Marvin stated yea, right now.

Board Member Montesano stated you have to look at this way, you are picking an age group of people that when they go through A to look at B they are going to say, is this what we are going to look like in five years or ten years, think.

Mr. Zarecki stated I'm not sure, if you have that age group, they would be here all summer and be in Florida for the winter.

Board Member DiSalvo stated we are still working at that, nobody is retired.

Board Member Montesano stated 2 or 3 years ago I would have said no problem, today I don't know about that.

Chairman Rogan stated Charlie.

Mr. Zarecki stated what about 2 or 3 years from now, 2 years from now when it takes us to get the approval.

Board Member Montesano stated let's hope by that time we start to believe that our grandkids can pay for this.

Board Member Cook stated Rich, I have a question on multi-family dwelling today are only allowed on Fair Street, Bullet Hole Road and Farm to Market Road.

Rich Williams stated in certain overlay zones within those areas, yes.

Board Member Cook stated so that says that like as of today then multi-family dwellings could not be built on [Route] 311.

Rich Williams stated no.

Board Member Cook stated Cornwall Hill Road.

Rich Williams stated no.

Mr. Marvin stated what this proposal Rich and correct me if you don't agree is saying that the overlay zone which applies to this property would be modified so that anything that you build has to be for over 55. We are adding that additional condition.

Chairman Rogan stated everybody was focused on the traffic going in and out of the site and they mentioned of course in this example we don't have the number of school age children, we've given the opinion at the work session that nowadays we have a lot more grandparents taking care of children, so you may very well have some children associated with this housing but one thing that I keep hearing time and time again and I am not comparing this to Clover Lake but Clover Lake is an age qualifying residence, it is not a medical facility but the number of ambulance calls to that facility is daily, it is not one every week, it's daily. So you have those additional support services going into something like this potentially to be considered. I know they use the facilities quite a bit...

Mr. Marvin stated those kinds of impacts are discussed in that study that I handed out to you, I know that, I can't quite you chapter and verse exactly what it says but that is one of the impacts that they've looked at in that economic study and you are correct, there would be a on per person basis, you are going to get more calls in an over 55 community than you are in an under 55 community...

Chairman Rogan stated unfortunately.

Mr. Marvin stated well yea but you know...

Chairman Rogan stated sometimes people call they say because they get lonely and they want to go somewhere.

Mr. Marvin stated what that study also shows, yea, what the study also showed is that the traffic impact of the over 55 communities is on a per person basis, less than if it was not an over 55 community and secondly that the time of day that most of the trips occur are typically not at the time of day when people in the other community are going to work and coming home from work, it's more in the middle of day. So the trips are sort of spread out more evenly through the course of the day rather than a big bottle neck at 7:30 or 8 o'clock in the morning and again 5:30 at night.

Board Member DiSalvo stated well there is also additional traffic with the school hours, with the school bus at what 2:30, 3 o'clock, its not just at 5:30.

Mr. Marvin stated you're talking about the type of project though that communities have really bargained to get these types of projects to come to their communities...

Board Member DiSalvo stated in the right locations maybe.

Chairman Rogan stated that is a good point because we do have a lot of these type of facilities planned in Putnam County right now, in construction so as a whole, I don't feel like looking around and knowing what is going on construction-wise that we are lacking in this type construction going on county wide. Patterson may be a different story but with, in the appropriate site I think I am all if favor of it, I think we have wrestle with whether or not it is an appropriate use for this site and make a determination based on that. I will say though that if I am going to have a positive recommendation on this, I want to hear a little more discussion from our Board on some of this separation of amenities because I think that they need to be separated out in this. I would rather see the fifty grand that you are going, that you are proposing to put towards the pool, put it towards making a pool for this new area possibly, some other recreation areas, whether it's a tennis court or something but I think when you have people that are buying in this area, I think they kind of need a little separate recreation space.

Rich Williams stated Shawn...

Board Member DiSalvo stated I don't know how anybody else feels but I am kind of maxed out with the 48 units...

Chairman Rogan stated yea...

Board Member DiSalvo stated I don't think I would consider anymore than that.

Rich Williams stated we could take a look at Heritage Hills, I believe Heritage Hills has the model that you're talking about where they have separate sections...

Board Member DiSalvo stated yes, they are called cluster captains, each cluster has its representative...

Chairman Rogan stated I think that is a good idea to at least take a look at that.

Board Member DiSalvo stated again, they had originally started out just being 55 and older and I think they went to court a few times and now anybody can buy there, people there with kids that are living there, so I don't know how much this will stand up.

Chairman Rogan stated I had heard that also that...

Mr. Marvin stated the fair housing laws absolutely allow you to limit ownership to 55 and over...

Chairman Rogan stated unless someone challenges is.

Mr. Marvin stated no, no, no, it's a federal law, there is not question about it, maybe they didn't live up to their own internal rules and so I don't know the history, okay, I don't know but...

Rich Williams stated we'll take a look at that also.

Chairman Rogan stated okay, I think we've pretty well beat this house tonight and...

Mr. Marvin stated okay, thank you.

Chairman Rogan stated I appreciate your time because it's all good information for us to consider.

Mr. Marvin stated okay and again you know how to reach me if there are questions, you know call.

Chairman Rogan stated thank you, appreciate your time.

Mr. Marvin stated thank you.

Chairman Rogan stated Mr. Zarecki, we appreciate your time as well, thank you. The attorney is going to go the site.

Board Member Montesano stated do you think he can get a room.

Board Member DiSalvo stated excuse me sir, did you mention at the work session that you were going to go out and visit the site.

Mr. Marvin stated I have not had a chance to do that yet but I do intend to do that.

Board Member DiSalvo stated okay, so then you'll give us your findings when...

Mr. Marvin stated it looks great.

Chairman Rogan stated your not exactly building a comfort or a trust level now.

Mr. Marvin stated I haven't seen it.

Board Member Montesano stated you running for office or what.

Mr. Zarecki stated thank you.

Chairman Rogan stated thank you, have a nice evening.

b. Hudson Valley Trust – Site Walk Comments

Chairman Rogan stated okay, over the last week we visited Hudson Valley Trust which is down at the site of the old Town Hall. We have site walk comments, Ron I'm sorry you weren't able to join us we figured you were going to be walking across the street from your house but we did have Judy and Pat walked and you know what was really interesting was from parking where we did, walking across the beautiful bridge and starting to walk up towards the site, half of the crowd was out of breath by the time they even got close to the proposal and...

Board Member McNulty stated speak for yourself.

Chairman Rogan stated I said half, I didn't say which half.

Board Member Cook stated the 55 and above.

(Board Members laugh).

Chairman Rogan stated and so I think it was generally felt that the idea of having everyone or the users park at the old Town Hall walk up to this for events was not necessarily the best use of this space, comments I thought were great, I mean Rich I think you captured what I think everyone said, Mike you also had some additional comments which we'll wrap up into that.

Board Member DiSalvo stated I think Pat and Judy had mentioned that they couldn't imagine themselves on a rainy evening or whatever carrying boxes and their historical memorabilia up that, over the covered bridge and up the road to the...

Board Member Montesano stated you getting a go kart.

Chairman Rogan stated you need to be able to access that building...

Mr. Taylor stated did they clarify the use for that building.

Chairman Rogan stated we haven't not yet, we haven't, so stay tuned, we'll see when they come in.

Ted Kozlowski stated Shawn...

Chairman Rogan stated yes sir.

Ted Kozlowski stated one question, is there proposed lighting for that path.

Board Member DiSalvo stated yea, I mentioned that too.

Chairman Rogan stated well I don't think, you know we haven't gotten that far yet but.

Ted Kozlowski stated no I mean if they are going to use that parking lot (inaudible)...

Board Member DiSalvo stated at least the bridge too, through the bridge too.

Board Member Montesano stated you need lights all the way up.

Rich Williams stated in further discussion, what they were going to do is provide shuttle busing between the 2 facilities.

Board Member DiSalvo stated to [Route] 311 and around.

Chairman Rogan stated I don't like that idea because now your putting people in and out, would that be Cann Lane or the...

Rich Williams stated I am just saying, in further discussions that is what it was going to be, I think we really need to get him in here and have a discussion about...

Chairman Rogan stated an honest discussion.

Rich Williams stated what the use...

Board Member Montesano stated maybe a monorail, we can borrow on from Disney World...

Board Member DiSalvo stated continued use, future use.

Board Member McNulty stated Rich, has there been any response since the recommended moratorium for clubs from the applicant, since they fall under the club category.

Rich Williams stated I am not even sure they are really aware of it yet.

Board Member McNulty stated okay...

Chairman Rogan stated well let's get them in here.

Board Member McNulty stated because they weren't here tonight, I was wondering.

Board Member DiSalvo stated its such a shame that that bridge wasn't built wider.

Rich Williams stated I don't know why they're not here tonight.

Chairman Rogan stated yea but you know what if we can avoid driving over that watercourse I would rather keep vehicles off there also but when they come in we can further this.

Rich Williams stated there is no intent to drive over that bridge.

Chairman Rogan stated yea I know.

Board Member DiSalvo stated it's a shame like I said that they couldn't make it wider to drive over.

Board Member Montesano stated why, if you are going to provide any kind of shuttle service, you use a golf cart.

Ted Kozlowski stated guys I think you have the answer to everything, Charlie did, put a building in the lower lot.

Board Member DiSalvo stated in the last paragraph of Rich's site walks...

Board Member Montesano stated like we're doing.

Rich Williams stated you're within the, I took a look at that, you're within the limiting distance of a DEC wetland, you're not going to put a building down in there.

Chairman Rogan stated no.

Board Member DiSalvo stated that may be lesser of two evils.

Chairman Rogan stated then we are really going to push for good parking up closer to that building in that field area, where you can come directly off [Route] 311.

Ted Kozlowski stated hold on, DEC wouldn't stop you from building a building there.

Chairman Rogan stated really.

Rich Williams stated really.

Board Member DiSalvo stated they would have to go through the process.

Board Member Cook stated its very simple, we just get a written opinion from DEC.

Ted Kozlowski stated has DEC ever stopped anything, has DEC ever stopped anything that was proposed in our plans.

Rich Williams stated I don't know but they didn't allow a lawn behind a house, did they.

Ted Kozlowski stated no, I'm just...

Rich Williams stated okay.

Ted Kozlowski stated no, they didn't ask for a lawn.

d. Performance Bonds

Chairman Rogan stated okay performance bonds, we have a memo, let's move on because we are going to do that when they are in, in front of us because we have some discussion on that to have. We have a memo with the proposed recommended change to the performance security for private sites to allow basically temporary C of O's and cash bonds. Tommy, you had some thoughts on this section, the memo dated from Rich is February 16th, the Zoning Code Amendment for Bonds. Rich, you want to quickly run everybody through the essence of what the proposal is.

Rich Williams stated sure, the essence of this and you've seen it now twice this year, once with a wetlands/watercourse application made by John Petrillo where he constructed a house and didn't finish all the site improvements but was anxious to move into the house and the second time was with Field and Forest where they have completed 90% of the improvements but didn't complete a hundred percent of the improvements but were still anxious to begin getting a return on their money through occupying the second building. Currently our Code requires that 100% of the improvements be made before somebody can get a C.O. and occupy their site, this has proven to be a hardship in the past, these are two examples that occurred the past few months but it has certainly happened in the past and it really occurs more with residential properties, single-family homes where they are finishing up the single-family home or renovating the basements in the winter and want to occupy it but they may need to finish putting a lawn in. You know right now we don't have the mechanism in which to grant them any sort of relief and at the same time we don't want to be in a position where we are taking performance bonds or taking cash bonds because either financial instruments that are difficult for the Town to take if the individual were to default on the bond. So, I came up with another concept where if somebody wanted to do this, would post a cash bond, post it with the Town...

Board Member McNulty stated I was looking at it, I think it's great that we can help people move along and the wording of the proposed change, you call out in item one specific areas of 154-84 G, improvements are not subject to performance security, performance security bond under this section includes stormwater improvements, fire alarms, parking facilities, improvements required for compliance of the ADA law. I thought maybe to substantiate that a little bit, put substantial completion because you don't want people to move in there maybe with windows that are boarded up or unfinished bathrooms so to speak, no where did I see in there that it would be substantial completion, I could see safe, those may not be a safe item, if they have one working bathroom. So, in the construction industry, I see substantial completion as a praise often and I would also like to see how it is tied to the C.O., I had a question whether a temporary C.O. or an actual C.O., which is easier to revoke, is there a difference by law what could be revoked easier.

Carl Lodes stated I don't think there is anything Rich.

Rich Williams stated a temporary C.O. should terminate by...

Board Member McNulty stated just by X amount of time period.

Rich Williams stated just by operation of law whereas a permanent C.O. you would need to go into Court.

Carl Lodes stated you have to go to Court.

Board Member McNulty stated that is why maybe the temporary C.O. should be tied into this to equal the time length to give a little more incentive to get those things complete. Also, I understand we don't have nay temporary C.O. for a commercial building, do we have to somehow amend a zoning law to include that as well.

Rich Williams stated we would need to modify Chapter 64, which has to do with Building Permit issues.

Board Member McNulty stated okay, just because I think it's a great idea but if we can tie a time limit with a temporary C.O. and in addition add substantial completion as well as fire alarms and these other items that you have listed here.

Rich Williams stated great suggestions and I agree with you about the substantial completion, the difficulty I am going to have, I will take a look at it and maybe talk to Carl, if we are going to say substantial completion, we have to define substantial completion, I just have to figure out how to word that, I mean it's real easy to say or give examples like the windows not being in, something like that but...

Board Member McNulty stated I don't know maybe Carl knows this, I have seen it in legal documents for contracts for construction, maybe it has a general meaning within the law, I don't know.

Carl Lodes stated I don't believe so, I think it is subject to interpretation and litigation.

Rich Williams stated it is one of those terms that you really have to define in the subdivision code we define substantial completion, if not when it gets into court its like non(inaudible).

Board Member McNulty stated well maybe we should look at that Code to see if its in line with what we need, maybe that's efficient.

Rich Williams stated well in the subdivision code it has to do with drainage, curbing...

Board Member McNulty stated site preparation.

Rich Williams stated binder course of the road.

Board Member McNulty stated okay.

Rich Williams stated but I'll look at it and try to figure something out, see if it applies.

Board Member McNulty stated okay.

Chairman Rogan stated so Rich, this item number is trying to give examples of areas where they must be done in order to comply with the Code, things like fire alarms, parking, ADA, they all have to, there is no exception on that, they have to be done 100% as if they were getting a C of O. I like the temporary C of O idea, if you can tie the date of that C of O to that date that you set for the cash bond to expire, this way not only do they lose their C of O but they are also not complete, they are losing their money, they are forfeiting that to the Town.

Rich Williams stated sure.

Board Member McNulty stated some other examples Rich...

Chairman Rogan stated that's big.

Board Member McNulty stated sprinklers, electrical sign off, they may be part of substantial completion, plumbers sign off, maybe you have all your final inspections complete for your building proper but you just don't have final site requirements, so they maybe, they may outline the substantial completion.

Chairman Rogan stated and the types of general items that are going to fall into this, I think Rich hit on a couple, you have landscaping, you know some just minor issues that can't done I mean...

Board Member DiSalvo stated weather permitting.

Chairman Rogan stated probably could come up with half a dozen of examples but they are pretty basic things but they are things that people are coming in and they are anxious to be able to start utilizing the building.

Rich Williams stated always remember that if you are doing this, it is at your distraction, you don't have to allow a cash bond, if you think that an improvement needs to be made before the building is occupied for safety reasons, for health reason, you don't have to give them the cash bond.

Board Member McNulty stated well maybe these things will help define it though so if somebody does come, they don't have to wait for us to go visit another month to come, if we know all the sign offs are done and their building is ready and they don't have a certain section of the parking lot complete or something, we can help move it along because the whole concept is great.

Rich Williams stated great.

Chairman Rogan stated good, we have minutes...

Board Member Cook stated I wanted to talk about clubs.

Rich Williams stated Michelle.

Chairman Rogan stated I'm sorry, we jumped one, go ahead Charles.

c. Clubs

Board Member Cook stated clubs, as you know Mike and I have been meeting and speaking on this subject and what we have for the Board tonight is a little packet that one includes current section of the code on clubs, the suggested changes from Rich, the suggested changes from our Attorney, a synopsis of what other Towns are doing in this area, a draft suggested letter that would go from the Planning Board to the Town Board based on a review of the Town Code and the Town's Master Plan, okay. So, having said that and handing it out, I would suggest that this Board review this and that we meet as a Board, put it on next work session and go through the changes that were proposed by Rich, by Tim Curtiss, see if we want to change any of those, modify any of those. Take a look at what other Towns are doing, see if we want to take any of that information...

Chairman Rogan stated just like that.

Board Member Montesano stated yea, thank you.

Board Member Cook stated add it to the proposed new local law.

Chairman Rogan stated okay.

Board Member Cook stated so just have everybody read this...

Rich Williams stated can I ask one quick question Charles.

Board Member Cook stated sure.

Rich Williams stated does, I guess that answers that, does Michelle have this, just like this.

Board Member Cook stated um...

Chairman Rogan stated well no, it doesn't say Rich on it, it says Michelle.

The Secretary stated no, this one actually says 2.

Board Member Cook stated she will have it before the night is out.

Board Member Montesano stated here give her that one.

Rich Williams stated well she has it then.

Chairman Rogan stated yea because Mike says he already has one.

Board Member Montesano stated I have one inside.

Board Member Cook stated here is Michelle's.

Rich Williams stated Charles just did this, this week.

Board Member Montesano stated yea.

Rich Williams stated I don't, do you have it.

Board Member Montesano stated yes I do, I got it this afternoon. I'll tell you what, you want to open the door, I'll go get it out of my case.

Rich Williams stated only because these are subject to FOIL.

Board Member Cook stated well I don't know...

Rich Williams stated and they've been FOILed.

Board Member Cook stated that is a question, if they are all in draft form, are they subject to FOIL Carl, I mean this is working document, this is nothing final.

Carl Lodes stated this is a working document.

Rich Williams stated okay, that's, listen...

Board Member Montesano stated that is why if you look at it, it says such, if you open it to the first page you'll see that word that used to be a hazard to health.

Rich Williams stated I know but we are always getting beat up...

Chairman Rogan stated on FOIL.

Rich Williams stated it doesn't matter whether it's draft, give me the draft.

Board Member Montesano stated but if there are changes...

Board Member Cook stated my understanding is that if it's...

Carl Lodes stated (inaudible) never saw a document that they didn't want the FOIL.

Board Member Cook stated it's a working document, this is just still being worked on, the Board, I mean Mike and I worked on it along with Tim and now this Board has to work on it to put in some kind of final format.

Chairman Rogan stated well let me take a moment to at least acknowledge the hard work that's evident that Charlie and Mike took through doing this with I know Tim's assistance. I thank you guys both, I know that it is not easy to meet in here and do this kind of stuff but I do appreciate it and I know the whole Board appreciates it.

Board Member Cook stated extend that appreciation to Michelle because she did a lot of the typing of these draft documents...

Chairman Rogan stated thank you Michelle, Michelle we already know that you're wonderful.

The Secretary stated oh, thank you very much.

Board Member McNulty stated a lot of work went into this.

Chairman Rogan stated yea it is, fantastic. Michelle actually in acknowledging how wonderful she is, she wanted us to approve some minutes.

10) MINUTES

Board Member Cook stated I make a motion that we approve February 4, 2010.

The Secretary stated you also have February 23rd and March 4th.

Board Member Montesano seconded the motion.

Board Member Cook stated I did not review those two I just reviewed February 4th for tonight, I apologize.

Chairman Rogan stated all right, so we have a second on February 4th, the other two we will do at the work session.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay, anything from anyone present this evening.

Rich Williams stated I have two quick items.

Chairman Rogan stated sure.

Rich Williams stated the first has to do with O'Mara Wetlands/Watercourse application.

Chairman Rogan stated yes.

Rich Williams stated Ted and I did meet after the work session, it was determined that the original plan was going to stand we were not going to consider doing any lawn in the back, that being the case I would think that we are in a position to set a public hearing.

Chairman Rogan stated O'Mara motion to set a public hearing for the next meeting.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries by a vote of 5 to 0.

Chairman Rogan stated can we make sure that Harry knows about sending all of the notices.

Rich Williams stated (inaudible).

The Secretary stated yes.

Chairman Rogan stated sooner rather than later.

The Secretary stated absolutely.

Chairman Rogan stated okay.

Rich Williams stated the second issue has to do with a request that came in the office this afternoon on the Boniello Site Plan, Mr. Boniello is aware that the rules have been changed for performance bonds for commercial site plans and is seeking a reduction in his current bond amount. I don't know if the Board wants me to send that over to the Town Attorney to have the Town Attorney look at...

Board Member Montesano stated how much does he owe us from the last time.

Rich Williams stated I think its in excess right now of 11,000 dollars.

Board Member Montesano stated then why should we reduce this one.

Chairman Rogan stated well not, it's two different, it's not a matter of reducing this one, he owns us 11,000 dollars for services rendered, correct.

Rich Williams stated correct.

Chairman Rogan stated so I understand your logic, the Town shouldn't expend anymore funds for review until the eleven is paid, I think is what you are kind of referring to...

Board Member Montesano stated definitely.

Chairman Rogan stated yea, the 11,000 he owes isn't the bond, that is money from review fees, from Rich's time, from Andrew's time or maybe back to Gene Richards...

Board Member Montesano stated I think at this point in time before we take step two we ought to have step one completed and that means getting paid.

Chairman Rogan stated let's send a letter to Mr. Boniello saying we are more than happy to authorize the Town Attorney, Town Engineer to because the Engineer would have to look at the bond calcs so in order to do both those, we would be happy to authorize that but we first are concerned about the outstanding balance from fees that haven't been paid yet, we are hesitant in this climate to...

Rich Williams stated perpetuate...

Chairman Rogan stated perpetuate his bill.

Rich Williams stated no problem.

Chairman Rogan stated okay, anything else, Ron, anything, we missed you at the site walk.

Mr. Taylor stated I had to go upstate, sorry I really wanted to be there. I guess I need to submit written comments, is that what I need to do because I talked to Judy and Pat...

Chairman Rogan stated well no, written comments are always a blessing because it gives us a point of reference but if you have anything that you would like to add, you can go ahead right now.

Mr. Taylor stated well one of things, I as a member, as the representative of the Historical Society I think what I am supposed to be saying is this is an old barn, it's a historic barn, we don't know how old it is, it's on the 1854 map, it's part of the Samuel Towner property which dates from the 1760's, 1770's, it probably wasn't built that long but it is part of the property and all of the comments that I heard from everybody seem to be saying don't use the site which means the barn would be gone. Unless there is adaptive reuse for old structure, they do not survive, this is one rare case in Town where somebody has proposed actually using one of these old structures clearly, there are limits on its use but if Hudson Valley Trust can work out that use without a lot of things being thrown in the way like an old tree that is going to prevent the road being widened, trees do re-grow, old barns do not. I just think we, the Board should consider Hudson Valley Trust's position in how they are trying to deal with this difficult site but they apparently found a way that they think they can use it, it is unclear how they are going to because we don't know how they are going to use. The issue about senior citizens and meetings, maybe they are not going to have meetings up the hill, they do have the meeting right at the parking lot on the ground floor, so they are going to refurbish that for the seniors, then maybe that is where meetings will take place and we were just vaguely told its going to be offices...

Chairman Rogan stated we need more information.

Mr. Taylor stated like the offices down the hill, maybe they are going to move some of those offices up there and then it will be the people who are using the offices for free, whether they want to schlep their stuff up there for free for that space or not. The Historical Society certainly would be willing to schlep up the hill in the rain at night if we had to, for a better space, we are sharing space with four other people at the moment, four other groups.

Board Member McNulty stated I don't think the issue is actually the use of the building but so much as access to the building.

Mr. Taylor stated I understand that but...

Chairman Rogan stated I think there is an alternative there Ron that they are looking at, I think that access off, that direct access off of [Route] 311...

Mr. Taylor stated yes.

Chairman Rogan stated I think we need to really take a hard look at that, how we can make that a quality access with good parking, maybe not parking for 100 people but parking for maybe 15 cars...

Mr. Taylor stated something like that.

Chairman Rogan stated so that might be the compromise on this but I don't think anyone is taking the potential for the use of that building away from them I think everybody liked the idea of making use of something historic like that, we are just very concerned the way they currently show the plans, we don't have enough information, you hit the nail on the head on that one.

Mr. Taylor stated I just when I heard talk about why not build the building down in the wetlands...

Ted Kozlowski stated first of all, it's not in the wetlands but second of all, there is impact to the residents there and that's...

Chairman Rogan stated well that's...

Board Member McNulty stated that's huge.

Board Member DiSalvo stated that is the main thing.

Ted Kozlowski stated there is a big impact to those people.

Board Member Montesano stated and handicap parking, how are you going to go up and down unless you are going to confine people to one floor.

Ted Kozlowski stated no, plus you are going to have to meet ADA requirements and there are a lot of issues here.

Chairman Rogan stated and then Ron the other thing that was mentioned was in the amount of money that it's going to take to obviously take to put into this project and I think that is where the idea of the possibility of putting a building down below is for the amount of money you are going to spend on this, you have the parking already in place and it was just thrown out there as an observation, you know, we can't really tell them where to spend their money but we can identify concerns as you know...

Mr. Taylor stated oh sure.

Chairman Rogan stated and hope that we can come up to a compromise as to how to resolve some issues and at the end of the day hopefully we can all compromise.

Mr. Taylor stated yea, I am just trying to weigh in on the one site.

Chairman Rogan stated I appreciate that.

Mr. Taylor stated it always is cheaper, or generally it is cheaper to build new than it is to restore and preserve but it is a significant structure, it is in a particular neighborhood that it blends well with the neighborhood, given the mill across the street and my barn and the other houses there, it would be a shame to see that disappear from the area.

Chairman Rogan stated sure.

Board Member DiSalvo stated I don't think it will disappear, I think they just maybe need to find a more passive for that building you know, some kind of a farm museum or something that relates more to what the building was built intentionally for, not to, they are talking about adding on a whole new section to that building, you know.

Chairman Rogan stated well that is going to be the fun part of the conversation because when we talked about the foot bridge, there was a lot of discussion about use on the other side where this barn is with ideas

of possibly walking trails and arboretums and maybe an education center, certainly you can park a school at the old Town Hall and have children walk across the foot path to go up and see an operating antique operation or some sort.

Board Member DiSalvo stated a steam engine or something.

Chairman Rogan stated so the uses haven't really been clearly identified yet and I think we need to and your point is well taken about trying to make use of some of these historic buildings and we appreciate that.

Mr. Taylor stated thank you.

Chairman Rogan stated anybody else.

Board Member DiSalvo stated I got a little question, with A&P, they put out their little hot dog stand in the front there, do they have to have a site plan for that like we had to approve for the hot dog bus at the steak house or this new hot dog stand over here at Empire Tools or can they just slap up another fixture by A&P that you can't get through the door and creates a little traffic jam there with people waiting on line.

Chairman Rogan stated I've never even seen anybody there getting a hot dog at that thing.

Board Member DiSalvo stated I would but I...

Rich Williams stated yea, they do all the time.

Chairman Rogan stated do they, wow, must be, I never noticed it either.

Board Member DiSalvo stated they charge you a dollar for a hot dog, don't have the hamburgers like they fry them in a frying pan right there on the sidewalk. I mean is there some type of a site plan that they need like the other gentlemen have to go through.

Rich Williams stated I would say this is a slightly different situation than the other gentleman had to go through when he's got a...

Board Member DiSalvo stated structure...

Rich Williams stated big truck that he's parking on the site and he's taking up parking spaces, slightly different but somewhat similar in that you designated the outside of the store for pedestrian traffic, you've got pedestrian flow through there, you've got sidewalks. Now they are putting, not just the hot dog wagon but all sorts of other displays out in front of the A&P.

(Tape 1, Side 2 Ended - 9:11p.m.)

Rich Williams stated the Board went through...

Board Member DiSalvo stated my concern is the doors, the access.

Rich Williams stated sure, the Board went through a similar situation with Tractor Supply, they were very concerned with separating the outdoor display area and where people were going to travel and making sure

that the two stay separate. Here I think A&P is kind of exceeding what the original intent was and there may be fire code issues with that...

Board Member McNulty stated yea, would that be an issue with Code Enforcement, the Fire Inspector.

Rich Williams stated it could be certainly we can talk to Nick and talk with Dave Raines and send a letter over to A&P if the Board feels strongly that the use...

Chairman Rogan stated it should be based on their recommendation if Nick or Dave Raines see and potential problem, then the letter should come from them.

Board Member DiSalvo stated maybe they need to see it in full season with all the other displays there and then this little table for food that is an inch or two away from the door there, you know I stand there and I watch sometimes and I'm like if people have to get in and out of this building...

Chairman Rogan stated there would be hot dogs all over the place.

Board Member DiSalvo stated there are too many things blocking.

Chairman Rogan stated yea, tell them something...

Board Member McNulty stated I've never seen a hot dog vendor there...

Board Member Montesano stated yea, it's there, A&P.

Board Member DiSalvo stated it's A&P.

Board Member McNulty stated yea I know, I understand, I've never seen it.

Chairman Rogan stated yea, it's there a lot, what.

The Secretary stated one at a time.

Chairman Rogan stated sorry.

Board Member DiSalvo stated well they (inaudible).

Board Member Cook stated it's a small table.

Board Member DiSalvo stated it has a Boar's Head oven type of thing.

Board Member Montesano stated well look at the shopping carts, when they opened up you used to be able to walk in the main door, walk to the right and you can deposit your bottles, now try it, you've got all the shopping carts lined up in there...

Board Member DiSalvo stated and that back door is always locked.

Board Member Montesano stated and there is a bench and now there is a little tiny space left and you just wonder and then on the other side of the doorway on the left side, you've got all these displays and now

they gotten on both sides of the doors, when you walk in, you're being aisled in, is it a fire hazard, that is up to, Dave has to look at that and he has to make a decision.

Rich Williams stated so you want to just a sent a letter of to Dave Raines and Nick saying listen the Board is concerned this...

Chairman Rogan stated congestion on the pedestrian areas and accessing that building...

Board Member DiSalvo stated just on the weekends.

Chairman Rogan stated yea, that seems appropriate because they do clutter, I mean I agree with everybody they do clutter up the sidewalks pretty well with their stuff.

Joe Dopico stated just saying, Health Department, are they cooking inside.

Chairman Rogan stated Ag and Markets Facility, yea, it's under Ag and Markets, so I mean but I can certainly check with Ag and Markets to make sure that that outdoor use is acceptable, I'll check with their local inspector.

Board Member DiSalvo stated (inaudible).

Chairman Rogan stated just to make sure because any time you take food out onto the street like that, there is an inherent risk, so we can make sure that they are aware.

Rich Williams stated but I think it does go a little bit further in that you know, they have now displays racks set up, permanent display racks outside and they are taking up the sidewalk at this point.

Chairman Rogan stated the garage at those places, my gosh, blowing all over the place.

Ted Kozlowski stated now with the plants that are out there...

Board Member McNulty stated after a rainy day its...

Chairman Rogan stated yea.

Ted Kozlowski stated then they have solicitors at the exit doors all the time.

Chairman Rogan stated yea...

Board Member DiSalvo stated oh yea, there was somebody, some youth group there last week or some kind of veterans, asking for money...

Chairman Rogan stated all of the above.

Board Member McNulty stated yea.

Chairman Rogan stated okay, motion to adjourn.

Board Member Cook seconded the motion.

Chairman Rogan asks for all in favor:

Board Member McNulty	-	aye
Board Member DiSalvo	-	aye
Board Member Montesano	-	aye
Board Member Cook	-	aye
Chairman Rogan	-	aye

Motion carries by a vote of 5 to 0.

The meeting adjourned at 9:15 p.m.