

**APPROVED**

**TOWN OF PATTERSON**  
**PLANNING BOARD MEETING**  
**April 7, 2011**

**AGENDA & MINUTES**

- |    |  | <b>Page #</b> |   |
|----|--|---------------|---|
| 1) | <b>Annie Molloy's Irish Castle – Sign Application</b>              | 1 – 3         | Sign Permit granted with conditions.<br>Negative Determination of SEQRA granted.  |
| 2) | <b>Eurostyle Marble and Tile – Continued Discussion</b>            | 3 – 4         | Discussion of As-Built Site Plan and items still to be addressed.   |
| 3) | <b>Thunder Ridge Ski Area – Continued Discussion</b>               | 26 – 37       | Discussion of site walk at Fox Run WWTP. SEQRA/Lead Agency discussion, discussion of disturbance from crane. Pre-notification letters ordered to be sent out. |
| 4) | <b>Taggart Estates Subdivision – Final Subdivision Application</b> | 4 – 15        | Positive referral made to ZBA for barn variances.<br>Discussion of lot sizes, dwelling sizes, fire tank placement, and wetlands.                              |
| 5) | <b>M &amp; S Iron Works – Site Plan Application</b>                | 15 – 25       | Discussion of site layout, paving, parking spaces, and staking for a site walk.   |
| 6) | <b>Other Business</b>  |               |   |
|    | a. <b>Levine Fill Permit</b>                                       | 25            | No new information.   |
|    | b. <b>Green Chimneys Site Plan</b>                                 | 25            | Discussed at 3.31.11 Work Session.  |
|    | c. <b>Project Updates</b>  | 25 – 26       | Discussion with Town Attorney, awaiting information from Town Board.  |
| 7) | <b>Minutes</b>   | 26            | February 24 <sup>th</sup> and March 2 <sup>nd</sup> Minutes Approved.   |

**PLANNING DEPARTMENT**

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**TOWN OF PATTERSON  
PLANNING & ZONING OFFICE**

**ZONING BOARD OF APPEALS**

Lars Olenius, Chairman  
Howard Buzzutto, Vice Chairman  
Mary Bodor  
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Gerald Herbst

**PLANNING BOARD**

Shawn Rogan, Chairman  
Charles Cook, Vice Chairman  
Michael Montesano  
Thomas E. McNulty  
Ron Taylor

**Planning Board  
April 7, 2011 Meeting Minutes**

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

**APPROVED**

Present were: Chairman Rogan, Board Member Cook, Board Member Montesano, Board Member McNulty, Board Member Taylor, Rich Williams, Town Planner, Andrew Fetherston of the Town Engineer's office Maser Consulting, Councilman Joseph Capasso, and Mr. Timothy Curtiss and Miss Melissa Klepack of the Town Attorney's Office.

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

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

There were approximately 6 members of the audience.

Michelle Russo was the Secretary and transcribed the following minutes.

Chairman Rogan stated ladies and gentlemen, please remain standing for one moment, if I can ask for a moment of silence for the passing of Bill Burdick, former Patterson Highway Superintendent.

Moment of silence ensues.

**1) ANNIE MOLLOY'S IRISH CASTLE – Sign Application**

The Applicant did not appear.

Chairman Rogan stated thank you, thanks very much. Okay, we were expecting anyone for Annie Molloy's...

The Secretary stated Cheryl talked to somebody today I believe and told them that should be here and that the meeting starting at 7, so I'm not sure if they are coming or not.

Chairman Rogan stated okay because that application from what I recall was pretty straight forward except for the issue of the lights being shielded correct...

Rich Williams stated correct, I also talked to Mr. Stewart who is the new owner of Annie Molloy, who said he was going to make every attempt to be here, he wasn't sure he was going to make it.

Chairman Rogan stated okay, he wasn't sure if he'd make it though.

Rich Williams stated wasn't sure, I said that if he wasn't here the application is fairly straight forward.

Chairman Rogan stated the sign meets with the Town Code for sizing for the existing location, we would add a note that states that the lighting that is existing needs to be shielded with some type of shrubbery, something like that, maybe they can meet with Rich to find out what would be acceptable in that regard. Anyone have anything that they want to...

Board Member Cook stated no issues right with IO Wellness.

Rich Williams stated no.

Chairman Rogan stated no.

Board Member Cook stated okay.

Board Member McNulty stated and it's going to fit within the frame that is shown on this picture here, its not going to be any higher or any lower...

Rich Williams stated it's the exact same size that's there now.

Board Member McNulty stated okay.

Chairman Rogan stated so if anyone feels like doing a SEQRA determination and an approval on this sign.

Board Member Cook stated I'll do SEQRA, in the matter of Annie Molloy's Irish Castle Restaurant, I move that the application or that the Planning Board, excuse me, finds the proposed action will not have a significant impact on the environment and hereby issues a negative declaration of significance.

Chairman Rogan stated second please.

Board Member Taylor seconded the motion.

Chairman Rogan stated asks for all in favor:

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

The motion carried by a vote of 5 to 0.

Chairman Rogan stated in the matter of the same application, we'll move that the sign application for the sign as proposed with the information provided with the application, not to exceed 20 square feet, be approved with the one change that the applicant meet with the Town Planner to propose a shielding for the existing lights, some kind of shrub or some other shielding appropriate or acceptable to the Town Planner, so moved.

Board Member McNulty seconded the motion.

Chairman Rogan stated asks for all in favor:

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

The motion carried by a vote of 5 to 0.

Chairman Rogan stated okay.

Rich Williams stated just to be clear; you want me to ask them for a shrubbery.

Chairman Rogan stated well something, that's what we did originally and it didn't, it will be Rich the Shrubber, heading out there to, with the last sign they were supposed to do that, it just never got done, right.

Tim Curtiss stated Rich the Shrubber.

Chairman Rogan stated that's got like Monty Python written all over it.

Board Member Montesano stated is that like (inaudible).

## 2) **EUROSTYLE MARBLE AND TILE – Continued Discussion**

The applicant did not appear.

Chairman Rogan stated yeah, okay, Eurostyle Marble and Tile, we have a detailed memo from Rich which seems to indicate that there are some things that need to be addressed.

Rich Williams stated there are, initially when I took quick review of it, it looked like he had hit most of the items upon further review and comparing it with past issues, there are still some things that need to be dealt with, whether you're going to make him, you know install the handicap ramp as it was originally designed or you're going to allow the asphalt ramp to remain and re-delineate other spaces for handicap, we've got some issues with the stormwater pond, the rip rap out flow to the hundred year storm only goes halfway up the slope, he didn't bring it up over the top, the ponds need to be cleaned out, a lot of issues...

Chairman Rogan stated so there's some stuff.

Rich Williams stated yeah...

Chairman Rogan stated okay.

Rich Williams stated and I was hoping he was going to be tonight so we could talk about and see what he wanted to do...

Chairman Rogan stated okay, maybe he'll be here. In terms of the parking I imagine we'll look for a recommendation from both Rich and Andrew in terms of...

Rich Williams stated you've never been there, its over on Commerce Drive.

Chairman Rogan stated just in terms of, obviously it has to meet the ADA compliance and it has to meet our requirements for safe parking, if it can be accomplished in another way and everybody is amendable to that then that's fine but its something we have to take a look at.

Rich Williams stated well yeah, you really have I think two options, one is leave the blacktop ramp that's going in there, assuming that it meets ADA compliance no one has ever taken any measurements...

Chairman Rogan stated in terms of like slope and width and...

Rich Williams stated yeah, it looks like it does but we need to check, in which case we shift the ADA parking over and we delete one parking space out, or plan b, you know he puts the drop curbing for the side walk the way it was originally specified with the ADA accessibility aisle going into that curbing and delineate that parking the way it was supposed to be delineated.

Chairman Rogan stated okay, a few of the items just have to be updated to the as-built, like the canopy for instance, well let's see if he shows up, if not he was sent of copy of this, we can get him here for next meeting to see what his plans are to address some of these. It seems like you've outlined them pretty well.

Rich Williams stated would you like me to meet with him out on the site in between now and the next meeting...

Chairman Rogan stated thank you, that would be great, assuming he doesn't show up tonight. All right, let's skip over item three, unless anyone has any objection at the moment, Taggart Estates we have updated plans and Andrew I know that you had sent a memo out on this, I got it via e-mail...

#### **4) TAGGART ESTATES SUBDIVISION – Final Subdivision Application**

Mr. John Watson of Insite Engineering was present.

Andrew Fetherston stated yeah, a couple of clean up items Shawn, just stuff that we want to get onto the plan before our inspector gets out there and its just easier when we say do it per the plan and its completed, I just had a couple items.

Chairman Rogan stated okay and I know Teddy had mentioned at the work session that he still continues to be concerned about the delineation of the wetland area on the left side of the entrance road that we might possibly be able to do a good a job demarcating that wetland, he was going to work up some ideas for some wetland signs that we more than just the wetland little indicators but maybe something that gave a little

more explanation about the wetland and the hope was to try gain sense of ownership to this wetland by the property owners adjacent so that it didn't turn into a dumping ground or a place where things were dumped, so...

Board Member McNulty stated you're talking about a post and rail and fence maybe.

Chairman Rogan stated yup, anybody out there.

Rich Williams stated no, John Watson is coming for this tonight because Theresa had to be somewhere else...

Chairman Rogan stated okay.

Board Member McNulty stated maybe people still think it starts at 7:30.

Chairman Rogan stated yeah maybe.

Rich Williams stated well let's finish up and go home, that'll teach them.

Board Member Montesano stated okay.

Board Member Taylor stated if the concern is with people coming in and dumping stuff, how is a post and rail fence going to stop that from happening, don't we need a real fence or...

Board Member McNulty stated I think Teddy's intention is to just delineate that wetland somehow, its not going to stop anybody from dumping, its not going to stop an ATV either...

Andrew Fetherston stated show some pride in ownership as opposed to you know...

Board Member Taylor stated physically trying to stop anything.

Chairman Rogan stated right.

Board Member Taylor stated good luck.

Rich Williams stated I think I probably have a better idea for a deterrent in that its going to be owned by the district and if people dump in there and we have to charge them, charge everybody in the district to go in and clean it out, the first time they get that on their tax bill...

Tim Curtiss stated they're not going to be happy.

Rich Williams stated they're going to be looking a whole lot closer out there...

Board Member Taylor stated the signs should reflect that.

Chairman Rogan stated Rich, do you have anything on Taggart that you want to.

Rich Williams stated on Taggart, yeah there's a couple of things, one of them, taking a look at the plans, the plans show a very small box for a house, I think it was 25 by 30 for the actual house but if you look at

the septic plan, the septic plan is showing they are designing them for all 5 bedroom homes, so the potential is there I just wanted a lot for a 5 bedroom home on it which typically is a much larger footprint on a house, I'm thinking probably 30 by 40 or 40 by 70...

Andrew Fetherston stated 30 by 60...

Rich Williams stated yeah.

Chairman Rogan stated yeah.

Board Member McNulty stated which lot is this Rich.

Board Member Taylor stated all of them.

Board Member McNulty stated all of them.

Rich Williams stated all of them, now that has two concerns that I have brought to your attention is, one is you know there is almost a doubling of the amount of stormwater runoff you're going to get if you go to a 40 by 70 house, the other is if you try to squeeze a 40 by 70 house on some of these lots it doesn't work with the way the layout is right now, you have to shift the driveway and everything else so, you know I raise that as an issue for the applicant and also for the Board to take a look at it...

Andrew Fetherston stated its small...

Rich Williams stated yeah.

Andrew Fetherston stated the current practice of seeing that these lots could be later developed with a shed and pool also, I don't know this is...

Rich Williams stated well I did look at that and they can get generally all those amenities on the site, the houses don't layout the way it looks like they designing them.

Chairman Rogan stated John Watson.

Rich Williams stated John.

Chairman Rogan stated hey John.

Mr. Watson stated hello.

Board Member Taylor stated so do we want to...

Chairman Rogan stated we were waiting on you, you're our only person tonight.

Mr. Watson stated I don't believe it.

Rich Williams stated wait, do you see anybody else back there.

Mr. Watson stated no...

Rich Williams stated two attorneys, planner...

Mr. Watson stated there's people in the parking lot.

Rich Williams stated are they waiting for you.

Mr. Watson stated are you ready for me, seriously.

Rich Williams stated yes, seriously, they were talking about Taggart.

Mr. Watson stated oh.

Board Member Cook stated it's up to you.

Chairman Rogan stated no, that's fine.

Mr. Watson stated well I'm here for Taggart.

Chairman Rogan stated that's what we're talking about. We were just ready to approve or deny but we weren't sure what you were going to bring to us.

Mr. Watson stated there's problems.

Chairman Rogan stated John, I was just telling everybody I left you a great message yesterday or the day before that I said he's going to save and send around and say who the heck is this guy because I lost my voice completely yesterday, it was horrible but we'll talk.

Mr. Watson stated yes. Do you want a plan up.

Chairman Rogan stated sure.

Mr. Watson stated John Watson from Insite Engineering.

Chairman Rogan stated good evening.

Mr. Watson stated good evening.

Chairman Rogan stated so John what we were just talking about before, a couple of things that came up, obviously there are review memos from our staff, the, Teddy the Wetlands Inspector is not here tonight but we spoke at the work session about and we've been talking about this over the last several months that what we would like to work towards is the protection of the wetlands shown to the left of entrance road...

Mr. Watson stated yeah.

Chairman Rogan stated in terms of just identifying it as a wetland and trying to keep people from throwing trash and debris in there not that we've nailed down anything yet but we were, at one point someone mentioned a post and rail fence along the perimeter, Teddy is going try to mock up signs that would be more, a little more substantial than our current wetland delineation markers that the intent was to try to

build some pride into this to say this is a unique feature of this area not something just to be dumped or used inappropriately and so obviously Teddy will give more information on that but that was mentioned at the work session.

Mr. Watson stated okay.

Chairman Rogan stated Rich and the Board were just talking and Andrew, I'm sorry, we're talking about the size of the footprints of the homes as shown on the subdivision and Rich had said he thought that the septic systems are being laid out probably for four or five bedroom septic systems yet the footprint of the house seems to be a fairly small house and he was concerned that that drives your stormwater calculations and in some bases, the size of the house that most likely would be built, may not work with the layouts that are being shown for the driveway et cetera, so that was about the conversation when you just walked in.

Mr. Watson stated okay.

Chairman Rogan stated jump in any time Rich.

Rich Williams stated yeah basically it was that, some of those houses are placed right close to or on the zoning set back line, if you go to a 40 by 70 house which is more typical than a five bedroom house, that's either going to go over that zoning set back line or you're going to have shift the driveways and everything over an re-grade and I would rather see you take a look at that now and then you know later.

Mr. Watson stated okay.

Rich Williams stated the next issue that I had that I was just going to throw out to the Board and Andrew especially, is the fire tank and where they are laying out the fire tank which is right down at the entrance of the road, which is in the general area that Dave Raines, Fire Inspector had indicated he would like to see a 30,000 gallon fire tank, I know you're looking for some feedback as to why it needs to be 30,000 gallons...

Mr. Watson stated why 30,000...

Rich Williams stated that will be up to Dave Raines but my concern was is that tank is right up against that paved area of the road, sandwiched in between that and the right of way, typically in the past we've tried to create an expanded right of way there and a pull off so that a vehicle could get off to access the tank, do maintenance or fill from there while traffic is still passing back forth, you also have the issue of you want to put some bollards up to protect the fill and vent pipes and they are going to be right on the road so you know I think they should be pushed back a little bit but I'm sure Dave Raines is going to weigh in on this heavily and I think Andrew should (inaudible).

Andrew Fetherston stated I agree, I think a pull off would be great, you have an easement there for the stormwater, maybe that can be incorporated or (inaudible) substantial change from that matter as to what is encumbering that lot. Yeah, its just a damn big tank, its very deep in the ground...

Mr. Watson stated we agree.

Andrew Fetherston stated I just wish that it didn't have to go in a level area, I wish that the road was here, it dropped off, you could put it, you could fill over it as opposed to excavating you know by his soil testing, we know damn well he's going to be going through a lot rock to get that thing in...

Board Member McNulty stated where on the plan John is the tank going to be...

Mr. Watson stated down here.

Andrew Fetherston stated on the right side of the driveway, just as you come in.

Mr. Watson stated if you go to the next sheet...

Board Member McNulty stated road (inaudible) access.

Rich Williams stated you have to look at the enlarged plan in your set.

Chairman Rogan stated okay.

Board Member McNulty stated its tough to put it right at the intersection like that, isn't it.

Rich Williams stated the fire department and Dave like them at the intersection because...

Board Member McNulty stated easy to turn around and change direction.

Rich Williams stated you can go multiple ways.

Chairman Rogan stated yeah.

Andrew Fetherston stated I didn't know if Dave or anybody had ever considered their using the plastic infiltrators for a lot of the stormwater capture, those can used for fire storage if they were put into something that was not going to lose water, for instance you could have the stormwater go in, trap the sediment, lose some of the debris, fill this tank up and when that is satisfied, when that's full to the top, go over to the stormwater system, so that those things are always replenished with a new supply and they'd be shallow, it would be a larger footprint but you'd possibly wouldn't get into the rock but because of the larger footprint, you have a larger easement and then it's a larger encumbrance on that lot so, I'm sorry, they could be placed in a couple locations too, do you necessarily want 30 in one spot or can you do ten, ten or fifteen, fifteen. I don't know what Dave exactly wants but we can just, it would be a little cheaper, its tough, it's a wise move to, it's a big feature.

Rich Williams stated what Andrew's talking about we tried over at Chestnut Knolls, we put a cistern in the ground and it was fed by stormwater...

Andrew Fetherston stated right.

Rich Williams stated the two things we found in doing that was that the source of water was unreliable, I don't know why but if it goes in the tank the tank should stay full but it didn't and there were all sorts of particulate matter, sediment, other stuff getting in because it wasn't properly filtered before it was getting in there, the devil is always in the details...

Mr. Watson stated yup.

Rich Williams stated so the fire department when they are drafting have to have a very clean source of water, if they start picking up a lot particulate matter and it starts messing with the pumps.

Andrew Fetherston stated I don't disagree with that however dry hydrants go into ponds every day.

Rich Williams stated every day, absolutely.

Andrew Fetherston stated so, it's, devil's in the details, you know get the sediment out of it, these guys are professionals at doing the water quality so maybe...

Board Member McNulty stated so the function of this tank would be to be filled with water all the time...

Mr. Watson stated yes...

Board Member McNulty stated or for a tanker to drop off.

Mr. Watson stated to be filled all the time.

Board Member McNulty stated and then tanker trucks would replenish it if there was a fire.

Mr. Watson stated okay.

Board Member McNulty stated okay.

Chairman Rogan stated at one time we had discussed going back several years ago when these tanks just coming to conversation with the Board about them being connected to individual wells that would refill them automatically and when we went through a lot of discussion on that, we felt like having the well and having the pump and the electrical, it would probably be more of a maintenance nightmare because of the infrequency in which they were being used instead of just having somebody, they draw out water to fight a house fire, they refill it on the situation whether it goes to the insurance company or whatever it just is a, the fire department seemed pretty willing to refill these things in terms of a, at least at the time.

Mr. Watson stated to purchase water bulk from Durkin is very cheap, you can get one of their tractor trailers for like three hundred dollars delivered, its like very cheap...

Chairman Rogan stated yeah.

Mr. Watson stated six thousand gallons for three hundred dollars, so its, you'll never recoup the cost of drilling a well.

Chairman Rogan stated and you could have area one of these units that doesn't get used for three or four years so you know like I said, a well doesn't have a prayer, I'm sure the wiring and everything just from lack of use would...

Mr. Watson stated right but what we've done in the past on other ones like this, is you just fill it up with the homeowners wells, it sounds like 30,000 gallons is a lot, you run 5 gallons a minute, 7,000 gallons a day, in four days you can fill, its not bad for the well and it fills it up, so that's typically what we've done in the past, is just fill it up with the well it just takes several days because its not something that needs replenishing, its...

Rich Williams stated the last issue I think needs some consideration by the Board tonight has to do with that district lot, the applicant is proposing to offer that lot to the Town and part of the district that's going to be created out there so that it will become Town property on behalf of the district. There are a couple of different ways that transfer can occur to the Town, it can be taken as part of the, when they file the subdivision plat, you can (inaudible) take it right at the inception of the subdivision, in which case there are a couple of other steps we need to take as far as providing for construction easements and making sure that the Town is not held liable for anything that goes on during the construction phase or we can put an irrevocable offer of dedication on the lot, it's a little bit more risky for the applicant should the Town Board ever change their position and decide they don't want to take the lot but part in parcel with all that, my recommendation is that this go back to the Town Board at this point, just to update them where we are, let them know what's going on with this lot and make sure there is a comfort level with the Town Board that when this gets filed that they are going to be receptive to acquiring ownership of that lot at some point.

Chairman Rogan stated so it would just the lot that would have enough room for the fire suppression system, is that what you're talking about or the wetlands lot...

Rich Williams stated no, the wetland and stormwater, the center of the site.

Chairman Rogan stated oh that's fine.

Rich Williams stated so I don't know if the Board has any thoughts on which way you'd like to see you know, the transfer of ownership occur or the Town Attorney if they have any...

Chairman Rogan stated that's what I was going to ask.

Tim Curtiss stated generally, oh sorry, generally what we would do is to, yeah I think it...

Chairman Rogan stated I hear a voice from above.

Tim Curtiss stated generally what we do is have them do the offer of dedication, we do the deeds up and then depending upon the Boards, your Planning Board and the Town Board we just have them and the type of construction that's going to be there, if there is going to be anything actually crossing a lot or in proximity to it, we then have them make the conveyance. So we do the offer of dedication and then have it all ready to go and then just usually trigger it at the end of the project.

Board Member Cook stated so with the dedication, that then means that the Town...

Tim Curtiss stated the ball is the Town's court to accept the dedication and once they accept the dedication transfer occurs.

Board Member Cook stated right but then it's up to the Town to maintain that whole area.

Tim Curtiss stated well it would, yes it would be a Town responsibility subject to billing back the district.

Board Member Cook stated subject to billing back, okay.

Tim Curtiss stated yeah.

Rich Williams stated but the billing back to the district would be really only those issues related to the stormwater.

Tim Curtiss stated correct...

Board Member Cook stated yeah.

Tim Curtiss stated correct, cleaning the catch basins and things like that. You know, unless there became an issue in the wetlands and we had to go out and clean it up or do something in the wetlands but that would be less likely.

Board Member McNulty stated what advantage is it to the Town to take ownership, its going to become a district either way, correct, so its either the Town owns it or the development owns it...

Tim Curtiss stated the Homeowner's Association would own it.

Board Member McNulty stated Homeowner's Association.

Tim Curtiss stated the only, the difficulty is the Homeowner's Associations sometimes goes belly up and we end up with it anyway, this way we can monitor it, do the work and make sure it gets billed back on the tax bill and kind of keep control of it.

Rich Williams stated sometimes it much worse, the HOA goes belly up and then there's nobody to even transfer the property.

Tim Curtiss stated right then you have to go searching all the homeowners to get the transfer and it becomes a nightmare.

Chairman Rogan stated Rich is this the work that is required to maintain these stormwater basins, is this something that our current Highway Department has the ability to do, would need to purchase equipment to do or do we need to contract this out.

Rich Williams stated they have the ability to do, they currently don't, this is something we're wrestling with, with the whole MS-4 program, who is going to maintain them, how are they going to be maintained, I was at a meeting today talking about some other things and it came up about the Highway Department and their staffing and you know I jumped right in that yeah really we need 4 guys and a few more pieces of equipment to maintain these ponds Town wide, if that's the way its going to go.

Chairman Rogan stated and so that is also a good reason why the Town Board needs to be involved in this to have a buy in or not because ultimately it has implications to you know, to the Town.

Rich Williams stated right, I mean the way we're setting this up, it becomes very easy once we create the district because the property owners are essentially taxed, you know a small amount every year and as we need to maintenance, we go in and do it. I have a lot of ponds, probably about 65 ponds in the Town, no districts, no ownership, no nothing.

Chairman Rogan stated I think it would be great if the Town would decide that these types of situations, this is the way they want to proceed with them, we can do it from here forward because this work isn't going to go away.

Board Member McNulty stated are there any disadvantages to the Town to have it, to take ownership.

Rich Williams stated liability.

Tim Curtiss stated liability would be about the only issue and that's somewhat minimal that's really not a high liability.

Board Member McNulty stated and then what if it does get littered, people dump there, is it then the Town's responsibly to clean it up or is that a billable action back to the...

Tim Curtiss stated it would be billable, we would clean it up but it would billable back to the district.

Board Member McNulty stated so the district is responsible for all the cost regardless of who owns the property.

Tim Curtiss stated correct.

Rich Williams stated somebody gets hurt on an ATV.

Tim Curtiss stated well yeah, somebody gets hurt on an ATV, it's possible...

Chairman Rogan stated a child falls into one of those ponds.

Tim Curtiss stated a child falls into a catch basin...

Board Member McNulty stated the fact of having it properly posted and...

Board Member Cook stated fenced so that it, taking the dedication the Town will then have the final say in the fencing or whatever else to quote protect it.

Chairman Rogan stated I think we would either way.

Rich Williams stated yeah, either way, I mean that's going to part of the approval.

Board Member Cook stated yeah.

Rich Williams stated the benefit of the Town taking it up front rather than taking it as an offer of dedication is we have more control over the parcel, more control about what goes on, on the parcel, if we wait until the back end, the developer decides that they want to do something else out on the site, well its still their property, they still own it so they could be fouling the Town ever wanting to take it but they could deviate from the approved plan in some aspect.

Chairman Rogan stated so what sort of an action does our Board need to take in order to send this to the Town Board for consideration, just that.

Rich Williams stated I've already made the suggestion that they throw it on the agenda just to have the discussion.

Chairman Rogan stated great.

Board Member McNulty stated and then we'll make some kind of decision based on their recommendation.

Chairman Rogan stated it would just be the way the process would move forward, right, I mean if they come back and say yes you guys are right on task this is the way we think we should go, we just roll that into our whole process.

Tim Curtiss stated into the final plat, yeah.

Chairman Rogan stated okay.

Board Member Cook stated and what about referral to the ZBA, is that now or later.

Rich Williams stated you can make a recommendation, there is no referral necessary for the ZBA, you certainly can make a recommendation any time you feel its appropriate, its up to the applicant whether they want to...

Mr. Watson stated we'd like to pursue that now so if you could make the recommendation.

Rich Williams stated so if you want to make a recommendation now.

Chairman Rogan stated and that's for the open development design.

Rich Williams stated that's for the area variances they would need for the barn.

Mr. Watson stated right.

Chairman Rogan stated oh I'm sorry, okay I was reading something that was already done. So does anyone want to make a recommendation to throw this over to Zoning Board for that variance.

Board Member Cook stated I'll make the motion that the Planning Board grant a positive referral to the ZBA with regard to Taggart Estates Subdivision.

Rich Williams stated would you like to include anything in there as to why you think the barn should stay.

Board Member Cook stated anything about what.

Chairman Rogan stated why you think it should stay.

Rich Williams stated why you think the barn should stay, attractive barn...

Tim Curtiss stated local history.

Chairman Rogan stated when we did the site walk, we walked into the barn, I thought it was a usable structure and if it can be used by someone, it should be saved. I don't remember, Ron, do you have anything on the historical...

Board Member Taylor stated I came up with nothing on this, it's not that old of a structure...

Chairman Rogan stated yeah.

Board Member Taylor stated I like barns, it would be nice to keep the barn but historically...

Chairman Rogan stated they'll get a variance and the new property owner will tear it down anyway, they won't like it, they'll say I have a brand new house, I don't want an old barn. I'll second that motion.

Chairman Rogan stated asks for all in favor:

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

The motion carried by a vote of 5 to 0.

Chairman Rogan stated okay, it sounds like that variance isn't a make or break for this subdivision.

Mr. Watson stated no.

Chairman Rogan stated okay, anything else on Taggart for this evening.

Mr. Watson stated one thing, Theresa asked if you had contact the Highway Department on the location of the driveways and the roads.

Rich Williams stated I dropped the plans off today.

Mr. Watson stated so we'll hear from you or them, that's it.

Chairman Rogan stated okay, great, John if its okay with you, we're going to bump Thunder Ridge to the end of the agenda just because I anticipate that being a long discussion. We'll jump right into M&S Iron Works, I don't think my voice is going to hold much longer so.

#### **5) M&S IRON WORKS – Site Plan Application**

Mr. Nathaniel Holt, Mr. Phil Spagnoli, Mr. Anthony Spagnoli and Mr. Pete Monteleone were present.

Chairman Rogan stated (inaudible) every time. Did you guys get one, somebody just, it's a spoof thing...

Board Member Cook stated someone's pulling your chain.

Chairman Rogan stated especially with how much I love these.

Board Member McNulty stated yeah.

Chairman Rogan stated you want this, good evening.

Mr. Holt stated good evening.

Chairman Rogan stated how are you.

Mr. Holt stated I'm good.

Chairman Rogan stated great.

Mr. Holt stated for the record my name is Nathaniel Holt, oh the speaker.

The Secretary stated thank you.

Mr. Holt stated for the record I'm Nathaniel Holt, I'm the engineer on the project...

Chairman Rogan stated you can take that out.

Mr. Holt stated I'm here with the two representatives of M&S Iron Works and of course the property owner Pete Monteleone. We're proposing here is a site plan application for M&S Iron Works, they want to move their facility from Ossining into Town here and what we are going to do is talk about developing this site into five phases. The first phase would be this section here which is their main fabrication shop and an office, these total 12,000 and 6,100 feet respectively, this may be like a one b, this open storage area, where the material can be delivered and stock piled before it gets into the fabrication shop, that is about 12,000 square feet, under this phase, what we are proposing to build along with that is the parking lot of course, the parking here, we'll develop a sewer system for the entire property and of course the stormwater mitigation system. The way this lays out, almost all of the drainage, almost all of the sewer gets built in the first phase so that as the other buildings come on line, we don't have to tear up the property again because in the second phase, is another shop extension here about 9,000 square feet and the third phase is a garage for equipment repair and so on and then this is planned, pretty far out into the future but this is another specialty that they provide and what we're thinking is it will be the stainless steel shop all right, but again we're not sure when that will take place but we're thinking five to seven years out before that starts kicking in. There will be a little office space inside this front building and then of course this is just the main face of the building. Although it doesn't show on the grading plan, one thing that we are talking, just to jump ahead a little bit, on the fifth phase building, the way the topography works out, what we are considering is getting a basement into this building here, where we could supply other material for the stainless steel operation and then it would just be lifted up through an elevator or whatever. To stay with just the overall concept with the plan, the proposed well for the site will be right here, in the front of this building here, of course then it just gets distributed through all the buildings, the septic tank is here and the fields are here, will drain out into a pump system here, pump up to here and then these guys will drain into the pump station as well and go up into the system up on the hill. We have tested the soils here so we know what to expect as far as percolation goes and the size of this system, to answer Andrew's question earlier in one of his memos, we have not done any testing here yet, where the stormwater system will be, that of course is a big aspect of all of their comments, where are we going with stormwater. We have concept in place but frankly a lot of what we're going to do here I think has to do with anything we maybe able to work out with the Board in the way of paving, clearly if we pave all this site and we have all the buildings and we have a lot impervious surface, we prefer not to have all that impervious surface and we'd like to talk about some place where we might be able to cut that back, it will certainly make the stormwater management easier, keep the more pollutants on site if there are any from stormwater and not have to worry too much about the downstream vernal pool that everybody is concerned about. So that is something that we would like to

keep in the back of our mind of what we want to do and talk about in the future. The site plan application and Code requires 81 total parking spaces, we have a very small crew, at most there are 8 to 10 people there, probably 7 on average, clearly a lot of parking spaces for what this technically requires under the Code so we are looking to land bank some spaces, we're looking to land bank most of them, we're looking to build 31 of them right now, we'd like to build less but it just seems to work better we can build this whole bank of parking in the front and just forget about it and let the driveway work the way it does and clearly when this comes in, we would build these spaces, the rest of them may never get built for our use, unless someone buys the building and then maybe there would be other issues there but then they would be build very easily and just an extension of the existing site plan. Early on I guess Rich raised the issue about whether or not we should build a little more now and I think what our response was is that can we just keep an eye on it, as we start building more buildings, if it looks like it's a problem, make us build the spaces.

Rich Williams stated my concern on that was most typical businesses they segregate their office staff from their manufacturing staff, I thought you might need some in the back, if your comfortable with everybody coming in the front door...

Mr. Holt stated we just wanted to address the, that was a point was made and I thought it was good one and I just wanted to kind of addressed it so you understood where we're coming from. We're proposing obviously two, well actually three curb cuts, the main entry is here for the whole facility, when they come online they'll have their own little separate entrance, this is really set up for a truck exiting from the property, the way we foresee taking place is a truck will load into this area here, back into this space, off load his equipment, like I said earlier they have derricks and cranes they bring it into the main buildings fabricate it, the truck would then get out of the site here if it didn't if there was some reason that there was somebody parked here, he could get out this way but the concept is that its straight through the building.

Board Member McNulty stated he would exit through that open area.

Mr. Holt stated no, I'm sorry, I didn't make it clear, they are going to come out to the side here that's why we kind of left this a little wider, what would happen for the material when its ready is we would have a truck here, they would load it into the truck and he would just go straight out once its fabricated.

Board Member Cook stated is that enclosed or...

Mr. Holt stated no, this is just a roof.

Board Member McNulty stated like a pavilion...

Mr. Holt stated again, the way this sets up, is its just so much easier to store this material under cover until they are ready to fabricate it into whatever pieces they're making.

Board Member Cook stated would you have any idea, I guess it would depend on the business volume, how often the trucks would be coming in there.

Mr. Holt stated I will defer all those questions to someone from M&S, I think that they would be better off answering that question.

Board Member Cook stated I'll hold.

Board Member McNulty stated I asked about through the building because is there enough room on the side of that building for a road, for trucks to exit.

Mr. Holt stated this is actually about 24 feet wide here, so it is wide enough.

Board Member McNulty stated isn't that part of the set back though, the side yard set back.

Mr. Holt stated not for driveways.

Rich Williams stated (inaudible).

Board Member McNulty stated just for the building, okay, fine.

Mr. Holt stated just for the building yes, good question.

Board Member McNulty stated any other heavy equipment or trucks are stored that you have much storage equipment.

Mr. Holt stated generally speaking there isn't, they only have a couple of trucks that are actually stored on site to make deliveries, small deliveries, other wise its you know a bigger truck that comes in but that is why we have so many loading bays on the site, I think under the Code we're allowed 4, we have 11 including the parking bays for them, just for those reasons and those purposes, just to make sure we have them kind of tucked in the back here.

Board Member Taylor stated where do your trucks park overnight.

Mr. Holt stated there would be three spaces are saved here, there's obviously room in the back but we don't foresee more than three trucks being parked here overnight at any given time. It's the kind of operation where the material comes and they leave and when we get it done, they come and take it and get it to the job site.

Board Member Cook stated up in the right hand corner, what is that again.

Mr. Holt stated this is what we call; we're calling this a garage, in the event that we have any repairs to make on a truck, the one or two that we keep. It could easily go to more storage, I mean right now we are keeping in our head that it's a garage.

Board Member McNulty stated the west edge of the property, is that along Interstate 84 property.

Mr. Holt stated [Interstate] 84 is up here yes.

Board Member McNulty stated so its state property that we border up against.

Chairman Rogan stated yeah.

Board Member McNulty stated I was confused in a note that it said [Interstate] 84 is approximately 100 feet...

Mr. Holt stated the right of way is 100 feet.

Board Member McNulty stated okay.

Chairman Rogan stated yeah.

Mr. Holt stated wide, roughly.

Board Member McNulty stated and then there was question about a waiver for a steel building.

Chairman Rogan stated yeah, we talked about that the work session, remember, there was a lot of conversation with the recognition that this is a commercial corporate park and steel buildings have also come a long way in the last 10, 20 years where they are being made with materials that hold up better and look better, compared to some of the problems that we've had in the past and also the recognition that this is a corporate park, commercial subdivision, the real main view shed is really from the highway right, this building, these buildings, maybe be seen from the highway...

Rich Williams stated (inaudible).

Mr. Holt stated you're probably right.

Chairman Rogan stated so the Board was not opposed to the idea of using metal sided building in this case because it just makes sense.

Mr. Holt stated terrific.

Chairman Rogan stated and you know, we allowed it across the street on one of the buildings and again its just, they really, the materials have really come a long way.

Mr. Holt stated actually they are very attractive now, they're not like the used to be.

Chairman Rogan stated yeah, exactly so at some point maybe we'll be readjusting that but at least on a case by case we can see what your proposing, see what you come in with, that sort of thing. We also discussed that we're probably at the point where if we can get some field staking, it would make sense for the, now that the snow is finally gone maybe we can get out there in the next couple weeks as a Board and take a look.

Mr. Holt stated we can take care of that.

Chairman Rogan stated and help me out here Rich but I would think since we're going to do this approval for all the phases, it would make sense to at least point the corners of all the proposed buildings and maybe like a center of drive aisle or something, I mean once the buildings are in place I think its going to layout pretty easy for us...

Rich Williams stated yeah, the only other thing I had identified in the memo was the outflow from the stormwater ponds, so (inaudible)...

Mr. Holt stated absolutely.

Chairman Rogan stated exactly because if its not septic area, it looks like most of that back area is either septic or stormwater so...

Mr. Holt stated and then obviously because of the terrain here we're doing a lot of grading to (inaudible) those pockets and there is more to is, there's going to be other areas within the property, for example I have an infiltration trench planned off the back of this building because I can't get it into the detention basin, things of that nature are going to expand into the drainage system as we go.

Chairman Rogan stated can you also put a few field markers for the western property line.

Mr. Holt stated sure.

Chairman Rogan stated just so we know where that property goes in terms from there to the DOT right of way.

Mr. Holt stated not a problem.

Chairman Rogan stated because there, to the west and then of course to the south there is a vernal pool that we've been looking at over the years and so it will be nice just for that corner of the property to get a sense of where that outfall and how it relates to that vernal pool...

Mr. Holt stated no problem.

Chairman Rogan stated so, anything from anyone...

Andrew Fetherston stated I think just, following up with what Tom was saying about the trucks, maybe doing a truck turn if not the, if the truck that you're going to use on site generally is smaller than a fire truck, use a fire truck, maybe some pipe bollards would be helpful on the corners of the building where they're in asphalt just so if somebody takes a turn they don't clip the building, I'd rather have them clip the bollard...

Mr. Holt stated I can see every one of your points and we'll take care of all of that.

Andrew Fetherston stated a couple of the slopes were just a little flat and may have some, may lead to some ponding but...

Chairman Rogan stated I don't think we've ever had that problem in Putnam County, I've never heard that, I don't ever remember hearing of a flat topo.

Mr. Holt stated this is a unique problem and you're right it is very flat in there because we are trying to make sure that all these floors are relatively flat to get to service everything, I follow your point and we'll see if we can't create some artificial flow spots.

Andrew Fetherston stated I think that the land banking is a great idea to the greatest extent he can do it, I just had a hard time understanding, I mean the fabrication must be such, maybe it could be explained to the Board that the fabrication must be such that its so mechanized the worker, the work force is very small...

Chairman Rogan stated yeah.

Andrew Fetherston stated leaving because the EAF said five to seven jobs, you're saying roughly ten for almost 70,000 square feet, that's a lot...

Mr. Holt stated I've watched these guys work, I was amazed too, I scratched my head, made myself bald talking about it but I mean they're here and they can certainly explain their operation better than I can but I was amazed at how small the staff is and what they get done.

Andrew Fetherston stated yeah.

Chairman Rogan stated does someone from the company want to give us a little bit of info.

Board Member McNulty stated I've been to steel shops and the problem they have is everything is just bulk.

Mr. Holt stated its all layout work.

Board Member McNulty stated the crane handles the weight and the men do the work.

Mr. Spagnoli stated my name is Anthony Spagnoli, basically just about the process...

Chairman Rogan stated yeah, give us an idea of what you guys do.

Mr. Spagnoli stated with a crew of three men you can fabricate enough steel in a day to be as productive as I don't know, four or five times that, once you have the efficient machinery and the automation to do it, that's all you really need. One guy can operation multiple machines at the same time so with a facility this big it's literally to operate this machinery, the size of it and that's all the facility is for. The idea was to make it bigger and less men, the more guys you have touching material the more it costs, it timely...

Rich Williams stated if I could ask.

Board Member Montesano stated you use computer plasma cutters.

Mr. Spagnoli stated everything from drill machines to plasma cutters, so everything is contained basically in this facility and as it comes in its basically stored, comes in, holes put in it, markings on it, goes back around fit up, so everything fits and its checked, comes back out, crane would load it on the truck and gone.

Chairman Rogan stated and what are the finished products, I mean it sounds like it's the broad spectrum but examples...

Mr. Spagnoli stated basically it could be your steel framing, your skeleton to a building, just like you would see in here, these framings of these sky lights or openings you see here, some angle clips that would get connected to it and just your steel I beam members, your H beams.

Board Member McNulty stated is your welding automated also or is that all still done by...

Mr. Spagnoli stated no, the welding is done by hand, the automated robots and all that, we're not quite there yet, maybe in phase five but for now the welding is all done by man but the welders are always faster than the guys cutting up and fabricating the steel, so that's why the automation of the cutting and drilling gets back to the welders faster.

Chairman Rogan stated excellent.

Mr. Spagnoli stated all right, sure.

Board Member McNulty stated great.

Mr. Holt stated I told you he'd do a better job than I could.

Chairman Rogan stated always have the right people talking about the right things.

Board Member Montesano stated we...

Board Member Cook stated at some we have to talk about signage, you're going to have a sign.

Mr. Holt stated yeah, we'll have some sort of sign up there for people to know what's going on, along with traffic control and so on.

Chairman Rogan stated sure, so I think at this point if you would communicate with Rich in terms of when things have been field staked, we'll, I think we are antsy to get outside...

Mr. Holt stated good.

Chairman Rogan stated we've been spending too much time looking at papers.

Mr. Holt stated we're antsy to get you outside too.

Board Member McNulty stated just to add one, Rich, you review the EAF, have you done that yet...

Mr. Holt stated he had a couple of comments.

Rich Williams stated the Environmental Assessment Form.

Board Member McNulty stated yes because I saw some things that I don't know if they are correct or not, it says Zoning or Planning information and does it require an action by Planning or Zoning and I would think that would be a yes...

Rich Williams stated that would be a yes.

Board Member McNulty stated they are minor issues, I just wanted...

Rich Williams stated I did give him a list of things on the EAF...

Board Member McNulty stated usually...

Rich Williams stated yeah I did give that one.

Board Member McNulty stated that's all I'm looking at.

Mr. Holt stated I just had one last, just on the idea of the non paving versus paving areas, is that something that's an ongoing conversation that we should have with engineering or is it just...

Chairman Rogan stated well we've been open to cutting down on stormwater in other areas where it's been possible, we don't have issues here with the DEC, right.

Rich Williams stated right, outside of the parking if there are specific areas that you would like not to pave, you can identify them on the plans and explain why.

Mr. Holt stated perfect, okay.

Chairman Rogan stated how, a couple of years ago we started talking about the grass pavers and we haven't really talked about that a lot lately and I would be curious to know from an engineering and a planning stand point how they've been holding up and paying out for people, I see them at the Mahopac Library, Ace Endico put them in for some of their parking and they see like they hold up pretty well.

Andrew Fetherston stated I have stuff on pavement that is in a park in Massachusetts, its been there since 1977, they don't salt it, you know they plow it and when the sun comes out, it goes under the ground, it disappears, there is no icing at all, there is no slip and fall hazard.

Rich Williams stated you're talking about porous pavement.

Andrew Fetherston stated porous pavement, yeah.

Rich Williams stated which is slightly different than the pavers, it's a different product but with the same idea.

Chairman Rogan stated yeah.

Andrew Fetherston stated I mean pavers also, you know they'll certainly hold the loads the pavers now are made to hold the fire trucks, you know an emergency access, there's a lot of different selections.

Board Member McNulty stated a big parking lot in Carmel too, over by Schech pools, the warehouse...

Chairman Rogan stated yeah I was just thinking of that one, the whole thing is done that way.

Board Member McNulty stated the whole parking lot is like that.

Chairman Rogan stated a moving company.

Andrew Fetherston stated another thing with the pavers as opposed to the pavement, the pavers if you have high heels or somebody you know ADA, it gets a little trickier then but...

Chairman Rogan stated I was just wondering because we haven't really talked about that in a long time but anything that serves the dual function of you know reducing stormwater and providing the good surface, I'm up for it.

Andrew Fetherston stated they give you the benefits, the low impact development benefits that are now required, all the green stuff, that's all in the book now, that's all required now.

Board Member Taylor stated do you have something in mind right now what you're going to do or are you still examining it.

Mr. Holt stated its probably less than you'd like to see, obviously we know we're going to pave the parking areas where the cars are because you have to take care of that and that's our front door, we don't want that to look lousy, where we know we need to pave is at the entrances to all the buildings because the trucks are going to be turning on a dime and that kind of thing, it becomes perhaps, this driveway here doesn't need to be paved, back through this side here and maybe some other drive-thrus don't need to be paved but close to the building we know that we're going to need to do it because the trucks are going to be sitting there for a few hours or have to back in and turn so...

Board Member Taylor stated and what would you use in those areas where you're not paved.

Mr. Holt stated we're thinking item four, the granular stone but we'll delineate what we think, now that we've got a concept that you'd like to see.

Chairman Rogan stated so it really becomes more an issue for you item four versus pavement, no so much of cost but of stormwater, correct...

Mr. Holt stated absolutely.

Chairman Rogan stated that's the driving principal here, so.

Mr. Holt stated my client is going to tell you its money too but I mean, its about stormwater, its about stormwater.

Chairman Rogan stated its big money, okay.

Board Member McNulty stated what is the floor of the open area on that north building there, is that a paved area.

Mr. Holt stated that's concrete.

Board Member McNulty stated okay.

Mr. Holt stated it just has to be because of the machines that are running the steel around and everything.

Board Member McNulty stated for the lifts and things.

Chairman Rogan stated yeah but the issue of what that surface is doesn't effect stormwater because it has a...

Board Member McNulty stated covered.

Mr. Holt stated its already impervious because of the roof, yeah.

Chairman Rogan stated you already have to deal with it. Well let's see what we can come up with...

Mr. Holt stated yup.

Rich Williams stated if the issue comes down to paving versus item four, I think you all know where I've going to weigh in with this...

Chairman Rogan stated the item four stinks.

Rich Williams stated it's a relatively flat site so certainly less of a concern, item four always thrown particulate matter off and anybody that doesn't believe that go down Ice Pond Road.

Mr. Holt stated we'll come up with something we can work with.

Chairman Rogan stated yeah, okay, everybody all set, anything else from us, thank you very much.

Mr. Holt stated thank you very much.

Chairman Rogan stated we appreciate your time.

Mr. Holt stated you want me to turn off or is someone else coming up...

Chairman Rogan stated no, no, you can leave it on...

## **6) OTHER BUSINESS**

### **a. Levine Fill Permit**

Chairman Rogan stated where are we at with the Levine Fill Permit, do we have anything new on that.

Rich Williams stated we have nothing new from the work session, I haven't reached out to the DEC or the Health Department...

Chairman Rogan stated okay.

Rich Williams stated at this point, I'll get it done in the next couple of days.

### **b. Green Chimneys Site Plan**

Chairman Rogan stated okay, Green Chimneys we moved for a Certificate of Occupancy, a conditional Certificate of Occupancy at the work session and project updates we went through, I thought at the work session, didn't we...

### **c. Project Updates**

Tim Curtiss stated yes.

Board Member Cook stated you owe us...

Tim Curtiss stated yes, yes as a matter of fact I met with three members of the Town Board today, I had e-mailed over to them and they would like to bring it up at next weeks meeting.

Board Member Cook stated okay.

Tim Curtiss stated so I should probably have an e-mail back to you that Thursday or Friday as to, in the mean time, I also go a hold of Rich for the updates as to what needs to be done on each site so I can give them what action is necessary or what to anticipate it will be.

## 7) MINUTES

Chairman Rogan stated anyone want to do a motion on the minutes February 24<sup>th</sup> and March 2<sup>nd</sup>.

Board Member McNulty stated I'll make a motion to approve the minutes from February 24 and March 2, 2011.

Board Member Taylor seconded the motion.

Chairman Rogan stated asks for all in favor:

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

The motion carried by a vote of 5 to 0.

Chairman Rogan stated okay, I'll ask Charlie, if you'll lead the Thunder Ridge Ski Area discussion please.

Board Member Cook stated thank you.

Chairman Rogan stated thank you.

## 3) THUNDER RIDGE SKI AREA – Continued Discussion

Mr. John Watson of Insite Engineering and Mr. Bob Ravallo of the New York City DEP were present.

Vice Chairman Cook stated Thunder Ridge.

Mr. Watson stated good evening, John Watson again from Insite Engineering.

Board Member McNulty stated hey John.

Mr. Watson stated hi.

Vice Chairman Cook stated first off, thank you for arranging for the site visit yesterday.

Mr. Watson stated you're welcome.

Vice Chairman Cook stated I think that at least gave us an idea of really what you're application, some of the detail of your application, understanding that the building is much larger than what you're proposing but at least it gave us an insight to what it will look like. I would guess that the façade of the building would be pretty much like that or...

Mr. Watson stated that hasn't been decided yet, that just order of magnitude or order of aesthetics, it will be, I expect it to look better than that...

Vice Chairman Cook stated okay.

Mr. Watson stated that was, it's a base colored block, it was okay but it was still pretty utilitarian and the applicant wants something that looks more in fitting with the property, the lodge, even though the lodge is old it does have a lodge type feel and they're thinking of something that looks more, not just like the lodge but something that has that, I don't know if its rustic or ski mountain house, just something that's not a box.

Board Member McNulty stated not a concrete block...

Mr. Watson stated not a concrete block, well...

The Secretary stated hold on.

(Side 1 Ended -7:56 p.m.).

The Secretary stated okay.

Mr. Watson stated but as the plans become developed, we have an architect on the team now, they've just started talks but they've not done anything yet, so as soon as we get preliminary plans, we'll get you something.

Vice Chairman Cook stated anybody want to say anything about the site visit, Michael...

Board Member Taylor stated I hope you're going to have better security then...

Mr. Watson stated I hope so too.

Mr. Ravallo stated I addressed that today.

Board Member McNulty stated question, the facility at Clearpool...

Mr. Watson stated yes.

Board Member McNulty stated is it visible from the road.

Mr. Watson stated no, if you go up the big main entrance driveway to Clearpool and you come up and you T in and you could go left or right, if you take a left yeah, it goes back down in a hole and its around back.

Board Member McNulty stated is that private if I was up there, do you think I could just on my own, just take a look at it.

Mr. Watson stated you could, you could because you drive up, you drive up right, when you get to the T, take a left, that's where the main entrance is, just say you're going to look at the treatment plant, no one will say anything.

Board Member McNulty stated okay.

Mr. Watson stated but yeah, that building, just so you know that's the ugliest one we've done, its...

Board Member McNulty stated yeah but I want to get a scope of size.

Mr. Watson stated once again, that is, I think that's like 60, I think that's like 66 by 66 and the one and that whole thing, Clearpool, that was first one and there was rock there, so what we did is we kept, because Clearpool didn't care how it looked, we kept all of those tanks remember all the tanks that were buried, everything, we could only go down about 5 feet there, so the Clearpool building is like 35 feet high.

Board Member McNulty stated so its not (inaudible).

Mr. Watson stated and its ugly, metal, cheap simple, so its not a good one. I can send you pictures of other buildings, see the problem is we've done other, we've done about a dozen of these upgrades with the DEP, and this is the smallest building out of all of them because most of them the flows are substantially more because the flows are so small here this building can be smaller. I did check the dimensions of the building that we were at yesterday and that was 64 by 96, I believe, is its just over 6,000 square feet, this one is 45 by 56, somewhere around there, its 2,000 square feet, so it's a third the size and the height of this building, Thunder Ridge is 17 feet high because we are able to put half of it below ground, its drops down. We've done a couple for couple schools, they came out beautiful, I can send pictures just so you can see scale wise a...

Vice Chairman Cook stated maybe two or three.

Mr. Watson stated what's that.

Vice Chairman Cook stated two or three, that's all.

Mr. Watson stated fine.

Vice Chairman Cook stated okay, on the site visit.

Board Member Montesano stated oh I was fine with it, what I wanted to find out and Bob I think you may get stuck with this one; this is going to be approximately 2,000 square feet, could that building be expanded to let's say a larger capacity if so, if the applicant came to you and asked to do, he's asking you to pay for it by the way.

Mr. Ravallo stated putting aside the money, okay, Thunder Ridge has essentially every treatment plant in the East of Hudson Watershed, its in a phosphorus restricted zone meaning in order to either expand or build a new treatment plant, you would require a variance and one of the things you have to satisfy to get a variance would be, it has to be for an environmental benefit, so if for instance a developer wanted to build a

new plant or expand just because he wants to, you know more business, for a business economic reason, it would not get approved and I've seen people make the request and they are really tough on that for a whole bunch of reasons. You have the issue of the waste, you have the issue of the run off et cetera, et cetera, they don't really, they won't, plus I mentioned the issue of money okay and only use DEP's money to contribute to what could be perceived as a negative environmental reason, so you know what, the real short answer is no, it won't be approved.

Board Member Taylor stated but isn't Fox Run, aren't they proposing using the plant for the second phase.

Mr. Ravallo stated but its, the original plant was permitted for the exact same flow as the current plant, its not an expansion, it was an existing plant and we just replaced it with a state of the art plant, I mean there have been some cases where, in what is it, the Brewster Central School system, they have three plants, it was consolidated into one larger plant but the some...

Board Member Taylor stated was equal.

Mr. Ravallo stated was you know, equal to the original. Patterson, we can ask Rich, when Patterson had their plant, we had two plants, Patterson Village and Cornwall Meadows, Patterson wanted to get enough of an expansion to take care of part of their downtown business area, I think a school was also part of that, right.

Rich Williams sated we combined four SPDES permits into the sewage treatment plant and we combined Front Street which didn't have a SPDES, well it did at the time, it did at the time...

Mr. Ravallo stated the point I will make there, the environmental benefit, okay, the expansion above the two, actually, there was, what was it, something Green...

Rich Williams and others stated Covington Greens.

Mr. Ravallo stated Covington Green that was a large subsurface treatment system that was failing okay, so the environmental benefit...

Board Member Taylor stated right.

Mr. Ravallo stated take care of a whole bunch of septic systems that have failed, the same logic was applied to the downtown business area, they were areas that you had to do something because it was an environmental problem but you guys really had to make that case, it was not an automatic...

Rich Williams stated we had to get a variance and as part of that variance, we had to do certain practices to reduce phosphorus outside of the plant and we had to agree to a SPDES permit conditions of a .1 phosphorous discharge where typically we would only be required a .05.

Mr. Ravallo stated so it's tough to get and just because you want to increase your say, business, you want to have more units, that's not good enough.

Board Member Taylor stated thanks.

Vice Chairman Cook stated okay, did you get a copy of the DEC letter.

Mr. Watson stated no.

Rich Williams stated I forgot, sorry.

Mr. Ravallo stated I haven't seen it.

Vice Chairman Cook stated okay, get it before you go.

Mr. Watson stated they have a problem...

Vice Chairman Cook stated they list...

Mr. Watson stated no problems.

Board Member Taylor stated conditions, they put conditions...

Mr. Watson stated what.

Board Member Taylor stated they put some conditions, a list of things we have to address.

Mr. Watson stated okay, thank you.

Vice Chairman Cook stated okay, so we appreciate a, not tonight but a response back from you. Now, I believe we are still waiting for a letter from DEP, your whatever department there, that the package got sent to...

Mr. Ravallo stated on the what, I don't follow.

Vice Chairman Cook stated isn't there another, the package that goes out right, so they can review it...

The Secretary stated the lead agency notice.

Mr. Ravallo stated oh you mean the SEQRA process.

Vice Chairman Cook stated yeah.

Mr. Ravallo stated okay, I'm assuming that you guys declared that you're lead agency right.

Board Member McNulty stated yes.

Vice Chairman Cook stated yes.

Tim Curtiss stated and you circulated, I think.

Mr. Watson stated that's what this is.

Mr. Ravallo stated so you're saying that the DEP didn't get back to you.

Vice Chairman Cook stated correct.

Mr. Ravallo stated that would not have come to me...

Vice Chairman Cook stated right.

Mr. Ravallo stated you know, that person that it went to, her office is literally right next to mine, so tomorrow (inaudible).

Board Member Taylor stated okay.

Vice Chairman Cook stated mention it in passing.

Mr. Ravallo stated I will.

Vice Chairman Cook stated all right, Andrew, what you do feel that you have to do at this point, I mean where, I can ask this to Rich now too, he just walked back in, Rich...

Rich Williams stated sir.

Vice Chairman Cook stated okay, we've gone on the site visit, we have the letter from DEC, we have so advised the client that we have not heard from DEP, okay, so we are waiting on that, now what's out next step relative to what, would it be, staff review on this, what...

Rich Williams stated sure, the next three steps in the process are staff review, we need to take a look at the impacts to the stream and the mitigation that they're proposing, and come back with an opinion as to whether they are adequate or there is a significant impact to the stream. We need to make a SEQRA determination once we get something back from the City or 30 days has expired, we should be right about there one way or the other.

Mr. Ravallo stated yeah you know what, truthfully, I don't know what their policy is when they don't challenge it, you know if they let the 30 days go out or do they...

Rich Williams stated no, I can tell you from experience they will fax us a letter on May 3<sup>rd</sup>...

Mr. Watson stated yeah.

Mr. Ravallo stated I'm sure their not going to challenge it, I can (inaudible).

Tim Curtiss stated that's pretty reassured.

Vice Chairman Cook stated as much as your word is as good as gold, we want to hear from them.

Rich Williams stated and schedule you public hearing.

Vice Chairman Cook stated okay.

Board Member Taylor stated can you look at, Andrew, you talked to me about the problems with the pad for the bridge and so on.

Andrew Fetherston stated yeah, I had prepared comments a number of months ago on that drawing and I just thought that the Board should know, I thought one thing, when you drop that bridge into place, you're going to need a crane to pick it and it will remove trees, we're walking out to a site very tight to the road, very narrow, very hilly, its going to require some zone of clearing where the crane sets up, its got to rotate, pick up something and deliver it down there so there are going to be trees cleared, I think a little bit over and above the edge of the grading is shown, so that is a little bit more real and the Board can understand that area of operation just to facilitate that construction but otherwise my comments stand from before, you know really looking for erosion control and channelizing the stream as they had done up above, you know, the plans and the level of detail we looked for on that crossing.

Vice Chairman Cook stated don't spend a lot of time but maybe re-review your notes and everything...

Andrew Fetherston stated yeah.

Vice Chairman Cook stated so if there is anything else you want to add to these current comments of yours, that will be helpful to us.

Andrew Fetherston stated okay.

Mr. Watson stated we have not addressed any of his comments because we were waiting to pick a location and then it was all, we are aware that we have a lot of work to do detail wise to get this...

Vice Chairman Cook stated I think we are to the point where we understand, this is what's before us, we've gone through alternate sites and you know as much as we think and anybody else may think that this is a better fit some place. This is what's before us and this is what we'll review and this is what we'll ask the staff to give us, every I dotted and T crossed type of thing and you know, that's what we'll make our decision on, Michael.

Board Member Montesano stated I'm fine right now, I'm just waiting for the rest of the Board.

Board Member Taylor stated okay, can we have some answer from the legal staff, some questions we asked.

Tim Curtiss stated oh yeah, your comments of that letter, we should be able to e-mail that over to you at that point in time because there were a couple of questions one with this site and one in general that generic answers to your questions and yeah we can get that over, in fact I think Melissa e-mailed it to me and I failed to e-mail it to you so I will get that you probably this week.

Vice Chairman Cook stated okay, yeah we would really like that, the sooner the better Tim.

Tim Curtiss stated okay.

Board Member McNulty stated Rich, in this process, the wetlands application that has to be approved before anything moves forward, is that how this works.

Rich Williams stated no, we run the process for the wetlands application and the site plan concurrently, so we will have a public hearing to cover both the issues, the notice will go out identifying that its covering both of the issues.

Board Member McNulty stated okay, so then after the public hearing we make a determination.

Mr. Watson stated should we do another iteration of detail, get a lot of the details done and to you before we get to the public hearing stage.

Rich Williams stated unless you want to do them now, that was a little funny.

Mr. Watson stated okay.

Rich Williams stated give us, finish up the details, you've got to address Andrew's issues...

Mr. Watson stated I think it would be better if we had more detailed plans.

Andrew Fetherston stated we didn't do a really detailed engineering, understanding the level of the drawing was, we were really just looking at impacts you know...

Vice Chairman Cook stated that's what we want from you, that's what we want from Rich, Ted, we know where Ted is at but I'm going to e-mail him and tell him this is the point we're at and let's focus on what we have in front of us and...

Board Member Taylor stated the one issue and the reason asked of Andrew, I think the area of disturbance is very close to a certain limit...

Mr. Watson stated right.

Board Member Taylor stated and I think with his comments I think you may find that you're actually over the limit which kicks in another set...

Mr. Watson stated something else.

Board Member Taylor stated this is why I was particularly concentrating on that, so you go need details for that.

Vice Chairman Cook stated okay, everyone okay for tonight. Thank you.

Mr. Watson stated thank you very much.

Mr. Ravallo stated thank you very much.

Vice Chairman Cook stated anything else anybody wants to talk about while we're here.

Board Member Taylor stated anything else.

Board Member Montesano stated everything else is from the agenda.

Board Member McNulty stated we need Shawn back.

Board Member Taylor stated we have to bring him back so we can...

Board Member Montesano stated yeah we have to have him.

Vice Chairman Cook stated he's gone.

Board Member Montesano stated okay.

Board Member Taylor stated just a question on public hearing here, so we're shortly going to get to a public hearing on this.

Vice Chairman Cook stated after we take care of these other steps.

Rich Williams stated that's the third step of the three that I laid out.

Board Member Taylor stated so what we talking about months here or...

Rich Williams stated the way I'm hearing it tonight, the applicant is going to address the outstanding issues, we're going to take another quick review get them any comments that we have, he's going to review that, we're going to take a look at the plans when they come back in, review that and then based on our review we may be ready for a public hearing or we may be ready for another plan revision.

Mr. Watson stated do you know when the next submission is.

Board Member Taylor stated the only reason I ask is we've talked about letting the public know something is happening so we can get input and it seems like the most significant issue before us on this is location of the plant, is that, would the public be concerned about that, do we want to send out some kind of notice to see if anyone is concerned about that, so we can then weigh that rather than waiting until the night of the public hearing and having 80 people here screaming at us about the location.

Rich Williams stated this is difficult part of having that pre-notification, I mean the Board wasn't comfortable with the location, you went through a lot of work to get to this point that the public wasn't involved in but you really needed to do that to know what you were going to do and what your step was, so...

Board Member Taylor stated I know, I know.

Board Member McNulty stated maybe we're at the point where the public should be involved and they look at us for input and we can now give them the background before it gets too far gone.

Board Member Taylor stated that's what I'm saying, do we want some input from the public now about the fact that this plant is being proposed at that location.

Rich Williams stated yeah, I mean if you're asking us to send out the pre-notification letter, we can do that.

Board Member Taylor stated (inaudible)...

Board Member McNulty stated also that allows people to...

Board Member Taylor stated us to decide whether...

Board Member McNulty stated know about it so they can attend the meetings, basically, just to they can get a background of what's going on before the public hearing.

Vice Chairman Cook stated what would you guess would be the number of meetings we would have before the public hearing, another one or two meetings.

Rich Williams stated probably one, maybe two.

Vice Chairman Cook stated so we send the pre-notification letter out, it would have to go out so it hits them before next meeting if they are so inclined to come, so do we want to do that.

Board Member Montesano stated I would go along with that.

Board Member Taylor stated I would think so.

Board Member McNulty stated I think its time to pre-notify people.

Board Member Taylor stated I think we should notify the people from the bottom of the hill up who are going to dealing with traffic and, we're talking about what, three houses at the bottom of the hill.

Vice Chairman Cook stated we have that...

Board Member Taylor stated then that, we certainly going to notify people across from the plant property but I think we should notify those three people on the way up too.

Vice Chairman Cook stated I think they're on that, they provided us with a list...

Board Member McNulty stated I think we should stick with the 500 feet.

Board Member Taylor stated are they within 500 [feet].

Board Member Montesano stated some aren't.

Board Member McNulty stated but we can hope that the people within 500 feet may get the word out to the people 600 feet, we have to stick with some kind of perimeters that we establish.

Vice Chairman Cook stated let's send out the pre-notification letter so that it gets out before next meeting, in case anybody does want to show up and listen to the discussion.

Board Member Montesano stated we have (inaudible).

Vice Chairman Cook stated it would take into account the folks, let's call it the top of hill but like Ron says maybe we can add in those houses at the bottom.

Rich Williams stated what we will do is we will use our technology to identify people within 500 feet of the property boundary.

Board Member McNulty stated this is a big boundary, which property do we use.

Rich Williams stated that is what we do.

Board Member Montesano stated do we still have the website active for the Town.

Tim Curtiss stated yes, it is.

Board Member McNulty stated there are several parcels here.

Board Member Taylor stated there's nobody (inaudible).

Rich Williams stated what we can't do is start picking and choosing.

Board Member Taylor stated right.

Board Member Montesano stated but you can put it on the website and anybody that's interested in looking at the Town would go to the website.

Vice Chairman Cook stated go by the 500 feet...

Board Member McNulty stated 500 feet from which property though, where the stream crossing...

Board Member Taylor stated where the plant's going.

Board Member McNulty stated where the plant is going to go.

Rich Williams stated property owned by Patterson Center LLC.

Board Member Taylor stated all right so it will cover those people...

Tim Curtiss stated it will cover those people up and down the hill.

Board Member McNulty stated it'll cover up in here...

Board Member Taylor stated that's fine, that's fine.

Board Member McNulty stated we have Putnam County National Bank too, we're going to cross over that.

Rich Williams stated they are not an applicant.

Board Member Taylor stated should they be, that was one of my questions to the lawyer, should they be, they are going to have to incorporate that parcel into the process, shouldn't they be a co-applicant.

Tim Curtiss stated well, they are really not thought because it is a whole separate entity, they're not really involved in it.

Rich Williams stated what they need to do is they need to transfer ownership and then merge it.

Tim Curtiss stated then merge it, yeah.

Board Member Montesano stated and they won't do that.

Board Member Taylor stated like the cell towers, no they're not involved but they own property.

Board Member McNulty stated you have the border and you have here, so 500 feet is going to hit those people up on the hill.

Vice Chairman Cook stated and they'll talk.

Board Member McNulty stated yeah.

Board Member Taylor stated that's fine then, just so we get some feedback, you know we may be out on an environmental limb here ourselves and you know, so.

Vice Chairman Cook stated all right, a motion to adjourn or you've got more.

Board Member McNulty stated no, I make a motion to adjourn the meeting.

Board Member Taylor seconded the motion.

Vice Chairman Cook called for all in favor:

Board Member Taylor	-	aye
Board Member McNulty	-	aye
Board Member Montesano	-	aye
Vice Chairman Cook	-	aye

The motion carried by a vote of 4 to 0.

The meeting adjourned at 8:18 p.m.