

TOWN OF PATTERSON
PLANNING BOARD MEETING
April 24, 2008 *Work Session*

AGENDA & MINUTES

	Page #
1) Kent Supply Co. – Public Hearing	17 – 18
2) Wallace W/W Application – Continued Review	18 – 24
3) The Plaza at Clover Lake – Final Approval, 62 days ends June 4, 2008	24
4) Powe Subdivision – 62 days ends June 4, 2008	24 – 26
5) Paddock View Estates	26 – 28
6) Martins Subdivision	28 – 30
7) North Count Homes Lot 5	1 – 17
8) Barjac Realty Site Plan	30 – 34
9) Green Chimneys Site Plan	34 – 35
10) Other Business	35 – 36
a. Boniello Site Plan Bond Amount	35 – 37
Rodeo Discussion	37 - 46

PLANNING DEPARTMENT

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

Michelle Russo
Sarah Wager
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
Martin Posner

PLANNING BOARD

Shawn Rogan, Chairman
David Pierro, Vice Chairman
Michael Montesano
Maria Di Salvo
Charles Cook

**Planning Board
April 24, 2008 Work Session Meeting Minutes**

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

Present were: Chairman Rogan, Board Member Pierro, Board Member Montesano, Board Member DiSalvo, Board Member Cook, Rich Williams, Town Planner and Ted Kozlowski, Town of Patterson Environmental Conservation Inspector.

The meeting began at 7:29 p.m.

There were four audience members.

Michelle K. Russo was the Secretary and transcribed the following minutes.

Chairman Rogan stated unless anybody has an objection, I'll ask if we can move down to North County Homes lot 5, anybody have a problem with that.

7) NORTH COUNTY HOMES LOT 5

Mr. Joe Festo, Mr. Michael Festo and Mr. Besharat were present.

Chairman Rogan stated even though this is a work session, it is still a public meeting which is why you gentlemen are allowed to be here. So if you want to speak, please state your name for the record.

Mr. Besharat stated my name is Willie Besharat, I am the representative of North County Homes, with me are Joe and Mike Festo.

Chairman Rogan stated okay, why don't we see if we can.

Mr. Besharat stated I don't know if you guys have a chance to look at the plan that we submitted.

Chairman Rogan stated why don't you run us through what you've tried to do.

Mr. Besharat stated alright, I understand that there is a situation here with encroachment on the wetland buffer and relocation of this survey, I mean relocation of the house differently then.

Board Member Pierro stated is this; this was the foundation that was installed.

Mr. Besherat stated the foundation.

Chairman Rogan stated exactly.

Board Member Pierro stated no footing inspections.

Chairman Rogan stated that is what they are opening, I think it's right in front of you Dave.

Board Member Pierro stated yeah, I just wanted to make sure I was making it up front.

Chairman Rogan stated yeah.

Mr. Besherat stated what I have here is the slightly different.

Chairman Rogan stated okay.

Mr. Besherat stated not different but it has a little bit more information where we are proposing the new driveway here.

Chairman Rogan stated okay.

Mr. Besherat stated to, this way you don't have to go around because I know the Planning Board has showed a little concern and I would like to just go over it with you on what we have proposed and what we think would work to rectify the situation that we have. The lot as it is, is very, very steep and we all know in the back there is a situation, I'm sure almost everybody if its not everybody, has gone out there and walked it and the solution in the back. I mean this foundation we are aware from the get go, from day one we inspected it and as it exists right now is extremely structurally sound, there is absolutely nothing wrong with it in any shape or form. The grade around it is really the questionable and the how to solve it, I mean, the house was located in this situation and in this orientation to just make it a far more normal location by facing the cul-de-sac and when you look at the house, instead of seeing the side of a house at the cul-de-sac, you see the front.

Chairman Rogan stated I don't think, wasn't the approved plan facing, it was a mirror image, so that is not correct Willie, the original approved plan was just the garage on the side and the house was turned a bit, so.

Rich Williams stated and it was a slightly different location.

Mr. Mike Festo stated it was more or less like this.

Mr. Besherat stated it more facing this way.

Chairman Rogan stated yeah.

Board Member DiSalvo stated parallel.

Mr. Besherat stated it was parallel this way.

Chairman Rogan stated okay.

Mr. Besherat stated okay and you know, its, the house was changed and the location of those boulder walls at the bottom are there and done with.

Chairman Rogan stated Willie you can appreciate that the house being changed is working against the contours of the property and the existing.

Mr. Besherat stated true.

Chairman Rogan stated approved plan was more in line with the contours so skewing the house to face the cul-de-sac, while that may be one of the reasons they did, it created many of these problems with grading.

Mr. Besherat stated correct, I totally agree with you.

Chairman Rogan stated and that's.

Mr. Besherat stated but also, you know, the way the house was, it would have put the garage at the edge of the driveway, really at more of a steep section, if it was the driveway was on this side over here, correct and the house facing parallel to here this way.

Chairman Rogan stated right.

Mr. Besherat stated okay and the driveway was here, the steep slope is here and if you kept the driveway where it is, there would be a massive retaining wall here.

Chairman Rogan stated we are going to pull.

Mr. Besherat stated at the end of the driveway.

Chairman Rogan stated Rich is going to pull the approved plans.

Mr. Besherat stated sure.

Chairman Rogan stated because.

Mr. Besherat stated you know, I'm just looking because I did walk the site a few times and I looked at and as the house situated and facing this way, this is where the driveway and the back of the driveway.

Board Member DiSalvo stated right.

Mr. Besherat stated is a severely steep drop off.

Chairman Rogan stated yeah.

Mr. Besherat stated severely steep drop off.

Chairman Rogan stated thank you.

Mr. Besherat stated and it would have created just as much as of a problem as it is right now, I'm not saying that it would have solved problem but, let me see that.

Chairman Rogan stated its an overlay of what was existing or what was proposed and approved.

Mr. Besherat stated proposed.

Chairman Rogan stated versus what they put in.

Mr. Besherat stated correct.

Chairman Rogan stated take a look at the difference in the house location.

Mr. Besherat stated yes exactly, the house, this is the point I'm talking about.

Chairman Rogan stated hold on a second, look at the difference between the grade that you have here, the distance to that wetland boundary and the steep slopes with what they put in. You've moved where you had probably forty or fifty feet, now you are right on top of it.

Mr. Besherat stated okay, can I just see this scale wise. What was the scale, fifty on this one.

Chairman Rogan stated pull something else.

Mr. Mike Festo stated you know it was with that, there was no front or back yard, that's going back.

Mr. Besherat stated the movement of it did not gain them anything, square footage wise or anything like that, it had given them.

Chairman Rogan stated we understand.

Mr. Besherat stated it had given them only orientation towards, I mean these gentlemen, they know it was one way and we all know it. This was a standard, we built standard. I am not trying to justify what they have done, I'm here looking for a solution. I mean, these guys are saying we will do anything that is feasible for us to do and the proposal of, to address the steepness of the slope by having the Unilock wall which will be manually placed, it does not require machinery, is not a very cheap solution either.

Chairman Rogan stated no, certainly.

Mr. Besherat stated but it will be a solution by maintaining walls approximately three foot tall and terracing them down, okay, we'll create a safe environment, if an animal or a human would fall over a thirty-eight to thirty-six inch wall, it is tolerable versus a steep drop, okay. So as we are proposing it here, it really addresses the steepness and that is one of the things and without creating any further impact on the wetland buffer or heavy, there is no machinery that will be working there in any shape or form.

Chairman Rogan stated how will they get rid of the rocks that are already in there.

Mr. Beshersat stated my advice and my recommendation would be leave them alone because getting rid of them would create a major impact, leaving them would create zero impact.

Chairman Rogan stated so you would put your retaining wall in front of.

Mr. Besherat stated in the front of them, yes and I've shown them over here on the site plan that you have in front of you. Is to put them in front of them and you know, plant them and what have you, where it becomes an area let it grow, natural vegetation can grown around it and keep it that way without having to touch what is existing because to go and touch it now, it will create a further impact, a negative impact on the wetland. The stones are there, they are rocks, they are not cemented in or anything so therefore will not alter the flow of water and the natural vegetation around them will eventually cover them because nobody is going to be mowing grass down there or moving anything. So leaving it as is, is a lot less impact, cost wise it is really more costly, it is a mistake that they have done, an honest one, it was not intended to be devious in any shape or form, if they knew about it.

Rich Williams stated stop.

Chairman Rogan stated Willie, Willie, I do want you to stop on this. We are not here to throw them under the bus, we are here to see if it can be fixed.

Mr. Besherat stated I understand that.

Chairman Rogan stated but don't speak for what they did because they've got a lot of correspondence between the Building Department and them, let's just move forward from here, I'm not looking to point fingers at anybody, honestly.

Mr. Mike Festo stated no problem.

Mr. Besherat stated alright.

Chairman Rogan stated it will either work or it won't and that is not anything more then that.

Mr. Besherat stated let me talk about the solution and forget about, I'm not going to discuss anything that is there.

Chairman Rogan stated move forward.

Mr. Besherat stated I am going to move forward.

Chairman Rogan stated thank you.

Mr. Besherat stated what I am proposing here, its addressing the steepness of the site in the back, okay, eliminate any doors, there will be no doors in the foundation to go out in that direction, okay, so therefore there will be no hazardous area in the back with the steepness. It is a solution that will be done totally one hundred percent manually, it's a small block that would be used and those can carry substantial, can support a substantial amount of loads but you know terracing them in this shape. The amount of loads that is behind them will not be substantial so therefore there will be no need for machinery to go, therefore there will be no additional impact on the wetlands due to them amount of work that is going to be taking place.

Chairman Rogan stated we have lots that we are reviewing right now that were giving people a hard time because of usable area.

Mr. Besherat stated okay.

Chairman Rogan stated around the house.

Mr. Besherat stated exactly, okay.

Chairman Rogan stated and one of the comments and I would have to go back to the minutes to be more specific but one of the comments that we addressed with these gentlemen, that even with the retaining walls. While they may be safe, they don't allow for a usability of going around the corner of the house and for maintenance reasons also.

Mr. Besherat stated one of the other things that by eliminating the driveway and cut it down the garage, instead of the three car garage, we have just a two car garage going in. This gives them a nice back yard over here and very flat area to play and that will generate a new area. A family that lives in this house that has children, they want a place to play, I have given them a nice flat area, that is not even a driveway, it would be a grassy area in this region here.

Chairman Rogan stated so you are saying what is existing right now, as the two car/three car garage will be removed and into a bump out on the front.

Mr. Besherat stated no, no, no, this was just to show you on your plan, with the driveway coming in here.

Chairman Rogan stated I see.

Rich Williams stated Shawn, Shawn, hold on.

Chairman Rogan stated hold on, wait a second.

Mr. Mike Festo stated then we can bring it out more and bring this in.

Mr. Besherat stated there would be no driveway here.

Chairman Rogan stated so, this is the existing garage, right here.

Mr. Besherat stated well no, actually here.

Chairman Rogan stated okay.

Mr. Besherat stated this is the area of the existing garage, one, two, three car garage.

Chairman Rogan stated and the septic tank here.

Mr. Besherat stated exactly.

Mr. Mike Festo stated this is going to be the new garage.

Mr. Besherat stated instead of going here with the tight turn.

Chairman Rogan stated Dave, hey guys, guys, one conversation please.

Board Member Pierro stated sorry.

Mr. Besherat stated okay, instead of going with the cars in a very tight spot which is, I heard the Planning Board, shows.

Board Member DiSalvo stated right.

Mr. Besherat stated my garages will be over here, two car garage instead of a three.

Chairman Rogan stated so you're not bringing vehicles back here.

Mr. Basherat stated this is going to be all grass, not even paved or anything like that, there will be grass here.

Board Member Pierro stated where is the entrance Shawn.

Board Member DiSalvo stated so you are making a drive around here.

Mr. Besherat stated a drive around to make it easier for parking, for turn around.

Board Member DiSalvo stated do they have enough room there.

Mr. Besherat stated say that again.

Board Member DiSalvo stated do they have enough room there, it doesn't look like when we were out there to do a circular driveway.

Mr. Mike Festo stated or at least a turn around.

Rich Williams stated yeah (inaudible).

Mr. Besherat stated a turn around, this is just, exaggerate, I don't have the final exact one hundred percent topography over here which we will be getting to address this okay with the Board to pursue this kind of solution. We will be getting an on site topography and everything will be one hundred percent accurate to what is there versus, this is just a proposal of what could be done.

Chairman Rogan stated conceptual.

Mr. Besherat stated conceptual.

Board Member DiSalvo stated so the square footage is staying the same though.

Mr. Besherat stated the house, yes.

Chairman Rogan stated the footprint is staying the same.

Mr. Besherat stated the footprint is staying the same, we are not changing that.

Board Member DiSalvo stated so you are saying the two car garage but there will be more square footage for living space.

Mr. Besherat stated no, it would be a deeper two car garage with a big storage area behind them.

Board Member DiSalvo stated okay.

Mr. Besherat stated okay, the two car garage would be thirty-three feet versus normal garage of twenty-four feet.

Board Member Pierro stated the overlay.

Chairman Rogan stated thank you.

Mr. Besherat stated okay, so the cars will be parked and in front of them will be a nice storage area for bikes and lawn mowers et cetera, et cetera.

Board Member DiSalvo stated I thought the well head was back here somewhere.

Mr. Besherat stated the well is right down here.

Chairman Rogan stated it's shown.

Board Member DiSalvo stated okay.

Board Member Pierro stated where is the septic.

Mr. Besherat stated the septic is in this region.

Board Member DiSalvo stated right.

Chairman Rogan stated the septic and the well are the only things that weren't a problem.

Board Member DiSalvo stated yeah.

Board Member Pierro stated is the well in the buffer as well.

Mr. Besherat stated no, its outside the buffer.

Chairman Rogan stated just outside. It was moved though right, from the original location.

Board Member DiSalvo stated you couldn't get the truck in there right.

Mr. Besherat stated I don't know exactly, yeah.

Board Member DiSalvo stated couldn't get the truck in to.

Rich Williams stated the well location (inaudible).

Chairman Rogan stated yeah.

Board Member Pierro stated I recalled it being near the buffer the last time.

Rich Williams stated it is, it pushed the retaining wall back into the buffer.

Mr. Besherat stated exactly.

Chairman Rogan stated okay, you have a couple of things other than this Board to try and satisfy. First and foremost is Mr. Raines, the Building Inspector, whether or not his, because we have not made a decision on this.

Mr. Besherat stated okay.

Chairman Rogan stated formally he had and said the foundation hasn't been inspected by me, I'm not going to allow it, its coming down. So you have to jump through that hurdle as well.

Mr. Besherat stated okay. We have inspected it and we will include.

Board Member Pierro stated they can have their own engineer sign off on it.

Chairman Rogan stated yeah, will he accept that.

Board Member Pierro stated it is part of the Code.

Mr. Mike Festo stated let me just clear this.

Chairman Rogan stated yeah.

Mr. Mike Festo stated it was inspected, the only thing he didn't like was the height of the steps when you step down.

Rich Williams stated I'm sorry Mike, I've been there. There is clear correspondence that Dave Raines did not do any footing inspections before you poured, there is clear correspondence on that.

Mr. Besherat stated I will be more than happy to meet with him, let's make it part of a process and see if I can talk with him and see if we can satisfy him, whatever it is, I mean you know.

Rich Williams stated okay and he has required at that point that an engineer certify the footings.

Mr. Besherat stated we have no problem certifying it.

Mr. Mike Festo stated then I put a call into Willie about that.

Mr. Besherat stated we have looked at it from the beginning before it was back filled and everything else. So I will meet with him and see what he has to say, we can't not really speak on his behalf.

Chairman Rogan stated nor can we.

Mr. Besherat stated exactly, so we will meet with him and see what he's got to say, it just a matter of cooperative work to reach a solution that will be acceptable by everybody and.

Chairman Rogan stated the second person that we are going to have to talk with is our Wetlands Inspector.

Mr. Besherat stated okay.

Chairman Rogan stated Ted, if you recall on this lot, the issue came up with the greater disturbance and this, what was it called, the easement.

Rich Williams stated the vegetated water quality swale, which is placed within a conservation easement and deed restricted as per the DEP.

Chairman Rogan stated okay, so we have to get.

Board Member Pierro stated who entered into easement agreement, Rich, the previous owners.

Rich Williams stated the conservation easement was proposed as part of the stormwater pollution prevention plan, the NOI issued by the DEC and the Town of Patterson.

Board Member Pierro stated okay.

Rich Williams stated DEP took it to the next level and said it must deed restricted.

Chairman Rogan stated so we should probably hear from Anthony in that regard, our lawyer, in terms of what the ramifications of a modification to that approved plan have on that deed restriction.

Mr. Besherat stated we really have absolutely no objection to that.

Chairman Rogan stated it may require an additional review on this outside of our Board and then I will say, right up front that even fixing it safe wise, I don't like the idea of that corner and at a minimum I want to see elevations from here, some kind of architectural renderings.

Mr. Besherat stated if.

Chairman Rogan stated of what the usability of that will be.

Mr. Besherat stated like I was saying before, if the Board is receptive to the idea, you know what I mean, what I will do is we will be getting a complete on site shot topography and we'll give you elevations and everything that is as accurate as you get it, to the inches. You know, including elevations, including profile and cross section to show the relationship between this and that, which will be a lot more, I mean this is just again, conceptual, this is the concept that we want to work with, okay. In order for us to come with these ideas and exact types of wall, exact slope of a grade, I need a full topography of what is there, the topography I have available to us is prior to construction and after construction there are some changes and you know from the road et cetera, so the topography is different. We will have this area shot, you know topographically and work with a far more accurate.

Chairman Rogan stated okay.

Rich Williams stated if I might make a suggestion, the Board might want to see in the area of the retaining walls, it a very short area, at one foot increments, instead of two foot [increments].

Board Member DiSalvo stated yes.

Chairman Rogan stated okay.

Mr. Besherat stated okay.

Chairman Rogan stated great.

Mr. Besherat stated the final grading will be one foot.

Rich Williams stated or at least spot grades going, I mean you are going to have to do spot grades (inaudible).

Mr. Besherat stated spot grades I think would be a better scenario otherwise I think it will be too tight there.

Board Member DiSalvo stated we did something like this at that lot in Wyndham Homes, with the deck out there that was, it wasn't unlocked, it was all natural rock, yeah.

Board Member Pierro stated yeah.

Chairman Rogan stated Willie, I always tell people that I don't like to send them in a direction and waste their money, I don't like the idea of wasting peoples time or money.

Mr. Besherat stated we appreciate that.

Chairman Rogan stated I'm not a fan of what you guys are proposing here.

Mr. Besherat stated okay.

Chairman Rogan stated you're going to have a hard time selling me on this, on the garage I can accept that, grading, maybe in creating some usable area in the back yard, I can accept but this corner is going to be the break for me, right now as it exists, I am not in favor of it, to be honest with you.

Mr. Besherat stated may I ask, what is your specific concern so that I may be able to address it.

Chairman Rogan stated safety number one, which I believe is your business of addressing.

Mr. Besherat stated okay.

Chairman Rogan stated usability of this yard for these people when we had something that worked so much better. Now I'm not saying that you couldn't have with the other plan put in a three foot wall and raise the grade and made a better back yard but that would have been a very easy thing to do compared to fixing this, had you come in with this plan blank, a blank slate not in the ground right now I would say what are you crazy, turn this around and work with the grade better. My feeling for this Board is we have to review this as if this is not in the ground, that this is something that we are going to look at as the usability, that I think

is our Board's responsibility and purview, is to look at this from safety, how it relates to the community. The character of the community and the usability and what these people are going to want to use because every single month, we have people come in saying I can't put the pool here now because the grade is not good and I have to put it over here and it can't work and this and that and what we want to make sure is that every lot we approve has usability and the expected use of that property. I know that the person that buys it is going to be buying it seeing what is there and you indicated initially on spec, not on spec but for someone specifically.

Mr. Mike Festo stated we did have someone.

Chairman Rogan stated now they may have very well backed out, not my business but I'm looking at it from a standpoint of if we were looking at this as a blank slate, that corner is my difficult one right there.

Mr. Beserhat stated I think to address that, I will give you my thought on this, I think, no one knows the topography exactly as it exists and we try and do an overlay like you did with the original and see the steepness, compare the steepness of the back yard from that point of view and from what we have there, I think that would give us a little bit more comparison and let's see you know, if the house, leave it where it was. Really would have been really a far better scenario for creating a back yard, then you know, help us make the decision and better before we reach the completed, I do understand the tightness and the potential danger in there, you know, what we are proposing will probably even permanent fencing around it possibly.

Chairman Rogan stated what are you proposing for your stormwater practices, there were there, what do you call those.

Rich Williams stated those are level spreaders.

Chairman Rogan stated level spreaders.

Mr. Besharat stated I think that was approved with the subdivision.

Chairman Rogan stated yeah because the area of that level spreader was right on top of one of the walls which obviously is not an area that can be used for that, you are going to have redirect that to another area and obviously you are running out of space.

Mr. Besharat stated the final, if we, the final site plan will address all the concerns regarding water, drainage, et cetera, et cetera.

Board Member Pierro stated Shawn, I don't see us moving too far forward on this until we hear from Dave Raines about whether or not he will accept the engineering inspections by another engineer.

Mr. Besharat stated so why don't we just plan on meeting with him over the next couple of days or this coming week, what have you.

Chairman Rogan stated right.

Mr. Besharat stated possibly before the next meeting to have a better comment from him on what he has (inaudible).

Chairman Rogan stated okay.

Mr. Besherat stated you are absolutely right, you know because if he has major impact then at this point will not be.

Chairman Rogan stated I agree with you.

Board Member Pierro stated (inaudible), right.

Mr. Besherat stated even if we reach an agreement here, we will get other obstacles.

Board Member Pierro stated but again my experience here, I have never seen house built in this Town, with that kind of a retaining wall over that back corner. The inability to get around that house in an emergency bothers me. If somebody jumps out of a window during a fire, that is something to be concerned about.

Mr. Besherat stated okay, that is a concern.

Board Member DiSalvo stated yeah we talked about that (inaudible).

Mr. Besherat stated then you know again, like I said, once I have the final topography I might give them a bigger area, maybe six foot area, these walls I can put up to sixteen feet tall with them, at the same time (inaudible).

Board Member Pierro stated another, anything over four feet by our Code or by State Code, Rich, speak to me if I'm wrong.

Mr. Besherat stated has to be engineered.

Board Member Pierro stated has to be engineered.

Mr. Besherat stated yes.

Board Member Pierro stated this also concerns me because you have three separate weight bearing structures leaning on each other here.

Mr. Besherat stated well.

Board Member Pierro stated and I want to hear from an engineer.

Mr. Besherat stated the transmission, everything will be in, even as we put the wall, everything will be engineered.

Chairman Rogan stated I can buy a sixteen foot wall, if its thirty foot away from the foundation, you put a fence on top of it, permanent fence.

Mr. Besherat stated yeah.

Chairman Rogan stated you are using some, you have to deal with the slope but you are also getting away from the edge of the house.

Mr. Besherat stated okay.

Chairman Rogan stated so you've got number one Dave Raines, when we hear back from him or at the same time I'm going to ask Rich to reach out to the DEP and ask if they are going to want to review this for this encroachment into that restriction.

Rich Williams stated you want me to reach out to them, I will reach out to them but I can tell you what they are going to say.

Chairman Rogan stated I normally, well, if it impacts on.

Board Member Pierro stated there is going to be no.

Mr. Joe Festo stated (inaudible) updated on, the survey.

Chairman Rogan stated they are going to say they want to review it.

Mr. Besherat stated I think the impact of the existing wall (inaudible).

Chairman Rogan stated or they are going to say stay the heck out.

Rich Williams stated they are going to say take it out and restore it.

Chairman Rogan stated yeah, well but given that, are we remiss in setting up a conservation easement, a controlled area, knowing that there are restrictions on that and then moving forward and reviewing something that puts further impact.

Board Member Pierro stated I thought there was already a conservation easement in place.

Chairman Rogan stated there is, that is the problem and this violates that conservation easement.

Board Member Pierro stated okay, why do we have to set up a new one or another easement, if its already in place.

Chairman Rogan stated I'm not saying we have to set up another one.

Board Member DiSalvo stated revise it.

Rich Williams stated right now they are in violation of the conservation easement, they are in violation of the deed restriction.

Board Member Pierro stated right.

Rich Williams stated who ever has the legal authority to enforce those, can come in and start enforcement actions against them.

Board Member Pierro stated right and most likely, you notify them, they will.

Rich Williams stated and that is what I just said to Shawn, when he said contact the DEP.

Board Member Pierro stated yeah, they are going to.

Rich Williams stated if I contact the DEP.

Chairman Rogan stated they are going to be all over it.

Rich Williams stated they are going to say, they are going to start enforcement action.

Board Member Pierro stated right. So why don't we approach it as we are trying to get this violation taken care of before anything further goes on.

Chairman Rogan stated I agree with what you said; let's see what Dave Raines says.

Board Member DiSalvo stated let's see what Dave says.

Chairman Rogan stated Ted has been quiet so far but.

Ted Kozlowski stated well the easement, you know, a fact is a fact, it's important, there is no way around that.

Board Member Pierro stated right.

Ted Kozlowski stated so, my comment is going to be DEP's and you have to respect that, that is in violation.

Mr. Besharat stated I think we should speak with the Building Inspector first and see exactly what he does because if it is going to be a major issue with him then what we do here is actually useless even if you agree with us.

Chairman Rogan stated yeah, you're right, absolutely.

Mr. Besharat stated let's try to resolve everything with him, then at least one hurdle will be out of the picture and we will see what we can do and we try to come up with possibly additional solutions for this situation and I will see what I can do with it and how we can handle it from the engineering point of view. I have certain ideas in my head but I will throw it by the Festo's first.

Chairman Rogan stated sure.

Mr. Besharat stated to see what kind of ideas, how exactly to build it to my ideas and I would like to meet with you at the next meeting if possible and hopefully we will be able to work everything out with the Building Inspector by the time we come up here and talk about an idea that you guys will embrace.

Chairman Rogan stated sure and I want the Mr. Festo, both Festo, right, Misters Festo.

Board Member DiSalvo stated Misters.

Chairman Rogan stated Misters, yeah, Misters Festo to please understand that it is certainly not personal with us.

Mr. Mike Festo stated we know.

Chairman Rogan stated we are not taking this at all, we are dealing with what is in front of us and trying to resolve these issues. Having said that, I'm sure that you are keeping track of things in terms of okay, what is this process going to take, what is this going to cost us, what do we have invested and what is the easiest solution because like said I do not believe in wasting peoples time or money. It is a difficult enough time out there as it is. Also, this is the first of two homes that you are under construction, we expect everything from here out to go as approved and planned. Okay, good luck.

Mr. Besherat stated alright, we will talk to you at the next meeting, we will contact the Building Inspector, Monday.

Mr. Mike Festo stated we can get on another work session.

Chairman Rogan stated we are going to have a meeting next Thursday night, no more work session.

Board Member DiSalvo stated it's a regular meeting.

Board Member Pierro stated May 1st.

Chairman Rogan stated a regular meeting.

Mr. Joe Festo stated can we do another work session.

Chairman Rogan stated no, this work session is in preparation for that meeting.

Mr. Besherat stated okay, should we come to the next meeting or should we wait until the next work session.

Board Member Pierro state if you have a determination from Dave Raines that could be communicated to us, I would say yes.

Mr. Besherat stated come to the meeting, so it depends on that.

Chairman Rogan stated if you do not, then I would say you don't have to bother showing up because we have already done the discussion, nothing would have changed between now and then.

Mr. Besherat stated okay, so if he says okay we will accept the certification, which we will be more then happy to certify structurally sound and it was inspected prior to it being back filled. Then we will be coming to the meeting and hoping that I will have additional information on how we are going to rectify this and hopefully we will reach something.

Chairman Rogan stated okay.

Mr. Besherat stated thank you for time and hopefully we will see next week.

Rich Williams stated just so we are clear, you are not looking for me at this time to notify the DEP.

Chairman Rogan stated no, let's wait for Dave because again, this might all be a moot point.

Mr. Besherat stated okay, great.

Mr. Mike Festo stated thanks for your time, good night. Do you want us to take these [chairs] out.

Chairman Rogan stated no you can leave them.

Board Member DiSalvo stated just move over a bit.

Board Member Pierro stated leave one for Ted.

Board Member Cook stated is it the Town responsibility (inaudible).

Board Member Pierro stated we have seven people in a small space.

Board Member DiSalvo stated I would think these were theirs.

Chairman Rogan stated we are the regulatory authority, it would be like calling somebody and say hey I just want to let you know I violated your laws, you know.

Board Member Pierro stated right.

Chairman Rogan stated I think that is really, the person that finds the violation spreads the word.

Board Member Pierro stated the time will come.

Chairman Rogan stated here is your mark up copy back.

Board Member DiSalvo stated Kent Supply.

Board Member Pierro stated oh no.

Board Member Montesano stated I thought I left Florida.

Rich Williams stated (inaudible).

Board Member Pierro stated yeah, well.

Chairman Rogan stated okay.

Rich Williams stated (inaudible).

1) KENT SUPPLY CO. – Public Hearing

Chairman Rogan stated Kent Supply. What do we have new on Kent Supply.

Rich Williams stated Kent Supply is back in for a public hearing at the next meeting, they resubmitted the plans trying to address our comments. I asked them to certify the pond was constructed properly and they issued a stormwater report on the pond, raised some additional issues. Gene and I have both taken a look at it, (inaudible) comments.

Board Member DiSalvo stated what did we decide on the parking lot there, the unpaved parking lot.

Board Member Montesano stated its getting paved.

Rich Williams stated its getting paved.

Board Member Montesano stated its going to be paved.

Rich Williams stated everything is getting paved.

Chairman Rogan stated yeah.

Rich Williams stated and striped.

Chairman Rogan stated I know that there were varying opinions on that but I guess we will move forward.

2) **WALLACE W/W APPLICATION – Continued Review**

Chairman Rogan stated Wallace Wetlands/watercourse application. This is the steep lot down in. We knew it would come back.

Ted Kozlowski laughs.

Rich Williams stated did I hear a grunt.

Chairman Rogan stated I think that was a moan.

Board Member Pierro stated it was a grunt on my behalf.

Ted Kozlowski stated it just won't go away.

Chairman Rogan stated is it coming back with more of the same or is there anything new that we are.

Board Member DiSalvo stated the driveway entrance.

Rich Williams stated they are coming back, they have added a little bit more detail, they have addressed our comments. The last time this was in, was a year ago.

Chairman Rogan stated right.

Rich Williams stated so its been a while.

Chairman Rogan stated it has.

Ted Kozlowski stated so its another, the sides that they got approved off the wetland.

Chairman Rogan stated house location and the driveway are different.

Ted Kozlowski stated the septic and.

Rich Williams stated a little bit.

Ted Kozlowski stated so the house design and everything is in the buffer.

Board Member Montesano laughs.

Board Member DiSalvo stated unfortunately we are stuck with the lot.

Chairman Rogan stated yeah that is a good point Maria.

Rich Williams stated the buffer comes right up to the back of the house.

Chairman Rogan stated yeah.

Rich Williams stated the driveway is in a fairly stable position.

Board Member Montesano stated well if you put in another house.

Board Member DiSalvo stated right.

Board Member Montesano stated if you put in a cottage you wouldn't have a problem.

Chairman Rogan stated this is not the lot, the septic is further down, it felt like (inaudible).

Board Member Montesano stated but they don't want cottages, everybody has to be 5,000 square feet. I don't know, I get tired of cleaning (inaudible).

Board Member DiSalvo stated I don't know, maybe they should start building houses that are affordable.

Chairman Rogan stated ten foot (inaudible) or.

Board Member DiSalvo stated retaining wall.

Rich Williams stated a lot of fill.

Chairman Rogan stated yeah.

Rich Williams stated ten or twelve feet of fill.

Chairman Rogan stated its so steep, so the house be up as you go up to it.

Rich Williams stated interesting, the new general permits for stormwater have been issued, they go into effect on May 1st and the new general permit requires any disturbance great there 5,000 square feet to do a stormwater pollution prevention plan, file an NOI and it has to be signed off by the Town. So he now has to an NOI with the DEC on this project, to comply with the stormwater regulations, just one more regulatory hurdle.

Chairman Rogan stated that has to be awful.

Rich Williams stated well, you go away for a year.

Chairman Rogan stated yeah, well true enough.

Board Member DiSalvo stated whatever happened to the other two lots across the street that were worse then this, did they merge them.

Rich Williams stated I understand that the gentleman who Ted was dealing with, after he bought the two lots, he was going to merge then.

Ted Kozlowski stated that was Mr. Katz.

Board Member Pierro stated Sydney Katz.

Ted Kozlowski stated Shimon Katz.

Board Member Pierro stated Katz.

Ted Kozlowski stated and he was in discussion with the guy.

Board Member DiSalvo stated to the right.

Ted Kozlowski stated to the right, Caroline Way though, this is the one that (inaudible) sold.

Board Member DiSalvo stated yeah.

Rich Williams stated yes.

Ted Kozlowski stated that lot is probably worse because its in the whole wetland.

Board Member DiSalvo stated yeah.

Ted Kozlowski stated and Mr. Katz I think may be offering to combine all the lots and put two houses and (inaudible) I think, I'm not sure because the only good area is that one central lot (inaudible). The reason why it has been developed is clear.

Board Member DiSalvo stated then there is the other one in the back right, at the end of the dead end, isn't that another one there.

Chairman Rogan stated yeah, back and to the right side.

Rich Williams stated that is the Doug Wallace lot that he was talking about.

Board Member DiSalvo stated oh okay.

Rich Williams stated it is mostly three on one slopes.

Chairman Rogan stated this area in the back here though, between the soil stock pile area and somebody's leach pits or water, the most level on the whole property it looks like, until you get down in the swamp.

Rich Williams stated yeah its does (inaudible) fifteen percent.

Chairman Rogan stated fifteen percent.

Rich Williams stated I'm guessing, based on, I know the upper part is like a three on one. Yes but you are right, that is where breaks and before it starts going down.

Chairman Rogan stated so they do have area about sixty feet off the back of the house, best case scenario of marginally usable property.

Rich Williams stated its all in the buffer.

Chairman Rogan stated right but we are putting leach pits in the buffer so.

Rich Williams stated I am just letting you know, is all.

Chairman Rogan stated like you said, everything is in the buffer at this point, it's just a matter of.

Board Member DiSalvo stated won't this house eventually have like drainage problems with their septic, if we get a lot of heavy rain.

Ted Kozlowski stated the other thing is.

Board Member DiSalvo stated where does it go.

Rich Williams stated understand, what precipitated this whole issue was the fact that they were putting a whole curtain drain.

Board Member DiSalvo stated curtain drain, right.

Rich Williams stated for the septic which is over on the side, he is still proposing to do that, he has it on the plan, you'll see the curtain drain around the whole septic area, is some areas twelve feet deep.

Chairman Rogan stated wow.

Ted Kozlowski stated the thing that Jack told last meeting was that he's not even sure he can prove out the septic.

Chairman Rogan stated ah.

Ted Kozlowski stated you know and he, so that, this is all a crap shoot, I don't mean to facetious but.

Chairman Rogan stated oh yeah.

Ted Kozlowski stated you know, they are not even sure they can get a septic approved.

Board Member DiSalvo stated I'm just thinking of like the diner, the Putnam Diner, you go in there sometimes and the toilet bowls are all backed up, nothing is going anywhere.

Rich Williams stated Putnam Diner is a little bit of.

Board Member DiSalvo stated especially when it rains and.

Rich Williams stated the problem with Putnam Diner is their soils were already, the ground water is right up to the top of the ground and everybody knew that, you know, you walk twenty feet out the back and you are in a wetland, that is all filled in area and they tried to increase the flows and the Health Department allowed them to increase the flow substantially.

Board Member Pierro stated you know what amazed me Rich is that it was never that bad prior to them opening 24 hours a day.

Board Member DiSalvo stated what the other restaurant there.

Board Member Pierro stated I don't recall that place ever having a problem prior to them opening and extending their hours and expanding the size of the restaurant.

Rich Williams stated the only thing I can say is the Elms wasn't doing the kind of business that they are doing.

Chairman Rogan stated right, exactly, yeah.

Board Member DiSalvo stated and probably now, they are washing more with the dishwashers and the volume of water.

Rich Williams stated you have to remember the Elms was a.

Board Member DiSalvo stated I remember, I used to go there.

Rich Williams stated tight time frame.

Board Member DiSalvo stated right.

Rich Williams stated they would get a little bit of a lunch crowd, a fairly good dinner crowd, the Putnam Diner, breakfast, lunch and dinner.

Chairman Rogan stated yeah.

Board Member Montesano stated well Jimmy was never too worried about anything.

Rich Williams stated yeah.

Chairman Rogan stated Charlie you've never been to this site, if I'm correct.

Board Member Cook stated I think I have, I think Rich took me up there.

Board Member DiSalvo stated it's down that, by the guardrail.

Board Member Cook stated yeah.

Chairman Rogan stated um.

Board Member DiSalvo stated any size house they are looking to build.

Chairman Rogan stated it's a two bedroom, limited to a two bedroom house.

Board Member Montesano stated two bedrooms.

Board Member DiSalvo stated oh okay.

Board Member Montesano stated there you go, that I can live with.

Chairman Rogan stated and it looks like they showing roughly a 2,600 square foot-ish home, two floors, 28 and 48.

Board Member DiSalvo stated two car garage.

Chairman Rogan stated yeah, tough lot and your point is well taken, it's an existing lot.

Board Member DiSalvo stated we have to make the best of it I guess.

Board Member Montesano stated (inaudible).

Chairman Rogan stated and the area, like I said the 60 or so feet behind the house to right hand side of his.

Board Member DiSalvo stated is usable.

Chairman Rogan stated depending on the location of those leaching pits, even though it's the buffer, I would be willing to just, just what we said with the last, with the gentlemen that were in here, put up a three or a four or a five foot retaining wall and.

Board Member DiSalvo stated and back fill.

Chairman Rogan stated gain a little bit of back yard on it or something like that.

Board Member DiSalvo stated I mean, they can never technically put a built in pool there.

Chairman Rogan stated no.

Board Member DiSalvo stated above ground, I am just trying to think of what people would want.

Board Member Montesano stated they would try.

Chairman Rogan stated right.

Board Member DiSalvo stated you know.

Chairman Rogan stated this will be, everything is going to have to be survey located on this one, there isn't much squeak room, alright.

3) THE PLAZA AT CLOVER LAKE – Final Approval, 62 days ends June 4, 2008.

Chairman Rogan stated Plaza at Clover Lake, final approval. We had a public hearing last time on it.

Rich Williams stated you had a public hearing, you should be good (inaudible).

Chairman Rogan stated great, we'll have a resolution on that.

4) POWE SUBDIVISION – 62 days ends June 4, 2008

Chairman Rogan stated Powe Subdivision.

Rich Williams stated they are back in, they are resubmitting, they have addressed most of the comments at this point. There is issue that has come forward, that has to do with the survey, the surveyor who is preparing the plat, in his reading of the deeds and the deeds of the adjacent parcel, feels that there is this area of no man's land, a gore strip. Tom McGinn, who is with the engineer's office, has reviewed all the documentation, doesn't agree and doesn't feel that it is appropriate that the plat be filed showing gore strips.

Chairman Rogan stated okay.

Board Member DiSalvo stated what are gore strips.

Board Member Pierro stated unidentified, un-owned.

Board Member DiSalvo stated you don't know if that one owns or if that one owns it or.

Board Member Pierro stated yeah.

Chairman Rogan stated two lines that don't meet.

Board Member Pierro stated maybe there was an error in a survey.

Board Member DiSalvo stated that happened a lot 50 or 70 years ago, right.

Rich Williams stated sure, but in this case it is a discrepancy between the surveyors.

Board Member DiSalvo stated how much of a difference are they off, how big is this gore strip.

Rich Williams stated you just never want to file a plat that is going to create this.

Board Member DiSalvo stated right, right.

Chairman Rogan stated right.

Rich Williams stated and Tom, in reviewing the deeds.

Board Member DiSalvo stated is one lot going to be bigger then the other or is that difference.

Rich Williams stated the issue is between this, the whole lot and adjacent property owner.

Board Member DiSalvo stated right, Smith.

Rich Williams stated where the deed says, I don't know if its Smith or Hutton.

Board Member DiSalvo stated oh boy.

Chairman Rogan stated whichever you end up with a property, say doesn't belong to anybody, somebody can come in and say I've got a lot.

Board Member DiSalvo stated squatter's rights.

Chairman Rogan stated yeah.

Board Member Cook stated I want to put a deck on.

Board Member Montesano stated next to the pool.

Chairman Rogan stated I want to put a deck on.

Board Member Pierro stated I have a fairly recent survey of Hutton.

Board Member Montesano stated you want to play golf.

Rich Williams stated well here is the basic issue, the deeds all say that the property line goes to the wall.

Board Member Pierro stated right.

Rich Williams stated when somebody took some prior measurements, they didn't measure to the wall.

Chairman Rogan stated right.

Rich Williams stated you know, Tom says the deed says go to the wall, show it to the wall, don't show it any other way.

Board Member Pierro stated I have the problem on both sides of Hutton, now because I was reading the maps and walking it and its, so there is some land behind Vinny's that is a gore area, behind Jack Karell's as a matter of fact, is a gore area, so we are trying to review that.

Rich Williams stated so.

Chairman Rogan stated just tell them to figure out.

Rich Williams stated Tom wants to sit with me, I don't know why, he wants to sit with attorney, you know, talk through and see what kind of stand he is going to take with the surveyor of record, who is actually drawing this and making the call, whether we are going to accept it at all.

5) PADDOCK VIEW ESTATES

Chairman Rogan stated Paddock View Estates, everybody remembers discussing this last time, and their approval expired.

Board Member Pierro stated so what position are we in, they come in with a new application, did we waive the fee.

Chairman Rogan stated we did waive the fee.

Rich Williams stated you made a recommendation to the Town Board last night and the Town Board took action and waived the fee, the application fees.

Chairman Rogan stated yeah, the application fees.

Board Member Pierro stated okay, now what stage are we up to, we have to have a public hearing.

Chairman Rogan stated we haven't even, they have to resubmit.

Rich Williams stated they resubmitted with a new application, they have to do a, the next step in the process is to do a preliminary public hearing on the preliminary subdivision application.

Chairman Rogan stated review.

Board Member Pierro stated okay.

Board Member DiSalvo stated what was the reason again for this lapse.

Rich Williams stated going away. They didn't finish drawing the documents, getting all the engineering done within the year that they had to do that.

Board Member Pierro stated right.

Rich Williams stated to meet all the conditions. We don't have a bond, we don't have rec.[recreation] fees, we don't have inspection fees, other stuff, the procedural requirements that they didn't meet. The big issue is that they didn't get the engineering done.

Board Member DiSalvo stated we give extensions, wouldn't that apply to them if they were to request an extension.

Chairman Rogan stated we give, we are allowed to give, how many extensions are we allowed to give.

Rich Williams stated when you grant a conditional approval, New York State law says that you do it for 180 days plus two 90 day extensions.

Board Member DiSalvo stated so that is another 180 days.

Rich Williams stated right, so essentially 360 days.

Chairman Rogan stated 360.

Board Member DiSalvo stated and he ran out of that.

Rich Williams stated yes. That ended March 1st.

Chairman Rogan stated okay.

Board Member DiSalvo stated what was like the delay on it though, with the water tanks where they were going to put them and stuff.

Chairman Rogan stated they weren't in any great rush to get this pulled through the market.

Rich Williams stated Mark was looking, the applicant was looking for a way to extend this anyway.

Board Member Pierro stated he got it.

Chairman Rogan stated and pretty cheap too.

Board Member DiSalvo laughs.

Rich Williams stated but you know, the fire tanks, the stormwater ponds, getting other agency approvals.

Chairman Rogan stated I wonder if the one year time frame isn't.

Board Member DiSalvo stated enough.

Chairman Rogan stated a bit narrow at this point and with all these other things going on with these applications. You can do it but is it, are we pushing it on almost every one.

Rich Williams stated the problem with all the regulations and all the regulators that we have, is it a much more complicated process, yeah it probably is, in some cases, a year probably isn't sufficient, DEP can tie you up forever.

Chairman Rogan stated right.

Board Member DiSalvo stated and don't forget, this was ten lots.

Chairman Rogan stated right.

Board Member DiSalvo stated maybe with the three lots or four lots, whatever, smaller lots that wouldn't take that long.

Rich Williams stated it would take an act of the New York State Legislator to change it.

Chairman Rogan stated no I'm just philosophically, I wonder if, okay.

Rich Williams stated no, you know, with all due respect, if it was Insite or Putnam Engineering or Bibbo, they've got crews and.

Chairman Rogan stated tenacious.

Rich Williams stated yeah.

Board Member DiSalvo stated and they wouldn't leave it on him to get it done.

Rich Williams stated this was one individual.

Board Member Pierro stated a one man show.

Rich Williams stated right and you know he took his trips to Florida over the winter and so things didn't get done in a timely fashion.

6) MARTINS SUBDIVISION

Chairman Rogan stated Martins Subdivision, we haven't site walked yet because they haven't told that its ready to be site walked.

Rich Williams stated correct.

Chairman Rogan stated but they have submitted, is there anything changed from the original.

Rich Williams stated not a lot.

Chairman Rogan stated okay.

Rich Williams stated I haven't had a chance to go through it in detail.

Chairman Rogan stated but basically we are looking to site walk it, alright.

Board Member DiSalvo stated alright.

Chairman Rogan stated so, and like wise, its not on here but the other application, the rodeo, we were basically going to, there wasn't much that we were asking out there, we were going to do it, we just haven't gotten around to it.

Rich Williams stated it is a question of scheduling it or whether you want to do it this weekend or not, we could throw it on.

Chairman Rogan stated I was trying to, remember I had e-mailed originally about possibly last weekend and it didn't and in fact I was worried that I heard from anybody and I thought and I told Maryanne, I said I wonder if everybody down at the diner tomorrow morning, maybe I ought to get Rich's cell number but I said he would let me know.

Rich Williams stated by the time I got it, I just didn't have the time to pull it together.

Chairman Rogan stated and if everybody else can make it, I understand, do it without me but I have Haz.[Hazardous] Mat. [Materials] Training from 8 am until 5 pm, all day Saturday.

Board Member DiSalvo stated do you want to do it after work one day or.

Board Member Pierro stated yea we can do that.

Board Member Montesano stated yeah.

Board Member Pierro stated Saturday and Sunday its supposed to rain like the dickens.

Chairman Rogan stated yeah, its supposed to be cruddy anyway.

Board Member Pierro stated right.

Chairman Rogan stated does anybody want to try for like, do you have any problem with like Tuesday night or something.

Board Member Pierro stated yeah, that's fine with me.

Board Member DiSalvo stated as long as the weather is decent.

Chairman Rogan stated maybe we can meet right here in the parking lot and then drive over from here. I can be here by ten after five.

Board Member DiSalvo stated yeah.

Board member Montesano stated if its easier, we can meet right there.

Chairman Rogan stated oh, that's right, Abruzzi.

Board Member DiSalvo stated yeah.

Board Member Montesano stated we can park right there, we can always throw a couple of golf balls around.

Chairman Rogan stated okay.

Board Member Montesano stated at the houses next door.

Board Member Pierro stated and maybe get the Planner to buy dinner.

Board Member Montesano laughs.

Board Member DiSalvo stated pizza.

Chairman Rogan stated meet Tuesday at.

Board Member Pierro stated nice try.

Rich Williams stated what.

Board Member Pierro stated nice try huh.

Board Member DiSalvo stated Martins is ready too.

Chairman Rogan stated no.

Rich Williams stated its not.

Chairman Rogan stated its not.

Board Member Pierro stated there are some changes here.

Rich Williams stated its still three lots, right and its still got the same road going in.

Chairman Rogan stated we have to get up there and take a look at it.

Board Member Pierro stated they changed the direction of the road a little bit.

Chairman Rogan stated obviously we did North County Homes lot 5.

8) BARJAC REALTY SITE PLAN

Chairman Rogan stated Barjac Realty Site Plan.

Rich Williams stated they are back in, I think they will make Ted very happy with a complete application. They have a stormwater plan, they have (inaudible), they got it all.

Ted Kozlowski stated but the planting plan for the stormwater basin is just grass.

Rich Williams stated that works for me.

Board Member DiSalvo stated what else do you suggest, so I can use it.

Rich Williams stated I know, you and I go back and forth about this, you know when we take and I am going to be very clear, when we take these basins over and have to maintain them, when they are basins we are going to take over like in a subdivision.

Board Member Pierro stated right.

Rich Williams stated I am not going to worry about having a crew out there that can tell the difference between a good plant and bad plant.

Board Member Montesano laughs.

Rich Williams stated they are going to go in with a hydro axe and we are whacking everything down to the ground.

Ted Kozlowski stated if we putting basins in wetland buffers and wetlands, then they should be part of the wetland and the buffer and they shouldn't just be switch grass.

Rich Williams stated they have to be maintained long term and we want to do is create these basins, focusing on their purpose which is for water quality.

Ted Kozlowski stated right.

Rich Williams stated and the grass will do a wonderful job.

Ted Kozlowski stated and they should have a diversity of plants in there.

Chairman Rogan stated how about a diversity of plants in the area that doesn't have to be maintained like outside of the area that you are talking about. Do some plantings that will benefit there.

Rich Williams stated well theres.

Ted Kozlowski stated you know, there is no such thing as (inaudible), I don't care what anybody says, everything needs maintenance unless you are going to put plastic plants.

Board Member DiSalvo stated things grow.

Board Member Montesano stated can we.

Board Member DiSalvo stated the dollar store.

Ted Kozlowski stated it just doesn't happen, in any basin, in any landscape plan you put in, there should be a five year maintenance plan, at least. Whether it's a wetland issue or not, anything you guys are looking at, you know, with regard to landscape plans, whether its basins, whatever, there should be automatic maintenance plan because it turns to crap once its done.

Rich Williams stated all the stormwater basins, there is a maintenance plan and its (inaudible).

Ted Kozlowski stated right, if we are allowing the intrusion into the buffer, that part of the basin should be some sort of functional compatibility to the existing wetlands and that is just a matter of a little more imagination then just putting switch grass.

Rich Williams stated like I said.

Ted Kozlowski stated so that is my recommendation, is it a big issue, am I upset about it, no, I'm just saying that is should be a little more then let's just put switch grass.

Board Member DiSalvo stated what else would you want.

Board Member Montesano stated to switch grass.

Board Member DiSalvo stated I'm just asking for myself.

Ted Kozlowski stated what I would say, they spent the time evaluating the wetlands for the functional analysis and I did try to relate this to Theresa and also I have to respect that she just lost her mother and this isn't high on the priority list and I understand that but you know. I would think you know if you are working with a guy who is evaluating the wetland function, try to incorporate that in the design and what that function would be identified as, that is all I'm asking.

Board Member DiSalvo stated what would you plant there, is what I'm asking, for my own knowledge.

Chairman Rogan stated she is asking for list damn it.

Board Member Montesano stated skunk cabbage.

Board Member DiSalvo stated skunk cabbage.

Ted Kozlowski stated (inaudible) that is a good question and I will go out there and come up with something, if you want something for the next meeting.

Board Member DiSalvo stated I'm just curious, you know, I am trying to imagine what it would look like with the skunk cabbage and the cinnamon bush or whatever, throw a couple of purple loo stripes in there.

Ted Kozlowski stated no, no, no.

Rich Williams stated let me try to throw this out, the concept we are designing now, has to have a permanent pool in the berm.

Board Member DiSalvo stated right.

Rich Williams stated in that permanent pool along the edge, we are going to put cat tails, we are going to put sweet flag, we are going to put reeds, we are going to put broad leaf plants that are going to both biological up take the nutrients but also slow the water down from moving around in there so the sediment falls out quick.

Ted Kozlowski stated and then five years later, its just phragmities, that is what its going to be.

Board Member DiSalvo stated that is what I was going to say.

Chairman Rogan stated nature takes over.

Board Member Pierro stated glad you admit that now.

Rich Williams stated sometimes yeah, I mean, New England Equine.

Board Member DiSalvo stated I can't stand that stuff, I have no cat tails (inaudible).

Rich Williams stated you know, we are having a big problem, they moved right in.

Board Member DiSalvo stated where do you go and buy cat tails, do they sell, I'm so used to seeing them in my back yard, so I don't.

Ted Kozlowski stated go to a nursery.

Board Member Pierro stated you can buy them.

Chairman Rogan stated Ted can give you some wetlands that we can tromp through and dig them out.

Board Member DiSalvo stated I got my own.

Ted Kozlowski stated you can come to my (inaudible), cat tails take over.

Board Member Pierro stated they are in my pond up in Hillsdale, it chokes out some of the phragmites.

Board Member DiSalvo stated you're saying that cat tails are evasive.

Board Member Pierro stated so are phragmites.

Ted Kozlowski stated they are almost evasive, they take over.

Rich Williams stated yeah they are very (inaudible).

Board Member DiSalvo stated so what else would you, you don't want the phragmites there.

Board Member Pierro stated it chokes them out.

Ted Kozlowski stated no.

Board Member Pierro stated cat tails chokes them out a little bit, you have to put a lot of them in.

Board Member DiSalvo stated now the cat tails are becoming the predators now.

Ted Kozlowski stated I think that you would rather have cat tails, they are native.

Board Member Pierro stated go native. Speaking of native, you should take a right some day, we'll take a walk in Taconic State Park, there is a (inaudible – turned away from microphone).

Board Member Montesano stated I haven't been up there in years.

Board Member DiSalvo stated where, off of (inaudible) that way you can go in.

Board Member Montesano stated 82.

Ted Kozlowski stated so that is my.

Chairman Rogan stated your spiel.

9) GREEN CHIMNEYS SITE PLAN

Chairman Rogan stated alright, Green Chimneys School, we have architectural, blue skies, sunny weather, birds chirping.

Board Member Pierro stated isn't that nice Shawn, makes you feel good, didn't that make you feel good with the kids planning basketball.

Chairman Rogan stated it really did.

Board Member DiSalvo laughs.

Chairman Rogan stated it looks like a mini college campus.

Rich Williams stated so you are aware, Barjac Realty (inaudible).

Chairman Rogan stated sure.

Rich Williams stated the bridge design is in, you've got your switch in, you've got full architectural for the barn, hope to take a look at them.

Board Member Pierro stated okay.

Chairman Rogan stated great. Ted take a look at that bridge also.

Board Member Montesano stated hey, is this Guantanamo.

Board Member Pierro stated no.

Board Member Montesano stated I see the fencing, where is the.

Board Member DiSalvo stated barbed wire, raised wire.

Chairman Rogan stated oh, come on now.

Board Member Pierro stated have some one on one games there.

Board Member DiSalvo stated (inaudible).

Board Member Pierro stated I see a little spot to put the cooler in the shade, in the corner, right there.

Board Member Montesano stated that's a lie.

Chairman Rogan stated okay, this is the proposal for the dormitory housing, four units if I remember right.

Board Member Montesano stated (inaudible).

Chairman Rogan stated there wasn't much out there that we really came up with that we were, the interior roadway improvements we were looking at.

Board Member Montesano stated I like the open windows that you can look in and see if they are being polite.

Chairman Rogan stated it looks like they are widening out the portion of the roadway.

Board Member Pierro stated the rodeo.

Rich Williams stated I've got no (inaudible) with the rodeo.

Board Member Pierro stated Town of Milton, I faxed it over.

Chairman Rogan stated let's get through this.

Board Member Pierro stated we are already at other business, we are done with Green Chimneys.

Board Member Cook stated it was just the roadway, it was extending this.

Board Member Pierro stated that was pretty straight forward.

Chairman Rogan stated yeah.

Board Member DiSalvo stated you have other business but nothing is listed, so can we put something.

Rich Williams stated there is one more thing that has come in.

Chairman Rogan stated go ahead.

10) OTHER BUSINES

a. Boniello Site Plan Bond Amount

Rich Williams stated Boniello Site Plan, we've taken a look at their bond for the site improvements, the engineer submitted the bond of 115,000 or there about.

Chairman Rogan stated yeah.

Rich Williams stated you know the Board made the recommendation, the Town Board set the bond amount, the Boniello's have tried to get that bond amount and are now coming back and saying that the most they can get the bond amount is 100,000 dollars, they can't get the full bond amount.

Chairman Rogan stated does that make any sense, is there, is it that they.

Rich Williams stated I don't know what it is.

Chairman Rogan stated because we get bond amounts for all different amounts all the time, it is just probably like you hit a.

Board Member Pierro stated their ability to get a bond.

Board Member Montesano stated their interest on the bond amount may be astronomical..

Chairman Rogan stated I see, okay.

Board Member DiSalvo stated even for the extra 15,000.

Board Member Montesano stated well.

Board Member Pierro stated Rich and I discussed this and to their benefit, they are dozing the buildings, they are doing all the site work, so.

Chairman Rogan stated yeah, its not like its something that you are going to have houses on that people have to use where if they don't do something right, its their business.

Board Member Pierro stated yeah they don't do it, their out of business.

Chairman Rogan stated I mean, you see this as, the thing is that we would have to do a new recommendation.

Board Member DiSalvo stated hold that thought.

(Side 1 Ended).

Chairman Rogan stated we would have do a new recommendation to the Town Board for them to modify, set a new bond amount basically.

Rich Williams stated correct and you probably want to justify why you are reducing the bond amount at this point.

Board Member Pierro stated Rich, question, we can hold their feet, we obviously can hold their feet to the fire on the 100,000, we aren't going to release it, we are not going to be as quick to start releasing any of that money until we are absolutely sure that everything is.

Rich Williams stated okay.

Board Member Pierro stated because their stormwater mitigation, they have to do there, that is the important thing I want to see.

Rich Williams stated I don't disagree with anything you are saying but keep in mind why are you reducing this one.

Chairman Rogan stated correct.

Board Member DiSalvo stated we have to cover ourselves.

Board Member Pierro stated we've never been asked, that's one thing.

Rich Williams stated so the next guy that comes in and says well I really don't want to post 150,000 dollars.

Chairman Rogan stated yeah.

Rich Williams stated I want to post 100,000.

Board Member Pierro stated no if he's not doing, if he's not doing the work as these guys are, building their own buildings.

Board Member DiSalvo stated but what if they are.

Rich Williams stated what is the difference if they are doing the work or if a general contractor is doing the work.

Chairman Rogan stated its amazing that the difference between 15,000 dollars in a bond is so great.

Board Member DiSalvo stated I was just going to say.

Chairman Rogan stated I mean, that is the weird part, you know.

Board Member Pierro stated pricing.

Board Member DiSalvo stated unless it kicks it into another level.

Board Member Pierro stated it gets expensive.

Chairman Rogan stated I'm not saying it doesn't I'm just surprised by it.

Board Member Pierro stated I used to have, depending on the level of work I did contractually, I used to have to up my bond on a regular basis.

Board Member DiSalvo stated how can we word this so we are not setting a precedent.

Chairman Rogan stated well we are.

Rich Williams stated I think you need to get in the record very specifically why you need to do this for them, why this is unique from everybody else, that is what you are need to be looking to do.

Chairman Rogan stated we have to hear it from them why. We don't have a reason officially from them why they are asking for it so, they are going to have to provide that.

Board Member Pierro stated will they be here, can we get them here for May 1st.

Chairman Rogan stated for their craft.

Board Member DiSalvo stated can we get some, can we get them during the week.

Chairman Rogan stated put them in under.

Rich Williams stated he asked me to put them on.

Chairman Rogan stated so it will be on under other business, tell them not to show up too early.

Rich Williams stated its Joel.

Board Member Montesano stated yeah, well.

Chairman Rogan stated well I'll tell you what, in this regard, I don't even know if Joel has to come, I mean, they need to be here.

Rich Williams stated Joel made the request.

Chairman Rogan stated Joel did, oh okay.

Board Member Pierro stated I don't think these two guys are very good at speaking in public anyway, so I'm sure Joel will do it.

Chairman Rogan stated I thought Anthony, they both I thought did very well considering, when they needed to say something and step forward, they did it with enough enthusiasm to protect their interests.

Board Member Pierro stated yeah.

Chairman Rogan stated you know, Joel will be in that will be great.

Board Member Pierro stated let's reach out to them and make sure somebody is here.

Chairman Rogan stated yeah, we are going to site walk Tuesday evening at five.

Rich Williams stated I am going to throw the rodeo on, that will make the people from PETA very happy.

Chairman Rogan stated yup, 5:15.

Board Member Montesano stated what channel.

Chairman Rogan stated and we will have minutes at some point, right.

The Secretary stated I'm really going to try.

Board Member Pierro stated in other business, relative to the rodeo, I faxed over some document that FOIL'd from the Town of.

Rich Williams stated I have not seen it.

Board Member Pierro stated I called Sarah for the fax number and I asked her to call if they were legible when she got them, so apparently she didn't get them.

The Secretary stated Sarah left early today.

Board Member Pierro stated I sent them over yesterday but I will bring them in time for the meeting and in fact if I have some time, I will scan them and e-mail them to everybody.

Rich Williams stated they probably didn't come in here which is why she never called you back.

Board Member Pierro stated okay.

The Secretary stated I will talk to her tomorrow.

Board Member Pierro stated alright, I will just take some time and scan them all, this way I can e-mail them to everybody. Basically, on the record there were, I FOIL'd from the Town of Marlboro, New York, which is in Ulster County. I FOIL'd any and all incident reports relating to the Coyote Stables, which hosted the rodeo and their, the chief of police there, who I knew from the old days, told me that he has wished that he had done the same thing that I was doing when this rodeo came to his town because it was an incredible, although it was only one day a week, it was incredible.

Board Member DiSalvo stated one day a week or a month.

Board Member Pierro stated one day a week on a Sunday, I didn't check all the dates, I think there were a couple of occasions in August they have but you check the faxes when you get them, there are a couple of dates that were in the same month that they had them but they wished that they had their town do a site plan approval because it was an incredible drain on emergency services for their police department, there were an incredible number of complaints, not to be racist, but there was loud Mexican music, all day on Sunday until 8:30 at night.

Chairman Rogan stated you can leave it at loud music.

Board Member Pierro stated right.

Board Member DiSalvo stated that's right.

Board Member Pierro stated a lot of.

Board Member DiSalvo stated so they didn't restrict any noise.

Board Member Pierro stated well they don't have a noise ordinance in their town, so that is why they have no restriction.

Board Member DiSalvo stated well they could have done it through the site plan approval.

Ted Kozlowski stated do they still do it.

Board Member Pierro stated they didn't do a site plan.

Ted Kozlowski stated Dave.

Board Member Pierro stated yes.

Ted Kozlowski stated do they still hold it.

Board Member Pierro stated no.

Ted Kozlowski stated why because of the music.

Board Member Pierro stated because of the problems that they had.

Board Member DiSalvo stated well let me tell you, they had it at the Dutchess County Fair, on Sunday the last day of the fair and you couldn't get near it.

Board Member Pierro stated right.

Board Member DiSalvo stated you had to get there three hours ahead of time to get a seat.

Board Member Pierro stated that is where it belongs.

Board Member Cook stated that can be good news and bad news.

Board Member Pierro stated that is where it belongs.

Chairman Rogan stated you're right.

Board Member DiSalvo stated it was very popular.

Chairman Rogan stated our issues for this under our purview are safety, site plan approval.

Board Member Montesano stated access.

Board Member DiSalvo stated access.

Chairman Rogan stated access, you know whether or not it is a good business or not, I mean I want people to succeed, you don't want to approve something that is going to flop but it really doesn't have any, you know.

Board Member Cook stated how about the accommodations.

Board Member Pierro stated the main problem they had were injuries to intoxicated bull riders who got stepped on, crushed chest syndrome, a couple of broken rib cases.

Ted Kozlowski stated intoxicated bull riders.

Board Member Pierro stated yes.

Chairman Rogan stated having a shindig.

Board Member Pierro stated and they have a two man police department on a Sunday and one hundred percent of their police department was tied up there.

Rich Williams stated both of them showed up at the event.

Ted Kozlowski stated is this, is bull riding, Rich, Dave.

Board Member Montesano stated right.

Ted Kozlowski stated is bull riding regulated by some sort of sports authority.

Board Member Pierro stated I don't know.

Ted Kozlowski stated like football, soccer, baseball all have regulatory (inaudible).

Chairman Rogan stated PBR.

Board Member Montesano stated Professional Bull Riders and the Rodeo Cowboys Association.

Board Member DiSalvo stated Google them because the United States Army has a bull riding team.

Ted Kozlowski stated so I would imagine that alcohol is forbidden for any professional.

Board Member DiSalvo stated yeah, any sport.

Board Member Montesano you don't want 2,000 pound alcoholic stepping on you.

Chairman Rogan stated you mean for the actual athletes.

Ted Kozlowski stated yeah, well.

Chairman Rogan stated not the audience.

Ted Kozlowski stated I would think, you know, Dave, they are saying the bull riders are intoxicated.

Chairman Rogan stated so they have to get for this kind of event, beside site plan from us, they have to get what a, temporary liquor license or something for these events.

Board Member Pierro stated if they are going to sell liquor.

Board Member DiSalvo stated I don't think we told me not that, didn't we say we weren't allowing that.

Chairman Rogan stated oh I don't know, I don't remember.

Board Member DiSalvo stated I don't think he wanted it.

Board Member Pierro stated yes.

Board Member DiSalvo stated I don't think he wanted it.

Board Member Montesano stated if I recall, I asked the gentleman if he was member of the.

Board Member DiSalvo stated PBR.

Board Member Montesano stated PBR, or and he said yes.

Chairman Rogan stated yeah.

Board Member Montesano stated now you have two organizations that will send people up.

Board Member Pierro stated but that's not.

Board Member Montesano stated you can get information.

Board Member Pierro stated but it's not going to absolve the Town of Patterson if anybody gets seriously injured over there.

Chairman Rogan stated let's go take a look and see what it looks like.

Board Member Montesano stated well gee, the object is, you have traffic on a Town road, somebody gets injured you can't really.

Rich Williams stated listen, you need to go out there and take a look at this.

Chairman Rogan stated yeah because it could be the best idea in the world but if it doesn't fit on the site.

Board Member DiSalvo stated on that site.

Chairman Rogan stated correct, both of us said it.

Board Member Montesano stated this is the whole thing, I still have.

Rich Williams stated there is nothing to flag.

Board Member Montesano stated we are just going to go out and look at this.

Board Member Pierro stated my concern is entry into this site by going through the front of Abruzzi Restaurant. If I understand correctly, they are going to pull in the main driveway of Abruzzi, make a right across the parking lot, jump that grassy area, make a left and go back.

Chairman Rogan stated that is what he told us.

Board Member DiSalvo stated that is what he should flag.

Chairman Rogan stated I think it showed pretty clear on the map, it was pretty close to the building when it was going to go around.

Board Member Montesano stated can he go through the pitch and putt and.

Chairman Rogan stated no.

Board Member Pierro stated no, he's going through the existing driveway there.

Chairman Rogan stated and then at some point, if we proceed and it looks like it will fit out there, we can always reach out to emergency services for a review and an evaluation also.

Ted Kozlowski stated do you think that DOT needs to be involved on something like that.

Rich Williams stated not if there is an existing driveway entrance.

Board Member DiSalvo stated why would they be involved.

Rich Williams stated if it was a new driveway entrance then they would be involved.

Board Member DiSalvo stated how did we do at the flea market, what, have they had a permit for years over there.

Chairman Rogan stated they have a Health Department permit.

Rich Williams stated we don't touch the flea market.

Board Member DiSalvo stated for the little wagon.

Chairman Rogan stated for the wagon.

Ted Kozlowski stated Rich, that wouldn't count as a new entrance because it's a new activity

Chairman Rogan stated I only speak to what I know.

Rich Williams stated no, if they, its an existing business entrance, if they had to modify the entrance due to traffic flow, then again they need to go to the DOT but if there is no modification required, if they were putting a shopping center in the back and they were increasing traffic, you know by a thousand cars a day, they would have to modify that entrance, there would be a new DOT permit.

Ted Kozlowski stated wouldn't they, wouldn't this be, I would think Dave is correct in, they packed, in whatever Town that is Marlboro, or whatever.

Board Member Pierro stated I didn't say they were packed, Maria said they were packed.

Board Member DiSalvo stated at the Dutchess County Fair.

Ted Kozlowski stated but you know, there is probably some attraction, I would imagine traffic on a Sunday especially in that area.

Rich Williams stated there is going to be a traffic flow issue if you all of a sudden have 200 cars coming out on to [Route] 22 at the same time.

Ted Kozlowski stated right.

Board Member DiSalvo stated right.

Rich Williams stated that is not going to require a modification to the driveway per se.

Board Member Pierro stated I don't agree at all with running that traffic in through Abruzzi parking lot.

Rich Williams stated and we aren't talking about that, I'm not touching that at all Dave, all I'm saying is.

Board Member Pierro stated I am.

Board Member Montesano stated (inaudible – too many speaking).

Board Member DiSalvo stated coming out on [Route] 22.

Chairman Rogan stated at this point.

Rich Williams stated is the DOT permit needed because there is a modification of the driveway (inaudible).

Board Member Pierro stated in that same vein, the existing driveway to the Pfister residences and the barn is just 100 feet to the north of the Abruzzi Restaurant, why can't we use that.

Chairman Rogan stated he mentioned that also.

Rich Williams stated taking a look at that, the geometry of that, it is a very steep incline, if you are going to have that kind of traffic through that driveway, I would opine that you are going to have to modify that driveway to accommodate that traffic, that would require a DOT permit.

Board Member Pierro stated I think that if we gently suggest that to Mr. Pfister, that he is going to do an incredible amount of damage to Abruzzi business, which is probably one of the bigger draws on Route 22 in the Town of Patterson right now, that we can convince him to change the grade, its only a matter of twenty or thirty feet.

Chairman Rogan stated let's go take a look.

Board Member DiSalvo stated yeah.

Chairman Rogan stated before we all start making arm chair quarterback type calls.

Board Member Pierro stated its not that difficult, I've looked at it.

Chairman Rogan stated well I haven't so.

Ted Kozlowski stated I think it's a safety issue.

Board Member Montesano stated on a Sunday in August, coming out of there.

Chairman Rogan stated that is such a tough area.

Rich Williams stated I think there are going to be other issues that you are going to have consider also, with the volume of traffic and the type of vehicles that are going to be using it and the type of vehicles that are going to go all the way back into the back, he is proposing a twelve foot wide driveway. Is a twelve foot wide driveway going to be adequate. My recommendation is you need two way traffic going through.

Ted Kozlowski stated you absolutely need two way traffic.

Rich Williams stated and twelve foot isn't going to do that for you.

Board Member Pierro stated getting an ambulance in and out there isn't going to (inaudible).

Board Member DiSalvo stated let's like, going to go and look.

Ted Kozlowski stated (inaudible).

Chairman Rogan stated the point you brought up about Dutchess County Fair being so packed, the facility is designed for it, even that, getting in and out of that place is all the different roads.

Board Member DiSalvo stated well the concept is good whether this is the right spot for it, a whole different.

Chairman Rogan stated correct and we don't have to agree with the concept of that, its really site plan issues, safety, Charlie had said a few things.

Board Member Pierro stated absolutely.

Chairman Rogan stated so Tuesday.

Board Member Montesano stated Tuesday, we'll get out there.

Chairman Rogan stated 5:15 at Abruzzi's.

Board Member Montesano stated and Richie is picking up the tab.

Chairman Rogan stated motion to adjourn.

Board Member DiSalvo stated and we are going to word this correctly.

Board Member Pierro stated and bring an ambulance.

Board Member DiSalvo stated if we do it.

Rich Williams stated word that correctly.

Chairman Rogan stated let's get Joel to come in and see, and yeah we'd have to, you know.

Board Member DiSalvo stated okay.

Chairman Rogan stated at least the difference is 15,000 dollars and not we have to go 200 to 100, you know its fifteen.

Board Member Pierro stated no.

Board Member DiSalvo stated maybe that is how it goes, maybe its goes 100,000.01 to 200,000.

Chairman Rogan stated right, it could very well be.

Board Member DiSalvo stated that's the next level that could be doubled.

Chairman Rogan stated it could very well be.

Rich Williams stated when we are calculating on a bond amount, we look at the site improvements and we figure out what the site improvements are, we multiply out, we have to do ten catch basins at 500 dollars a piece, that is 5,000 dollars.

Chairman Rogan stated right.

Rich Williams stated and that is how we come up with these odd numbers that are all over place is because we are looking.

Board Member DiSalvo stated no I'm saying for him to get the bond, 15,000 knocks it into the next category, the next level, like you are buying life insurance, right.

Chairman Rogan stated but also the fact of the matter on a bond calc. [calculations] is that is for all improvements and if they did none of the improvements, there is nothing to go in and fix because the site hasn't been really, other then stabilization of something. If they do half the job and leave, you've got half the, you haven't released anything yet, so there is a lot of safety margin built in.

Rich Williams stated well you know, be aware also, there is a whole nother issue, we do require a bond to ensure the site improvements get done, if it is a private site and we were to pull the bond we would have no legal authority to go in and finish the improvements. So we can't go on the site and finish them anyway.

Chairman Rogan stated so what do you do with the bond then, you pull the bond and hold it in escrow.

Board Member Pierro stated that's all.

Chairman Rogan stated so it's a really funny situation then.

Rich Williams stated we've never run across the situation.

Board Member DiSalvo stated something came up in Westchester County, there was something in the paper about that.

Board Member Pierro stated he won't get a C.O. that is for sure.

Chairman Rogan stated okay.

Board Member Pierro stated he won't get a C.O., he won't be able to file a mortgage on the property.

Board Member Montesano stated motion to adjourn.

Chairman Rogan seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carried by a vote of 5 to 0.

Ted Kozlowski stated Tuesday, Abruzzi, 5:15.

Board Member Montesano stated Tuesday, Aburzzi.

The meeting ended at 8:36 p.m.