

TOWN OF PATTERSON
PLANNING BOARD MEETING
April 29, 2010 Work Session

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Charles Cook, Vice Chairman
Michael Montesano
Maria Di Salvo
Thomas E. McNulty

Planning Board
April 29, 2010 Work Session 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 DiSalvo, Board Member McNulty, Rich Williams, Town Planner, Ted Kozlowski, Town of Patterson Environmental Conservation Inspector and Mr. Ron Taylor of the Patterson Historical Society.

The meeting began at 7:33 p.m.

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

Chairman Rogan stated okay, good evening everyone.

Board Member Montesano stated we're on.

1) JOEY MCKNEELY – Wetland/Watercourse Permit Application Public Hearing

Chairman Rogan stated first on the agenda we have McKneely, that is the wetland/watercourse permit application in Putnam Lake where they want to take two houses and combine them. We are just doing...

Rich Williams stated no new information came in on this one, we are just doing the public hearing.

Chairman Rogan stated okay and after the public hearing we are in a position to be able to approve the permit from what I remember...

Rich Williams stated correct.

Chairman Rogan stated okay.

2) O'MARA – Wetland/Watercourse Permit Application Public Hearing

Chairman Rogan stated O'Mara, that is the house off across from I want to say Wyndham Homes but that's not the proper...

Rich Williams stated Wyndham Homes, Windsor Woods or Collinwood Drive...

Board Member McNulty stated Old Route 22.

Chairman Rogan stated there you go and the Board may recall that...

Rich Williams stated Old Road...

Chairman Rogan stated the DEC had approved a plan that was submitted by Harry Nichols on this which showed a limits of disturbance that was fairly well defined with some fencing. So that is the plan that we are currently reviewing which is the most restrictive plan we've seen. So we will have a public hearing on that, anything new on that, or changed.

Rich Williams stated nothing new, no new plans, no changes.

Chairman Rogan stated okay.

3) UNCLE LOUIE G'S – Sign Application

Chairman Rogan stated and 3, we have Uncle Louie G's sign application, Mrs. Minelli, I believe...

Rich Williams stated yes.

Chairman Rogan stated appeared before the Board at the last meeting and why are they...

Board Member DiSalvo stated I thought we approved it.

Chairman Rogan stated I thought so too.

Rich Williams stated Mrs. Minelli submitted for two applications, one was for the canopy signs...

Board Member DiSalvo stated right.

Rich Williams stated which the Board did approve, the other one was for a window sign which the Board took no action on because she had indicated...

Board Member DiSalvo stated the menu sign.

Board Member McNulty stated yea, a menu.

Rich Williams stated she had indicated it was menu and came to realize it wasn't going in the window, it was going back on the wall. Well, she has since reconsidered her position, she would like to put something in the window so she has submitted an application for or she has amended her application for this sign that she would like to put in the window.

Board Member Montesano stated 4 foot 7 by 7 feet long. So it's a 4 by 8 sign.

Board Member McNulty stated 2 by 8 sign.

Chairman Rogan stated yea, the numbers don't add up from what the letter says to what the sign. The letter says 4 foot 7 by 7 [foot] 11.

Board Member McNulty stated but the drawing shows 24 inches...

Board Member DiSalvo stated that sounds like the size of the window.

Board Member McNulty stated which one is it, do you know Rich.

Rich Williams stated I don't know, I haven't taken a look at any of this, it's going to be a long weekend.

Chairman Rogan stated and it says final size of graphic, 24 by 95, so.

Board Member Montesano stated it just takes up 1/3 of the window on the second page but on the front...

Board Member DiSalvo stated (inaudible).

Chairman Rogan stated yea.

Board Member Montesano stated it's got...

Chairman Rogan stated okay, so we'll find out the true...

Board Member Montesano stated clarification.

Chairman Rogan stated numbers on that.

4) N.R.A. REALTY & DEVELOPMENT CORP – Wetlands/Watercourse Application

Chairman Rogan stated we have N.R.A. Realty which is back; we haven't seen this in quite awhile, our yearly review.

Rich Williams stated well, what...

Chairman Rogan stated right, it's kind of like one of those projects where we get a yearly review.

Rich Williams stated well it was funny how this all came about, we ended up going up on a complaint onto the site that they were working up there again without getting any permits or anything and found that they had indeed trenched down the hill to Stephen's Brook to put electric service in, the single-family house which is now going to be a very big single-family house and actually I met the owner up there. We had a very pleasant conversation, they are pulling all sorts of equipment, fire wood, everything else over that bridge and I explained to him that you know they had two excavators up there that they brought over the bridge. I said listen, you are just asking for trouble, he said it is all in Zarecki's hands and I don't know what he's doing, so apparently he got on the phone with Zarecki and you know a couple days later I got a call and a few days after that I got the plans. So it has been provided to the Town Engineer for his review and to Ted, if he shows up.

Chairman Rogan stated oh Ted.

Board Member McNulty stated Ted may have some personal issues tonight with his family I think, his mother-in-law isn't doing well.

Rich Williams stated I didn't know.

Board Member McNulty stated I'm not sure of that but...

Board Member Cook stated he is also looking for waiver for the length of the driveway.

Rich Williams stated they are also looking for a waiver on the driveway and there are some other issues on the driveway with paving and the water going down (inaudible).

Chairman Rogan stated the driveway or the road, you said driveway or did you mean the main...

Rich Williams stated again, I haven't had a chance to delve into anything but his request was for a driveway.

Chairman Rogan stated driveway.

Board Member McNulty stated this is all within, on his property, correct.

Rich Williams stated yes.

Board Member McNulty stated I looked at this quickly and its an existing road now with the rickety bridge.

Chairman Rogan stated Maria you were on this site, weren't you, with the hunting cabin.

Board Member DiSalvo stated yea a couple of years ago.

Chairman Rogan stated this was awhile ago.

Rich Williams stated this is kind of grown, morphed into something more than what it was, originally it was just a hunting preserve, they came in and got a building permit for a shed and built a cabin and then they enlarged the cabin and then they enlarged it again by the time they were done, it was no longer a cabin. It was a single-family house which they never had any plans submitted to the Building Department, they never had any review, so they went to the ZBA, they wanted to classify it as a cabin, even though it was a very large structure, the ZBA said no, it is now a single-family house, treat it as a single-family house so the driveway has kind of morphed into something more. You go up there now, he has done a lot of work on the site you know replanting, clearing out areas, creating fields...

Board Member Montesano stated did they put a bathroom in that building.

Rich Williams stated no, they are working on it.

Chairman Rogan stated you're right they didn't have...

Board Member Montesano stated I remember that was one of the points, they didn't have a bathroom.

Board Member McNulty stated so that is not a house then, un-occupyable...

Chairman Rogan stated not yet.

Rich Williams stated but by our Code, if you exceed a certain square footage, it has to be a house and that was the problem, he built something that was much bigger than you know, the limits of a cabin without having the bathroom, without having the real access, without having a driveway, so...

Board Member McNulty stated Board of Health.

Rich Williams stated yea, he didn't have any of that.

Chairman Rogan stated Rich, I'm sorry if I missed it, so right now, they are before us to get approval for this access to the house, this isn't part of the original subdivision application which was looking to do, I mean it was part of it but it's not, this is a standalone action.

Rich Williams stated it is a standalone action.

Chairman Rogan stated okay.

Rich Williams stated unrelated to the subdivision.

Chairman Rogan stated unrelated to the subdivision, okay and when they are done with this, if they get all the approvals and get everything constructed that will clear up the prior violations that you have been involved with.

Rich Williams stated correct.

Chairman Rogan stated okay, Charlie, you've not been on the site, now that I think about it, that's where I was, when I asked Maria, I was thinking of you because it's been 4 or 5 years since we were out there...

Board Member Cook stated (inaudible).

Chairman Rogan stated at least.

Board Member McNulty stated so he originally applied for a subdivision as well...

Chairman Rogan stated yea, a subdivision alone, it was through the subdivision review that a lot of these things came to life.

Rich Williams stated some, yea.

Board Member McNulty stated how many acres is this parcel...

Chairman Rogan stated it's a lot.

Rich Williams stated they have a lot of land up there.

Chairman Rogan stated it was like 100, 150 [acres] or so and I think the last time we had it, we were probably looking at 10 or so lot subdivision...

Rich Williams stated I think it was about 14 [lots].

Chairman Rogan stated 14 [lots].

Board Member McNulty stated I'm looking at it as a driveway, a single driveway to the house, I mean wow that's a nice set up.

Chairman Rogan stated what you are showing there as the driveway which is existing to some extent was not proposed as the main point of entrance for the subdivision, opposite end because that is a very steep grade lot of little S-turns to it. The other usable access connects over further up the road, what road is that, Birch Hill Road...

Board Member McNulty stated Birch Hill Road.

Chairman Rogan stated and it has a small wetland crossing in order to get over, Teddy looked at it at that time and you know, I think we were looking at this as possibly a secondary egress or something, it's been a long time since we reviewed it so I'm not 100 percent on it all but...

Ron Taylor stated Rich is this subject to any historical review, it's not a subject...

Rich Williams stated if we get to that point where there is a subdivision, you know, then we need to have that conversation...

Ron Taylor stated if not then...

Chairman Rogan stated it's a driveway...

Rich Williams stated right now it's really just a stream crossing, is what they are looking for and some relief on a driveway both the length and I'm sure there is going to be at some point a discussion on paving the driveway.

Board Member McNulty stated all he wants to do is build the bridge and get the access with this, correct.

Chairman Rogan stated right.

Board Member McNulty stated okay, so I read it right.

Chairman Rogan stated okay.

5) TOM'S BARBERSHOP

Chairman Rogan stated Mr. Salinas, Tom's Barbershop.

Rich Williams stated yup.

Chairman Rogan stated we should be, the plans are clean and we have...

Rich Williams stated well he resubmitted plans, you know I had given them a review memo, I can only assume that Mr. Salinas gave the plans that he drew and took them back to his landscape architect and had him redraw this without giving him my old review memo because there are a couple of things that have been left off. You still have a reference to the drywell on there; you still have a reference to paving the item 4 surface where the septic is...

Chairman Rogan stated oh yea, they are showing the whole area there, it doesn't look like...

Rich Williams stated there's...

Board Member McNulty stated Jimmy is a pretty good architect too, so maybe like you said, he didn't have the information.

Rich Williams stated yea but there are things that he clearly missed, I'm not so sure he isn't trying to do this on the cheap. I'm not sure what it is but you don't show an item 4 surface over a septic system.

Chairman Rogan stated he did fix the remember we talked about the...

Board Member McNulty stated the gutter.

Chairman Rogan stated he just cut it off about 3 foot above the ground and just elbowed it so it will splash out onto the walkway, you know.

Rich Williams stated yea and that is probably going to create an icing problem in the winter but...

Board Member DiSalvo stated he doesn't have any grass to make it splash out to...

Chairman Rogan stated the sidewalk is right up against the building.

Board Member McNulty stated no, yea it turns right there.

Rich Williams stated there is no way to get it down without tearing the sidewalk up, it should have gone in before the sidewalk.

Chairman Rogan stated yea.

Board Member McNulty stated but there is no where to take it to, you'd have to put a drywell in.

Rich Williams stated yup.

Chairman Rogan stated it's one of those, you actually, it would be better if he could come off that gutter off the other side, pitch it the opposite way.

Board Member DiSalvo stated yea.

Chairman Rogan stated but...

Rich Williams stated one of the things I think you need to consider on this you know certainly the whole set of conditions from the original, some of them are still applicable and some of them are not but in particular the approval was given that he would do some of the improvements last fall and then have all of the rest of the improvements in by June of this year...

Chairman Rogan stated there it is.

Rich Williams stated when he was paving the whole area and giving us a striping plan. Obviously a lot of time has gone by, there is a whole new plan, you know we need to think about how is he going to get the improvements in, how soon he is going to get the improvements in...

Chairman Rogan stated what was the initial, it was by June 1st...

Board Member DiSalvo stated yea, something like that.

Board Member Cook stated June 30th.

Rich Williams stated June 30th.

Chairman Rogan stated June 30th, okay, so...

Board Member Cook stated so what are you saying, we should consider extending that date to September 30th.

Rich Williams stated well first off this is a whole new plan, second you know the intent at that point was to see how the parking lot worked out in the winter because everybody had concerns about the parking layout being too tight and not being able to get cars in, that is no longer relevant now but...

Chairman Rogan stated we are into the time of year, part of the argument was it was the wrong time of year to be paving, we don't have that now, now he can be paving next week.

Rich Williams stated yes.

Board Member DiSalvo stated and nobody's (inaudible).

Board Member McNulty stated well the Department of Health is giving him the okay to relocate that coordinates.

Rich Williams stated yes.

Chairman Rogan stated yea, he's okay to flip flop the septic system, we have that letter.

Board Member McNulty stated our question to get an accurate plan, is that what we are looking for.

Rich Williams stated well there is some clean up on this plan so we understand exactly what he's doing.

Chairman Rogan stated so Rich, the plan that we had, that we had previously approved had all the issues cleaned up and then when they went and revised this plan, they didn't carry those changes through, so let's...

Rich Williams stated yea we are back to having a Barbra shop.

Chairman Rogan stated Barbra, let's reach out to Mr. Salinas and tell him that the concept is fine, we've already said that and we need a clean set of plans and we are looking at a time frame consistent with what we previously had said, June 30th to get all the improvements done, get us a clean set. He doesn't have to come, there's nothing for us to discuss for the agenda, have him get us the clean set, we can approve it and give him that stipulation of June 30th and be done with it.

Board Member McNulty stated so you're saying he's already submitted a clean set and made the changes that came off of the old plan.

Chairman Rogan stated lacking, it came up with some missing things from what we had previously approved.

Board Member McNulty stated but did he get a stamp on it...

Chairman Rogan stated yea.

Board Member McNulty stated is that a current stamp, is there one that has actual ink...

Chairman Rogan stated you have an embossed stamp, you have one that is actually imprinted into your...it could be a photocopy too.

Board Member Montesano stated it could be a photocopy.

Chairman Rogan stated a lot of times we get plans in here, if you notice some of those, they are all...

Board Member McNulty stated is there a revision date on here.

Rich Williams stated there is a revision date.

Board Member McNulty stated is it current, April 7th.

Rich Williams stated yes.

Board Member Montesano stated so basically we are just giving him until June 30th or should be give him the extra month.

Board Member DiSalvo stated (inaudible).

Chairman Rogan stated I don't know, I mean...

Rich Williams stated this is the queer thing about the way we do things now, you have a plan here with no erosion controls, no erosion problems are going to be occurring, so we really don't need an erosion control bond and that is only thing we are allowed to take anymore. We don't have a performance bond...

Board Member McNulty stated hey Ted.

Chairman Rogan stated hey Ted.

Ted Kozlowski stated busy time guys, sorry I'm late.

Chairman Rogan stated that's okay.

Rich Williams stated to ensure that the improvements get installed, so what guarantees do we have to get the improvements installed and what kind of time frames are we looking at...

Board Member Montesano stated so if we leave it at June 30th, he's got May and June to get it done, he can always come in and ask for another extension.

Board Member McNulty stated do you have the clean set of plans that was filed.

Rich Williams stated I've got the same set of plans you've got.

Chairman Rogan stated you mean prior, we have a previously approved set of plans.

Board Member McNulty stated and it was all correct except for the septic system.

Chairman Rogan stated except for the layout, remember he had a different layout on there.

Board Member McNulty stated maybe it's a misunderstanding on his part and he just had the old plan gave it to this guy and said change it...

Chairman Rogan stated possible.

Board Member McNulty stated maybe we need to make a clarification with him and say listen, you've got to have the approved plan updated not the original. I have feeling he just...

Chairman Rogan stated I see what you're saying.

Board Member McNulty stated I have a feeling he just wasn't aware...

Board Member Montesano stated he just flip flopped it and we were aware that he was flipping.

Board Member Cook stated no, he took, when he came in back in like January, he had a plan that he basically did, you could tell...

Board Member McNulty stated I saw that one.

Board Member Cook stated he gave that one to...

Rich Williams stated he took the plan...

Board Member Cook stated he gave that one to his architect.

Chairman Rogan stated and the architect somehow failed to take what was the most recently approved plan and just make the changes to the layout.

Board Member McNulty stated that is why I think it's just a miscommunication...

Chairman Rogan stated yea, I think you're right.

Board Member Montesano stated yea.

Board Member McNulty stated because I know Jim and he's pretty good.

Rich Williams stated there has to be something more going on because he is showing a drywell that doesn't exist, he's showing the whole area of the back parking lot as being an item 4 surface with little regard to the septic system, with little regard to the fact that now we are just talking about a few spaces up front, there is not need to pave all the way to the back, so I'm not sure...

Chairman Rogan stated yea, he could just show pavement just...

Rich Williams stated absolutely.

Chairman Rogan stated from the front of the garage straight across...

Board Member DiSalvo stated the garage, yea...

Chairman Rogan stated or maybe tie it in the corner...

Board Member McNulty stated we were pretty clear that we were going to let him put grass on that new septic system, can we put some block around it or something.

Board Member DiSalvo stated right.

Rich Williams stated so I think there is more going on maybe between the client and the architect that we are not aware of...

Board Member McNulty stated that is how I feel too, something is not being communicated probably.

Board Member Montesano stated there might be a language barrier somewhere.

Board Member McNulty stated yea and pay for the minimum upgrade.

Rich Williams stated yea.

Chairman Rogan stated okay, well...

Board Member Montesano stated that is what they have white out for...

Rich Williams stated all right I will reach out to Tomas (inaudible).

Chairman Rogan stated we not trying to hold anything up here but I don't see any reason for Mr. Salinas to come in next week unless he wants to.

6) PATTERSON AUTOBODY

Chairman Rogan stated Patterson Autobody, Patterson Autobody. If you recall the last time we met with Patterson Autobody, we spoke about Health Department approval for the expansion, the change of use, right. Where do we stand with that.

Rich Williams stated the Health Department has agreed to the change of use and the expansion.

Chairman Rogan stated no public restrooms, put on a water meter, straight forward stuff.

Board Member McNulty stated is that a supply water meter he's looking at or water meter to monitor waste water.

Rich Williams stated probably supply.

Chairman Rogan stated it will be supply.

Board Member McNulty stated but he has his own well.

Chairman Rogan stated yea, in fact there looks like there is an application in here, they are going to abandon the existing well and re-drill, relocate well to provide required separation distance to existing septic.

Board Member McNulty stated is that common to have a water meter on a commercial space with their own well.

Chairman Rogan stated very, yea.

Board Member McNulty stated I wasn't aware of that.

Chairman Rogan stated because it doesn't, they're not concerned with where the water is coming from, public supply or private well, they are looking for how much they are generating in waste.

Board Member McNulty stated monitoring usage.

Chairman Rogan stated yea, I see it on most of the commercial sites.

Rich Williams stated so here is where we stand on this, Jimmy Byron came in gave me a 11 sets of an existing conditions plan that doesn't show the proposed changes, gave me a set of the floor plan and architectural, the building elevations and gave me essentially one sheet that was the approved septic plan from the Health Department. When I started looking at it all and comparing it, I mean there is some, and Tom just to back up where we last we left off with Mr. Byron, he wasn't understanding what he needed so the Board asked me to give him a laundry list, punch list of things that he needed to put on the site plan and

I gave him this list and I gave him a list of things (inaudible). Some of the things that I had identified that needed to be put on the site plan are on the existing conditions plans, not on the, yes...no, yes.

Board Member McNulty stated this is the site plan here.

Rich Williams stated yes, they are on that plan, some of the things that I had identified for are on the Health Department septic plan and actually there are more things on the septic plan that we would look at for a site plan, than there are on the existing conditions plan.

Board Member McNulty stated the architectural plans.

Rich Williams stated we not the architectural plans but the existing conditions plan.

Board Member McNulty stated I don't think I have that.

Rich Williams stated you don't have the septic plan.

Board Member McNulty stated oh.

Rich Williams stated there was only one copy. So, you know I've got that; I can pull it out real quick if anybody wants to look at it.

Board Member McNulty stated so which plan is this now.

Rich Williams stated that is an existing conditions plan that is what I am calling the existing conditions plan...

Chairman Rogan stated like an existing survey.

Rich Williams stated but the problem is, it has no signature or seal, it has no information about who did it, when it was done, there is a whole laundry list on that, that's missing.

Board Member DiSalvo stated this looks copied.

Board Member McNulty stated it looks like a survey.

Board Member Cook stated does Jim know this, what you just said about...

Rich Williams stated no, I just started looking at this, this afternoon.

Chairman Rogan stated the architecturals look really nice.

Board Member McNulty stated yea, it's a great looking center.

Rich Williams stated oh yea.

Chairman Rogan stated beautiful.

Rich Williams stated everybody said that from day 1, it's been tough to get the site plan square away.

Chairman Rogan stated do you know then...

Board Member McNulty stated so is that the big issue, is this an accurate and official site plan from him.

Rich Williams stated yes because he doesn't want to hire an engineering firm which is typically what somebody is going to do, to go through the process and do it...

Board Member McNulty stated is it required by us to have an engineered site plan.

Board Member Montesano stated Putnam Engineering on here.

Rich Williams stated our Code says that it should be an engineer, a surveyor, a landscape architect or an architect.

Board Member McNulty stated so if this the survey, then he can have the surveyor update it.

Rich Williams stated or he's had Putnam Engineer do the septic plan and he needs to add a few elements on to that. You know recognizing that there are a lot of the elements that we can waive; it is within the Board's ability to waive the requirement of having a licensed surveyor or engineer do it, provided they are not doing improvements that are going to affect the general public.

Chairman Rogan stated the information presented to us should certainly be...

Board Member Cook stated this is his...

Chairman Rogan stated certified, you know it should be at least if you provide a survey, it should at least be...

Board Member McNulty stated it should have the surveyor's information on.

Board Member DiSalvo stated he's going up.

Chairman Rogan stated yea.

Board Member McNulty stated I agree it's for his own protection really.

Board Member Montesano stated he had Putnam Engineering doing all this work on the building and they didn't come up with this.

Rich Williams stated I don't know who came up with that but he doesn't seem to want to use Putnam Engineering unless he absolutely has to.

Board Member Cook stated we were very clear last time that we needed an approved, if you will site plan or current site plan...

Rich Williams stated right.

Board Member Cook stated because he's asking for an amended site plan, we can't approve an amended site plan if we don't have a site plan.

Chairman Rogan stated there has never been a filed site plan for this site.

Board Member DiSalvo stated everything is pre-existing.

Board Member McNulty stated oh, so there has never been on, that's an old building.

Board Member Montesano stated yea.

Chairman Rogan stated and it's just been added and added on over the years through building permits and such but never through...

Board Member Montesano stated a few modifications between here and there.

Board Member McNulty stated I don't know if I was here when he came, was that the first meeting in January maybe he came.

Chairman Rogan stated no...

Board Member DiSalvo stated this has been going on.

Board Member Montesano stated he's been, this has been going on since last year.

Board Member McNulty stated okay.

Rich Williams stated the last time he was in was August.

Board Member McNulty stated okay, so.

Chairman Rogan stated when we did the site walk Tom, we were talking about, if you notice on what he sent on the copy you have in front of you, the survey, that the corner, the back corner of the building is right on the property line so all of the rear of his yard or most of the rear of his yard, the asphalt pavement, a lot of storage area...

Board Member McNulty stated yea, he's real close right here.

Chairman Rogan stated it's all off property, it's all on an easement area through NYSEG and it kind of looks a little bit like a can of worms and so what we kind of determined was we are looking at his property and we are not going to approve anything that is off his property, so we are looking at where the property line is, everything between there and the road, anything that is off the property, if its not part of the site plan, if NYSEG or somebody else has a problem with, he's not looking with this revision or this expansion to change any of that back area, at least as far as I understand it.

Board Member DiSalvo stated he may not be able to.

Board Member McNulty stated he's staying somewhat within his footprint...

Chairman Rogan stated he's coming out on the front.

Board Member McNulty stated yea.

Chairman Rogan stated he's changing the footprint on the front side.

Rich Williams stated Ted, one of the things that you are going to need to take a look at is whether the wetland boundary is correctly located...

Ted Kozlowski stated it is flagged.

Rich Williams stated okay.

Ted Kozlowski stated I flagged that back in...

Rich Williams stated did he put what you flagged on the plan.

Ted Kozlowski stated I just looked at them when you were talking and it looked pretty accurate.

Rich Williams stated okay, then fine, good.

Board Member DiSalvo stated this down over here.

Ted Kozlowski stated but that, don't forget I did that last August before I went on vacation.

Rich Williams stated I do remember that.

Board Member DiSalvo stated remember there was that little section between him and the Carriage House, right.

Ted Kozlowski stated he should really change on the, it still has Teddy's Inn...

Board Member McNulty stated well it's the survey copy.

Ted Kozlowski stated yea, that's correct because it went up to the road.

Board Member DiSalvo stated remember we looked at that.

Ted Kozlowski stated Route 22.

Board Member Cook stated could you advise Jim, Rich about the things that are missing and what we are talking about tonight so he comes in prepared.

Rich Williams stated usually when we do, the practice is you know I would do a review memo, we would send it over to whoever at 3 o'clock, so they have a chance to review it and be able to come in and talk intelligently about it but not enough time so they actually start drawing new plans and everything else because we had seen too often in the past where...

Board Member Cook stated fair enough, you send it over at 3.

Chairman Rogan stated they are slapping up a new one...

Rich Williams stated they are throwing a plan up that's got all of the revisions on it, we haven't had a chance to look at anything and...

Board Member McNulty stated when you looked at it briefly, are there big items that you see missing or are they simple things...

Rich Williams stated I don't think there is anything big there because the Board agreed the you know we are not going to worry about a lot of things, we are not going to worry about topography we are not going to worry about the drainage too much...

Board Member McNulty stated its pretty flat land there.

Chairman Rogan stated it all drains to that area; you're not draining much off that site.

Board Member McNulty stated really all he's missing is just a qualified plan, a stamp.

Rich Williams stated essentially.

Chairman Rogan stated yea, I mean everybody I think, felt pretty comfortable with what he was proposing, it fit on the site, the parking didn't seem like it was going to be affected by much. The architectural I think look fantastic; it's really a sharp building. So, it comes down to Tom, you're going to see, hopefully you'll recognize a reoccurring thing, that many cases it's not us, I feel like its not us holding people back, it's not having the information in hand to be able to move forward and I think that seems to be a reoccurring theme with a lot applications...

Board Member DiSalvo stated right now is a tough time too.

Chairman Rogan stated I understand that but I also don't want people throwing stones at this Board saying that you know you're against development...

Board Member DiSalvo stated I haven't heard that recently, maybe years ago but I don't hear it now.

Board Member Montesano stated with all due respect to the applicant, he hires somebody and apparently they don't seem to hear too well and since we are gentlemen about this and ladies, we don't sit there and imply because then we get hit with the possibility of problems, but the inadequacy in some of these people seems to come up all the time at a very expensive cost to the applicant.

Board Member DiSalvo stated right.

Chairman Rogan stated understood.

Board Member McNulty stated no, I'm sure.

Board Member Montesano stated and we have no way of beating it out.

Chairman Rogan stated you remember for awhile we were talking about when the owners weren't, see in this case the owner comes in, in some cases we have the engineers come in and we never see the owners and then the owner comes in a year later and says why is this costing me so much money and they haven't been involved in the process for the past year...

Board Member McNulty stated no, I understand.

Chairman Rogan stated they don't realize that when we send out or Rich sends out and Ted and the engineers send out all of these review memos, that they are not responding to it they are just responding to what they feel like responding to. So it delays the process and costs the owner a lot of money and we had talked a lot about in those cases, getting word out to the owner and say hey, this is what's going on.

Board Member Montesano stated well let the buyer beware.

Board Member McNulty stated looking at the review letters, you're fair, you get to the point of what's needed and be done.

Chairman Rogan stated you know, take care of stuff...

Board Member Montesano stated let the buyer...

Chairman Rogan stated and when there is, you know things that can go one way or another that's when the Board makes a decision, when there...

Board Member DiSalvo stated we're the bad guys.

Board Member Montesano stated Mr. Barnum who lived in Brewster there for awhile...

Board Member McNulty stated did any of the plans come with an inked signature over the stamp or its all photocopies.

Rich Williams stated you usually all photocopies.

Board Member McNulty stated the same thing here; we just need an official plan.

7) WIRELESS EDGE AT QUAIL RIDGE

Chairman Rogan stated okay, Wireless Edge at Quail Ridge. It's been a little while since we've, have they made any progress.

Rich Williams stated they have made progress, they did an evaluation on coming in off of Phillard Road, found a variety of issues, grading, site disturbance, most importantly, trying to provide utility service which they simply could not do from Phillard Road. That Phillard Road driveway coming in, didn't work, so I believe they are back...

Chairman Rogan stated have, has...

Board Member DiSalvo stated they can keep coming back...

Board Member Montesano stated unless they are ready to buy houses, I see no reason for them...

Chairman Rogan stated have Andrew and you concurred with their due diligence on evaluating that, the engineering on it, the feasibility of it.

Board Member McNulty stated they went through in some detail, I went through the plan, now when it comes to site work like that, I'm just a layman, so you'll take it for the word, they are saying its going to cost 30% more, is that what it was Rich, 30% more to put the road in from Phillard [Road] because the utilities still have to come in through Garland, they have no option there so now they are disturbing more property.

Chairman Rogan stated yea.

Board Member Montesano stated well, they have no options for utilities because the company, because NYSEG won't allow it or...

Board Member McNulty stated because the fiber, the fiber, there is no fiber on Phillard [Road] and Verizon has no date or intention of when there will be fiber optics on Phillard [Road] so Garland [Road] right now is their only option, according to the survey and the information they put together.

Board Member Montesano stated well then they ought to get together with Verizon and tell Verizon put it, we are trying to put an antenna up for, I still can not see disturbing other people...

Board Member McNulty stated Verizon is not on the antenna.

Chairman Rogan stated I wonder why.

Board Member Montesano stated I still can't see why we are going to disturb people that have no gain other then having a nuisance coming back and forth, through their streets.

Chairman Rogan stated even worst case scenario, still coming in from Phillard [Road] but bringing utilities in from the other side and once utilities are in, it's not a road that people are driving in and out, it's a utility line, whether its above or below grade.

Board Member McNulty stated well it would be trenched, the utilities they say, the outline would be trenched and it goes through it in here...

Chairman Rogan stated you have to dig a trench either way.

Board Member Montesano stated what I don't understand is they are going to bring in utilities in a trench, we tried that, a couple of hundred times, we got laughed out NYSEG's way.

Rich Williams stated this is Verizon first off, second the utilities are already underground at Phillard Road, so they would follow that path.

Chairman Rogan stated yea but even when we were on site the second time, we saw the pole at the end of Garland [Road] and they said they'd have to realistically come one pole up to the edge of the woods and then go underground...

Board Member McNulty stated they noted that on the plan too.

Chairman Rogan stated it didn't make sense to go underground from the last pole because they would be disturbing so many roots of the trees probably would kill them and the last pole is quite a way from the end of Garland [Road].

Board Member McNulty stated if you look on here it says...

Chairman Rogan stated the utility costs aren't really that much different, it's the roadway cost of 30% more which...

Board Member McNulty stated and there was more disturbance because it was from two directions now.

Board Member Montesano stated that is the cost of doing business.

Chairman Rogan stated you know I think the people on Garland would argue that that 30% is justified you know...

Board Member DiSalvo stated they are starting to get unionized now.

Chairman Rogan stated oh I'm sure.

Board McNulty stated we haven't heard from anybody.

Rich Williams stated the utility cost is this, they've already started stringing the fiber optic throughout Putnam Lake along the main drags, so it's already fairly close there, they have not gone down past the church. I don't even know if they are close to the church at this point, so Verizon would need to go down past the church, all the way around and come back up Phillard [Road] and what Verizon is saying is that they have no current plans to do that and if they don't have plans, they are just not going to do it.

Chairman Rogan stated Verizon, you said Verizon.

Rich Williams stated yes.

Chairman Rogan stated I would like to get an independent conversation with Verizon because sometimes the answers can be based on the way you ask the question. If you ask the question, does Verizon have any plans to run fiber optics up Phillard [Road] and they say no, we don't tell them do you have any plans to do it because we would like to run a cell, that's probably not being fair to them but my point is that I think we should get an independent conversation with Verizon to confirm.

Rich Williams stated your point is well taken and I did get Wireless Edge to give me all of the contact information for Verizon, both to confirm what they were saying but also to find out what's going on because before they can turn the fiber optics on, they have to have a licensing agreement with Town to do that and they haven't even approached the Town...

Board Member DiSalvo stated they have it in Brewster though, in Brewster they said its overhead.

Rich Williams stated its overhead in Putnam Lake also...

Board Member DiSalvo stated but in Patterson its not anywhere yet, so...

Board Member McNulty stated there is no fiber in Patterson.

Rich Williams stated they've been putting up the lines in Putnam Lake but...

Board Member McNulty stated but they're not active.

Rich Williams stated they're not active.

Chairman Rogan stated I know with cell towers sometimes we have less to do with where they site them and can't necessarily stop that within our Board but we deal with the site plan issues and it seems like it's not this Board's role to come up with the least costly way to do things. It's the least impactful in some regards so when options exist, our Board's role is to balance those options and see what would be able to meet the needs of the community...

Board Member McNulty stated I looked through a lot of the information, I guess if Rich and the Engineer can determine if their 30% is a legit additional cost, we did have some objection, I think one of the homeowner's from Phillard [Road] came in front of us...

Chairman Rogan stated yea.

Board Member DiSalvo stated he's the one at the dead end.

Board Member McNulty stated it's going to be by him, we haven't heard anything from Garland [Road] and its not, it's at the end of the street, it's not really cutting through anyone's yard either.

Board Member Montesano stated no but all the traffic for them is going to be through there and according to the statement if I recall correctly, it's only 10 or 20 trips a month.

Chairman Rogan stated they are going to have 1 trip per carrier for maintenance plus maintenance vehicles for general maintenance, so.

Board Member Montesano stated so they are going to be coming up and down your road while you're sitting there with your kids and having a good time and you're getting no benefits other than having the added traffic put on.

Board Member McNulty stated the only thing I was going to propose was if they do it and it doesn't have to be this elaborate is give them, make it nice, make a nice entrance to the place.

Board Member Montesano stated the entrance isn't the problem, the object...

Board Member McNulty stated I know.

Board Member Montesano stated is coming where they are going to get in there.

Board Member McNulty stated make it a state park entrance or something.

Board Member Montesano stated when the benefit is all going to the other people.

Chairman Rogan stated I'll tell you what, the letter that we got from the gentleman on Phillard [Road], there was a lot in there that said you know why should I have to look at this, it's bad enough I agree that its going to be in the woods by my house, I have to look at it, now I have to have a road, now take that same sentiment and translate it to every single person who isn't benefitting.

Board Member DiSalvo stated he even said he had no voice with the Homeowner's Association.

Board Member McNulty stated his voice was the lone descending voice I guess.

Board Member Cook stated he was voted down.

Board Member McNulty stated yea.

Chairman Rogan stated oh I thought he said he agreed to it...

Board Member DiSalvo stated he doesn't seem to care about the homes.

Chairman Rogan stated I thought the letter said that he agreed to it but that he was cautiously agreeing to it and then he said but this change would change everything in his mind and we would...

Board Member Montesano stated I don't know what their...

Chairman Rogan stated we can go back to the letter...

Board Member Montesano stated I don't remember what they are going to get out of it.

Board Member McNulty stated but the thing is even if we put the road in the other way, without re-routing utilities, they are still going to have traffic to make the connections and...

Chairman Rogan stated just for construction.

Board Member McNulty stated and for maintenance.

Board Member DiSalvo stated (inaudible).

Board Member Montesano stated yea but not every month for the rest of the time the tower is up.

Chairman Rogan stated and once its underground the only maintenance on the lines would be if there is a break in the conduit or something right.

Board Member McNulty stated I saw a demarcation point, maybe that was in the compound, I don't remember where it was.

Chairman Rogan stated because if they had to do maintenance on the connection end of the utility, they would come off the main road.

Board Member McNulty stated there was demarcation point at the end of Garland [Road].

Chairman Rogan stated yea, probably where they would go underground.

Board Member McNulty stated the couple other things I noticed on the plan, they noted nothing about generators, I know we talked about it...

Board Member DiSalvo stated yea.

Board Member McNulty stated there was nothing plotted where a generator would be or what type would be used.

Board Member DiSalvo stated whether we can just haul it out of there.

Board Member Montesano stated you got one up there by Patterson Crossing, you have a big beautiful fence and here's the generator outside of it.

Board Member DiSalvo stated with a hitch on it and away we go.

Rich Williams stated Tom, often what they do is they bring in portable generators which is why they don't show them on the site plan.

Board Member McNulty stated that's not what he said to us, so.

Chairman Rogan stated yea, that is not what he said they were proposing.

Rich Williams stated I know that.

Board Member McNulty stated and there was nothing about lighting, I didn't see and lighting notes.

Rich Williams stated you can go and here is one you can look at, on Route 22, the Champion building, the old US Plywood, know where I am.

Board Member McNulty stated up on the hill, yea I know.

Rich Williams stated there is a cell tower site right behind there.

Board Member McNulty stated yup.

Rich Williams stated if you drive back up in there, there's no generators.

Board Member McNulty stated no.

Rich Williams stated no, if they lose power...

Board Member McNulty stated they have a battery, they have a UPS system inside.

Rich Williams stated yup, they have a battery and then they bring in a portable generator.

Board Member McNulty stated okay.

The Secretary stated do you want the letter.

Chairman Rogan stated I have it at home.

Board Member DiSalvo stated maybe that's the way they are going now.

Board Member McNulty stated I see no not about anything there, I didn't see anything about lighting and I think we talked about lighting.

Board Member Montesano stated well if they bring in the portable generators...

Board Member McNulty stated and then again if they were going to go through Garland [Road], I was thinking, give us something nice.

Board Member Cook stated Rich, would you re-iterate for the rest of the crowd the reasons why the applicant can not put a in monopole like we've talking about.

Rich Williams stated the problem with putting in a monopole is all the antennas go inside, with multiple carriers you need spacing between the antennas...

Chairman Rogan stated interference.

Rich Williams stated right, if you don't have that space then they start interfering with each other, you have to have spacing, on the outside, if you put it on the outside, you basically got the spacing because it's on the exterior but once you put them in the inside, you have to have the vertical spacing which you now, which you are taking away from having them on the outside with the horizontal spacing, so what that does is that pushed this monopole from 150 feet to about 200 feet.

Board Member DiSalvo stated because there are so many carriers.

Rich Williams stated right.

Board Member Montesano stated there is no shielding that can be done...

Board Member DiSalvo stated Mr. Maldunn wasn't that...

Rich Williams stated I am not an RF Engineering, it's...

Board Member McNulty stated it's probably bleed over from the actual RF.

Board Member Montesano stated yea but, let's put this way, in a car, you've got a radio, if your ignition interferes with it they put a shield up there so it doesn't...

Board Member DiSalvo stated this is the one by the diner by Home Depot.

Board Member McNulty stated or if you listen to AM radio, if an aircraft flies low enough, you'll pick up the aircraft radio.

Board Member Montesano stated it depends on the aircraft, you're not talking about, you're talking about...

Board Member DiSalvo stated I got this one.

Board Member Montesano stated guys with little single engine pipers that come floating around and annoy the hell out of you.

Board Member DiSalvo stated and this is just a generic monopole.

Board Member McNulty stated it's the same type of thing, the RF bleeds over...

Board Member Montesano stated yea but how much bleeding could it be, what they are talking about with their, they still has to shielding, there has to be some kind of shielding, what I want them to explain to me is what would be beside the pole if they had to shielding on it. To me, with all due respect that they are a business, they are trying to get as much as they can for as cheap of a price as they can.

Chairman Rogan stated sure.

Board Member Montesano stated so they are going to tell me about their 30%, they are going to get, that is like certain people telling me about the taxes, that they are going to charge and we end up paying, so to me that 30% is not coming out of their pocket.

Board Member DiSalvo stated let's take the Maldunn cell tower, say they get a big demand for more carriers, can they come back to us and say we want to do one of these.

Rich Williams stated they could but the problem is they have already structurally designed something that is a monopole, so they would probably try to extend the monopole first.

Board Member DiSalvo stated the height.

Rich Williams stated yes.

Board Member Montesano stated on mile marker 10 on [Interstate] 684 going south is that beautiful pole that sits like that, it gets grosser, its bad enough when you get onto a certain parkway and look at a large brush...

Ted Kozlowski stated I call it a toilet brush.

Board Member DiSalvo stated no not that one, the one on [Interstate] 684 up further, you know what this reminds me of.

Board Member McNulty stated I think all these branches would be above the tree line.

Board Member DiSalvo stated yea, so that would be...

Board Member Cook stated what is the difference between another 50 feet, it is 50 feet, for the monopole.

Board Member DiSalvo stated I would rather see that with the flag on it then.

Board Member Montesano stated and I'll be polite, even if they don't want to put a flag up there because they'll tell you about the wind resistance, they don't have to put a flag on it.

Board Member McNulty stated no, a monopole would blend in much better.

Board Member Cook stated paint it.

Chairman Rogan stated Ted you have any input on it.

Board Member Montesano stated that would take up an antenna.

Ted Kozlowski stated this plan is for the way, for the route that is off of Quail Ridge Subdivision.

Board Member McNulty stated yes.

Rich Williams stated I don't know I haven't taken a look at it yet.

Ted Kozlowski stated I'm looking at the EAF and they are saying they are not going through and wetlands and they are.

Rich Williams stated I don't know that they are because they initially came back in with a route that went, it had a much broader loop going around.

Board Member DiSalvo stated there is a road there now, right.

Ted Kozlowski stated well all I know is when we were up there in the woods, there was wetlands, so they are making...

Chairman Rogan stated are you sure that wasn't the way we were talking about having them prove out up towards Phillard [Road] they would have had to have gone, we walked through a low area.

Ted Kozlowski stated I thought they were going through a wetland but I'll take a look again.

Chairman Rogan stated I do know we saw some wetland flags on the other side of the stonewall which was obviously downhill of the stonewall so there are certainly some buffer issues but I don't remember. We did see some wetland flagging within 20 feet or so of the proposed road but the area that we looked at, having them prove out they definitely would have, unless we skirted around the high side of that.

Board Member DiSalvo stated I kind of agree with Charlie, what is another 50 feet.

Rich Williams stated all right, I want to cut this conversation off right now because the height and whether it is a monopole is really a function of the ZBA and you can't superimpose your opinion on theirs. They have already made the decision.

Board Member McNulty stated and their decision was to grant this height as a limit.

Rich Williams stated this height with the exterior antennas.

Board Member McNulty stated so then...

Chairman Rogan stated our struggle is still site access, site design layout, generators, lighting, those sorts of things and I think right now the actual site where its located, no one seems to have an issue with, how we get there is a bigger question.

Board Member Cook stated one quick question, can we appeal to the Zoning Board that decision.

Rich Williams stated you can ask them to reconsider it or you could see if you can get an attorney and file an article 78 if there was 30 days but you can ask them and if they unanimously vote to reconsider it, they can do that.

Board Member Montesano stated let's put it this way, right now we are restricted on doing anything because they have already approved something. With all due respect to their approval, I think the process should be when we finish they should make their approval, in case we have a situation like this, I don't know if we can do it legally where if something like this comes in, if we want to add that 50 feet extra we can't unless they go through a whole process. Wouldn't it be easier to wait until we settled in on a size pole and then they can have their, then we can work it out one way or the other.

Rich Williams stated I used to fight with the ZBA all the time because they used to grant waivers for people who didn't want to pave their driveway and the Code clearly said that was a function of the Planning Board and it took me a long time to get through that they finally understood that they can not grant waivers to people for doing that. They can't grant waivers for people who want to have a common drive where there is already a road laid out, that is your function and I'm telling you the same thing Michael, it is their function to determine the height and the potential impacts from that height and what it is going to look like. It's your function in determining the road how it's going in, how the compound lays out and what is down on the ground...

Board Member Montesano stated but we are still in the process of saying that this sheet of paper is usable, they've already said yea to you can use it, we haven't determined that as far as...

Chairman Rogan stated they haven't said that thought Mike...

Board Member Montesano stated they set a height.

Chairman Rogan stated they've said that, they've set criteria for...

Board Member Montesano stated the height of a pole...

Chairman Rogan stated yea.

Board Member Montesano stated we are in a conversation right now where if we ask you to do something and say well we would support an extra 50 feet, they've already approved something.

Chairman Rogan stated but if our Board, let's just say for the sake of argument, that we can justify that, they can certainly go back to ZBA and say the Planning Board has requested us what do you guys think and if everybody is on the same page, they amend their original determination.

Board Member Montesano stated okay, what I am trying to avoid and...

Board Member DiSalvo stated (inaudible).

Board Member Montesano stated this is just the shoe that we are trying to put on.

Chairman Rogan stated right.

Board Member Montesano stated what I am saying is, when they, we refer them to the ZBA because of the height of the pole, if I recall when we first get the application, he wants to go to the ZBA, can we defer from saying that until after...

Chairman Rogan stated in other words, can you wait on that process until we are further along.

Board Member Montesano stated right, until we get everything you know that we have hashed out.

Board Member Cook stated now they approve, what was the height they approved.

Board Member Montesano stated 145 feet, I believe, according to this.

Rich Williams stated 145, 150 feet.

Board Member Cook stated all right we'll say its 145 feet and now we find out that there is an extra 50 feet that are needed for it to be a monopole, for them to consider it to be a monopole.

Rich Williams stated correct.

Board Member Cook stated but if we say then we are approving a monopole for 145 feet.

Rich Williams stated you can't.

Chairman Rogan stated that is not our approval...

Board Member Montesano stated that is not our approval.

Chairman Rogan stated that is what Rich is saying.

Board Member DiSalvo stated we would have to deny the whole project.

Board Member Cook stated how does the ZBA approve a monopole versus this one with the outside antennas.

Rich Williams stated well that is an area variance and they, because they are over the 35 feet, so it becomes an area variance so they have that review authority they consider the height of the pole, the fact that the

pole is being located on that property, is also a use variance so they are considering both a use variance and an area variance for a telecommunications facility to erect a pole.

Board Member DiSalvo stated did they ever consider suggesting a monopole.

Rich Williams stated yes, this Board actually made a written recommendation back to the ZBA.

Board Member DiSalvo stated what did they think about the monopole.

Rich Williams stated they considered it, they considered the visual impact from going the extra 50 feet to where the visual impact of the current tower with the exterior antennas and determined that you already couldn't see it by going higher you were going to have a greater likelihood of seeing the pole whereas now you couldn't see it at all even though it had exterior towers.

Chairman Rogan stated even though it has exterior with the surrounding landscape, it helps to break up, where if you were on MalDunn, you were up on that ridge line, a monopole isn't as visible as a structure. I mean, just to bring this back though, our Board has to wrestle with, just what Tom said, we have to look at this, is the 30% a realistic number, is that an inflated number, that is part of what we were hoping Andrew would take a look at, quantity and cost estimates for the engineering for the site development, for installing the roadway.

Rich Williams stated and he has.

Chairman Rogan stated all right and it says it right on it.

Board Member McNulty stated yea its in this.

Rich Williams stated well I'm going to wait for him to come in and say it but yea.

Chairman Rogan stated but...

Board Member McNulty stated and with Verizon, the license agreement is an issue.

Rich Williams stated yes, absolutely, it's something I have to pursue.

Chairman Rogan stated regardless of which way they come in.

Rich Williams stated yup.

Board Member McNulty stated I had some questions on the EAF too, I don't know if you got a chance to look at it Rich, they quote how many cubic tons of material that are going to be removed. I don't see why they would have 160 cubic yards of material to remove, what are they digging out over there.

Board Member DiSalvo stated it says to be removed.

Rich Williams stated I...

Chairman Rogan stated to make that (inaudible – too many speaking).

Board Member McNulty stated an item to look at and there is no signature on this page.

Rich Williams stated if the EAF reflects coming in off of Phillard [Road] all right, you're going to...

Board Member McNulty stated (inaudible) Garland [Road].

Rich Williams stated because you're coming in a one slope, you know this, if you're coming in on a slope you've got to cut out the bank, you've got to grade it up and all that material has to go so however many linear feet, plus the slope...

Board Member McNulty stated this is based on Garland [Road] thought I believe.

Rich Williams stated well that's, again I haven't looked at it, if it's based on Garland [Road] there shouldn't be any material coming out.

Board Member McNulty stated that's what I thought and...

Chairman Rogan stated even the area of the site was not, they were just talking cut and fill, cut in here and bring it to the low side.

Rich Williams stated yes.

Board Member McNulty stated and they say there is only like a ½ acre of disturbance. Does that include the road, the disturbed area when fill out the EAF.

Rich Williams stated it should include everything.

Chairman Rogan stated a half acre is more than that, that is much more, a half acre is...

Board Member McNulty stated just some things, I know you look at all that but...

Board Member Cook stated good questions for the...

Board Member Montesano stated you mean there is a possibility someone made an error in computation.

Chairman Rogan stated okay so let's let Rich take a look at it, let's talk to Andrew when he comes in and I'm sure they'll be here and continue on with the fun. Oh, Teddy, did you ever express your question on this.

Ted Kozlowski stated yes.

Chairman Rogan stated I'm sorry.

Board Member McNulty stated on the EAF they have hunting, fishing, is that disturbed and it says no, I would think that is a hunting area, I didn't see any posted signs.

Rich Williams stated for the purposes of the EAF, it has to be a dedicated...

Board Member McNulty stated a preserve of some sort, okay, what train.

Chairman Rogan stated yea, you're so used it to.

Rich Williams stated going off the record, they are very good about timing exactly when they have to hit the whistles coming through and I have been watching it now where we have the court laid out and they hit the whistle exactly where the judges bench is going to be.

Board Member McNulty stated its during the week that's not bad.

Rich Williams stated the good news is, all the MTA cops out here handing out tickets in the summer, I don't think John is going to be too favorable with them anymore.

Board Member Montesano stated there was a little town in New Jersey that went through that, every morning at 2:30, the trains would come by into the yard, switching engines or whatever and they would blow the whistle, so they brought a lawsuit and they had the railroad come in and explain in the courtroom to a jury why they had to blow the, well it's a safety hazard, they said fine, get other means of communication systems because people couldn't sleep. What's a matter, unless you get up at 2 o'clock in the morning.

8) HUDSON VALLEY TRUST

Chairman Rogan stated Hudson Valley Trust.

Rich Williams stated Hudson Valley Trust.

Chairman Rogan stated we have architectural plans with proposed changes. We really haven't much, I feel like we haven't really had any conversation with Theresa Ryan, is she the...

Rich Williams stated Theresa, I've actually reached out to Hudson Valley Trust and requested that they send in somebody who knows that the overall project is and the overall purpose of what's going on and how this is going to be used in the future so they can explain all that to the Board.

Chairman Rogan stated great.

Board Member McNulty stated they've written some comments though that came, I read it somewhere, they were explaining how many people would use it, kind of outlined that...

Rich Williams stated I don't know that that is really going to give you their overall vision about how this property is going to be used.

Chairman Rogan stated what is their master plan for the property, you know what are they looking to do.

Board Member DiSalvo stated are they planning on building more buildings there, you know.

Board Member McNulty stated they said at functions they would park at the lower lot and use a jiffy bus, a little jiffy bus, like a golf cart of some sort.

Board Member DiSalvo stated I'm saying like next year, are they going to come in with something to put another building up in the back, you know.

Board Member McNulty stated I forget where I read it, its in there somewhere.

Chairman Rogan stated I think that if and we talked about this on the site walk, if we can get usable decent parking close to the building coming off of their entrance that would be a great addition to this because relying solely on busing people and one or two spaces around the building I think is just asking for trouble.

Board Member McNulty stated that's what they came back and said in that document.

Board Member Cook stated I think also that it may warrant another site visit with the driveway, off of what was it, [Route] 311 there...

Board Member Montesano stated yea.

Board Member Cook stated staked...

Chairman Rogan stated they had it staked remember that.

Board Member Cook stated did they.

Chairman Rogan stated yea.

Board Member Cook stated but we didn't walk it.

Chairman Rogan stated no you're right, we only walked up to about this point.

Board Member Montesano stated its very hairy to pull out of that driveway because I tried just to be a nuisance.

Chairman Rogan stated it's the break in the stonewall right, that was the proposed, that was the original subdivision.

Board Member Montesano stated I went right where the stonewall was and you try to come out, it's hairy.

Ron Taylor stated it's hairy getting on [Route] 164.

Board Member McNulty stated Rich this document from April 20th has all kids of deeds and easements, have you looked at it all yet.

Rich Williams stated I haven't looked at anything.

Board Member McNulty stated it doesn't make any sense to me, I didn't read through every document some are fuzzy but they seem to attach a lot of documentation here for right of way and there is a lot of stuff here.

Rich Williams stated I'll get through it.

Board Member Montesano stated known as paper.

Board Member DiSalvo stated how far back does this, these easements go.

Board Member McNulty stated the 80's.

Board Member DiSalvo stated I looked at this property 1998 and I didn't have any, have all this stuff.

Board Member McNulty stated there is stuff here from '84.

Rich Williams stated I haven't looked at it, so I can't comment on it.

Board Member Montesano stated let's see...

Chairman Rogan stated would you have had that, in fairness Maria just looking at purchasing a piece of property, would they present you...

Board Member DiSalvo stated yea, I met with the owners, I met with realtor...

Chairman Rogan stated I mean it seems like that would be the kind of stuff that would come, you would get through a title search...

Board Member DiSalvo stated well...

Board Member McNulty stated some of this is title search information.

Board Member DiSalvo stated but they would have to disclose if there is a homeowner's association attached with the property.

Board Member Montesano stated the realtors that had it originally with a 10 year contract on that property when it was first acquired.

Board Member McNulty stated dated June '84.

Board Member Montesano stated it was for a 10 year period that they signed the contract with a certain real estate firm and it went no where.

Board Member McNulty stated like there is an item cert in here, recreation area never be used for anything but recreation projects decided by the membership, solely for the use of members must...

Board Member Montesano stated must wait.

(Side 1 ended – 8:29 p.m.)

The Secretary stated terrific.

Board Member McNulty stated the property may never be developed for anything else or be sold from this subdivision.

Board Member Montesano stated oh we can make a racetrack out of it.

Board Member DiSalvo stated that is when the Lopane's had the property subdivided, right.

Rich Williams stated well no, the Lopane's didn't do it somebody else did it but that was from the original HOA. Lopane's brought it from Mr. Heelan and his partners.

Chairman Rogan stated it just sounds like even the area where they are showing the four spaces, even if we took this, this was very wet through here, even if we took this area, they could create a lot for about 20 cars or so, close, they are not changing the layout.

Rich Williams stated and the (inaudible) is this...

Ron Taylor stated what is this orientation.

Chairman Rogan stated you pointed in the field, this area is really easy access to pull in...

Board Member McNulty stated the cul-de-sac from Cann Lane...

Board Member Montesano stated maybe we can get a monorail from the parking lot up to the building.

Ron Taylor stated looking at this...

Chairman Rogan stated so anyway, I think we need to define the proposed uses...

Ron Taylor stated this is where the horse shed is...

Chairman Rogan stated we'll have those documents take a look at...

Board Member McNulty stated well if you look at item 5 on here, the existing barn structure with the proposed improvements will be utilized in the same manner as the Lawlor Building is currently being used, day to day basis, there will be typically one to two people using the building, occasionally perhaps once a month there will be an event for one of the many not-for-profit groups that currently use the Lawlor Building, should this even take place. The attendees will park in the Lawlor Building and use the walking trail or a jitney bus will be employed to transport attendees from the Lawlor parking lot to the barn structure. Since the proposed parking spaces at the barn structure will only be used for daily staff, 6 proposed parking spaces. They are outlining what they want to do.

Chairman Rogan stated a lot of work for...

Ron Taylor stated for one person.

Chairman Rogan stated for one or two people being there a day.

Ron Taylor stated is this binding into the future, this thing.

Chairman Rogan stated good question.

Rich Williams stated it's, we can make it a condition of the site plan and it will be binding until somebody amends the site plan.

Chairman Rogan stated I think parking closer is got to be something that we push for.

Board Member McNulty stated they are asking us to start the SEQRA process too.

Board Member DiSalvo stated and again it's the way we get there.

Chairman Rogan stated I'm sorry.

Board Member DiSalvo stated and again it's the way we get to that parking lot, like the cell tower.

Chairman Rogan stated yea but at least here they are already showing a proposed access, it was a previously approved subdivision entrance through those pillars.

Board Member DiSalvo stated right.

Chairman Rogan stated so sight distances, even though they may not be the best of, they were already considered for means of...

Board Member DiSalvo stated they were considered how many years ago and probably 20, 30 year ago...

Rich Williams stated yes, they were considered in the '70's (inaudible).

Board Member McNulty stated (inaudible).

Board Member DiSalvo stated wasn't that road once aligned years ago, realigned.

Rich Williams stated Cushman [Road].

Board Member DiSalvo stated no, the turn there, coming out of those pillars, wasn't that road realigned.

Rich Williams stated there was work done and it resurfaced, I don't remember what the specific improvements were, I remember from the old Town Hall and every time a car, a little bit of rain, a car came around the corner, somebody rolls over, every time.

Chairman Rogan stated crazy.

Board Member Montesano stated not every time, about every other car.

Board Member McNulty stated and they are asking us about SEQRA too, to get started.

Chairman Rogan stated yea.

Ron Taylor stated if I could say a few things about this, I talked to our Board about it and their feeling, they agreed with me that the only steps we can take as the Historical Society is the historical integrity of the building, parking and all that stuff is beyond what we should be commenting on. We are concerned with the use of the building, being a sustainable use, that is they don't do something and then five years down

the line they are going to have change it again. We are also concerned that the historical integrity of the building, the way you look at the building is somewhat maintained. What they did the Lawlor Building, they totally destroyed, although it is a nice building, it doesn't look anything like the school that used to be there. They re-did it so much it didn't reflect that, so in looking at this, I would have to compare it with the pictures, I'm trying to picture the building over here but it looks like that silo is going to tall obscure one view of the building. It is much larger than the original silo that was on the building and that horse shed they are taking down out back, from what I remember it's much smaller than what they are proposing coming out the back, it would be nice to see what is there now versus what they are proposing. Since it's a little, its nice that we have this, can I have a copy this to show the Board, those would be our concerns.

Rich Williams stated you want just the architecturals...

Chairman Rogan stated he's already got them.

Ron Taylor stated yea just the architecturals.

Rich Williams stated Charlie, you want them back...

Board Member McNulty stated one less paper to file, huh Charlie.

Chairman Rogan stated Charlie has his highlighted, why don't you give Charlie back his highlighted version, he has all his hidden notes in there.

Board Member DiSalvo stated do we have what it is going to look like inside.

Board Member Montesano stated no.

Chairman Rogan stated you mean a floor plan, we don't even have a, yea.

Ron Taylor stated their use doesn't make sense to me in some ways, I don't see how it's sustainable.

Rich Williams stated I haven't made a formal submission into Ron's group simply because I still don't know where we are going with this thing.

Chairman Rogan stated but we are still under the whole, why don't you take it back to the focus of the whole Clubs issue of this. They came in with this under Clubs.

Board Member DiSalvo stated and non-profit.

Rich Williams stated they came in and they've actually made the application over to the Zoning Board of Appeals, they've got an existing club, they merged this property in with the property that they have, special use permit for an existing club on and they are now seeking to amend the original special use permit for a club to extend onto this property. Now last night the Town Board adopted a moratorium on Clubs, so, it throws a monkey wrench in all this.

Board Member DiSalvo stated are they at least keeping the tiled roof.

Board Member Montesano stated yea, rubberized.

Ron Taylor stated they are putting roof on right.

Chairman Rogan stated I like metal, sometimes they're not good.

Board Member Montesano stated I love the little tinkle, tinkle, tinkle of the rain drops.

Chairman Rogan stated slate is nice.

Board Member DiSalvo stated slate is.

Board Member Montesano stated 55 (inaudible).

Board Member DiSalvo stated so we are technically on hold with this too.

Board Member Montesano stated at the rate with a hail storm...

Chairman Rogan stated well we can continue our review...

Board Member McNulty stated they can continue at their own risk, correct.

Chairman Rogan stated right.

Rich Williams stated right, you just can't make a decision.

Chairman Rogan stated all right...

9) WATCHTOWER EDUCATION CENTER – Amended DEIS

Chairman Rogan stated we have, we're still working on the Watchtower Education Center.

Rich Williams stated Watchtower, (inaudible) we are going to get it wrapped up.

10) OTHER BUSINESS

a. Project Update

Chairman Rogan stated and we have project updates.

Rich Williams stated Charlie had asked me to do another project update on several projects...

Chairman Rogan stated okay.

Rich Williams stated which I will have completed for you.

Watchtower Discussion

Board Member McNulty stated real quick on Watchtower, what's happening, I'm kind of behind the eight ball on that...

Chairman Rogan stated sure.

Board Member McNulty stated what's being done.

Rich Williams stated all right, they are doing a 70,000 square foot expansion of their facility most of its residential units but there is some additional space so they can enhance their audio/visual production component of what they do up there. In addition there are a number of other different improvements they are making, the maintenance building is being substantially expanded, some other issues.

Board Member McNulty stated where is it in the process of being approved.

Rich Williams stated because of the size of expansion and all that has gone on before, the Planning Board did this initial review, they determined that an Environmental Impact Statement should be done for the project, yup, that's one, you're going to get one, you're going to get to read it.

Board Member Cook stated I would be happy to give Tom my file on it...

Chairman Rogan stated I was thinking the same thing, I could donate mine.

Board Member Montesano stated if you had a boat, you could make a great anchor.

Board Member DiSalvo stated you'll have to go for back surgery after that.

Board Member McNulty stated so what is pending here, waiting on us.

Rich Williams stated so we've got it, no it was reviewed by the engineer and myself we found deficiencies within the document before we can determine it complete, we gave them to the applicant who has now responded with revisions to the document to address our concerns. We are not doing another technical review to see if our comments have been adequately addressed.

Board Member McNulty stated okay.

Rich Williams stated if they have then we will come back to the Planning Board and make a recommendation to you to determine the document is complete and ready to be circulated for review by other agencies and the general public.

Board Member McNulty stated that's DEC, DEP all that type of thing.

Chairman Rogan stated Health Department, general public.

Board Member Montesano stated we're not going to get another full copy with revisions, I hope, with them you don't know.

Chairman Rogan stated you might get it, I'm going to trust to...

Board Member Montesano stated I can't get access to my hand truck here.

Board Member McNulty stated can you put it on disk, can you get it on disk.

Rich Williams stated yea, we do have it on disk and actually the new state laws adopted a year, eighteen months ago, require us to post it on our website.

Chairman Rogan stated it takes up a lot space though.

Board Member Montesano stated and that weighs a lot.

Rich Williams stated (inaudible).

Board Member Cook stated is it necessary for it to be on the agenda.

Rich Williams stated I'm hoping that we are going to get everything wrapped up and come back to you with a recommendation, we didn't put it on the agenda, you know it would just, we need a little push.

Chairman Rogan stated less of a question.

Board Member Cook stated okay.

Board Member McNulty stated it's a reminder.

Rich Williams stated yes.

Ron Taylor stated the primary reason I came tonight, if I could have ten minutes, I would like to give some public input in on this process on Watchtower.

Chairman Rogan stated sure, you're on, you want now or at the meeting.

Ron Taylor stated Rich thought I should do it now.

Chairman Rogan stated I agree.

Ron Taylor stated and I will speak publicly when there is a public hearing but I just wanted to update you, I gave you all, thank you Michelle.

The Secretary stated you're very welcome Ron.

Board Member DiSalvo stated that's what that was for.

Ron Taylor stated she printed out this for me, this is has some specific comments on the history of the area, I'm not going to go over and read it to you there is (inaudible), in general one comment I would like to make is I don't feel their researchers did due diligence in doing the historical research. It's one sided, in terms of some of the sources they site and they almost entirely ignore the Revolutionary War and that site as it turns out is specifically important to the Revolutionary War. I had some real questions about that, some of the stuff is fairly obscure that I've come up with it and a lot of it was relatively available and it is

at least hinted at or pointed to in some of the references they site, some of the common historical references. This thing I gave you in particular you'll notice from 1956 it's got this information in it, a copy of this is available at the historian's office if they had gone digging for it.

Board Member DiSalvo stated so you're saying that that is the Watchtower property.

Ron Taylor stated yes.

Board Member DiSalvo stated which would have been Mendall Farm, right.

Ron Taylor stated yes.

Rich Williams stated yes.

Board Member Montesano stated yes.

Ron Taylor stated and I'll get into whose it belonged to way back when, the visual impacts, I have no problems with what they said about visual impacts, architectural, they are not doing anything to the existing historic structures but I would like to go on record to have them update their statements about those structures. They use terms like likely built or appears to date from, they are supposed to be architectural researchers, they should substantiate the dates of some of these buildings, there are ways of testing the buildings. What we have found in Patterson is a lot of new buildings, we are talking about buildings from 100 years ago, had older buildings incorporated in them, the Plunkett House is a good example, they have 1730 or 40 house in the middle of their house that has been added to, this may well be true for some of the houses over at Watchtower. The other contention they make is that none of these buildings are of State or National historic significance and therefore they don't have to consider them, the State also allows what's called local significance, that we can determine if some structure is locally important it could be registered also, nothing's been registered but that doesn't mean it might not be and I will point out a couple of those as I go along. There are ways to determine age of buildings, dendrochronology is one where they take small cores of the structural wood and they compare them with test samples of the whole region and they can date back way into the 1700's in New York and Albany and so on, where this say this house, this beam went into this house, it was cut and dried in 1720 and it's been sitting there ever since, so there are ways to do this that are fairly, they are easy, its costly but that's, maybe not consideration for this particular, we are talking about 4 houses. They also claim that alternations such as siding, environmental windows eliminate the historical value of a house, there are number of houses that have been returned to an earlier period, as long as the basic structure is still there, so siding windows are not the way to determine that and I think they should acknowledge that, that should be corrected, those kinds of statements. Local significance, recently somebody at the Historian's office ran across a document that Henry Ludington gave to his daughter and her new husband, Sybil Ludington, some property or transferred it to them shortly after they were married, when they were still in Patterson before they went across the river, that property is somewhere over in that area on [Route] 22, I don't know whether it is included in, we haven't quite figured out exactly where it is but there is a potential for somebody who is not just a local hero but a national hero, who may have lived in one of those buildings, may even have built it. So just more research is needed, the other one which they name is Judge Stone's house, it's the main house there by the pond in that area on that side of the road, again they are not going to affect it but if they do just acknowledge that it was Judge Stone's house. There are several sources and you'll see that in the reading here that point to that house as having belonged to Beverly Robinson Junior who was a Tory, he and his father lost, the Robinson's owned a lot of Putnam County, they lost all of their land but it does show that potentially these houses go back that far and had significant people in them, whether that house contained a Revolutionary War house, we don't

know but they should investigate it more before they make these blank statements about the houses not having any historical importance.

Board Member McNulty stated are any of these structures impacted by their development.

Ron Taylor stated not at the moment no...

Board Member DiSalvo stated no, it's on the other side of the street.

Ron Taylor stated but they are laying these statements out in their DEIS as architectural truths and I think it should be corrected because they refer to their previous one from the '80's to support what they are doing now and I think it's an error saying that there is not environmental impact in the wetlands or something, when in fact that is obviously not the case and then in the future they come in and try to base things on that. There are some things that are in fact that I will get to here, the previous studies that were done in the area were limited to looking for pre-contact, that is Indian artifacts, which I find rather interesting, they never mention that they were looking for any Revolutionary artifacts, that may be because they just skipped the whole thing about the Revolution. If you briefly look in this paper, if you look at the second page, the fourth paragraph, it talks about Robinson Junior's being in what is later Judge Stone's farm, that is my insert that, Judge Stone's farm, horses were raised in that farm, they went to Washington, they went to Arnold, who is mentioned, the key thing is that in 1780, 1778, I'm sorry, 1778 Washington comes up here with troops, up to 17,000 troops and they were scattered all over, a good many of them were in that area over there, now Hillery, who wrote this, Reverend Hillery from the Presbyterian Church here was the first Putnam County Historian, he is talking in reference to the Birch Hill Game Farm, he is standing on the game farm property and pointing things out but Watchtower is the next property down...

Board Member DiSalvo stated right.

Ron Taylor stated he says General "Mad" Anthony Wayne and his Pennsylvania troops were camped on Birch Hill and Birch Hill it explains in here was that whole southern part of what now is called Cranberry Mountain, it went all the way over to what we call now Stagecoach Road, which used to be called Birch Hill Road all the way down to Haviland Hollow, and up to Birch Hill Road, that was all Birch Hill and his headquarters was in the Robinson house, I assume what he means is the Beverly Robinson Junior house he mentioned earlier. So General "Mad" Anthony Wayne was headquartered in that house, it's like saying that Washington was in the Cane house in Pawling, it's the same, it's significant in a way. Across the street from there and clearly an area where the house no longer exists was a Tory called Thomas Menzies, who had most of what we think is that property that is now Watchtower, he has 300-something acres of it and we have, what I will do, I have to back track a little bit, I will go through and Hillery, doesn't unfortunately, footnote anything, he makes all these statements with no backing for them, I will go through and footnote with documentary references all the statements that I can, the statement about Menzies, we have two letters that he wrote, one to Governor Clinton at the time and one to Albany that went to Washington complaining about the fact that there were continental troops encamped on his farm, they were burning up his fence posts for fire wood, they were taking his hay and they were burning his trees and in general they were bothering him, he asked for compensation, it says here up to 8,000 dollars, that was a lot of money back then that he had lost, his second letter is asking Clinton after sighting all these grievances again to allow him to leave the area, he had been placed under house arrest and he was asking to be allowed to leave the area. So there are two documentary references to that that there were in fact troops camped on his farm and then at the bottom of the page, there were diseases here that summer, some soldiers dies, we know there are number of them buried up on Quaker Hill because the building was used as a hospital, Hillery also states and I have not found where get got this reference from, he does stated that 8 soldiers

dies, Pennsylvania soldiers, on the Watchtower property, and are buried there, that is what that marker is that they found and they note that they have no information about, we did find pictures of the ceremony where it was dedicated, the American Legion put it in, Watchtower says they think it was the DAR, it turns out it was the American Legion but I haven't been able to find any documentation behind that, how they determined there were 8 of them, how they determined it was that site.

Board Member Montesano stated I believe at one time, the old Town Hall had paperwork in there, I remember there was a large brass plaque that used to sit in the basement, we were trying to get it put up in front of the building but it never materialized.

Ron Taylor stated we've tried to find the papers, nobody seems to know where they went.

Board Member Montesano stated I think, with all due respect, when the County took it over, a lot of the stuff was cleaned out so to speak.

Ron Taylor stated we may be able to find the reference eventually, but in any case, that explains what that stone is up there. Our recommendations and this is a recommendation from my Board, not just from me personally, are that and they make some good recommendations in their own report, the areas that they are going to disturb they will and if they haven't been previously tested, they will test them but they are talking about testing for again, Indian artifacts, we want to add to that that they test for Revolutionary War artifacts, that means they should be out there with metal detectors looking for musket balls and casing and belt buckles and buttons and things like that rather than walking behind looking for church yards and things like that.

Board Member Montesano stated are any of the Mendall's still in the area that would because I remember talking when we used to go over there and every so often they would be plowing something up and you would find an old sword stub and all sorts of stuff...

Board Member DiSalvo stated where did they put all that stuff.

Board Member Montesano stated they used to keep it in the barn and I'm sure that was disposed of conveniently.

Board Member DiSalvo stated was there ever a point in time where Thunder Ridge was part of this whole property, were all those properties on one ownership.

Ron Taylor stated no, way, way, back when yes because the oblong was divided into 500 acres sections and then the back part of those properties were part of the oblong, the front parts were, most of them seem to be 150 to 300 acre farms and they were never joined together, they were separate farms, so kind of yes and no.

Board Member DiSalvo stated what was Thunder Ridge before it was a ski area.

Ron Taylor stated it was Birch Hill Game Farm.

Board Member McNulty stated a game farm.

Board Member DiSalvo stated yea they still have the cages up on the top, what was it before that.

Ron Taylor stated it was a farm, several farms.

Board Member DiSalvo stated it was part of...

Ron Taylor stated Stephens Farm, Jennings Farm, Hayt...

Chairman Rogan stated the top...

Board Member DiSalvo stated the top...

Board Member Montesano stated even Alpine, when they used to dig up there and you can check with Marty Kessman because he was doing work up there, every so often you would find something, it could be a lead ball and you'd laugh, the kids were digging stuff up after they because when they were putting up the houses, Marty was the dozer operator up there at the time and you would be clearing it off and you'd find all sorts of stuff...

Ron Taylor stated yea but the troops as far as we know were all the way from Haviland Hollow, all the way up into Pawling because those hills were cleared at that time, they were all open fields.

Board Member Montesano stated maybe we should get Mr. Schumer to come up.

Chairman Rogan stated maybe I can suggest Ron, just like we do with our other technical staff, we ask sometimes, it makes sense for the applicants to have a representative sit down with our technical staff, maybe we can arrange for the same thing to happen with either you or someone or a few people...

Ron Taylor stated me and someone...

Chairman Rogan stated from the Historical Society to iron out some of these issues because it sounds like there are some corrections and some minor additions that need to be made to the document but not something that should slow down them going through a process, just making sure it gets...

Ron Taylor stated no, no.

Chairman Rogan stated even if Rich's information is done, we can deem the document complete and also pending you know, this but I think it would be great if you can sit down with them because...

Ron Taylor stated yes.

Chairman Rogan stated and I am going to ask, Michelle, if you can just make sure, I know that they get copies of the documents but a copy of these minutes to Rich Eldred as soon as possible, certainly not an emergency but I think that would make a lot of sense, you would be able to work on those issues. Okay...

Board Member DiSalvo stated most of the renovations to those houses were done with the Jehovah Witness, not with Mendall's...

Ron Taylor stated and one of the things they site as why there shouldn't be any further archaeological investigation is ground disturbance which is what they did previously, the kinds of stuff they would be looking for would be scattered anyway, metal detectors would be the best way to go forward, that is all I'm, I am just recommending that they broaden their where they are going to disturb something, not that they do the whole site, just where they are going to disturb, they should in addition have somebody looking for

Indian artifacts, they have somebody with metal detectors or an archaeologist who is familiar with colonial structures because supposedly there were bake ovens, campsites and other things that may still remain. That's all we are recommending and a little more due diligence on their part, where they will disturb things and when they are digging near the gravesite and they say they will have this, they should be sure to have an archeologist on hand who knows the difference between human bones and animal bones, that's it for me.

Chairman Rogan stated thank you, that has to be quite a chore to find all this information.

Ron Taylor stated it has been.

Chairman Rogan stated and then to understand what it means when you do find it and piece it all together.

Board Member McNulty stated it's all drips and drabs.

Board Member Montesano stated when we used to go out on field trips back in the old days, some of the, then Board Members would be digging little things up, walking away with arrowheads and god knows what else by the time we got through and it was amazing the things you could find, right there on the surface.

b. Fox Run Phase II – Zoning Change

Chairman Rogan stated amazing, okay, we have Fox Run Phase II that is the zoning change, remember that is the age qualifying housing, continued discussion on that...

c. Barjac Corp. Site Plan - Discussion

Chairman Rogan stated and I knew this was going to come in eventually, I drove past the other day and said I wonder when they are going to start Barjac.

Board Member Montesano stated when are they going to bar jack.

Chairman Rogan stated I knew that bridge was going to come up, everybody see the letter.

Board Member McNulty stated what is Barjac.

Chairman Rogan stated it was going to be, it will be an equestrian center, what about a ¼ mile down the road.

Board Member DiSalvo stated behind Sauro's.

Rich Williams stated (inaudible).

Board Member McNulty stated where that sign is posted.

Board Member DiSalvo stated part of Peckham's property.

Board Member Montesano stated yea.

Chairman Rogan stated and the access, if you look at the site, the closest house, there is almost like a gate and a little bit of an old roadway there, there was another alternative but there was quite a low laying area

with wetlands and they were going to bridge right across, went through the process pretty smooth, minor modification, but we approved an equestrian center out there with a bridge access and the letter is saying because of the economic times, the increase in costs, they want to talk about alternatives to, I'm assuming to the bridge, alternative means of access.

Board Member McNulty stated so are they back to their original starting point, so to speak.

Chairman Rogan stated well no, only if they wanted to amend they application, they would come back in and...

Rich Williams stated box culverts.

Chairman Rogan stated box culverts huh...

Board Member McNulty stated they don't want a bridge, they want to build a roadway.

Ted Kozlowski stated its hard economic times, why are they starting the project.

Board Member Montesano stated well the ground is there.

Board Member McNulty stated how big is the bridge, is it.

Rich Williams stated 80 feet in span.

Chairman Rogan stated pretty decent size.

Board Member McNulty stated what does that back up against the little league fields.

Chairman Rogan stated yes.

Board Member Montesano stated yes.

Rich Williams stated except there is a big wetland in between.

Board Member Montesano stated that other access that they had on, didn't they have another access on the right hand side of the property...

Chairman Rogan stated yea, there is a gate, we were going to have the bridge on the left side.

Board Member Montesano stated no, no, not off of [Route] 311, I thought there was another...

Rich Williams stated there is a limited access, there are problems with getting the larger tractor trailers in and out through there, so its really not a viable access for primary access and I, listen I did explain to Theresa that this is a terrible time to approach the Board about discussions with bridges considering you were recently out on the Hudson Valley Trust property and saw that bridge.

Board Member Cook stated can we back up a second to Fox Run.

Chairman Rogan stated of course, I didn't mean to breeze over it, I just didn't...

Board Member Cook stated no, I just want to make the one comment, I really think we need to discuss at some point, limiting the number of units for that site, approving or recommending to the Town Board the new Code section but I think that somehow, somewhere we need to limit that because that is a big site up there and you know if this thing or to get the word to the applicant because even in their last letter, they are saying they are amendable in discussing some limitations.

Chairman Rogan stated just so I'm clear Charlie, the recommendation back to the Town Board for a zoning change, is a zoning change for the site, can we tie the zoning change to a...

Rich Williams stated density requirement.

Chairman Rogan stated density requirement because the zoning change only applies to that specific property. The request is only to rezone that specific property.

Rich Williams stated yes but you could and again, it's a recommendation, you could make that density recommendation on a density requirement for that property or in general, I mean you may say taking a look at that, taking a look at some of the other sites out there you know the density is just way to high at current times.

Board Member DiSalvo stated I was listening to the radio last week one of those talk shows and they were talking about the 55 and over and they said that they are, what is the word they used, not over populated but over occupied by 15% because like we talked about the last time the kids are moving back to the house with their kids, I mean I know a person in Fieldstone Pond, a husband and wife, the daughter moved back with the new husband and three kids.

Chairman Rogan stated wow, especially in these economic times, they are just cramming in.

Board Member DiSalvo stated in a unit like your size.

Board Member Cook stated yea.

Chairman Rogan stated you do what you to do right.

Board Member Montesano stated its family.

Board Member McNulty stated I had some questions in regard to this letter too, Rich you had brought up alternate access possibly through what is that Independence Way, is it.

Chairman Rogan stated Commerce [Drive].

Board Member McNulty stated Commerce [Drive] is that viable.

Rich Williams stated maybe, can it be engineered, yes, it absolutely can be but in order to do that we need a couple of other property owners to participate. At one point I had met with 2 or 3 property owners on a concept of that whole knoll behind Commerce Drive, turning that into a or expanding the existing corporate park, I had done a concept plan laid out a number of buildings...

Board Member McNulty stated so it's not an easy alternative, it would take some work.

Rich Williams stated well it would take cooperation and it would take a little bit more planning but it is doable.

Board Member DiSalvo stated if it was commercial that property.

Rich Williams stated right, right.

Board Member DiSalvo stated not to have that as the entrance for the senior housing...

Board Member McNulty stated to an R-4 district.

Board Member DiSalvo stated right.

Board Member McNulty stated thanks for trying to change it, the other thing, have they reached out, do we even know if they talked to the current Homeowner's Association...

Chairman Rogan stated they did initially when they were looking for the, just the multi-family and we have a letter somewhere in the file, I'm sure Charlie has it, stating what their conversations were what they were offering the Homeowner's Association monetarily and in improvements. There was a certain number of thousand dollars per unit upon drawing a building permit maybe that they were just blanket donations to the existing Homeowner's Association fund because they are cash strapped.

Board Member McNulty stated are those all guidelines we would set in this approval for zoning or that's down the line...

Chairman Rogan stated that's...

Board Member DiSalvo stated that's not our...

Rich Williams stated some of them we might be able to establish, others, it's really between two property owners unless we can create a clear nexus but you know Mike can't approve something that makes Maria given you something, it's not legal.

Chairman Rogan stated but in the case of say the pool, they are looking to do this, we see the pool as a necessary part of the site and its in disrepair and needs 50,000 dollars worth of repair, we are saying fix the pool there you know...

Board Member DiSalvo stated again, is that pool...

Chairman Rogan stated I'm just making that...

Board Member DiSalvo stated big enough for the amount of tenants that would be there so like parking spaces, we went up to that road, you couldn't even get an ambulance up there if you had to.

Rich Williams stated Maria we haven't gotten far or anywhere near that far in the process.

Board Member Cook stated but that is what I am concerned about relative to limiting the number of units because you read all this good stuff and like the example you gave with your friend over in Fieldstone

pond, a lot of this stuff is arguable and so a lot of my concerns just don't fly out the window because all of a sudden this 55 plus...

Chairman Rogan stated so far, none of mine have to be honest with you, I haven't really changed...

Board Member DiSalvo stated no, it doesn't effect my view of it...

Chairman Rogan stated if we are talking the same number of units, none of my concerns have really changed.

Board Member Montesano stated you get your kids to come up and they bring their kids and its Sunday and now we have a pool with 150 people per square inch, it gets a little difficult.

Board Member DiSalvo stated (inaudible) emergency services too with that situation...

Chairman Rogan stated even just the mixed traffic, not to think that our age qualifying drivers are at a greater risk but the traffic in and out of that place from my own personal observations is pretty hairy at times.

Board Member DiSalvo stated and that is like the main thing over there.

Board Member McNulty stated I have a friend that lives up there, I called him to ask him about it, he lives right up near there, he said traffic is unbearable now, so it's a big concern.

Board Member Cook stated I think Maria brought this up a meeting or so ago, where there are grandparents and children and their children, all in the same household, you have the grandparents driving kids to school or picking them up to help out, so its not like that car is sitting back or not going out during the quote rush hour time, okay...

Board Member DiSalvo stated it goes out more.

Board Member Cook stated that car is going out between 7 and 9 and back between 7 and 9 and back out again, you know that type of stuff.

Board Member McNulty stated and if you have older children coming back, you have even more cars then if you had young children.

Chairman Rogan stated I don't see this type concept to be the savior of the community, the way they are projecting it in other communities, maybe in certain circumstance these age qualifying because they are not adding school age children, they are not creating school age children but they may be housing them.

Board Member Montesano stated the concept at one time may have been a great idea but with all due respect to the courts of this wonderful country, they said age can not be discriminated against and they are slapping down left and right.

Board Member DiSalvo stated Heritage Hills got hit again last week with another lawsuit.

Chairman Rogan stated its nice to say it but that doesn't mean you can do it that way. So if we are still looking at the same number of buildings and units, which it seems like the plan, they are just throwing it

out there, they are saying the number hasn't been set but that is kind of what we were reviewing previously, Rich do you see how you feel that change from multi-family to age qualifying belays concerns we had prior...

Rich Williams stated creates the impasse.

Chairman Rogan stated yea.

Board Member DiSalvo stated so there is a condo development in Mount Vernon, it was in the paper this week and I saw it, that the Homeowner's Association treasurer walked off with 150,000 (inaudible)...

Chairman Rogan stated in these times too (inaudible).

Rich Williams stated you broke it.

The Secretary stated I did.

Chairman Rogan stated all right...

Board Member DiSalvo stated that's why they have no money over in Fox Run.

11) MINUTES

Chairman Rogan stated and we have minutes to review. Ted do you have anything for us tonight that you would like to talk about. Rich, do you have anything else...

Rich Williams stated yes I do.

Board Member McNulty stated what was project updates.

Chairman Rogan stated we're going to have it, we had a listing of the projects that were outstanding or in some state of limbo and Rich had done a review memo about 20 or so projects and Charlie had asked for an update on those...

Board Member McNulty stated oh okay.

Chairman Rogan stated we had sent some letters out threatening them with some legal action and...

Rich Williams stated Front Street Gallery...

Board Member DiSalvo stated oh yea.

Rich Williams stated down here, they came back in with the building mounted sign that might be perpendicular to the building...

Board Member McNulty stated is the sign they have up right now temporary.

Rich Williams stated I don't know.

Board Member McNulty stated because its not what we approved.

Rich Williams sated I will have to go take a look at it.

Board Member DiSalvo stated I didn't notice it, it looks like what I have a plant hanger.

Chairman Rogan stated mounting system.

Board Member McNulty stated it looks like their business card, looks just like that.

Rich Williams stated that's what you approved.

Chairman Rogan stated color is...

Board Member McNulty stated the white background.

Chairman Rogan stated yea.

Board Member Montesano stated I thought that was it.

Chairman Rogan stated I would have to look at it but I remember them tying in...

The Secretary stated you do have this.

Rich Williams stated I'll have to go back and look.

Board Member McNulty stated it has the white background, I didn't remember that.

Rich Williams stated this is the sign that they are looking to put up, a white sign with a you know black...

Board Member McNulty stated rod iron.

Rich Williams stated yes, now Patterson's Code says the sign needs to be made of natural material such as wood, so...

Board Member DiSalvo stated we could change that.

Rich Williams stated this is the material they want to make the sign out of.

Chairman Rogan stated okay, I wasn't saying okay, I'm saying I understand.

Rich Williams stated I got that you were saying I understand.

Board Member DiSalvo stated what is that like hard plastic.

Chairman Rogan stated I understand, I should pick my words more clearly.

Board Member McNulty stated well they are going to have weight...

Rich Williams stated you didn't have to, I understood.

Chairman Rogan stated for the record.

Board Member McNulty stated restriction hanging like that, a lighter sign would be smarter.

Rich Williams stated so the question is, the Board has already approved the perpendicular sign, this kind of deviates from the, what do you have...

Chairman Rogan stated he's got the original approval.

Rich Williams stated yea.

Chairman Rogan stated like the card.

Rich Williams stated yea.

Chairman Rogan stated what are you holding up there.

Rich Williams stated just the card.

Board Member DiSalvo stated it looks like an invitation.

Chairman Rogan stated no I thought it was an additional sign they wanted.

Rich Williams stated so that is the question before the Board, so, what you do want to do with this.

Chairman Rogan stated that is like 180 degree difference from what we contemplated, it doesn't meet within any of the context of the Hamlet colors...

Board Member DiSalvo stated that's the colors they want to do.

Chairman Rogan stated black and white, right, yea.

Board Member DiSalvo stated can they do some outlining in some green.

Chairman Rogan stated in my mind its not even anywhere near what...

Board Member McNulty stated did they give you a size...

Chairman Rogan stated have they expressed any...

Rich Williams stated no.

Chairman Rogan stated reason why they want to go with their.

Rich Williams stated my 2 cents, that is to hell and gone from what everybody was looking at, I thought from the Hamlet, I mean the original 2 signs...

Chairman Rogan stated well I agree with you the only thing we had in it was this.

Rich Williams stated right, there is black in there you wouldn't normally choose black.

Board Member McNulty stated see how the white is on the top and bottom of the card, that white is on here too the same way, so.

Chairman Rogan stated (inaudible).

Board Member McNulty stated I don't have a problem with it I just didn't...

Board Member Cook stated I'm sorry what did they, they wanted to do this type of hanging with what, this.

Chairman Rogan stated with those colors just Front Street Gallery, I'm assuming...

Rich Williams stated yes.

Chairman Rogan stated black letters on a white sign with a black border with this material. The material I'm not as concerned about either especially since its hanging off the building.

Board Member McNulty stated it probably makes sense to keep it letters.

Chairman Rogan stated but I guess my feeling on this is both of those signs, that one that we are approving and the one they are proposing are both somewhat precedents for the Hamlet. We thought because we were pulling in the red color, the colonial red that that was going to be a dominant color in the sign, so there was our justification, the black and white is completely different than anything we have contemplated before for the Hamlet.

Board Member DiSalvo stated can they outline the letters with the colonial red on that sign...

Board Member McNulty stated maybe they can make a red background with white letters, which pinstripe.

Rich Williams stated the original as I recall, what the Planning Board say that they really liked was Peterson's Landscaping, that green and gold sign...

Chairman Rogan stated that welcome to Patterson sign.

Rich Williams stated and then the Presbyterian Church had hung up a sign that had burgundy and blue and white and they really liked that sign and that...

Board Member McNulty stated Patterson Village is nice too.

Rich Williams stated they kind of followed that pattern but those were the two signs that initially the Planning Board said these are going to be our standards, more so the Peterson but the two signs, so you know we wrote that in the Code, to create a standard of you can have these types of signs. It seems every sign that gets approved though gets farther away from that.

Chairman Rogan stated we should have almost, in one regard, remember pointed to other areas like down in Mahopac along 6 or 6N, the whole strip, every sign is basically the same exact, the same color, the same lettering, you don't want to force everyone on someone, at least the intent was to given an identity to the area, to give some, to try to build some kind of semblance of, making this area be unique for some, you know but are getting really far away from that.

Board Member McNulty stated structural limitations maybe if they can just do that sign and tie in a better color scheme.

Board Member DiSalvo stated yea.

Chairman Rogan stated use the Hamlet colors.

Rich Williams stated you want to go back to the Hamlet colors.

Chairman Rogan stated see what they can do with the Hamlet colors.

Rich Williams stated okay.

Board Member Cook stated we don't have a problem with the bracket or the material, its just we want the colors to be the "Hamlet".

Chairman Rogan stated its not that it would be an ugly sign, it's just not within the conformity of what was contemplated and decided upon for the Hamlet.

Board Member Montesano stated 6 pages of information.

Board Member Cook stated and previous minutes that we are going to approve.

Board Member Montesano stated very appropriately brought out by our Secretary by the way.

Chairman Rogan stated anybody have anything else, no...

Board Member DiSalvo stated I'm glad to see the donate your clothes bins are gone from Benfield, I was going to call you that Saturday, I'm like what this looks like...

Board Member Montesano stated now they have that nice no trespassing sign up there now.

Chairman Rogan stated you know.

Board Member DiSalvo stated people were throwing garbage there, there was bags of stuff, it looked terrible.

Board Member McNulty stated it did look terrible.

Board Member Montesano stated its hard to find a pair of shoes that fit.

Board Member DiSalvo stated my dumpster dumping...

Board Member Montesano stated diving.

Chairman Rogan stated motion to adjourn.

Board Member Cook seconded the motion.

Chairman Rogan stated asks for all in favor:

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

The motion carried by a vote of 5 to 0.

The meeting adjourned at 9:15 p.m.