

TOWN OF PATTERSON
PLANNING BOARD MEETING
May 1, 2008

AGENDA & MINUTES

	Page #	
1) Kent Supply Co. – Public Hearing	1 – 11	Public Hearing opened and closed. SEQRA Type II action declared. Discussion of storage delineation and truck parking.
2) Wallace W/W Application	11 – 14	Public Hearing scheduled for June 5, 2008. Discussion of usable area.
3) The Plaza at Clover Lake	14 – 16	Subdivision approval granted. Negative Determination of SEQRA granted.
4) Powe Subdivision	16 – 17	Subdivision approval granted.
5) Paddock View Estates	18 – 19	Public Hearing schedule for June 5, 2008
6) Martins Subdivision	19 – 22	Discussion for site walk and major subdivision classification.
7) North County Homes Lot 5	22 – 32	Discussion of house modifications, wetland issues, deed restrictions and conservation easement.
8) Barjac Realty Site Plan	32 – 37	Public Hearing scheduled for June 5, 2008. Discussion of building colors.
9) Green Chimneys	37 – 39	Discussion of wetland flagging and rescind request for public hearing.
10) Other Business		
a. Boniello Site Plan Bond Amount	39 – 41	62 Day Extension granted.
b. Pfister Site Plan	41 – 55	Discussion of site issues, access issues and wetland issues.
c. Legal Services	55 – 58	Recommendation made to Town Board.
11) Minutes	58 – 59	March 22 nd and April 2 nd Approved.

PLANNING DEPARTMENT

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

Michelle Russo
Sarah Wager
Secretary

Richard Williams
Town Planner

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



**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

ZONING BOARD OF APPEALS

Howard Buzzutto, Chairman
Mary Bodor, Vice Chairwoman
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PLANNING BOARD

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

**Planning Board
May 1, 2008 Meeting Minutes**

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

Present were: Chairman Rogan, Board Member Pierro, Board Member Montesano, Board Member DiSalvo, Board Member Cook, Rich Williams, Town Planner, David I. Raines, Town of Patterson Building Inspector, Ted Kozlowski, Town of Patterson Environmental Conservation Inspector, Anthony Molé from the Town Attorneys Office, Curtiss, Leibell, Herodes & Molé P.C.

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

Michelle Russo was the secretary and transcribed the following minutes.

There were approximately 11 audience members.

Chairman Rogan led the salute to the flag.

Chairman Rogan stated thank you please be seated.

1) KENT SUPPLY CO. – Public Hearing

Mr. Robert Cameron of Putnam Engineering and Mr. Joe Futterman, were present.

Chairman Rogan stated is anyone here for Kent Supply, okay, I will ask the secretary to please read the public hearing notice.

The Secretary read the following legal notice into the record:

NOTICE IS HEREBY GIVEN by the Town of Patterson Planning Board of a public hearing to be held on Thursday, May 1, 2008 at 7:30 p.m. or as soon thereafter as may be heard, at the Patterson Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider an application entitled **Kent Supply Company Site Plan to allow for a plumbing and heating supply to occupy an existing commercial building. The property is located at 50 Jon Barrett Road, Patterson, New York.** All interested parties and citizens will be given an opportunity to be heard in respect to such application.

Chairman Rogan stated thank you, good evening Rob.

Mr. Cameron stated good evening.

Board Member Montesano stated good evening Rob.

Chairman Rogan stated please state your name for the record, even though we know it.

Mr. Cameron stated Robert Cameron, Putnam Engineering, representing the applicant.

Chairman Rogan stated just a brief run down of the project, thank you.

Mr. Cameron stated this site is located in the Robin Hill Corporate Park on Route 22, on Jon Barrett Road, it is in the C-1 zoning district, the site is about two acres in size and on the site there is an existing building. The building was constructed probably in the mid to early 80's and the applicant is proposing a change of use for this building. He is a plumbing, retail plumbing and warehouse supply and he is proposing on occupying the building for that purpose.

Chairman Rogan stated great, have any questions or comments from the audience on this application. I see no questions, can I get a motion.

Board Member DiSalvo stated I make a motion to close the public hearing.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries by a vote of 5 to 0.

Chairman Rogan stated any opposed, okay. Rob, take us up to speed on where we are with this, what changes you've made since last time.

Mr. Cameron stated some of the changes that we have made since the last time is we addressed some of the comments from the Town Planner and the Town Engineer and the Planning Board there was an indication to provide striping in the upper parking lot and we have removed the request for the waiver from the site plan for the parking. We, I think we also added some handicap curb cuts, changed some notes, put a curb along the back to increase the area surrounding the extension in the back of the building. We met out on the site with Ted Kozlowski reviewed the landscaping that the Board has asked us to look at the last time and Ted's recommendation was to plant some trees along the property boundary, over in this location, I guess that would be the north east portion of the property. We have located five trees there. Also, as per the recommendation, Ted, we have also on the steep slope, I think which was a concern of Rich's, we used a wildflower seed mix, instead of putting grass on the slope which we believe will further help stabilize the steep slope and there won't be a need to mow that slope. We have looked at the pond as well and there have been some comments by the Planner and the Town Engineer, regarding the pond, what I would like to

say about the pond, is that the pond is an existing pond, when this site was originally constructed, they put that pond in. I don't know what design standards they designed it to, the site did get a C.O. for the property and we will try to address as much as possible, remediating the pond, excavating the pond bottom and all like that but there are some issues with calculating the drainage, how much the pond can handle. It is a little bit difficult to, I mean, we can't make that pond meet today's standards, it is just really unrealistic and it wouldn't be fair to the Applicant to try and make him do that, its just not, the volume, the pollutant removals, what we did do is we did the basic calculations, leaving the drains open on the bottom. We have determined to the best of our knowledge that the pond will not overflow and I think there was a comment about installing an overflow for the 100 year storm event, leading down towards Route 22 and we don't believe that we have to do that, there was an area, let me change this map here. We did not show that but we will on the next drawing, there is an area over here basically that it appears to have been designed for that if the pond ever reached an overflow event, let's say if for some reason, the pipe got clogged up, it would overflow at this section. We are not proposing on doing anything there, that is already stabilized an existing slope, you know typically you would put like a rip rap stone there and travel that rip rap stone down towards possibly Route 22, we don't feel that it is necessary to have to do that.

Chairman Rogan stated okay.

Mr. Cameron stated obviously we would like to try and minimize whatever work we would have to do at the pond.

Chairman Rogan stated we will leave that issue, at least to discuss further, was that one of Gene's comments or yours, Rich.

Mr. Cameron stated it was both Rich and Gene, both had comments concerning the pond.

Chairman Rogan stated okay, either one of you have strong feelings on what Rob is saying.

Gene Richards stated I guess that is something that I would suggest that we could all three meet and discuss, if there is a question on that and anything else related to the pond or the comments.

Chairman Rogan stated okay.

Gene Richards stated just keep it, we'll get it resolved and you can come back with finalized drawings for the next meeting perhaps.

Mr. Cameron stated okay.

Chairman Rogan stated okay, thanks Gene. Rich, specific to your memo, I have been looking at the one comment under layout about the three box trucks that will be proposed to be used for equipment storage. Stored on site either in the loading area or internal to the building and are the two loading spaces, the ones closest [Route] 22 on the top right corner of the building, is that where you are referring to.

Rich Williams stated what I am referring to is and I have to go change the battery [in the microphone], what I am referring to is a note.

Chairman Rogan stated okay.

Rich Williams stated that is on the plan, which kind of leaves it open ended which says, alright we are going to have this number of box trucks and we are going to have this number of outdoor storage and this amount of outdoor storage and having said that, that is not going to limit us in the future if we need more.

Chairman Rogan stated and certainly we wouldn't want that because they could end up using multiple parking spaces for outdoor storage, you know, put it in the vehicle and just.

Board Member Pierro stated I recall there being some discussion about using the upper lot, the one we were talking about, the waiver for striping for some sort of outdoor storage in the future.

Rich Williams stated well that's fine, then they should acknowledge that at this point and show it as future storage and show what improvements they want to meet, my only.

Board Member Pierro stated but if that, if we use that, not to interrupt you, sorry to interrupt you but if we use that for outdoor storage, are we depleting the number of parking spaces that are required.

Rich Williams stated yes.

Board Member Pierro stated okay.

Mr. Cameron stated that is why we changed that and put it back so we wouldn't need the waiver of parking, so once we put the parking there we can't have the outdoor storage there.

Board Member Pierro stated okay.

Chairman Rogan stated and the outdoor storage area shown behind the building.

Mr. Cameron stated yes, over here.

Chairman Rogan stated the fence just between the neighbors. I don't remember how visible that area from Jon Barrett Road, I don't think it is visible from [Route] 22.

Mr. Cameron stated I think, no.

Chairman Rogan stated looking up through.

Mr. Cameron stated no.

Chairman Rogan stated but.

Mr. Cameron stated and even from Jon Barrett [Road] because of the difference in elevation you are almost looking out over the horizon about twenty feet, I want to say twenty feet.

Chairman Rogan stated okay.

Mr. Cameron stated [counts] sixteen, where's eighty, probably about fifteen feet difference in elevation.

Chairman Rogan stated and that's their security issue.

Mr. Futtermans cell phone rings.

Mr. Futterman stated no, on two things, you can not see it from Jon Barrett Road.

Chairman Rogan stated could you come up and use the microphone.

Mr. Futterman stated there is a huge thing of trees there so you can't even, with the elevation you can't see the outside storage in the back and for the upper parking lot, I don't have any future plans for storage up there.

Chairman Rogan stated okay and I'm fine on this upper.

Mr. Futterman stated yeah.

Chairman Rogan stated speaking specific to this lower area.

Mr. Futterman stated it can not be seen from [Route] 22 or Jon Barrett Road.

Chairman Rogan stated okay.

Mr. Futterman stated and just the building across from us, there is a very thick tree line there, they can possibly see part of storage and things if they possibly looked through.

Chairman Rogan stated okay, secondly the delineation through that area, that is an area in essence we are saying is a dedicated outdoor storage area, it can be used as such.

Mr. Futterman stated yes.

Chairman Rogan stated one concern of course is always delineating those spaces so we know the bounds, so it doesn't end up taking up obviously the spaces around it, nor creating a hazard or concern for picking up your dumpster or getting to some of those spaces, sometimes having a fence in those areas, kind of delineates it better.

Mr. Futterman stated right.

Chairman Rogan stated even there are fences that, I was going to say temporary but they really, if you are going to put them, they really should be a permanent fence.

Mr. Futterman stated yeah.

Chairman Rogan stated but when I said security, there is not a security issue with the types of materials you are storing there, not being in any kind of a fenced enclosure.

Mr. Futterman stated no, we are going to have cameras on the building and most of that stuff will be cast iron fittings that the average person wouldn't know what to do with.

Chairman Rogan stated okay.

Mr. Futterman stated so its not really a theft type item.

Chairman Rogan stated okay.

Board Member Pierro stated a note though concerns me, Shawn.

Chairman Rogan stated which one are you talking about.

Board Member Pierro stated this note will be tacit approval to permit additional equipment, are we talking, is equipment.

Chairman Rogan stated you are talking on the first issue.

Board Member Pierro stated is equipment, equipment, mechanical or is it stock.

Mr. Futterman stated no and the box truck that when you first said there were trucks outside that would have materials stored in them, I don't know where that came from.

Chairman Rogan stated its from what is said on your plans, there is a note that says.

Mr. Futterman stated no material will be store in trucks in the parking lot.

Chairman Rogan stated three box trucks stored on site.

Mr. Futterman stated those are the box trucks that make deliveries everyday, they back in the loading dock, they get loaded in the morning and they go out.

Chairman Rogan stated okay.

Mr. Futterman stated there is no material.

Rich Williams stated just to clarify, there are two notes, one relates to the box truck and it said we are going to have three box trucks on the site, that doesn't limit us to having future additional box trucks if we so desire.

Chairman Rogan stated okay.

Rich Williams stated well the problem with having additional box trucks of course is you need some place to park them, so it kind of leaves it open ended as to the number of box trucks you can have in the future. That was the concern that I wanted to bring to the Board's attention, is that ten years from now there could fifteen box trucks out there and all the parking spaces with a note on the plat supporting that determination.

Mr. Futterman stated yeah.

Chairman Rogan stated so could we put a note that limits the number of box trucks on site to a certain number and if your business, which we would hope it would, would grow at some point.

Mr. Futterman stated I am hoping for more box trucks.

Chairman Rogan stated then we just ensure that we have adequate parking at that time.

Mr. Futterman stated yeah I mean, if you said, I could see myself adding, if things go well, one more truck in the next five years, you know, I don't think that is a big sticking point.

Chairman Rogan stated we can put a limit on there, a note somewhere that says, four box trucks or something. I am thinking of even Eastern Jungle Gym, they have these box trucks that they use for delivering and they are all over the place down there, they've got a, you know, at some point maybe eight or ten at time down there and again taking up the parking spaces that were designated for customers and your staff.

Mr. Futterman stated right.

Chairman Rogan stated and they end up parking all over the yard.

Mr. Futterman stated right, that's not, I don't have an issue with that.

Board Member DiSalvo stated so how many do you have now.

Mr. Futterman stated right now at the site we have two box trucks and one flatbed truck and they are parked right now at the site.

Chairman Rogan stated alright.

Board Member DiSalvo stated five.

Chairman Rogan stated yeah, I think that's certainly reasonable.

Mr. Futterman stated the only thing I might want to add is a small pick up truck to do small deliveries.

Chairman Rogan stated he's saying two box trucks, one flatbed, and possibly adding one more and Maria just said what about five.

Rich Williams stated that is what I'm saying, what is the Board's determination.

Board Member Pierro stated I would be comfortable with five.

Mr. Futterman stated I would be too, that would be no problem.

Board Member DiSalvo stated it gives him some growing space there.

Chairman Rogan stated yeah, I'm comfortable with that.

Mr. Futterman stated this way we don't have to come revisit it.

Rich Williams stated you'll have to figure out where you are going to store those trucks.

Chairman Rogan stated right.

Mr. Futterman stated yeah well right now, its only going to be the three, the fourth coming in the future.

Chairman Rogan stated in fairness I would prefer, you are showing seven spots along the back where we are just talking about your storage being, I would prefer to use those spots, keep them around back, again, they are kind of out of the way of the front of your building.

Mr. Futterman stated to store the trucks.

Chairman Rogan stated yeah.

Mr. Futterman stated the only thing that would be negative for that for me is in the morning they would have to start the trucks and drive them all the way around the loading dock to load them, rather than just to turn, open the door and starting to work.

Chairman Rogan stated oh okay, okay.

Mr. Futterman stated they are nice trucks, they aren't broken down or anything like that.

Chairman Rogan stated okay.

Board Member Pierro stated the garage doors for the loading docks, are they ground level or is there actually.

Mr. Futterman stated there is a raise.

Board Member Pierro stated there's a raise.

Chairman Rogan stated okay, now, not to beat this, getting back to the outdoor storage, the second thing we were talking about on the back of the building. What is the Board's feeling on, right now they are only providing fencing around the storage to the neighboring property owner, again the problem sometimes with outdoor storage is it just becomes a mess and in your case.

Mr. Futterman stated yeah.

Chairman Rogan stated cast iron is not going to blow away in the breeze but you know, sometimes we put up fencing to contain that area and of course visual.

Mr. Futterman stated I mean I would prefer not to do that if we could because there are staging areas when we lay out an order, of cast iron, we will lay it out, its gets crated and boxed and if I box myself in a small fenced area. One day you might go there and see half the parking lot with a lot of stuff and the next day it will be like where did everything go, well that was a big job that went, you know.

Chairman Rogan stated yeah, hey Rich, you know how in times we've put future parking spaces delineated, could the Board show future fencing so that it is on the plan, if need be, in other words if five years from now there is a problem on the site where it is just starting to expand outside of this area, that we can go back to that and.

Rich Williams stated well I mean there are other ways to delineate it, you can paint lines on the pavement.

Chairman Rogan stated I'm fine with that.

Board Member DiSalvo stated yeah.

Mr. Cameron stated like we did with Eastern Jungle Gym, we can put stakes in.

Rich Williams stated show very specific dimensions from features that are going to be permanent out there, I mean it would be no different if we put a fence up and he started storing stuff outside the fence.

Chairman Rogan stated right.

Rich Williams stated and if he starts storing material outside the white lines, it still becomes an enforcement issue.

Chairman Rogan stated you okay with that.

Mr. Futterman stated absolutely.

Chairman Rogan stated great, that seems reasonable.

Mr. Cameron stated the decision was a white line.

Rich Williams stated some sort of way to delineate in the field so we can go out and take, readily visibly, it might be a white line, you have another idea.

Chairman Rogan stated pick your color.

Board Member Montesano stated yellow.

Board Member DiSalvo stated yellow or blue.

Chairman Rogan stated something nice that is easy to see, that just delineates storage area. Gene had mentioned a sit down with Rich and yourself, it sounds like we've got some technical issues to resolve if we can get some of things wrapped up. It sounds like we will be in really good shape to get this completed next month and you know, right, anybody else on the Board have, Charlie.

Board Member Cook stated I have one question relative to this note of the about the mechanical equipment on the roof, Rich.

Mr. Futterman stated I wasn't aware of that.

Mr. Cameron stated I'll change it.

Chairman Rogan stated just a change of a note.

Mr. Cameron stated this goes away [motions to plan].

Board Member Cook stated okay.

Mr. Cameron stated in such a manner as it may be visible comes off.

Board Member Pierro stated okay.

Chairman Rogan stated great, do you have anything else for us Rob, on this.

Mr. Cameron stated did we do SEQRA that last time, just determine that we do not need a SEQRA action because it is a type two. We didn't make that determination.

Chairman Rogan stated we can do a motion declaring this a Type II action, and that would resolve.

Board Member Pierro stated we did.

Chairman Rogan stated we did a motion to declare it a Type II action.

Board Member Cook stated no.

Chairman Rogan stated so why don't we do that and there is no SEQRA followed. Any takers.

Board Member Pierro stated Charlie is reaching.

Board Member DiSalvo stated getting his cheat notes.

Chairman Rogan stated you might not find a Type II on that list because it's basically saying that it's.

Board Member DiSalvo stated just say make a motion to approve.

Chairman Rogan stated I think you just declare this project.

Board Member DiSalvo stated declare this Type II.

Chairman Rogan stated yup.

Rich Williams stated right.

Chairman Rogan asks for a second.

Board Member Pierro seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay.

Board Member Pierro stated no SEQRA review required.

Chairman Rogan stated and going back to your stormwater I was thinking of this Rob when you were talking about the basin and how it couldn't meet current code, I think that is reasonable and makes perfect sense, if we were looking to expand the site, this is just a small expansion off the back, part of that expansion already exists, we are not making the site significantly bigger, if we were, certainly that would kick in, you know, meeting current codes for stormwater.

Mr. Cameron stated right.

Chairman Rogan stated so it is something to think about, if you at some point in the future want to expand this place.

Mr. Futterman stated okay.

Chairman Rogan stated it would be meeting those requirements.

Mr. Futterman stated I have yet to see any standing water in the pond since I've been there.

Chairman Rogan stated good.

Rich Williams stated if I might just interject.

Chairman Rogan stated sure.

Rich Williams stated we have some stormwater regulations just coming out, we are going to have develop a retrofit program in the future. You are going to have to be aware, you are going to have to at some point meet some sort of regulatory requirements for the stormwater pollution coming off the site.

Chairman Rogan stated okay.

Rich Williams stated stormwater volume so.

Chairman Rogan stated thank you for your time gentlemen.

Mr. Cameron stated thank you.

2) **WALLACE W/W APPLICATION**

Mr. John Karell and Mr. Douglas Wallace were present.

Chairman Rogan stated Wallace Wetlands/Watercourse application. Hello Jack.

Mr. Karell stated John Karell, representing Doug Wallace. This is that single lot that Doug owns on Carolyn Way, it hasn't been here in a while, we have tried to address Rich and Gene's comments, blew the plan up so it's a little more recognizable. Basically, the house is in the place and the driveway, to meet the Town driveway standards, I think we would like to get a public hearing scheduled on this.

Chairman Rogan stated Jack, the area directly down hill and behind the house to the right, basically the flattest area behind the house, down, a little closer to the house. What would be the final grade as shown on there.

Mr. Karell stated you mean percent wise.

Chairman Rogan stated yeah, roughly.

Mr. Karell stated about five percent.

Chairman Rogan stated oh wow.

Mr. Karell stated well over like in this area, so maybe its six in here, seven, then of course it drops off.

Chairman Rogan stated okay, because the site obviously is challenged, we all acknowledge that but at least there is some area on the back and I am thinking in terms of some of the subdivisions we have in front of us, there are some really difficult grading issues and we have really been pushing these people to have some usable area around the house. In your case, acknowledging that this lot was approved already, it is a different situation clearly but we still of course want to maximize the amount of usable area for the future property owner and if it was the kind of situation where putting a retaining wall or something to build up that backyard would give more usable area, we would certainly talk to Ted. We've already got wetland issue and buffer issues but we know that when the person buys that house, they are going to be coming in to try and put something in the backyard and at least planning for it now might you know, make that a little easier.

Mr. Karell stated I think they are.

Ted Kozlowski stated Jack, what is that red line.

Mr. Karell stated that is the 100 foot wetland buffer.

Chairman Rogan stated so the buffer is (inaudible) from the back of the house.

Mr. Karell stated I think the backyard is going to be their septic system, which is kind of over here [motions to plan].

Chairman Rogan stated yeah but the area closest to the house where they might.

Mr. Karell stated yeah.

Chairman Rogan stated if they are going to put a pool or something, they are going to try and squeeze it in right in that.

Mr. Karell stated I think they would be hard pressed to put a pool in this property.

Chairman Rogan stated somebody put that down, make sure that gets in the minutes, we are going to call Jack in three years and we are going to have come in and sit for the wetlands hearing.

Board Member DiSalvo stated deed restrict it.

Mr. Karell stated Doug can't swim so he's not going to put in a pool.

Chairman Rogan stated anybody on the Board, on staff, have a problem with setting a public hearing.

Board Member Pierro stated no.

Chairman Rogan stated can I get a motion please.

Board Member Pierro stated in the matter of Doug Wallace, I make motion that we set a public hearing for the June 2008 meeting.

Chairman Rogan asks for a second.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries by a vote of 5 to 0.

Chairman Rogan asks for any opposed.

Chairman Rogan stated Charlie.

Board Member Cook stated did you receive Rich's letter of today.

Mr. Karell stated yes, today.

Board Member Cook stated it talks about the stormwater pollution prevention plan.

Mr. Karell stated yeah, that will have to be updated, we are possibly putting in a few more pits to meet the updated standards, the upgraded standards.

Chairman Rogan stated and Jack, just for the Board's edification, we are still not even 100 percent sure that you can get the approvals for septic on this, (inaudible).

Mr. Karell stated if you recall we originally, no I don't, we came in here originally to dig holes and we got to this point and once we get your approval we are going to dig the test holes and have to put in a curtain drain.

Chairman Rogan stated okay.

Mr. Karell stated and this, as you remember, this has been limited to a two bedroom house by the Board.

Chairman Rogan stated right.

Mr. Karell stated and hopefully we'll be able to size a septic system that will work.

Chairman Rogan stated alright.

Mr. Karell stated thank you.

Chairman Rogan stated thanks.

3) THE PLAZA AT CLOVER LAKE

Mrs. Theresa Ryan of Insite Engineering was present.

Chairman Rogan stated The Plaza at Clover Lake. Jack you are here for the next one.

Mr. Karell stated yeah, yeah.

Chairman Rogan stated don't go too far you know. Hi Theresa, how are you.

Mrs. Ryan stated hi, good, how you doing.

Chairman Rogan stated good, good, so it looks like we are pretty well done on this, at least from our perspective, what do you have going on.

Mrs. Ryan stated yeah, we actually finally got somebody out there this week to mark the underground utilities so our surveyors are going to pick those up as soon as they are marked out.

Chairman Rogan stated okay.

Mrs. Ryan stated and once we have that we'll know where to put the easements on that newly created lot three.

Chairman Rogan stated okay.

Mrs. Ryan stated and then we will send that to the applicants attorney so that he can start pulling up the documents.

Chairman Rogan stated (inaudible) subdivision, yeah, I'm sorry I'm listening.

Rich Williams stated Shawn.

Chairman Rogan stated yes.

Rich Williams stated (inaudible).

Chairman Rogan stated can you pass those down, Rich you gave us an incredible amount of copies on this, extras for everyone.

Board Member DiSalvo stated you have to give one to Theresa.

Chairman Rogan stated I'm sorry.

Board Member DiSalvo stated she needs one.

Chairman Rogan stated send one down to Theresa.

Mrs. Ryan stated thank you.

Chairman Rogan stated those are from the previous, you can give those back to Rich, those are extra copies.

Rich Williams stated recycling.

Chairman Rogan stated recycling, that is what we like to hear. Okay, can I get a SEQRA and we have a final subdivision approval resolution prepared on this.

Board Member Pierro stated okay Charlie, get ready to read. In the matter of, what is the name of that.

Chairman Rogan stated Plaza at Clover Lake.

Board Member Pierro stated Plaza at Clover Lake, I'm sorry, I make a motion that we grant a negative determination of SEQRA.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay and Charlie is going to do the other one.

Board Member Pierro stated seven general conditions.

Board Member Cook stated I make a motion that the Town of Patterson Planning Board approve the application of The Gardens at Clover Lake III, LLC for subdivision approval pursuant to Chapter 138 of the Town Code. The Planning Board finds that the subject application and final subdivision plat has been modified in accordance with any applicable conditions set forth in this resolution, which there are seven general conditions. Complies with all requirements of Town law and Chapter 138 of the Town Code and

hereby grants final subdivision approval, subject to the applicants compliance with the following seven general and.

Chairman Rogan stated that's it.

Board Member Pierro stated that's it, seven general conditions.

Board Member Cook stated within 180 days of the date of this resolution, May 1, 2008.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries by a vote of 5 to 0.

Mrs. Ryan stated thank you.

Chairman Rogan stated thanks Theresa.

Gene Richards stated did you get your copies.

Mrs. Ryan stated I'm sorry.

Chairman Rogan stated they are right there.

Mrs. Ryan stated these are mine.

Chairman Rogan stated those are your copies, yes.

Board Member Pierro stated what is this, Powe.

4) **POWE SUBDIVISION**

Mr. John Karell was present to represent the application.

Chairman Rogan stated Powe Subdivision, extras here, give one to Jack.

Board Member Pierro stated here it is.

Chairman Rogan stated Jack, the one issue that keeps popping up is the issue with the surveys and the gore strips and stuff, I think we are just basically looking for the surveyor for the applicant to resolve this issue with the Town Engineer's office with the Town Surveyor.

Mr. Karell stated that is no problem, I thought Kyle resolved it but we will have Kyle in touch with you directly, I don't know if he did.

Gene Richards stated not me, have him call Tom McGinn, Tom is the surveyor.

Mr. Karell stated okay.

Gene Richards stated he is the one that identified those issues and he and Kyle really need to meet or talk just to iron it out.

Chairman Rogan stated okay and I just want to check SEQRA on this one.

Board Member Pierro stated we did it, April 3rd.

Chairman Rogan stated so we have a resolution for final subdivision approval.

Board Member Pierro stated if I may, Mr. Chairman.

Chairman Rogan stated sure, please.

Board Member Pierro stated in the matter of Powe Subdivision, Cushman Road, Patterson, New York, I make a motion that the Patterson Planning Board grants final subdivision approval pursuant to the resolution provided or dated May 1, 2008 with the three findings and six general conditions and two special conditions dated in that May 1st approval.

Chairman Rogan asks for a second.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries by a vote of 5 to 0.

Chairman Rogan asks for any opposed.

Mr. Karell stated thank you very much.

Chairman Rogan stated thank you.

5) PADDOCK VIEW ESTATES

Mr. Mark Porcelli was present.

Chairman Rogan stated we have anyone here for Paddock View Estates, Mark is here. Jack can you tell Mark to come in, thank you. Good evening.

Mr. Porcelli stated hello everybody.

Chairman Rogan stated how are you Mark.

Mr. Porcelli stated I'm good (inaudible).

Chairman Rogan stated good to see you. Just for the Board's edification, this is a preliminary application because the last approval expired, the time frame, the one year expired. For anyone in the audience, this subdivision was approved a year ago, it is off of [Route] 292, how many lots are there total, ten.

Mr. Porcelli stated ten houses.

Chairman Rogan stated ten lot, Mark is the subdivision unchanged.

Mr. Porcelli stated nothing has changed.

Chairman Rogan stated nothing has changed, you want to set a public hearing on this preliminary plat for the next meeting.

Board Member Pierro stated yes.

Chairman Rogan stated can I get a motion.

Board Member Pierro stated in the matter of Paddock View Estates I make a motion that the Patterson Planning Board sets a public hearing for the June 5th meeting.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries by a vote of 5 to 0.

Chairman Rogan stated Rich, we had the, the fees were waived by the Town Board, is that the note we got.

Rich Williams stated yes.

Board Member Pierro stated yes.

Chairman Rogan stated okay good, should more be administrative then anything since there were no changes, it is a paperwork exercise in essence.

Mr. Porcelli stated I appreciate it, thank you very much.

Chairman Rogan stated sure, thank you. Now Mark, aren't you glad you didn't pay Dan to come tonight.

Mr. Porcelli stated (inaudible).

6) MARTINS SUBDIVISION

Mr. Steve Miller of Badey & Watson was present.

Chairman Rogan stated Martins Subdivision. Good evening Mr. Miller.

Mr. Miller stated good evening, Steve Miller from Badey & Watson, representing Mr. & Mrs. Martins. At the last meeting, we made an application for sketch plan review, there were several comments from Rich Williams, a number of which we have addressed for this submission. We made some modifications to the driveway and house location on lot one, some ministerial revisions pursuant the determination of frontage and width and depth and those things.

Chairman Rogan stated Steve, do you have any idea of when this will be staked so we can walk it.

Mr. Miller stated it is staked now.

Chairman Rogan stated it is.

Mr. Miller stated I apologize that it was ready for you for this meeting.

Chairman Rogan stated that's no problem.

Mr. Miller stated we've staked the center line of the driveway, the center of each house, the center of each septic and this section of this property line that the Board had concerns about.

Chairman Rogan stated thank you. I see in your letter that you are requesting to get Ted out there basically to verify and.

Mr. Miller stated that is correct and a comment from Rich, which obviously we are going to do.

Chairman Rogan stated Ted will also go out with us on the site walk I'm sure, but to verify that would be great. Does anyone on the Board have anything they want to discuss on this because I don't really have anything given that we haven't been out there, in fairness.

Mr. Miller stated okay, were there any comments that you have.

Rich Williams stated I did take a look at the plan, the revisions that you made were really minor in nature.

Mr. Miller stated right, okay.

Rich Williams stated and (inaudible).

Mr. Miller stated can we get the Planning Board to designate the subdivision as minor or major, is that.

Chairman Rogan stated let's take a look at it and see what we've got out there, if it was, what do we have now, three lots.

Mr. Miller stated I determined that it was major, based on Rich's comments and my reading of the.

Board Member DiSalvo stated would rather go look at it first.

Chairman Rogan stated just for arguments sake, I haven't been on the site.

Mr. Miller stated okay.

Chairman Rogan stated so let's assume this, we don't know what this looks like.

Rich Williams stated this really isn't a site issue, it really has to do with the application of the Code.

Chairman Rogan stated and my point is if we went out there and said there is no way you are going to get three lots on this or whatever it is, we only see two lots, would that bump it down to a minor.

Rich Williams stated it might not, depending on the design.

Chairman Rogan stated okay, it's a major because of the access issue.

Mr. Miller stated there is no frontage to be had according to the Town's definition.

Chairman Rogan stated okay.

Mr. Miller stated as soon as there is no, the fact there is no frontage kicks it into a major subdivision, if I am to understand it. I would be more than happy to have the Board designate it a minor subdivision but that is going to be.

Chairman Rogan stated that's fine, the only question I have is does declaring it a major subdivision lock the Board into any idea that we are saying this concept maybe be acceptable or possible. Let's say we go out there and we say wow, this is going to work, well we've already declared it a major with the intent is you are okay with the idea of the road frontage or does that set any kind of tone.

Anthony Molé stated if you want to, you can wait to declare it, or you can declare it tonight, put that in your motion what you just stated that (inaudible – not using microphone).

Board Member Montesano stated let's wait.

Chairman Rogan stated yeah.

Rich Williams stated well let's talk about what that designation does, the major or minor, all it does is make it a two step process if you declare it a major subdivision as opposed to a one step process if it's a minor.

Chairman Rogan stated okay.

Rich Williams stated and that is really all that is doing is saying you know we are going to do this in two steps instead of one.

Chairman Rogan stated okay, is there any benefit to doing it tonight versus next month, time frame wise or anything.

Anthony Molé stated I don't think so, I mean if you are, not to change your question I think basically you are saying what if there are some changes that make it a minor subdivision later on, could you then declare it a minor subdivision as opposed to a major subdivision.

Chairman Rogan stated well that seems to be resolved just based on the access issue that it would be a major, the second part of that really was by declaring it a major are you giving it any kind of acceptance as to the plausibility of the plan, no, okay, that was my main concern are we setting ourselves for a favorable type opinion.

Board Member DiSalvo stated right.

Mr. Miller stated I don't think we would have expected that.

Chairman Rogan stated okay but it is a learning question for us so.

Mr. Miller stated we realize that there are some issues that the Planning Board is going to want to look at.

Chairman Rogan stated fair enough.

Mr. Miller stated and have us address so.

Chairman Rogan stated fair enough, what is the Board's.

Board Member DiSalvo stated I would rather wait to see it.

Board Member Montesnao stated let's go see what it looks like.

Board Member Pierro stated yeah, I agree.

Board Member Montesano stated this way we can do everything in one smooth precision moment.

Chairman Rogan stated fair enough, so we are going to coordinate getting out there on a site walk and we will see you back next month. We will have definitely walked it short of some catastrophe with the Planning Board, we will walk it between now and I'd say the next two weeks or so.

Mr. Miller stated I have a question as to procedure. Whether or not, at what point do I go to the Town Board to request open development. Now the fact that this could be a one two lot or a three lot subdivision, does that, do I need to know that when I go to the Town Board.

Rich Williams stated you're going to, you want to have your concept pretty well locked in, certainly.

Mr. Miller stated I understand.

Rich Williams stated certainly the Planning Board wants to be out on the site, they want to walk it first, my recommendation would be they further evaluate it, they need to have enough of.

Chairman Rogan stated comfort level.

Rich Williams stated comfort level, that's a good word, to be able to make some sort of recommendation to the Town Board because the Town Board generally wants to see some sort of a recommendation from the Planning Board about how they feel about the open development area.

Mr. Miller stated so I couldn't go to the Town Board and say we are looking for an open development of a maximum of three lots with you know, with the understanding that the Planning Board would have those decisions or could make those decision that may revise.

Anthony Molé stated the Planning Board, the decision is going to be based on the Planning Board's recommendation.

Mr. Miller stated that is all I'm trying.

Chairman Rogan stated okay.

Mr. Miller stated I'm trying to see if I can save a step some place, okay, alright.

Chairman Rogan stated the best way to save steps and we see this time and time again and I am not saying that this is with Badey & Watson by any stretch but is that we go through these gentlemen do their due diligence and give 60 comments and 20 of them are addressed. So the best saving step is to do the work and get it done and we certainly won't stand in your way if the work is done, we have made that promise to everyone, we will not be the one to hold you up if you do your work, so that is the best way to save time. Fair enough, okay, we will site walk it, we will see you next month, we are looking forward to seeing it.

7) NORTH COUNTY HOMES LOT 5

Mr. Willie Besharat, Mr. Mike Festo and Mr. Joe Festo were all present.

Chairman Rogan stated North County Homes Lot 5, they just ran out. They were standing here and they just left.

Board Member Pierro stated they got scared.

Board Member DiSalvo stated drag this on, I don't know.

Chairman Rogan stated how are you Ted, Ted we want you to verify this Martins Subdivision wetland boundary.

Mr. Besharat stated good evening.

Board Member DiSalvo stated (inaudible).

Chairman Rogan stated state your name for the record please, use the microphone, you can take it out of there if you need it.

Mr. Besharat stated Willie Besharat, I don't feel like looking like a rock star you know.

Chairman Rogan stated it might be your one chance in life.

Mr. Besharat stated that would be enough for tonight. As we spoke at the last meeting, one of the issues that we wanted to revisit and the Board has shown a lot of concern regarding the steepness of the area at one of the corners of the house which is the southern, southeastern corner of the house and we kind of revisited and went to the site and we see that to address this really properly, we will cut down the foundation and move it back. I don't know if you can see it further, we would like to cut, we think that we can cut the foundation without.

Board Member Pierro stated compromising.

Mr. Besharat stated compromising the integrity of the foundation and remove approximately ten by sixteen portion of the house full two story, push it away from the steepness and create an area that varies in width between this is eighteen feet to the stone wall but the level area will be between twelve to twenty-five to twenty and so on. The final dimension of the flat area around that particular corner that is in question will be determined after we get an onsite shot topography and very accurate topography to work with and by doing it this way I think that, I'm hoping that I have addressed the concern of the Board we happen to agree with it and that gives us a flat area of an average of almost twenty foot wide away from the house.

Board Member Pierro stated would you canter leave the house over that area where the foundation was.

Mr. Besharat stated no we will cut it completely out.

Board Member Pierro stated okay, fine, so there is, its going to be an angle.

Mr. Besharat stated I decided at the point where the Board says there would be a very steep drop in case of an emergency exit out of those windows, we will have issue. Now we resolve that, we are going to plan on cantilevering the second floor just completely cut it out, re-arrange the house and create, it will have a different look but we are going to utilize the same existing foundation with the exception of we are going to remove (inaudible).

Board Member Pierro stated are you hearing the same thing I am, Shawn, here.

Chairman Rogan stated no that is not what he's saying.

Board Member Pierro stated no.

Chairman Rogan stated let's do this.

Board Member Pierro stated opposite, he's inverting it.

Chairman Rogan stated cutting a corner off.

Mr. Besharat stated exactly.

Board Member Pierro stated the whole corner.

Chairman Rogan stated yeah.

Mr. Besharat stated take it off completely for one story.

Chairman Rogan stated well it would just be more usable area from what I'm hearing from Mr. Besharat, is it would be more usable area.

Board Member Pierro stated out in the back.

Chairman Rogan stated more level area to the top of the retaining wall.

Mr. Besharat stated exactly.

Board Member Pierro stated fine.

Chairman Rogan stated which we don't know yet because of the existing grade.

Mr. Besharat stated well we will maximize it that will determine for us how many walls we are going to use, two or three walls, if the concept, which is right now what we are going a conceptual plan. If the concept is acceptable by the Planning Board and you will advise to go ahead and continue, we will have the surveyor out there to shoot an accurate topography on it.

Chairman Rogan stated okay.

Mr. Besharat stated work with that and give you exact profiles and dimensions.

Chairman Rogan stated a couple of questions.

Mr. Besharat stated sure.

Board Member DiSalvo stated no I thought the microphone went off, I heard some ringing.

Chairman Rogan stated it was outside.

Rich Williams stated (inaudible).

Board Member DiSalvo stated okay.

Chairman Rogan stated Anthony, I'm glad you are here, because the first time we spoke about this application, as you may recall, the Board had expressed many safety concerns with the use of this property and I think, I would have to go back to the minutes but I think you said that the Board would have to get, not to use the word concrete because we are talking about foundations but solid evidence to alter that

opinion to overturn what the Board basically felt was a safety concern, that we weren't creating a liability for the Town.

Anthony Molé stated right, basically then I don't think you hear, basically the Board weighs a number of safety concerns that were discussed between the Board and the applicant, the applicant asked if he could come back with a different concept. Which you are doing now to alleviate those concerns but I do think that we do have to take a look at the minutes to see exactly what those concerns were and make sure each of them are addressed appropriately for the Board to give an approval or to approve the project.

Chairman Rogan stated in one case as you had said by changing the layout of the garage, certainly the one concern was the distance from the corner of the house to the retaining wall that was angled up toward the septic area.

Mr. Besharat stated that is another thing that we spoke about at the meeting.

Chairman Rogan stated yeah.

Mr. Besharat stated is turn the garage, the car, instead of a three car garage, enter it on the left side of the house as viewed from the street to make a front entry, front loading garage and turn it into a two car garage and turn it this way and this swing will not have any obstruction, the existing retaining wall and the corner of the house. We will not go around it at all and this actually becomes a flat area for a back yard for the family that is going to occupy this house.

Chairman Rogan stated because we have this septic tank and the pump chamber there which the Board felt that you would have had to back over to get out of that far spot, of course.

Mr. Besharat stated which we will not have that anymore.

Chairman Rogan stated and then another major issue is of course the retaining walls, the integrity of those retaining walls. Certainly putting the Unilock walls in from of those has to be engineered to make sure that it is holding back what is behind it because we don't know the.

Mr. Besharat stated exactly.

Chairman Rogan stated fill that is behind those hand laid walls.

Mr. Besharat stated any retaining wall that we are proposing will be engineered retaining walls regardless of the height.

Chairman Rogan stated and Anthony, they came in at the work session and what we had told them was, or at least what I had said for the Board was that we will try to review this as if its not there. In other words, review it as an application and if we are comfortable with how this would layout, that would be a determining factor, not so much dealing with the problem because something was done improperly, we are not going to deal with that so much. I know there is an issue with the Building Inspector, in terms of certifying the foundation.

Board Member Pierro stated there were some letters in our work tonight, Shawn, I don't know if everybody got to them but I think it was close to being explained that he would accept an engineers report on (inaudible).

Chairman Rogan stated that is why I asked him to come in.

Board Member Pierro stated right.

Chairman Rogan stated because the way I read it was getting certification of the engineer of record, the engineer who was working on the lot.

Board Member Pierro stated he would accept that if were available.

Chairman Rogan stated okay.

Board Member DiSalvo stated didn't we ask him to do some kind of like.

Chairman Rogan stated you are going to need to speak up.

Board Member DiSalvo stated didn't we ask him to do some kind of drawing as to what it would totally look like from the back.

Chairman Rogan stated that will at some point, yeah.

Board Member DiSalvo stated okay.

Chairman Rogan stated at the work session we had asked for some kind of schematic or architectural rendering of how this would look from the retaining walls, you know to get some kind of an idea. Dave, we just wanted you to maybe speak or clarify to the issue with the certification of the foundation for the, we got your letters.

Dave Raines stated at this point we are not, I haven't spoken with the applicants about what I'm looking for, the existing, the documentation that we have in front of us is not going to adequate at this point and we need to discuss further what we are actually certifying and what we are certifying to but I think after our short discussion prior to them coming up, they understand what I'm looking for and we'll move forward and I will be able to advise the Board as to whether that has been satisfied or not.

Chairman Rogan stated okay.

Dave Raines stated and I look at that as a small issue in the big picture here and I think we will be able to get through it, yes sir.

Board Member Pierro stated if I'm correct, if they can not meet the requirements then we are back to square one as we spoke at the work session.

Dave Raines stated correct.

Chairman Rogan stated right.

Dave Raines stated I need to determine who the engineer of record is and who is actually because I have two different engineers involved in the project at this point.

Chairman Rogan stated right.

Board Member Pierro stated okay.

Dave Raines stated I want to make sure that I have what I need and at this point I don't but I think they understand what they need. Okay.

Board Member Pierro stated thank you Dave.

Board Member Cook stated Shawn.

Chairman Rogan stated yeah.

Board Member Cook stated based on this information tonight about cutting back on the foundation, does that satisfy the buffer issues.

Chairman Rogan stated no and I'm glad, that was next point I was going to ask about, glad you mentioned that.

Board Member Cook stated I just want to.

Chairman Rogan stated it doesn't at this point anyway, by putting the retaining walls down hill of the existing wall we are obviously creating a greater intrusion then what exists or what was previously approved because you have to obviously put the wall.

Mr. Besharat stated I'm sorry I'm confused.

Chairman Rogan stated if you start at the bottom of the hill closest to the wetland with the very first wall because at that point there is probably three of them or two or three up to the corner of the house, you are obviously putting.

Mr. Besharat stated okay.

Chairman Rogan stated the intent was to put a Unilock or some other type retaining wall at the bottom of the hill and then work backward from there, in a terraced effect, right.

Mr. Besharat stated right.

Chairman Rogan stated so obviously putting that very first wall at the bottom of the hill in front of the existing wall is increasing the disturbance, while you may say its only a few feet.

Mr. Besharat stated no we are putting the wall, the new wall will be outside of the wetland buffer, above the wall, the first wall that is down there, the boulders are laying down at the bottom.

Chairman Rogan stated yeah.

Mr. Besharat stated we are leaving that alone and we will not be working in that area and we will not recommend to do further disturbance. All the new proposed work will be outside the wetland buffer.

Chairman Rogan stated the issue as I understand it, that because of the height of that wall, that would need to be engineered. I mean that in essence holds back a good bit of what is up hill of that.

Gene Richards stated anything over four foot has to be engineered.

Chairman Rogan stated yeah.

Mr. Besharat stated which is, we will, everything will be engineered, as we said, we will engineer the whole entire thing, like I said, if the concept is okay with the Planning Board and you guys say yeah go ahead and show us how you can engineer it. In order for us to engineer it correctly 100 percent, I need 100 percent accurate topography.

Chairman Rogan stated right.

Mr. Besharat stated to know how much dirt we are holding back, how much slope, how am I going to slope it back to make it a safe minimum.

Chairman Rogan stated right.

Mr. Besharat stated the sloped area.

Board Member Cook stated and while you are doing all this, you are going to get out of the buffer area.

Mr. Besharat stated the reason we are using the Unilock is because it can be done manually without any machinery so therefore we will be able to work without going into the wetland buffer area, we will set our construction fence and silts fences in that area to ensure that nobody will be working in that area or going beyond the wetland buffer.

Chairman Rogan stated the concern that I have and this is why I'm saying it, I want to put it on the record is in theory this sounds like one approach to take.

Mr. Besharat stated okay.

Chairman Rogan stated and certainly I don't blame you for taking this approach by saying yet it's a concept that we would like to pursue more, I don't want to get pigeon holed into, well you told us it was something to go see and now we don't like it and you spent 20,000 dollars on survey and engineering work and I want to put that on the record because if you come back. I'm more then happy to say go ahead along this approach but if it comes back in and it doesn't seem to work, I know you are going to say, well we already, we could have ripped it out and saved, we lost 80 grand, now we lost 100, you guys should have just told us that to begin with.

Mr. Besharat stated we understand, I understand your point completely.

Chairman Rogan stated okay.

Mr. Besharat stated all I'm looking for is, at the last meeting, this is my understanding was, when we had the discussion at the work session, you are concerned about creating a very comfortable area that is going to be flat around the house in case of emergency, in case of accessibility around the house and that is what I am trying to create here.

Chairman Rogan stated I understand.

Mr. Besharat stated you know with the use of the Unilock retaining, Unilock retaining wall could become very high if we need them to be okay and we will protect them with railing around it but at least I'm creating a very wide flat area around the house for the safety of means of egress or emergency vehicles access around it, that what we do, in order for me to really fine tune it and come up with the final design which is I'm sure will be satisfactory, I mean, we are not going to come out and say okay well we did it, it really doesn't work good but you told us to do it, we are not going to come out and say that, no we understand your point and your concern and we will definitely not hold to (inaudible).

Chairman Rogan stated what we should do is make sure you look back, Willie you probably don't have a set, Michelle could you copy the minutes from the first time we discussed this. The site walk comments and the minutes from that meeting and make sure that, can you send them to Willie. Willie make sure you leave your address. And make sure that you carefully review the Board's comments at that meeting pertinent to this and obviously you need to clarify and meet with Mr. Raines, that is separate from us.

Mr. Besharat stated we will resolve that, I am not really (inaudible).

Chairman Rogan stated you know.

Board Member Cook stated in addition to the safety issues you have to get out of the wetland buffer because that is also DEP deeded.

Mr. Besharat stated a small portion of the activity that took place within the wetland buffer, we are showing that on our survey. Any new activities will be 100 percent completely outside the wetland buffer and we will make sure of that. We will have everything staked out by a surveyor and location of the construction fence.

Chairman Rogan stated the reason I ask the question about the lower walls, what Willie is saying is that they are not touching the lower part of the wall. So the first activity that they do from this point forward will be outside of the buffer but the lower part of that wall that they built months ago, is in the buffer it sounds like.

Mr. Besharat stated it is in, yes, we will keep it where it is, we are not going to touch it because if we touch that means we are created further disturbance.

Board Member Pierro stated just leave it, I agree with that.

Chairman Rogan stated Ted.

Rich Williams stated but that may not be possible.

Chairman Rogan stated because of the conservation easement.

Rich Williams stated the conservation easement and the deed restriction.

Board Member Cook stated that is my point.

Chairman Rogan stated you may have to take a look at that Willie (inaudible).

Mr. Besharat stated I will take a look at the conservation easement. I don't have the exact boundaries of it on the survey that I have in front of me so I really can't answer anything about that.

Chairman Rogan stated probably the wetland buffer as it is delineated is probably the meets of that easement so look at the wetland buffer.

Mr. Besharat stated are you talking about the existing wall that is there or what we are proposing.

Chairman Rogan stated no, the existing.

Board Member Cook stated the existing.

Rich Williams stated the disturbance.

Board Member DiSalvo stated the lowest one.

Rich Williams stated that is, what's out there, most of the disturbance, the toe of the original wall that was put in, was put in an area that was delineated by DEC and DEP.

Mr. Besharat stated correct.

Rich Williams stated as a water quality buffer, it is deed restricted and a conservation easement was established saying no disturbance whatsoever in this area. So we have the problem from always trying to move this forward that we disturbed an area that is restricted by a conservation easement which needs to be restored to its original condition or.

Mr. Besharat stated oh so that is the recommendation to restore to the original conditions.

Rich Williams stated well I will let Anthony deal with that but my opinion would be yeah, if you are going to maintain that conservation easement and deed restriction, you either need to restore it to its original condition or you need to get the agencies that are holding those documents to agree to the disturbance.

Chairman Rogan stated it might be easier to restore it then go to the DEP for permission.

Mr. Besharat stated my answer to that will be either or I am going to have to contact them because if I am to do any further work in there, I am going to need their permission to do so.

Chairman Rogan stated okay.

Mr. Besharat stated okay, so might as well let them determine whether to leave it as is or go on or I should, either or I need to be in touch with them and get their permission.

Anthony Molé stated this is going to be two folded, in any case you are going to have speak with the agencies that hold the easements to see whatever has been done out there or to be done out there, needs their approval.

Mr. Besharat stated okay.

Anthony Molé stated the second part of that is going to have to meet the Town's approval and if the Town, if Gene determines that you are going to have to do some more work down there, it's. I know I'm not an engineer but if something (inaudible) something additionally maybe have to be done down there in order to hold what is above there in place, is that possible or.

Gene Richards stated I guess one question I had for you sir is, you talk about leaving the lowest wall in place.

Mr. Besharat stated correct.

Gene Richards stated and that is one of the walls that we saw out there that we really questioned how it was constructed. I don't know that it would be proper to leave that in place and then start building additional walls above it that are going to (inaudible) the capability depending on how stable that lower wall is, it may be gone.

Mr. Besharat stated I understand your point from an engineering point of view of course its going to be engineered properly, if for one reason or another during the engineering of the wall that the lower wall, the existing wall needs to be removed, then we will deal with it. My feeling about it or our feelings about this is, leaving it as is because it's a dry stone wall, it's a matter of boulders laying there and to remove them that would require heavy machinery to move them and that will create further disturbance versus leaving them alone. This is not a concrete retaining wall that will alter the ecology of the area, so I really feel that I should contact the agencies that are, that have the right to the conservation easement in any format because if I'm to do any work over there, I can not do any work without a permit from them.

Anthony Molé stated and like the Chairman was saying, the only thing I was trying to make clear is there is the potential that whoever pulls that easement says you can't go any further working there, you have to restore it to the original condition and then the Town on the other hand says, in order to maintain what you are looking to do, you have rebuild that wall at the bottom which you wouldn't be able to do, so there is, you don't have those answers now but there could be a catch 22.

Mr. Besharat stated we are going to have to start somewhere.

Chairman Rogan stated it will be interesting to see some of the answers.

Mr. Besharat stated we are going to have to start somewhere, you know, unless we talk to these people I can not have any answers.

Ted Kozlowski stated it's very complicated.

Mr. Besharat stated thank you.

Ted Kozlowski stated you in, it is what it is, you have those agencies that have the easement, you also have the Town which has a wetlands law.

Mr. Besharat stated okay.

Ted Kozlowski stated which regulates that area as well, quite frankly I don't know how you are going to do all this without further disturbing that buffer but if you say you can do it. You know, its going to be

difficult, my recommendation would be to just stay out of the buffer and push everything back and not even fool around with that.

Mr. Besharat stated so in other words remove.

Ted Kozlowski stated I think you are going to be there a long time trying to win over approvals by a lot agencies that originally told you no, so.

Mr. Michael Festo stated so what you are saying is pull everything out and redesign something out of nothing.

Ted Kozlowski stated I believe that is the way it should have been in the first place.

Mr. Besharat stated what do you mean by moving everything out, removing the foundation.

Chairman Rogan stated Willie, he is basically saying refer back to the original plan, in essence, pull everything out, you've already got an approved plan, you have a plan that you can build from.

Mr. Michael Festo stated excuse me, you mean, what I'm getting is that pull the retaining walls out, redesign the retaining walls out, with a new retaining wall out of the buffer and restore the buffer to where.

Ted Kozlowski stated you folks are talking about fixing a problem that was created by you, in violation of an easement that was created before you started this project and now you are trying to fix it and I understand the money involved and all the frustration but never the less, you have this issue and you are trying to fix a mistake you made but in order to fix that mistake. I don't understand how you are not going to affect that buffer area further and if the Town Engineer is correct and that lower wall is not worth its salts, how are you going to do this by hand. I was out there, I spawned that, I just don't understand that and understand that if you are within 100 feet of the wetland you need to have a wetlands permit.

Mr. Besharat stated true.

Ted Kozlowski stated okay and then you need to go to these agencies that have the easements in there, they all have to be all in agreement and you may not get that. So that is all I'm saying.

Chairman Rogan stated okay, anyone on the Board have any other questions or comments, nope. Okay, Willie.

Board Member Pierro stated good luck.

Mr. Besharat stated thank you.

Chairman Rogan stated thank you, thanks for your time.

Board Member DiSalvo stated I think it was better (inaudible).

8) BARJAC REALTY SITE PLAN

Mrs. Theresa Ryan of Insite Engineering was present.

Chairman Rogan stated okay, Barjac Realty Site Plan.

Mrs. Ryan stated hello again.

Chairman Rogan stated hello, you did well the first time, so you know you are off to a good start.

Mrs. Ryan laughs.

Board Member Montesano stated you're allowed fifty percent.

Mrs. Ryan stated well that's.

Chairman Rogan stated excuse me, I'm just going to grab, does anyone need a glass of water or anything.

Board Member Pierro stated yeah I do.

Chairman Rogan stated Mike do you need a glass of water or something.

Board Member Montesano stated yeah, sure I'd appreciate it.

Board Member Pierro stated I'll go out with you.

Chairman Rogan stated I'll grab them. Theresa, just two minutes, is anyone else hot in here, I'm dying.

Rich Williams stated do you want the air conditioner on.

Board Member DiSalvo stated why is that chair over there.

Board Member Montesano stated that is the great chair.

Bruce Major stated as a taxpayer I prefer you open the window.

Chairman Rogan stated I think open windows are better anyway.

Board Member Montesano stated (inaudible).

(Side 1 Ended – 8:30 p.m.)

Board Member DiSalvo stated in Sam's Club.

Board Member Pierro stated send that down to Michael.

Board Member Montesano stated thank you, thank you.

Chairman Rogan stated Theresa, Barjac, thank you.

Mrs. Ryan stated no problem.

Board Member Montesano stated (inaudible).

Mrs. Ryan stated I got the review memos, I really didn't see anything that was going to not be able to be addressed.

Chairman Rogan stated yup.

Mrs. Ryan stated one item that I just want to make a note of in Rich's memo about the restoration efforts for the existing access, we are going to work with Ted and our wetlands consultant to correct because you know, as you are aware, you requested that that existing access remain (inaudible).

Chairman Rogan stated to be left alone basically.

Mrs. Ryan stated right, we are going to have to make some improvements to it for the emergency access, you know a gravel surface, something stable.

Chairman Rogan stated okay.

Mrs. Ryan stated and we are going to have to relocate it a little bit because of our stormwater basin and make a connection to the existing, I mean our proposed entrance.

Chairman Rogan stated okay.

Mrs. Ryan stated because right now it goes off towards the back of the property.

Chairman Rogan stated so the relocation is more towards once you get through the wetland, not out close to the neighboring properties, okay.

Mrs. Ryan stated actually you can see it right here, it heads in this direction so we are just going to turn from here and have it connect.

Chairman Rogan stated that is a lot different then changing it where its closer to [Route] 311.

Mrs. Ryan stated oh no, this is (inaudible).

Chairman Rogan stated which was our main concern, closer to those properties.

Mrs. Ryan stated and we will work with Ted on the plantings in that area.

Chairman Rogan stated Ted, how about, have you looked at the bridge and the abutments, it is what it is.

Ted Kozlowski stated it is what it is.

Board Member Montesano stated is this (inaudible).

Chairman Rogan stated that is like my new favorite expression, you know.

Mrs. Ryan stated I also brought some color samples for the proposed barn.

Chairman Rogan stated oh great.

Mrs. Ryan stated I think their intention is to have the ivory as the siding and the evergreen as the roof and this is the barn, that generally they were proposing, it is going to be modified a little bit, this has a lot of doors on the side that my client didn't really like and it may not even have that over hang but its going to kind of look like this except it will be have a green roof.

Chairman Rogan stated kind of but different.

Mrs. Ryan stated yeah.

Board Member DiSalvo stated and this is all wood, right.

Mrs. Ryan stated it might be a metal structure but the siding is probably wood.

Chairman Rogan stated hardy plank.

Rich Williams stated hardy plank.

Mrs. Ryan stated on the outside, its not going to be metal.

Chairman Rogan stated so ivory side and evergreen, so basically similar to what we are seeing there, except that maybe, I think that is tan or is that ivory.

Mrs. Ryan stated I think its going to be the ivory.

Chairman Rogan stated my question is the picture.

Mrs. Ryan stated that one I think is tan.

Chairman Rogan stated tan, so it will be lighter then.

Mrs. Ryan stated yeah and then the one by Maria's thumb is the green roof.

Chairman Rogan stated okay, yes.

Rich Williams stated are they going to leave those with us so that we have them for the record.

Chairman Rogan stated or can you get copies.

Mrs. Ryan stated I can get you copies.

Chairman Rogan stated ivory and evergreen.

Board Member Cook stated the evergreen.

Chairman Rogan stated this one has Christmas lights on it.

Mrs. Ryan stated I saw that.

Chairman Rogan stated it has icicle lights.

Board Member Montesano stated that is for low flying planes, nobody goes (inaudible).

Chairman Rogan stated Charlie can look while you are writing.

Board Member Pierro stated I just want to put a note.

Chairman Rogan stated Rich, you had mentioned at the work session at some point in time, I thought I wrote down arch, is there something with an arch that you were referring to or was I day dreaming and thinking about another project. You said the bridge and the arch and I wrote arch down and it doesn't make any sense, I looked through the plans, I said.

Board Member Pierro stated maybe you are thinking bridge.

Chairman Rogan stated alright, we don't have an issue with arch, don't worry.

Board Member Pierro stated architecture.

Chairman Rogan stated okay, on the record, does anyone from the Board have any questions or comments.

Board Member DiSalvo stated so what are we up to, a public hearing.

Board Member Pierro stated ready to set a public hearing.

Mrs. Ryan stated I guess if you feel the applications are complete then (inaudible).

Chairman Rogan stated are you gentleman comfortable with setting a public hearing because the Board seems to be.

Board Member Montesano stated set a public hearing.

Chairman Rogan stated yeah, final public hearing.

Board Member Pierro stated in the matter of Barjac Realty Site Plan, 70 Maple Avenue Port Chester, Patterson, I make a motion that we set a public hearing.

Chairman Rogan stated oh boy.

Board Member Pierro stated 70 Maple Avenue must has rung a bell (inaudible).

Board Member Montesano laughs.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

Board Member Cook - aye

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

Motion carries by a vote of 5 to 0.

Chairman Rogan stated great.

Mrs. Ryan stated thank you.

Board Member Pierro stated brought me back here.

Chairman Rogan stated Port Chester.

Board Member Pierro stated it was a déjà vu, all over again.

Chairman Rogan stated there might be bon fires outside of your house tonight.

Board Member Montesano stated (inaudible).

9) GREEN CHIMNEYS

Mrs. Theresa Ryan of Insite Engineering was present.

Chairman Rogan stated Green Chimneys, Theresa.

Board Member Montesano stated alright.

Mrs. Ryan stated I also received the review memos on Green Chimneys. We have some work to do; we realize that, we are still working on developing the stormwater management plan. What we have done since we last met with the Board was meet with the DEC to determine where the wetland limits are and Ted, those flags are up so if you want to, if at any time you are ready to verify those locations. These are the flags on the current plan that have been submitted to the Town and we know that we are going to need a wetland permit to make improvements in the stormwater basin, we know we are going to have to make that bigger to accommodate the dormitory buildings.

Ted Kozlowski stated that is an existing basin Theresa.

Mrs. Ryan stated this is, yeah. This was approved on another plan a few years ago, I think it was in 2003.

Ted Kozlowski stated Theresa, who did the flagging.

Mrs. Ryan stated Evans Associates.

Ted Kozlowski stated okay.

Mrs. Ryan stated we were out there with Brian Drum.

Ted Kozlowski stated okay.

Mrs. Ryan stated and I know that we asked to have a public hearing scheduled but we are going to take that request back because we don't feel we are ready.

Chairman Rogan stated when you are ready, let us know.

Mrs. Ryan stated okay, we'll submit the wetland permit application to Ted and make sure that he feels that's complete then we will be back to request a public hearing.

Chairman Rogan stated okay great.

Mrs. Ryan stated thank you.

Chairman Rogan stated Gene, do you or Rich, do you have anything that you would like to discuss on this tonight or is it all pretty technical and.

Gene Richards stated its in my review, my issues.

Chairman Rogan stated when it doesn't work I guess. Alright.

Board Member Pierro stated thank you Theresa.

Mrs. Ryan stated thank you and thank you again for the beautiful plants.

Chairman Rogan stated oh you're welcome.

Board Member Pierro stated you're welcome Theresa.

Chairman Rogan stated we were thinking of you.

Mrs. Ryan stated I appreciate it.

Chairman Rogan stated we missed you.

Mrs. Ryan stated thank you.

Chairman Rogan stated they have no one at your office that can fill in for you, I'm telling you that.

Mrs. Ryan stated I'll tell Jeff that.

Ted Kozlowski stated glad I sent that.

Board Member Montesano stated you're not going to get a raise.

Mrs. Ryan stated thank you, good night.

Chairman Rogan stated good night Theresa.

10) OTHER BUSINESS

a. Boniello Site Plan Bond Amount

Chairman Rogan stated okay, under other business we have Boneillo Site Plan Bond Amount.

Board Member Pierro stated Mr. Chair I will take care of that.

Chairman Rogan stated there is no one coming tonight on that.

Board Member Pierro stated no.

Chairman Rogan stated okay so for discussion.

Board Member Pierro stated for discussion, Anthony Boniello spoke with Rich today and then I ran into him, this afternoon, this evening before the meeting and he is rescinding his earlier request to have his bond amount reduced. He tells me that because of the time constraints and his inability to get his taxes done to be able to provide for a larger bond he is going to put up the required \$115,000 bond.

Chairman Rogan stated okay.

Board Member Pierro stated the only thing that we would need is an extension for sixty days in order to complete his 2007 IRS taxes so that he can provide that information to the bonding company.

Chairman Rogan stated my question to Rich is can the Board grant an extension pending a letter submitted and signed by him to your office because obviously a request like that is normally in writing for an extension.

Rich Williams stated you want.

Chairman Rogan stated just a letter.

Board Member Pierro stated you want him to.

Rich Williams stated the answer is yes, I'm not sure what the question is though.

Board Member Pierro stated do you want him to provide a letter.

Rich Williams stated do you want the letter to request the extension or do you want the letter to rescind his request.

Board Member DiSalvo stated both.

Chairman Rogan stated both would be fine.

Board Member Pierro stated both.

Rich Williams stated okay.

Board Member Pierro stated so I'll make a motion, this way we can handle that tonight.

Chairman Rogan stated (inaudible) on the 62 day.

Board Member Pierro stated I make a motion that we grant the 60 day extension to Anthony Boneillo, pending receipt of a letter terminating his request for a reduction in the \$115,000 bond.

Chairman Rogan stated and requesting.

Board Member Pierro stated and requesting that he get a 60 day extension.

Rich Williams stated when it comes to the extension the applicant doesn't actual need to make a request, it's a discretionary decision by the Board.

Chairman Rogan stated okay.

Rich Williams stated it can be whatever number on days you feel is appropriate.

Chairman Rogan stated 60 is fine, I just wanted to make sure.

Board Member Pierro stated I would rather.

Board Member Montesano stated rather than state waiting for this letter, we can give the extension without the letter, let's leave that part out because then we can't really vote on it if (inaudible).

Chairman Rogan stated well that was my question, because I thought normally when we did extensions we got a letter on them, I thought that was a procedural issue so that is really what I was asking.

Rich Williams stated well usually we get a letter and that triggers the issue to be placed on the agenda.

Chairman Rogan stated but you are saying its not necessary is discretionary, so you can modify your motion to.

Board Member Montesano stated just eliminate the letter.

Chairman Rogan stated no eliminate the letter.

Board Member Pierro stated not eliminate, not the elimination letter.

Chairman Rogan stated a double negative.

Board Member Pierro stated that is a double negative, right.

Chairman Rogan stated double negative, why don't we to make things clear, just rescind your motion and do a motion for the 62.

Board Member Pierro stated I request that you rescind my last motion and make a motion to grant the 62 day extension to Anthony Boneillo.

Board Members DiSalvo and Montesano second the motion.

Chairman Rogan stated seconded by Mike and Maria.

Chairman Rogan asks for all in favor:

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

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay.

Board Member Montesano stated also you don't have to rescind the motion because you never got a second.

Board Member Pierro stated we never voted on it.

Chairman Rogan stated well wouldn't it be an open motion.

Board Member Pierro stated it would be an open motion, it would be hanging up there in open motion air.

Board Member Montesano stated if you want to get out the book, I'll get you Robert's rules and cut through it.

Chairman Rogan stated Pfister.

Rich Williams stated if I can just, one last point of order. You didn't need to really rescind that letter on the issue for the bond, the Board doesn't have to take an action, do you still want a letter on that.

Chairman Rogan stated no we rescinded it, we don't want it.

Rich Williams stated I just wanted to make sure that we were all on the same page.

Board Member Pierro stated fine.

Chairman Rogan stated I wanted to ensure that we were procedurally covering our assessts.

Board Members laugh.

b. Pfister Site Plan

Mr. Robert Pfister was present.

Chairman Rogan stated Pfister Site Plan.

Board Member DiSalvo stated that chair again.

Chairman Rogan stated good evening, could you please just stated your name for the record.

Mr. Pfister stated Robert Pfister.

Chairman Rogan stated hi Mr. Pfister.

Mr. Pfister stated I just want to first start off thanking you guys for coming there but the thing is I wouldn't have even known to be here tonight except that I called Rich Williams today about 4:30 or something like that, wondering if there was a meeting tonight and if we were on the agenda and he said yes. The only problem I had with that, is why I didn't I know about it, the only reason being is there are a couple of issues involved, there is livestock there where people could have possibly gotten hurt, number two golf balls are flying around there and actually we were cleaning up down there, sorting out the scrap metal and stuff that goes in the dumpster and stuff like, somebody could have very easily gotten hurt there and I just wish I knew heads up, I don't know if.

Chairman Rogan stated okay.

Board Member Pierro stated we did speak directly to you at the meeting that we had on April 3rd and we let you know we were coming out there, it's not like it was a surprise.

Chairman Rogan stated if I may, I can appreciate your position as a property owner.

Mr. Pfister stated I was just afraid if somebody got hurt, that is the only reason with the situation that is going on there right now.

Chairman Rogan stated and generally speaking when we set up site walks and again we had spoken to you at the meeting about doing it between now and the next meeting. I didn't think that we were going to get out there so it really came up, sort of a couple of days in advance that we were going to get out there, which was good because we did want to have you on this next agenda and not prolong this.

Mr. Pfister stated no I know that, that is why I thank you for going there and the only thing is I wish I would have know about it myself.

Chairman Rogan stated and I can appreciate your position that you know, you are a property owner, you want to make sure that someone is not going to get hurt, generally speaking when the Planning Board does site walks, we don't set up for the person to meet us there because sometimes it creates an awkward situation where we are trying to look at a site and we have someone showing us what they want us to see, so I can appreciate your position and we are sorry for that point of confusion.

Mr. Pfister stated I could have just pointed a few things out to you and we could have been a little more on the safe side and I could have shut the range down for a half an hour.

Chairman Rogan stated fortunately in this case, the people that were shooting we done relatively quickly so it didn't really present a problem, it showed us an issue of course your proposal versus an adjacent activity but we went on Tuesday after work and I know you have the comments I saw you reading them.

Mr. Pfister stated right.

Chairman Rogan stated let's just start from the beginning, not with a proposal so much but with the site itself.

Mr. Pfister stated I don't know is the biggest issue getting in there to the parking area.

Chairman Rogan stated there are a number but I think we start with the first one because obviously.

Mr. Pfister stated okay.

Chairman Rogan stated chronologically if you can't get into the site you don't have a site so.

Mr. Pfister stated right.

Chairman Rogan stated of those present, I think unanimously everyone felt that going in off [Route] 22, while that is not an issue, certainly it works for the restaurant, making the 90 degree turn and going past the front of the restaurant would be difficult for the large type vehicles.

Mr. Pfister stated oh I know, we know that just the way it is, some hedges have to come out, the well cap has to be come off and put a cap, get the shed out of there, I think you'd have a twenty, twenty-five, thirty foot roadway we could put easily pushed down.

Board Member Pierro stated beyond that Robert.

Chairman Rogan stated well let's.

Board Member Pierro stated on the right, the road that is going due east and west, you won't have a twenty-five foot roadway there.

Mr. Pfister stated between the miniature golf and the maple tree.

Board Member Pierro stated yeah.

Chairman Rogan stated oh you're talking about the well, that is why you mentioned the well head.

Mr. Pfister stated right that would be cut off and capped off.

Chairman Rogan stated you can cut that off.

Mr. Pfister stated yeah, you can cut that with the.

Chairman Rogan stated you'll have to meet an above grade by say Health Department Code.

Mr. Pfister stated they have a rubber seal on them and you can seal it off.

Chairman Rogan stated okay, alright.

Mr. Pfister stated I think with that and the shed out of there, can easily put a twenty or thirty foot road way through.

Chairman Rogan stated so you are talking about like a gravel base.

Mr. Pfister stated right.

Chairman Rogan stated okay.

Board Member Cook stated what Shawn is talking about is before that.

Mr. Pfister stated the hedges.

Chairman Rogan stated I didn't even get to the hedges, I was talking about right at the entrance.

Mr. Pfister stated the hedges have to come out to make that turn.

Board Member Cook stated some off of [Route] 22.

Mr. Pfister stated okay.

Board Member Cook stated the driveway to the restaurant.

Mr. Pfister stated okay.

Board Member Cook stated coming in and making that sharp right, that is an issue and then going through the parking lot.

Chairman Rogan stated right, in other words we haven't even gotten to the front door of the restaurant.

Mr. Pfister stated okay, I know where you're going.

Chairman Rogan stated just the right hand turn. If you have vehicles which were there when we were there, in either one of the restaurant side of the Route 22 side, that is a pretty narrow, its probably what did we, I think you measured it didn't you.

Rich Williams stated Dave measured it.

Chairman Rogan stated it looked like it was twenty or twenty-five feet.

Mr. Pfister stated it's a right hand angle.

Chairman Rogan stated the turning radius on that right hand turn with and I've never driven a fifth wheel, it looks like you'd be running over the bushes there.

Mr. Pfister stated alright, we were talking about just having cars coming through there and the cattle trailers or the bull trailers would come in my father's driveway and that would either be the night before or early that morning, which you wouldn't have both. So they would be already down there but it would be on a different driveway coming in anyway where you could either come in the other driveway and make a left or go right straight through but between my father's house and garage there and it's a straight run down there, so you wouldn't have the issues of turning.

Chairman Rogan stated okay.

Mr. Pfister stated and just keep the cars possibly there or if the cars want to come in the other roadway as well and make a left turn and then a right in along the miniature golf, so there are options, whatever, we are willing to work here with you, you know and which ones you think would work best. There are like three ways to get in there.

Chairman Rogan stated my intent for this for everyone's conversation, so we are clear, is to work progressively from the front of the site to the back of the site so we are not jumping all over here so and I'm willing let everybody (inaudible).

Mr. Pfister stated I agree with you not to bring cattle trailers and stuff through the restaurant, cars.

Chairman Rogan stated so you're talking, so now at this point you are talking customer, patron vehicles.

Mr. Pfister stated right.

Board Member DiSalvo stated customer spectator vehicles.

Board Member Cook stated spectator.

Board Member DiSalvo stated right.

Chairman Rogan stated my other concern, again we are only to the point of the restaurant entrance is the mixing use of people that are coming and going to the site, I know its only the one particular day, is it Sundays, once a month.

Mr. Pfister stated its Sundays from 1, 2 in the afternoon until.

Chairman Rogan stated it would be the safety issue of that amount of traffic, 500 people, say two hundred cars, that is what you're looking at, past the entrance of the restaurant and the safety of those patrons because you have parking on both sides and they are crossing over.

Mr. Pfister stated another thought that came to my mind possibly for that day, I could speak to Eleanor too, her customers could park in that big left hand parking and keep that front opened up or keep one side of the two opened up.

Board Member Pierro stated that would probably require an employee or to barricade the whole place and we don't want it barricaded because we need the room, we would need to room for vehicles to move about.

Mr. Pfister stated I think she basically uses that for her, a lot of it for her employees in the front there anyway.

Chairman Rogan stated when we were there we saw nothing but customers and in fact I think was empty or there was one car there and it was all customers coming and its about 5:30, 6 o'clock time when we were there, you know dinner time.

Board Member DiSalvo stated dinner time, yeah.

Chairman Rogan stated okay so we have expressed as a concern, just the turning radius into the facility and the safety concern in from of the restaurant, I'm not saying that we have resolved anything or agree with the way to resolve it but.

Mr. Pfister stated but there are cars going in there all the time, I think we are down to just going through that particular entrance.

Chairman Rogan stated yeah well based on what you're saying its only for cars, not for any of the set up.

Mr. Pfister stated yeah.

Chairman Rogan stated emergency vehicles, not to get to far into the site yet but emergency vehicles that maybe need to respond to the site, would they come in through the where you father's house is or would they come in through the customer site.

Mr. Pfister stated again I would say through my father's, that is a straight run to the back, I would imagine that the safety vehicles would be already there during the event.

Chairman Rogan stated now we didn't walk from Route 22 in through your father's driveway, is there a reason why we are not proposing that as the straight run if that sounds so good.

Mr. Pfister stated okay, I think that was an afterthought, I think is the only reason.

Chairman Rogan stated because it seems like you have less improvements in terms of either mini golf or the well head and the shed and going through the grass.

Mr. Pfister stated the other thing was to make it a loop going out, to make the flow easier but no special reason, it could be used either way. Like I said there are three different ways to get in and out of there so.

Chairman Rogan stated okay, so now the area that was designated on your plan for the parking area, which you said you are in the process of sorting out, there is obviously a lot of material there, you're losing a lot of golf balls out there actually from what we noticed, (inaudible).

Mr. Pfister stated well if you were there today, once a week we have somebody just hand picking them and throwing them back in.

Chairman Rogan stated yeah.

Mr. Pfister stated but if you went out there today you wouldn't recognize it, we did a lot since you guys were there on Tuesday so, there are only a few items left, so.

Chairman Rogan stated oh okay, I would be interested in if I'm in area just driving back out there.

Mr. Pfister stated that would be great.

Chairman Rogan stated but I would want to make sure that you are okay with that.

Mr. Pfister stated yeah, give me a.

Chairman Rogan stated just because of the amount of material we saw out there.

Mr. Pfister stated yeah you wouldn't even recognize it now, so.

Chairman Rogan stated wow, so you are proposing that area for about 200 cars.

Mr. Pfister stated yeah, plus, I think we figured out today 200 or 300 [cars].

Chairman Rogan stated and what kind of a surface out there.

Mr. Pfister stated its just dirt, dirt surface.

Chairman Rogan stated you're saying what is existing you would use.

Mr. Pfister stated right, well we are going to of course grade it all off so its nice and even back there with a dozer or whatever, so nobody steps in a pot hole or anything like that but other then that, then from there the walk path would be for the customers to back.

Chairman Rogan stated and the path that we walk back through had like piles of rubble.

Mr. Pfister stated some rock and stuff.

Chairman Rogan stated things that you were trying to (inaudible).

Mr. Pfister stated yeah well I would think that maybe some one inch or two inch stone possibly, or, you guys pick the wrong time to come back there too, I mean we had three days of torrential down pours too.

Chairman Rogan stated there are wetland concerns out there and from some people view, it would be an opportune to see, you know you want to see best and worst case scenario, it sound like you are improving it so that might be more towards the best case scenario. When we saw it obviously there were a lot of materials out there, there were a lot of issues that everyone saw.

Mr. Pfister stated right.

Chairman Rogan stated you know for me the biggest issue right off was how do we get to the site, how do we get to the parking lot, never mind even the back field, how do we safely get to and from this parking lot so we don't have someone get killed in and out of this place because if we can't cover that then I don't even care about the rest of it in all fairness.

Board Member Pierro stated and how do we safely excavate somebody from that parking lot after they get hurt. It's a bull riding operation.

Mr. Pfister stated of course there has to be a clear path left open, I mean.

Board Member Pierro stated but if you have cars coming in.

Mr. Pfister stated again there are three different ways to get in and out of there, I think that we can leave one of them designated for that.

Board Member Pierro stated the road portion that goes out, beyond on the western side of the driving range would be very hard pressed to carry 150 to 200 people walking and having an ambulance getting out at the same time or getting in.

Mr. Pfister stated the other thing is we are going to close the driving range for that afternoon, so you could have a whole field to cut across if you had to. I know you don't want to do that but I'm just saying.

Chairman Rogan stated you don't have anywhere to cut across to because the cars would be in your parking lot not out in the, is that what you are saying, cut across to where the people were at the restaurant.

Mr. Pfister stated no I'm just saying that if you had to get out there in hurry.

Chairman Rogan stated oh.

Mr. Pfister stated you can just cut right across the driving range where its (inaudible).

Board Member Pierro stated and how would you get an ambulance, jump that wall, is there a way out.

Mr. Pfister stated oh yeah, there is a way out of there.

Board Member Pierro stated where.

Mr. Pfister stated right off the green tees, where that roadway would come in, when we talked about where the well cap is, that could come right up across the driving range, it could come anywhere across the driving range to that roadway, if they didn't want to take that walk path road.

Board Member Pierro stated did you see an area that was wide enough to get a lane of traffic coming in and an ambulance going out, do you think there is an area that could be plowed out there, I think that would be stretching it.

Rich Williams stated honestly I didn't look on the south side of the miniature golf range, I wasn't evaluating that walk.

Mr. Pfister stated I'm not talking about over there, I'm just saying using one of the three options on the north side.

Chairman Rogan stated okay.

Mr. Pfister stated no, I guess we misinterpreted on that one, no definitely not.

Chairman Rogan stated I'm missing something though, you proposed one going past the restaurant and your father's, what is the third one.

Mr. Pfister stated coming in just partially through my father's driveway and hanging a left.

Chairman Rogan stated okay, okay.

Mr. Pfister stated before his house.

Chairman Rogan stated and that is the way you are proposing that they get all the equipment back there and the bleachers, the port-a-sans, all the stuff is not going to come in past the restaurant, its all going in your father's entrance continuing on, going over the road that needs to be improved where the rubble is currently piled.

Mr. Pfister stated right.

Chairman Rogan stated where the wetland corner is, over the culvert that we mentioned.

Mr. Pfister stated right.

Chairman Rogan stated not the culvert itself but there is gravel (inaudible).

Mr. Pfister stated its on the side, that is a new culvert pipe, that has only been in a couple years.

Chairman Rogan stated yeah the culvert pipe looks fairly new, I actually got down and looked inside it, the high side was silted pretty good, the high side of that stream was silted in quite good.

Mr. Pfister stated there was a beaver problem a couple years ago, a year or so ago.

Chairman Rogan stated alright, oh okay.

Mr. Pfister stated so they've been trapped.

Chairman Rogan stated now we've been back, let's say we get over the culvert pipe, we get back to area where the horse paddock is to the right, the field is in front and the items, the scrap metal that is probably worth a lot of money right now, is to the left.

Mr. Pfister stated again that is more items that have to be taken out.

Chairman Rogan stated is your plan to remove all those items for this type of thing.

Mr. Pfister stated yeah, oh definitely.

Chairman Rogan stated the whole place will be cleaned up.

Mr. Pfister stated definitely.

Board Member Pierro stated well why don't we go back there and take a look once its all cleaned out.

Chairman Rogan stated I would love to see it.

Mr. Pfister stated you can stop by tomorrow, I mean you see what's been done.

Board Member Montesano stated the storage boxes.

Mr. Pfister stated they are coming out, they are going to eventually down in the back and off to the left.

Board Member Montesano stated okay.

Rich Williams stated Mr. Pfister.

Mr. Pfister stated I'm sorry.

Rich Williams stated I was asked to convey this to everybody, the Building Inspector of course who has been involved with what is going on with the Planning Board, was also out on the site to evaluate the proposal and the access way because he is going to have to sign off on all this as Fire Inspector. He is going to have to sign off on the bleacher things and everything else. He said that he had found numerous concerns that he wanted to discuss with you, he will be contacting you very shortly to go out on the site and address some of the concerns completely unrelated to this proposal here but that he didn't feel that this proposal was really in a position to move forward until those other issues were addressed and he didn't get into any detail with me about what those concerns were, other then he will be contacting you very shortly.

Mr. Pfister stated can I stop in tomorrow and see him or.

Rich Williams stated well I don't know if he's going to be in tomorrow, call Cheryl and see what his schedule is.

Mr. Pfister stated alright.

Board Member Cook stated excuse me, I might have this but the pathway to the parking area all the way back is that going to be graveled or is that going to be.

Mr. Pfister stated that is what I said before, we are going to finish it off with some type of one inch, two inch.

Chairman Rogan stated one or two inch stone.

Mr. Pfister stated to make it of course.

Chairman Rogan stated which you would need to because you are talking about getting an ambulance back there if there is an accident, which I think in this kind of event there just defiantly would be.

Mr. Pfister stated exactly, grade it off nice and smooth so it.

Chairman Rogan stated getting back the larger trailers for the animals, right.

Mr. Pfister stated yup.

Chairman Rogan stated the bleachers the port-a-sans, so you need obviously a roadway, a gravel based roadway that is going to maintain or sustain that kind of traffic and then, even though we were there after a fairly heavy rain event, does that field stay fairly wet.

Mr. Pfister stated no, we hay it every year, there is not a problem there but this event, if it is raining, its going to be called off anyway, it goes on to the next Sunday, who is going to stand in the rain and watch the rodeo anyway, maybe there would be some people but we've already discussed that from the very beginning that it wouldn't even happen that weekend, that Sunday, it would go on to the next Sunday, until a clear weekend would happen.

Chairman Rogan stated okay, I don't know who said it but I agree with seeing the site.

Board Member Pierro stated again.

Chairman Rogan stated in the better shape that you are putting it in.

Mr. Pfister stated okay.

Chairman Rogan stated and also obviously it sounds like you've got some issues with Mr. Raines to resolve, maybe if the Board wants the proper thing to do would be to go back out there in two or three weeks, whatever time you think would be adequate.

Mr. Pfister stated whenever you guys want, again I can leave my cell phone number, you can give me a buzz anytime.

Chairman Rogan stated yes I will do that, can I have your cell phone.

Mr. Pfister stated 845-406-7605.

Chairman Rogan stated can I have your copy, I want to give him this. What is your first name sir.

Mr. Pfister stated Robert.

Board Member Montesano stated Robert.

Mr. Pfister stated again what we can do is take some measurements too and just see the distance between the miniature golf and what that road could end up being for one of the option.

Chairman Rogan stated also, since you mentioned it, reach out to the Health Department and get a letter to them saying that you would be able to do what you want to do and drop it.

Mr. Pfister stated cut that well head off.

Chairman Rogan stated because I don't know about that and I want you to explore that before you decided and told us you can do it.

Mr. Pfister stated okay.

Gene Richards stated Shawn.

Chairman Rogan stated yes.

Gene Richards stated if you are going to, Mr. Pfister if you are going to speak to the Health Department, maybe also discuss with them what you are going to be doing for sanitary facilities and see what they would allow you do there for an event like this.

Mr. Pfister stated we are going to put port-a-potties, is what we are going to do.

Gene Richards stated understood and just talk to them about that and make sure that is okay.

Mr. Pfister stated okay.

Board Member Pierro stated Rob, for your edification, I FOIL'd record from the Town of Marlboro Police Department regarding calls for emergency service and complaints about the rodeo at Coyote Ridge, you ought to take a look and see what's and this is only a portion of what went on there. There were problems with intoxicated individuals riding bulls.

Chairman Rogan stated and getting hurt mostly.

Board Member Pierro stated they had to be e-vac'd out, there are noise complaints, regarding music being heard from all the neighbors and the chief of police communicated to me there that 95 percent of the complaints weren't even written upon, they were just complaints from neighbors, just be aware of that.

Mr. Pfister stated thank you, right, like we said, if we did it one or two times and it became a big headache for use, we wouldn't want that either.

Board Member Pierro stated because the liability is huge.

Chairman Rogan stated well, my main thing and I read through those, we have a noise ordinance in Town, so I'm not too concerned with that, you violate the noise ordinance allowed for the area, there are mechanisms in place for that. My main concern with that would be, originally you had said something and I had asked about alcohol, if alcohol would be served and I think the answer was no, that you didn't plan on having vendors.

Mr. Pfister stated I spoke to Sergio earlier and I guess there is more then one person involved that sets this thing up and I have since learned that there is a concession that does serve beer.

Chairman Rogan stated and that is why I had asked. My point being that my main concern is that if people get hurt out there that we have a safe means of ingress and egress to get emergency vehicles, that is it, if its legal to serve alcohol and its within the and you have the proper permits, hey I like to have a cold beer every once in a while, its not a big deal but making sure that we.

Board Member Pierro stated before or after you ride your bull.

Chairman Rogan stated well I haven't ridden a bull yet.

Board Member Pierro stated oh okay.

Chairman Rogan stated but my point is just emergency access, making sure that we can get things in and out of here and I realize that it is only one day even that you are proposing.

Mr. Pfister stated no I know (inaudible).

Chairman Rogan stated Charlie.

Board Member Cook stated I don't want to sound to naïve on this.

Chairman Rogan stated sure.

Board Member Cook stated but aren't we going to need a full blown site plan.

Chairman Rogan stated yes.

Board Member Cook stated I mean with all the details we see on everything else.

Board Member Pierro stated yes.

Chairman Rogan stated well there are some requirements of site plans that the Board has the option of waiving and we've done that say with topography when we don't need when there aren't significant, but when you've got grading for driveways, Gene looks like he is kind of biting at the bit here.

Board Member Cook stated but wait a minute but like the width of the road, the stone.

Board Member DiSalvo stated right.

Chairman Rogan stated right.

Board Member Cook stated the location of the bleachers and how many they are going to accommodate and the pot-a-potties and all these kind of details.

Mr. Pfister stated this is all portable stuff we are talking about, its there for a few hours and its taken down the same day and its done, I don't know what you guys do for a carnival but its basically the same thing. I mean I don't know if you guys ask for that, I don't know how far you want to go with this. We are trying to keep it simple.

Chairman Rogan stated that is a really good point though, part of it is that the access ways are established in that case, in the Fire Departments case, so we already know, first of all, emergency access, we know we've got because it is the center for it, it's a valid point, a valid question.

Mr. Pfister stated and again I'm sure there are going to spots that will get jammed up until things get running smooth but you get the same thing when you go to report card night down here and you have the same problem.

Gene Richards stated Shawn.

Chairman Rogan stated yes.

Gene Richards stated talking about parades and other events that the Town has, that is one thing that I was going to mention to you as well, if you are talking possibly three hundred cars, they are going to be approaching your site in the matter of an hour or something like that and then leaving afterwards. Route 22 there is only a two land road undivided, there is no left turn lane, traffic control is going to be a critical part of this proposal and that is something that you are going to want to think about and it is probably something that you need to talk to DOT about with certainly any driveway proposals. I know when the Town has a parade, they have the firemen or the police there and that you may need police presence during that.

Mr. Pfister stated right, I'm sure we may have to get somebody like that. We are just hoping we have a little bit of advantage by spending 40,000 dollars for that entrance way for a deceleration lane when we put that entrance in there.

Chairman Rogan stated for the restaurant.

Board Member Pierro stated for the restaurant, right.

Mr. Pfister stated well actually for the driving range, before there even was a restaurant there.

Board Member Pierro stated you have to keep in mind in along with Gene is saying that.

Mr. Pfister stated no there has to be people trafficking.

Board Member Pierro stated Sunday evening is the busiest southbound traffic on [Route] 22.

Chairman Rogan stated Ted, please.

Ted Kozlowski stated Mr. Pfister, also there are state and town regulated wetland down there and you are going to need to have that identified by flagging, the state can identify DP-22, that is not, that will be a regulated activity, the parking, the improvements, the rodeo is not an agricultural practice, it is a recreational activity, so those things will have to be considered and you maybe need to get wetland permits for this, please understand that as well.

Mr. Pfister stated okay.

Chairman Rogan stated well at least, if nothing else, I appreciate that you are moving towards taking advantage of some of the valuable scrap metal that you have out there in these hard times, making use of it.

Mr. Pfister stated I wish there was twice as much there.

Chairman Rogan stated there is a lot of variety of (inaudible) out there.

Mr. Pfister stated actually.

Chairman Rogan stated I wish there was half as much there but either way but and.

Mr. Pfister stated I will wait for your phone call.

Chairman Rogan stated we will, here is what I will promise you we will not, no one from this Board will go out there and take a look at what you've done without you being notified.

Mr. Pfister stated just give me a little heads up, that's all.

Chairman Rogan stated absolutely, okay.

Mr. Pfister stated okay, thank you so much.

Chairman Rogan stated alright, thank you.

Mr. Pfister stated good night.

Board Member Pierro stated legal services.

c. Legal Services

Chairman Rogan stated legal services, yes, Patterson Crossing. We had wanted special council, we don't have special council as of yet.

Rich Williams stated well you did have somebody, my sense was that you were perhaps looking to find somebody different.

Board Member DiSalvo stated do we have the authority to do that or does the Town Board have to appoint.

Anthony Molé stated the Town Board has to take an action but you can certainly recommend to the Town Board.

Chairman Rogan stated we have kind of made the request, a year ago.

Board Member DiSalvo stated well they, we didn't request.

Chairman Rogan stated I think we did.

Rich Williams stated well you made the request and the sense that I got back a considerable time ago was you know make a recommendation this is somebody you felt comfortable with, so, as we sit a long time later.

Chairman Rogan stated yup.

Rich Williams stated and this is coming back, we know its going to be coming back.

Chairman Rogan stated sure.

Board Member DiSalvo stated what was the problem with the previous attorney.

Board Member Pierro stated I don't see that that is something that should be within our purview as to who.

Board Member DiSalvo stated right, right.

Board Member Montesano stated we're not.

Rich Williams stated you don't want to make a recommendation.

Board Member Pierro stated I would love to make a recommendation that we.

Board Member DiSalvo stated I don't know if we can.

Board Member Pierro stated get special council and our last special council, although he was gentleman, I don't think that he had half the experience that Mr. Molé has in this type of land use work. I really don't, unless you guys.

Board Member DiSalvo stated who are you to judge that, you're not an attorney, I don't know any better either but to say that he wasn't good, we can't make that decision, we're not attorneys.

Board Member Pierro stated he had.

Rich Williams stated I can tell you sitting here right now, he pulled you into an executive session.

Board Member Pierro stated he pulled us into an illegal meeting in front of 300 people Maria, it doesn't take a rocket scientist to finish.

Rich Williams stated and (inaudible).

Board Member DiSalvo stated again I don't think that we have a legal authority to do this. We can't recommend people, we can't recommend attorneys.

Rich Williams stated why not.

Board Member DiSalvo stated because everybody up here has a conflict of interest with everything, every attorney in Putnam County and Westchester, has a conflict.

Rich Williams stated my question to you.

Board Member DiSalvo stated I don't think we are experienced in the legal capacity to suggest and attorney, I really don't think so.

Chairman Rogan stated I can agree with an aspect of what you are saying. I wouldn't know whether one attorney was necessarily better than another.

Board Member DiSalvo stated right.

Chairman Rogan stated what I do know is that I did not get a sense from the gentleman that we had, based on a few examples and based on conversations that the Board had with him, that he was necessarily going to protect the Town, the way the Town needed to be protected in this type of situation. Whether or not someone else has more experience, I probably can't judge that either, I don't know these people individually nor I would think that would be something that we would have to say that these are the types of credentials that and that would be something that we would probably defer to Anthony.

Board Member DiSalvo stated right.

Chairman Rogan stated not specific person but in this type of a situation, you want an attorney that has this type of experience that is not a person, that is a resume.

Board Member DiSalvo stated right.

Chairman Rogan stated and then we look for somebody with that.

Board Member DiSalvo stated that is what I'm saying.

Chairman Rogan stated and then the Town Board is the people that choose.

Board Member DiSalvo stated didn't the Town Board select the last one that was hired.

Chairman Rogan stated what was the.

Board Member DiSalvo stated Santangelo, right.

Chairman Rogan stated Santangelo.

Rich Williams stated yes.

Chairman Rogan stated but it wasn't Santangelo, it was one of there obviously.

Board Member DiSalvo stated but we wouldn't have suggested them because wouldn't even know.

Chairman Rogan stated right, I wouldn't even.

Board Member Pierro stated no.

Chairman Rogan stated so where do we go from here, Anthony, what is out course of action.

Anthony Molé stated what you can do is recommend to the Town Board that they get someone for you as soon as possible and they will probably discuss with Rich and I who we feel are good candidates.

Board Member DiSalvo stated and if they want to accept it too.

Chairman Rogan stated yeah.

Anthony Molé stated the Board has (inaudible – not using microphone). What you need is someone who really is in this and can back this (inaudible – not using microphone). Names are known but (inaudible – not using microphone).

Board Member DiSalvo stated right, right.

Rich Williams stated alright, so you don't want to make a recommendation.

Chairman Rogan stated well, let's make the recommendation.

Board Member DiSalvo stated let's make the recommendation to recommend.

Chairman Rogan stated that the Town Board get us a, at this point now, we are looking time frame wise, we are reviewing a final environmental impact statement, so you know, it would have been nice if this person would have been on from day one.

Rich Williams stated no one is more concerned me.

Anthony Molé stated (inaudible – too many speaking).

Chairman Rogan stated they've got the catch up to do.

Board Member DiSalvo stated right.

Chairman Rogan stated I mean, I can't imagine reading through all, just the minutes alone to catch up. So that person, you know.

Board Member DiSalvo stated firm, firm.

Chairman Rogan stated fair enough.

11) MINUTES

Chairman Rogan stated we have minutes on the agenda, March 22nd and April 2nd, has anyone had a chance to look at those.

Board Member Cook stated I make a motion that we accept the minutes of March 22nd and April 2nd 2008.

Board Member Pierro seconded motion.

Rich Williams stated I made a typo, it may be April 3rd.

Board Member Pierro stated it's April 3rd.

Chairman Rogan stated thank you for the correction, April 3rd. There was a motion and second.

Chairman Rogan asks for all in favor:

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

Motion carries by a vote of 5 to 0.

Chairman Rogan asks for all in favor.

Chairman Rogan stated any other discussion from anyone on the Board.

Board Member DiSalvo stated so are we recommending to the Town Board to.

Chairman Rogan stated yes.

Board Member DiSalvo stated to search and discover.

Chairman Rogan stated is that a motion.

Board Member DiSalvo stated I make a motion to the Town Board to request that they research a law firm that will handle the Patterson Crossing Project.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carries by a vote of 5 to 0.

Chairman Rogan stated any other business from you gentlemen, anyone on the Board. Motion to adjourn.

Board Member Montesano stated motion to adjourn.

Chairman Rogan stated that is why I asked if there was any other business.

Board Member Pierro stated Martins is staked, can we do that this weekend or do you want to do it one night during the week.

Chairman Rogan stated I can do it Saturday Morning but one night during the week would well also.

Board Member DiSalvo stated yeah.

Board Member Montesano stated yeah.

Chairman Rogan stated is a week night better then blowing the.

Board Member DiSalvo stated I have the Cascade Breakfast on Saturdays.

Chairman Rogan stated do you want to try, we've been doing pretty well, we did Tuesday, you want to try Tuesday night.

Board Member Montesano stated yeah, that works this week, what is your schedule.

Chairman Rogan stated Tuesday night.

Board Member DiSalvo stated 5:15 again.

Chairman Rogan stated yeah.

Board Member Pierro stated Ted, can you make that.

Ted Kozlowski stated what.

Chairman Rogan stated Tuesday night, can you make for the Martins.

Board Member Pierro stated Charlie jumped in, Charlie has something in his calendar.

Board Member DiSalvo stated he is writing it in.

Board Member Cook stated no, I can make it.

Board Member Pierro stated okay.

Ted Kozlowski stated 5:15 or 6, something like that.

Board Member Pierro stated yeah.

Chairman Rogan stated 5:15, we'll meet at, where should we meet for that.

Board Member DiSalvo stated at the site.

Board Member Pierro stated Dave Pierro's driveway.

Board Member DiSalvo stated the site.

Chairman Rogan stated we can walk from your, across the street.

Board Member DiSalvo stated we'll jam up his driveway.

Chairman Rogan stated okay.

Board Member Pierro stated it's a parking lot anyway. We'll meet at my driveway.

Board Member Cook stated will you have your driveway striped.

Board Member DiSalvo laughs.

Chairman Rogan stated 5:15 at Dave's on Tuesday.

Board Member Pierro stated park on the lawn on the right hand side.

Chairman Rogan stated there was a motion to adjourn, seconded.

Chairman Rogan asks for all in favor:

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

Motion carries by a vote of 5 to 0.

Chairman Rogan stated okay.

The meeting adjourned at 9:15 p.m.