

**TOWN OF PATTERSON**  
**PLANNING BOARD MEETING**  
**May 30, 2013**  
*Work Session*



**AGENDA & MINUTES**

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**TOWN OF PATTERSON**  
**PLANNING & ZONING OFFICE**

**ZONING BOARD OF APPEALS**  
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Shawn Rogan, Chairman  
Thomas E. McNulty, Vice Chairman  
Michael Montesano  
Ron Taylor  
Edward J. Brady, Jr.

**Planning Board**  
**May 30, 2013 Work Session Meeting Minutes**

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

**APPROVED**

Present were: Chairman Shawn Rogan, Board Member Thomas E. McNulty, Board Member Michael Montesano, Board Member Ron Taylor, Board Member Edward J. Brady, Jr., Rich Williams, Town Planner, and Ted Kozlowski, Town of Patterson Environmental Conservation Inspector.

The meeting began at 7:00 p.m.

Michelle Lailer was the Secretary and transcribed the following minutes.

Chairman Rogan called the meeting to order.

Chairman Rogan stated okay, good evening everyone, I do want to start off since I understand today is the actual Memorial Day and previously known as Decoration Day and I thought it would be appropriate to just observe a moment of silence for, obviously our brave men and women who have died protecting this great Country and I think it's appropriate, so please join me.

*Moment of Silence ensues*

Chairman Rogan stated okay, thank you. Route 22 Wings & Things, we have you folks here tonight for the sign application.

Mr. Orgach stated yes sir.

**1) ROUTE 22 WINGS & THINGS – Sign Application**

John Orgoch and Amanda Orgoch were present.

Chairman Rogan stated Rich, do you want to start us off.

Rich Williams stated sure, they have submitted a sign application for a free standing sign which is going to be located on the two metal poles that were formerly used by the Alpine Restaurant sign. There are really

no issues with the sign, as far as the Zoning goes, as you're all aware, typically a free standing sign is limited at 25 square feet, however in this application the property owner received a variance a number of years ago to allow a sign out in front of 100 square feet, so we're looking at a slightly larger sign. The application was complete in all respects; I see we've got a new sign which is probably going to be 8' by 8'.

Ms. Orgoch stated it's definitely going to be 8' wide, possibly 8' long, maybe a little short, maybe 7'.

Rich Williams stated okay.

Mr. Orgoch stated somewhere in like the 6', the 4' by 8' sheet, usually they put it on, comes 4' by 8' and I'm not sure how much more they can fit into what it would design as...

Rich Williams stated okay, so the size of the sign is increased...

Mr. Orgoch stated it would definitely be smaller.

Rich Williams stated somewhat from the original application which proposes a 44 square foot sign, we're now up to somewhere between 56 and 64 square feet.

Chairman Rogan stated you're basing that on the fact that the sketch shows a square sign versus the rectangle shown here.

Rich Williams stated correct.

Ms. Orgoch stated correct.

Chairman Rogan stated okay, so in other words, the width of this would stay the same it's just now that because you're adding the bottom...

Ms. Orgoch stated it's a little bit longer because added the...

Mr. Orgoch stated the outer border.

Board Member McNulty stated this is the sign.

Ms. Orgoch stated correct.

Board Member McNulty stated okay.

Ms. Orgoch stated it's just going to be a little bit longer than the original because we're adding that we have the catering, banquet hall, and that we're advertising the take out as well, whereas that wasn't previously advertised.

Board Member McNulty stated so what are the actual dimensions.

Chairman Rogan stated I was going to say, wouldn't it, if this was 3' by 6', aren't we now talking 6' by 6', not 8'.

Board Member McNulty stated I think this is temporary sign, no.

Chairman Rogan stated oh, I apologize.

Rich Williams stated that's the temporary.

Chairman Rogan stated get with the program, what he said, so 8' by 5 1/2', so 8' by 8', okay, alright.

Rich Williams stated that's why I asked.

Chairman Rogan stated great.

Rich Williams stated there are two issues which we need to discuss with the applicant, that is the temporary sign versus the permanent sign and what duration either or both are going to be up and the height of the sign, which I have identified some issues in the memo.

Mr. Orgoch stated I wanted to find out what your height was or what's allowed but the poles, I mean, stand probably 18' in the air, I don't need to be, you know, a 7-Eleven or anything like that but whatever's not going to block view of the other, I have another business that's behind me there also, they have a sign there as well, so I would definitely have to be higher than then because they have a round sign there which is doing the saddle and lace now, they took over the front store there.

Rich Williams stated correct, I actually did go out there and took a look at that.

Mr. Orgoch stated yeah.

Rich Williams stated my recommendation to the Board is we limit the height to 11', the poles about 15'...

Mr. Orgoch stated I think they're like 18' but what I can do is take a look at what's there and not, like I said I wouldn't want to block their sign and I don't think you would want to block their sign, so...

Rich Williams stated right, their sign is off to the side, so that's not the issue...

Mr. Orgoch stated on their building, okay.

Rich Williams stated my other concern was having the sign so low that it blocked the building in the front of building...

Mr. Orgoch stated and the view, correct.

Rich Williams stated as people coming up the road.

Mr. Orgoch stated right, so 11' should be fine.

Rich Williams stated so I think if we're at 11'...

Mr. Orgoch stated okay.

Rich Williams stated you know and we come down...

Board Member McNulty stated are you talking about the top or the bottom of the sign.

Rich Williams stated actually, let's push it up another, you know, 12' because then that brings it down to about...

Chairman Rogan stated 4...

Rich Williams stated yeah, 4', so you've got a little bit under the sign to see...

Ms. Orgoch stated so 12' from the top down.

Chairman Rogan stated yeah.

Mr. Orgoch stated there's a...

Rich Williams stated 12', 8', yeah.

Ms. Orgoch stated okay.

Mr. Orgoch stated 4' from the ground it would be.

Ms. Orgoch stated yes, 4' off the ground.

Board Member McNulty stated that sounds low.

Rich Williams stated that does sound low.

Mr. Orgoch stated it would be too low, because what happens is we have a lot of traffic that comes from behind at the Birch Mountain that uses the parking lot as an entrance way and trucks and UPS and I know for a fact that their doors in the trucks are higher than that.

Board Member McNulty stated let's say if the sign...

Rich Williams stated well the sign is set back so...

Ms. Orgoch stated the sign is set back.

Mr. Orgoch stated yes, okay.

Rich Williams stated so visibility going in and out of there, is not an issue...

Mr. Orgoch stated I gotcha, okay, okay.

Rich Williams stated the only real issue for me is maintaining visibility of the store front coming up the road.

Mr. Orgoch stated right, correct.

Rich Williams stated as long as we've got 6 or 7' to do that.

Mr. Orgoch stated okay so where it should be fair, okay.

Board Member McNulty stated if this sign is 8' by 8', it's a good size, I would put that sign, top of that sign at 16', the bottom of your sign is 8' off the ground which is a door height.

Mr. Orgoch stated yeah the door, the opening of the sign poles is 8' wide and as high as you would like it to be but again we can raise it or lower it to any height you'd like it to be, so it's not an issue.

Rich Williams stated my concern with the height is twofold; one is the higher it is, the greater the adverse impacts to the streetscape, higher signs, bigger signs, look not as good, they're great for the business...

Mr. Orgoch stated correct.

Rich Williams stated but they're not so great for the streetscape. The other issue is lighting the sign, they are proposing to light the sign by ground mounted flood lights, the higher the sign, the more intense those lights have to be to actually light that sign to do any good.

Board Member McNulty stated no, I understand, that was my next question was lighting.

Mr. Orgoch stated okay.

Chairman Rogan stated yeah.

Board Member McNulty stated if we're going to go high...

Chairman Rogan stated you've got to really...

Board Member McNulty stated I think the lighting should be from the top down.

Rich Williams stated that's fine.

Chairman Rogan stated you mean like...

Mr. Orgoch stated because then it would have to have a cross bar in between the poles that are there because the poles that are there are 8' by 8's so we would have to put some kind of a cross brace across them to bring something off of the bracket down, that's why I was suggesting the ground because we can put something across the bottom of the sign that would be supportive and bring out like 16" and just bringing them across the bottom end of the sign, instead of going to the top...

Board Member McNulty stated oh not off the ground but at the bottom...

Mr. Orgoch stated not on the ground, ground but on the bottom of the sign.

Rich Williams stated yeah, that's different than what you maintain in the application.

Mr. Orgoch stated right.

Ms. Orgoch stated yeah, in the application it was on the ground because there is already power...

Mr. Orgoch stated well the power is there on the ground but what I would do is bring the electrician in and he would put something up to the pole, put something across that supportive, being welded to the pole

basically and then something again, sticking out say 18" off the pole that would be on both ends, you know lighting both sides of the sign up, basically.

Ms. Orgoch stated which would you prefer, the ground or the brackets that come out.

Rich Williams stated I would prefer, me personally, prefer the brackets as long as they are shielded, one of the other concerns we always have is seeing the lights from the road...

Ms. Orgoch stated from the road, you don't need it to blind somebody.

Rich Williams stated exactly.

Chairman Rogan stated okay.

Ms. Orgoch stated absolutely.

Rich Williams stated so as long as they are fully shielded, so that you can't see the lights coming either way from the road...

Ms. Orgoch stated right and those...

Rich William stated so it's better to keep them close because you can use a lower intensity, go to LED...

Mr. Orgoch stated okay.

Ms. Orgoch stated right, so it would just have like a brace at the bottom of the sign and then you would just have the brackets come out right to the center, right...

Mr. Orgoch stated like I suggested, that would be fine...

Rich Williams stated your father knows.

Ms. Orgoch stated okay.

Mr. Orgoch stated okay.

Rich Williams stated unless somebody else has a different opinion.

Mr. Orgoch stated so then the standard size of the sign is okay, we're okay with that and everything being 5' by 8' or so.

Rich Williams stated we're up to 8' by 8'.

Mr. Orgoch stated 8' by 8'.

Rich Williams stated is that what you were going with.

Ms. Orgoch stated he's saying, what my sign person who is making the signs, what he's saying is that he's going to stretch it 8' wide and whatever scale looks right in terms of height because our original was 5' high, like 5 1/2' high but because we had to add that lettering to the bottom I'm guessing it's going to add

another 2' maybe 3' to the bottom of that sign so no more than 8' by 8' but probably a little bit around there.

Chairman Rogan stated right.

Mr. Orgoch stated I would think less.

Rich Williams stated okay, what are you, you've got two signs in here, one is a temporary sign, the other is a permanent sign, what's your intent.

Ms. Orgoch stated right, our intent is we want to just put the permanent sign up, we were going to do the temporary sign because we were hoping to have it up now but I mean, we're hoping to open within the next month, month and a half, so there's really no sense in putting a temporary sign, we can just put that sign up there...

Chairman Rogan stated get your permanent one.

Ms. Orgoch stated and just get it and just not be open yet.

Chairman Rogan stated and you can also put a, little coming soon signs right on them...

Ms. Orgoch stated we can just sticker it right on it, yeah exactly.

Chairman Rogan stated yeah, exactly.

Mr. Orgoch stated would it be possible to put a banner or something, like a 2' banner by 4' or something.

Ms. Orgoch stated well he's saying we can just stick something right to the permanent sign that says coming soon, we can just put it, slap it right on there.

Mr. Orgoch stated I know but the sign, the sign won't be addressed for another 30 days, for them to make it and everything and order it, basically, I would have to go through this first to see what we could allow for us to order the sign but I would like to actually put something up at least 15 days before prior to open, so I'd like to put a banner 4' by 2' both sides, stating that, what's coming to the place so...

Board Member McNulty stated until you received the permanent sign.

Ms. Orgoch stated until we receive the permanent.

Mr. Orgoch stated until we receive the permanent, take down the banner and then bring the permanent sign into place.

Rich Williams stated the Board has the ability to approve that.

Chairman Rogan stated and so what specifically do you want it to say, the banner, since we don't have...

Ms. Orgoch stated that's what the coming soon one was, that was the banner...

Chairman Rogan stated I don't have it.

Ms. Orgoch stated I printed out that, that was supposed to be our temporary...

Board Member McNulty stated this one.

Ms. Orgoch stated yes, we haven't gotten it printed yet because obviously we needed to get it approve but...

Chairman Rogan stated so this would be in a banner format.

Ms. Orgoch stated that would be banner form and that would just be up there on those poles until we put the permanent sign in.

Chairman Rogan stated why don't we, if the Board is amenable to this, why don't we approve the temporary sign as proposed with a time frame of not more than 45 days or as soon as the permanent sign is place, so that they don't overlap, so in other words, the day you put up the permanent sign, you take down the banners...

Ms. Orgoch stated take down the banner, of course.

Chairman Rogan stated you can put up coming soon or whatever you want on or over that, but we tie the two together, you're not going to need more than 45 days on that banner because like you said you're going to have your sign.

Mr. Orgoch stated no, like I said, I would have to order this and then probably get that in 30 days or so...

Chairman Rogan stated yeah, yeah.

Mr. Orgoch stated hopefully 3 weeks if it comes...

Chairman Rogan stated maybe you should get it from the banner guy.

Ms. Orgoch stated yeah, the banner we'll have quicker than that.

Mr. Orgoch stated then I would actually have it covered up anyway, I would throw something around it like a canvas or something...

Ted Kozlowski stated I think your banner would come quicker.

Chairman Rogan stated oh yeah.

Ted Kozlowski stated I deal with banners, it would come quicker.

Ms. Orgoch stated it's not going to take that long, it's going to take a week or two and that's it...

Ted Kozlowski stated no, it's not.

Chairman Rogan stated right, right.

Ms. Orgoch stated we'll have it up within the next week or two.

Ted Kozlowski stated they can bang those things out pretty quickly.

Ms. Orgoch stated absolutely.

Mr. Orgoch stated they make them quick.

Rich Williams stated the only thing you may want to include is the condition because it is a fairly substantial banner that's going up, the condition that the banner come down anytime there's a storm predicted that is going to have...

Ms. Orgoch stated so that it doesn't fly away or something.

Rich Williams stated 30 mile an hour winds...

Mr. Orgoch stated sure, I had a question, just to find out and who I would address to find out about getting a speed bump or two put in on the right of way...

Chairman Rogan stated oh.

Mr. Orgoch stated because they're dodging through...

Ms. Orgoch stated the trucks fly through there.

Mr. Orgoch stated and we almost got hit a couple of times just stepping out from the area so and my other inquiring was the Thunder Ridge sign that has the glass missing, there are a couple pieces of sheet metal addressed, hanging in there ready to come down, I don't want to see anybody get hurt. I don't want to go over to Mr. Conklin and mention it to him because you know they had stopped different things and they have different issues going on with that and I'm not really concerned with their business...

Chairman Rogan stated smart.

Board Member McNulty stated maybe then should the landlord take that up or is the right of way...

Rich Williams stated the issue with the speed bump, that strip of property that goes through, we all call it a right of way but it's a private piece of property on which Alpine or the property in question has an easement for access so it would be between the two property owners coming back into the Planning Board for, you know...

Mr. Orgoch stated to discuss it.

Rich Williams stated whatever site plan approval but Thunder Ridge or the owners of Thunder Ridge, would need to be agreeable to do that and with the current litigation going on, I don't know how well that's going to work out.

Mr. Orgoch stated okay, oh yeah.

Rich Williams stated the other issue with the sign you can bring up with the Code Enforcement Officer.

Ms. Orgoch stated I brought it to Code Enforcement when I came in here to drop off the application, I went right into Code Enforcement and mentioned my concern with the sign and the fact that A. it's an eyesore

and two, the you know, that metal piece hanging out, I brought it to their attention a month and they were like we'll send somebody out there to look at it and...

Rich Williams stated I would remind them, give them a short period of time and if you still don't get satisfied...

Mr. Orgoch stated I mean, I can mention it to Mr. Conklin, because I see him all the time, he comes over to mow the lawn.

Ms. Orgoch stated no, we mentioned it to the Board.

Rich Williams stated they're, Nick's boss is the Town Board.

Mr. Orgoch stated okay because I have to address the Ryder Brothers, eventually with the lot that they haven't been able to park in this year and now they're shuttling people to the bank over here, so I want to see if I can address them for them to reuse that lot again this year and talk to them about what's going on with the driveway issue because the owner left it up to me, you know you can do whatever want to do, if you want to let them park there, that's up to you.

Board Member McNulty stated anything you can settle direct, is always easier than getting the Town involved.

Mr. Orgoch stated yeah that's what I'm trying, I know they're in court for a long time with that so...

Ms. Orgoch stated do we have to come to you guys to figure that out, if we're able to talk about it with them.

Board Member McNulty stated there's not much we can do about it, so...

Mr. Orgoch stated I can deal with that, its not an issue for us.

Board Member McNulty stated okay, I have one question about the poles themselves...

Mr. Orgoch stated excuse me.

Board Member McNulty stated the poles themselves...

Mr. Orgoch stated yeah.

Board Member McNulty stated are they going to be painted or restored...

Mr. Orgoch stated I'll let Amanda tell you.

Ms. Orgoch stated we're going to take all that rust off and all that like peeled paint, we're going to paint them yellow because it will just kind of go with the color in the sign because it's all black, white, and yellow so we're going to paint the signs yellow.

Board Member McNulty stated what color yellow.

Ms. Orgoch stated like the yellow that's on there, like the color yellow that would see in the center of the road.

Chairman Rogan stated it's going to be like DOT yellow.

The Secretary stated yellow.

Ms. Orgoch stated yeah, I'm kind of going with the whole, I'm going with the whole like road, like the whole road theme, considering it's the Route 22 Wings & Things, it's all black, white, and that color yellow as if it were the double yellow lines in the road.

Rich Williams stated just not fluorescent yellow.

Chairman Rogan stated not high vis...

Ms. Orgoch stated yeah, not fluorescent, just like the regular double yellow line yellow.

Board Member McNulty stated something subtle.

Board Member Brady stated something soft.

Board Member McNulty stated yeah.

Ms. Orgoch stated softer than that, you think, softer than the yellow line.

Mr. Orgoch stated like a cream or something like that.

Chairman Rogan stated well the intent here is with your black and white road, you're looking for all those road type colors, just, I think just stay away from the high vis, the high vis is a totally, that's like a chartreuse, that's different but the yellow on the yellow lines on the road is not a high vis, that's just a standard...

Mr. Orgoch stated low, it's a lower .

Ms. Orgoch stated it's s standard thing, so that's okay, yellow.

Board Member McNulty stated just not like taxi yellow or anything.

Mr. Orgoch stated not taxi yellow.

Chairman Rogan stated that's the wonderful thing about paint, you can change it.

Ms. Orgoch stated change it.

Chairman Rogan stated alright, so to wrap this up, I think what we've discussed, let me try to capture it, would be an approval for an 8' by 8' pole mounted sign not to exceed 14' because that would bring it 6' off the ground, down that sound about right.

Rich Williams stated sounds about right.

Chairman Rogan stated okay, 14' also allowing the banner, it says 3' by 6', you actually said a different measurement for the banner.

Mr. Orgoch stated well she's putting all of that on there, I wasn't actually putting all of that on there but, it's probably going to be within the 8' or 6' long...

Ms. Orgoch stated this is the banner.

Mr. Orgoch stated I know, the banner, just a temporary sign and to see what they have available as far as 3' maybe by 8', something in that perspective...

Chairman Rogan stated 3' by 8'.

Mr. Orgoch stated kind of eyeing it out and shrink it a little bit, I'm not exactly sure I can confirm exactly what it's going to be until we talk with them I guess.

Chairman Rogan stated well we can approve a, up to 3' by 8' banner...

Mr. Orgoch stated 3' by 8' you can approve.

Ms. Orgoch stated they're going to compose what's here right now, we're not changing it, we're not changing it, what's there is there, I already talked to everybody.

Mr. Orgoch stated oh okay.

Chairman Rogan stated she has 3' by 6' here, we're going to bump it a little bit.

Mr. Orgoch stated okay, I'm not sure what she, she's the boss though.

Ted Kozlowski stated just do it to no exceed.

Chairman Rogan stated yup, exactly.

Mr. Orgoch stated I'm leaving it all up to her, we did it for her, so.

Ms. Orgoch stated that's the first time he said it.

Mr. Orgoch stated I'm opening the place for her, so, I'm opening the place for her, I'm just fixing it up.

Rich Williams stated we've got it taped, it's going to be in the minutes.

Ms. Orgoch stated it's on recording that you called me the boss.

Chairman Rogan stated that's right, you're going to want a copy of that.

Ms. Orgoch stated I do.

Board Member McNulty stated it will be online.

Board Member Brady stated that's alright where we're moving our meetings to.

Chairman Rogan stated okay, let's try this, in the matter of Route 22 Wings & Things, I make a motion in the subject of the sign applications, the Planning Board grants a negative determination of SEQRA. Can I have a second.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated and I make a motion to approve the pole mounted sign as submitted on the revised sketch, not exceed 8' by 8' in size, a height no more than 14' with pole mounted, lower pole mounted, shielded lighting that will not create a hazard or off sign, off area...

Rich Williams stated splash.

Chairman Rogan stated splash, thank you.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated and also approve a temporary banner, not to exceed 3' by 8' in size with the general idea that it's going to say Coming Soon, Route 22 Wings & Things Bar and Grill, for a time frame of, let's say of actually 60 days, now that I'm thinking about the time it takes but the sign will come down as soon as the permanent sign is mounted.

Board Member Taylor stated the banner.

Chairman Rogan stated the banner, thank you. The temporary banner will be removed as soon as the permanent sign is in place.

Board Member McNulty seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated okay, we wish you the best of luck.

Mr. Orgoch stated thank you very much.

Chairman Rogan stated okay.

Board Member McNulty stated yeah, good luck.

Ms. Orgoch stated thank you.

Chairman Rogan stated are you working on all your other approvals.

Ms. Orgoch stated they're coming along.

Mr. Orgoch stated yeah, everything is done as far as the kitchen and all, just waiting on the alarm system to come in now, sound system is coming in Friday...

Chairman Rogan stated good.

Ms. Orgoch stated they should let those liquor licenses be a local thing too.

Mr. Orgoch stated and the alarm system is coming to do updates because they had a couple of issues there that they had violations for and the boxes were blown out but...

Chairman Rogan stated yeah.

Mr. Orgoch stated but everything will be in working order so its safe for people basically.

Chairman Rogan stated you doing a lot of work to that kitchen to clean it up.

Ms. Orgoch stated oh yeah.

Mr. Orgoch stated we basically renovated the whole kitchen.

Board Member McNulty stated kitchen needed work, that needed work.

Ms. Orgoch stated oh yeah, everything is painted, walls were torn down.

Mr. Orgoch stated yeah the whole kitchen.

Chairman Rogan stated are you working with someone from Health [Department].

Ms. Orgoch stated yeah, I think he was working with somebody from Health Department, did you have somebody coming in.

Mr. Orgoch stated yeah, I put in a phone call for them, I didn't bring them in yet.

Chairman Rogan stated okay but they know what you're doing.

Ms. Orgoch stated we're getting the kitchen in order first before we brought them in.

Mr. Orgoch stated I don't want to bring them into a place that looked like crap kind of thing...

Chairman Rogan stated don't go too far.

Ms. Orgoch stated don't go too far.

Chairman Rogan stated no, talk to you...

Mr. Orgoch stated you know because it sat for a while and there was a lot of moisture around, so we ripped out a lot of ceiling, put a lot of ceiling back in...

Chairman Rogan stated oh that's just cosmetic.

Ms. Orgoch stated yes.

Mr. Orgoch stated yes.

Ms. Orgoch stated we just like took off the molded walls and pulled everything out and cleaned everything.

Mr. Orgoch stated it was surface on like wall paper and flooring is really what happened there is a lot of moisture.

Chairman Rogan stated alright, best of luck to you.

Mr. Orgoch stated so I don't think we'll have an issue. Thank you very much gentlemen, have a good evening.

Board Member McNulty stated good luck, you too.

Ms. Orgoch stated thank you guys.

Mr. Orgoch stated hopefully we'll see you in the future

Chairman Rogan stated absolutely.

Board Member McNulty stated forward to two.

Chairman Rogan stated can someone, Ted can you grab Mike and Linda.

Rich Williams stated you want to get rid of the sign before that.

Chairman Rogan stated yeah, we absolutely can, alright.

### **3) POST 22 RESTAURANT – Sign Application**

Mr. Luis Morocho was present.

Chairman Rogan stated alright, Post 22 Restaurant, sir.

Mr. Morocho stated that's me.

Chairman Rogan stated yeah, you, we have your application, we've had a lot of signs up at this place over the last few years, we hope you're going to stay and do a good business. Okay, Rich you had outlined that the lighting and the landscaping is already in place.

Rich Williams stated yup and I have photos if anybody wants to see them, the only issue is and I spoke with the owner today about the pole mounted light...

Board Member Montesano stated (*Inaudible - mumbling.*)

Rich Williams stated and I will talk to Nick in the morning so he can talk to the owner Jay Maxwell, that pole mounted light still needs to come down...

Chairman Rogan stated pole mounted light.

Rich Williams stated but the flood lights around the base, the landscaping is in there...

Chairman Rogan stated great.

Rich Williams stated everything is fine, no issues with the sign, it meets our code requirements.

Chairman Rogan stated wow, it's nice when you come in with what meets, it's very easy to get approved.

Board Member McNulty stated it's a good looking sign.

Mr. Morocho stated thank you, so I can put a little higher, like 10' higher...

Chairman Rogan stated 10' higher.

Mr. Morocho stated like a little more higher make is 2' up.

Rich Williams stated 2' above the existing 4' by 4's.

Chairman Rogan stated that would probably be center of the...

Rich Williams stated would bring it up to probably about 7'.

Mr. Morocho stated 7'.

Board Member McNulty stated yeah, its low now.

Rich Williams stated would you agree.

Chairman Rogan stated yeah.

Mr. Morocho stated 8', 7' would be...

Rich Williams stated 8'.

Chairman Rogan stated 8' okay...

Ted Kozlowski stated boy, you have 2 restaurants name Post 22 and Route 22...

Chairman Rogan stated anybody have any issues with the sign.

Ted Kozlowski stated that could be confusing.

Board Member Montesano stated looks nice.

Chairman Rogan stated okay, move in the matter of Post 22 Restaurant, Planning Board grants a negative determination of significance for SEQRA.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated and move that the Planning Board grants a sign permit for Post 22 to allow the 72” by 36” sign with the inclusion of the 9” by 72” sign as submitted with the colors also submitted in the application, not to exceed 8’ in height...

Board Member Montesano stated second.

Chairman Rogan stated and, let me just add in and to maintain the existing light shields and vegetative screening and remove the large pole mounted flood light that has to be done.

Board Member Montesano stated now I’ll second.

Chairman Rogan stated thank you.

Chairman Rogan asked for all in favor. The motion carried by a vote a 5 to 0.

Chairman Rogan stated you’re all set. Thank you.

Mr. Morocho stated thank you very much.

Board Member McNulty stated good luck.

Chairman Rogan stated best of luck to you.

Mr. Morocho stated do we have to come back to take the pole out or not.

Chairman Rogan stated you don’t have to come back to take the pole out, no.

Mr. Morocho stated thank you very much, thank you.

Ted Kozlowski stated good luck.

Mr. Morocho stated thank you.

Rich Williams stated we need your signature.

## 2) MICHAEL GRIFFIN – Wetlands Watercourse Permit Application

Mr. & Mrs. Michael Griffin were present.

Mr. Griffin stated moved around with Mr. Rodriguez.

Chairman Rogan stated want me to do this one or...

Rich Williams stated no glasses, wherever you can see.

Chairman Rogan stated below, Signature of Responsible Officer in Lead Agency.

Rich Williams stated that would be you.

Chairman Rogan stated that's scary.

Board Member Montesano stated you need a good carpenter to do this.

Mrs. Griffin stated no, no, I know one.

Chairman Rogan stated half the time, I'm so trusting.

Rich Williams stated you have to sign it.

Board Member McNulty stated he's radar.

*(Inaudible – too many speaking at one time).*

Chairman Rogan stated okay. There you go, here's one.

The Secretary stated you can have as many as you want Tommy; we have millions and millions of boxes of paperclips.

Chairman Rogan stated okay, next item we have a wetlands/watercourse permit application for Griffin 2665 Route 22.

Rich Williams stated oh wait, just so you know, that address is wrong. You're correct address sir.

Mr. Griffin stated 4198 Old Route 22.

The Secretary stated oh, I'm sorry.

Board Member McNulty stated that's what it says.

Ted Kozlowski stated oh it's that address.

Chairman Rogan stated if we could have you revise your application and come back next month.

Board Member Montesano stated oh see.

Board Member Taylor stated the application is fine.

Ted Kozlowski stated I have to withdraw my recommendation.

Board Member Montesano stated you better change this...

Rich Williams stated what's your address.

Board Member McNulty stated 2665.

The Secretary stated I change it, I changed the whole thing, I mean...

Mr. Griffin stated well look at that.

Rich Williams stated what's your address.

Board Member McNulty stated on 22.

Rich Williams stated yeah.

Board Member McNulty stated 2665 Route 22.

The Secretary stated I don't know what I was doing. I obviously got my wires crossed.

Rich Williams stated cut and paste.

The Secretary stated I didn't cut and paste anything.

Rich Williams stated really.

The Secretary stated yeah really.

Chairman Rogan stated so this is an application to install a deck attached the house that goes out towards the pond, basically.

Ted Kozlowski stated it's in a landscaped lawn area, it's...

Chairman Rogan stated disturbed area, okay, we have a recommendation...

Ted Kozlowski stated it's not an issue with a wetland.

Chairman Rogan stated we have a recommendation from the ECI that this is a minor application, waiving functional or recommendation to waive functional analysis, given that recommendation, Rich, we are also in the position to waive the public hearing, given the nature of the application.

Rich Williams stated the Code does allow you to waive the public hearing upon recommendation of the ECI.

Chairman Rogan stated you also say...

Ted Kozlowski stated I recommend it, it's a deck, it's not...

Chairman Rogan stated okay.

Board Member Montesano stated but do you need a permit if you're going to minor.

Rich Williams stated you still need a permit.

Chairman Rogan stated of course, alright, let's start with a motion to waive the public hearing as recommended by the ECI.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated and so if it's a minor...

Rich Williams stated SEQRA.

Chairman Rogan stated I was just going to ask SEQRA, does anybody want to do this rec, this motion.

Board Member McNulty stated I'll make a motion in the application, the wetlands application for Michael Griffin at 4198 Old Route 22, declare a negative determination for SEQRA.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated and on the wetlands permit for the deck.

Board Member McNulty stated I make a motion to approve the wetlands permit for Michael Griffin at 4198 Old Route 22...

Chairman Rogan stated 600 square foot, oh I'm sorry, that's not the size of the deck, how big is your deck.

Mr. Griffin stated you'll have to stop on your way home.

Board Member McNulty stated as designed, as proposed in the layout attached the application.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated so what is this 46' by, I think you should make it bigger.

Board Member Montesano stated we got the 42' would have been alright but 98 seems to be a problem for certain people.

Ted Kozlowski stated are you going start right away.

Chairman Rogan stated can you, when this is done can you have the grandkids hold the bobber and the worm out and go straight into the water because that would really be you know.

Mr. Griffin stated yeah, pretty much.

Chairman Rogan stated you know, let's face it, you keep them in a...

Mr. Griffin stated but it will only be about that much water at that point.

Board Member Brady stated that's easy part.

Chairman Rogan stated so there are small fish.

Mrs. Griffin stated no, they're big fish actually.

Mr. Griffin stated but you've got to get a little further out in the water though to catch those fish.

Board Member McNulty stated the deep water.

Chairman Rogan stated right.

Board Member Montesano stated no, no, no, you've got to get the Koi out of the diner.

Chairman Rogan stated no but that might be a lot of fun, where you can keep the kids in a safe spot, you don't have to worry about them falling in the water, they're not going to up and over and you can cast for them and sit back and have a margarita.

Mr. Griffin stated I was thinking of using them for chum, putting something in the water.

Board Member Brady stated yeah, there you go. The problem is the kids love falling in the water, that's the best part about fishing for little kids.

Chairman Rogan stated right, alrighty and lastly...

The Secretary stated here Chairman, there is one of these and there is also this too Tom.

Board Member McNulty stated what is this.

Mr. Griffin stated we're done.

Mrs. Griffin stated we're done.

Mr. Griffin stated we're all good.

Chairman Rogan stated all good.

Mr. Griffin stated thank you gentlemen. I'm going to have to send my compliments to the Town Board for what a great job of appointments they've done.

Chairman Rogan stated fantastic, thank you.

Mr. Griffin stated with the Planning Board.

Board Member McNulty stated good luck, hope you get it done this summer.

Mrs. Griffin stated thank you.

Chairman Rogan stated have a good evening.

Mr. Griffin stated we'll work on it...

The Secretary stated bye.

Mr. Griffin stated I'm hopefully going fishing in Canada for a little while in June, when I get back I'll have all you guys over for a work party.

Chairman Rogan stated Ron, we don't have to dig any holes, I understand you have a machine that does that now, so...

Mr. Griffin stated yeah.

Board Member Brady stated I heard it's a nice small one.

Mr. Griffin stated yes it is, it fits right in front of the house, that's why we bought it.

Chairman Rogan stated take care.

Ted Kozlowski stated take care guys.

Mrs. Griffin stated thank you.

Mr. Griffin stated if I accidentally put it in the pond, do I need a permit for that.

Ted Kozlowski stated I don't, I didn't hear that.

Mr. Griffin stated thank you.

#### **4) ZEGARELLI'S RESTAURANT – Revised Parking**

Board Member McNulty stated this isn't on the agenda, right, oh it is.

Chairman Rogan stated this is a copy of the resolution that we did for the Zegarelli's site plan.

Rich Williams stated yeah, so way back, I think it was in March, Angelo Zegarelli came in...

Chairman Rogan stated 3 months ago.

Rich Williams stated for site plan approval for his proposed restaurant, at the time of the meeting the plans that he had submitted according to Mr. Zegarelli's, did not reflect the 7 or 8 parking spaces that he was planning on installing on the site street, correct. So, you know we wanted to see where they were, they were approved, they were part of the resolution and part of the resolution that you approved recognized that he couldn't meet his full burden of providing parking for the site, as per out Code and reduced but reduced it down to a level, taking in the consideration of those 6 or 7 parking spaces, additional parking spaces that he could provide. When we got the plan in here, we realized that those parking spaces are all in the Town right of way.

Board Member Brady stated oops.

Rich Williams stated and so Mr. Zegarelli's cannot take credit for those parking spaces because at some time the Town may need to come in and make road improvements and eliminate those parking spaces, so...

Board Member McNulty stated if he converts it over to a parallel parking style, is he still in the right of way.

Rich Williams stated yeah, there is nothing he's going to do that isn't in the Town right of way on that side.

Chairman Rogan stated alright, that's the side with the stone steps.

Rich Williams stated the easier solution to this and I, it would be my recommendation that you reduce the parking down to 27 spaces because this was all done in the original resolution, we need to adopt and amended resolution to reduce the parking down to 27 spaces.

Chairman Rogan stated now the reality of it, it doesn't actually reduce the spaces that are available, it only reduces the spaces on the approved site plan...

Rich Williams stated correct.

Chairman Rogan stated or the amended site plan.

Rich Williams stated right.

Chairman Rogan stated it's similar to applications we've had where there have been off property improvements that help the site but that we're not, we're obviously in no position to approve because it's not on the property that is part of the application. I mean, I think, it doesn't, at this point in time it doesn't change the intent of what we had approved, it's just the legal count for parking. What we, Rich should we do something though that acknowledges the, well I guess if there's a change of use at the site, they have to come back in anyway, a reevaluation so, you know.

Rich Williams stated you and I had had the conversation about that if there becomes a problem with the parking out there, Mr. Zegarelli would be required to come in and show additional parking on his property, in the rear.

Chairman Rogan stated right.

Rich Williams stated now, we don't know where the septic is in the back...

Chairman Rogan stated right.

Rich Williams stated we don't know that that could happen.

Board Member McNulty stated are these spaces added in since the original plan submitted to us.

Rich Williams stated no, they were on the original plan.

Board Member McNulty stated they were.

Chairman Rogan stated I guess the only other question relating to parking would be, does the Core Enforcement Officer tie the safe occupancy of the building to the available parking.

Rich Williams stated no, we used to.

Chairman Rogan stated okay.

Rich Williams stated we used to relate the parking demand of a restaurant site based on the number of seats, that problematic and really doesn't reflect the full intensity of the use of the restaurant.

Chairman Rogan stated sure.

Rich Williams stated so when I revised the Code, I took that requirement out, we now base it on square footage of the building.

Chairman Rogan stated okay, exits and that whole kind of thing.

Rich Williams stated right.

Chairman Rogan stated right.

Board Member Brady stated so the right of way is on Fairpoint or is it on Fairfield.

Rich Williams stated New Fairfield is the main road in front of the building, Fairport Road is the side street.

The Secretary stated Fairfield, not New Fairfield.

Board Member McNulty stated that's the discrepancy, on that side.

Rich Williams stated yes, Fairfield Drive.

Board Member Brady stated this side, Fairport.

Chairman Rogan stated Fairport, too many fair's right on the...

Rich Williams stated Fairfield, I stand corrected, Fairfield is the main drag.

Chairman Rogan stated but the issue has come up with, yeah, okay, alright, so everybody comfortable with this...

Board Member Taylor stated is he expanding this business.

Rich Williams stated he has outdoor seating.

Board Member Taylor stated but essentially it's...

Rich Williams stated it's the same building that's been there forever.

Board Member Taylor stated forever, so we're not talking about.

Rich Williams stated and actually he has formalized the parking and when I went out there, one of the

things I missed, in the design of the parking lot, it's a gravel parking, that's often problematic about people really knowing where the spaces are and how to park, so I recommended to him that he put in concrete wheel stops, which he has now done so all the parking is now defined by concrete wheel stops.

Board Member McNulty stated in the future I've seen on gravel lots where they've taken a PVC trim board like Trex or something similar, in a 2' by 4' manner, now it's trouble when you have to plow but I have seen that to outline parking in gravel lots too, paint it white or grey.

Rich Williams stated trouble when to plow.

Board Member McNulty stated well you have to embed them.

Chairman Rogan stated you know the other way to do it.

Board Member Brady stated one of these spaces is a handicap space, is gravel...

Board Member McNulty stated what's that Shawn.

Board Member Brady stated one of his handicap spaces is gravel or is it just, see this has got a handicap insignia.

Rich Williams stated yeah, I believe he was going to pave out there because it has to be a hard surface.

Board Member Brady stated yeah, I would think, yeah.

Chairman Rogan stated yeah. Okay, anything else.

Board Member McNulty stated should that be part of this resolution or is just the reduced parking.

Rich Williams stated he has to do that to meet Building Code, so.

Board Member McNulty stated okay.

Chairman Rogan stated okay, in the matter of Zegarelli's, Angelo Zegarelli's site plan, I make a motion the Planning Board grants an amended site plan to reduce the parking to 27 spaces provided on his property.

Rich Williams stated all you have to do is adopt the resolution because that's a condition of the resolution.

Chairman Rogan stated and make a motion to approve the amended resolution as prepared by the Planning office.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

Chairman Rogan stated I thought you gave us this for background; I thought this was the previous one.

Rich Williams stated no, sorry.

Chairman Rogan stated I thought there was something in here we were referring to.

Rich Williams stated we never got, I never explained it.

Chairman Rogan stated I didn't realize it was.

**6) MINUTES**

Chairman Rogan stated we have some minutes to review, we got them e-mailed and I haven't had a chance to go through them.

Board Member Taylor stated they were fine, I read them.

Chairman Rogan stated you did, then I completely trust that, how about everybody else.

Board Member McNulty stated I'm recused.

Board Member Montesano stated no problem.

Chairman Rogan stated you are, okay. Motion on the April 25<sup>th</sup> and May 2<sup>nd</sup> minutes to approve.

Board Member Montesano seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 4 to 0.

Chairman Rogan stated anybody...

Board Member McNulty stated I abstain.

Chairman Rogan stated abstain, okay, great.

**Sign Code Discussion**

Board Member McNulty stated and I just had a question, Rich, signs, do we need to discuss that, you sent that email out a couple of weeks ago, is that done.

Rich Williams stated is it done.

Board Member McNulty stated no, you were going, I think it was a recommendation to the Town Board.

Rich Williams stated I submitted it to the Town Board, I also submitted it to the Planning Board at the same time because it is a zoning amendment and typically they get referred by the Town Board back to the Planning Board for a recommendation. The Town Board has not weighed in on it as of yet, they have not made any recommendation or they have not submitted it back to the Planning Board but you are free to discuss it if you want.

Board Member Taylor stated yeah, let's discuss it a little bit, I had a question, you combined some of the categories.

Rich Williams stated yeah.

Board Member Taylor stated you combined political signs in with other signs and therefore extended the period of which political signs can be up, it goes from 30 days to 45 days.

Rich Williams stated yup.

Board Member Taylor stated do we want political signs up for 45 days, it's bad enough 30 days.

Ted Kozlowski stated some people have them up year round.

Board Member Brady stated yeah.

Rich Williams stated well actually I'm not going to talk to you about political signs and I'll tell you why. The problem with having a political sign ordinance is all sign ordinances must be content neutral and you can't actually talk about political signs, you can lump them into a category of size, location, whatever but you can't talk about the message...

Board Member McNulty stated specify, can't pick them out.

Board Member Taylor stated okay.

Rich Williams stated so in lumping them in and then trying to come up with reasonable timeframes for event signs, tag sale signs, estate sale signs, yes the time frame did get extending in which they can up but there are other requirements such as you know, the requirement of having phone numbers on the signs...

Board Member McNulty stated which brings my, I had a question.

Rich Williams stated whereas if you don't have the phone number on the sign, then the sign is considered litter and it's coming down.

Chairman Rogan stated Mike, not that it's our issue but isn't, aren't the political signs regulated or governed by the State of New York in terms of when they can go up and when they must come down.

Board Member Montesano stated theoretically.

Rich Williams stated no, theoretically, not, they're not.

Chairman Rogan stated okay, no I mean, actually whether or not it's enforced.

Board Member Montesano stated the paperwork, no, there's paperwork that says you're supposed to be, this is all, what should I say, verbal agreements that have never been because theoretically you can do like any other sign, you can mount it on something moveable, and/or a vehicle.

Chairman Rogan stated yeah.

Board Member Montesano stated the vehicle's got to be able to be moving or move, not something that's been laying the yard for 40 years and the sign is on it.

Chairman Rogan stated yeah.

Board Member Montesano stated but no politician in all honesty is ever going to allow you or anyone else to prohibit their signs. If you look at all these phone calls that you can get stopped, you cannot bother with a political call.

Chairman Rogan stated oh, Do Not Call Registry doesn't work for those.

Board Member Montesano stated no.

Board Member Brady stated I'll tell you, there's places, there's municipalities in Westchester you can't put political signs up, cannot put them up.

Chairman Rogan stated well that, yeah...

Rich Williams stated Shawn, I'm going to tell you and the rest of the Board that you cannot regulate based on content.

Chairman Rogan stated right.

Rich Williams stated but if political signs fall into a category of signs you regulate, you could regulate them, the State doesn't have any regulations, the State allows Towns under zoning to regulate...

Board Member Brady stated so we can allow no signs to go up between October and November.

Board Member Montesano stated and no mail and no phone calls.

Rich Williams stated if you want to do that, you can do that.

Board Member McNulty stated I understand the intent of the law is to keep the litter down and the sign pollution.

Board Member Montesano stated yeah.

Board Member McNulty stated but I had an issue with the phone number, I think it's a pretty broad assumption that everybody's got a phone number and it's a broad assumption that everybody's got a phone number that's not private and that doesn't make the law fair. A guy has an un-posted number, a policeman or something, he shouldn't have to post his number, now he doesn't have to, it becomes litter, I understand what happens but you make it law, it's not fair to everyone.

Chairman Rogan stated so obviously the intent is to have somebody to track down when the signs are, you know.

Rich Williams stated yeah, I mean we went two ways on this Tommy...

The Secretary stated campaign headquarters.

Rich Williams stated we made things a lot easier for a lot of people, right now...

Board Member McNulty stated I understand, I read through it and I understand what it's for...

Rich Williams stated right now, all these signs that are out there that are for events, they are not legal under our code, we should be taking every one of them down and that's not fair either, so we tried to make it more liberal on the one end but we do need to identify somebody. Now, the other way to do is the way the Town of Southeast does it, is all these signs that are going up, you go to their building department, you pay a fee, you register the signs, you register the location and the building department has all that information. We can do that but nobody wanted to increase the workload of the building department or make people have to come in and get a permit for every one of these little signs.

Board Member McNulty stated I understand, they don't have to get a permit but once they don't get a permit, it's litter. They don't have any argument for the Town to remove the sign...

Rich Williams stated that's right.

Board Member McNulty stated so what I'm saying is just to be fair, if you get two people that might not have a phone number, it's not fair that they post a sign and that law is against them but if you say you can come in and put your address down on a piece of paper and file it with the Town, then you're legal to have it.

Ted Kozlowski stated Tommy, seriously do you know anybody that doesn't have a phone number, especially if they're advertising something.

Board Member McNulty stated it doesn't matter if I don't know, if that one person steps up.

Ted Kozlowski stated but who would advertise something if they don't have a phone number.

Rich Williams stated Tommy, if they don't, Tommy, if we run into somebody who has this problem...

Board Member McNulty stated I'm just trying to be fair.

Rich Williams stated alright, you tell them to call me up and I'll work something out with them special.

Board Member McNulty stated but it might be too late after their sign is taken down.

Rich Williams stated it was a little funny, he didn't get it.

Board Member Taylor stated I don't understand, what kind of sign are you talking about.

Board Member McNulty stated well he's saying that the signs require a phone number on them.

Board Member Taylor stated I understand that but what sign are you talking about where somebody wouldn't put their phone number on it, what kind of sign...

Ted Kozlowski stated yeah.

Chairman Rogan stated like what would a sign potentially say, make up something that you would...

Board Member McNulty stated tag sale...

Board Member Brady stated tag sale wouldn't have a phone number on it.

Chairman Rogan stated so tag sale 3 Main Street.

Board Member McNulty stated may it's Deputy so and so, and he has an unpublished number, he doesn't want it published.

The Secretary stated yeah but that's going to have his address on it Tommy, so.

Board Member McNulty stated it doesn't have his address, it doesn't have his name...

Board Member Montesano stated but if I'm coming to the tag sale.

Board Member McNulty stated you take somebody's phone number.

Chairman Rogan stated put 555-1212.

The Secretary stated Tommy, when you put up a sign for a tag sale, people need to know to where to go.

Rich Williams stated Tommy, the phone number has to be this big.

Board Member McNulty stated I understand.

Rich Williams stated just so we can pull the sign and read it.

Board Member McNulty stated I'm saying it's not...

Chairman Rogan stated so you're saying in lieu of that.

Board Member McNulty stated maybe the guy can come in and file it with you, he knows his number is confidential with you or his address, he doesn't have to post it on the sign.

The Secretary stated his phone number isn't confidential with me.

Ted Kozlowski stated we should have a law...

Board Member Brady stated but I think your...

Ted Kozlowski stated we should have a law, everybody should have a phone.

Board Member McNulty stated I'm saying if you're going to make a law, make it fair to everyone.

The Secretary stated Tommy.

Board Member Brady stated if you...

Board Member Montesano stated are smoke signals okay.

The Secretary stated his phone number isn't confidential with me, it's all FOIL-able.

Board Member Brady stated people with tag sales that throw their signs out there, you're making them come in and file permits and so on and so forth, file a document with the Town, nobody is going to do that...

Board Member McNulty stated yeah but that's a long stretch rather than every kid driving by.

The Secretary stated everything here is public information.

Board Member McNulty stated maybe we don't have the phone, the requirement.

Board Member Montesano stated including the offices phone number and address.

Board Member McNulty stated put a time limit, x amount of days for a temporary sign and then it's garbage.

Rich Williams stated we have that.

Board Member McNulty stated why isn't that good enough.

Chairman Rogan stated because nobody takes them down.

Rich Williams stated it's not good enough because we want to know the responsible party who is putting the signs up and who is responsible to take them down. The easiest way to do that is to identify them with a phone number.

Board Member McNulty stated I'm just saying it's not fair to everyone though.

Board Member Montesano stated why not.

Chairman Rogan stated we and you know, Tommy...

Ted Kozlowski stated well then let's just wait until somebody comes out and says something because I don't know.

Rich Williams stated and Tommy you concerned about the phone number, you want to keep your phone number hidden, you come in here and file an application because you want to put signs up, I know you put signs up, I can come in a FOIL your phone number.

Board Member McNulty stated then we don't require it, then it's unfair, don't require a phone number, I'm just looking to be fair to everyone.

Board Member Brady stated but you require a phone number on an application that you get for a building permit.

The Secretary stated any application for the Town.

Board Member Brady stated or anything like that.

Board Member McNulty stated yeah but it's not to advertise a tag sale in your yard.

Board Member Brady stated but it's FOIL-able, I mean it's anybody can...

Board Member Montesano stated then advertise it in your neighbor's yard.

Board Member Brady stated see I like the idea of a phone number on there because I like being able to call and get this stuff out of there, right. I hate seeing that stuff all over the place.

Board Member McNulty stated just bringing up a point. That's my feeling, it creates a grey area.

Chairman Rogan stated yeah, it goes back to the, what's the intent, the intent is we want people to take their frigging signs down after and the Town of Carmel...

Board Member McNulty stated I understand the intent and I'm all about sign pollution...

Chairman Rogan stated the Town of Carmel for years were really doing a hard number on the signs, I saw the guy out there with a pick-up truck, anything that they deemed an illegal sign (*whistles*) political signs, everything.

Board Member McNulty stated I see it in Southeast too, I'm sure we do it here.

Board Member Montesano stated we used to have a state employee...

Rich Williams stated no enough.

Board Member Montesano stated that was in charge of this area...

Chairman Rogan stated yup.

Board Member Montesano stated and his favorite thing was go around and pick up signs, every sign.

Chairman Rogan stated that falls short because I think that the people putting the signs up, tacking them to the telephone poles...

Board Member Montesano stated all illegal.

The Secretary stated you're not allowed to do that anyway.

Chairman Rogan stated I think that they should, there should be some financial, you're not allowed to and I think the problem is nobody enforces, there's nothing that says okay you're going to get a \$50 fine for a sign tacked up.

Board Member Montesano stated the only way the phone company ever enforces is if somebody got hurt.

Board Member McNulty stated no I understand the intent, I was just looking at it to be fair.

Chairman Rogan stated no and I don't disagree with you, I'm just trying to think of a way to make it work.

Board Member McNulty stated also I had a question, it can't be tacked to a tree, does that include a tree in the yard of the person having it.

Rich Williams stated yeah.

Board Member McNulty stated they can't nail something into their own tree, it's their tree.

Ted Kozlowski stated it damages the tree, it's detrimental to the tree, absolutely.

Board Member Montesano stated then put up a stick.

Board Member McNulty stated but it's their tree, they can take a chainsaw and cut it down.

Ted Kozlowski stated you know what, then that...

Board Member Montesano stated no they can't, don't they have to have a permit, permission to take it down, should we go on.

Ted Kozlowski stated metal and trees is not the right thing Tom, it's not the right thing.

Board Member McNulty stated I'm saying...

Board Member Montesano stated trying to give it it's iron to help it grown.

Board Member McNulty stated you have a home and my tree.

Ted Kozlowski stated put it on a post.

Board Member Brady stated he's going to use special nails.

Ted Kozlowski stated okay.

Board Member McNulty stated I just think we're overboard.

Chairman Rogan stated I think we have to figure out a way to make the laws work so that the stuff, so that we're not creating rules just to, we're not creating common sense for people but unfortunately we always fall into that realm of keeping people accountable.

Ted Kozlowski stated and Tommy, I think and I think that argument really, I mean most people have phones Tom and that's really not...

Board Member McNulty stated but not everybody has a published number.

Ted Kozlowski stated and that's really not, but Tom that's really not a big issue.

Board Member McNulty stated I think it could be for that one person that has the unpublished number, it's not a big issue for you.

Ted Kozlowski stated I don't think it's a big issue.

Chairman Rogan stated you have to make a number up, nobody's saying...

Board Member McNulty stated that was my thought too but I wasn't going to say that.

Chairman Rogan stated oh there was too many people speaking at once.

Board Member Montesano stated they'll hire an attorney and the attorney will come up with a loop hole.

Rich Williams stated Tommy it's not...

Board Member McNulty stated I just wanted to make my statement, I'm on record.

Rich Williams stated that's fine, if somebody, if we have this as the law I'm sure us trying to be reasonable and just seek compliance, if somebody comes in and says...

Board Member Montesano stated I got it, I got it.

Rich Williams stated I don't have a phone but I want to have a tag sale at my \$200,000, \$300,000 home that I own but I don't have a phone, we will make some accommodation for them.

Board Member McNulty stated okay, I'm not saying we wouldn't...

Board Member Montesano stated can we do this.

Board Member McNulty stated I just, to put it in black and white, could not be fair.

Board Member Montesano stated I want to accommodate them, each sign has to have a tin can with a piece of string.

Board Member Brady stated well I think the idea of it is to just be able to clean it up.

Board Member McNulty stated that's , I understand that and I'm all for that.

Chairman Rogan stated that's right.

Board Member Brady stated because I mean it's just like, you know, I, we were talking earlier, the school board elections and the, you know, that really, that's a pet peeve of mine because they have no money in these schools but yet the use school employees out there putting, building these signs, putting these signs up or buying these signs...

Board Member McNulty stated oh yeah, across from my street every election.

Board Member Brady stated yeah, it's your taxpayers money, they have no money to educate your kids but they'll put these signs up every 50'...

Board Member McNulty stated and the mass mailings.

Board Member Brady stated right, so that just like burns me, so let them do it right, let them take it down the day after. I think we should have a thing in the signs where the schools can't do it with school employees, they have to do...

Chairman Rogan stated on their own time.

Board Member Brady stated on their own time.

Chairman Rogan stated with their own money.

Board Member Montesano stated the problem with schools, they don't have to adhere to anything other than what they want to do.

Board Member McNulty stated I'll leave the lemonade issue.

Chairman Rogan stated that's a really good issue though to get people out to vote.

Rich Williams stated bring it up, by all means, I thought it was hysterical.

Board Member McNulty stated no, no, I'm good.

Board Member Montesano stated and a certain lady that was here across the street from some nuisance.

Board Member McNulty stated I'm good.

Chairman Rogan stated that's why you're here.

Board Member McNulty stated yup, just another point of view.

Chairman Rogan stated I'd be disappointed.

Board Member Brady stated you know what this, stirring the pot.

Board Member McNulty stated I love to do that.

Chairman Rogan stated anybody have, in fairness to Michelle, anybody else have anything for the minutes, for the record.

Board Member Brady stated no.

Chairman Rogan stated motion to adjourn.

Board Member Montesano stated motion to close.

Chairman Rogan seconded the motion.

Chairman Rogan asked for all in favor. The motion carried by a vote of 5 to 0.

The meeting adjourned at 7:45 p.m.