

TOWN OF PATTERSON
PLANNING BOARD MEETING
May 31, 2012
Work Session



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Planning Board
May 31, 2012 Work Session Meeting Minutes

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

APPROVED

Present were: Chairman Rogan, Board Member McNulty, Board Member Montesano, Board Member Taylor, Board Member Brady, Rich Williams, Town Planner and Ted Kozlowski, Town of Patterson Environmental Conservation Inspector.

The meeting began at 7:02 p.m.

Michelle Lailer was the Secretary and transcribed the following minutes.

Chairman Rogan stated okay, we have for Dunkin Donuts and Mr. Merlotto's fill permit, right.

Rich Williams stated correct.

Chairman Rogan stated okay, so in fairness since Mr. Merlotto is number three on the agenda, why don't we start with that, if everybody is okay with that.

Board Member Taylor stated yup.

3) RAY MERLOTTO – Fill Permit

Mr. Ray Merlotto was present.

Chairman Rogan stated this is a separate fill permit from the one that we've approved a couple months back for your house and it's for the vacant property and that the material came from the Habitat [for Humanity] house and there is no material left basically at this point, that site is done. So what is on-site is what you're getting approval for, correct and I think the one question people had...

Rich Williams stated Ray, are you looking to bring more fill on the site than you already...

Chairman Rogan stated that is what I was just going to ask.

Rich Williams stated sorry, yup.

Mr. Merlotto stated as you know I am not a contractor, I don't go out and build houses, we happen to have the lot and we have a couple, we do have a property the we own and I will, if the opportunity strikes and if I see Patterson Crossing is letting some fill out, if I have the time, I will run in there and bring a few loads in, listen I got a small truck, I've got a little three yarder, it's two and a half, three yarders, six wheeler, I'm not coming in with no twenty yard loads and stuff like that. Like I think Rich was, you were there, I put on how much, the grass seed finally kicked in by the way, I mean you could tell now, it's like way up there and then somebody had dumped chips, we took advantage of the chips, where I went in with the, where the truck was going, when because we had some rocks that we had stock piled there years ago and we were taking the rocks out to repair a wall, so the truck was going in and out, I put all the chips down so we don't even mess the road, and we do clean the road after we get done, if there is crap on the road, then we go back and sweep up. I am, like I said, I am not a contractor but if the opportunity arises, somebody is doing some digging, they got some, what do you call that overburden, if I can get it, I will take it and bring it in, now listen, the number on the permit is the number on the permit.

Chairman Rogan stated no, I understand.

Mr. Merlotto stated if we ever see that number, I might as well appear.

Chairman Rogan stated so the, I guess the bigger question isn't so much the volume because you stated up to the limit on the permit like up to a thousand yards or whatever it was but...

Mr. Merlotto stated 999.

Chairman Rogan stated but what's the plan for the fill, why are you because...

Mr. Merlotto stated eventually, I see now that house down by the, on, I don't want to say not Danbury, Lake Shore, is has that raised mound for the septic system now, it used to be the old, I can't remember, the DeSantis house...

Chairman Rogan stated okay.

Mr. Merlotto stated and see that they put a septic system in like that, listen, in time, right now I couldn't afford to do that but in time maybe eventually we would develop the lot and if the technology keeps advancing all the time and you know to...

Chairman Rogan stated so you're figuring in on bringing in the fill to create some soil where none really exists right now, where it's more ledge and material like that.

Mr. Merlotto stated right, right actually that stuff is, that stuff you see there is grown up, that lot had been cleared when I got it, that lot was cleared. We brought in some fill back then and you see that one mound that's there, that's it, that's the extent of it plus whatever I brought in from there, there wasn't that much I brought in from Habitat [for Humanity] because whatever I couldn't fit at my lot, I brought up there.

Board Member McNulty stated so this is a different lot then we looked at...

Chairman Rogan stated correct.

Mr. Merlotto stated yeah.

Board Member McNulty stated okay, so I'm not familiar with the lot.

Chairman Rogan stated it's a vacant parcel, no I'm not either.

Mr. Merlotto stated it's on Zurich and Hazel...

Rich Williams stated it's a corner lot; it's at this point...

Mr. Merlotto stated it's a big lot.

Rich Williams stated relatively level with you know just a few piles of fill and a couple piles of chips on it. It's probably about a hundred by a hundred and twenty and then it drops off into poorer types of soils and a forested area.

Board Member McNulty stated so if 999 yards were brought in, what would be the effect to the neighboring lots.

Mr. Merlotto stated the neighborhood...

Chairman Rogan stated grab a chair from the other room.

Mr. Merlotto stated I don't think it would 999 yards to fill the lot to be honest with you.

Rich Williams stated you'd never get that much on there, I don't think.

Board Member McNulty stated ok well that's just what the permit is for, that's the only way I'm seeing it.

Mr. Merlotto stated well no, that's just...

Chairman Rogan stated up to, yeah, yeah.

Board Member McNulty stated yeah, so.

Mr. Merlotto stated I never let a bargain go by; let me put it that way, listen I hope you don't change the law on everybody.

Chairman Rogan stated dirt isn't dirt cheap anymore.

Board Member McNulty stated a lot of people are going to get rid of it though. There is fill around cheap these days.

Ted Kozlowski stated Ray, it's, the only question which is kind of with what Tommy was asking, this fill is going to stay there a long time, is this going to be any eyesore to the neighbors.

Mr. Merlotto stated no, it's all grown over, it's all grass now.

Ted Kozlowski stated I'm just saying.

Mr. Merlotto stated there's, this is, if you go there you'll see, there's all trees, they're not humongous trees but it's all grown over. All you would see right now is a couple piles of fill that I had moved, there are actually two piles of fill I moved out and they will be gone in the next week or two.

Chairman Rogan stated the only question I, not the only question but the pressing question that I have and it's really directed, not for you Mr. Merlotto but for Rich because it's a vacant, undeveloped, unapproved parcel are we circumventing anyone in the process by allowing just common fill to be brought onto an unapproved vacant parcel without, you know, notification or any, you know, we're okay on this, we're, I mean it's not for any purpose, the purpose is future, either leveling for now and future potential development so.

Rich Williams stated if he's bringing the fill on specifically to put a septic system in, he may have issues because the fill may not be suitable for a septic...

Chairman Rogan stated right.

Rich Williams stated but he's not 100% sure that's what he's doing so...

Chairman Rogan stated right, okay.

Rich Williams stated and he's doing it at his own risk.

Mr. Merlotto stated at this stage in time...

Chairman Rogan stated no and I understand what you're saying and I think what Rich is basically saying is you know, if you knew hey what I'm planning on doing is in 5 years, I want to try to get this Board of Health approved and get a septic in an area, then your best bet is to get fill that's, to get an approval to do such and bring in fill that's appropriate to that site.

Mr. Merlotto stated I have an idea of what's going, I just, I used to repair septics years ago, actually I did a good job, I never got a call back but now I understand, I see that you bring in the special soils and stuff like that, you know you pick out that, what do you call that muck that they've got there, I've got it on my lot too but you have to like kind of scratch that all out and you bring in the septic fill, you have to do the thing with the wells...

Chairman Rogan stated like bank run and stuff...

Mr. Merlotto stated listen we're not ready for that, absolutely not.

Rich Williams stated no but its heavy clay fill, Teddy just asked if it was a wetland and I don't believe it's a wetland.

Mr. Merlotto stated no, it's not.

Rich Williams stated there's no running water on it but you can tell that you know based on vegetation, the soils and such you know that's got a heavy clay content in it.

Mr. Merlotto stated yeah, it takes forever for the water to go down.

Board Member McNulty stated my only concern is they added fill pushing runoff to a neighbor or washing out into the street and making a bigger mess.

Chairman Rogan stated yeah.

Mr. Merlotto stated no, absolutely not.

Rich Williams stated yeah...

Mr. Merlotto stated you can go up there anytime and take a look and you'll see that it affects no neighbors.

Rich Williams stated the drainage patterns are remaining consistent out there, there are problems with drainage out there because they, the whole area, not just Ray's property but the whole area slopes down and then runs northwesterly.

Mr. Merlotto stated it's going towards...

Rich Williams stated and they put houses in the drainage path, so you know when this was going on recently I did get some calls from neighbors and I went out and took a look, if Ray brought no fill on the site they would still have a drainage problem because that is where the natural flow of drainage goes.

Mr. Merlotto stated yeah all the hills around it come down, then the [inaudible] is down, you guys are familiar with the horse farm that used to be Sweepers years ago, the horse farm on East Branch [Road]...

Chairman Rogan stated I probably am but not based on that name so I apologize...

Mr. Merlotto stated what's her name White Trail...

Chairman Rogan stated oh...

Rich Williams stated waterview, water, water gate, what's the one, oh give me a break.

The Secretary stated oh Blue Chip.

Rich Williams stated Blue Chip, but it used to be something else.

Mr. Merlotto stated that all kind of like meanders down into that little pond area back in there, the stream is down at the bottom behind the, what's that, behind the other horse farm, Phoenix, yeah Pheonix, whoever's pond is in there...

Chairman Rogan stated okay.

Mr. Merlotto stated I remember it used to be Weber's Pond when we were younger, when I was younger anyway, it was Weber's Pond, I forget who owned the property back then, now it's a horse farm called Phoenix, the next farm up is up on top of the hill, that's that...

Rich Williams stated White Hawk Trail.

Mr. Merlotto stated the name is, yeah White Hawk Trail...

Chairman Rogan stated White Hawk, Laura Parker.

Mr. Merlotto stated that's Warner...

Chairman Rogan stated we presumably are going to talk tonight about trying to get a site walk date for Northeast Mesa right and I don't know if we're going to kick out Saturday morning or try to get a night next week but if we're going to do that before the next meeting which is I think what our intent is, why don't we swing by this lot so everybody can get a visual on you know, this way everybody's on the same page, makes sense right, you know...

Board Member McNulty stated yeah it makes sense, without seeing it's hard to say anything...

Chairman Rogan stated it's hard and especially without a plan other than you know, we're putting in fill just to level it off, so I think that would build a comfort level for everyone. Anything else anyone has, any questions.

Mr. Merlotto stated just to give you guys a head's up...

Chairman Rogan stated sure.

Mr. Merlotto stated I had that pile of rock in here, I've been taking it out and actually I'm going to take out some more tomorrow.

Chairman Rogan stated all right.

Mr. Merlotto stated tomorrow, yeah probably tomorrow some time, I cut into it; you know that is the only disturbance you see.

Chairman Rogan stated okay.

Mr. Merlotto stated other than the two piles of dirt that are off on the site, which affect nobody.

Chairman Rogan stated okay, I think this way if there's any concerns, people can see it first hand and then we can at least, we're not approving something...

Mr. Merlotto stated no problem, I don't have a problem with that at all.

Chairman Rogan stated that we don't have awareness of and maybe creating a bigger problem, you know which I doubt that we are but it's good for everybody to be on the same page. All right, thank you.

Mr. Merlotto stated listen and the permit, there's no rush, at your convenience because all that's not going anywhere anyway, I mean it...

Chairman Rogan stated I appreciate that, thank you.

Mr. Merlotto stated if the opportunity arises, I'll call Rich and say listen I've got 900 yards coming in.

Rich Williams stated thanks.

Chairman Rogan stated have a good evening.

Mr. Merlotto stated gentlemen, thank you very much.

Chairman Rogan stated thank you, take care Mr. Merlotto.

Board Member McNulty stated take care.

Board Member Taylor stated have a good night.

Chairman Rogan stated okay, Dunkin Donuts, gentlemen.

7) DUNKIN DONUTS SITE PLAN – Architectural Elevations/Sign

Mr. William DeBonis and Mr. Joseph Ciatto were present.

Board Member Montesano stated get by the door, go ahead.

Chairman Rogan stated who wants to do the talking, what are you guys thinking, what are you looking to do.

Mr. Ciatto stated well this is what we're doing, Bill was up for a ten year renovation which is mandated by Dunkin [Donuts]...

Chairman Rogan stated okay.

Mr. Ciatto stated so we're doing the interior to bring it up to the new, what they call, main street image, which is wallpaper...

Chairman Rogan stated did you call it main...

Mr. Ciatto stated main street image.

Chairman Rogan stated main street image.

The Secretary stated can you just move a little closer to the table, so the microphone will pick you up, thank you.

Mr. Ciatto stated yeah, it's called the main street image, and you know details on the inside wallpaper, laminate, re-facing the cabinets that are there, that's on the inside. They also want to upgrade the outside which is their new colors and they are also upgrading on the signage. The sign that's up there now is pretty much a box sign, it's really on the ugly side but back then they thought it was beautiful, you know.

Ted Kozlowski stated who thought that.

Mr. Ciatto stated so I gave you layouts for the signage.

Chairman Rogan stated yeah.

Mr. Ciatto stated so what we're looking to get from you people is so we can put up the new signage and it shows the old look which is the old look with the box sign that's there now and what we'd like to do is put a monolith there, they call it a monolith, which is, it takes away the slope that's on the roof that's there now, that was part of the, I guess, part of the build out that was required by the Town when they put up the building because normally they don't put a building up like that Dunkin [Donuts], you know but let's not go back to...

Board Member Montesano stated yeah, let's not.

Mr. Ciatto stated Michael's looking at me, so we won't go back but anyhow...

Board Member Montesano stated let's not because...

Chairman Rogan stated keep going forward here.

Mr. Ciatto stated they don't build like that but they did what they had to do back then, so now we don't want to change that even though they, if you look at the new picture but we don't want to go anywhere near that...

Board Member McNulty stated you don't want to go near that.

Rich Williams stated all right, let's clarify this...

Mr. Ciatto stated we don't want to go near all this here, all we want to do is just create this monolith and change the colors on the building.

Rich Williams stated is everybody following what they're doing.

Ted Kozlowski stated because there is no way you can make it look like the one in Brewster on Route 6.

Mr. Ciatto stated the one on [Route] 6, that's nice...

Chairman Rogan stated once person at a time, please.

Rich Williams stated this is what they have, except that's got a...

Ted Kozlowski stated that's beautiful.

Mr. Ciatto stated I built that one.

Ted Kozlowski stated that one is the best Dunkin Donuts around.

Chairman Rogan stated which one is that.

Ted Kozlowski stated the one on [Route] 6 right by 684 and [Route] 22.

Chairman Rogan stated oh that's one across from the Ford dealership.

Board Member McNulty stated the old seafood market.

Ted Kozlowski stated right in front of the gambling place.

The Secretary stated no, the one in Mahopac is the nicest one.

Chairman Rogan stated yeah, I agree.

Mr. Ciatto stated yeah, I built that for Bill three years, three years ago but you see back then when we built that one, the Town didn't have the objections, Mike is looking at me. That is the new limits that they have...

Board Member Montesano stated because I'll start a fire.

Mr. Ciatto stated we don't want to go that far because it's, well we just don't want to go that far.

Chairman Rogan stated okay so Rich, you have a picture of...

Rich Williams stated yeah, I was going to just walk everybody through it so they, because you've got all these pictures. This is what is out there currently except it's got purples stripes instead of the orange stripes. All right, this he wants to maintain this look but add this entrance over it.

Mr. Ciatto stated just the monolith.

Rich Williams stated just the monolith, the center portion.

Mr. Ciatto stated just where the vestibule is right now, that monolith with the *[inaudible]*.

Chairman Rogan stated you're talking about that monolith being that center portion.

Mr. Ciatto stated that's correct.

Rich Williams stated correct.

Chairman Rogan stated so you want to leave shingles on the left and right sides.

Mr. Ciatto stated we're going to re-shingle that, because those shingles are ten years old and with the slope, they are actually falling down, so what we're going to do is change the color of the shingles, put a tan shingle up there rather than black because black is pretty ugly...

Rich Williams stated and then you've got three proposed signs and my only comment on the three proposed signs are they all meet our current zoning requirements for dimensions.

Chairman Rogan stated I wish we had a picture of what you were actually proposing because I know we can flip back and forth but I'm trying to envision...

Mr. Ciatto stated there is a picture, just look at the picture of, the secondary picture and the only thing that you're going to see new is the monolith.

Chairman Rogan stated no, no...

Board Member McNulty stated it doesn't make a difference, I don't mean any disrespect but this building is why I got on the Planning Board, it's an eyesore.

Ted Kozlowski stated yeah.

Chairman Rogan stated all right let's...

Mr. Ciatto stated it is an eyesore right now.

Board Member McNulty stated now I recently went back and asked Rich what was originally approved by the Planning Board, back then which I had nothing to do with...

Mr. Ciatto stated I didn't want to go back that far though.

Board Member McNulty stated well I'm going to bring it up anyway. It was a pretty extensive building and I can understand, I'm in construction too, so I can understand maybe why you didn't want to build that but is there any way that you could make this a little more fit into Town.

Mr. Ciatto stated it will fit with the Town, once we take the...

Board Member McNulty stated what Hempstead?

Mr. Ciatto stated I'd like, well listen, we'd like to do what we did in Brewster but the, you know...

Ted Kozlowski stated why can't you.

Mr. Ciatto stated excuse me.

Ted Kozlowski stated why can't you.

Mr. Ciatto stated why can't us because...

Board Member McNulty stated it's very similar to this.

Ted Kozlowski stated the one in Brewster is just, it fits so nicely.

Board Member McNulty stated but it sits by itself, it looks great, it's a nice looking building...

Ted Kozlowski stated it's pretty, this thing has been and it's an eyesore.

Mr. Ciatto stated all right well you don't...

Rich Williams stated do you have the pictures they're looking at, yeah I mean, that's I think that's basically what's down in Brewster.

Board Member McNulty stated it's just you're going to keep the roofline on either side of this and just build this.

Mr. Ciatto stated we're going to keep the roofline all the way around.

Board Member McNulty stated this awning with this...

Mr. Ciatto stated that's exactly right, that's all we're going to do, that's it.

Board Member McNulty stated just going to rebuild this and keep the rest the same with orange stripes.

Mr. Ciatto stated we're not building a base because the base is already there.

Mr. DeBonis stated we're going to paint the building.

Mr. Ciatto stated we're going to paint the rest of it; we're going to build from...

Board Member McNulty stated the roofline is going to stay.

Mr. Ciatto stated the roofline stays the way it is and then this is just going to plumb up and it's going to go up and give us the little bit of the angle for the monolith.

Board Member McNulty stated I understand.

Chairman Rogan stated so basically in this picture, instead of the tan color portrayed, it will be shingles of a tan color...

Mr. Ciatto stated that's correct.

Chairman Rogan stated instead of a flat masonry stucco type material.

Mr. Ciatto stated that's correct, yeah, yup because in order to put stucco on there, the whole building would have to torn up on the outside to plumb it all up to accept the, what they call dry-vit.

Chairman Rogan stated and the current roofline in the front, it has a pitch to it rather than this is straight, vertical.

Mr. Ciatto stated it has a pitch all the way around, the only place that they allowed an area in which the pitch is a little less is by the drive-thru...

Chairman Rogan stated okay.

Mr. Ciatto stated because it bumps out a little bit so they created a little bit of protection from the rain, I guess when people get their coffee.

Board Member McNulty stated yeah.

Chairman Rogan stated so this will be tapered back, it's like a, whatever the existing pitch of the roof is, okay.

Mr. Ciatto stated yeah.

Board Member McNulty stated you can see it in the other picture, pick it up in the corner here.

Mr. Ciatto stated right.

Chairman Rogan stated you can't really see the pitch look straight on because you're looking right into the...

Board Member McNulty stated this corner you can see it.

Mr. Ciatto stated the shingles, there's an eight foot rise there from bottom to the top of the shingles right now and from the top, from the bottom to the top, to plumb that, to plumb that monolith the top of it would come out roughly about twenty-six inches, so the bottom would start and then it would just plumb up and make it square.

Chairman Rogan stated got it, you know it's also a little deceiving is the perspective on the pictures, existing versus proposed...

Mr. Ciatto stated yeah well proposed...

Chairman Rogan stated the proposed don't show the bump out that had to be cut back.

Mr. Ciatto stated but that's already there though.

Chairman Rogan stated no, no I realize but my point is that the visual perspective shown here is...

Mr. Ciatto stated well you have to understand, that is something that Dunkin because you know somebody sits in the office and has nothing better to do all day long so they come out with these...

Chairman Rogan stated okay.

Mr. Ciatto stated you know, cost effective ideas.

Board Member McNulty stated you're going to lose this overhang here...

Mr. Ciatto stated no, no, that stays...

Chairman Rogan stated no, that's what I was stating.

Board Member McNulty stated you're just going to build this straight up.

Mr. Ciatto stated yeah, that's it, all we're doing is just creating a monolith there so the sign would sit, right now the old sign sits on a box sign and it's got a build out on the back of it to plumb it up, otherwise the sign would site this way and nobody could read it.

Board Member McNulty stated any chance you can come up with something colonial looking.

Mr. Ciatto stated that's exactly right.

Ted Kozlowski stated Shawn...

Chairman Rogan stated yes.

Ted Kozlowski stated I think you should have representation of what it's supposed to look like.

Board Member McNulty stated is this what you're going to do.

Mr. Ciatto stated no, no, no.

Board Member McNulty stated why not.

Ted Kozlowski stated for the record because things sometimes get built and they're not built...

Mr. Ciatto stated because that's, first of all that's not the design so, that's their design.

Ted Kozlowski stated and then there is confusion.

Board Member Montesano stated you mean it can happen.

Board Member McNulty stated when you go to other places and you see different designs.

Mr. Ciatto stated what happens is you go into some towns they have these historical sites there where they won't even allow them to put a dry-vit out there, you know they got to conform to...

Board Member McNulty stated Mahopac is a historical area.

Mr. Ciatto stated Mahopac actually, some areas there, they force the issues, just like Patterson forced the issues back ten years ago to do what they did there, Mahopac has got some areas where they do that, you go on, different areas, different towns, different areas, you know...

Board Member McNulty stated well from the original plans, I don't think we forced any issues, did we, I don't have the history from behind.

Board Member Montesano stated no comment.

Mr. Ciatto stated there was a lot to be discussed.

Rich Williams stated the Building Inspector kind of...

Mr. Ciatto stated yeah, there was a lot to be discussed, yeah and poor Bill here, he suffered the brunt of it because he...

Mr. DeBonis stated I built the building the way I was told to build it.

Mr. Ciatto stated yeah, he was delayed also by about eight months.

Board Member McNulty stated I understand.

Board Member Montesano stated only.

Mr. DeBonis stated I mean, I didn't change anything, they just said this is what you do and I did it.

Chairman Rogan stated yeah, all right, so we have a building that we have now and we're looking to move forward to something that maybe is an improvement for Dunkin [Donuts] and an improvement for the Town's perspective, that's a win-win for everybody.

Mr. Ciatto stated yeah if I may just bring this point out to you, right now you have a building that's got two colors on the bottom which you know, it's got the tan and grey look and if you were able to stop your eyes from looking up and you see black shingles, now we want to take those shingles and conform it more to the color of the building so it won't stick out like it's sticking out right now, right now that black just hits you right in the face.

Chairman Rogan stated understood.

Mr. Ciatto stated so what we're doing, we're going to do is I'm going to try to find a shingle that is very close to the Jackson Tan...

Board Member Taylor stated which is the base.

Mr. Ciatto stated excuse me.

Board Member Taylor stated the base you're talking about.

Mr. Ciatto stated no, this area here which is shingled right now.

Board Member Taylor stated no, no, no, the color, you're going to match the color of the base...

Chairman Rogan stated you said Jackson Tan.

Mr. Ciatto stated this is, I brought the chart with me so you guys can see it.

Chairman Rogan stated oh great, you're withholding props from us here, come on.

Mr. Ciatto stated these are the colors of Dunkin [Donuts].

Board Member McNulty stated you just can't cover the microphone.

Mr. Ciatto stated these are the colors of Dunkin [Donuts] this is their stucco colors, I'll pass it all around so you guys can see it, stucco colors and this is basically the color that they are looking for up on top right now.

Chairman Rogan stated okay.

Mr. Ciatto stated so I'm going to find a shingle that is very close to this so that this and the upper half of the building...

Chairman Rogan stated here.

Mr. Ciatto stated right there...

Chairman Rogan stated not the base, the...

Mr. Ciatto stated will be very close...

Chairman Rogan stated the verticals.

Mr. Ciatto stated and then the very bottom which is the Jackson Tan on the bottom was going to be the Jackson Tan where the grey is now because what happens with the grey is every bit of slush that hits it, Bill is out there constantly power washing it, so that will improve it where it won't look, you know it won't get as dirty so fast and it's easier maintenance. So the Jackson Tan will be on the bottom, the Sandy, what is that called Yosemite color...

Chairman Rogan stated Yosemite...

Mr. Ciatto stated would be the middle half, yeah I know Mike, and then the shingles will go from black on top which I think it a major improvement, to something that is going to be close to this here and of course the sash which is right now which is like a royal plum they call it, it going to go to this...

Board Member Taylor stated orange.

Mr. Ciatto stated which is shown...

Board Member McNulty stated what's the chance, if you add the shingles to actually then, maybe add some kind of coping like this, to dress up that top roofline.

Mr. Ciatto stated well the coping is going to be the change, the coping is going to be this color, there is a coping up there now...

Board Member McNulty stated well right all you've got is an angle there, there is no coping really.

Mr. Ciatto stated well there's a, there's a...

Board Member McNulty stated you're going to bring this piece up though here, like this, correct.

Mr. Ciatto stated that's correct.

Board Member McNulty stated so what's the chance of just adding some kind of nice detail like this on the top over the shingles.

Chairman Rogan stated it almost makes it look like a crown molding or something somehow.

Board Member McNulty stated because you know, it's not the colors...

Mr. DeBonis stated I'll do it.

Mr. Ciatto stated listen, I can do that.

Board Member McNulty stated it's not the colors, it the line, it's line, it's as simple as we can make it...

Mr. DeBonis stated (inaudible – too many speaking).

Mr. Ciatto stated (inaudible – too many speaking).

Chairman Rogan stated hold on a second.

Mr. DeBonis stated yeah I like it, I mean...

Mr. Ciatto stated yeah, no, we could do that.

Chairman Rogan stated I see what Tommy's saying..

Board Member McNulty stated it doesn't have to be EFIS, maybe it's a fypon molding or something maybe there is a cap of some sort you can just dress the roofline up.

Mr. Ciatto stated I will frame it out in plywood and finish it in dry-vit that way he has no maintenance problems.

Chairman Rogan stated so you're saying the architectural element that's shown in this...

Board Member McNulty stated yeah, see that top round...

Mr. Ciatto stated we'll pick it back up, I don't know how good it's going to look though, you know why because...

Chairman Rogan stated because that's a sloped roof and not a...

Mr. Ciatto stated because it's sloped, so if I build a crown molding...

Board Member McNulty stated it doesn't matter...

Chairman Rogan stated it doesn't matter.

Board Member McNulty stated well it doesn't have to be, almost like the top of the *[inaudible]* wall...

Mr. DeBonis stated you want some line, something.

Chairman Rogan stated not worthwhile or it should be...

Mr. Ciatto stated you want a line bigger than the sash that's there now...

Board Member McNulty stated a detail.

Mr. DeBonis stated just a detail.

Board Member McNulty stated just to dress it up.

Mr. Ciatto stated no problem, no problem, we'll give you a detail there, that's not a problem.

Mr. DeBonis stated all the way around, correct.

Board Member McNulty stated at least two sides and the entrance.

Mr. Ciatto stated well you gotta go all the way around.

Board Member McNulty stated at least the three sides.

Mr. DeBonis stated I agree, all the way around is better.

Mr. Ciatto stated you should go all the around because the building is exposed on four sides, so, we'll do all the around, we'll give you...

Mr. DeBonis stated could do with a bunch of flowers on the sides and might as well do everything, so it looks right.

Mr. Ciatto stated the top is acting as a drain, rain drip pretty much...

Chairman Rogan stated oh I see.

Mr. Ciatto stated so I'll give you something below that there which is going to be, you happy with six, you want eight, tell me what you'd like to see.

Chairman Rogan stated can't see it from here.

The Secretary stated I wish.

Board Member McNulty stated six to eight probably is fine, it's not a very big roof, so...

Mr. Ciatto stated six to eight because they...

Board Member McNulty stated you know...

Mr. Ciatto stated its eight foot.

Board Member McNulty stated you know why don't you find out what they use for that detail, they probably use an EFIS Styrofoam, pre-made...

Mr. Ciatto stated no, no...

Board Member McNulty stated no, you're not going to use that but they probably do, Dunkin [Donuts] and they probably have the profile.

Mr. Ciatto stated no, we, when do this, we frame it and then we place...

Board Member McNulty stated oh you wrap it.

Mr. Ciatto stated we wrap it with the...

Board Member McNulty stated so you frame it out of wood and wrap it.

Mr. Ciatto stated right.

Mr. DeBonis stated with the wrap it...

Mr. Ciatto stated it's just like Brewster, up on top it looks like crown molding, we frame it and then they come back and finish it.

Board Member Taylor stated I don't think the slope of the roof is going to affect that detail because the slope is so shape anyway.

Chairman Rogan stated yeah, okay.

Board Member McNulty stated I just want to add something...

Board Member Taylor stated what you're going to get, you get a return at the corner which is going to kind of match the slope of this anyway.

Board Member McNulty stated it doesn't have to be fancy, it just...

Mr. DeBonis stated just something to have that detail.

Board Member Taylor stated I don't think it's going to matter...

Mr. Ciatto stated we can make is it just, you want to see more than just a drip cap up on top is what you're saying.

Chairman Rogan stated we respect your...

Mr. DeBonis stated because right now it's just the cap going over it.

Board Member McNulty stated you have a nice center behind you with some steeples on it, you know a nice colonial look, you have the wood place next to you...

Mr. Ciatto stated we'll take...

Board Member McNulty stated take a little of the blandness out of it.

Mr. Ciatto stated we'll take a row of shingle away, we'll take a row of shingles away and make a build out for the top row, in other words whatever that is and then we'll put an angle on it so you can see it because it will be tilted a little bit more rather than a flat look, you know.

Board Member McNulty stated yeah like I said it doesn't even have to be tilted, just like a cap stone, coping on, similar to what they show there, I'll leave that up to you, you guys.

Mr. Ciatto stated yeah well that sticks out, further out, what we'll do with that thing is we'll do this, all of this is just a...

Board Member McNulty stated all I know is if it looks ugly, these guys are all going to look at me.

Chairman Rogan stated well it's the nice thing about having a builder on the Board...

Mr. DeBonis stated oh, more of that coming...

Chairman Rogan stated and someone of an architectural background, so we have between you two gentlemen, some good perspective. What we want to be sure of though because what you gave us here tonight are some variety of pictures with some really good discussion...

Mr. Ciatto stated right.

Chairman Rogan stated let's capture those great ideas, even if it means having whoever did this, take your existing plan, change the color of this, they can do this on the computer but we want to have something that depicts all this so we know what we're approving. The conversation is great but then a conversation is not as easy as saying, here's the picture, we all agree, we're done.

Mr. DeBonis stated okay.

Chairman Rogan stated and I think that would go a long ways to making such a drastic change.

Ted Kozlowski stated the Building Inspector is going to need to prepare notes too.

Mr. DeBonis stated I like it, I didn't know, the last time the Building Inspector...

Chairman Rogan stated okay can we...

Board Member Montesano stated yes.

Mr. DeBonis stated I didn't know what you guys would like.

Board Member McNulty stated just looking to dress it up nice and that's what you're trying to do.

Mr. DeBonis stated right.

Board Member McNulty stated but maybe a simple element around the top.

Mr. DeBonis stated Joe, you see what he's pointing out over here now and he likes this.

Mr. Ciatto stated oh that's way too much, you can't do that on the slope, it will never fit.

Board Member Montesano stated is this going to be part of it Joe, is this going to part of it too.

Mr. Ciatto stated absolutely.

Board Member Montesano stated oh.

Board Member McNulty stated now that's even better, that's a slighter line then the one on that, you know that's pretty heavy for that.

Mr. DeBonis stated yeah.

Mr. Ciatto stated cap it all on, you know Mike, cap it all on.

Board Member Taylor stated yeah that's...

Board Member McNulty stated you know what I'll do, I'll look for buildings in my travels and if I see something with a similar detail, I'll snap a picture.

Mr. Ciatto stated yeah, I know what you want and I'll built because I think I know what you want, you want something that's going to bring the roofline forward a little bit.

Board Member McNulty stated not even that, just enhance it.

Mr. Ciatto stated enhance it the...

Board Member McNulty stated don't want to look out and see a flat roof.

Mr. Ciatto stated you don't see the flat roof right now tell you right now.

Board Member McNulty stated you see a flat line.

Mr. Ciatto stated you see a line.

Board Member McNulty stated your road line, you know your roadway.

Mr. Ciatto stated see the road line, yeah well, we'll make it so it's a nice road line.

Chairman Rogan stated okay, so here's the thing, let me get back to what I just said and we'll reaffirm it so everybody's on the same page. Exactly what we just discussed put it on one plan that shows it, even if it, even if you have to show a little detail on the corner that shows that roof, lined from a side view to show how you're building out. Take this picture, put in your plan here, leave the shingles but have them just on the computer change the color to what you find, not a guess but find the shingles and say this is the color, even if you have to send them a sample so that we can codify it, so that everybody is on the same page, that you're in agreement, Bill is in agreement and we're in agreement that the final product is going to be exactly like this, right, so that we're all on the same page.

Mr. Ciatto stated the bottom colors have to be what Dunkin [Donuts] specs out, I can't change that.

Chairman Rogan stated we'll they're already there.

Mr. DeBonis stated [*inaudible*].

Mr. Ciatto stated no, they're not, those are the old colors.

Chairman Rogan stated oh, so which ones are the new ones.

Board Member McNulty stated I don't know what this height is.

Mr. Ciatto stated the new one is the Jackson Tan on the bottom...

Chairman Rogan stated here and here, that's fine.

Mr. Ciatto stated you see it on the plywood, look at the right side there, we're going to painting the existing dry-vit.

Chairman Rogan stated thank you, because it's a textured, okay.

Board Member McNulty stated you need ten inches.

Chairman Rogan stated if they, if you had told me that these were these, I would have bought it.

Mr. Ciatto stated well then I'd be lying to you...

Chairman Rogan stated very close.

Mr. Ciatto stated then Mike would know that I was lying and then I'd be in trouble.

Chairman Rogan stated no, I appreciate you're being honest.

Mr. Ciatto stated right now you've got grey and tan, we're going to go Jackson Tan and...

Chairman Rogan stated so let's...

Rich Williams stated their sign.

Chairman Rogan stated well we haven't even gotten to that yet but in terms of the colors and the layout and the way we're going to go.

Mr. Ciatto stated okay, so you don't have objection with the monolith then, that's, am I understanding it correctly.

Chairman Rogan stated as long as you portray and show what you're, what we talked about tonight, you're doing the monolith which is that center portion, changing the color of the shingles, doing the little bump out texture detail that Tommy was talking about around the roof wrap...

Mr. Ciatto stated right, okay.

Chairman Rogan stated right, like whatever that detail is.

Mr. Ciatto stated okay.

Chairman Rogan stated now let's talk about your sign, so we nail that down.

Mr. Ciatto stated okay.

Chairman Rogan stated all right.

Mr. Ciatto stated the sign that we have right now is if you look at the old one, that's what's there now, what we would like to do is what what's shown on the new layout, sorry I keep taking your...

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

Mr. Ciatto stated what we'd like to do is exactly what you see there which is that sign that's there now and I gave you the details on the sign.

Board Member McNulty stated size wise Rich, you checked them out, they're all...

Chairman Rogan stated I like the sign on your monolith here better than the box style that you had.

Mr. Ciatto stated that's exactly what we want to do.

Chairman Rogan stated you know, it's harder to read the box style sign because of the...

Mr. Ciatto stated yup, yup.

Board Member McNulty stated yeah a surface mounted sign...

Mr. Ciatto stated yeah we want to, exactly what you see on the monolith, with the awning and the sign is there that's exactly what we want to do.

Chairman Rogan stated but obviously you're not putting this little drive-thru thing up there right.

Mr. Ciatto stated if you don't want it up there, we won't put it up there.

Chairman Rogan stated I'm asking, are you proposing that.

Mr. Ciatto stated I really don't think it's going to work...

Chairman Rogan stated I don't think you need it, everybody knows you have a drive-thru.

Mr. DeBonis stated I didn't put that there.

Mr. Ciatto stated I tell you I don't think it will work because it will be sitting on the tilt, so that's out.

Chairman Rogan stated yeah, I don't think you really need it.

Ted Kozlowski stated are you guys changing the night lighting, is it going to look really different than it does now at night when it's lit up [*inaudible*].

Mr. Ciatto stated well the sign itself is going to be more attractive than what it is right now because right now it's just a fluorescent...

Ted Kozlowski stated I think anything you do it going to look better.

Mr. Ciatto stated yeah.

Board Member McNulty stated Ron, a detail like that.

Chairman Rogan stated just so we're clear, this sign is illuminated from within or it has, how is this lit.

Mr. Ciatto stated it's illuminated from within.

Chairman Rogan stated from within, is that so low voltage that it's not a concern for...

Board Member Taylor stated a simple stop...

Board Member McNulty stated yeah.

Mr. Ciatto stated it's actually the same as the signage that you have in the whole plaza right now, when you look at some other signage that's in the plaza right now.

Mr. DeBonis stated it's LED.

Chairman Rogan stated LED, oh okay, yeah, no that because obviously the illumination from within was designed to not cause a glare issue or a...

Mr. Ciatto stated oh, there's no glare with this.

Rich Williams stated buildings typically they're fine but do you have the wattage on here.

Board Member Taylor stated yup, same thing, exactly.

Mr. DeBonis stated show him that.

Chairman Rogan stated let's see, illumination...

Mr. Ciatto stated it tells you right there, its fluorescent lamps inside.

Board Member Montesano stated fluorescent lamps that's all it says.

Rich Williams stated all right, if you can get us the wattage.

Mr. Ciatto stated you want the wattage.

Rich Williams stated yup.

Board Member Montesano stated yeah.

Mr. Ciatto stated okay, you want the wattage on the sign, no problem.

Chairman Rogan stated good, it sounds like a, you know, everybody is in agreement, we just want to...

Mr. Ciatto stated so...

Chairman Rogan stated you just have to get the stuff in and you'll and you don't even have to, if you can give us the specs on it, I don't even know procedurally if they have to come back in, we just have to send in the stuff so that we can affirm that what you've sent us is what we've all agreed on and we'll...

Mr. Ciatto stated all right so if you're telling me that we're good to go and I put it on paper, then we can start, is that what I'm asking you.

Chairman Rogan stated once we get it in paper, yeah.

Mr. Ciatto stated so I get it on paper and we're good to go.

Chairman Rogan stated we'll approve it once we get it in paper, so that it's clear.

Board Member McNulty stated quick question.

Rich Williams stated no, no, no, I think you two are not...

Chairman Rogan stated yeah I know...

Board Member Montesano stated you're not in the same ball park.

Chairman Rogan stated you're starting tomorrow, we have to get it in here but you're going to get the...

Mr. Ciatto stated no, no, no, once I have it, I won't start tomorrow, so once it's in your hands...

Chairman Rogan stated and we, and you'll get an approval...

Mr. Ciatto stated and you look at it, then we're good to go.

Board Member Taylor stated and we approve it, and we approve, then you're good to go.

Mr. Ciatto stated how long are we looking for the approval.

Chairman Rogan stated when can you get it done, can you get it to us by next Thursday.

Mr. Ciatto stated you'll have it before next Thursday, absolutely.

Chairman Rogan stated you might, right.

Mr. Ciatto stated absolutely, you'll have it before next Thursday.

Chairman Rogan stated yeah, so if you get it to us by next Thursday, we have a meeting so.

Board Member McNulty stated can I make a recommendation, you say you're talking about a roof shingle for that color, what are our other options for roofing, would a standing seam roof be all right...

Chairman Rogan stated what is a standing seam roof.

Board Member McNulty stated like a metal roof, you have much more options in color and it's not going to dirty...

Chairman Rogan stated it will last forever.

Board Member Taylor stated it's expensive.

Board Member McNulty stated yeah, it is expensive.

Mr. Ciatto stated it's your money man.

Ted Kozlowski stated we don't care what you spend.

Board Member McNulty stated but it's less cleaning.

Mr. Ciatto stated I don't, I...

Mr. DeBonis stated can we see what color with the shingles.

Board Member McNulty stated sure, I'm just thinking of a maintenance thing down the road.

Mr. Ciatto stated it's also, the only thing with the metal roof there, you like the drums beating all night long...

Board Member Montesano stated it's only going to be a ten year investment.

Mr. DeBonis stated the only thing, in ten years they are going to make me change again.

Board Member McNulty stated oh...

Board Member Taylor stated its ten years.

Board Member Montesano stated yeah Tommy it's a ten year investment, then they are going to change it...

Board Member McNulty stated forget about that.

Board Member Montesano stated they'll change the color and they'll come up with pink polka dots.

Mr. Ciatto stated they actually force a ten year/five year, Bill has been lucky they left him along for the five year in between the ten...

Mr. DeBonis stated actually I'm at nine and they are just now...

Chairman Rogan stated wow, and you know...

Mr. Ciatto stated so he's actually gone this far so because they usually bump him every five years with the mini dress up and then a major ten years down the road.

Chairman Rogan stated for our area, they mentioned really the two most attractive Dunkin Donuts buildings, the one that Bill owns in Brewster and then the one that Steve Battista, I believe, owns in Mahopac, which is a very colonial looking, doesn't have, I am going to be curious to see obviously not everybody is on the same ten year rotation so his rotation starts...

Mr. DeBonis stated right, different than mine.

Chairman Rogan stated so he's probably four years into that rotation.

Mr. Ciatto stated sometimes you get lucky and you get twelve years.

Chairman Rogan stated yeah.

Mr. Ciatto stated yeah it all depends you know...

Board Member Brady stated you don't go knocking on their door and ask them if it's time, huh?

Mr. Ciatto stated it all depends on the relations that are going on, you know.

Board Member Montesano stated it all depends on who gets the dough.

Ted Kozlowski stated can I ask you, how did the Brewster one evolve, how did that get to be so nice, what happened.

Mr. DeBonis stated I hired Joe.

Board Member McNulty stated it's not much different than this plan here.

Mr. Ciatto stated I built it for him, I mean, if I can pat myself on the back.

Chairman Rogan stated yeah, really it isn't a whole lot different.

Mr. Ciatto stated we made some changes...

Ted Kozlowski stated its smaller, it's a smaller building.

Mr. Ciatto stated we made some change when it was actually laid out, we made some changes, you know Bill and I spoke about it because Bill also happen to own the building there, it doesn't just rent it there, so we made some improvements that were going to benefit him, we did some landscaping improvements that actually open the area because the building wouldn't have been as pretty as it is...

Mr. DeBonis stated the landscaping we're going to do to Patterson, the whole front of the store and the driveway, we're bringing up new flowers and shrubs, we do the full project, I want to make this store look much better.

Board Member Montesano stated it's fishy, that's why the building...

Mr. Ciatto stated what.

Board Member McNulty stated so these bollards are going to stay.

Board Member Montesano stated that building was fishy, that's why...

Chairman Rogan stated they have to stay.

(inaudible – too many speaking at one time).

Mr. Ciatto stated it is fishy, you had to see when I worked in there, and it was still fishy.

Mr. DeBonis stated before I put the bollards in, people were driving into the building, so I mean, yes they are going to stay.

Board Member McNulty stated is that where you're putting flowers.

Mr. DeBonis stated no, the driveway here and the grass here, the median...

Board Member McNulty stated okay.

Mr. DeBonis stated the grass and coming to the front, we're going to mulch and flower.

Ted Kozlowski stated you're going to have somebody maintain that for you.

Mr. DeBonis stated oh yeah.

Board Member Brady stated so the island between the entrance today and the A&P shopping center.

Mr. DeBonis stated correct.

Board Member Montesano stated it's going to be a 105 mountain on the front.

Mr. DeBonis stated we maintain them now, the flowers are all taken care, the same group will take care of everything, I have already done this with Mike Fallon who runs the plaza.

Rich Williams stated where is Mike now.

Mr. DeBonis stated excuse me.

Rich Williams stated where is Mike, he was down in [New] Jersey, they move him.

Mr. DeBonis stated no, he's back up this way now, now he's, where he's living, he's in New York.

Rich Williams stated where he works out of.

Mr. DeBonis stated he works out of his home in Yonkers, now...

Rich Williams stated okay, because I tried to send him...

Mr. DeBonis stated used to be...

Rich Williams stated some correspondence and it came back to me.

Mr. DeBonis stated yeah, do you want his new one, I have it...

Rich Williams stated yeah, if you have it.

Mr. DeBonis stated yeah, it's in the car, I'll bring it right back in.

Rich Williams stated all right.

Ted Kozlowski stated Rich does Benderson still own this...

Rich Williams stated yeah.

Mr. Ciatto stated so, all right so then...

Chairman Rogan stated okay, so you have a couple of things to get done between now and Thursday night.

Mr. Ciatto stated it will be done; we'll give you the layout with the monolith and the architectural design up on top.

Chairman Rogan stated yeah.

Rich Williams stated if I could just throw in, if we can get them, Joe...

Mr. DeBonis stated he's, look at that.

Mr. Ciatto stated I can't hear you.

Board Member McNulty stated that building.

Board Member Taylor stated the mansard across the street.

Board Member McNulty stated I'm just saying it could be done, the same slope.

Chairman Rogan stated oh yeah, it has the same element.

Board Member McNulty stated you could do it out of trim.

Chairman Rogan stated yup, good point.

Rich Williams stated Joe, if we can get them sooner rather than later, as soon as you can get them.

Mr. Ciatto stated I will work on it starting tomorrow because tonight I'm going to go home and rest.

Rich Williams stated because I'll get it out to the Board and they can look at it, if they've got any questions...

Ted Kozlowski stated no rest for the weary.

Mr. Ciatto stated we'll start on it tomorrow, we'll get the people responsible to give you a drawing, just like they did here and hopefully we'll have it in your hands...

Chairman Rogan stated you could be banging by Friday morning, next Friday morning.

Mr. Ciatto stated hopefully we'll have it in your hands no later than Wednesday morning.

Chairman Rogan stated that would be great.

Mr. Ciatto stated all right.

Chairman Rogan stated okay.

Mr. Ciatto stated that way they give us our blessing and we can get started.

Chairman Rogan stated okay.

Mr. Ciatto stated hypothetically, you're good to go on everything else we that we talked about.

Chairman Rogan stated you answered all of our questions.

Board Member Montesano stated you should get the wattage put on there.

Board Member McNulty stated as long as you can get it on that paper, so we can see it, we're good.

Mr. Ciatto stated no problem, no problem, we'll give you something.

Chairman Rogan stated all right great, thank you.

Mr. Ciatto stated all right, thank you very much.

Ted Kozlowski stated are you bringing doughnuts Thursday.

Mr. Ciatto stated no but...

Mr. DeBonis stated if you want me to, I will.

Chairman Rogan stated no, no, don't them bust your chops.

Ted Kozlowski stated just kidding, I like coffee ice cream though.

Board Member Montesano stated why don't you just bring the whole place over.

Mr. DeBonis stated why don't I just bring it over.

Mr. Ciatto stated that's it.

Mr. DeBonis stated thank you very much.

Mr. Ciatto stated all right guys, have a good night, take care.

Board Member Montesano stated take care Joey.

Mr. DeBonis stated do you want that information, or I'll give it to him to give to you, which one...

Rich Williams stated whatever, however.

Mr. DeBonis stated I'll get it to you.

Rich Williams stated yeah, that's fine.

Mr. Ciatto stated good night, thanks a lot.

Chairman Rogan stated have a good evening, thank you.

Board Member Taylor stated good night.

Board Member McNulty stated maybe we'll get some improvement there.

Rich Williams stated beauty is in the eye of the beholder, is all I'm going to say to you Tom.

Board Member Montesano stated right.

Board Member McNulty stated the colors aren't my choice but...

Chairman Rogan stated that's why they make 21 flavors of ice cream because not everybody likes vanilla.

Rich Williams stated that's right.

Board Member Montesano and no one likes the other 19 or 20 so what are you going to do.

Chairman Rogan stated there are more than 21 now but, I know. All right, let's see, back the beginning.

1) MATTHEW CASTELLANO – Wetlands/Watercourse Permit Public Hearing

Chairman Rogan stated we set a public hearing for Mr. Castellano and that was at Ted's suggestion for the wetlands permit for the drainage issue that he had at the bottom of his driveway.

Rich Williams stated I did go out and take pictures today and they are right there by your side if anybody wants to see what he's been doing.

Ted Kozlowski stated it looks good.

Chairman Rogan stated I like the way that looks.

Rich Williams stated I think he needs to keep going just a little bit further.

Ted Kozlowski stated yeah, yup and I'll call him to make sure but he was sincere about it and he did jump on it and that first picture it kind of looks like cobbles in Catskill Stream or Creek.

Chairman Rogan stated that's what I thought, I thought it was a landscape element, yup, really nice. You know what, if ultimately, if it does the job, it meets with your approval and it's not hurting anything, you know.

Ted Kozlowski stated and I don't think his neighbor should be upset about that because it's helping his neighbor out too, so.

Chairman Rogan stated okay, so assuming we don't have any serious, negative comment at the public hearing, we can close the public hearing, we can do a neg. dec., and we have to do SEQRA on this, right.

Rich Williams stated yes.

Chairman Rogan stated and we can do an approval on the wetlands permit.

Ted Kozlowski stated Michelle, we got all of our things back, everybody has been notified.

The Secretary stated I won't know until next week.

Ted Kozlowski stated okay, I'll call him, I'll call him tomorrow, I'll call him just to make sure.

The Secretary stated they do the mailing, so I get their green cards back.

Chairman Rogan stated yeah.

Board Member Taylor stated so what you're saying Rich is that he hasn't brought it out to the road, that's what happens here.

Rich Williams stated I'm saying for me, I would like to see him, the channel comes down to a bend and curves and I would at least like to see the bend armored as well coming around just in case there are any high velocity...

Ted Kozlowski stated I don't think he's finished.

Rich Williams stated after that it goes into, I mean there are cattails growing up.

Board Member McNulty stated so it disperses after that point.

Rich Williams stated yeah I don't think he'll have a problem...

Ted Kozlowski stated well that first...

Board Member McNulty stated this is what he put in place.

Ted Kozlowski stated yeah, it was a ditch.

Board Member McNulty stated yeah I saw it.

Ted Kozlowski stated so now that looks like a stream.

Chairman Rogan stated okay, everybody good on this one until next week.

Board Member McNulty stated yup.

2) ICE POND ESTATES SUBDIVISION – Public Hearing

Chairman Rogan stated okay, we have a public hearing for final subdivision approval for Ice Pond Estates, Ed you haven't been involved in this, up to this point, you haven't been to the site...

Board Member Brady stated no, first look, yeah.

Chairman Rogan stated do you have any, go ahead, I'm sorry.

Ted Kozlowski stated just so you know, that memo that I wrote about the, I had a conversation with Joe Buschynski and he was pretty sure they were going to go with putting the stone walls in...

Chairman Rogan stated great.

Ted Kozlowski stated instead of the boulders.

Chairman Rogan stated that will look so much better than a boulder wall, you know, like you said, it doesn't have to be the most meticulously laid wall...

Ted Kozlowski stated no, he isn't...

Chairman Rogan stated most of them around the country are not, you know and I like the dry laid farm walls better than the ones that are all masonry and perfectly square and you know.

Ted Kozlowski stated kind of just mimic the stone walls that are on that whole property anyway.

Chairman Rogan stated okay, Mr. Merlotto obviously we just had in, what's up with NYSEG and this lot line adjustment Rich.

4&5) NYSEG/DRESSLER LOT LINE ADJUSTMENT/WETLAND/SITE PLAN

Rich Williams stated NYSEG has a power station down at the bottom of Mooney Hill Road...

Ted Kozlowski stated what are you doing.

Rich Williams stated they are looking now only at this power station but at all the power stations in the Town of Patterson to add a housing for controls and so they need to expand all three facilities, the one along Route 22, is a permitted use, the ones on Mooney Hill Road and the ones on Terry Hill [Road], both, excuse me, require a use variance which they are going to have to approach the ZBA about. In looking at the one on Mooney Hill [Road] it was determined that they initially wanted to go on the west side but there wasn't going to be sufficient room to do that, so they approached the neighbor the north to do a lot line adjustment to give them sufficient area in which to do the improvements, expand the enclosure and put the building.

Board Member McNulty stated is this Mooney Hill [Road] or Terry Hill [Road].

Rich Williams stated Mooney Hill [Road].

Chairman Rogan stated Mooney Hill [Road].

Board Member Montesano stated this is Mooney Hill [Road].

Rich Williams stated you haven't seen Terry Hill [Road] and you haven't see Route 22.

Board Member McNulty stated but they did come in front of us for [Route] 22 at some point, didn't they already earlier.

The Secretary stated they've seen Route 22.

Rich Williams stated did we do [Route] 22.

Board Member McNulty stated yeah.

Board Member Taylor stated yeah.

The Secretary stated I think did a waiver, I don't know if the waiver got done...

Board Member McNulty stated because when they came in they said they were going to...

Ted Kozlowski stated next to the restaurant, they came in.

Board Member McNulty stated yeah.

The Secretary stated yes, they have been in.

Board Member McNulty stated we did one...

Ted Kozlowski stated Rich, next to that new restaurant that opened up Country Inn, Country Kitchen...

Rich Williams stated this is getting really scary for me.

Ted Kozlowski stated you don't remember that.

Board Member McNulty stated Route 22, I remember.

Chairman Rogan stated yeah I do now that they're saying, yeah.

Ted Kozlowski stated you don't remember that, I remember it.

Rich Williams stated they came in...

Chairman Rogan stated up the road from the Patterson Auto Body.

(Inaudible – too many speaking at one time).

Ted Kozlowski stated Country House, Carriage House, right next to it.

Board Member Montesano stated right.

Board Member McNulty stated we approved their little building they want, a pre-constructed building.

Ted Kozlowski stated it must be that white you have on.

Rich Williams stated must be the white tie anyway, so they are looking to...

Board Member McNulty stated playing grand theft auto.

Rich Williams stated expand the fence enclosure and put a control building out there, there is also a stream and drainage easement that runs in this general area as well, so they are also, they've got a lot line adjustment to adjust the property line to give them sufficient room, site plan for the expansion of the area and they are coming in for a wetlands watercourse permit and they are also going to be going to the ZBA for a use variance and for an area variance for the adjacent property because she's in a four acre zoning district and she will have less property, she is making a non-conforming condition more non-conforming.

Ted Kozlowski stated wow, no lot there.

Rich Williams stated yup.

Chairman Rogan stated the subject of the lot line adjustment, the section there acquiring, it looks like it's just for setback distances, they're not proposing at least the plan I show or is this just an existing because I mean with the stream that goes down through what they're requiring, it's not usable area anyway, so they are just acquiring it to have setbacks or, I mean what's the point.

Rich Williams stated I'm not sure, I haven't taken a hard enough look at it.

Chairman Rogan stated all right but this doesn't appear that it's...

Board Member Montesano stated all right, question.

Board Member McNulty stated I don't see where the actual lot line, is it on here the lot line adjustment.

Rich Williams stated the problem with that and I did take a quick look at it...

Board Member Taylor stated this parcel right here.

Board Member McNulty stated oh this line, this dotted line to here.

Board Member Taylor stated they are moving it up to here.

Rich Williams stated yeah.

Board Member Taylor stated it goes over the easement, it goes over the stream.

Chairman Rogan stated over the stream and over the easement.

Board Member Montesano stated if they go the ZBA, can they get a variance on that room...

Board Member Taylor stated goes into.

Chairman Rogan stated thank you.

Board Member Montesano stated that they are trying to acquire, if we're going to make...

Board Member Taylor stated so their new building goes into the...

Board Member Brady stated wow, something you can read.

Board Member Montesano stated something that already exists below and make it further below the mark...

Board Member Brady stated I can't see.

Chairman Rogan stated guys.

Board Member Montesano stated why can't we just get, why can't they just go to the ZBA and get approval for, without the lot line, if they have less property than is required. We're moving a line here which makes the other property less...

Chairman Rogan stated smaller.

Board Member Montesano stated smaller and more non-conforming.

Chairman Rogan stated right.

Board Member Montesano stated if we'd left this lot line idea out, why can't they go to the ZBA just to get the, they need that extra piece, couple of feet.

Chairman Rogan stated see where it is.

Board Member Taylor stated they need the space.

Rich Williams stated I haven't...

Chairman Rogan stated this is the piece they're getting, right here, see it.

Board Member Montesano stated yeah but I'm saying, do they need that much...

Chairman Rogan stated that's what they're showing, take a look.

Board Member Taylor stated here look at this, they've got their building here, they need...

Board Member Montesano stated all right.

Board Member Taylor stated they need to be able to drive around it probably.

Ted Kozlowski stated but Rich, Rich...

Board Member Montesano stated now we're going to make...

Rich Williams stated this year.

The Secretary stated last year.

Ted Kozlowski stated Rich and the question and I think you said it to me when I spoke to you on the phone, they're pushing this out for this lot line adjustment so they can do this extension and obviously they are in the buffer of the stream, they obviously own this piece here, why can't they go to this angle...

Chairman Rogan stated the east.

Ted Kozlowski stated why do they need to go the way they are going.

Rich Williams stated I haven't reviewed this in detail.

Chairman Rogan stated grade.

Rich Williams stated I don't have answer for you.

Ted Kozlowski stated because it just they are out of the stream and they have, it looks like they have the space without having to do this lot line change.

Rich Williams stated to go, without...

Board Member McNulty stated not much though.

Rich Williams stated I'm guessing, if you're talking about why they're not going west...

Chairman Rogan stated no, why they're not going east.

Rich Williams stated east.

Chairman Rogan stated yeah.

Board Member McNulty stated see this is a fence.

Ted Kozlowski stated yeah east.

Rich Williams stated east is a stream.

Ted Kozlowski stated no the stream is here, so it comes away, they would be further away from the stream.

Chairman Rogan stated they would be further away from the stream than what they're proposing.

Ted Kozlowski stated the stream is here Rich, it goes like this and then comes around.

Rich Williams stated where is Mooney Hill Road...

Chairman Rogan stated Mooney Hill Road.

Rich Williams stated Mooney Hill Road.

Ted Kozlowski stated here's the stream.

Chairman Rogan stated he's saying why can't they maybe put the building here.

Ted Kozlowski stated why can't they put the building right here, why do they have to do what they're doing, I don't understand, is there...

Chairman Rogan stated well those are the questions we have to find out.

Ted Kozlowski stated is there some electric reason for that or some...

Rich Williams stated well the fence enclosure goes all the way over to here...

Ted Kozlowski stated right.

Rich Williams stated all right, there are, there is equipment...

Board Member Taylor stated there's stuff in here.

Rich Williams stated electrical stuff in there plus they are going to need...

Ted Kozlowski stated but they also...

Board Member McNulty stated gravel yard.

Rich Williams stated yeah and they are going to need access to get back here or to there, you know...

Ted Kozlowski stated I mean we can ask the question.

Rich Williams stated the only thing I can say to you is you know, you're going to be out there, do a site walk, let's take the plan out and look.

Board Member Montesano stated this is the cheapest way.

Rich Williams stated but I haven't delved into this yet, so I don't know.

Chairman Rogan stated okay.

Board Member Montesano stated and they don't want to spend any money. That would cause them to have...

Ted Kozlowski stated can we put this on the site walk when you go.

Chairman Rogan stated well here they'd probably have a retaining wall or something.

Rich Williams stated I don't know if that's the case Michael because they are spending way more than they need to.

Board Member Montesano stated are they.

Ted Kozlowski stated Rich, what is it that they're doing, do they explain that.

Board Member McNulty stated they are adding a control house, pre-constructed like you see on the telecom buildings.

Rich Williams stated they are adding them to all the units.

Board Member Taylor stated they actually explained it to us but I don't remember what the explanation was.

Board Member McNulty stated yeah, she said they were going to come back with all the sites.

Rich Williams stated I think they're doing it...

Ted Kozlowski stated if we're going to do a site walk, do you want to look at this.

Chairman Rogan stated oh yeah, definitely.

Rich Williams stated because they want to be able to pull mobile power units, mobile transformers when there is a power outage.

Board Member Taylor stated they need the parking space.

Ted Kozlowski stated I'm sure there's a logical reason for this but I would just like to know what it is.

Chairman Rogan stated sure. So numbers four and five, the Dressler lot line is directly connect, they are one in the same...

Rich Williams stated basically...

Chairman Rogan stated two separate applications but linked.

Rich Williams stated correct.

Board Member McNulty stated so the site plan, the watercourse and the lot line.

Chairman Rogan stated got it, yeah, okay.

Ted Kozlowski stated Rich did you find out, did they submit a list of nearby and adjacent owners with this. Michelle did they submit that because I didn't get it in my package and sometimes I don't get it.

Rich Williams stated did you create them a list.

The Secretary stated no.

Rich Williams stated that's all right, we'll follow up on that.

The Secretary stated they don't need it until the public hearing...

Chairman Rogan stated right, we're not even.

The Secretary stated I don't usually give them a list until a public hearing has been scheduled.

Chairman Rogan stated okay.

Rich Williams stated yeah but it's part of the...

Ted Kozlowski stated when submit a package they are supposed to submit it.

Rich Williams stated it's a requirement of a wetlands permit.

The Secretary stated sorry.

Ted Kozlowski stated it's not a big deal but they should do it.

The Secretary stated it came in, in pieces so...

Rich Williams stated yeah, this was a mess of an application.

Ted Kozlowski stated really, NYSEG is usually pretty thorough.

Board Member McNulty stated well with the lot line and all it just got complicated and the stream in the middle of it.

The Secretary stated and the variances that they have to go for it...

Chairman Rogan stated Sypko...

The Secretary stated ended up just being very involved.

6) ROMAN SYPKO – Wetlands/Watercourse Permit Application

Chairman Rogan stated Sypko is back.

Rich Williams stated yes, you remember that.

Chairman Rogan stated Birch Hill Road, stream crossing up the hill, the lot up the hill and sweep to the left.

Ted Kozlowski stated he never built it, right.

Chairman Rogan stated that's where we saw the hunting lodge from this, right...

Rich Williams stated yes.

Chairman Rogan stated we were at Sypko and that, remember.

Board Member Montesano stated yeah.

Chairman Rogan stated yeah.

Ted Kozlowski stated those were the days.

Chairman Rogan stated okay, so what's Sypko back in for.

Rich Williams stated wetlands permit is expired.

Chairman Rogan stated ah, okay, are they just redoing what they had previously approved.

Rich Williams stated yeah.

Ted Kozlowski stated no changes Rich.

Rich Williams stated I haven't looked at it but I don't believe there's been...

Chairman Rogan stated it was tight then, it's tight now but there's precedent, that's an interesting one.

Board Member Taylor stated now is this an existing driveway.

Chairman Rogan stated it's a vacant lot, right, they haven't built it yet.

Ted Kozlowski stated it's a vacant lot, they needed access Ron to get up the...

Rich Williams stated he built that crazy little crossing with the sandbags years ago.

Chairman Rogan stated yeah.

Board Member Taylor stated yeah, so it is and it isn't yeah.

Chairman Rogan stated we looked at the slope of the driveway, we looked at everything and from here, right over the stone wall, property line, right here is that hunting lodge up on, really close, it's like right here, that hunting lodge that's up there on that property...

Board Member Taylor stated it's no longer a hunting lodge.

Ted Kozlowski stated it is funny, I thought he was so anxious to build and get up there.

Board Member Taylor stated a one bedroom, did they ever get that building permit on that hunting lodge, converting it to a one bedroom or whatever they were...

Board Member McNulty stated the one we had the bridge crossing.

Rich Williams stated Ron I really don't, I know they were working on it but I don't know for sure.

Ted Kozlowski stated it got lost in the shuffle.

Rich Williams stated well I don't know that got lost in the shuffle.

Chairman Rogan stated this is just all slope but...

Board Member Taylor stated right.

Chairman Rogan stated you know but our review was for the access to the property.

Board Member Taylor stated sure, oh sure, yeah.

Chairman Rogan stated yeah.

Rich Williams stated well you know...

Board Member McNulty stated and that's what this is, a renewal of that access.

Chairman Rogan stated correct, yeah, we had that all engineered out and it's got stormwater and...

Rich Williams stated ask Cheryl in the morning...

Board Member McNulty stated how long is it expired.

Chairman Rogan stated Rich, what's the...

Rich Williams stated yes.

Chairman Rogan stated how long as this been expired or is it the permits...

Ted Kozlowski stated it's a long time.

Rich Williams stated I don't know for sure but I think 2004.

Ted Kozlowski stated Rich, this goes back a long way.

Chairman Rogan stated it was that long ago.

Board Member Montesano stated 1/16/04, no 3/16, 3/31...

Board Member McNulty stated so this could be all under new regulations...

Board Member Montesano stated I'm looking at the, on here.

Board Member McNulty stated is our new regulations in place since then or is this going to be an easy, we can renew it.

Rich Williams stated there haven't been any changes in the wetlands/watercourse regulations.

Ted Kozlowski stated no, the slope that was always a concern, the driveway was the big issue.

Chairman Rogan stated yeah, I remember.

Ted Kozlowski stated and he got a waiver for the steepness of the driveway.

Chairman Rogan stated right, that wasn't...

Board Member McNulty stated so that's no longer an issue, right.

Chairman Rogan stated that much off if I remember, it was like a 16 or something or...

Ted Kozlowski stated it's not, this is not one of those great lots, it's nice to be up on top but getting there is...

Board Member Montesano stated 3/31/04.

Board Member McNulty stated that's his problem.

Ted Kozlowski stated yeah.

Board Member Brady stated yeah, coming down in the winter it going to be tough.

Chairman Rogan stated the main thing I remember is we addressed...

Board Member Montesano stated revision.

Chairman Rogan stated and you see where there is quite a bit of drainage, think about we were just out on Towners Road for that lot, right, for the driveway waiver, remember the first lot there and we were talking about the water sheeting down the driveway, this was the kind of thing because it's longer, we really addressed where's the water going to flow, that's why we had two different treatment areas on the bottom, there is one up top, we were, because it's a longer driveway in, so I remember spending a lot of time with Rich and with the engineers at the time addressing those issues.

The Secretary stated it's just a renewal.

Chairman Rogan stated yeah.

Ted Kozlowski stated I'll tell you what I need for the house.

Rich Williams stated it's actually a new application.

Chairman Rogan stated yeah.

The Secretary stated he ran out of renewals.

Ted Kozlowski stated just get it ready.

Chairman Rogan stated okay, so unless anybody wants to go back into it, you I'm sorry, go ahead.

Board Member McNulty stated so on this Rich you're going to, you haven't really looked at this yet you're going to do a review memo for us then.

Rich Williams stated yes.

Board Member McNulty stated this is before my time.

Board Member Taylor stated I think three of us need to have a site walk on this one.

Chairman Rogan stated we're going to be out, so plan on...

Board Member McNulty stated okay.

Board Member Taylor stated oh, that's going to be a busy day.

Chairman Rogan stated you know, we haven't been out in a while.

Rich Williams stated I guess we're not doing this in the evening.

Board Member Montesano stated we could always go out four nights.

Ted Kozlowski stated we haven't gone out on a long site walk in a long time.

Chairman Rogan stated I know, they've all be, not since Harry's subdivision that we walked around was nice...

Board Member Brady stated this could be breakfast lunch and dinner.

Board Member Taylor stated yeah.

Chairman Rogan stated what was that one, up in Put Lake.

Board Member Taylor stated Haviland.

Ted Kozlowski stated that kind of went quiet too now.

Rich Williams stated well Harry had some issues, so.

Chairman Rogan stated yeah.

Ted Kozlowski stated yeah.

8) M&S IRON WORKS – Site Plan

Chairman Rogan stated all right, M&S Iron Works, where are we at with that Rich.

Rich Williams stated the last time they were in, they were seeking final approval and you know, at least on my part, I you know, I had recommended to the Board that you're not to proceed further until we heard something back from DEP. Well we've heard something back from DEP, they declared it a complete application and didn't ask for any additional information.

Chairman Rogan stated wow.

Rich Williams stated so I'm assuming that they are looking at this favorably, there are going to be minor changes, if any and you know I threw it back on to see if you wanted to...

Chairman Rogan stated get a resolution going, let's get it going...

Board Member McNulty stated yeah.

Chairman Rogan stated why not, right.

Board Member McNulty stated finish them out.

Chairman Rogan stated we've done, I mean really, for our purposes, I know the engineers always have to be engineers but that's why they do what they do.

Board Member Taylor stated and they are giving a response by, what did they say by June something.

Rich Williams stated on?

Board Member McNulty stated the DEP.

Board Member Taylor stated DEP, didn't they say they were going to respond.

Rich Williams stated once they declare an application complete, I believe they had 60 days in which to make a decision, that would expired in June, I think.

Board Member Taylor stated so by the July meeting we should have their response.

Chairman Rogan stated he's not good for it.

Board Member Brady stated no, I know where he works.

Board Member Taylor stated if they are on target.

Chairman Rogan stated only part time though; oh you know where he works full time.

Ted Kozlowski stated you need to change this, you need to change this.

Board Member McNulty stated well can we do a final based on DEP's...

Rich Williams stated what is it.

Board Member McNulty stated make a...

Ted Kozlowski stated site plan application.

Chairman Rogan stated yeah because that's one of the conditions.

Board Member McNulty stated what's the word, a condition that they have to meet all of DEP's requirements.

Chairman Rogan stated yeah, that's almost always in all of those conditional approvals anyway so that goes without saying...

Ted Kozlowski stated your [Ed] name is not on there.

Board Member Brady stated oh look at that, huh?

Ted Kozlowski stated and Michelle's, she's changed.

Board Member Brady stated she's got everything changed, she was fast.

Chairman Rogan stated I mean we can approve everything but DEP is the last to, you know...

Board Member McNulty stated have to talk to them at the meeting.

Ted Kozlowski stated he's left out.

The Secretary stated whose application is it.

Ted Kozlowski stated yours.

The Secretary stated no, what applicant.

Rich Williams stated site plan.

Ted Kozlowski stated site plan.

The Secretary stated what applicant.

Ted Kozlowski stated NYSEG.

Board Member Brady stated NYSEG, yeah...

The Secretary stated I thought I got them all.

Ted Kozlowski stated and I always get nailed for...

The Secretary stated I am so sorry.

Board Member McNulty stated what about it.

Ted Kozlowski stated no, when I don't have the right one, I hear about it, so I am making an issue of it.

The Secretary stated I'll fix it.

Board Member Brady stated he's complaining, not me.

Rich Williams stated I'm making an issue because you take my letterhead and change it yourself...

Ted Kozlowski stated who didn't want to shared letterhead with me a year...

Board Member McNulty sated girls, please.

Ted Kozlowski stated okay, let's bring that up.

The Secretary stated ladies.

Chairman Rogan stated too many people talking at once.

Rich Williams stated that's because you were bad.

Ted Kozlowski stated you were badder.

Chairman Rogan stated all right guys.

Board Member Montesano stated Michelle, open the drawer, get out the paddles and let them go in the hallway.

Ted Kozlowski stated and I want that in the minutes.

Board Member Montesano stated we'll have seconds and everything.

Chairman Rogan stated all right so we're going to work up a resolution for M&S Iron Works; I saw we like you know Rich has got a squirrel in his pocket.

Ted Kozlowski stated no, I don't think so.

Rich Williams stated I'm just happy to see you.

Ted Kozlowski stated put that in the minutes Michelle.

Chairman Rogan stated okay, we're getting...

Ted Kozlowski stated can't want to read these minutes.

9) NORTHEAST MESA – Concept Review

Chairman Rogan stated Northeast Mesa, so the whole purpose of this, can everybody do a site walk Saturday morning...

Ted Kozlowski stated please.

Board Member McNulty stated no.

Chairman Rogan stated you can't, really.

Board Member McNulty stated no, working.

Chairman Rogan stated all right.

Ted Kozlowski stated how early.

Board Member McNulty stated eight o'clock.

Chairman Rogan stated he starts early.

Ted Kozlowski stated I don't want to hear you bellyaching that you have no work.

Board Member McNulty stated you won't hear me bellyaching.

Chairman Rogan stated is there any week night, now the earliest you can probably get up is probably six, six-ish...

Board Member Brady stated without taking time off, yeah.

Chairman Rogan stated we're not asking you to take time off.

Ted Kozlowski stated their busting his...

Rich Williams stated I got news, there is only Wednesday night this week.

Chairman Rogan stated Wednesday night...

Board Member McNulty stated I can't be there Thursday night either.

Chairman Rogan stated you're not going to be at the meeting.

Board Member McNulty stated no, the site walk.

Board Member Brady stated and Wednesday night is no good for me either.

Chairman Rogan stated can you do it right after, all right.

Ted Kozlowski stated is like Sunday evening taboo with anybody.

Board Member McNulty stated yeah, I'm not going out Sunday, it's my only day off.

Chairman Rogan stated yeah, all right.

Rich Williams stated welcome to my world.

Chairman Rogan stated we've had, you know it's interesting; we've had the most difficult time this month getting a site walk pulled together.

Board Member McNulty stated I thought we were going to this...

Ted Kozlowski stated how about tomorrow night.

Board Member Montesano stated its summer.

Chairman Rogan stated I did too but there was a, something came up. When do you go on summer hours, you don't go eight to four...

Ted Kozlowski stated when is your next available appointment.

Board Member McNulty stated Monday...

Board Member Brady stated summer hours, are you kidding me, they think I should work extra hours.

Chairman Rogan stated well maybe you should but I can't speak to that, that's their opinion.

Ted Kozlowski stated Monday night, you're busy.

Rich Williams stated Northeast Mesa, Tammy can't make it.

Chairman Rogan stated oh and that's important, we have to be able to, the whole point is to get inside.

Board Member McNulty stated does she have to be there, can anybody else let us in or we want to explain to her what we want.

Chairman Rogan stated I think it's important they get a sense of what they want to do, right.

Rich Williams stated she was the one that coordinating this.

Chairman Rogan stated right, all right.

Ted Kozlowski stated how about the other things for Monday or you want it all in one.

Board Member McNulty stated Tuesday.

Chairman stated well I think Sypko, Dressler, the reality is, the reality is Northeast Mesa is the primary because all the others, Merlotto's not in a hurry, NYSEG hasn't even been before us yet and Sypko, same thing. We're trying to squeeze in site walks that we know we want to do but the reality is they haven't even appeared before us yet so in fairness, Northeast Mesa is the most important one. So if they can make it, what night they can make it, we should try to do it because that's the one at this point, we're, they're in process, the other are not as time sensitive.

Ted Kozlowski stated and you want to do this before the meeting.

Rich Williams stated what I'm hearing is that the two times you're looking to do, Tommy can't make either one, Wednesday or Saturday.

Board Member McNulty stated Wednesday I can do, I didn't say I couldn't do Wednesday.

Board Member Taylor stated Ed can't do Wednesday.

Board Member McNulty stated Ed can't do Wednesday.

Rich Williams stated oh Ed can't do Wednesday.

Board Member Brady stated what time do you want to do it on Wednesday because if you know...

Ted Kozlowski stated what time can you get there because if...

Board Member Brady stated yeah but my problem is that I have a father/daughter baseball game, so.

Chairman Rogan stated what time is the game.

Board Member Brady stated six o'clock, you know.

Chairman Rogan stated yeah.

Board Member Brady stated so it would have to be, I'll just take off from work but it will have to be earlier.

Chairman Rogan stated I don't want to have you do that if you...

Board Member Brady stated if I have to, I have to. We need to get up there too, so.

Chairman Rogan stated so what if we, could you be there at five, ten after five, and then you can make your baseball game.

Board Member Brady stated yeah, yeah, I could do that.

Chairman Rogan stated okay, so why don't we do that, that's Wednesday and we'll let the record show and note very clearly that Ed is taking time off of work because of his love for the Town of Patterson and its residents to you know, giving one for the team, it's getting thick I know...

Board Member McNulty stated Wednesday at five fifteen.

Board Member Brady stated it's getting deep, it's getting real deep.

Rich Williams stated five or five fifteen.

Chairman Rogan stated five, I'll be over there, I'll probably be the only one, I'll be there by ten after.

Ted Kozlowski stated this coming Wednesday.

Chairman Rogan stated the night before the meeting.

Board Member Brady stated Northeast Mesa.

Chairman Rogan stated yeah.

Ted Kozlowski stated that's the sixth.

Board Member McNulty stated Tammy is good for that night.

Rich Williams stated yes.

Chairman Rogan stated and then the other ones we can do, we'll set a Saturday or another week night...

Ted Kozlowski stated the following Saturday.

Chairman Rogan stated that's good for everyone.

Ted Kozlowski stated what about the following Saturday or...

Chairman Rogan stated well yeah, I don't have a calendar in front of me but I'm sure it will work, it's up to...

Ted Kozlowski stated that's the tenth...

Board Member Taylor stated you don't know yet.

Board Member McNulty stated I don't know yet.

Rich Williams stated I don't know that I'm going to be here.

Board Member McNulty stated don't wait on me, I can always...

Chairman Rogan stated yeah I mean Tommy is basically...

Rich Williams stated let's not do the tenth, the tenth is a Sunday.

Board Member McNulty stated I'm travelling, I can always, if it's a drive-by to look at property, I can do it on my own.

Ted Kozlowski stated the ninth.

Rich Williams stated the ninth.

The Secretary stated the ninth is a Saturday.

Board Member Taylor stated especially if it's a vacant property or NYSEG site.

Board Member McNulty stated I drive past the one on Mooney Hill every day.

Board Member Montesano stated come on look, anybody available on the seventeenth.

Rich Williams stated what's the, yeah no.

Board Member McNulty stated no.

Rich Williams stated yeah, no.

Board Member McNulty stated actually the following Saturday I'll be away, actually.

Ted Kozlowski stated me too.

Chairman Rogan stated so should we, since we're kicking it around though, should we do this Saturday morning for Merlotto, Sypko, you haven't been to Sypko, no, we want to get you out to Sypko with the group.

Board Member Montesano stated well the idea is...

Ted Kozlowski stated Saturday morning they're talking about thunderstorms from late Friday night into half of Saturday so that might be not a good time.

Board Member McNulty stated what does that have to do with anything.

Ted Kozlowski stated I'm just saying.

Board Member McNulty stated you can see the water flow.

Ted Kozlowski stated I'm trying to back you here.

Chairman Rogan stated all right, at least we got Northeast Mesa planned for Wednesday and we'll go from there, okay, all right and other business...

10) OTHER BUSINESS

Chairman Rogan stated I don't remember, I apologize, I don't remember the specific topic but I know you had e-mailed us something for, from last month that and said not for now but let's talk about at the next work session and I just can't, my brain isn't allowing me to...

Board Member Taylor stated oh it's Commerce, it's the overall Commerce Drive scheme up, I'm not really ready for that either...

Chairman Rogan stated okay.

Board Member Taylor stated I have to go back to the minutes.

Chairman Rogan stated I'm not ever sure what day today is so we're on the same page on this.

Board Member McNulty stated Shawn we had talked about...

Ted Kozlowski stated well I think...

Board Member McNulty stated some of those things Charlie was tracking...

Chairman Rogan stated yeah, you want that file.

Board Member McNulty stated yeah I'll take it.

Chairman Rogan stated no, I know you offered, I'll bring it Wednesday night.

Board Member McNulty stated we talked about the open cases we had, I guess it was Getty...

Chairman Rogan stated Charlie files.

Rich Williams stated you're going to bring what.

Chairman Rogan stated Charlie has a dossier on all of the outstanding, unfinished business; remember he would bring it up from time to time, what's going on with this...

Rich Williams stated yeah.

Chairman Rogan stated well he, it's the holy grail, that was passed down.

Rich Williams stated he's actually got a file.

Board Member Montesano stated oh yeah.

Chairman Rogan stated it's a, yeah.

Rich Williams stated really.

Ted Kozlowski stated just the thing on the Commerce Drive and Rich and I had a conversation but I spoke to Brian Orzel of Army Corps of Engineers and they are going to insist on two for one, not one for one...

Chairman Rogan stated they can insist all they want, that doesn't mean that we care what they, no I'm just teasing yeah.

Ted Kozlowski stated that kills a lot of scenarios unfortunately.

Chairman Rogan stated we can only work within our framework, you know, we can't...

Board Member Montesano stated I don't care what the Army has to say, never did.

Board Member McNulty stated real quick, Rich, Northeast Mesa, I see you printed this out, I guess this has to do with that.

Rich Williams stated Tammy brought it in...

Board Member McNulty stated oh okay.

Rich Williams stated she had talked to somebody from the EPA about floor drains. Essentially what the EPA is saying is you shouldn't put floor drains in but the way they were looking at it and correctly so, is the way people used to put floor drains in, is they used to put a drywell under the slab or they used to put a drywell someplace else and that's what they would consider a floor drain. Then I explained to Tammy that would not hold true if you were putting it into a vault or into an oil/water separator, in which case the EPA really doesn't regulate either one but...

Ted Kozlowski stated right, so you can clean it out and all.

Board Member McNulty stated what's the maintenance on an oil/water separator.

Rich Williams stated depends on the volume and what you're doing, something like this just a floor drain, it would be minimal but there still is maintenance and then you have the issue about whose doing the inspections to make sure the maintenance gets done. Contained within this document though, which is why I thought it was important that you all see is the criteria for running a dry shop, i.e. a shop with no floor drains and how, what they have to do to make sure there are no petroleum spills released into the environment.

Board Member Brady stated they're usually sized by an engineer...

Board Member McNulty stated my concern is if it's a small one and you mention inspections and it does start to collect oil over four or five years' time and doesn't get maintained, does that create a bigger problem than if you just had a less concentrated oil being washed or cleaned up, rather than the concentrated amount of oil collected.

Rich Williams stated what happens is you've got a sump at the top of the outlet pipe and once that is completely full, then any new oil just goes out the pipe...

Board Member Brady stated just going to flow right through.

Rich Williams stated right, just flows right through.

Board Member Montesano stated the object is any decent shop, you've got surplus oil, somebody is going to come in and buy it, the same guy that will buy your surplus oil will take two minutes if something, pump out that tank that you've got draining in there. It's not a, once the thing is there, it's up to the owner to maintain it, if you're getting rid of surplus oil and if you're doing any kind of work on a car, you've got surplus oil, if you don't use it in your heater, the guy comes.

Board Member McNulty stated I'm just saying he doesn't ask the truck driver to suck out the pump and now you have a concentrated amount of oil that nobody's watching rather than a non-concentrated, you know we're worried about a spill basically, if a major spill happens, he's got a two hundred gallon tanks that leaks or a forty gallon fuel tanks leaks off a vehicle...

Rich Williams stated you know tanks in the shop, not tanks in the cars, tanks in the shop, a lot of them have to be in containment, so they have to a hundred and ten percent containment plus they are in barrels.

Ted Kozlowski stated a lot of shops are taking that waste oil and using for their heat...

Board Member Taylor stated heating.

Ted Kozlowski stated in the building.

Chairman Rogan stated sure.

Board Member Brady stated yeah but you're missing it, this is just for a spill, this isn't for...

Chairman Rogan stated draining the oil out of...

Board Member Brady stated you take the oil, you're changing the oil, this is for what spills.

Board Member McNulty stated no, I understand.

Board Member Brady stated so you're going to have a very small amount, it's just that accident that happens or that gas tank that you pull down and you drop it and it spills out.

Board Member McNulty stated that's my, my point is you have very small amounts usually but now over four or five years' time it because a large amount on something that's not maintained.

Board Member Brady stated I don't know that you're going to have a bigger difference from...

Board Member McNulty stated no but if you have a small spill, they clean it up.

Board Member Brady stated right, that's exactly what I'm saying, if they have a small spill and they clean it up, five years later they never maintain that, they have that small spill, it's going to be that small spill amount going out.

Board Member McNulty stated or four years' worth of small spills.

Board Member Brady stated well yeah but it doesn't all just empty out, in other words, it's replaced, so if you have a hundred gallon container and it's full and you dump one gallon in, only one gallon is coming out the other side...

Chairman Rogan stated right.

Board Member Brady stated so you're not like you know all of a sudden the thing is going to collapse and send a hundred gallons out, you're just going to send out, you're just displacing what's in the tank already.

Rich Williams stated sure but I get what Tommy's saying.

Board Member McNulty stated you're displacing day after day now.

Board Member Brady stated well yeah if it's not, right.

Rich Williams stated yeah but, here's the thing, if you don't have a floor drain and you're just cleaning everything up on speedi-dry, everything is cleaned up with speedi-dry and in the...

Board Member McNulty stated garbage.

Board Member Brady stated right.

Rich Williams stated in the garbage but if you've got a floor drain with an oil/water separator...

Ted Kozlowski stated everything is getting shoveled in there...

Rich Williams stated then you're more inclined to just wash it down into the oil/water separator even though you're not maintaining it.

The Secretary stated that speedi-dry used is now contaminated and has to be disposed of separately.

Rich Williams stated however.

Board Member Brady stated well what is the first thing that gets cut; maintenance.

Board Member Taylor stated so are the recommendations anywhere for this situation for a shop, they were building a new shop.

Rich Williams stated this is, I haven't read it but this is what I was lead to believe was EPA's recommendation for running a mechanic shop.

Board Member Taylor stated so they want to run as a dry shop, not to have oil separators and all that stuff.

Rich Williams stated their not thinking along those lines, they're thinking about drywells and pushing it into the ground.

Board Member Taylor stated right, I understand that.

Rich Williams stated that's their mindset.

Board Member Taylor stated yeah because this, that's, exactly, we're looking for guidance, is there guidance.

Board Member Montesano stated sure there is, just follow the circle, round and round we go and where we stop...

Rich Williams stated if you want to consider allowing them to run a dry shop, you've got guidance, if you're...

Board Member Montesano stated okay.

Board Member Taylor stated so what does out environmental guy say about this.

Ted Kozlowski stated I want to see, you know...

Chairman Rogan stated that's why we're going to the site.

Ted Kozlowski stated this thing is really interesting to me...

Board Member McNulty stated did you get a copy of this.

Ted Kozlowski stated so I really want to see what his, I want to see what the operation is...

Chairman Rogan stated I think if we...

Ted Kozlowski stated if this is a regular garage and I bet, we've all been in them and we know what goes on, I'd like to see everything contained, I don't want to see anything dumped into the ground or a drywell.

Board Member McNulty stated I'd rather see a containment at any doorway or building edge.

Board Member Montesano stated you have to realize this is a unique thing, that stream is right there.

Ted Kozlowski stated no I know...

Chairman Rogan stated that's right.

Ted Kozlowski stated but I want to see, I don't know if this is a specialty garage that they, you know, work on one car a week or is this just a regular like Joe Downy Auto and there's going to be a ton of cars there and leaking cars and all that other stuff.

Board Member Brady stated they dump it back on the municipalities and everything here is like connecting floor drains to a holding tank and that's basically what we would be doing here, make sure the holding tank meets all Federal, State, and Local requirements so it winds up going back to the Building Department.

Chairman Rogan stated a catch-all.

Board Member Montesano stated well let's put it this way, we just went from five thousand dollars to sixty thousand and then we have the double container tank, we'll double the price...

Board Member Brady stated monitor for the, monitor the fluid level...

Board Member McNulty stated just contain the perimeter of the building...

Chairman Rogan stated I think when we, Ted hit the nail on the head, when we get out there and see how the site relates to slope, to the wetlands...

Ted Kozlowski stated yeah and see what this woman, Tammy is her name...

Chairman Rogan stated it's an existing site, it's not like we're looking at a paper plan.

Board Member Brady stated right.

Board Member Montesano stated we used to have that...

Chairman Rogan stated the place exists, the garage exists, so that's going to answer a lot of questions.

Board Member Montesano stated Ferrari shop that used to be in Town...

Ted Kozlowski stated yeah, you want to see what it is.

Chairman Rogan stated yeah, okay.

Board Member Montesano stated do you remember the Ferrari shop that used to be here...

Board Member McNulty stated no.

Board Member Montesano stated all right, Robin Hill used to, the first building on the right as you go into Robin Hill, they used to work on Ferrari's, you could walk in that place and eat off the floor.

Chairman Rogan stated I bet.

Board Member Montesano stated they never, if something spilled it was like a robot poured out, they immediately cleaned up.

Chairman Rogan stated people didn't want their tires from their Ferrari's getting dirty.

Board Member Montesano stated oh let me tell you and I used to laugh but when they're paying six hundred dollars for an oil change I understood why.

Board Member Brady stated I think at Dupont if they spill something, I had to clean it up [*inaudible*] and you know go push it into a drain.

Rich Williams stated all right Shawn, yesterday we got another application in for a sign I don't know if you want to look at it for this meeting or not.

Chairman Rogan stated at least it didn't come in the day of the meeting. JPL Glass.

The Secretary stated there are copies for everybody in your hand.

Chairman Rogan stated I don't want to be the only one to look at it, take one down and pass it around.

Ted Kozlowski stated where are they.

Board Member McNulty stated right next to, across from the Carriage House.

Chairman Rogan stated oh you can see, it's the one that was the furniture shop.

Board Member McNulty stated Carl's Diner.

The Secretary stated yes.

Chairman Rogan stated yeah it was the hardwood furniture place.

Board Member Brady stated it's a glass place now, it used to be the oak furniture place.

Chairman Rogan stated yeah.

Ted Kozlowski stated the furniture place went out.

Board Member McNulty stated no, they're in the mall, no they're next to it.

Chairman Rogan stated their not proposing blue...

Ted Kozlowski stated what went out.

Board Member Montesano stated JPL Glass...

Board Member McNulty stated I think it was part of the wood furniture lease...

Chairman Rogan stated so this is the place all the way to the left.

Board Member Brady stated the wood furniture place is in the Danbury Mall now.

Board Member McNulty stated that blue isn't part of it, is it.

Chairman Rogan stated I was just going to say, that's not, that's just the.

The Secretary stated no, we're thinking it was bad printing.

Chairman Rogan stated yeah.

Board Member McNulty stated see him taking the picture...

Board Member Taylor stated they ran out of ink.

Ted Kozlowski stated front window glasses...

Board Member Taylor stated it fit the requirements, is it illuminated.

Chairman Rogan stated yup.

Board Member Montesano stated they do glass...

Chairman Rogan stated standard UL approved cabinet and lamps internal it says on the application, so yeah it's illuminated...

Board Member McNulty stated three months.

Chairman Rogan stated twenty-four square feet.

Board Member Taylor stated they took a logo and dropped it on a picture, not a real sign.

Chairman Rogan stated no.

Board Member Taylor stated okay.

Board Member McNulty stated you haven't looked at it at all Rich.

Ted Kozlowski stated that him taking the picture.

Chairman Rogan stated JPL Glass...

Board Member McNulty stated actually I met him [*inaudible*].

Ted Kozlowski stated yeah.

Board Member McNulty stated he works for the County, emergency response or something.

Chairman Rogan stated you can see it from your house.

Rich Williams stated thanks, I'll look the other way.

Board Member Taylor stated I don't have a color...

Chairman Rogan stated I don't either.

Board Member McNulty stated he offered me all his tools and stuff...

Rich Williams stated all right, so we'll add it to the agenda.

Chairman Rogan stated anybody have a problem with adding that under Other Business.

Board Member Brady stated yeah I know but are they going build...

Chairman Rogan stated gentlemen.

Board Member McNulty stated I'm okay to add it.

Chairman Rogan stated okay to add it to the agenda, under Other Business we'll make it 10 a.

Board Member McNulty stated Rich you also had a notice...

Chairman Rogan stated JPL.

Board Member McNulty stated a memo of fences and codes is that, where is that falling.

Rich Williams stated yeah, a while ago we amended the Town Code to prohibit six foot fences in the front yard, they are limited to four feet. There were some people who didn't think that was necessarily appropriate and then there are some people who thought you know, there should be some architectural treatment, transitional areas, it got very complicated, we tried to amend it to appease everybody...

The Secretary sneezed.

Rich Williams stated God bless you...

Chairman Rogan stated so you appeased no one.

Rich Williams stated and it got very complicated so it was ultimately dropped and I was asked to dust it off and throw it back out there so that people could take another look at it and comment on it. You know, there are still concerns about having, prohibiting six foot fences in the front yard, especially if you're along a County or a State road with the traffic and there are some very nice six foot architectural fences, you know, that might be appropriate, so...

Board Member McNulty stated so is this something that the Town Board is looking for input from us or it's just for our...

Rich Williams stated if you have any comments, sure we'll take comments.

Ted Kozlowski stated do you differentiate between say post and rail fences as opposed to picket fences as opposed to stockade fences.

Rich Williams stated no, not currently.

Board Member Taylor stated as opposed to wire fences.

Ted Kozlowski stated yeah, I mean some fences, ornate gate wrought iron and stuff looks nice but I know of one on a road that is a six foot stockade fence right in front of the house and it looks awful, so I wonder if you can refine that so it, you know aesthetically there are fences that are six feet that are acceptable because it allows the site and it's aesthetic...

Rich Williams stated architectural fences.

Ted Kozlowski stated architectural...

Rich Williams stated yup.

Ted Kozlowski stated but I think a stockade fence, a six foot stockade fence in front of someone's house along the road is kind of unattractive.

Rich Williams stated I think everybody agreed but there was individual in particular who didn't want anything more than a four foot fence, then they finally agreed that there should be some transitional area between, you're going to have six feet on your side but four feet in the front and that looks stupid so we should have some sort of transitional area between the six feet and four feet and trellises and I'm telling you it just got to be a headache and a half and finally everybody said...

Board Member McNulty stated is six feet enough to keep the deer out.

Board Member Taylor stated no.

Rich Williams stated we don't even want to talk about it.

Chairman Rogan stated fences was a...

Board Member Taylor stated seven...

Ted Kozlowski stated deer will go over it if it has to.

Board Member Montesano stated does razor wire include the six feet.

Board Member Taylor stated that will keep them out.

Board Member Brady stated it's amazing to watch those things jump over a six foot fence.

Ted Kozlowski stated you know but sometimes, it depends on if your driveway, if you're bedroom window is opposite another driveway, a six foot fence, stockade might do it to block headlights in the middle of the night but then again you can plant shrubs, so, I could see how this could go on and on.

Rich Williams stated and it always seems to do that.

Board Member Montesano stated now, it depends now, does the height of the ground make the four feet or six foot distance or...

Chairman Rogan stated oh gosh...

Ted Kozlowski stated you build a berm and then you put the fence.

Board Member Montesano stated right.

Chairman Rogan stated all right.

Ted Kozlowski stated do we have a law on berms, by the way.

Rich Williams stated no, we don't have a law on berms.

Board Member Montesano stated oh quick, let's all put one up.

Board Member McNulty stated just a fill permit.

Rich Williams stated anything else of substance to talk about.

Chairman Rogan stated there you go.

Board Member Taylor stated I want to say something on the record, in my usual tactless way, I questioned the grammar of our previous code, I did not intend any offence to Rich, Rich can write perfectly well, we see the volume of stuff but sometimes when he's tired or too busy or something, you can see it deteriorates...

Board Member McNulty stated I know that, I do that.

Board Member Montesano stated age.

Board Member Taylor stated and I just felt that because it was going to be codified that it perhaps should be a little more formal and so I'm sorry Rich, I didn't mean any offence.

Rich Williams stated no offence was taken, I've done this a long time and I've learned that I've got to accept criticism from a lot of different sources and...

Board Member McNulty stated take it as support.

Rich Williams stated yeah, you know.

Board Member Taylor stated that's what I intended...

Board Member Montesano stated he's looking to get an AARP card and he could get it sooner than he thought.

Chairman Rogan stated there you go.

The Secretary stated that's my red pen.

Chairman Rogan stated okay...

Board Member Taylor stated and one other thought...

Chairman Rogan stated this is the talking stick from now on, here you go Ron.

Board Member Taylor stated okay, on Levine, I was wondering if we learned something that there is a difference between an application and enforcement action, that if somebody comes in with a condition that they are trying to correct, that maybe we should look at it and we should suggest to the Town and the Code

that it be looked at differently. I mean, Levine was the extreme, a hundred dollar fill permit versus twenty thousand dollars of enforcement action but it's, there are, we've had other cases of some of that, what, maybe there should be a distinction that it's not just a permit if you're trying to rectify something because there is always more involved in the process...

Chairman Rogan stated it's like a remediation plan.

Board Member Taylor stated yeah.

Board Member McNulty stated what happens it seems is that though the enforcement action initiates the permit, that's what initiates that to get in front of us.

Chairman Rogan stated that's not what I was laughing at.

Rich Williams stated that is correct but you know what we do, do a lot is where the has already been undertaken, we double the application fees, so that is in keep with what Ron is talking about, you know treating an application where the action has already occurred and it's kind of after that fact differently then somebody who hasn't done something, yeah I know it's worth some thought because you know, Levine right now, we're into Levine for...

Chairman Rogan stated twenty...

Rich Williams stated you know, no, I don't think it was that much but it was like fourteen...

Board Member McNulty stated yeah, fourteen, fifteen thousand dollars.

Chairman Rogan stated that was just engineering I thought.

Rich Williams stated was it that much.

Chairman Rogan stated it was twelve just engineering and I figured, you know I know we pay you more than twelve cents an hour.

Rich Williams stated I got news for you.

Chairman Rogan stated well by the hour you're right, you're cheap by the hour but...

Board Member Montesano stated so after fifty dollars we just cancel it.

Chairman Rogan stated but you know, interesting enough point, if we get an application that is the result of a violation, is there a way to set up an escrow account right off the bat because you're here because you screwed up the Town is going to encumber...

Ted Kozlowski stated the Town of North Salem does that.

Chairman Rogan stated some fees, you know.

Board Member Brady stated shouldn't it be a separate, a different application all together, to separate it.

Chairman Rogan stated because they are forced to be in front of us, it's not like an application somebody wants to do something, where at the end of the day if they don't, you have something to hold on them, you want to do the...

Board Member McNulty stated they've been forced to take this action.

Chairman Rogan stated yeah.

Ted Kozlowski stated the, just so you know because I'm involved in this right now, I'm helping, I have been retained by somebody in the Town of North Salem, it's a wetland violation, the town has required this individual to put a fifteen hundred escrow account for the town engineer and a thousand dollar escrow account for the town wetland inspector to deal with whatever and their time will be reimbursed by, in the escrow account, the town isn't going to assume those expenses.

Board Member McNulty stated so we should look at their code and see how it's written.

Board Member Taylor stated so that's all I'm suggesting, maybe we should look around and see...

Chairman Rogan stated no, I think that's a great idea.

Board Member Montesano stated it's great.

Board Member McNulty stated it's a question for Mike [Liguori].

Chairman Rogan stated when it comes back to using a case like this if, there are certain, I do agree there are certain things the Town should do in protection of the public, you know the greater good but if we can also protect the Town from not encumbering these costs unnecessarily and we have some mechanism to, hey you put the escrow up, in Levine's case, let's say he put up a three thousand dollar escrow well very quickly that money would have dried up and you say okay, we're looking to proceed but you have to now pick up about escrow, instead of trying to catch it from the back end.

Ted Kozlowski stated that doesn't include the permits or the, any kind of fees and penalties in court.

Chairman Rogan stated it is just time.

Ted Kozlowski stated in court, so I think it's a good way to do it.

Board Member Montesano stated it would be great, the only thing is we have to see who toes we're going to be stepping and Michael [Liguori] has to come up with an answer because do we have that power.

Board Member Taylor stated we do.

Ted Kozlowski stated of course you do.

Board Member Taylor stated the Town does.

Chairman Rogan stated Town can certainly institute a policy.

Ted Kozlowski stated the Town has the power to do that.

Board Member McNulty stated change the code.

Board Member Montesano stated the Town is, I'm saying all we can do is suggest.

Chairman Rogan stated and again this is a great example, we're sitting on an example right now that probably cost the taxpayers twenty grand, I mean...

Board Member Brady stated strike while the iron is hot.

Ted Kozlowski stated and it's done for violations, it's not done for somebody coming in with an application...

Chairman Rogan stated its violation based.

Ted Kozlowski stated a violation or a stop work order kind of thing.

Chairman Rogan stated yeah.

Board Member McNulty stated Rich, did the Town Board take any action on the fees that were incurred for Levine, was it brought up to them.

Rich Williams stated sure and it was brought up about them pursuing a separate enforcement action and they are kind of waiting and seeing what Nick's going to and how that's going to run.

Chairman Rogan stated well Nick sent a letter, they responded to that letter, right...

Rich Williams stated yup.

Chairman Rogan stated so I mean there's been action and the letter back seems to be along the lines of what he was asking them to do, it's not, you know.

Board Member Taylor stated it also seems like they've back tracked from there, we will stock pile and then decide what we're going to do with it...

Chairman Rogan stated right.

Board Member McNulty stated yeah we're going to remove it and segregate it and clean it up.

Board Member Taylor stated yeah, so that's what we want.

Board Member Brady stated yeah.

Rich Williams stated so I've been involved in these conversations, in all the meetings and you know I've talked to Adam recently who has let me know, wishes to convey his sincere apologies to the Board, you know he was told by his attorney not to show up, his attorney was going to take care of it, he has since fired his attorney.

Chairman Rogan stated okay.

Board Member Montesano stated gee, how odd.

Rich Williams stated been working on environmental consultant number three.

Chairman Rogan stated okay.

Rich Williams stated so.

Chairman Rogan stated anything else for the record.

Rich Williams stated I just have one last issue that I want to let the Board know. Costco has been showing interest in going into Patterson Crossing and they submitted initially some architectural design drawings which were not in conformance with the approvals that were granted by the Board or the conditional approvals that were granted by the Board, so I have been working with the architects from Costco to come up with a different design, you know try to meld their requirements for their building into what the Board had originally approved to get them as much, as close as we possibly can...

Ted Kozlowski stated is this...

Rich Williams stated so I just want to let everybody know that I've been working on that issue.

Ted Kozlowski stated do you think this is going to be another Tractor Supply issue where they have to have their building and that's it or they'll walk.

Rich Williams stated there's, there's been an interesting time going back and forth playing chicken and the egg, you know.

Board Member Montesano stated what they're building...

Board Member McNulty stated didn't you say they scraped their original plan though, on their own, they didn't like it internally and they came back to you with something new.

Rich Williams stated they have come back to me with something new.

Board Member McNulty stated did they ever send samples.

Rich Williams stated I have not seen color samples or material samples.

Board Member Montesano stated it's over in Danbury, excuse me Brookfield.

Chairman Rogan stated Rich, let's look at one other aspect to this, let's say that we work out the architectural, we work out the issue with the gasoline et cetera and they say great, we're in, that's only, that's one anchor, does that then create half of Patterson Crossing, you know, do they build because they are separate on their levels.

Rich Williams stated that's, Costco would be going in its own separate building out there but whether, I mean they are all the way at the back of the center.

Chairman Rogan stated I mean I know you need the infrastructure to get there and the infrastructure for water and septic...

Rich Williams stated right.

Chairman Rogan stated but...

Board Member Montesano stated well the place they're building...

Rich Williams stated I don't know what the developer is going to do and it certainly is not phased currently...

Chairman Rogan stated right.

Rich Williams stated to allow Costco to go in without the phases being completed.

Board Member Montesano stated the place over in Connecticut is getting expanded, the building itself and they are putting in a gas station.

Chairman Rogan stated did anybody catch the show on Costco that's been airing over and over about how they've created their ...

Board Member McNulty stated I've caught parts of it.

Chairman Rogan stated yeah, really interesting, they have they apparently are rated as the highest of paying their employees, that they, their average is twenty bucks an hour and full benefits and they were going through the whole...

Ted Kozlowski stated they treat their employees very well.

Chairman Rogan stated really well and it was, you know, really an interesting story I hadn't, it was nice to see because it change you know maybe any preconceived notions I might have had about Costco, it's just interesting but...

Board Member Montesano stated it's not a Wal-Mart, let me put it that way.

Chairman Rogan stated but anyway I look forward to hopefully they can come in with something to us rather than, the concern would be of course that you're too vested in the plan where they've worked it out and then it comes to us and then it, I think the sooner they get into us, the better off so at least we can be part of the process.

Board Member McNulty stated nice job on the interchange, it's nice all finished it looks good up there. Are we going to get traffic lights there?

Rich Williams stated that was not part of the safety improvements that the Town was going.

Board Member McNulty stated oh okay, they put stop lines like there were going to be.

Rich Williams stated and they took them off.

Board Member McNulty stated oh they did.

Rich Williams stated yes they did.

Board Member McNulty stated that's good because I saw people stopping at them, I didn't want to say anything the rest of it was great.

Rich Williams stated somebody jumped the gun.

Chairman Rogan stated okay.

Board Member McNulty stated I didn't notice it was gone.

Board Member Montesano stated it's only a paint bucket spilled.

Board Member Brady stated I didn't notice they're gone...

Rich Williams stated they were supposed to be sand blasting them today.

Board Member Brady stated oh okay.

Board Member McNulty stated oh okay.

Chairman Rogan stated anything else from anyone for Michelle's minutes. Motion to adjourn.

Board Member McNulty stated seconded the motion.

Chairman Rogan asks for all in favor:

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

The motion carried by a vote of 5 to 0.

The meeting adjourned at 8:27 p.m.