

TOWN OF PATTERSON

APPROVED
8/5/04 TMS

PLANNING BOARD MEETING

June 3, 2004

AGENDA & MINUTES

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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

ZONING BOARD OF APPEALS

Howard Buzzutto, Chairman
Mary Bodor
Marianne Burdick
Ginny Nacerino
Lars Olenius

PLANNING BOARD

Herb Schech, Chairman
Michael Montesano
David Pierro
Shawn Rogan
Maria Di Salvo

**Planning Board
June 3, 2004 Meeting Minutes**

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

APPROVED
8/5/04 MAB

Present were: Chairman Herb Schech, Board Member Mike Montesano, Board Member Dave Pierro, Board Member Shawn Rogan, Board Member Maria Di Salvo, Rich Williams, Town Planner, and Gene Richards, Town Engineer.

Meeting called to order at 7:33 p.m.

There were approximately 24 audience members.

Chairman Schech led the salute to the flag.

1) VERIZON SITE PLAN – Public Hearing

The Secretary read the legal notice.

Mr. Robert Amack, Williams F. Collins Architect was present representing the application.

Mr. Amack stated I am representing Verizon in their application to install a new 250 kilowatt generator module in the rear parking lot of the building or adjacent to the rear parking lot of their building. We currently propose to install landscape buffers or a evergreen hedge row to conceal it visually from the adjacent neighbors. The module does conform with all EPA requirements and it conforms to the Town's noise ordinance of 75 decibels at the property line even though I understand it is not required to being a utility company. The rest of the project involves installation of a chain link fence with plastic slats for additional screening and the installation of a concrete pad at grade. The module will be removable. It is completely self-contained including the fuel storage and the noise abatement and the exhaust system. It will be tied into the buildings fire alarm system and the leak detection also reports to the building's fire alarm system which reports to a central station. Are there any questions.

Chairman Schech asked are there any questions from the audience.

Ms. Dottie Hayden asked where is this going to be located in regards to that property, can you face it this way it is blocking my view.

Chairman Schech stated as far away from your house as possible Dottie.

Mr. Amack stated the module is located, there were originally two buildings on site one that was installed, one was constructed I believe in the twenties and one was much later on in the sixties or seventies. Recently there was an addition built between the two buildings to connect them, this is behind the connection between the two buildings in the rear of the lot. It won't be visible from the street line and with the landscape screening being installed I don't expect that it will be visible to the neighbors. The landscape screening to the west of the generator module will be ten to twelve foot high arborvitae, the module itself is approximately twelve foot two high and that is the installed height for the landscape screen. The landscape screen along the east side of the property

TAPE OR SYSTEM HAD PROBLEMS Meeting was not recorded at this point.

Board Member Rogan made a motion in the matter of the Verizon Site Plan that the Planning Board closes the public hearing. Board Member Di Salvo seconded the motion.

Chairman Schech asked all in favor:

Board Member Montesano	-	aye
Board Member Pierro	-	aye
Board Member Rogan	-	aye
Board Member Di Salvo	-	aye
Chairman Schech	-	aye

All in favor and motion carried by a vote of 5 to 0.

Board Member Rogan introduced the resolution granting Verizon Site Plan approval. Board Member Pierro seconded the motion.

Chairman Schech asked all in favor:

Board Member Montesano	-	aye
Board Member Pierro	-	aye
Board Member Rogan	-	aye
Board Member Di Salvo	-	aye
Chairman Schech	-	aye

All in favor and motion carried by a vote of 5 to 0.

2) **NEW ENGLAND EQUINE PRACTICE SITE PLAN – Public Hearing**

Mr. Joe Buschynski, Bibbo Associates, Mr. Harold Lepler, Dr. Bradley and Dr. Cooke, Applicants were present.

Mr. Buschynski presented the plan to the Board and the audience. He stated this is the Bonavenia property with Rocco's Pizza currently existing on the site. The plan is for a equine veterinarian hospital with a residential dwelling to house some interns.

Mr. Lepler stated that there have been some concerns regarding the existing uses on the property and that all the current uses will not remain.

Mr. Ravetto stated that he owns the diner across the street and he is concerned about his water being polluted or contaminate especially with sick horses.

Mr. Buschynski replied that there would be mechanisms in place and that his water should not be contaminated or polluted. All waste from the facility is handled just like at a regular hospital it is removed by medical waste carters.

Mr. Cooke stated that all manure is carted off site.

Board Member Rogan made a motion to close the public hearing. Board Member Pierro seconded the motion.

Chairman Schech asked all in favor:

Board Member Montesano	-	aye
Board Member Pierro	-	aye
Board Member Rogan	-	aye
Board Member Di Salvo	-	aye
Chairman Schech	-	aye

All in favor and motion carried by a vote of 5 to 0.

The Board discussed the material being used for the building. Mr. Lepler showed the Board samples of the material. The material is the same as what is on the Town Hall.

(THE MEETING WAS RECORDED AT THIS POINT ON)

Chairman Schech told Mr. Buschynski to just clean up what is in the comments.

Mr. Lepler stated we had the discussion about Dr. Bradley and Dr. Cooke donating to the open space conservatory the rear lands of his property some of which are in the wetland buffer and some of which are dry and would be useable. I just wanted a confirmation publicly since this is a public hearing that that is still the case.

Mr. Bradley stated we have to own the property before we can decide that.

Mr. Lepler stated I think that is understood

3) ALPINE RESTAURANT – Public Hearing

Mr. Bob Groezinger, Attorney for the Applicant was present.

Mr. Groezinger stated Robert Groezinger for the Applicant. About a year and a half or so ago a plan was submitted that has been modified, the modified plan is being presented basically it cuts back on the number of parking spaces and reconfigures the existing parking spaces. Everything else in terms of structural is left the same, the signage is left the same, the buildings are left the same, and everything is left the same. That is about it. It is just really a modification of the parking.

Chairman Schech asked any comments from the audience.

Mr. Bob Conklin, 627 Birch Hill Road stated just to point out a couple of things to you. The islands are already put in on the right of way when you look at that. Here again, we question any I just can't imagine they are proposing to change our entrance for their property. They have no right of way to build on the Bank's property or the property that we are using. One other comment, as you look at this they built an entrance but now they are going to block the entrance so that the only way people could get to it or again walk out on to our property and go in or there is no entrance from the back property so they have to walk out on our property not that we are saying they can't do that but if you are planning something you would think you would make it so people could enter the building without going around on to the driveway.

Chairman Schech asked any other comments from the audience. There were none.

Board Member Rogan made a motion in the matter of Alpine Restaurant Site Plan that the Planning Board closes the public hearing. Board Member Montesano seconded the motion.

Chairman Schech asked all in favor:

Board Member Montesano	-	aye
Board Member Pierro	-	aye
Board Member Rogan	-	aye
Board Member Di Salvo	-	aye
Chairman Schech	-	aye

All in favor and motion carried by a vote of 5 to 0.

Board Member Rogan stated I would like Mr. Groezinger to address those comments though.

Mr. Groezinger stated we are not proposing to make any changes, everything has been there, has been there I think longer than Bob has been alive.

Mr. Conklin stated no they just put those islands in.

Board Member Rogan asked which islands.

Mr. Groezinger stated I am not quite sure what you are talking about which is my problem.

Chairman Schech stated we have a letter here we would like to be read into the minutes.

The Secretary stated it is from Putnam County National Bank it is dated June 1, 2004 to Herb Schech, Chairman and the Town of Patterson Planning Board regarding the Alpine Restaurant Amended Site Plan the Secretary read the following letter:

Dear Mr. Schech:

Please be advised that the Putnam County National Bank is the owner of the parcel immediately to the south of the Alpine Inn (TM 14-1-46).

The Alpine Inn is not the owner of the property but rather has a right of way for ingress and egress only.

Further, this right of way benefits only the parcel on the north side of the roadway (the restaurant building itself) and not the south side of the roadway.

We have no objections to the reasonable use of the parcel for ingress and egress but would object to the use of our property for any other purpose.

We do specifically object to:

- 1) The placement of the concrete curbing on our property at the entrance on Route 22 as shown on the Site Plan Map.
- 2) The placement of the Alpine Inn sign on our property.

In addition, the placement of the two handicapped parking spaces in front of the building could create traffic issues in that they back directly into the access road.

Thank you for your review and your consideration of our views.

Sincerely,

Wayne Ryder

President

Mr. Groezinger stated in response to Mr. Ryder's concern I don't think there is any problem with any traffic backing up it is not a road so there will be no traffic to speak of for purposes of backing up. It is merely an ingress and egress, Mr. Ryder concurs in the fact and we don't have any plans to change it other than an ingress and egress. We don't use it as a road as for example Birch Hill does. What the ski area uses as a road.

Board Member Rogan asked is the concrete,

Mr. Groezinger stated I am not sure where he is talking about.

Board Member Rogan stated okay well look on your map there, in the ingress from 22 are these two concrete sections that you are pointing to are those the ones that you are referring to Mr. Conklin.

Mr. Groezinger stated I am not sure what he is referring to is my problem.

Mr. Conklin asked do you want me to show him.

Board Member Rogan replied yes please.

Mr. Conklin pointed it out on the plan. These islands here that they just put in,

Board Member Rogan stated what you are pointing to appears to be on their property though.

Mr. Conklin replied well if you looked at it though,

Rich Williams stated Shawn, if I could just interject a couple of years ago there were two or three islands that were put in that actually extended over the property line.

Mr. Conklin thanked Rich.

Mr. Conklin stated and this is the ones, these do not exist now. If you look at the lighter color that is our entrance now. They are proposing to cut our entrance to thirty feet and take theirs from two, twenty-five footers to two, great big ones.

Board Member Rogan asked so you also have an easement from the Ryder's for your property.

Mr. Conklin replied no I lease the property from the Ryder's.

Board Member Rogan stated okay you are not the property owner the Ryder's are.

Mr. Conklin stated no I lease this from the Ryder's and we use this.

Mr. Groezinger stated just to address that Mr. Ryder has already made his concerns known through his letter and this serves as an easement not to the ski are just rather to the Alpine itself not affecting Mr. Conklin's property. As I read that easement it does not benefit his property at all. To gain access to his property they have to come in Old Route 22 so that should not be a concern of Mr. Conklin's.

Chairman Schech stated this does connect into, Mr. Groezinger stated it does but I don't know where the easement, this parcel is not the benefit of that.

Board Member Rogan asked but isn't the parcel owned by one and the same owner.

Mr. Groezinger replied as is a piece in Mahopac, as is a piece in Putnam Valley. The fact that it is next, that it is owned by Mr. Rentoulis that doesn't mean anything.

Board Member Rogan asked so it is two separate tax parcels that are owned by the same person but the person didn't give themselves an easement to access their own property.

Mr. Groezinger stated they don't need to because they come across Old Route 22. That is the entrance to the property. We had that same argument about a year and a half ago whether you are allowed to make a left turn or a right turn off the easement. That is not the issue before us tonight in any event.

Chairman Schech stated okay the public hearing is over Sir.

Board Member Rogan asked where is Ted.

Rich Williams stated Ted did provide a memo to the Board.

Rich Williams asked do you want me to go get him.

Board Member Pierro replied yes we would like to hear from him on this memo.

Mr. Groezinger stated let me just address Ted's concerns there is no problem with any of this.

Board Member Pierro stated Ted is going to be coming in.

Mr. Groezinger stated it doesn't matter I am addressing it anyway so whatever he says is here. In terms of the dumpster the debris situation will be remedied, the debris strewn behind the building is in the process of being taken out, if he wants the replacement of one, white pine that is not a problem. To the extent that there is debris I thought the debris was cleaned out. I don't know how current this is.

Chairman Schech stated there was no problem the last time.

Board Member Rogan stated three days ago.

Mr. Groezinger stated I don't know where the debris is coming from but I thought it was cleaned out when I was there last time. To the extent that the vines are on our property that is not a problem but I can't clean out something that is not on our property.

Board Member Rogan stated no obviously we wouldn't ask you to. What I would be concerned about quite honestly is we crossed this bridge what a year ago, not much longer two years ago not even because I have only been on the Board two years and these issues came back up that quickly. I want to know what the long term resolutions to these are because obviously there has been no long term resolution.

Mr. Groezinger replied well if you look at the site plan the dumpsters are to be moved, the Bodies in Motion thing I believe they are in the process of being cleaned up, the dead pine I don't know how long it has been dead but it is not coming back to life,

Board Member Di Salvo asked does Bodies in Motion have their own container.

Mr. Groezinger replied yes it is a small little container it is like three garbage cans maybe six, eight yards.

Board Member Pierro asked Rich, can we speak about the placement of the sign that Mr. Ryder alludes to. The Alpine Inn sign is apparently.

Rich Williams replied I don't know the legal status of that sign. It has been there for longer than I have been alive so I don't know how it first got erected or.

Board Member Pierro asked so apparently it was on this property prior to the purchase of the property by,

Mr. Groezinger stated it was on there when it was Jimmy O's, it was on there when it was the Chinese Restaurant, and it was on there when it was Birch Hill Inn.

Board Member Rogan stated Rich let me ask you a question we are approving an amended or will be approving a some point in time an amended site plan but the site plan is for their property if the sign is not on their property we are not approving that sign.

Rich Williams replied the resolution actually prepared for the Board a second time actually states that right in the resolution that the Board is not approving any improvements that might extend or be placed on somebody else's property. It is solely for this parcel and if they have erected any improvements on somebody else's property this site plan approval would not legitimize them.

Board Member Rogan stated and Mr. Ryder would then have his own recourse to take legal action to have the sign removed if he so chooses.

Chairman Schech asked what did we calculate that we now have how many parking spaces, fifty-two.

Mr. Groezinger replied fifty and change.

Rich Williams stated also within the resolution yes there is fifty-three parking spaces which limits the occupancy at this site to a 106 persons.

Chairman Schech asked so in other words there has to be something nailed in the building.

Mr. Groezinger replied no that is different what the fire department does has nothing to do with what the Planning Board.

Rich Williams stated no that exactly is what the issue is the building interior occupancy would be limited to 106 persons.

Mr. Groezinger stated but that is a function of the Planning Board the fire department has a different concern.

Rich Williams stated the lowest number is the one that counts.

Mr. Groezinger stated right but what I am saying is we are talking about two different jurisdictions but I am not disputing.

Board Member Rogan stated actually I am going to throw a third one at you is I don't know what the seating capacity is for the Health Department and obviously that is based on sewage but they would also defer to the lowest number. So, really we are stuck with no more than 106.

Rich Williams stated 106 unless some other agency goes lower.

Board Member Rogan stated I know that they are more than 106 for Health Department so your parking becomes the limiting factor. As long as John is comfortable with that I mean we don't have any other options at this point.

Board Member Montesano made a resolution introducing the resolution in the matter of Alpine Restaurant that the Planning Board grants a Conditional Final Site Plan Approval. Board Member Di Salvo seconded the motion.

Chairman Schech asked all in favor:

Board Member Montesano	-	aye
Board Member Pierro	-	aye
Board Member Rogan	-	aye
Board Member Di Salvo	-	aye
Chairman Schech	-	aye

All in favor and motion carried by a vote of 5 to 0.

Chairman Schech stated all of these have to be met or you are not getting any signatures.

4) ESPOSITO FILL PERMIT

Mr. Esposito was present.

Mr. Esposito stated me and wife are building a house, a modular house on Michaels Way and the property was uneven when we bough it. In the back there is four feet of septic fill. In the front it is a low area and what I am asking for is a permit to put fill, it puts the fill up to the side of the house by about two and a half feet below the foundation gradually sloping out to the road.

Chairman Schech stated we calculated 7,500 yards.

Mr. Esposito stated no.

Board Member Rogan asked do you mean 750.

Chairman Schech stated no 7,500.

Board Member Rogan stated 750 I bet.

Chairman Schech asked you sure well then Rich.

Board Member Rogan asked Gene, you don't have any view on this do you.

Gene Richards replied I am not reviewing it.

Chairman Schech stated I know it is more than 550.

Mr. Esposito stated the site plan has the grades actually.

Chairman Schech asked Rich, how many yards was that did you calculate.

Mr. Parks thanked the Board.

Board Member Rogan advised Mr. Parks to put the date on his calendar for one year.

6) PATTERSON FIRE DEPARTMENT – Sign Application

There was no one present to represent the application.

Board Member Rogan stated Mr. Chairman for the record my wife's nephew, Brian is the President of the Patterson Fire Department.

Chairman Schech stated we will advise them of what we really want. We want something that looks like the Library sign, permanent more or less sign not something flapping in the breeze. When we were across the street we had a better looking sign in that little tiny building now we have this huge building we have got a piece of vinyl flapping around out there.

Board Member Rogan stated what I am not sure from this application is that it appears that what they are looking for is a permit for a temporary sign that would be four foot by six foot that would be made up probably by the sponsor. So, someone is going to rent the firehouse for an event, they are going to make up their own sign.

Chairman Schech stated we don't do that. They could post it on the board like they do at the Library.

Board Member Rogan stated I am thinking back to who came in before us that was looking to put signs up all over advertising something.

The Secretary stated East Coast Pain Management.

Board Member Rogan stated and we denied him.

Board Member Montesano stated they don't believe in showing up for this thing so.

Chairman Schech stated we will advise.

The Secretary asked are you taking any action you should.

Board Member Montesano stated we have to either approve it or deny it.

Board Member Pierro made a motion in the matter of Patterson Fire Department that the Planning Board does not approve the sign application as submitted. Board Member Montesano seconded the motion.

Chairman Schech asked all in favor:

Board Member Montesano	-	aye
Board Member Pierro	-	aye
Board Member Rogan	-	aye

Board Member Di Salvo - aye
Chairman Schech - aye

All in favor and motion carried by a vote of 5 to 0.

7) WATCHTOWER/STAIB LOT LINE ADJUSTMENT

Mr. Rich Eldred was present representing Watchtower and Staib.

Mr. Eldred stated it says Watchtower but it is actually Valley Farms on Old Route 22 representing the Staib property. What we have an interest in doing is the present lot line between Valley Farms and the Staib property ends up in the center of the driveway for Valley Farms. We had noted this a little bit ago and Terry Collins also noted it and what we have an interest in doing so we can maintain clear title on our property as well as the Staib's is to move the lot line 25 feet over on the Staib's on Old Route 22 and at the rear of the property move the property line back 36.8 feet on to our property which ends up that the acreage of both properties remains exactly the same. There is no change in acreage. The Staib's have an interest in having the stonewall that is in the back of the property that is shown on the plan here and we have an interest in not having to p.k. nail the property line in the center of her driveway and so it works out for both parties, both the Staib's and Valley Farms. That is kind of the long and the short of it. Basically, materially there is no setback adjustments they all remain the same as they presently are. The setbacks from wells and septic remain the same there is no change in that. The Valley Farms property does increase from 203 feet to 228 feet on Old Route 22. The Staib's property is fronting on Big Elm Road and that stays the same there. That is essentially what the request is for the Planning Board.

Chairman Schech stated I don't have any problem with this, does anyone.

Board Member Rogan made a motion introducing the lot line adjustment between Valley Farms and Thomas and Carol Staib to include the five general and one special conditions contained in the resolution dated June 3, 2004. Board Member Montesano seconded the motion.

Chairman Schech asked all in favor:

Board Member Montesano - aye
Board Member Pierro - aye
Board Member Rogan - aye
Board Member Di Salvo - aye
Chairman Schech - aye

All in favor and motion carried by a vote of 5 to 0.

Mr. Eldred thanked the Board.

8) DUBETZ LOT LINE ADJUSTMENT

Mrs. Dubetz was present.

Mrs. Dubetz stated I am requesting a lot line adjustment between two properties that I own in Putnam Lake. The properties which kind of form two, L's reversed and the lot line adjustment would just create a straight line between the two properties. There would be no change in the size of the two properties.

Board Member Rogan stated Mrs. Dubetz the only concern that we had when we were on the site a couple of weeks ago was that obviously the well for Lot #2 is right on that property line and we are just concerned about the future maintenance of that well. It is just something to be aware of. It is rather close.

Board Member Pierro stated you might want to speak with your Counsel about creating an easement when you sell off one of those properties so that you can access the well for repair if you need to or else you can drill your own new well.

Board Member Montesano asked is there a well on the back of where the patio is.

Mrs. Dubetz replied yes.

Board Member Montesano stated there is a well back there on Hudson Drive side.

Board Member Rogan stated at least then in the future let's say something happened with the well and needed to re-drill at least they could probably come off Hudson Drive like they have on Lot 1 if they had to abandon the first one for whatever reason.

Mrs. Dubetz stated they have come on to the property and worked on that well without having to come over the other side of the well.

Board Member Rogan stated because obviously they would ruin your walkway so it does not happen.

Chairman Schech stated I have no problems does anyone else.

Board Member Rogan made a motion to introduce the resolution in the matter of Benedetta Dubetz and William Dubetz Lot Line Adjustment that the Planning Board approves the application with the six general and one special condition contained in the June 3, 2004 resolution. Board Member Di Salvo seconded the motion.

Chairman Schech asked all in favor:

Board Member Montesano	-	aye
Board Member Pierro	-	aye
Board Member Rogan	-	aye
Board Member Di Salvo	-	aye
Chairman Schech	-	aye

All in favor and motion carried by a vote of 5 to 0.

Mrs. Dubetz thanked the Board.

9) ANT ROCK WETLAND/WATERCOURSE PERMIT

Mr. Barry Naderman, P.E. and Mr. Tony LaRocca, John D'Amato, Applicants and Laura Roberts of Joseph Office, Counsel were present.

Mr. Naderman introduced himself, the Applicants and Counsel to the Board.

Mr. Naderman stated I was called on this property when there was a Stop Work Order issued on the property which we will get into the reasons, what we believe the reasons are. You folks may recall this property it is located at the corner of Garland and Hanover on the north end of Putnam Lake. You may recall the application was in before you for a waiver of the wetland requirements and this lower portion is the plan that was submitted to you at this time for the renovation or reconstruction of the existing residence. This is Garland Road along here referring to the pictures and plans and this is Hanover Road at that time there was a waiver from the wetlands requirement for a wetland permit. At some point in time the Applicant had opted to actually tear down the structure and construct a new one. The one thing that I want to point out on the original site plan is the existing site plan had showed existing residence with an existing gravel drive off of Garland Road and the proposed site plan did show an expansion of the residence. This brown area is the existing residence and the shaded area was going to be the expansion of that structure. So, the waiver was issued based upon this plan that was submitted and when the Applicant decided to do the tear down he actually did go to the Building Department and sought a demolition permit and also a building permit for a new structure. During construction, the Applicant had attempted to repair an existing culvert that was underneath the existing driveway located here and while repairing that culvert he felt it was a good idea to just extend the culvert to the adjoining property where there is another culvert that goes underneath the adjoining property's driveway and it was at that time apparently unbeknownst to the Builder that constituted a violation or an issue that there was a Stop Work Order issued because there was construction activity in the drainage course or the watercourse or whatever it was deemed. During the original consideration of the lot the Wetland Inspector, Ted Kozlowski had characterized that stream as not having any real significance other than conveying water so therefore at this point that is filled in up to where it joins the adjoining property, the culvert on the adjoining property. This is where the existing driveway was, this is where the existing culvert was replaced and the culvert was extended from here down to the opening of the adjoining culvert and at this point we were issued the Stop Work Order which is the basis for us to be with you here tonight. We filed another wetland application which attempted to make sure we were covered for whatever was going on out there, we characterized the construction of the house, the drainage, the septic improvements and we wanted to talk to you tonight about what at this point we would like to do. This is Garland Road here, this is the front of the property with the existing driveway, the culvert that was replaced in that short stretch of drainage course that went to the adjoining property. The property was secured by silt fencing in all directions. This is the adjoining residence on this lot over here. From an environmental standpoint the really is no or hasn't been any impact off site. I think that at this point to attempt to excavate that pipe out and attempt to stabilize that short section of drainage course is really going to represent more of a threat or more of a disturbance to that drainage course than is necessary. In fact, having this pipe at this point in my opinion a little bit better ultimately in that at least that section of drainage course would not continually get any road salts, any grass clippings, any fertilizers from the yard area. I don't think that piping this section of that drainage course is a bad thing I actually think that there is a benefit there. Looking in the other direction up Garland to the house site this is the adjoining property's driveway you can see there is a significant driveway and a pull off apron and we are looking at a significant stretch here that is piped from that point as well and there is just a short section between that existing driveway and their existing driveway that we were piping. Now, granted the way that the piping was done was not done in the best matter. This is a picture of this lower end where it does connect into the adjoining property's culvert. You are going to see that there is two, one is down here and one is over here, there is

two polyethylene pipes that actually come from this residence. One presumably is the roof liters and the other at the time that I was out there inspecting this initially we started hearing a gurgling noise and I kind of joked around and said it sounds like a septic pump and water did actually come pumping out of there into this drainage course fortunately it was not septic. I think it was just a sump in a basement. This house does have what appears to be a full basement. There is basement windows in the front and it is very logical that they have some sort of a pumping system and that was what was discharging into here. We actually thought it might have even been a laundry but there was no septic or anything like that so it was clearly a foundation drain or a footing drain or a basement sump that was discharging there and I really think that at this point the best thing to do is correct this situation and I think the right way to make that connection is to get in a drainage structure, cut this out, get a drain inlet structure so that you have a proper means for these pipes to tie into the existing culvert. That is essentially what we are here for tonight.

Chairman Schech asked do you have any pictures of the old house.

Mr. Naderman replied no. I came in on this just a few weeks ago once the Stop Work Order issued.

Board Member Pierro stated we had a picture in the file from the last work session.

Board Member Rogan stated from the assessment files.

Board Member Pierro stated it was 528 square foot house.

Chairman Schech stated we assumed, you know what assumed means don't you, a s s.

Mr. Naderman stated yes.

Chairman Schech stated that he was removing the roof of the old house and replacing a second story on top of it. That is what we assumed.

Mr. Naderman stated I understand that.

Board Member Rogan stated Barry, even based on your plan which shows the footprint extending, not your plan but the plan that was used that would not indicate that there was going to be a full basement installed on a lot that has a ground water problem.

Mr. Naderman stated no. I will say that the Applicant do everything with full assistance with the Building Department in the demolition permit, with the foundation plans, I believe there was even foundation inspections that were done at some point and they were certainly trying to do everything with the awareness and proper permits from the Town.

Board Member Rogan asked question number one, can they make grade for the driveway.

Mr. Naderman asked just really from a street elevation to the garage elevation.

Board Member Rogan replied yes you need a what is it three percent by the street.

Rich Williams stated three percent for twenty-five feet followed by no greater than fifteen percent.

Mr. Naderman stated we haven't looked into that but I can see where that might be.

Board Member Rogan stated because the house probably much more than twenty-five feet from the street so three percent from there down. It would be different if there was no basement I think you obviously would not have a problem. If there was no basement you obviously would not have a problem with the ground water and we would not be concerned about affluent being pumped out into the stream which we are all very concerned about.

Board Member Pierro stated we have made an inquiry into the Health Department in that regard.

Board Member Rogan stated formally.

Board Member Pierro stated formally.

Mr. Naderman asked relative to the concern of the system, Board Member Rogan stated affluent getting into the, Chairman Schech stated into the footing drains being pumped up and, Mr. Naderman stated into the drainage course.

Mr. Naderman stated I think there might be some things that we can do to help that situation and if necessary we can talk to the Health Department about that.

Board Member Rogan asked such as can you give us some idea.

Mr. Naderman replied we may be able to take, the septic location is obviously on the far end of the residence, the drainage course we are talking about is across here, the concern is the footing drains for this portion of the house being so close to the septic area and the cone of influence of the septic area making it's way out to the foundation drain. What I would propose at that point is to put in a like a two foot wide clay barrier along this whole side of the property lines.

Board Member Rogan asked where would that be Barry, I mean between the house and the first trench or closer to the house.

Mr. Naderman replied it would be closer to the house because really it could actually be right up against the house. We are not worried about the water getting up to the house itself we are worried about the water coming up into the foundation.

Board Member Rogan asked so then I guess the question would be what practical use would the footing drains be on that side only water that is coming directly from underneath the slab or not slab because,

Mr. Naderman replied any water that is coming directly underneath or coming from back in here and that could be dug at a pretty decent depth to really insure that affluent from the septic wouldn't migrate into the drain.

Chairman Schech asked do you want to hear my idea on this, excuse me.

Mr. Naderman replied you are not really asking me that are you.

Chairman Schech stated actually I can't see anyway out of getting rid of this water and getting a driveway down into that garage, use the foundation that you have, fill it in and use it for a crawl space. It does away with your water problems, does away with your driveway problems.

Mr. Naderman stated well I appreciate the driveway problem for two reasons; one, is that you are in a situation where you don't even know if you can make grade down to the garage meeting the Code. That is one issue. The other issue is that you have a surface water situation that goes down into a hole that has no place to go. We acknowledge that it is not a very desirable condition at all. I think that the water if we were not talking about this hole created by the driveway pitching down to the garage I think the water is manageable with the footing drains and a sump and I think that is evident in the fact that the residence next door we can see that our first floor elevation is possibly four, five feet higher than their first floor elevation. They have a full basement.

Chairman Schech stated we are not sure of that.

Mr. Naderman stated well there are window wells.

Chairman Schech stated we used to put window wells in the old bungalows they use to have window wells in crawl spaces.

Mr. Naderman stated I would be interested to see and we can probably explore what the depth is there.

Board Member Montesano asked how long has that house been there.

Mr. Naderman replied fifty years, sixty years.

Mr. Naderman stated if this does have full basement and we are talking about our full basement being, our slab being four or five feet higher than that one so a house that is only thirty feet away I can't see them and closer to the lake I can't see them having such an incredibly better ground water situation than we have on this site. I think that we should consider sealing off the garage so that the surface waters aren't going down into a tub that has no place to go and grading this off and sealing this up and having a sump that would accommodate potential seasonal ground water and getting a clay barrier on the other side and sealing off that side of the house so you don't have the influence from the septic to,

Chairman Schech stated I would definitely check on my grading for the driveway getting down in there and come back to us because you are not going to make it. After 70 years I do stand a little on the cockeyed now but I do have a good eye.

Mr. Naderman stated I understand that and that is one of the two issues that are created, the problem that is created with having a garage that low on that side. One is the actual access and two, is the drainage problem. It is one thing to handle ground water with a sump. It is another thing to have surface waters during a downpour come down there into your garage and expect that a sump pump is going to handle it.

Board Member Rogan stated we wouldn't want ground water going into anyone's property like that we would hope that the Highway Superintendent maybe look at some curbing if it was an area. I mean we do it all the time we request Highway Department's to put in curbing.

Mr. Naderman stated I am not suggesting from the street but even for the driveway back to the garage on that part.

Board Member Rogan stated the concern here Barry, honestly is let's say with all your due diligence we still have sewage getting into those drains and out into the lake with obviously water quality being an hot topic right now in Putnam Lake what recourse then do we have not we but the homeowner then whether it is Ant Rock or whoever buys the house now you have a house built that you don't have a yard that can support doing another septic system. You are almost out of options basically.

Mr. Naderman replied yes and I am not suggesting that, you are right about that but given the nature of the neighborhood there are far more significant watercourses across the street, on the other side that run right through those yard areas where practically those septic are right there.

Board Member Rogan stated and those septic are failing every day.

Mr. Naderman stated I know so what I am saying is I think that this condition is going to be something that is far superior than most of what is there.

Board Member Rogan stated probably so it still scares me.

Board Member Montesano asked but Barry on an engineering basis if a mistake is made fifty years ago do you think the mistakes could continue.

Mr. Naderman replied no that is why I started out by saying not to say that justifies it all but I think that if we get that clay barrier truly to extend property to property actually and really get down to a depth sufficiently below that elevation that is going to work out pretty well there.

Board Member Rogan stated Barry, let's play the tape forward a month, you are going to come back and just for the sake of argument say that you can't make grade on that driveway what do we do then. What is your recommendation at that point.

Mr. Naderman replied we seal it up.

Board Member Rogan stated okay see you in a month.

Ted Kozlowski stated we still have the wetlands permit issue.

Mr. Naderman stated we still have the wetlands permit issue and again,

Ted Kozlowski stated you have an incomplete application. The original wetlands application and I went out to the site, Barry you are correct in some of the things I said however, and the application did not indicate at all that there was going to be any disturbance to the existing stream. There was no indication of a culvert. There was no indication of what eventually happened out there so that wetland permit waiver became null and void once the stream was fooled around with. The latest application does not reflect at all what you just said tonight. It does not reflect, the plans don't even show the stream so I can't recommend to this Board to act on that wetland permit tonight. Considering what happened previous the application was misrepresented whether it was a mistake or an intentional I don't really care at this point but now we have a second application that is just as erroneous. There is no, none of these maps show the streams, none

of them show the culvert. In your discussion to Rich Williams you mentioned about the drainage, this inlet structure it is not shown on the plans. It is not indicated in the permit application. Whoever filled out the permit application doesn't even again mention a culvert or a stream so this wetlands application is no good.

Mr. Naderman stated we were trying, when this first came on there seem to have been somewhat of a gray issue as to what were the issues actually are.

Ted Kozlowski stated the issue is this as far as the wetlands go, we have been talking about the house, the garage, what the neighbors are doing, the issue is this we have a relatively minor stream that is regulated by the Town. This could have been easily handle the first go around if the Applicant had just simply said I want to put a culvert in the stream. We would have asked for the details and we would have had our Engineer make sure that the culvert was sized appropriately and put in right. It is still not being done on the application.

Board Member Pierro stated and plus Ted we have new information about a possible additional source of water from the mysterious sump location from someone else's house or someone else's stream. I would like to know where that is coming from.

Ted Kozlowski stated we need a wetlands application that is going to show exactly what you want to do.

Mr. Naderman replied I understand but please understand we attempted to identify in a broader sense what was covered in the application. Now, there is a need for supporting documentation of exactly what is going to be done but frankly, we didn't know if it was going to be the Board's preference to rip that thing out and try to stabilize a stream bed there, we didn't know if,

Ted Kozlowski stated but Barry the application doesn't even mention a stream.

Mr. Naderman stated no but what we did in there is we did talk about the reconstruction of the house, drainage improvements, septic improvements and I do not have a problem at all developing at this point now that we know what the issues are and what the remedial work is.

Ted Kozlowski stated but Barry the application doesn't even acknowledge that there is a stream there.

Mr. Naderman replied I understand.

Ted Kozlowski stated so that is what we need to have.

Mr. Naderman stated we will embellish on the application. We will have a site plan that shows exactly the piping, the structure, the proposed improvements all of that. I do not have a problem completing the package now that we know what it is we need to do.

Board Member Rogan asked Barry the foundation has to be survey located for the Building Department anyway we will have that survey located as part of that plan.

Mr. Naderman replied I would say so because I would need some accurate as-built information as to what is out there now.

Mr. La Rocca stated there is a as-built survey in the Building Department already.

Ted Kozlowski stated I would support your observation that pulling the pipe out now would probably be the worse thing to do considering that the site is all torn up and if you pulled that out you are going to have all sorts of erosion controls. Now, I am not saying that is the final answer to keep the pipe there. I am just saying the site is just unstable and it is better that we have that pipe but I am not saying that is what the final issue we have to review it.

Ted Kozlowski stated and I don't know what is being piped into that stream. There was all sorts of innuendos that sump pumps are going in there and other things. I don't know if that is the right size pipe.

Board Member Rogan stated it also sounds like those sump pumps are down gradient of this house so it is not this man's obligation.

Mr. Naderman stated we are not doing anything that is restricting. It is just an extension of the existing, there was a twelve inch culvert underneath the existing driveway and we are just extending that twelve inch culvert to the adjoining culvert.

Ted Kozlowski stated again, this is the second wetlands application I just want to know what you want to do.

Mr. Naderman stated I understand completely.

Mr. Naderman stated there is one more issue that I need to discuss with the Board. I sort of heard that there might be a situation with the water, the standing water that is in the structure and in the open excavation given that we have a Stop Work Order we are technically not allowed to go in there and de-water that but it is very possible that the Health Department maybe issuing a West Nile Violation on the site because of the standing water.

Board Member Rogan stated I can give you an easy option I know where you are headed but we will give you an easy option, you own the property.

Mr. La Rocca replied yes.

Board Member Rogan stated as the property owner go to Home Depot or Dill's Best and buy some mosquito dunks, by two dozen of them, drop them in there and you are legally okay to do that and you will eliminate that for the time being.

Mr. Naderman stated now the other thing is we are dealing with open excavation, open bathtub.

Board Member Rogan stated a safety issue put some fencing around it.

Mr. Naderman stated there is a safety issue but given all the rain that we have had it is really difficult to embrace whether we talking about water that is just trapped that has got no place to go or whether it truly is a ground water situation so what I was hoping to do would be to pump that out, pump it out into a pit down near that headwall opening. There is a location right here on this side of the silt fencing that would be conducive to setting some hay bails and pump into that so that we have some cleansing before it makes it way to this and de-water that and see if, if we are blessed with having a dry spell to see if that water is actually going to come back up or if it is just trapped rainfall with all the rainfall we have had.

Chairman Schech asked that is being done on site right.

Mr. Naderman replied all on site yes.

Board Member Rogan stated that is up to Ted but I think it is a good idea, I really do if it is limited to that.

Mr. Naderman stated we are talking about getting a better handle on the ground water condition, we are talking about the safety issue, and we are talking about a West Nile issue.

Board Member Montesano asked we are going to pump this existing water out and then we are going to shut down the pump and not have the pump coming on every time it rains.

Mr. Naderman replied no.

Board Member Rogan stated I would agree to allowing the pump to be turned on though when water collects in any significant amount an inch I don't think is much of a concern but when we were out there there was three foot or better of water in and around the foundation.

Chairman Schech stated it is okay with me.

Board Member Pierro asked should we have someone from the Town available.

Rich Williams stated we would want to supervise if they are going to be pumping out. I do have one other issue in addition to that being a stream it is also capturing the road runoff that is going through there, by filling it in there is no place for that road runoff to go so you are going to have to take a look at that but if you could hold that picture up and just take a look at that pipe connection. Seeing that I can only imagine what the other end looks like nothing personal. I have no idea what the other connection looks like and the only thing that I am going to say is that is ultimately going to be in the road right of way, it is going to be the Town's responsibility long term, we are going to want to know how the connections are made, what pipe is being put in. Generally, we don't and correct me if I am wrong we don't use metal pipe anymore it has got to be high density plastic and all that is going to have to be also done under the Highway Superintendent and the Town Engineer. As much as I would not like to disturb everything again that pipe has got to come back out. I am not going to take a position on whether it should be piped or whatever I am going to leave that everybody else. It just was not put in the right way in the first place. It has got to come back out.

Mr. Naderman stated and then again it is in the Town right of way it actually becomes Town drainage so we can understand that. Relative to the drainage from the roadway, I think what we are looking to do is when we make this connection it was going to have an open grate on top.

Rich Williams asked are we talking about a catch basin with a sump.

Mr. Naderman replied yes.

Rich Williams stated see it is getting complicated.

Mr. Naderman stated it is a good point it is in the right of way so we would have to, Rich Williams stated so I don't know that you don't want to just open it back up think about it I guess you have a month from what I am hearing.

Mr. Naderman asked would it be appropriate to be out there with the Highway Department.

Gene Richards replied it would be advisable. You are going to need a Highway Work Permit if you are within the right of way. Again, I haven't been on this site, I have not been involved in any review so what I am hearing now is that it is within the right of way, Charlie Williams is the Highway Superintendent he would have to issue a Highway Work Permit to do that work. He will probably work with our office to do an initial review to see what is appropriate.

Mr. Naderman stated we will make that contact and see if we can anybody out there to come to an agreement as to what is best.

Mr. Naderman thanked the Board.

10) BURDICK FARMS SUBDIVISION

Christina Burbank, Kellard Engineering was present representing the Applicant.

Ms. Burbank stated we have received a memo date June 3, 2004 from the Town Engineer and all of the comments are agreeable to us perhaps with the exception of continuing the dialogue that began the last time we met with respect to the item on page 3, Item 3, #2. I thought the conversation went along the last time we spoke went along the lines of recognizing that we weren't likely to be building out the project ourselves and so we noted the likelihood of the architectural styles and then the dialogue continued about the concern for the need of perhaps future variances and what we attempted to do in the document was to consider scenarios for the footprint and the additional accessory structures and whether the lots had been configured to be in compliance without the need for future variances and with that in mind that is how the information was presented in the revised document.

Board Member Rogan stated the revised document if I remember right had two different depictions,

Ms. Burbank stated correct.

Board Member Rogan stated of typical lot layouts showed a shed, I thought the sheds were a bit small ten by ten, the decks were fifteen by twenty maybe which is also a little small I think especially for these houses especially fifteen feet is an odd number nobody builds anything fifteen feet wide. The coverage if I recall was a little tight on some of those. You were pretty close on your coverage. A walkway was thirty feet, the house is probably potentially going to be fifty feet from the driveway to the front door. I know I have one that is a lot longer that I have to build yet but I liked seeing the layouts that we were taking into account the types of things that people were going to put on these lots so that we don't end up with the Zoning Board killing us. I don't want any of these people to have to go to Zoning for anything. They shouldn't have to for your standard uses of these lots.

Gene Richard stated Mr. Chairman, separate from that issue I guess there still is a question in my mind maybe it has been resolved and that is, is there any concern at all about architectural styles for the buildings to be erected eventually recognizing that the current Developer will not be putting them up.

Chairman Schech stated we don't usually get involved with styles do we.

Board Member Rogan stated not since I have been on the Board.

Board Member Montesano stated we have in the past because you wanted to get an Architectural Review Board in the long run would this be the point to start it with I don't know.

Chairman Schech stated I am concerned with heights and that is in the Code.

Board Member Montesano asked do you want to have what would you call it modern art versus I am on the fence.

Board Member Pierro stated let's ask the audience/

Chairman Schech stated I am sure the Developer is not going to allow something that distracts from his development.

Board Member Pierro asked Bruce Major, an audience member what would you like to see.

Bruce Major stated I would like to houses that sell and so that could change. Right now, people like colonials, five years from now who knows contemporaries may be back in. I think it is kind of difficult to create an architectural review unless you actually create a community with guidelines basically set up its own formal government to decide what they want to do and that is generally done with the Developer that turns it over to the homeowner. I think it is kind of difficult to do something like that.

Chairman Schech stated I don't think I want to get involved in that.

Board Member Rogan stated I can understand a color scheme from the standpoint of not having a subdivision that really stands out because there is a lot of areas of this subdivision that can be seen from Farm to Market.

Board Member Rogan stated I do not have any experience with this from the standpoint of trying to set up a subdivision.

Chairman Schech stated I didn't have time to go through this to be honest with you sorry.

Board Member Rogan stated I have not either. I appreciated your formatting because I was able to go through just the changes which was nice as opposed to looking for them so I did read through all the changes.

Board Member Rogan asked let me ask a question I am always trying to learn the process, in order to circulate to the other involved agencies we need to deem this complete Supplemental Environmental Impact Statement am I correct, Rich.

Rich Williams stated right.

Board Member Rogan stated it is not going to be complete until the technical issues in Gene's memo have been.

Rich Williams stated you can do subject to.

Chairman Schech asked do you want to make that motion subject to Dufresne-Henry's memo.

Gene Richards asked Mr. Chairman so then just to clarify one point if you are going to make it subject to our review memo probably what would be good to say is minus that one item on the architectural standards.

Board Member Rogan asked like Gene said he brought it up not to beat a dead horse and I know everyone in the audience has been very patient waiting for their turn but in order to set up an architectural review for this subdivision what would be reasonable in other words not creating another homeowner's association function but what would be a reasonable set of guidelines for a thirty some odd lot subdivision.

Rich Williams stated you have a little bit of flexibility within the SEQRA statues if there is something special and unique about this property.

Board Member Rogan stated such as view shed.

Rich Williams stated such as the view shed that is different from every where else in this Town because the issue is within our Zoning Code the Planning Board is the Architectural Review Board and there are architectural standards but single family homes are specifically exempt.

An audience member asked something (unable to hear no microphone)

Rich Williams replied in anything.

Board Member Rogan stated I did not hear that comment (referring to an audience member).

Rich Williams stated he asked even in a cluster development.

Board Member Rogan asked so it would be different if it was a multi-family complex.

Rich Williams replied townhouses yes because they are not a subdivision, they are not single family residential dwellings. They are multi-family housing entirely different scenario.

Board Member Montesano asked is everybody satisfied that we can get the DSEIS out for review.

The Board replied yes.

Board Member Montesano made a motion in the matter of the Burdick Farms DSEIS that the Planning Board deems the DSEIS document complete contingent upon satisfying the Dufresne-Henry Memo dated June 3, 2004 with the exception of the comment in Section 3, Item Number 2. Board Member Rogan seconded the motion.

Chairman Schech asked all in favor:

Board Member Montesano	-	aye
Board Member Pierro	-	aye
Board Member Rogan	-	aye
Board Member Di Salvo	-	aye
Chairman Schech	-	aye

All in favor and motion carried by a vote of 5 to 0.

Ms. Burbank asked is there a chance for setting a tentative public hearing date.

Chairman Schech asked first we have to get it back right.

Rich Williams replied no what we have to do is we actually have to set the time frames for the public hearing and the written comment period.

Board Member Rogan asked that time frame does not begin until the conditions are met obviously.

Rich Williams stated that is part of the problems is that doing is if you are conditioning it he clock really does not start, Board Member Rogan stated until Gene is happy.

Board Member Rogan stated you can set a public hearing but if the comments haven't been received and approved by Gene that could screw that all up is what you are saying.

Gene Richards asked Christina, do you have any idea how quickly you can turn this around.

Ms. Burbank replied it seems reasonable that I would get a revised document cleaned up and to you within (unable to hear).

Gene Richards stated I would think that you could. The comments really aren't that bad.

Rich Williams stated unless you want to do special meetings setting a public hearing for the August 5th meeting and the written comment period would end August 21st.

Ms. Burbank asked a three week written comment period.

Rich Williams replied after the public hearing.

The Secretary asked you are talking about doing the public hearing on a regular meeting. That is crazy look at the agenda tonight.

Ms. Burbank stated my client would certainly appreciate a special meeting in mid July.

Rich Williams stated depending on how things go we would have to split meetings. We wouldn't do a public hearing on Burdick Farms in conjunction with an agenda like this.

Board Member Rogan stated a special meeting is fine. I would just want to make sure that we set a time frame for your document being deemed complete by Gene so that we are not pigeon holed in to a date. In other words, let's say we are at June 3rd if it is not complete by the end of this month or whatever the case may be because we have to circulate, we have to have copies available to the public and allow them time to review it and us time to review it.

Ms. Burbank stated it is very reasonable for me to have a very clean document even if there are minor comments within two weeks time.

Rich Williams suggested the Board go on to the next item on the agenda and he will go look up some dates and return to the Board with the dates.

The Board agreed.

11) PATTERSON DEVELOPMENT CORP/PADDOCK VIEW ESTATES SUBDIVISION

Mr. Dan Donahue, Engineer was present representing the Applicant.

Board Member Rogan stated Dan, we will start off by saying that we are still very concerned the Town traditionally has the stormwater on its own lot and that is still a sticking point quite honestly and we are not sure how to resolve it and we are hoping that you are going to come up with something creative.

Mr. Donahue stated if I recall one of the things we talked about at the last meeting was putting it maybe as a wet pond (unable to hear). It would be more pleasing to the property owners so that is what we have attempted to do is a wet pond rather than a dry pond.

Board Member Rogan stated I think that I would go along with that.

Mr. Donahue stated this the only area where water goes down here. It is really the only area that we have available.

Board Member Rogan stated obviously if this were a vacant lot we would not be having this conversation.

Board Member Montesano stated just pick up the house and move it to the back lot and there will be no problem.

Mr. Donahue stated Mark did all the work on the house, he is not here right now.

Board Member Rogan stated I do like the fact that you addressed the comments in terms of pulling the houses a little bit off the ridge, the wells are off the ridge from the original submission. We appreciate that.

Mr. Donahue stated one of the other things is that a comment from the Town Engineer is that some of the catch basins are not shown in the road and what happened is we pulled road back at the property line, the construction of the road to save trees but in doing so one of the layers in Cad did not pull the catch basins along with

Gene Richards asked Dan, am I correct that the intent will be to dedicate this road.

Mr. Donahue replied that is correct yes.

Gene Richards stated so there is a number of comments regarding the road design that will have to be addressed.

Mr. Donahue stated some of the comments here I would like to talk to you about, I will address most of them, I would like to talk about them now because some of them we will take care of them but there are a couple of comments that could impact the layout of the development of the subdivision. One of the comments is the radius and the radius of the right of way of the cul-de-sac. We made the cul-de-sac wider than what is normally required is that an issue and the reason why we did that is in order to be able to get the frontage for the lots in the back part of the subdivision.

Board Member Rogan stated it creates more turning for the large vehicles, fire trucks or whatever. I don't have a problem.

Rich Williams stated more impervious surface.

Board Member Rogan stated true.

Mr. Donahue stated this area here is un-paved.

Gene Richards stated I just don't know what Charlie the Highway Superintendent's opinion of that would be if he likes that type of design or not.

Board Member Rogan stated let's find out.

Chairman Schech asked what is not paved.

The Board replied the middle.

Chairman Schech stated they always end up every time comes along and paves it afterwards.

Mr. Donahue stated whatever, although it creates more impervious surface.

Chairman Schech stated I have never seen one remain that way.

Rich Williams stated we can try.

Board Member Montesano stated let them put a big tree in there.

Board Member Di Salvo stated put a flag pole there that looks nice.

Board Member Rogan stated I don't have a strong opinion one way or the other. If it needs to be larger it creates better turning radius.

Chairman Schech stated the barn and the house really bother the heck out of me.

Chairman Schech asked what is going to happen to the old barn.

Mr. Donahue asked a gentleman if he had any idea of what they plan to do with the barn.

The gentleman replied refinish it all, paint it all up and leave it.

Chairman Schech asked is it going to be a garage or apartments or.

The gentleman stated it is a garage and there is an apartment there.

Chairman Schech asked it still has an apartment in it.

The gentleman replied yes.

Board Member Rogan stated it is a good question because you don't need a barn anymore there is no more property there.

The gentleman stated there is a garage in it.

Board Member Montesano asked are they allowed to have apartments in there.

Rich Williams replied no.

Board Member Rogan asked because the lot is not large enough.

Rich Williams stated to get a Special Use Permit you need a minimum of five acres.

Mr. Donahue stated one of the other things that we showed the subdivision in the right of way we have a swale which is going to collect the water and bring it into the catch basin and all that water dense would then flow into the basin. Is it really necessary for us to do that you think because we are going to pave here and leave that as undisturbed or do you think you want to go as well into the. It is a question that I probably could have meeting with you on.

Gene Richards stated there was a period of time where we considered side swales, a form of drainage no curbing and that fell away very quickly and went back to the standard curbing.

Mr. Donahue stated what I am saying on the other side of the curb which (unable to hear)

Gene Richards stated understood and you can put a swale in there and put in a (unable to hear).

Mr. Donahue stated maybe I can setup a meeting with you and then go over all these.

Mr. Donahue stated the only thing is this is an important point for the whole subdivision as to what the Board wants to do with this.

Board Member Rogan stated well the original idea was to do a wet pond. I like that idea because I don't see how else we are going to resolve this issue.

Mr. Donahue stated that is what we designed it as.

Rich Williams stated I have not had a chance to look at the hydrology on this to see how we can do something.

Board Member Rogan stated it needs to be a wet pond that is attractive not just a pond obviously we used the Watchtower's pond as an example. It is because of the landscaping that is around it that makes it an attractive feature so we are going to want to see a planting schedule with this. I would go for that because honestly looking at the plan I don't see how else to resolve it otherwise you would have proposed it. We have talking about trying to shift the roadway, flip flop the roadway and the pond and we have all gone blue in the face and not come up with any real great ideas.

Mr. Donahue stated one of the other things I believe that we have talked about was the need for the 30,000 gallon water tank. If we use this as a wet pond and it has water in it all the time can we use it to put a dry hydrant in there and use that in lieu of the 30,000 gallons.

Board Member Rogan asked don't you have to get approval through the fire department.

Rich Williams stated they would probably be reluctant to do that simply because it is not a clean water supply.

Chairman Schech stated and there is not guarantee that it is going to be a wet pond all the time.

Rich Williams stated but now the other issue about the 30,000 gallons is a whole separate issue.

Mr. Donahue asked should I show a tank.

Chairman Schech replied I would show the tank.

Mr. Donahue stated I know that one of the last times that I was here we talked about maybe two now it is back to one.

Board Member Rogan stated I don't remember that.

Chairman Schech stated I would show a tank.

Rich Williams stated I think the real question is what size.

Chairman Schech asked weren't we discussing something else about a dry hydrant on the Town Park.

Rich Williams stated yes that may be the other thing that the Applicant may want to consider is to look immediately off site, maybe look around and see if there was any,

Chairman Schech stated we like doing trades.

Rich Williams stated it may be difficult to get a tank on site especially a large tank on this site so you might want to look around in the immediate area to see if there is another way you can provide water off site.

(Too many talking at the same time unable to transcribe)

Board Member Rogan stated it would probably be better than putting a tank in. Those tanks are ridiculous.

Chairman Schech stated the cost of the tank is, you have to lose a lot, plus the value of the lot and plus the tank.

Board Member Rogan stated the cost on the tanks for installation, purchasing and everything it was like ridiculous.

Rich Williams stated I think the number that was shout out a Deerwood was \$60,000.00 for a 20,000 gallon tank.

Mr. Donahue thanked the Board.

Chairman Schech called a brief recess.

THE MEETING WAS NOT RECORDED FROM THIS POINT ON – SYSTEM PROBLEMS
The following is a summary.

12) HAZEL DRIVE SUBDIVISION

Mr. Dick Clark, Engineer with Harry Nichols P.E. was present.

The Board reviewed the plan.

The Board will schedule a site walk.

13) WOODWARD SUBDIVISION

Mr. Paul Lynch, Putnam Engineering was present representing the Applicant.

Mr. Lynch reviewed the plans with the Board.

The Board requested the wetlands be flagged and the Board will schedule a site walk.

14) Plunket Subdivision

Mr. Paul Lynch, Putnam Engineering and Mr. Frank Plunket was present.

Mr. Lynch reviewed the plans with the Board..

Mr. Plunkett stated he met with the State DOT and the State thought that they could get a driveway in and there may be some sight distance concerns.

The Board to schedule a site walk.

15) TRIPLE J SUBDIVISION

Mr. Paul Lynch, Putnam Engineering, Don Rossi, Attorney, Jay Hogan, Applicant and John Petrillo, Applicant were present.

Mr. Lynch and the Board reviewed the plans.

The Board had concerns about regarding the wetlands and the stormwater being on the same lot as the proposed residence.

Mr. Petrillo stated that this lot would be his lot. He wants to make it look very nice with the stormwater pond as an attractive feature.

16) HANSEN SUBDIVISION

Mr. Paul Lynch, Putnam Engineering was present representing the Applicant.

The Applicant requested that the Board waive the recreation fees since his subdivision had two houses on the property for years and he was not creating a new lot to build a new house.

The Board did not agree with recommending that the Town Board waive the fee.

17) OTHER BUSINESS

Joe Buschynski, Bibbo Associates and Mr. John Clancy were present.

The Board and the Applicant agreed to relocated all the cars to the area that was proposed to be self-storage.

Ted Kozlowski does not agree with the wetland boundaries. Ted to meet in the field to agree on the wetlands delineation.