

**TOWN OF PATTERSON**  
**PLANNING BOARD MEETING**  
**June 27, 2013**  
*Work Session*



**AGENDA & MINUTES**

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**TOWN OF PATTERSON  
PLANNING & ZONING OFFICE**

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

**Planning Board  
June 27, 2013 Work Session Meeting Minutes**

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

**APPROVED**

Present were: Chairman Shawn Rogan, Board Member Thomas E. McNulty, Board Member Michael Montesano, Board Member Ron Taylor, Board Member Edward J. Brady, Jr., and Rich Williams, Town Planner.

The meeting began at 7:00 p.m.

Michelle Lailer was the Secretary and transcribed the following minutes.

Chairman Rogan called the meeting to order.

Board Member Montesano stated what time is it, let's go.

Board Member Brady stated I make a motion that the meeting be closed.

The Secretary stated you're on.

Chairman Rogan stated we're not expecting Teddy tonight.

Rich Williams stated no, he had a prior engagement.

Chairman Rogan stated okay, alrighty, Ice Pond Estates back in for final review.

**1) ICE POND ESTATES – Final Subdivision Review**

Rich Williams stated yes, they submitted a copious amount of material including an archeological study, Ron, I don't know if you've had a chance to look at it.

Board Member Taylor stated I skimmed it, yup.

Board Member McNulty stated there were a lot of shovels.

Board Member Taylor stated a stupid way to do it.

Rich Williams stated there are some issues over where that house foundation was, they're recommending they stay away from that or you know, proceed on to the next phase I believe, want to add in...

Board Member Taylor stated well, what I think what they say is they would rather do something, than do the next phase; they want to talk to us about whether they can do an alternative rather than pay for the next phase.

Rich Williams stated Gene Boesch recommended that they do that.

Board Member Taylor stated yes.

Rich Williams stated right, we haven't heard from Ice Pond what they want to do, propose.

Board Member Taylor stated no, I think it was in the, one of the Ice Pond...

Rich Williams stated oh was it in the letter, maybe I haven't caught up with that.

Board Member Taylor stated yeah, it's in one of the Ice Pond's things, where all the, Boesch recommends one thing and they want to talk to us about whether we can do something else.

Rich Williams stated alright, I haven't caught up with that.

Board Member Taylor stated I don't have a problem with it, I can't speak for the Historical Society, I've talked to Judy and some of the others about some of the things, there is little documentation on the place, we haven't found a picture on it, it looks like it was an important building at one time and the farm was important as a, what was it, a cattle dealers place, shipping to the railroad, it was never a dairy farm as far as I could tell, probably because the problem with the sunlight there is, the day we were out there you saw how cold how it was.

Board Member McNulty stated is the Maybe, Mabie...

Board Member Taylor stated Mabie, yeah.

Rich Williams stated yeah.

Board Member Taylor stated and I think all those big fences and things, were pens, I think they gathered cattle there and then shipped them on the railroad, took them down to Ice Pond and shipped them off but in some sense it's just another foundation out in the middle of the woods, so I mean it's historic but significance is [the important question]. So I would certainly be willing to say yeah, let's negotiate with something, why pay a lot of money for another study, especially since I mean, this particular, the way the state does these studies, I think is ridiculous, to go out to 30 acres and dig a hole ever 4' when you know there's an occupied area here and there's nothing out there, spend your time on the occupied area, and your money on the occupied area and then you wouldn't need the next phase but the same problem with Route 292 and Route 311 corner, I mean where they were digging up the whole thing and the stuff, the buildings, the historic buildings were in just the front of the site and of course and they didn't find anything, he's found, if you look at his table, he's got 400 holes he dug, the last column is what they found in the hole...

Board Member McNulty stated almost 600...

Board Member Taylor stated none, none, none, none, none, none, none, none, none, plastic bottle cap, none, none, none, none, none, red pottery, you know, it's just like that.

Board Member McNulty stated yeah, that's what I saw, he really didn't find anything of any significance that I saw...

Board Member Taylor stated except right around the houses...

Board Member McNulty stated some pewter, some china, some broken plates, that kind of thing.

Rich Williams stated he did find a few things.

Board Member Taylor stated yeah, which is what you expect.

Rich Williams stated yeah.

Board Member Montesano stated most of the stuff was already gone.

Board Member Taylor stated but what Judy said is you dig up middens and trash heaps and things to date the building, you're not...

Chairman Rogan stated oh right.

Board Member Taylor stated you're not...

Chairman Rogan stated to look for trash, right.

Board Member Taylor stated you're not looking for a significant thing, you're not going to find gold, copper, you know something like that in this kind of a situation, it's broken stuff that gets thrown away and it's unlikely that you're going to hit where somebody hid their, you know, cash from the Indians or something.

Chairman Rogan stated right.

Board Member Taylor stated and we know, we've got dates on the building, so I don't see, them spending the money for more study, if they want to talk about some way of preserving it in some way, we can talk about, that's what they had proposed, I think, I'd have to find the thing, it was saying can they preserve it instead of, that would be fine, I was going to propose that anyway except it was right in somebody's yard. I mean fill it in so there's just a foot remaining, so it's not a hazard anymore and we can put some kind of sign out there just saying that this a historic foundation of, so I'd like to talk to them about it.

Rich Williams stated yeah, well let's see what they have to propose.

Board Member McNulty stated do you recall what the date range was for the building, for the farm.

Board Member Taylor stated what's on the 1854 map, I think it's from the 1820's, as the significant building it's probably around the 1850's just because it's described as the Mabie Villa, which is an architectural term from the late 1840's into the 1860's, so it's not colonial as far as we, we've got no records that that's where the colonial house was...

Chairman Rogan stated Russ Goff, wasn't his wife's maiden name Mabie.

Board Member Taylor stated there were colonial houses but they're farther up the hill.

Rich Williams stated is it.

Board Member McNulty stated not on that property.

Board Member Taylor stated not on that property.

Chairman Rogan stated she said her family owned the Burdick house, I think it was her, I think it was her.

Rich Williams stated I didn't know that, really.

Chairman Rogan stated and that's the same name that we're, I didn't know this was the same name associated with it.

Rich Williams stated I'll have to ask Russ, that's interesting.

Chairman Rogan stated I'm sorry, I didn't mean to, I thought and this could and maybe I'm remembering this wrong which I do quite often but I thought Russ Goff's wife her maiden name was Mabie and I thought she had told my wife that her family owned the Burdick Farmhouse before and sold it to the Burdick's like 100 years, you know and it's funny, I didn't realize this, you know, it's kind of interesting.

Board Member Taylor stated yeah I don't know about that, you know the old houses farther up the road on Ice Pond, coming toward us, that was a Mabie house too and that's the older house, it was a family that moved in from Orange County I think, Dutch origins originally and then they move up to know where Watchtower is, Mabie ends up over there, Sylvester.

Chairman Rogan stated wow.

Rich Williams stated and somehow, someway, I ended up with Mabie Family bible, it's been in my family for generations.

Board Member Taylor stated oh that's interesting, does it go that far back.

Rich Williams stated I don't know, I've got to look at it.

Board Member Taylor stated yeah, somebody marries into the family.

Chairman Rogan stated well that book goes back at least 2,000 years.

Rich Williams stated but I don't, I don't know where they married into the family, that's what I've never picked up on yet.

Board Member Taylor stated oh, maybe they just stole it.

Board Member Montesano stated maybe they were the Justice of the Peace.

Rich Williams stated hey, maybe.

Board Member McNulty stated or traded it for something.

Board Member Brady stated this is the property where up behind is, the Historical Society wants to keep that...

Board Member Taylor stated Land Trust.

Chairman Rogan stated no, Land Trust.

Board Member Brady stated Land Trust wants to keep.

Chairman Rogan stated right because of the viewshed and yeah.

Board Member Brady stated okay.

Board Member Montesano stated and the deer running through it.

Board Member Taylor stated it overlooks Ice Pond.

Board Member McNulty stated it's a beautiful piece up on the top.

Chairman Rogan stated it is.

Board Member Montesano stated that used to be.

Board Member Taylor stated did they submit these as digital or they gave you the paper copies.

Rich Williams stated just paper.

Board Member Taylor stated okay, I want to request a digital copy if they'll give it to us for our archives.

Rich Williams stated of what.

Board Member Taylor stated the two reports, the historic report and environmental report.

Rich Williams stated which, oh the one from Tim Miller.

Board Member Taylor stated endangered species and habitat assessment, so we can put it in the Historical Society archives, so it will be there rather than paper because we have limited space too, like everybody else.

Board Member McNulty stated have you done a review yet on it, from the final here Rich.

Rich Williams stated I'm working on it, I've been focusing more on stormwater and some of the legal issues...

Chairman Rogan stated it looks...

Rich Williams stated I don't know how marketable this property really is going to be because they've got easements on top of easements on top of easements on these lots.

Chairman Rogan stated really.

Rich Williams stated every...

Board Member Montesano stated you'll find some fools.

Board Member McNulty stated is that because of the donation to the open space.

Board Member Montesano stated no.

Rich Williams stated no, it has to do with the way they designed their stormwater systems and pipes running across everybody's yard, everywhere.

Board Member McNulty stated oh.

Rich Williams stated it's...

Board Member McNulty stated is that new to the plan or has that always been that way.

Rich Williams stated its new from preliminary, we've see it once before, it was actually a lot more challenging and both Andrew and I sat them down and said what you're proposing really isn't going to work, so they went back to the DEP and the DEC and DEP and DEC agreed that they should simplify it and they did but it still is, there are pipes running everywhere, there are stormwater practices on individual lots, you know, for what they're probably going to be looking for, for these lots, I mean people are going to want yards, they're not going to want stormwater ponds.

Board Member Brady stated yeah, mosquito traps.

Board Member Taylor stated yeah well, you have to worry about your kids falling in the ponds.

Rich Williams stated well, I mean these are really shallow, they're bio, what's on the properties are either infiltration trenches under the ground or bio-retention, which are big flower beds essentially, rain gardens, oversized rain gardens.

Board Member Taylor stated oh okay, rain gardens, rain gardens, good one rain gardens.

Board Member Montesano stated couldn't get vernal pools on everybody's property.

Board Member Taylor stated so people can't dig, is that the problem, you couldn't put a pool in because you've got a pipe running through.

Rich Williams stated well no, I mean we've shown locations on almost all the lots for pools and they have enough room for sheds and everything but you know, if I'm paying \$450,000 to \$550,000 for a piece of property, do I really want a flower garden that I didn't invest in, that I have no vested interest in, encumbering the corner of my property.

Board Member Taylor stated right.

Board Member McNulty stated no one right is paying \$500,000 for a lot.

Rich Williams stated well I'm just looking at this project and what he's going to have for infrastructure costs, he's got to be rock bottom minimum \$500,000-\$550,000.

Chairman Rogan stated just for the property, for a lot.

Rich Williams stated not for a lot but for a house.

Chairman Rogan stated oh that's what, I think that's what you were thinking he was saying just for the property, right.

Board Member McNulty stated oh for the house and property.

Chairman Rogan stated he's saying built, finished price.

Rich Williams stated yeah.

Board Member McNulty stated oh, oh, oh I thought you meant for the property.

Chairman Rogan stated yeah, right no.

Rich Williams stated nobody is going to pay that for a lot.

Board Member Montesano stated we're not in Arizona.

Chairman Rogan stated they wouldn't pay \$125,000 probably for these lots.

Board Member McNulty stated yeah.

Chairman Rogan stated and also I know Teddy at the last meeting with had with them, was pushing again for that wetland line or the buffer line on 19 through 22, or 19 through 23, those lots up that, to try to, I mean I think his push if he could have his way was make that the lot line rather than the offset, they haven't done that but I don't blame, I don't know that I would push to do that so quick either but those lots are encumbered significantly.

Rich Williams stated they are putting a rock wall...

Chairman Rogan stated a rock wall, okay.

Rich Williams stated right along that, again...

Chairman Rogan stated another.

Rich Williams stated you know what it's going to cost him to put up a rock wall for...

Board Member McNulty stated it's the cost to do anything.

Chairman Rogan stated well and...

Rich Williams stated an extra fee.

Chairman Rogan stated I think Teddy said you know, we're not talking about constructing a rock wall, if you want to use large boulders or something like that, it's just a demarcation but you know, sizeable boulders, they're going to have plenty on this but it's still a cost I mean...

Board Member Taylor stated well do the, we need, they say rock wall, do we need to redefine that term, does that bind them to something that...

Board Member McNulty stated I think we discussed this at one of the meetings about boulders.

Board Member Taylor stated yeah, we did and we agreed that rocks are fine when they wrote the thing...

Chairman Rogan stated yeah it says proposed stone wall.

Board Member Taylor stated they wrote rock wall.

Rich Williams stated I mean we certainly can ask the question about do you really intend to do rock walls...

Board Member Taylor stated or just the rock barrier.

Rich Williams stated you know and if they do, fine.

Chairman Rogan stated yeah it says minimum 3' high as demarcation of the 100' wetland buffer, the buffer shall not be disturbed and shall remain natural forest, I believe that is what it says.

Board Member Taylor stated yeah, these are great to read, aren't they.

Board Member Brady stated yeah, I think this is, isn't this the one I asked for the digital copy.

Rich Williams stated you want digital plan.

Board Member Brady stated yeah, so I can read it, make life easier.

Rich Williams stated I don't know, can you.

Board Member Brady stated oh wow, wow.

Chairman Rogan stated oh man.

Rich Williams stated I told you, it was going to be a rough meeting if you give me a hard time.

Board Member Montesano stated you going to send it to your phone.

Board Member Brady stated can we go now, take care of that.

Board Member Taylor stated get one of these digitally impaired things on your computer.

Board Member Brady stated yeah, a lot easier to read on the computer.

Board Member Taylor stated I agree, this is...

Board Member Brady stated I can't, I can't read any of this.

Board Member McNulty stated these aren't too bad, I get plans where I can't read anything.

Board Member Brady stated can you read that.

Board Member Montesano stated of course, I've been reading it for years.

Board Member McNulty stated the marquee tool.

Board Member Montesano stated I used to ask can you put something on here that's legible.

Board Member Brady stated Jesus, I wouldn't even waste my time trying to read that.

Board Member Montesano stated we used to get one plan would cover the table and that you could read but then again they said no, that's not modern and we're saving trees, I don't know where since we get 75 copies of the same thing.

Board Member Taylor stated now the water flow on this site, does it flow down both sides or does it curl through the site, they've got wetlands on side and wetlands on the other. The one on the south side clearly goes down the hill into Ice Pond, what about the one on the north side.

Rich Williams stated the north side. The northwest corner of the site has a wetland that flow back toward the Putnam Lane Trust road and then down alongside the road.

Board Member Taylor stated oh, so it circles the site.

Board Member Montesano stated I can read that, just fine.

Rich Williams stated and then you know, it goes down into Ice Pond that way...

Board Member Taylor stated okay.

Rich Williams stated you know, on the other side it goes down the slope to the north end of Ice Pond.

Board Member Taylor stated right and what's on either the north or the south side of these things, are there other wetlands that are protected.

Board Member McNulty stated down along the road here.

Board Member Taylor stated well what, do you see they've got all this, is there something over here that's protecting that side of it already in place.

Rich Williams stated no, there are residential homes well, actually you get down, where the heck are we, this is residential homes right up in here, this I think butts up against the old Burdick Farm that has just been donated to the Putnam Land Trust...

Board Member Taylor stated and they're going to set that corner aside then, alright, so that and what about, what's, this is Land Trust property.

Rich Williams stated this is residential homes, this I'm not sure of down here but there's 2 or 3 residential homes right here.

Board Member McNulty stated where are the waterfalls, you said there were waterfalls.

Rich Williams stated there are no waterfalls out here.

Board Member Brady stated flows, I said flow.

Board Member McNulty stated yeah I don't remember waterfalls, okay.

Board Member Montesano stated and the City is perfectly happy of everything that you're...

Rich Williams stated they're not unhappy; they're getting close to signing off as well.

Board Member Taylor stated what was this comment; they were wondering why there wasn't more rock crushing, the City was wondering why there wasn't more rock crushing.

Rich Williams stated no, apparently from what I got from the City's letter, was that the principals were saying we're not going to crush rock on the site. Nowadays, rock has value and there are so many rock crushers and they're sitting around idle anyway but there is so much rock on these sites that these people pull the crushers on, crush the rock and use the item 4 right then and there, everywhere we go we see this.

Board Member Taylor stated right, yeah.

Rich Williams stated and I'm sure I've mentioned it to them in the past about you know, where are you going to set up for crushing rock on the site because you go out there, there's rock everywhere. Apparently they're maintaining they're not going to crush the rock on site, they're going to haul it off.

Board Member Taylor stated and then haul it back.

Rich Williams stated yeah, that doesn't make a lot of sense, I'd rather them crush it out there.

Board Member McNulty stated might not, you might not have to pay to remove it though, guys have a rock crushing site and want the rock, they may truck it for free.

Board Member Montesano stated in fact they may pay you.

Rich Williams stated nobody around here that has a rock crushing site that doesn't have so much rock they don't know what to do with it.

Board Member McNulty stated I don't, yeah, right now, there's no demand for rock, so.

Rich Williams stated he's going to create his own demand.

Board Member Montesano stated oh.

Rich Williams stated the problem we have, for example with Eurostyle Marble, by the time he got through crushing the rock, he had so much rock he didn't know what to do with it.

Board Member McNulty stated well maybe that's his, maybe he's done an analysis to figure it's just cheaper to truck it in than to deal with crushing it on site, then you have clean up the mess, you have to lease the machine, may be easier to set your grade and truck it in, it's right here, it's not like it's a long haul.

Board Member Montesano stated we tried to get one big rock for the American Legion Hall back when so we could put a plaque; the plaque I think has since disappeared.

Board Member McNulty stated that's a lot of test holes, isn't it, I was looking through it last night, jeez.

Rich Williams stated it's a lot of test holes for nothing.

Chairman Rogan stated yeah, that's what I was thinking.

Board Member McNulty stated now when they say a shovel, they're just talking a standard shovel, one shovel deep, that's it.

Chairman Rogan stated no, the holes went from 0 to 40", the holes, they have 4, they did...

Board Member McNulty stated oh, they have the depth on there, I didn't see that.

Board Member Taylor stated but they're a shovel width.

Chairman Rogan stated shovel width.

Board Member Taylor stated they're that big.

Chairman Rogan stated yeah.

Board Member Brady stated so he hired somebody to go out there and dig all those holes.

Chairman Rogan stated well there's been a little excavator sitting out there for a long time, they probably said put the small bucket on.

Board Member Brady stated yeah, right.

Board Member Montesano stated put an auger on.

Chairman Rogan stated you know, no really put a 12" bucket on it.

Board Member McNulty stated yeah.

Board Member Taylor stated it's an absurd way to do it, the way the state does it, it's just...

Board Member Montesano stated put an auger on it and just go down and back out and just scoop it out.

Chairman Rogan stated yeah.

Board Member Taylor stated absolutely absurd, especially in this day and age where it costs so much money to do anything.

Chairman Rogan stated sure.

Board Member Taylor stated I mean it's one thing to survey the site, figure out where you might have things and then concentrate on the next phase for that, I mean that's the way it's set up but you don't have the money to do all those things, if you can see something, go and work on what you can see.

Chairman Rogan stated that makes sense.

Board Member Montesano stated well what did they when they built the, where Home Depot is up there on exit 13, what is it, on [Route] 9...

Board Member Taylor stated probably did the same.

Board Member Montesano stated when they went in there originally and dug it out, they just went in there, they didn't make a thing, years later some lady was in there and researched it and found out it used to be a Revolutionary, yeah, Civil War, no...

Board Member Taylor stated Revolutionary...

Board Member Montesano stated Revolutionary War depot, plus they found, now they found alleged grave sites and all this other stuff but nobody even bothered to question it, they just went in there.

Board Member McNulty stated that's what I was looking for in the review, if they found bones, I guess they found one bone chip, it sounds like but an animal bone, there must be burial...

Chairman Rogan stated you've got to throw your chicken bones someplace.

Board Member McNulty stated there've got to be burial grounds somewhere out there we don't know about.

Chairman Rogan stated yeah.

Board Member Taylor stated well this is late, I think this was developed in the middle of the 19<sup>th</sup> century, so they were trucking people off to cemeteries then.

Chairman Rogan stated right.

Board Member McNulty stated yeah.

Board Member Taylor stated and there's no sign, he didn't find anything on Indians, right, I mean he didn't look real hard because those site aren't going to be disturbed anyway...

Chairman Rogan stated right.

Board Member Taylor stated but he did look, he didn't find anything.

Rich Williams stated he looked around the big rock outcroppings out there, he didn't see anything that provided serious habitat so.

Board Member Montesano stated there were some spots out there, there were small caves...

Board Member Taylor stated they're buried somewhere else, they're up at Tilly Foster or...

Board Member Montesano stated and stuff like that but I think they would have stayed closer to the river and the swamp, moving up that area, they might have come across...

Chairman Rogan stated yeah.

Board Member Taylor stated well because of Ice Pond they might have been in there but maybe not up on the knoll, you know, that's a big hike up and down that hill.

Board Member McNulty stated the rocks create a lot of shelter though.

Board Member Montesano stated yeah.

Chairman Rogan stated okay, why don't we move on to Haviland Farm.

## 2) **HAVILAND FARM – Sign Application**

Rich Williams stated Haviland Farms has submitted a sign replacing the former sign that was there that was Prospero's, the sign is slightly smaller than the original sign previously approved by the Planning Board, slightly different colors and different sign message and the only other major change is the original sign application was for incandescent lights, this one is LED lights.

Board Member Taylor stated and it goes on the posts that you finally got them to put in the right place.

The Secretary stated that he took down.

Rich Williams stated yes, the posts are in the right place.

Board Member McNulty stated so he's going to...

Rich Williams stated the light fixtures are on the ground, shielded by landscaping.

Board Member Taylor stated okay.

Chairman Rogan stated and Prospero was the gentleman who came in here not that long ago, right to put this sign up.

The Secretary stated they had a second site, they closed that site so they changed this one.

Chairman Rogan stated okay.

Board Member Taylor stated I just wanted to make a historic comment, is that the Haviland's were never on that part of Haviland Hollow...

Chairman Rogan stated yeah.

Board Member Taylor stated the Birdsall's were on that part, just for the record, the Haviland's were farther to the east at Stagecoach and Brimstone and Haviland Road.

Rich Williams stated just to go back, just for a second, what you just said triggered, they're proposing road names for the Ice Pond, it's like Ice Pond Trails something...

Board Member McNulty stated Ice Pond Trail North and Ice Pond Trail South.

Board Member Montesano stated don't like that.

Chairman Rogan stated isn't that not good considering we already have Ice Pond.

Rich Williams stated yeah, it's not good...

Chairman Rogan stated right.

Board Member Montesano stated no.

Rich Williams stated I'm not real crazy about it, we might be able to approve it because it's a little bit different but the way we structured our Code, somebody got tired of things like Nosh Kola Lane, was that you have to look at the history of the area and names the roads after either something historical related to the site or the immediate area and if not, you have to look at the natural features of the site and the general area.

Board Member Montesano stated how about No Rock Lane.

Chairman Rogan stated Mabie Left and Mabie Right.

Board Member Taylor stated you want a list of suggestions from me.

Board Member McNulty stated Mabie Court.

Rich Williams stated absolutely.

Chairman Rogan stated Mabie...

Board Member Montesano stated how about Boulder Road.

Rich Williams stated anything other than Ice Pond Trail.

Chairman Rogan stated right.

Board Member Montesano stated one could be Boulder Trail and the other one could be No Rock Trail because there's no crushing going on, on the property.

Chairman Rogan stated yeah.

Rich Williams stated yeah, we have Boulder Brook Road, Boulder Brook Lane, right up here, in an area where there's no rock, it goes through wetlands.

Board Member Montesano stated well what would you want, Wetland Road.

Board Member McNulty stated all the glaciers swept them away.

Board Member Montesano stated we can't have that.

Board Member Brady stated you were here for that right.

Board Member McNulty stated yeah, that's why I'm grey.

Board Member Taylor stated global warming

Board Member Montesano stated what is it, the guy wanted to put in on Cornwall Hill and Route 164, he wanted Revolutionary War Drive.

Board Member Taylor stated oh yeah.

Board Member Montesano stated and I says gee that would be great, I could see myself writing out a letter with this return address.

Board Member McNulty stated there is a road like that down in Ossining, Revolutionary Drive, Revolutionary Road...

Board Member Montesano stated yeah well that's why he wanted, because that's, so he ended up with Flint Lock Ridge.

Board Member Taylor stated oh well that works.

Board Member Montesano stated I says whatever you say, I cannot see my kid on his jacket Revolutionary War Drive.

Chairman Rogan stated alright.

Rich Williams stated moving on.

Chairman Rogan stated moving on.

### **3) A&J CUSTOM BUILDERS – Fill Permit**

Rich Williams stated moving on, A&J Custom Builders, there is a gentleman, Johnny Petrillo for those of you who know him, who is looking to place fill on his property to regrade things and level it off, this is a spec house, well it's a house he bought and has renovated.

Board Member McNulty stated what is this up by Indian Hill, down off...

The Secretary stated Empire is in the Lake.

Rich Williams stated no, this off in Putnam Lake, its Empire Drive.

Chairman Rogan stated okay.

Board Member McNulty stated 7, oh that's where he lives.

Rich Williams stated I have a number of concerns about the application, first and foremost he's looking to use road sand and I think I'd...

Board Member McNulty stated yeah I saw that, how do you use that fill, doesn't it wash away.

Board Member Taylor stated that's going to go real well.

Rich Williams stated well it's fill but it's highly erodible, it's not going to grow any vegetation, you know...

Chairman Rogan stated road sand.

Board Member Montesano stated and it's free.

Rich Williams stated and it's not really road sand usually it's the, they're digging out the swales and they have material, but I've since talked to Russ [Goff]...

Chairman Rogan stated high organics.

Rich Williams stated about you know, dumping on private property like this, you know, it's not the best thing so I don't think he's going to offer it anymore, so assuming that the Board is going to approve the fill permit, you probably should approve it for something other than road sand, if you're going to allow him to put fill there. The second problem I have is, he developed, he bought the house right next door to this, Johnny Petrillo did and did a number of improvements and did a number of improvements without ever running them through the Town, one of them I'll talk to Shawn about after the meeting because he might find that interesting but it ended up creating a tremendous runoff problem for the properties right behind him and...

Board Member McNulty stated did we go out and do a site walk on that property one time.

Rich Williams stated I don't know, you may have.

Board Member McNulty stated is it on a corner, is it a corner lot.

Board Member Montesano stated is the corner...

Rich Williams stated you wouldn't of, no.

Board Member Montesano stated it's not the one on the corner then, where we had the fencing...

Board Member McNulty stated because we looked at a Petrillo house, I thought in Put Lake about a year ago...

Board Member Montesano stated yeah, that is where he was allegedly moving.

Rich Williams stated that was the one he did before the one before this one.

Board Member Montesano stated then he did the other one further down the road didn't he on...

Rich Williams stated no, this one, the next one he did, this one I'm referring to which is over on Empire [Drive] next to this one...

Board Member Montesano stated okay.

Rich Williams stated and that was a three battle to try to get that drainage cleaned up.

Board Member Montesano stated that's toward the end of Empire [Drive] and whatever hell cross down there.

Chairman Rogan stated gotta go back and read the minutes on this one.

Board Member Brady stated yeah.

Chairman Rogan stated who's on first, what's on second, sounds like one of those conversations.

Board Member Montesano stated no, no, because what I'm thinking of, if he's on Empire [Drive], close to the intersection there...

Chairman Rogan stated yeah.

Board Member Montesano stated but that's how John is, he used to be a lot better.

Chairman Rogan stated okay.

Board Member McNulty stated it doesn't look like that much fill, how much is he saying he's...

Chairman Rogan stated 100-200 yards.

Board Member McNulty stated from the picture, it doesn't even look like he can fit that much in there.

Chairman Rogan stated it's amazing how quick fill...

Rich Williams stated it depends on how high you're going to build it. Like I said I'm concerned about anything that changes drainage over there because of the past problems, you know he re-routed the drainage so it was going through this woman's, across her deck for her pool, into her garage and out the other side.

Board Member McNulty stated he didn't charge her for that did he.

Rich Williams stated no.

Board Member Montesano stated she got free water.

Chairman Rogan stated so Rich, go ahead I apologize.

Board Member Taylor stated go ahead...

Chairman Rogan stated is this one you're recommending we go take a look at or have you seen enough of it to make a recommendation to the Board from the site.

Rich Williams stated I don't think it's unreasonable to put the fill on the property but I'm concerned A. the type that he's going to be putting on the property and B. there's always a chronic problem with John, I've known John a long time, I don't dislike John at all but it seems you know every one of his projects, we end up with a problem.

Board Member McNulty stated what's the lay of the land here, is the road uphill from the house or downhill.

Rich Williams stated the road is on the top of the grade and it slopes back down right into this woman's...

Board Member Montesano stated pool.

Rich Williams stated right into this woman's pool.

Chairman Rogan stated oh I see.

Rich Williams stated yeah.

Board Member McNulty stated that's a big house with the pool too.

Board Member Taylor stated so do we have control over slopes and how it's grade and you know.

Rich Williams stated yeah, oh yeah.

Board Member McNulty stated I guess the key would here, not to change the slopes so he's shedding the whole property back down the hill, just keep some to the front.

Board Member Taylor stated can we request an elevation drawing or something.

Rich Williams stated you can but you know, typically it's not required for, you know.

Board Member Taylor stated well but if you're concerned about it, I mean something we all agree to, you know, writing, I mean we could do it in writing, I mean I'm a visual person, we need to say you agreed to level this area.

Chairman Rogan stated why don't we all go take a look at it so we can see the way the grade runs.

Board Member Montesano stated yeah.

Rich Williams stated you want everybody to go out or you want to go out individually or, what do you want to do.

Chairman Rogan stated no, I think we're probably long overdue for a...

Board Member McNulty stated breakfast.

Chairman Rogan stated a group breakfast.

Board Member Montesano stated what size is this lot.

Board Member Taylor stated it's going to be a bonding experience.

Rich Williams stated it's a small lot.

Board Member Montesano stated yeah I can see that but...

Chairman Rogan stated yeah, we're going to Kum Bah Ya...

Board Member Montesano stated this empty part down here, on the end.

Board Member Taylor stated oh that's it, we can do it as training, right, 2 hour training on how to level grades.

Board Member Montesano stated that's not his, this isn't his.

Rich Williams stated where.

Board Member McNulty stated watershed.

Board Member Montesano stated this is the house.

Rich Williams stated that's the house, I think he owns all that, yeah.

Board Member McNulty stated erosion control training.

Board Member Taylor stated but I could see, if he makes them hills...

Board Member Montesano stated we have to go see if he's got a...

Board Member Taylor stated right, if he mounds these up.

Board Member Montesano stated I don't which, I'm sure he's going to end up with something there.

Board Member Taylor stated he's going to increase the speed of the grade.

The Secretary stated Shawn, (*inaudible*).

Chairman Rogan stated I think so.

Board Member McNulty stated unless he even, you know if he makes it flow evenly.

Board Member Taylor stated maybe he shouldn't, maybe it should be mounted so it flows back to the road, yeah...

Rich Williams stated it's not going to flow back to the road.

Board Member Taylor stated it's not.

Rich Williams stated no.

Chairman Rogan stated just because of the height here.

Board Member Taylor stated it's too steep going the other way, is he going to accelerate runoff by leveling it.

Chairman Rogan stated if he does it wrong.

Rich Williams stated potentially he could but we're talking about such a small area, I don't, you know I don't think it's going to have any effect.

Board Member Taylor stated and what's, does this house have lawn around it now, I mean what this is a wintertime picture, what's.

Rich Williams stated yeah I haven't been out there and I was going to try to get other there this week, I just haven't been able to get out there, I haven't been out there in three months, four months.

Board Member Taylor stated okay, maybe he wants to put cacti in, that's why he wants the sand. Alright, good, site walk, site walk.

Chairman Rogan stated so what does everybody want to do with this.

Board Member McNulty stated I'll take a walk.

Board Member Taylor stated yeah, let's go look.

Board Member Brady stated yeah, that's fine.

Board Member Montesano stated we're going to try for Saturday I would assume.

Chairman Rogan stated it depends on what everybody wants to do.

Board Member Montesano stated yeah, if we go out at 7 o'clock, I can make it, after that I'm deadbeat.

Board Member McNulty stated I'm good in the morning, wedding the afternoon.

Chairman Rogan stated wow, you're getting married again.

Board Member McNulty stated please.

Board Member Taylor stated is the 3<sup>rd</sup> one or the 4<sup>th</sup>.

Board Member McNulty stated that's on the record isn't it, yeah of course.

Board Member Brady stated we want this shipped over there.

Board Member Taylor stated inarticulate bunghole.

Board Member Montesano stated including the hesitation.

Chairman Rogan stated help the poor boy.

Board Member McNulty stated I know I'm bright red right now.

The Secretary stated yes you are.

Chairman Rogan stated yes you are, it went quick, you can feel it.

Board Member McNulty stated I can feel it like I had a Budweiser.

Chairman Rogan stated heat rush.

Rich Williams stated Tommy, I will have the recording.

The Secretary stated what's Judy's e-mail address.

Board Member Montesano stated that's alright, I'm coming down to get signatures, I'll stop by.

Chairman Rogan stated alright, so we're going to, sounds like we're going to do a site walk on this one, site walk, Saturday morning, if we can, if Rich can get us...

Rich Williams stated vacant.

Chairman Rogan stated oh it's vacant, oh okay.

Rich Williams stated and it's all by the road, so we can go stand on the road and look at anything we want.

Board Member McNulty stated I'm in.

Chairman Rogan stated diner at 7.

Board Member Montesano stated alright.

Board Member Brady stated okay.

Chairman Rogan stated work.

Board Member Brady stated works for me.

Chairman Rogan stated this is only 10 minutes away.

Board Member Montesano stated no, I gotta...

Chairman Rogan stated you'll be okay.

Board Member Montesano stated I'll have to.

Chairman Rogan stated well no...

Board Member Montesano stated no, it just means I have to go a little faster when I got to get to where I'm going.

Board Member Brady stated back to the swimming pool.

Board Member Montesano stated I wish.

Chairman Rogan stated okay.

Board Member Montesano stated no, we're having a huge pig roast.

Chairman Rogan stated good.

Board Member Brady stated they're fun.

Board Member Montesano stated except that from 9 o'clock in the morning until 9 o'clock at night, I'll be sitting out there watching everybody enjoy themselves.

Chairman Rogan stated that's a lot of work.

Board Member Montesano stated oh yeah.

#### 4) **CRIS DELLARIPA – Fill Permit**

Chairman Rogan stated alright, the next item on the agenda, I have to recuse myself because I work with and am friends with the applicant. I am going to leave the room...

Vice Chairman McNulty stated okay.

Chairman Rogan stated you guys can yell down the hall when you're done.

Vice Chairman McNulty stated noted. Cris DellaRipa, I see he put a nice little list together with what he wants to do here.

Rich Williams stated yeah, this is a house on Tammany Hall Road, just passed the 90° corner, it was a house that was, I think it was Vinnie Liebell's original house.

The Secretary stated I'm sorry I can't hear you over the train whistle, you'll have to speak up.

Rich Williams stated (*inaudible – train whistle*).

Board Member Montesano stated toot toot, toot toot.

Rich Williams stated so Cris DellaRipa has recently purchased the house, he's making a number of improvements out there and would like to alter the grade in I think, three areas. I took a look at it, I didn't see any big issue with any of it.

Vice Chairman McNulty stated the areas 1 and 2 on his map, it looks like, well 2 is on the side of the house, not so bad, 1 will that affect his septic at all, is that the downhill side.

Rich Williams stated no, it will not.

Vice Chairman McNulty stated the other side of the driveway 3, 4, and 5, looks like he's just making planters.

Rich Williams stated yeah, he's just leveling that area off a little bit, it's not going to affect anything. It is out of the stream buffer, so.

Board Member Taylor stated looks fine to me.

Vice Chairman McNulty stated did he propose what kind of fill, clean fill, I guess he knows it's got to be local.

Rich Williams stated yup, he does, he's going to get it from Fred Adam's.

Board Member Taylor stated Ludingtonville Road.

Vice Chairman McNulty stated oh okay.

Board Member Taylor stated so can we vote on this tonight.

Rich Williams stated yeah, if you want.

Board Member Montesano stated no problem.

Vice Chairman McNulty stated do we need SEQRA on this, we don't need SEQRA on fill, do we.

Rich Williams stated yes, you should.

Vice Chairman McNulty stated I make a recommendation on the fill permit application for SEQRA of Cris DellaRipa for a negative determination.

Board Member Montesano seconded the motion.

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

Vice Chairman McNulty stated and I make a motion for the fill permit for Cris DellaRipa as proposed in his outline for 5 areas of fill to be approved.

Board Member Montesano seconded the motion.

Rich Williams stated for the amount of 150 yards.

Vice Chairman McNulty stated for the amount of 150± yards, clean fill from Ludingtonville area.

Board Member Montesano seconded the motion.

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

Board Member Taylor stated you need to add that on, you didn't put down the quantity, it's a 150 and they didn't put the amount, what it was...

Vice Chairman McNulty stated yards.

Board Member Taylor stated it needs to be yards.

Vice Chairman McNulty stated 150 yards.

Board Member Taylor stated you said that in your motion so, okay, so we can call him back then.

Vice Chairman McNulty stated yup, Michelle's got him.

## **5) OTHER BUSINESS**

### **a. East Putnam Development Corporation**

Mr. Thomas McNulty was present.

Rich Williams stated East Putnam Development Corporation.

Board Member Brady stated these guys are back again.

Chairman Rogan stated took Marianne time to think, like 3 days.

The Secretary stated 2 years in 2 weeks.

Chairman Rogan stated wow.

The Secretary stated I know right, it by went fast.

Board Member Taylor stated yeah, that's what my reaction was.

Board Member Brady stated I thought we got rid of them.

Rich Williams stated they're not doing what they're supposed to be doing, 62 days is about to expire.

Board Member McNulty stated I'd like to recuse myself from the next item, East Putnam Development.

Chairman Rogan stated at least you have the ability to represent yourself though.

Board Member McNulty stated which I will.

Chairman Rogan stated yeah.

Board Member Brady stated you have to sit in a different chair though.

Board Member Montesano stated yeah, you have to stand.

Chairman Rogan stated he backed away from the table. Back away from the candy. Okay, so what happened, we lost the time frame already, 62 days went by...

Mr. McNulty stated is on Tuesday.

Rich Williams stated 62 days is coming up, it's coming up next week.

Board Member Montesano stated oh we'll be here Tuesday.

The Secretary stated you will be here Tuesday.

Chairman Rogan stated so you're recommending, you said you were recommending that we start with a brand new application and review and all the fees and everything, that seems a bit harsh. Now see your face didn't get red at all with that.

Mr. McNulty stated steam.

Chairman Rogan stated so procedurally...

Rich Williams stated go ahead.

Chairman Rogan stated procedurally...

Rich Williams stated you need to grant him an extension, I'd probably grant him a 6 months extension, based on the speed with which they're moving.

Chairman Rogan stated will 6 months you think be sufficient.

Rich Williams stated that's how you get him.

Chairman Rogan stated that was good, he's on a roll.

Mr. McNulty stated just let me give, Tom McNulty from East Putnam Development, just an update, DEC I'm told is approved, it's into the County Board of Health and the DEP have it, from what I understand the DEP has no issues, we're waiting for the County to return their approval, I have a bond, I should have a bond by Monday to submit by Tuesday for the erosion control, Highway Department is okay with everything and from what I understand Rich Williams is okay.

Board Member Montesano stated so we're looking for a year extension then.

Mr. McNulty stated no and...

Rich Williams stated I will say in all honesty I think Tommy needs to get together with his engineer because his engineer tells a different story.

Mr. McNulty stated the plans were submitted today from the engineer, I haven't seen them yet, I can't get a copy of them to review.

The Secretary stated I'm not your engineer.

Rich Williams stated they're not plans for review, they're plans for the Planning Board to sign...

Mr. McNulty stated I understand.

Rich Williams stated assuming that everything is complete on them, which I can tell you it's already not.

Mr. McNulty stated well final review, the resolution was supposedly taken care of, all the items. I'll look at it and discuss further but I probably will need an extension and submit a letter of such before the due date...

Board Member Montesano stated two years.

Mr. McNulty stated or get East Putnam to submit a letter.

Chairman Rogan stated or we can, you can request it verbally right now and then follow it up with the letter, I mean it's on the record.

Rich Williams stated he doesn't even need a letter.

Mr. McNulty stated oh okay, then we would like to, based on my engineer's recommendation, he will not have the County approval by Tuesday, I'd like to get an extension.

Chairman Rogan stated make a motion for East Putnam Development...

Mr. McNulty stated for 6 months.

Chairman Rogan stated that we grant a 6 month extension.

Board Member Montesano second the motion.

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

Chairman Rogan stated okay.

Mr. McNulty stated but I hope that this gets put done soon, gets done soon.

Board Member Taylor stated yeah, I think we should say for the record that this is clearly a case where the Planning Board is not holding up the process.

Mr. McNulty stated I never accused the Planning Board of holding it up.

Chairman Rogan stated but also for the record I don't think you have an application before the Board of Health, there is no such application before the Board of Health that you have, you have an application with the Health Department but the Board of Health is a whole different advisory board, so I didn't want you to put, make sure you know.

Mr. McNulty stated what do I have to go to them next because no one seems to really know the true process...

Rich Williams stated wait, wait, wait, I know...

Mr. McNulty stated except, I know you do...

Rich Williams stated okay.

Mr. McNulty stated but it's a trapped between those 2 ears.

Board Member Montesano stated oh.

Rich Williams stated it's not trapped between, I told you from the very beginning, don't put the frigging pond in.

Board Member Montesano stated this copy goes to the Department of Health.

The Secretary stated alright, just to let you gentlemen know, your meeting is on Tuesday next week.

Chairman Rogan stated yes.

Board Member Montesano stated thank you.

The Secretary stated Thursday is the 4<sup>th</sup> of July, I will not be here but if you want to show up, you're more than welcome.

Chairman Rogan stated very good.

Board Member McNulty stated I am back to the meeting.

Chairman Rogan stated enjoy the fireworks from the window here, right.

The Secretary stated yes.

Chairman Rogan stated alright, and okay, we have minutes, do we have minutes.

The Secretary stated you do, they got emailed to you but you can look at them for next week.

Board Member McNulty stated I didn't look at them.

Chairman Rogan stated okay, do we have anything else for the record.

Board Member Taylor stated can we approve the sign for Haviland Farms tonight.

Chairman Rogan stated sure, we can, why not.

Board Member Taylor stated I mean if we can get this stuff out of the way and then.

Chairman Rogan stated especially since it's just a change over and the LED lighting is not going to cause, it's just a change out of bulbs, is what you're saying. Yeah, can I get someone to do a motion including a SEQRA determination for Haviland Farms.

Board Member McNulty stated I'll make a motion on Haviland Farms sign application to make a negative determination of SEQRA.

Chairman Rogan stated okay, a second.

Board Member Montesano seconded the motion.

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

Chairman Rogan stated and on the sign.

Board Member McNulty stated and on the sign application for Haviland Farm, I make a motion to approve the sign as outlined on this application and the LED lights.

Board Member Montesano second the motion.

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

Chairman Rogan stated okay. Suppose if we were good, we could have approved everything, fill permits and been done with it.

Board Member Taylor stated except we have to do a site walk on the one.

Board Member Brady stated the site walk on the one.

Chairman Rogan stated yeah I know.

Board Member Montesano stated the site walk on one and these other people.

Chairman Rogan stated you approved number 4.

The Secretary stated yes, they did.

Chairman Rogan stated okay, alrighty.

Board Member Montesano stated and 5 a, we shot down.

Chairman Rogan stated wow, we're...

Board Member Brady stated it's going to be a fast meeting Tuesday.

Rich Williams stated two items.

Chairman Rogan stated coming just for Tuesday.

The Secretary stated that's right.

Board Member McNulty stated holiday meeting.

Chairman Rogan stated yeah but you know, that also allows a really good discussion on Ice Pond without feeling like you're holding anybody up, we can do the fill permit first and you know, so that is good.

Motion to adjourn...

Board Member McNulty stated oh real quick, did you have anything you want to say about the meeting you went to.

Board Member Brady stated well I went to the Empire Clean Cities seminar in White Plains, I brought back a couple of packets if anybody wanted to look at it, it was pretty interesting, I'm not a big electric car person because I think that I drive too much to be able to use it but they're really moving forward with putting charging stations and at train stations and they're doing them in some shopping centers, some of the shopping centers are now putting them in. They had, New York City there's, they had a garage owner of a lot of the parking garages in the city was there, he was talking about it, they put them in there's and they don't charge people to recharge their cars, you pay for the parking, you have an electric car, they'll plug you in and charge you up, which is pretty good.

Chairman Rogan stated cool.

Board Member McNulty stated anything in particular with planning that we should think about for the future.

Board Member Brady stated there's nothing, no, they're just, they're...

Chairman Rogan stated just awareness.

Board Member Brady stated they're talking about it, I mean I think they have them in Chappaqua now, I haven't, I asked the question about if they were planning on up here and they really didn't say much about it.

Chairman Rogan stated remember that one application we had, not application, the one informal...

Board Member Montesano stated you a corporate member now.

Board Member Brady stated yeah.

Chairman Rogan stated scoping meeting we had with the Chicago based company...

The Secretary stated yes.

Rich Williams stated yes.

Chairman Rogan stated they were talking about their parking areas being covered with solar panels and charging stations, it sounded great and we never heard back from them.

Board Member Brady stated yeah.

Board Member Montesano stated we tried to get an electric car once, didn't we.

Board Member Brady stated they talked a little bit about the hydrogen cars also, you know, I don't know, to me that almost sounds like it's a better deal than the electric you know but I think that's further down the line.

Board Member Montesano stated electric to me is too vulnerable.

Board Member McNulty stated that's all I have.

Board Member Montesano stated I could see if you've got the one like Chevy has with the little gasoline engine, at least you know you can get to where you're going but what do you do with an 8 day power failure, now you don't have a car.

Board Member McNulty stated pedal.

Board Member Brady stated yeah, you're in trouble.

Board Member Montesano stated you're back to your hiking boots.

Board Member Brady stated but it was, you know, it was nice; it was stuff that I've never really paid any attention to so it was nice to hear...

Board Member McNulty stated some insight.

Board Member Brady stated you know, what they're doing and you know what they need, the power consumption and what they, how they do it, they have different types of charging stations, where you can charge in 45 minutes and some that will charge in 8 hours, you know depending on the voltage that they have, it was pretty interesting.

Board Member McNulty stated cool.

Board Member Brady stated and it was close to work, it was right, the next block over, it was perfect.

Board Member Montesano stated my son put one of those charging stations in a gentleman's house down in Bedford somewhere and he says it's great but the wife, he said wife, he corrected and it's not the wife, it's the person that goes out and does the shopping, they're allowed to use that car because that's as far as it will go, to Town and back.

Rich Williams stated any other business.

Board Member McNulty stated motion to adjourn.

Board Member Brady seconded the motion.

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