

TOWN OF PATTERSON
PLANNING BOARD MEETING
June 28 2007 *Work Session*

APPROVED
MKR 7/12/07

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Maria DiSalvo
Charles Cook

**Planning Board
June 28, 2007 Work Session Meeting Minutes**

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

APPROVED
MKR 7/12/07

Present were: Chairman Rogan, Board Member Dave Pierro, Board Member Mike Montesano, Board Member DiSalvo, Board Member Cook, and Rich Williams, Town Planner.

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

Michelle Russo was the Secretary and transcribed the following minutes.

Chairman Rogan led the Salute to the Flag. Theresa are you going to have nice weekend next weekend.

Ms. Ryan stated I didn't make any plans.

Chairman Rogan stated we changed the meeting because we figured that you were going away for the weekend for July 4th, so.

Board Member Montesano stated we have to change back now. Don't you want to be part of those 42 million.

The Secretary stated do you want me to stop the tape.

Chairman Rogan stated you can just start the minutes, we are on a temporary recess.

Board Member Pierro stated technical recess.

The Secretary stated you are on.

1) **TRACTOR SUPPLY COMPANY – Initial Application**

Mr. Thomas Raveson, Property Owner and Mr. David Ede, Representative of Tractor Supply Company were present.

Chairman Rogan stated we are going to jump right to the 12th item on the agenda, Tractor Supply Company who would like to do a, that is what you are here for right.

Mr. Raveson stated yes.

Chairman Rogan stated come up and state your name for the record and use this microphone please, assuming that it works, you can take that right out if you would like.

Mr. Raveson stated that's okay. My name is Tom Raveson, I have lived in Patterson for over twenty years and I am really very pleased to be able to bring this project to you for your consideration. It is on the farm that I own in 311 & 22 [Routes] and part of the property is that new lake which we have built with the help of the beavers. I am very pleased because having lived here for a long time I realize that I think this project is good for the Town, it is a good ratable project, it is a long term project. Let me give you the overview of what I am proposing to do, as owner of the land I have a letter of intent with Tractor Supply Company to build them to or custom build their building in exchange they will lease that, we will have a long term lease, and to lease this building for up to thirty-five years, so it is a long term stable situation. The impact on the area is quite exciting because it is so minimal, the building will only have two bathrooms, as the rep, David Ede, who has come with me from Tractor Supply, to also introduce you to the building and what they do and how they do it. The traffic flow created by this project is very, very minimal as well and also you will see by what product offering they have, we will have a unique store that will service a lot of our own interests here in Patterson, equestrian, the gentleman farmer, horticulture, this sort of thing. Rich, may know the Tractor Supply line up, in fact I was surprised how many people have been. In any event that is basically our situation, we need to provide Tractor Supply with something close to what their concept plan is and this is a company that is growing very, very rapidly, as I just mentioned to Rich earlier, last year when I started discussing this with them, they had a little under 600 stores open in the Country and now in one year they have grown to 700 stores, and their stock price has grown quite well. It is a strong company that will also provide good local employment, so we are here to answer your questions and introduce you to the profile practice.

Board Member Pierro stated Mr. Raveson how large is the parcel that you own out there.

Mr. Raveson stated the total parcel is about 52 acres.

Board Member Pierro stated and that backs up to the side line as part of the NYSEG right of way.

Mr. Raveson stated exactly.

Board Member Pierro stated and the rear portion of that.

Mr. Raveson stated well that would be the rear portion, depending on where you consider the frontage. We used to think that it was 22 [Route] but now it is 311 [Route].

Board Member Pierro stated 311 [Route] is the frontage.

Mr. Raveson stated the parcel runs all the way south to the building, what is that.

Rich Williams stated Penwest

Board Member Pierro stated Penwest, the pharmaceutical company.

Mr. Raveson stated and we have about, on 22 [Route] I think that we have a little over a quarter of a mile of frontage that is the lake. What we are proposing to do is subdivide off of this 52 acres, what land is necessary to accommodate Tractor Supply so that we have an entity, and that is really the scope of the project.

Rich Williams stated the current application is for a site plan, this is the first I am hearing really of a subdivision.

Board Member Pierro stated okay.

Mr. Raveson stated oh really.

Chairman Rogan stated we will cross that bridge.

Mr. Ede stated good evening.

Chairman Rogan stated good evening, can you please state your name.

Mr. Ede stated my name is David Ede, I am actually not an employee of Tractor Supply Company, I am from Syracuse, New York, and I am with the Core Companies for a real estate brokerage and development firm and for the last four years we have been developing and getting approvals, assisting Tractor Supply through out New York State with their growth plans. In the last four years we have completed either the construction or the site plan approval for twelve Tractor Supply Stores. This is the most down state store that we have been active with. I put together a presentation of the company, for those of you who aren't familiar with Tractor Supply, they are unique and they control their industry, nobody else in the industry that caters to the gentleman farmer or sells the products that they do, and has ten percent of the gross volume the Tractor Supply does. When I started working with them as Tom told you four years ago they had about 440 stores, yesterday they opened their 700th store. I can't even keep.

Board Member DiSalvo stated where is that one.

Mr. Ede stated Hamburg, New York, we opened it just yesterday just outside of Buffalo. I have been on a mission to get a store in the Pawling/Patterson market for the last two years, I think, I have been working with Tom. We have had the folks from Tennessee here to identify the site that would be suitable for their store. This package gives you the pertinent information with regard to the kind of business they do, the hours that they operate, they are a public company you can find all the information you need on their finances through the stock exchange. I think that it is important for any town to know that as far as an operation of a retail store you probably can't find a more benign user then Tractor Supply. If you take a look at the second page of the presentation, their average daily customer count is literally harmless, 150-200 customers during the week and 200-350 customers on a weekend. The company in 700 stores, does a little over 2 billion dollars in gross sales which equates to about 3 million dollars per store on average. There are a few things that may surprise most people when we talk about Tractor Supply, one is that they do not sell tractors, it is a name that has been inherited for almost 100 years, when it started as a tractor

catalogue parts store but as it has evolved over the last 80 years, they do not sell tractors, they do not service tractors, there is not service business related to the Tractor Supply operation. Another interesting piece of information, Tractor Supply does a very competent job of tracking their customers, fifty percent of their customers are female, two-thirds of their customers drive pick up trucks, and the common denominator that their customers have is that they have a bond with the land.

Board Member DiSalvo stated that sounds like me, I am a customer of yours.

Chairman Rogan stated have you been to Tractor Supply once or twice.

Board Member DiSalvo stated I have a huge account at the Amenia store, I am there at least twice a week.

Mr. Ede stated I can tell you that I had a very similar comment when I first approached the Board in Hamburg, New York, I had two people say thank God, I don't have twenty-five to drive miles to Springville anymore.

Board Member Montesano stated that is true, because I have go up there all the time.

Board Member DiSalvo stated yes, the one in New Milford I go to also.

Mr. Ede stated and another motto that Tractor Supply likes to put as part of their presentation is you can find everything that Tractor Supply sells somewhere but you can't find somewhere that sells everything that Tractor Supply has. They have a unique set of merchandise and as you go through the presentation, you will see what percentage of their business and what combination of items they have, that make them so unique in their industry.

Chairman Rogan stated is there a page in this that was intentionally left blank or is there something missing.

Mr. Ede stated which one is that.

Chairman Rogan stated I have a page after the photo showing the cars, after this one [Points to presentation], the next page is blank, is that everyone's.

Mr. Ede stated just yours. Did you get delivering values after that.

Chairman Rogan stated yes.

Mr. Ede stated you got a sheet of scrap paper.

Board Member Montesano stated they figured you'd have notes.

Mr. Raveson stated that is for notes for the Chairman.

Chairman Rogan stated thank you very much, I appreciate that.

Mr. Ede stated Tractor Supply will add fifteen to twenty employees to the local base and with the exception of the store manager, you can be very confident that the rest of the employees will be hired from the local market place. They try to find specialists in the different departments, the equestrian business is a big part

of their business they will try to find somebody locally with equestrian knowledge to handle that department. Our company that I work with, the Core Companies, has had a lot of experience with various retailers and what those retailers need in terms of identifying markets and we have found nobody that uses the kind of criteria that Tractor Supply uses, as a matter of fact when I first started working with Tractor Supply, I said please give me the income demographics, the kind of populations densities that you need and they said no, we will supply you with the kind of demographics that we use and the demographics that they use are horses within a thirty mile radius, bails of hay within a twenty mile radius, they have a very unique set of demographics that identify locations. They think that they would be a long and successful participant in the Patterson economy because of the demographics that seem to fit so well here. From what I am hearing, some of you are making the trip up to Amenia, that they have done their research, they have done it well and to the best of my knowledge since I started working with them for the past four years, they haven't missed the mark, they haven't closed and stores that I know of. I attend an annual seminar in Nashville where their headquarters are and right now they are just breaking the 700 store barrier and by 2012 they plans to max out across the United States with 1300 stores. They are on an aggressive growth pattern and New York State has been the leader of the pack. In the last four years we've gone from I believe 20 stores to 43 in New York State and as far I know it is the second or third State in terms of store count for Tractor Supply Company. I would be glad to answer any questions, to the best of my knowledge.

Board Member Cook stated do the stores look like this.

Mr. Ede stated that is a photo, I believe, is that at the end of the presentation. That is a photo, I believe of one we built for them. What page is it.

Board Member Montesano stated that is the one in Amenia, its right there.

Mr. Ede stated the one that you are looking at is the prototype, Amenia I believe was a retro fit into an existing store.

Board Member DiSalvo stated in the old Ames.

Mr. Ede stated in the old Ames store. This would be a brand new prototype, that photo is representative. As a matter of fact, I've got one more photo I want to show you, this is an actually photo of the East Syracuse, New York store which opened a little over a year ago, that is the grand opening for that store.

Board Member DiSalvo stated the one in New Milford was built from scratch.

Mr. Ede stated New Milford was a built from scratch as well. I brought with me an interesting book that was written in 2004, it is entitled "Becoming a Category of One" and it is a book about half of a dozen interesting companies in the United States which basically have no competition in terms of peers that do what they do and it talks about companies that are synonymous with their business. When you think of coffee you think of Starbucks, when you think of motorcycles, Harley Davidson comes to mind, when you think of gentleman farmer and these kinds of needs, on a national basis, Tractor Supply wants to build their brand to that level. They are one of the highlighted companies in this book. Any questions.

Board Member Pierro stated how large.

Chairman Rogan stated you mean square foot.

Board Member Pierro stated square footage of the store.

Mr. Ede stated the store would be 22,670 feet.

Board Member Pierro stated and how much disturbance in acreage of that property.

Mr. Ede stated we have prototypically been able to put that store on about four and one half acres, we have allotted up to eight acres to accommodate the Patterson store, I should say Mr. Raveson has allotted up to eight acres to apply for, to accommodate extra green space, extra ingress and egress, it is a very generous use of the land.

Board Member DiSalvo stated do you plan on doing outside storage also, as you do in Amenia.

Mr. Ede stated I need to make that very clear to the Board, thanks for bring that up, there are three criteria that are absolute deal killers for Tractor Supply. I know that you are going to get a chance to look at the prototypical site plan but Tractor Supply will not go into a store unless they have A. a fenced side yard, B. a sidewalk display and C. the outside tractor display which is up front. I don't know if you have yet seen the site plan, the prototypical site plan.

Chairman Rogan stated no.

Mr. Ede stated any one of those three, I have been told and I have experienced will be the deal breaker for Tractor Supply, they must have those three things, in some form or the other but usually as close to the prototype as possible.

Chairman Rogan stated it is ironic that you bring that up because a couple of things that I have been looking at, the one picture that shows the front of your store and the one picture that you passed of the opening show competition for uses that I am seeing. You have front side walk storage and I don't have the plan on this one but I am looking from the picture and it looks like you are blocking your sidewalks and you have a handicap parking space with a four wheel drive ATV, the bigger ATV, that if the people parked in there couldn't get out of their car and get right to the sidewalk.

Mr. Ede stated the sidewalks are built at grade.

Chairman Rogan stated at grade.

Mr. Ede stated and wide enough to accommodate both the display area and pedestrian traffic.

Chairman Rogan stated well what I see in here is the front of the tractors are right up to the edge of the grass and your parking space here they would have to go out and around these vehicles to get into the store. So we are clear if we are going to proposed this we want to make that we have at least four or five foot extra.

Mr. Ede stated absolutely.

Chairman Rogan stated and that they are not going to be parked in front of the building like that.

Mr. Ede stated the site plan that has been designed for Patterson, accommodates both the display area and pedestrian traffic.

Chairman Rogan stated and the facility that you just opened, I am hoping and assuming that the front display isn't cutting into your parking that it is designated as that spot.

Mr. Ede stated it is designated totally separate. Some towns have actually preferred that we incorporate them as both uses but Tractor Supply prefers to have it separately designated.

Chairman Rogan stated cleaner that way.

Mr. Ede stated absolutely, and as a matter of fact, its construction requirements are different, the display out towards the road is a concrete pad, where the parking area is tar.

Board Member Pierro stated this is the sidewalk display that you are intimating.

Mr. Ede stated all the way across from in front of the fenced side yard right across the face of the building and that is almost a daily type sale product. One day it will be grass seed and flowers and the next day it will be something else seasonal.

Chairman Rogan stated does anyone else have any questions for this gentleman, if not we can get Theresa. Are you presenting tonight Theresa.

Mrs. Ryan stated if you need me to, I didn't bring a plan but I was going to field questions if you had any.

Chairman Rogan stated that is okay, we will look at it next meeting, we have a copy in our packet.

Mr. Ede stated I do have some various copies of the prototypical site plan.

Rich Williams stated you do have copies in your packets.

Board Member Pierro stated we haven't had a chance to open them yet but.

Chairman Rogan stated hey Theresa, in fairness to the Board and everything, this a great presentation for the background on Tractor Supply, why don't you let us take a look at these plans, we are going to be here in two weeks, it gives us a chance to really think about what you said, look at the initial application mull over some ideas.

Board Member Pierro stated I saw that.

Mrs. Ryan stated that is in there.

Board Member Pierro stated that is in there.

Mrs. Ryan stated that is what the site plans kind of match.

Chairman Rogan stated it would probably be a better use of everyone's time, well done on this, it is easy to read, clear and not to much information, I think you guys did a good job putting that together, it is not 400 pages, thank god.

Board Member Cook stated the County presentation.

Chairman Rogan stated I wasn't thinking the County now, come on. Okay we are going to get off this topic and back to item number one. Thank you very much, two weeks, take a nice long weekend.

Board Member DiSalvo stated cut grass.

2) D'OTTAVIO WETLAND/WATERCOURSE PERMIT – Public Hearing

Chairman Rogan stated D'Ottavio wetland, Public Hearing.

Rich Williams stated I talked to Ted earlier today, is this on.

The Secretary stated you are on.

Rich Williams stated Ted still hasn't come back with an application fee for the project because apparently Steve has not provided any plans to us or to Ted to review showing the wetland and wetland boundaries, so I am going to call Steve tomorrow and see what the status is.

Chairman Rogan stated if he does not have that in, would it be appropriate to re-schedule the public hearing for the following meeting or no.

Rich Williams stated you certainly could take that.

Chairman Rogan stated I don't want to get stuck where we do a public hearing because that sets up a time frame.

Board Member Cook stated we could open the public hearing right and then basically close it, and then continue it, you would have to re-notice it right, if we.

Board Member Montesano stated table it.

Board Member DiSalvo stated table it.

Chairman Rogan stated table it, not close it, keep it open.

Rich Williams stated you could do it either way.

Chairman Rogan stated that is fine, at least then it doesn't have to be re-noticed.

3) GEORGE APAP – Site Plan Waiver 6 months review

Chairman Rogan stated George Apap, if everybody remembers when he was in for the sign, we noticed the structure behind, we talked to him about what he is going to do with that, he was supposed to be in last meeting and he didn't show up, just to let us know what his plans are for that.

Board Member DiSalvo stated hopefully he'll be here for the next meeting.

Board Member Cook stated Rich do we expect him in.

Chairman Rogan stated do we expect George Apap.

Rich Williams stated I did send him a letter, I don't know for sure, he has not contacted the office, I did send him a letter reminding him to be at the meeting.

Chairman Rogan stated if he doesn't show up, what action should the Board take, that would be the second meeting that he didn't show up, we have given him a six month time frame to kind of consider what he is going to do with an illegal structure, do we then have the Building Inspector site him for a violation.

Board Member DiSalvo stated can we notify him that that will be the next step, if he doesn't reschedule, right.

Chairman Rogan stated upon the next meeting if he doesn't show up, the following he is either there or a violation is issued, I agree with that. The building looks fantastic, what he did with it.

Board Member DiSalvo stated just go around Court.

Board Member Montesano stated that building, when it went up, he bought the property and the building there.

Chairman Rogan stated that is correct.

Board Member Montesano stated he is not grandfathered in any way shape or form.

Chairman Rogan stated that is correct.

Board Member Montesano stated and we should tell him that the next step is up to you and this is what we would have to proceed with.

Chairman Rogan stated okay, good night Theresa.

Board Member Montesano stated we have two weeks for him to show up.

Board Member DiSalvo stated yeah.

4) REELEX PACKAGING SOLUTIONS – Sign Application

Chairman Rogan stated Reelex Packaging Solutions.

Board Member DiSalvo stated is this up by Fryer, up that way.

The Secretary stated it is formally Windings.

Board Member DiSalvo stated who.

Rich Williams stated it is down at the bottom of the hill from Fryer's.

Board Member Pierro stated two applications, a road side sign and the sign right in front of the offices.

Board Member Montesano stated how many are they going to have.

Rich Williams stated that is correct Dave, he wanted to have another sign down by the office doors so that people knew where to go in.

Board Member Pierro stated okay.

Board Member Montesano stated he has this six by twenty inch sign and then there is a total, it said six feet by twenty inches and then it is split and the total is fifty-four inches by six feet.

Board Member Pierro stated the base.

Rich Williams stated he is just counting the actually sign and the sign area.

Board Member DiSalvo stated do we have to count the base in too.

Rich Williams stated no.

Board Member Montesano stated the base is not going to be part of the sign.

Rich Williams stated we typically don't count the base as long as there is not writing or letters.

Board Member Montesano stated I am looking at it and what I am wondering is does that mean he can put something else in there if we don't question it.

Rich Williams stated no because then it would be a sign.

Board Member Montesano stated okay, so if that is how is it going to be.

Board Member DiSalvo stated its supposed to look typical looking like that but it is not transforming something.

Board Member Montesano stated I am looking at the side view of it and all that is is a line.

Rich Williams stated there are a couple of other issues with it though Mike, in our Code says that you can have one free standing sign, it is very clear and he is proposing two and he is proposing two basically because there is already two up there.

Board Member DiSalvo stated like Country House, Steak House 22, remember we did that.

Rich Williams stated could be.

Board Member Pierro stated Mike, if you look at the second page at the artwork proposal, you see the current sign that Windings has, that is vacant underneath it, it really looks ridiculous.

Rich Williams stated yes it does.

Board Member Montesano stated what I am saying is I am not worried about the sign, I like the concept, what I am looking at is if he can put something else there on the bottom that would be part of the sign.

Board Member Pierro stated he should be notified about that.

Rich Williams stated about what.

Board Member Pierro stated that the bottom part of the base of this, is not an area for future signage, unless he comes in front of this Board.

Rich Williams stated I still go back to the fact that he can have one but he is proposing two.

Board Member Pierro stated does this Board have the authority to waive that.

Rich Williams stated no.

Board Member Pierro stated no.

Rich Williams stated and I did go all the way back to when the site was approved, there were never any sign approved for that site, they never came back in and got any approvals for any signs what so ever, so there is nothing vesting rights or anything.

Board Member Cook stated so we have to tell him to pick one.

Board Member DiSalvo stated just one sign.

Rich Williams stated that would be my suggestion, yes.

Board Member Pierro stated can they place signage on the building, on the face of the building.

Rich Williams stated yes.

Board Member Pierro stated as opposed to the sign in front of the building on the grass.

Board Member DiSalvo stated they can get an attached.

Rich Williams stated he can do that.

Board Member Pierro stated and still put one sign out on the road as well.

Rich Williams stated absolutely, he was informed of that.

Board Member Pierro stated oh, fine.

Rich Williams stated he chose not to.

Board Member Pierro stated what.

Rich Williams stated he did not feel that was appropriate and he wanted both signs.

5) FANNY DOOLITTLE – Request for Waiver of Site Plan

Chairman Rogan stated what is going on with Fanny Doolittle.

Rich Williams stated Fanny Doolittle is in because they would like to put an exterior stairs out on the side of the building.

Board Member Pierro stated on the side or the.

Board Member DiSalvo stated on the back.

Rich Williams stated on the interior side of the property. Unfortunately the site is so small, she needs a Zoning Variance to do and also because it is a new improvement to the exterior she either needs a site plan or a waiver. I had suggested that at least she submit to a waiver, it does qualify within our Code guidelines.

Board Member DiSalvo stated she has been there awhile, I am glad to see that she is doing well.

Chairman Rogan stated that is a tough business to keep alive, you think that there would be a lot of people in and out.

Board Member DiSalvo stated have you ever been in there, you have to walk in sideways there is so much stuff in there.

Chairman Rogan stated after many years.

Board Member Pierro stated she has quite a clientele.

Board Member DiSalvo stated yes.

Chairman Rogan stated good.

Board Member Pierro stated who else.

Chairman Rogan stated the staircase, it is not.

Board Member DiSalvo stated I knew them from years ago.

Chairman Rogan stated the staircase is not really impacting.

Board Member Cook stated the stairs are totally outside.

Chairman Rogan stated right.

Board Member DiSalvo stated so she wants to put another staircase in the back to be able to go in through the store through the back.

Rich Williams stated yes.

Chairman Rogan stated okay. That is pretty.

Board Member Pierro stated pretty straight forward.

Chairman Rogan stated yes, they will have to meet safety issues for the Building Inspector.

Board Member DiSalvo stated they are going to improve with that, with another door. It will probably improve the safety issues.

Rich Williams stated I am sure it would but I think that she also has another rear exit to the building, at lease on the top floor, out to the 22 [Route] side, I haven't been in there in a long time as I recall, the last time I was in there, considerable merchandise was in front of the door.

Chairman Rogan stated that is not surprising, based on what you just said.

6) FLASH/BMMD, LLC. – Lot Line Adjustment

Chairman Rogan stated BMMD/Flash Lot Line Adjustment. It looks like a pretty innocuous swap between pie shaped parcels. What is the reason for it Rich.

Rich Williams stated this was the result of a.

Board Member Pierro stated Mr. Chairman I respectfully recuse myself from this application.

Board Member DiSalvo stated this is BMMD.

Rich Williams stated this was a result of a boundary dispute between the two property owners and this is how they are resolving that boundary dispute.

Chairman Rogan stated okay, that is something we wanted resolved anyway.

Rich Williams stated there are some very minor details I have asked to put on the plan, signatures and such. There is one additional issue, they do not show the septic system for the existing house, it is a requirement of our Code that that be shown, however, they are adding property not taking away, the reason that we have that in the Code is to make sure that we don't have a well or a septic ending up on somebody else's property, since there is only property being added in this case, it is something that could be waived.

Chairman Rogan stated we could waive the septic, to show septic based on that they are only adding property to that.

Rich Williams stated correct.

Chairman Rogan stated that seems certainly reasonable.

Rich Williams stated that is noted in the review memo, I did also do a resolution, that is attached to the memo, the resolution includes a SEQR determination.

Board Member DiSalvo stated we still have to make a decision on that wetlands permit also.

Chairman Rogan stated they haven't done all of their work yet.

Rich Williams stated that has not been done yet.

Chairman Rogan stated yes, I think that gets back to their work with the wetlands.

Rich Williams stated they needed to show it on the plans yes.

Chairman Rogan stated and address the drainage but that will pretty much it.

7) MAPLEWOOD NORTH SUBDIVISION – Continued Review

Chairman Rogan stated Maplewood North, if everybody remembers the Town of Southeast was having a Planning Board meeting this past Monday, I am sure that everybody got notified that was basically opened and tabled immediately all we can assume is that they saw some of the problems that we saw and wanted to look at it a little closer.

Rich Williams stated the meeting, the public hearing is going to be continued at their meeting, I believe that it is August 13th, we are going to get notice on that and I will let everybody know. I had suggested to the Chairman that both Boards may want to get together, he was interested in doing that, having an honest and open discussion between the two Boards perhaps on the 13th.

Chairman Rogan stated can we, have we ever site walked that.

Rich Williams stated we have not.

Chairman Rogan stated why don't we site walk that and maybe if they would like, we can may schedule it, they have been out there but we haven't, at a minimum we should site walk it.

Rich Williams stated traditionally they do not do site walks.

Chairman Rogan stated really, well that might, well either way we should do it.

Board Member DiSalvo stated they are still proposing the house in the center of the two properties.

Rich Williams stated no, I met with John Petrillo and Joe Buschynski on the project, we talked about possible alternatives, the one that seemed the most palatable, at least met the majority of Patterson's requirements is to put a house in the Patterson side and a house in the Southeast side, a shared common driveway, the septic for both properties would be in the Patterson area.

Chairman Rogan stated so you are talking doing a further subdivision, doing a three lot instead if a two lot.

Rich Williams stated they are still doing a four lot, it is a four lot one way or another.

Chairman Rogan stated okay, we have to take a look.

Rich Williams stated two lots in Patterson and two lots in Southeast.

Chairman Rogan stated okay.

Board Member DiSalvo stated and septic in the respective Towns.

Rich Williams stated all the septic would be in the Town of Patterson, there would be.

Board Member DiSalvo stated that's not bad.

Chairman Rogan stated we get that, that is good.

Rich Williams stated there would be a house on both sides of the Town boundaries.

Chairman Rogan stated does the Board agree that we should do a site walk on this.

Board Member DiSalvo stated oh definitely.

Board Member Cook stated yes.

Chairman Rogan stated lets try to work on scheduling that, maybe we can contact the owners, normally we would have, we are more in this case for August 13th, we are more concerned with this area associated with the Town line and how that lays out but we really should have a concept plan as to what they plan on doing. Maybe we can get a concept, it would be nice if we could get all this before August 13th, that gives them a little bit of time. Maybe we can get a concept plan for what Rich just said and subsequent to that we can schedule a site walk. Rich once you get a concept plan, do you think that we can walk and feel comfortable looking at what we need to look at, maybe you can lets us know and we will just schedule it.

Rich Williams stated without staking.

Chairman Rogan stated if you think based on the plan we can feel comfortable out there, I know on some of the other ones we did where they were big subdivisions, I felt pretty comfortable but with hindsight for everybody it would have been better to have it staked, I am thinking of the one off of Ballyhack, is that the one where we walked way in, in back of Boniello.

Board Member DiSalvo stated Leonidas property.

Chairman Rogan stated that one, I think that there was a little bit of confusion as to where we were and there was a lot of property out there. I would leave that to your discretion, if you think that it needs to be staked and let's have them just stake it.

Rich Williams stated I think what I will do, is get the concept plan and take a walk out there and see.

Board Member DiSalvo stated that came up at one of our Assessment Board Meetings, we were talking about the house being in the center, the people on the Board couldn't find a problem with that. [laughs] People have a right to develop their land but I said that is not the problem, then you get into where do they vote, where do they go to school, who do they pay their taxes.

Chairman Rogan stated how do you assess it, it would be on thing if you had, well anyway, you know better than I do certainly.

Board Member DiSalvo stated it was a confrontational conversation.

8) BEAR HILL ESTATES SUBDIVISION – Continued Review

Chairman Rogan stated Bear Hill Subdivision.

Rich Williams stated they have resubmitted their subdivision plat and site plan, they are very little changes that were discussed, the note has been taken off, I didn't really see anything else, the driveway is still in the same location coming out against the Baumann's property and we have nothing again from the surveyor concerning the DeBaerstrand property line dispute.

Board Member DiSalvo stated he did kind of suggest about putting landscaping at the bottom in there so that the lights aren't shining into Mrs. Baumann's house.

Chairman Rogan stated yes.

Rich Williams stated would he put them on, I don't recall him saying that, would he put them on Mrs. Baumann's property.

Board Member DiSalvo stated yes or something like that, Dave what did he say.

Board Member Pierro stated we discussed it, he said that he may even go and talk to Mrs. Baumann.

Rich Williams stated he did say that. I guess the question is, pretty much except for those two issues everything is set and done, should I be preparing a resolution.

Chairman Rogan stated I would say that if everything is done, we were happy with other than that one issue last time, let's resolve it.

Board Member DiSalvo stated could that be an issue, can we make it an issue or.

Chairman Rogan stated they can only do the plantings if the person is willing.

Board Member DiSalvo stated can we get an idea if they are willing.

Rich Williams stated the question is if you are going to allow the driveway in the location that is it being proposed and the other issue is also the DeBaerstrand issue with the property line dispute whether you are satisfied with that or you want to see something from Terry.

Chairman Rogan stated what does everybody think.

Board Member Pierro stated I quite frankly don't see anyway around relocating that driveway, if we can have them do some voluntary planting on the property belonging to Mrs. Baumann, I would be happy with that. As far as Evelyn DeBaerstrand, they made her a significant offer and she chose to turn that down, she apparently wanted a very sizable chunk of property added to her land and I guess her negotiating skills are a little lacking, I don't know what else they can do for it.

Board Member DiSalvo stated so basically they have exhausted their being nice to her.

Board Member Pierro stated it seems that they have been pretty straight forward with her.

Board Member DiSalvo stated as far as Mrs. Baumann, do we make it part of the resolution for the plantings on the driveway.

Board Member Pierro stated I don't think they were really against doing any planting there, they just needed to have permission to enter on that property in order to do so.

Rich Williams stated if it going to mitigation for an impact for the subdivision, it should be part of the resolution.

Chairman Rogan stated if the person that owns the property says no I don't want, at least the offers were made and it is in writing in that regard.

Rich Williams stated however, I would prefer to see the Board get them to agree to that night in the record and then we will add it, I am not going to put it in the resolution up front because we don't have anything on the record saying that they are going to do that.

Board Member Pierro stated we'll make it conditioned on the resolution, right that is fine.

9) PAPIITTO SITE PLAN – Continued Review

Chairman Rogan stated Papitto, Rich the driveway profile, why did they do a ten percent and a fifteen percent.

Rich Williams stated because our Code requires ten percent. I was letting it slide before because it is a pre-existing driveway even though they were going to commercial. What they are doing at this point though is that they are proposing a new driveway.

Board Member DiSalvo stated yes, I saw that.

Chairman Rogan stated ten percent is amazing amount of grading though, I see they are shifting it over, they are bringing it straight in.

Board Member Pierro stated they have to move trees and.

Chairman Rogan stated wow, look at that the distance they are running, there are eight foot cuts here.

Board Member Pierro stated six or eight feet.

Rich Williams stated well, before you go too far with that, typically County requirements are a three percent negative grade coming in off of their County road, they are not showing that, they are showing a straight ten or a fifteen from the road up.

Chairman Rogan stated sure, so if they relocate the driveway, you are saying basically that they have to meet the Code.

Rich Williams stated if they relocate it they have to meet the Code unless the Board waives it.

Chairman Rogan stated it is not really our, well there are requirements for this stuff especially for commercial vehicles for a reason right. This was a house, in fairness, even though it is a commercial property, it wasn't used as, it would be different if we have thirty years worth of them using it as, I kind of want to err on the side of caution there, and say to meet the requirement, they shown that they can do it with the exception of the negative three percent that they still have to show which.

Board Member DiSalvo stated coming in and out here.

Rich Williams stated correct.

Chairman Rogan stated they may not be to happy about it but they have shown that they can do it.

Board Member DiSalvo stated they want to be able to come up and down with two vehicles.

Rich Williams stated which is going to significantly effect that grading.

Chairman Rogan stated yeah.

Board Member Pierro stated and make that grade worse on the other side of the three percent, correct because it is going to pitch down and.

Chairman Rogan stated down, so it sets back their topography even further.

Rich Williams stated so you are going to have to cut it back even farther, they are going to have to grade into steep areas.

Chairman Rogan stated can they, instead of doing all this grading though to either side, can't they do some kind of retaining walls.

Rich Williams stated they could.

Board Member DiSalvo stated that is what we suggested.

Chairman Rogan stated that would certainly help them out with some of this, they are showing extensive grading on here, here they are covering nine foot and in some places almost ten foot cuts it looks like on the plan that they showed over seven and eight foot cuts.

Rich Williams stated there are three other issues, the first one is that they are not showing an oil/water separator based on their response, it appears that what their opinion is that the maintenance is done off site, their fueling facilities are now inside the building so they don't need one.

Chairman Rogan stated and if it leaks inside the building where is it going.

Rich Williams stated well the other issue is what happens if a year from now they decide to vacate it, it is an approved use for the site and the new people may do things entirely different, you still have that issue.

Chairman Rogan stated as Dave said, I think said, it is really not a lot different from the Boniello site, you want to plan for it, do it right once, it is in and we are protected and I think that I agree with Dave on this.

Rich Williams stated the second issue is that they got a letter from the Health Department saying that the existing septic is fine, at the last meeting the Board talked about having sanitary facilities within the garage so that people didn't have to run into the house. They really have not addressed that issue, the Health Department is just saying that the house is okay to convert to an office and the septic will be fine for that, so that is one other issue. The last issue has to do with the fence, our Code requires that contractors yards, the storage area be suitably fenced and screened. What they are proposing at this point is just about 230 feet of fence between this property and the adjacent commercial property down along the property and only a portion of the property line. They are not talking about fencing the entire storage area which is typically the case.

Board Member DiSalvo stated so want the storage area fenced in separate from like where that stone wall is, behind that stone wall, you want like a separate fence around there.

Rich Williams stated remember that stone wall behind the house is being removed.

Chairman Rogan stated yes, here.

Board Member DiSalvo stated I thought that he was going to save that and move it.

Chairman Rogan stated he may move it but this is existing stone wall we saw and it is all being removed there, for a drive area through the building.

Board Member DiSalvo stated so we want the fence here then.

Chairman Rogan stated well that would have to be, not there because that is the middle of a parking lot it would have to be obviously around here to screen this. I don't think, do you have to screen the back also, the back of the property.

Board Member DiSalvo stated there is a mountain back there.

Rich Williams stated well that is the question, right now it is undeveloped land, some day it may be developed.

Chairman Rogan stated and have access from 311 [Route].

Rich Williams stated the Code doesn't really get into the requirements of what screening and fencing is needed, it just says suitably screened and fenced.

Chairman Rogan stated so we certainly could ask for the screening that the Board feels is appropriate given the use. I don't know what is behind that, will it be developed or will it not I don't know but maybe it would be better to address it now. Fencing is probably not their biggest.

Board Member DiSalvo stated he may want it for security reasons too.

Chairman Rogan stated there you go. Fencing is probably not their biggest, not that they have to crack here anyway. Let's look at that plan and come up with an idea for what suitable screening would be.

10) HUDSON VALLEY TRUST – Wetland/watercourse Application

Chairman Rogan stated moving right along, Hudson Valley Trust. There were some modifications that we were talking about with the plans with the head walls and where we, the elevation and all that, do we have anything new on that.

Rich Williams stated what I did and I believe I copied the Board since the last meeting is that I actually went out there and mapped out the channel profile where they staked out where the bridge is going to be and that profile is significantly different then what they are showing on the plan.

Chairman Rogan stated really.

Rich Williams stated now if they are going to put that bridge where the stakes are, I am very comfortable with, it works better then they are showing on the plan. If they are moving it to some other location that is more typical of the channel profile that they are showing there, then things aren't going to work.

Chairman Rogan stated okay.

Rich Williams stated Dave has it in his hand.

Chairman Rogan stated got it.

Rich Williams stated I went out there and measured across that stream channel in six inch increments and came back in and plotted it out, so I got a fairly good representation. What?

Board Member Pierro stated can you run this by Gene as well, or you can't.

Rich Williams stated can I, sure I can but what is Gene going to do.

Board Member Pierro stated I don't know but I mean I trust your judgment and your knowledge of stream channels but he is our Engineer.

Board Member DiSalvo stated this is graph paper.

Board Member Pierro stated if I am going to make a decision based on this, I want.

Rich Williams stated it is not an engineering issue.

Board Member Pierro stated well.

Rich Williams stated if I were then to say that that profile has a certain capacity to handle water, that is where it gets into an engineering issue and Gene would have to weigh in on it.

Board Member Pierro stated okay.

Rich Williams stated but all I am doing for what I am doing here Dave, is that is what the channel profile looks like if you open up their plan and look at it, that is not what they are showing the channel profile looks like.

Chairman Rogan stated in fairness, Gene isn't going to go out there and do the symmetry that you just did.

Rich Williams stated no.

Chairman Rogan stated so what we want to do is just have them re-affirm what they are showing that there is supposed to be some.

Rich Williams stated so I am meeting Jeff Contelmo out there in the morning.

Chairman Rogan stated oh, excellent, very well.

Rich Williams stated so that we can take a look at this and make sure that where their proposing the bridge is where it was staked, where the Board saw it and if that is the case then we have about seven feet of separation between the bottom of the stream channel and the bottom of the bridge.

Chairman Rogan stated that doesn't seem. Remember when we were out there it doesn't seem anything like that, remember how close we thought, you were saying that it looked like the finished grade would be only a couple of feet, three feet it seemed like when we were out there.

Board Member Pierro stated I thought that it was three feet from the current water level to the bottom of the bridge.

Chairman Rogan stated right.

Board Member Pierro stated but not to the bottom of the stream channel.

Chairman Rogan stated no, no, no, not to the bottom of the stream but how deep was the stream, a foot deep at that point when we were there.

Rich Williams stated it wasn't deep at all.

Chairman Rogan stated interesting.

11) FRANTELL SITE PLAN – Request for Extension

Board Member Pierro stated okay.

Chairman Rogan stated Frantell Site Plan is a request for an extension.

Board Member Pierro stated what is the hold up here Rich.

Board Member DiSalvo stated turtles.

Rich Williams stated DEC, they had to get DEC approvals they are following through that.

Board Member Pierro stated okay. Barjac.

Chairman Rogan stated how long are they asking for.

Board Member DiSalvo stated done, Frantell six months.

Chairman Rogan stated six months.

Board Member Pierro stated (unable to hear).

Board Member Cook stated this letter says that they are waiting for approvals form the Department of Health for the well and septic system.

Board Member Pierro stated ninety days then.

Chairman Rogan stated ironically I don't think that it says.

Board Member Cook stated then don't.

Chairman Rogan stated extension of final [Reading letter out loud]. We will have to find out at the meeting, okay.

12) BARJAC REALTY CORP. – Continued Review

Chairman Rogan stated Barjac.

Board Member Pierro stated per our last conversation, has notice been filed, has a summons been issued on this project on the mine.

Rich Williams stated I don't know.

Board Member Pierro stated oh.

Rich Williams stated when we had our last conversation, it hadn't been done as of that point.

Board Member Pierro stated okay.

Rich Williams stated it is something that we have to follow up on.

Board Member DiSalvo stated can we move ahead on this until.

Rich Williams stated what we did on this is not getting any response from the Town Board then we went to plan B and I talked to Anthony and Anthony agreed, we brought their attorney in and we are going to have them plead out to a violation, they are going to pay a minimal fine and then yes, we can move on.

Board Member DiSalvo stated so then we should wait for that violation to satisfied or.

Rich Williams stated as long as the violation is issued the Board can continue to move on, it is not a question of being satisfied, as long as it has been issued.

Board Member Pierro stated right.

Chairman Rogan stated other then the violation issue I remember them talking about the different entrances and they didn't want to show in the one area, Theresa didn't even want to show the engineering as an option for the one area, the one that was between the houses basically because they didn't feel that it would be an option that we wouldn't ultimately want all the traffic in between those houses.

Board Member DiSalvo stated so we are still back to the bridge.

Chairman Rogan stated and shifting it over, that is what Ted was thinking about, shifting it over around that vernal pool.

Rich Williams stated honestly I haven't opened the plans, I don't know.

Chairman Rogan stated yeah, we'll look at them. Tractor Supply we have done.

13) OTHER BUSINESS

Chairman Rogan stated other business will be for review when we get it much to the dismay of some. Boniello, that we probably will not have a technical review, it will just be for Board discussion, Empire, I am sorry Empire. The only question would be whether or not we are going to tell that any comments that we bring up whether or not they can address them and if they do then that is what we will ask technical to review or whether they should review what they have currently sent in. If they are going to send in a revision then my feeling should be that Rich or Gene should not even review the current plan because they are going to change it, what is the point of them wasting their time.

Board Member DiSalvo stated yeah.

Chairman Rogan stated so I would say at this point Rich, do not do a review as a matter of fact because you've got many other things going on, you have already said that its time frame is tight.

Board Member Pierro stated you have looked over the plans as they are presently. You haven't.

Board Member DiSalvo stated they are so confusing.

Chairman Rogan stated its got a lot going on.

Board Member Pierro stated I would ask that absent of technical review, I would ask that you take a look at them again when you have time because there may be something there that neither of us have caught yet that is just so glaringly wrong that we may miss it on the next plan as well. If can take a poke at it.

Rich Williams stated I will certainly open them up.

Board Member Pierro stated yeah.

Chairman Rogan stated the good news is that we are not in a position at this point, we are not doing any approvals on it, we are not even at that point.

Board Member Pierro stated of course not.

Chairman Rogan stated but I think that it is good, given the wetlands confirmation the Board can take a look at the plan and really that was the main issue, Dave, right, was where they were setting things you were talking about pulling them, making sure you delineate where the parking.

Board Member DiSalvo stated the parking spaces.

Board Member Pierro stated and where dry storage is and most importantly.

Chairman Rogan stated so we can look at those issues we are not holding.

Board Member Pierro stated yeah.

Chairman Rogan stated in essence actually they are getting a benefit because if they weren't on the agenda they would be a month later anyway.

Board Member Pierro stated that is true.

Chairman Rogan stated in essence they are getting a little bit more input from the Board.

Rich Williams stated listen, I want to go back to what I said earlier is they were given at the last meeting direction that they needed to get the materials in for lead agency, when they came in, they went out the next day, we are not delaying them but they didn't submit them for what, three weeks.

Chairman Rogan stated right, eleven.

Board Member Pierro stated Boniello lead agency.

Chairman Rogan stated does anyone have anything additional or if not.

Board Member DiSalvo stated what ever happened to that subdivision in Putnam Lake.

Rich Williams stated well that is one of thing that we do need to talk about. I did get a call from them, they are staked, so they are ready to go.

Chairman Rogan stated oh.

Board Member Pierro stated so that is two we have to do.

Chairman Rogan stated okay.

Rich Williams stated and I anticipate that Ice Pond should be done fairly soon and ready to go.

Chairman Rogan stated at least what we can do as to not tie up everybody's weekend in the summer, we can do even if it is a larger one and we only do one in the evening, I get off at 4 o'clock now, I know everybody else is a little more flexible, but I can be at any one of these sited by a quarter after.

Board Member Pierro stated alright.

Chairman Rogan stated motion to adjourn.

Board Member DiSalvo stated anymore on NRA or anything.

Discussion of Town Board Meeting with Patterson Crossing

Rich Williams stated no I have not seen anything on NRA other then I do know that they have submitted for Army Corp. Real quick one last thing if I could address, I heard as I was playing with the P.A. that Dave was concerned about that meeting with the Town Board. I would suggest that you send a letter to the Town Board, I mean if you.

Board Member DiSalvo stated if you have an opinion.

Rich Williams stated what your issues are and you need us to draft it, we can do that but the issue. I mean I found out about it that day and I called Shawn.

Chairman Rogan stated that evening almost, it was 4 o'clock or so, it was the end of the day.

Board Member DiSalvo stated I read it in the paper.

Board Member Pierro stated I would have appreciated a call from either one of you guys because we get caught with our pants down. The next day, I work and live in Town and the next day I had people cornering me, what about, well I don't know what the hell you are talking about and its. I would have been there for free just to listen to the man speak.

Chairman Rogan stated well we know that money isn't the issue. What I neglected was that I should have asked Rich if anyone else was notified because I just assumed and I always feel like with a lot of these things with what is going on and to be honest, I come into the meetings I hear people talk about that they have already been on sites and they know what is going on. You guys know what is going on in Town a lot more then I do, I have no clue most of the time.

Board Member DiSalvo stated well you are working a lot.

Chairman Rogan stated well I mean, you guys just have a better ear to the community to what is going on, so I normally do not know what is going on in the community, so in these cases I assume that I am last to know and that was my fault and I won't do that again but I should have called everybody and I apologize for that.

Rich Williams stated it is more then that, I caught it was on the agenda, I had no idea why it was on the agenda.

Chairman Rogan stated you weren't even sure that they were coming in.

Board Member DiSalvo stated did they have people picketing outside.

Rich Williams stated they had no body picketing but they had two big cameras.

Chairman Rogan stated there were five people here.

Board Member DiSalvo stated whose, Paul's cameras.

Rich Williams stated Paul came in with a big production.

Chairman Rogan stated what is his name that just got on.

Board Member DiSalvo stated Andy.

Chairman Rogan stated Andy, he sat next me.

Rich Williams stated yes.

Chairman Rogan stated he was there but I didn't see anybody else there that I really.

Board Member Pierro stated he was probably just going to shits and giggles, he didn't, excuse me.

Chairman Rogan stated motion to adjourn.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carried by a vote of 5 to 0.