

PLANNING DEPARTMENT

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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

ZONING BOARD OF APPEALS

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**Planning Board
July 2, 2015 Meeting Minutes**

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

Present were: Chairman Thomas McNulty, Board Member Ron Taylor, Board Member Edward J. Brady, Jr, Board Member Michael Montesano, Board Member Robert Ladau, Rich Williams, Town Planner, Ron Gainer, Town Engineer and Nancy Tagliafierro, Town Attorney.

Chairman McNulty called the meeting to order.

The meeting began at 7:00 p.m.

Sarah Mayes was the Secretary and transcribed the following minutes.

There were approximately 6 members of the audience.

Chairman McNulty led the salute to the flag.

1) JOHN MORIARTY – Public Hearing

Mr. John Moriarty was present.

Chairman McNulty: Okay. Welcome everybody. This is the June...July 2nd meeting of the Patterson Planning Board. First on the agenda we have a public hearing for John Moriarty, Auto...Action Auto Body. Sarah, would you like to call it?

The Secretary: Yup.

The Secretary read the following legal notice:

NOTICE IS HEREBY GIVEN by the Town of Patterson Planning Board of a public hearing to be held on Thursday, July 2, 2015 at 7:00 p.m. or as soon thereafter as may be heard, at the Patterson Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider an application entitled **“John Moriarty Site Plan Application” in order to use the property for car sales.** The property is located at 2233 Route 22 (C-1 Zoning District), Patterson, New York. All interested parties and citizens will be given an opportunity to be heard in respect to such application.

Chairman McNulty: Okay. John, come up and introduce yourself. Explain why you're here.

Mr. John Moriarty: Yes. John Moriarty.

Chairman McNulty: Right into the microphone. Okay. You're here for a site plan and...

Mr. Moriarty: Site plan approval, yes.

Chairman McNulty: And waiver.

Mr. Moriarty: Yes.

Chairman McNulty: You're going to put some cars on your property. Placement of cars for sale and receive variances for...to allow your property to do that.

Mr. Moriarty: Yes. I already did.

Chairman McNulty: Expand part of your house to act as your office. Okay. Is there anybody in the audience here for this public hearing? John Moriarty. Okay. Do you have anything you want to say?

Mr. Moriarty: No, not really. Richie knows what I want, what I'm looking for. And I think we agreed to the number of cars and where they're going to be. And I believe the sign...I'm going to be using the same sign that...I think, right?

Chairman McNulty: As far as now, that's what...

Mr. Moriarty: Right. Yeah.

Chairman McNulty: you proposed.

Mr. Moriarty: Right. Yeah. Okay, I guess that's it. And the office trailer; that was going to be using as an office trailer. I understand I can't use that. Somebody's going to...

Chairman McNulty: We figured you got the variance for your home...

Mr. Moriarty: Yes.

Chairman McNulty: For the building to be...Act as part of the, what's the word. I guess it's a...

Rich Williams: Office space.

Chairman McNulty: Office space and auto repair...Not auto repair but auto sales.

Mr. Moriarty: Yes.

Chairman McNulty: And go...In our discussions during the work session, we thought, you know, we'll let that stay for storage and see that it's phased out.

Mr. Moriarty: Correct.

Chairman McNulty: And we were looking at like a three year term for you to make that conversion to get that trailer then off the property.

Mr. Moriarty: Okay. Could you give me more time than three years? Or that's kind of like what it's got to be?

Chairman McNulty: It doesn't have to be. I think no more than five is what we'd look at.

Mr. Moriarty: Okay.

Chairman McNulty: And get some discussion from the Board on that. Also though in the meantime, to get it in the proper position so it meets the setbacks.

Mr. Moriarty: Yeah. It has to come out 15 feet or so. You know, twenty... The sideline is 20' I believe, right?

Chairman McNulty: I don't remember.

Rich Williams: Off the top of my head I'm not going to comment on the...

Mr. Moriarty: Well, whatever it is.

Chairman McNulty: Whatever the Code is to meet the proper setback.

Mr. Moriarty: I'll bring it to where it is. Yes.

Chairman McNulty: So similar to where it is but to meet the setback code.

Mr. Moriarty: Yes.

Chairman McNulty: Okay. Also, there was discussion about a dumpster. You said you were going to remove that.

Mr. Moriarty: Yes. I spoke with Frank Farrell and he was supposed to talk to Frank Grady at the landfill. And they want it.

Chairman McNulty: Okay.

Mr. Moriarty: And they're supposed to be picking it up. I thought it would be gone by now, but...

Chairman McNulty: Okay.

Mr. Moriarty: It's in my way.

Chairman McNulty: Alright. So you're working on that. And there was...

Mr. Moriarty: Yup.

Chairman McNulty: a shed as well. I believe it straddled the properties.

- Mr. Moriarty: Correct. That would be down by the end of this month.
- Chairman McNulty: Okay.
- Mr. Moriarty: Prior...Before that.
- Chairman McNulty: Alright. Well, if there's no one else here for the public hearing, I'd like to close the public...make a motion to close the public hearing.
- Board Member Montesano: *Second.*
- Chairman McNulty: All in favor? *Motion carried by a vote of 5 to 0.*
- Chairman McNulty: Okay. Public hearing's closed. Couple other things we talked about, I guess you met with Rich...
- Mr. Moriarty: Yes.
- Chairman McNulty: and it looks like there's ten parking spaces that are going to be provided for the site plan with two spaces primarily for the residence so they have access in and out and the other eight for your display of cars. Do I have that right?
- Mr. Moriarty: No.
- Rich Williams: Yes.
- Mr. Moriarty: Yes.
- Chairman McNulty: Okay.
- [Laughter]
- Rich Williams: But we also talked about, you know, if one of the cars was being driven by Mr. Moriarty, it would be no problem with that car being sold.
- Mr. Moriarty: Yeah.
- Chairman McNulty: Oh, okay.
- Mr. Moriarty: The display that I discussed with Richie today, we lost one spot because it was on State property. So we're down to five...five in the rear, I think.
- Chairman McNulty: Yup.
- Mr. Moriarty: I brought you pictures and stuff.
- Chairman McNulty: Yeah, you have four along the side of the driveway.
- Mr. Moriarty: Yeah.

Chairman McNulty: South side of the driveway.

Mr. Moriarty: Right, exactly. Five at the back.

Chairman McNulty: One at the garage.

Mr. Moriarty: Right. And...Yes. The tenant upstairs will be using the garage. And I don't have a car. I drive the used cars.

Chairman McNulty: Okay.

Mr. Moriarty: I need to drive them to make sure they're okay before I sell them.

Chairman McNulty: Yeah. Well, basically these are the guidelines of the site plan to follow so...

Mr. Moriarty: Yes.

Chairman McNulty: you're not mounting one on the roof of the house and...

Mr. Moriarty: Right.

Chairman McNulty: off on the grass and all over the place.

Mr. Moriarty: Could I just...I'm sorry. Just one other thing that we had mentioned at the last meeting and that is the retail dealer sign. The red sign, Rich.

Rich Williams: Yeah, the...

Chairman McNulty: Yeah. The DMV sign?

Rich Williams: Yeah, the one...

Mr. Moriarty: Yeah, the DMV sign.

Rich Williams: Correct.

Mr. Moriarty: I said that I would probably putting on the house, but I would probably like to put it out there by the road with the sign. Is that okay, or..?

Rich Williams: Well, then...

Chairman McNulty: Depends on the size.

Rich Williams: Then we'd have to acknowledge that you're amending your sign application to include...That was 2' by 3'?

Mr. Moriarty: It's...No. It's 4' by 4'. But I want to go to 2' by 3'.

Rich Williams: No, the sign...

Mr. Moriarty: Oh, the sign size?

Rich Williams: The sign...

Chairman McNulty: The red sign.

Rich Williams: you have up there is...The sign advertising the car sales is 4' by 4'.

Mr. Moriarty: Right.

Rich Williams: The sign for the DMV...

Mr. Moriarty: I really don't know. But I would guess like 2' by 2' maybe.

Rich Williams: That's...I thought they were 2' by 3'.

Mr. Moriarty: Could be. Could be, yeah.

Rich Williams: Yeah.

Mr. Moriarty: Yeah, okay.

Rich Williams: Something like that.

Board Member Taylor: Sixteen. Six. Twenty-two. It's still within...

Rich Williams: So, that would still be within the allowable area.

Chairman McNulty: It meets the 25 square feet. We have a 25 square foot limit...

Mr. Moriarty: Yes.

Chairman McNulty: on that sign.

Mr. Moriarty: Right. Yes.

Chairman McNulty: So we'd have to stipulate that if...You'd have to go for a variance if it was larger than that.

Mr. Moriarty: Yes. I understand that. But it won't be.

Rich Williams: No. It should only be...

Mr. Moriarty: Yeah.

Rich Williams: about 22 square feet in total.

Chairman McNulty: Okay, and how you going to...You're going to put one above the other type of thing?

Mr. Moriarty: Yes. I believe so.

Chairman McNulty: Okay.

Mr. Moriarty: I'd, you know, I'd like to discuss it maybe with Richie and come up with suggestions as to how you would like to see it. Or...

Chairman McNulty: Yup.

Mr. Moriarty: whatever you'd like to see.

Chairman McNulty: Well, we'd like to act on it tonight. I don't know. Should we hold off on the sign application?

Rich Williams: Well, you've got to a location. You've got a design.

Chairman McNulty: Yup.

Rich Williams: We know what the DMV sign looks like, so...

Chairman McNulty: Yeah. And you said, I think, you're going to use some solar lighting you said?

Mr. Moriarty: Yes.

Chairman McNulty: Yeah. Okay. Well, I guess with this, we need to do SEQRA and the sign and the application. And we do have a resolution. And what we have, we'll add a couple things in about the dumpster.

Mr. Moriarty: Okay.

Chairman McNulty: The trailer. The time limit and...

Mr. Moriarty: And the shed.

Chairman McNulty: And the shed.

Mr. Moriarty: Right. Mmhmm.

Rich Williams: A lot of that's in there.

Chairman McNulty: Yeah. Okay. Well, the dumpster isn't, is it?

Rich Williams: Nope.

Chairman McNulty: Okay.

Board Member Taylor: The shed's not in there either.

Chairman McNulty: No. The shed's part of the variance for the...The zoning variance. That was in there to take it down.

Mr. Moriarty: Yes.

Chairman McNulty: Yeah.

Board Member Taylor: So it's their responsibility.

Chairman McNulty: So I'll make a motion for SEQRA on the site plan waiver. This is a waiver, not an amendment, right?

Rich Williams: No, this is a site plan.

Ron Gainer: Approval.

Chairman McNulty: Oh. Okay, I make a motion on a site plan for John Moriarty located at 22333 Route 22 Patterson. Declare a negative dec[laration].

Board Member Montesano: Second.

Chairman McNulty: All in favor? Motion carried by a vote of 5 to 0.

Chairman McNulty: Okay. And then we also have a resolution for the site plan. You want to make that motion?

Board Member Taylor: Yeah. I can.

Chairman McNulty: Want this?

Board Member Taylor: I would like to introduce a resolution granting final site plan approval for the John Moriarty property, 2233 Route 22. Alright. Containing two general conditions...

Rich Williams: No. The other reso. Four [general conditions].

Board Member Taylor: No, no. Two...

Chairman McNulty: No, that's for special conditions.

Rich Williams: Oh, I'm sorry.

Board Member Taylor: Two general conditions.

Rich Williams: Yes.

Board Member Taylor: And...

Chairman McNulty: Don't help us. We're already confused.

Board Member Taylor: Yeah, we're confused enough. And I think it needs to be more than 4 special conditions.

Chairman McNulty: Yeah.

Board Member Taylor: Because we want to put the dumpster in there.

Chairman McNulty: And the time limit on the trailer.

Board Member Taylor: We need to put a time limit: That's special condition number 2. So, two general conditions and five special conditions.

Board Member Montesano: Six.

Chairman McNulty: Yes.

Board Member Taylor: Where do you got the...

Board Member Montesano: No, no. I'm saying we got...

Chairman McNulty: You're right.

Board Member Taylor: Right.

Board Member Montesano: No, that's it.

Board Member Taylor: Okay. And then number two special condition needs to be amended to: to be removed within... You want to divide it

Chairman McNulty: Five years.

Board Member Taylor: and say 4 years?

Board Member Montesano: Yeah. I go along with the four years.

Chairman McNulty: Well, I just...

Board Member Brady: I'll go with four years.

Board Member Montesano: Yeah.

Board Member Taylor: Four years.

Board Member Montesano: Four is good.

Mr. Moriarty: I'll go five.

[Laughter]

Board Member Ladau: Four.

Mr. Moriarty: Four it is.

Chairman McNulty: Four it is. Four years.
[Laughter]

Board Member Taylor: Four years.

Board Member Montesano: I'll give you 48 months. I want (inaudible).

Mr. Moriarty: Okay.

Board Member Taylor: And condition under five would be to remove the dumpster.

Rich Williams: And there's one more.

Chairman McNulty: Parking spaces?

Board Member Taylor: Oh, you want to add the parking spaces in?

Chairman McNulty: No.

Rich Williams: Parking spaces should be in there. But no, the first "Be it Resolved", we're going to amend that to include the 2' by 3' DMV sign.

Board Member Taylor: Oh, oh.

Chairman McNulty: Well that's...Isn't that in the sign application?

Rich Williams: No.

Chairman McNulty: Okay.

Board Member Taylor: Okay. Twenty-two...Okay, yeah. Oh, I see it. Yeah. The sign application is going to be 22 square foot? Is that what you're saying? Twenty-two square foot freestanding sign with DMV sign. Okay.

Chairman McNulty: All in favor? Motion carried by a vote of 5 to 0.

Chairman McNulty: You have your site plan approved as per those conditions. So, if you have any questions, call the office.

Mr. Moriarty: Okay.

Chairman McNulty: Rich arranged...You have, I think, it's 62 days to get this completed Rich?

Rich Williams: Sure.

Chairman McNulty: Okay. Didn't I read that in there?

Rich Williams: Yeah.

Ron Gainer: It's in there.

Rich Williams: There's nothing really to complete.

Ron Gainer: Right.

Chairman McNulty: Yeah.

The Secretary: I don't know. Was it Tommy? [Referring to who seconded the motion]

Rich Williams: Mr. Chairman, who seconded the resolution?

Ron Gainer: I thought it was Michael, yeah.

Chairman McNulty: Yeah, Mike seconded it.

Rich Williams: Can't keep up.

Board Member Montesano: I'm the official second.

Board Member Taylor: Yes. I was about to say Mike always seconds the resolutions.

Chairman McNulty: What I'm looking for is the sign application. I don't see it.

The Secretary: That's part of the site plan.

Chairman McNulty: Okay. I'll make a motion in the...

Rich Williams: Tommy, what are you making a motion on?

Chairman McNulty: The site plan was part of that?

The Secretary: The sign...

Board Member Taylor: The sign...

Board Member Montesano: Yeah. The sign was...

Chairman McNulty: We did do SEQRA on the sign though.

Board Member Montesano: It was included in...

Chairman McNulty: But that's included?

Rich Williams: Yup.

Board Member Montesano: Yes.

Chairman McNulty: Okay. You're all done, Mr. Moriarty.

Board Member Brady: That was easy.

Mr. Moriarty: Terrific. Thank you very, very much.

Chairman McNulty: You're welcome.

Board Member Taylor: You're welcome.

Chairman McNulty: Good luck. Sell lots of cars. Happy. Bring these on.

Rich Williams: We're all on our A-game tonight.
[Laughter]

Ron Gainer: We've already started the holiday.

Chairman McNulty: Yeah. You've got that right.

2) PUTNAM POWER EQUIPMENT – Initial Application for Site Plan Waiver

No one was present to represent the application.

Chairman McNulty: Okay. Next we have Putnam Power Equipment. Is anybody here from Putnam Power Equipment? Alright, we'll table that for now and see if somebody comes.

3) PATTERSON DELI – Initial Application for Site Plan Waiver

Mr. Ayman Ibrahim, owner of Patterson Deli, was present.

Chairman McNulty: We have the Patterson Deli. This is for a couple of sheds. We have a site plan...Site plan waiver. This is to remove two sheds and relocate them towards the nearest building.

Mr. Ayman Ibrahim: Good evening.

Chairman McNulty: Hi. You want to introduce yourself, Sir?

Mr. Ibrahim: Yeah. My name is Ayman Ibrahim. I'm from Patterson Deli, 2604 Route 22. I've been in that business for almost 17 years.

Chairman McNulty: Good.

Mr. Ibrahim: Yeah. And I'm asking, I guess, for a site plan approval for my sheds. I mean, I want to move them (inaudible).

Chairman McNulty: Okay.

Mr. Ibrahim: And I have no problem moving them. But they told me I needed to do a site plan.

Chairman McNulty: Okay.

Mr. Ibrahim: And actually, I've seen the waiver thing. If I can ask for a variance for one of the sheds.

Chairman McNulty: A what?

Mr. Ibrahim: A variance for one of the sheds if I can.

Nancy Tagliafierro: A variance?

Mr. Ibrahim: A variance, yeah.

Nancy Tagliafierro: That's not before this Board. You'd have to go to the Zoning Board of Appeals for a variance.

Chairman McNulty: Yeah. What kind of variance are you looking for?

Mr. Ibrahim: Actually, one of the sheds have been there for almost 17 years. If I try to move it I'm afraid it's just going to fall down. Or if it's going to be an issue, I'm...

Chairman McNulty: Okay. Let's back up a step. So this originated from a Code violation for where the shed was placed, correct?

Mr. Ibrahim: Correct.

Chairman McNulty: Okay. So what's come to this Board, as a Planning Board...

Board Member Taylor: A waiver.

Chairman McNulty: is a site plan with the understanding you're going to take down the existing sheds or relocate the existing sheds to the rear of the property.

Mr. Ibrahim: Correct.

Chairman McNulty: But now you're asking you want to keep one of the sheds.

Mr. Ibrahim: If I can. But if it's going to be more paperwork and stuff, then forget about it.

Chairman McNulty: Well, yes it.

Mr. Ibrahim: Okay then.

Rich Williams: Quite a bit.

Chairman McNulty: Yeah.

[Laughter]

Chairman McNulty: You kind of like start all over again.

Mr. Ibrahim: Okay. Forget about it.

Chairman McNulty: Okay. Rich, any comment on this? We didn't do a site walk.

Rich Williams: No. I thought the application was fairly straight forward, a little while ago. It was just there's two existing sheds out there that are not in conformance with our zoning code. He's been asked to either remove or move them to a different location. He submitted a plan showing the general location.

Chairman McNulty: Yup. We looked at it.

Rich Williams: Seems like they've got plenty of room to do that and I did prepare the Board a resolution, as requested, on the waiver which outlines, you know, what we're...what is being proposed here along with some conditions.

Chairman McNulty: Okay. Does this require SEQRA? It does.

Rich Williams: No.

Ron Gainer: No.

Chairman McNulty: No. It's unlisted.

Rich Williams: You're doing a waiver.

Chairman McNulty: A waiver. Waiver. Okay.

Board Member Taylor: You want me to do it again?

Chairman McNulty: Yup. You're good at it.

Board Member Taylor: Okay. In the action of final site plan approval for Baldwin Endico property at 2604 Route 22...

Chairman McNulty: Site Plan Waiver.

Rich Williams: Site Plan Waiver. I've got to amend that.

Board Member Taylor: Okay, so we need to amend the resolution. Site Plan Waiver. Okay. Regarding two general...contains two general conditions and three special conditions. The first condition

needs to be amended to say this approval is granted for the placement of two sheds. Beyond that, the resolution is as written.

Rich Williams: I'm sorry, what was the change you wanted on the first special condition?

Board Member Taylor: this approval is granted rather than grated. Unless that's...Is that a special legal term?

[Laughter]

Ron Gainer: Grated.

Chairman McNulty: It's just a misspell.

Rich Williams: It's...

Ron Gainer: Yes, I know.

Rich Williams: The resolution is still improving.

Board Member Taylor: Yes. We're improving the resolution. That's the only one I see.

Board Member Brady: It's a...

Board Member Taylor: Anybody else see anything else?

Chairman McNulty: No.

Board Member Taylor: Alright. And do we get a second here?

Board Member Montesano: I'll second it.

Chairman McNulty: Do we have a second?

Board Member Brady: Second.

Chairman McNulty: All in favor? Motion carried by a vote of 5 to 0.

Board Member Montesano: No joke.

Chairman McNulty: Okay. So you have your approval to move the sheds as per the plan, as you submitted it.

Mr. Ibrahim: Okay. Yes.

Chairman McNulty: You know, in that location.

Mr. Ibrahim: Yes.

Chairman McNulty: And if you have questions, call this office. I guess you have to talk to the Building Department.

Rich Williams: Yes. We should go through some of that really quick. Just so you know within the resolution, I put some general locations on there. I wasn't as specific as he was because I think he's going to want to pull them up closer to the buildings. But I did put a requirement in there they have to be at least 25' away from the back of the buildings. That should allow you to pick them up, drive down the road and drop them off.

Mr. Ibrahim: Alright.

Rich Williams: Alright. Before you do anything, you need to stake out the four corners of where the sheds are going to go, contact Bob McCarthy, Building Inspector. Make sure that he is...has been to the site and looked at where you're going to put them so that...Because we don't want you to move them twice.

Mr. Ibrahim: Right. No, he's been there and I showed him and I told him where I'm going to put them.

Rich Williams: Okay. But we want you to stake it out so we can see it.

Mr. Ibrahim: Yeah, okay.

Rich Williams: And then he's got to sign off that it's in a good location.

Mr. Ibrahim: Yeah. I have no issue. I have lots of property. It's going to be to the end of, like, where I showed them. I'm not going to go only 25'. It's going to be in the middle of the field. So...

Rich Williams: Okay. Where...Listen, I just gave you a little flexibility.

Mr. Ibrahim: Right. Right. I appreciate it. Thank you.

Board Member Taylor: And if the one shed does fall apart, don't replace it with a larger shed without coming back for approval.

Mr. Ibrahim: No. It's going to be almost the same size or maybe smaller. But I spoke to the Health Department, they told me...For storage I use them. For storage and they told me I need two separate sheds. One is for...

Board Member Taylor: Different...

Mr. Ibrahim: stuff for food.

Chairman McNulty: Dry goods.

Mr. Ibrahim: Containers. It can be a separate shed from other equipment.

Chairman McNulty: Okay.

Board Member Taylor: Okay.

Chairman McNulty: Alright. So you just need to check in with the Building Department and move forward.

Mr. Ibrahim: Okay. Thank you very much.

Chairman McNulty: Okay. Good luck.

Mr. Ibrahim: Thank you.

Chairman McNulty: You're welcome.

4) STONE FIELD CORNER ESTATES SUBDIVISION – Continued Review

Mr. Joseph Riina and Mr. Thomas Kerrigan, Site Design Consultants, Mr. Allan Rothman, Unicorn Contracting Corporation, and Mr. Anthony Russo, were all present.

Chairman McNulty: Okay, next we have Stone Field Corner Estates Subdivision. This is a continued review of a subdivision proposed up off of Fair Street and Fields Lane. Is it Fields...Is that Fields Lane?

Board Member Taylor: Yes.

Rich Williams: Fields Corners Road.

Chairman McNulty: Fields Corners Road. I'm in Brewster still.

Board Member Montesano: Okay, if you want to be.

Mr. Joe Riina: Good evening. Joseph Riina, Principal of Site Design Consultants and Project Engineer for Stone Field Corners Subdivision. With me tonight, Allan Rothman representing Unicorn Contracting. Anthony Russo, our Environmental Compliance Services; Our environmental consultant who did all the wetland work and the environmental assessment form. And Tom Kerrigan of my office. We were here a couple of months ago. We had a little hiccup there and hopefully we...we're on our way now. Prior to that, the last time you've really seen us in an official capacity was about a year ago. During that time we got a little sidetracked. But we also did our due diligence. We did testing with the Health Department. Testing with the DEP for the stormwater aspect of the project. Had several meetings with the DEP. Put together our design plans. Stormwater Pollution Prevention Plan and the associated details. So in essence, the plan is...And I should add we also obtained a variance from the Zoning Board for frontage on two of the lots.

Board Member Taylor: Right.

Mr. Riina: These two lots here. Two lots, right? Those two?

Mr. Allan Rothman: Yes.

Mr. Riina: So as I said, so we submitted full drawings with specific details; much of what we discussed when we last met a year ago. Most importantly I want to point out that we provide the conservation easements as we had said we would at that time pretty much following as closely as we could to setbacks from the wetlands and the streams.

Chairman McNulty: Could you point out where those easements are on the plan.

Mr. Riina: Yeah. It's basically this line here. The heavier dotted line is the wetland setback line. And the straighter lines are the conservation lines. So that's coming around, all the way around here. And then on the other side it's basically this line here. At each turning point on the conservation easement, we've got concrete monuments we're setting. They're going to be set...They extend about 6" above grade believe. Six inches above grade so they, you know, can be easily located. And of course the deed for each parcel will contain language to that and the requirements of the easement. In addition, take a look at this. Pass that around. In addition, as discussed at that time, because this residence was so close to the buffer line and easement line along this edge, we prepared a detail of a stone pier and wood rail fence which will go...extend basically from the starting point of the property out beyond the pool area out to about here. And that would be the easement demarcation for that location there. And again, the language will be within the deed explaining how that property owner has to respect the easement. There'll be plaques on all the monument markers so that it's fully understood what they're there for.

Chairman McNulty: Okay. The only thing I recommend on that is be sure you're clear with the setback with the Highway Department, wherever that fence starts.

Mr. Riina: Yeah, right. We're starting it at the property line so we're not going into the right-of-way either.

Chairman McNulty: Okay, yeah.

Mr. Riina: Alright.

Chairman McNulty: Just whatever setbacks are required for that.

Mr. Riina: And as you recall there's an existing residence on the property who is yet...The owner of the property, Unicorn, as a contract Vendee. Unfortunately, the owner of this parcel has passed away and they're, you know, it's now in the name of the estate of that person. And just to give you an idea on the detail, you know, this is the improvement plan which shows all the grading, stormwater features. You know, each lot shows the location of the house, driveway, a potential pool location, a potential shed location, the septic areas where they would be...In most instances, we're doing infiltration for stormwater. In one instance, we're doing a buyer retention area because we have groundwater conditions there that we have to (inaudible). In addition, and I don't have that on the board, we've got a separate drawing which shows all the details on the septic systems.

Chairman McNulty: Has that been forwarded to Rich and Ron yet?

Mr. Riina: That's...

Rich Williams: We have it. We have it.

Chairman McNulty: Oh, you do have it.

Rich Williams: We do have it, yeah.

Mr. Riina: As part of this.

Chairman McNulty: Okay. You have more you want to add?

Mr. Riina: Yeah, no. That's about...

Chairman McNulty: Okay.

Mr. Riina: you know, unless you want me to get into more detail than that.

Chairman McNulty: No. I know Rich has done a review. I have not gone through it yet to...

Mr. Riina: I took a quick glance at it.

Chairman McNulty: Yeah.

Mr. Riina: The only thing I want to bring up is about, specifically, about placement of the house driveway, pool and whatnot. And in this review that Rich did it says that's pretty much the fixed location. So let's say at the time of construction they want to move it, they come back for another site plan review. Is that how it would work?

Board Member Taylor: No.

Rich Williams: No.

Mr. Riina: Okay.

Rich Williams: Not exactly sure how it's going to work going...

Chairman McNulty: I kind of got lost there.

Rich Williams: Okay.

Chairman McNulty: Are we talking about that one particular lot.

Rich Williams: No, no, no.

Mr. Riina: No, no.

Chairman McNulty: Oh.

Rich Williams: As part of our Code, we require site plan approval now in addition to subdivision approval. We put that in our Code because of the stormwater regulations and the need to fix improvements on the site so we know going down the road, the stormwater improvements are going to be there, they're going to work. We know, you know, where the driveway locations are going to be in relation to catch basins. We know, basically, the size of the house so that, you know, we don't have a house three times as big with barns and everything else. The way our Code is structured right now that you're going to

get concurrently with subdivision approval you're going to get site plan approval. If going down the road you want to make some minor modifications and there are no impact to doing that, it's fairly simple: You bring it into the Planning Department, it gets reviewed by myself and...

Mr. Riina: Okay.

Rich Williams: and I can sign off on it. If there's some big, major impact, then I would refer it back to the Planning Board.

Chairman McNulty: As an amendment.

Rich Williams: But essentially, as long as we're staying within the SWPPP, we'll all be fine.

Mr. Riina: Okay. So the, you know, I'll have to make sure with the applicant that we're fairly set on the locations. And you know what, these footprints are generic for the houses. You know, they're going to change. I don't know if that...How much difference that's going to make. And, you know...

Rich Williams: We're not going to quibble over a small change in the configuration of the box.

Mr. Riina: Okay.

Chairman McNulty: Yeah, but if you take those lower two lots on the right and you sandwich them 10 feet off the property line and swap the pool with the house, then we're going to want to see it.

Mr. Riina: Okay.

Board Member Taylor: You're very constrained.

Chairman McNulty: With the wetlands buffer.

Mr. Riina: Yeah, we are because, you know, we're surrounded by the conservation easement. So we realize that. So, you know, I want to get as close as possible and...You know, the only thing I don't know is, I mean, I know they haven't even thought about what the houses are going to look like or what, you know...Some houses may, they may want to do a detached garage. Some houses they, you know...I don't know.

Chairman McNulty: So...

Ron Gainer: Why don't you explain to the Board your generic sizing of the house do they at least understand what they're looking at. How big is that footprint?

Mr. Riina: This footprint would be roughly for a 3,000 to 3,500 square foot house.

Ron Gainer: Yeah. Thank you. That's a fair size.

Chairman McNulty: Yeah. That's a bigger...

Ron Gainer: That they're showing.

- Mr. Riina: Yeah.
- Ron Gainer: So as long as the y stay within a relative size...
- Chairman McNulty: Mmhmm.
- Ron Gainer: it's not going to have any effect.
- Chairman McNulty: Yeah. And again, it's something where Rich is going to make the call...
- Mr. Riina: Okay.
- Chairman McNulty: on a minor thing. So...
- Mr. Riina: Yeah, that's fine. Yeah, I just wanted to discuss that and make sure that, you know, this wasn't in concrete. And then every time we want to...we're ready to develop a lot, I just want to know if we had to come back to the Board.
- Chairman McNulty: The thing is, if you see changes, is to address it first. Don't excavate it and build it and then...
- Mr. Riina: Oh, of course.
- Chairman McNulty: come back and...
- Mr. Riina: Yeah. Of course.
- Chairman McNulty: Well, we see that. So that's why we bring it up.
- [Laughter]
- Chairman McNulty: We see it all the time.
- Mr. Riina: Of course.
- Chairman McNulty: Like...Again, I didn't know if anybody else got a chance to look at Rich's review. I haven't yet. I did take a quick look through Ron's review. There was questions about how we're going to maintain these stormwater practices: If they go to the Town or if they're going to be somehow dedeed. I'm not quite sure how all of that works. So, Rich.
- Rich Williams: You know, the problem with this subdivision is right on the edge for where we kind of ignore the stormwater improvements versus where we create a stormwater drainage district. So, you know, we're going to have to...We're going to have to have some conversations about how we're going to do that going forward. Really, there's only a couple of improvements that are going to be designated to the Town that, you know, we're really concerned with. Everything else is going to be with the private property owners. So, and...
- Chairman McNulty: Which areas would be the Town's concern?

Mr. Riina: Well, it would be this larger infiltration system here because it facilitates the drainage from the...that's picked up from the roadway. That's about the extent of it. Then it has a discharge line that runs out to here. And then you'll have roadside swales and catch basins along the roadway. So, that's about it. Everything else...This would be the responsibility of this property owner. [Referring to the plans] And each of the other ones would be the individual property owners.

Rich Williams: So...

Chairman McNulty: Ron, your review commented on that infiltration system. It's a subsurface infiltration system?

Mr. Riina: That's right.

Ron Gainer: That's what infiltration is. The...And he's made a significant effort. If you remember, these are very similar to the prior plans you had. He's made various improvements to address Rich's comments and my technical comments. He's resolved most of those. There's still some technical things to resolve and the very basic issue of the acceptance of all the infiltration practices, which is subject to further discussion.

Chairman McNulty: Okay.

Rich Williams: I'm not overly concerned with the infiltration and the very low maintenance associated with it. He's got a swirl separator up by the road now. Filters are gone. You know, I have some familiarity with it. I don't think it's going to be a huge problem anymore than we have now cleaning out some of the hydrodynamic separators that we're maintaining.

Chairman McNulty: Okay.

Rich Williams: So, you know...But I do, you know, the caveat is I do want to sit down with Russ and go through this plan. One of the issues that we may have with our Highway Department is they generally do not like cul-de-sacs with green in the middle. They want it all blacktopped. Just to give you a heads up.

Mr. Riina: Okay. We're...

Chairman McNulty: And we've discussed that previously.

Mr. Riina: We're fine with either way. You know, it's really whatever your preference is.

Rich Williams: True.

Chairman McNulty: Okay. Just comes time for plowing, I'm sure...

Rich Williams: Yup.

Chairman McNulty: It makes it a lot easier.

Rich Williams: Just so you're aware because I know that you got my review late, most of what's in my review is just, you know, clean up details. There's not anything really significant at this point on the plans.

Chairman McNulty: Okay.

Rich Williams: The only thing I did want to mention is I did look at the rainfall numbers that you were using. You know, I agree with Ron. I think they're kind of low from what we are typically seeing used in this area. So, that may have an impact on...

Mr. Riina: Okay.

Rich Williams: everything. But...

Mr. Riina: Yeah, we...

Rich Williams: you can take a look at that.

Mr. Riina: Okay.

Rich Williams: So, other than that, I think, you know, procedurally we are...you have an environmental assessment form in front of you. I know I've reviewed it, made some comments. The comments have been corrected.

Chairman McNulty: The question I have on that is I went through...I got through Part 1...

Mr. Riina: Mmhmm.

Chairman McNulty: I didn't get through all of the narratives. And I'm just questioning some of the values as far as gallons used, wastewater, water. I don't know how to...

Rich Williams: Those, I believe, have been changed so they're, you know, the numbers...

Chairman McNulty: So they're accurate now?

Rich Williams: The numbers that I saw in the latest were fine.

Chairman McNulty: That's what...That was my question and concern.

Rich Williams: And the only other concern that I have that I think Ron has is doing, you know, doing the Phase 1 on the project. And I did call the gentleman who made the recommendation to do the Phase 1 and got him to acknowledge that, well it's really not in an archeologically sensitive area. But it's got a stream on the site. So jeez, if there was a stream on the site there might have been something going on. So...

Chairman McNulty: I did get to see Ron's notes tonight that he put together. I don't know if everybody else saw them. I think he came to the same conclusion, that...

Board Member Taylor: Well, I'm not competent to say anything about, you know, pre-historic stuff. From what I've learned from other people, it doesn't seem like it would be a prime pre-historic site, just off

the top of my head. It certainly historically, looking at the old maps, farm house was way... Well, it was across the road, was the closest thing. And then there was one way down. It just looks like fields. I would say I don't see, unless you want to look for Indian artifacts and have them spend \$10,000 doing that, I don't see the point of going with that.

Rich Williams: But you really don't have the associated rock outcroppings that you would...

Board Member Taylor: Right.

Rich Williams: That you would need along a stream channel to go looking.

Board Member Taylor: Yeah. It probably would have been a temporary camp, if that.

Rich Williams: Yeah.

Board Member Taylor: So...

Chairman McNulty: Okay. Also Ron, you addressed Part 2.

Board Member Taylor: Well, I did a preliminary Part 2 because there basically aren't any issues as long as we work this water stuff out which it seems to be a technical issue.

Chairman McNulty: Yup.

Board Member Taylor: You've got a few mistakes in it. It's nothing that you got to resubmit. I mean, if you allow us to check the boxes, we'll the check the box as forest.

Mr. Riina: Okay.

Board Member Taylor: In Part E 1.A., you should have checked the box "Forest". It's the different kinds of habitats.

Mr. Riina: Mmhmm.

Board Member Taylor: You talk all through your narrative about forest; it being forested. And you didn't check the forest box.

Mr. Riina: It just got missed. Okay.

Board Member Taylor: And there's a typo in E 1.B., which is the listing of the different kinds of property before and after. You've got a minus sign on the 9.5 when it should...or 9.6 when it should be a plus sign.

Mr. Riina: Okay.

Board Member Taylor: That's, I mean, those... We can correct those ourselves. And then the archeology is the other one. Everything else is pretty much taken care of. So it's a question of how the Board feels about it. I mean, I'm willing to say...

Rich Williams: I actually did take a look at Ron's Part 2 EAF. And just so everybody's clear, that really is responsibility of the Board. Very few boards ever go to the length that this Board goes through and reviewing and changing that. But I'm okay with everything on Ron's EAF Part 2 if you wanted to adopt it as is with one exception and that's with groundwater. You didn't check the box.

Board Member Taylor: Okay. So I missed a box, too, then.

[Laughter]

Chairman McNulty: He's been waiting three years for that.

Board Member Taylor: Okay. I probably did that because of this issue we've got going on. Is this groundwater, this stuff we're talking about?

Rich Williams: No. It's more surface water than groundwater.

Board Member Taylor: Surface water. Oh, okay.

Rich Williams: But there really isn't an impact so, you know, the no box was checked and I'm fine checking the no box.

Board Member Taylor: Yeah. So we'll check the box with those corrections for Part 1. I would say that takes us through Part 2 and then...

Chairman McNulty: Mmhmm.

Board Member Taylor: just a simple narrative. We do, or I do, I don't know how the rest of the Board feels, I object to your statement in the narrative that that one lot that you're seeding to the Town is actually of value. There's so little land left after you do the buffers and...There's a reason we said you couldn't have a house there. There's not enough land that you could do anything with it. So I would just...I recommend to the Board that we put in writing that we disagree with that statement.

Mr. Riina: Okay.

Chairman McNulty: There's a statement on the first page of your narrative stating that there was a lot with value that you've seeded back to the Town. I can understand what Ron's saying. Really, it wasn't of value because it's so restricted.

Mr. Riina: Okay.

Chairman McNulty: Within today's codes anyway. Ten years ago maybe it would have worked.

Board Member Taylor: Yeah. Just for reference, because we're dealing with this issue on another project...

Board Member Brady: Yes.

Chairman McNulty: Yes.

Board Member Taylor: right now...

Board Member Brady: Yup.

Board Member Taylor: So that was...Otherwise, I think it's a beautiful narrative. I mean, we don't get these. Did you write it? Who wrote it? You wrote it [referring to Anthony Russo].

Chairman McNulty: Yeah. It's a nice job.

Board Member Taylor: Very nice job. Very nice job.

Mr. Riina: And this is...This is still being considered for the East of Hudson Watershed Group. You know?

Rich Williams: We've done a preliminary design for putting stormwater practices on that site, yes.

Mr. Riina: Okay.

Rich Williams: I can tell you now we're wrapping up our five year program with the East of Hudson Watershed Corporation and that is not going to be one of the projects in the first five years.

Mr. Riina: Okay.

Rich Williams: Whether it makes the next five years, I don't know.

Mr. Riina: Okay.

Board Member Taylor: And then I had a question about...We talked about it a little bit at the work session about making the whole corridor public; stream corridor, rather than pieced it up in private lands. Is that involved anywhere at this discussion?

Rich Williams: Yeah, I took a look at that. The problem you're going to have is some of the lots that are not going to meet minimum lot area requirements.

Board Member Taylor: Okay.

Ron Gainer: Could you cover that in the easement? You're getting a conservation easement over that.

Rich Williams: Yeah. But typically...

Ron Gainer: Get public access in that.

Rich Williams: I mean, you could. But typically then you have an issue of liability...

Ron Gainer: Right.

Rich Williams: and ownership. So, most property owners do not want strangers crossing behind their house.

Chairman McNulty: Okay.

Rich Williams: So...But, doing what we're doing, it's going to be an invaluable wildlife corridor.

Board Member Taylor: Yes.

Chairman McNulty: Yup.

Rich Williams: It's just people aren't going to be able to walk through there.

Board Member Taylor: Okay.

Rich Williams: And I don't know where they'd walk anyway because...

Chairman McNulty: It ends at Fair Street.

Rich Williams: right next to it is Twin Hills.

Board Member Taylor: Yeah. Alright. So then...I just...That makes sense. We've covered that and...

Chairman McNulty: I like the idea of the monuments that you proposed. That's a plus.

Mr. Riina: Okay.

Chairman McNulty: To really help mark out that area. Does anybody else on the Board have comment on the EAF?

Board Member Taylor: Well, we've got to do Part 3. We can't...We can accept Part 2, but we've got to move on to whatever the statement of Part 3 is.

Rich Williams: You know, there's no requirement to do a Part 3.

Ron Gainer: No.

Board Member Taylor: So if we...So if there's nothing in Part 2 that we need to address, then we don't need to address it because...Okay. So we can do it...

Ron Gainer: You want accept the Part 2.

Chairman McNulty: And it's a pretty complete EAF, too.

Board Member Taylor: Yeah. Yes, it is.

Ron Gainer: You want to accept the Part 2 as the Board's document.

Board Member Taylor: Okay.

Chairman McNulty: Mmhmm.

Board Member Taylor: Alright, so then we want to do SEQRA tonight?

Chairman McNulty: I'm okay with it. Move on it. I've reviewed it. Some of my questions were answered tonight.

Board Member Montesano: Yeah. That's no problem. I went through.

Chairman McNulty: And EAF Part 2 as you had updated it [referring to Board Member Taylor].

Board Member Taylor: Well, they never submitted a Part 2.

Rich Williams: Yes.

Chairman McNulty: Yes they did.

Rich Williams: Yes they did.

Board Member Taylor: Oh, a long time ago?

Chairman McNulty: No. In this one. That's what I thought you were comparing it to, your EAF.

Rich Williams: Yeah, so...

Board Member Taylor: No. I thought they hadn't. Oh, I thought...Oh, ok.

Rich Williams: What you're going to do, you're going to approve...

Board Member Taylor: We're going to merge...Yeah.

Chairman McNulty: Yeah.

Rich Williams: You're going to approve the EAF Part 2 that was submitted by Ron Taylor with the amendments...

Chairman McNulty: Mmhmm.

Rich Williams: that were noted here tonight.

Board Member Taylor: Okay. Alright.

Chairman McNulty: Give you the honors, Ron.
[Laughter]

Board Member Taylor: Going to need the cheat sheet (inaudible – too many talking).

Chairman McNulty: There you go, Boss.

Board Member Taylor: I move that in the application of Stone Field Corner Estates, the Planning Board of the Town of Patterson finds the proposed action being an...

Rich Williams: Unlisted.

Board Member Montesano: Unlisted.

Board Member Taylor: unlisted action will not have a significant impact on the environment and hereby issues a negative declaration of significance.

Board Member Montesano: Second.

Chairman McNulty: All in favor? *Motion carried by a vote of 5 to 0.*

Rich Williams: You want to...

Chairman McNulty: You want to adopt Part 2?

Rich Williams: Yeah, you want to adopt Part 2.

Chairman McNulty: Yeah, I think that's just a motion.

Board Member Taylor: I messed up there. Adopt a resolution, adopt a motion. Okay. We're adopting Part 2?

Chairman McNulty: No, make a motion to...

Board Member Taylor: Oh, make a motion to adopt Part 2 with the changes as we discussed tonight of, what was it...

Rich Williams: We've got them in the minutes.

Board Member Taylor: The archeological... There's no need for an archeological survey.

Chairman McNulty: No.

Board Member Taylor: And the two corrections to Part 1: Checking the forest box E.1.A. and putting a plus sign in E.1.B.

Chairman McNulty: And that's the one you had sent for our review?

Board Member Taylor: Yes.

Chairman McNulty: Okay.

Board Member Montesano: Second.

Chairman McNulty: All in favor? *Motion carried by a vote of 5 to 0.*

Chairman McNulty: Okay.

Rich Williams: Yes.

Chairman McNulty: SEQRA's done.

Rich Williams: Yeah.

Chairman McNulty: What else do we have to discuss on this? Do we need to...

Rich Williams: Well, the next step in the process is to schedule a public hearing...

Chairman McNulty: Public hearing.

Rich Williams: for preliminary approval.

Chairman McNulty: Okay. Well...

Board Member Taylor: You want to do it next month?

Mr. Riina: That's fine with me.

Chairman McNulty: Ready to move forward with it? You don't have any big issues where...

Rich Williams: Nope.

Chairman McNulty: Okay. Well, I'll make a motion in the application for the subdivision of Stone Field Corners to schedule a public hearing for the next scheduled meeting in August.

Mr. Riina: What would that date be? Do you know?

Chairman McNulty: It would be...

Rich Williams: It would be August 6th.

Board Member Montesano: August 6th.

Chairman McNulty: August 6th.

Mr. Riina: Okay.

Board Member Brady: I second it.

Chairman McNulty: All in favor? Motion carried by a vote of 5 to 0.

Chairman McNulty: You're familiar with the process for that.

Mr. Riina: Yup. Okay.

Chairman McNulty: You can get a list of names; work with the office here.

Mr. Riina: Yup.

Chairman McNulty: And who you have to send that out to.

Mr. Riina: Very good.

Chairman McNulty: Is there any other comments you have for us or...

Mr. Riina: No. Thank you very much.

Board Member Taylor: Okay. Now are you getting your easement language from Rich? Are you giving them the easement language?

Rich Williams: Generally, their attorney will work with our attorney.

Board Member Taylor: Okay.

Mr. Riina: So... Yeah, I guess I do have some questions. Do we want to have that worked out?

Rich Williams: It's early.

Mr. Riina: It's early. Okay. But you do want a preliminary. So there's a plat for that.

Rich Williams: Yes. You said you would be ready with it, right?

Mr. Riina: Yeah. He's, you know...

Rich Williams: I know there's a little bit of turnover.

Mr. Riina: Right. (Inaudible – too many talking) is now part of the site so...

Board Member Taylor: Sarah, can you put that in the file?

The Secretary: Yes. Thank you.

Mr. Riina: We have a little bit of confusion going on with all that.

Chairman McNulty: Can you just date it. Because if it's not dated, date it.

The Secretary: Yeah, I'm going to write on the back right now.

Mr. Riina: So, yeah. That's... We'll get that to you.

Rich Williams: Well...

Ron Gainer: If there's any issue...

Rich Williams: Yeah, next week, if there's any issue, give me a call and we'll just put it off for a month.

Mr. Riina: Okay. Okay, and in the meantime we'll make sure we're fixed with our house locations.

Board Member Taylor: Alright, now we're talking about these easements. Do they cover during construction, too? If we're demarcating limits of disturbance. I mean, Ted's going to want to know that if a structure...

Rich Williams: No, we're not...No, we're not...The SWPPP...

Board Member Taylor: So I would cover that?

Rich Williams: The SWPPP dictates the level of disturbance on each the site.

Board Member Taylor: Okay. So that will be in the SWPPP.

Rich Williams: So...And that's binding.

Chairman McNulty: Somehow it's stated in the narrative, too, I think. Was it not?

Rich Williams: The limits of disturbance are not conterminous with the...

Board Member Taylor: The easements.

Rich Williams: conservation easement or the 100 foot buffer.

Mr. Riina: Once the map is filed, the conservation easement is set.

Board Member Taylor: But I'm worried about during construction though. That you don't...

Mr. Riina: Yeah.

Board Member Taylor: have construction vehicles driving down, you know, into the...You know how they do it sometimes.

Mr. Riina: Yeah, no. Yeah, I totally understand.

Board Member Taylor: It's just...So, we'll address that in the SWPPP then on...about an easement.

Rich Williams: The amount of site disturbance? Absolutely.

Mr. Riina: Yeah. The limits of disturbance are indicated on the erosion sediment control plan and discussed in the SWPPP.

Board Member Taylor: Okay. We're neophytes at this.

[Laughter]

Chairman McNulty: Okay.

Mr. Riina: Thank you. Good night, everybody.

Chairman McNulty: Thanks, Joe. Good luck. See you soon.

5) OTHER BUSINESS

a) Adam Levine – Fill Permit Discussion

Chairman McNulty: Okay, next we have Other Business. Adam Levine. No matter Mike took vacation.

[Laughter]

Board Member Taylor: Have you been briefed? Are you up to speed?

Nancy Tagliafierro: Yes.

Mr. Riina: Good night. Have a nice weekend everyone.

Chairman McNulty: Okay.

Nancy Tagliafierro: Yes. I talked to Rich today.

Chairman McNulty: Have a good Fourth, guys. Rich, any update?

Rich Williams: Since the work session?

Chairman McNulty: Yeah.

Rich Williams: No.

Chairman McNulty: Okay.

Board Member Montesano: Next.

b) Ice Pond Estates – Request for 90-day Extension

Chairman McNulty: Ice Pond: We addressed that in the work session.

Ron Gainer: Right.

Chairman McNulty: We have minutes for May 7th...

c) Proposed Cell Tower

- Board Member Taylor: I have one other thing, just to bring up. Did you all get the notice about the cell tower?
- Chairman McNulty: I was going to bring that up.
- Board Member Ladau: Yes.
- Board Member Taylor: Okay.
- Chairman McNulty: Where exactly is that located, the cell tower? Off of [Route] 164. Is it...
- Board Member Ladau: It's just...
- Rich Williams: If you're going down 164 and you're going under the bridges, there are three bridges in a row, right after you got right you go under the third bridge, it's...
- Chairman McNulty: Going east or west?
- Ron Gainer: Going east.
- Rich Williams: Heading east. Just past Bullet Hole Road, it's going to be on your right-hand side where the old...
- Board Member Montesano: Railroad station?
- Rich Williams: Yeah, the railroad station was.
- Chairman McNulty: The trestles in there. Kind of an old, abandoned trestle.
- Rich Williams: Yeah, it's going to be in front of the...
- Chairman McNulty: Now, how is wetlands effected with these placements? Because that's pretty much in the wetlands, isn't it?
- Rich Williams: I don't know if it's in a wetland or not.
- Board Member Taylor: We have no say on that.
- Board Member Montesano: If they use...
- Chairman McNulty: Even in a wetlands we have no say?
- Board Member Montesano: No.

Rich Williams: Army Corp might. I don't know if we would.

Board Member Montesano: If they're going where the old railroad station was, I wonder...

Chairman McNulty: So if it's a Town wetland, they still override us?

Rich Williams: They might.

Board Member Taylor: What they're asking for is historic. The letter they sent out is do you have any...

Rich Williams: Historic resources...

Board Member Taylor: information.

Rich Williams: in the area that might be impacted.

Board Member Taylor: Right.

Rich Williams: Either, you know, within the viewshed or on the site that we're aware of.

Board Member Taylor: Now do...Can we ask them to do a 1 A.? Because clearly on the maps there were historic buildings all over that place at different times.

Rich Williams: We can ask them.

Board Member Taylor: It's a moot point?

Chairman McNulty: Can we require it?

Rich Williams: No.

Board Member Montesano: No. The only thing we can require is a smile.

Rich Williams: You can only require it if you have some sort of approval over the site.

Ron Gainer: Yeah. They're just asking you for comments.

Rich Williams: Right. So you can...Yeah, we can send a letter back but we'd want to provide within that letter detailed information...

Ron Gainer: Right.

Rich Williams: about why we think historical resources might get impacted.

Board Member Montesano: (Inaudible) it may be better for the old railroad station.

Rich Williams: So...

Board Member Taylor: Well, I mean, we could also...we could do it a different way. I could see if the Historical Society wanted to submit a letter to them with maps and other things.

Rich Williams: Yeah. You can do that, too. But, you know, at the end of the day...

Board Member Taylor: It doesn't matter. It's their decision. Yes.

Chairman McNulty: Is this for the railroad's use? Or it's just going to be on Metro North property?

Rich Williams: It's a combination of the railroad and a proprietary use.

Chairman McNulty: So there'll be actual carriers on this. Okay. Yeah. Okay.

Board Member Brady: But the tower's actually on the other side of [Route] 164, correct?

Rich Williams: It's on the south side...

Ron Gainer: South side.

Rich Williams: of 164.

Board Member Taylor: South side.

Board Member Brady: Well, I thought I saw...

Board Member Montesano: Just as you go under the underpass.

Board Member Brady: the part...the building they're going to build is on one side of the road and something else on the other.

Rich Williams: Yeah, it's all on the south side.

Board Member Brady: It's all on the south.

Chairman McNulty: No, there's houses to the north end.

Ron Gainer: No, they have electric service coming in. You saw some lines on the drawing but...

Board Member Brady: Yeah.

Ron Gainer: it's electric service.

Board Member Brady: Okay.

Board Member Montesano: You've got the two houses right there.

Board Member Brady: Yeah, I saw...

Chairman McNulty: It's pretty much right up against the mountain there for Bullet Hole Road, is it not?

Board Member Taylor: No. It's up against the railroad track.

Chairman McNulty: Yeah, but I mean, for radio frequency...

Board Member Taylor: Oh...

Chairman McNulty: it's going to be blocked...

Board Member Taylor: One side.

Rich Williams: They're only worry...

Chairman McNulty: on the west of it.

Rich Williams: They're only worried about...

Chairman McNulty: North, south.

Rich Williams: north corridor.

Ron Gainer: The corridor, right.

Chairman McNulty: Yup. Okay.

Board Member Taylor: Okay.

d) S.A. Hebert Site Plan Update

Chairman McNulty: Also while we're still on other business before we get to minutes, Hebert. Any update on what they're doing? I passed there the other day and I see bricks and blocks piled up in the back of the building. And it's pretty much a contractor's yard which we don't allow on [Route] 22.

Ron Gainer: I haven't seen it.

Rich Williams: No. They're going to be in by the next meeting or...

Board Member Taylor: They'll be back in court.

Rich Williams: they've got a court date scheduled.

Chairman McNulty: Yeah. I mean, this is kind of dragging out and...

Rich Williams: Yeah.

Chairman McNulty: I passed there the other day and it's just... There's a lift... an aerial lift up in the air and all kinds of...

Board Member Brady: He's got two machines out in front for sale.

Chairman McNulty: materials.

Ron Gainer: Jeez.

Chairman McNulty: I mean...

Board Member Montesano: He's trying to...

Chairman McNulty: we're going to hold the line with everybody else, we're going to hold the line with him I suppose.

e) Address Riverkeeper Correspondence in Regards to Fox Run

Chairman McNulty: Also, I just want to acknowledge we received notice from Riverkeeper in regards to Fox Run. I want to say Rich made a nice rebuttal; I saw that. And yeah, I thought we digested that pretty well. So, I don't know if we want to extend an invitation to... ask to see us, meet us. I don't know how that works. Did you get any response?

Rich Williams: Yes. They put a FOIL request in for all of our documents.

Board Member Taylor: Oh, good. They'll read the minutes finally.

Chairman McNulty: Yeah. Boy.

Board Member Montesano: Why did you...

Chairman McNulty: That will shake them up. Okay.

Board Member Brady: That's... I guess you're going to have some fun, Sarah, huh?

The Secretary: Had fun. Yeah.

Chairman McNulty: So we'll hear back on what happens with that, I guess.

Board Member Montesano: I'm sure.

Chairman McNulty: Okay. Anybody else anything other than minutes?

6) MINUTES

- Chairman McNulty: I'm going to abstain from May 7th. So I'll let somebody else...
- Board Member Taylor: Motion to approve the minutes of May 7th.
- Board Member Brady: Second.
- Board Member Taylor: All in favor? *Motion carried by a vote of 4 to 0.*
- Chairman McNulty: Okay. And anybody take a look...Everybody look at May 28th? I'll make a motion...We're good? To approve the May 28th minutes.
- Board Member Montesano: Second.
- Chairman McNulty: All in favor? *Motion carried by a vote of 5 to 0.*
- Chairman McNulty: Rich, comment?
- Rich Williams: Just that I had mentioned to the Board at the last work session that Councilman Burns had asked if the Board had any topics on the Master Plan or any direction on the Master Plan and in which they might wish to schedule another joint meeting.
- Chairman McNulty: Did you ever find minutes from that meeting that we had?
- Rich Williams: No. Not yet.
- Chairman McNulty: You think that any exist? That would help a bunch.
- Rich Williams: I think...Yes, I think they do exist but I haven't gotten my hands on them yet.
- Chairman McNulty: I say, if you could do that, that would help a bunch and go back instead of starting all over and it would kind of pinpoint on our conversations and stick to the program.
- Rich Williams: I still have to get you all the maps I've got on the...
- Chairman McNulty: Okay.
- Rich Williams: Hamlet as well.
- Chairman McNulty: Alright, anything else?
- Rich Williams: Nope.
- Chairman McNulty: Parking stripes on Front Street look nice.
- Rich Williams: That's our Highway Superintendent.
- Chairman McNulty: Pass it along then.

Rich Williams: Okay.

Chairman McNulty: As a resident, it looks good. Ron, anything?

Ron Gainer: Nope.

Chairman McNulty: Counsel?

Nancy Tagliaferro: Nope.

Chairman McNulty: I make a motion to adjourn and enjoy your Fourth of July weekend.

Ron Gainer: There you go.

Board Member Montesano: Second.

Chairman McNulty: All in favor. Motion carried by a vote of 5 to 0.

Meeting was adjourned at 7:51 p.m.