

PLANNING DEPARTMENT

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PLANNING & ZONING OFFICE**

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**Planning Board
July 30, 2015 Work Session Meeting Minutes**

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

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

The meeting began at 7:00 p.m.

Sarah Mayes was the Secretary and transcribed the following minutes.

Chairman McNulty called the meeting to order.

1) Mancon, LLC – Concept Review

Mr. Mike Nunes, Applicant, and Mr. Rob Cameron, Putnam Engineering, were both present.

Chairman McNulty: Hello, everyone. On our agenda, number one, is a new item. It's a concept review for Mancon, LLC. Rich, you want to fill us in?

Rich Williams: Rob, you want to fill us in?

Mr. Rob Cameron: Yes. I will fill you in.

Rich Williams: Rob Cameron.

Chairman McNulty: Hi, Rob.

Rich Williams: Putnam Engineering.

Mr. Cameron: Thank you. This site is right on the Patterson/Dutchess County border. There's a, I want to say Getty, but I think they just changed their name to Shell.

Board Member Ladau: Sunoco.

Chairman McNulty: Sunoco.

Mr. Cameron: Sunoco? Okay, that's what they did.

Board Member Ladau: Yeah.

Chairman McNulty: Almost. They're not there yet.

Mr. Cameron: It's right where...It's right behind the Getty. And the owner, Mike Nunes, right next to me here. What he'd like to do is he'd like to put a building, about a 6,000 square foot building in the back. And he'd like to rent that out to contractors, HVAC guys. He has some equipment himself and he'd like to put that in the building and use that for, you know, some offices. Some storage of equipment. And in the future, he'd like to develop the bottom where it says future building [referring to the plans] because that's along [Route] 22. But for what he would like, his particular concept of his use just isn't going to work along Route 22 and he doesn't want to use up valuable commercial property...development property along Route 22 that could be used for something else, you know, like stores or retail or something like that. So, he wants to put what he wants in the back first and then the future plan is to develop what's in the front.

Rich Williams: Rob, when you called me earlier, you had suggested he was looking for a contractor's yard. Is that what he's looking for?

Mr. Cameron: Yeah, he wants...

Rich Williams: Or is he...

Mr. Cameron: He has contractor equipment and he wants to put it inside there.

Rich Williams: What do you mean by contractor's equipment?

Mr. Cameron: Well, what do you have? You can tell them.

Mr. Mike Nunes: Basically, I have a small construction company and I want to make that my home office. I want to have offices with secretaries in there, whatever I need. And I have smaller equipment: some trucks...

Rich Williams: Backhoes, excavators.

Mr. Nunes: Not really big stuff like that.

Chairman McNulty: What size machines?

Mr. Nunes: Small. Like a little skid steer. Couple little small, like, landscape trailers.

Chairman McNulty: Backhoes?

Mr. Nunes: I don't even have a backhoe.

Chairman McNulty: No excavator?

Mr. Nunes: Nope. So...

Chairman McNulty: This poses a probably. We have a lot of this along [Route] 22 and within our Code we don't allow contractor's yards. So, it brings up an issue of, and it's pretty far back, viewshed...

Board Member Taylor: But you're putting it in the building you said?

Mr. Nunes: Correct.

Board Member Taylor: You're going to store the equipment inside the building.

Mr. Nunes: That is correct.

Chairman McNulty: So there's no outside storage.

Mr. Nunes: I mean, if...What about like a work truck? Like a work pickup truck? Is that allowed to be parked outside?

Chairman McNulty: Well, I think a pickup truck would be somewhat acceptable.

Rich Williams: Pickup truck. But when you get into one ton or larger...

Mr. Nunes: Yeah. Nothing like...No, like, tri-axels or any of that kind of stuff.

Ted Kozlowski: What about storage of materials?

Mr. Nunes: That's going to be inside. The only thing is what if we get, like, a delivery?
Is that...

Mr. Cameron: I think he's talking about like gravel...

Mr. Nunes: No.

Mr. Cameron: bricks...

Chairman McNulty: Gravel, dirt, stone.

Ted Kozlowski: Well, I'm talking about pipe, culverts. You know, typical contractor yard material.

Rich Williams: Rob, are you familiar with George Apap right down the road here? The painter.

Mr. Cameron: No.

Chairman McNulty: The painter.

Rich Williams: Contractor.

Mr. Nunes: I'm familiar with him.

Board Member Taylor: Yeah.

Rich Williams: Alright. That is something that would be allowed under our Code right now. But if you go over to Patterson Interstate Park where we have some...

Mr. Nunes: Yeah.

Rich Williams: contractor's yards.

Mr. Nunes: Not heavy equipment.

Rich Williams: Everything's inside. No heavy equipment. Maintains an attractive streetscape. That's something that's possible. But, you know, a traditional contractor's yard, excavators, backhoes, equipment outside, that's not...not along Route 22.

Chairman McNulty: Now this looks like it's high up on the hill, too.

Mr. Cameron: It is.

Chairman McNulty: So...

Mr. Cameron: You really can't see it. It's...There's...

Chairman McNulty: Does it level out where it is?

Mr. Cameron: a low crest and then a high crest.

Chairman McNulty: Because viewshed is one of our biggest concerns because we don't want [Route] 22 to turn into an industrial corridor.

Mr. Cameron: Right. That's why this is up in the back. And we can do landscaping along the front, too. I mean, I think you want to do landscaping along the front.

Mr. Nunes: Yeah. Yeah, I do.

Chairman McNulty: Now, would this be subdivided?

Mr. Cameron: I was under the impression that he had a big truck and he just told me tonight that...I thought he had a...one of those low beds. You don't have a low bed?

Mr. Nunes: No.

Mr. Cameron: Okay.

Chairman McNulty: See, the thing to be concerned with is this, the application in front of us but we have to think long-term, too, if you decide five, ten years you want to sell, now that contractor's rights remains with the property. This is an issue that gone back and forth. Correct me if I'm wrong.

Rich Williams: Correct.

Chairman McNulty: So, that's why to look at something like this, there'll be a lot of controls if it were to come to be. Not the first time...

Mr. Cameron: So I'm using the wrong term ten: Contractor's yard. I guess that evokes the thought of storing stuff outside and...

Board Member Taylor: Warehouse is the word you want, I think.

Chairman McNulty: Yup.

Rich Williams: Commercial Trade Operation.

[Laughter]

Chairman McNulty: For an arborist.

[Laughter]

Chairman McNulty: Excuse us for laughing, we're just...we just...

Board Member Montesano: Inside jokes.

Chairman McNulty: had another similar application. Not really, in my terms, a contractor. But...

[Laughter]

Mr. Nunes: Yeah, but I mean, George Apap, he's a contractor but he doesn't put anything outside.

Board Member Taylor: Exactly.

Rich Williams: You couldn't tell that he's a paint contractor from the outside.

Mr. Nunes: At 7 o'clock in the morning when he has 35 vehicles out there you can.

Rich Williams: Well, he's going to get in trouble sooner or later for having thirty-five vehicles out there.

Mr. Nunes: But basically, that's all...Well, not the 35 vehicles. But if your operation is an indoor operation, you can have trucks coming and going. Pickup trucks, stuff like that.

Chairman McNulty: What kind of work do you do mainly?

Mr. Nunes: We do...

Chairman McNulty: Do you do home building or road excavation?

Mr. Nunes: No. We do like landscaping. And I do a lot of fence work. But like commercial fence work.

Chairman McNulty: Mmhhh.

Mr. Nunes: Backstops. Batting cages, stuff like that. So...

Chairman McNulty: So all that material would be warehoused inside the building?

Mr. Nunes: Yeah. We'll keep all that stuff inside. Most of it gets delivered to the job site direct. Really, it's just the trucks that come in and out and...

Chairman McNulty: Is there any kind of sales office up...planned for this or...

Mr. Nunes: Yeah. I would like to do a sales office.

Chairman McNulty: Display?

Mr. Nunes: Yup. With displays and stuff. So, I don't want it to just be a building with contractors. My hopes was to have offices where there was, let's say, an HVAC contractor or an electrician or plumber or painter. And it would be their home office as well. It would be setup. Everything would be inside. And basically, that's it.

Chairman McNulty: How do all those trades fall into Commercial Trade Operation?

Rich Williams: All fine.

Chairman McNulty: They do?

Rich Williams: Yeah. As long as there...it... You know, the whole intent of our changing the Code to allow that was to give the flexibility to have...to the contractors that wanted to keep a clean operation. You know, what we don't want is, you know, the general contractor to come in who, you know, has all his scaffolding hanging outside and, you know, all the construction equipment hanging outside. That's what we don't want.

Mr. Cameron: So, there would be a limitation. There would be like no outside storage or limited outside storage if you get a delivery till you get it inside, obviously.

Rich Williams: Yeah. Nobody's going to worry about a delivery. But, yeah.

Chairman McNulty: Yeah.

Rich Williams: No outdoor storage essentially.

Mr. Nunes: Yeah. You couldn't bring a truckload of stumps and just dump them out there and leave them out there. Something like that basically.

Rich Williams: Yeah.

Chairman McNulty: The same goes with, you know, if you get a trailer load of fencing material. You know, of course you have to offload it; put it somewhere. But now after three months, you have piles of pipe and fence piling up. That's going to become a problem. That would then be outside storage. That's what we're trying to prevent. Trying to maintain the viewshed.

Mr. Cameron: Right.

Chairman McNulty: So...

Ted Kozlowski: The future building is right on top of a wetland. That's going to have to get moved. You've got a lot of space here. You've got to be at least 100' away from the edge of that wetland.

Chairman McNulty: Is that a Ton wetland or a...

Ted Kozlowski: Yeah.

Chairman McNulty: it's a regulated State...

Ted Kozlowski: Yeah, we looked at that a few years ago. That's that spring house that's buried there.

Board Member Taylor: That's pretty big. Look at the size of it.

Ted Kozlowski: Spring houses is there because it's wetland. So...

Mr. Cameron: We'll have to delineate that because I don't know where the 100' is from.

Ted Kozlowski: Well, you got... You're right on the edge. You can't even construct this building without going into the wetland. So, this has got to get pulled back, uphill.

Mr. Nunes: Turn maybe. Barely.

Ted Kozlowski: I don't know. It's got a lot of...

Chairman McNulty: Well, you'd have to really delineate that 100' buffer.

Ted Kozlowski: You've got a lot a room there to push that building back.

Chairman McNulty: Well, that turns steep there, thought. This looks like you're down in a level part where the future building's proposed. Now this is one, big lot? Or is this multiple lots?

Rich Williams: No, it's one big lot.

Mr. Cameron: One, big lot.

Chairman McNulty: You own it all?

Mr. Nunes: Yeah, I own the whole thing, yeah.

Rich Williams: Many, many years ago, it was proposed for a four lot subdivision. Never went anywhere.

Chairman McNulty: And up here at the back, where is the actual property line? It's hard to tell.

Mr. Cameron: Well, it's...

Chairman McNulty: Is it here; back here?

Mr. Cameron: It's way past...

Mr. Nunes: Way past that tree line.

Chairman McNulty: So you're right up against the toe of the steep slope there.

Mr. Cameron: Yes.

Mr. Nunes: Correct.

Mr. Cameron: And there's probably 150...actually, probably 200'...

Mr. Nunes: Yeah.

Mr. Cameron: up the hill.

Chairman McNulty: Oh, septic out there. Is there a proposed septic for the future building?

Mr. Cameron: I would pump it up because I went out there and I did soil tests to see what was going on. The downhill area, the soil is real tight. So, I don't know what I'm going to be able to get down there. I'm not confident. But I did test up top and I know that that will work. I would have to work out some further details if I want to put the septic system down bottom, or I would use a pump system to pump it all up because it's all the same lot.

Chairman McNulty: Okay.

Ted Kozlowski: What do you mean the soil's tight? Is that...

Chairman McNulty: Like clay?

Mr. Cameron: Compact. Dense. So my infiltration's not going to be that good.

Ted Kozlowski: Right. Probably another reason why it's wetland.

Board Member Brady: Lots of fill.

Board Member Taylor: The parking area and the driveway delineated, is that all impervious?

Mr. Cameron: I'm probably going to wind up doing sections of pervious and impervious. If I do this thing on the bottom, this parking lot will be pervious. But the road up here, I think because of the grade, I'm going to have to make it impervious.

Board Member Taylor: Okay. Where are you putting your practices?

Mr. Cameron: I have to work on that.

Board Member Taylor: Okay.

Rich Williams: Why aren't you making the whole driveway paved?

Mr. Cameron: I am making it paved so that he can get up and down in the winter...

Rich Williams: Right.

Mr. Cameron: because it's a 7% slope...

Chairman McNulty: But you said something about...

Mr. Cameron: and then I'm curving around it at 10% slope.

Board Member Taylor: Down here he was saying.

Chairman McNulty: Yeah.

Rich Williams: But why aren't you... There was a section you said you weren't paving. Did I just understand that?

The Secretary: The parking lot.

Chairman McNulty: That's what I thought you said, too.

Rich Williams: The parking.

Chairman McNulty: The lower section.

The Secretary: In the lower part.

Mr. Cameron: Meaning not with...

Chairman McNulty: Blacktop.

Mr. Cameron: Right. Not with impervious pavement. I'm going to use pervious pavement and paving materials. Paving blocks or something like that.

Chairman McNulty: At what area? That's the question.

Mr. Cameron: The parking lot. If I can...

Chairman McNulty: Oh.

Board Member Brady: In the future building.

Chairman McNulty: Oh, for the future building.

Mr. Cameron: For the future building, yes. At the 5% slope, I might even be able to do something there, too. Because the problem is going to be I can't...I don't have any place to take the bottom stormwater flows. So I might make the lesser slope there 5%, pervious pavement.

Chairman McNulty: In the entrance here for [Route] 22, without seeing the other, I drive by there all time, what is it opposite? Is it opposite Old Road right at there at that point? Old 22 by the glass shop?

Mr. Cameron: No.

Board Member Taylor: No. It's...

Mr. Cameron: I meet out there with the DOT...

Chairman McNulty: But that can't be far from it.

Mr. Cameron: Yeah. I met out there with the DOT already and he didn't seem to have any....

Rich Williams: Down the road a little bit.

Mr. Cameron: problem with it.

Board Member Brady: It's right across from the hot dog stand, isn't it?

Mr. Cameron: Yes. You can see the hot dog stand guy. But he...Hot dog stand guy is on Old 22.

Board Member Brady: Right.

Chairman McNulty: Yeah, just trying to proportion where that might be in relation to that.

Board Member Ladau: They're almost directly opposite the Getty station.

Chairman McNulty: Well...

Rich Williams: The hot dog.

Chairman McNulty: The hot dog. The Old...The entrance...The glass shop is a little further...

Rich Williams: The glass...

Mr. Cameron: The glass shop is several 100'. Maybe...

Rich Williams: No, you got the glass...

Mr. Cameron: 1,000'.

Rich Williams: The glass shop is opposite Kent Construction...

Mr. Cameron: Yeah.

- Rich Williams: Which is the next lot down.
- Chairman McNulty: Oh, okay.
- Mr. Cameron: Yeah, he's, you know, 500-1,000 feet down to Old Route 22. You don't think it's that far?
- Board Member Taylor: No. So are you proposing doing an application for both of these buildings: for the whole site?
- Mr. Cameron: We were talking about that. And then I...We haven't reached a decision on that. But I think the first part is we want to do the building in the back.
- Board Member Taylor: Well, again, but my question is do you want to do an application now for both buildings...
- Chairman McNulty: And have it as a phase construction.
- Board Member Taylor: Or you...And phase it, yes exactly. Or do you want...
- Rich Williams: When do you plan on building the second building?
- Chairman McNulty: After he makes a lot of money.
- Mr. Nunes: Yeah. If I rent out the first building.
- Rich Williams: Then you'll probably want to keep them separate because you're going to have headaches with the first building.
- Chairman McNulty: That's not overall for a contractor's building or a multiple business; 60 [feet] by 100 [feet]. How many businesses do you plan to, or think, that you can fit in there?
- Mr. Nunes: Two or three.
- Chairman McNulty: Oh, okay.
- Mr. Nunes: Mine and then another one or two.
- Chairman McNulty: Alright. I wasn't sure if we thinking...
- Mr. Cameron: And if he does good up there, do you think he could put another one? I mean, if it's a...If he's good guy and he takes care of things, I mean, he might want to come back and do another one of those buildings next to it or adjoin it to it.
- Mr. Kozlowski: I think you've got to see the site.
- Rich Williams: Do the first one.
- Mr. Cameron: Do the first one.

Chairman McNulty: Let's start with that. You know, hey, we don't say no to anything...

Mr. Nunes: Yeah.

Chairman McNulty: up front. We might...

Board Member Montesano: Everything is possible.

Chairman McNulty: later on say no, but...

Board Member Ladau: Yeah.

Chairman McNulty: We entertain any idea to take a look at it.

Board Member Taylor: And you can...

Board Member Montesano: There's only one condition: If you hit the lottery, I don't expect you to just walk out on the building.

Board Member Taylor: But you've got some issues you've got to deal with.

Mr. Cameron: Yup. Yeah.

Board Member Taylor: So, talking about future buildings is going to depend on how you deal with the issues, I think.

Chairman McNulty: Okay, to look at this as a concept from...I'm sorry, what was your name again?

Mr. Nunes: Mike.

Chairman McNulty: Mike is proposing, it would fall under our Commercial Trade Operation, somewhat, and we can make it work.

Rich Williams: It appears it would, yeah.

Chairman McNulty: Okay. Based on what you're telling us. So I guess maybe the thing to do is to do a little engineering homework, see... You're hearing what we say. You're going to have some impacts here with pavement, steep grade, getting a septic in. Talking about a pump system. See if your numbers work before you go too far through this process.

Mr. Nunes: Right.

Chairman McNulty: I think we're here to listen. We're not going to say no, but we're going to want the best project we can for the Town and for the terrain.

Mr. Cameron: Mhmm.

Chairman McNulty: So maybe the best thing is to assess your real cost on what it would take to get this building in before you go too far through our process.

Mr. Cameron: Right.

Board Member Taylor: And you...

Chairman McNulty: I don't know, does anybody...everybody kind of agree with that?

Board Member Brady: No, I think you...

Board Member Ladau: Yeah.

Board Member Brady: you might want to wind up changing the size of the building because now everything's got to be inside. You might, you know, need a bigger building...

Mr. Nunes: Want to go a little bigger.

Board Member Brady: or whatever. You know, it's...

Chairman McNulty: And the biggest thing is height. So you're up there on a hill, you say it's going to be not visible, but if you get up...How high do you figure to make this building? I assume it's going to be two-story. I mean, you're talking...

Mr. Nunes: Yeah, I would say maybe offices...

Chairman McNulty: maybe 30, 35 feet to the top.

Mr. Nunes: on the second floor and warehouse on the first floor.

Mr. Cameron: Yeah. I'll do a viewshed. I'll do it...

Chairman McNulty: Yeah, so that's going to be a big part of what we're going to be looking at.

Mr. Cameron: Okay.

Chairman McNulty: Because it's up on the hill.

Board Member Taylor: And...

Chairman McNulty: But as somebody who owns property along [Route] 22, myself, the numbers don't work. So that's why I'm saying you might want to look at that first. They would work if I was twenty years younger, but it's not working now.

Board Member Taylor: And you may want to look at flagging those wetlands so you know what you're dealing with down there.

Mr. Cameron: Right.

Board Member Taylor: Because then you can put in your buffer and because as Ted said, a building's probably going to disappear. And you've still got stormwater practices...

Ted Kozlowski: I don't see the...Realistically, I don't see the building going there.

Board Member Taylor: Yeah. And you've got stormwater practices you've got to deal with.

Mr. Cameron: Right. Okay. I needed to come in and see how you felt about this and information on a professional...

Chairman McNulty: As I said we're open for business. We want to see business, but we want it to be...

Mr. Nunes: The correct business.

Mr. Cameron: The correct business, yeah.

Chairman McNulty: It's got to be the correct business. Correct long-term developed and it's got to make sense for you, too. We don't to go through this process and then all the sudden realize...

Mr. Nunes: No, this is going to be my home-base. I don't plan on selling it or...This is, you know...

Chairman McNulty: Mhmm. It's just, you know, we talk about this now but as you go through the process and Rob can tell you, it gets pretty involved when you get into stormwater, the septic systems, steep grades, building design to make it work, paving. Costs can get out of control real fast...real quick. So, I would start with that and then if it looks feasible on paper to you, get together with Rich and get us a plan to start looking at.

Mr. Cameron: Okay. I can do that.

Chairman McNulty: Everybody in agreement with that?

Board Member Ladau: Yup.

Board Member Brady: Yeah.

Chairman McNulty: Okay.

Board Member Montesano: Yeah.

Chairman McNulty: Good.

Mr. Cameron: Okay, thank you very much.

Chairman McNulty: Alright, Rob.

Board Member Brady: Thank you.

Chairman McNulty: Mike, nice to meet you.

Mr. Nunes: Thanks.

Board Member Montesano: Good luck.

2) Stone Field Corner Estates Subdivision – Public Hearing

Chairman McNulty: Next we have Stone Field Corner Estates. We have a public hearing. Anything new to add on this, Rich?

Rich Williams: They've made a full submission. Stormwater plan: currently going through the documents.

Chairman McNulty: You and Ron?

Rich Williams: Yeah.

Chairman McNulty: And Ron is not here tonight?

Rich Williams: Ron's not here tonight.

Chairman McNulty: Okay. Any feedback? Anything from the public so far in writing? Letters?

Rich Williams: Nope.

Chairman McNulty: No. Okay. So we'll deal with that on Monday.

Board Member Taylor: Monday?

Chairman McNulty: Thursday.

Board Member Ladau: Thursday.

Chairman McNulty: Just making sure everybody's awake.

Board Member Brady: Yeah.

[Laughter]

3) Putnam Power Equipment – Initial Application for Site Plan Waiver

Chairman McNulty: Putnam Power Equipment.

Rich Williams: We have had conversations out of the office with both the property owner and the tenant who plans on being here Thursday night.

Chairman McNulty: Okay, now did we talk about doing a site walk there? Or we didn't have to because we've all kind of driven by it and we were talking about parking, right?

Rich Williams: We were talking about parking.

Chairman McNulty: We looked at the...

Rich Williams: A couple of meetings...

Chairman McNulty: I think we pulled the plan out and saw he had x amount of spots.

Rich Williams: Mmhmm.

Chairman McNulty: And we want to try and maintain that.

Board Member Brady: Yeah.

Rich Williams: Correct.

Board Member Brady: That's where all...he's got his trailers now and everything, yeah.

Board Member Montesano: That's where he's got all the trailers.

Board Member Ladau: Yeah.

Chairman McNulty: Yeah.

Board Member Ladau: I mean, not for nothing, but that place is an absolute pigsty. I mean...

Rich Williams: Then you should convey that to him and tell him to fix it.

Board Member Ladau: Yeah, I mean, there's...He's got...

Chairman McNulty: He's got a great business and I love to see it and...

Board Member Ladau: Yeah, but he's got...

Chairman McNulty: but he's got to get it organized.

Board Member Ladau: Yeah, he's got his trailers parked all over. He's got all kinds of stuff. It's an eyesore.

Chairman McNulty: Real...

Board Member Montesano: Yeah, well the size of the place for what he's using it for right now has gotten...

Chairman McNulty: The one thing is that the plan he has submitted is pretty much like a scribble it in...

Board Member Brady: Yeah.

Chairman McNulty: what we want to do. It's not much for us to work off of. Have you talked to him about that at all or we'll talk to him Thursday when he comes in.

Rich Williams: No, I haven't because that's what got approved.

Chairman McNulty: Okay.

Rich Williams: Basically.

Chairman McNulty: Well...

Rich Williams: With...Except for the fence.

Chairman McNulty: Yeah, that he scribbled in.

Rich Williams: Right.

Chairman McNulty: Okay. That's what I'm talking about. Okay.

Board Member Montesano: He doesn't like scribbling.

Chairman McNulty: Anybody else have anything on that? We'll talk to him when he comes in. What's his name again? Mister...

Board Member Brady: Sounds like a plan.

The Secretary: Bruen.

Rich Williams: Mike Bruen.

Chairman McNulty: Mike Bruen. Okay. Is he related to the Bruen, Bruens? Like Putnam County Executive Bruen?

Rich Williams: I don't think he's related to him. Maybe some distant.

Chairman McNulty: Alright.

Rich Williams: But they've been in Brewster for many, many years.

Chairman McNulty: Okay.

4) Wayne Ryder – Wetland/Watercourse Permit Application

Chairman McNulty: Alright, moving onto Wayne Ryder, Wetland/Watercourse Permit. This is up on Cushman Road.

Rich Williams: Yup.

Chairman McNulty: It's like several lots that they want to...

Rich Williams: Well, it is a lot that is part of a subdivision. It was three lots; they've combined them back up. It was a lot that was created many, many years ago. It's predominately wetland.

Ted Kozlowski: Is this an approved lot, Rich? Approved building lot?

Rich Williams: There were three approved building lots here. They've had to recombine them because of the wetlands. But there were three.

Ted Kozlowski: So it's another situation like with Reilly...

Rich Williams: Yeah.

Ted Kozlowski: where we'd have to basically approve something.

Chairman McNulty: Are you familiar with this lot?

Ted Kozlowski: Oh, very much.

Chairman McNulty: Now, I briefly went through the notes that were prepared for this application.

Rich Williams: Mhmm.

Chairman McNulty: And it listed two scenarios of placement of a house. And I was curious...Just wanted to...In scenario A and B...

Ted Kozlowski: They only showed one plan for...

Chairman McNulty: But is that Plan B...

Ted Kozlowski: Yeah.

Board Member Taylor: Yeah. It's Plan B.

Ted Kozlowski: They didn't show Plan A.

Chairman McNulty: Okay. I just want to make sure I'm reading that right.

Board Member Ladau: Yeah.

Board Member Taylor: Yeah, they decided [Plan] A was not...They didn't want to do A.

Chairman McNulty: B, just on the surface, quickly looked like the less intrusive plan to the wetland.

Ted Kozlowski: No, A does to me. Because look at this plan. Look where that house is and look where the wetland is.

Board Member Ladau: Yeah, he's in the wetland.

Ted Kozlowski: How is he going to...

Chairman McNulty: Where is the house going to go in Plan A?

Ted Kozlowski: How is he going to build that house without going into the wetland?

Chairman McNulty: Well, the driveway...

Ted Kozlowski: You're going to walk...

Chairman McNulty: The driveway would be in the wetlands.

Ted Kozlowski: Yeah, but...

Chairman McNulty: He did talk about mitigating...

Ted Kozlowski: Tom...

Rich Williams: But there's already a trail through there where he's putting a driveway.

Ted Kozlowski: Tom, look... Yeah. That's not a problem but look at this house.

Board Member Ladau: Yeah.

Ted Kozlowski: You walk out the front door and you're walking right into a wetland.

Board Member Ladau: That's right.

Ted Kozlowski: Who is going to want to live there without modifying that place?

Chairman McNulty: Somebody who likes mosquitos.

Ted Kozlowski: It's Cushman Road, okay. It's a very expensive place to live. Somebody's going to move there and they're going to walk out their front door and step into marsh? I doubt that very much.

Board Member Ladau: Yeah.

Board Member Brady: It will be filled in six months later.

Ted Kozlowski: Yeah.

Chairman McNulty: Is it marshy there though? Is it...

Ted Kozlowski: It's all wetland, yeah. It's bonafide wetland. I've been on that site...I have been on this property since I've been ECI. Okay. And everything around it is developed and the only reason this isn't developed is because of that wetland. This property has been for sale for many, many years. And I've looked at it many, many times with different engineers. And this is a lot with a lot of issues. This is also horse country. Everybody around there has horses.

Board Member Ladau: Mmhmm.

Ted Kozlowski: I'm going to tell you right now that house going there is going to be nothing but problems for this Town.

Chairman McNulty: But where would the house go on the "A" scenario.

Ted Kozlowski: It's got to go up by the road.

Chairman McNulty: But there's no...

Board Member Taylor: Where the septic is...

Rich Williams: No. There's no place up by the road you're going to put it.

Board Member Taylor: You'd have to put it by the septic and there's no place. Again, it's the problem. Now...

Chairman McNulty: No wonder I thought scenario B was better.

Board Member Taylor: what pre-existing conditions come from this having been a subdivision in the past? What rules apply to this that we have to abide by?

Rich Williams: Well, current...

Board Member Taylor: Or the fact that they remerged it.

Rich Williams: The current rules apply to whatever you're going to do. You know, but what Ted's referring to is the fact that the Town, at some point, took an action to say these were building lots that are now recombined due to our zoning, not the wetland. You know, places a little bit more of the burden on the Town to allow some sort of reasonable use of the property as opposed to just an outright saying, hey listen. You're in the middle of the Great Swamp. You've bought Pine Island. There's no way you're putting a bridge on. We knew that. You should have known that when you bought it. So...

Chairman McNulty: And this is all Town wetland?

Ted Kozlowski: Mmhmm.

Chairman McNulty: So I did see in the note, I saw...I just scanned through it where they were going to mitigate by filling in some of the wetlands but then recreating new wetlands...

Ted Kozlowski: Well, I don't know...

Chairman McNulty: in scenario B...

Ted Kozlowski: I don't know...I haven't looked at this with a fine tooth comb, but I don't know if we're triggering Army Corp. review, because if it's quarter acre or more, they've got to make a statement on it.

Chairman McNulty: Quarter acre or more of disturbance.

Ted Kozlowski: Disturbance to wetland.

Board Member Ladau: Yeah.

Ted Kozlowski: But again, again, look at that house and you tell me how anybody is going to move in that house and not have some sort of issue with that wetland.

Chairman McNulty: Well, that's where I go back to his suggestion that they want to offset...I don't know where they want to do it. Again, they said the filling in of, I think, 2,000 square feet of wetland...

Ted Kozlowski: I think that's for the road.

Chairman McNulty; that was for the road area?

Ted Kozlowski: That's for the driveway, Tommy. If you look at the plans, that driveway at the southern...the southern east...

Board Member Ladau: Yeah.

Ted Kozlowski: western end is...

Chairman McNulty: I see it, yeah.

Ted Kozlowski: It's all filled. That's the only way he's going to get a driveway in there. See, and my thought...

Chairman McNulty: Are you saying it's an existing path now?

Ted Kozlowski: My thought was that if the house could go up...

Rich Williams: I'm saying there is an existing path through there. There's actually a pipe in the ground already there.

Ted Kozlowski: And my thoughts is on option A, where that proposed septic is now, a small house goes up there somehow and then you can cross that wetland with a septic pipe, pump it down or down to the...down this area here for a septic. This house...

Chairman McNulty: It would be hard to scale what size house you can get in there though. Well, that's a proposed four bedroom. I mean, with a house right up close to the road there, would that be out of character with the rest of the road?

Board Member Taylor: Yeah. It certainly would be.

Chairman McNulty: Yup.

Board Member Ladau: Yup.

Board Member Taylor: Which is what...why they chose option B.

Rich Williams: And you got to have 40' setback.

Board Member Taylor: Yeah, that takes care of it then, doesn't it?

Chairman McNulty: Boy, they don't have much useable place here.

Board Member Taylor: They don't have any useable place.

Ted Kozlowski: They have no use. Realistically, they have no use.

Board Member Taylor: So can we get a ruling from Mike on what's whatever you said in terms of the Town has to allow them to put something there.

Rich Williams: On whether I'm right or not?

Board Member Taylor: Yeah. Some use.

Chairman McNulty: Well...

Board Member Taylor: I mean, the use may be to sell it to the neighbor and let them put a...

Ted Kozlowski: What size...

Board Member Taylor: horse farm...

Ted Kozlowski: what house are they...

Board Member Taylor: right on the corner here.

Chairman McNulty: Or is there a land they can buy from someone else...

Ted Kozlowski: They're talking about a four-bedroom house.

Board Member Montesano: That a big house.

Chairman McNulty: To maybe make it...

Board Member Taylor: They've got the cemetery down here.

Ted Kozlowski: Right.

Chairman McNulty: Yeah, they're going to want to disturb them.

Board Member Taylor: Well, Pescatore...Is that built? The Pescatore property?

Rich Williams: No.

Board Member Taylor: That's an open lot.

Rich Williams: Is that which...Is it Bill Pescatore?

Board Member Taylor: No, no. I said is it built.

Chairman McNulty: No, no, no. Is it built?

Board Member Taylor: Is there a property...Is there a house on it?

Rich Williams: I don't know.

Board Member Taylor: I think there's one of these lots that isn't built yet. So maybe they could go that way.

Ted Kozlowski: Yeah. And he is proposing a four-bedroom house here.

Board Member Taylor: Yeah, I know.

Ted Kozlowski: Okay.

Board Member Taylor: I know.

Ted Kozlowski: So...

Board Member Ladau: And the house is 75 [feet] by 30 [feet] if you scale it. So that's whatever...

Chairman McNulty: Would he require a variance on the distance...the length of this driveway?

Rich Williams: He has two zoning issues: One is he's calling it the rear property...the side property line. I don't know I'd call it a side property line...

Ted Kozlowski: Looks like the rear.

Rich Williams: in the back. The back...The back left...How can I say this? The back south corner of the house, he's showing a 40 foot separation...

Board Member Brady: Right.

Chairman McNulty: Yup.

Board Member Taylor: Yeah.

Rich Williams: I don't know that I'd call that a side property line.

Board Member Brady: No.

Chairman McNulty: Now that whole...From this corner to this corner would be your rear, correct?

Rich Williams: Right. The other issue is the driveway. But that's a waiver that he can get from the Planning Board. He's showing a driveway 10' off of the rear property line.

Board Member Taylor: Yeah.

Rich Williams: Whether it's a...

Chairman McNulty: What is the rear setback?

Rich Williams: Huh? Eighty [feet].

Board Member Taylor: He's got it on this corner. See, he's got the 80' on that corner.

Chairman McNulty: Yeah. He's got the 80' here.

Board Member Taylor: But he doesn't have it here because that would put him up there.

Board Member Brady: Does that...The eighty...You just have to hit the 80' point in one point of the house? You don't...

Rich Williams: No. No, everything has to be 80'.

Board Member Brady: So...

Chairman McNulty: From the rear setback.

Board Member Brady: So...

Board Member Ladau: Yeah.

Board Member Brady: Right. So then where this 40' is, it's definitely not going to be 80' there.

Rich Williams: If you're going to consider that property boundary a rear lot line.

Chairman McNulty: How do you determine that? Is that a surveyor's call?

Rich Williams: No.

Chairman McNulty: Town call?

Rich Williams: It's our call, yeah.

Board Member Brady: I would think that that's the property line.

Chairman McNulty: How do we define rear setback?

Board Member Taylor: Yeah, that's the rear. Yeah.

Board Member Brady: Just because the house is on an angle...

Chairman McNulty: To me it looks like it was.

Board Member Brady: And that would move him 40 feet further...

Board Member Ladau: Yeah.

Board Member Brady: forward, which would kill him.

Ted Kozlowski: These people can't have a garage there. There's just...It's shoehorned in between property lines and wetland.

Board Member Taylor: Well, then that...

Ted Kozlowski: And this is going to be a real challenge for whoever moves into that house.

Board Member Brady: And this is the wetland. It's like, you could go up this way. No, he'd be close to the back.

Chairman McNulty: You said originally this was a subdivision?

Ted Kozlowski: You've got your 80'.

Board Member Brady: He'd be moving back.

Chairman McNulty: For three homes?

Rich Williams: That was three lots.

Chairman McNulty: Before the wetlands rules.

Board Member Taylor: It's another situation that's unbuildable and then it's a question of what we can say to them.

Board Member Ladau: Just procedurally, can we just say no?

Chairman McNulty: Well, we would have to review the EAF.

Ted Kozlowski: I think you guys should, you know, this is definitely worthy of a site walk and see for yourselves how this is going to lay out.

Board Member Taylor: Well, it's not in the EAF.

Ted Kozlowski: Now, this is the property...This property has a history...

Board Member Taylor: He's got these distance...

Ted Kozlowski: Where somebody sent somebody in there two winters ago and cleared out all the trees.

Board Member Ladau: Yeah.

Ted Kozlowski: Did a clear-cut of the understory.

Board Member Ladau: Yeah.

Ted Kozlowski: Left the tall trees and then left everything there.

Board Member Ladau: Mmhhh.

Ted Kozlowski: I've been to this site a number of times. This is one of those long term sites that just keeps coming back every once in a while.

Chairman McNulty: Has it been in front of the Board before for a single family home?

Rich Williams: No.

Ted Kozlowski: No.

Chairman McNulty: Just multiple...

Ted Kozlowski: It's never gotten that far because people have walked away.

Board Member Brady: It's probably what's going to happen.

Chairman McNulty: Okay.

Ted Kozlowski: I would guess the bank owns this now and this is what, you know, to make use of this lot. But it's...

Chairman McNulty: It's challenged.

Ted Kozlowski: It's very challenged. And in the back it's wetter than in the front so, you know...

Chairman McNulty: Rich, you....

Ted Kozlowski: If you're going to trade off, I'd rather tradeoff up in the front than in the back because you have much more room here on a side...On the side you have no driveway to deal with, okay. The septic could back there through a pipe if it had to.

Chairman McNulty: You'd have to disturb the wetlands to get there.

Ted Kozlowski: The upper portion of this is more useable property.

Board Member Ladau: It's dry along here, if I'm...

Ted Kozlowski: Yeah, it is.

Board Member Ladau: Yeah.

Ted Kozlowski: But the back, there is nothing.

Board Member Ladau: Yeah.

Ted Kozlowski: And then you border the horse farm and there's more wetlands back over here.

Board Member Ladau: Horse farm?

Ted Kozlowski: Oh, guy's got horses. He...

Rich Williams: Sierra?

Ted Kozlowski: Yeah, he goes in a ways.

Rich Williams: Sierra.

Ted Kozlowski: It's a guy...He has a long driveway. He's behind all of this.

Board Member Ladau: Okay.

Ted Kozlowski: And he's encroached in the wetlands, too. But I...Does he have an agricultural exemption or...He's got paddocks in there.

Chairman McNulty: Just so I'm clear, which line here is the buffer?

Board Member Ladau: That is of the new one that was just built.

Ted Kozlowski: Yeah.

Chairman McNulty: Is it this one or this one?

Board Member Ladau: The gal...He's a vet down in...

Ted Kozlowski: Right.

Board Member Ladau: Mount Kisco. Right. Okay.

Rich Williams: The wetland buffer?

Chairman McNulty: I'm looking here. Limit of disturbance. Is it this heavy line? And this line?

Rich Williams: No, that's probably the soils. That's probably soils.

Board Member Ladau: They had problems...

Chairman McNulty: That's the one with the dots. This is the limit of disturbance here.

Rich Williams: Mmhhh. Yeah. That's limit of disturbance.

Board Member Ladau: with that horse farm and it was not well done and then it had...Three quarters of the way through, the contractor had his nuts cut off and...

[Laughter]

Chairman McNulty: So is that the buffer?

Board Member Ladau: All kinds of stupid stuff.

Rich Williams: Oh, god.

Chairman McNulty: Or is that just what they've listed as a...

Rich Williams: No, the...I mean, the wetlands...That's topo. Here's the wetlands. I know, it's a difficult plan to read.

Chairman McNulty: Here's another limit of disturbance here. There's one here.

Rich Williams: And one here...

Chairman McNulty: One here.

Rich Williams: for the drive...For the line coming through.

Chairman McNulty: And this comes all the way through.

Ted Kozlowski: Where were these wetlands flagged, by the way? Do they have that on here?

Board Member Ladau: Not that I see.

Ted Kozlowski: Because they were flagged a long time ago. I don't know if the flags are still out there.

Chairman McNulty: I don't know. There's...

Ted Kozlowski: But if this Board is going to go out on a site walk, the wetlands should be flagged so you guys really understand what we're looking at.

Board Member Taylor: Yup.

Chairman McNulty: Oh, here's the limit of disturbance here.

Board Member Ladau: Oh hell, you walk in 100' and you're up to your ankles in mud.

Chairman McNulty: The house is within it.

- Board Member Ladau: We can even figure that without that.
- Board Member Brady: Is it that bad, yeah?
- Board Member Montesano: Just wear rubber shoes or boots because...
- Board Member Ladau: Yeah.
- Chairman McNulty: Rich, are you doing any kind of review on this for us?
- Board Montesano: Because if not, you're going to be slushing around.
- Board Member Ladau: Oh, yeah.
- Board Member Brady: I've never been down there.
- Chairman McNulty: Do we take it to a site walk? I mean, is it...
- Board Member Ladau: I know it's really crappy back there.
- Chairman McNulty: I guess we have to...
- Rich Williams: Oh, that's the question of, you know, whether you're comfortable with the plan or you want to go see the site whether you do a site walk.
- Chairman McNulty: First of all, I guess we should deal with the zoning issues because they can't really do anything without that.
- Rich Williams: I would deal the wetlands. I would get part way down the road with the wetlands. Get comfortable with whether, you know, you're okay with the plan or you're not okay with the plan before I referred them over to zoning. Because there's no sense him going to get a variance for putting the house where he's showing it...
- Chairman McNulty: If it's not...
- Board Member Ladau: If we don't even know, yeah.
- Rich Williams: If you're not comfortable with the wetlands.
- Ted Kozlowski: Again, my issue is how is somebody reasonably going to live there?
- Board Member Taylor: Right.
- Ted Kozlowski: Yeah.
- Board Member Montesano: Hip boots.
- Ted Kozlowski: And how are you going to build that... You guys are in construction. How are you going to build that house without going into the wetland?

Board Member Brady: Right.

Ted Kozlowski: How is that going to be excavated?

Board Member Ladau: Helicopter: You would drop it in.

Ted Kozlowski: How's it going to be built?

Board Member Montesano: We're going to float it.

Ted Kozlowski: It's like this other gentleman that just came. He's got the building on the edge of the wetland. How are you going to build a factory building right on the edge of the wetland?

Board Member Ladau: By helicopters. You just have to think positively.

Chairman McNulty: Just drive through the wetland. It's easy.

Ted Kozlowski: Fill it in.

Board Member Montesano: You get one of those 6-wheel drops.

Chairman McNulty: Okay...

Board Member Taylor: So I'd recommend what Ted says, was flag the wetlands, let's go out and take a look at it.

Chairman McNulty: Yup. I agree.

Board Member Taylor: And then we go from there.

Board Member Ladau: Okay.

Chairman McNulty: And might as well stake out the house corners, approximate. Driveway entrance.

Ted Kozlowski: Yup.

Board Member Taylor: And let's get some legal ruling on this. The fact that it's remerged, that my change some things.

Board Member Montesano: You want the septic and the driveway, too?

Rich Williams: I don't know if it's going to change anything.

Board Member Taylor: Yeah, well...

Ted Kozlowski: Rich, has the...The zoning there though, hasn't that changed from one acreage to another over time, too.

Rich Williams: Well, it was R-80. It got changed to R-4.

Ted Kozlowski: Right.

Chairman McNulty: It's just under that. Isn't it just under 4-acres there? Or is overall combined?

Rich Williams: Overall, is 4-acres.

Chairman McNulty: Okay. Okay. Alright, so we'll have to look at that. You expect somebody to come in? The engineer will be in for that?

Rich Williams: He should in.

5) Sunoco Station – Sign Application

Chairman McNulty: Okay. We have the Sunoco Station sign application which is currently the Getty Station.

Rich Williams: Correct.

Chairman McNulty: First question I have, they were in front of us for a site plan about two years ago I think.

Rich Williams: Mhmm.

Chairman McNulty: Did they ever comply and complete that site plan? I don't remember...

Rich Williams: I don't think we ever signed the plans, actually, because it took them quite some time to clean everything up. But they did comply.

Chairman McNulty: Okay. So that's out of the way. So, I didn't get a chance to look at this one. I see there's a new application.

Board Member Taylor: It looks pretty good.

Board Member Brady: I have two different applications. I have one that's stamped received and then I have another one here. Is there...

Board Member Taylor: I thought we should send it over to Putnam Lake.

The Secretary: The one that's stamped received is the newest.

Chairman McNulty: I thought the same thing. [Referring to Board Member Taylor's comment]

Board Member Brady: They're different sizes of signs.

The Secretary: The stamped one is the newest.

- Board Member Taylor: Here's the requirements.
- Board Member Brady: Excuse me?
- The Secretary: Stamped one is the newest.
- Board Member Brady: Okay. So this was by the waist side.
- Rich Williams: So just a little background. They submitted a sign application. We took a look at it. We identified that it didn't comply with our zoning requirements even though they did have a variance. It didn't comply with the variance as well. So, you know, I notified them and they resubmitted to comply with the variance, but in looking at it, basically, all they did is they changed one number on the application form and not the overall design. So what I want to do is the Sunoco sign they're showing as a square sign even though the freestanding Sunoco sign is not a square sign. So I want to... What I want to do is, you know, measure out the actual area of the sign to see where we stand and then get ahold of them and have a further conversation with them.
- Chairman McNulty: Well, it looks like 7' by 4': 28 square feet on the freestanding.
- Rich Williams: Yes. But there's two freestanding signs on that pole.
- Board Member Ladau: Yeah.
- Chairman McNulty: Yup.
- Board Member Ladau: 7' by 4'. One that's 5.5' by 3.7'.
- Chairman McNulty: And you say there was a variance granted at some point?
- Rich Williams: There was a variance granted.
- Chairman McNulty: What was the variance? For sign size?
- Rich Williams: For the size.
- Chairman McNulty: Or just to have what's there and to be legal?
- Rich Williams: For the size of the sign.
- Board Member Taylor: What was the size?
- Chairman McNulty: Do you know if it included both?
- Rich Williams: I thought it was about 33 square feet.
- Chairman McNulty: I guess we'd have to review that.
- Board Member Taylor: So they're at 49 [square feet]. Well, do the LEDs come in smaller packages?

Rich Williams: They do, but if you look at the Sunoco sign, the Sunoco sign's not a true square sign.

Board Member Taylor: Right.

Rich Williams: So if we take just the area of the Sunoco sign and then break down...

Chairman McNulty: The actual square footage.

Board Member Taylor: Oh, so you're going to subtract out the blank spaces.

Board Member Brady: Yeah.

Board Member Taylor: Oh, okay.

Rich Williams: Yeah.

Chairman McNulty: Yeah, I just rounded off to 7' by 4'.

Rich Williams: I just want to get it to a scale and want to measure it out.

Board Member Taylor: Yup. Okay. Well that a way of doing it.

Chairman McNulty: Do they plan on putting up a canopy as well?

Rich Williams: Over the pumps?

Chairman McNulty: Yeah.

Rich Williams: Yes.

Chairman McNulty: So there's no signage proposed for that?

Rich Williams: Not that I'm aware of.

Chairman McNulty: Because they're talking about putting it on the building.

Rich Williams: Nothing they've submitted.

Chairman McNulty: And I wonder if that canopy will... Those pumps are fairly close to the road, so would the canopy require setback? How does that work for the...

Rich Williams: Well, there was a canopy there. I believe they're replacing it.

Chairman McNulty: Getty has no...has a little, tiny canopy.

Board Member Ladau: No...

Chairman McNulty: They don't have any canopy over the pumps.

Board Member Ladau: Yeah, there's no canopy over it.

Chairman McNulty: That's wide open over there.

Rich Williams: No, there was a canopy over the pumps.

Board Member Montesano: No, there was a canopy because we were talking about the sign up on the canopy.

Chairman McNulty: You're talking about years ago?

Rich Williams: I'm talking about recently.

Board Member Montesano: When we went there the last time, the canopy was there because we kept talking about the sign that was going up on the top; they could put it up there.

Rich Williams: No, no, no.

Board Member Taylor: We haven't been here.

Rich Williams: That's the one in the Lake.

Board Member Ladau: No, no, no. This is not Putnam Lake.

Board Member Montesano: Oh, I'm sorry.

Board Member Ladau: This is on Route 22.

Board Member Montesano: Oh, this is the other...Okay.

Chairman McNulty: There's no canopy over those pumps.

Board Member Ladau: It's the Getty station.

Board Member Montesano: I'll be alright, too. I need my (inaudible – too many talking) again.

Chairman McNulty: Over the island?

Rich Williams: Over the island.

Chairman McNulty: Just like as wide as the island?

Rich Williams: Over the pumps.

Board Member Brady: He's not showing a canopy on the drawing.

Board Member Taylor: No, he's not.

Board Member Ladau: There is none.

Board Member Montesano: No, there is none. There is none on it.

Board Member Ladau: No. No, no, no.

Chairman McNulty: Yeah. It's not a true canopy. It's like a little rail. A little cover over those pumps.

Board Member Brady: So, basically he's going to leave the "Beer, Soda, Lotto" and...

Board Member Ladau: Yup.

Board Member Brady: put the Sunoco sign up there.

Board Member Ladau: Well, no. I think what he's talking about the proposed elevations on the bottom so he's going to have the...

Board Member Montesano: Yeah.

Board Member Taylor: Put the colors over...

Board Member Ladau: yellow...That color extravaganza over the Beer, Soda and Lotto.

Rich Williams: Yeah, it's all changing.

Board Member Brady: I guess I've got to go to the color one so I can see it.

Board Member Ladau: Yeah.

Board Member Taylor: Until he gets approval, and then he will take that portion of the sign down and it will be "Beer, Soda and Lotto" again.

Board Member Brady: Yeah. Yeah, as soon as he's done.

Chairman McNulty: Well, what he doesn't...He shows the front of the building for Getty and the corner of the building with Getty. But he only shows a Sunoco sign on the front.

Board Member Taylor: Right.

Chairman McNulty: So he's eliminating the corner; the side sign?

Rich Williams: He's not showing anything at all.

Chairman McNulty: Sign to be removed. Yes, there it is. There's the note.

Board Member Taylor: Alright. And he's aware that signs in the windows count as part of his square footage.

Rich Williams: Yes.

Board Member Ladau: Probably not.

Board Member Taylor: Could claim he doesn't know.

Board Member Brady: Does the square footage on the price sign, does that count?

Rich Williams: Yeah.

Board Member Brady: It does?

Board Member Ladau: Oh, yeah.

Board Member Taylor: Yup.

Chairman McNulty: You mean the LEDs?

Board Member Brady: Yeah.

Board Member Taylor: Yeah.

Chairman McNulty: So, you're going to look at this and see where he's got how much and...

Board Member Brady: Twenty and twenty-nine.

Chairman McNulty: for the...

Rich Williams: I'll call them up and work it out.

Chairman McNulty: Okay. So this is pending. Okay.

6) Birch Hill Associates, LLC – Wetland/Watercourse Permit Application

Chairman McNulty: So I'm moving right along to Birch Hill Associates, Wetland.

Ted Kozlowski: Yeah. Another one.

Chairman McNulty: Is there where they put the bridge in a couple of years ago?

Rich Williams: Yes.

Board Member Taylor: Yes.

Rich Williams: Mhmm.

Chairman McNulty: With that nice, long driveway?

Board Member Taylor: Yup. Where we did the stones.

Chairman McNulty: Yes.

Board Member Taylor: Yeah.

Board Member Montesano: So you can bounce off.

Chairman McNulty: Are they working?

Board Member Taylor: I don't know. Did anybody end up in the wetland?

Rich Williams: No, not yet.

Board Member Taylor: Not yet. Okay.

Board Member Montesano: No, you just keep bouncing along.

Chairman McNulty: Okay.

Ted Kozlowski: Joe Zarecki contacted over the winter and he told me that this gentleman that owns his property was thinking of putting a pond in. But what Joe didn't tell me was that the pond was going to be built...

Board Member Taylor: In the wetland.

Ted Kozlowski: into a wetland. And...

Board Member Brady: That's the pond.

Ted Kozlowski: it's a landscape pond. I have a big problem with that from an environmental standpoint. It's taking a wetland natural habitat and creating, basically, a landscape pond which destroys functions. It takes away a lot of the benefits of a wetland. It's a big piece of property and I would have to see this to make an argument and all the documentation. It's definitely something, again, that should be a site walk. Definitely something for me to inspect further. But from the outset, I have a real problem. It's a president setting thing. I would...Over the past...Just recently, a matter of fact, I met with somebody on Farm to Market Road and told them that I really oppose the idea of putting a...making a natural wetland and turning it into a pond. He understood and fled. And fortunately, walked away from it. But I think setting this kind of precedent is not a good thing to do. I'll be happy to look at the wetland and maybe it's something very degraded and artificial and really not important. But this is close to Stephen's Brook.

Board Member Taylor: Yeah, But that's...

Ted Kozlowski: It's, you know, what happens when this thing becomes eutrofied and drains into Stephen's...I mean, there's just a lot of potential negatives that can come out of this. And it's really not something that is critical to someone's development or critical to the value of this property or whatever. It's really for aesthetics. And I have no problem with creating a pond, but I have a problem with creating a pond out of a natural wetland. I just...It's not something I would...

Chairman McNulty: is there a specific...

Ted Kozlowski: It's going to take a lot of convincing for me to give you my recommendation saying yes, go for it.

Chairman McNulty: There specific...I never heard of a landscape pond, per se. Is that a...

Ted Kozlowski: Well, it's just a pond. It's...

Chairman McNulty: Is there a certain depth to it? Or is it just there to look...

Ted Kozlowski: No, no. It's just to look nice.

Rich Williams: It's an artificially created pond.

Ted Kozlowski: Right.

Board Member Taylor: Yeah.

Chairman McNulty: So it's...

Ted Kozlowski: It's to look nice. And my feeling is, okay, somebody's going to look at this so they may stock it with coy which is not native species. And then they're going to treat it with algaecides. I don't know what they're plan is.

Chairman McNulty: It looks like it's in a steep-slope area.

Ted Kozlowski: It looks like it's a convergence...

Rich Williams: It's down on the level flat part.

Ted Kozlowski: Right. It look like the convergence of a lot drainage areas that eventually winds up into Steven's Brook. And, you know, they even say in the document...

Chairman McNulty: This is very steep right here.

Ted Kozlowski: that it's a CTS stream.

Board Member Taylor: Yeah, and this is a ravine. They've got it off to the side.

Ted Kozlowski: I just...

Board Member Taylor: It's right there.

Chairman McNulty: How does our Code come into play with something like this?

Rich Williams: He needs a wetlands permit. I mean, he's within a limiting distance of Steven's Brook, I believe.

Ted Kozlowski: Yeah.

Board Member Taylor: Yeah.

Chairman McNulty: So it's just an alteration to a wetlands. That how we look at is? There's no...

Rich Williams: Well, again, I don't...

Chairman McNulty: Because to be honest, I saw the application and I've never seen...

Ted Kozlowski: He's probably, I would think he also may need an Army Corp of Engineer permit. He says he doesn't but...

Chairman McNulty: It says Stormwater Soil Erosion Sediment Control Application. I've never seen that one.

Rich Williams: Right. I have, you know, I haven't been out there. When he contacted me to do this, I contacted Teddy; let Teddy go out there. There's a stream coming down; I know he's within the limiting distance of that. Is this a regulated wetland? I don't know.

Ted Kozlowski: I don't know. I have to see it. Like I said, I'm open to this right now. But philosophically, and if this is a Town regulated wetland and it's a productive wetland and it's on top of Steven's Brook and it's...

Chairman McNulty: You're talking about a quarter acre size pond.

Ted Kozlowski: This is not a situation where somebody has a lot and they need this developed and they, you know, or else they're going to lose the property or...This is not an emergency. This is an aesthetic improvement to someone's property. And it's a big piece of property. So it's not say you can't put this pond someplace else, they want this pond here because it's a wetland and there's water going to it and that's what they're going to use as their base for a pond. But you're taking a wetland that is...that could be good habitat for all sorts of wildlife. It is definitely a buffer and a filtration for Steven's Brook. It's a tributary, most likely, to Steven's Brook. So now you're taking that, that whole ecosystem, and you're destroying it to make a pond.

Chairman McNulty: Imagine if you're going to build...

Rich Williams: But philosophically, you have to put these ponds in this area because if a pond is to be healthy, you need an inflow of water and outflow.

Chairman McNulty: Yeah.

Rich Williams: It's when you create these ponds in dry areas that are, you know, not getting any kind sort of recharge into the pond and they're just sitting there, they stagnate and they go green.

Ted Kozlowski: Well, that's not necessary, Rich. Not necessarily true. If they find a high water table, they can dig hole and have a pond. They don't need...And that pond will...the water will come and then water will flow out.

Rich Williams: I understand. But you still have an inflow of water. Whether it's from a surface source or a groundwater source...

Ted Kozlowski: Right.

Rich Williams: because find it deep...

Ted Kozlowski: But it's...

Rich Williams; You have to have a flow of water to a pond.

Ted Kozlowski: Right, but if you have a high water table, you're not effecting, necessarily effecting a wetland.

Rich Williams: If you have a high water table, you have a wetland.

Chairman McNulty: You don't see a dam...

Ted Kozlowski: Not necessarily.

Board Member Ladau: Depending on how high.
[Laughter]

Ted Kozlowski: No. Not necessarily.

Board Member Taylor: Essentially, yes. Creating a dam. [Conversation with Chairman McNulty]

Ted Kozlowski: You can have a perfectly dry ground and you go down four feet, five feet, you hit a water table. [Conversation with Rich Williams]

Board Member Taylor: Because they're digging the...The sediment they're taking out.

Chairman McNulty: Just going to bowl it out.

Rich Williams: Yeah, but that's what I'm saying. If you...That's what people do. They take these dry areas...

Board Member Taylor: But they're talking about going down 10 feet. If you look at the...

Ted Kozlowski: Right.

Chairman McNulty: I haven't looked at these yet.

Rich Williams: they dig down till the hit the water table and there's not enough water to push out.

Board Member Taylor: Cross section.

Chairman McNulty: It's not going to last long. It's going to fill right in with silt.

Rich Williams: It's only have your, either (inaudible too many talking) or pushing out of the ground. And if it's pushing out of the ground, you either have a wetland or you have a stream.

Ted Kozlowski: Right. But then let's go back to the focus of the wetland law...

Chairman McNulty: Yeah. Eleven feet. Not even. Nine feet.

Board Member Taylor: Yeah. They're digging a lot out.

Ted Kozlowski: which basically says that the only...

Board Member Taylor: They're only creating a grade around it to retain the water.

Ted Kozlowski: We issue wetlands permits when we realize that it's not going to be a detriment to the natural resources of the Town.

Chairman McNulty: He doesn't have any kind of cattle or sheep or grazing that's going to need this water, do they?

Ted Kozlowski: And I feel that doing something like this, now I could be wrong, when I go out there, maybe it's...

Board Member Taylor: No. They're talking about putting lawn around it.

Chairman McNulty: It's not for any agricultural purposes.

Board Member Taylor: No.

Ted Kozlowski: Maybe it's what we found up at Fox Run.

Rich Williams: I've been there. I don't...

Ted Kozlowski: But if it's not, it's a detriment. And it's not necessary.

Board Member Taylor: Put a dam right there. (Inaudible – too many talking)

Ted Kozlowski: This is an unnecessary project.

Board Member Taylor: No wetlands there. You'll have the deal with the discharge. Yeah, I know that.

Ted Kozlowski: It's really an aesthetic project for someone; for a homeowner.

Chairman McNulty: A steep wall, this is.

Board Member Taylor: Yeah.

Chairman McNulty: Yeah. I don't know how they're going to get access to it. That's why it's an odd place for a landscape pond.

Board Member Taylor: They've got a trail. They've got a trail going down there.

- Board Member Montesano: But I like coy. I think they ought to be...Everybody ought to have them in front of their houses.
- Board Member Brady: Go pull them out at the diner.
[Laughter]
- Chairman McNulty: So this is another site walk.
- Board Member Taylor: Yup.
- Ted Kozlowski: He's got a pond. He's got a nice pond.
- Chairman McNulty: Stakes. Some kind of end to end length of the pond where they propose to put it without...
- Board Member Montesano: It's deep enough.
- Board Member Brady: I put a pond at my old house in...
- Rich Williams: Or at least a stake in the center.
- Chairman McNulty: Center.
- Board Member Montesano: Let me tell you, the raccoons used to love it.
- Board Member Ladau: That's right.
- Board Member Montesano: They'd be over there and it would be clump, in, out.
- Board Member Brady: mosquitos, driving me nuts.
- Chairman McNulty: Alright, any other comment on this? I think a site walk is going to be needed with Ted. Ted, you'll have to come on that site walk if we do this.
- Board Member Montesano: Right. Now we don't have a site walk.
- Ted Kozlowski: When's the site walk?
- Chairman McNulty: We don't know when, but, we're going to need one.
- Board Member Montesano: Sometime.
- Board Member Ladau: When is the site walk? I'm sorry.
- Chairman McNulty: We didn't set it yet. I know I can't do it this Saturday.
- Ted Kozlowski: I can't make it the next two weeks.
- Rich Williams: You can't make it Saturday?

Chairman McNulty: I'm working; first thing in the morning.

Board Member Montesano: Well, you're going to have to...

7) Patrick O'Mara & Lost Lake – Lot Line Adjustment – Continued Review

Chairman McNulty: Okay, we're moving along to...

Board Member Montesano: Mr. O'Mara.

Chairman McNulty: Patrick O'Mara, Lost Lake.

Board Member Brady: Damn. I was looking for a site walk Saturday.

Chairman McNulty: I see...

Rich Williams: Huh?

Board Member Brady: I was looking for a site walk Saturday.

Chairman McNulty: But it doesn't mean you can't do it.

Board Member Brady: My wife's got stuff for me to do. I don't want to do it.

[Laughter]

Board Member Montesano: It's on the minutes.

Board Member Brady: She knows it. I've already said it.

Chairman McNulty: Is this a new application or this...

Rich Williams: No. This is a continuation of the old application. They finally...

Chairman McNulty: But I see a new copy.

Rich Williams: They finally resubmitted some of the documents that we had asked to fix. They didn't fix everything but they fixed some of it.

Chairman McNulty: Okay. And a short EAF accompanied it.

Rich Williams: Yup.

Chairman McNulty: Okay. So we actually drove by this lot. Right? Remember we were out a couple of weeks back. A month or so.

Rich Williams: Mhmm.

Board Member Montesano: Yup.

Board Member Brady: I broke my finger. It never healed and then you grabbed me. Plus I've got no fingernails.

Chairman McNulty: And I think we had some talk about fence maybe. Or...

Rich Williams: Well, there's three parts to this. I...

Chairman McNulty: Yeah, let's go back. We've got to review it.

Rich Williams: He basically extended his parking lot on to somebody else's property. So part one is he needs to do the lot line adjustment so that he has full control over the property he's using.

Board Member Montesano: Mhmm.

Rich Williams: That's where we are. Part two is we then have to change the zoning to accommodate the change in the commercial use of the property. And then part three is he needs to come back in and get site plan approval for the additional parking that he's created. And we get to part three, my recommendation's going to be that he has to put a guardrail up.

Chairman McNulty: On that wall.

Rich Williams: Yeah.

Chairman McNulty: Yeah.

Board Member Montesano: Yeah, but we're not getting a lot of insurance.

Board Member Taylor: Okay, what about impervious surfaces and drainage for this parking?

Rich Williams: We'll take a look at it. Such a small area.

Board Member Taylor: So it's not significant?

Rich Williams: And it's drained off to the back down towards the lake. You got the...

Chairman McNulty: Yeah. And it was gravel and item 4 there, I think, off the backend of that parking lot.

Rich Williams: At the very tail end, yeah.

Chairman McNulty: So as far as we're concerned, he should go to zoning first, right? Or you can't do that till the lot line's adjusted.

Rich Williams: No. We have to do the lot line.

Chairman McNulty: Okay.

Rich Williams: And then he has to go to the Town Board. Then he has to go back to us.

Chairman McNulty: Town Board or Zoning Board?

Rich Williams: Town Board.

Board Member Montesano: Town Board.

Chairman McNulty: For the lot line.

Rich Williams: For a zoning change.

Chairman McNulty: For a zoning change. Zoning change. Got you. It's not a variance.

Rich Williams: No.

Board Member Taylor: So, is this SEQRA premature?

Rich Williams: No.

Board Member Taylor: But it's got to go to Zoning and the Town Board.

Chairman McNulty: No, just Town Board.

Board Member Montesano: No. A lot...

Rich Williams: It has to...They can each do their own individual SEQRA evaluating the impacts of what they're proposing to do because they're really three independent actions.

Board Member Taylor: Okay.

Chairman McNulty: So he...Right now, we have a lot line adjustment in front of us. Procedurally, to...I know we did one of these recently, do we need SEQRA to do a lot line adjustment?

Rich Williams: Yeah.

Chairman McNulty: We do. So the site plan will require its own SEQRA then.

Rich Williams: Mmhmm. Yeah.

Chairman McNulty: So, we've all looked at this. I don't think any of us oppose the lot line. It makes common sense to do what he wants to do and get his parking lot out of his neighbor's property and make it his.

[Laughter]

Chairman McNulty: And then we can assess it properly. As far as paperwork wise, I haven't reviewed his application. Have you looked at it? Are we in a position...We don't need to do a public hearing on a lot line?

Rich Williams: You don't need to do a public hearing.

Chairman McNulty: So...

Rich Williams: We're currently going through the paperwork.

Chairman McNulty: So, we do a SEQRA and then we do...

Rich Williams: A resolution.

Chairman McNulty: a resolution on the lot line.

Rich Williams: Right.

Chairman McNulty: So we can do that as early as this week I think.

Rich Williams: Mmhhh. If everything is okay.

Chairman McNulty: Yeah. I see... You know, I've seen... I haven't looked at all the paperwork. But from what I've seen of the request it's reasonable.

Board Member Taylor: Yeah, I've got no problem with him... I just didn't... In terms of... I don't like this stuff where there's a SEQRA, SEQRA, SEQRA, SEQRA.

Chairman McNulty: Well, you love SEQRA, Ron.

Board Member Taylor: Yeah, but I'd like to do one SEQRA for the whole thing.

Chairman McNulty: Yeah, but it's multiple applications. That's the problem.

Board Member Taylor: Well, I don't see why they can't be one SEQRA that encompasses all the applications.

Board Member Montesano: Well, it's difficult to say yes, yes and then no.

Chairman McNulty: Can we make the lot line resolution...

Board Member Montesano: We can try it. Poor Mike would go crazy.

Chairman McNulty: you know, contingencies to complete the zoning change and... I mean, I don't want to grant this and then we don't see the applicant again and the zoning doesn't happen.

Rich Williams: Yeah, but then he's in violate...

Chairman McNulty: And then the site plan.

Rich Williams: Then he's in violation. The problem with... He needs to do the lot line adjustment so that he can do the zoning.

- Chairman McNulty: I understand.
- Rich Williams: And he needs to do the zoning so he can come back in and get the site plan. So it's... You've got to do step one, step two, step three.
- Chairman McNulty: Alright. So none of this resolution for a lot line would have any requirements to do those future items.
- Rich Williams: I wouldn't tie it in.
- Chairman McNulty: Okay.
- Rich Williams: I probably would talk to Bob about sending him a notice of violation as soon as the lot line adjustment is done so that he continues...
- Chairman McNulty: To motivate him.
- Rich Williams: he continues coming in.
- Board Member Taylor: I just think we need... we should state in the resolution that these next two steps are necessary. Not make it contingent upon them but just so that it's there.
- Chairman McNulty: Somehow it's in print that we, as a Board, approve this knowing that there were...
- Board Member Brady: More steps for him to make. Yeah.
- Chairman McNulty: additional steps.
- Board Member Montesano: We approve part one: the lot line adjustment. Part two and three must be done within a reasonable time such as thirty days.
- Chairman McNulty: Well, I wouldn't know if I'd call them parts because they're not associated with this so much. They're additional items that have to be addressed.
- Board Member Montesano: Well, then name it an item. We don't have to use the word part. We'll call it item one, two and three.
- Board Member Brady: If he doesn't do them, it's, you know, it's only hurting himself, you know.
- Rich Williams: If he doesn't do them he's in violation.
- Board Member Brady: Yeah.
- Chairman McNulty: Well, that should be stated, that, you know, these other additional items must be completed or he will be in violation of his lot line adjustment.
- Board Member Montesano: He's done these things before, so...

8) Maplewood North Homes Subdivision – Preliminary Plat – Continued Review

Chairman McNulty: Okay. Moving along to Maplewood North Homes. My first question would be did we resolve the town line dispute?

Rich Williams: No.

Chairman McNulty: So is there any discussion to be done on this then?

Rich Williams: Yes.

Chairman McNulty: Okay. That answers my questions.

Rich Williams: So they resubmitted the plans. They're pretty straight forward in all respects with the exception of this issue that with the location of the town boundary, municipal boundary line, which they are showing in a location different than we show on our tax map. Their response is that they used two subdivisions, neither of which are filed in the Town of Patterson, to extrapolate out the location of the municipal boundary. That, to me, does nothing because I don't have those subdivisions. I can't see, you know, what they're pulling off of. And that doesn't necessitate that they put those boundaries in the right location either.

Board Member Taylor: Yeah, but what it might mean is Patterson could assess part of Mount Ebo Park. It would increase our taxes, right?

Rich Williams: We could grab a chunk of it.

Board Member Taylor: Yeah.

Rich Williams: So I've talked to another surveyor off the record. He said, you know, this is definitely an issue. You know, he basically said the problem is when they created the municipal boundaries, they are not monumented down so it is impossible for a surveyor to actually go out and decide where the municipal boundaries are. Then it all falls back to the assessors and Town Law Section 40, I believe, which designates the assessors as fence viewers. They actually determine where boundaries are located; property boundaries under Town Law. And this is a situation that's happened in other municipalities. And basically what it is, is the surveyors agreed to where the boundary is or is not. And, you know, that's the end of it. So...

Chairman McNulty: How far off do we think this is? Five feet?

Board Member Taylor: Oh, no.

Chairman McNulty: A hundred feet?

Board Member Taylor: Yeah.

Rich Williams: A hundred and twenty feet.

Board Member Taylor: Yeah.

- Chairman McNulty: Oh, that's a big difference.
- Board Member Brady: Yeah.
- Board Member Taylor: Yeah. It would wipe out the swamp.
- Rich Williams: And the problem is...
- Board Member Taylor: (inaudible – too many talking).
- Chairman McNulty: You think it would be down here?
- Rich Williams: And the problem is, if you consider the Town line, the town boundary between Southeast and Patterson as a straight line, if we use this, what he's proposing, then we pick up part of Mount Ebo Park but we'd lose Rose Lane.
- Board Member Taylor: Right.
- Rich Williams: That becomes part of Southeast.
- Board Member Taylor: Yeah.
- Chairman McNulty: But no longer a straight line.
- Rich Williams: Or...Or, we accept this line, and this gets filed at the County, in which case, at some point, the municipal boundary now is not going to be a straight line, there's going to be a jog in it. I'm okay with either one. Not so okay with the Rose Lane thing, but...
- Chairman McNulty: I don't know where Rose Lane is.
- Rich Williams: It really comes down to what the...What I believe the assessors are going to say. So I have discussed this with Chris [Boryk]. He's discussed it with the assessor down in Southeast and I've also, you know, bounced it back to our Town Attorneys: Mike Liguori. And waiting for an opinion from him. And that's where we stand.
- Board Member Taylor: So are they going to drive down there, stand on what they think is the boundary and look one way and look the other and make an agreement? Shake hands and...
- [Laughter]
- Rich Williams: Yeah, pretty much.
- Board Member Ladau: They've been doing that since the days of the Indians.
- Board Member Brady: Bring a...
- Chairman McNulty: Bring in the Brewster and the Patterson Assessor, is that what you're saying?
- Board Member Taylor: Yeah, that should be real interesting.

Board Member Brady: Bring a cooler. Bring a cooling suit out there for...

Board Member Montesano: No wampum and just bring the good scotch.

Chairman McNulty: So at this point, there's really not much we can...

Rich Williams: Not a lot we can do with this.

Chairman McNulty: No.

Board Member Ladau: No.

Chairman McNulty: And we've done a site walk.

Rich Williams: Mmhmm.

Chairman McNulty: We haven't done SEQRA, right?

Board Member Taylor: No, we haven't.

Rich Williams: But you also rescinded...

Board Member Taylor: But we accepted Southeast SEQRA.

Chairman McNulty: Yes.

Rich Williams: Yes. You accepted Southeast.

Chairman McNulty: Yeah.

Board Member Taylor: Yeah.

Rich Williams: But you also made a recommendation on the referral to the Town Board and then you rescinded that and you still have yet to make a recommendation on the open development overlay issue where they are looking for a variance from the Town Board.

Chairman McNulty: But, can we really do that without the settled...

Rich Williams: I think it's fair game for you to actually formulate a recommendation assuming that they are correct. If they are not correct, then you just, you know...

Chairman McNulty: Then the recommendation gets reneged.

Rich Williams: It will...

Board Member Taylor: It all goes away. We start over again, right?

Rich Williams: be an exercise in Planning. Yeah.

Board Member Taylor: Yeah. Well, there's still a few issues here. There's this drainage I think is an issue. Somebody flagged it. Was it you or was it where Ron...They've got these...this pipe that runs down beyond...

Rich Williams: I flagged it as an issue. If they just discharge out of the end of the infiltrators and let it just run down the hill from each infiltrator, they don't have to throw in, you know, all this piping. The outfall and the manhole. I think they drop out one or possible two manholes.

Board Member Taylor: Yup.

Rich Williams: I'm not sure why they're doing that. In their response they said they went there with a representative from Green Chimneys. Being as the water is being discharged onto Green Chimneys, Green Chimneys wants to see it as a single point. But it's still not making any sense to me. So...

Board Member Taylor: And what it creates is three separate owners have to deal with these drains that are coming together because it's on Lot 1 and 2.

Rich Williams: Yup.

Board Member Taylor: They're merging the drains together. See, they've got a pipe coming down here and it merges with this pipe coming from here. And then they extend it beyond the boundary of the property onto what would be the third parcel, where it's actually discharging.

Chairman McNulty: Green Chimneys.

Rich Williams: Right.

Board Member Taylor: Yeah. So it's like common driveways. I mean, it's who's going to...And they've got manholes all the way...It's 12" inch pipe or something? It's a big pipe.

Rich Williams: I thought it was 6 [inches].

Board Member Taylor: But they've got these manholes along here.

Board Member Brady: So who's going to maintain them?

Board Member Taylor: There's one here. There's manholes.

Rich Williams: The property owners.

Board Member Brady: Nobody. Yeah, but if it goes...

Rich Williams: That's the problem.

Board Member Brady: If it goes on...If it's on my property and, oh you know...Mine's clean, yours is clogged, you know.

Board Member Taylor: Yeah, and it's...

- Rich Williams: The drainage systems, for all intents and purposes, are separate.
- Board Member Brady: Right.
- Rich Williams: Except at the end of the day, they are tied together in this one location.
- Board Member Taylor: So I would agree with you. I don't think...I mean, we're creating a headache.
- Rich Williams: Well, it's a lot of excessive clearing that they don't need to do.
- Board Member Taylor: Yeah, so it's...Alright. Well, we had...I had proposed some questions about how to do this easement stuff. I had reached out asking for some of these trail people, whether they had packaged easements. Like Appalachian Trail. When they get an easement across somebody's property, do they have a package of how wide it is and that...Because we have the 100' buffers for wetlands. What would the buffer be for trail? You know, is it 10' on each side of the trail or...
- Rich Williams: Well, it's...Depending on what you want to do. If you just want a hiking trail...
- Chairman McNulty: You're talking about the Ballyhack Road in particular?
- Board Member Brady: Right.
- Board Member Taylor: Yeah. Yeah. To the access road coming up to Ballyhack was what I would be talking about. It would be along this boundary here.
- Rich Williams: You want enough area so you can use whatever you're taking for the intended function, plus enough area to make sure you can do whatever maintenance you need to do on it.
- Board Member Brady: And don't you have to have enough area that if somebody gets hurt they...you're able to get in there to get them out on a trail?
- Rich Williams: Well, if it's a walking trail, if it's a hiking trail whoever is...
- Board Member Brady: You have to...
- Rich Williams: getting them out is hiking.
- Chairman McNulty: Yeah.
- Board Member Brady: Alright.
- Board Member Taylor: So, I don't know. Do you...So 10'?
- Board Member Montesano: A helicopter.
- Board Member Taylor: Is that enough?

- Rich Williams: You know, I...Where Ron is going with this, I think, is he's looking for a trail following the Ballyhack...
- Chairman McNulty: An easement to get to the trail.
- Rich Williams: Yeah, I don't know that he's going to be able to get that from anybody. But he can ask. I can tell you, I wouldn't want people walking down near my house on my property.
- Board Member Montesano: Maybe we can get the helicopter up.
- Board Member Brady: No, I wouldn't either. But it's...I understand Ron's point; what he's trying to do.
- Board Member Montesano: We'll get (inaudible) to donate a helicopter.
- Chairman McNulty: Okay, then we're back to the recommendation to the Town Boar. I'm sorry, Ron. Did you have something else?
- Board Member Taylor: Yeah. No, I just...
- Chairman McNulty: Do we relieve him of the overlay or hold...This property is not in the overlay district, correct?
- Rich Williams: It is in the overlay district.
- Board Member Taylor: It is in the overlay.
- Chairman McNulty: It is.
- Rich Williams: They are seeking a variance so that they don't have to comply with the overlay. And the question is: You just want to give them a straight variance which is basically what you did. Or do you want to attach conditions which further the intent of the overlay district.
- Board Member Taylor: I think we should attach conditions.
- Chairman McNulty: Yes.
- Board Member Montesano: Definitely.
- Chairman McNulty: I would defer to Rich on some kind of wording on that.
- Board Member Taylor: Yeah.
- Chairman McNulty: I don't...
- Board Member Taylor: Well, we need to talk about what we're trying to protect here. You know, and then he can put the wording in. I mean, we've got to define an area where...
- Chairman McNulty: Well, viewshed is one of them because we're looking at the top of the hill. We didn't want anything developed up there, correct.

Rich Williams: Yeah. And then Ron gave you a whole lot of information you should have reviewed at this point to help...

Chairman McNulty: Well, I did. But that was a while ago.

Board Member Brady: Yeah.

Rich Williams: That was...

Chairman McNulty: I got to go back to...

Rich Williams: That was a month...

Board Member Brady: That's a long time.

Chairman McNulty: time ago. That was a month and a half ago because he got it out before the meeting.

Board Member Taylor: Yeah, right. I mean, I could, if you want, I can draw a dotted line on a map and we can discuss that. And some of it can include what I'm trying to propose for this historic easement because the two would run together in some ways because we're trying to protect the top of that slope, too, above Green Chimneys, aren't we? Because it's wetland and...

Rich Williams: For me, it's about maintaining the rural character of the community and, you know, trying to keep developed areas, you know, at least bunched together. You know, consolidated so that you don't spread them all over the hillside and so that you're not impacting the natural resources. You know, however you need to do that to get to that end game is what you need to do. So, yeah. I would be looking to impose some sort of conservation easement against clearing. You know, against site disturbance, against structures, whatever.

Board Member Taylor: Alright. Well, that's...

Chairman McNulty: Yeah, go back to Ron's notes, look at them, review the...

Board Member Taylor: Yeah.

Chairman McNulty: overlay code again.

Board Member Taylor: I'll make a suggestion on the map in terms of what should be eased and what shouldn't be.

Chairman McNulty: On the historical part of it.

Board Member Taylor: Well, it will be both. It will be conservation and historical. And then we'll see where we go with that.

Chairman McNulty: Okay, but outside of that, do you know when the assessors will talk or are they in motion on it?

Rich Williams: We're way...Everybody's on hold right now pending Mike Liguori's opinion.

Chairman McNulty: Okay. Okay, any more comment on that?

Board Member Taylor: Nope.

9) Fox Run Active Adult Residential – Continued Site Plan Review

Chairman McNulty: Okay, let's move along to Fox Run is back. Adult Residential Community. They've done some engineering. I haven't had a chance to look at this at all yet.

Rich Williams: Yeah, we've got full PDFs. Have they been put out there for everybody, the PDFs?

Board Member Taylor: No.

Chairman McNulty: No, I haven't seen a PDF come through.

Board Member Taylor: I didn't get it.

Rich Williams: Okay. Yeah, we've got a full PDF.

Board Member Taylor: Okay. That would be helpful.

Rich Williams: We gave them...We asked for the smaller plans.

Board Member Taylor: Yup.

Rich Williams: We'll get you the PDFs.

Chairman McNulty: Has anybody had a chance to look at this?

Board Member Taylor: Yeah, I looked at it. One of the things, I'd like to hear the fire department's opinion of all these trees they've got preventing access around the buildings.

Rich Williams: All the trees that they've got?

Board Member Taylor: Yeah. It's...

Rich Williams: Usually they're going to be less concerned with that. And Ron, typically what we do is we run all this through Dave Raines.

Board Member Taylor: Okay. So...

Rich Williams: Our Fire Inspector.

- Board Member Taylor: So he'll comment on that.
- Rich Williams: And he's definitely going to be looking at water supply in the area.
- Board Member Taylor: Yup. Well, it's just it's the planting plan. They've got spaces between the buildings so that you could get behind the building, you know.
- Rich Williams: Mhmm.
- Board Member Taylor: But they've got a tree in each of those spaces. That's what I'm talking about. I mean...And they've got one small pad down here for snow. Where are they going to put the rest of the snow? And this infiltrated they're proposing, that's something new.
- Rich Williams: No. We've been using them for years.
- Board Member Taylor: Okay. We just have seen them...
- Rich Williams: But it's new on the plan.
- Board Member Taylor: Yeah, they had a pond before.
- Rich Williams: Well, they had a stormwater treatment area probably.
- Chairman McNulty: Yeah. With stormwater practices.
- Rich Williams: And if I remember correctly, they had two of them.
- Board Member Taylor: Yeah, they had one back in here.
- Rich Williams: Yeah. And now they're just showing the one. And they're showing the infiltrators which perhaps can handle...I don't think they're going to handle all of the...first two inches of runoff. But then where is the rest of the rainfall going? And I think what they're going to do is they're going to propose to push it down to the pond down the hill. And if they're going to do that, they're going to take ownership of the pond.
- Chairman McNulty: See, the next plan shows it better. One plan back.
- Board Member Brady: And he just blacktopped those roads, too, didn't he? I think they blacktopped the roads in there.
- Chairman McNulty: Here's what you thought was...
- Board Member Taylor: Yeah.
- Chairman McNulty: previously a pond.
- Board Member Taylor: Yeah.
- Board Member Brady: I think they did.

Board Member Taylor: They did have a pond right here in the low area, right?

Chairman McNulty: Mmhmm.

Board Member Taylor: They've eliminated it.

Board Member Brady: I could be wrong.

Board Member Taylor: So there's issues in terms of that then.

Rich Williams: With stormwater?

Board Member Taylor: Yeah.

Rich Williams: Oh, there's a lot of issues with the stormwater. You know, and here we go, I'm going to run into the same fight and I'm going to tell them the right up front, I'm in the same fight with Hebert where I said listen, you know, you've got a pond where you've got two contributing sources. You have to look at both of them.

Board Member Brady: Yeah.

Rich Williams: And that's where he said no, I'm not going to do that. Well, if he's going to use this pond, and if this pond was originally designed for stormwater from, you know, the Fox Run community, existing, then he's got to look at the existing plus what he's adding in here: both.

Board Member Taylor: Yeah. Also, I think they should provide us...They had us...a cross-section before, from [Interstate] 84 through...

Chairman McNulty: The elevations, yeah.

Board Member Taylor: For the elevation. They should do it for Building 11 and 10 to see if they need landscaping behind those buildings. Because there's nothing on the landscape plan. They just show the tree-line, where they cut out the tree-line. And they talked about, if need be, they would provide some landscaping behind.

Chairman McNulty: I'm just looking at some of this steep slope through this rock for the roadway.

Board Member Taylor: Well...Yeah.

Board Member Brady: Yeah.

Board Member Taylor: that's what we talked about.

Chairman McNulty: And then I'm looking at Building 14 and Building 13 there...

Board Member Taylor: Yeah, there's a...

Chairman McNulty: Building 14 in particular.

Board Member Taylor: There's a chart with the roads on it where they show the elevations of the roads. I don't remember which one it is.

Board Member Brady: Remember we walked through there the second time and we looked at that and how big those cuts were going to be for that road and they were like no, no, no. Yeah, a lot of cutting.

Board Member Montesano: It's all in your imagination, not theirs.

Board Member Brady: Yeah. I built mine on (inaudible – papers shuffling).

Board Member Taylor: The other thing I'd like to talk to them about is their phasing; their proposed phasing which is page 8.

Rich Williams: What's wrong with their phasing?

Board Member Taylor: Well, I would like to see them do the entranceway as part of Phase 1.

Rich Williams: Entranceway?

Board Member Taylor: Yeah. Where the...

Rich Williams: Oh the...Down at the very front?

Board Member Brady: Fox Run.

Board Member Taylor: All the way down. Yeah. And do the pool as part of Phase...as Phase 3. And then do Phase 4 and what they have as Phase 3 rather than leaving the pool and the entranceway and the landscaping as the very last thing that they do. Can we...

Rich Williams: Well, we could talk to them. Where I had an issue with the phasing plan is they're going to build phase 1 which includes 10 units up front. Something like that. And then the water supply system. They're going to have to do the water supply system right up front.

Board Member Taylor: Yeah.

Rich Williams: So that's got to be part of Phase 1.

Chairman McNulty: And I would think the entry you'd want done up front, too.

Board Member Taylor: That's what I'm saying.

Chairman McNulty: I mean, how are you going to sell the units?

Board Member Taylor: Yeah, that's what I'm saying. And they're doing the stormwater.

Rich Williams: But... Yeah, but now you've done these ten units and to construct the whole rest of the project...

Chairman McNulty: You've got to go in and out through Phase 1.

Board Member Brady: Through that. Right.

Board Member Taylor: Yes.

Board Member Brady: Right.

Rich Williams: So those people, the quality of life with all that construction equipment, the gravel in and out, and everything else, that' could be a problem.

Chairman McNulty: Well, could they create a construction...temporary construction? Like...I don't know what phase this blue Phase 3. Part of Phase 3 back out.

Rich Williams: I don't know. Do we want to bring them in by the pool? And then you've got the impact of all the construction over by the pool. So, I don't know. I'm thinking about this.

Board Member Taylor: Yeah, I just don't to leave everything that they promised...

Chairman McNulty: To the end.

Board Member Taylor: To the end.

Board Member Brady: Yeah, right.

Board Member Taylor: As their payoff. Yeah, you know, let's...Like without road at up here that after 20 years still hasn't been paved. You know...

[Laughter]

Chairman McNulty: Which one is that?

Board Member Taylor: Oh, it's up in the (inaudible). [Route] 292 in there.

Chairman McNulty: Oh yeah, yeah.

Board Member Taylor: One that was before the Board years ago and then they dropped it.

Rich Williams: Meadowbrook Farms.

Chairman McNulty: Meadowbrook.

Board Member Taylor: Yes. That's it.

Rich Williams: By the way, the Meadowbrook Farms Association prevailed on the lawsuit all the way through.

Board Member Taylor: Oh, good.

Chairman McNulty: They did. So there's no future development there?

Rich Williams: No, not necessarily. But the property owner, you know, who has that Phase 2, you know, now has to substantially contribute to the cost of the upkeep.

Chairman McNulty: Okay.

Rich Williams: Which he hasn't been doing.

Board Member Taylor: Okay.

Rich Williams: They're working out the numbers.

Chairman McNulty: So, I take it you and Ron are doing a review on this.

Rich Williams: Oh, yeah.

Board Member Taylor: And also, they don't show us a cut at the driveways. So we see whether... We've talked about this. Are the driveways lower than the road or are the driveways slightly elevated from the road? So is the rain going to run down into the driveways?

Chairman McNulty: Well, that's what I was looking at Building 14.

Rich Williams: No. They're going to have positive pitch out into the road.

Board Member Taylor: So...But...

Chairman McNulty: That's not on Building 14, that's not.

Board Member Taylor: They didn't show it is all I'm saying. They just... They've got cuts on all this other stuff. They didn't show a cut for...

Rich Williams: Alright. I haven't gotten that far.

Board Member Taylor: Okay.

Rich Williams: They've got to show it somehow.

Board Member Taylor: Alright, so... And I'd also like to see a proposed typical interior layout because they did promise us they would design these buildings to accommodate aging adults.

Chairman McNulty: Some of them. I don't think all of them they didn't agree to.

Board Member Taylor: Well, we can go back and...

Chairman McNulty: You're talking about one story or...

Board Member Taylor: Well, that they would have a master bedroom on the first floor. That they would have wider hallways for handicapped that would be wheelchair accessible and... I don't know. We could go back to the minutes and check to see what they said.

Chairman McNulty: Yeah. I do remember some talk about it. I don't remember in particular what it was. What was I going to say?

Ted Kozlowski: Is that inches or feet.

Board Member Brady: Six feet zero inches.

Chairman McNulty: Any elevations on the buildings yet?

Ted Kozlowski: Six inch tree.

Chairman McNulty: They haven't proposed any architectural...

Rich Williams: I don't think we've seen...They've proposed some architecturals early on.

Chairman McNulty: Early on. But since...

Rich Williams: But they...I don't think they included anything in this submission that I can recall.

Board Member Taylor: No. No, there's nothing in here.

Chairman McNulty: And that should be part of what we're looking at so we can get a concept of what these buildings are going to be like; where they're placing them.

Rich Williams: Well eventually, yeah.

Chairman McNulty: Yeah. Yeah, I'm not looking at total detail with all the complete lighting and all yet, but just some idea of what it's going to look like.

Rich Williams: Yeah.

Board Member Brady: Got to get out my magnifying glass again.

Board Member Taylor: Yeah. Well, that's why the PDF...They'll send you the PDFs.

Chairman McNulty: It's going to come PDF.

Rich Williams: I'll send you PDFs. You got a tablet?

Board Member Brady: Yeah. I have a tablet.

Rich Williams: Yeah, you're all set.

Board Member Brady: Yeah.

Board Member Taylor: There are two plans that are full size.

Chairman McNulty: Yeah.

Board Member Brady: Yeah, I know. I saw them.

Board Member Taylor: Yeah. You saw them.

Board Member Brady: Yeah.

Chairman McNulty: Okay.

Board Member Ladau: Did we decide to ignore the comment made by the Riverkeeper?

Chairman McNulty: No.

Board Member Ladau: Are we going to respond?

Board Member Taylor: Rich responded to him.

Chairman McNulty: We did.

Board Member Taylor: Did you see the response?

Board Member Ladau: I haven't...I didn't see a response.

Chairman McNulty: Rich explain, I guess, to Bob, how they FOILED.

Rich Williams: Yeah, I mean they FOILED for the whole record. I think they were building up to a lawsuit. Their principle concern was the review that had been cut and conducted by the Planning Board and...

Board Member Ladau: Mmhmm.

Rich Williams: that they felt it was incredibly deficient.

Board Member Ladau: Yeah. Mmhmm.

Rich Williams: And yeah, so I did at some point...

Board Member Ladau: Respond.

Rich Williams: send the Riverkeeper a nice little note that basically said that in my opinion that not only should they not be criticizing the Planning Board but they should be holding them up as the example of how everybody else should conduct a SEQRA review because this was the most thorough review that I have ever seen done by any Planning Board everywhere. And I don't know. We haven't heard from her in a while.

Board Member Ladau: Oh, okay.

Rich Williams: So I don't know where she went.

Ted Kozlowski: Do they come to any of the meetings?

Rich Williams: No.

Board Member Brady: They might be there Thursday though.

Rich Williams: They might.

Ted Kozlowski: I have just a few brief comments about this. There's, I think, three trees on the plan of existing large oaks that they want to preserve and they do have a tree protection plan but I'd like it a little stronger and a little more focused on those three trees, especially before construction, that it's clear that's these...we're protecting the root zones of these trees. That many times gets lost in the construction project. So, I'd like to see some stronger attention paid to those trees. And then on the landscape plan I like most of the plants they selected. However, they went back to arborvitae on something which is pure deer food.

Board Member Taylor: Yup.

Ted Kozlowski: I would rather see something else a little more native and a little more resistant even though red cedar is not totally resistant to deer. It's probably more of an appropriate tree for that area than arborvitae. So not a big deal; not a game breaker. But I think the point is that on those trees that we want to protect, if they're going to spend the time and energy protecting them, let's make sure they're protected.

Chairman McNulty: Okay. We'll wait for Rich and Ron's review and bring up some of these points at the meeting and see where it goes. Anything else? Okay.

10) Carino Holdings, LLC – Site Plan Application

Chairman McNulty: Carino Holdings, Site Plan Application. This is...

Rich Williams: Carino Holdings is back in. They're ready for a site walk whenever you gentlemen decide you want to go out. I was hoping to get you out there Saturday.

Board Member Taylor: Oh, we can, can we?

[Laughter]

Board Member Taylor: Can't we go on Saturday? Is anybody else...can't go?

Board Member Brady: I can go.

Chairman McNulty: I can't go. You can go but I can't go.

Ted Kozlowski: Just leave your credit card.

Chairman McNulty: For?

Ted Kozlowski: For the diner.

Board Member Taylor: For diner, yeah.

[Laughter]

Chairman McNulty: Grits for everyone.

Board Member Montesano: Okay.

Rich Williams: They've redesigned the building and the site. They've made the building wider and not as long. It's now 60' by 100'. They've tucked it way back into the corner so they don't meet zoning setbacks at all.

Chairman McNulty: Position me again. Carino Holdings is the property adjacent to the existing property on the left? To the big warehouse?

Rich Williams: It's adjacent to Eurostyle marble.

Chairman McNulty: Eurostyle Marble. It's up the hill from it.

Rich Williams: Halfway up the hill.

Chairman McNulty: And it had the wetlands all out in front of it.

Rich Williams: Correct.

Chairman McNulty: And they want to cut into the side of the mountain, basically, to get it in.

Rich Williams: Right.

Chairman McNulty: Okay.

Rich Williams: They're proposing infiltrators up in front. I've had a, at least one, meeting with them to talk about the design.

Board Member Taylor: Now are these wetlands functioning or are these the ones that...

Rich Williams: No, they're functioning.

Board Member Taylor: Okay. So it's...

Chairman McNulty: Not where they've been in and been any construction.

Ted Kozlowski: This is not a Pete Montagleone property.

Board Member Taylor: This isn't the one farther down?

Rich Williams: No.

Board Member Taylor: Okay.

Rich Williams: I won't say that there's the best grade of wetland, but they are wetlands.

Board Member Taylor: Okay.

Ted Kozlowski: No, I'd say most of the wetlands in that area has...

Chairman McNulty: Been trampled in.

Rich Williams: They've all been impacted, one way or the other.

Ted Kozlowski: Yeah. Except the big State one.

Rich Williams: Even that's been impacted. Somebody tried to put a road through.

Ted Kozlowski: Whatever happened to him?

Chairman McNulty: Is this just...

Board Member Brady: This is where they were excavating the cliff back?

Rich Williams: No.

Board Member Brady: No. This isn't that one?

Rich Williams: Next one up the hill.

Board Member Brady: Oh, okay.

Chairman McNulty: We do have an application, right?

Rich Williams: We do have an application.

Chairman McNulty: I got to find it now.

Rich Williams: He's also submitted architecturals. They're interesting to say the least.

Board Member Brady: Pre-fab metal building.

Rich Williams: Yup. My favorite.

Board Member Taylor: It's an industrial park.

Chairman McNulty: Yes, exactly.

Rich Williams: But also garage doors on the front of the building exactly where all the parking's going to be.

Board Member Taylor: Oh. That's interesting.

[Laughter]

- Rich Williams: And a garage door on the back of the building where it's cut into the slope.
- Board Member Taylor: Oh.
- Board Member Brady: That works.
- Chairman McNulty: Well, does he have any roadway behind there?
- Rich Williams: No.
- Chairman McNulty: Oh. Yeah, I didn't think there was looking at it.
- Board Member Montesano: Well, that's in case you got to make a quick escape.
- Board Member Brady: So basically what he did is he took these plans and cut and pasted someplace else.
- Chairman McNulty: I don't see any windows.
- Board Member Brady: Yeah, that would be interesting. So there goes half of his parking.
- Board Member Montesano: We don't need no parking.
- Board Member Taylor: It's a loading dock? He's got a loading dock? Where the hell are the steps?
- Chairman McNulty: Well, it's only 20 foot high, the building. Where do you see loading dock?
- Board Member Taylor: The steps. Look at the steps. What the hell is...
- Board Member Montesano: That's the parking for the bicycles.
- Rich Williams: I don't know. I didn't...
- Chairman McNulty: Is that in the basement, maybe? Is there a basement area?
- Rich Williams: I didn't figure that out so I don't know. I saw it but I didn't figure it out, why he's got steps.
- Chairman McNulty: Maybe that's inside the building. Some kind of...
- Board Member Montesano: That's there to park bicycles.
- Rich Williams: This may be a case of an architect taking plans from one project and slapping them on to another...
- Board Member Taylor: Yeah.
- Rich Williams: Just so they get something in.

Board Member Taylor: Yeah. Okay, well...And this infiltration stuff, is it adequate to handle the surface they have?

Rich Williams: It will probably meet the stormwater requirements providing he gets the perc's out there.

Board Member Brady: Twenty-eight foot, the building.

Rich Williams: Twenty-eight?

Board Member Brady: That's what it says, building height 28', one-story.

Rich Williams: Oh, building height.

Chairman McNulty: Twenty-eight or twenty?

Board Member Brady: No.

Board Member Taylor: Twenty-eight.

Board Member Brady: It said twenty in another spot but right here it says twenty-eight.

Board Member Ladau: Yeah. They're going to the top of the roof.

Chairman McNulty: And here says twenty.

Board Member Brady: Yeah.

Chairman McNulty: And I don't see any windows for a second story.

Board Member Brady: No.

Chairman McNulty: I think those stairs are for a basement.

Board Member Taylor: No, they're interior stairs.

Chairman McNulty: Interior stairs.

Board Member Taylor: Okay.

Chairman McNulty: And down. This is up. But here's the door...Here's a door. A door.

Board Member Taylor: So what's he putting in the basement?

Chairman McNulty: Mechanicals maybe.

Rich Williams: You think it's a basement?

Board Member Brady: It shows a basement floor, 8 foot.

Board Member Taylor: Yeah, the stairs are interior. Yeah.

Chairman McNulty: Yeah.

Board Member Brady: Left side elevation.

Board Member Taylor: Yeah, okay.

Chairman McNulty: So maybe that's a mechanical area: hot water, air conditioning, air handler.

Board Member Taylor: Alright. Well...

Chairman McNulty: Yeah, basement floor 8 feet. Okay, well the garage door at the rear and the rear of the building's interesting with windows and garage door into the...

Board Member Montesano: You have to get air circulation through the building. Yeah, but you open the doors this way you can get the air to move around.

Board Member Taylor: So then take their junk out and throw it out between the buildings...

Board Member Montesano: No.
[Laughter].

Chairman McNulty: What's the proposed use of this building, do you know?

Rich Williams: Contractors yard. Construction yard.

Chairman McNulty: Ok.

Board Member Taylor: Yeah. Put all the equipment out there.

Board Member Brady: Well, he could store that outside.

Rich Williams: He does have an oil/water separator shown on the outside.

Chairman McNulty: Did he denote anywhere outside storage on that? I didn't have a chance to...

Rich Williams: (Inaudible – papers shuffling and people talking).

Board Member Montesano: No, they're going to take in...They're going to put a cave right through the hillside.

Chairman McNulty: Yeah. Concrete pad for machine storage. Okay. Site walk. Any other comment on that?

11) Bill Henry Tree Service, LLC – Continued Site Plan Review

Chairman McNulty: Moving along to Bill Henry. I understand the Town Board adopted the...

Rich Williams: Change to the Zoning Code to allow Commercial Trade Operations.

Chairman McNulty: Commercial Trade Operations. Thank you. I'm having a tough time.

Rich Williams: CTOs are now permitted.

Chairman McNulty: Okay.

Rich Williams: Bill Henry has resubmitted his plans with a preliminary stormwater report and a tree clearing plan.

Board Member Taylor: It's a bit excessive, isn't it?

Rich Williams: You think?

Board Member Brady: That one tree Ted wanted is gone.

Ted Kozlowski: Nope. It's there.

Rich Williams: Be careful what you wish for, you may get it.

Ted Kozlowski: Cedar's there. Save the cedar.

Board Member Brady: That's a plan.

Board Member Taylor: It certainly is.

Ted Kozlowski: He's a tree guy.

Rich Williams: I can't imagine how much he paid for that.

Chairman McNulty: I think John said he was going to go easy on him.

Board Member Taylor: You assume it's accurate? He may have just put dots on the...

Rich Williams: I'm sure it's accurate.

Board Member Taylor: Okay.

Rich Williams: Second, the accessory building in back, I think the layout works. I think everything works on it at this point.

Chairman McNulty: He's still proposing the same type of storage with some containers and a canvas.

Rich Williams: I believe so.

Chairman McNulty: He's got that finished floor elevation at 528. But he doesn't give us a proposal on the height of the storage.

Board Member Taylor: No he doesn't. He doesn't have elevations on the building.

Chairman McNulty: Okay.

Board Member Taylor: That's something to ask him for.

Chairman McNulty: Fifteen by twenty storage. That brought it down to what...within where we were talking about, right?

Rich Williams: Yeah.

Chairman McNulty: Yeah.

Rich Williams: Well, it's not what's in the Code. But what I did is I structured the Code so the Planning Board could give him some relief...

Chairman McNulty: Some flexibility.

Rich Williams: if they felt it was appropriate.

Board Member Brady: Well, what about the metal building issue.

Chairman McNulty: Well, we're waiting for some kind of elevation to see what the building was. You know he proposed some colors in green or red. Barn red or, you know, farm type colors.

Board Member Taylor: And a sample.

Chairman McNulty: Yeah. I know we, you know, at that one meeting we talked about the guy up the street, what his building looked like as an example.

Rich Williams: And it looks like a very nice...

Chairman McNulty: Barn.

Board Member Brady: It does.

Chairman McNulty: That's a nice siding.

Rich Williams: It does.

Board Member Brady: I was surprised that it was metal.

Chairman McNulty: I knew it was metal.

Board Member Brady: Yeah, I know you did. You were willing to bet on that one.

- Rich Williams: You put lipstick on a pig, it's still a pig.
[Laughter]
- Chairman McNulty: I have some other comments but I'll contain them.
- Board Member Montesano: Good thing Miss Piggy isn't here.
- Board Member Taylor: So do we want to ask for a rendering? What this will look like from [Route] 22.
- Rich Williams: (Inaudible – too many talking). Absolutely.
- Board Member Montesano: Sure. Definitely.
- Board Member Brady: Okay.
- Chairman McNulty: As far...Have you got a chance to look at it or Ron yet as far as this proposed plan and stormwater practices and...
- Rich Williams: No, I've skimmed through it. I haven't had a chance to do anything in depth. I've been writing grants all week.
- Chairman McNulty: So with this, he has no other zoning that he has to go for, correct? Or does...
- Rich Williams: No. He's done.
- Chairman McNulty: Easements onto this...his property through the other one. He works that out...
- Rich Williams: No, he has it.
- Chairman McNulty: He has them already? So procedurally, have we got anything?
- Rich Williams: As bizarre as this sounds, procedurally, he may be ready for SEQRA and a public hearing.
- Board Member Taylor: I think we...I'd like to see a rendering before we do SEQRA.
- Chairman McNulty: Yeah, I would like that before SEQRA, too, but...
- Board Member Taylor: But yes, otherwise...
- Chairman McNulty: Yeah. The basic plan is there now. He's got it within compliance. We don't really know the height. We need the elevations of his buildings. Some idea of what they're going to look like.
- Rich Williams: Yup.
- Chairman McNulty: Okay. So that's moving along.

12) Other Business

Chairman McNulty: Which brings us to the over (referring to the agenda); Other Business. I don't know if everybody saw it. I...Rich had...Thank you Rich for getting ahold of the All Boards meeting minutes. I kind of skimmed through it quick to review. A lot of it, we talked about infrastructure and some form based code issues. But I think since some of the training, I don't know if we're so apt to reach into form based just yet. And somehow incorporate form based code into our master plan. I guess that's where it would be absorbed for the Hamlet. Or if we just move on, right now, just getting infrastructure in place. Are they scheduling another All Boards meeting?

Rich Williams: They have...

Chairman McNulty: The Town Board.

Rich Williams: They have reached out to the Planning Board and the Zoning Board. They've asked me to reach out to the Planning Board and Zoning Board to ask, you know, what you're opinions are. What you would like to talk about. What you see the issues are and if you would like to have another Lal Boards meeting.

Chairman McNulty: So we...

Board Member Taylor: Well, seeing as how the Zoning Board didn't say squat at that meeting, it would be nice to hear from them what their issues are. I don't know, I haven't had time to sit down and look at it.

Chairman McNulty: I just kind of skimmed through them.

Board Member Brady: I haven't read them.

Chairman McNulty: I think if we did anything with the All Boards meeting, I think we're at the process of baby steps. Do we pinpoint the Hamlet? Did we pinpoint [Route] 22 corridor and Putnam Lake?

Rich Williams: I don't know that you'd want to...I mean, we're talking about the comprehensive plan, which is a broad based plan for the Town. I don't know that you don't want to start off by looking at the goals and policies set forth in the current master plan and saying do we agree with each one of these or do we not agree? Or do they need to be modified in some way?

Chairman McNulty: The master plan, itself?

Rich Williams: Right. And then if you think there are, you know, there are goals and policies...Or if there's goals and policies that are missing. You know, and that would start off the direction about do we need to amend this and if so, how?

Chairman McNulty: How do we tweak our master plan to...

- Rich Williams: How do we tweak it?
- Chairman McNulty: To bring it current.
- Rich Williams: But it starts off with the goals and policies, you know, of the Town. How are we going to develop in the future? What we want the Town to look like.
- Chairman McNulty: Well, I think the current master plan lays out a pretty comprehensive view of the Town should look in a rural characteristic and bring in a mix of commercial use.
- Board Member Brady: Yeah. I thought it was very good. I thought it was...
- Chairman McNulty: A current plan. But how...Now, we have new laws. New regulations. Wetlands. I think we have to somehow now fold in these areas that I bring up: The [Route] 22 corridor, you know, out on Fair Street is somewhat a commercial strip, somewhat, now. Correct? How do we bring these specific areas into the plan? How we want them to look. That's the way I see it.
- Rich Williams: Well, they're in the plan. There are recommendations on how they should look. They're identified as...
- Chairman McNulty: Are the recommendations identified in the comprehensive plan for those areas?
- Board Member Taylor: Yeah.
- Rich Williams: In a very board sense.
- Chairman McNulty: Okay.
- [Train horn]
- Board Member Brady: This is why I don't wear my hearing aids. Man, that goes right through me [referring to the train horn].
- Chairman McNulty: Well, that's what I'm saying, how do we now tweak the master plan to bring...
- Board Member Montesano: They heard you [referring to the train horn].
- Chairman McNulty: some more definition to those areas?
- Board Member Ladau: Clears the sinuses.
- Rich Williams: Well, what are you looking to do? I mean, you say more definition.
- Chairman McNulty: Well, not more...
- Rich Williams: Let's pick Fair Street, [Route] 311. That's currently zoned Industrial. We have standards both within the comprehensive plan and the zoning laws on, you know, how that's going to

develop. And, you know, this is the difficult part for most people. You have to take that concept laid out in the comprehensive plan and the zoning and kind of visualize what's this going to look like.

Chairman McNulty: That's what the conversation I brought up with the form based code came in because it helps you visualize that.

Board Member Taylor: Right.

Chairman McNulty: But I think in conversation we find out it could somehow strangle us, too.

Board Member Ladau: Mhmm. Yes.

Chairman McNulty: Or tie or hands.

Board Member Taylor: Well, some of it could. One of the problems I have with the present comprehensive plan is this talk about rural character without defining what rural character is. There are several examples that seem to be...exist in Town of what's rural character, which is you build house after house alongside the road. Some of that's the rural character of the Town. Now, is that what we mean by rural character? Or are we talking about trees and you hide things in behind the trees? Is that more rural character? I think there needs to be some definition there because you've got both things happening in the Town.

Chairman McNulty: Well, rural would...

Rich Williams: Rural character is both things happening in the Town. Rural character is consolidating your develop in the core Hamlet areas while keeping the outlining areas as open space and green so that you don't, you know, you don't have these, you know, I don't...

Chairman McNulty: Sprawl.

Rich Williams: I'm going to burn in hell for saying this somehow but, you know, Alpine Acres, I love Alpine Acres, but if you had Alpine Acres all up and down [Route] 22, you know, that would destroy the viewshed coming up 22.

Board Member Taylor: Right. Yeah.

Rich Williams: So that's not what you want.

Board Member Taylor: No. I agree. But there's also...There are sections like, I mean, this came up when people were talking about Ice Pond. They said don't cluster it. Just repeat what's happening along Ice Pond: Is you've got a house, a house, a house, a house, a house.

Chairman McNulty: Right on the road frontage.

Board Member Taylor: Now I don't consider that rural character. But...Positive rural character. But some people do. So I think...

Board Member Montesano: Yeah, well if you look at it as a rural character because most farm would sell off the front part of the property and keep everything in the back and then cut themselves off from ever getting back there.

Board Member Taylor: Right. But at what point...

Board Member Montesano: Does it become ridiculous?

Board Member Taylor: Does it cease to be rural? And I think that that's where I think we need... That's where the form based could help. Which they talk about going out and making pictures as examples of these different things. And to me, a house every 100' is not rural. It's a transition to suburbs.

Board Member Ladau: Yeah. Suburban.

Board Member Taylor: Yeah. Once you get it filled in to a certain extent it's suburbs and it's not rural anymore. But that's happening.

Board Member Montesano: I hope we never end up like a Long Island.

Board Member Taylor: Yeah, but that's...

Chairman McNulty: We won't.

Board Member Taylor: We might.

Rich Williams: We can't.

Chairman McNulty: Not the way we're set up. Currently we can't.

Rich Williams: No. The natural environment won't let us go there. I mean, Long Island is flat so they can just do, you know, 100 square foot lots right down, one right after the other.

Board Member Montesano: A hundred. Yeah.

Board Member Taylor: But we're faced with decisions all the time. And it would be helpful if it was a little more defined. I mean, this is open space stuff. The overlays and the...

Board Member Montesano: Yeah.

Board Member Taylor: How much of the intent is to keep the population down or keep the number of houses down and keep more open space? And how much has that really been achieved over the years? I mean, we've got these people trying to do infill projects and all these little spaces that are left. Can we deal with that in some way? Or are we going to permit more 80-unit clusters to go in in different places to compensate for...

Chairman McNulty: Open space.

Board Member Taylor: for open space? I just... And Ice Pond. Even Ice Pond. I mean, it's... Or Stone Field Corners or whatever it's called now.

Rich Williams: Stone Field Corners.

Board Member Taylor: I still look at that plan and say we ended up with one too many houses. It's just...But we have no guidelines that would have allowed us to really say...We could say with the one on the corner, no. It's just too small.

Chairman McNulty: And wet.

Board Member Taylor: But we couldn't say with the others.

Board Member Montesano: Well, we have houses that are going in right now on pieces of property because it was subdivided originally...

Board Member Taylor: Yes.

Board Member Montesano: That shouldn't be allowed under the old regulations they were.

Board Member Taylor: Yes.

Board Member Montesano: But we can't upgrade it because it was passed.

Board Member Taylor: Right.

Board Member Montesano: And that always annoyed the hell out of me and no attorney would ever want to go in and tell you we can't...we've got to go, you approved it.

Board Member Taylor: Yeah, well...

Board Member Montesano: Wait a minute, that was before they changed all the regulations.

Board Member Taylor: But if we can't on those, we can't on those. But we've got these new ones where we have some choices and we still end up with, I think, more houses...

Board Member Montesano: Than we should.

Board Member Taylor: Than we're comfortable with. Ice Pond was the same thing. They were crowding houses into every available corner. And a couple of them got cut. But there's still, there's the one out on the road.

Board Member Montesano: But look at the problem we have. We sit here and we come up with this and we're working our tail off, and we don't have the final decision.

Chairman McNulty: Well, it becomes a fine line because the property owners have their rights as well within...

Board Member Montesano: That's not...

Chairman McNulty: our current Code and that's where we're at; how we tweak the Code to work for everyone.

Board Member Taylor: I know what you're saying, Mike.

Board Member Montesano: Oh, yeah.

Board Member Taylor: But we're asking about the comprehensive plan. Can we put some guidelines in there...

Board Member Montesano: That are...

Board Member Taylor: That would give us more so that we're not... Sometimes I feel like there's too much on our shoulders where we're making too many...

Board Member Montesano: Well, we're making decisions and...

Board Member Taylor: decisions.

Board Member Montesano: unfortunately...

Rich Williams: Yeah, the answer is yes. And, you know, based on the comprehensive plan I came up with a methodology for, you know, subdividing property. And yes, we've had some issues with it. Perhaps people are still overbuilding. So maybe we need to take a look at that and, you know, up-zone it a little bit more. We need always to be cognizant of the fact that as we continue to up-zone at some point, it no longer becomes cost effective for people to build. You know.

Board Member Taylor: Yeah, well there will be pushback at some point.

Rich Williams: Well, there's pushback now. There's always pushback. A developer wants as many units as he can get in...

Chairman McNulty: Sure.

Rich Williams: whereas the Town wants a, you know, particular appearance. And they're always at odds.

Chairman McNulty: And if you do force the issue where it becomes not affordable, what happens? Does the property get abandoned? Does the County absorb it? The Town absorb it?

Board Member Taylor: Well, do you remember the property next to my place? The guy wanted to build a house above...

Board Member Brady: Oh, up on the hill. Yeah.

Board Member Taylor: and needed the septic down below and the Planning Board said reverse it. Well, we just got a notice in the mail, the three property owners that are contiguous with that property, saying it is gone into... The County has taken it back for taxes.

Chairman McNulty: So they walked away.

Board Member Taylor: And they're offering it in auction to the three property owners; one of them to buy it and reabsorb it into their property. So yes, eventually some of the properties will go away. It will no longer be a building lot.

- Rich Williams: But they will hopefully be absorbed by, you know, other people.
- Board Member Taylor: Yes.
- Chairman McNulty: But at the current tax rates, who would absorb...If you have a nice lot, I can understand if you have a small lot and you want to increase. But if you, you know, you have a nice size lot. Not to say you wouldn't absorb it, but...
- Board Member Taylor: Well, it's something that...
- Board Member Brady: But you're taking on that tax, too.
- Board Member Taylor: Yes. You're taking on that tax.
- Chairman McNulty: There's no benefit.
- Board Member Brady: No. None.
- Board Member Taylor: No, there's no benefit except that you're now protecting yourself from...
- Chairman McNulty: You're protecting from any further development.
- Board Member Montesano: The whole thing goes out to simply how much of a benefit can you afford to give yourself.
- Chairman McNulty: Well, maybe we're getting off track. Is any of that, that kind of thing, something you can put in the master plan? It's pretty broad, so...That's a specific item to protect lands from being absorbed back. Or can we offer incentives if they are absorbed.
- Rich Williams: Well, I don't know if we can. And I don't know that it's not, you know, a positive thing. Some of these smaller lots that are just not buildable really should be reabsorbed...
- Board Member Brady: Right.
- Rich Williams: by adjacent property.
- Board Member Brady: Right. They should be. Yeah.
- Chairman McNulty: But how can the master plan evolve or be tweaked to encourage that?
- Rich Williams: That I...
- Chairman McNulty: In other words...
- Board Member Taylor: I don't think it can.
- Chairman McNulty: Well, it comes down to cost and taxes. I mean, can there be an encouragement in the plan to...
- Board Member Montesano: Well...

Chairman McNulty: Say there's 10 years reduced tax or...

Board Member Montesano: You'd have to ask Michael this. Let's say for arguments sake, you absorb a half acre parcel or property that theoretically couldn't be built on. And our point of view, it can't be built on. So the person that absorbs it or takes it over should be able...the Town should be able to give you a tax break because it's not a buildable piece of property.

Board Member Taylor: Mmhmm.

Board Member Montesano: And as long as you leave it as an open space without adding a lot to it...

Chairman McNulty: Sure.

Board Member Taylor: Well, the taxes are changing on the parcel. Once it's reabsorbed, the taxes are going to go down because it's just undeveloped land of an existing parcel.

Rich Williams: Right. It's residual land.

Board Member Taylor: Yeah.

Rich Williams: But, the value of that is all driven by our tax code.

Board Member Montesano: Well...

Rich Williams: Our State Tax Code, so there's not a lot of relief we can give you. If you throw a conservation easement on it, that reduces the value a little bit more so we can do something there, but...

Board Member Taylor: So there is...

Rich Williams: you know, at the end of the day you're still absorbing some tax liability.

Board Member Taylor: Yeah.

Board Member Montesano: Well...

Board Member Brady: Yeah, what's going to happen is one of you three people are going to buy it or somebody else is going to buy it at auction, and what's going to happen? Then they...

Board Member Taylor: No, no. It's not available to anybody else.

Board Member Brady: Oh no?

Chairman McNulty: Only those three parcels.

Board Member Taylor: Only those three parcels.

Chairman McNulty: That's interesting.

Board Member Taylor: The condition of buying it is it has to be reabsorbed.

Board Member Brady: Yeah.

Rich Williams: Any thoughts about buying it?

Board Member Taylor: Yeah. The three neighbors are talking about it.

Rich Williams: So you're talking together?

Board Member Taylor: Yeah.

Rich Williams: That's smart.

Board Member Taylor: Why would we bid against each other for something none of us really want?

Board Member Brady: Right. And then the three of you buy it; \$10.

[Laughter]

Rich Williams: Well, you buy it. You do a lot line adjustment and...

Board Member Brady: Yeah.

Board Member Montesano: You absorb it.

Rich Williams: everybody gets a little piece.

Board Member Brady: Piece. Yeah.

Board Member Ladau: Yeah.

Board Member Taylor: Yeah. So that's what we... We've got to work it out.

Board Member Montesano: But you can't put a pond on it.

[Laughter]

Board Member Taylor: Oh, why not? We've got a wetland up above?

[Laughter]

Board Member Taylor: It's in a forest, nobody would see it.

Board Member Ladau: Check with Ted.

Board Member Taylor: We would just dam up the stream.

Board Member Brady: Well, you could have the wetlands come into your pool.

Board Member Montesano: Beaver. Get the beaver to do it.

Board Member Taylor: But I just brought it up because Tom was asking what happens to those kinds of properties. Well, this is one of the things that could happen. If we say no you can't build on it, and we didn't say no you can't build on it because...

Board Member Brady: Right.

Board Member Taylor: of the size of it, it was because it had this wetland running through the middle of it.

Board Member Brady: Right.

Board Member Taylor: It's like the thing we were looking at at night with Ryder.

Chairman McNulty: Yeah.

Board Member Ladau: Yeah, Cushman.

Board Member Taylor: Maybe we just say you can't do it. You can't do it. You don't meet your setbacks. We're not going to waive the Zoning Code. We're not going to waive the setbacks. We're not going to give you relief for the road. We're not going to make a combinations for the buffer and so on. You can't... You know...

Chairman McNulty: It doesn't work.

Board Member Taylor: Yeah. It doesn't work, it doesn't work. Period.

Board Member Ladau: Yeah.

Board Member Taylor: You figure out something else to do with it.

Board Member Ladau: Because that was my question about can we just say no.

Chairman McNulty: You asked that question earlier.

Board Member Ladau: Yeah.

Board Member Montesano: Yeah.

Chairman McNulty: And that's...

Board Member Montesano: You can try.

Chairman McNulty: But it's been previously approved. That's why would have to talk to Mike [Liguori].

Rich Williams: Yeah, you did it... You start crossing the line where somebody's asked for a permit and you deny the permit and rendering the lot unbuildable, you know, you start running afoul of takings laws...

Board Member Ladau: Yeah.

Rich Williams: And whether you've done a regulatory taking.

Board Member Ladau: Well, you know there's going to be a...

Board Member Brady: But you can say that the house position doesn't meet the setbacks. The wetlands...The driveway going through the wetlands doesn't work. You can make them...You know, you're not telling them you can't build there. You're just telling them that they can't build what they've proposed there.

Rich Williams: Right. You have to do...

Board Member Brady: So maybe you need a...

Rich Williams: a reasonable evaluation with the wetlands to (inaudible – too many speaking) impacts.

Board Member Brady: Right. Maybe the house has to be smaller. Maybe, you know, the septic system with the house smaller, the septic system can go in a different place.

Chairman McNulty: This goes back to Ron's comments...

Rich Williams: Yeah, a (inaudible – too many speaking) four bedroom.

Board Member Brady: Right.

Chairman McNulty: when we get these, like Stone Field, what's useable? And what's the minimum that we're going to require.

Board Member Taylor: And then can't build that in in some way so that we could say...we could deny them based on this reasonable condition that...Who was the guy we just...Reilly. We said build a two-bedroom. He said no, it's economical for me to build it.

Board Member Brady: Right.

Board Member Ladau: Yeah.

Board Member Taylor: If we could say to him you have to build a two-bedroom. We will allow you to build a two-bedroom, period. That's it. If he decides to walk away at that point, then...

Board Member Brady: He'll sue.

Ted Kozlowski: The word reasonable keeps coming up. But the...Going back to his Cushman Road thing, what is reasonable about that design?

Rich Williams: I don't know. What's reasonable about a house that's only 20' off of a stream? I don't know. What reasonable?

Ted Kozlowski: I'm just saying, it's not reasonable to assume...

Chairman McNulty: Reasonable if you're a fisherman.

Rich Williams: Hey, listen, some people really enjoy having that stream right behind their house.

Chairman McNulty: Yeah, they don't want...

Rich Williams: You know, they consider it an asset. They take care of it.

Board Member Montesano: There's a house in Mahopac...

Board Member Ladau: What about Blooms Mill up in Millbrook right off [Route] 82?

Chairman McNulty: Oh yeah.

Board Member Ladau: There's this huge waterfall that comes right down and through the house because it was a mill and there's a wheel.

Rich Williams: Well, the end of Farm to Market we have a stream going under a house.

Board Member Ladau: Yeah.

Board Member Montesano: In Mahopac, the guy has the house built over the stream.

Board Member Brady: Is it? There's a stream going through the house?

Board Member Taylor: Yeah.

Board Member Montesano: He takes the cover off...

Board Member Brady: Going under the house?

Rich Williams: Going under it.

Board Member Montesano: off the...

Rich Williams: It used to be the mill.

Board Member Brady: Oh, okay.

Board Member Montesano: and goes fishing in the wintertime.

Chairman McNulty: Well, that's some thoughts on All Boards.

Board Member Montesano: And he pulls fish out.

Board Member Ladau: Yeah.

Board Member Taylor: Yeah.

Chairman McNulty: If you guys have some ideas, jot them down. Shoot an email to us collectively. Maybe we can come up with some kind of agenda and narrow down some items to concentrate on the master plan. Is there still talk to overhaul the whole master plan or just tweak it? What's the Town Board want to do?

Rich Williams: Everybody's still...The Town Board's still looking for recommendations on just that.

Board Member Ladau: Yeah.

Rich Williams: Whether the whole thing needs to be overhauled or just little sections need to be tweaked.

Chairman McNulty: Well, I'm in the tweaking...

Board Member Ladau: That will depend on the comments that they receive.

Board Member Montesano: We've got the [19]67 one. There's '80-something one. Then there's a...The last one we had in here in the nineties. So they're in the box you can have. Just compare all the different ones together and see where we are.

Chairman McNulty: I don't think we're anywhere near ready for another meeting just yet, but we can get some thoughts together and...Does the Zoning Board weigh in at all on this?

Rich Williams: They haven't yet.

Chairman McNulty: No. Okay.

Board Member Montesano: Give them time.

Board Member Taylor: Do they have issues? I mean, they didn't...

Rich Williams: They haven't expressed any yet.

Board Member Montesano: They just give a variance.

Chairman McNulty: Now when it says All Boards, do we need the park Board involved with that? I would think they would be a board that might have something to put in, no?

Board Member Ladau: Yeah.

Rich Williams: Only as citizens of the Town. I mean, their focus is...

Chairman McNulty: They don't really make policy.

Rich Williams: Well, it's not even a question of making policy. But their focus is on managing Veterans Park or the Putnam Lake Park District. You know, not land development.

- Chairman McNulty: They don't ever look into, you know, expansion of parks? Can we get another park in Town? Who's looking at that to...
- Board Member Montesano: That's us and him.
- Board Member Taylor: Yeah, where's this park set aside money go that we take from the developers?
- Rich Williams: I can't tell you that.
- [Laughter]
- Chairman McNulty: He's have to kill you.
- Board Member Ladau: Yeah, he tells you, you're dead.
- Board Member Brady: Bye, Ron.
- Board Member Montesano: Or he'd have to shoot you. Oh, excuse me.
- Rich Williams: Guess into a dedicated fund and then it gets used for active recreation.
- Board Member Taylor: Okay.
- Rich Williams: Or passive. Capital improvements, not operating costs.
- Board Member Taylor: It goes into the parks. It goes back into the park. The existing parks.
- Rich Williams: Goes into the parks. But it can't...It has to go into parks that are available to the whole community.
- Board Member Taylor: Right. Yeah.
- Rich Williams: So, you know, at one point we took a lot of that money and we built Club Court Park over in Putnam Lake.
- Chairman McNulty: So that's another area we can bring up. Maybe...I don't know how parks are addressed in the comprehensive plan. I haven't researched it that much. Are they?
- Board Member Montesano: Back in the good old days, they wanted to open a pool.
- Rich Williams: Yeah. Well they're all identified. It's, you know, (inaudible) discuss.
- Chairman McNulty: So is that an area that needs...
- Rich Williams: There's an open space plan. There's an open...There's a trail system.
- Board Member Taylor: There's a trail system.
- Chairman McNulty: Okay. We also talked about the possible greenways along the railroad, correct?

Board Member Taylor: Yeah.

Chairman McNulty: The one that goes...

Rich Williams: The bike...

Chairman McNulty: The bike...

Board Member Montesano: The bike paths?

Board Member Brady: You know, one of the things somebody said to me, the... You know, you're talking about recreational things to draw people in. And I think the guys that fly the remote control planes and they have that property up there; they've got a lot of property up there.

Rich Williams: Yup.

Board Member Brady: And we we're talking about it and they were talking about, you know, telling the Town okay, well you can use us as a listing that this is here. It's an asset to the Town to have it and you can be a club member and, you know, and come in there and join. They don't have a lot of members anymore.

Board Member Taylor: No.

Rich Williams: They all died off.

Board Member Brady: Yeah.

Chairman McNulty: And the other item I think we talked about in that meeting is featuring our outdoor recreation and how we tie it together within the Town. As far as bed and breakfasts or a central transportation area. How to get from Birch Hill to the Michael Ceola Park; how do we integrate that? So I don't know how our master plan can be tweaked in that area to somehow encourage that.

Rich Williams: I will tell you, I've received... Actually, I had the conversations with him and asked him to send a letter to the Town Board, a very interesting proposal for a bed and breakfast at the corner of Cornwall Hill Road and Route 311; The Maguire property.

Board Member Brady: Yeah.

Chairman McNulty: It's been for sale. Or did it sell?

Board Member Brady: Yeah, a million dollars.

Board Member Montesano: Yeah.

Board Member Brady: Yeah. That'd be nice.

Board Member Taylor: It hasn't sold yet.

Board Member Ladau: Yeah.

Board Member Brady: That'd be nice. I think that would be...

Board Member Ladau: That would be accessible to the railroad.

Board Member Brady: Mmhmm.

Board Member Ladau: Etcetera.

Board Member Brady: Yup.

Rich Williams: Close to the Hamlet.

Board Member Ladau: Mmhmm.

Rich Williams: Centrally located. Good piece of property. Beautiful house.

Chairman McNulty: Now there's an area...

Board Member Brady: That is a beautiful house.

Rich Williams: For those of you who have not been inside, it's magnificent inside.

Chairman McNulty: I have been inside. It is beautiful.

Board Member Brady: Yeah.

Chairman McNulty: But there's something the Town needs to look at infrastructure wise. The sidewalks end at Patterson Village. So that's where the Town needs to come in to assist this. Or maybe encourage a developer to help us extend that side walk.

Rich Williams: Got to figure out how to get it around the corner.

Chairman McNulty: Do we get a bridge over the brook and pass through...

Board Member Taylor: A bridge. Yeah.

Chairman McNulty: an easement some sort through Patterson Village.

Rich Williams: We're going to have to put a bridge on the inside...

Board Member Taylor: Of the bridge.

Rich Williams: of a bridge.

Board Member Brady: Right.

Rich Williams: Yup.

Chairman McNulty: Yup. There's a bridge down on [Route] 164 that goes to nowhere.

[Laughter]

Chairman McNulty: Can we relocate it?

Board Member Brady: Yeah.

[Laughter]

Chairman McNulty: Alright. Any other thoughts on this All Boards?

Board Member Brady: You got a crane on your job, we can pick it up.

Board Member Taylor: Well, we talked about parking, too.

Board Member Montesano: Maybe we can float...

Board Member Taylor: Some kind of comprehensive municipal parking plan.

Chairman McNulty: Within the Hamlet here.

Board Member Taylor: Within the Hamlet, yeah.

Chairman McNulty: Yeah. That to me is part of infrastructure.

Board Member Taylor: Yeah.

Chairman McNulty: How do we get the water setup? We have sewer in place.

Board Member Brady: Sewer.

Chairman McNulty: How do we get water? Also, I would like to see some kind of better plan. You know, a quality bus stop or shelter or a cabana. Something. We have a train, we have taxi, we have bus service.

Rich Williams: Where do we have bus service?

Chairman McNulty: Doesn't...Don't we have Putnam Area Rapid Transit?

Rich Williams: Yeah, they come through once in a blue moon.

[Laughter]

Chairman McNulty: Yeah. But maybe...

Board Member Ladau: The schedule will come through three years from now.

Board Member Montesano: You can call them up.

Chairman McNulty: All I know is...

- Rich Williams: They're actually looking to kill it.
- Chairman McNulty: Yeah.
- Board Member Montesano: They've been trying to kill it for a long time.
- Chairman McNulty: All I know is when you drive through Front Street from 6 to 7:30 at night, people are parked all over the place.
- Board Member Brady: Yeah.
- Chairman McNulty: They just like to park in the middle of the road.
- Board Member Brady: Yeah.
- Chairman McNulty: So part of the Hamlet parking infrastructures, do we make a mini transportation hub? Or set it aside somehow? Create a bus stop? A real bus stop that looks nice.
- Ted Kozlowski: What about a gazebo?
- Rich Williams: Wait. Every...Right now the bus stops out in front, so would we be putting the bus stop right out in front?
- Chairman McNulty: Well, we can pave part of the front lawn between the two nice trees.
- Board Member Taylor: Well, we've got that underpass walkway right there. Won't you glass it in and...
- Rich Williams: My stomach is starting to growl here, so.
[Laughter]
- Board Member Taylor: Put in a coffee machine.
[Laughter]

13) Minutes

- Chairman McNulty: I have not...We'll move along to minutes. I have not had a chance to look at them yet. Hopefully we'll...Sarah got them out to us. We'll get ready for the next meeting on Thursday. And anybody have anything else?

14) Site Walks

Board Member Ladau: Quick question. Is there a walk through this weekend or...?

Rich Williams: It's up to you guys. I'm available.

Board Member Ladau: I'm available.

Board Member Taylor: Yeah, I'm available.

Board Member Brady: I'm available.

Board Member Taylor: Alright.

Chairman McNulty: I have to pass.

Board Member Taylor: Yeah.

Rich Williams: Diner at 7 o'clock.

Board Member Brady: You can't go either.

Ted Kozlowski: I can go.

Board Member Brady: Oh, you can go?

Board Member Montesano: Diner at 7 o'clock.

Chairman McNulty: What sites are you looking at? Carino?

Rich Williams: Carino and White Birch we'll probably stop at.

Chairman McNulty: Up on...What about...

Rich Williams: Commerce Drive.

Chairman McNulty: What about the pond up here in...of Birch Hill Road.

Rich Williams: Well, we can...Do you want to have a...

Chairman McNulty: Does he need...Can you get it staked out?

Rich Williams: I don't know you can get it staked out in two days. And I would assume, typically, you're going to have a conversation with him first.

Chairman McNulty: Okay.

Board Member Montesano: Yeah.

Board Member Brady: Two days? It's only one day really.

Board Member Ladau: Well, does that suggest we should wait until the following week or...

Chairman McNulty: No. If you can get two of them in I would try and do them.

Ted Kozlowski: How about Cushman Road?

Chairman McNulty: You need it staked off.

Rich Williams: It's not staked. It's not flagged. And you haven't had a conversation.

Chairman McNulty: Yeah, are the other two up on Commerce Drive flagged and staked?

Rich Williams: One of them is flagged. Carino is flagged.

Chairman McNulty: Okay. So I can drive by there if I had to, to take a look.

Rich Williams: Yeah.

Chairman McNulty: Alright. Well I'm going to make a motion to adjourn.

Board Member Brady: Second.

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

Meeting was adjourned at 9:00 p.m.