

TOWN OF PATTERSON
PLANNING BOARD MEETING
August 28, 2014
Work Session

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TOWN OF PATTERSON
PLANNING & ZONING OFFICE

Planning Board

August 28, 2014 Work Session Meeting Minutes

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

ZONING BOARD OF APPEALS

Lars McNulty, Chairman
Mary Bodor, Vice Chair
Marianne Burdick
Michael Carinha
Stephanie Fox

PLANNING BOARD

Thomas E. McNulty, Chairman
Ron Taylor, Vice Chair
Michael Montesano
Edward J. Brady Jr.
Robert F. Ladau

Present were: Chairman Thomas E. McNulty, Board Member Ron Taylor, Board Member Edward J. Brady Jr., Board Member Michael Montesano, Rich Williams, Town Planner, Ted Kozlowski, Environmental Conservation Inspector 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) Fox Run Phase II – Amended Traffic Study

Chairman McNulty stated okay. We have a number of items. As you see, we have somebody that just came here. You here for Fox Run.

Mr. Curt Johnson stated yes, that's me.

Chairman McNulty stated okay. Does anybody have an objection if we move that up.

Board Member Taylor stated I don't.

Board Member Brady stated let's make him wait.

Chairman McNulty stated take care of that first.

Board Member Montesano stated he's here. Let him wait.

Chairman McNulty stated same way...

Board Member Montesano stated why be polite now.

[Laughter].

Mr. Johnson stated thanks a lot.

Chairman McNulty stated okay. I'm sorry. I forget your name.

Mr. Johnson stated Curt Johnson.

Chairman McNulty stated Curt Johnson. Okay. Fox Run. Our agenda says amended traffic study but I think we're here to really take a look at this EAF.

Board Member Taylor stated did they revise it.

Chairman McNulty stated well, we haven't received any new submissions...

Rich Williams stated no.

Chairman McNulty stated have we.

Rich Williams stated you didn't ask him. You wanted to discuss it.

Chairman McNulty stated I think we talked about at the last meeting to discuss it internally amongst ourselves here and we welcome Mr. Johnson, right.

Mr. Johnson stated yes.

Chairman McNulty stated yes. And...

Rich Williams stated I think Ron, you had...

Chairman McNulty stated review this.

Rich Williams stated a number of comments on, you know, some of the responses that have been provided in here.

Board Member Taylor stated yes.

Rich Williams stated and you wanted to go through those. So I don't know if you want to start off.

Board Member Taylor stated well...

Chairman McNulty stated well, do we want to look at this and go page by page basically. I think so, right.

Board Member Taylor stated I think that's what we need to do, yes.

Chairman McNulty stated yes.

Board Member Brady stated I think Sarah's hoping you don't.

Board Member Taylor stated well, it's...But we...There's only a few comments here and there on different pages. C.2.

Rich Williams stated C.2. Adopted Land Use.

Board Member Taylor stated alright. This is one that some people check yes and some people check no and they seem to be the same case on...because it includes specific recommendations for the site. Now, what is specific mean. Is R-4 specific. Is an overlay zone specific. I think Mancini checked yes because they said it was an R-4 overlay.

Rich Williams stated correct.

Board Member Taylor stated do we...

Rich Williams stated yes. And I would check yes that, you know, we have specific recommendations for how we want to use the site within the R-4 and...

Board Member Taylor stated yes.

Rich Williams stated some of the other, you know, require...policy statements within the comprehensive plan.

Board Member Taylor stated okay. That's what I thought, too. So it should have been checked yes. And add active adult overlay.

Rich Williams stated but in...

Board Member Taylor stated is it a...

Rich Williams stated Ron, in this...

Board Member Taylor stated yes.

Rich Williams stated the multi-family overlay wasn't...This site wasn't part of that multi-family overlay area.

Chairman McNulty stated as an R-4 site.

Rich Williams stated you with me.

Board Member Taylor stated yes. But it was an R-4 site.

Rich Williams stated it was an R-4 site.

Board Member Taylor stated yes.

Chairman McNulty stated but wasn't within the overlay capability, right. You couldn't do an overlay in that existing R-4...

Rich Williams stated the...

Chairman McNulty stated prior.

Rich Williams stated the comprehensive plan says that there should be a multi-family overlay in the area of Fair Street. It doesn't extend down Bullet Hole Road.

Chairman McNulty stated okay.

Rich Williams stated so the use that is now been approved by the Town Board is something not contemplated by the original comprehensive plan.

Board Member Taylor stated well, isn't that where "b" comes in then. It's a local planning district. Is the overlay a local planning district then.

Rich Williams stated yes.

Board Member Taylor stated so that's...So you would check yes in "a", two yeses, and then you would put an addition to New York's watershed boundary but the active adult overlay down there, right.

Rich Williams stated yes. But it wasn't in the active...it wasn't in that zoning district.

Board Member Taylor stated no, I understand. But it's..."b" doesn't ask about the comprehensive plan. He says is it within any local or regional special planning district.

Rich Williams stated he is part of adopted land use plans.

Chairman McNulty stated what does that mean.

Rich Williams stated comprehensive plan.

Chairman McNulty stated so it's within our comprehensive plan.

Rich Williams stated right. And our...It is not within our comprehensive plan.

Board Member Taylor stated okay. So zoning changes aren't...Because it's land use plans, the overlay doesn't go in there. Alright. That's what I needed to know. I mean it's...

Chairman McNulty stated so "b" is a no then.

Board Member Taylor stated "b" would be a no, yes. Well, no. It's still a yes because of the watershed boundary.

Chairman McNulty stated oh, okay.

Board Member Taylor stated but the active adult would then come out. Alright, C.3.

Chairman McNulty stated C.2. Part 1, the Planner's notes. C.3.a.

Board Member Taylor stated I don't know what the Planner's notes would be.

Chairman McNulty stated I might have them right here.

Board Member Taylor stated or are the apart of...No, they're apart of this page. Never mind. So, let's go back to the Planner's notes in the back here. See, if this were live we could actually click on it and it would take us there but...

Chairman McNulty stated yeah.

Board Member Taylor stated so, where are the Planner's notes.

Board Member Montesano stated you mean the Town should buy everybody a computer now so we could see...

Board Member Taylor stated no, no, no. I'm not saying that.

Board Member Montesano stated oh, okay.

Board Member Taylor stated I'm not saying that at all.

Board Member Montesano stated you got me nervous.

Board Member Brady stated let me move first.

Chairman McNulty stated yes, I think mean them here.

Board Member Taylor stated okay, Planner's notes. Okay.

Chairman McNulty stated in this page, Ron.

Board Member Taylor stated no. It's...I think those are my notes. It's not numbered. It's not a numbered page.

Board Member Brady stated um...

Board Member Taylor stated it's like an appendix.

Board Member Brady stated it's...

Chairman McNulty stated yeah, C.3.b.

Board Member Taylor stated it's got the Town...

Board Member Brady stated it's here.

Board Member Taylor stated of Patterson Zoning Office...

Board Member Brady stated yes. It's the next page.

Chairman McNulty stated yes.

Board Member Taylor stated logo on it.

Board Member Brady stated and it's the next page.

Board Member Taylor stated so it's...So what are we looking for; C.2 part 1.a. C.2 Part 1.a. Question C.3.b. Okay.

Chairman McNulty stated use is not permitted by a special or conditional use permit. The use permitted as of right but subject to site plan approval.

Board Member Taylor stated okay. So that's...It should be no instead of yes.

Rich Williams stated correct.

Board Member Taylor stated alright. I mean, that makes sense, to me anyway. I mean, yes.

Chairman McNulty stated it's a site plan.

Board Member Taylor stated is zoning change requested as part of the proposed action. We had a discussion about looking at the whole action.

Chairman McNulty stated yes.

Board Member Taylor stated and a zoning change was required as part of the whole action because in order...

Rich Williams stated if you look at the whole action, the difficulty I have with that is, you know, essentially the...When you're looking at the totality of the action in that regard, the action's been segmented. They did one part of it, it's done. They did SEQRA, that's done. You can't go back and revisit that SEQRA now, I don't believe.

Board Member Taylor stated well, I think that's what the attorney said. But I'm not revisiting the SEQRA.

Rich Williams stated right. So...So then, for me, I've drawn a line, this is done. Now I'm looking at this action, you know, the 80 units up there. So when I'm looking at the 80 units, they're not asking for a zoning change anymore because that's done.

Board Member Taylor stated right. I understand that.

Rich Williams stated yes. So...

Board Member Taylor stated but my...

Rich Williams stated that's why I didn't raise...

Board Member Taylor stated right.

Rich Williams stated an issue when they said no.

Board Member Taylor stated yes. But the reason I'm raising an issue is it seems to me in terms of us considering other parameters of this, the historical aspects of it are important. Because of the

comprehensive plan and so on. But they did a SEQRA on overlay, but they didn't do a SEQRA on the impacts for this specific project.

Rich Williams stated correct.

Board Member Taylor stated and I think if we back into the history of the project then it gives us some grounds on which to conceptualize the impacts of this project.

Chairman McNulty stated and when you say history, you're talking about the conversations we had as a planning board on our referral.

Board Member Taylor stated yes. And the fact that they needed a zoning change.

Chairman McNulty stated yes.

Board Member Taylor stated so that's why I would say put it in here. So...But...

Chairman McNulty stated you're saying to keep it a yes.

Rich Williams stated no. He's saying make it a yes and identify that this required a zoning change.

Chairman McNulty stated which...Are you on this item here.

Board Member Taylor stated yes. On c. Yes. The checkmarks...

Chairman McNulty stated oh, c.

Board Member Taylor stated are their checkmarks.

Chairman McNulty stated yes.

Board Member Taylor stated the x's are Rich's or my x's.

Chairman McNulty stated yes.

Board Member Taylor stated so, I don't know how people feel about that. But it...

Chairman McNulty stated well...

Board Member Taylor stated it makes more sense to me if we look at the whole thing.

Chairman McNulty stated I understand. But it's...It's pretty much asking you in the present term though: Is a zoning change necessary here. And it really isn't because it's already been zoned. That's what you're saying, right Rich.

Rich Williams stated yes.

Chairman McNulty stated yes. I would send...tend to say that's a no. I understand what your intent is, to keep the prior conversation in play for our review of this, but the way this is worded, I would say that's a no. There is no zoning required right now for this project. Zoning change.

Board Member Brady stated I would agree with you with that: that's now.

Board Member Taylor stated yes. Well, except...

Board Member Brady stated not past.

Board Member Taylor stated except SEQRA says you're not supposed to segment.

Board Member Brady stated right.

Board Member Taylor stated I mean, very clearly and very strongly it says you're not supposed to segment.

Rich Williams stated without just cause.

Board Member Taylor stated yes. So, I think we need to weigh that, too, that the reasons for that are...I mean, none of this is binding, in a way. This is suggestions for us to consider the review of this thing. What information do we need...

Chairman McNulty stated to see what kind of impacts are going to result.

Board Member Taylor stated yes.

Rich Williams stated well...

Chairman McNulty stated but because the zoning is in place already, basically...It is. It's not basically. It is in place. The zoning for this is not an impact right now. I don't see it that was.

Board Member Taylor stated no, I'm not saying the zoning is an impact.

Board Member Brady stated they're not going to ask...they're not asking for a zoning change during the process or a change. So, and that's really...Isn't that what it is. This is a zoning change requested as part of the proposed action. They haven't asked for that and they have no intent to ask for that, that I see. So I would agree that I think it's a no.

Board Member Taylor stated okay.

Chairman McNulty stated existing community services.

Board Member Taylor stated C.4. Rich is saying they should modify...that they didn't have the right ones in there.

Rich Williams stated yes, they had Town of Patterson Fire Department. And I just suggested the correct name is Patterson Fire Department No. 1.

Board Member Taylor stated and Transcare EMS.

Rich Williams stated yes.

Chairman McNulty stated okay. So that's a...

Board Member Taylor stated but they have...

Rich Williams stated but that wasn't that big a deal.

Chairman McNulty stated that's semantics there.

Board Member Taylor stated well, it's just getting it right is all.

Chairman McNulty stated yes.

Board Member Taylor stated what parks serve the project's site. That made me...Pick your poison. It was kind of...I mean, what...There are parks all over the place that none of them actually serve the site in that they are immediately contiguous to the site.

Chairman McNulty stated yes, but I think the way we could translate that though, is what parks are available for the occupants of that property. You know, who's going to use that. What parks are going to get used within our limits.

Board Member Brady stated it will be all the Town parks.

Chairman McNulty stated well, no. Putnam Lake wouldn't be in it, would it.

Rich Williams stated no.

Board Member Taylor stated no. It's excluded.

Board Member Brady stated why not.

Rich Williams stated that's a park district.

Board Member Brady stated oh, that's a park...Okay.

Board Member Taylor stated it's excluded.

Rich Williams stated yes, that's separate. But this...

Chairman McNulty stated this is a park district here...

Rich Williams stated this side...And this is also a park district, you're absolutely correct. But Fox Run is part of that park district. So you can look at the parks available to the park district...

Board Member Brady stated district.

Rich Williams stated residents...

Board Member Brady where they are. Okay.

Rich Williams stated or the general park lands that are open to everybody.

Board Member Taylor stated like the County parks.

Rich Williams stated yeah. I don't know they didn't through it in here. Wonder Lake. They could have thrown Wonder Lake in here.

Board Member Taylor stated yes.

Rich Williams stated you know.

Board Member Taylor stated it just...

Chairman McNulty stated so, somewhat incomplete is the way you're looking at it.

Board Member Taylor stated yes, that's all I'm saying. Just, I mean, there's no guideline for this. It just...

Chairman McNulty stated no.

Rich Williams stated no.

Chairman McNulty stated but we should know...

Board Member Taylor stated you know...

Chairman McNulty stated everything else. So...

Board Member Taylor stated yes.

Chairman McNulty stated where's the William Clough Preserve.

Rich Williams stated William Clough...

Chairman McNulty stated located around Farm-to-Market...Clough.

Rich Williams stated is down on Farm-to-Market Road.

Chairman McNulty stated Club Court Park. Now Club Court Park is part of Putnam Lake, is it not.

Rich Williams stated you know, it is but because the Town used Town funds to put it there...

Board Member Taylor stated it's not part of the district.

Rich Williams stated anybody can go there.

Chairman McNulty stated so it's not part of any district.

Rich Williams stated it's not part of any district. It's separate. Even though it's over in the Putnam Lake Park District.

Board Member Taylor stated but you could argue that anyone in the active adult overlay is not going to be using Club...It seems inappropriate to out that one in there.

Rich Williams stated it's a kids' park.

Board Member Taylor stated yes. It's a kids' park. So of anything, I mean, put in...

Board Member Brady stated no. That's when...That's when the kids come in.

[Laughter].

Board Member Brady stated that's the three bedrooms.

Board Member Taylor stated so it's, I mean, it's not an important thing. It's just another...When is this important I think is what we need to ask.

Chairman McNulty stated yes.

Board Member Taylor stated when is it important to have this list there because in most cases the Town ends up charging people for recreation anyway, right.

Rich Williams stated that's true. But you have to actually make a findings before you could do that. You can't just say everybody's just going to pay a recreation fee. There actually has to be a study; we do have it. There has to be an open space plan; we do have it. And then you have to make a findings that in particular case there is a need for additional recreational lands and/or money. The applicant is not providing the lands or he's not providing sufficient amounts of lands, so he has to make a financial contribution which the Town then puts in a dedicated fund and used for recreation. So, when is this important. This is important to identify the parks that are going to be available to those people and to, you know, acknowledge that, you know, why you have a lot of parks listed here. For example, they're basically all passive use parks. There's nothing in here with active use. So do we need active recreation such as our...and one of the things not on here is the Recreation Center.

Board Member Brady stated right.

Rich Williams stated you know. So, that's what you're going to use...that's what the evaluation here is you're looking for is...Is there sufficient park lands available to meet the needs of the new residences.

Board Member Taylor stated and then we need to refer back to the open space studies. Is that stuff in the open space study. Lists of...

Rich Williams stated yes. The open space study is actually...I took that...We did an open space study back in the early to mid 90s because you needed to have a basis. And ultimately I took the...I wrote the open space study so I then I just took it and I incorporated it right into the comprehensive plan. So it's a whole chapter in the comprehensive plan.

Board Member Taylor stated okay. So we need to refer back to that chapter then.

Rich Williams stated um...

Board Member Taylor stated for these lists of parks.

Rich Williams stated we generally don't. We...There's a whole...When we're doing a...something like this, there's a whole standard language that we just insert into the resolution having to do with the recreation fees. It really doesn't refer back to that chapter. It refers to the need for additional recreation plans.

Board Member Taylor stated but you weren't saying that we have to make a decision whether there's a need. What do we base the decision on. Are there a list of parks that were a part of that study from which...

Rich Williams stated that identifies all the parks of the Town. All the activities that were available in the parks.

Chairman McNulty stated so that would be a viable reference for us...

Rich Williams stated yes.

Chairman McNulty stated to add...

Rich Williams stated yes.

Chairman McNulty stated like the DEC parks; Cranberry Mountain.

Rich Williams stated yes.

Chairman McNulty stated I don't...I forget the name of the park off Mooney Hill...Not Mooney Hill.

Board Member Taylor stated Wonder Lake.

Chairman McNulty stated no, not Wonder Lake.

Board Member Taylor stated [Route] 311.

Chairman McNulty stated Farm-to-Market.

Board Member Taylor stated oh, Farm-to-Market.

Rich Williams stated Clough.

Board Member Taylor stated Clough.

Chairman McNulty stated Clough.

Board Member Taylor stated yes. Well, there's always...

Rich Williams stated Twin Hills...

Chairman McNulty stated no, no, no. What's...

Rich Williams stated there are additional lands now, by the way, that weren't in that. You know, the Putnam...

Chairman McNulty stated and Cornwall Hill Road, too...

Rich Williams stated County Land Trust.

Chairman McNulty stated now there's a DEC park.

Board Member Brady stated yes.

Board Member Taylor stated yes.

Rich Williams stated yes. There a lot of new DEC lands.

Board Member Taylor stated right. Okay.

Chairman McNulty stated so...

Board Member Taylor stated so, that's what we need to know. We need to look at that and when we make the decision about it. And then so the list then should be generated off of that then.

Rich Williams stated yes. Okay. Sure.

Board Member Taylor stated that's...alright. And what do you call that. It's not the open space study. It's the...

Rich Williams stated well, again, we did an open space study which was the initial basis for the recreation fees and then that got incorporated...You know, I could pull it out. I'm sure I got it some place.

Board Member Taylor stated yes.

Rich Williams stated but it really got incorporated and then updated a little bit with the master plan...or the comprehensive plan.

Board Member Taylor stated okay.

Rich Williams stated so it's a chapter. There's an open space chapter.

Board Member Taylor stated okay.

Chairman McNulty stated the comprehensive plan is posted online, is it not.

Rich Williams stated I think it is.

Board Member Taylor stated yes.

Chairman McNulty stated yes.

Board Member Taylor stated yes.

Chairman McNulty stated yes. Because I've referred to it. So...

Board Member Taylor stated yes, it is.

Chairman McNulty stated it's there.

Board Member Taylor stated yes. Okay. Alright. D.c. Is the provide...oh. Proposed action an expansion of the existing project or use. They said no, but it's always been from the day one that they came into us, they said this is...

Chairman McNulty stated phase...

Board Member Taylor stated phase 2 of two parts.

Rich Williams stated that's true...

Chairman McNulty stated and the deeds are setup...

Rich Williams stated but...

Chairman McNulty stated to create a phase 2, correct.

Rich Williams stated it is.

Chairman McNulty stated with the easements. Right-of-ways.

Rich Williams stated within easements, there was some language that set it up as phase 2. However, they came in back...Actually, they came in originally on 1990 and we challenged whether it was actually phase 2. And then they came back in 2002, and again say we have an absolute right to do this because this is phase 2 of the overall project. And we challenged that. And actually went to court and went to the Court of Appeals. And it was determined that this is...even though we keep calling it phase 2, it is really its own separate project. If it was phase 2, there is the possibility they would have incurred vested rights to build out, you know, a number of units that was appropriate under the original approval because they never finished building out the 360 units. They only built like 204 of the units. So they were entitled to another hundred and something. So this really is its own separate project. It's not really phase 2 even though we keep calling it phase 2.

Chairman McNulty stated so through legal channels that happened...

Rich Williams stated complicated, right.

Chairman McNulty stated by the Town, it's declared its own project.

Board Member Taylor stated except...

Chairman McNulty stated technically.

Board Member Taylor stated they talk about they wanted to use the water. They're using the sewer. They're upgrading the road. They're upgrading the swimming pool. They're doing all these things...

Rich Williams stated well, forget the up...

Board Member Taylor stated for phase 1.

Rich Williams stated forget the upgrades. But it's like any other off site project. They have an easement and they bought the right to use the sewer. They could use the water if they wanted to, they're not going to. And the right of access across the property.

Board Member Taylor stated alright. So I think that needs to be clarified then.

Rich Williams stated okay.

Board Member Taylor stated what you...All you ran through: That there was a court case. I mean, maybe it should be put in as an appendix to this. And because...What's important, I think, for our consideration is that the two are kind of meshed in some way. Whether they're legally meshed or not, they're...I mean...

Chairman McNulty stated well, with infrastructure they're meshed.

Board Member Taylor stated yes. They're meshed with the infrastructure. And they have impacts on each other in different ways. And especially with this agreement that just came down, with all this stuff from the Homeowners Association. There's a close relationship, but it's not one that...Again, we...This is not binding in terms of legal stuff. We just need to know the information.

Chairman McNulty stated but technically, as far as this question reads, it really isn't phase 2.

Board Member Taylor stated it isn't. It isn't because the law said it wasn't, right.

Chairman McNulty stated yes.

Rich Williams stated correct.

Board Member Taylor stated right.

Chairman McNulty stated so, no would be the...

Board Member Taylor stated but...

Chairman McNulty stated but for our review process, it's a shared process.

Board Member Taylor stated yes.

Chairman McNulty stated it's a shared property.

Board Member Taylor stated so this should be a no with an asterisk.

Chairman McNulty stated well, maybe there's something else that answers that...

Board Member Taylor stated referencing this other information.

Chairman McNulty stated down the line.

Rich Williams stated sure.

Board Member Taylor stated so, just...Is the proposed action a subdivision or does it include a subdivision.
Yes.

Rich Williams stated what are you looking at.

Board Member Taylor stated D. D.1.d.

Chairman McNulty stated D.1.d.

Board Member Taylor stated notes for Environmental Assessment Form. Purpose or type of subdivision: Residential – Condominium. See Planner's Notes. Maybe it's in Planner's notes then. That's...C.2. Part 1.c. Question: the correct response should be no. A subdivision is not being proposed. The Application has indicated the ownership to each unit will be as a condominium style ownership. The remaining responses under "d" are also incorrect. Alright, so it's Rich's note that's saying they should be no. It's not a subdivision because they're not breaking the land up.

Rich Williams stated right.

Mr. Johnson stated yes. We clarified with Bob Marvin it is not. You are correct. It's not...

Board Member Taylor stated okay.

Mr. Johnson stated it is not a subdivision.

Board Member Taylor stated okay. That's...

Chairman McNulty stated so no is the correct answer.

Board Member Taylor stated both of those would get no. Alright.

Rich Williams stated and you are doing condominiums not townhouses.

Mr. Johnson stated correct.

Board Member Taylor stated okay. So townhouses would be separate ownership.

Rich Williams stated townhouses would be a subdivision.

Board Member Taylor stated okay. Because they...

Chairman McNulty stated because the property is owner outside the walls.

Rich Williams stated what they...yes. What they...Not so much outside the walls. But what they do is they break up the individual units as their own lot.

Board Member Taylor stated okay.

Rich Williams stated and then they have the big outer lot which is held in common.

Chairman McNulty stated is it still a homeowners association when it's townhouses.

Rich Williams stated yes. They would need an HOA.

Chairman McNulty stated you had a question here it looked like, Ron, on E. Will proposed action be constructed in multiple phases. It says see notes on EAF.

Board Member Taylor stated oh, that's a note to their notes that's on the environmental assessment form. I didn't question that.

Chairman McNulty stated okay.

Board Member Taylor stated I'm just taking you to their note on the environmental assessment form. So the next thing...or I have any question, Page 5. Now this was, again, Rich's question which is...These forms are hard to follow.

Rich Williams stated Page 5.

Board Member Taylor stated yes, page 5. Which is what, D.2.d [Roman numeral] III.

Chairman McNulty stated will the proposed action use any existing public wastewater treatment. It says yes.

Rich Williams stated wait. D.2 or D.3.

Board Member Taylor stated it's page 5 of 13 is where we are. At the very bottom of the page.

Rich Williams stated will the proposed action use any existing...Yes.

Board Member Taylor stated 2.a. question...

Chairman McNulty stated and the note is does it demonstrate the capacity to use that existing public sewage treatment plant.

Rich Williams stated correct.

Chairman McNulty stated is the expansion...Is expansion of the district needed, and no is correct...is checked. I think your question is, is that accurate. Do we know...

Board Member Taylor stated is expansion of the district needed.

Chairman McNulty stated if it has to be expanded. We touched on that in the last meeting.

Board Member Brady stated yes, didn't they just...

Rich Williams stated yes.

Board Member Brady stated renovate that.

Rich Williams stated well, they did just renovate it, alright. And there is a sufficient...There's a bunch of capacity left in the plant that they can tie into. Now my only question is when you account for I&I...

Chairman McNulty stated remember that conversation.

[Laughter].

Board Member Brady stated yes.

Ron Gainer stated yes.

Rich Williams stated okay, here we go.

[Laughter].

Chairman McNulty stated that rings a bell.

Board Member Taylor stated we remember.

Rich Williams stated does the sewage treatment plant have enough capacity to account for the waste generated by 80 units plus the I&I.

Board Member Taylor stated so that probably should be a no with an asterisk again saying...

Board Member Brady stated and that's...

Board Member Taylor stated you can't check the no until you've proven it.

Board Member Brady stated right. And that's when they're going to run the cameras down through the piping.

Board Member Taylor stated the whole business.

Rich Williams stated no, that's a math problem.

Chairman McNulty stated yes. That's...

Board Member Brady stated oh, yeah.

Rich Williams stated yes. I mean, you just need to calculate out how much is generated by the number of bedrooms, add in a certain percentage for I&I. You know, I&I for both the existing...Well, you can get the numbers. You can get the numbers from...

Mr. Johnson stated you have to prove it out.

Rich Williams stated the existing plan. Yes. It's a math problem.

Mr. Johnson stated yes.

Rich Williams stated the camera has to go with is the existing infrastructure in a suitable condition to, you know, take the flows through it.

Board Member Brady stated right.

Chairman McNulty stated so specific to this question on the EAF, as a layman looking at it, it's checked no. So that's telling me there's clearly...

Rich Williams stated checked...

Chairman McNulty stated this...

Rich Williams stated which one are we looking at.

Chairman McNulty stated we're looking at the very last item on page 5.

Rich Williams stated oh. Is the expansion of the district needed.

Chairman McNulty stated and it's checked no, but there's no supporting evidence to us to know if that's correct or not.

Board Member Taylor stated at this point, that's correct. Right.

Rich Williams stated yes. And I think I was questioning more, you know, the third bullet up, which is checked yes: does the existing wastewater treatment plant have capacity to serve the project. That's checked yes.

Board Member Taylor stated either way...

Rich Williams stated and I'm just, you know, at this point I don't have enough information to be absolutely certain...

Chairman McNulty stated there should be another box that says "not sure".

Board Member Taylor stated well, I think, you know, what SEQRA says is if you're not sure you check no. Or you check yes on the other side if it means that you got to study it more.

Chairman McNulty stated yes, well that's the thing. This is a whole issue that needs to have a further...

Board Member Taylor stated so we...

Chairman McNulty stated investigation.

Board Member Taylor stated it shouldn't be yes then. They should be checked no's then.

Mr. Johnson stated well, I mean, it will have the notes in...to prove out what you're saying...

Board Member Taylor stated right.

Mr. Johnson stated the additional math required as a note. So if it proves it out yes, then it can be answered yes.

Board Member Taylor stated then yes.

Mr. Johnson stated it would...

Board Member Taylor stated at that point, it could be answered yes.

Mr. Johnson stated correct.

Chairman McNulty stated yes.

Board Member Taylor stated yes. But...

Mr. Johnson stated so I think that there is some math that's already in there. It's just an additional thing that needs to be added to this.

Rich Williams stated correct.

Board Member Taylor stated right.

Mr. Johnson stated equation.

Board Member Taylor stated so we're just saying at this point it should have been checked no until we've accepted that it's proved out. And then we can go back and...

Rich Williams stated well, no. I would say...

Board Member Taylor stated or not.

Rich Williams stated that it's okay the way they checked it.

Board Member Taylor stated okay. Just highlight it.

Rich Williams stated but they need to correct the math to...

Board Member Taylor stated okay.

Rich Williams stated confirm it.

Board Member Taylor stated so we'll highlight it. And then a question on this. If they're calculating for three bedrooms, how many people are they calculating for in the three bedrooms.

Rich Williams stated oh god, I don't know. I think each bedroom can hold what, Ron, four people.

[Laughter].

Chairman McNulty stated it depends if you're in Brewster.

[Laughter].

Board Member Taylor stated what's...

Rich Williams stated no, I mean...

Mr. Johnson stated it's all based on math now.

Rich Williams stated I mean, when the Health Department does it.

Board Member Brady stated isn't it two.

Ron Gainer stated DOH, I mean, I didn't...DOH has that count for you. You're not going to touch that. You're going to take...

Board Member Taylor stated no, no. But that...I'm just, as a background information, what are they saying. You've got three bedrooms, how many people are living in that apartment then if there's three bedrooms.

Ron Gainer stated I think there's no specific data. I presume they're anticipating, too. But I...It's written all based on gallons, so...

Rich Williams stated yes, I think you're right. I think when the Health Department...State Health Department starts this, determines how much wastewater a bedroom is going to generate...

Ron Gainer stated right.

Rich Williams stated they say it's two people.

Board Member Taylor stated in each bedroom.

Rich Williams stated each bedroom. Now, depending on the size of the bedroom, our Code allows four, six people.

Board Member Taylor stated okay. But...

Rich Williams stated so...

Board Member Taylor stated the initial calculation is allowing for six people in a three bedroom apartment.

Chairman McNulty stated that would be the guideline.

Rich Williams stated yes.

Board Member Taylor stated okay.

Mr. Johnson stated it's based on bedroom count though.

Board Member Taylor stated no, I understand that.

Mr. Johnson stated right.

Chairman McNulty stated yes. So it's gallons per bedroom.

Ron Gainer stated (inaudible) of gallons. Right.

Mr. Johnson stated correct.

Board Member Taylor stated I would...I should have...If we step back, we've got this issue about how many people are going to be living in this place. They're allowing for 6 people to be living in each three bedroom apartment based on the water calculations. Maybe they should be doing a traffic study based on 6 people living in an apartment then.

[Laughter].

Board Member Taylor stated you see where I'm going with this.

[Laughter].

Chairman McNulty stated but you're not going to have six people in age restricted unless they're subletting bedrooms.

Board Member Brady stated why, I planned on moving in.

Rich Williams stated they're not...

Board Member Montesano stated (inaudible – too many talking).

Rich Williams stated remember, they're not all three bedroom. They've...

Board Member Taylor stated no, I know.

Rich Williams stated they've recounted...

Chairman McNulty stated yes.

Rich Williams stated for the population.

Board Member Taylor stated yes.

Chairman McNulty stated but this current gallon that is submitted in here is based on the bedroom count of 80 units: mixed one, two and three bedroom.

Rich Williams stated right.

Board Member Taylor stated I'm just trying to make a point that...

[Laughter].

Board Member Taylor stated this stuff is...

Board Member Brady stated it was good.

Board Member Taylor stated you can permeate...

Board Member Brady stated that was a good one.

Board Member Taylor stated this in any number of ways.

Board Member Montesano stated ohhhh.

Board Member Taylor stated they could...

Rich Williams stated well...

Board Member Taylor stated they could say that...

Board Member Montesano stated is that what they call a grey area.

Board Member Taylor stated their capacity is...

Rich Williams stated do you want to go back and start from the beginning because if we start from the beginning I can argue every answer that I said was yes is no. And every answer...

Board Member Taylor stated yes.

Rich Williams stated I said was no.

Board Member Taylor stated right.

Rich Williams stated and that's what you have to understand about this.

Chairman McNulty stated yes, it's so...

Rich Williams stated it's just basically a guideline for you to go through. It's good that you go through it like you're doing it and concur or not concur with the answers and make sure they're...they're the way that you're comfortable with a...that they should be. But the reality is, at the end of the day you can't rule out common sense when you're dealing with this stuff. And whether it's appropriate to say you just don't have enough detail and we need a lot more detail through an EIS or...

Chairman McNulty stated it's flagging what could be a major impact.

Rich Williams stated yes.

Chairman McNulty stated or some kind of impact that needs to be mitigated. And the wastewater is one that needs to be looked at further.

Board Member Taylor stated yes.

Board Member Montesano stated just think of the gentlemen that wrote this thing.

Board Member Taylor stated the gentlemen.

Chairman McNulty stated the public wrote it.

Rich Williams stated but you're concerns...

Board Member Montesano stated yes. Sure they did.

Rich Williams stated can you're concerns be addressed...

Board Member Taylor stated right.

Rich Williams stated through further site plan review and as it moves through the process. Or do you need some sort of document to further analyze and then at the end of the day, impose mitigation, because that's the only way you're going to get there.

Chairman McNulty stated but mitigation would be indicated in an EIS, correct.

Rich Williams stated yes.

Chairman McNulty stated that would be part of the EIS...

Rich Williams stated right.

Chairman McNulty stated process.

Rich Williams stated it could also be part of the site plan. But...

Chairman McNulty stated depends if...

Rich Williams stated it could be the EIS.

Chairman McNulty stated if there's one sole issue, I can understand that. But if we have multiple issues, then...

Rich Williams stated even...But even with multiple issues, you know, and you have to look at it. You know, the driveway. You know. Do we want a 24 or a 26 foot wide driveway. Well that you can handle through the...

Chairman McNulty stated mmhmm.

Rich Williams stated site plan review process, you know.

Chairman McNulty stated okay.

Board Member Taylor stated page 6, C.3...C.III.

Chairman McNulty stated Planner's notes.

Board Member Taylor stated Part 1 d. Question D.2.e. should identify the off-site water body receiving the stormwater discharges. Alright, so he's saying add more information in there.

Rich Williams stated yes.

Board Member Taylor stated not change the checks...

Rich Williams stated you know...

Board Member Taylor stated but add more information. Yes.

Rich Williams stated yes. Where's the runoff going to.

Board Member Taylor stated okay. Will proposed action generate or emit methane. They checked yes.

Chairman McNulty stated is that from the sewage treatment plant, methane would be emitted.

Board Member Taylor stated that's what they're saying. Sewage...

Chairman McNulty stated it would be increased.

Board Member Taylor stated flow, including proposed project, is below the design capacity. All I...My comment was just show us that. That it's below design capacity. Did they put that in there. Did they show you the calculation.

Ron Gainer stated I don't think...

Rich Williams stated for methane.

Mr. Johnson stated yes, it's in there. That's why we're with the 3,700 I&I, what we were talking about before. So, design capacity of that sewage plant. We're below that. But we need to prove more with...on that previous answer that we talked about.

Chairman McNulty stated there's backup that needs...which would be generated off the...

Mr. Johnson stated right. Just make sure we're under that threshold, you know, for what the plant was designed for.

Chairman McNulty stated is there currently a methane discharge from that plant.

Rich Williams stated if you got a wastewater treatment plant, there's a methane discharge. That's the rotten eggs you smell.

Chairman McNulty stated no, I hear you. I...

Rich Williams stated but the question is does it exceed air quality limits and if it does how are you going to mitigate it.

Mr. Johnson stated but I assume since it was just approved by the DEP and moved on that it must be below the (inaudible) regulated or...

Rich Williams stated I...

Mr. Johnson stated or whatever.

Rich Williams stated I don't know. I only have experience with a...

Ron Gainer stated yes, I don't know that it's regulated...

Rich Williams stated couple of wastewater treatment plants and...

Ron Gainer stated to that size.

Rich Williams stated I don't know anybody ever looks at it.

Ron Gainer stated yeah, I know.

Chairman McNulty stated the thing is to ask the neighbors downwind.

Ron Gainer stated a large generator...

Chairman McNulty stated that's who you need to ask.

Rich Williams stated yes, maybe a million gallons a day plant. But...

Board Member Brady stated yes. Alright.

Rich Williams stated not for these small plants. It's really not ever an issue.

Ron Gainer stated right.

Chairman McNulty stated again, unless you the neighbor downwind.

Board Member Taylor stated yup.

Rich Williams stated but is it a health issue or is it just, you know, your house sinks.

Board Member Brady stated unpleasant. Yes.

Chairman McNulty stated it's a quality of issue.

Board Member Brady stated cover it and put air strawberry...

Rich Williams stated it's a quality of life issue.

Chairman McNulty stated how's that.

Rich Williams stated I don't know.

Board Member Taylor stated so we can...

Chairman McNulty stated ask the guy next to the barbeque in Put[nam] Lake.

Rich Williams stated yes. Say we'll put a barbeque place in and they'll cancel each other.

Board Member Taylor stated right. And smell the methane.

[Laughter].

Board Member Taylor stated well, it's just something that maybe we need to revisit.

Board Member Brady sated and let me tell you, even with the air (inaudible).

Board Member Taylor stated planner on C part 1.3.e.

Board Member Montesano stated just rent a couple of skunks a day.

Board Member Taylor stated oh. They didn't check them. That's...Yes. Our...They didn't check the boxes.

Rich Williams stated no.

Board Member Taylor stated that's all.

Rich Williams stated they didn't check the boxes.

Board Member Taylor stated they check the boxes.

Chairman McNulty stated so let's check them. What do we got here. Public/private transportation services or facilities available...

Board Member Taylor stated no.

Chairman McNulty stated nope.

Board Member Taylor stated proposed action...

Rich Williams stated mum....

Board Member Taylor stated is there a bus.

Rich Williams stated I don't know that the bus doesn't go up to fox run and turn around. I haven't checked.

Board Member Taylor stated oh, okay. So we don't know.

Rich Williams stated I don't know.

Board Member Taylor stated so they need to look at that then. And is there an express bus from there.

Rich Williams stated again, I would have to call over to Putnam County Planning and get those answers. I haven't done that.

Board Member Taylor stated okay. Well, that's not your job. That should be their job, right.

Rich Williams stated I was hoping so, yes.

Board Member Taylor stated yes.

[Laughter].

Chairman McNulty stated so we're on page 7, Curt.

Mr. Johnson stated right.

Chairman McNulty stated item "j".

Board Member Taylor stated yes. This...

Chairman McNulty stated number...

Board Member Taylor stated you have three boxes there.

Chairman McNulty stated number 6, 7 and 8.

Mr. Johnson stated right.

Chairman McNulty stated so we need some...

Mr. Johnson stated okay. That's not a problem.

Board Member Taylor stated alright, "k" is for commercial/industrial projects only. So it doesn't apply. All the way through, any of "k" is for commercial. So you didn't check properly the first one but you checked one later, the third one there, it shouldn't have been checked at all.

Chairman McNulty stated okay.

Board Member Taylor stated hours of operation.

Chairman McNulty stated it's for construction.

Board Member Taylor stated Sunday, not applicable.

Rich Williams stated not allowed.

Board Member Taylor stated is that what the N/A stands for.

Chairman McNulty stated sure.

Rich Williams stated I would assume so.

Board Member Taylor stated it should say none. Generally, it stand for not applicable.

Chairman McNulty stated or no action.

Board Member Taylor stated or no action.

Board Member Montesano stated it depends. Is the hash mark in there.

Mr. Johnson stated we can just put none on there. It's no problem.

Board Member Taylor stated yes, just put none in. That would be a lot clearer as to...Okay. Anything else. Again, page 8 "r". Again...

Chairman McNulty stated same...

Board Member Taylor stated "r" is commercial and industrial only, so there needs to be no check there. Okay. E.1, I would just add it's a rural, nonfarm as part of the property.

Rich Williams stated where are you.

Chairman McNulty stated page 9.

Board Member Taylor stated I'm on page 9 now. E. Site...E.1. Site and Setting. You're supposed to check all existing uses. Forest, residential, other, residential: Residential condominium. I would also check rural, nonfarm. But I don't know what people mean by rural, nonfarm. That strikes me...

Chairman McNulty stated how is that different then rural, residential – suburban.

Board Member Taylor stated well, it's not suburban.

Board Member Brady stated it's forest.

Chairman McNulty stated it's checked residential – suburban.

Board Member Taylor stated well, but it says all. Check all that apply.

Chairman McNulty stated mmhmm.

Board Member Taylor stated so, yes. They would check suburban because it's suburban. I'm just saying they should add also rural – nonfarm. It's...

Rich Williams stated the reality is were neither suburban nor rural anymore. We're more ex-urban.

Board Member Taylor stated yes, so...

Chairman McNulty stated ex-urban.

Rich Williams stated yes, it's the...

Chairman McNulty stated I've never heard of that one.

Rich Williams stated category in between.

Board Member Taylor stated yes. So...

Chairman McNulty stated okay.

Board Member Taylor stated it's mixing that box.

Rich Williams stated it really is.

Board Member Brady stated do you just dream this up or what.

Board Member Taylor stated so we'll put "other – ex-urban" in there.

Chairman McNulty stated other.

Rich Williams stated go look it up.

Chairman McNulty stated okay. I don't think that's a big issue.

Ron Gainer stated they're having fun.

Chairman McNulty stated it's rural – nonfarm. I agree, though.

Board Member Brady stated I think with ex-rural...

Chairman McNulty stated not accessible from site. Item d on page 10.

Board Member Taylor stated yes, I just thought they clarify it's not accessible from the site even though it's within 1500 feet. It's not like you can walk down the street to Clover Lake. I mean...

Chairman McNulty stated no.

Board Member Taylor stated or is that for us to say later on. Some of these things I think make...qualification would just make it much clearer, especially if it's going out to a bunch of people to be reviewed. "h", this is my question about the landfill. Is the landfill not listed on the EAF mapper.

Rich Williams stated I don't know, but I would be surprised if it is because it's not a registered landfill.

Board Member Taylor stated oh, it's not registered.

Rich Williams stated it's a hazardous waste site that's not remediated.

Board Member Taylor stated oh. And it's not recorded anywhere.

Rich Williams stated it's not recorded as a closed landfill.

Board Member Taylor stated it isn't.

Rich Williams stated or an active landfill.

Board Member Taylor stated is it recorded as a hazardous waste site that hasn't been remediated.

Rich Williams stated yes, it is.

Board Member Taylor stated it is.

Rich Williams stated yes.

Board Member Taylor stated so they should have picked that up then.

Rich Williams stated well...

Chairman McNulty stated well, wouldn't item 3 under "h": is the project within 2,000 feet of any site in the New York State DEC Environmental Site Remediation database.

Rich Williams stated that probably should have been a yes.

Ron Gainer stated yeah.

Board Member Taylor stated that's all I'm asking. It just, I mean, we know the landfill's there.

Chairman McNulty stated and that's an area to be looked at also.

Board Member Taylor stated yes. See Planner's notes. C.2 part 1 i...

Chairman McNulty stated you see where we're talking about, Curt...

Mr. Johnson stated yes.

Chairman McNulty stated in that last item.

Mr. Johnson stated yes.

Chairman McNulty stated you know the site we're talking about. The...

Mr. Johnson stated yes. That was the only one that came up when we did the mapper; the DEC mapper. But we'll double check that...

Rich Williams stated so it was on that mapper...

Mr. Johnson stated the one...the spill that's in here. It was like a 5 gallon oil spill or something.

Rich Williams stated oh, that. Yes.

Ron Gainer stated no, that's different.

Mr. Johnson stated that's the only thing that came up. Yes.

Ron Gainer stated no, that's different. Right.

Chairman McNulty stated yes.

Mr. Johnson stated we'll double check that. That's fine.

Chairman McNulty stated you know what we're talking about though. The landfill up on, what's that, Commerce Drive.

Ron Gainer stated right, at the cul-de-sac.

Mr. Johnson stated right at the (inaudible) of the property. Yes.

Rich Williams stated yes.

Board Member Brady stated alright, well...

Rich Williams stated which is kind of funny because I thought it was a heck of a lot more than 5 gallons.

Ron Gainer stated yes. Very...yes. They're feeling special.

Board Member Taylor stated well, you got anymore or is that it. Oh, with bedstraw. We already talked about that.

Mr. Johnson stated just so you know on that...

Board Member Taylor stated yes.

Mr. Johnson stated just as an update, we did have someone go out there...a botanist go out there and I have a report we'll submit with this. It will be in the next go around. There is no bedstraw on the site.

Board Member Taylor stated okay, good.

Rich Williams stated who is the botanist.

Mr. Johnson stated Carol Knapp.

Rich Williams stated okay.

Board Member Taylor stated okay. That takes care of that one. And this...On the...Page 13, (inaudible) the resources. This was the question, out my ignorance: officially designated federal, state, or local scenic or aesthetic resource. The Great Swamp's not considered an aesthetic resource. Okay.

Rich Williams stated DEC has a technical guidance manual, if you don't have it, I mean, I can send it to you, about how to evaluate visual resources.

Board Member Taylor stated okay.

Rich Williams stated and what scenic resources are. They have a very narrow definition. I mean, I think any panoramic view of the viewshed...

Board Member Taylor stated right.

Rich Williams stated is a scenic resource.

Board Member Taylor stated right. Okay.

Rich Williams stated it's not the way they look at it for doing this.

Board Member Taylor stated okay, so...

Chairman McNulty stated is the I-84 corridor a scenic viewshed.

Rich Williams stated no. It has not been designated a scenic viewshed.

Board Member Taylor stated okay.

Rich Williams stated well, I shouldn't say that. There are sections towards the end, I think, over by Pennsylvania that have been.

Board Member Taylor stated well, there's also a big sign...

Chairman McNulty stated well, it's a pretty big.

Board Member Taylor stated as you come in from Connecticut, Welcome to the Hudson Valley Regional, whatever it is.

Rich Williams stated Greenway.

Board Member Taylor stated Greenway, yes.

Rich Williams stated yes.

Board Member Taylor stated so...

Rich Williams stated but that's not a viewshed.

Board Member Taylor stated okay.

Chairman McNulty stated yes, but does it qualify as one of these areas though.

Board Member Taylor stated but, yes. Does it qualify as a federal scenic or aesthetic resource.

Chairman McNulty stated because an interstate's actually a federal road.

Rich Williams stated what are we looking...Which question are we on.

Chairman McNulty stated we're on page 13.

Rich Williams stated go ahead.

Board Member Taylor stated it's "h".

Chairman McNulty stated item "h".

Rich Williams stated is the project designated public use...scenic or aesthetic resource. The greenway is not a scenic or aesthetic resource, my opinion.

Board Member Taylor stated oaky. Well, that's...I'm just trying to figure that so we know in the future. So can you send us that...

Rich Williams stated yes.

Board Member Taylor stated hopefully it's not too long.

Rich Williams stated no, it's not. It's not.

Board Member Taylor stated and then that's...If that's what the definition is...

Chairman McNulty stated I think the key word in there is designated.

Board Member Taylor stated yes. And they're qualifying what to consider scenic or aesthetic and that's all we need to know. And that pretty much does it.

Chairman McNulty stated that does say in item 2, though, nature of, or basis, of designation...

Board Member Brady stated the view from my front door is...

Chairman McNulty stated e.g. established highway overlook...

Ron Gainer stated (inaudible – too many talking) then you're leaving.

Chairman McNulty stated state or local park, state historic trail or scenic byway.

Board Member Taylor stated right. So maybe we should look into that. What's it called. The Hudson...

Chairman McNulty stated well, also, don't we...isn't there a, off Ice Pond, a hiking trail system that leads up to that bluff we hiked that day...

Board Member Taylor stated yes, but it's not designated.

Chairman McNulty stated but if it's Town park, it's not designated.

Rich Williams stated did the Town designate it...

Board Member Taylor stated as scenic re...

Rich Williams stated designate it a scenic resource.

Board Member Taylor stated resource. Yes, no. It's...

Chairman McNulty stated I don't know.

Board Member Taylor stated they haven't, no.

Rich Williams stated no.

Board Member Taylor stated they haven't designated anything as a scenic resource...

Rich Williams stated no.

Board Member Taylor stated right. Yes. So, that was just, you know, me trying to make sense of some of these questions. Well, that kind of takes care of it.

Chairman McNulty stated so I think we've identified some concerns though, with the...

Board Member Taylor stated we deal with those in Part 2. That's what Part 2 is about. At this stage, all we need to know is that Part 1 is complete and then we can...

Rich Williams stated you don't want to go through Part 2.

Board Member Taylor stated I don't...

Rich Williams stated okay. That's fine.

Board Member Taylor stated I don't think tonight. We've already spent a half hour on this, haven't we.

Rich Williams stated Sarah doesn't want to go home.

Board Member Taylor stated yes.

The Secretary stated 45 minutes.

Rich Williams stated you're what.

[Laughter].

The Secretary stated I said 45 minutes.

Chairman McNulty stated but she's not counting.

[Laughter]

Board Member Brady stated her fingers are sore already.

[Laughter]

Chairman McNulty stated so at this point...

The Secretary stated my ears hurt.

Chairman McNulty stated would you resubmit this then...

Mr. Johnson stated yes.

Chairman McNulty stated with these corrections.

Mr. Johnson stated we'll go through and based on what we... This was very helpful, I think, for everybody.

Chairman McNulty stated yes.

Mr. Johnson stated and so you'll get a complete package next time that answer all these questions and hopefully the EAF Part 1 can be deemed complete and circulate, do whatever you need to do with that, we can go from there.

Chairman McNulty stated and then we can begin to look at Part 2.

Board Member Taylor stated yes.

Chairman McNulty stated now we've identified some critical areas.

Board Member Taylor stated yes.

Board Member Montesano stated that's if we get one Part 1 passed.

Chairman McNulty stated well, I think we've done that review. So...

Board Member Taylor stated as long as they...

Chairman McNulty stated we're good there.

Board Member Taylor stated get their paperwork done and be sure and sign it.

Mr. Johnson stated yes. Okay.

[Laughter].

Board Member Taylor stated alright.

Mr. Johnson stated we knew this was a draft; first time around, so...

Board Member Taylor stated yes. Yup. Well actually, it was the second time around. You've sent us one before.

Chairman McNulty stated is there any other comment on this for now. Anybody have any input for this review. Curt, is there anything you have for us.

Mr. Johnson stated no. I think...Again, thank you for allowing me to come and just go through this. I think it was good for everybody, so...

Chairman McNulty stated okay. I have some items on the Letter of Intent, but I'll wait till the meeting when everybody's there, Mr. Marvin or whoever. It's just...

Rich Williams stated alright. Okay.

Chairman McNulty stated to the homeowners' association.

Rich Williams stated oh, okay.

Chairman McNulty stated the one question I had, I mean, we can bring that up now. There was talk about a second entrance. An easement for a second entrance.

Rich Williams stated correct.

Chairman McNulty stated and I wasn't familiar with where that is and...

Rich Williams stated that's coming down by the pool.

Mr. Johnson stated right.

Chairman McNulty stated so this...of the upper level back into the Fox Run Lane.

Rich Williams stated correct.

Chairman McNulty stated okay. And just to touch...My concern also was at what part of the project would that work take place to...in the joint...The redesign of the entrance, the road improvements. That entrance. Would that be done upfront.

Rich Williams stated yet to be determined.

Mr. Johnson stated yes.

Chairman McNulty stated yes. That's what I thought. But those are items I wanted to bring up and touch on briefly.

Rich Williams stated yes. Typically, you know, if we're going to go forward with an 80 unit, then we're going to look at how it's going to be constructed: the phasing on it. And where it's necessary and appropriate to make certain improvements.

Chairman McNulty stated okay.

Rich Williams stated did that with Ice Pond, remember.

Board Member Brady stated yes.

Rich Williams stated we're doing the road improvements on the third phase.

Chairman McNulty stated yes. I just...My feeling is that it should be the other way around on this project.

Rich Williams stated okay. I...

Chairman McNulty stated yes. So, but we can talk about that more.

Board Member Taylor stated yes.

Chairman McNulty stated okay. Thanks for your time.

Mr. Johnson stated great. Thank you for your time. Appreciate it.

Board Member Taylor stated yes.

Mr. Johnson stated see you next week.

Board Member Brady stated take care.

2) Wilkins Motorsports – Sign Application

Chairman McNulty stated okay. We'll move back to the schedule here.

Rich Williams stated sure. This is a site down near Empire Tool. Maybe half a mile up the road on the other side of this...other side of Route 22.

Chairman McNulty stated is that what used to be a motorcycle shop.

Board Member Brady stated yes.

Rich Williams stated yes. And it's going to be a motorcycle shop again.

Chairman McNulty stated it's currently a used cars, or a mechanics garage. What is it currently.

Rich Williams stated well, I think the person who owns it is parking some of his cars there. But it was motorcycles. And currently...and it will be motorcycles again.

Chairman McNulty stated okay.

Board Member Taylor stated they're also selling quads and things, weren't they, out of there. Or servicing...

Chairman McNulty stated no. I think that's up the road at the...

Board Member Brady stated no, that's the other one.

Board Member Taylor stated oh, the other one. Oh, they got...

Chairman McNulty stated yes. The Victory Motorcycle...

Board Member Brady stated I mean, he was selling some...

Chairman McNulty stated Herman's.

Board Member Brady stated there. I think he was selling used ones there.

Board Member Taylor stated yes.

Board Member Brady stated yes. At one point.

Board Member Taylor stated he used to stick them out on the road.

Board Member Brady stated yes.

Chairman McNulty stated and this is just a sign application.

Rich Williams stated it is just a sign application.

Chairman McNulty stated okay.

Board Member Taylor stated okay.

Chairman McNulty stated I don't want to do anything tonight. I want to read through this and look at everything.

Board Member Taylor stated okay.

Chairman McNulty stated is that what his sign's going to look like [referring to a sketch submitted].

Board Member Montesano stated no.

Rich Williams stated next page.

Board Member Montesano stated the next page.

[Laughter]

Rich Williams stated that's the location which I think is a little too close to Route 22.

Board Member Brady stated yes.

Board Member Montesano stated it's the one right there.

Board Member Taylor stated I didn't see a problem with it.

Chairman McNulty stated is there a setback for signs off the road. What is the normal setback off a State road.

Rich Williams stated you have to be out the state right-of-way, that's for sure.

Chairman McNulty stated yes, okay.

Rich Williams stated so, my suggestion in the memo, I think, was to if you're going to approve it, approve it twenty...A minimum...

Board Member Montesano stated twenty-five.

Rich Williams stated of twenty-five feet from the center of the road.

Chairman McNulty stated I'll look at your notes, I want to look at that further. Okay. Okay, anything else on that until next week.

3) PCLT/Mancini Subdivision – Subdivision Application

Chairman McNulty stated Mancini subdivision. Where are we at, Rich.

Rich Williams stated correct. The Applicant has resubmitted. He's made a formal application now seeking subdivision approval. He indicated he had submitted an EAF with the application but there was no EAF. You know, if he had, then I'd say you're in a position to declare your lead agency. But there was still some cleanup on the EAF and he needs to resubmit that. I've been through the plans. He also submitted a Stormwater Pollution Prevention Plan. I've been through that on a conceptual basis. I didn't have any problems with it. So...

Chairman McNulty stated if you have an issued any review on this yet, have you.

Rich Williams stated no.

Chairman McNulty stated written review.

Rich Williams stated no. I haven't...

Chairman McNulty stated will they be in this week coming up.

Rich Williams stated yes. You should have it hopefully by the end of tomorrow because there was just a couple of additional comments I had to, you know...

Chairman McNulty stated okay.

Rich Williams stated type in but the day got away from me.

Board Member Taylor stated why did they do a long form and not a short form, EAF. You know.

Rich Williams stated I don't have an EAF. Do you have an EAF.

Board Member Taylor stated yes. I have an EAF.

Rich Williams stated I don't have an EAF. Alright, I'll have to go back and look at the submission and why I don't...

Board Member Taylor stated Bullet Hole Road, Pat[terson]...I don't know when it came in.

Rich Williams stated that's interesting.

Board Member Taylor stated I had to search...It was among the old stuff. I had to pull out old stuff from a while ago.

Rich Williams stated oh, yes. They had done, yes. They had done a long form EAF originally. But they hadn't corrected it.

Chairman McNulty stated that was prior to our site walk we received that.

Board Member Taylor stated yes, I think so.

Rich Williams stated you didn't get one with this latest submission.

Board Member Taylor stated no, not with the latest submission.

Rich Williams stated okay. Yes.

Board Member Taylor stated but I had some questions...February they submitted it. Yes.

Rich Williams stated yes.

Board Member Taylor stated I was just...It seems like this one doesn't need a long form really.

Rich Williams stated probably doesn't but, you know, most people get used to just doing the long form and...

Board Member Taylor stated yes, well that's fine, too. For guidance for review, other agencies to review this, I thought they should really make it clear that it's a two-lot subdivision but it's only one lot that's residential. The other lot is undisturbed, staying undisturbed.

Rich Williams stated I think you have made that comment before.

Board Member Taylor stated yes, I made it...

Rich Williams stated yes.

Board Member Taylor stated made it before because you get down into question on the EAF where they're checking problems and it's not a problems for the residential lot...

Chairman McNulty stated nope.

Board Member Brady stated right.

Board Member Taylor stated it would be problems for the nondisturbed lot. So it's misleading in some ways. I don't know how we deal with that. The EAF really doesn't allow for that.

Chairman McNulty stated but I think that's just in the review. That's the whole purpose of that EAF is for us to review it and then we would tag significant items or...and just declare that it's not significant.

Board Member Taylor stated yes, well...

Ron Gainer stated you have the description of the action right at the beginning. You're going to incorporate Ron's suggestions.

Board Member Taylor stated yes.

Chairman McNulty stated yes.

Board Member Taylor stated yes, I just...

Ron Gainer stated to make clear it's only development of one lot.

Board Member Taylor stated I was just...We're going to send it to DEP. We're going to send it to DEC. And they're going to look at this and say, well what about all these things. But they don't apply because it's...I just think...Instead of...If they have to check the boxes, then maybe they should a note next to it, doesn't apply to the residential part or something like that. Just for people reviewing it so that it...so we don't get a bunch of comments back from the DEC about the red maple forest or whatever it is.

Chairman McNulty stated is there a new plan associated with this. Is the driveway layout and the house layout changed from...

Rich Williams stated yes.

Chairman McNulty stated so we don't have that yet, right.

Rich Williams stated yes. You should have a plan.

Board Member Taylor stated yes. Yes.

Board Member Brady stated the answer to part of this item (inaudible) looked at it.

Board Member Taylor stated yes, they moved the driveway.

Chairman McNulty stated they did.

Board Member stated but they didn't move the lot.

Chairman McNulty stated where did I put the plan.

Board Member Taylor stated they said they can't move the lot because of the streams or the...

Chairman McNulty stated oh right here. Right here. I got it. I got it.

Board Member Taylor stated seeps or...

Board Member Brady stated yes.

Rich Williams stated and I've reviewed the agreement. It appears to be...read that way. Mike Liguori has it to look at.

Board Member Taylor stated yes. But it seemed to make sense, too, why they didn't want to go down there.

Rich Williams stated yes.

Board Member Taylor stated so, alright. Anyway.

Chairman McNulty stated okay. So I know I have to review application, the plan. Does anybody have any other input yet.

Board Member Brady stated no.

4) M&S Iron Works – Site Plan Application

Chairman McNulty stated okay. M&S Iron Works.

Rich Williams stated this is the holdover from the last meeting because the engineer couldn't attend the last meeting.

Chairman McNulty stated yes.

Rich Williams stated comments have already been issued on this. It's a redesign of a previously approved site...Commercial site plan for light industrial...light man, yes. Light Manufacturing and warehouse.

Chairman McNulty stated so basically it's a new application on a site that these people have already applied for. And...

Rich Williams stated already received approval.

Chairman McNulty stated we have Ron's notes, we have your notes.

Ron Gainer stated right.

Chairman McNulty stated have there been any further input from [Dan] Holt.

Rich Williams stated nope. Haven't heard from him.

Chairman McNulty stated do you think we'll expect him this week.

Rich Williams stated I hope he's coming in next week.

Chairman McNulty stated okay. Because we did discuss it briefly last meeting. We had some questions, so hopefully we can get him through the process and... You know, the technical stuff with the stormwater a lot of that was really addressed previously. So, hopefully we can get him right through the process.

Rich Williams stated hopefully.

Chairman McNulty stated we'll get their lighting and turnarounds and driveway access, that kind of thing, squared away.

Ron Gainer stated yes.

Chairman McNulty stated okay.

Board Member Taylor stated we also...I think they've got to revise their short EAF before we can do lead agency and...

Chairman McNulty stated do we want to run through their EAF quick that way we can move forward and make recommendations to them.

Rich Williams stated I'd have to go pull it out. I don't even have it here.

Board Member Taylor stated I think we can do it very quickly. Yes, I've got very few comments on it. It's just it's...They didn't fill it out right.

[Laughter]

Chairman McNulty stated to sum it up.

Board Member Brady stated Ron, we'll get you a stamp and you can put it on every one before it's issued. Because you know...

Board Member Taylor stated well, some of it I think they're learning about this stuff the way we're learning about it, right. It's a new form.

Rich Williams stated sometimes. And sometimes they just...

Board Member Taylor stated they don't care.

Rich Williams stated don't take the care...

Board Member Taylor stated yes. So...

Rich Williams stated to fill it out properly.

Board Member Taylor stated yes. Just...

Chairman McNulty stated well, let's run through it quick.

Board Member Taylor stated page 1, number 4. Again, I would have checked rural – nonagricultural. Especially for that site, as all the kinds of...Check all land uses occurring or adjoining the proposed action. Occurring on. So it's rural.

Chairman McNulty stated and the 5.51 acres is accurate.

Rich Williams stated yes.

Chairman McNulty stated okay.

Board Member Taylor stated and there are wetlands on the site, right. Or are there wetlands.

Ron Gainer stated those are...

Rich Williams stated they're not on the site, they're just off.

Board Member Taylor stated oh. So that should be checked, too. And wetlands put on there. Eight, will the substantial...Rich flagged this one. They're saying it will produce a substantial increase in traffic.

Rich Williams stated yes. They are.

Board Member Taylor stated did they check the right box. Did they mean that.

Rich Williams stated you know what, I have no idea. I certainly raised that as an issue. I remember that one in the review.

Board Member Taylor stated yes.

Rich Williams stated I said, really. What's the substantial increase. What are you proposing to do.

Board Member Taylor stated and public transportation available at or near the site. They're talking about the Putnam County bus. Is that what they're talking about. Okay.

Chairman McNulty stated that's the only public transportation we have there.

Board Member Taylor stated yes. So that...

Chairman McNulty stated that does run down Fair Street.

Board Member Taylor stated yes. So...

Chairman McNulty stated yes. The bus garage is right there.

Board Member Taylor stated does...Number 13. Does any portion of the site or the proposed action or lands adjoining the proposed action contain wetlands or other water bodies regulated federal, state or local agency. They checked no. But it...

Rich Williams stated it should be yes.

Board Member Taylor stated it should be yes.

Chairman McNulty stated yes. That should be yes.

Board Member Taylor stated yes. And on the last page question number 20, they didn't check one of the boxes.

Chairman McNulty stated does the site proposed action...

Board Member Taylor stated they put a comment in there. If yes, describe. They put a comment in the yes. They should have checked the yes box. That's it.

Chairman McNulty stated so that's a yes.

Board Member Taylor stated yes. And they really should leave Part 2 alone and let us check part 2.

Chairman McNulty stated now back to number 20 though, how does that effect this project. It says and monitoring of wells installed. Do they have any responsibility to do that.

Rich Williams stated no.

Chairman McNulty stated who's doing that. We don't know because it's an abandoned property, right.

Rich Williams stated I don't know anybody's doing it.

Chairman McNulty stated but it's offsite from their lot so...

Board Member Taylor stated yes. They're not...

Chairman McNulty stated they're not responsible.

Board Member Taylor stated responsible for them.

Rich Williams stated yes, but they did have monitoring wells on this lot that had to be closed out.

Board Member Taylor stated oh, that were monitoring the landfill.

Rich Williams stated well, let's say this. There were wells that looked like they might have been on the site. I don't know they were actually on the site. But there are monitoring wells out there that needed to be closed off.

Board Member Taylor stated alright, so we need...

Chairman McNulty stated so would Holt Engineering be aware of that.

Rich Williams stated mmhmm.

Ted Kozlowski stated what do the wells consist of. What are they. Are they a drilled well and...

Rich Williams stated yes. They're just a drilled well where they...

Chairman McNulty stated where they can take water samples, right.

Board Member Brady stated so they just something down and pull the samples out of a...so there's a casing and stuff.

Rich Williams stated they have little midgets.

[Laughter]

Chairman McNulty stated little people.

Board Member Montesano stated they call them the elves.

Chairman McNulty stated little people.

Board Member Taylor stated with their own little chemistry sets.

[Laughter].

Board Member Brady stated let me see you get that on the recorder.

Chairman McNulty stated alright, guys. Let's stay on track.

Board Member Montesano stated and it's (inaudible), they're rocking on again.

Board Member Taylor stated so since it's checked yes, we're going to look at it again anyway, so it's...We'll just make a note on that. That's all that's...If they just correct it, then we can move forward with this.

Ted Kozlowski stated what, (inaudible).

Board Member Montesano stated you missed it.

Ted Kozlowski stated what.

Rich Williams stated you didn't miss anything.

[Laughter].

Ted Kozlowski stated I had to stretch. My wife hasn't seen me all day.

Chairman McNulty stated alright, so, EAF.

Board Member Brady stated ted, were you letting her know you were on your way home.

Ted Kozlowski stated no.

Chairman McNulty stated okay. Everybody good with that. Or you have another question. Anybody have a question.

Board Member Taylor stated Ron had said Ed suggested that he work with their engineer to straighten out some of the problems. Is this the same engineer they had before.

Chairman McNulty stated yes.

Rich Williams stated yes.

Ron Gainer stated same guy, right.

Board Member Taylor stated I think that's probably a good idea. How do they rest of us feel about that.

Ron Gainer stated just to keep it simple. There's no reason to...

Chairman McNulty stated well, you've made your comments on this already.

Ron Gainer stated right. And we'll sit with him...

Chairman McNulty stated yes.

Ron Gainer stated when he calls. Right.

Chairman McNulty stated yes.

Board Member Taylor stated you just wanted...

Chairman McNulty stated you've worked with...

Board Member Taylor stated permission from us if you thought it was a good idea.

Ron Gainer stated if you don't mind...

Board Member Taylor stated I think it's a good idea.

Ron Gainer stated make it simple, right.

Board Member Brady stated yes, absolutely.

Chairman McNulty stated you've worked with Dan before so, right.

Ron Gainer stated no.

Chairman McNulty stated no.

Ron Gainer stated no, none.

Chairman McNulty stated I thought he's been around awhile. Okay. Anything else, Ron.

Board Member Taylor stated there's just...That was an agreement that yes, he should. Can we state that clearly for the record.

Chairman McNulty stated yes.

Board Member Brady stated yes.

Chairman McNulty stated yes. See, you can...

Ron Gainer stated I'm taking that as a yes.

Board Member Taylor stated okay.

Chairman McNulty stated yes. Work out the technical issues.

5) **Dino Rentoulis – Site Plan**

Rich Williams stated yes. Dino submitted a site plan prepared by Harry Nichols showing a new parking layout. It's fairly simple, fairly straightforward.

Board Member Brady stated I'll tell you, it's a big difference from what he was talking about originally. I mean, you know, you've got curbs in there and I was shocked when I saw it.

Rich Williams stated yes, it's just a straight parking lot. In and out. A number of parking spaces.

Board Member Montesano stated he listens well, for a change.

Board Member Brady stated but I do have a bunch of questions.

Chairman McNulty stated this isn't a new application, though, is it. Didn't he have an application...

Rich Williams stated do you think he's going to...

Chairman McNulty stated in front of us already.

Rich Williams stated yes. He's been a couple of times. We've reviewed some concepts...excuse me. Some concepts.

Board Member Brady stated because he was talking about putting down the ground up...

Rich Williams stated yes.

Board Member Brady stated blacktop.

Rich Williams stated recycled asphalt.

Board Member Brady stated yes. Recycled asphalt.

Board Member Montesano stated yes. We've got lights, we've got...

Board Member Brady stated yes.

Board Member Montesano stated stop signs.

Board Member Brady stated yes.

Rich Williams stated yes.

Board Member Montesano stated he's done a very nice job.

Board Member Brady stated is he coming in. Is he coming in next week.

Rich Williams stated he should be, yes.

Board Member Brady stated yes.

Board Member Montesano stated Harry's coming with him.

Chairman McNulty stated part of the setback for parking to the property line, there is none.

Board Member Brady stated is 24 between back of space to back of space enough room.

Rich Williams stated yes.

Ron Gainer stated it has to be.

Board Member Brady stated yes.

Chairman McNulty stated yes.

Board Member Brady stated is it. Yes. Man, I pay hell getting my truck out sometimes.

Chairman McNulty stated different in a truck, I know that. What does he show there...

Board Member Brady stated and then...

Chairman McNulty stated at the entrance. Is that asphalt.

Rich Williams stated no, what he's showing is a stabilized construction entrance.

Chairman McNulty stated SCE.

Rich Williams stated yes. That would be...

Board Member Brady stated oh, okay.

Rich Williams stated Stabilized Construction Entrance.

Board Member Brady stated that was one of my questions.

Rich Williams stated which is typical. What you're going to put in during construction. He's kind of combined plans.

Board Member Brady stated on the other end of this site, he's got no curbing in one spot.

Rich Williams stated so runoff can pass through.

Board Member Brady stated so the water...that's where the water's going to runoff.

Rich Williams stated right.

Board Member Brady stated all the water's going to run down to the right-of-way. It will freeze up there and have no problem there.

Rich Williams stated well, there is a ditch along the right-of-way, yes.

Board Member Brady stated is there.

Rich Williams stated yes.

Chairman McNulty stated boy, that lighting detail looks familiar.

Rich Williams stated does it.

Chairman McNulty stated I've seen it before.

Rich Williams stated I don't know where you got that. Have you seen it before.

Chairman McNulty stated yes.

Rich Williams stated I'd love to see it go in.

Chairman McNulty stated me, too.

Board Member Brady stated it's nice.

Chairman McNulty stated stop sign. And these are all asphalt curbs he proposes at the entrance.

Rich Williams stated I actually haven't checked in on it that close to know for sure.

Board Member Brady stated yes. He said asphalt curbs around the whole thing.

Ron Gainer stated he's got curbing, right.

Board Member Brady stated yes.

Board Member Montesano stated is that a Patterson curb.

Board Member Brady stated yes.

Ron Gainer stated used to be.

Chairman McNulty stated is he still calling for the ground up asphalt. Recycled asphalt.

Board Member Brady stated no, it's blacktop. He's putting a binder and a topcoat. It's completely change than what he talked, you know what I mean. He went from...

Chairman McNulty stated oaky. Yes, I see that on the detail here.

Board Member Brady stated a Volkswagen up to Cadillac. I was shocked. All the lighting and everything.

Board Member Montesano stated I don't know, did Cadillac get recalled.

Chairman McNulty stated now, he said he cannot put a crosswalk in, technically, right.

Rich Williams stated correct.

Chairman McNulty stated so people would have to walk out that entrance and come around. Okay.

Board Member Brady stated yeah. In theory, I guess.

Rich Williams stated not up to us to enforce it.

Ron Gainer stated right.

Chairman McNulty stated nope.

Ted Kozlowski stated why can't he put a crosswalk. Because of...

Board Member Taylor stated right-of-way.

Rich Williams stated he doesn't own the property.

Chairman McNulty stated yes. It doesn't mean somebody didn't paint one on in the middle of the night.

Board Member Taylor stated did somebody come out and...

Chairman McNulty stated like a green stripe for Saint Paddy's Day. So Rich, you're going to do some review on this for us. Or is it pretty much...

Rich Williams stated yes.

Chairman McNulty stated just...

Rich Williams stated I'm going to do...

Board Member Brady stated yes. He's only got two handicapped spaces.

Rich Williams stated yes, actually, I don't care if he has any handicapped spaces because the handicapped spaces are on the other side...

Board Member Brady stated side and they're not what we're reviewing.

Rich Williams stated right. And they're already there.

Board Member Brady stated yes.

Board Member Montesano stated he needs more on the way out.

Chairman McNulty stated that's on a previous site plan.

Rich Williams stated mmhmm.

Chairman McNulty stated yes. This is just for...Is this considered a site plan amendment.

Rich Williams stated no. There's no site plan for this site.

Chairman McNulty stated this is a separate site.

Board Member Taylor stated separate parcel.

Rich Williams stated correct.

Chairman McNulty stated okay.

Board Member Taylor stated I could not find an EAF for this. Did he submit one.

Rich Williams stated I don't believe he did. No.

Board Member Brady stated now, he was talking about this being the first part and is things work out he was going to expand. Where would he expand from. He's, you know, he's got his curbs and he's got all his spaces in. What do you...

Board Member Taylor stated well, you got to knock the curb down.

Chairman McNulty stated yes.

Rich Williams stated have to throw something out and redo it.

Board Member Brady stated alright.

Chairman McNulty stated and then he'd do an amended plan and show the curb cuts.

Board Member Taylor stated yes. It fits in with his original plan. I don't know if I brought it or not, but...

Board Member Brady stated I mean, I was pleasantly surprised when I saw it. I was like whoa. What happened. And then there's a couple of notes I think he should probably take out. No mechanical equipment should be mounted on the roof.

[Laughter].

Rich Williams stated we've got a whole series or standard notes...

Board Member Brady stated okay. So that works. That works down here with the turn. Yes.

Board Member Taylor stated so I was, yes, I was pleasantly surprised, too.

Board Member Brady stated yes.

Chairman McNulty stated it's much more...It's a finished product here.

Board Member Brady stated maybe he'll have...Maybe he'll own the right-of-way by the time the courts get through.

Board Member Taylor stated that would be too simple.

Rich Williams stated we'll see.

Chairman McNulty stated Mike, any comment.

Board Member Montesano stated no. I just wait till we get something that's worth commenting on.

Chairman McNulty stated okay.

Board Member Montesano stated he did a nice job. I'm not going to argue with him.

6) Other Business

a) Dodd/Fallman – Lot line Adjustment

Chairman McNulty stated okay. We'll move on to other business.

Rich Williams stated alright.

Chairman McNulty stated Dodd/Fallman.

Rich Williams stated Dodd/Fallman is...

Chairman McNulty stated I thought we signed off on that.

Rich Williams stated no. This is the lot line adjustment that really wasn't legal to be done so we need to dissolve it.

Chairman McNulty stated oh.

Rich Williams stated Mike Liguori's going to do the resolution.

Board Member Brady stated oh, yes. That's...We talked about that the last...

Rich Williams stated right. So hopefully Mike will have the resolution with him this meeting.

b) Illescas – Wetland Permit Application

Rich Williams stated I threw Mr. Illescas on because we have not heard anything from Mr. Illescas. So I just wanted to bring that to everybody's attention. At the last meeting...

Ted Kozlowski stated wasn't he...He was going to go to Mr. Zarecki and Mr. Zarecki was going to all this...

Chairman McNulty stated pro bono.

Ted Kozlowski stated charitable stuff for him.

Rich Williams stated if there was a reasonable deed description that closed. So...And I have no idea what communications went back and forth.

Chairman McNulty stated so where do we stand with him. We need him to...

Ted Kozlowski stated he is in violation. He is supposed to come for a wetlands permit to...I'm not interested in making him rip the gravel parking area out because it really went on the lawn. But it's within the buffer. And he's just making this more complicated than he really has to.

Board Member Montesano stated I think there's a language barrier...

Chairman McNulty stated yeah, we left him that we need a real plan...

Board Member Montesano stated in there.

Chairman McNulty stated is what I told him.

Ron Gainer stated a real plan, right.

Ted Kozlowski stated right.

Board Member Montesano stated yes.

Chairman McNulty stated and it was discussed, what do you mean by real plan. I mean...

Ted Kozlowski stated right. That's when...

Chairman McNulty stated a plan that we can read.

Ted Kozlowski stated well, that's when, I think, Joe Zarecki stepped in...

Ron Gainer stated when he jumped in, right.

Ted Kozlowski stated in a nice way and....So, I'll call Joe tomorrow and if he hasn't heard or done anything, then I'll call Mr. Illescas and then...

Chairman McNulty stated do we want to do anything written.

Ted Kozlowski stated then we get closer to a court date.

Chairman McNulty stated do we want to do anything written to Mr. Illescas to let him know a month has passed and...

Rich Williams stated that's up to him [referring to Ted Kozlowski]. He's enforcement.

Ted Kozlowski stated I'm going to tell him.

Chairman McNulty stated so you'll have a conversation to this.

Ted Kozlowski stated I'll have a conversation. I let you guys know via email what...

Chairman McNulty stated can you let him know that we expect to see him on our next...

Ted Kozlowski stated yes.

Chairman McNulty stated agenda. Okay.

Ted Kozlowski stated but I'm going to call Joe Zarecki first.

Board Member Montesano stated we got to still...I still think we have a problem getting things across to him.

Ted Kozlowski stated you know what Mike, I would say if this was the first time. This is the fourth time. This is number four.

Board Member Montesano stated it still doesn't mean...

Ted Kozlowski stated he holds the record with me.

[Laughter].

Board Member Montesano stated I realize that. But there still is going to be a communication problem here because the man looks so bewildered when he sat there...

Ted Kozlowski stated I don't know.

Board Member Montesano stated and does he understand...

Ted Kozlowski stated maybe he did or maybe that's an act. I don't know.

Chairman McNulty stated okay, question.

Board Member Brady stated method to madness.

Chairman McNulty stated Teddy has a conversation with him, he's not on our agenda in October. Where do we go.

Rich Williams stated it's up to Ted.

Ted Kozlowski stated well, it's up to me.

Board Member Montesano stated it's up to him.

Ted Kozlowski stated but you know, like I said, this is not egregious violation. It is not...

Chairman McNulty stated but it's a...It's a repeat...

Ted Kozlowski stated it's a violation.

Chairman McNulty stated it's a repeat violation.

Ted Kozlowski stated it's a repeat. So...

Chairman McNulty stated and we...We need to start to make a statement to people.

Ted Kozlowski stated well tell him...We go to court if he doesn't respond. That's what we do.

Chairman McNulty stated well the thing is to make that clear to him.

Ted Kozlowski stated well, I thought I made it clear to him...

Chairman McNulty stated well maybe...

Ted Kozlowski stated many times.

Board Member Brady stated well, he's got violations with the buildings on the property.

Ted Kozlowski stated does he Rich.

Rich Williams stated yes.

Chairman McNulty stated but he isn't...

Board Member Brady stated so the Building Department could be going out there and putting violations on that.

Ted Kozlowski stated well...

Board Member Brady stated if they have to.

Ted Kozlowski stated any news on that end.

Rich Williams stated no.

Ted Kozlowski stated okay.

Chairman McNulty stated okay.

Ted Kozlowski stated alright, I...

Chairman McNulty stated alright, so...

Ted Kozlowski stated I'm going to call Joe Zarecki. I'm going to try to get ahold of him. I'll let you guys know tomorrow, one way or the other. Whether I hear anything or just left a message. I'll send you...

Chairman McNulty stated okay.

Ted Kozlowski stated all an email.

Chairman McNulty stated alright.

Ron Gainer stated watching...

Board Member Brady stated by 9 a.m.

Ron Gainer stated by 9 a.m.

c) Matthew & Catherine Castellano – Driveway Postponement

Rich Williams stated alright. Matthew Castellano.

Chairman McNulty stated Castellano.

Rich Williams stated this is a site that was reviewed by the Planning Board for something, I'm not sure what, a couple of years ago.

Ted Kozlowski stated wetlands.

Rich Williams stated was it a wetlands.

Board Member stated yes.

Ted Kozlowski stated he diverted some water.

Board Member Brady stated oh, yeah, yeah, yeah.

Board Member Brady stated and the neighbor...

Ted Kozlowski stated because he needs his driveway; he's building a house.

Chairman McNulty stated is this two driveways next to each other.

Ted Kozlowski stated correct.

Board Member Brady stated yes.

Chairman McNulty stated one's got a stone entrance.

Rich Williams stated yes.

Chairman McNulty stated okay. I remember this site.

Ted Kozlowski stated and it goes up to the top of the hill and then it's...

Chairman McNulty stated beautiful lot.

Board Member Montesano stated you go to the back.

Ted Kozlowski stated got this little pond.

Rich Williams stated well, he's built his house. They're very close to getting the CO. Time comes to pave the driveway, Mr. Castellano is heading back to Afghanistan for a year. So he's looking for a waiver to defer paving the driveway for a period of time. I gave you the application and the letter from Mr. Castellano outlining all of this.

Board Member Montesano stated one thing, is the State going to be involved because it is on a State Highway. If we say, for arguments sake, that we allow him to not put in the driveway...

Rich Williams stated we have no jurisdiction within the right-of-way of the DOT road. That's entirely up to them.

Ted Kozlowski stated doesn't he have an apron. I thought he had a blacktop apron.

Board Member Montesano stated that's what I...

Rich Williams stated he doesn't have an apron.

Ted Kozlowski stated no.

Rich Williams stated it was one of the issues I raised that even if you granted him a waiver as he's driving, you know, going through the wetlands that, you know, the first 25 feet is likely to be in the jurisdiction of the DOT.

Board Member Montesano stated alright.

Ted Kozlowski stated I've from time to time gone by there and just looked. I don't have a...

Chairman McNulty stated now...

Ted Kozlowski stated a big deal with it.

Board Member Montesano stated alright.

Chairman McNulty stated question I have is it says full waiver. So is this a full waiver so he does not ever have to blacktop or is it a postponement.

Rich Williams stated it's really a postponement. He's looking...The letter that we received, he was not looking for a full waiver.

Chairman McNulty stated it looks like...

Rich Williams stated he was looking for.

Chairman McNulty stated 2016 he said.

Rich Williams stated correct.

Board Member Brady stated right.

Board Member Montesano stated alright.

Chairman McNulty stated okay.

Board Member Montesano stated so you can give him...

Chairman McNulty stated does anybody have any issues on this.

Ted Kozlowski stated just let it go.

Board Member Brady stated yes. I would make a motion...

Chairman McNulty started yes. I'll make a motion...Let me put my glasses on to see...

Board Member Taylor stated so what kind of shape is the driveway in now.

Ted Kozlowski stated not bad.

Board Member Montesano stated dirt.

Board Member Taylor stated oakly.

Rich Williams stated it's not...Yes. It is not bad. It's drivable.

Ted Kozlowski stated Ron, it's a...

Board Member Taylor stated okay.

Ted Kozlowski stated you know, it's a residential driveway. He's not.

Board Member Taylor stated and he hasn't torn it up during construction.

Ted Kozlowski stated no.

Chairman McNulty stated no.

Board Member Montesano stated should we put in there that...

Board Member Taylor stated alright then. That's...

Board Member Montesano stated that the Town of Patterson's part of the driveway to let him aware that the State might come in and demand that they put something there; that apron in.

Chairman McNulty stated I think that's a separate issue.

Board Member Brady stated yes. He'll find that out if they do.

Chairman McNulty stated that's a DOT...

Board Member Montesano stated yes, but we're giving him a full waiver on...

Chairman McNulty stated we're not going to give him a full waiver.

Board Member Montesano stated right through the Town's...

Chairman McNulty stated we're going to give him a postponement.

Board Member Montesano stated oh. On the part for the Town Patterson.

Rich Williams stated correct.

Chairman McNulty stated mmhmm.

Board Member Montesano stated okay. And that's what we've got to state because...

Ted Kozlowski stated hey guys, he came in two years ago. So, what's another year.

Chairman McNulty stated yes.

Rich Williams stated he's going to Afghanistan. It's not...

Ted Kozlowski stated yes, he's going to Afghanistan. That's...

Chairman McNulty stated I'll make a motion on the driveway postponement for Matt and Catherine Castellano that we grant a postponement of paving the driveway and improving the driveway until the spring of 2016 as requested.

Board Member Brady stated I second it.

Chairman McNulty stated all in favor. Motion carried by a vote of 4 to 0.

Chairman McNulty stated okay.

Board Member Taylor stated an amendment: completion. I would stick in completion. Completion of the driveway.

Chairman McNulty stated okay.

Board Member Taylor stated which is what he's saying.

Chairman McNulty stated we...Yes. He's requested to complete the improvements and asphalt the driveway in the Spring of 2016. Approved. I wish him luck...

Board Member Taylor stated yes. Aye.

Board Member Brady stated yes.

Rich Williams stated everybody votes yes.

Chairman McNulty stated all in favor. Motion carried by a vote of 4 to 0.

Chairman McNulty stated we did that once.

Rich Williams stated alright.

Chairman McNulty stated okay.

d) RCA Asphalt – Bond Release

Rich Williams stated last quick thing before you are...RCA Asphalt, bond release. RCA Asphalt was the short driveway that we put in off of Peckham's driveway coming in...

Chairman McNulty stated mmhmm.

Rich Williams stated so the asphalt plat doesn't need to go on Burdick Road anymore. It's been on hold for a while trying to get 80% stabilization of the disturbed areas. Well, we finally hit that point. The blacktop is in. The base went down; everything's fine.

Chairman McNulty stated it's being used.

Rich Williams stated it's being used.

Chairman McNulty stated okay.

Rich Williams stated as much as they're flipping out asphalt.

Board Member Montesano stated well, in the matter of...

Chairman McNulty stated they're not.

Board Member Brady stated no.

Board Member Montesano stated RCA Asphalt.

Board Member Brady stated (inaudible) out there.

Rich Williams stated who's doing asphalt around here. No big highway projects. There's no big residential projects.

Chairman McNulty stated no.

Board Member Montesano stated okay. So we're going to give them back their...

Rich Williams stated release the bond.

Board Member Montesano RCA recommendation to the Town Board to release the bond.

Chairman McNulty stated second. All in favor. Motion carried by a vote of 4 to 0.

e) Minutes

Chairman McNulty stated okay. One other item, Rich, I just wanted to...Minutes. Sarah sent out the minutes. Have anybody looked at them yet.

Board Member Brady stated I haven't even looked at them.

Chairman McNulty stated okay. So we'll hold that over.

Board Member Brady stated sorry, Sarah.

The Secretary stated it's alright.

f) Planning Board Training Discussion

Chairman McNulty stated I just want to add to the other business some training. We talked about training. I know Ron has made some notes about training and items to look at. Get our input of some things. One of

the items I liked that Ron said is to understand procedure. Four years I'm on the Board and I'm still confused on certain procedures...

Board Member Brady stated I'm totally confused.

Chairman McNulty stated for different applications. And I was thinking one thing just to help us, and I don't know, Sarah maybe it will help you. I don't know how familiar you are with planning, is some kind of matrix that goes with an application and shows what we need across the header. How many application types do we have. Like, I never knew we had a postponement of waiver for a driveway.

Rich Williams stated we'll tell you about the rest later. We don't want to scare you that quick.

[Laughter].

Chairman McNulty stated it's been four years. I'm not scared anybody.

Ted Kozlowski stated you're on a as-need-to-know basis.

Chairman McNulty stated I'm just confused.

[Laughter].

Board Member Montesano stated where do you get the twenty-five.

Chairman McNulty stated but my thought is and send that out with every application so...I know the bigger projects engineers have a good idea. But, just...

Board Member Brady stated you've started that. You've started doing something like, because I saw it in the email today.

Board Member Montesano stated we've gone through this before, haven't we.

Rich Williams stated no. We go through it every so often. Yes.

Board Member Brady stated I get them at work, you know, on my phone and I'm like, oh. I got to go...And then sidetracked.

Chairman McNulty stated so maybe...I'll be glad to work with you on that or get a basic setup and then maybe we can fill in the blanks and check off what is needed under...for every different type of application that this department has.

Board Member Taylor stated well, it's pretty much the same process for almost everything, isn't it.

Chairman McNulty stated well, not always.

Board Member Taylor stated well, we've got these few little things. But, I mean, it's SEQRA...

Rich Williams stated you've got...

Board Member Taylor stated and it's...

Rich Williams stated you've got some very common elements to all the applications. You've got SEQRA on most of them. Not all, some of them are Type II.

Board Member Taylor stated right.

Rich Williams stated you know.

Chairman McNulty stated yup.

Rich Williams stated you've got a residential...If you've got a commercial site that they're expanding less than 4,000 square feet then, you know, it's a Type II. But, yes, I mean, you've got SEQRA on all of them. You generally do site inspections on all of them. You know.

Chairman McNulty stated so my thought is I'll work on something like that. Maybe collectively we can tweak it up and incorporate it into our application process.

Rich Williams stated and then it comes down to, you know, it starts becoming, you know, the rest of this. You've got lead agency, you've got SEQRA...

Chairman McNulty stated I just threw that together quick. It's just...

Rich Williams stated you know, you've got...

Chairman McNulty stated just to give an idea.

Rich Williams stated public hearing. You've got site inspections. You know, some of them you have...Lot line, you don't have a public hearing. So...

Chairman McNulty stated so there would be no checkmark there.

Rich Williams stated yes.

Chairman McNulty stated we don't have a public hearing or SEQRA for the postponement of the waiver.

Rich Williams stated right.

Chairman McNulty stated so, I think maybe it's a quick guideline that I'll work on putting together and then maybe together we can fill in the blanks.

Rich Williams stated and then, you know, some of these, Tommy, that you've got listed on here: GMA...GML referral. You know it's really site specific. 90% are going to have a GML referral but for example Mancini. Mancini's doesn't qualify for a GML referral.

Chairman McNulty stated what is a GML referral.

Rich Williams stated General Municipal Law...

Ron Gainer stated it states in 239.

Rich Williams stated 239 “m” or “n”.

Ron Gainer stated “n”. Right.

Chairman McNulty stated and it has to do with the County.

Rich Williams stated and it has to do with certain planning actions that must be referred over to the County Planning Department.

Chairman McNulty stated okay. Well, maybe we leave it as a column and it stays blank and it gets checked as we go.

Rich Williams stated ECI inspection, if there’s a wetlands. Highway department. Which highway department. You know, it becomes site specific depending on the road.

Chairman McNulty stated well, how many highway departments do we have within the Town.

Rich Williams stated well, you’ve got County, State and...

Chairman McNulty stated Town.

Ron Gainer stated Town.

Rich Williams stated Town.

Chairman McNulty stated okay, then we identify all of them. When the people submit an application, the...

Board Member Taylor stated oh...

Rich Williams stated huh.

Chairman McNulty stated maybe that’s part of our review on the initial application.

Board Member Taylor stated alright. Why don’t you and I sit down and talk about.

Chairman McNulty stated okay.

Board Member Taylor stated because we can simplify it.

Chairman McNulty stated yes.

Board Member Taylor stated I mean, you could just leave a blank line and you can write in which one goes in...

Chairman McNulty stated yup.

Board Member Taylor stated for the particular project.

Rich Williams stated I mean, that's what I'm doing now in the review memo, is that the, you know, the last page of the...

Board Member Taylor stated yes.

Rich Williams stated has two things.

Chairman McNulty stated and that's where I'm got a lot of that information.

Rich Williams stated and one is all the approval that they're going to need. All the different agencies that are going to be involved. And then kind of a, you know, a checklist of all the steps in the process and whether they're complete or not. And I do it site specific.

Board Member Taylor stated right.

Chairman McNulty stated I know, and it helps, but I think, as us, as far as a training issue and to engrain it in us, we need...Even simpler than that or I like pictures.

[Laughter].

Chairman McNulty stated how's that for an answer.

Board Member Brady stated Planning...Planning for dummies.

[Laughter].

Chairman McNulty stated exactly.

Rich Williams stated you want to do it. You want to talk about it. You want me to do it. What ...

Chairman McNulty stated no.

Rich Williams stated whatever you guys want is fine.

Chairman McNulty stated I'll tell what, Ron and I will kick it around. We'll work on it...

Board Member Montesano stated I'm going to Disney. I'll ask them to see if they can come up with a plan, a little Mickey Mouse.

[Laughter].

Board Member Montesano stated and a duck.

Chairman McNulty stated we'll talk about it collectively and then we'll final...maybe bring something to a finalization that we can incorporate into our application process.

Rich Williams stated well...

Chairman McNulty stated because what brought it up was...

Rich Williams stated you could incorporate it in your review process. I don't know you're going to incorporate it into the application process.

Chairman McNulty stated why not. Because I think for the average resident...

Rich Williams stated for who.

Chairman McNulty stated to come in...Now, I'm not talking about an Ice Pond with a fleet of engineers that come in and know how to approach it. But for the guy who buys a piece of commercial property on Route 22...

[Laughter].

Chairman McNulty stated that doesn't know the first thing about what he's doing, this would have helped...

Board Member Brady stated obviously he didn't know the first thing because he bought it.

Chairman McNulty stated a procedure would help.

Board Member Montesano stated green...

Chairman McNulty stated especially planning with his engineer.

Rich Williams stated that would not have helped you. I can explain to you, which I have explained to you many times what would have helped you but you didn't want to listen.

Board Member Taylor stated better engineer.

Board Member Montesano stated what was that gentleman's name you're talking about.

Chairman McNulty stated but I saved money.

[Laughter].

Rich Williams stated huh. But you saved money, didn't you.

Chairman McNulty stated and with this...

Rich Williams stated yeah.

Chairman McNulty stated it would have helped me even more.

[Laughter].

Chairman McNulty stated so, that was just brought up out of Ron's notes. It's been a thought of mine for about a year or two.

Board Member Brady stated I actually...I like the idea because it makes it easier for me to (inaudible – too many talking).

Ted Kozlowski stated Rich, I think I gave him the same advice.

Rich Williams stated everybody gave him the same advice. Everybody, but...

Chairman McNulty stated it wouldn't have helped.

Rich Williams stated it wouldn't have helped.

Chairman McNulty stated so...

Board Member Montesano stated ne-ne-nanny-nu-nu.

Chairman McNulty stated Ron, you made a bunch of comments about training. Do you want to touch on them tonight.

Board Member Taylor stated well, I mean, we did some of it tonight.

Chairman McNulty stated we did. An EAF review.

Board Member Taylor stated yes. I think...I find that more useful than reading a workbook or reading where it's a general thing.

Chairman McNulty stated yes.

Board Member Taylor stated the fact that we're dealing with these issues brings up the questions that help us understand what's going on. I...

Chairman McNulty stated yes.

Board Member Taylor stated think that's what we need to do and single out...And for the areas where we don't have anything at the moment, we could, I mean, Type I, Type II, whether we need to know that or...For the time being I'm happy with Rich deciding whether they're type I, II...

Chairman McNulty stated yes.

Board Member Taylor stated or unlisted.

Chairman McNulty stated sure.

Rich Williams stated but at the same time if you've got a little confusion about what a Type II versus a Type I or an unlisted action is, you know, ask the question.

Board Member Taylor stated yes.

Rich Williams stated we'll be happy to explain it. If we can't, you know, we'll get the answer or we'll get somebody in here that can answer it.

Board Member Montesano stated we still got those SEQRA books and all that other stuff.

Rich Williams stated yes. Yes, there's a lot of...

Board Member Taylor stated yes.

Rich Williams stated SEQRA books all over the place.

Board Member Montesano stated yes, I know. Just to grab...

Rich Williams stated a bunch of them are now digitally.

Board Member Montesano stated yes, by I'm talking about the pamphlet one that was so much easier to read.

Board Member Taylor stated Cookbook.

Rich Williams stated yes, the Cookbook.

Board Member Montesano stated we used to have the cookbook...

Chairman McNulty stated well, I have the big Cookbook, you issued it.

Board Member Montesano stated we used to have cards.

Board Member Taylor stated yes, they're online. They're all online.

Chairman McNulty stated yes.

Board Member Taylor stated yes.

Chairman McNulty stated so...

Boar Taylor stated that was all.

Chairman McNulty stated what I'd like to see is under other business an item monthly including this training. And maybe we can...as we go for each work session, we covered EAF Part 1 review tonight. Can we count that as training towards this Board under our training category. How do we account for our training as a Board.

Rich Williams stated I don't know. I'd have to look into...

Chairman McNulty stated and make it official.

Rich Williams stated that. But if you wanted to do 15 minutes of training every work session...

Board Member Taylor stated yes.

Rich Williams stated you know, pick a topic. You know, and we'll do 15 minutes of training. You know, for me to prepare a lesson plan or somebody else to prepare a lesson plan for two hours' worth of time...

Chairman McNulty stated no, I'm not looking for that.

Rich Williams stated yes.

Chairman McNulty stated I'm looking to do a short term...

Rich Williams stated fifteen...If you want 15 minutes to have a, you know, just an interactive discussion on various topics then don't tell us to put training on the agenda every meeting. Tell us the topics that you want the training on and we'll throw them on the agenda.

Chairman McNulty stated okay, that's fine. So...

Rich Williams stated training, slash, this is what we're going to do.

Chairman McNulty stated maybe we just tackle sign code...

Rich Williams stated and then...

Chairman McNulty stated for the Hamlet.

Rich Williams stated and then you know what...

Chairman McNulty stated just for review. Now that's one we're somewhat familiar with...

Board Member Brady stated right.

Chairman McNulty stated but as an example.

Rich Williams stated then everybody's got homework because then you can prepare a little bit so you can have some informative questions. You can prepare a little bit because maybe you can do some research on your own.

Chairman McNulty stated yup.

Rich Williams stated you know. And then we'll come in and we'll talk.

Chairman McNulty stated so, we're going to need to look...So, I'm going to look maybe...If you guys have suggestions what you would like training on, forward them over to everybody and we can put together...We have our monthly schedule and we'll schedule monthly items.

Board Member Taylor stated right.

Chairman McNulty stated for 15 to 30 minutes coverage.

Board Member Taylor stated well, if I could make a suggestion.

Chairman McNulty stated sure.

Board Member Taylor we're working through the SEQRA process on a number of applications...

Chairman McNulty stated yes.

Board Member Taylor stated and we're going to go, I think, it looks like we're going to go maybe the EIS on Fox Run, I would suggest that maybe the training should follow that for the time being until we get through that and then we can go to other things like signs or whatever.

Chairman McNulty stated that's fine. Now, how would we break that up to cover it in 30 minute sections. Do we say EAF Part 1. EAF Part II...

Board Member Taylor stated Part II.

Chairman McNulty stated scoping.

Board Member Taylor stated half of Part II or, you know, Part III. Well, there's Part III.

Chairman McNulty stated Part III.

Board Member Taylor stated yes. And then scoping.

Chairman McNulty stated and maybe Part I and Part II are spread out over two months of meetings.

Rich Williams stated I mean, you could probably do, because you're going to be doing the Part II of the EAF of Fox Run I envision at the next meeting. So you're probably going to do Part II/Part III at the same time.

Ron Gainer stated they always go together. You can't separate them.

Chairman McNulty stated that's fine.

Ron Gainer stated yes.

Chairman McNulty stated but our training could overlap and spread further.

Board Member Taylor stated yes.

Chairman McNulty stated because after we do, we might want to review it in a short training session so we may understand it better.

Board Member Brady stated but are you going to do this...If you're going to do it at a work session, are you going to do it tape recorded.

Board Member Taylor stated no. It should be off the record.

Board Member Brady stated or is it going...

Chairman McNulty stated then it doesn't have to be on the agenda.

Board Member Brady stated right.

Board Member Taylor stated there's no point...

Boar Brady stated because then, you know, you've got all of that...

Chairman McNulty stated yes. And Sarah's sitting here. Good point.

Rich Williams stated yes...

Board Member Brady stated and it becomes another issue.

Chairman McNulty stated and the other thing is I want it to count for training so we get our...It's two hours a year it has to be.

The Secretary stated four.

Rich Williams stated yes, I've got to look into that. What we need to do.

Chairman McNulty stated okay. So, if you could look into that, Rich. If you can break up SEQRA...

Board Member Taylor stated yes. I could break it up.

Chairman McNulty stated and I'll get some other specific issues. Anybody else with input. And we'll see. Maybe we can get a two year schedule out...

Board Member Taylor stated yes.

Chairman McNulty stated and just work on it. And we can juggle it if we have an...

Board Member Taylor stated sure.

Chairman McNulty stated see something coming that is more important, we'll swap it around. Okay. Anybody else, anything.

g) S.A. Hebert Discussion

Board Member Taylor stated yes. I wanted to talk...I wanted to put Herbert on the...Hebert on the agenda. So we still have to deal with their EAF. And it's, again, it's not a very complicated one because, you know, it's an existing site. But it's, from what I see of it, it's not complete. We need to talk about it a little bit to get it complete so we can then do lead agency and...if we're going to do that. Are we going to go through the whole process with him.

Chairman McNulty stated have you had any correspondence since the last meeting from Hebert or Zarecki.

Rich Williams stated there's been...no. Not from Zarecki. There's been some back and forth between Hebert. Mr. Zarecki had suggested and Mr. Hebert had put in a grass cutoff swale on the slope coming down. It blew out three different times. There's sediment all over the place. There was a couple of other erosion issues on the site. So I relented a little bit with Mr. Hebert. I met with him on the site. I went through some of the issues and gave him permission to not only move the top soil stock pile but to spread some of it out in various locations to get grass growing because we are now coming up to the point where

we've got to get the grass down to get it established for the winter. And I can't really wait anymore for the engineer to figure out what to do out there. And to get rid of the grass swale and to redesign a little bit different so that we didn't have the water, you know, blowing through this big pile of sediment. And...

Chairman McNulty stated where is this sediment on the property. Where is it related to the front of the building and the sediment pond that's there.

Rich Williams stated the whole hillside that he graded off...

Chairman McNulty stated in the back.

Rich Williams stated and the back. Joe Zarecki had had him put a cutoff swale in to capture the runoff.

Chairman McNulty stated that's blown out.

Rich Williams stated well, it really didn't have a proper grading on it. It really didn't have a good outlet on it. And what it was doing is it was building up in there, the heavier rain storms, and then the side, the berm, that created the cutoff swale was just blowing right out.

Chairman McNulty stated because it's not stabilized in any way.

Rich Williams stated yes. In one instance, it went right across the parking lot. A couple of times it went down into the building. You know, it was just a mess out there. So I told him, you know, just grade the whole thing off. Get rid of the cutoff swale and get the grass growing on that...that hillside.

Chairman McNulty stated and let the water naturally shed out.

Rich Williams stated yes.

Chairman McNulty stated okay. Is there any more...A lot of discussion at the last meeting about the upper road draining into his lot, back and forth and we were going to look at something there. Or was...Did we get...We didn't really come to a resolution who was going to survey that additional stormwater from the road, correct.

Rich Williams stated I don't know. I thought I was pretty well settled on who was going to do it.

Board Member Taylor stated can we require them. Do we have the power as a board to require them to do that.

Chairman McNulty stated well...

Rich Williams stated yeah, I don't see why we don't. I...It's part of what he needs to look at for changes he's made to the site.

Chairman McNulty stated especially on a road...road change to the site.

Board Member Taylor stated alright, then why don't we say to him...I guess they're not coming to the meeting if they're not...

Chairman McNulty stated they're not on the agenda.

Rich Williams stated they're not on the agenda. Joe is still out trying figure it out. I don't know where he is.

Board Member Taylor stated okay, because we had said we'd give him a month to figure it out.

Rich Williams stated correct.

Board Member Taylor stated and since they're not coming back in my suggestion would be we say you've got to do this. You're responsible for doing the calculation and in exchange we will make a recommendation to the Town Board that they work out something for maintain the...

Chairman McNulty stated the stormwater basin.

Board Member Taylor stated the basin in the future with you.

Chairman McNulty stated the question was whose property is the basin...

Rich Williams stated yeah, I don't know if they'll do that.

Chairman McNulty stated the basin is on their property.

Rich Williams stated the basin is on their property.

Chairman McNulty stated and the question is how much water is that collecting from the road versus property. Correct.

Rich Williams stated correct.

Chairman McNulty stated so...

Rich Williams stated you know, that's part of...

Chairman McNulty stated and we wanted him to do that calculation. And I don't see why he shouldn't do that calculation and prepare it.

Rich Williams stated well, I agree. And, you know, the problem is, you know, how the basin came to be in the first place. We don't know; records are sketchy back there. I do not have anything.

Chairman McNulty stated okay. Well that aside, the basin is there.

Rich Williams stated it is there.

Chairman McNulty stated and it's been a basin.

Rich Williams stated and the road drainage is there and there's clearly history where the property owner's had to maintain it outside of what the Town's obligation is.

Board Member Brady stated then we just tell them do it.

Chairman McNulty stated so, I got to back and review the minutes...

Rich Williams stated yes.

Chairman McNulty stated because there was a lot conversation on that. And maybe if we did say we...I don't remember saying that we wanted them back in a month for answers. If we did and he's not in for this agenda, then we need to send a letter to him that we need him in the next agenda.

Ron Gainer stated well, he had various things...

Rich Williams stated the reality...

Ron Gainer stated he had to address. I mean, he had...

Rich Williams stated yes.

Ron Gainer stated they were taking comments from both sides.

Chairman McNulty stated mmhmm.

Rich Williams stated yes.

Board Member Taylor stated well, I think we shouldn't...

Chairman McNulty stated but...

Board Member Taylor stated just tell him to come in. I think we should send him a letter saying we've decided you've got to do this calculation.

Ron Gainer stated that's...

Rich Williams stated that's pretty well been communicated.

Ron Gainer stated it's on the table already.

Board Member Montesano stated I think this...

Rich Williams stated you've got to remember, this is all part of a soil erosion violation condition.

Chairman McNulty stated but I don't remember him flat out agreeing to it.

Rich Williams stated he's in court...

Ron Gainer stated no, he doesn't. He dances.

Chairman McNulty stated well he was dancing pretty good that night.

Board Member Brady stated yes.

Board Member Taylor stated he was saying...Well, he wasn't just dancing. He was saying I'm not going to do this calculation...

Chairman McNulty stated yes.

Board Member Taylor stated period. That's what he was saying.

Rich Williams stated right.

Board Member Taylor stated I think we need to say back you have to do this calculation.

Rich Williams stated that's been communicated to him.

Board Member Taylor stated okay.

Rich Williams stated there's been...Again, I've talked to his attorney after the meeting. We've talked about court dates. We just postponed another one subject to certain things being done.

Board Member Taylor stated okay.

Rich Williams stated you know, I relent...You know, I backed off a little bit on not letting him touch anything on the site. But this has all been communicated. He has to figure out what he's doing with his engineer.

Chairman McNulty stated yes.

Board Member Brady stated well, we don't even need to talk to the engineer. We need to tell him to do it.

Rich Williams stated exactly.

Board Member Brady stated the engineer...

Rich Williams stated and that's all been...

Board Member Brady stated and the engineer can sit (inaudible – too many talking).

Chairman McNulty stated yes. We need to deal with the applicant.

Board Member Brady stated yes. Right.

Chairman McNulty stated not the engineer.

Rich Williams stated yes. Because ultimately, he's paying the bills.

Chairman McNulty stated well, is his engine...Is the engineer the applicant.

Rich Williams stated no.

Ron Gainer stated no.

Chairman McNulty stated no.

Board Member Taylor stated no.

Chairman McNulty stated okay.

Board Member Taylor stated so...

Board Member Brady stated and you know what, you bent over backward to help him out. You know, there's more reason for him to do that.

Chairman McNulty stated do you have anything else, Ron.

Board Member Taylor stated yes. Just some quick questions on their EAF and then we can send them a note saying these are corrections you need to make as part of the other things they're dealing with. They're description is construction of gravel surfaced access drive and additional parking for existing office/warehouse building. Should they be talking about the drainage that's part of that. Or is that assumed...

Rich Williams stated typically, you don't.

Ron Gainer stated no,

Rich Williams stated you just...

Board Member Taylor stated okay.

Rich Williams stated describe the base action.

Board Member Taylor stated so that's assumed under there.

Chairman McNulty stated and my thought on that is to limit that unpaved area and if it is unpaved, to make it some kind of grass paver or other permeable paver rather than just item 4.

Board Member Taylor stated and then there are three questions that I don't think have anything to do with this project because the project's got it and it's on an existing site. Nine is does the proposed action meet or exceed the state energy code requirements. And they checked yes. It doesn't have anything to do with...

Rich Williams stated not really with the present action. It has to do with the building and how it's been designed in the past. And I have no idea what the basis is for that response.

Chairman McNulty stated maybe because he's subdividing it inside and having more meters, more occupants.

Board Member Taylor stated but is that part of the action. It's not part of this action, that's what I thought.

Ron Gainer stated yes, no. It should be N/A, right.

Board Member Taylor stated it should be...

Chairman McNulty stated yes.

Board Member Taylor stated yeah, or no. Will the proposed action connect to existing public water supply. Again, it doesn't apply to...Will the proposed action to existing wastewater utilities. Those three should be checked no.

Chairman McNulty stated are those buildings on their...all their own well.

Rich Williams stated all well and septic.

Ron Gainer stated yes.

Chairman McNulty stated yes.

Board Member Taylor stated but this proposed action has nothing to do with those things.

Chairman McNulty stated no.

Board Member Taylor stated no. Does the site contain a structure listed on a state or national register of historic places. Is the proposed action located...Oh, this is the one. In an archeologically sensitive area. They checked yes because it comes up on the mapper.

Rich Williams stated does it.

Board Member Taylor stated comes up on the mapper.

Ron Gainer stated hard to believe it does.

Board Member Taylor stated what area.

Rich Williams stated you know, I have no...Listen, I...We can take this conversation off site because I don't want to drag it out all night but...

Board Member Taylor stated yes.

Rich Williams stated I just ran into that where a site came...They believed...How can say this. DEC believed it came up in the mapper even though it didn't so they wanted them to do a fully archeological.

Board Member Brady stated oh, yes. You were telling me about that. Yes.

Board Member Taylor stated did they just...

Board Member Montesano stated how odd.

Board Member Brady stated imagine.

Board Member Taylor stated we can look at that. If it's true, then they just need to say what's the area that came up. And then we could look at as...in terms...Another part.

Rich Williams stated I don't know, you know, I don't know how they are drawing these circles.

Board Member Taylor stated yes.

Rich Williams stated I know they had for the longest time a circle around the Hamlet because they were finding certain things in here, mostly with a Hartz Mountain Project is when they...

Chairman McNulty stated yes, I remember when they did that, too.

Rich Williams stated yes. Why they drew that circle. But, you know, come of these other areas I'm not aware of why they are drawing the circles.

Board Member Taylor stated so you're saying we should look at the mapper. Or should they define the response from the mapper.

Ted Kozlowski stated they should do it.

Rich Williams stated I'm saying if they say it's in an archeologically sensitive area, the first thing I's do is I'd pull up the mapper and look at it.

Board Member Taylor stated okay.

Rich Williams stated and see what I could find.

Ron Gainer stated and then they could also identify that it's a previously disturbed site.

Rich Williams stated yes.

Ron Gainer stated the entire site's been developed.

Board Member Taylor stated yes. Well, what's...

Rich Williams stated yes.

Board Member stated Taylor stated that's what I was thinking. There should be a note to that check...

Ron Gainer stated that could be a yes with explanation.

Board Member Taylor stated yes.

Board Member Montesano stated yes.

Rich Williams stated right.

Board Member Taylor stated again, stormwater discharges; we went over this before. They're discharging off of the site, are they not. Even though they're treating it before it goes off the site.

Rich Williams stated everybody discharges off the site.

Board Member Taylor stated they checked no. Will stormwater discharges flow to adjacent properties.
No. Yes they will, right.

Rich Williams stated every property discharges off site.

Board Member Taylor stated yes, so...

Chairman McNulty stated they'll go into a state property.

Ron Gainer stated yes. It's the state right-of-way.

Rich Williams stated nobody holds all their water on their property.

Board Member Taylor stated so that's...That's...So I can just send you a memo with what I think their...the correct responses should be...

Rich Williams stated yes.

Board Member Taylor stated and if...

Rich Williams stated it sounds like you're right on, so...

Board Member Taylor stated they make the changes. We can say it's complete and move on from there.
That's all I have, just...

Chairman McNulty stated okay.

Board Member Taylor stated that stuff.

Chairman McNulty stated anybody else. Motion to adjourn.

Board Member Brady stated second.

Chairman McNulty stated all in favor. Motion carried by a vote of 4 to 0.

Meeting adjourned at 8:37 p.m.