

**PLANNING DEPARTMENT**

P.O. Box 470  
1142 Route 311  
Patterson, NY 12563

Sarah Mayes  
Mary Schartau  
*Secretary*

Richard Williams  
*Town Planner*

Telephone (845) 878-6500  
FAX (845) 878-2019



**TOWN OF PATTERSON  
PLANNING & ZONING OFFICE**

**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

**Planning Board  
September 3, 2015 Meeting Minutes**

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

Present were: Chairman Thomas McNulty, Board Member Ron Taylor, Board Member Edward J. Brady, Jr, Board Member Michael Montesano, Board Member Robert Ladau, Rich Williams, Town Planner, Ron Gainer, Town Engineer, Ted Kozlowski, Environmental Conservation Inspector and Mike Liguori, Town Attorney.

Chairman McNulty called the meeting to order.

The meeting began at 7:04 p.m.

Sarah Mayes was the Secretary and transcribed the following minutes.

There were approximately 4 members of the audience.

Chairman McNulty led the salute to the flag.

**1) STONE FIELD CORNER ESTATES SUBDIVISION**

Mr. Joe Riina, Site Design Consultants, and Mr. Allan Rothman, Unicorn Contracting Corp., were both present.

Chairman McNulty: Okay. Hello, everyone. Welcome to the September 3<sup>rd</sup> Planning Board meeting. First on the agenda is Stone Field Corner Estates Subdivision. They have a preliminary plat. Is anybody here for that?

Mr. Allan Rothman: Yes.

Chairman McNulty: You have anything you want to say?

Mr. Rothman: I think if there's any questions, I'll be happy to answer them.

Chairman McNulty: Okay. Rich, I know you just handed us stuff. Was there any kind of review on this that you did?

Rich Williams: No there was not. This is on strictly for the preliminary.

Chairman McNulty: For their preliminary plat. Okay.

Rich Williams: But the one thing I do want to add is that I believe at the last...the work session it was, there was a discussion...At the last meeting, there was a discussion about a road name. And I sent that over to the Office of Emergency Management. They confirmed that the road name was acceptable. I believe it was Stone Field Estates.

Mr. Rothman: Stone Field Corner Court.

Chairman McNulty: Stone Field Court.

Rich Williams: Stone Field Corners Lane.

Chairman McNulty: Yeah. Okay.

Rich Williams: In the interim, at the last meeting, the last work session, there was another discussion about a road name with a historical context which was Edgar...

Chairman McNulty: Edward Rice Place.

Rich Williams: Edward Rice Place. And I also sent that over and that was accepted.

Chairman McNulty: Okay.

Rich Williams: So, you've got...We've got two alternates here.

Chairman McNulty: The applicants...I'm sorry, I don't know you name, Sir.

Mr. Rothman: My name's Allan Rothman.

Chairman McNulty: Hi, Mr. Rothman. Ron, as a member of the Board, is also on the Historic Society and he did some research and found several people that were related to that property; Edward Rice being one of them who was...I think he came up, you said, a constable, a tax collector, a blacksmith, in the early days.

Board Member Taylor: And a veteran.

Chairman McNulty: Sorry?

Board Member Taylor: And a veteran of the Revolution.

Chairman McNulty: And a veteran of the Revolutionary War. So, we kicked it around. We...Hi Joe.

Mr. Joe Riina: Hi. Good evening.

Chairman McNulty: We, you know, we like that name. And if you don't have any objection to it, we'd like to move it along to that.

- Mr. Rothman: Okay. I have to talk to our office. I mean, we...That's news to me.
- Chairman McNulty: It was just discussed at the work session.
- Mr. Rothman: I'd love to get make to you on that. Maybe get back to Rich?
- Rich Williams: Sure. Perhaps it would help if you had the research that Ron did.
- Mr. Rothman: Okay. Yes.
- Chairman McNulty: Okay. Can you forward that to him?
- Rich Williams: I'll get it to him.
- Chairman McNulty: Joe, what we're talking about is at the work session, Ron had done some research and found some early names associated with the property. And I know we said Stone Field Court.
- Mr. Riina; Right.
- Chairman McNulty: At the work session we kicked around if we could go with Edward Rice Place, which has been approved also by the County; it's okay to use.
- Mr. Riina: Okay.
- Chairman McNulty: As well as Stone Field Court. But we're hoping to tie some historic significance to it.
- Mr. Riina: Okay.
- Chairman McNulty: We got that research at a later date, that's why we discussed it first.
- Mr. Riina: Understood.
- Chairman McNulty: So I know Rich has not discussed with Russ yet, the Town Highway Superintendent, about the maintenance. You're still...He's busy.
- Rich Williams: I've reached out to him twice. He's busy paving so as quick as I can get him over here, we'll sit down and go though some of the issues.
- Chairman McNulty: Is the turnout his discussion, too? Is he going to be involved with that possible turnout?
- Rich Williams: Yeah. He's got to look at the stormwater practices, the driveway...
- Chairman McNulty: And see how they can fit it in.
- Rich Williams: lollipop. Not the driveway, but the road and the lollipop and...
- Mr. Rothman: And we are very flexible on all of those things.

Rich Williams: Yeah.

Chairman McNulty: Yeah. Okay.

Mr. Rothman: So whatever works for the Town.

Chairman McNulty: What else we discussed?

Board Member Taylor: Resolution.

Chairman McNulty: Yup. We have preliminary plat resolution that we're ready to move forward with tonight.

Mr. Riina: Great.

Chairman McNulty: So I think that's... You have any other comments you want before that? Or anything to present tonight?

Mr. Riina: No, I don't think so. We're...

Chairman McNulty: Okay.

Mr. Riina: We're ready to go.

Chairman McNulty: Okay. So, I'll make a motion on the preliminary subdivision approval resolution for Stone Field Corners to move forward and approve the preliminary plat as per the resolution and based on the four general conditions of the resolution.

Board Member Taylor: Second.

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

Chairman McNulty: So that's...

Mr. Rothman: Thank you very much.

Chairman McNulty: Alright. So let us know about the name. We'll move forward with that. You can change your plans and update things and continue with Rich on the easements and the storm management practices.

Mr. Rothman: Okay.

Chairman McNulty: Okay?

Mr. Rothman: Thank you very much.

Chairman McNulty: Good luck, gentleman.

Mr. Riina: Good night.

Chairman McNulty: Thanks.

Board Member Brady: Good night.

Chairman McNulty: Rich, Joey could have phoned that one in.

Rich Williams: Mr. Chairman?

Mr. Riina: Thank you.

Rich Williams: Who seconded that motion?

Chairman McNulty: Ron.

Board Member Montesano: Ron.

Board Member Taylor: I did.

## 2) S.A. HEBERT – Site Plan – Continued Review

Mr. Matt Gironda, Insite Engineering, was present.

Chairman McNulty: Okay. Next we have S.A. Hebert; Site plan discussion.

Mr. Matt Gironda: Good evening, everyone.

Chairman McNulty: Hi

Mr. Gironda: I'm Matt Gironda from Insite Engineering.

Chairman McNulty: Hi, Matt.

Mr. Gironda: Here on behalf of the applicant for the continued review of the site plan at S.A. Hebert Properties. Since the previous... Since the last time we were in front of the Board, there were some changes made to the site plan, namely the most significant change with the addition of two stormwater management practices to handle runoff from the, what's now currently existing, gravel driveway, around the existing building. We had several discussions with the Town Planner on that. And that's where we landed with our stormwater design. I did have an opportunity to briefly look some comments that were handed to me tonight from the Town Planner and Town Engineer. Additional sizing calculations and conformance with those practices with the New York State Requirements that we provided. And I don't see any major issues with the comments or any problems with responding to them and answering those questions.

Chairman McNulty: Okay. Since the work session, I want to step back a couple steps on this application.

Mr. Gironda: Okay.

Chairman McNulty: This is a site plan waiver application.

Rich Williams: No.

Ron Gainer: No.

Mr. Gironda: No.

Board Member Taylor: No.

Chairman McNulty: No?

Rich Williams: This is an amended site plan.

Chairman McNulty: Amended site plan. Alright. I don't have the application, so sorry about that. But it's an amended site plan.

Mr. Gironda: Okay.

Chairman McNulty: And I had business in that corporate park this week and went by there and it's a mess. There's equipment all over the place. It's in a C-1 Zoning [District]. The Applicant isn't here, is here?

Mr. Gironda: No, he's not here tonight.

Chairman McNulty: Well, you need to get this message back to him.

Mr. Gironda: Okay.

Chairman McNulty: A year ago... Well, April 2014, I believe, we did a site walk there. And we were told the equipment, the outside storage was going to be cleaned up. I don't see any evidence of that. And I'd like to see it done and I'd like to see it done in 30 days. And I'd like to know what kind of businesses are being run out of that building.

Mr. Gironda: Okay.

Chairman McNulty: Because it's a C-1 Zone.

Mr. Gironda: Okay.

Chairman McNulty: So...

Mr. Gironda: I...

Chairman McNulty: We need to step back and take a good look at this before we go amending site plans and changing things and let him run amuck.

Mr. Gironda: Fair enough. I can deliver the message. You know, I've had several discussions with him about that his... You know, the biggest this he needs to do is clean the place up. And my understanding, based on my discussions with him is that he's working towards that. He's selling...

Chairman McNulty: Well, he told us that in April and I don't see any evidence of it. So, you know, we're here to work with you, but when it's not a two-way street, you know, we're going to look at the Code as it is. And if it, you know, not meeting Code, there's going to be problems.

Mr. Gironda: It's understood.

Chairman McNulty: So...

Mr. Gironda: You know, based on what I understand about the business that he runs, it's a light manufacturing in there. He has a business where he makes doors. And from my understanding, that's what run out of the building. And then in my discussions with on the equipment, I've delivered the message. I will deliver the message again, that the place looks like war-torn Germany and he need to...

Chairman McNulty: Because if we don't see progress I'm going to make a recommendation. I don't know if the other Board members are on board with me, if they are, we're going to make a recommendation that the Code Violation Officer go back out and push the issue.

Mr. Gironda: Fair enough.

Chairman McNulty: So, we're willing to work with you. But it's... What is that? April.

Mr. Gironda: It's over a year.

Chairman McNulty: Sixteen months. So, you know, I'm a contractor. You can move that equipment in eight hours. So with that said, please deliver that.

Mr. Gironda: Understood.

Chairman McNulty: As far as stormwater now, I haven't read Rich's review; I didn't review. I don't know, Ron, you reviewed this as well, didn't you?

Ron Gainer: Right, we've raised issues that he acknowledged. Yes.

Chairman McNulty: That you can look at.

Mr. Gironda: We can provide some additional stormwater... some additional (inaudible) calculations. For the stormwater, some additional identification of the sections and details, which is... which can be addressed without any major (inaudible - too many talking).

Chairman McNulty: Where are we with the street and the road, as far as maintenance?

Rich Williams: Well, that's one of the things you may want... The road on this?

Chairman McNulty: Well, no. The maintenance of the storm... of the...

Board Member Taylor: Basin.

Chairman McNulty: The basin, with the water runoff from the road. There was discussion in past meetings of who was going to maintain that and how the calculations... You talked about an underground, I believe, from the rear of the property that's going to carry water.

Rich Williams: Well essentially, the applicant owns the pond. The applicant's been responsible for maintenance of the pond. He's completed maintenance of the pond. The prior issue was the hydrology on the site combined with the hydrology of the road and the timing, whether they passed through the basin, what they've done and what we are looking for the calculations so we have a better understanding that they have truly done this, is they replicated the pre-development hydrology with the inclusion of the swales so that there's basically no change to the hydrology going in to the basin.

Chairman McNulty: They balanced it.

Mr. Gironda: That's correct.

Rich Williams: Did I phrase that correctly?

Mr. Gironda: Yes.

Rich Williams: Okay. But one of the issues that's outstanding you may want to discuss tonight is the driveway and the parking lot in the back as it goes around. And they are now back looking for a potential retail space in the back. I know the applicant's looking to keep that area gravel. There's an issue of paving it with regards to stormwater. But as you said, this plan has been around for a very, very long time. The sense I get from the Board is if there's going to be retail in the back, they want to see it paved. So to try to work through all this, I made a recommendation within my memo that essentially says approve it as it as gravel. If at any time he wants to put retail in there, it's a change of use, he has to come back and pave it.

Chairman McNulty: Well, that would require a waiver of us to allow gravel, correct? A waiver from the Board.

Rich Williams: Yes.

Chairman McNulty: That's my point. A waiver to me implies relief. I see no two-way street. I don't see any relief.

Mr. Gironda: Fair enough.

Chairman McNulty: So...

Mr. Gironda: Again, I can deliver the message. You know, my understanding based on my discussion with the applicant is those parking spaces are, as Rich said, for the flexibility to in the future if he was able to get a retail applicant in there, that he would have adequate parking for not more than 1,000 square feet. You know, if...I've had discussion with him regarding that the existing driveway is currently gravel and the Town Code requires a paved surface. And if that becomes required for him to maintain those five spaces...

Chairman McNulty: Well, is that area an existing driveway? Or is that what was created?

Rich Williams: That was created.

Mr. Gironda: That was created.

Chairman McNulty: So it's not existing.

Mr. Gironda: It's not existing. The existing portion...

Chairman McNulty: Is at the rear of the building.

Mr. Gironda: Is basically this.

Chairman McNulty: Okay. We also talked at the meeting about the ADA...placement of ADA parking spaces. They were across the parking lot and we were wondering if you could get them to the front closer to the building. Maybe...

Mr. Gironda: On this...I think...

Chairman McNulty: Along there.

Mr. Gironda: I had a chance to quickly look at it. I think they were suggesting was along that portion...

Chairman McNulty: Yeah, and then probably a sidewalk to connect to the building.

Mr. Gironda: You know, again...

Chairman McNulty: It may lose a spot, but I think we're pretty close the number of spots you need; parking spots. So take a look. See if that's something you can plot.

Mr. Gironda: Absolutely. Like I said, I didn't have a chance to pout through the comments in detail. But from everything I saw, I think everything can be looked at and addressed and the recommendations are reasonable.

Chairman McNulty: Okay.

Rich Williams: With regards to the ADA, I just want to throw out again, Matt have you taken a look at putting them in the circle?

Mr. Gironda: You know, I looked at the existing approved parking...site plan. And it actually did not identify a parking...

Rich Williams: Yeah, I thought it did. I couldn't find where I've seen that.

Mr. Gironda: You know, we'd have to take a closer look at the width of this with the addition of a parking space and the travel lane and whether or not that would actually suffice and conform with Town standards. You know, I guess really the question is if we had...And really, the main question is if it's in ADA compliance with those two parking spaces. If we were to show two ADA spaces in the circle, you know, we have to take a closer look at some detail design information on that we would conform. Because ideally, the front access to this building is kind of awkward. And I...we agree with you

on that. Ideally, you would have a space here, existing sidewalk into the front of the building. It's something that we could look at, absolutely. You know, the placement of the ADAs...I actually went back when I saw the comments tonight. I have a copy of the old site plan that I looked at to see if there was any ADA identified on that and there wasn't.

Rich Williams: It wasn't.

Mr. Gironda: So it's definitely something our office can take a look at and taking into consideration the Board recommendations on that and come up with a result on that.

Chairman McNulty: Quick question, Rich, on the occupancy of the building: Matt mentioned light manufacturing. That is permitted in C-1, right? Or is there a special use permit required for that. For...

Rich Williams: I think at this point, there's a special use permit required for that. However, the use of the building was established when the zoning was R-0 and that was a permitted use. And they did get a special use permit for that...

Chairman McNulty: Okay. Alright.

Rich Williams: back then.

Chairman McNulty: So that's in compliance.

Rich Williams: It's basically been in continuous use ever since, so it's not an issue.

Chairman McNulty: I know it used to be a marble manufacturer or whatever, so...Okay.

Mr. Gironda: One of the other concern the Board had the previous meeting was the correspondence and discussions we've had with the Health Department on any impacts to the existing septic system expansion area. We've been in contact with them. Basically what we've done is we reconfigured the expansion area around the existing septic system. There is a small portion of the expansion impacted above the system through here. So the difference of the area we've lost, we've shown on this side of the system and above the existing system in here. We completed soil testing with the Health Department. We submitted a drawing to them showing the reconfigured expansion area. They had a couple of minor comments which we actually received a letter a couple of days ago. We revised the drawings and submitted back to them today on that.

Chairman McNulty: Okay.

Mr. Gironda: They were...Our discussions with Mike Budzinski and site meeting we had with him, he was okay with the general concept. He looked at the riser that was placed over the septic tank which was in response to comments he made from a previous site visit. And again, he was generally okay with everything; it's just a matter of dotting the "i"s, crossing the "t"s on these couple of comments we've received a couple of days ago which we've resubmitted that at this point to the Health Department on that.

Chairman McNulty: Okay.

Mr. Gironda: You know, and I'm not sure if the Board has any more additional questions.

Chairman McNulty: I think...Was there a question at the work session about a tree at the base?  
Maybe that was another plan.

Rich Williams: There was a discussion at the work session about the plan submitted by the  
prior engineer and the fact that he was showing a well around a tree system...a tree. And it's not reflected  
on this plan.

Chairman McNulty: Alright. We talked about when they put the fill down, they were going to put  
a well around a tree to protect it.

Rich Williams: Correct.

Chairman McNulty: Okay. So I don't know if you were aware of it.

Mr. Gironda: I'm not actually familiar with it. I think they're discussing...There was a tree  
in here?

Rich Williams: Yeah.

Mr. Gironda: Was that the tree?

Rich Williams: Yeah. And I don't know if it was because they were adding more fill or  
didn't get the grading lines right. I don't know what the issue was.

Mr. Gironda: I mean, you know, at the site the roots of the tree are not buried at this point.  
And tree protection, I think, would be...You'd almost be cutting into the hill unnecessarily to provide tree  
protection for it.

Chairman McNulty: Okay.

Mr. Gironda: You know, that tree was essentially the line where the fill stopped.

Chairman McNulty: Toe of the hill there?

Mr. Gironda: Right.

Chairman McNulty: Okay.

Mr. Gironda: So there really was no fill placed around the trunk of the tree which would  
warrant the tree protection.

Chairman McNulty: Okay.

Mr. Gironda: You know, I'm not an arborist, but from what I can I tell the tree appears to  
be alive.

Chairman McNulty: Alright.

Mr. Gironda: I'm not going to make more (inaudible) beyond that.

Chairman McNulty: That's fine.

[Laughter].

Chairman McNulty: Alright, well at this point, I guess look at your review notes to see if the stormwater's going to work, how it is. And then see some results on the site cleanup.

Mr. Gironda: I will deliver the message again. You know, again, we'll take a look at the comments that he...and revisions will be made and necessary details and calculations will be provided. Deliver the message as strongly as I can to the applicant that he needs to get moving on this situation.

Chairman McNulty: Yeah, because we're going to come up on SEQRA. Now, there was a short EAF supplied, correct?

Rich Williams: Correct.

Chairman McNulty: Which Sarah, if you could send me a copy. I don't have the application or the short EAF in my files.

The Secretary: Okay.

Chairman McNulty: If you could get me a copy of that.

Mr. Gironda: Those were submitted prior to our...

Chairman McNulty: Prior. Yes. Zarecki. It's been awhile, so I lost them somewhere.

Mr. Gironda: Sure.

Chairman McNulty: So before SEQRA, we would need to get more...the EAF, full EAF. Not on this?

Board Member Taylor: No.

Chairman McNulty: No. Minor.

Rich Williams: Yeah. Short EAF is fine.

Mr. Gironda: Will we need an additional Short EAF from our office beyond the one that was previously submitted?

Rich Williams: Impacts changed?

Mr. Gironda: From what I can tell, no.

Rich Williams: Okay.

Chairman McNulty: What you ask?

Rich Williams: If the impacts had changed.

- Chairman McNulty: Okay. They're all the same.
- Rich Williams: Yeah. So it should be fine.
- Chairman McNulty: So, I guess, we'll get a look at that, see where we go.
- Mr. Gironda: And like I said, if any...Any correspondence we get from the Health Department regarding the septic system we'll forward to Rich.
- Chairman McNulty: Okay.
- Mr. Gironda: And keep you guys informed of where we stand with them and provide the necessary design calculations and pass the information along to the applicant.
- Chairman McNulty: Okay.
- Mr. Gironda: That it's time to get moving.
- Chairman McNulty: Good.
- Mr. Gironda: Unfortunately, I can't move the equipment myself otherwise I would.
- Chairman McNulty: No, I understand that's not your...I was hoping maybe the applicant might be here tonight, but...
- Mr. Gironda: Yeah, well I'll let him know that, you know, next time...
- Chairman McNulty: He's got questions, he's welcome to call Rich or call me.
- Mr. Gironda: Sure.
- Chairman McNulty: I'll be glad to talk him through it.
- Mr. Gironda: Sure. I think...
- [Laughter]
- Board Member Brady: I think it's pretty clear.
- Rich Williams: Several.
- Mr. Gironda: Several. Yes, I'm sure.
- Chairman McNulty: Okay.
- Mr. Gironda: Sometimes it sinks in on people. Some other people, it doesn't sink in. Anyway.
- Chairman McNulty: No problem. Alright...

Mr. Gironda: So...

Chairman McNulty: Alright, sounds good, Matt. Thank you.

Mr. Gironda: We'll provide that information to him. Just a couple inches taller [referring to taking the plans down from the board].

### 3) WHITE BIRCH REALTY – Site Plan Application – Continued Review

Chairman McNulty: Alright. Next we have White Birch Realty.

Mr. Ralph Alfonzetti: I'll leave it down there because I'm not tall enough. I'm Ralph Alfonzetti, I'm the engineer for the project.

Chairman McNulty: Hi Ralph.

Mr. Alfonzetti: So last time we were here we didn't have a building on the site. We submitted a plan which just had site improvements. So some interest has picked up with leasing some space. So now we've submitted a plan with a building. The building's basically the same as it was in 2013. Same size. Stormwater mitigation. We still want to go with the green roof. We still want to go with coarse pavement. We've eliminated any disturbance to this Town regulated wetland here. We have a stormwater mitigation in this wetland, but this is not a Town regulated wetland. It's too small.

Chairman McNulty: That would be under the parking lot? Is that the area?

Mr. Alfonzetti: No.

Chairman McNulty: No. That's beyond. Okay. I can't see. Okay.

Mr. Alfonzetti: Yeah. It's beyond.

Chairman McNulty: Okay.

Mr. Alfonzetti: Let me put this up.

Mike Liguori: Want a hand putting it up? I'll give you a hand.

Mr. Alfonzetti: So here's Commerce Drive. Parking lot ends here. So it's between the parking and the road. What else? So we're also the same as 2013; we're proposing to tie into this building septic system here. That was designed and built for over 3,600 gallons per day. This building uses about 500 gallons a day right now. This one probably use about the same. So it's got plenty of capacity. That's really it right now for me. If there's no issues, tonight we'd like to move this forward. Meet with Rich, Ron, talk about stormwater in more detail. Startup our conversations with DEP again and finalize our Health Department approval.

Chairman McNulty: Okay.

Mr. Alfonzetti: So, if there's any questions...

Chairman McNulty: Overall, the Board had no real objections with the actual plan. We know it's a tight fit; you have to cut it into the side of the mountain there. The stormwater is one of the big issues and that gets above our paygrade. You guys need to...

Mr. Alfonzetti: That's why I'd like to, you know, maybe sit down with Rich and, you know, hear his input before I start going crazy and designing up everything.

Chairman McNulty: One of the issues that I brought up at the work session is...And Pete [Monteleogne], address this to you as well, is the road and the condition. At this point, it doesn't look like it's going to be taken over by the Town. If we could get some kind of an association formed to just do the road maintenance; cut the weeds down on the sides. Plow the snow and keep it presentable.

Mr. Pete Monteleogne: Yes. What I'd like to do is as soon as I know that something's happening there, I'd like to have...I've already spoken to the other owners of the lots. Which a couple of them...Four of them I think is us, anyway. But the balance is different owners.

Chairman McNulty: Mmhmm.

Mr. Monteleone: And they all are will to jump on board to have an association and setup a way of paying for it very year for maintenance and everything else.

Chairman McNulty: Yup.

Mr. Monteleone: And we could do the necessary repairs as I've been doing...

Chairman McNulty: Yeah. In the talk...

Mr. Monteleone: Maintain the road and everything. I'll cut the grass, fix the curbs, plow the snow and whatever else needs...

Chairman McNulty: Yeah, it came up at the meeting, you know, we talked about doing. We talked about how the Town could go in and do it which would probably be costly and get complicated. We're hoping it doesn't go that way. At the same time, we don't want it all to fall on you.

Mr. Monteleone: Right.

Chairman McNulty: You know, if you can gather the association, these landowners, and create something, I don't...I forget what we talked about...how that gets done. I don't know if, Mike, you have comment on that.

Rich Williams: What you really need to do is to form a maintenance agreement...

Mr. Monteleone: Right.

Rich Williams: Form a maintenance agreement between all the property owners. The Town needs to be a party to it, so that we have the ability to enforce it and...

Mr. Monteleone: Right.

Rich Williams: know what the maintenance agreements are. I know we had met...

Mr. Monteleone: Yeah.

Rich Williams: some years ago and everybody was willing to do it, but...

Mr. Monteleone: It didn't happen.

Rich Williams: that fell by the waist side. Well...

Mr. Monteleone: Everybody's still willing to do it and everybody's on board. I just...

Rich Williams: Okay.

Mr. Monteleone: I know that...I couldn't do much before because I have property for sale...

Rich Williams: Yup.

Mr. Monteleone: You know, a couple lots are sold. The rest we would like to build them as you see. We have projects before you. So it will be a lot easier to say, okay, now's the time to move forward and get this association...

Chairman McNulty: Yup.

Mr. Monteleone: together and everybody puts an extra (inaudible) hundred dollars at the beginning of the year, the end of the year; whatever it takes.

Chairman McNulty: Yup.

Mr. Monteleone: So we can have somebody maintain it and of course we swung them around, I'd maintain as much as I'd have to anyway. But...

Chairman McNulty: Sure. Well, it shouldn't fall all on you.

Mr. Monteleone: I understand. But I'm willing to do the leg work and get everything to an attorney to get this whole thing written up. And everybody seems like they're all on board; they want to do it.

Chairman McNulty: Good. Well, it's only going to make their business better.

Mr. Monteleone: Right.

Chairman McNulty: The only thing we would ask as a Board is that, you know, if you could really execute on that and we could progress with these plans and continue to proceed with the approval process. And hopefully that progresses at the same rate.

Mr. Monteleone: Yeah.

- Chairman McNulty: And at the end of approvals, we can have something firm, ready to go in place.
- Mr. Monteleone: I'll have something ready before this gets approved.
- Chairman McNulty: Okay.
- Rich Williams: Pete, what you want to do is you want to identify your attorney, get your attorney and then have him get ahold of Michael Liguori, and the two of them can work out the agreement.
- Mike Liguori: I can give him a form.
- Chairman McNulty: Mike, do you have recommendations on how to expedite that or help it along?
- Mike Liguori: Well, I'm happy to provide the form, make it a lot easier.  
[Laughter]
- Chairman McNulty: Yeah. Okay.
- Board Member Brady: Fill in the blanks.
- Chairman McNulty: So maybe you guys can connect or you can get it to Sarah and get it over...
- Mike Liguori: I could email over a version and then their attorney can take it from there.
- Chairman McNulty: Okay. Alright, good. Yeah, you know, I'm hoping as a Town we can help in any way we can to get that done. It's good for us, too.
- Mr. Monteleone: No problem.
- Chairman McNulty: Just to bring commerce and develop that road and get it nice, would be a great thing. Okay, good.
- Mr. Monteleone: Thank you.
- Chairman McNulty: Board, any comments?
- Board Member Brady: Stonewalls are beautiful.
- Board Member Taylor: I'd just like to say that Tom keeps saying it shouldn't fall on you. So, but you should tell the other owners if they don't get on the ball here, we're going to make a recommendation to the Town that the Town take the road over.
- Mr. Monteleone: I will.
- Board Member Taylor: So, they really need to move on this because it's been, what, three years or something now.

Mr. Monteleone: Yes.

Mrs. Monteleone: Hi. I think what happened is the...Sorry [referring to not using the microphone]. I think what happened is the sample that we had was pretty detailed and I think the couple of the other property owners were taken aback how intense it was. I think if we can come up with a more simple agreement, you know, this is what it's going to cost, x-amount, for regular maintenance, snow maintenance, repairs, this is what's anticipated yearly, it gets reviewed. The money that sits in escrow to take care of the bills gets adjusted yearly.

Chairman McNulty: Mmhmm.

Mrs. Monteleone: Short and sweet, it's an industrial park and the caliber of property owners, present company included, they're not IBMers.

Rich Williams: There's that bus.

[Laughter]

Chairman McNulty: You said there's some interest in this current building in front of us here. What types of business have shown interest to come in?

Mr. Monteleone: We have right now the carpet place wants to take half of the building.

Chairman McNulty: Carpet storage?

Mr. Monteleone: Carpet storage that's in there already, IBP Flooring.

Chairman McNulty: Would it be any kind of retail or showroom involved?

Mr. Monteleone: No.

Chairman McNulty: Okay.

Mr. Monteleone: Only...He only works for (inaudible – too distant). And the bus garage will take his place and then there's a furniture warehouse that's looking to rent some, but he doesn't believe that we're going to have our building there because he was there ten years ago and I asked him.

Chairman McNulty: Okay.

[Laughter]

Mr. Monteleone: He says when you have a building, talk to me.

Chairman McNulty: Yeah...

Mr. Alfonzetti: The carpet guys here and he's going to move here. And the bus depot is going to expand.

Chairman McNulty: So pretty much warehousing.

Mr. Alfonzetti: Yes.

Chairman McNulty: I'm just getting to the point where you're going to have some trucks in and out so that road's going to have to be maintained. You're going to increase traffic...

Mr. Monteleone: Sure.

Chairman McNulty: and I know Eurostyle has a retail business, so I would think Martin would be interested in keeping that road presentable, as well.

Mr. Monteleone: Everybody's interested.

Chairman McNulty: Yeah. Okay.

Mr. Monteleone: Plus, if we do something with Black Birch, it will be to our benefit to really make that...

Chairman McNulty: Well, we'll move on to that in a minute.

Mr. Monteleone: a show place.

Mr. Alfonzetti: We'll get to that.

Chairman McNulty: Yeah.

Rich Williams: While we're here though, one of the other things that was brought up...Pete, one of the other things that was brought up is the island at the entrance coming in looking unattractive. And it either really needs to be fixed up or eliminated.

Mr. Monteleone: Fixed up to be nice. I'd like to see...

Rich Williams: However you want to do it.

Mr. Monteleone: some flowering trees there.

Chairman McNulty: Does it work well now for traffic flow with the buses and trucks? It's plenty of room? I've never had any problem maneuvering, so...I mean, you run equipment so you know better.

Mr. Monteleone: Yeah. No, it's no problem. I'd like to have the island there with some nice, flowering trees.

Chairman McNulty: Okay.

Mr. Monteleone: In the middle so it looks presentable and, you know, I fix the curbs and everything else.

Chairman McNulty: Okay, just keep in mind I guess that's a community road at this point: It's not a Town road.

Rich Williams: Private road.

Chairman McNulty: Private road. Improvements or changes to that, is that anything that lands back in front of this Board?

Rich Williams: You'll probably want to take a look at it but if all he's doing is repairing...

Chairman McNulty: Is just repairing what you have...

Rich Williams: Yeah.

Chairman McNulty: then we're good. But I just want to bring that up. I don't want to see you expanding it or shrinking it and then somebody says well, you didn't come in front of the Board.

Mr. Monteleone: Right.

Chairman McNulty: I want to cut off any problems before they happen.

Mr. Monteleone: We would do that before any change in the...

Chairman McNulty: Yeah. You're just going to spruce it up, clean it up...

Mr. Monteleone: Right.

Chairman McNulty: That's fine. Go to town.

Mr. Monteleone: That's what we'd like to do: spruce it up. Do some planting. Have some, you know, walls, some...

[Laughter]

Mr. Monteleone: tiers coming in.

Chairman McNulty: You have some extra rock, do you?

Mr. Monteleone: Have a name on the road. Make it look presentable.

Chairman McNulty: Very good. Okay, anybody else anything?

Board Member Taylor: I just want to say that we're in favor of moving this as quickly as we can.

Mr. Alfonzetti: Okay.

Board Member Taylor: and we had said this years ago. We know their challenged sites and there's a lot of building and buffers. As long as you can prove that the water's going to be as clean as it would be coming through a buffer, we're not going to have any problem with it.

Mr. Alfonzetti: Okay.

Board Member Taylor: So if you can meet with the engineers and move it along, then we'll move as fast as we can on this.

Mr. Alfonzetti: Okay. Very good.

Chairman McNulty: Well said, Ron. Thank you.

Mr. Alfonzetti: Okay.

#### 4) BLACK BIRCH REALTY – SITE PLAN APPLICATION

Mr. Ralph Alfonzetti, Alfonzetti Engineering, was present.

Chairman McNulty: Okay. That would move us along to Black Birch. Is anybody here for that?

[Laughter]

Mr. Alfonzetti: Okay, Black Birch. Black Birch is, right now, a 2.5 acre vacant site across the street from White Birch and further up the road. They're proposing a storage building. What's going to be stored is cars: classic cars, antique cars, collectible cars. No proposed servicing, repair, detailing, nothing like that. It's strictly storage. And they don't actually even start the cars there. Unless an owner comes and picks it up, what will happen is someone will call up and say I want to store my Ferrari there. A flatbed truck leaves here, goes there, picks it up, brings it here, puts it in a, kind of like a car cart I'll call it. And it wheels it into position. And then...

Chairman McNulty: Is this a climate controlled warehouse?

Mr. Alfonzetti: Climate controlled warehouse.

Mike Liguori: That's where my Ferrari's going up.

Mr. Alfonzetti: That's, yeah. He's already called. So...

Board Member Montesano: Can I bring my bicycle?

[Laughter]

Mr. Alfonzetti: So I did see one of the comments was about how many stories it was. It's a 30,000 square foot footprint. There's going to be one story below and three above. We're going to maintain the heights, so no zoning variances.

Chairman McNulty: One below or two above?

Mr. Alfonzetti: One below and three above.

Board Member Taylor: Three.

Chairman McNulty: Okay. So four, four stories.

Board Member Montesano: Wow.

Chairman McNulty: Need more rock.

Board Member Brady: Yeah.

Mr. Alfonzetti: A lot of Ferraris.

Board Member Brady: There'll be walls up and down that road.

[Laughter]

Mr. Alfonzetti: So we're only anticipating somewhere between 2 and 4 employees. Maybe it will max out at 6 because it's a limited, you know, it's a limited use really. That's why we have such a small parking lot. Very small septic system. Again, it's... We're just, you know, just presenting this really for the first time. We want to, again, meet with Ron and Rich. We can go over stormwater in detail with them and then we'll get the DEP involved.

Chairman McNulty: Where are the buffer lines on the plan for the wetlands?

Board Member Taylor: They run right through the site.

Mr. Alfonzetti: They are not shown.

Board Member Taylor: They are not shown. But they're going to run right through the site.

Mr. Alfonzetti: But they are right here. I mean, they're here and here [referring to plans]. The wetland is there. That was the wetland, so 100' in. 100' feet in, it's going through the building.

Chairman McNulty: So by just looking at... The biggest issue here is the area of roof and that runoff.

Mr. Alfonzetti: Yes. That's going to be my major hurdle in this one, is the stormwater.

Chairman McNulty: Okay.

Board Member Taylor: Can you do a green one?

Mr. Alfonzetti: Can we do a green roof? In theory yes. I don't know if we want to with the type of...

Chairman McNulty: You don't want to risk leaks.

Mr. Alfonzetti: Yeah.

Board Member Montesano: You... Yeah. Not with those guys.

Mr. Alfonzetti: You know, it's one thing if it's in, you know, somebody's carpentry shop. But if it's here, it might be an issue.

- Chairman McNulty: And the three floors above, you'll be able to maintain the height of the building to the Town Code?
- Mr. Monteloene: Yes. It will only be 32'.
- Board Member Montesano: Yeah. Ferrari's (inaudible).
- Mr. Monteoleone: Ten feet each floor. Ten [feet] below and thirty...
- Chairman McNulty: So you need limited height for these cars.
- Mr. Monteoleone: Yes. They only need 8' so they're probably going to be 9, 9.5 [feet].
- Chairman McNulty: You going to design some kind of elevator or turntable.
- Mr. Alfonzetti: Yes.
- Mr. Monteoleone: Two elevators in there. Two freight elevators. You just pull up your car, a power jack comes out takes your car.
- Ted Kozlowski: Could you use that, Sir?
- Mr. Monteoleone: Brings in...When they drive up...
- Rich Williams: Did you turn it on?  
[Laughter]
- Board Member Montesano: I'd rather drive the car, too.
- Mr. Monteloene: And when the car comes, there will be a bay.
- Chairman McNulty: Mmhmm.
- Mr. Monteoleone: 18 by 8 that comes down on the power jack. The (inaudible) are driven, bring it down, drive the car on, shut it off. The guy takes the keys. And you can take that, jack it up a little bit, 2 inches off the ground, put it in the elevator, bring it up, and put it in it's number spot.
- Chairman McNulty: Wow.
- Mr. Monteoleone: When the guy needs it again, come back and pick it up. We'll do the same thing. Do it outside. They got to take the car and go away.
- Board Member Montesano: You got the Mission Impossible movie.
- Chairman McNulty: Interesting.
- Mr. Monteoleone: Most of the people don't even bring and the car. They have somebody deliver it and pick it up.

- Chairman McNulty: Amazing. It sounds like a good idea. I hope it works out well.
- Mr. Monteleone: If we can get it built, supposedly they can get it filled because there are two or three around and they have a two, three year wait.
- Board Member Brady: Really?
- Mr. Alfonzetti: Yeah.
- Board Member Brady: Wow.
- Mr. Alfonzetti: There's two or three of them in the area that are completely full and they have...there's like a waiting period.
- Chairman McNulty: Sounds like a pretty low impact business.
- Mr. Alfonzetti: Yes.
- Chairman McNulty: Okay. Alright, well, if we can get this wetlands worked out and, again, as Ron stated earlier, we can get it so it's as clean now as it is when it's built and we can manage the DEP, the DEC.
- Mr. Alfonzetti: Yeah.
- Chairman McNulty: There's no initial reluctance from this Board to see that happen.
- Mr. Alfonzetti: Okay.
- Board Member Montesano: And you'll get a chance to drive your carpet.
- Mrs. Monteleone: He drives like he uses the microphone.  
[Laughter]
- Chairman McNulty: Anybody else, any other comment? So this is pretty preliminary to what you do.
- Mr. Alfonzetti: Do you guys do lead agency on this? Do you...Not yet?
- Board Member Taylor: Not yet.
- Chairman McNulty: Well, not yet. No, we'd have to see...get some development and see where it's going to go. And again, above our paygrade when it comes to calculations and wetlands.
- Mr. Alfonzetti: Well, then we'll just meet on both of them and get them both to the next level.
- Chairman McNulty: Sure. Yeah.
- Board Member Taylor: Did you give us an EAF on this?

Rich Williams: They gave you a Part 1.

Chairman McNulty: He's got an EAF with him.

Rich Williams: Part 2 is attached.

Board Member Taylor: Okay. Part 1's all we need.

Rich Williams: I didn't have any issues with it.

Chairman McNulty: Yeah.

Board Member Taylor: Okay. I don't see any problems with it. So we'll just move on that and maybe at next work session...

Chairman McNulty: Yeah. We'll hit the EAF and see what we do. And you've got your work to do.

Mr. Alfonzetti: Yes. I can give it 100%.

Chairman McNulty: Okay. Very good. Thank you, Ralph.

Mr. Alfonzetti: Thank you.

Board Member Montesano: And he's going to bring a Ferrari...

Board Member Brady: I wonder if I could get my pickup truck in there.

Chairman McNulty: No it would be...

Board Member Brady: No.

Board Member Ladau: Unless it's a six wheeled (inaudible) Mercedes, maybe.

Board Member Brady: Will my pickup fit in there?

Mr. Monteoleone: (Inaudible – too distant and too many talking).

## **5) OTHER BUSINESS**

### **i. Proposed Zoning Code Change – Bed and Breakfasts**

Chairman McNulty: Alright, that brings us to other business which is Proposed Zoning Code Change for Bed and Breakfast. Exciting stuff. Good night.

Mr. Alfonzetti: Good night. Thank you very much.

Board Member Brady: Good night. Thank you.

Chairman McNulty: Okay, Rich. You have some comment for us on this? Where we're going, bed and breakfasts. We talked about it at the work session.

Rich Williams: Sure. You have my memo. Just take a look at my memo, give me five seconds.

Chairman McNulty: Okay. I didn't get a chance to look at this.

Board Member Montesano: Ron, you're going to bring our Ferrari over.

Ron Gainer: Yeah right.

Board Member Montesano: Mine's about...It came out of match boxes.

Chairman McNulty: I want to get it right. That's the hardest part.

Board Member Taylor: Well, it's...The issue is...

Chairman McNulty: To be honest, this week is kind of been a blur.

Board Member Brady: Oh sure.

Board Member Taylor: The choices...

Chairman McNulty: So I didn't look at it. So Ron, I'll let you take the lead.

Board Member Taylor: Well, I mean...

Chairman McNulty: It's nice to have a Vice.

Board Member Taylor: Rich pretty much outlined it. I mean, he gave us choices but the Town wants to do it one way. That's...You know, my questions were about the sizes: How would you determine the sizes of these things?

Chairman McNulty: As far as square footage of the building or...

Board Member Taylor: What would be allowed? Two acres minimum and so on.

Board Member Brady: Yeah, I don't have it.

Board Member Taylor: I'm really concerned about. I think they need to add this in the definition of Code: useable.

- Chairman McNulty: Useable...
- Board Member Taylor: So useable land.
- Chairman McNulty: land. So, if we're in a buffer, we're in a wetlands...
- Board Member Taylor: Yup.
- Chairman McNulty: on a two-acre lot, you need two-acres as useable. Yeah, which you've been bringing up for something we need to address. This might be a good place to implement it.
- Board Member Taylor: Well, that's what I was thinking. Because I've got some stuff in the past where I defined it in terms of slopes and buffers and things. We can try to recycle it.
- Chairman McNulty: Okay. Rich, I have not had a chance to look at your notes yet, so...
- Rich Williams: That's why we didn't talk about it at the last meeting. What you've been doing?
- [Laughter]
- Chairman McNulty: Nothing. Just...
- Ron Gainer: Other business.
- Chairman McNulty: Rich, Ron just brought up a good point. You pointed out how what our minimum lot sizes may be. If it's two acres for a bed and breakfast required, it's a useable two acres. So we can get the septic. So we don't run into these challenged sites to have to deal with it.
- Rich Williams: Yeah. No, we brought that up, you know, at the work session.
- Chairman McNulty: Yeah.
- Rich Williams: I thought it was a good suggestion.
- Board Member Brady: Yeah.
- Rich Williams: So, not a problem.
- Chairman McNulty: I know the Town Board's looking for a recommendation. I'm not prepared tonight to say anything. I don't know if the Board has a recommendation they want to make.
- Board Member Taylor: Well, I have some more questions. On "k", one of the things it talks about is 75 watt lightbulbs. I think that you, given the way technology is going, I think you could define it as lumens rather than watts, or the equal of or something like that.
- Rich Williams: Where are you?
- Board Member Taylor: It's...

- Chairman McNulty: Item...
- Board Member Taylor: It's...
- Board Member Montesano: Page...
- Board Member Taylor: 154-102 item "k".
- Chairman McNulty: Third page in.
- Rich Williams: Got it.
- Chairman McNulty: With the evolution of LED lights, I guess or the equivalency of 75 watts.
- Board Member Taylor: Yeah. It's something I think you just need to add some wording because it says no more than two 75 watt lightbulbs, which is...It's just inappropriate to modern technology. So you can put the amount of lumens down or the equivalent of or just, you know, so that we've got flexibility.
- Rich Williams: Okay.
- Board Member Taylor: Alright. On "o", each bedroom shall have it's private bathroom. Does that mean it's in the bedroom or it's assigned to it? Or...Does that cover those kinds of issues? I mean, I've been at bed and breakfasts where the bathroom's down the hall.
- Board Member Brady: Yeah.
- Board Member Taylor: But it's exclusively for a bedroom or in some cases, some people are sharing them. You don't want a sharing is what you're...
- Rich Williams: Do you have an opinion one way or the other?
- Board Member Taylor: Well, I don't know how the Board feels about this.
- Chairman McNulty: Well, how does the Health Department weigh in on it? If you have...Do they count bathrooms? They just count water flow.
- Rich Williams: No, they count water flow...
- Board Member Brady: Bedrooms.
- Rich Williams: and they base it on bedrooms. They make assumptions on the bedrooms.  
So...
- Chairman McNulty: So...
- Rich Williams: You could have one bedroom and 50 bathrooms in a house and you still have a one bedroom house with that flow.

Chairman McNulty: But if we require a bathroom per bedroom, are we limiting the capabilities of a bed and breakfast to say, well the water flow doesn't permit six bedrooms and six bathrooms. But it may permit six bedrooms and three bathrooms.

Board Member Taylor: What he just said is what the Health Department bases everything on the number of bedrooms.

Board Member Brady: Right.

Board Member Taylor: So bedrooms will drive it. Our determination is whether we want a bathroom for each bedroom or not...

Board Member Ladau: Yeah.

Board Member Taylor: in a bed and breakfast. That's up to us. Am I right there, Rich?

Rich Williams: Correct.

Board Member Montesano: I think if you had a suite, you'd have a bathroom. But if you have just somebody staying overnight, then you can have a...

Board Member Taylor: Shared bathroom?

Board Member Montesano: Yeah.

Chairman McNulty: I just don't want to put us in a...

Board Member Brady: I'm okay with a shared bathroom. I mean, I've done that before.

Board Member Taylor: Yeah, I have, too.

Chairman McNulty: The whole thing, I just don't want to corner us where we limit us somehow requiring a bedroom, a bathroom.

Board Member Taylor: Well, that's why I'm asking. Because here it's like you've got to have one bathroom for each...

Board Member Brady: Yeah.

Board Member Taylor: each bedroom. Whereas, I've been at bed and breakfasts where you share it.

Board Member Brady: Absolutely.

Board Member Taylor: It was understood you share it.

Rich Williams: Yeah, I've been in both, as well.

Board Member Taylor: Yeah, and then do we care? It would seem to...If we don't care, let the people have the advantage of...It would give them more flexibility.

Chairman McNulty: Yes. Maybe we have something that says per number of bedrooms, a minimum. You know, if there's three bedrooms, you need at least one bath. Or if there's two bedrooms, you need at least one bathroom. If there's six bedrooms you need at least three bathrooms. Do we require a minimum? Or does that handcuff as well?

Board Member Brady: I like that. I like two bedrooms...Two bedrooms has to have a separate bath. You know, they don't have to be a separate bath for each bedroom.

Chairman McNulty: At a minimum. So if you have six bedrooms, you'd have to have three bathrooms like you said.

Board Member Taylor: But they don't have to be in the bedroom.

Chairman McNulty: In the bedroom.

Board Member Brady: No, not in the bedroom. No.

Chairman McNulty: They could be shared but...

Board Member Brady: A shared bathroom for two of them.

Board Member Taylor: Like parking spaces.

Board Member Brady: Right.

[Laughter]

Board Member Taylor: So I don't know how you work that in, but that's a suggestion.

Rich Williams: That's easy.

Board Member Taylor: Okay, "p" cooking facilities. So are we saying no coffee makers, no microwaves, etcetera, in the bedrooms? What's cooking facilities?

Rich Williams: I was thinking more about the, what the hell do they call it?

Chairman McNulty: Hot plates?

Board Member Montesano: Hot plates and stuff.

Rich Williams: Hot plates. Thank you.

Mike Liguori: Yeah.

Board Member Montesano: No, I wouldn't...If you're going to have a bed and breakfast, let them eat downstairs.

Board Member Brady: Yeah.

- Board Member Ladau: Yeah.
- Board Member Brady: I agree.
- Board Member Montesano: Don't have the hot plates or the microwaves...
- Rich Williams: But a coffee maker...
- Chairman McNulty: A coffee maker would be acceptable.
- Rich Williams: Okay.
- Board Member Ladau: Yeah.
- Board Member Montesano: Yeah, well the small coffee makers like they have at the hotels, that's fine. But you don't need a microwave. If they want something like that, they'll just...
- Board Member Taylor: I'm still...Then I think we need an exception here. Except for, you know, small coffee makers or something.
- Rich Williams: Yup.
- Board Member Taylor: We're just trying to make it as clear as possible so we...Code Enforcement Officer doesn't have to deal with these issues.
- Rich Williams: Sure. Absolutely.
- Board Member Taylor: Okay. And...
- Chairman McNulty: Sprinklers included here anywhere? Do we want to think about sprinklers?
- Rich Williams: That's going to be...That's an interesting question. That's going to be driven by the Building Code.
- Board Member Brady: Yeah.
- Rich Williams: New York State Building Code.
- Board Member Brady: They're going to be required.
- Mike Liguori: And I think that's based on the stories of the building. I went through this recently with a particular use where...dealing with an existing house that has three stories. So there's a basement level, the first level and then the second level. And we have to manipulate the ground around the basement in order to have it be considered a two-story with a basement. Because if it's a three-story, it requires sprinklers. So that's what's going to drive it; it's going to be the State Building Code.
- Board Member Brady: But is that residential or is that commercial? This is commercial now.

Mike Liguori: I am...So the use is a, for the Town of Southeast, it's a philanthropic use for the purposes of their zoning code. For the State Building Code, it falls under bed and breakfast which has its own category in the State Building Code.

Chairman McNulty: It's not commercial. It's not residential.

Mike Liguori: It doesn't. It doesn't matter because the use whether it's, you know, commercial, you know, you pay per night, or through some other type of arrangements stay for weeks, stay for a month, you know, for some let's say an artist residency or something. Whatever you can think of. The building inspector's going to look at it and say alright, you're going to fall within...under the State Building Code. You're using it as a bed and breakfast. A bed and breakfast requires the following. More than two-stories, you need a sprinkler. Under two-stories, smoke detectors in every bedroom. Uniform alarm system: everything's tied together with a central monitor.

Chairman McNulty: Central unit...Central station.

Mike Liguori: You know, it's going to be the stories that drive the sprinkler.

Board Member Brady: And the basement counts?

Mike Liguori: Well, if it...

Board Member Brady: If it's above ground.

Rich Williams: In certain circumstances, the basement counts.

Mike Liguori: Yeah, in certain circumstances. Right.

Board Member Taylor: It's defined in the code, too.

Chairman McNulty: And the areas we're looking to allow bed and breakfasts. Is that...Again, I didn't get a chance to go through this.

Rich Williams: Right. Right now we're just looking at doing it in the Hamlet in specific parcels.

Chairman McNulty: Okay. How does that...

Rich Williams: And...

Chairman McNulty: change the Zoning Code? I mean, does it remap the Zoning Code?

Rich Williams: Well, again, there's a couple of different ways, you know, you can do it.

Chairman McNulty: Just create a new category?

Rich Williams: You can create a new category. You can create a special use permit. You can set that special use permit up for the Hamlet, which I believe is what I was driving at. You can set it up for just your commercial zoning districts. You can make it an as of right use in your commercial zoning districts and extend your commercial zoning districts.

Mike Liguori: You can even, you know, in your list of uses or your use table, you can insert it, you know, subject to the following: only permitted in the hamlet. You know, you can note it off however you want.

Board Member Montesano: Are we going to try to find any distance separation between this? In other words, not five houses in a row to a bed and breakfast. Maybe we should have a separation.

Rich Williams: Based on, again, you know, using our GIS tools that we have available, you know, I did the query about how many properties in the Hamlet meeting these criteria there would be. And I think, if I remember correctly, in the memo there's about five properties that came up. So, they're not going to be on top of each other. There's only certain properties that meet the criteria. Now, if we change the criteria, I've got to rerun the analysis.

Chairman McNulty: So how does that get called out in the Code, these specific properties?

Mike Liguori: They, essentially, they may not. You may have to do that homework yourself. So let's say...

Chairman McNulty: So as an application comes, we have to identify it to see if this would work within the Hamlet.

Mike Liguori: Right. And it would be the...Typically the...The first conversation would probably be with either Rich or the building inspector. They'd open the Code. They'd say, okay, you're in the Hamlet. As of, you know, today there's no other uses so you don't have a dimensional issue. But those are the criteria that would have to be analyzed...

Chairman McNulty: So we can look at it case by case.

Rich Williams: Yes.

Mike Liguori: Yeah.

Rich Williams: Now, there's a couple of things that may get thrown in on this, if somebody buys a couple pieces of property and combines them.

Mike Liguori: Mnhmm.

Rich Williams: Or they always have the ability to go to the Zoning Board of Appeals for an area variance.

Chairman McNulty: Okay. And how does it work in the future? I know we had some discussion about the overall picture of the Town and greenways coming through. And maybe a greenway through the railroad gets ever built, a bed and breakfast along there. If people came and traveled the greenway from New York to Columbia County, or wherever it may go someday, is that...Can we expand this later and not be considered spot zoning?

Mike Liguori: Well...

Chairman McNulty: How does that all work?

Mike Liguori: Just so everybody's clear on...Is the mike around?

Chairman McNulty: It's over here.

Mike Liguori: Sometimes the word spot zoning is a misnomer because you can spot zone as long as you are zoning in accordance with your comprehensive plan. So if your comprehensive plan, you know, identifies the concept that the municipality wants to put forth but only results in the rezoning of, let's say, you know, three or four or five, one property, it's not spot zoning because of that concept. In this case, maybe there's only a few spots where the use, you know, eventually come to fruition. But that's still not spot zoning as long as the comprehensive plan is the predicate.

Chairman McNulty: So in development, future comprehensive plan changes, we need to...That's one of the areas we talked about looking at to be able to develop.

Board Member Taylor: Well, I think the question here would come down to what kind of zone are these bed and breakfasts in? Because if it's as...across the board, where we can apply it across the board and not just in the hamlet.

Chairman McNulty: Mmhmm.

Board Member Taylor: Then as uses develop, people can come in and say I've got a trail now along...near Mooney Hill Road along the old railroad track and Bob wants to put a bed and breakfast in his house. He's got two acres, he meets the other requirements and now you can do it. I think that...

Rich Williams: But again, when we get to that, then we're going to have a discussion about what it the appropriate mechanism. You know, there's a zoning technique that's been around for a long time and it's tried and true, but most municipalities shy away from it because they don't understand it, and that's, you know, the concept of a floating zone.

Mike Liguori: Right.

Rich Williams: You set your criteria up and you may set the criteria up we're going to allow bed and breakfast near active or passive recreational areas, you know, within 100'. And, you know, Bob meets the criteria of that 100' so that floating zone then would fall on Bob's property.

Board Member Ladau: I'm ready.

[Laughter]

Rich Williams: Be careful. The sky falling isn't always a good thing.

Board Member Brady: Three Bs: Bob's Bed and Breakfast.

Board Member Ladau: That's right.

Mike Liguori: With airbandb and things like uber [referring to websites], it could already be happening. I mean, there could be 100 properties in Patterson on airbandb, you'd never know.

Chairman McNulty: Yeah.

- Mike Liguori: You wouldn't know until you've got on the website.
- Board Member Ladau: You've noticed the uber cars going in and out of my driveway.  
[Laughter]
- Board Member Taylor: So, then we need to talk about that. I have a couple more points on that. Just the wording things if we can go through that and then...
- Chairman McNulty: Sure.
- Board Member Taylor: we can go back. It seems to me that "l" Rich is redundant with "j". You've got the same wording in both of them about the fire code and the building code. I mean, it doesn't matter I suppose, but it just would be cleaner if you state it once. And then the other thing which I think is important is "f", where you talk about one parking space per room. I think we should say that it's off-street parking, make it clear. Because we don't want people parking on the streets, do we?
- Rich Williams: No.
- Chairman McNulty: Which letter was that?
- Board Member Taylor: It's "f".
- Chairman McNulty: Got you.
- Board Member Taylor: It says only one parking space per room or unit that may be available for rent. We want it on the property. We don't want it on the streets.
- Chairman McNulty: Mmhmm.
- Board Member Taylor: Unless that goes with that item. You tell me, I just...I would like thing as clearly stated as possible.
- Rich Williams: I can clarify the language, but the language that's in here is "The bed and breakfast then shall provide not less than two off-street parking spaces for family members...yada, yada, yada. And one parking space." So, I'll just add...
- Board Member Taylor: Oh, you do have it in there. Alright.
- Chairman McNulty: Yeah. That first line.
- Board Member Taylor: Never mind. I skipped it. Yes.
- Chairman McNulty: But the additional...
- Rich Williams: Well, no. I'll just add it in so it's clear.
- Chairman McNulty: Yup, just add on...off-street for the other one.

- Rich Williams: Yup.
- Board Member Taylor: And then “v”, the very last one, “Bed and breakfast then shall be suitably screened”. Who defines what suitably is? What do we mean by that? I mean, what are we looking for here?
- Chairman McNulty: Should it just be screened?
- Board Member Taylor: No, I think suitably is fine. It’s just, what do we mean by suitably?
- Rich Williams: That’s the sixty-four dollar question.
- Mike Liguori: Yeah.
- Chairman McNulty: Could be a concrete fence.  
[Laughter]
- Board Member Taylor: Ten feet high.
- Chairman McNulty: That’s suitable, right?
- Mike Liguori: That’s a different type of bed and breakfast.  
[Laughter]
- Board Member Taylor: So that... You want to leave it that way so...
- Board Member Brady: Has razor ribbon on the top.
- Board Member Taylor: it’s for us to define then?
- Ron Gainer: Stay there for free.
- Rich Williams: Well, you could. But it never hurts to have a little criteria in here to understand what suitably screened, you know? Are you worried about light? Are you worried about noise? Do you want to make that the decibels stay down? You know?
- Board Member Taylor: Okay. So then that’s... That’s something we need to talk about then. We need to...
- Board Member Montesano: Getting back to “I”, we have smoke detectors. What about a carbon monoxide?
- Chairman McNulty: Well, that would be Building Code.
- Mike Liguori: That’s a required now. Yeah.
- Rich Williams: It’s all driven by the Building Code.

Mike Liguori: But when you guys think about this, and I'll tell you what comes to my mind after working in Cold Spring for about 15 months, there's a corner bar called Whistling Willy's.

Chairman McNulty: I know it.

Mike Liguori: Yeah.

Ron Gainer: We all know it.

Rich Williams: Not all of it.

Ron Gainer: I know whistling.

Chairman McNulty: It's good.

Mike Liguori: There's some outside seating around Willie's, and some of the neighbors complained there's residential uses on the second floor and third floor of Willie's and then next door. And there's a constant tension because people will hang out till two in the morning outside; sometimes they get a little loud with talking and shouting or whatever else goes on. Smoking, you know, out in the front. And those are the little B&B type... Those are like the, kind of, the nuisance concerns to think about when you have a B&B, depending on where it is. You know, if you're in the Hamlet and let's say Ron and I live next to each other and I have a nice front porch that you can sit on and hang out and the weather's nice, you know, but let's say Ron goes to bed and 9 o'clock and my people are out talking till one in the morning. Those are the...

Board Member Taylor: Mmhmm.

Mike Liguori: That's the tension that you have with the B&B. If it's next to someone. So your screening may all be dependent. Let's say, you know, let's say we're on an acre of land and I'm next door and Ron's on an acre and I'm on an acre, it may not make a difference. You might not hear anything. And you're requirement for the amount of screening may change because... But if that Hamlet... But if that close proximity use is where the tension will get generated.

Board Member Ladau: Can this be taken care of in terms of distance; separation distance?

Chairman McNulty: That's what I was thinking. Certain setback from the neighbor.

Board Member Ladau: Yeah.

Chairman McNulty: What would be required?

Mike Liguori: It's really going to depend on what the... Yes. That's the... The easy answer is yes. The hard answer is, is it possible in the Hamlet to achieve a separation distance if the houses are already close together. Are we looking at vacant parcels or are we looking at parcels that are already built?

Rich Williams: Looking at both.

Ron Gainer: Yeah, it could go either way.

- Mike Liguori: Yeah, and so it could be difficult. I mean, that's the part where we really have to sit down and take a look at and say, alright, well here are the possible scenarios where this use is going to work. You may not be able to achieve that separation distance depending on...
- Board Member Ladau: Well, then perhaps that site is not...does not qualify for a bed and breakfast if it isn't.
- Mike Liguori: Yeah, I mean...
- Chairman McNulty: Maybe something to the extent that fencing would be looked at on a case by case and conclude...You know, I don't have the right word. Conclusive to the conditions of that property.
- Mike Liguori: Rich, how's this getting driven? Is there an applicant or is it...
- Rich Williams: Oh yeah.
- Mike Liguori: Okay.
- Rich Williams: Yeah. We've got somebody that wants to do a bed and breakfast. Are you ready? Bed and breakfast, a small restaurant, an antique store and an even venue.
- Mike Liguori: In one spot?
- Rich Williams: In one spot. All in the same place. So they can have like little corporate affairs and weddings and...
- Board Member Ladau: But now that really gets back to the idea of sound transmission.
- Rich Williams: Right.
- Board Member Ladau: Disturbing neighbors.
- Board Member Ladau: But even in terms of restaurant, I'm thinking of...I can't think of the lady's name, but over in Put[nam] Lake where there's that barbeque...
- Board Member Brady: Yup.
- Board Member Ladau: place where she's very unhappy. Justifiably so.
- Rich Williams: Mmhhh.
- Chairman McNulty: Which bring me...question again, I didn't review it, are events covered in this code? Is there anything that says that limits an event? How many people may be there? Or what type of event? Or hours?
- Rich Williams: We have a permissive code so if it's listed you can do it, if it's not listed you can't do it. And our Code really doesn't deal with events. It will deal with restaurants. It will deal with clubs. But, you know...
- Chairman McNulty: How about the polo club over on East Branch? They have events.

Rich Williams: Well, that's a farm.

Chairman McNulty: That's whole different animal?

Board Member Montesano: Mmhmm.

Chairman McNulty: Okay, I'll leave that alone.

[Laughter]

Mike Liguori: Smart man.

Chairman McNulty: So events, maybe events...Do we somehow include events in this? Because if it's not listed, you already brought up the word in your conversation, your events to be handled. So that's something we have to look at and limit.

Board Member Taylor: Or do we want to look at it here in the bed and breakfast code, or do we want to look at in another section...

Chairman McNulty: General code.

Board Member Taylor: of the Code? I think putting the two together is...wouldn't be beneficial.

Rich Williams: You know, generally events only occur at facilities that are suitable, you know? You might have a fundraiser or a corporate affair or possibly even a wedding at Thunder Ridge because it's...The facility has the catering capabilities and the capacity. You know, I don't know that you'd have a...necessarily have a wedding at the Thai place, maybe?

Chairman McNulty: Nice backyard. It could happen. You know, if you're talking a six bedroom bed and breakfast and it's a small wedding ceremony, I don't think anybody's ever going to notice, you know, say a dozen guests, twenty guest, for an afternoon and an evening. But you know, if it gets to be bigger, I know...I used to do work at Cat Rock. Anybody familiar with that? Osbourne Castle over in Garrison.

Rich Williams: Mmhmm.

Chairman McNulty: There's a private residence and they farm their...they lease their house out for weddings on the weekend. Major events. You know, 200 people weddings. So, could this go there if we don't...If it's not permitted, I guess they can't. But should we address it to entice this business to come and get these bed and breakfasts. So it's something I think we have to look at.

Board Member Ladau: Yeah.

Board Member Montesano: Once we get the...

Chairman McNulty: How do we phrase event? How do we tie an event into a bed and breakfast, or anywhere else in the Town?

- Board Member Ladau: Or should it be tied in? Is there a fundamental incompatibility between a bed and breakfast, which is basically, a small operation, versus a venue for an event?
- Chairman McNulty: Now are we looking at the shady rest or...
- Board Member Montesano: I remember Dave mentioned something about having a restaurant, and antique store...
- Rich Williams: Correct.
- Board Member Montesano: And some kind of function where I would assume they're going to have people sitting there selling or buying like a flea market for antiques.
- Rich Williams: That I don't remember. I remember...
- Board Member Montesano: Yeah, I...
- Rich Williams: They wanted to have a small antique store in the barn. They wanted to have a restaurant, small restaurant...
- Board Member Montesano: And they wanted to have some kind of functions where people would be gathering for those.
- Rich Williams: Right. They want to have the ability to have, you know, like small weddings or corporate affairs where people would come stay there and then...
- Chairman McNulty: Almost sounds like...
- Rich Williams: You know, come down for some sort of seminar or company picnics.
- Chairman McNulty: a place in Amenia called Trout Back. Trout...I think it's Trout.
- Board Member Ladau: Yeah, Trout Back.
- Chairman McNulty: Trout Back. I don't think it's open anymore, actually.
- Board Member Montesano: No paintballing?
- Board Member Ladau: It's being sold.
- Board Member Montesano: No paint gun.
- Board Member Ladau: It's up for sale.
- Chairman McNulty: It sounds like a similar operation.
- Board Member Ladau: The difference is, though, is that Trout Back has an enormous site. I mean, they're...
- Chairman McNulty: Yeah, it's a big property.

Board Member Ladau: at 20 acres or more.

Chairman McNulty: Which brings me to the point, we're talking about in the Hamlet here. I don't know all the specifics but we...I know you've identified several buildings around [Route] 292 and [Route] 311...

Rich Williams: Correct.

Chairman McNulty: That are possible. Are these looking to be developed all as one? Or they all can be individual?

Rich Williams: Right now, we only have a proposal for one and that's the house at the intersection of Route 311 and Cornwall Hill Road.

Board Member Ladau: Yeah.

Chairman McNulty: What...

Board Member Montesano: I've been told three so far.

Chairman McNulty: What if it was pursued...It sounds like a lot of activity for that one house. Not saying it can't be done. But what if it were explored to partner with the neighboring buildings and create that bed and breakfast community, so to speak.

Rich Williams: It really needs to be done on an owner by owner basis.

Ron Gainer: Yeah.

Chairman McNulty: But it's not to say that the owners could talk to each other. Maybe it could develop into something.

Rich Williams: You know...

Chairman McNulty: Just throwing ideas out.

Rich Williams: Honestly, I think everything they're proposing except for the events because of the neighborhood, you know, is fine. It's really the...

Chairman McNulty: I don't have any major objection either. The events though, could be...

Rich Williams: The events is a problem.

Board Member Brady: Yeah.

Board Member Ladau: Yeah.

Chairman McNulty: traffic, parking.

Board Member Brady: Parking's the...

Board Member Taylor: I think we need to address the issue of events as events, no matter whether it's at a bed and breakfast or not. And, I mean, we had the issue of any...Two events this summer on a farm.

Rich Williams: Well, I've been asked to take a look at the public assembly permitting process, along with town attorneys and the Building Department, and rewrite it. I've been kind of waiting till the dust from other issues settles.

Board Member Taylor: That would then address, I think it would address events.

Chairman McNulty: Yeah.

Board Member Taylor: I don't think we should address it as part of this, as this bed and breakfast, because I think it's a separate issue.

Rich Williams: Right.

Board Member Taylor: But I...

Chairman McNulty: With that said, though, any applicants coming forward going toward a bed and breakfast as we recommend this, need to know that.

Board Member Taylor: Yes.

Chairman McNulty: Events are not...

Board Member Taylor: They need to know the Code, yes.

Chairman McNulty: Yeah. So...

Board Member Taylor: But I think we're still on this issue of screening. We need to talk about that. I mean, some of this would be covered by the events, but what we're talking about is so that they don't...Noise, smell, lights...

Ron Gainer: Right.

Board Member Ladau: Yeah.

Board Member Taylor: You know, hours of operation. You know, what language do we put in here to...so that it's called to our attention and to the applicant's attention that those are issues that have got to be resolved before their site will be approved.

Rich Williams: Well, you first identify the impacts and then you try to identify triggers or thresholds by which if they exceed them then they can't do it or additional screening has to get put in.

Board Member Taylor: Right. So do we have some of those triggers already in the Code? We've got sound for...

Chairman McNulty: Restaurants.

Rich Williams: We have sound but I think...

Chairman McNulty: Hours of operation.

Rich Williams: Yes. We do have a noise ordinance but I think for what we're talking about here; that noise is going to be too high.

Board Member Taylor: Okay.

Rich Williams: So it's like 65 decibels till 11 [o'clock] and then 45 decibels thereafter. That's... That could be a pretty loud noise.

Board Member Ladau: Yeah.

Rich Williams: And it's... Our attorney says, you know, a couple people sitting, you know, outside at a bar talking was annoying to the neighbors.

Board Member Taylor: Yeah, sure.

Rich Williams: You know, because of the, just the constant...

Chairman McNulty: At 2 a.m.

Rich Williams: Yeah.

Mike Liguori: To them, it was constant. That's why it was annoying. You know, it was...

Chairman McNulty: Well, we have our own issues here in Town. I'm sure we get complaints.

Board Member Brady: Yeah.

Board Member Taylor: Well, so maybe we should put in hours of... Something like hours of operation or...

Mike Liguori: That probably be...

Chairman McNulty: Or quiet hours.

Mike Liguori: Yeah, the easiest way to deal with it.

Board Member Taylor: Yeah.

Mike Liguori: Because, you know, enforcing the noise ordinance is probably the hardest part of the Code to enforce. And no one's immune from that. It's, you know, the sheriff's don't drive around with a...

Board Member Taylor: Decibel meter.

Rich Williams: No, well the problem is we have decibel meters. We can go out, we can take readings.

Mike Liguori: Right.

Rich Williams: But if you're going to take somebody to court, you need to calibrate that before you go out...

Ron Gainer: Right.

Rich Williams: and then you need to go out with a trained individual.

Board Member Brady: Mmhmm.

Mike Liguori: The issue is...

Chairman McNulty: A sound engineer.

Rich Williams: Yeah.

Mike Liguori: The issue is that the Building Department closes at 5 p.m.

Chairman McNulty: Sure.

Mike Liguori: And the noise is happening at 11 p.m. on a Saturday night. So, who do you call?

Board Member Montesano: Ghost Busters.

[Laughter]

Chairman McNulty; Sheriff's Department.

Mike Liguori: Yeah, but they don't...

Chairman McNulty: I know. All they can do is knock on the door.

Rich Williams: They won't do anything.

Mike Liguori: Yeah, they don't do anything. That...o hours of operation makes it...Hours of use, for let's say outside, that's the easiest way to do it.

Chairman McNulty: And the screening becomes a tough issue. Because if it's a, say it's a six bedroom bed and breakfast, so maybe you have a dozen people there, the maximum hours...they're probably all separate coming and going. Now if there's an assembly of more than that, then you need more than that, then you need additional screening. It's a tough call. I think it goes back to the setback; the distance to where the property is.

Board Member Ladau: Yeah.

- Board Member Taylor: Well, I think we can deal with these on a case by case basis but we need some criteria under which to deal with them.
- Board Member Ladau: Yup.
- Board Member Taylor: Or at least something to trigger.
- Chairman McNulty: Something that say it screens.
- Board Member Taylor: As you said, so we've got hours, that solves some of the problems. You know, do we have noise triggers or light triggers? Or is that by the hours?
- Rich Williams: Well, you know, I think at this point, you know, I need to do a little bit of homework on what appropriate triggers are and I...we can come back at the next meeting...
- Board Member Taylor: Okay.
- Rich Williams: And take a look at it.
- Chairman McNulty: Okay.
- Board Member Ladau: Question: Is there a size limitation on a bed and breakfast?
- Rich Williams: We have no criteria within our Code for a bed and breakfast, so it's whatever we're going to make it.
- Board Member Ladau: Because it occurs to me that, you know, at what point does the Waldorf Astoria become a bed and breakfast with 400 rooms or however many rooms they have.
- Chairman McNulty: Well, I think that will classify as a hotel.
- Ron Gainer: It says owner occupied.
- Board Member Ladau: Huh?
- Ron Gainer: This is owner occupied.
- Board Member Ladau: Okay, so, you know...
- Rich Williams: So, Mr. Waldorf lives there. So...
- Board Member Ladau: Yeah. I mean, so...
- Ron Gainer: I don't think so.
- Mike Liguori: I can give you some insight.
- Board Member Ladau: Harry Helmsley and Leona Helmsley occupied, I've forgotten the name of the hotel, over on the West Side. I, you know, I realize that that's an extreme. We're not going to get a 1,000 room hotel in downtown Patterson.

- Ron Gainer: And you've got to remember, 30% of the building or whatever Rich's number is, I mean, he's got criteria in there to...
- Rich Williams: Yeah, but I don't know...
- Ron Gainer: make it local.
- Rich Williams: I have a maximum size of the building.
- Board Member Ladau: Yeah.
- Rich Williams: Yeah, so...
- Mike Liguori: You know, I think...
- Chairman McNulty: Well, that would be in proportion to the lot size.
- Mike Liguori: I think what's going to come of this is...
- Chairman McNulty: Useable lot size.
- Mike Liguori: When the person does go venture to develop this, and you look at the cost that's involved in developing it, there's going to be kind of like a natural selection that goes on because I know with the hotel that's getting built in Brewster by John Gillen.
- Board Member Ladau: Yeah.
- Mike Liguori: There we have a 57 room Best Western. Right, and I can tell you, you know, what it costs to develop that 57 rooms.
- Board Member Ladau: Yeah. Mike, it...Obviously there's...I've exaggerated the number, but it seems to me that you could easily have a ten room bed and breakfast which would house 20 people...
- Mike Liguori: Mhmm.
- Board Member Ladau: Who might have...Each of those 20 people might have guests and now we're back to the issue of noise and disturbance of adjoining properties.
- Chairman McNulty: That will all kind of filter out on lot size, parking....
- Board Member Ladau: Yeah.
- Chairman McNulty: That would all create the limitations to...
- Board Member Ladau: Okay.
- Chairman McNulty: ten rooms, six rooms.
- Board Member Taylor: Well, do we want to put a max in? It's got a...

Board Member Ladau: That's...

Board Member Taylor: We've got a minimum. Is that what you're proposing? Put a max in?

Board Member Ladau: Yeah, I'm suggesting that if... To define a bed and breakfast, there should be a maximum.

Rich Williams: Maximum number of bedrooms to lease...

Board Member Ladau: Yeah.

Rich Williams: Yeah. Well, not a bad suggestion.

Chairman McNulty: Maybe we can compare that with, you know, something that's a two-acre useable lot. Again, the Health Department's going to have restrictions on flow and use that criteria to create a limit.

Board Member Taylor: No, what we have is a minimum two-acre lot, not a maximum. So if somebody has 100-acres, what Bob is saying, they can build a bed and breakfast for 100 people and live in it.

Board Member Ladau: Yeah.

Board Member Taylor: So that's all. He's just saying put a maximum number in. Six bedrooms, ten bedrooms.

Rich Williams: It's not a bad suggestion. Anything over that would be considered a hotel.

Board Member Taylor: Yeah.

Board Member Ladau: Mmhmm.

Board Member Taylor: Right, so that's...

Chairman McNulty: Okay.

Mike Liguori: Yeah, motel.

Chairman McNulty: How is a bed and breakfast different than a boarding house?

Rich Williams: Duration.

Board Member Taylor: Transient.

Board Member Ladau: The amount charged per night.

[Laughter]

- Board Member Taylor: Yeah, there's that, too.
- Mike Liguori: The people that work there.
- Board Member Brady: Let's put it this way...
- Chairman McNulty: Just curious.
- Board Member Brady: if I lived there, it'd be a boarding house.  
[Laughter]
- Rich Williams: According to Judge Grossman, obviously nothing.
- Board Member Montesano: Actually, would you be eating that much Ed?
- Mike Liguori: Well, you know, if you build one...
- Chairman McNulty: Okay, do we have any more comments on this for tonight? I think, hopefully, I will do my diligence to get better up on this and maybe by the work session we can nail this down. Sounds like Rich has done some good groundwork.
- Board Member Montesano: You can't have the one across from the school, so knock it off.
- Board Member Taylor: I think people need to look at the first five points which is the possible kinds of controlled zoning. I like the idea of a floating zone. It just seems to give us more...
- Board Member Ladau: Mmhhh.
- Board Member Taylor: flexibility overall.
- Board Member Montesano: More control, too.
- Board Member Taylor: in terms of the future. But if it's going to be hard to implement.
- Rich Williams: You know, I've proposed it a couple of times in the past to the Town Board and...
- Board Member Taylor: Can't get it through them.
- Rich Williams: No, they're not interested in anything they don't really understand.
- Chairman McNulty: Well, we got Shawn and Charlie up there.
- Rich Williams: Yeah.  
[Laughter]
- Rich Williams: We still have Mike, too.

Board Member Montesano: They've gotten elected, that's it.

[Laughter]

Chairman McNulty: Yeah, Mike was the Planning Board.

Rich Williams: Yeah.

Mike Liguori: He can tell you how many days...

Chairman McNulty: That's a long time ago though.

Board Member Taylor: Alright well...

Ron Gainer: It's time to go.

Chairman McNulty: Okay.

Board Member Taylor: Yeah.

Chairman McNulty: So alright. So let's try and stay on this so we can move this along and get something to the Town Board.

## ii. Adam Levine Fill Permit Discussion

Chairman McNulty: Next we have Adam Levine, Fill Permit. It's always fun to talk about this.  
Rich, anything new?

Rich Williams: Nope.

Chairman McNulty: We've heard nothing back.

Board Member Ladau: Was there a court appearance? I thought there was one scheduled.

Board Member Taylor: November, isn't it?

Rich Williams: No, their engineer is supposed to have the plans in...

Board Member Ladau: Yeah.

Rich Williams: By the middle of September.

Board Member Ladau: Okay.

Rich Williams: That's where we stand. Tick tock.

Ted Kozlowski: Yup. Yeah, I'm with you. I'm with you.

**iii. Patterson Crossing – Request for 1-year Extension**

Chairman McNulty: Okay. Patterson Crossing. We discussed that at the work session.  
Board Member Taylor: We did that already.

**iv. Fox Run**

Chairman McNulty: Yup. Fox Run, no further response from them in the last week?  
Rich Williams: Fox Run?  
Chairman McNulty: From the IG. The Attorney...D...  
Mike Liguori: AG. The Watershed Inspector General.  
Chairman McNulty: The Watershed Inspector General.  
Rich Williams: Nope.  
Chairman McNulty: Okay.  
Rich Williams: No response. Has he talked to you?  
Chairman McNulty: No.  
Rich Williams: Because he won't talk to me.  
Chairman McNulty: He doesn't want to talk to me either.  
Rich Williams: Probably didn't like your letter.

**v. Maplewood North Subdivision**

Chairman McNulty: Maplewood: any word on the municipal boundary?  
Rich Williams: No. But I need to talk to you about that before we...  
Mike Liguori: Okay.

Rich Williams: And I did go down and see the Assessor and said, you know, we're having some difficulty getting a qualified attorney. So I told him to just sit down with Laura and start working it out.

Chairman McNulty: Okay.

## 6) MINUTES

Chairman McNulty: Then we have minutes on the schedule...on the agenda. Everybody get a chance to look at it or do we need to hold off?

Board Member Montesano: Hold off.

Board Member Taylor: Hold off.

Chairman McNulty: Okay. Any other comments? Anything from the audience?

Mike Liguori: Who's hungry?

Rich Williams: You got...

Chairman McNulty: Motion...

### vi. Site Walk Comments

Rich Williams: You got the memo from ted on the site walk you did Saturday. Anybody have any issues with that?

Board Member Ladau: No.

Chairman McNulty: I haven't seen it yet, so...

Rich Williams: Alright.

Board Member Ladau: Can we simply incorporate that into a recommendation to...

Rich Williams: Well, what I'm going to do is I'm going to pass it back on to the applicant. I'm going to have him give us a little bit more detail on a plan. See if he can actually shift things around so we can save those two trees.

Board Member Ladau: Yeah.

Rich Williams: And, you know, give us the distance to Stephen's Brook so we know where we are.

Board Member Ladau: Mmhhh.

Ted Kozlowski: And I think the hydrology, he's just got to...

Board Member Ladau: Oh yeah.

Ted Kozlowski: You know, is the hydrology going to work for a pond?

Rich Williams: Yeah.

Ted Kozlowski: I mean, it's dry. We're in a drought. So...

Chairman McNulty: Looks good now.

Ted Kozlowski: Yeah. Rich, I did send...I did fax over my comments to Curt.

Board Member Brady: See the buffer.

Board Member Ladau: Yeah.

Rich Williams: Okay. I have heard anything.

Ted Kozlowski: He didn't call me either.

Rich Williams: That's....I'm surprised.

Chairman McNulty: Okay. Motion to adjourn.

Board Member Montesano: Second.

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

*Meeting was adjourned at 8:20 p.m.*