

TOWN OF PATTERSON**PLANNING BOARD MEETING
September 24, 2009 *Work Session*****AGENDA & MINUTES**

	Page #
1) Anthony Boniello – Wetland/Watercourse Permit	1, 10 – 11
2) John T. Mayfield – Wetland/Watercourse Permit	1 – 2, 11 – 14
3) Patterson Crossing Retail Center – Continued Review	2 – 10
4) Wallace Wetland/Watercourse Permit – Request for Renewal	14 – 16
5) Langford Fill Permit	16 – 20
6) Winding Glades Site Plan – Site Plan Application	20 – 29
7) Tom’s Barber Shop Site Plan	29 – 35
8) Tom’s Barber Shop – Sign Application	35 – 37
10) Other Business	
a. Benderson Development (Patterson Commons) Performance Bond	37
b. Steger Zoning Amendment	37 – 38
c. Guiding Eyes for the Blind – Request for Extension	38
d. Apap Site Plan – Request for Bond Release	38
e. Dunning Subdivision – Request for Extension	38
11) Minutes	39

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

Michelle Russo
Sarah Wager
Secretary

Richard Williams
Town Planner

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



TOWN OF PATTERSON
PLANNING & ZONING OFFICE

ZONING BOARD OF APPEALS
Howard Buzzutto, Chairman
Mary Bodor, Vice Chairwoman
Marianne Burdick
Lars Olenius
Gerald Herbst

PLANNING BOARD
Shawn Rogan, Chairman
David Pierro, Vice Chairman
Michael Montesano
Maria Di Salvo
Charles Cook

Planning Board
September 24, 2009 Work Session Meeting Minutes

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

Present were: Chairman Rogan, Board Member Pierro, Board Member Montesano, Board Member DiSalvo, Board Member Cook, Rich Williams, Town Planner, Ted Kozlowski, Town of Patterson Environmental Conservation Inspector (arrived at 7:38 p.m.) and Anthony Mangone, Special Counsel for the Town of Patterson Planning Board.

The meeting began at 7:31 p.m.

Michelle K. Russo was the Secretary and transcribed the following minutes.

Chairman Rogan stated okay, we have with us this evening Anthony Mangone, Special Counsel for Patterson Crossing, the first two, otherwise I would jump ahead but the first two are rather quick.

1) ANTHONY BONIELLO - Wetland/Watercourse Permit – Public Hearing

Chairman Rogan stated Mr. Boniello for his wetland/watercourse permit.

Rich Williams stated he did not do his notification.

Chairman Rogan stated okay, so no public hearing for that.

2) JOHN T. MAYFIELD – Wetland/Watercourse Permit

Chairman Rogan stated Mr. Mayfield, last meeting, his paperwork was not in order and we had set it up so that the Town would, actually do the mailing for that and pay the fee associated with that, which I think was about hundred and twenty-four.

The Secretary stated \$127.42 but he never came in and paid the fee.

Chairman Rogan stated okay nothing has been done to this point with Mr. Mayfield, so he does not have a public hearing either. What does the Board, last month there was an honest effort but it wasn't done appropriately.

Rich Williams stated well, why don't you wait until Ted gets here for any further discussion.

Chairman Rogan stated okay, let's hold this off, it sounds like Ted has something to share with us.

Rich Williams stated no, he's the one that has to do the enforcement and administration and you know. He may say let's try it one more time or he may say all right, enough is enough.

Chairman Rogan stated well to be honest other than the rip rap swale, the work that has been completed, there is a little bit of work he had to pull things out of the wetland, other than that things are stable, there is not a situation whereby we are hurting anything by leaving it.

Board Member DiSalvo stated and the weather has been on his side to do it too.

Chairman Rogan stated so if Ted says, well look the guy just didn't get around to doing it but he said he's going to do it this month then I don't have a problem with it. The enforcement really, like Rich said, Ted is the one bound for it.

3) PATTERSON CROSSING RETAIL CENTER – Continued Review

Chairman Rogan stated Patterson Crossing Retail Center, we have a resolution the Board and the consultants have been working on. Anthony if you want to jump in, start the conversation, whatever...

Anthony Mangone stated certainly.

Chairman Rogan stated please.

Anthony Mangone stated this has been, you know, a work in progress which you are all very much aware of, one of the concerns that both the Town and the developer, the applicant had was with respect to potential ongoing litigation that may become a reality in the very near future, over in Kent and the fact that we didn't not want to put a time frame in that would require the applicant to keep coming before this Board for extensions based on the delays that may happen in other communities. I know that was a concern with some of the Board Members because having those time frames within the resolutions that are in the ordinary courts of this particular Board, in order to keep a handle on the applicant, in this particular case, I think you would all agree the fact that this property is unique and that it goes into two Towns and the fact that there is going to be, we believe efforts made by those to slow the project down. We have put in right at the, I think you will see it under the special conditions, a provision in there which will allow the applicant I guess a more generous time frame for their approval. That is number one under the special conditions and then we go from there, so I guess if we wanted to start there, I know that was an issue for each of you here, if anyone wants to discuss that issue, we can start with that one first.

Chairman Rogan stated well the normal time frame is one year.

Anthony Mangone stated that is correct.

Chairman Rogan stated and they would have up to four additional one year periods, is that the way it normally would read under this special condition, on how many...

Rich Williams stated typically its just a one year period and then they always have the ability to come in after that and get extension after extension, within our Code there is no limitation on the number of extensions they can get.

Chairman Rogan stated okay, that's right, we covered that when we were talking about the commercial project right here, Frantel, I believe, I had asked that question.

Anthony Mangone stated being that this particular project is tied into another municipalities approvals...

Chairman Rogan stated no, I agree with that and I think that does lend itself to having a unique character. Rich, procedurally, do we and I guess this is to you Anthony as well. Do we have to do anything to change that procedure from what is traditionally one year to adopting something that is two years or just state why we're doing it.

Rich Williams stated there is nothing in the Code that mandates it...

Anthony Mangone stated no, that is just what has been customary here...

Chairman Rogan stated okay.

Anthony Mangone stated but as I said, this is unique in that it goes into another Town and in order for this to go forward, they are actually requiring approvals from other municipalities, kind of living on their dime.

Chairman Rogan stated any thoughts or questions or comments from anyone on the Board on that number one item with the time frame.

Board Member Montesano stated no problem at all.

Chairman Rogan stated no problem, Mike.

Board Member Montesano stated no because I expect fully that the neighboring Town to attempt to lodge this (inaudible)...

Board Member DiSalvo stated get money back.

Chairman Rogan stated so it sounds like the time frame isn't a big deal with anyone, what were the other...Some of the stuff from the draft that we talked about the last time, there were only couple of issues that we spoke about, the bonding was one in particular and I think we've been able to work that out.

Anthony Mangone stated yes and you will see also in item number eleven.

Chairman Rogan stated okay.

Anthony Mangone stated and I believe the Planner was comfortable with that language, correct.

Rich Williams stated correct.

Chairman Rogan stated okay, so in essence they are going to bond one hundred and twenty-five percent of the most expensive phases of construction and maintain that throughout, okay.

Anthony Mangone stated and then you'll go into number twelve and you'll see that follow suit.

Chairman Rogan stated okay, right at the beginning of the second phase of construction, okay, that's right because they wouldn't be posting all of the inspection fees up front so prior to being given approval to start a new phase. They have to make sure that inspection fees are in place for that phase, the bond will already be in place because of that hundred and twenty-five percent rule...

Ted Kozlowski stated hello gang.

Chairman Rogan stated hello Ted.

Anthony Mangone stated that's correct...

Chairman Rogan stated okay.

Anthony Mangone stated and just going, I know the bond issue, you raised it, I wanted to go to number five next...

Chairman Rogan stated okay.

Anthony Mangone stated under the special conditions, I think this particularly may be a problem for some and that is why we wanted to keep it limited to the language herein, so we didn't want anyone to be able to say to come in here that there were going to changes without, any changes that are going to be done would have to be presented to the Planning Board otherwise. This is only going to deal with respect minor modifications to the façade...

Chairman Rogan stated okay.

Anthony Mangone stated I think this was an issue for the Board as well last time.

Rich Williams stated essentially there were provisions in there that I could adjust parking, the building size, the building locations, all of that was taken out.

Board Member DiSalvo stated you just have to correct that typo on there... the comma.

Chairman Rogan stated I was just going to bring that actually, up. Could, I think there is a point where you need someone a little bit disassociated with writing this to read through it because when I read through the draft a couple weeks ago on the computer and I hate reading things on the computer, I picked up a dozen or so typos. I didn't have the ability to like highlight them or anything and there are things all over this just from the standpoint of...

Rich Williams stated typos in there.

Chairman Rogan stated typos, yea.

Board Member DiSalvo stated it needs to be (inaudible).

Chairman Rogan stated well looking at number five you have modifications of the comma the façade, that is a typo...

Rich Williams stated two the's.

Chairman Rogan stated between the buildings you have an underscore, which isn't...

Rich Williams stated I'll go through it one more time.

Chairman Rogan stated and then in the same paragraph, you have another underscore...

Rich Williams stated just so you know, there have been six different people looking at this, so.

Chairman Rogan stated I'm sure, so that is why I almost think...

Board Member DiSalvo stated give it to different eyes.

Chairman Rogan stated as much as its not interesting probably to read, if you could read through this from a standpoint of just looking for typos...

The Secretary stated it's completely up to Mr. Williams whether...

Chairman Rogan stated no it's not, it's up to us whether we...

Board Member DiSalvo stated right.

Chairman Rogan stated no offence to Mr. Williams but you know, this is a document that is going to be looked at and when you write something, you read what you want it to say, not what it says.

Board Member DiSalvo stated and want to be as professional as we can with this situation.

The Secretary stated if that is what you want.

Chairman Rogan stated yes, please do that, I'm going to, this is the most recent copy we have, right.

Anthony Mangone stated that's correct.

Chairman Rogan stated I'll go through this also before the meeting or actually, before Saturday because that is only fair. Okay, any other items in here that we discussed that anybody wants to...

Anthony Mangone stated I believe in number ten, this was obviously with the complication with Jeff Contelmo, there was the issue with the seed and mulch and there was a modification there as well. I think the space may be a result of the fact that it is italicized; we'll take a look at it.

Board Member Cook stated that is the concern with that.

Anthony Mangone stated we would modify...

Board Member Pierro stated the extra spaces.

Board Member DiSalvo stated no, for stabilization.

Anthony Mangone stated that is correct. There are extra spaces.

Board Member Pierro stated yea.

Chairman Rogan stated can we, Rich can you talk us through item number nine on the special conditions with the Putnam County Department of Highways and Facilities. Just again refresh our memory with the improvements.

Board Member Pierro stated I forgot all about that, I had to call review too.

Rich Williams stated right.

Chairman Rogan stated I did too.

Rich Williams stated it was certain additional improvements proposed by the applicant as mitigation over and above what is normally required to meet the stormwater requirements. One of those improvements was the construction of a stormwater pond to capture and treat stormwater runoff from the Putnam County Highway Garage and Fair Street. So, you know, it became an issue about the timing and when that was going to be installed in relation to the overall project because you are talking about an improvement which is on somebody else's property.

Board Member Pierro stated and that was for phosphorous restriction, right.

Rich Williams stated phosphorous reductions again, as mitigation over and above what is required by state requirements.

Board Member Pierro stated it caught me off guard too, looking at it, I forgot all about it.

Chairman Rogan stated I just couldn't, I was trying to run the drainage plan and I thought there was no way anything from the site drains over that far, I forgot it was an off site.

Board Member DiSalvo stated right, right.

Board Member Pierro stated it's actually road runoff that is going to be collected on the County Highway Garage site, it will be collected there.

Board Member DiSalvo stated on Fair Street.

Board Member Pierro stated on Fair Street.

Chairman Rogan stated and like wise there is a schedule A which goes through a significant number of offsite improvements and it gives the timing of when they are to occur. It talks about a lot of the highway improvements, those I wanted to make sure the Board was aware of, you're comfortable with the timing of all of those.

Rich Williams stated yea.

Chairman Rogan stated a lot of work, yet to be done.

Board Member Pierro stated the question I was thinking about, when I was, the fire suppression tanks, that is an awful lot of water there. Will the fire district be able to use that for homeowners, say a single-family residence that may have a problem.

Rich Williams stated I would imagine, if there is an emergency the fire departments may go in there and pull, they are certainly going to be looking at other sources I'm sure, first...

Board Member Pierro stated right.

Rich Williams stated but primarily this is for this center.

Board Member Pierro stated Patterson Crossing yeah but if you have a frozen lake in the winter time, they can hit this, which would be advantageous...

Rich Williams stated when there is a fire, they are pulling off the closest source they can get to.

Board Member Pierro stated right.

Board Member Montesano stated who is pulling the water, the Town of Kent.

Board Member Pierro stated at least they have access to it.

Chairman Rogan stated let's keep this to the resolution.

Board Member Pierro stated least they have access to it.

Chairman Rogan stated anything else specific to this resolution...

Anthony Mangone stated the only other thing I wanted to point out was under the second be it further resolved...

Chairman Rogan stated now therefore be it...

Anthony Mangone stated after special conditions.

Chairman Rogan stated oh, thank you.

Anthony Mangone stated on the same page as number twelve. Be it further resolved that the time frame specified herein shall be suspended upon the Town's notification of legal action. Just so you are aware of that, tying that into number one, what will happen is it will toll during that period of time, in the event that there is legal action that occurs, they are not going to be bound by the time restraints that are in paragraph one of the special conditions, it will be suspended for that period of time...

Chairman Rogan stated so it freezes the time frame...

Anthony Mangone stated that is correct.

Chairman Rogan stated from the point that we are notified there is a lawsuit.

Anthony Mangone stated that is correct.

Chairman Rogan stated a pending lawsuit, until the lawsuit has been resolved.

Anthony Mangone stated fully resolved, so that means so that means deals as well.

Chairman Rogan stated okay so we can have an approval and nine months from now we have a lawsuit, the Town is notified, it freezes that time frame, it takes five years to finish out, they still have...

Anthony Mangone stated that's correct.

Chairman Rogan stated when it's resolved, they still have another year before they need...

Anthony Mangone stated that's correct.

Chairman Rogan stated okay.

Anthony Mangone stated and again that is just in anticipation of tying into another municipalities approval, as well.

Chairman Rogan stated Charles will miss a historic occasion on Thursday.

Board Member Cook stated perhaps.

Board Member DiSalvo stated (inaudible).

Chairman Rogan stated I think if...

Rich Williams stated unless you want to do it now.

Chairman Rogan stated we normally introduce resolutions as read...

Board Member Pierro stated this one we ought to read, I think.

Board Member DiSalvo stated we could take turns.

Board Member Pierro stated yea, we'll do that.

Board Member DiSalvo stated we'll figure out who wants to read what.

Board Member Pierro stated I'll start, you'll go.

Chairman Rogan stated I think you're the person introducing it, I don't think that's probably; the person that is introducing the resolution is reading it. What I was going to say was to just read through just the special conditions...

Board Member Pierro stated okay.

Chairman Rogan stated because everything else is general and they are relatively.

Board Member DiSalvo stated let's ask Anthony, we've been reading everything, right, lately.

Board Member Cook stated pretty close.

Anthony Mangone stated we've been reading everything in, I know the Zoning Board has been reading everything in, I think we might as well stick to what's been the process.

Chairman Rogan stated yeah, actually Anthony, this Board, we have almost except for a rare occasion, almost never read an entire reso, we introduce it as read. We usually just state the number of special and general conditions but for something of a, I don't want to say of more importance because that's not fair to the smaller applications...

Board Member Montesano stated unique situations.

Chairman Rogan stated more unique situations, we've read them in but we have done a few of them but our routine historically is to not read them in verbatim. We introduce them as read into the record, as if they were read and in this case I have no, I think its appropriate to read it in, I'll read it in I don't mind at all, it doesn't matter.

Board Member Pierro stated I'll read it in.

Chairman Rogan stated have your glasses with you, you'll be all set.

Rich Williams stated it doesn't have to be read in by the person that introduced it.

Chairman Rogan stated right.

Board Member Montesano stated we should have that set up anyway because it will look like we...

Board Member DiSalvo stated like we're a team.

Board Member Montesano stated this way we have it, the whole nine yards.

Board Member Pierro stated it looks like, if we don't read it in; it looks like we are hiding something.

Chairman Rogan stated no, you're right. What I think you do not have to have read in are the...

Anthony Mangone stated schedule A.

Chairman Rogan stated schedule A, the list of drawings, you're just reading the actual resolution, those are just attachments.

Board Member Montesano stated well you know they expect the reading it in, you know they are going to get copies of this, you know they are going to go word for word of what we say, on what they received.

Chairman Rogan stated I don't understand your point.

Board Member Cook stated well if anyone comes in and asks for a copy, you give them the entire copy but when you introduce it, you say hey.

Board Member Montesano stated what I'm saying is, we're going to read this...

Chairman Rogan stated is your implication that if you make a mistake then that changes the resolution.

Board Member DiSalvo stated they may think it.

Board Member Montesano stated they say make something out of it, that is what I'm saying, we are going to read this in word for word and hopefully we don't put a typo in.

Chairman Rogan stated okay, don't worry, you'll be just fine.

Board Member Cook stated I'd read maybe four of the Whereas', maybe six of them, the now therefore.

Chairman Rogan stated its only, not even five pages, so its not a big deal.

Board Member Pierro stated not a big deal.

Chairman Rogan stated okay, anything else that we need Anthony for.

Anthony Mangone stated no.

Chairman Rogan stated no, all right moving right along. Anthony, thank you for your time.

Anthony Mangone stated you're welcome.

Board Member Cook stated thank you.

Board Member DiSalvo stated see you next Thursday.

Anthony Mangone stated see you next Thursday.

Chairman Rogan stated thanks.

Boniello & Mayfield Discussion

Chairman Rogan stated Ted, we had discussed Mr. Mayfield's and Mr. Boniello's applications and neither one of them are set for a public hearing. We haven't heard anything from Mr. Mayfield and I guess Boniello hasn't sent out their notifications either.

Ted Kozlowski stated did we get notifications back from Mayfield.

Chairman Rogan stated we were going to do it.

Rich Williams stated he didn't come in and pay the fee.

Board Member DiSalvo stated we were going to bill him.

Chairman Rogan stated we said come in and pay the fee.

Ted Kozlowski stated guys, I don't know what to tell you.

Chairman Rogan stated well our question to you is the site in a situation where an immediate violation or immediate action from your part is required or do we just reach other to the guy and say look, at this point, we can't help you until you help yourself because the site is pretty much stable, it seems like.

Board Member DiSalvo stated the mail goes to his house address or the restaurant address.

The Secretary stated anything that I have had sent there, has not come back.

Board Member DiSalvo stated okay.

The Secretary stated that is not the issue, he was supposed to come in and pay the fee, then I was supposed to do the mailing and he never came in to the pay fee.

Board Member DiSalvo stated you gave him an approximate.

Chairman Rogan stated he had an exact amount.

The Secretary stated he had just over a week to get in here and he didn't do it.

Chairman Rogan stated it was like \$ 124.72 or something like that, some number like that.

Rich Williams stated he has not done it since; he has not been in since the last meeting.

The Secretary stated since the last meeting.

Rich Williams stated he made no attempt.

Chairman Rogan stated okay.

Ted Kozlowski stated look, is there an environmental situation there, no.

Board Member DiSalvo stated it would be a good time to (inaudible).

Ted Kozlowski stated we can, I can issue a summons, the whole thing but is a judge really going to enforce anything...

Chairman Rogan stated yea.

Ted Kozlowski stated not when I've had other big issues that weren't enforced.

Board Member Pierro stated I don't think that, I don't think...

Ted Kozlowski stated the man has to build the building and he still has to get a C.O. and all that...

Board Member Pierro stated right.

Ted Kozlowski stated ad he isn't going to get it until he cleans this up.

Board Member Pierro stated I don't think whether the judge is going to enforce it or review has any bearing on this, I think for a matter of record, you have to issue the violation.

Ted Kozlowski stated absolutely.

Board Member Pierro stated and if the, you know, if Court doesn't do anything, fine, at least our file is complete.

Ted Kozlowski stated Michelle.

The Secretary stated yes sir.

Ted Kozlowski stated where exactly are we with this, were letters prepared to go out.

The Secretary stated I had a notice all set to be mailed out, he was supposed to come in and pay for the certified, return receipt, I was going to do the mailing, which was discussed at the last meeting, that I was going to do the mailing for him as long as he paid the fee. He never came in to pay the fee.

Ted Kozlowski stated he never came in to the pay the fee and the mailings were never done.

The Secretary stated the mailings were never done nor did it get sent to the newspaper because there were no mailings to do...

Chairman Rogan stated right.

The Secretary stated so we weren't going to pay for a publication, again, for a public hearing that wasn't going to happen.

Chairman Rogan stated right.

Board Member DiSalvo stated go back to the first one, he gave us, he sent the letters to the wrong, not enough.

The Secretary stated he sent out three.

Chairman Rogan stated he sent them the wrong, he didn't send them certified return receipt requested, he sent them certified and he didn't send them to everyone.

Board Member DiSalvo stated right.

Chairman Rogan stated so not only did he not include everyone but we had no ability to know whether they received them.

Board Member DiSalvo stated and that wasn't posted either in the paper.

The Secretary stated that got posted in the paper.

Chairman Rogan stated no, that was posted.

The Secretary stated that did get posted.

Board Member DiSalvo stated okay.

Chairman Rogan stated we were all set to go except we didn't have proper notification, so, okay, all right.

Ted Kozlowski stated I will go talk to him this weekend and give him his last chance, I'll give him until Monday then I'll issue a summons.

Chairman Rogan stated okay because...

Rich Williams stated Monday to do what.

Chairman Rogan stated if he can just pay the fee for the next month.

Ted Kozlowski stated come in, see Michelle, pay the bill and get things in the mail.

Board Member DiSalvo stated get a check.

Rich Williams stated but at this point, so everybody...

Chairman Rogan stated it's off for this, it can't be on.

Rich Williams stated right, next Thursday you will have to set another public hearing for the following month.

Board Member DiSalvo stated okay.

Ted Kozlowski stated is that all right with you folks or...

Board Member Pierro stated its fine by me.

Chairman Rogan stated if she can get.

Board Member Cook stated if he comes in with the money to pay for the mailing.

Board Member DiSalvo stated in the meantime, it won't be enough time...

Chairman Rogan stated he means before setting the next public hearing.

Ted Kozlowski stated we are not going to get this done in October.

Chairman Rogan stated right.

Ted Kozlowski stated it'll be now November if it gets done but...

Board Member DiSalvo stated maybe...

Board Member Cook stated that is what I'm talking about though, I don't think we should set a public hearing next week.

Ted Kozlowski stated no, you're not going to do anything, if there's, if next Thursday he hasn't done anything, you're taking no action.

Chairman Rogan stated okay, that seems straight forward enough, oh okay, all right. Langford, this is a brand new fill permit...

Board Member DiSalvo stated Wallace...

Chairman Rogan stated oh, I apologize, Wallace first, I'm sorry.

4) WALLACE WETLAND/WATERCOURSE PERMIT – Request for Renewal

Ted Kozlowski stated Doug Wallace.

Chairman Rogan stated Mr. Wallace.

Board Member DiSalvo stated do anything down on that lot.

Board Member Pierro stated yeah.

Rich Williams stated no, a different Wallace.

Chairman Rogan stated Carolyn Way, oh no.

Board Member Pierro stated yeah, its that nightmare lot.

Chairman Rogan stated it's...

Board Member Pierro stated that's, you know what he was getting his stuff taken care of, did he get through Health Department.

Rich Williams stated no, he's never done any of it.

Board Member Pierro stated never.

Rich Williams stated that's why he's back.

Chairman Rogan stated oh this is the same...

Rich Williams stated he's been doing his curtain drain, to do the testing for the house.

Board Member Pierro stated he said he was going forward and he was going to do the right thing, we warned him the last time.

Board Member Montesano stated he did, he just remembered that...

Board Member Pierro stated he just stopped.

Board Member Montesano stated R is not forward.

Ted Kozlowski stated what does he want.

Chairman Rogan stated oh he's just looking for a one year extension, just to, all right, so that...

Ted Kozlowski stated an extension.

Chairman Rogan stated its not a different lot, its an extension of our approval.

Rich Williams stated yes.

Board Member DiSalvo stated sounds good.

Ted Kozlowski stated so he just wants an extension of his permit.

Chairman Rogan stated that's it.

Board Member DiSalvo stated can we do it now.

Chairman Rogan stated yea.

Board Member Pierro stated did he do the curtain drain.

Rich Williams stated no.

Chairman Rogan stated well, no, no, he...

Board Member Pierro stated he had to do the curtain drain in order to do perc's.

Rich Williams stated right.

Chairman Rogan stated our approval was all giving him the approval to go ahead to try to get Health Department approval.

Board Member Pierro stated okay.

Chairman Rogan stated so he's requesting a one year extension, does everybody feel comfortable with that.

Board Member DiSalvo stated yeah.

Board Member Pierro stated yes.

Chairman Rogan stated make a motion on Doug Wallace, Wetland/Watercourse Permit, 1004-03, that we give a one year extension.

Board Member Pierro seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carried by a vote of 5 to 0.

Chairman Rogan stated okay, Mr. Wallace is done.

5) LANGFORD FILL PERMIT

Chairman Rogan stated Langford Fill Permit, Somerset Drive, Rich, what do we have going.

Rich Williams stated this is an application that came in last week, the applicant is looking to build a carport, attached to and behind her principal residence and garage. As part of that, they want to put in some fill, they are showing, the application shows they want to put in 80 cubic yards of fill, over an area that is 15 feet by, I believe, 48 feet which figures out to 80 square yards.

Chairman Rogan stated 80 yards.

Rich Williams stated so the assumption that I made from that is that, you know, over an average grade they are putting in three feet of fill, I'm sure its sloping behind the property...

Chairman Rogan stated have you been out to the site.

Rich Williams stated I have not been on the site, I can go on the site, probably tomorrow if you'd like.

Chairman Rogan stated okay.

Rich Williams stated because I did want to go on the site one way or the other, just to check the topography, I did pull the existing subdivision...

(Board Member Pierro's cell phone rings.)

Board Member Pierro stated excuse me.

Rich Williams stated subdivision map and the grade looks moderately sloping behind the building but nothing unusual. One of the concerns that I made the Building Department aware of and I want to make her aware of, is they are placing the fill in such a way that it is going to cover, I put in the memo, the waste line and assuming a three on one grade coming down, its going to cover the septic tank as well, which just means they are going to have to dig a little bit deeper...

Board Member DiSalvo stated dig deeper.

Rich Williams stated I mean, its not a real huge issue, also a concerned though is they are putting in footings for the carport, they are going to have to dig those in very close proximity to the septic tank and waste line, so they need to dig with care.

Chairman Rogan stated why don't we recommend to them, since we really can't require it, why don't we recommend to them that they put a riser on the tank so that its within six inches of the top of fill.

Rich Williams stated if you'd like.

Chairman Rogan stated you know, this way, that seems, they would probably do it anyway.

Board Member Pierro stated does Health Department require...

Board Member DiSalvo stated they get covered over anyway.

Board Member Pierro stated does Health Department require any kind of work permit when you are digging near a septic system or active field.

Rich Williams stated not anymore.

Board Member Pierro stated okay.

Rich Williams stated if they were covering the septic tank and everything with three feet of fill...

Board Member Pierro stated right.

Rich Williams stated then I might want to see them go to the Health Department and just check in with Mike...

Chairman Rogan stated you mean the fields.

Rich Williams stated even the tank.

Chairman Rogan stated they're not covering the tank, I thought that was the whole point of the riser.

Rich Williams stated they are covering the tank but I'm saying, if somebody came in and they were covering the septic tank with three or more feet of fill, I might suggest that they go visit Mike over at the Health Department just to make sure they don't have any issues...

Chairman Rogan stated that's a good idea.

Rich Williams stated you know, we're talking maybe a foot.

Chairman Rogan stated oh okay. So you're saying they are putting a three foot fill section in that, in an area above the tank will only be a foot.

Rich Williams stated if you're going a 3 on 1, I mean the three foot is the edge of the tank...

Chairman Rogan stated okay, understood.

Rich Williams stated assuming that its three feet there and then 3 on 1 out, it goes from three feet to one.

Chairman Rogan stated yeah, okay.

Board Member Montesano stated we don't have anything in the Code that would require that.

Rich Williams stated require what.

Board Member Montesano stated in other words, if you're covering over your septic tank or your fields, to get an okay from the Health Department.

Rich Williams stated fields are different...

Board Member Montesano stated all right, the tank...

Rich Williams stated if you're doing anything within the area of the fields...

Board Member Montesano stated what I'm saying is, most people especially if you come up from the city and they are doing work, the riser is important, if not, you're going to be digging down and people don't realize the added expense and the aggravation that the guy...

Chairman Rogan stated the aggravation especially.

Board Member DiSalvo stated (inaudible).

Rich Williams stated but it doesn't effect the function of the system, it just means a little more work for your back.

Chairman Rogan stated harder to maintain.

Board Member Montesano stated I realize that but it would be nice if we had something like that in there for the simple reason that the average person and they are doing work and they cover it over, would never think of putting in that extension. I did it on my tank when I did it just for the heck of not having to dig all the time but that is a very, to me that's a lot easier, people see it and I've seen it done elsewhere.

Chairman Rogan stated yea.

Board Member Montesano stated but if you give them the suggestion that if you're going to work around your tank and the possibility of covering it over then it should be checked for a riser. Let them ask what a riser is and you're giving the benefit of...

Chairman Rogan stated of a little bit of knowledge, yea.

Board Member Montesano stated of gaining something.

Chairman Rogan stated what is that noise.

Board Member DiSalvo stated Ted is reconciling his checkbook over there.

Chairman Rogan stated he's figuring out his finances.

Ted Kozlowski stated I'm figuring out the next item.

Board Member Pierro stated I thought that was outside.

Ted Kozlowski stated I'm trying to figure something out for the next one.

Board Member Pierro stated oh I see.

Board Member Montesano stated we're recording this.

Chairman Rogan stated okay, so.

Board Member DiSalvo stated well can we make the suggestion, the suggestion on the...

Chairman Rogan stated absolutely and Rich you're going to do a site walk tomorrow.

Board Member DiSalvo stated to do the riser.

Chairman Rogan stated just to, to consider that.

Rich Williams stated no, it was a great suggestion.

Chairman Rogan stated its not a condition of an approval, its just more of those, just an FYI they may want to consider.

Rich Williams stated do you want me to amend the memo that I did to do that.

Chairman Rogan stated that would be fine.

Board Member Pierro stated yea.

Chairman Rogan stated and if you would take a look at it and if it seems straight forward enough, the Board, I'm sure doesn't have to take a look at this one. If you see something out there that you're concerned about, then we can always schedule because it sounds like we may be doing Saturday morning site walks anyway, if anybody is around.

Board Member Montesano stated unless you bring a flash light.

Board Member Pierro stated this Saturday.

Chairman Rogan stated you're not around, you're leaving.

Board Member DiSalvo stated you're leaving next week.

Board Member Pierro stated I have to work Saturday.

6) WINDING GLADES SITE PLAN – Site Plan Application

Chairman Rogan stated the reason is, the next item on the agenda, Winding Glades is staked.

Rich Williams stated no...

Chairman Rogan stated its not.

Rich Williams stated I said Winding Glades, we have an application in.

Board Member Pierro stated right.

Chairman Rogan stated oh, I'm sorry.

Board Member DiSalvo stated they were there all week.

Chairman Rogan stated okay.

Board Member Pierro stated it may be staked sooner than.

Rich Williams stated I can pursue to see if it's staked...

Chairman Rogan stated its all right, don't worry about it.

Rich Williams stated good question is, what staking, I went back into the minutes and there was nothing as far as what you wanted for staking out there. I thought you had but...

Chairman Rogan stated I thought we had also.

Rich Williams stated when I went back into the minutes, I don't recall, do you recall them saying anything about staking.

Board Member Pierro stated no, we wanted an application before we were doing anything else.

Chairman Rogan stated well that's a good point.

Board Member Cook stated that's right.

Board Member DiSalvo stated yea.

Rich Williams stated right I don't remember anything about you saying...

Chairman Rogan stated okay, oh I'm sorry, I'm thinking of the Ballyhack Road subdivision.

Board Member Pierro stated right, we wanted an application on this and money up front before we did anything.

Chairman Rogan stated and in fairness all they were looking to do was field out concept and you know. All right, so now we have an application, we have something we can look at that is a little bit more concrete than what we had last time.

Board Member Pierro stated right...

Chairman Rogan stated Rich, do you have anything you want to bring up on Winding Glades at this point.

Rich Williams stated I don't think so...

Ted Kozlowski stated I do.

Rich Williams stated I think the memo is straight forward, then go.

Chairman Rogan stated the adding machine just spoke.

Rich Williams stated the only thing I want to add in here is...

Board Member Pierro stated he's happy, he's got money in the checkbook.

Rich Williams stated I am still looking for more detail from them before I make a call on whether this is permitted under Zoning or how it should be categorized because...

Chairman Rogan stated okay.

Rich Williams stated the way they are presenting this, it's almost like it's a hobby and not a commercial activity and then it's a not for profit and then it's a racetrack but you know, its very, certainly a very unusual application, a very complex.

Board Member Pierro stated I think and this is only my opinion, I think we have to look at the use and not whether or not this is a couple of private guys running a race track, the use is what because this is something that can evolve into something that we can lose control of in the future.

Rich Williams stated true but it can also be an individual conducting multiple permitted uses on the site at the same time, you don't have to simply say it's a racetrack, it's a not for profit, it could be multiple permitted uses out there.

Board Member Pierro stated and that is what scares me.

Rich Williams stated so, well I don't know, like I said, I'm still waiting for more information before I, you know, I've got a memo started and I'm going to think about it a little bit more.

Board Member Cook stated there are a couple of a notes on the plan too that talk about proposed as well as future access to the remaining lots, what does that mean and seven is the location of the garage and track alignment, depending on the presence of rock beneath the proposed location and future subsurface site investigation activities. That ties in with what you're saying I think...

Board Member Pierro stated yeah.

Board Member Cook stated but you know, it's the use, where are they going to do this and where's it going.

Board Member DiSalvo stated they have to put the road in to get down to that property, so do they eventually want to develop the remaining commercial lot...

Chairman Rogan stated isn't it up front, the commercial lots.

Board Member DiSalvo stated commercially.

Rich Williams stated the commercial lots are up front, what they've shown on this plan again, is a fifty foot wide right of way and the grading but no actual road in the middle so I don't know if they are proposing an 18 foot or 12 foot or 24 foot wide road which will provide access to the other lots. In addition, they've made some changes stormwater pond in the middle of the road and some other things which seem to suggest that they are you know going to combine the back lots so they don't need the road to go all the way to the back. Well that, going all the way to the back, you had an area you could put a cul-de-sac, even though it wasn't shown but by doing what they are doing now and I addressed this in the memo, they need to think about how they are going to ultimately have a road in there with a cul-de-sac if they are going to truncate the original road right of way some place and that in and of itself is going to create a need for adjusting the property boundaries, a lot line adjustment.

Board Member DiSalvo stated with the lots that are existing, a lot line adjustment.

Rich Williams stated yes.

Board Member DiSalvo stated which they are, so.

Rich Williams stated yes.

Board Member DiSalvo stated it would be amongst themselves.

Chairman Rogan stated pretty easy, yea. Okay Tom's Barber Shop...This is...

Rich Williams stated wait, wait, wait.

Chairman Rogan oh, Ted, I'm sorry...

Board Member Pierro stated Ted.

Chairman Rogan stated Ted, I apologize.

Ted Kozlowski stated I spent several hours out there today with Beth Evans Associates...

Board Member DiSalvo stated that was your truck there today.

Ted Kozlowski stated to verify the wetlands and I'll give you memo, the wetlands have been accurately depicted in this site, however I want the Board to understand that this is a very hilly site and this proposed skid pad is six acres on a hill. To give you an idea of what the means, translates to, because that is what I was doing with this little computer here...

Board Member Pierro stated is more than fifty thousand square feet...

Ted Kozlowski stated that's almost six football fields lined up next to each other, a hundred yards by fifty yards wide, five point seven of them on this hillside. That is a tremendous clearing...

Chairman Rogan stated that's huge.

Board Member Pierro stated a lot of fill too.

Ted Kozlowski stated a tremendous clearing smack on a hillside.

Chairman Rogan stated on grade, yea.

Board Member DiSalvo stated are they going to make that level.

Ted Kozlowski stated on top of that, you've got a proposed dirt track all along hillsides, I don't know how they are going to control erosion and you really need to go out to the site, the wetlands are really not the issue. The issue on the site are those slopes...

Chairman Rogan stated let's do the erosion control.

Ted Kozlowski stated when we were out there today and even the Beth Evans staff, we were looking at this and this is where the skid pad is going to be, I mean six acres, that is a huge piece of property.

Board Member Montesano stated they don't drive that far.

Rich Williams stated its seven and a quarter acres with the grading.

Chairman Rogan stated I can imagine.

Rich Williams stated they are showing the grading as one on one slopes.

Chairman Rogan stated really...

Rich Williams stated yea.

Chairman Rogan stated well we commented at the last Board meeting.

Board Member Montesano stated (inaudible).

Ted Kozlowski stated that is a tremendous disturbance and where is this all going to, I mean how are they going to do this.

Rich Williams stated its still a forty to fifty foot cut in the corners.

Chairman Rogan stated yea.

Board Member DiSalvo stated they are better off using the front fields.

Ted Kozlowski stated the issue again, the wetlands have been accurately depicted, DEC verified them, I'm verifying them, we spent a lot of time out there today, Dave you're right, the ATVs are all over, there are erosion problems all over the property without all this disturbance, this all drains into the State wetlands, so. They really need to address how they are going to control erosion.

Board Member Pierro stated there is a huge duck flyway in there too, there is a pond back there, near the NYSEG lines.

Chairman Rogan stated that's it.

Ted Kozlowski stated well they're not going near that Dave...

Board Member Pierro sated yea.

Ted Kozlowski stated but it's this skid pad, I don't know why they need six acres, that's huge.

Board Member DiSalvo stated well.

Board Member Montesano stated each one of them wants their own pad.

Board Member DiSalvo stated its eleven acres to put a half mile racetrack in for a horse.

Ted Kozlowski stated well that's six times the Brewster High School football field that is tremendous.

Rich Williams stated it's not that much when you're running cars.

Board Member DiSalvo stated a half mile racetrack for a horse, takes like ten or eleven acres.

Ted Kozlowski stated but they are racing the cars on the pad, I don't know what this pad is used for.

Chairman Rogan stated you mean they are racing the cars on the course, not on the pad.

Ted Kozlowski stated the course is what they using the cars on...

Rich Williams stated you have to have a perfectly level pad that through computer simulation you lay out a course and you run your car and watch the car tilt to adjust your suspension.

Ted Kozlowski stated well I'm just saying it's a hell of a place to level off a six acre lot.

Chairman Rogan stated well we asked that at the meeting, if you remember, we said wow when we looked at the pad, we said wow, it seems like with the grading here, it seems like you could find a better piece of property in the area or in New York State rather than this hilly section. Their response was that the hill section of the property is exactly what they wanted for the track component, not obviously for the pad but for the track component. They don't want a level track, they want a track that has contours and slopes and banks, if I remember correctly.

Ted Kozlowski stated the pad is actually better suited up by Route 22.

Chairman Rogan stated yea.

Ted Kozlowski stated that is where its most level.

Chairman Rogan stated but they want to security I'm sure and the privacy of...

Ted Kozlowski stated once you get into that property is shhhh all the way down.

Board Member Pierro stated all over the place.

Ted Kozlowski stated all over the place.

Chairman Rogan stated is it, I've never been in there, I'm looking forward to taking a site walk over there.

Board Member DiSalvo stated maybe we can get like an aerial view of it.

Chairman Rogan stated you can do that from Google Earth or something but you probably have a better program.

Rich Williams stated yea, I can print you out, well, Google is getting pretty good...

Chairman Rogan stated yea, they are.

Board Member Pierro stated you wait a few weeks and the leaves will be down and you'll get a great shot of it.

Ted Kozlowski stated the thing is, everything drains...

Chairman Rogan stated well those shots aren't that new are they, they are from like four years ago.

Ted Kozlowski stated everything is going downhill.

Board Member Pierro stated right.

Board Member DiSalvo stated the power lines are down that way too.

Rich Williams stated older than that, I think they are just doing flyovers again now.

Ted Kozlowski stated Maria, they are racing on a dirt track going up and down hills, how are you going to...

Board Member DiSalvo stated (inaudible).

Ted Kozlowski stated how are you going to manage that erosion.

Board Member Pierro stated you're not.

Ted Kozlowski stated I don't know.

Board Member Pierro stated have you looked on like and look for demonstrations of rally cars.

Ted Kozlowski stated no.

Board Member Pierro stated you ought to try it Ted, you'd get a better feel for what.

Ted Kozlowski stated yea but Dave its still bare soil...

Board Member Pierro stated I agree.

Ted Kozlowski stated on very steep terrain.

Board Member Pierro stated and I'm not about pushing away decent commercial opportunity with the lots in the front...

Chairman Rogan stated we just have to figure out a way to do it.

Board Member Pierro stated this worries me.

Board Member DiSalvo stated right, I'm sure they must have thought of that when they made the application.

Rich Williams stated I did highlight it in the first memo I did, the big issue is going to erosion.

Chairman Rogan stated yea, it doesn't sound like, from what they outlined, it doesn't sound like noise is going to be the issue out there from the volume of what these car operate they at. A chainsaw runs louder than what they sound like these cars are going to run at.

Board Member Pierro stated well that is what they said.

Chairman Rogan stated well now I'm going with that they said...

Board Member Pierro stated what they said and what is actually the case, they said it was 80 decibels...

Chairman Rogan stated 89 decibels.

Board Member Pierro stated when you're standing next to a car, that's maybe a running car that's standing there...

Chairman Rogan stated I interpreted that as racing.

Board Member Pierro stated what about a vehicle going around the track, no, no it's much.

Ted Kozlowski stated the other thing is where they are putting the skid pad, you know there are slopes coming down to it. That little pocket wetland, that is not going to be a Town regulated wetland that they want to obliterate, is where a lot of drainage is coming from, so they are going to have to deal with all of that, it's the hydrology is going to, it's just...

Chairman Rogan stated kind of makes you wonder why they chose this property.

Ted Kozlowski stated it really looks expensive to me.

Board Member Montesano stated it's convenient; it's close to Westchester, New York City...

Board Member DiSalvo stated one hour out of the city.

Chairman Rogan stated yeah, you're right.

Board Member Montesano stated they have 84, so you have access to New Jersey, Connecticut...

Board Member DiSalvo stated airplanes coming (inaudible).

Board Member Montesano stated why is Lime Rock where it is because it was convenient for certain people that wanted that track up there. It started out as a little nothing...

Board Member Pierro stated there was no community up there at that point.

Ted Kozlowski stated this is really a good case for when you're looking at plans on desk, versus...

Chairman Rogan stated versus out in the field.

Ted Kozlowski stated going out in the field...

Chairman Rogan stated night and day.

Ted Kozlowski stated you've got to see this.

Chairman Rogan stated we're looking forward to it.

Board Member DiSalvo stated is there a path going down to that.

Ted Kozlowski stated yes but you're going to have to do some helter skelter, there are paths, there are trails from the dirt bikes...

Chairman Rogan stated but we need to do this as an organized...

Board Member DiSalvo stated I know I saw (inaudible).

Chairman Rogan stated you know, this isn't a go out on our own type...

Board Member Montesano stated it could be a hike.

Ted Kozlowski stated the other strange thing is the forest is very nice there, there are very few evasives, it's a lot of regeneration, they must be hunting in there like crazy because the deer are not taking out the regeneration of the trees. It's a good diverse forest in there...

Chairman Rogan stated yea.

Ted Kozlowski stated but its interesting.

Board Member Pierro stated this is not an easy site to walk and its going to take some time.

Ted Kozlowski stated Mike, I think you're going to need an ATV.

Board Member Pierro stated I can have a couple...

Board Member Montesano stated let's put it this way, I don't mind, the problem I'm going to have is I am only going so far down that hill because I have turn around and come back up.

Ted Kozlowski stated the other thing is and the Evans staff said...

Chairman Rogan stated one at a time.

Ted Kozlowski stated all of a sudden, there are two structures that showed up, there is a shed, two sheds, portable sheds and a, you know the carbon dioxide, mosquito unit out there, brand new.

Chairman Rogan stated the ones that repel or the one that collect.

Ted Kozlowski stated collect.

Chairman Rogan stated I wonder if it's like the ones that we use, we lost one somebody stole one of ours not too long ago.

Ted Kozlowski stated Evans said...

Chairman Rogan stated no, honestly, we lose them to vandalism every once in awhile.

Ted Kozlowski stated Evans staff couldn't explain it, they didn't see when they were out there last.

Board Member Pierro stated it's probably the County's.

Chairman Rogan stated might be, probably is.

Board Member DiSalvo stated (inaudible) testing.

Chairman Rogan stated we'll find out.

Board Member Pierro stated I'll make the arrangements to, do you have a quad.

Chairman Rogan stated I do.

Board Member Pierro stated as long as we don't get sued, I'd bring my quad and I can bring a couple of, I can get a couple of three wheel or three seater ATVs...

Chairman Rogan stated well we only need, to help Mike out, I certainly can hike.

Board Member Pierro stated well if Mike is going to, I'd love to take a hike too but if Mike's going to be on ATV, we ought to be together.

Chairman Rogan stated yea.

Board Member Montesano stated I am going to see if I can borrow that old BMW...

Chairman Rogan stated we'll figure that out with...

Board Member Montesano stated that the guy had with the schmauzer mounted on the front.

Chairman Rogan stated all right.

Ted Kozlowski stated I think the pad is laid out, there is a lot of flagging out there but you have to see it.

Rich Williams stated just so you all know, I received a call this week from a client, the Applicant wants to be on site with us.

Chairman Rogan stated I kind of, definitely assumed that.

Board Member Montesano stated oh good, contact him and ask him, we would like to have transportation to the site, bring a couple of cars so we can get the feel of it.

Board Member Pierro stated a couple of dozers.

Chairman Rogan stated okay, so we are going to talk to them next week and we'll see if we can work towards a mid-October, late October site walk, something like that...Tom's Barber shop...

7) **TOM'S BARBER SHOP SITE PLAN**

Chairman Rogan stated is this the one right here on Main Street here.

Rich Williams stated Route 311.

Chairman Rogan stated you're pointing that way, it's that way.

The Secretary stated it's this way.

Chairman Rogan stated it's on Front Street.

Rich Williams stated say it, why don't you say it for the record.

The Secretary stated Front Street, Route 311 [pointing].

Chairman Rogan stated is it on 311 or Front Street.

The Secretary stated its on 311.

Chairman Rogan stated yea.

Board Member Pierro stated I am going for a walk because I am recusing myself on this application because I sold the man the building.

Chairman Rogan stated okay, so its by the antique shop and...

Board Member DiSalvo stated where the guy does the wood working.

Chairman Rogan stated it says blow out sale right now a huge sign out front.

Board Member Montesano stated signs.

Board Member Cook stated yes.

Board Member DiSalvo stated he's got nice stuff, he's always changing his stuff.

Board Member Montesano stated he doesn't know where to break.

Chairman Rogan stated so, Rich they are in for site plan approval because the site is not approved or has not been approved for that kind of a use.

Rich Williams stated no...

Chairman Rogan stated that is personal services, right.

Rich Williams stated the use is fine, I've actually signed off on the use, the issue is they want to construct a parking area behind the building where there is currently now a small maybe, one car garage that is in poor condition, he would like to remove and put a parking lot up.

Board Member Montesano stated who has the house next door to that.

Rich Williams stated I don't know that that is material.

Chairman Rogan stated can we...

Rich Williams stated conceptually I don't see a problem but the plans, there are a number of questions and deficiencies in the plan, for example he is proposing a dry well, the cover that he specified for the top of the dry well is a solid cover, there is no other ports showing where water might get in or out of the dry well, so

I'm not sure how that is going to work. A couple of big issues for the Planning Board to wrestle with, first are the parking stalls that he is showing, a very small area, a very limited area, he has a bank of two stalls that are ten by seventeen and then a bank of three stalls of parallel parking which are ten by eighteen, so they don't meet our Code requirements for length. The second issue is that his proposal is to do an item four parking lot with the ability to pave it in the future.

Board Member Cook stated where he wants to construct this parking area with the item four currently has a building on it that he wants to demolish.

Rich Williams stated small building, yes.

Board Member DiSalvo stated its about as big as this room, maybe.

Rich Williams stated half this room, this side of the room.

Board Member DiSalvo stated and there is a little bit of parking area to the right of that building right now, its like a grassy area.

Rich Williams stated well he's opened it up and put gravel down, already.

Board Member DiSalvo stated he re-did the septic, is that what I saw him doing there.

Rich Williams stated I don't know if they've re-done the septic.

Board Member Cook stated without looking at it, I'm not too keen about giving him a blank check to when he'll stripe it or pave it and stripe it.

Rich Williams stated yea.

Board Member DiSalvo stated he may want to leave it item four.

Rich Williams stated how do you delineate parking.

Board Member DiSalvo stated do (inaudible) curbing.

Chairman Rogan stated you do...

Board Member DiSalvo stated six by six's or something or grass pavers.

Board Member Cook stated the blocks.

Chairman Rogan stated what do they call those, when you drive up to them, they are like your curb stops or something.

Rich Williams stated wheel stops.

Chairman Rogan stated wheel stops define where the parking spots are, based on and if you want a handicap one, you paint it blue.

Rich Williams stated yea, that's good for the two pull in spots but he's got three parallel which makes it somewhat difficult.

Board Member DiSalvo stated do you think, once that building is down, is there room for all those parking spaces.

Rich Williams stated as it gets, it's tight.

Chairman Rogan stated it's tight.

Rich Williams stated it's definitely tight.

Chairman Rogan stated definitely tight, yea.

Rich Williams stated the Town Engineer looked at it and his recommendation was they may want to just limit it to three parking spaces. The problem is he's got two apartments there plus the hair cutting business, its already parking challenged and his only parking is basically on 311.

Board Member DiSalvo stated right.

Chairman Rogan stated anything he can get is better.

Rich Williams stated which is why he, himself is looking to initiate this.

Chairman Rogan stated I mean, he needs anything he can get out there, so...

Board Member DiSalvo stated right, right.

Chairman Rogan stated it's not that, the configuration of it isn't very good for any which way you look at it.

Board Member DiSalvo stated this will be another Alpine parking lot.

Rich Williams stated but the way it's laid out now too, also you know, if you've got a few cars parking in there already and you pull in, you're not turning around...

Board Member Montesano stated you're not going to get...

Rich Williams stated you have to back out.

Chairman Rogan stated can the four of us go out on Saturday morning on this.

Board Member DiSalvo stated my angle would be, I mean, would be if I'm passing by to park on 311...

Chairman Rogan stated definitely...

Board Member DiSalvo stated like he's doing now except he does want extra spots.

Chairman Rogan stated there's an apartment.

Board Member Montesano stated people are going to park in front of the building on 311.

Rich Williams stated the problem you have Mike, just so you know, every time I go by there are three or four cars already parked there.

Board Member Montesano stated yea.

Rich Williams stated there is a truck that's been there, I never see moved.

Board Member DiSalvo stated that could be the transmission place or the people in the boarding house there by Burke's Pub.

Rich Williams stated now that I pointed it out, watch the truck is there almost all the time.

Board Member DiSalvo stated the electric truck.

Rich Williams stated no, it's a black truck.

Board Member DiSalvo stated maybe that's his.

Board Member Montesano stated maybe he's still sitting inside trying to become awake. Why don't we go look at it.

Chairman Rogan stated yea.

Board Member DiSalvo stated I don't have a problem with it staying item four as long as its defined, the parking lot.

Rich Williams stated okay.

Board Member DiSalvo stated only because...

Chairman Rogan stated we might be able to come up with something that they can...

Board Member DiSalvo stated there is a house next door, you don't want it to look too commercial...

Chairman Rogan stated right.

Board Member DiSalvo stated you have the junk yard across the street there with the side building there that's kind of messy.

Chairman Rogan stated there is not, it's such a tight spot in there.

Board Member DiSalvo stated he can get three spots out of there.

Board Member Montesano stated it is tight, the former tenants in that building of the original house down in the middle of the block.

Board Member DiSalvo stated Richie, he had proposed a four foot chain link fence around it, is that what the memo said.

Rich Williams stated my memo says that he was looking at a four foot, it's marked four foot in two different locations on the plan, the dimensions proposed on the detail show six feet. I'm thinking he wants to do a four foot but four foot is not going to provide any real screening. The other thing he wants to chain link, yea, that was my first reaction.

Board Member DiSalvo stated I would go with the post and rail that is along side of the other side of the building...

Rich Williams stated post and rail again is not going to give you any screening.

Board Member Montesano stated you're not going to get screening, you have a house next door.

Board Member DiSalvo stated well that's what I'm trying to satisfy...

Board Member Montesano stated he would be better off getting that vinyl fence and help the guy that hit it.

Board Member DiSalvo stated and do some plantings for privacy for Mr. Grady next door.

Rich Williams stated post and rail and landscaping rather than a vinyl fence.

Board Member Montesano stated a vinyl fence I think would be easier in the long run, let's put it this way, you can always put a couple plants in but its there, you can get a nice fence and it doesn't look bad but to put a post and rail and then all you're doing is looking at the cars all day.

Board Member DiSalvo stated but the plantings...

Rich Williams stated the problem with the plantings is it's a very tight area in there, very limited...

Chairman Rogan stated you're going to lose your parking.

Rich Williams stated the plans make it look much bigger than it is because of the scale, you go out there, its tight and anything...

Chairman Rogan stated let's go take a look at it and talk about it on site so we see...

Rich Williams stated yea, anything you do out there is going to hinder the parking lot.

Chairman Rogan stated we will make observations on site.

Rich Williams stated so you want me to contact the engineer for this.

Chairman Rogan stated not necessary but please contact the property owner, let him know we are going to come out Saturday morning, so that we're, we'll go grab a bite to eat in the morning, we'll go take a look at it.

Board Member Montesano stated Magnolia's or...

Chairman Rogan stated it doesn't matter to me...

Board Member DiSalvo stated every time I go there, they are closed.

Chairman Rogan stated yea, you're right, probably the diner, I owe them some business after the last committee meeting.

Board Member DiSalvo stated every time I go there, I know they are definitely closed Tuesdays but I don't know if they are closed another day too.

Board Member Montesano stated well we'll just have to (inaudible).

8) TOM'S BARBER SHOP – Sign Application

Chairman Rogan stated and then the sign application, we have, that's right, you gave me.

Rich Williams stated I did give you the pictures, I did review it, it does meet our Code requirements, he's essentially the previously approved sign over.

Chairman Rogan stated its pretty straight forward.

Board Member DiSalvo stated over to that and his little barber shop pole.

Board Member Cook stated yea.

Chairman Rogan stated yea. Okay, anybody want to do the sign application right now.

Board Member DiSalvo stated where is the picture...

Chairman Rogan stated I'll do it, I don't care.

Board Member DiSalvo stated in the matter of Tom's Barber Shop, located on Route 311, I make a motion that we approve the pre-existing sign that was located on...oh.

Board Member Montesano stated negative dec.

Board Member DiSalvo stated I make a motion that this will not have a negative impact on SEQR, I forget how to say it.

Chairman Rogan stated you got off your wording.

Board Member DiSalvo stated move that in the application of Tom's Barber Shop that the proposed action will not have a significant impact on the environment and hereby issues a negative declaration of significance.

Chairman Rogan stated second.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carried by a vote of 5 to 0.

Board Member DiSalvo stated and this was the sign at the pre-existing...

Chairman Rogan stated yea, now you can do the sign.

Board Member DiSalvo stated in the matter of Tom's Barber Shop, located on Route 311 in Patterson, I make a motion that we approve the pre-existing sign that was located on his shop on Front Street, which has been moved to his new location on Route 311 which is...

Chairman Rogan stated five feet long by eighteen inches high.

Board Member DiSalvo stated five feet long by eighteen inches high that hangs above the front door.

Board Member Montesano stated including the barber pole.

Board Member DiSalvo stated including the barber pole.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carried by a vote of 5 to 0.

Chairman Rogan stated okay, so we'll do a site walk Saturday morning, Dave unless we come up with another site walk, you're SOL.

Board Member Pierro stated fine, I have work.

Rich Williams stated okay, seven o'clock at the diner.

Chairman Rogan stated yea.

Rich Williams stated want to come.

Chairman Rogan stated you want to go to the barber shop.

The Secretary stated seven o'clock on a Saturday, you guys are crazy.

9) OTHER BUSINESS

a. Benderson (Patterson Commons) Performance Bonds

Chairman Rogan stated Benderson, Patterson Common Performance Bond, they are up again.

Rich Williams stated this is a carry over, I have not heard anything from Health Department or DEP.

Chairman Rogan stated okay.

Rich Williams stated at this point my recommendation is release the two remaining bonds.

Chairman Rogan stated we make a motion...

(Board Member Pierro's cell phone rings.)

Board Member Pierro stated excuse me.

Chairman Rogan stated make a motion that the Town Board considers releasing the two remaining performance bonds in place for Benderson Patterson Crossing, Patterson Commons, I apologize, Patterson New York.

Board Member Montesano stated so moved.

Chairman Rogan stated second.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carried by a vote of 4 to 0.

b. Steger Zoning Amendment

Chairman Rogan stated Steger Zoning Amendment.

Rich Williams stated I still owe you the Zoning Amendment, I haven't gotten to that yet.

c. Guiding Eyes for the Blind – Request for Extension

Chairman Rogan stated Guiding Eyes for the Blind is requesting a 12 month extension, so moved.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carried by a vote of 5 to 0.

d. Apap Site Plan – Request for Bond Release

Chairman Rogan stated Apap we have a request for a bond release.

Rich Williams stated I still owe you a memo on that, I did visit the site that all the site improvements have been completed that this point.

e. Dunning Subdivision – Request for Extension

Chairman Rogan stated okay, I'll move that we grant a 180 day extension for Dunning Subdivision.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carried by a vote of 5 to 0.

Rich Williams stated just so the record is clear, you just granted two 90 day extensions...

Chairman Rogan stated thank you.

Rich Williams stated to meet the requirements.

Chairman Rogan stated modify my motion to be two 90's which would total 180 days, thanks Rich.

10) MINUTES

Chairman Rogan stated okay, we have minutes that we need to review. We are going to meet, for those who want to eat, 7 a.m. at the diner on Saturday morning.

Board Member DiSalvo stated so we'll just do the barber shop.

Chairman Rogan stated just the barber shop, yea, there is nothing else really out there, you don't need to look at the barber shop, you look like you got a pretty good hair cut there.

Ted Kozlowski stated no, I actually have something else to do, it would be nice to have breakfast with you but...

Board Member DiSalvo stated did they rent the back of the Ryder building here, where the wine...

Rich Williams stated I'm not aware of that.

Board Member DiSalvo stated I saw a big truck that held up traffic on 311 yesterday, backing in down to the driveway.

Board Member Pierro stated Bill Reynolds is in there now.

Rich Williams stated the garage door.

Board Member Pierro stated he's got two spots, he's got one out on [Route] 22 and he's got one there.

Board Member DiSalvo stated well that's good, at least they got it rented.

Rich Williams stated one out on 22 where.

Board Member Pierro stated somewhere down on 22 below...

Chairman Rogan stated let's add a motion to adjourn into that and we can close the tape.

The Secretary stated all right.

Board Member DiSalvo seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carried by a vote of 5 to 0.

The meeting adjourned at 8:30 p.m.