

TOWN OF PATTERSON
PLANNING BOARD MEETING
October 2, 2014

AGENDA & MINUTES

	Page #	
1) Burdick Blacktopping - Sign Application	1 – 4	6' x 4' Freestanding sign approved at 9/25/14 Work Session.
2) Cynthia Chory – W/W Permit Application	4 – 21	Wetlands/Watercourse Permit Approved for a 600 square foot gravel parking area.
3) M&S Iron Works – Site Plan Application	7 – 8 16 31 – 32	No one present to represent the application.
4) Dino Rentoulis – Site Plan Application	8 – 16	Discussion of parking lot lights, stop sign and plantings. Set public hearing for 11/6/14.
5) Fox Run Adult Active Residential Development– Amended Traffic Study	16 – 31	Discussion of noticing people within 500' of proposed project. EAF Part 2 to be discussed at next meeting.
6) Other Business		
a) Application Checklist	33	Chairman McNulty is working on application checklist.
b) Illescas W/W Permit Application	33 – 36	Ted Kozlowski flagged wetlands on property for Zarecki & Associates Office to revise plans.
c) Minutes	36 – 37	August 7, 2014, August 28, 2014 and September 4, 2014 minutes approved.

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 Olenius, Chairman
Mary Bodor, Vice Chair
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Michael Carinha
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PLANNING BOARD

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

**Planning Board
October 2, 2014 Meeting Minutes**

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

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

Chairman McNulty called the meeting to order.

There were approximately 5 members of the audience.

The meeting was called to order at 7:01 p.m.

Sarah Mayes was the Secretary and transcribed the following minutes.

Chairman McNulty led the Salute to the Flag.

1) Burdick Blacktopping – Sign Application

Chairman McNulty stated okay. Start off, I want to welcome Bob Ladau, our newest member to the Planning Board. Welcome, Bob.

Board Member Ladau stated thank you, Sir.

Chairman McNulty stated you're going to be a great asset to the Board and bring some experience and insight for us and get us even more confused than we already are.

[Laughter].

Board Member Ladau stated oh, I can do that.

Chairman McNulty stated okay, first tonight we have Burdick, which we approved at the work session. Their sign application, that's done.

2) Cynthia Chory – Wetland/Watercourse Application

Mr. John Gallo was present to represent the application.

Chairman McNulty stated and we have the Chory Wetland/Watercourse Application.

Rich Williams stated yes.

Chairman McNulty stated Mr. Chory, would you like to come up. You have anything to say.

Mr. John Gallo stated I'm...

Chairman McNulty stated if you could just...

Mr. Gallo stated John Gallo.

Chairman McNulty stated just state your name here.

Mr. Gallo stated John Gallo.

Chairman McNulty stated okay.

Mr. Gallo stated I'm her partner. The original...the original submission was for gravel because we were under the impression, or so we heard from the State, that we wouldn't need a permit. So when we found out we needed a permit, we decided we would try to get it blacktopped; just the two additional parking spots.

Chairman McNulty stated okay. Well, based on all our conversations with the...Ted, the ECI, and Rich, it...

Mr. Gallo stated right.

Chairman McNulty stated was going to be gravel all along and they were, you know, advising us as a board that it was going to be a gravel driveway. Now, with that said, can they blacktop within that wetlands buffer.

Ted Kozlowski stated you want to go first [speaking to Rich Williams].

Chairman McNulty stated Ted or Rich. Whoever wants to talk.

Rich Williams stated well, yeah, for the regulatory end of it, yes, they can blacktop within that buffer but they would need permits to do so from the Town, from the State, and from New York City DEP.

Chairman McNulty stated okay.

Rich Williams stated now of the three, even with Teddy, the Town is probably the easiest of the permits he is going to have to pursue, if that's what they're going to do.

Mr. Gallo stated so...So if it was just black...If it was just gravel, it wouldn't need the State and City approval.

Chairman McNulty stated no is gravel different than item 4 or is it true gravel when they say gravel.

Rich Williams stated generally I'm talking about, you know, not item 4 but gravel and...

Chairman McNulty stated like a 3/4 inch stone...

Rich Williams stated right.

Chairman McNulty stated or one...

Rich Williams stated and gravel under...

Chairman McNulty stated pea stone.

Mr. Gallo stated yes. The...Burdick has got whatever...

Chairman McNulty stated well, his whole proposal on that we had said blacktop.

Mr. Gallo stated well that was the, right. That's the second one. But there was an original one that was submitted.

Chairman McNulty stated we don't...I don't remember seeing that.

Ted Kozlowski stated right.

Rich Williams stated yeah, as far as the gravel goes, it drops the DEP right out of the equation. DEC, I don't know what they'd do with it. I would think they would still need a permit, perhaps, with the DEC. But it would be, you know, a really minor action at that point.

Chairman McNulty stated does it drop the Town out of it, too...

Rich Williams stated no.

Chairman McNulty stated if it's gravel. He'd still need a driveway permit and you apply for that at the Highway Department, correct.

Rich Williams stated no, no, no.

Ron Gainer stated no.

Rich Williams stated he needs a wetlands permit.

Chairman McNulty stated oh, which is what we're doing here.

Ted Kozlowski stated yeah, see...My impression, and you know, I have emails from Mrs. Chory, too, indicating and the first proposal was the gravel, item 4 driveway which, as Rich said, eliminates that

outside agencies. And that's something we can approve or disapprove without anybody else having a say in it.

Mr. Gallo stated okay, well if...If it takes all the other agencies out of it then...

Ted Kozlowski stated it's going to...Your life's going to be a lot easier...

Mr. Gallo stated then no, gravel is fine.

Ted Kozlowski stated if you go with the original proposal.

Mr. Gallo stated the gravel is fine and then we'll just drop the blacktop.

Ted Kozlowski stated I would... I would recommend you do...

Mr. Gallo stated yes, that's fine.

Ted Kozlowski stated because you can do it tomorrow once the Board gives you the approvals.

Mr. Gallo stated yes, that's fine. So it will just be gravel.

Chairman McNulty stated okay, so it will be a gravel driveway.

Mr. Gallo stated okay.

Board Member Brady stated the...it's...On the proposal, it says 4" of recycled item 4 gravel. That's not what we're talking about. We're talking about ¾" stone. Or are we talking about...

Chairman McNulty stated that's a sub base for blacktop, I believe, they proposed.

Board Member Brady stated right.

Mr. Gallo stated correct.

Chairman McNulty stated so basically this proposal that we have from Burdick, this second one...

Mr. Gallo stated that's for the add...there's a...

Chairman McNulty stated yeah.

Mr. Gallo stated there's an original...

Chairman McNulty stated that you have to have them reassess and give you a...

Mr. Gallo stated well, we had an original one that...

Ted Kozlowski stated yes.

Mr. Gallo stated there wasn't...

Chairman McNulty stated okay.

Ted Kozlowski stated that's the one I...

Chairman McNulty stated and you were okay with that one, too.

Ted Kozlowski stated I was fine. You know, I was...

Mr. Gallo stated yeah. There is an original one out there.

Ted Kozlowski stated didn't have an issue with that because it's basically impervious surface. You've got the drainage. There's no issues; not additional blacktop. And everybody else is out of the equation. It makes it a lot easier.

Mr. Gallo stated okay. That works.

Chairman McNulty stated is that fine for you.

Mr. Gallo stated yes, that works.

Chairman McNulty stated alright, the other issue we talked about is that you're taking approximately 600 square feet of space to make a driveway within the buffer. And we talked about, the Board amongst ourselves, is there an area where you can allow another 600 square feet somewhere in that area to revert back to wild, natural state where there's no lawn or...and let it recoup. But Ted, you said there was a lot of area...

Mr. Gallo stated well, the whole...

Chairman McNulty stated already disturbed.

Ted Kozlowski stated I think if they let that area that was disturbed to recover with natural, native vegetation, keep the invasives out, it will be better off than it was before. And if the trees are allowed to grow. So that's mitigation enough for me.

Chairman McNulty stated okay. And you're aware of that area that Ted's talking about.

Mr. Gallo stated yeah. No, it's...Actually, most of the vegetation's coming back, so...

Ted Kozlowski stated yes, it's everything that we looked at and discussed with you.

Mr. Gallo stated right.

Chairman McNulty stated okay. Does anybody else have anything to say. Alright, Rich, so we have to do SEQRA on this.

Rich Williams stated yeah, there are two paths you can follow on this. You know, if Ted's going to make a recommendation this is really a minor action you can...Yes. You're still going to have to do SEQRA but you waive the requirements for doing a public hearing and go straight to the issuance of a permit or even waive the requirement of having a permit. You know, the second path is that you can do SEQRA and then schedule a public hearing.

Chairman McNulty stated but we waive SEQRA as well. We can...

Rich Williams stated no, you can't waive...

Chairman McNulty stated no. Okay.

Rich Williams stated SEQRA.

Chairman McNulty stated well, I'm fine with waiving a public hearing on this and moving on SEQRA and, you know, moving forward with the permit. Is anybody else...

Board Member Brady stated I'm in favor of it, too.

Ted Kozlowski stated as long as...

Chairman McNulty stated (inaudible – too many talking).

Ted Kozlowski stated (inaudible) to me as long as it's an impervious driveway as we originally discussed.

Rich Williams stated pervious driveway.

Board Member Taylor stated pervious.

Ted Kozlowski stated pervious. Sorry. Sorry.

[Laughter].

Chairman McNulty stated just checking us, huh.

Ted Kozlowski stated pervious driveway and...

Mr. Gallo stated so do we...

Ted Kozlowski stated the mediation as we discussed set forth in the letters and we agreed and shook hands, I'm fine with. It's minor. Let him do it, get it done.

Chairman McNulty stated okay. Well, I'll make a motion on the Chory Wetlands/Watercourse Permit to proceed with an uncoordinated review and waive public hearing.

Board Member Montesano stated second.

Chairman McNulty stated all in favor. Motion carried by a vote of 5 to 0.

Rich Williams stated at some point you need to make a SEQRA determination...

Chairman McNulty stated yeah. I'm going to do that next.

Rich Williams stated okay.

Chairman McNulty stated was that in the wrong order.

Rich Williams stated well, it was kind of a convoluted...You were mixing two things at the same time.

Chairman McNulty stated I'm good at that.

[Laughter].

Chairman McNulty stated okay. And on the Chory Wetlands/Watercourse permit, I'd like to make a motion to...A SEQRA motion to a negative declaration on this permit.

Board Member Montesano stated second.

Chairman McNulty stated all in favor. Motion carried by a vote of 5 to 0.

Chairman McNulty stated I know I stumbled through that one. Okay. I want to add to that that this is approved based on a pervious surface and a gravel based on the initial conversations and proposal of a gravel driveway discussed with the ECI.

Mr. Gallo stated understood.

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

Rich Williams stated is that a motion on issuing the permit.

Chairman McNulty stated yes.

Rich Williams stated okay.

Mr. Gallo stated now, do we need to wait for any...

Chairman McNulty stated SEQRA was negative and then approval on a permit with a pervious driveway.

Rich Williams stated no, I'll draft the permit in the next day or two and mail it out to you.

Mr. Gallo stated okay, perfect. Thank you.

Rich Williams stated Tommy will have to come in and sign it first, but...

Chairman McNulty stated okay.

Mr. Gallo stated okay. Thank you for your attention to this. I appreciate it.

Chairman McNulty stated you're welcome. Good luck.

3) M&S Iron Works

No one was present to represent the application.

Chairman McNulty stated okay. Next we have M&S Iron Works. Do we want to hold off until maybe Dan comes in.

Rich Williams stated nobody is here.

4) Dino Rentoulis – Site Plan Application

Mr. Dino Rentoulis and Mr. Harry Nichols were both present.

Chairman McNulty stated okay. We have Rentoulis, site plan application. How are you.

Mr. Dino Rentoulis stated hi, gentlemen.

Chairman McNulty stated Harry. Dino, right.

Mr. Rentoulis stated absolutely, yes.

Mr. Harry Nichols stated I was going by your schedule here.

Chairman McNulty stated yeah, we skipped one over. How are you, Harry.

Mr. Nichols stated good. I'm good.

The Secretary stated here you go [referring to the Town Planner's Project Review].

Rich Williams stated yeah, go ahead.

Chairman McNulty stated Harry, I think we're getting pretty close on this. Have you had a chance to look at Rich's notes from today.

Mr. Nichols stated no I haven't.

Chairman McNulty stated okay. From, briefly what I've looked at and discussed with Rich, it's a lot of just house cleaning and some minor issues to clear up.

Mr. Nichols stated okay.

Chairman McNulty stated a couple that I'm familiar with is that the light...the one light all the way up at the top of the parking in the entry.

Mr. Nichols stated up here [referring to plans].

Chairman McNulty stated yes. Want to make sure that's positioned in a way that it lights the intersection. That's what our concern is.

Mr. Nichols stated okay.

Chairman McNulty stated you could have just probably moved that other light and not added one but...

Mr. Nichols stated well, I didn't think that this would be enough light to...

Chairman McNulty stated yeah.

Mr. Nichols stated these are very low mounted lights. They don't cast the light as far as we could do it with a 40 or 50 foot high pole.

Chairman McNulty stated yes, but what our goal is there is to light the intersection so...

Mr. Nichols stated yeah, well we can even move these, this one here, out if you want and we could light the opening on both...let those light the opening on both sides.

Chairman McNulty stated well, I'm not so...I want to make sure the street gets lit, too.

Mr. Nichols stated okay.

Chairman McNulty stated so that approaching cars on the road will see that it's an intersection.

Mr. Nichols stated yeah.

Rich Williams stated if Harry does what he just suggested he probably will cover it.

Mr. Nichols stated yes.

Chairman McNulty stated alright.

Mr. Nichols stated we'll move them closer to the road.

Chairman McNulty stated okay.

Mr. Nichols stated to get the light out there. And...

Chairman McNulty stated I just want you to understand the intent of why we wanted those lights...

Mr. Nichols stated right.

Chairman McNulty stated there.

Mr. Rentoulis stated right.

Chairman McNulty stated okay. Then there was an issue; some signage. I think I'll let Rich comment on that.

Rich Williams stated are we talking about the stop sign now.

Chairman McNulty stated yeah.

Rich Williams stated I was concerned about where you've got the stop sign positioned in relation to that first parking spot. You know, I think if a big car or say a van or a truck goes in there...

Mr. Nichols stated yup.

Rich Williams stated nobody's going to see that stop sign. So, I don't know if there's a place we can reposition that.

Mr. Nichols stated well, we can move it closer. We can move it out here.

Rich Williams stated or maybe throttle down the throat so you've got a little more room at the throat.

Mr. Nichols stated well, I was trying to protect the back end of any vehicle that parks here.

Rich Williams stated no, but I'm saying that the throat going out on to the driveway, the driveway entrance, you know, you've got a fairly wide...

Mr. Nichols stated yeah, across here.

Rich Williams stated and it...

Mr. Nichols stated yeah.

Rich Williams stated I think you need to do it...

Mr. Nichols stated oh, you want to do...

Rich Williams stated because it's on the bend.

Mr. Nichols stated you want to do this: curve it in a little. Just hold...hold the twenty-four across there.

Rich Williams stated yeah.

Chairman McNulty stated the biggest thing is just to make sure that stop signs visible with the cars in that last spot.

Mr. Nichols stated yeah. Oh, we can...Alright. We can make it a tighter radius, if you want. Well, no. I don't think we should. We'll move it as far over here as we can.

Rich Williams stated okay.

Mr. Nichols stated put it here.

Rich Williams stated fine.

Chairman McNulty stated okay. And there was some notes, I know, about plantings. If you can just label what you're going to put in these planters.

Mr. Nichols stated well, we're suggesting that Ted give us his input on which plants would have the best survival out there.

Ted Kozlowski stated is the intent just ornamental.

Mr. Nichols stated pardon.

Ted Kozlowski stated is the intent just ornamental plantings.

Mr. Nichols stated yes.

Ted Kozlowski stated is that what it is.

Mr. Nichols stated yeah.

Ted Kozlowski stated okay. I'll take a quick look. I'll send you an email or something.

Mr. Nichols stated alright.

Chairman McNulty stated take a look through the A&P, too. They do a nice job up in this parking lot, you know. Similar plantings in between parking stalls, so...

Mr. Nichols stated yes.

Chairman McNulty stated so if you can, you know, clean up these house...these issues, I think we're all pretty good with the plan at this point.

Mr. Nichols stated okay.

Chairman McNulty stated does anybody else have a comment tonight. What else did I have on this.

Board Member Taylor stated I think the SWPPP.

Chairman McNulty stated does it need a SWPPP.

Rich Williams stated yup.

Board Member Taylor stated that's what Rich said in your notes, right. Because it exceeds the...

Rich Williams stated it will need a SWPPP...

Mr. Nichols stated yup.

Rich Williams stated but it needs a basic SWPPP.

Ron Gainer stated right.

Rich Williams stated he basically has most of the elements already on the plan and it's just a question of filing the NOI.

Chairman McNulty stated okay.

Mr. Nichols stated that we will get in.

Ron Gainer stated schedule a public hearing or...

Rich Williams stated he knows.

Mr. Nichols stated I will...we will clean up this list.

Chairman McNulty stated everybody good. Rich...Ron, you look like you have a thought on something.

Board Member Taylor stated I'm just...I'm somewhere else tonight.

Chairman McNulty stated okay.

Board Member Taylor stated we covered the EAF, right. That's all...

Rich Williams stated I did cover the EAF. I went through it...

Board Member Taylor stated yeah.

Rich Williams stated a couple of times. There were some really minor things.

Chairman McNulty stated yeah, I didn't see anything that stood out.

Board Member Taylor stated except for the one that he checked that was wrong, but that's...

Board Member Brady stated yeah, you just had three things listed.

Rich Williams stated yeah, he didn't sign it either. You forgot to sign it.

Board Member Montesano stated you had a (inaudible – too distant).

Board Member Taylor stated yeah, okay. So we're all set.

Chairman McNulty stated so without...

Board Taylor stated we can do SEQRA.

Chairman McNulty stated with the changes you made...Yup. We can move along to declare this a uncoordinated review and waive the public hearing.

Mr. Nichols stated okay.

Rich Williams stated you're waiving the public hearing.

Board Member Taylor stated I wouldn't waive the public hearing, no.

Chairman McNulty stated no.

Rich Williams stated what you want to do is you want to do an uncoordinated review and go straight to a determination of significance.

Chairman McNulty stated okay. That's the process.

Rich Williams stated preferably a negative determination of significance if you don't want to see the applicant cry.

[Laughter].

Chairman McNulty stated okay.

Mr. Nichols stated when's the last time you cried.

Chairman McNulty stated you want to make a motion on this one. Or I'll do it.

Board Member Taylor stated I can do it, yeah.

Mr. Rentoulis stated you would tonight. (inaudible – too many talking).

Board Member Taylor stated you've got your cheat sheet.

Board Member Montesano stated yes.

Board Member Taylor stated Mike and I share one.

Chairman McNulty stated uncoordinated.

Michael Liguori stated it's a special.

Mr. Rentoulis stated I've been working on a broken foot for a few weeks, I have no idea how he cries so...

Board Member Taylor stated I move that in the application of Alpine Restaurant Parking Lot Route 22, the Planning Board of the Town of Patterson finds that the proposed action an uncoordinated action will not have a significant impact on the environment and hereby issues a negative declaration of significance.

Board Member Montesano stated second.

Chairman McNulty stated all in favor. Motion carried by a vote of 5 to 0.

Chairman McNulty stated I'd also like to state that this will be an uncoordinated review and move on from there. No lead agency, correct.

Rich Williams stated correct.

Chairman McNulty stated okay.

Mr. Nichols stated what was your decision on the public hearing.

Chairman McNulty stated uh, yeah. I was wrong on that because I looked at my notes here. I'll make a motion to set a date for a public hearing at the next monthly meeting.

Board Member Montesano stated November 6th.

Chairman McNulty stated which is November 6th, Mike.

Board Member Montesano stated according to this.

Board Member Taylor stated second.

Chairman McNulty stated all in favor. Motion carried by a vote of 5 to 0.

Chairman McNulty stated also, I'd like to note that on this determination is...it pertains to Parcel 2. Is this correct. There's two parcels shown on this plan.

Mr. Nichols stated yes.

Chairman McNulty stated okay.

Rich William stated yes.

Chairman McNulty stated do I have to go back and do that again and add that in or is that good.

Rich Williams stated no. I think we all are aware that it has to do with the parcel that the parking lot construction is proposed on.

Chairman McNulty stated yes, I just know it's all on one plan and I just wanted to...

Mr. Nichols stated well, we had...We had two parcels. We felt we had to show the whole site.

Chairman McNulty stated right.

Mr. Nichols stated but a site plan had already been approved for the main parcel that the restaurant is on.

Rich Williams stated we cleared that up on the plans.

Chairman McNulty stated okay.

Mr. Nichols stated yeah, so we cleared that up. We're not showing the improvements on the other...Well, to some extent we are.

Chairman McNulty stated okay.

Board Member Taylor stated do you want to amend the motion.

Chairman McNulty stated no, we're good. It's on the record.

Board Member Taylor stated okay.

Chairman McNulty stated anybody, anything else. Harry, good to go.

Mr. Nichols stated (inaudible).

Board Member Montesano stated would you like me to start.

Mr. Nichols stated no.

[Laughter].

Board Member Montesano stated just thought I'd ask.

Mr. Nichols stated okay.

Chairman McNulty stated so you know what you have to do now.

Mr. Nichols stated yes I do.

Chairman McNulty stated you're going to clean that up.

Mr. Nichols stated right.

Chairman McNulty stated clean everything up and get back to Rich with the SWPPP and the NOI and the rest of the procedure.

Mr. Nichols stated okay. Will do.

Chairman McNulty stated okay.

Mr. Nichols stated thank you very much.

Chairman McNulty stated good luck.

Mr. Rentoulis stated thank you, gentlemen.

Chairman McNulty stated you looking to open the restaurant again soon.

Mr. Rentoulis stated me personally, no. I hope to get a tenant in there ASAP.

Chairman McNulty stated yeah. Well, good luck.

Mr. Rentoulis stated you know if you took a bathroom break, Rich, it would have been waived, the public hearing.

[Laughter].

Chairman McNulty stated no, I would have caught it. I had my...

Mr. Rentoulis stated he was...

Rich Williams stated there's more...

Chairman McNulty stated I caught my notes.

Rich Williams stated wait, wait. There's more than one up there. They weren't going to let him get with it.

Mr. Rentoulis stated just teasing. Just teasing. Gentlemen, thank you very much.

Chairman McNulty stated you're welcome.

Mr. Rentoulis stated have a good evening.

Chairman McNulty stated good luck.

M&S Iron Works continued

Chairman McNulty stated alright. Who do we have next. M&S. Nobody here.

Board Member Montesano stated no.

5) Fox Run – Amended Traffic Study

Chairman McNulty stated Fox Run. Did we expect to see anybody tonight.

Rich Williams stated no.

Chairman McNulty stated okay.

Rich Williams stated at the work session the Board gave direction that they were acceptance of the...in acceptance of the EAF Part 1 and were ready to give notice for their intent to do Lead...be Lead Agency.

Board Member Taylor stated well, we did, didn't we.

Rich Williams stated is that not correct.

Board Member Taylor stated yeah. That's correct.

Chairman McNulty stated yeah.

Board Member Taylor stated that's quite correct.

Chairman McNulty stated but we didn't decide Lead Agency at the work session, did we.

Board Member Taylor stated I think we did, didn't we.

Board Member Brady stated yeah.

Ron Gainer stated you declared your intent to be lead...

Board Member Taylor stated yeah.

Rich Williams stated yeah.

Chairman McNulty stated oh, we did. Okay.

Ron Gainer stated that leads to circulation.

Michael Liguori stated right. That circulates...Then you...

Chairman McNulty stated I don't remember doing that.

Rich Williams stated and I've got the EAF back in. It's complete but he forgot to send the plans so I've got to get the plans for it.

[Laughter].

Michael Liguori stated who's on first.

Chairman McNulty stated okay.

Board Member Taylor stated I was just wondering...

Rich Williams stated baby steps. Baby steps.

Board Member Taylor stated if we could send out a notice to the newspapers on this.

Chairman McNulty stated what kind of notice.

Board Member Taylor stated just...

Rich Williams stated yeah.

Board Member Taylor stated just something that...I mean, I could draft something. Just a press release.

Chairman McNulty stated like a legal notice.

Board Member Taylor stated no. Something that maybe they'll pick up as an article.

Chairman McNulty stated but is that...I don't know. Is that our prevue to do something like that. Mike, what's your...

Michael Liguori stated you know, my preference is that you treat every project the same. And it's not up to you guys to go looking for comment other than what's set forth in our Code and in SEQRA itself, so I would just follow the strictures of the Code and it will have a public hearing and it will, you know, that will

be part of the SEQRA process. If the application...I think it's up on the internet. If I'm correct, I thought it was up on the website. Maybe I'm wrong.

Chairman McNulty stated the only other thing we decided to do was send a letter out and we discussed it and that the letter of intent that Fox Run people received at their board was going to suffice.

Rich Williams stated right.

Chairman McNulty stated if we wanted to do anything further, the only thing I can think of is we send a letter out to those people in that area; that would be every homeowner there or resident there at Fox Run. Some 200 plus people, right.

Rich Williams stated oh, yeah.

Board Member Brady stated but don't they have to do that for the public hearing anyway.

Rich Williams stated um...

Michael Liguori stated how many tax parcels are in Fox...Is it a condo...It's a condo.

Rich Williams stated it's a condominium with a Board of Directors.

Michael Liguori stated alright.

Rich Williams stated and, you know, it's always a grey area about whether you need to notify the Board...

Michael Liguori stated or the individuals.

Rich Williams stated the management company and/or the homeowners.

Michael Liguori stated and I'll tell you, I've been down this road so many different times and so many municipalities do different things.

Rich Williams stated yeah.

Michael Liguori stated you know, I've been in situations where we've given it to the residents within 500 feet. I've been in situations where we've sent it to the Board. I don't...I wouldn't object to you guys sending out something additional to the Board.

Chairman McNulty stated well, what we'd like...decided to do a couple of years ago was to send something out early in the process rather than waiting till the public hearing. Because then the public comes in down the line after all this discussion's taken place.

Michael Liguori stated well, if that's what you guys have been doing, then...

Chairman McNulty stated we did it for Ice Pond, correct.

Rich Williams stated we had talked about just sending it to the Board and I'm not so sure we haven't already done that. I'd have to go back and check.

Chairman McNulty stated well, I know the...

Rich William stated but that was kind of what precipitated Al Corbian to come in and also for them to meet; and they've had several meetings.

Chairman McNulty stated well, that wasn't a letter from us, though. That was from the applicant, was it not.

Rich Williams stated I don't recall for sure. I'd have to look. But I thought we were going to send something to the Board of Directors.

Board Member Taylor stated well, that is what we had said.

Michael Liguori stated my comment is really global, which is if you guys are going adopt some policy that's going to happen going forward, that's okay. I just don't want particular applicants to get treated differently. That's where you...

Chairman McNulty stated but we did accept that policy a couple of years ago...

Michael Liguori stated okay. And if that...

Chairman McNulty stated that early on we would send a letter out.

Michael Liguori stated great. And I know...

Chairman McNulty stated in this case though, it's a large dime for the Town. It's 266 condo units. Can...If we can consolidate that with the neighboring parcels and to the Board of Managers or Directors of the condo association, is that something we can do.

Michael Liguori stated well, it's \$130 bucks for a mailing, right. It's .50 cents a stamp. I mean, what are we...

Rich Williams stated not if it's just to the Board of Directors.

Michael Liguori stated no, obviously that's .50 cents.

Rich Williams stated yeah.

Chairman McNulty stated but I think we should let the neighboring parcels know within the distance, was it 500 feet.

Rich Williams stated yes. So there's probably going to be 10 or 15 besides the Board of Directors.

Chairman McNulty stated yeah. And the other thing our Code requires, if I'm correct, is a sign of some sort, isn't it. To state that there's going...

Rich Williams stated yes, because...

Chairman McNulty stated there's an application.

Rich Williams stated there's a specific time when they need to put that up prior to the public hearing.

Chairman McNulty stated and, oh...

Rich Williams stated they don't put it up right now.

Chairman McNulty stated are we within that time.

Rich Williams stated no, we're not there yet.

Chairman McNulty stated so, maybe that should be something done here as well.

Rich Williams stated well, you know, the 64-dollar question, too, is where they're going to put that sign up. Because if they put it up at the entrance to the project, that's the driveway back up in...in the Fox Run Condominiums.

Chairman McNulty stated with an easement to their property though, correct.

Rich Williams stated excuse me.

Chairman McNulty stated with an easement to their property.

Rich Williams stated yeah.

Chairman McNulty stated correct.

Rich Williams stated yeah.

Chairman McNulty stated so, it wouldn't improper to put it there, would it.

Rich Williams stated no, they could put it there. But you're going to have very limited visibility there. I'm just thinking maybe we want to talk to the Fox Run Association, see if we can't get it close to down on the road.

Michael Liguori stated right.

Chairman McNulty stated that's what I'm saying.

Board Member Brady stated where they put the all...Where they pick up the buses and stuff, for the kids.

Ron Gainer stated yeah.

Board Member Brady stated yeah.

Michael Liguori stated yeah, over by the mailboxes.

Chairman McNulty stated is there an easement from Bullet Hole Road through or only at the top of the...

Rich Williams stated well, their easement is through but their property where they would normally post it is back up at the top...

Board Member Brady stated the woods.

Rich Williams stated of the driveway.

Board Member Montesano stated I know...

Chairman McNulty stated no, I understand. But with the easement, it would be out of place to ask them to put it at Bullet Hole Road, right.

Rich Williams stated well...

Board Member Montesano stated you got to get permission from the condominium complex.

Rich Williams stated not without...not without the authority of the Board of Directors, I think.

Chairman McNulty stated okay. Well, we can certainly ask them.

Board Member Montesano stated where those mailboxes are, would that be considered public property.

Rich Williams stated what mailboxes. The mailboxes for Fox Run are up by the condos.

Board Member Montesano stated alright. What I'm looking at is, is there any place that they...They have that bus stand or whatever is...

Rich William stated right.

Board Member Montesano stated that little shed. Is that on their property.

Rich Williams stated yes, that's on Fox Run's property.

Board Member Montesano stated okay.

Rich Williams stated it's...

Board Member Montesano stated is there any public property.

Rich Williams stated no.

Chairman McNulty stated everything outside the curb of the driveway is Fox Run property, correct.

Rich Williams stated right.

Chairman McNulty stated so we'd have to ask the Board of Directors for their permission. Or the applicant would have to ask.

Rich Williams stated yeah.

Chairman McNulty stated yeah.

Rich Williams stated and it's the same with the mailing. The mailing... You know, if they're doing the mailing for a public hearing it's their cost not our cost.

Michael Liguori stated right.

Chairman McNulty stated yeah, but I'm... we're talking about a letter early on in the process...

Rich Williams stated right.

Chairman McNulty stated that we discussed.

Rich Williams stated mmhmm.

Chairman McNulty stated I would like to see that done.

Rich Williams stated fine.

Chairman McNulty stated to the Board of Managers and to the surrounding properties within that limit. I don't know how everybody else feels about that.

Board Member Taylor stated well, if you look at SEQRA, they say one of the things that... One of the points at which to get input is after the lead agency and while we're considering the next step. Because we get input from all the agencies that are involved and one of the inputs at that point should be the public as well.

Chairman McNulty stated mmhmm.

Board Member Taylor stated they say. They don't say you need a public hearing but they want... you should have input from the public which is what we've encountered before.

Chairman McNulty stated yes.

Board Member Taylor stated if we don't start we felt we didn't start early enough in the process to have people give us comments. We waited until the very end when everything's decided and then that creates bad feelings.

Michael Liguori stated yeah. It's a very tough thing to coordinate because, one is, what is, you know... The things that are decided, right, it's hard for the public to come in and find out that there's been a lot of discourse between the applicant and the Planning Board as to what's acceptable. But, the thing you want to show to the public is the thing that is... what is proposed to be built and that requires a lot of back and forth between the applicant and the Board. So it's a, you know, it's a kind of a catch 22. It's good to get the, you know, the public input in the beginning, but that may not necessarily be what the, you know, what the final result of the project will be. So...

Board Member Ladau stated but the public comment could in fact influence...

Michael Liguori stated it could.

Board Member Ladau stated the suggestions we make to...

Michael Liguori stated it certainly could.

Board Member Ladau stated the developer.

Rich Williams stated there's no doubt which is why the Board a long time ago suggested that we send out notice early on in the process...

Board Member Ladau stated yeah.

Rich Williams stated even though there's no requirement. I want to go back to what Mike said, though. We want to be very careful about treating this applicant the same as every other applicant. And within the SEQRA process, they always encourage public participation; there's no doubt. But within the SEQRA process, there really is no mechanism for public input prior to your actually doing a scoping document.

Michael Liguori stated right.

Rich Williams stated you know, if you're...

Michael Liguori stated yeah.

Rich Williams stated you know, you're circulating for lead agency. You're doing your initial evaluation on your EAF, you're trying to decide whether there may or may not be impact during that whole process. There's really nothing in SEQRA that, you know, setup a mechanism for a public hearing.

Board Member Ladau stated yeah.

Rich Williams stated you certainly could take public input anytime you want.

Board Member Taylor stated well, but I didn't say there was a mechanism. Just that they encourage public input.

Rich Williams stated they do encourage.

Michael Liguori stated yeah.

Rich Williams stated yeah.

Board Member Taylor stated and as you say, they don't say how to do that.

Michael Liguori stated yeah, right. Right. I mean, if you follow the...

Chairman McNulty stated well, we've already accomplished that by creating a policy...

Michael Liguori stated yeah.

Chairman McNulty stated to send a letter out early on, on these larger applications.

Michael Liguori stated and not just that. You've also, you know, it's rare where you tell a member of the public I won't hear what you have to say at any point during the process.

Chairman McNulty stated sure.

Michael Liguori stated you know. If...I know exactly what...I've read the same stuff that you're reading and from the developer's end, the thought I always had was, we might as well have a public hearing right after my first submittal, you know. Because that's the most raw, you know, scope...

Chairman McNulty stated mmhmm.

Michael Liguori stated scope, you know. It's the most raw design of the project. It hasn't been vetted by the engineers, you know, and it's probably the thing that's most offensive. And after you get through the process, it gets tightened up into what the project is. But you try to walk this fine line between violating your developers...you're right to develop and then providing public input on the environmental impact and...I think what we do here is alright though. I mean, you know, the fact of the matter is you never told...I've never seen you guys say, I'm not listening to what you have to say. Please leave, come back at the public hearing.

Chairman McNulty stated no. We'll always...

Michael Liguori stated you know...

Chairman McNulty stated want to hear what the public has to say.

Board Member Taylor stated and I think we've established the precedent with large projects. I mean, that's the cutoff we're taking. We're really...If it's a large project with potential large impacts, then we do this additional...

Chairman McNulty stated we did it not long ago. I forget what applicant we did. There was a letter we sent out...

Rich Williams stated yeah, you don't...

Chairman McNulty stated somebody...

Rich Williams stated you don't do it for minor applications.

Chairman McNulty stated no.

Rich Williams stated but even for, you know, intermediate, moderately sized projects, we do it.

Board Member Montesano stated we started with Ice Pond Road. A couple came in...

Chairman McNulty stated I think that's what initiated it.

Board Member Montesano stated and complained that they had no input into it. And then we tried to devise a way to come up with a way to input the public...

Chairman McNulty stated right.

Board Member Montesano stated but with all do respect to our constituency that we're involved with, we've been discussing this particular project for a long time yet you don't see too many people here that seem to be interested in it because this is normal...

Chairman McNulty stated and they may not know about it, most of them.

Board Member Montesano stated well, let's put it this way. I guarantee you that if you go over there people know that there's something going on because there's been enough people running in and out of that potential project. The problem we'll find is mostly that you... We have... They have a Board of Directors. If we contacted the Board of Directors, these are the elected people that they put into office. They are supposed to represent them. They have a bulletin board. They have access to these people. That's there job.

Chairman McNulty stated but I also think the neighboring properties within the 500 foot radius should be...

Board Member Montesano stated well, they're...

Chairman McNulty stated notified as well.

Board Member Montesano stated going to be notified but the object will be we have, at the present time, we don't have any formulas set up for it. If we have... This is a major project...

Chairman McNulty stated well, we do, Mike. We set that up where we send a letter out...

Board Member Montesano stated well, we setup... we were going to setup a letter but the problem we're running into is we never really got, as a Board, I don't know if we... We have a suggestion on how we would like to operate. We never went to the Town Board to ask they would allow to be part of...

Chairman McNulty stated do we have to.

Board Member Montesano stated in something like this, it's going to deal... The Town is going to end up expending money.

Michael Liguori stated I think inherent in your authority to facilitate these projects, you have certain authorities.

Chairman McNulty stated mmhmm.

Michael Liguori stated and they may not be listed specifically in the Town Code, but under Town Law you guys can adopt policies and procedures for how you operate. You set deadlines. You set schedules.

Chairman McNulty stated sure.

Michael Liguori stated you set, you know, those don't have to be laid out. There isn't a line in the Town Code that says the Planning Board can set a schedule. You know, it's...

Chairman McNulty stated yeah.

Michael Liguori stated like that line in "A Few Good Men", how do you know how to get to the mess hall if no one gives you a map. You know.

[Laughter].

Board Member Brady stated the most important thing is you stay consistent.

Michael Liguori stated that's it.

Board Member Brady stated yeah.

Michael Liguori stated that's...from the legal perspective...

Board Member Montesano stated yup.

Michael Liguori stated that's the only thing we're looking out for is...

Rich Williams stated and the reality is, you know, you're limited by what you can spend on it. And, you know, I watch my budget fairly tight. I've got money to do the mailing within my budget, so...

Chairman McNulty stated okay.

Rich Williams stated you know, as long as you're not...

Chairman McNulty stated if somebody could draft that up for us...

Rich Williams stated as long as you're not asking me to mail out to a thousand...

Board Member Montesano stated right.

Rich Williams stated people...

Chairman McNulty stated no, no. We're looking...

Rich Williams stated five different times...

Chairman McNulty stated within that...

Rich Williams stated then I'm going to tell you no.

Chairman McNulty stated what we're...consistent.

Board Member Brady stated the Board and then...

Chairman McNulty stated the Board of...

Board Member Brady stated properties. Surrounding properties.

Chairman McNulty stated Directors of that facility, Fox Run, and the surrounding properties.

Rich Williams stated yeah. We can handle that.

Chairman McNulty stated and then I have a question for Mike. I'm still a little confused on the subdivision versus condo. I don't know if...

Michael Liguori stated so...

Chairman McNulty stated you can explain that. It's not a subdivision because it's condominiums, correct.

Michael Liguori stated okay. So the primary difference is how...who facilitates the subdivision, okay. Because when you look at a condominium, you buy a condominium, you are buying what's inside the four walls and, you know, if a surveyor can do a survey of your condo unit that's entirely possible, that map that creates that is submitted to the Secretary of State and it's reviewed by the Attorney General's Office, the Office of Real Property at the AG's Office, okay. You can have a condo development that has a subdivision though. So for instance if I come in and I want...my condo consists of five separate parcels with ten units on each, the Planning Board would regulate the approval of that subdivision. It's going to issue a site plan approval for all the...everything that's proposed to be built. But the real difference is that extra submittal to the AG's Office and to the Secretary of State. That, from a legal perspective, that's the primary difference. From a practical perspective, there really aren't too many differences between a condo and a regular subdivision, the way I see it.

Rich Williams stated can I weigh in here in a little bit because...

Michael Liguori stated yeah, sure.

Rich Williams stated listening to you, and I know you know what it is, but I was confused listening to you and...

Chairman McNulty stated I got confused at the end.

Rich Williams stated yeah.

Chairman McNulty stated it started out good but...

Michael Liguori stated alright, I'm sorry.

Rich Williams stated to simplify, alright, a subdivision very succinctly is the division of a single piece of property into two or more pieces. Alright, that's a subdivision. A site plan is looking how you're siting buildings on a single piece of property.

Michael Liguori stated right.

Rich Williams stated condominium ownership does not divide land. It sites buildings on that land so you're looking at just a site plan.

Chairman McNulty stated divides the interior of the buildings.

Rich Williams stated yeah. Now, if you're going to subdivide it into multi-family units, typically, that's classified, the way I understand it, as a townhouse. Patterson Village is a single piece of property and all the property owners that live in those buildings own the rights to that underlying property; Patterson Village. Covington Greens, each one of those units is set on a very small piece of property and the

property owners own the underlying property under that building. And then there's another big parcel that wraps all the way around it that is held in common.

Chairman McNulty stated so is a townhouse a subdivision.

Rich Williams stated a townhouse...Typically, we're going to look at a townhouse as a subdivision. A multi-family housing subdivision. And a condominium project as not a subdivision, just a site plan.

Chairman McNulty stated so it's how the ownership of the...

Rich Williams stated underlying property.

Chairman McNulty stated underlying property and the...Okay. That clears it up.

Rich Williams stated did I hit it right.

Michael Liguori stated yup.

Chairman McNulty stated you were close, Mike.

[Laughter].

Michael Liguori stated you know, I'm working on one...

Rich Williams stated it's...

Michael Liguori stated up in Red Hook right now.

Rich Williams stated he...listen. There's nobody smarter than Mike about this stuff.

Chairman McNulty stated no.

Rich Williams stated it's just...

Chairman McNulty stated layman's terms.

Rich Williams stated sometimes...Yes. I'm closer to being a layman.

[Laughter].

Chairman McNulty stated um the only thing, I looked at this EAF a little closer because I hadn't had a lot of time to look at it before the work session, and there were a number of items that I saw in there. One of them was how many additional buildings were going to be built, or standalone buildings. And he listed one for the water well house. But I think they proposed a clubhouse, too, didn't they.

Board Member Taylor stated on the other property.

Rich Williams stated yeah, I'd have to go look.

Chairman McNulty stated so...

Board Member Taylor stated it's on the other property I think.

Board Member Brady stated wasn't it building or renovating the existing clubhouse that was there.

Board Member Taylor stated no. I think they were going to build a clubhouse...

Board Member Brady stated oh, okay.

Board Member Taylor stated but on the other property.

Chairman McNulty stated okay.

Board Member Montesano stated I think they're going to build it...

Board Member Taylor stated not on this property.

Board Member Montesano stated towards where the pool is.

Rich Williams stated I've got to go look. I don't know.

Board Member Montesano stated yeah. Something at the pool.

Ron Gainer stated they're putting it out by the pool.

Chairman McNulty stated I have a number of issues I'm not going to address here. I'll put them together and circulate them to Board so we can discuss some things.

Rich Williams stated and I'm assuming at the work session you'll want to go through the EAF Part 2 in detail.

Board Member Taylor stated yup. Yes.

Chairman McNulty stated yeah.

Board Member Brady stated yup.

Board Member Taylor stated we've got two months to cover the whole thing, so...

Chairman McNulty stated okay.

Board Member Taylor stated can we...Just one more thing on that. Can we officially change the name that appears on our documents so it's not Fox Run Phase II.

Rich Williams stated sure.

Chairman McNulty stated because it's not a phase. It's not a phase.

Board Member Taylor stated it's not a phase II.

Board Member Ladau stated no, it's not a phase II. It's a...

Board Member Taylor stated it's not a phase II. You haven't gotten the memo on that.

Chairman McNulty stated good call on that, Ron.

Rich Williams stated no, I...

Board Member Ladau stated I was just reading.

Chairman McNulty stated yeah, I saw that.

Board Member Taylor stated about a fifteen page memo explaining why it's not a phase II.

Chairman McNulty stated a legal document with all the changes in the property and...

Board Member Brady stated all lawsuits.

Chairman McNulty stated lawsuits...

Rich Williams stated yeah.

Board Member Taylor stated so...

Rich Williams stated I had fun.

Board Member Taylor stated yeah...

[Laughter].

Chairman McNulty stated so...

Michael Liguori stated was it to be characterized as expansion.

Rich Williams stated I don't know. We'll have to think about it.

Chairman McNulty stated well, have they come up with a name for the...

Board Member Taylor stated yes. Fox Run Active Adult...

Board Member Ladau stated Residential Development.

Board Member Taylor stated community...

Rich Williams stated is it Fox Run ADD.

[Laughter].

Board Member Taylor stated no, it's got a "c" in there somewhere, doesn't it. Does it have a "c" in there.

Board Member Brady stated Fox Run Active Adult Residential Development.

Rich Williams stated yeah.

Board Member Taylor stated oh, residential. It's got an "r" in it; residential.

Board Member Montesano stated oh, yeah. I know it was on a different...

Michael Liguori stated AARD.

[Laughter].

Chairman McNulty stated so make note, change the applicant's name on this.

Board Member Montesano stated I know my name but there's the big question mark on it that gets me.

Rich Williams stated I started making the changes to that.

Chairman McNulty stated okay.

Board Member Brady stated Fox Run Old.

Rich Williams stated because phase II really is a...

Michael Liguori stated AARP.

Board Member Montesano stated maybe.

Board Member Brady stated yeah, I know.

Board Member Montesano stated with a question mark.

Chairman McNulty stated okay. Anything else on that, Ron.

Board Member Taylor stated no. That was all. No I'll send out some... a little more of my notes about SEQRA.

Chairman McNulty stated I have something else to put together, too. If I get my email working.

M&S Iron Works continued

Chairman McNulty stated that brings us back to M&S. Is there anything we want to discuss.

Rich Williams stated where's the applicant.

Ron Gainer stated yeah.

Chairman McNulty stated that's two months in a row he hasn't come in, right.

Board Member Taylor stated three.

Chairman McNulty stated three.

Ron Gainer stated I think that's the third.

Board Member Montesano stated three.

Ron Gainer stated right.

Rich Williams stated yeah.

Board Member Taylor stated well, you were supposed to meet with him and work out all these problems. Have you met with him to work out these problems.

Ron Gainer stated right, he's invisible.

Rich Williams stated I will not pay Mr. Gainer to go to Florida.

Board Member Montesano stated I understand he wanted to go to Waikiki Beach to meet with him.

Ron Gainer stated is that where he is.

Rich William stated yeah.

Board Member Montesano stated is that true.

Chairman McNulty stated okay.

Board Member Montesano stated Ron, you was going to Waikiki and...

Ron gainer stated well, there you go.

Board Member Montesano stated and meet you there.

Ron Gainer stated absolutely.

Board Member Montesano stated two weeks or something like that.

6) Other Business

Chairman McNulty stated that brings us to Other Business.

Board Member Montesano stated Molokai's better.

[Laughter].

a) Application Checklist

Chairman McNulty stated that checklist. I'm working on that. We talked about Illescas.

b) Illescas

Chairman McNulty stated Ted, you have anything more on that right now.

Ted Kozlowski stated I flagged...Oh. I flagged the wetland. I spoke to Zarecki's office.

Chairman McNulty stated want the mic. Poor Sarah.

The Secretary stated thank you.

Ted Kozlowski stated I flagged the wetland.

[Laughter].

Ted Kozlowski stated and I...I spoke to Zarecki's office and they will gladly locate the flagging on the map and revise it.

Board Member Taylor stated okay.

Ted Kozlowski stated and they'll do that before the next Board meeting and...

Rich Williams stated who's letting Mr. Illescas know what's going on.

Ted Kozlowski stated me.

Rich Williams stated okay.

Ted Kozlowski stated I already spoke to his wife.

Rich Williams stated because he's been in twice.

Ted Kozlowski stated well then maybe she's not talking to him.

[Laughter].

Chairman McNulty stated and what has he wanted, Rich.

Board Member Montesano stated that's not abnormal.

Michael Liguori stated typical marriage.

Rich Williams stated he wanted to know what was going on.

Ted Kozlowski stated I explained everything to her and I was with her last night.

Ron Gainer stated oh.

[Laughter].

Ted Kozlowski stated that didn't come out right.

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

Board Member Brady stated let's scratch that from the minutes.

[Laughter].

Board Member Taylor stated do you care to rephrase that.

Ted Kozlowski stated that didn't sound good.

Ron Gainer stated that will be in the minutes.

Chairman McNulty stated okay.

Ted Kozlowski stated I saw her yesterday evening when I flagged the wetland and explained everything to her.

Chairman McNulty stated so I guess when Zarecki replots that wetland line on the plan, we'll get that back and...

Ted Kozlowski stated then you're set to go.

Chairman McNulty stated we'll move forward.

Ted Kozlowski stated yeah.

Chairman McNulty stated okay.

Board Member Brady stated isn't he supposed to move the shed; the new shed.

Ted Kozlowski stated yeah.

Board Member Brady stated out of the wetlands, too, on that. Or out of the buffer zone, I guess.

Ted Kozlowski stated I think he's supposed to get rid of the two...

Board Member Brady stated get rid of the two existing...

Ted Kozlowski stated and build a new one or something like that.

Board Member Brady stated and build a new one and move it out.

Ted Kozlowski stated right.

Board Member Brady stated I think it was too close to the property line there.

Rich Williams stated it's too close to the property line by 5'.

Chairman McNulty stated does he know to note that on these plans that he's going to submit to us.

Ted Kozlowski stated we told him that.

Chairman McNulty stated I thought we did, too, but I...

Board Member Brady stated yeah.

Chairman McNulty stated maybe we should reassure that with him so when he comes in we're...

Rich Williams stated I haven't had any conversations with him. I don't know.

Ted Kozlowski stated well, every...

Chairman McNulty stated well, I know when he came in to the last meeting his wife...

Ted Kozlowski stated he's not there when I show up and I think he's involved in the landscape industry or something like that. And he's gone...

Board Member Montesano stated can we get Mr. Zarecki's office to...

Ted Kozlowski stated I don't know. He's got a lot of ornamental plants on that property and it just...I think he's involved with something with that and he must be out on estates. I don't know. It's hard to understand him. He's wife speaks a little better English than he does and I've kept her in the loop. I have her phone number, so...

Chairman McNulty stated okay, well that...

Ted Kozlowski stated and that's all I have.

[Laughter].

Chairman McNulty stated I hope he comes in with a plan that's good for us. Alright.

Ted Kozlowski stated Jesus.

[Laughter].

Chairman McNulty stated minutes. Did everybody...anybody have other business they want to address.

Board Member Montesano stated no. I'm good.

Chairman McNulty stated okay.

Board Member Brady stated no.

c) Minutes

Chairman McNulty stated minutes. Everybody get a chance to look at the August 7th and August 28th minutes.

Ted Kozlowski stated getting myself into trouble.

Board Member Taylor stated and the September 4th minutes.

Chairman McNulty stated I didn't see the September 4th minutes. That must be in my down email.

The Secretary stated oh, I sent them.

Chairman McNulty stated I'm sure you did.

Board Member Taylor stated yeah, I read them. Yeah, very good. They're all very good.

Chairman McNulty stated I didn't see those. Well, I'll make a motion on the August 7th and August 28th minutes to approve.

Board Member Brady stated I second.

Chairman McNulty stated all in favor. Motion carried by a vote of 5 to 0.

Board Member Brady stated now September 4th, are you the only one who hasn't read them.

Chairman McNulty stated yeah. I haven't read them.

Board Member Brady stated then we could...we could approve them anyway, right.

Board Member Montesano stated and you can abstain.

Chairman McNulty stated I'll make a motion...

Board Member Brady stated but...

Board Member Montesano stated no, you can't.

Chairman McNulty stated oh, I can't.

[Laughter].

Board Member Brady stated just so we help Sarah out. Let her get caught up.

Board Member Montesano stated Ed, make a motion.

Board Member Taylor stated I'll make a motion to...Go ahead, Ed.

Board Member Brady stated I make a motion to approve the September 4th, 2014 minutes.

Board Member Taylor stated second.

Board Member Montesano stated all in favor.

Board Member Brady stated all in favor.

Chairman McNulty stated I abstain. Motion carried by a vote of 4 to 0.

Board Member Montesano stated very good.

Chairman McNulty stated is that well done, Rich.

Board Member Brady stated we took care of it.

Chairman McNulty stated make a motion...Any other business. Anybody have anything to say. Ron. Mike. Make a motion...

Board Member Montesano stated good night.

Chairman McNulty stated to adjourn.

Board Member Montesano stated second.

Chairman McNulty stated all in favor. Motion carried by a vote of 5 to 0.

Meeting was adjourned at 7:45 p.m.