

**TOWN OF PATTERSON
PLANNING BOARD MEETING**

APPROVED
12/2/04 MB

October 14, 2004 Work Session

AGENDA & MINUTES

1) **Burdick Farms Subdivision**

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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

ZONING BOARD OF APPEALS

Howard Buzzutto, Chairman
Mary Bodor
Marianne Burdick
Ginny Nacerino
Lars Olenius

PLANNING BOARD

Herb Schech, Chairman
Michael Montesano
David Pierro
Shawn Rogan
Maria Di Salvo

**Planning Board
October 14, 2004 Work Session Meeting Minutes**

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

APPROVED
12/2/04 MSB

Present were: Chairman Herb Schech, Board Member Mike Montesano, Board Member Dave Pierro, Board Member Maria Di Salvo, and Rich Williams, Town Planner.

Meeting called to order at 7:30 p.m.

The Secretary was not present.

1) BURDICK FARMS SUBDIVISION

Board Member Rogan stated nice job correlating it all.

Rich Williams stated I was not going to put a big level of effort into this. I mean I put a lot of time correlating it as is.

Rich Williams stated what this is is I have gone through it and these are basically the comments that are not in Kellard's list.

Board Member DiSalvo stated they mention a lot about the DEP with the East Branch reservoir and limiting the phosphorous and Great Swamp.

Rich Williams stated I don't know how you want to do this, how you want to approach this, whether you want to talk about how you feel some of the responses should be or whether you want to identify comments that are just not germane to the discussion and probably don't belong in there so we can focus this or focus on the comments Christine did not identify as needing to be in the Supplemental Environmental Impact Study.

Board Member Rogan asked a question but the tape faded out not able to transcribe.

Rich Williams replied those are comments that we received that are not in Christine's comments.

Board Member Rogan asked so this is a compilation of the meeting or through the public comment period. These are the comments that are not included what she basically did not include on purpose saying that they were not relevant.

Rich Williams replied well if you are doing this we both basically did the same thing we took all the comments, we took the minutes from the public hearing and we went through and tried to glean out the relevant comments that need to be addressed. What I gave you is what I saw as comments and I am not saying they were relevant or germane or should be answered but questions that were asked by the public or comments that were not included in what Christine did. Now, if you go through Christine's there are going to be comments that she has in there that are somehow related. She did an excellent, excellent job at pulling the comments out and there wasn't a lot I think that in the end will not be answered. Just to give you an example a lot of the comments in here are from me but they are very technical comments related to things that need to be addressed on the subdivision plat and really don't need to be involved in SEIS so I mean I would not recommend that they get put in the SEIS.

Board Member Rogan stated we rely on our technical people to do the technical review so therefore I would rely heavily on Rich and Gene and Ted to pull the comments out of this that they say you know what based on our professional opinion yes they need to be answered and we are looking at it does it make sense, is it reasonable but I would rely on their judgment on that. I think we are looking for some of the more generalized comments in terms of the phosphorous restricted basin they either have to address or they don't have to address it. They seem pretty straight forward whether or not the project or the area of the project has an impact. There were comments on there from Mr. Dumont that I guess in my mind I thought they were ridiculous but maybe because I knew the answer. In other words, he says there are areas that appear that they are building septic systems on areas that are well over twenty percent slope. A simply statement from the project sponsor saying that Putnam County Sanitary Code does not allow septic systems on greater than fifteen percent slope that addresses that but maybe they need to look at it and say, he particularly set out ten or fifteen lots that he listed as having so have them look at those lots maybe the guy does not know how to figure out slope.

(Problems with the tape, some statements unable to transcribe)

Rich Williams stated I had a conversation a week or so ago with somebody who does the reviews for the DEP and they said something very similar to that that a lot of times they just don't like a particular project because of what they perceive or too many problems and they will actually throw things out that they know really aren't relevant but just to throw out hurdles. We were specifically talking about this whole issue about when does a curtain drain create a stream okay maybe technically now you are discharging ground water to the surface yeah in any other instance but it is still really a curtain drain. He recognized the absurdity of that remark and yet still said that we threw it out with the intention of putting up a stumbling block.

Board Member Pierro asked but can curtain drains create vernal pools.

Rich Williams replied no not vernal pools; Board Member Rogan stated he is talking intermittent drainage courses. Rich Williams stated but what is a stream. A stream is a discharge of ground water to the surface in a somewhat state of flow technically yeah I mean a curtain drain that is discharging or several curtain drains could actually create a new stream.

Board Member Rogan stated okay but more of the crux of that question would be okay it creates a stream but does that stream then have to be treated as if it were a naturally occurring stream with setbacks and certain things like that reasonably speaking you might say no it is a man-made creation you have to channel it, you still have to address it, you have to make sure you are not creating an erosion problem but to then take that and treat it as if it were a naturally occurring an intermittent stream such as what we see on that subdivision down on 311 coming off. I would say that you need to address it but you don't need to treat it the same way in terms of setbacks.

Rich Williams stated to expand on that it does create a stream at what point does it become a regulated stream where it starts affecting all your setback and everything else because when you are building these things it does not exist so do you then have to meet setbacks using a basic assumption that at some point in the future it will exist.

Chairman Schech stated it is beyond our scope I think isn't.

Rich Williams stated yes I think we are getting a little off track.

(Tape fading in and out)

Board Member DiSalvo asked are any of these curtain drains draining into an existing stream that is there.

(Tape fading in and out)

Chairman Schech replied it is going into the wetland that is there.

Rich Williams stated they are now a concentrated flow of water so you have to safely discharge to a stream someplace or discharge to a level spreader.

Board Member Rogan stated diffuse it over the ground.

Rich Williams stated that is a pretty difficult thing to do I mean it is great in theory it does not always work.

(Tape fading in and out)

Rich Williams stated that is what I am saying you have to convey that quantity of water to where it becomes assimilated so it will no longer will impact anybody else's water. You can't create a new channel flow that is going to impact somebody else's property. In this case, what he is doing is he has got this big swale along the property line that all of this is discharging to the increase in surface runoff is running to and he is conveying that all the way the whole back length of the property to the south to where he gets to a wetland and stream which drains also off of Noblet's property on to this property in which he can discharge into.

(Tape fading in and out)

Rich Williams stated Mr. Noblet has raised the issue about this may be a vernal pool. We have been out there several times it did not appear to have the characteristics of a vernal pool all this time nobody has flagged it as a vernal pool but and it will be interesting to see how their consultant responds because conversations with him and with Ted both the only certain way to determine whether it is a vernal pool

(Tape fading in and out) Rich Williams stated and this is what they are trying to do that effectively delays this project if we can't answer that question and it is valid and an important question.

Board Member Rogan stated unless the project sponsor says okay we will concede that it is a vernal pool regardless of whether it is or isn't. That is the other option so there is an option in other words.

Board Member Rogan asked if the swale you were saying and actually I had not looked at it this way; if the swale is going to discharge to the south doesn't that bring all the water away from the vernal pool.

Rich Williams replied yes that is his concern. All this time Mr. Noblet has been in here saying you are discharging water onto my property, you are making me wetter you can't do that and now he is coming in and saying you are diverting all the water from my property, you are going to dry my pond out, you are going to dry the vernal pool out, you are going to dry the wetlands out.

Board Member Rogan stated the pond gets the water from the stream there so that comes off so that is not really (Tape fading in and out).

Board Member Rogan asked how do we want to I can feel myself getting into a hap-hazard approach where I can think of comments that I want to jump out but they may be buried in the text in other words should we go through this.

Rich Williams stated I am not sure what you want to accomplish with all this whether you just want to go through these and generally talk about them and see what you think the responses might be. Certainly it would help me when they are coming back in like you said your technical people we have to do a completeness review on this.

Board Member Rogan stated I noticed one of the concerns was the field testing with the septic areas and the curtain drain I don't think we have seen the actual readings from those curtain drain monitoring to see whether or not they are affective. What I would like to see, I get confused sometimes with the fine line between looking at something that is the purview of another agency but yet still wanting to look at it to make sure that the other agency is taking things into consideration; for instance it seems that I have heard people say that the soils up there are such that they tend to hold water. It is not the kind of soils that tend to give up water readily and so I would wonder how good a curtain drain is going to be at collecting water and protecting an area. If you only have one or two piezometers you are only getting where those points are and I would wonder whether or not the water would say go under the curtain drain or how those curtain drains are ultimately going to affect those septic areas. Everyone would agree that it is not a great idea to put a septic system where you have ground water up to within two to three foot of a surface whether or not you can ultimately lower that ground water becomes the question.

Board Member Pierro asked isn't that the attempt now they feel they can.

Rich Williams stated that is why they installed these curtain drains and are monitoring them to demonstrate whether they can do that. Here is your double edge sword with this I mean as Lead Agency you are obligated to look at that information and make sure it is efficient for the regulatory agency to make an appropriate findings so you yes also have to look at it.

Board Member DiSalvo asked some of the lots are requiring a lot more fill (Tape fading in and out)

Board Member Rogan stated that becomes a situation where the fill that you are bringing in it has to meet certain criteria so that is more of a known than what is down below I would think. It is within a range. That brings up a point if you have a soil that has some clay in it or some silt in it, some fines and you put bank run even scraping off there is no topsoil up there basically on most of these lots but scrape off the top vegetative layer do you end up with a layer of bank run that the water perks down through because it is fast perking soil by the very nature and then it hits that and sheet flows because it does not want to absorb into the ground I don't know. I don't want to say it as if I know the answer because I don't and I am not an engineer and that is where I would look to Gene and to the project sponsor.

Rich Williams stated but it is a common practice it is done on most every septic system that the Health Department who really has the expertise in all this.

(Tape fading in and out)

Board Member DiSalvo stated I know when we put our septic in we did not add anything.

Board Member Rogan stated you probably did not need it.

Board Member DiSalvo stated and we put a big tank in.

Board Member Rogan stated the tank has nothing to do with it.

Board Member Pierro stated the soils may have been adequate for it.

Board Member Rogan stated most times fill is only put in most times because of depth to like ledge. You go down four and a half, five feet you hit ledge, and you need fill. In some cases it is because of ground water. In some cases the curtain drain can lower that ground water depth and so you don't need fill. In other cases it needs a curtain drain and fill.

Board Member DiSalvo stated and then there was a concern about septic leaching into the curtain drain and going out into a stream.

Rich Williams stated these things are designed I mean there should be no way for the septic system leachate to get in, in theory with adequate separation now I did say in theory.

Board Member Rogan stated I can say that I don't know of a curtain drain that I am aware of that has had that occur because of that as long as it is designed what normally happens where it is a problem is when the curtain drain is continued around the size of the system which it shouldn't be that is when you go into solid pipe so it can't get that. Sometimes people put in the perforated pipe and it will (Tape fading in and out). Let's face it water finds its path of least resistance and if that path of least resistance short circuits into a drain water will go through there. I have concerns about I would like to see the reading on the piezometers and (Tape fading in and out). I would not even mind seeing that monitoring over laid over a rainfall data sheet something like that shows hey we just had some really fifty year floods if not hundred year just in the last couple of months and I would not mind seeing how those levels fluctuated.

Board Member DiSalvo asked somebody is keeping records of all those up there.

Board Member Rogan replied yes the project sponsor at one time we had said the Town was even going to monitor those whether it be Gene or someone from the Town.

Rich Williams stated I thought the Health Department was monitoring.

Board Member Rogan stated they have been.

Board Member DiSalvo stated getting back to the curtain drain, we put a curtain drain in at the farm because the neighbor next door's pipe under the driveway was flooding the front field so Ted told us to put a curtain drain in (Tape fading in and out) the ground is frozen but most of it is all surface water coming right across that front field.

Board Member Rogan stated it should be gravel up to the surface though.

Board Member DiSalvo replied it is.

Board Member Rogan stated and the gravel doesn't usually freeze.

Rich Williams stated when the ground freezes usually the surface water freezes.

Board Member DiSalvo stated I have seen it come like a stream across there so how would that affect a lot of these curtain drains.

Board Member Pierro stated ground water freezes and you get water on top of that.

Board Member DiSalvo asked and where does that go.

Board Member Pierro stated it sheet flows.

Board Member Rogan stated these curtain drains are not designed I don't think for surface water. They are not going to be gravel to the top they are designed for water underground so it won't be frozen. If it is frozen it won't be flowing.

Board Member DiSalvo asked so where is all the water going to go that is on the surface.

Rich Williams replied I don't really know.

Board Member Rogan stated well that would be normal sheet action right over the top like any other area that is frozen but you know if the surface water does perk down in isn't going to be a concern for the septic system either.

Board Member DiSalvo stated there was something else in here about allowing like x amount extra land on a lot for the septics.

Board Member Rogan stated they said they did not notice, one of the comments was they didn't notice the designation of expansion area. It is done all in the same box. When you see that box on there that is primary and expansion so that is just a misconception of the way the plans were drawn.

Board Member Rogan stated sometimes the box does not take into account grading and that is where you can get into an issue especially when they are ten foot off the property line and you have some slopes and you start running with either some fill or something that is where we have got to be a little careful where they start running off the lot with grading.

Board Member Montesano asked Shawn have you ever run in, in the office I am talking about you get a plan for a septic system that gets approved, this is the size of the septic system now the house is built, everything else who tests to see if the septic system is that big or can they get away with just putting in something that is working.

Board Member Rogan stated you are talking brand new construction, what they design see what happens on a subdivision is they design the layout and they put the box that we are talking about that is based on field testing and the field testing says okay for this house at a four bedroom it is going to need six hundred foot of fields plus expansion and they design the box. The box is supposed to be the area that is approved then once the subdivision is approved each individual property comes back for an individual review. It has a whole another review. Dutchess County does it differently, Dutchess does it all at the subdivision stage, Putnam you do an individual review on the house. Now say Harry Nichols comes in and he says okay we are going do five hundred foot of fields, a twelve hundred and fifty gallon tank whatever the case may be and our inspectors, County Health Department Inspectors go out and actually inspect the system before it is backfilled, every single pipe, every single box, everything and then it gets an as-built sketch which shows the dimensions needed to locate all the points in that system.

Board Member Montesano stated there are houses in Southeast that were built and that was the size of the septic system and when the house was built and that was the size of the system because the problem with the house and he dug the whole bloody thing up and when they were supposed to come over here to dig out they were digging and digging and there was no bank run, no pipe no nothing they stopped here they came out of the box and they had pipe that went here and it went nowhere.

Chairman Schech stated that was right up here on Manor Road my friend's house.

Board Member Montesano stated we were selling that property and let me tell you.

Board Member Rogan stated that I would hope is the extreme rarity but I don't know how something like that could have happened without looking into it.

Chairman Montesano stated well it happened. There has been more than one case where things have happened.

(Discussion ensued regarding mishaps with septic systems and such)

Board Member Rogan stated on the front page the DEP statement on the roadway. I know that we have gone round and round on this if it came into today I would feel strongly that I would push for making some sort of recommendation for a boulevard, not the best idea for a front blockage but every time I drive into the subdivision that I am thinking of that has that seeing the lengths I think that it is rare that even a school bus would completely block both the entrance and the exit.

Board Member DiSalvo asked do you mean a loop is that what you are referring to.

Board Member Rogan replied it is not a loop what they do is they put a divider in and it does not have to be a permanent divider not permanent it does not have to be a continuous divider it is an island type of divider. In many cases it is only for the first couple of hundred feet just to get the traffic flow but they are extra wide also to make this a short statement, to not get too far side tracked given the fact that the intrusion into the wetlands is so great for the secondary access road and really basing my whole statement on that secondary access that there does not appear to be a really good place to put the darn thing without impacting the wetlands or gaining easements that would be needed I would probably be amendable to a boulevard concept and extending the length by five hundred or a thousand feet and then allowing the two driveways. Granted, they would lose some lots but that would be where I would personally push them.

Board Member DiSalvo asked doesn't Tierney recommend that too in here.

Board Member Rogan stated the concern of blocking off that front I think isn't as strong as the concern of pushing through that wetland.

(Tape fading in and out)

Board Member Pierro stated some of this Board was not here eight,

Rich Williams stated I understand that but I am saying the Board made a decision and I will give you a little bit of history and why. If you want to reverse yourself you can. Way back because I was on the Planning Board at that point and one of the things that we were concerned with this whole boulevard concept this is a very (Tape fading in and out) circumstance but if we allowed the boulevard here and said that the boulevard in itself would allow you to extend it past that minimum then we will have two thousand, three thousand, four thousand foot roads and not make the connection and we would have (Tape fading in and out).

Board Member Pierro stated I totally understand that thought.

Board Member Rogan stated and I completely agree with that.

Board Member Pierro stated and I agree with it but I don't think in this time with the limit for the amount of land that we have to build on it is as viable anymore. The only one that really concerns me is Pescatore has that additional land out there behind his place and I think he has got two thousand feet plus another seventy-five acres back there where the barn is.

Rich Williams stated but that is what I am saying is you take that fifteen hundred feet with a boulevard concept and throw it right out the window.

Board Member Rogan asked can you though and I completely agree I am making a statement that admittedly is idealistic admittedly there is no doubt about it but can you take into account a situation where in order to get that secondary access you have to cross a regulated wetland versus someone who has the opportunity by some other avenue to gain secondary access by not crossing. Each project is unique I realize that and that is why we are a Planning Board if not they would not need us. I can appreciate and understand that concern.

Board Member Pierro stated if we were to flip and go to a two thousand foot roadway I think we could in the wet lot area that are marginal lots, high water,

Board Member Rogan stated you are talking about the lots that they are basically saying they feel the only reason for this road is to access them (Tape fading in and out).

Board Member Rogan stated I think the ones they would lose a few of would be out by the wells and the plateau because they are so far away from where the terminus of where that boulevard would be.

Board Member Pierro stated but our Town Code has changed in recent days, years didn't we limit the length of a private driveway.

Rich Williams replied yes.

Board Member Pierro stated so they may not lose.

Board Member Pierro stated we could very well have a longer road, a longer boulevard concept without an intrusion into the wet lots there, without the bridge, extend the project out because it is a lineal site.

Rich Williams asked how long of a boulevard are you talking about.

Board Member Rogan stated I know fifteen hundred feet doesn't get you anywhere.

Board Member Pierro stated fifteen hundred feet gets you to the area where, Board Member Rogan stated the beginning of the alfalfa lot I know it is not far I know I have scaled it. You would really need to be twenty-five hundred feet.

Rich Williams stated forty-five hundred feet gets you passed the bottleneck.

Board Member Rogan asked where is the bottleneck.

Board Member DiSalvo asked do we have a map.

Board Member Pierro stated that is on top of the center lot where,

Rich Williams pulled the plan and showed the Board the bottleneck.

Board Member DiSalvo asked so eliminating some of those houses would take them off the ridge.

(Tape fading in and out)

Board Member Pierro stated I would like to move the whole project forward, get it off the steep slopes away from the view shed.

Board Member Rogan stated the view shed is the front part of the property.

Board Member Pierro asked how about a single road from extra wide, maybe move some of these lots in here in the view shed.

Board Member Rogan asked Rich you are saying the bottleneck right here is forty-five hundred feet.

Rich Williams replied no back to about here.

Board Member Rogan stated again, you are saying big numbers I was thinking that if you could get to somewhere in this neck by twenty-five hundred (Tape fading in and out).

The Board reviewed the plans for a few minutes.

Board Member Rogan measured out the feet to two thousand.

Rich Williams stated I was off.

Board Member Pierro stated there are not that many houses back in there.

Board Member Rogan stated you would never reach these but even if you could get I think the problem is just looking at it though I could see saying to somebody we are willing to accept the idea instead of going through the wetland if you want to propose it we are willing to accept a twenty-five hundred foot boulevard. (tape fading in and out). It is a heck of a reason not to extend it.

Chairman Schech stated the thing is if you put a boulevard there you are going to knock all those houses out in that little section no.

(Tape fading in and out)

Rich Williams stated now you are talking about a much wider road too.

Chairman Schech stated in back of Burdick's property.

Board Member Rogan stated I guess that would depend because you are only talking no I think you would still have them. Ultimately, they may end up losing a couple of lots but they may also end up I mean because these lots here are still approachable from a boulevard concept. (Tape fading in and out)

Rich Williams stated like I said we went round and round somebody asked me this the other day I think we went about eight months trying to figure out just a road configuration that would be acceptable and try to meet the Code. It is an impossible site.

Board Member Rogan stated the subdivision that I keep going back to I would venture to guess that their road lengths are from here to here I think we did it I think they were a mile.

Board Member DiSalvo asked which one.

Board Member Rogan replied right here on 312 cross the railroad tracks on the left as you are heading towards Brewster away from Carmel. It is a boulevard you go up about a quarter mile there is a dog leg off to the right that goes a quarter mile into a lollipop and it continues straight for another quarter mile. It is a long, long drawn out I mean it reminds of this.

Board Member DiSalvo asked how does it work for them.

Board Member Rogan stated I don't live there but every time I drive in and out it looks like it works beautifully. The actual boulevard itself even though the road is really wide for the main vein, the islands only go in the first five hundred feet maybe even only the first three hundred feet past there it is an open road but it is exceptionally wide and then the roads that branch off, there is one road that branches off to the right that is just a normal width road I would say normal twenty-two, twenty-four.

Chairman Schech asked which one is this the one by the junkyard.

Board Member Rogan replied yes you just pass over the tracks you go another eighth of a mile and make the left. I don't know what it is called. The first house in unfortunately does not fit the subdivision.

Rich Williams asked heading towards Carmel.

Board Member Rogan replied no heading towards 22.

Rich Williams replied I know where you are I did not realize those roads went that far back in.

Board Member Pierro stated it goes up behind the farm that is on the corner across from the deli it goes up behind that.

Board Member Rogan stated what we would be doing and I apologize for throwing a monkey wrench in on this one.

Board Member DiSalvo stated it is a big issue.

Board Member Rogan stated well it is a big issue with this whole wetland thing.

Board Member Montesano stated the one thing that we have to look at as much as we continue (tape fading in and out) he has put the investment in.

Rich Williams stated Christina asked me today if the Board would consider a boulevard.

Board Member Pierro stated they know that is going to be a nightmare. This is going to kill this project for them just going through that wetlands it will kill it. They now know it. They read the handwriting on the wall. They know we will turn it down.

Board Member Rogan asked how do we turn it down when we,

Rich Williams stated wait, wait, wait we have directed them to go through the wetland.

Board Member Pierro stated I know that but they now know, Board Member DiSalvo stated not this Board, Rich Williams stated you think that this Board can now turn around and deny them on that.

Board Member Rogan stated I don't think that is what he meant but other involved agencies.

Board Member Pierro stated no that is not what I meant other agencies are going to put a blocker on that.

Rich Williams asked who.

Board Member Pierro replied Army Corp., Riverkeeper.

Rich Williams stated Army Corp. isn't going to put a block on it. Army Corp. is federal and they are just going to do the least administration. The Riverkeeper, Clean Watershed Coalition they may try legal challenges they are going to try legal challenges anyway.

Board Member Pierro stated they don't want to go through that.

Rich Williams replied no nobody wants to go through it. We certainly don't want to go through that and they may be suing us if you grant that approval.

Board Member Rogan asked the question becomes how far can you reasonably, how far can you support extending the roadway standard. We said all the time whenever we do things we have to make sure we set a record. We have to make sure that we say the reason we are considering this is because of this wetland, it is the best of a ridiculous area but it is still a huge (ape fading in and out).

Board Member Montesano asked now you are going to extend this because of pressure from this (tape fading in and out) is that what your biggest fear is that you are going to get pressure from certain groups because of this.

Board Member Pierro stated no.

Board Member Rogan stated no I don't think that,

Board Member DiSalvo stated if we approve this we are setting a precedence that you could build a road and a bridge through a wetland.

Board Member Rogan stated Mike, I am glad that you brought that up but I think the reasoning is that (tape fading in and out) the majority of this Board does not really like I would venture to say that none of us like the idea of crossing this nobody,

Rich Williams stated nobody wants to go through a wetland.

Board Member Rogan stated nobody wants to go through there everybody agrees to that. Hey, provide secondary access that is where I would have put it if our Board said hey, they need secondary access that is exactly where I would given the constraints that the only area they have is from here to here. (Tape fading in and out). I would say to come in with a boulevard I mean honestly probably all of us would say if this came in today we would say put in a fifteen hundred foot roadway and do what you can. We have said that several times, come in with your fifteen foot road if you can only get ten lots I am sorry that is the layout of the property until such time as there is other access or they gain access by other property. We all know this is ridiculously steep down through here. (Tape fading in and out). That is not our problem either.

Board Member Pierro stated and there is no access down here correct.

Board Member Rogan stated no.

Board Member Pierro stated even if they were to buy the land up the road.

Rich Williams replied I have no idea we never really evaluated that.

Board Member Rogan stated the closest access would be right here.

Board Member Pierro stated we went down there on our site walk there are some watercourses through there.

Chairman Schech stated the only thing is go past Jerry Herbst's house.

Board Member Pierro stated we had talked about that but that property has been bought up, the adjoining fifty acres has been bought.

(Tape fading in and out)

Rich Williams stated nobody has really evaluated whether there maybe some way (Tape fading in and out) at this point we really have no idea we have to make the assumption that at this point it is not feasible because we can't see anything.

(Tape fading in and out)

Board Member Pierro stated they sold the land where the barn is.

(Tape fading in and out)

Rich Williams stated I think they did that with the intent at the time the Board was telling him no uncertain terms that there was a big impact from what they are doing on the road that the best solution for straightening the road would be to remove the barn, fill in that area (Tape fading in and out). So, what they did was they went away for awhile, the manager who was doing this sold the property and then came back and said sorry guys can't do what you want and the Planning Board said tough go buy it back.

Board Member Montesano stated he never got the project we are still sitting here with this project and one of the statements we made is that road is going to be fixed and he knows it.

Board Member Pierro stated he has intimated that he would (Tape fading in and out).

Chairman Schech asked explain to me this boulevard stuff again.

Board Member Pierro stated we are leaning to flipping on our, it is not really going to be that difficult Herb.

Chairman Schech stated in order to save the wetlands; I want to save the wetland,

Board Member DiSalvo stated you don't want to set precedence that we could do this in Patterson.

Chairman Schech stated and we are paying attention to all the comments especially Noblet's. We don't want this bridge in his backyard so what this boulevard will go to where.

Board Member Rogan stated that is a whole another, Board Member Pierro stated that is a discussion that has to take place.

(Tape fading in and out)

Rich Williams stated there is a couple issues here; the current Code says you can't have more than a fifteen hundred foot road with one (Tape fading in and out).

Board Member Rogan stated a boulevard may not be as specific as that.

Rich Williams stated now there is two thoughts here one is a boulevard because it is really two separate lanes it really does not qualify for that. The Planning Board eight years ago said well yes it did. The other concept is if you go with a boulevard that relieves some of the safety issues and therefore you can extend it. You can waive that fifteen hundred foot requirement.

Board Member Montesano asked a boulevard, you were mentioning you bring it in you stop x amount of feet in with the islands.

Board Member Rogan stated well I don't care which way to go.

Board Member Montesano stated what I am saying is this we want the islands all the way through.

Board Member Rogan stated I would agree with that Mike.

Board Member Montesano stated for the simple reason the next guy that comes in when he sees the cost of that and the fact that no matter where this road goes it is going to be an island up to here over to here it is going to be island so that means it is going to have to be wider, you are going to have to islands in it that have to be maintained and the object is that is expensive.

Board Member Montesano stated now that gives us the opportunity to say look, this is how we did it with him if you want to do that and it is conceivable that it can be done that is what you are going to have to do. If you want that design with a boulevard it has to be through the entire project.

Board Member DiSalvo asked how does the people get on the other side of the road.

Board Member Montesano stated they are broken.

Board Member Pierro stated they have breaks in the islands.

Rich Williams stated that does raise an issue is there are some circulation problems because you don't have a break at every driveway usually so some people will have to go down and what they do is they find these breaks and cut through.

Board Member Rogan stated there is no doubt about it. There are concerns that it brings up. To kind of lay this to rest, Chairman Schech stated don't forget also our out is the fact that we want to save the wetlands.

Board Member Rogan stated and I am glad that you bought that up. Maybe what we should do is put this to rest for now but everybody who is interested in take a drive by and drive up and down that subdivision to get a because we don't have any boulevards that I am aware of.

Board Member DiSalvo stated why don't we do a site walk.

Rich Williams stated actually we put forth again the concept of a lollipop and Charlie said no he would not take a road with a lollipop.

Board Member Pierro asked where was that.

Rich Williams stated Paddock View.

Board Member Rogan asked is it a lollipop if it has got a big island in the middle or is he looking at these great expanses of pavement versus a road that (Tape fading in and out).

Rich Williams stated a lollipop has an area in the center of the cul-de-sac that is not paved so you have to drive all the way around.

Board Member Rogan stated so if you took the same lollipop but continued the boulevard concept but that island, keep your widths that you need for the two way traffic boy that seems like a huge area.

Rich Williams stated this is something that I want before we walk away from this when you talk about a boulevard what standards are you talking about. Right now we have got basically two twelve foot wide lanes.

Board Member Rogan stated no they are wider than that.

Rich Williams stated no I am saying right now we are doing twenty-four foot wide roads,

Board Member Rogan stated you would want them wider.

Board Member Montesano stated they have got to be a minimum of eighteen feet, what I am saying is you have got eighteen feet on this side and eighteen feet on this side the center of it is going to have an island in it.

Board Member Rogan stated the island is like five about four to six feet.

Board Member Montesano stated so now you are sitting here you have got a fourteen foot and a fourteen foot if someone breaks down here I can still get around him. If the plow truck comes by,

Board Member Pierro stated it is a great place to put snow too.

Board Member DiSalvo asked what about are you going to put trees on the island.

Board Member Rogan stated you know I think there are trees.

Board Member Montesano stated you can put trees if you want, Rich Williams stated it is always a problem.

Board Member Montesano stated now I will tell you what the community is going to have its own water district, its own lighting district if they have a homeowners association that wants to do something to beautify the island let them do it.

Board Member DiSalvo asked what if they propose street lights.

Board Member Montesano replied no we propose street lights. (Tape fading in and out)

(Too many talking at the same time unable to transcribe).

Board Member Rogan stated I would have to take a tape I would guess and say they are probably fourteen, fifteen foot wide. (TAPE ENDED).

Board Member Montesano stated the only place you really need those lights is wherever there is that turn to go into the lane on the other side when you are going to come down the road so you are prepared to make that turn, there may be a streetlight at that intersection so you can see what you are doing when you come around plus that with the plow coming by you don't want him burying the turn around and the guy could never get to his house.

Board Member Pierro stated I lived on this type of a boulevard growing up. (Tape fading in and out).

Chairman Schech asked are you happy with this.

Rich Williams stated but there are other considerations.

Board Member Pierro stated it is a possibility.

Board Member DiSalvo stated it is a good alternative.

Board Member Rogan stated I would say drive into the thing and get a feel for it remember their islands don't go the whole way.

Rich Williams stated I want to throw these two things out; they are significantly more in maintenance and they are significantly more in impervious surface so you are going to have a lot more (Tape fading in and out).

Chairman Schech asked what is your,

Rich Williams replied me I would rather lose the wetland. I will tell you why and this is just me personally my big thing right now is stormwater, pollutant runoff and the amount of phosphorous. I want as much vegetation in this area as I possibly can.

Board Member Rogan stated I completely understand that.

(Tape fading in and out)

Rich Williams stated I love the concept of a bridge.

Board Member Rogan stated I agree with that too because it is a concentrated area. Let's face it where we looked for the crossing isn't much of a wetland area. It is a channelized stream call it what it is. I don't think it is much compared to what you have up there.

Board Member Rogan stated (Tape fading in and out) fifteen hundred feet do what you want and stay the hell out of the wetlands.

Rich Williams stated and that would be fine I would go along with that.

Board Member Montesano asked did they ever get permission to exit onto the road.

Rich Williams replied they have the right to exit in that area.

Board Member Rogan asked which road.

Board Member Montesano stated I know that was one of the questions we had talked about if they had the right.

Rich Williams replied no actually what one of the things that was being proposed, Board Member Montesano stated was up here, Rich Williams replied yes.

Board Member Pierro stated they didn't have the right.

Rich Williams stated but because Burdick owns this and this he owns the whole road through here.

(Tape fading in and out)

Rich Williams stated they are not proposing it now because as far as they are concerned it was put the bed years ago.

Board Member Pierro stated you said she asked you yesterday.

Rich Williams replied she asked me today how the Planning Board would feel about the boulevard.

Board Member Pierro stated well maybe they are going to come forward with something.

Rich Williams stated and I said Christine, the Planning Board made a decision years ago and I have never heard anything from the Board to change that. Now, if you want me to call her tomorrow and say if you guys want to consider it.

Board Member Pierro stated no just say that look, I spoke to the Planning Board about your request or about your, Chairman Schech stated suggestion, Board Member Pierro stated about your suggestion they would like to hear what you have to suggest.

Rich Williams replied I can do that.

Board Member Pierro stated they will listen to your suggestion but there has to be I mean we are going to save them some money on that bridge they have to be more reasonable. In a perfect world I would like to see thirty-two lots, thirty lots I would like to get off this thirty-seven lots, five or six lots maybe more, Board Member DiSalvo stated it may appease a lot of people too.

(Tape fading in and out)

Board Member Pierro stated if we go to twenty-nine they are going to bitch.

Rich Williams stated I go back to Bob Dumont standing up at a meeting with eighty-one lots and saying God, if I could get this down to forty-eight I would love it.

Board Member Pierro stated I should have tape recorded him that day when he told me that.

(Tape fading in and out)

Board Member Montesano stated let's for arguments sake instead of making two eighteen foot sections you are going to make them fifteen feet, you are talking about,

Rich Williams stated I would have to pull out some design standards on boulevards.

Board Member Montesano stated that is going to be a hell of a lot of blacktop. The islands will alleviate some of it.

Board Member Rogan asked currently how wide is the pavement.

Rich Williams stated that is what I said you are basically talking right now two, twelve foot lengths, a twenty-four foot wide road.

Board Member Pierro asked the road standard now is twenty-four foot.

Rich Williams replied it is twenty-four foot wide road.

Board Member Pierro stated if we stick to the twenty-four foot we are not increasing the impervious surface.

(Tape fading in and out)

Rich Williams stated now you are going to a four to five foot center island with two fourteen to sixteen foot lanes with still your four foot so basically you are increasing the right of way now.

Board Member Pierro stated but not increasing the impervious surface.

Rich Williams stated no you are quite a bit. You are going from twenty-four to thirty to thirty-four; no you are going from twenty-four to twenty-eight to thirty.

Board Member Rogan asked what would be the purpose if the original design is that there is two twelve foot lanes basically splitting those lanes by a median in affect creates the separation what would the purpose be for increasing them above the twelve feet. Say from twelve to eighteen feet.

Board Member Montesano stated you are going to need the median.

Board Member Rogan stated that we understand.

Board Member Montesano asked how wide is the median.

Board Member Rogan replied so let's say it is six feet.

Board Member Montesano stated so now you went from twenty-four now you are at thirty feet.

Board Member Rogan stated what I am saying is what would the purpose be in extending,

Board Member Pierro asked but why are we increasing the impervious.

Rich Williams asked fourteen to sixteen why are you doing the boulevard in the first place.

(Tape fading in and out).

Rich Williams stated right up front I have not done a lot of work, we don't do boulevard in Patterson so I don't have a lot of experience with design standards for boulevards. I would have to go into the books and pull out some standards.

Chairman Schech stated snowplowing is a pain you have to go back and cut through all the cross over's.

Board Member Rogan stated yes that is one thing and maybe that is why they only did as far as they did on that one.

Rich Williams stated that is what I said these are a maintenance headache for the highway department.

Board Member Montesano stated if you go look at the ones out in the Island it is beautiful. There is seven hundred, eight hundred, million dollar houses sitting down this thing.

Board Member Pierro stated it is a great place to put snow though that four or five feet in the middle is a great place to put snow.

Board Member Montesano stated because I will tell you this they don't put the snow on these other people's lawns. They can't put it on the island not with the taxes that those people are paying. They come through with a plow and they push it, then comes a guy with a bucket and he scoops it up and they don't dump it on lawns they dump it in the trucks and pull it out and I have seen it done every snow storm.

Board Member Pierro stated well I never had that experience. In the residential area where I lived they used to put a great portion of the snow on the islands but they were twelve foot wide islands.

Rich Williams stated but they were plowing out the center lanes that were open between the islands. In other words there are breaks in the islands.

Board Member Pierro stated at the cross streets they had to. At cross streets they did not have median breaks.

Rich Williams asked okay did they break it for driveways and things like that.

Board Member Pierro replied no. The only time there was a break in the island was at a cross street.

(Tape fading in and out)

Board Member Rogan stated at this point forward is where you have twenty-eight lots so in other words in affect you could probably squeak thirty-one lots by ending roadway somewhere in this area, thirty-one lots you are reducing whatever the extent of this and this for well you would still need driveways but you know what I am saying. You potentially could get this down eight or nine lots and reduce that has got to be three thousand feet of impervious surface right.

Rich Williams replied probably.

Board Member Montesano asked but how much money am I going to lose by not putting all these houses in.

Board Member Rogan replied well if you are thinking in terms of lots you are losing say two hundred thousand dollar a lot.

Chairman Schech asked the ones down here is this where all the shallow soils are.

Board Member Rogan replied this is the woodland area. I don't remember them being shallow. I don't know.

Rich Williams stated the shallower soils are in that area.

Board Member Rogan stated but the point being that any increase in impervious surface from here forward may be augmented by the loss or balanced by this plus the,

Rich Williams stated that is true providing that nobody is developing fifteen hundred foot driveways to get back into those areas.

Board Member Rogan stated right but that could be a limit of our Board too.

Rich Williams stated two, ten foot; fifteen hundred foot driveways to get back there you are almost right back up to where you were.

Board Member Rogan stated I guess my point being we could certainly say to them look, we would consider a boulevard concept that went to let's say the three thousand foot mark but no driveways to extend past there or none more than say two hundred feet from the point or something to that affect.

Board Member Pierro stated we can waive the requirement for blacktop in there, say they reduce (Tape fading in and out).

Board Member Rogan stated what I was going to get to was you stop them at a certain length and then you say your total impervious surface can't be more than what you are proposing here. You leave it at that. That is even easier. We would be willing to look at a boulevard concept that does not have more impervious surface than what is already shown and maybe that is a simpler way of saying it.

Board Member Montesano stated you are going to have to have a driveway from here to go here and it is not going to be a gravel one although that is what they could offer but you tell me in the middle of January and we have three feet of snow piled there that when one of these wells go you are going to have to get to it so that means this is going to be blacktop.

Chairman Schech stated you can plow the gravel.

Board Member Rogan stated and look at the driveway they are proposing Mike. They are not even probably including that as part of their,

Board Member DiSalvo stated let's see what they propose.

Board Member Rogan stated everybody if you have any inkling to look at it take a look at that one and at least we have tossed around some ideas.

(Tape fading in and out)

Board Member Rogan stated it is interesting if she brought up the question they have obviously looked at it and said you know we probably could do and get this project done and get out of here.

Board Member Pierro asked has the most recent wetlands been verified by Army Corp.

Rich Williams asked no well are you talking about the issue with that small pocket wetland.

Board Member Pierro stated right.

(Tape fading in and out)

Rich Williams stated that extend to isolate to wetlands (too many talking at the same time unable to transcribe).

Rich Williams stated so if it is an isolated wetland that is not hydrological connected to a stream or a wetland that is connected to a navigable wetland it is not regulated by the Army Corp.

Board Member Rogan stated there is a comment further along that talks about, it is letter m on page 7, and it talks about the design of the stormwater basins. Have we ever designed any of our basins to have islands in them that would make the water travel around the island to get to the outflow.

Rich Williams stated we have not. There are standards to do that in the new design manual. (Tape fading in and out) getting the engineers to use the new design standards specific travel pathways that have to be followed to maximize your pollutant removal capability. (Tape fading in and out)

(Tape fading in and out)

Board Member Rogan stated to have some sort of a berm or island where the water has to go in and settle and actually flow around seems to make sense.

Rich Williams stated the only issue in doing that is you are taking up your capacity when you put this in. Now the pond has to get bigger and one of the biggest problems we have with designing projects now is everybody comes in and designs what they want to build whether it is fourteen lot subdivision or a forty-thousand square foot commercial site and then once they have got that all designed then they try to figure out where they are going to get their well, their septic, stormwater and they are squeezing these things in after the fact.

Board Member Pierro stated back to page 6, we recommend that the Applicant report on and demonstrate the effectiveness of the curtain drains that have already been installed.

Board Member Rogan stated absolutely.

Board Member Pierro stated prior to the grant of any SEQRA approvals for those septic systems.

Board Member Rogan stated SEQRA approvals for the septic systems would be at the Health Department stage though.

Rich Williams replied no, apples and oranges the regulatory approval is at the Health Department but you guys are going to have to make a Findings Statement that this document has adequate information for everybody to be able to make a reasonable decisions. There has to be enough information in there for the Health Department to be able to take a look at it and say yes it is reasonable to approve or deny the septic systems.

(Tape fading in and out)

Board Member Pierro asked for each individual septic systems.

Board Member Rogan stated you are talking about curtain drains.

(Tape fading in and out)

Rich Williams stated I don't think we are going to get and this gets into a question about what level of detail you need to put in these things and one of the problems we are having now some of the groups that are commenting are looking for fully designed stormwater plans, fully designed projects. The mandate of SEQRA is that a SEQRA Environmental Review be accomplished very early on in the evolution of a project and not at the tail end when you are expected to have a full design but at the very beginning and that the level of information within that SEQRA document should reflect that early stage of development. So, are you going to be looking at designing every septic system no I would say that is not something. (Tape fading in and out)

Board Member Pierro stated I want to know that they are going to work though.

Rich Williams stated you are going to be looking at ground water, flows, you are going to be looking at slope conditions, general soil conditions and if there is a specific area of problem area that jumps out at you then in that instance you may want some more detail.

Board Member Rogan stated it becomes a very difficult balancing act between what you ask for because I can see as a Board sitting up there trying to make an argument one way or the other not having all the information but not wanting the Applicant to fully design in that theory you would by granting a SEQRA determination it is like you are granting a final approval. You are at that point, I know that I am frustrated and confused with quite often as to how far we go with it.

Rich Williams stated it is a fine line.

Board Member Rogan stated it is not even a fine line I think it is a broad stroke that encompasses so many different things that,

Chairman Schech stated here it says the Lead Agency should evaluate the soil characteristics and consider denying those with steep slopes, poor soils and high bedrock. I always thought that was Health Department.

Board Member Rogan stated I agree.

Chairman Schech stated but I guess they are throwing it on us now.

Board Member Pierro stated they are throwing it on us.

Chairman Schech stated according to the Watershed Inspector General.

Rich Williams stated and to some degree it is your responsibility. If this project is showing all the septic systems built in slopes twenty percent or greater then you probably knowing what the Health Department requirements are would be obligated to deny the project or make a negative findings in SEQRA because it is one that does not meet the regulatory requirements, it doesn't minimize the impact.

Board Member Montesano asked if we come in and say these all look like they are twenty percent slopes, the Health Department says who the hell are you, and we want to allow it we can. I mean we are going by the book but how many times have we tried that to go by the book and get told mind your own business you are in our bally way, get out.

Board Member Rogan stated in other words, you are saying hey, if you guys can (Tape fading in and out) go right ahead knowing full well the other agencies are not going to approve it though.

Rich Williams stated I remember the fight I had on this project with Bruce Foley where he called me up because the Planning Board said you showed two wells; one is contaminated, one is not. They are proposing to put a green filter in to treat the water the Planning Board, me leading the charge said (Tape fading in and out). Bruce Foley called me up and said who the hell are you guys, (Tape fading in and out) there is a lot of other wells in the area which has this same contamination problem. I said we have got fifty

percent of the wells that they have drilled not being contaminated. We are going to take over the district so we have some authority in the first place plus we are lead agency in SEQRA wouldn't you want to send a clean water supply area up there, he said yes but we are the regulatory agency on that you shouldn't be (Tape fading in and out).

Board Member DiSalvo asked what is that green,

Rich Williams asked green filter to which Board Member DiSalvo replied yes.

Board Member Rogan stated I don't know enough about them to answer that. I know that a sand filtration unit, Board Member DiSalvo asked what attached to the well. Board Member Rogan replied I would imagine it would be an area adjacent to the well that the water gets pushed through, some type of a filtration where, Board Member DiSalvo asked through a pipe,

Rich Williams stated it is a big, big sand filter, a green sand filter with special,

Board Member DiSalvo asked you can see it or is it underground. They are going to sink two big wells,

Chairman Schech stated it is usually in a well house.

Board Member Rogan stated the wells are already there.

Rich Williams stated it is not something that you are going to see but it needs maintenance. Board Member DiSalvo asked like a infiltration plant like the sewage.

(Tape fading in and out)

Board Member Rogan stated the idea being that the water passes in and it catches probably the metals or the minerals are we talking manganese,

Rich Williams replied manganese and iron.

Board Member DiSalvo asked how does it come out through a pipe, I mean it is going in from a pipe and being filtered.

Chairman Schech stated like a swimming pool filter.

Board Member Rogan stated it has got to be something like that other than that unfortunately I don't know much more about that.

Board Member DiSalvo asked they still want to do that here.

Board Member Rogan stated they would have to in order to use this well.

Board Member Pierro asked what is the location of that well.

Chairman Schech stated right next door to one another.

Board Member DiSalvo asked they can't put another well in and see if they can get cleaner water.

Board Member Rogan replied well they could they have just chosen to,

Rich Williams replied that is what we kind of worked out with them is that you drill us one more well we will roll the dice if it comes up still contaminated pick your two wells. Now, they are coming back with a new engineer, (Tape fading in and out) the Health Department is going to approve this with a green filter.

Board Member DiSalvo asked the other well was a hundred percent clean.

Board Member Rogan stated no the other well has manganese it just meets the requirements.

(Too many talking at the same time unable to transcribe).

Board Member DiSalvo asked does any other developments around here have this kind of setup with the main well, does Wyndham Homes have this.

Rich Williams replied Dorset Hollow and it also has a green filter.

(Too many talking at the same time unable to transcribe for several minutes).

Discussion ensued regarding wells and fines and contaminations.

Board Member Rogan stated on page 9, the concerns about the grading what do you think about all that. First of all I know that water runoff off a subdivision when it is finished isn't going to be so great that it is going to flood people, flood Bullet Hole Road,

Board Member DiSalvo stated it is going to be during the construction phase.

Board Member Rogan stated and even then, the concern is let's say someone along the, I know Mr. Gunderman said at one point he is very concerned about his well. When they did the tests his well yield dropped as he rightfully pointed out properties around him were built his well dropped.

Rich Williams asked do you know where Mr. Gunderman lives.

Board Member Rogan replied yes.

Board Member DiSalvo replied no.

(Tape fading in and out)

Board Member Rogan stated but take the argument that someone adjoins the property whose well drops I am not taking their side I am just trying, Rich Williams stated DePasquale. Board Member Rogan stated DePasquale whose well did drop during the testing, Rich stated six feet. Board Member Rogan stated six feet they build the subdivision and the guy has problems with his well. What the contention of some of these peoples is that the homeowners association should have an insurance policy so that people have some recourse.

Board Member DiSalvo stated they could sue the homeowners association to drill another well. I don't think that would stand up.

Board Member Rogan stated it is one of those balancing things because someone has a well sooner than somebody else does that mean they have more right to the aquifer. I don't know I mean.

Board Member Pierro stated most of the time there is an arrangement made in advance by a developer who says look if something happens (Tape fading in and out).

Rich Williams stated it is incredibly difficult thing to prove that your well went dry because he drilled a well eight hundred feet away.

Board Member DiSalvo stated that is what they are all going to say.

Board Member Pierro stated very expensive to do. The only one that I know of in Town is Dwyer the guy I bought my house from but he sold off five acres land (Tape fading in and out) an agreement in the contract that if you drill wells on this property and you interfere with mine you have to, (Tape fading in and out)

Board Member Rogan stated it is a policy it doesn't mean that there is no proof required to put in a claim. I mean if someone says my well went dry they have to prove that in some way. They don't just go and collect a check.

Board Member Pierro stated I don't know that the HOA can buy insurance for a pre-existing well.

Board Member DiSalvo asked has that happened before in any developments here or in the County do you know of.

Rich Williams replied has it happened where developments going in and properties go dry yes from time to time.

Board Member Pierro stated it happened at my house.

Rich Williams stated let me say this too that where we have done specific well tests the likelihood of that happening is greatly reduced.

(Tape fading in and out)

Board Member Pierro stated the wells are in correct.

Rich Williams replied yes but let's take a step back me reading this real quick it seems like what he is talking about isn't so much the wells but the water damage.

Board Member Rogan stated that was just one of the issues runoff, (Tape fading in and out).

Rich Williams replied as far as flooding and runoff they are required by law to do a hydrology analysis and not to increase the peak you are not eroding out streams. You are giving the water the chance to flow you are definitely increasing the quantity of water. Your peak flow may flow (Tape fading in and out) for five minutes, twenty-five minutes but it is not any more water than use to flow through your property.

Board Member Rogan stated the only place the water could run off this property would be the way that I look at it would be down towards Bullet Hole. The property was cultivated and all the soils open to erosion I can't imagine water would run over land that far without creating a channel. There would be a channel there and it is not. The only channel is the natural drainage. (Tape fading in and out).

Chairman Schech stated Carpenter Environmental Associates, now they call it a vernal pond as far as I know that is not a vernal pond 12.

Rich Williams asked which one are we talking about.

Chairman Schech stated on Mr. Noblet's property.

Rich Williams stated I don't know that you have ever seen the vernal pool he is talking about right over the wall, there is a depression with a good clean outlet on it and that is what he is saying is the vernal pool not the pond.

Chairman Schech asked where was the frog sitting in that picture in the vernal pond or.

Rich Williams replied what frog picture.

Chairman Schech stated we had a picture with a frog.

Board Member Pierro asked the leopard frogs or,

Board Member Rogan stated the bull frog.

Board Member DiSalvo stated it looked like it was fake.

(Too many talking at the same time unable to transcribe).

Board Member Rogan stated once again, the issue becomes they are claiming that the vernal pool was created by runoff. (Tape fading in and out)

Board Member Pierro stated that is sinful for a land owner isn't. I don't want to lose my pond or wetlands.

Board Member Montesano stated he is doing that for one reason only he has not said definitely this is a vernal,

Board Member Rogan stated Mr. Noblet has said it is.

Board Member Montesano replied yes and then if you read it, it says you have to prove otherwise is what the statement ends up being. If you don't believe me you prove that it is not and what he is doing is he has got them now saying well you guys have to prove another thing and waste more money which is basically what he wants to do.

Board Member DiSalvo asked so who is going to be the vernal pool expert.

Board Member Rogan stated well Ted agreed with Mr. Noblet from what I remembered. Ted thought it was a vernal pool but (Tape fading in and out).

(Tape fading in and out a few times unable to transcribe)

Board Member Rogan stated but we did have the conversation when we were out there, what do you think Ted because that was part of the reason we were there. I don't know.

Rich Williams stated (Tape fading in and out) vernal pool Dave that you and I were at.

Board Member Pierro stated I don't think it is. Ours was in a wooded area.

Rich Williams stated well it was on the edge of a field and the grade was much higher I am not sure where this is.

Board Member Rogan stated it is across where all the curtain drains are and then we cut down from Burdick Farms into Noblet's property.

Rich Williams stated that is what I am saying I don't think this is it. Do you want me to go get you a picture of the vernal pool he is talking about.

Board Member Pierro stated that is not it. That is definitely not it.

Board Member Montesano stated one of those pictures is marked.

Board Member Rogan stated this is really just up hill and slightly if you are looking from McManus Road up to Burdick Farms where like the bridge is going to go it would be up and to the right only a hundred or so yards.

Board Member Pierro stated it may be Rich, yeah we came down through the rocks it may be.

Board Member Montesano stated there is one of those pictures on the top on the border is marked pool.

Rich Williams stated the grade Dave where we came through if you remember the grade dropped off significantly from the farm field.

Board Member Pierro stated I remember walking through the rock.

Rich Williams stated yes but we had to walk through a barbed wire, there was a lot more trees it was not that subtle. Dave, I do have pictures of it if you want me to pull the pictures.

Board Member Pierro stated I thought it was closer to the stone it may be.

Board Member Rogan stated well we have to clear up the issues. Let me back track a minute, let's say that it is a vernal pool then what we are bound to do is to look at the impacts that this project will have on that vernal pool nothing more really right.

Rich Williams replied right.

(Tape fading in and out)

Board Member DiSalvo stated he wants us to acknowledge about the hundred foot buffer.

Rich Williams stated there is a couple of things; one is that the swale is going through there to capture the water from going on Noblet's property it is going to dry that out. If it is just a depressional area which holds water no harm no foul. There may be issues with the wetlands down below on the other hand if it is a vernal pool and it is regulated then that swale is affectively going to eliminate that vernal pool.

(Tape fading in and out)

Board Member DiSalvo stated he wants us to check in the spring and he wants to do a biological survey in the spring.

Rich Williams stated I don't know actually how they are going to address it in the SEIS. (Tape fading in and out).

Board Member Rogan stated then in the SEIS their option is to treat it as a vernal pool and address it that way until they know otherwise.

Rich Williams stated I understand that but that opens a whole can of worms about that stream. (Tape fading in and out).

Board Member Rogan stated that site walk when we looked at it with Ted, Ted was on the fence on it.

Rich Williams stated he and I were fighting about the fact that silt was going in and where the silt was coming from. I don't ever remember him saying it was a vernal pool.

(Tape fading in and out a few times)

Board Member Rogan stated a vernal pool is an area that has water in it and they dry up from time to time.

Rich Williams stated right generally it will have water in it for three months at specific times during the year such that it is (Tape fading in and out).

Board Member Rogan stated here we don't necessarily know, (Tape fading in and out)

Rich Williams stated they are not water stained which means they are subject to periodic, (Tape fading in and out) they are not standing in standing water, it is a depressional area, it is clearly a depressional area with an outlet so that water, you know certain intensities of rainfall absolutely will pond up but the outlet should release that water within a twenty-four hour period. I mean the outlet it wasn't like the outlet was that much higher than the base of (Tape fading in and out)

Board Member Rogan stated let's say for the sake of argument we allow one of the curtain drains to flow towards that area to keep it now you are creating a situation where you are saying yes we have a vernal pool and that throws in a whole host of other regulations. (Tape fading in and out). The ultimate is to know what the situation now is (Tape fading in and out) the problem is that the installation of the curtain drain

may have affected the normal flow of water through the property. It is hard to say with a hundred percent how that received water off of the site prior to the curtain drain being installed.

Rich Williams stated I don't think the curtain drain is really affecting it. (Tape fading in and out). Water was being received by that depressional area from sheet flow coming off of the farm fields. It was hitting the wall you can actually see where it was following the path down through and going in there. There was a semi-defined channel. The curtain drains right now are exposed to the surface. They are gravel right up to the top so any water that is normally coming down through there is hitting that curtain drain. It is going in and it is coming out now in a concentrated flow (Tape fading in and out).

Board Member Montesano asked what I what to know is we can get the Applicant to do his job and prove that it is not if he wants to proceed with the project and if he comes in and says that it is then we can go that way but (Tape fading in and out) there is still time delay. We can sit here and discuss this until hell freezes over I don't think that there is anybody here that is really qualified to say that it is or it isn't.

Board Member Pierro asked we have to get our engineer to (Tape fading in and out).

Board Member Montesano stated what I am saying is we are talking about it all this time trying to make a judgment and we don't have all the facts because what is a vernal pool, does this constitute a vernal pool. If it does was it manmade as a vernal pool or was it there prior to this we don't know.

Rich Williams stated yes but there is an issue on this Mike that the Board has to, my discussion with both Ted and the Consultant for the Applicant they both are saying the same thing, at this point there is no way they can definitely say whether it is a vernal pool or not. (Tape fading in and out). Waiting until the spring and doing a survey of it which means delaying the project and the release of the SEIS until after they or are you going to say we are just going to consider a vernal pool until you prove otherwise or are we going to say we are going to leave the jury out, move forward and just leave this an open issue.

Board Member Montesano stated I don't mind that but right now what I am saying is we are sitting here discussing a vernal pool and we don't know because nobody has told me it is or isn't.

Board Member DiSalvo stated but you can't you have to wait until spring because that is when salamanders breed and everything.

Board Member Rogan stated I understand what you are saying Mike, I think the idea though is by discussing it we are at least getting a sense of the argument or issue.

Board Member Montesano stated the argument comes out to one simple thing technically we are not qualified if we wanted to go along (TAPE ENDED).

Board Member Montesano stated what I am trying to figure out is Richie's suggestion that we tell them that we are going to consider this a vernal pool, we are going to let you proceed with the situation going as it is. If you come back and you prove that it is not a vernal pool then any restrictions we placed on you,

Board Member Rogan and Board Member DiSalvo stated would be lifted.

Board Member Montesano stated would be thrown out and this way the project continues and we don't keep sitting on it.

Board Member Rogan stated we are talking about in terms of a vernal pool though we would be talking about setbacks.

Rich Williams stated again we go back to they are proposing not a curtain drain well not so much the curtain drain but the septic but they are proposing a swale along the base of this field which is going to intercept the water and that is going to be the bigger issue.

Board Member Montesano asked now if we tell you, you can't work in this area right now how much is this going to stop the project from proceeding.

Board Member DiSalvo stated it depends on how many lots are there.

Board Member Montesano stated I feel that if the thing is if we don't move, we can move ahead and sort of hold that area if we don't do something with that somebody is going to hit us with it, come back later on. The thing is we accept the fact and he has to go along with it because he can say no then the hell with it then we don't have to move the project at all. We are trying to move the project ahead. If this is a thorn in your side to the point where you chose, you are not going to build anything between now and April anyway but the idea is it looks like we are trying to move ahead, we are not holding the project up, we are allowing certain things to go on but you are going to understand that if this comes up not in your favor you have to accept that.

Board Member DiSalvo stated he has have to a contingency plan.

Board Member Montesano stated the front half of the project can be done it is the back half with the road coming through that was the major problem.

(Tape fading in and out)

Board Member Rogan stated I want to start asking this question before we go into the meeting what the next step is and by that I might mean SEQRA, where are we going with this, in other words what we can expect because it is very frustrating to be a little confused. (Tape fading in and out).

Rich Williams asked do you want to know what your next step is here.

Board Member Rogan stated I guess in this sense because we are looking at a review now of yes I will leave it open ended like that.

Rich Williams stated they are going to submit to us all the comments which is their final Supplemental Environmental Impact Study, (Tape fading in and out). Usually we don't get to do something like this, this is going to be a great help in reviewing this.

Board Member Rogan asked in other words have they adequately addressed the comments brought up.

Rich Williams replied right and make sure that all the comments are in there and make sure that they have adequately addressed them. (Tape fading in and out)

Board Member Rogan asked a determination would be either one of two things and, (Tape fading in and out)

The Supplemental Environmental Impact Statement is complete or,

Rich Williams stated the next step after that is the Board has to accept it as complete and it kind of hangs out there for a little bit. You circulate it to all the other agencies but you are not looking for comments. The comments are done. After that you have and I have to check but not a very long period time in which once you have accepted the Final Supplemental that you have to make a Findings Statement. (Tape fading in and out). A Findings is either to approve the project, to deny the project if it wasn't a Supplemental and it was a regular it would be to approve the project or modify but that is going to be your basic design and as long as they stick to that the intent of the process is now they are just going to go out and do the hard engineering. Actually do the hard design for (Tape fading in and out), a public hearing would be at the final design. (Tape fading in and out). A findings statement you are going to approve a preliminary plat then they are going to go out and do a hard design and resubmit a final subdivision plat.

Board Member Rogan asked if between (Tape fading in and out).

Rich Williams stated once you made your findings now you are limited to your scope as your regulatory authority. You are not looking at septic systems, if this was coming out on a state road. (Tape fading in and out).

Board Member Rogan stated every once in a while I just feel like I don't know where the hell we are and where we are in the time line and I think just having that and I am going to keep that with me just knowing okay here is where we are headed I think helps a lot.

Chairman Schech stated these guys got what another year before this is approved.

(Tape fading in and out)

Rich Williams stated I am not sure how long the lawsuits are going to last.

Board Member Rogan stated well that is a whole separate issue.

Board Member DiSalvo asked say we deem this incomplete.

Rich Williams stated then they have to go back and what we are going to do is we are going to issue a memo about where it is deficient and then they have to go back to the drawing board and re-work it.

Board Member Rogan asked in other words, they respond to the comments, we get it for review if you find things in there or we find things in there that are not or we feel that have not been adequately addressed don't we just give them our comments and they continually review or do we deem it incomplete with those comments.

(Tape fading in and out)

Rich Williams stated you have to find it incomplete with those comments.

Chairman Schech stated if they are bringing it in on the 25th we don't have time to go over this.

(Tape fading in and out)

Board Member Montesano stated get this thing done before December 31st.

(Too many talking at the same time unable to transcribe).

Board Member Rogan stated so we have narrowed it down to a couple of alternatives on this vernal pool. In this case I tend to almost agree to say look if you don't want to wait until the spring then you have to accept the situation that it is a vernal pool and treat it that way until such time it is proved otherwise.

Board Member DiSalvo stated and they are going to say says who, says who it is a vernal pool.

Board Member Rogan asked well who has said it is a vernal pool other than Noblet.

Board Member DiSalvo asked has anybody in our, (Tape fading in and out).

Rich Williams stated I can look at what Carpenter is saying because that was Noblet's professional but I believe (Tape fading in and out) Chairman Schech that it was a vernal pool.

Rich Williams stated no he said it may be. It was the same thing like the soils he comes in and says well your Code says all the Paxton soils are wetlands. (Tape fading in and out). Our Code doesn't say they are wetland soils.

Board Member Rogan stated so let me throw the flip side out, you continue as such letting them know that full well that we are going to require a review in the spring of this by their consultants and ours and if it happens at that point the problem becomes can you do a findings statement before that and probably not or you can do that as a condition but that may alter the project.

Rich Williams stated if it is a vernal pool have you adequately reviewed (Tape fading in and out), come back and say they didn't do their job. They didn't adequately review all the environmental impacts that are created by this project.

Board Member Montesano stated the object is this project has been here so long, Board Member DiSalvo stated it has gone through how many Boards, Board Member Montesano stated the laws have changed aside from every law changing that means now you have got to stop, go back, pick up the new law and see if you can,

Board Member DiSalvo stated and in addition to new people being on the Board.

(Too many talking unable to transcribe).

Board Member Rogan stated if Ted wants to stick his neck out there at the meeting and say based on what I saw I believe it today that it is a vernal pool then I am comfortable.

Rich Williams stated he is the one that does the determination, Board Member Rogan stated so let him say you know short of doing the thing that at this time if I had to make a decision today this is what I would say.

(Too many talking at the same time unable to transcribe)

Board Member Rogan stated here is where I think we got bamboozled I remember the Chairman specifically stating, Chairman Schech asked what page you on.

Board Member Rogan stated I am on 12 letter b top of the page, and where I think we got bamboozled as a Board we made a recommendation to the Applicant to approach a property owner about possibility selling some property and your words were you never know the person might be willing to sell and that might help you align that road better and it was really I thought and we can pull the minutes on this the intention and the way that it was said was approach the person to buy it, if they are willing report back to us, and if they are willing to sell maybe we have something we can work with. What the letters that were submitted to the Board said from Vinny Conditto to the property owners' son, I will say was this was I got and I will put myself out there saying the Planning Board wants to take this property and we will work with you and maybe give you some money for it. It was a completely different connotation from what was said.

Rich Williams asked could you read the first line of the one you are looking at.

Board Member Rogan read I am concerned in regards to the proposed reconfiguration of Bullet Hole Road which will result in a significant loss of my personal property.

(Tape fading in and out)

Board Member Rogan stated what I got from all the correspondence was the letter said hey the Planning Board wants to take this property so let's come to some sort of an agreement. That is a lot different statement then if you want to sell then maybe we can approach it.

Chairman Schech stated personally I thought I was doing Claire a favor because first of all she has no money the house is falling down, give him the front although the septic system, give him a piece in the front, let him move the septic system in the back give them another piece of land in the back there is plenty of property there that is not being used.

Board Member Rogan stated but clearly the connotation from the Chairman was approach the land owner and if they are willing to sell maybe it is something that we can work with if they are not willing to sell it is off the table but the letter back and the correspondence seems to indicate that Mr. Conditto played with words and said the Planning Board wants to take this property and so let's come to some sort of an agreement so I can pay you for it. Now, the response back was I am completely opposed to this idea I don't want, I am going to lose my septic, I am going to lose all this, for her to go to this extent means that she was given the impression that we were going to take it. I have never spoke to the woman but I know it from conversations privately that is exactly what she thinks. It makes us look like we were going to take the property.

Rich Williams asked does anybody here have enough familiarity with this woman to actually reach out and talk to her.

Chairman Schech stated yes but she does not want any part of this.

Rich Williams replied I know that but just to clarify the issue.

Board Member Rogan stated I will tell you when I read the comments this is two months ago I was appalled and wanted to call her right up because she is obviously related to my family, my wife said you are crazy don't get involved, you don't know what she was told not something you should get involved with maybe in a public meeting make the point and get it on record but this clearly, this woman was not given the same line that we directly told Mr. Conditto to tell her.

Rich Williams asked do you want to handle this at a public meeting.

Board Member Rogan stated I think we should.

Rich Williams stated she was at a public meeting so I was surprised at the letter because, Board Member Rogan asked did you read the letter though from Vinny to, Rich Williams stated maybe I didn't pay that much attention.

Chairman Schech stated one of the sons was at the meeting and the son-in-law was at another meeting I don't think she was.

Board Member Rogan stated she was at one.

Rich Williams stated yes because they brought her. These letters came in well after those meetings that she was at.

Board Member Rogan stated I think what happened the way the letter reads was Vinny called her up on the phone, Chairman Schech asked do you want me to smooth this over or what.

Rich Williams replied that is what I am asking.

Board Member Rogan stated I think we should do it at a public meeting.

Board Member Rogan stated the way the letter reads was Vinny made it sound like he called her up and said this is what the Board wants to do and then he followed it up with a letter and that letter really does not paint the same picture that we, it really says hey, they are going to do a taking, they are going to take your property. That clearly wasn't what the Board said. The Board said if she is willing we will put it on the table if she is not willing it is not an option. I don't think that this Board is looking to take property on that corner.

Chairman Schech stated no.

Board Member Rogan stated let's put it this way I think he played it where he said look this is what they proposed but gave it the connotation of this is what the Board wants to do and if that is what they are going to do let's work some sort of an agreement out so you get some money for the deal.

Board Member Montesano asked can I make a suggestion, Board Member Rogan replied please do.

(Tape fading in and out)

Rich Williams asked does anybody want me to do anything with this.

Board Member Rogan replied just pull the letters,

Chairman Schech stated can you get the minutes from the meeting.

Board Member Rogan stated the minutes from where Herb makes the recommendation I think Vinny was right there if I remember right sitting in the audience because you spoke directly to him.

Board Member Pierro stated that is the night that we spoke to him about straightening the road in front of the other brother's house.

Board Member Rogan stated I thought she was in the audience because, (too many talking at the same time unable to transcribe).

Rich Williams stated you know what having spent much time out in the audience a lot of times you have no idea what is going on up front.

Board Member Pierro stated that was the same night Rich we spoke to Conditto directly about straightening the road in front of house.

Rich Williams stated I understand the only thing I am saying is when you are sitting out in the audience sometimes it is very, very (Tape fading in and out).

Board Member Rogan stated I have it somewhere at home but I know there was the letter that was sent directly it was sent from Vinny, Claire copied us on it I don't think Vinny did. I don't think Vinny did I think Claire did. It was attached to her letter to the Board saying I am totally against this whole idea because I am going to lose three quarters of my front yard. When they showed us the first sketch of it I said there is no way they are going to do this. We are going to be fifteen feet off this person's house.

Chairman Schech stated he was going the easiest way he was just cutting it.

Board Member Rogan stated you threw it out there and I think rightfully so is hey, if the woman is willing then maybe we have something to work with.

Rich Williams asked you want me to pull the minutes, her letter, and Vinny's letter.

Chairman Schech stated just give them to me I will call up the son-in-law and talk to him.

Discussion ensued regarding the issue of the letter from Vinny Conditto to Claire Burdick.

Board Member Rogan stated here is a somewhat reasonable person, Evelyn Ross. Board Member Rogan read the following it appears to me that the proposed 37 Lot development is not out of sync with the neighborhood as long as the neighbors whose property borders is not adversely impact. My only concern is that a road like Ice Pond which is used more frequently has not (Tape fading in and out) change the impact of the neighborhood, we should improve the roads.

Board Member Rogan stated that is pretty reasonable.

Rich Williams stated then she turned around and sent a letter in saying this is the most horrendous thing ever.

Board Member DiSalvo asked where is that it is not in here.

Rich Williams stated before all the neighbors approached her she was okay then they get her all, Board Member DiSalvo asked she sent the letter to the meeting right she wanted it to be read.

Rich Williams stated under 14 she submitted the form letter.

Board Member Rogan stated well hey, if I could remove myself from the Board and say that I was a concerned citizen. Who wants this subdivision, everybody loves the idea of open space but I am realistic person and I realize I don't pay the taxes on the property.

Board Member DiSalvo asked so you are going to suggest to them about the boulevard and then throw it back in their lap.

Board Member Rogan stated (Tape fading in and out) page 21 that the Supplemental Impact Statement doesn't talk about remediation where the barn was. It says Ice Pond Road (Tape fading in and out). Does the Supplemental actually talk about straightening out that curve where the barn is, we made that part of our findings statement to approve when we did it.

Board Member Rogan stated Dave also has been hell bent on further down the road like you said they did say well we own the property, we can straighten that out. That is a separate issue.

Rich Williams stated it is one of the comments that I put in on there DSEIS because Dave was insisted about it that they need to look at it. (Tape fading in and out)

Board Member Rogan stated the funny part is as we straighten it out they are only going to go faster but,

Board Member Pierro stated but the danger is if you don't straighten it out the danger is you have got cars on those front lawns. They are all slopes going down.

Board Member Rogan stated my father-in-law who would probably have the best perception of what goes on on that road of anybody said actually that point right there he says he can only remember probably two cars in all the years that ever went off that area.

Rich Williams stated really.

Board Member Rogan stated yes he said two cars that he can remember.

Chairman Schech stated because anyone in their right mind is going to go slow.

Board Member Rogan stated because everybody goes in the middle of the road.

Board Member Montesano stated all the people who have been using that road over the years once you learn that curve is there you do back off a hell of a lot because you know you are not going to make it.

Rich Williams stated but even so most of the accidents that I have known about happen farther down the road by where the barn is right, Board Member Rogan stated Three Ponds Farm. Rich replied yes Three Ponds Farm right in that area.

Board Member Rogan stated and it this kind of thing where you drive right down the middle I see it everyday.

Board Member Montesano stated that pond use to over flow across the road and then the Town went in there and put the pipe underground so it would drain off but that pond used to overflow right across the road and in the winter time you would step on the gas and come sliding down.

Board Member DiSalvo stated so somebody has to explain to Bob Dumont, Board Member Rogan stated that was my next question like if someone doesn't understand what a curtain drain is, is that the Applicant's responsibility to educated someone through a supplemental.

Rich Williams stated that is a very valid question. It comes down to whether the Board's opinion is that it should be put in and explained or not.

Board Member Rogan stated well actually they probably could do a very nice job of putting a simplistic idea of what a curtain drain is, what is a pump septic system is so that it is in there because the curtain drains are a large part of this project.

(Too many speaking unable to transcribe).

Board Member Montesano stated if you are interested in making a complaint about something would it behoove you to get off your dead ?@? to find out what you are talking about.

Board Member DiSalvo stated he wants us to explain it to him.

(Tape fading in and out)

Board Member Rogan stated the bottom line is when someone has a concern about something regardless of what you tell them or show them or prove to them when they have a belief you are not going to change that belief. What I was about to say is that with today's technology it is a shame they can't take digital photos of the area where the entrance is and put them into a computer and then alter that to show what it will look like when it is improved.

Board Member DiSalvo asked they can't do that.

Board Member Rogan stated 3-D but it won't make any difference because they will say that is a computer trick.

Rich Williams stated to answer your question Shawn the comments that I flagged that were not in (Tape fading in and out) and they are looking for answers I did not include really anything from really Bob Dumont (Tape fading in and out).

Board Member Pierro stated I make a motion that we adjourn and come back another night.

Board Member DiSalvo stated some of the other concerns are basically like where are they going to park trucks, where are they going to dump topsoil.

Rich Williams stated well you get into a question about again, this is supposed to be done early on in the process what level of detail do you really need. Do you need a full blow erosion plan or stormwater plan or do you leave that to the regulatory agencies that are supposed to have some expertise.

(Tape fading in and out)

Board Member Rogan stated it is becoming that in order for us to substantiate how we made a decision based on the environment we have to take into account all this stuff. It is becoming that they are fully designing these projects. We found that it is a product more of our geography more than anything.

Board Member Montesano stated the reason we are getting this garbage now is because the courts down here kiss the tail end of the feathers. These people come in, the Riverkeeper they entertain these people and we go on and on and on.

Chairman Schech stated in the back of everyone's mind is South Quaker Hill.

Board Member DiSalvo stated yes someone made a remark about. What was the problem up there.

Chairman Schech stated there is still a problem to this day.

Rich Williams stated there were a couple of problems first off there were a couple of guys who wanted to do a subdivision, a thirty lot subdivision. The new Planning Board stepped in and just knocked them back down and knocked them back down. (Tape fading in and out). This was like six years and Environmental Impact Statement from thirty to ten lots so the Planning Board (Tape fading in and out) all sorts of standards for him and gave him a conditional final approval, (Tape fading in and out).

(Tape fading in and out)

Board Member Montesano stated when we were talking he said he has this whole thing on how they setup their meetings. They have Applicant's name, where the project is, what has been paid, we tried this once before awhile back.

Board Member DiSalvo asked like a worksheet.

Board Member Montesano replied yes so that when we sit down with it we know where we are.

Board Member Rogan stated well that is kind of what I was envisioning.

Board Member Montesano stated I asked Drew to make it because he told me that is what they used and I said fine would you send me it.

Rich Williams stated well if you read the memos I do I have tried to do that within the memo. It gives you a brief summary right in the first paragraph.

Board Member Rogan stated you are assuming that we then have these minutes and we keep them and we have our own tabulation honestly, the minutes I love the fact that I can look quick and say yes this is what we did.

Rich Williams stated I am not talking about the minutes I am talking about my review memo. (Tape fading in and out). I can expand on that.

Board Member Montesano stated well let me see if he sends me this thing.

Board Member Rogan stated even just doing it verbally with each project at the work session, hey you have got a meeting coming up in a week. They have provided the information if this is acceptable to you this would be the logical next step.

Board Member DiSalvo stated rather than us asking Melissa so what is going on with this at the meeting.

Board Member Rogan stated and you know what I will fault myself to a degree because part of it is I just haven't been able to spend the amount of time, when I first got on the Board I poured over these plans all the time because I was really trying to know what is going on and I don't have the time to put into it what it deserves and that is my own fault but I don't know what kind of time everybody else does.

Rich Williams stated nobody does.

Board Member Montesano stated excuse me that is why you are here with the advice and help for the other people because you don't people look at you because they hate you but you are not the engineer that is why you need that help. You can come up with an opinion on stuff but if you weren't working where you are you would be like the rest of us.

Board Member Rogan stated it is nice to know at a meeting if we are comfortable to go to the next step even just without having to ask Rich, boy I think it gives us so much and we are more confident going in. We are not looking at each other like well what are we going to do.

Board Member Montesano stated we have a problem in that when we have a decision to make we have to go by what we have learned from the people like, Gene comes in and says this is how it should be done and we say look can it be done this way he says no.

Rich Williams stated that is a really great thing is that I give you a piece of advice and you follow it, Board Member Montesano stated until we get to the meeting, Rich stated if a lawsuit comes down I don't get sued.

Rich Williams asked I guess my question to you is in the memos that I am writing is there different information or a different format that you would like to see the information put in.

Board Member Rogan stated let me look at the memos again because the memos are helpful but we also don't get memos on every project for every meeting and I don't want you to have to do that. That is ridiculous. We usually get memos from either an initial review or if the plan significantly changed.

Rich Williams stated I can do a memo on every project just basically outlining where you are and where the next steps are.

Board Member Montesano stated yes a worksheet.

Rich Williams stated I stopped doing that because you were looking at that and not looking at Gene's memos.

Board Member DiSalvo stated Gene's memos are a little too hard for me.

Rich Williams stated sometimes Gene's memo have issues that you guys really have to respond to.

Board Member Rogan stated and Gene is pretty I will say the problem is we get cluttered, Gene's memo even being a somewhat technical person in my profession I don't read the whole thing because some of it just really does not concern us. It just doesn't but Gene is pretty good at saying hey, there is one or two things and that is what I like I don't feel embarrassed that Gene has to say there are a couple of things that the Board should consider.

Board Member Montesano stated he gives you that conclusion on the end anyway.

Board Member Rogan stated but the other things I would feel very comfortable to know that Gene you are taking care of the technical issues unless it is something that we need to make a decision on I don't really care if the invert was the wrong one I mean not based on what we have to do I really don't care in another world I might look closer at that but we don't have the time or desire to look at it.

Rich Williams asked what is an invert.

Board Member Rogan replied I don't have no idea.

Rich Williams stated I can ask a question that I don't know the answer to why do they call it an invert.

Board Member Montesano made a motion to adjourn the meeting. Board Member DiSalvo seconded the motion. All in favor and meeting adjourned at approximately 10:15 p.m.