

TOWN OF PATTERSON
PLANNING BOARD MEETING
October 27, 2005 WORK SESSION
AGENDA & MINUTES

- | | |
|--|--------------|
| 1) Wyndham Homes Lot 28 Wetlands Permit | Page 1 |
| 2) Couch Road Subdivision | Page 1 – 5 |
| 3) D.E.W. /Macal Site Plan | Page 5 – 8 |
| 4) Fox Run Phase II Site Plan | Page 8 |
| 5) Putnam County National Bank Site Plan | Page 8 |
| 6) Kect Drive Site Plan – Bond Release | Page 9 |
| 7) Keasbey Subdivision | Page 9 – 10 |
| 8) Bear Hill Subdivision | Page 10 |
| 9) Burdick Farms Subdivision | Page 11 – 12 |
| 10) D’Ottavio Site Plan | Page 12 |
| 11) Forest View Apartments | Page 12 – 14 |
| 12) Paddock View Estates | Page 14 -18 |
| 13) NRA Realty Development Corp. Subdivision | Page 18 – 20 |
| 14) Other Business | |
| a. Site Walks | Page 21 |
| b. T & T Associates | Page 21 |
| c. Zoning Code Amendments | Page 21 - 22 |

Planning Board
October 27, 2005 Work Session Meeting Minutes

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

Present were: Chairman Herb Schech, Board Member Dave Pierro, Board Member Shawn Rogan, Board Member Maria Di Salvo, Rich Williams, Town Planner, and Kozlowski, ECI was present.

Meeting called to order at 7:33 p.m.

There were approximately 1 audience member.

1) WYNDHAM HOMES LOT 28 WETLAND WATERCOURSE PERMIT

Chairman Schech stated Wyndham Homes this is the one that was walked.

Rich Williams replied this was the one that the Board walked. I have been in contact with them they were not sure if they were going to proceed again for this meeting. The issue is this the Health Department will not let them construct the house that they would like to construct on the property so they are not sure what model house they want to put on the property which is driving all of this. He said he may have plans in here tomorrow showing exactly what they want to put on the site and I said it is well after the agenda deadline I can't tell you what the Board is going to do but we have noticed the public hearing. The question is whether he has done a certified mailing on the application or not. I have not heard that yet either.

Board Member Rogan stated depending on the house plans that will change the front of the house is what we are looking at. I would bet my bottom dollar that it comes down to probably bedroom counts because that seems to be the only discussion of late.

2) COUCH ROAD SUBDIVISION

Rich Williams stated it is in for a public hearing on the preliminary subdivision plat. The Applicant has not submitted any new material for this meeting however the Board has received two memos or actually has received one memo from the Building Department concerning the issue of the common driveway. I am not sure exactly what the memo says.

Chairman Schech asked they were supposed to go to ZBA on that too weren't they.

Rich Williams replied the application is in.

The Secretary stated for the November 21st meeting.

Board Member Rogan stated the Building Inspector says that from the road to where they split he considers it part of the access which needs to be twenty foot in width.

Board Member Pierro asked is the Applicant okay with that.

Board Member Rogan stated with that being said the only request that I would have is that the area off the pavement be required to be maintained free of brush or obstructions for a distance of at least twenty feet in width to provide for access of fire vehicles. So, does that mean that,

Rich Williams stated I don't know what that means.

Board Member Rogan stated it is misleading to me that he is saying that he believes it should be twenty foot but if we are not going to make it twenty foot make sure that we have twenty foot of cleared space but he does not specifically say that.

Rich Williams asked can we do a regular driveway.

Chairman Schech stated which I can see go up McManus the things have grown into six foot wide.

Board Member Rogan stated so he is saying if we are going to go with what we want we better at least make sure we have the width to pass two vehicles if they have to scoot over a little bit.

Board Member DiSalvo asked does the whole width have to be blacktop.

Board Member Rogan stated no not based on the way I am interpreting this. This memo is vague.

Rich Williams stated I am not clear what he is asking for. I was going to talk to him about it when I get an opportunity before the meeting.

Board Member Pierro stated a six of one, a half of dozen of the other. If it has to be twenty feet then let's make it twenty feet. If the Applicant does not mind doing a twenty foot width up until the junction then let's do it.

Board Member Rogan asked how does that affect our stormwater.

Chairman Schech stated well we are trying to keep it down for impervious surfaces too. It is not the fact that you want to make it a little wider.

Board Member Pierro asked how much are we talking about.

Rich Williams replied we are doubling the impervious surface, for stormwater runoff I don't know if that is significant or not.

Board Member Rogan stated it is not twenty foot in length though it is like what a hundred, a hundred plus feet in length that you are doubling the impervious surface.

Board Member Pierro asked to the merge I thought we were talking about.

Board Member Rogan stated to the split.

Rich Williams stated right but I don't recall what the length is.

Chairman Schech asked so you are going to check with Paul.

Rich Williams replied I am going to check with Paul.

Board Member DiSalvo asked should we like every time we consider a common driveway something like Don King should we just kind of plan on doing the twenty feet.

Board Member Rogan stated the clarification needs to be made because Paul seems to indicate because it is part of the access it needs to be twenty feet and then he says having said that make sure you provide so the memo is not clear at all.

Rich Williams stated there is one other issue on this I got a call from Joe Buschynski the Design Engineer, he wanted to talk to me and I said you are going to have to go in and talk to the Board about this issue apparently Paul has reached out to the property owner and instructed him that Paul is going to be requiring a 30,000 gallon water supply tank on the property and a well and a full control panel and everything else.

Board Member Rogan stated to service the entire subdivision, the six lots.

Board Member DiSalvo asked where is it going to go.

Board Member Rogan stated you have to create a parcel I mean really right you have to create a parcel that would be just for that.

Rich Williams stated it is my preference that utilities go on utility lots so some property owner doesn't think that they have rights which they really don't have. When you do it by easement it could be a little vague to the average property owner. It does not have to be. It can be on an individual parcel. With this subdivision the open space parcel is all the way in the back you are not going to be using that. You are not going take a piece of that for utilities so the reality is if this was something that this Board at all felt was appropriate it would probably have to go some place along the frontage in the conservation easement.

Board Member Rogan asked how many lots, has Paul said that three lots will require I mean I want some guideline on this so that it is not a,

Board Member Pierro stated and I would like to know why this is coming up in almost the final hour.

Rich Williams replied well it isn't.

Board Member Rogan stated it isn't it is preliminary.

Board Member Pierro asked but we have had this for how long. We have had this for a long time Rich.

Rich Williams replied yes but considering other applications that Paul has reviewed this is very early on in the process for Paul. He hasn't actually put it in writing he just told this to the Applicant verbally and the Applicant went back to the engineer and the engineer came to me.

Chairman Schech asked how many lots is this.

Rich Williams replied six.

Chairman Schech asked and he wants one tank.

Rich Williams replied one, 30,000 gallon tank.

Board Member DiSalvo asked it goes underground right.

Rich Williams replied yes.

Board Member DiSalvo asked isn't the front of that property kind of rocky too.

Board Member Pierro stated I would rather not see it in the front.

Rich Williams asked where are you going to put it.

Chairman Schech stated the only thing that sticks out is a stand pipe.

Board Member DiSalvo and a separate well right.

Chairman Schech stated he wants a separate well.

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

The Secretary stated nothing every got resolved about fire stuff with Dave and Paul from that meeting.

Board Member Rogan stated what we need to do is to get some hard and fast criteria that says if it is a six lot subdivision that is the trigger because if someone does a five is it not required.

Rich Williams stated this goes back to the argument that Paul and I were having right along. Paul wants to base his requirements for water supply on ISO. I want to do it on NFPA which you know is based on the fire department's ability to haul water which is the way we fight fires around here and looking at what available water supply is in the immediate area and whether this is really warranted. My opinion is 30,000 gallons the extra expense which is about a hundred thousand dollars is not warranted for a six lot subdivision.

Board Member Rogan stated what I don't hear about is Paul ever requesting is anything less than 30,000 gallons. I don't hear him saying well it is a six lot subdivision I will put in a 10,000 gallon tank.

Board Member DiSalvo asked does it start with 30,000 is that the standard size.

Rich Williams stated that is what he is looking for he starts with 30,000. Honestly, you want a standard he did this after the subdivision was already approved with Thomas when he came on a four lot subdivision and was looking for 30,000 gallons.

Board Member Rogan stated so my point is that has already set the precedent that four lots has already been I am not saying from us but from Paul we can expect it that we have already set a precedent that four lots or greater is going to require 30,000 gallons.

Rich Williams stated well he is going to request it and ultimately there is no, I don't believe he can require it so he is looking for the Board to impose this as a standard.

3) D.E.W. SITE PLAN

Chairman Schech asked do you want to get rid of D.E.W.

Rich Williams replied that is not D.E.W. That is Greg Macaluso.

The Secretary stated Macal.

Chairman Schech stated I thought you were D.E.W. Are you here for D.E.W or somebody else.

Mr. Macaluso stated the same thing.

Rich Williams stated he is here for D.E.W.

Chairman Schech asked are you waiting for somebody else or.

Mr. Macaluso replied no.

Chairman Schech stated so let's get rid of you. You are all the way down at the end unless you want to stay to the end.

Rich Williams stated D.E.W. Construction here is the story, the long story the project got approved beginning of 2003, was it 2003.

Mr. Macaluso stated 2002.

Rich Williams stated 2002 it got approved, January 2003 the new stormwater regulations kicked in and gave everybody a grace period until August. In August they had to finish the structure so they had to comply with the new regs, they filed a Notice of Intent with Pat Feracane, Pat Feracane saw the notice come in apparently not realizing that it was a project already under construction, considered it a new

project, did a preliminary review and then sent a letter back to Harry Nichols, the Design Engineer, you said it was the beginning of 2004.

Mr. Macaluso stated somewhere around there.

Rich Williams stated basically saying you don't meet the current stormwater requirements you have to redesign this. Somewhere Harry picked up the idea that they wanted it done as a filter practice and months and months went by with Harry trying to design a filter practice to retrofit it to the site. Danny Finney who is the owner of D.E.W. Construction who is the other individual involved in this application along with Greg Macaluso, Macal Construction who is here tonight, I had a conversation with him explaining to him the maintenance requirements for a filter practice and I was not sure why it was being required and you should consider this and of course he went back to Harry. Harry got rid of the filter practice and then made an attempt to redesign for a wet pond meeting the current requirements and Harry has not been very successful at getting that designed and again, it has been months and months and now we are at a point where I know Danny Finney is desperate to get into his building because he has to vacate his current site and I think you are also looking for your C.O. in the near future.

Mr. Macaluso stated pretty shortly yes.

Rich Williams stated but they haven't finished the site plan requirements in the form of doing this pond. Now, after all this time has now elapsed we had a meeting and Danny Finney pressed us as to why he had to do this. I certainly could not answer him because it was coming from Pat Ferracane nor could Gene so today apparently, for the first time they actually called Pat Ferracane and asked why, explained the situation and they don't actually have to do it in the first place. The problem is now Danny has to get in and it is really the wrong time of the year to start. Right now, they have a temporary sediment pond the plan is to enlarge that area by removing a good portion of the soil and the old roadbed that was in there, put an outlet structure in. The problem is it is really the wrong time of the year to start that because they are never going to get it really stabilized but here is the ruff Danny needs to be in right away. Danny approached Paul about issuing a temporary C.O., Paul will not issue a temporary C.O. Paul will issue a C.O. on the building if the Planning Board agrees that the site improvements are relatively complete except for specifying certain improvements which everything is done except for this stormwater pond as long as we put a time limit on when that pond actually has to be constructed and then if it is not constructed by that time he will pull the C.O. I don't know why that is not a temporary.

Ted Kozlowski stated that sounds like a temporary C.O. to me.

Rich Williams stated but he won't issue the temporary C.O. so he is looking for a letter from the Board saying we understand the situation, it is acceptable for us that the C.O.'s are issued as long as the stormwater pond is constructed by such and such a date.

Chairman Schech stated fine make a motion take care of it tonight.

Board Member Pierro made a motion in the matter of D.E.W. and Macal Site Plans that the Planning Board sends a letter to the Building Inspector authorizing C.O.'s to be issued contingent upon completing the stormwater practices on the Route 22 side of the site and in addition to that I would to see Dan and Mr. Macal come in with a sign application. They put up a temporary sign and the building is extensively built.

Rich Williams asked okay, you do not have a sign up correct.

Mr. Macaluso replied no.

Board Member Pierro stated Danny has got a sign up but if Danny is going to put up a sign and Mr. Macaluso is going to put up a sign why don't we kill two birds with one stone and get it knocked out with something proper because I mean the building is built already. It is a location sign that was thrown up there let's get something more.

Board Member Rogan asked what is the time frame on that.

Chairman Schech stated the time frame is June.

Rich Williams stated I don't know. When do you think you can have that pond in and finished.

Mr. Macaluso replied late spring.

Rich Williams asked June 30th.

Board Member Rogan stated three solid months.

Mr. Macaluso stated and you want all the restoration work done except for the pond.

Rich Williams stated yes everything should be done.

Board Member Pierro stated curbing and some drainage that might have to be connected.

Rich Williams stated as far as I know that is all pretty much in.

Mr. Macaluso stated yes just the final coat of blacktop on the bottom and some trees to be planted.

Board Member Pierro stated and we don't expect you to do the blacktop now.

Rich Williams stated the trees really can't get planted on the bottom until the stormwater pond is complete.

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

Board Member Rogan seconded the motion.

Chairman Schech asked all in favor:

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

Motion carried by a vote of 5 to 0.

Board Member Pierro stated we will do a brief description on the night of the meeting for people who are interested about that.

Mr. Macaluso thanked the Board and said good night.

4) FOX RUN SITE PLAN

Rich Williams stated Fox Run, I finally got back to the Attorney or he got back to me today on the issue of Fox Run, it is his opinion that the Planning Board does not have to follow any additional procedures assuming that you deny the application and it was his recommendation that the Planning Board at their next meeting deny the application because it is not in compliance with our current zoning requirements. Assuming that you are all okay with that then I am going to draft a resolution and get it to the Attorney, let them review it.

Board Member Pierro asked you will have that by the meeting then.

Rich Williams stated yes.

Board Member Rogan asked Herb, do you want to do the resolution on that because we always talk about being able to deny so little around here. Do you want to set that one up for yourself.

Chairman Schech replied no I enjoy denying though. This is only the second time.

Ted Kozlowski asked what did you deny did I miss something.

Chairman Schech replied Budakowski.

5) PUTNAM COUNTY NATIONAL BANK SITE PLAN

Chairman Schech asked Putnam County National Bank is final approval right.

Rich Williams stated the outstanding issue was the issue of the bond, they have submitted a bond calculation the engineers are currently reviewing it and we will have a resolution for you.

The Secretary asked first they have to do the bond right.

Rich Williams replied yes.

Chairman Schech stated so finally we are getting rid of some stuff here.

Board Member Pierro stated this is a political stunt doing this approval before the November meeting I want you to know it has been all over the internet. The quote was why do we roll out the same old plan on Putnam County National Bank around election year.

6) KECT DRIVE CONSTRUCTION – Bond Release

Chairman Schech stated Kect Drive is Bonniello's on 22.

The Secretary stated no Don Flood.

Rich Williams stated the Engineer has been out, looked at the improvements that were required as part of the site plan, they at this point are complete so the Engineer is recommending that we release bond.

Chairman Schech asked are you sure they are not screwing us on anything on that one.

Board Member Pierro stated no they put the gate up, they put bollards up in front of the oil tanks.

Board Member DiSalvo stated it looks nice.

Board Member Pierro stated they did the stormwater.

Board Member DiSalvo stated they got rid of most of the junk that was for sale.

Chairman Schech stated most of it not all of it though.

Board Member DiSalvo stated I said most of it sometimes there is like an excavator there.

Rich Williams stated yes but you guys gave them permission to have, Board Member Pierro to sell one vehicle at a time.

7) KEASBEY SUBDIVISION

Rich Williams stated she has resubmitted plans, the big issue at the last meeting was having a parking area out there for the first time in my life I have actually seen my design on a plan.

Board Member Rogan stated so we are ready to approve it then.

Rich Williams stated now I am drawing stuff.

Board Member Montesano asked is that a conflict of interest you drawing the Applicant plans.

Rich Williams stated I was directed by the Board to do it so it is not a conflict.

Board Member DiSalvo asked it is between the two telephone poles, how many parking spaces did we say.

Board Member Rogan stated three.

Chairman Schech asked is this a subdivision or a lot line adjustment.

The Board replied subdivision.

Board Member Pierro stated it is granting land to the Land Trust.

Board Member Montesano asked did she pay a fee for the subdivision.

The Secretary stated she did.

Rich Williams stated there is still some outstanding procedural, technical issues that she needs to meet.

Board Member Pierro asked did Charlie issue a driveway permit.

Rich Williams replied no.

Board Member Pierro asked when does that occur.

Rich Williams replied when she makes the application to him. She still also needs to go to the Town Board to get a variance for the application to keep her existing residence greater than one acre. We still need to do some procedural things with the Planning Board such as a public hearing and you have to decide what you want to do about SEQRA but for the most part this is pretty well complete.

8) BEAR HILL SUBDIVISION

Rich Williams stated Bear Hill is back on they resubmitted for the last meeting for the wetlands watercourse permit in the interim Ted has reviewed the application, sent them a memo deeming it incomplete I believe.

Ted Kozlowski stated yes.

Rich Williams stated he has not responded since then.

Ted Kozlowski stated just so you know he was hustling like mad to find somebody to do a functional analysis of that vernal pool and I heard through the grapevine that the guy that was in here saying it wasn't a vernal pool is now doing the functional analysis of the vernal pool.

The Secretary stated Steve Marino.

Ted Kozlowski stated the guy from Tim Miller's so I am really looking forward to that functional analysis.

Board Member Rogan stated you copied us on that letter I think.

Ted Kozlowski stated yes I did I sent that letter a while ago. Do you know what the bottom line is to do a functional analysis on that vernal pool you need to do in March when it is functioning.

9) **BURDICK FARMS SUBDIVISION**

Rich Williams stated Burdick Farms is back in, they have resubmitted new plans including road improvement plans along the frontage and a full stormwater report, with any project the devil is always in the details and boy do they have a lot details. I have got a considerable amount of time in reviewing this and I have a ways to go. There are some issues the Board has to look at as far as they have adjusted some of the lot lines and some of the lots are kind of not rectangular but other than that it is just making sure that the design, the stormwater flows where it supposed to flow and treated the way it is supposed to be treated. Don't hold me to this but I think there may be issues with the road frontage improvements that they are proposing. I think what they are doing is they are proposing road improvements that were not part of the Environmental Impact Statement and I don't know that we can allow them to go down that road. I think the bigger issue that I just want to bring to the Board's attention is that they are in to have this project determined to be complete so they can schedule a public hearing and once that happens of course then the clock starts ticking. My opinion is we can't deem it complete until they have met all the conditions or at least all the reasonable conditions of the Findings Statement which until the issue with that barn has been resolved I don't think the Board can determine the application as being complete, now having said that at one point the Chairman had thrown out to them that there was an alternative which involved the property one the other side of the road.

Chairman Schech stated which was thrown out the people didn't want any part of that.

Board Member Rogan stated and the woman is now deceased.

Rich Williams stated it is back into play again.

Chairman Schech asked are you sure. Did he talk to anybody.

Rich Williams replied well he is coming out next week for this meeting and he said he had to give them a period of time before he could approach anybody but he said he has approached them at this point and he plans on meeting with them next week.

Board Member Pierro asked that was that little ranch.

Board Member Rogan stated on the corner.

Board Member Pierro stated just south of the barn.

Board Member Rogan stated I can't imagine how they would take enough property,

Chairman Schech stated there is a lot of movement they have land in the back, which he owns which they could use.

Rich Williams stated that is true but that is right now slated to be open space. It could be an interesting dynamic for him.

Board Member Rogan stated but we can't make a decision based on a scenario.

Chairman Schech stated there is a lot of opportunities there. I will call up what's his name, Margaret's husband, he should be in the middle of this because he is pretty sharp.

Board Member Rogan stated I would think that would probably be one of the contacts.

Board Member Montesano stated also that lady with the barn is going to suddenly find out that she could end up with absolutely nothing.

Chairman Schech stated because right now I don't think anyone is interested in the house from what I get.

Board Member DiSalvo stated that barn might have to come down anyway.

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

10) D'OTTAVIO SITE PLAN

Rich Williams stated they are back in, they have addressed a lot of the engineering concerns that Gene had raised. They have not done anything about the issues I raised as far as with the stream detailing the existing conditions none of that.

Ted Kozlowski stated we asked for that a while ago too.

Rich Williams stated absolutely and I knocked him off the agenda the last time because they didn't submit. I figured bring them in, beat them up what are you going to do. They have done nothing in furtherance of the wetland watercourse permit.

Chairman Schech stated bring them in and throw them out.

Ted Kozlowski stated I can't wait until you get to Forest View.

Chairman Schech stated same thing with Forest View.

11) FOREST VIEW APARTMENTS

Rich Williams stated same thing with Forest View, he is back in, they have addressed some of the engineering concerns, they have submitted a landscaping plan at this point that I have gone through they have got to make some changes to the plan actually they really submitted the landscaping plan last meeting.

Ted Kozlowski asked can I show you guys something.

The Board replied yes.

Ted Kozlowski stated I went out to check the wetlands, I walked the whole line and it is very interesting look what happens here referring to the plan it just stops. The last flag is here but then we have a stream

that goes like this. It is incomplete wetland flagging. This actually extends here, this goes under the NYSEG power line as stream and then this is a gushing so he has to show this and the hundred foot buffer. This is very active and then right here he has to show the guy that is living there. Board Member Rogan stated when we were down there we saw evidence of habitat.

Rich Williams asked is he back.

Ted Kozlowski stated I got spooked. There is a tent, a complete little compound.

Board Member Pierro stated we need to get a skidsteer or something in the woods and doze whatever is built there and get the guy out of there.

Ted Kozlowski asked have you guys seen this, this is a beautiful piece of property.

Board Member Rogan stated there is a waterfall there.

Board Member DiSalvo stated let's go walk that again.

Ted Kozlowski stated he has got to show that and we have been asking him from day one.

Rich Williams stated right and this is also the one that I raised the issue about Harry has got to sign off that the water is going to infiltrate under the railroad tracks, we don't have that and I also went to Harry and said listen I don't think you need to run that stormwater, you could shrink everything up by combining fore bay with the filter practice and kind of flipping the drainage on to the other side of the stormwater ponds and it should all flow, it should all work and Harry, came back to me and said I can't figure out how to design it can we meet and go through it. You know what that means and I just haven't had time.

Ted Kozlowski stated the other things guy, Harry has been around for a long time okay and we have gone through a million things how can you submit a plan like this and expect not to get beat up.

Board Member Montesano stated because we can't honestly make a statement that is going to cause us to go into a courtroom.

Ted Kozlowski stated I am going to call Jay because Jay does not deserve this he really doesn't.

The Secretary stated and tell him about his tenant.

Board Member Pierro stated on a serious note gentlemen and ladies now that this is part of our record that we have knowledge that there is a recluse living in the woods back there we have a liability this guy may be a psychopath, he may hurt some kid, we can be held liable.

Ted Kozlowski stated I don't know what he is but there is a lot of kids here.

Board Member Pierro stated we notify the Sheriff's Department, the landowner has to,

Ted Kozlowski stated it is either the railroad or this road exists, this goes back there.

Board Member Pierro stated the landowner has to go out there and put Posted signs on the trees, get this guy's stuff out.

Rich Williams stated when I was out there one year I don't know if it was with Shawn there was clear evidence that somebody was living out there during the winter. Been there done that. I spent a year living out in the woods.

Board Member Rogan stated I am not surprised for some reason.

(Discussion ensued regarding people living in woods over the years).

12) PADDOCK VIEW ESTATES

Rich Williams stated Paddock View is back in predominantly because he has been working with the DEP on stormwater design and the ponds have grown slightly larger.

Chairman Schech asked how did he make out with digging.

Board Member Rogan stated they resolved that didn't they.

Rich Williams stated I don't know that we have. He has been dealing with this stormwater stuff.

Rich Williams stated I made you copies of the last plan that he had submitted for the stormwater. It has grown somewhat. There was a buffer between the house and the garage and with the latest plan that is all gone. I have talked to DEP trying to get them to back off on doing practices on the individual lots in order to allow us to shrink the size of the pond they will not give anybody any credit for doing individual practices. They will say thank you very much and we encourage you to do that but you are not getting any credit for it.

Board Member Rogan asked Rich, with these two ponds what is the area or what is the high water elevation mark.

Rich Williams replied to be honest I have not gotten involved in it I do know that, I did skim through the report and the report said that they have got a four foot permanent pool both in the fore bay and the pond.

Board Member Rogan stated that is what they are showing as a shaded area they have like kind of a hashed, it looks like one of those wetlands signs. They are showing that at 474 on the lower and 478 on the upper.

Rich Williams stated usually Burdick Farms for an example with all that runoff that they have got the permanent pool that they are putting in there is six inches, I have a problem with that six inches I think it should be deeper but that is what they are showing for their permanent pool and those stormwater ponds and he is showing four feet.

Board Member Rogan stated at one time we talked about making these larger and making them wet ponds remember.

Rich Williams stated and I think that is what he is trying to do is create a wet pond and then the remaining portion is free board for the additional storm volumes. I will say that again, I skimmed through his report, his report is all based on DEP requirements and nothing to do with really, it really does not hit hard enough the New York State requirements. It may be in there and it is just not really addressing,

Board Member Pierro asked who is his engineer doing the stormwater.

Rich Williams replied Dan Donahue.

Board Member DiSalvo asked how much larger can they make these without interfering with this back structure.

Rich Williams stated no this is the last thing that you saw the current ponds come all the way out to here and here.

Board Member DiSalvo stated they are going to have lake front property.

Rich Williams stated the other problem is now this lot with this large barn has no property whatsoever.

Board Member Montesano stated he has got that barn there instead of trying to either cut it in half or move it over he won't.

Board Member DiSalvo stated they want everything.

Board Member Montesano stated they are trying that is how they make their money now a days. When you sold a house thirty years ago you made a couple of thousand dollars you were happier than a pig, now.

Board Member Pierro stated that barn may have to come down.

Board Member DiSalvo stated you said that from the beginning, whatever it is the apartments in there.

Board Member Pierro stated we know that those weren't going to stay. He agreed he acknowledged that they are going to be empty but some day it will come back. I think we ought to move in that direction.

Board Member Pierro asked is the elevation okay there to put the ponds if you remove the house.

Rich Williams stated I am just looking at that. If you remove the house or the barn.

Board Member DiSalvo and Board Member Pierro replied the barn.

Rich Williams stated if you remove the barn and put it back in there at least it would give the house a little bit more side area and a little bit of a back area but there would be probably a two hundred and fifty foot area of the road that you would not be capturing the stormwater on. I don't know that DEP would find that acceptable. You might be able to skinny something up and still have some sort of treatment.

Board Member DiSalvo asked can we move the road over too if we move the ponds over and save some of those big trees that we were talking about.

Rich Williams replied yes certainly you could shift the road a little bit.

Board Member Rogan asked you mean shift it,

Board Member DiSalvo stated to get rid of the barn you could move the ponds over a little bit.

Board Member Rogan stated that is some rock cut.

Chairman Schech stated so he definitely has to do something there.

Board Member Pierro asked couldn't we put the ponds on either side of the road.

Rich Williams asked what rock cut are you looking at along the frontage.

Board Member Rogan replied yes it is like a sheer rock. I am talking about what is existing to move the road to the east, move the road to the right as you are looking across 292.

Board Member Pierro stated I thought it was outlandish a year and a half ago but maybe Herb's suggestion that the house in the front has to come down.

The Secretary stated that he will be upset with because he put a lot of money into it.

Board Member Pierro stated I know that.

Board Member DiSalvo and keep the barn.

The Secretary stated that does not make sense why would you keep the barn.

Board Member DiSalvo stated or lose Lot 2.

Board Member Pierro stated it does not give us what we need. We have two hundred and fifty foot of the road or more that does not have any benefit to any stormwater management in the place where the barn is but up in the front where the house is.

Board Member Rogan stated up front where the house is you have greater separation distance between the proposed and the house. It is the back of the barn where it is tight.

Chairman Schech stated technically if the house is that impressive throw it on a truck and bring it up to one of the lots.

Board Member Rogan asked Rich do you have any other suggestions on this one.

Rich Williams replied I haven't gotten into it.

Board Member Pierro stated take the barn down and put the house where the barn is.

Board Member Rogan asked is there a minimum or a maximum separation distance that the Board would consider in terms of we are saying that we don't like that the ponds are so close to the barn basically

because it goes, the edge of the pond or the edge of the slope goes right to the edge of a proposed concrete curb. It looks like the edge of the pond slope is only ten or fifteen feet from the edge of the barn. If that is the case and we don't like it is twenty-five feet acceptable. In other words, I think we should be thinking of in terms of what we are looking for because on the house they have a driveway that goes between so what they are showing looks more like about thirty feet separation from the house to the top. The issue I think more is the separation from the barn to the practice. I kind of think we ought to be thinking in that regard.

Rich Williams stated I see it as one of three ways Shawn. One is you accept what he is proposing and just recognize that you have a lot for the most part that does not have a lot value, is encumbered and there is always going to be conflicts there with the stormwater pond. You get rid of the barn and we are going to have to play with that two hundred and fifty feet, figure out some practice that we can put in there that is going to treat it or you look at moving the stormwater off the site, putting it on the other side of the road if there is any vacant land that is out of the buffer.

Board Member DiSalvo stated there is the Bucci three acres across the street.

Board Member Pierro asked is that three acres enough though.

Rich Williams asked three acres.

Board Member Pierro replied across the street remember there was that parcel.

Rich Williams stated the problem with that parcel though I think it is hydrologically up gradient from this so I don't know that you get the stormwater up there. Directly across the street is the Clark's.

Board Member DiSalvo stated directly across and to the north a little bit.

Chairman Schech stated basically it is his problem how he is going to handle it not ours.

Rich Williams stated that is what I am saying Bucci's property is up here across the street from their house and that is hydrologically higher. This is Clarke's.

Chairman Schech stated well if you move the road and the ponds over towards the house and get rid of the house and the barn might be his only choice.

Board Member Pierro stated your suggestion Herb if the house is so nice let him take it to one of the sites may not be a bad idea. I don't know if there is any historical value to that house or what the age of it is.

Rich Williams stated I mean ultimately that would be probably the best design if you get rid of the house and the barn and shift the road over a little bit, open the lots up along the frontage.

Board Member Rogan stated easier on grading.

Chairman Schech stated there is no historical value to that house after what do you call it got through with it and then he fixed it up again.

Board Member DiSalvo stated it may have something if they were doing a dig there. They can say the house is who knows.

Rich Williams stated this went from a easy nice subdivision.

Rich Williams stated I talked to DEP and when I was talking to one of the guys from DEP about putting practices on individual lots to manage the stormwater and taking the credit for it he basically kept coming back at me but the problem is they have got too many lots out there they should lose a lot. I kept saying but if they can manage the stormwater why are you saying they have got too many lots. Our problem is it is not an attractive looking design and that is what we are trying to do not that we can't design to do it. The DEP kept saying you have got to lose a lot. I don't know where it is but they have got to lose a lot someplace.

Board Member DiSalvo stated there are a lot of houses in there when you think about it.

The Secretary stated I think it is probably going to be one of the nicer subdivision.

Board Member Rogan asked is DEP saying that they have ten lots if they have nine lots the ponds would fit. That is an option also.

Rich Williams stated that is not true.

Board Member Rogan stated yes but you know what that is not true because you are not reducing the impervious.

Rich Williams stated that is right.

13) NRA REALTY DEVELOPMENT CORP. SUBDIVSIION

Board Member Pierro stated it is beautiful property up on top but getting up there is a b----.

Board Member DiSalvo asked is this the old Pegglesworth.

Rich Williams replied it is across the street it is Robert Bauer's old property that is across from Andy Andretta's house.

Ted Kozlowski asked he sold it.

Rich Williams replied yes.

Ted Kozlowski asked the shooting range is no longer.

Board Member Pierro stated Bauer sold it.

Rich Williams stated I am not sure what is going on up there.

Board Member DiSalvo asked going up the hill it is on the left or the right.

Board Member Pierro stated maybe that kid that came in to put the house up on the hill.

Ted Kozlowski stated Sypko. Sypko is above this.

Rich Williams stated no Sypko is below this.

Board Member Pierro stated Sypko is below this and this is up in the back. We went up there there was a hunting camp up there.

Ted Kozlowski stated this is where they were all shooting up the place.

Ted Kozlowski stated this has streams all over the place. That is Stephen's Brook.

Chairman Schech stated first he has got to get across the brook unless you said he might go up above somewhere.

Rich Williams stated well he is not crossing the brook once.

Chairman Schech stated three or four times.

Board Member DiSalvo asked how many houses.

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

Board Member Rogan stated and this is the existing dwelling.

Rich Williams stated listen, don't say that, don't encourage that the existing dwelling.

Ted Kozlowski asked isn't that an illegal dwelling.

Rich Williams stated Paul said well change the Code to allow it Paul has issued a building permit for a 20 by 30 cabin with a loft and a woodstove.

Board Member Rogan stated they are not showing anything on any of the lots yet.

Rich Williams stated no they have not shown houses, septic or wells anywhere.

The Secretary stated it is a concept.

Board Member Rogan stated I am having a hard time following this plan.

Ted Kozlowski asked this is one acre zoning.

Rich Williams stated it is a cluster plan so they have clustered everything. Listen, the good news is it is not a bad cluster design. The bad news is the site is really horrific.

Ted Kozlowski stated look at the slopes.

Rich Williams stated yes. Look at the individual lots and how much area is less than twenty percent they have to build on.

Ted Kozlowski stated remember what Sypko had to go through for that driveway guys.

Board Member Rogan stated and none of Sypko's is twenty percent and that was steep.

Rich Williams stated well they didn't do that on Sypko's. While you are looking at Sypko's one of the things I suggested is to mitigate the two stream crossings one of them that is existing but never got a permit to do is perhaps work out a deal where they eliminate Sypko's stream crossing and give him access off this road and it keeps them right off the steep slopes.

Ted Kozlowski asked but where are they going to put houses on this. There are some pretty tough lots here.

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

Rich Williams stated there is a couple of other things that you guys should be aware of that is really why they are coming in here is they are proposing the through road as only twenty feet instead of twenty-four. They are also proposing a short, 780 lineal feet cul-de-sac road also with a twenty foot wide road and I imagine that they are going to have some grade problems there looking at the steep slopes they are coming across. I think he is looking for direction as far as how the Board feels about this. I have done a memo that you should all have.

Chairman Schech asked who is the engineer on this.

Rich Williams replied Zarecki.

Board Member DiSalvo asked this is still Putnam County right.

The Board replied yes.

Board Member DiSalvo stated because the application has Dutchess County Health Department.

Rich Williams stated for the site I think it is a good design.

Ted Kozlowski stated I think it should be one house on a very large lot.

Rich Williams stated it is a hundred and fifty acres.

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

Board Member DiSalvo asked so when are we going to site walk this.

Rich Williams stated well he is only in for a concept and he has only submitted a hundred dollar application fee.

14) OTHER BUSINESS

a. Site Walks

Rich Williams stated we have a couple of projects that were in at the last meeting that the Board wanted to site walk one is Merlotto which hasn't been done and the other is Rizzo wetland watercourse permit off of Carolyn Drive which we haven't gotten to yet either

Ted Kozlowski stated I told Rich and Shawn I was there the other day after all the rain and I needed a boat to access the site. Just so you know the Health Department did issue a Stop Work Order and the DEP has piggy backed that and they are re-evaluating the lot.

b. T & T Associates

Rich Williams stated we haven't got the issues worked out with the letter of credit.

(TAPE ENDED).

Rich Williams stated however there has been movement on it hopefully we are going to get that wrapped up.

c. Zoning Code Amendments

The Town Board is currently considering some zoning code amendments, by our Code they need a report back from the Planning Board. A lot of it is clarification of definitions.

Board Member DiSalvo asked tell them why you are doing foot-candles.

Rich Williams stated there is two big additions, well there is one little addition, one big addition. This was all precipitated by an individual who wants to open a restaurant in the old building.

Board Member Montesano stated by Patterson Village.

Rich Williams replied yes out in front of Patterson Village and requested that the zoning designation which was R-4 to be changed so the Town Board instructed me to change the designation to General Business for that parcel.

Chairman Schech asked is he getting rid of all the apartments.

Rich Williams replied no.

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

Board Member Pierro asked changing it to General Business and that would allow a restaurant.

Rich Williams replied that is what the zoning change would do.

Board Member Montesano stated a restaurant used to be in there.

The Secretary stated it was a restaurant.

Chairman Schech stated it was at one time.

The Secretary stated I was about five years old and in a wedding and the shower was there we have pictures.

Board Member Montesano stated we use to have our New Year's eve,

Ted Kozlowski asked how long ago was this.

The Secretary stated I was five years old.

Chairman Schech stated it was the Blue Willow, it had about three different names.

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

Rich Williams stated the other big change to the zoning code is we are actually putting standards in the Code for lighting throughout the Town both residential and commercial.

Board Member Rogan made a motion to adjourn the meeting. Board Member Pierro seconded the motion. All in favor and meeting adjourned at 8:50 p.m.