

**PLANNING DEPARTMENT**

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**TOWN OF PATTERSON  
PLANNING & ZONING OFFICE**

**ZONING BOARD OF APPEALS**

Lars McNulty, Chairman  
Mary Bodor, Vice Chair  
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**PLANNING BOARD**

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

**Planning Board  
November 24, 2015 Work Session Meeting Minutes**

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

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

The meeting began at 7:00 p.m.

Sarah Mayes was the Secretary and transcribed the following minutes.

Chairman McNulty called the meeting to order.

Chairman McNulty: Okay, it's the Patterson Planning Board Work Session for November 24<sup>th</sup>. We have a bunch of people here. Anybody have a problem if we move the agenda around?

Board Member Taylor: Nope.

Board Member Ladau: No. So we can get rid of them.

**1) Paddock View Estates – Driveway Waiver**

Mr. Mark Porcelli was present.

Chairman McNulty: Have these gentleman right here. Rich, they're from...

Rich Williams: They are not on the agenda. This is, as I explained to you earlier, this is a request for waiving the requirement that the driveway be 10' away from the side property line.

Chairman McNulty: What's the name of the subdivision again?

The Secretary: Paddock View.

Rich Williams: Yes.

Chairman McNulty: Paddock View. Okay.

Rich Williams: And this all came about today.

Chairman McNulty: Okay.

Rich Williams: So they're not even on the agenda, per se. You'd have to add them to the agenda.

Chairman McNulty: Alright well, I'll say we'll add them to other business; Paddock View.

Board Member Taylor: Where's Paddock View again?

Chairman McNulty: Right up on...

Rich Williams: [Route] 292.

Chairman McNulty: 292, past the light. The new light.

Board Member Taylor: Oh, it's this one here. Okay. Yeah.

Chairman McNulty: Okay. Gentlemen are sitting right here.

Rich Williams: Sarah's got all the material right there in front of here. If she wants to hand all of that out.

Chairman McNulty: Okay. Rich, went over this with me quick. I guess you have a number of lots there. And there's a new lot where the driveway got cut in right up against the property line on one corner.

Mr. Mark Porcelli: Well, we paved in as the lot...The entrance of the driveway's fine. As you get back to the turnaround...

The Secretary: You want to pass one down? [Referring to driveway paperwork]

Mr. Porcelli: the property line cuts in a little bit so we paved...

The Secretary: Here. There's one for each of you.

Mr. Porcelli: sort of a straight line. We got...We enclosed in that 10'...

Chairman McNulty: Okay.

Mr. Porcelli: setback which, honestly, I wasn't aware of and neither was he. Not that I shouldn't have been but...

Chairman McNulty: Yeah, I know. Stuff happens.

Mr. Porcelli: I just found this out today and we have a closing tomorrow, hopefully...

Board Member Taylor: And where's the (inaudible – papers shuffling and talking).

Mr. Porcelli: if we somehow resolve this.

Chairman McNulty: We're looking here, guys. See the driveway? Instead of coming along this line, it got cut on an angle.

Board Member Brady: Yup.

Chairman McNulty: Does it cross the property line?

Mr. Porcelli: No. It doesn't cross it. It's just...

Chairman McNulty: Okay.

Mr. Porcelli: within, I guess, maybe a foot of it.

Chairman McNulty: The question I have and Sarah pulled the plot, is where is this driveway?

Mr. Porcelli: This driveway is...

Chairman McNulty: How far...

Mr. Porcelli: right here.

Rich Williams: Well, why don't you pull the subdivision plat?

Chairman McNulty: Yup.

Mr. Porcelli: Well, it's nothing in yet. It's a vacant lot.

Chairman McNulty: I know. But we're...

Mr. Porcelli: Oh. Okay.

Chairman McNulty: looking at future...

Mr. Porcelli: Okay.

Chairman McNulty: of where it would be.

Board Member Taylor: Yeah, but there's going to be someone in there, right?

Chairman McNulty: Okay. So, which lot is the one...

Mr. Porcelli: Three.

Chairman McNulty: So this driveway right now is up against this. So that puts these driveways back-to-back.

Board Member Taylor: Well, that's fine.

Chairman McNulty: Well, they'd be...One would be right up to the property line. The other one's right here. How much trouble would it be to cut it out? Just keep it in line?

Mr. Porcelli: Well, what it does, it creates...We went out there and measured it out. It really just butchers up the top of the driveway because you're...In order to cut this, you're starting way back here and just kind of...really takes a big chunk out of the turnaround. And it's a little bit...This drops off here, so the reason why we extended it to give them a little bit of extra room to turn around, not realizing we were going to be creating an issue.

Chairman McNulty: So you did what looked like common sense and...

Mr. Porcelli: And it...

Chairman McNulty: but not realizing it would be...

Mr. Porcelli: turned out to, you know, be a problem. I mean, I could hold, you know, we could hold this over a little bit if you want me to keep this...If this 10 [feet] and I need to keep another 5', I don't...

Chairman McNulty: Well, I know as long you maintain a 10 [foot]...I...Does anybody have any thoughts on that?

Board Member Taylor: No.

Chairman McNulty: I would rather have a better turning radius than...

Board Member Brady: Right.

Board Member Taylor: Yeah.

Board Member Brady: I'm fine with it.

Chairman McNulty: butcher it up. As long as we don't cross the line. We maintain that property line.

Mr. Porcelli: No. It was definitely not crossed.

Board Member Taylor: There are lots of driveways in Town that are right next to each other.

Board Member Brady: Yeah.

Chairman McNulty: Yeah.

Board Member Ladau: Yeah.

Board Member Brady: Yeah.

Board Member Montesano: This is poured already?

Mr. Porcelli: It's already paved, yeah.

Rich Williams: Yup.

Mr. Porcelli: It's all...Everything's done and (inaudible). Everything's in.

Board Member Taylor: And if the other guy maintains his 10', then...

Chairman McNulty: Well, we have 10' about, what, two thirds of the way up?

Mr. Porcelli: Ten feet...

**Yes.**

Mr. Porcelli: Where are we? At least. We're all the way to here with 10'. So it's just the last... You know, if we were take this and cut this out, it just creates...It's kind of a tough...Not that it's tough, but because this drops off at the end of the driveway, it's not a topo to see, they...we couldn't put...Usually, you put like a tail in here where you can back into and go. But because it dropped off, we kind of brought it out a little farther to make that turn easier to get out because of the, you know, the way the septic system is. You just can't really...And there is some rock up here so we couldn't move the driveway either; the entrance.

Chairman McNulty: So Rich, is this a site plan amendment we're looking at? Do we need an application?

Rich Williams: No, no, no. What you want to do is you just want to, if you're all amenable to it, by motion, you just want to waive the requirement that the drive be 10' from the property line.

Chairman McNulty: For this particular lot.

Rich Williams: For this particular lot. I do want to touch on something Ron said, though. We really specifically changed the Code, and I'm not trying to queer this because, you know, the occasional driveways that are butted up against each other are not a big deal. But, you know, we specifically changed this to give a little bit of separation between the property owners so, you know, you don't have the cars backing over somebody's yard.

Board Member Taylor: Right.

Rich Williams: But also, to create, you know, that green area between the driveways to give the water some place to go as well.

Board Member Taylor: Right. Yup.

Chairman McNulty: What's the topo between the two driveways? Is this one lower or higher? Or do they have the same plane?

Mr. Porcelli: These two come in pretty much the same. They're going to be pretty...This is going to be higher here. This is rising up. So, this driveway's going to be higher than this driveway. At the entrance they come in the same and then this is going to come up.

- Chairman McNulty: Okay.
- Mr. Porcelli: Topo wise, this is a higher...The lots are going up here and then they kind of come back down over here.
- Chairman McNulty: Is there any reason to think we need some kind of protection here from backing out into this driveway if they are that close?
- Mr. Porcelli: It's not going to be a drop-off like that.
- Chairman McNulty: Just a slope.
- Mr. Porcelli: But the elevation...It will be a slope, but the elevation will be higher. So...
- Chairman McNulty: Okay.
- Mr. Porcelli: you're not going to have...They're not going to be right up against one another.
- Chairman McNulty: It's nothing drastic.
- Mr. Porcelli: No, no. It's not...
- Chairman McNulty: Okay.
- Mr. Porcelli: a severe...And this isn't severe either but it just wasn't...If for me to bring 10 or 15 feet out here for them to back in and go, it would be a, you know, we'd be filling a lot and have to retain it. It just wasn't practical
- Chairman McNulty: Okay.
- Mr. Porcelli: And honestly, in a lot of...most other...a lot of other towns, I've never...You could always pave up to the property line. I never even thought...
- Board Member Taylor: Yeah.
- Mr. Porcelli: Like I said, I probably should have known the Code, but never thought that it was an issue until now.
- Rich Williams: Well, moving forward, just so you know...
- Mr. Porcelli: It's an issue.
- Rich Williams: we've approved a site plan for each one of these lots.
- Mr. Porcelli: Yup.
- Rich Williams: That's really what you need to be building to.

- Mr. Porcelli: You know, I...
- Rich Williams: If you're not...If you're going to deviate, come see me.
- Mr. Porcelli: That was something I had no idea that...And I've come to see you before.  
You know, I will...
- Rich Williams: Yeah.
- Mr. Porcelli: approach you with things. I don't have a...I never thought that the driveway was ever an issue, quite honestly. And...
- Chairman McNulty: Okay. Anybody have any other comment? Everybody okay with this?
- Board Member Montesano: Now, this is the low...This is the lower one?
- Mr. Porcelli: Yes.
- Board Member Montesano: So that means it's higher over here.
- Mr. Porcelli: It's a little bit higher. We're not talking...
- Chairman McNulty: It's just it's...
- Mr. Porcelli: 10'. It's just upgrading it.
- Board Member Montesano: What I'm worried about it him backing out, or somebody backing out, and then just keep going by mistake.
- Chairman McNulty: Well, that would be uphill from here.
- Board Member Montesano: Because there's...Yeah, well...It never happens.
- Board Member Taylor: Well, it's certainly better than it being downhill.
- Board Member Brady: Yeah.
- Board Member Montesano: Well...
- Chairman McNulty: And the other thing that you're concerned about is then somebody piling snow up in the neighbor's yard and not having any room. So...
- Mr. Porcelli: Well, really...
- Chairman McNulty: I mean, that's...
- Mr. Porcelli: the way to push...This is pushing over the hill. For him to come in and try to push, especially that that's up. You know, he's pushing uphill. I mean, that...Whether there's a driveway there or not, some...the ten feet is not going to stop somebody from doing something inconsiderate.

Board Member Montesano: I'm just wondering if there was some way to put a rock or a barrier or some kind...Just to let the guy know when he backs up that he's not...

Board Member Taylor: There's no room on his property to put anything, is there?

Board Member Brady: Right.

Chairman McNulty: No. No, he's right up against the line there for that last 10, 15 feet I guess.

Board Member Montesano: Well, if you put one on this side and one on this side...

Board Member Taylor: Yeah, you can do that.

Board Member Montesano: where the space is...

Board Member Taylor: Yeah.

Board Member Montesano: You're going to observe it and pay attention. Just so that...Because sooner or later you're going to get a neighbor up here and this guy is going to make one mistake; whether it's him, the kid, whatever. Or somebody in a hurry. And you'll have this guy going berzerk because you touched his property. You haven't had that happen either.

Chairman McNulty: Is there setbacks to fences?

Rich Williams: No.

Chairman McNulty: You can go right on property line, don't they?

Rich Williams: No. But, as I recall, that blacktop goes right up to the property line.

Board Member Montesano: It's right on the property line.

Rich Williams: So, you've got no place to put a fence.

Mr. Porcelli: You could...Well, if you...

Rich Williams: unless you put it in the blacktop.

Chairman McNulty: Yeah. What if you...

Mr. Porcelli: Well, like you said, if you went in where the...if you straddled that one section here, I mean, you put a section of post and rail there...

Chairman McNulty: Yeah.

Mr. Porcelli: One there and straddle that, it would be still on the property line and not have to go into the blacktop.

Chairman McNulty: How many sections would you need? How many...

Mr. Porcelli: It's just to get this...

Board Member Montesano: No. One.

Mr. Porcelli: just this one corner that touches, is what you're concerned about?

Board Member Montesano: Yeah, I'm just worried about if the guy backs up, that's all. Because my neighbor's got his mailbox right opposite my driveway and I can remember how many times the UPS guys pulls in and then backs out. And the next thing I know I'm hearing about it.

Chairman McNulty: Do you have any objection to putting a section of post and rail in there?

Board Member Ladau: Yeah.

Mr. Porcelli: Not a problem.

Chairman McNulty: Okay.

Board Member Montesano: And he's done it three times.

[Laughter]

Chairman McNulty: Any other comment?

Board Member Taylor: No.

Chairman McNulty: Well, I'll make a resolution for Paddock View Estates on Lot #3 to grant a waiver for the 10' setback at the driveway where it encroaches on the neighboring property.

Rich Williams: From the side property line.

Chairman McNulty: From the side property line. And also to put a section, or two maximum, of post and rail fence to demark that location.

Board Member Montesano: Second.

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

Chairman McNulty: Does that work?

Mr. Porcelli: That works. Thank you very much. I appreciate your time tonight to get me on...

Chairman McNulty: Well, we're here. So let's do it.

Mr. Porcelli: quickly. So, tomorrow morning at 11 o'clock, is when we're supposed to be closing. The people who...I...He can...

Chairman McNulty: Oh, that will be good. You'll have enough money to buy a fence.

Mr. Porcelli: Well, exactly. I promise you we'll get it done. You know he'll hang me if I don't.

Rich Williams: No, no. He was 6' off of the property.

Chairman McNulty: Okay.

Mr. Porcelli: So, you have my word that we're going to do this.

Chairman McNulty: Okay. Just take care of your business. Yeah, you've got more to build.

Board Member Brady: Yeah. You'll be back.

Mr. Porcelli: Alright. Thank you guys. Thank you so much for the help.

Chairman McNulty: Okay.

Mr. Porcelli: I appreciate it.

**Thank you.**

Mr. Porcelli: For getting me in.

Board Member Taylor: Good night.

Mr. Porcelli: Have a good night.

Chairman McNulty: Okay.

Board Member Brady: Good night.

Chairman McNulty: This will come back to me? It's all good? You got that?

Rich Williams: Yup.

Chairman McNulty: Okay.

Rich Williams: Now you've got Chase here.

Chairman McNulty: Yup. Let's...

## **2) Patterson Auto Body – Sign Application**

Mr. Jim Byron was present.

Rich Williams: (Inaudible – papers shuffling) all here. And you got Patterson Auto Body.

Chairman McNulty: Okay. Jim Byron out there?

Board Member Taylor: Yes. He's out there.

Chairman McNulty: Do we call him in?

Board Member Taylor: Yeah, I'll get him.

Mr. Porcelli: He's right (inaudible – too distant).

Board Member Taylor: Yeah, you tell him? Thanks.

Board Member Montesano: You want some?

Board Member Brady: Yeah. Yeah, I'll take that.

Board Member Montesano: Yeah. And you got the other paper in there, too.

Board Member Brady: I got that.

Board Member Taylor: Okay. Where is Patterson Auto Body?

Board Member Montesano: Alright. Give it back to me then.

Board Member Brady: I've got one. How many you want?

Board Member Montesano: No, there's one in here.

Board Member Brady: Oh, there's one in here? You're alright.

Board Member Montesano: I'm happy to get rid of it.

Chairman McNulty: Hey, Jim. How are you?

Mr. Jim Byron: Hey guys. Good evening.

Board Member Montesano: You need a...don't worry about...

Mr. Byron: Where's a good place for me to hang out?

Chairman McNulty: Anywhere you can squeeze in.

Board Member Taylor: How about right there?

Chairman McNulty: You have a chair there. There's another...

Mr. Byron: I'm going to stand over here.

Chairman McNulty: Okay. Did you have a good trip?

Mr. Byron: Excellent.

Chairman McNulty: Good for you.

Mr. Byron: Yeah. Family, hillbilly wedding.  
[Laughter]

Board Member Montesano: Did you stay sober.

Board Member Brady: Cool.

Mr. Byron: Did I stay sober?

Chairman McNulty: Possum hors d'oeuvres?

Board Member Montesano: What's the matter? Drinking Texas water is no good there?

Mr. Byron: No, eating a lot of beef. That's for sure.

Board Member Ladau: And just that the sign exceeds the Code and...

Chairman McNulty: Okay, so Jim, you're here because of a Shell sign. Did we get more information on that? All I have is a...

Rich Williams: No, you don't need...What it was is it was referred over to the Zoning Board of Appeals.

Chairman McNulty: That's right.

Rich Williams: The Zoning Board of Appeals granted the variance based on the Planning Board's recommendations. And now Jim is back here.

Chairman McNulty: And that was a size variance for a second sign.

Rich Williams: Correct. So he got the second sign, he got the size variance. So now it's a question of the design of the sign and the location of the sign.

Chairman McNulty: Okay. So, have you...

Mr. Byron: Did you get a chance to ride...the mailbox at the site?

Chairman McNulty: The location of it?

Mr. Byron: Yes.

Chairman McNulty: I was by. And I did have some concern...I didn't have a clear view. It was quick. I stopped there to get some gas and...

Mr. Byron: Yup, yup.

Chairman McNulty: I was taking a look there and...

Mr. Byron: It's...I measured it out to...

Chairman McNulty: It's at the north corner of your lot, correct? Basically, at the intersection.

Mr. Byron: Yup.

Chairman McNulty: To me...

Mr. Byron: North of the driveway at the mailbox. And it puts me 40' from the traffic pole and 40' the telephone pole. The telephone pole being south and the traffic pole...traffic light pole being north.

Chairman McNulty: Okay. I...We don't have a picture or anything, do we?

Rich Williams: We've got...

The Secretary: A survey.

Rich Williams: a survey.

Mr. Byron: Mhmm.

Rich Williams: But we don't the driveway or utility pole that...

Chairman McNulty: Where's the mailbox? Is it on the north side...

Mr. Byron: North side.

Chairman McNulty: of your north entrance.

Mr. Byron: Yes. North side...

Chairman McNulty: Because when I was there, it looked like there were two phone poles. I guess somewhere near the property line with the restaurant.

Mr. Byron: Yes.

Chairman McNulty: Is that the restaurant or...

Rich Williams: One is here.

Chairman McNulty: And I just thought it looked like a busy spot...

Mr. Byron: Yup.

Chairman McNulty: to put a sign. How far back from the road is the sign proposed to be?

Rich Williams: We have more copies of this, right? [Referring to a survey].

The Secretary: Yes, that's the copy from Mary. I think it's from Cheryl's.

Mr. Byron: I put it pretty much in accordance with the existing sign back from the road. If there's a setback requirement, I'll...

Chairman McNulty: Well, I don't know there's setback. I'm just thinking of all the overhead wires.

Mr. Byron: Mmhmm.

Chairman McNulty: I think there's a double pole there...

Mr. Byron: Yup.

Chairman McNulty: Basically right at the intersection.

Mr. Byron: Yeah. There's no wires in...nowhere near where the sign's going to go.

The Secretary: Do you want me to make copies first before you start marking it?

Chairman McNulty: But we need to see something that shows us right where it's going to go.

Rich Williams: Well, that's what I'm trying to work on right now.

Chairman McNulty: Okay.

Mr. Byron: Okay. And I guess I should have...

The Secretary: I'm just going to get to the copier. Thank you.

Chairman McNulty: Pictures would be great.

Board Member Taylor: Yeah.

Mr. Byron: I could...

Board Member Taylor: We can go on Google and look on it.

Mr. Byron: I guess I should have been a little more prepared for that.

Ron Gainer: I'm in your space.

The Secretary: Sorry.

Chairman McNulty: You know, we pass by. We go, but it's, you know, we're not there. We don't live it every day like you.

Mr. Byron: Yeah, yeah. Right.

Chairman McNulty: Are you sure you don't want a chair, Jim?

Mr. Byron: I sit a lot during the day.

Chairman McNulty: So the variance came through for the size and the second sign.

Mr. Byron: The size...The size, the height...

Chairman McNulty: What was the total size granted? Just what we recommended?

Mr. Byron: Yes.

Chairman McNulty: Okay.

Mr. Byron: Without that V-Power.

Chairman McNulty: Right.

Mr. Byron: Thirty...Whatever it was. I don't...

The Secretary: Thirty-two...

Mr. Byron: Thirty-two.

The Secretary: square feet.

Chairman McNulty: Okay.

Mr. Byron: I didn't want to say that and not know for sure.

Chairman McNulty: Okay. So the location is the big thing at this point.

Mr. Byron: Well, I did speak...I did have a conversation about putting it near the existing sign, this way they would be just side by side. But then it looked...It would look like a big billboard.

Chairman McNulty: Is going to be a similar height to the existing sign?

Mr. Byron: Yes.

Chairman McNulty: Not higher?

Mr. Byron: Not higher.

Chairman McNulty: Okay.

Rich Williams: Jim, the driveway in that area, how...what's the distance between the driveway and the...where you're proposing to put it?

- Mr. Byron: Well, here's a pole here, right on this one. And there's a pole...there's a light...traffic light pole here and...
- Chairman McNulty: And there's another pole there.
- Mr. Byron: And then another pole...
- Chairman McNulty: Yeah.
- Mr. Byron: I think it's closer to here. The...This would be...It's not scale here. That's the only thing I could tell you is that if you measure from the traffic light pole to the mailbox and from the mailbox to this pole, this way here is 40' and this way here is slightly longer.
- Chairman McNulty: Mmhhh.
- Mr. Byron: So the sign is going to go right in this area here. So when traffic pulls in, it's not impeding them to get to the pumps. This goes nowhere. This is just a dead area over here.
- Chairman McNulty: Is that parking like it's shown there?
- Mr. Byron: Yup. Park in here.
- Chairman McNulty: And it won't affect the parking lane?
- Mr. Byron: Won't affect the parking lane here. It's going to affect plowing. We plow in this direction. But that's an internal issue.
- Chairman McNulty: Mmhhh.
- Mr. Byron: So...
- Chairman McNulty: What does it choke that lane down to between the parking spot and the sign? That distance. Would know that?
- Mr. Byron: Oh, gosh. That's got to be twenty-five...It's got to be double...You can still get...I know you can get single through, if not double. Because the width of the...The sign itself is only...You have the measurement right there. It's 4'. So if you put a little safety thing around there, you're talking about 5', 6' in depth.
- Chairman McNulty: What did I do with that application?
- Mr. Byron: That's the Master Plan?
- Rich Williams: That's the Master Plan.
- Mr. Byron: Yeah.
- Chairman McNulty: So this shows 20' high. Your other sign's not that high, right?
- Mr. Byron: No. That...Yeah, that...This is we're going to...

Board Member Montesano: That's a generic...

Mr. Byron: We're going to chop this off wherever you say.

Chairman McNulty: I think we talked about a 7-foot...

Mr. Byron: Seven feet...

Chairman McNulty: clearance below.

Mr. Byron: Right. Seven feet from here. So...And we're not doing this. So it's 7-foot from here to here. This is the bottom of the sign.

Chairman McNulty: Mmhmm.

Mr. Byron: So this is not 4. This is 42". I don't have my glasses. Forty-three inches and then this is 48". So...

Chairman McNulty: So, we've got 15' in the air.

Mr. Byron: Yeah. Less than 8'. I'm okay. I got it. I remember those numbers.

Rich Williams: And Jim, this is where the sign is going?

Mr. Byron: Yes. As long as you agree. See, if you put it but the Patterson Auto Body sign, then it looks...

Chairman McNulty: No, no.

Rich Williams: It makes no sense.

Chairman McNulty: Yeah, we understand that.

Mr. Byron: Yeah, it looks...It just looks like...

Chairman McNulty: Just want to make sure that this...When I was there, just with the poles: the light pole, the two poles in the corner...

Mr. Byron: Mmhmm.

Chairman McNulty: It just looked busy there to place a sign. Not even realizing. Because I don't...You must just park your work vehicles over there, I guess. It doesn't look like people park there.

Mr. Byron: Well, the employees park there.

Chairman McNulty: Yeah.

Mr. Byron: Because it's a dead spot.

- Chairman McNulty: And fuel trucks, that's not a problem?
- Mr. Byron: No.
- Chairman McNulty: They come in the other side.
- Mr. Byron: Yeah. Fuel trucks come in straight in. Yeah, we've been, you know, like I said, I live it. I live it. I'm not trying to do the wrong thing because then I have to live with it.
- Chairman McNulty: No, no. We understand.
- Mr. Byron: If you go to the south end of the property, I've got all the...I've got a lot of room on the south end I can do it. But...
- Chairman McNulty: No, people will be turning into the south end.
- Mr. Byron: Yes. And it would sort of be after the fact. It wouldn't go along with where the gas station is.
- Chairman McNulty: Well...
- Board Member Montesano: And you can't get a big sign with an arrow because that's...
- Mr. Byron: With a flashing arrow.
- [Laughter]
- Board Member Ladau: Yeah.
- Board Member Montesano: Yeah.
- Board Member Ladau: Better still.
- Board Member Montesano: Wait a minute, you can hire one of those guys with the (inaudible).
- Mr. Byron: So I, you know, I don't see the location changing all that much. You might say, you know, keep...
- Chairman McNulty: You know what it is, I don't think that any of us are that familiar with that particular location and the conditions.
- Mr. Byron: Yup. Okay.
- Chairman McNulty: Maybe...I don't know if we need a whole Board walk...site walk. Maybe I could come out or Rich could come out and get a better look at it...
- Mr. Byron: Mhmm.
- Chairman McNulty: And just discuss with you and get an idea...

Mr. Byron: Sure.

Chairman McNulty: Or any one of the Board members come out and take a look.

Board Member Taylor: Well...

Chairman McNulty: It would be hard...It's hard for us to just make a decision without really knowing it.

Board Member Montesano: That split rail fence is there from the restaurant, right?

Mr. Byron: Yes.

Board Member Montesano: There's a split rail fence.

Chairman McNulty: Along the property line.

Board Member Montesano: Yeah.

Mr. Byron: That's the property line.

Board Member Montesano: So, it's going to be to that.

Chairman McNulty: Well, it's down south of that.

Mr. Byron: Yeah, about 40 feet.

Chairman McNulty: By 40'.

Mr. Byron: Well, actually from there, it's a little more than 40 [feet] then.

Chairman McNulty: Yeah.

Mr. Byron: It will be closer to 50'

Chairman McNulty: From the light pole it's 40'.

Mr. Byron: Yeah.

Chairman McNulty: Yeah.

Board Member Montesano: I still got the saw blade.

Board Member Taylor: So, do you want us to go out and look at it, Tom? Is that what you're saying?

Chairman McNulty: Yeah. I'd like for everybody to be familiar with it before we just...

Mr. Byron: Okay.

Board Member Taylor: Make a decision next week.

Board Member Brady: I'll take a ride by there.

Chairman McNulty: Yeah.

Board Member Brady: No problem.

Mr. Byron: If you just...

Chairman McNulty: We don't need anything formal, right? Everybody in the area, take a look there.

Mr. Byron: And if you just use the mailbox...

Chairman McNulty: Yeah.

Mr. Byron: as the location, that's...

Chairman McNulty: That's about where you want to put...

Mr. Byron: And you might say, no put it 5' further north. Five feet further south.

Chairman McNulty: My concern is from the road back because you have parking there and you have a lot of the overhead wires and things.

Mr. Byron: Mmhmm.

Chairman McNulty: I don't know what their height is. We're looking at 15' to the top of this. So, just...

Mr. Byron: Mmhmm.

Rich Williams: So you're proposing to put it right next to the mailboxes?

Mr. Byron: Yes.

Rich Williams: Okay. So, everybody can get out the between now and the next meeting, next Thursday?

Board Member Montesano: Yeah.

Chairman McNulty: Yeah, I've got nothing to do Thursday, so...  
[Laughter]

Board Member Ladau: We can have a site walk on Thursday.

Board Member Montesano: Go find and check your feathers?

Rich Williams: Why aren't you cooking?

Chairman McNulty: My wife wants to cook and you don't want to eat my cooking.

Mr. Byron: I can do next Thursday.

Rich Williams: No, but your wife deserves a break once in a while.

Chairman McNulty: She gets it.

Board Member Taylor: She's had it, right?

[Laughter]

Chairman McNulty: She's had it.

Board Member Ladau: Does Dunkin Donuts release her...

Chairman McNulty: I have a general idea of what you want...

Board Member Montesano: White Castle.

Chairman McNulty: Just want to make sure it fits.

Mr. Byron: Yup.

Chairman McNulty: And...

Mr. Byron: Can you...If you come during the day, or if it's after hours, I can meet you there.

Chairman McNulty: Well, I'll try and stop during the day. I'll, you know...

Mr. Byron: Okay.

Chairman McNulty: I'll knock on the door for sure.

Mr. Byron: Yeah. You got to...I'm in the back. Really, I'm there. You just have to ask for me.

Chairman McNulty: Yeah.

Mr. Byron: I try to hide out in the back, so...

[Laughter]

Board Member Brady: They screen you, huh?

Mr. Byron: Well, we try. The salesmen have a funny way of finding me all the time.

Chairman McNulty: I'll come find you when I come by. I don't know if all these guys, unless they have a question for you, but just get an idea. We know where the mailbox is. We know where you want it. If you have an idea what it looks like. The height. Just make sure it's right.

Board Member Montesano: They're going to tear that little spot up, right?

Chairman McNulty: It's...

Board Member Montesano: When the sign goes up...

Chairman McNulty: four feet wide.

Board Member Montesano: they're going to have to tear up some of that.

Board Member Taylor: Is that what it is?

Mr. Byron: Oh, the blacktop.

Board Member Montesano: Right.

Mr. Byron: Yeah, they're going to have to put in...

Board Member Taylor: Or wider?

Board Member Montesano: So, if you find a piece of chalk, put a big "x".

Mr. Byron: Oh, yeah.

Board Member Taylor: It's actually narrower than 4', isn't it?

Board Member Montesano: This way they can find it.

Mr. Byron: Okay.

Board Member Brady: Better watch out, we might start digging for gold.

[Laughter]

Mr. Byron: Hopefully, that's all you find.

[Laughter]

Mr. Byron: I'm never quite sure what Ed Arnold put in there but...

Chairman McNulty: And Jim, that's the actual what it's going to look like? Less the V-Power.

Mr. Byron: Less the V-Power.

Chairman McNulty: Okay.

Mr. Byron: So the Shell is 4' by 4'; the logo.

Chairman McNulty: Mmhmm.

Mr. Byron: And then the price sign is...

Chairman McNulty: Alright. And what did you decide with the awning? Did we talk about the awning? Removing signage from the awning?

Mr. Byron: Yeah, we're taking the signing...

Rich Williams: Taking it off.

Mr. Byron: Yeah, we're going to take the awning signs...The digital displays will be removed from there.

Chairman McNulty: Yup.

Mr. Byron: The pendent, the Shell pendent, will be put on each corner.

Chairman McNulty: Okay.

Mr. Byron: And then there are, you know, there're yellow. They have a yellow strip that goes around...

Chairman McNulty: Yeah, it's their logo.

Mr. Byron: Just like, you know, when we were Citgo it was red.

Chairman McNulty: Mmhmm.

Board Member Montesano: Is that cherry stone or little neck's?

Chairman McNulty: Okay. Rich, is there anything else we need? Have you done any further review on this? Anything that we need to know from you?

Rich Williams: No, I mean, there's no review needed.

Chairman McNulty: Just to verify that...

Rich Williams: Basically, the ZBA set the standards.

Chairman McNulty: Mmhmm.

Rich Williams: He's in compliance with the standards.

Chairman McNulty: Yup.

Rich Williams: You just have to...

Chairman McNulty: We just got to nail down this location.

Rich Williams: Yeah.

Board Member Montesano: There you go.

Mr. Byron: Okay.

Chairman McNulty: Alright, well come back on Thursday and hopefully we've all looked at it and...

Mr. Byron: Okay.

Chairman McNulty: we can make sure we're doing the right thing.

Mr. Byron: Good.

Chairman McNulty: Okay?

Mr. Byron: That's why I'm here. I thank you very much.

Chairman McNulty: Thank you, Jim.

Mr. Byron: Thank you.

Chairman McNulty: Thanks for your time.

Mr. Byron: Alright, have a good evening.

Chairman McNulty: You, too.

Mr. Byron: Yup.

Chairman McNulty: Okay.

Mr. Byron: Happy Thanksgiving.

Chairman McNulty: Happy Thanksgiving.

Board Member Brady: Bye.

Rich Williams: Happy Thanksgiving.

### **3) CHASE BANK – Site Plan Waiver Application - Initial Application**

Ms. Jen Porter was present.

Chairman McNulty: Okay. Next we have someone here from Chase Bank. We're juggling the schedule here, Sarah. Sorry.

The Secretary: I see that. It's alright.

Chairman McNulty: Okay.

Board Member Taylor: Well, for a small trailer, you're sure giving us a lot of paperwork.

Ms. Jen Porter: I know. We wanted to make sure you had all the details.

Chairman McNulty: Hi. What's your name?

Ms. Porter: Hi. I'm Jen Porter.

Chairman McNulty: Hi, Jen. So is the bank open?

Ms. Porter: Yes.

Chairman McNulty: Good. And the ATM still there?

Ms. Porter: Yes.

Chairman McNulty: That's great.

Ms. Porter: The ATM's still there.

Board Member Brady: Yeah, that's the important thing.

[Laughter]

Ms. Porter: Well, that's why they have the armed guards, so...

Board Member Ladau: Can each of us have a key for the ATM?

Ms. Porter: Yeah.

Board Member Montesano: That's the only problem, is all my money is in there.

Chairman McNulty: So...

[Laughter]

Chairman McNulty: Rich, I guess we got some paperwork here. This is a site plan amendment? Or a site plan waiver?

Board Member Taylor: Waiver.

Rich Williams: No. Yeah, it's just a waiver...

Ms. Porter: Waiver.

Rich Williams: of a requirement for a site plan to temporarily put the trailer while we sort out what's going on with the A&P.

Chairman McNulty: Okay. So, you're up and running. You're there.

Ms. Porter: Yes. Mmhmm.

Chairman McNulty: You filed the paperwork here. I haven't had a chance to look at it. Just got it tonight. So we'll look at it over the weekend for next week. But...

Rich Williams: Well, it's fairly straight forward. The trailer is there. You know, we're trying to work with Chase because Chase is a valued business within the Town.

Chairman McNulty: Mmhmm.

Rich Williams: You know, we took some steps to get the trailer in there; got a temporary CO.

Chairman McNulty: Yup.

Rich Williams: You know, so...

Chairman McNulty: Any idea...

Ms. Porter: We have it for 60 days.

Rich Williams: At some...

Chairman McNulty: of what's happening with the A&P? How long...It's for 60 days. You think we'd be back in the A&P within that?

Rich Williams: I can't tell you because we're really...

Ms. Porter: We hope.

Rich Williams: sketchy on the...

Ms. Porter: We hope. I mean...

Rich Williams: details.

Ms. Porter: Our goal is for this to be as temporary as possible.

Chairman McNulty: Sure.

Ms. Porter: So as soon as there's a new tenant, a new grocer comes in, obviously, our number one goal is to have a sublease with them and for them to accept our sublease that we had with the A&P and so we can get back in. There's been rumblings but there's no, you know...

Chairman McNulty: If nothing happens in 60 days, are there any interests in other properties in the Town?

Ms. Porter: Potentially...Not necessarily other properties within the Town, but space within that shopping plaza.

Chairman McNulty: Well, that's within the Town.

Ms. Porter: So we're also looking at that. Well, yeah. But...

Chairman McNulty: Okay.

Ms. Porter: Even a little closer to...

Chairman McNulty: There's space in the shopping plaza?

Rich Williams: Yes, there is.

Chairman McNulty: Oh, okay.

Board Member Taylor: Is there actually a plan in here? [Referring to the packet of paperwork].

Rich Williams: Yeah. Right on the first page there should be a plan.

Ms. Porter: There is a site plan.

Chairman McNulty: Well, they built it pretty quick, so they must have had some kind of plans.

Ms. Porter: They combined the building plans with the site plan.

Board Member Montesano: How many plans do you have for a trailer?

Board Member Taylor: There it is.

Ms. Porter: Right?

Board Member Taylor: There's like six pages of notes.

Board Member Ladau: I had one question and that is that if this is going to be powered by a generator, is there going to be a noise problem?

Chairman McNulty: Well, it's pretty quiet. I drove by there...

Rich Williams: Do you have a noise problem now?

Board Member Ladau: Huh?

Rich Williams: Do you know that the benefit of having it this way, is you can go see firsthand. I mean, there really is no noise problem that we...

Board Member Ladau: Okay. I hadn't been over there.

Chairman McNulty: I...

Rich Williams: that we couldn't (inaudible – too many talking).

Board Member Ladau: Okay.

Chairman McNulty: I drove by there the other night and it is pretty quiet.

Rich Williams: It's very quiet. They put up some noise...

Board Member Ladau: Okay.

Rich Williams: noise screening.

Board Member Ladau: Yeah. Also, do we need to make any kind of a statement relative to security, that it's Chase's responsibility and not ours?

Rich Williams: I don't think it's a requirement. If you feel more comfortable doing that...

Board Member Brady: I think...

Rich Williams: then fine. But...

Board Member Brady: I think they have a security person there...

Board Member Ladau: It's just in terms of liability.

Board Member Brady: from five o'clock on.

Ms. Porter: You certainly can make that statement. We do have an armed guard that's there 24 hours a day.

Board Member Ladau: Okay.

Ms. Porter: In light of the fact that we have that ATM pod next to the bank.

Board Member Ladau: Okay.

Chairman McNulty: That's why it's still there.

Ms. Porter: Yeah.

Board Member Ladau: And he's has a sub machine gun and all of that.

[Laughter]

Ms. Porter: I don't know about that.

Chairman McNulty: I had a discussion with Rich. I...

Board Member Montesano: It's the twin 50s on the Jeep that get me.

[Laughter]

Chairman McNulty: It was proposed in the other location, up...adjacent to the ramp. And I had talked to Rich about possibly putting some Jersey barriers because it was so close to that ramp: If a car ever came through the traffic light or something...

Rich Williams: Yeah.

Chairman McNulty: But where it is now, there's a guardrail up behind it.

Rich Williams: There is a guardrail.

Board Member Ladau: Yeah.

Rich Williams: This location worked out better. It's closer to the utility poles so if they're going to be there 60 days, they may actually tie into the NYSEGs power there.

Ms. Porter: The power. Yup. Exactly.

Chairman McNulty: Okay.

Rich Williams: Okay.

Chairman McNulty: I would like just to review what they sent to see if there's anything in there and then Thursday or, you know...Everybody good with that? Take a look at everything or...

Board Member Taylor: I'm ready to approve it tonight.

Board Member Montesano: That makes two of us.

Board Member Ladau: Yeah. I've gone through it. I don't see anything with it.

Board Member Montesano: Make it easier.

Chairman McNulty: You guys are all comfortable with it?

Board Member Ladau: Mhmm.

Board Member Montesano: Yeah.

Board Member Ladau: Yeah.

Chairman McNulty: It's there. It's done.

Board Member Montesano: It's our money.

- Board Member Taylor: It's temporary.
- Board Member Brady: Yeah.
- Ms. Porter: Yeah.
- Board Member Brady: Yeah, as long as I can get...
- Ms. Porter: Absolutely temporary.
- Board Member Brady: As long as I can get money out, that's all I care about.
- [Laughter]
- Board Member Montesano: My money's always temporary.
- Rich Williams: The other thing I would like to suggest, if you're going to approve the waiver, put a duration in there. Put a timeframe in there.
- Board Member Taylor: You want 60 days, is what you want?
- Ms. Porter: Well, actually...
- Chairman McNulty: Well, it's a temporary CO, I think...
- Ms. Porter: Right.
- Chairman McNulty: we should go with at least 6 months. I mean...
- Board Member Ladau: You've add for six months as a max[imum], if I recall.
- Ms. Porter: Right. Six months would be ideal because at that point...To the extent the we go beyond three months...
- Chairman McNulty: It goes by like that when it comes to this.
- Ms. Porter: that's when we're going to be looking at going into an alternate space within the center as opposed to continuing to look at the A&P. So we're hopeful that, like we said, a new grocer comes in soon. Like within, you know, days or weeks. But we can't wait forever, obviously, so...
- Board Member Ladau: What kind of influence can you insert on potential A&P or grocery clients?
- Ms. Porter: Well, all we've heard is that there's one potential interested grocer. So we're hoping that that's promising. And we understand that they've taken over several A&Ps within the area. So...
- Board Member Ladau: Alright. Okay.
- Ms. Porter: We're...And we have worked with that particular grocer in the past and had very good, you know, lease relationships with them. So...

Board Member Ladau: Have Mr. Diamond work his charm.

Chairman McNulty: So, a public hearing, SEQRA; none of that for a site plan waiver. Alright, in light of our discussion and the site is in place and functioning, I make a motion on the Chase Bank site plan waiver, to approve the waiver, and to allow a six month temporary structure for the...located in the parking lot of the A&P Center.

Board Member Montesano: Second.

Board Member Brady: Second.

Chairman McNulty: All...

Rich Williams: To be clear, the waiver is for a 6 month period.

Chairman McNulty: Six month period.

Board Member Ladau: Yeah. Period.

Board Member Montesano: Second.

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

Chairman McNulty: Okay.

Ms. Porter: Terrific. Thank you very much.

Chairman McNulty: Good luck.

Board Member Ladau: You're welcome.

Ms. Porter: Have a good holiday.

Board Member Ladau: You, too. Thank you.

Board Member Brady: Don't empty that machine out.

Ron Gainer: That's what you do.

Board Member Brady: Yeah, I need to go over there and empty it out.

[Laughter]

Chairman McNulty: Okay. So we have Patterson Auto Body.

Ron Gainer: We'll go later tonight.

Chairman McNulty: We have Chase.

**Paddock View Estates – Driveway Waiver – Continued Discussion**

Mr. Bill Henry was present.

Chairman McNulty:            Alright, Sir. What's your name? What are you here for?

Audience Member:            I was here just to observe. I understand there was going to be a meeting about Burton Farm Road. There was something going on up there about a driveway?

Chairman McNulty:            Yeah, that we've...

Rich Williams:                That was the first one on the agenda.

Audience Member:            Oh, was it really?

Chairman McNulty:            Yeah, it was...

Rich Williams:                They already came in.

Audience Member:            I missed it then.

Chairman McNulty:            You did.

Rich Williams:                You did.

Board Member Ladau:         You did.

Chairman McNulty:            Okay.

Audience Member:            What was the outcome?

Chairman McNulty:            We said that we would grant a waiver on the setback of the 10' and asked if they...

Audience Member:            Oh, is that what it was?

Board Member Montesano:    Yeah.

Audience Member:            Oh, okay.

Chairman McNulty:            And if they could put a section of split rail fence in there just to create a buffer; some kind of divider.

Audience Member:            We're actually buying the house. That's why I heard about the meeting. Got here a little bite late. So they were first ones on the dockets, huh?

Chairman McNulty:            Yup. As soon as you close...

- Board Member Ladau: Yup.
- Audience Member: The driveway's too far off on the property?
- Chairman McNulty: It's on the property, but it doesn't meet the setback of 10'. So re waived that requirement for that particular lot.
- Rich Williams: Just to be clear, our Code requires that driveways be a minimum of 10' away from the side property line.
- Audience Member: Okay.
- Rich Williams: They've got the driveway going right to the property line.
- Audience Member: The edge.
- Rich Williams: Hence they...
- Chairman McNulty: And they...
- Rich Williams: They needed a waiver or they needed to cut the driveway.
- Audience Member: So they gave him a waiver? Thank you.
- [Laughter]
- Chairman McNulty: And they explained how the property worked. It was, you know, I'm sure the operation saw a common sense thing to put this driveway in to make it as accessible and useable as possible and...
- Audience Member: Yup.
- Chairman McNulty: you know, at that point they forget about property lines. They're invisible up there. But...
- Audience Member: So it's not the end of the world.
- Chairman McNulty: as long as it hasn't encroached on the other property, we're okay. And we asked them to put a section of fence in just to...
- Audience Member: I appreciate it.
- Board Member Brady: Welcome to Patterson.
- Chairman McNulty: Yeah.
- Audience Member: No, I lived here already. It's my parents.
- Board Member Brady: Oh, okay.

Chairman McNulty: Oh, okay.

Audience Member: I live in Carmel. So I'm part of the Town already. I love it. And, yeah. It's been a run around trying to get this place closed.

Chairman McNulty: Okay.

Board Member Ladau: Oh, boy.

Chairman McNulty: Well, that's the banker in front of you. We can't help you there.

[Laughter]

Audience Member: Is that what it is? The one that just left? Hold on.

Board Member Ladau: Grab that lady before she leaves the parking lot.

[Laughter].

Audience Member: Thank you, guys.

Chairman McNulty: Good luck.

Audience Member: Happy Thanksgiving.

Chairman McNulty: Have a good Thanksgiving.

Board Member Montesano: You, too.

#### **4) Bill Henry Tree Service, LLC – Site Plan Application – Continued Review**

Chairman McNulty: Okay. That brings us back to the agenda. And we have Bill Henry, is first on the list.

Board Member Taylor: Finally.

Board Member Ladau: Yeah.

Chairman McNulty: We got some information.

Board Member Taylor: Finally.

Chairman McNulty: I haven't looked at it at all. Rich...

Board Member Ladau: You'll love it, Mike.

Chairman McNulty: you give us a little review.

Board Member Ladau: You'll love it, Tom.

Board Member Taylor: Oh, it's beautiful.

Board Member Brady: Yeah? I just seen it first time tonight.

Chairman McNulty: Somebody want to...

Rich Williams: Do you love it, Bob?

Chairman McNulty: Now, we're pretty much at the last phase for architectural review pretty much, correct?

Rich Williams: Pretty much.

Board Member Ladau: Yeah.

Rich Williams: Everything else is pretty much...

Chairman McNulty: Engineering wise, they're...

Board Member Brady: Wow, look at that. [Referring to the plans being opened up.]

Board Member Montesano: Oh, look it. Big, red barn.

Board Member Brady: But who's he architect on that? It's not Insite, huh?

Board Member Ladau: A guy name Caruso...

Board Member Taylor: Caruso.

Board Member Ladau: out of Port Jervis.

Ron Gainer: That's a hike.

Board Member Taylor: So does he have a barn company...

Board Member Brady: Yeah. Yeah.

Board Member Taylor: or is he just an architect?

Board Member Ladau: No, he's an architect.

Board Member Montesano: Caruso, that sounds familiar.

Board Member Ladau: I've never heard of him but that doesn't mean anything.

Ron Gainer: Don't start saying that.

Board Member Montesano: No, no. He was (inaudible – too many talking) the records.

Chairman McNulty: He's got the cupolas on it.

Board Member Taylor: They didn't need to do it. It would be free.

Board Member Brady: So this is the east elevation, right?

Chairman McNulty: Yeah.

Board Member Ladau: Yeah.

Chairman McNulty: Yeah, this is what you're going to see from the road.

Board Member Brady: See it from the road.

Chairman McNulty: Now, he must be bringing grade up. He's got two doors here. Or are the phony doors?

Rich Williams: No, no, no. They're actual doors. She brings the grade up so that you got...

Chairman McNulty: Mmhmm.

Rich Williams: three to four feet on the outside of the doors.

Ron Gainer: Right. Created a slight pad around the doors.

Rich Williams: Right.

Chairman McNulty: We have an idea of what this height is? It's not to scale, is it?

Rich Williams: Eighteen feet.

Ron Gainer: Eighteen feet to the top.

Board Member Ladau: It's here. It's 18'.

Board Member Brady: To there. To the wall.

Board Member Ladau: To the underside of the...

Rich Williams: Gable, yeah.

Board Member Taylor: It's going to look like a barn.

Board Member Brady: Yeah.

Chairman McNulty: Yup.

Board Member Montesano: Where's the weather vane?

Board Member Brady: It needs a green roof.

Board Member Taylor: Oh, you want a weather vane on it? Well...

Board Member Montesano: Sure.

Chairman McNulty: I'll tell you, I have an extra one.

Board Member Taylor: we could require a weather vane.

Chairman McNulty: I can give it to him if Bill wants it.

Board Member Taylor: What style? A big tree?

Board Member Ladau: Yeah.

Board Member Montesano: A big tree and instead of having a...

Chairman McNulty: So it's a pre-engineered steel building?

Board Member Montesano: (inaudible – too many talking) it's got to be in shape of a bird.

Board Member Ladau: Yeah, it's a steel building.

Chairman McNulty: Do they give a profile of the siding?

Board Member Ladau: Yeah, somewhere in there. The section, they don't really show it.

Chairman McNulty: Alright, here is a board and batten style that's is drawn. So just curious if it's a... What we want to be careful of is to stay away from the look that's been referenced is that, what they call, a shadow rib. It's a deep ribbed wall. And I think we'd want something...

Board Member Taylor: That's as (inaudible) as they get, right? There's no cut, right?

Chairman McNulty: No, I don't see it.

Board Member Ladau: No.

Board Member Taylor: No.

Board Member Brady: No.

Board Member Taylor: I don't really see it either, so...

Chairman McNulty: He did, though, I think in the last paperwork, give us something.

Board Member Taylor: He would have.

- Chairman McNulty: Well, this picture here, that's a low-profile siding. That's not what I'm talking about.
- Board Member Taylor: Yeah, you want deep...
- Chairman McNulty: If it's that siding, I don't have a problem with that particular siding. It's a deep rib that then looks like a DOT building or something similar.
- Board Member Taylor: Well, we could ask him for a sample.
- Rich Williams: Just out of curiosity, is everybody okay with the style that up there?
- Chairman McNulty: As far as the roof? Or...
- Rich Williams: How it looks.
- Chairman McNulty: I don't...
- Board Member Montesano: Well, you're looking at a picture so it's tough.
- Ted Kozlowski: You guys approved Tractor Supply which looks like crap. This looks so much better.
- Chairman McNulty: Yeah, I think it's pretty good.  
[Laughter]
- Board Member Montesano: It don't look like...
- Chairman McNulty: If it's this type of siding.
- Board Member Montesano: You're already number one.
- Chairman McNulty: If it's that...If it's a heavy duty three inch deep siding...
- Rich Williams: That's a...Tommy, look at that and look at the drawing you have in front of you.
- Board Member Ladau: Yeah. That's a steeper roof.
- Rich Williams: That's a red industrial building. That's a barn. It's got architectural features of a barn. You're breaking up the mass. You've got different glazing. You've got window mullion doors.
- Chairman McNulty: Well, this doesn't have...Well, that's on here.
- Board Member Taylor: Very different interpretations of barns. I would call that not a barn because it's got too damn many windows in it. Barns don't have windows in them unless they're dairy barns with stalls running along the side.
- Rich Williams: But it's a more attractive building.

- Board Member Ladau: Yeah.
- Board Member Taylor: To your eye, not to my eye. This is more attractive to me. It looks like an older barn.
- Chairman McNulty: That's simpler. It's a simple...
- Board Member Taylor: It's simpler.
- Rich Williams: You...Listen, the glazing on that, the windows, the sliding windows, you're never going to find those in a barn.
- Board Member Taylor: No, but you're...
- Ted Kozlowski: The problem here you have, gentleman, is you have two different interpretations. Which one is it?
- Rich Williams: Well, no. It's that one. It's the big plan.
- Board Member Ladau: This is what he's proposing. This one.
- Ted Kozlowski: Okay. So what's Tommy think?
- Rich Williams: You know...
- Board Member Taylor: Previous plan.
- Rich Williams: Four metal steel doors...
- Board Member Brady: That was what they submitted before.
- Chairman McNulty: This was a general idea of what he wanted to show us.
- Ted Kozlowski: Okay. So that no longer is valid. What you're looking at is...
- Chairman McNulty: So, I mean...
- Ted Kozlowski: the plan.
- Chairman McNulty: if we wanted him to...I mean, on the sides, do we need a barn. I don't think we need it because it's bare. It's not going to be that visible.
- Rich Williams: There's two sides. The two sides of the Route 22, you're going to see those. The side with the garage doors doesn't matter.
- Board Member Ladau: Yeah.
- Chairman McNulty: Yeah, the side with the garage doors I'm not concerned about. I mean, do you want to add shutters? Barns don't generally have shutters on them, do they?

- Board Member Ladau: No.
- Rich Williams: No. But I would work on the glazing. I would work on some of the architectural features. I mean, that's going to go up and I'm going to tell you right now when that goes up, it's going to be a red industrial building. It's not going to look like a barn. It doesn't have the pitch. It doesn't have the design.
- Chairman McNulty: Well, the roof is what changes it from a barn. You don't have the high roof.
- Rich Williams: One of the architectural features, absolutely.
- Chairman McNulty: So do we grant him a waiver to get above the 35' and go with a bigger roof?
- Board Member Ladau: Yeah. I was about to say that he's locked in to that...
- Chairman McNulty: Yeah.
- Board Member Ladau: thirty-five feet if the...
- Chairman McNulty: I hope this cupola's...I don't know if he's determined....measured the height on that, but...
- Board Member Ladau: Yeah.
- Chairman McNulty: I would rather see the cupola than not see it.
- Ron Gainer: Top of the roof has got to be sitting at 28 to 30 feet minus the cupola.
- Rich Williams: Cupolas don't count, so don't worry about it.
- Chairman McNulty: Okay. So he's well within...
- Ron Gainer: He can...He can drive that pitch you're saying. Yeah.
- Chairman McNulty: But I don't know if I'm so inclined to drive the pitch up. That just gives you greater visible, you know, greater surface area to see.
- Board Member Brady: Right. More to see from the road.
- Chairman McNulty: I don't have a big problem with this as long as he, you know, he gives us nice, white...just maybe a nice, white trim around the windows. I wouldn't say you need shutters. I think the shutters would change the look of it.
- Rich Williams: I'm not saying you need shutters. But I certainly would change the glazing. I would change the massing.
- Chairman McNulty: Well, when you say the glass, you just put dividers in it?
- Rich Williams: Yeah.

Board Member Ladau: Yeah.

Rich Williams: Instead of sliders.

Board Member Montesano: Screw that on the doors and this on the windows. That's all you really have to do.

Chairman McNulty: Well, you can do sliders but you can still put the mullions in between the glass...

Board Member Ladau: Yeah.

Board Member Montesano: If you put the...

Board Member Ladau: You have these plastic mullions you just set in...

Board Member Brady: Yeah. You just drop them in. Yeah.

Board Member Ladau: to the window.

Board Member Brady: Push them.

Board Member Montesano: Yeah. If you put them...If you put the windows like they have here and the door so it looks like a split Dutch door, that's what he's got in it, that's fine. That would give it a little depth.

Board Member Ladau: But we're still talking about the roof pitch.

Chairman McNulty: I would tend to keep it shallow. I would...

Board Member Montesano: I would rather have it lower than higher.

Chairman McNulty: Yeah. I think...

Board Member Ladau: Alright.

Board Member Montesano: Unless you're going to put up a Dutch barn type effect. It still looks like hell but...That's fine. But I think...

Chairman McNulty: Architectural, is he using a loft or anything inside?

Board Member Ladau: No.

Rich Williams: No. I don't think so.

Chairman McNulty: Or just a high...

Board Member Ladau: Just the high bay.

Chairman McNulty: So, yeah.

Board Member Montesano: If he does this on the doors that he's got there, and I don't think we need this for the side, but even if he put the mullions in the window.

Chairman McNulty: Yeah, I mean that's a simple thing to do.

Board Member Ladau: Oh, yeah.

Chairman McNulty: It's not going to make or break the job.

Board Member Ladau: No.

Board Member Montesano: So it looks a little, you know, it breaks it up a little bit.

Chairman McNulty: Ed? Quiet over there.

Board Member Brady: I like what it is.

Chairman McNulty: Yeah, I like it, too.

Board Member Brady: But I do agree that the mullions and the doors would make it look more barny. But I wouldn't... The pitch on the roof, like you said, if you raise it up, it's going to be...

Chairman McNulty: More visible.

Board Member Brady: More visible.

Board Member Ladau: Yeah.

Chairman McNulty: And is it a grey roof like it shows? Because they say white...

Board Member Brady: Right.

Chairman McNulty: White northern...

Board Member Ladau: No.

Chairman McNulty: White gutters.

Board Member Ladau: Northern gav...

Chairman McNulty: galvalon.

Board Member Brady: Panel.

Chairman McNulty: 36 gavalon...

Board Member Ladau: Yeah. He doesn't say. It's 28...

- Board Member Brady: Yeah. Gavalon is just your regular roofing.
- Board Member Ladau: Yeah.
- Board Member Brady: Could be any color.
- Chairman McNulty: So I would question the color of the roof. I would think it's going to be grey. That's the rendering there. I mean, I like the color scheme with the white trim.
- Board Member Brady: I think a green roof would look nice. I'm partial to green.
- Board Member Taylor: That's what I was thinking.
- Chairman McNulty: With the red though?
- Board Member Taylor: Yeah.
- Board Member Brady: Yeah. Yup.
- Board Member Taylor: It depends on the green.
- Board Member Brady: Yeah.
- Chairman McNulty: Yeah. It's got to be a deep green like a hunter green.
- Board Member Taylor: Yeah. A very deep green like the old, green shingles.
- Chairman McNulty: More comment? You have any other comment?
- Rich Williams: No. I'm okay with the roof pitch and I'm okay with the dark green if you want to go with that. But I think it needs be dressed up. To me, it's a pig's ear that needs to be...
- Board Member Taylor: So you want a hayloft...a fake hayloft door on it, too?
- Rich Williams: Well, you know, see here's the problem. Most barns are either, you know, they're usually double story...
- Board Member Brady: Right.
- Rich Williams: because they've got the hayloft. You know, he's falling short of that. So you can't...It makes it difficult to add that second layer in which would...
- Chairman McNulty: Yeah. The sides, you know, I don't think they're going to be that visible when you're passing by there at 50 miles an hour.
- Board Member Taylor: Well, the one side will be.
- Board Member Brady: Coming from the south?
- Chairman McNulty: This side.

Board Member Taylor: Yeah.

Board Member Brady: Yeah.

Board Member Taylor: As you're coming up, you will see it.

Board Member Brady: Yeah.

Board Member Montesano: Sounds like you like what the picture shows.

Chairman McNulty: Alright. So we're looking at...

Board Member Ladau: Dark green roof.

Chairman McNulty: Window mullions.

Board Member Ladau: Window mullions and crossbucks on the door.

Board Member Taylor: Right. And do...

Chairman McNulty: Sorry, Ron.

Board Member Taylor: Trim around the windows, too.

Board Member Brady: Yeah.

Board Member Montesano: Yeah.

Board Member Taylor: Widen the trim on the windows.

Chairman McNulty: Do a six inch trim on the windows?

Board Member Montesano: Yeah. He's got that same thing that's in that picture.

Board Member Brady: And nothing there really added any major expense to him.

Chairman McNulty: No.

Board Member Brady: So...

Chairman McNulty: Roof color options.

Board Member Brady: I'll look into...

Chairman McNulty: And also...

Board Member Brady: the barrier.

Chairman McNulty: we want to confirm that it's...the profile of the siding. I say this is fine, but we don't want some shadow rib...I'm trying to think of a local building that has that.

Board Member Brady: We need to confirm the height, too.

Board Member Taylor: Well, it's on here.

Chairman McNulty: Well, it's on here.

Board Member Ladau: It's on here...

Board Member Brady: It's not on there, is it?

Board Member Montesano: Yeah. It's in...

Board Member Brady: Oh. Okay. You can...

Board Member Taylor: Yeah. It's on there.

Board Member Brady: Alright.

Board Member Taylor: The height and the pitch are both on there.

Board Member Montesano: Now do we want him to have cows or anything that he can put them...Make believe cows out there or...

Board Member Ladau: No, he can get live ones from the Jehovah Witnesses'.

Board Member Montesano: Oh, yeah.

Board Member Taylor: Right. They can keep the grass from getting...

Board Member Montesano: And (inaudible) it out. Why not?

Chairman McNulty; Resolution wise...

Board Member Brady: Yeah. Go up and lasso one and take one.

Rich Williams: I'll have a resolution for you at the next meeting.

Chairman McNulty: And we can add these things into the resolution to ask him to do so we don't hold him up.

Rich Williams: Yup.

Chairman McNulty: Okay.

Board Member Taylor: Alright.

Board Member Brady: Cool.

Board Member Taylor: Well, we can also ask him...Some of that, he can just bring in. You want the cut on the siding, right? You want a sample of the siding.

Chairman McNulty: Well, I don't necessarily need a sample. Well, maybe...

Board Member Brady: Well, that's probably the best bet.

Chairman McNulty: it would be better.

Board Member Taylor: Yeah.

Chairman McNulty: Add a safeguard.

Board Member Taylor: Yeah.

Chairman McNulty: So, can you reach out? Yeah, better off having samples. A submittal.

Board Member Taylor: And the colors of the roof. There will be options of what he can choose from.

Rich Williams: You can do a conditional approval subject to him bringing samples in and you're reviewing it.

Chairman McNulty: Okay.

Board Member Taylor: Yeah, we could. But he could also just bring them in and then we can approve them right there.

Chairman McNulty: Well, if he can get them in time. You know, it's Thanksgiving week.

Board Member Taylor: Yeah.

Chairman McNulty: It's not a big...

Board Member Brady: Hey, if he's in a rush, he'll get them.

Chairman McNulty: So we'll do a conditional.

Rich Williams: Fine.

Chairman McNulty: So we have, you know, wider trim, mullions in the windows, and the roof color, siding profile. And we'll ask him about the doors on the east...west elevation, about the crossbucks. You okay?

Rich Williams: I'm fine.

Chairman McNulty: Okay. Looking forward to that conversation.

Board Member Montesano: He's just counting the days between now and the first.

Rich Williams: Yeah, no.

Chairman McNulty: Anybody else?

Board Member Montesano: of January.

Chairman McNulty: Okay.

Board Member Taylor: Okay, so we'll...

Chairman McNulty: He's abandoning you. I'll really be running amuck.

Board Member Montesano: Ah-huh.

#### **5) Frog Hill – Driveway Waiver (Postponement) – Continued Review**

Chairman McNulty: Okay, next on our agenda was Frog Hill Driveway Waiver. I think we pretty much determined that last meeting.

Board Member Ladau: Yeah.

Chairman McNulty: Didn't we?

Rich Williams: You did. You just wanted me to do a waiver...A resolution.

Chairman McNulty: A postponement, right?

Rich Williams: Yes.

Chairman McNulty: Two year postponement we talked about.

Rich Williams: And I've got a resolution written, I'm just fine tuning it. So you'll have it for the next meeting.

Chairman McNulty: And that was a two-year postponement?

Rich Williams: Yes.

#### **6) Birch Hill Associates, LLS – Wetland/Watercourse Permit Application – Continued Review**

Chairman McNulty: Okay. Alright, brings us to Birch Hill. I forget where we left off. Teddy wasn't with us last time. There was apple trees we're moving out of the pond and...

Ted Kozlowski: I'd like to comment on Mr. Zarecki's comments. And I don't want to make a big issue out of things, but number 1: he wants to transplant those apple trees. I think you guys saw the size of that apple tree. He's going to have to spend an enormous amount of money and he's going to have to get a trailer in there and a big machine and all sorts of stuff to move the apple trees. I find that really crazy. I think it's absolutely crazy to be doing that. The other thing is this pond, what he wants to do there, has nothing to do with New England Cottontail restoration, okay. Yes, that species of rabbit is being squeezed out by the Eastern Cottontail and there's all sorts of stuff going on. I've read the articles and all that other stuff. This project has nothing to do with that, okay. He's play of 30-acres for New England Cottontail habitat, I hope this real estate developer understands that there's invasive species and there's a deer problem and he wants to grow a very thick forest. I hope he's going to be in there controlling the invasives and controlling the deer.

Rich Williams: Well, he's certainly looking to control the deer population.

[Laughter]

Ted Kozlowski: Yeah. I guess so. But that's besides the point. I don't see what the big deal is to just moving the pond over a little bit to save those trees. He's...Mr. Zarecki's saying that their intent on putting it there is the least disturbance. The least disturbance is to put the pond in more of...

Board Member Ladau: Yeah.

Ted Kozlowski: the open field and not disturb those trees. That's the least disturbance. I don't want to make a big issue of it. I don't really care. But I just find it kind of funny the responses to why not just move the pond over a little bit. If he can do it hydrologically, there must be some other reason why they have to have it at that spot.

Board Member Montesano: Elmer Fud wants it there.

Chairman McNulty: I think we discussed at the last meeting that it was okay that the apple trees go. Didn't we talk about that?

Rich Williams: I thought you said they could go.

Chairman McNulty: Yeah, I thought so, too.

Ted Kozlowski: Yeah. Like I said, that's, you know, it's not a big deal. But I just find it kind of...

Chairman McNulty: You just...

Ted Kozlowski: It's not, you know, you're coming across like you're trying to make more wildlife habitat. Well, the ideal thing is to move the pond over and have those very productive fruit trees remain. He's saying he's planting fruit trees all over the place. You have a magnificent fruit producing tree there. Why do you want to replace it with new planted fruit trees? It makes no sense. This application, from an environmental standpoint, makes no sense. Okay? Is it going to affect the world? Is it going to affect the wetlands? No. So therefore, I don't care. But I find the reasoning behind this, there is another reason this pond is going in and it has nothing to do with wildlife habitat improvement.

Chairman McNulty: Okay.

Ted Kozlowski: That's my point.

Board Member Montesano: He's going to have a trout farm.

Ted Kozlowski: No. There's some other...

Chairman McNulty: No, it's not deep enough.

Ted Kozlowski: reason.

Chairman McNulty: So at any rate, we expressed at the last meeting that we didn't have a problem with the apple trees going away or being relocated; whatever he wants to do.

Ted Kozlowski: No. And I...Like I said, it's...

Chairman McNulty: So...

Ted Kozlowski: But...

Chairman McNulty: I've got you. I think we did discuss outfalls though, didn't we? The outfalls of the pond.

Rich Williams: Yeah. Zarecki was going to get together with Ron.

Ron Gainer: Yeah. He sent me an email. He sent me a drawing. I asked for information, heard dead nothing.

Rich Williams: Really?

Ron Gainer: Just real simple technical stuff, that was weeks ago. It had to be at least two weeks ago. I heard nothing.

Ted Kozlowski: I...

Ron Gainer: Just a simple question on hydrology. Nothing.

Ted Kozlowski: There's more to this than...

Ron Gainer: Yeah. They're not talking.

Ted Kozlowski: There's more to this project than what...

Chairman McNulty: So at this point, we're in no position to move in any direction till we get this technical and get your values opinion on...

Ron Gainer: I just wanted to understand...

Rich Williams: It's an easy issue...

Ron Gainer: Yeah.

Chairman McNulty: But they haven't responded.

Rich Williams: So I'll reach out to them tomorrow and find out what's going on.

Chairman McNulty: Yeah. You know, we expect the cooperation back. If we have a question or our engineer has a question, we expect an answer.

Ron Gainer: I expected it right away.

Chairman McNulty: You know, even if it's a phone call to discuss it so Ron can explain it.

Ron Gainer: I figured that would be in the can, but nothing came up.

Rich Williams: We'll find out.

Chairman McNulty: Okay. Is there any new information that came out this week on this?

Rich Williams: No.

Board Member Taylor: Nope.

Chairman McNulty: Just...Anybody else have any other comment? Okay. Well, we'll...We'll get the technical answers, move on from there.

#### **7) Camp Re: Lake Charles Dam – Wetland/Watercourse Permit Application**

Chairman McNulty: Okay, we already did Patterson Auto Body. We're at Camp Re: Charles Dam. Last time we had not received any kind of plan or outline of scope...

Rich Williams: So we do have a plan.

Ted Kozlowski: I'll fill you in a little bit. I spoke with Andrew Featherstone. Featherston?

Chairman McNulty: Featherstone.

Rich Williams: Featherstone.

Ted Kozlowski: Featherstone, clearly.

[Laughter]

Ron Gainer: That's Thurston Howell.

Ted Kozlowski: It is. I spoke with him today. I've asked in the previous, I think, email to you guys because I wasn't at that last meeting, there's Town wetlands involved in this project. It's not a

project that I oppose, but we really should understand the impacts to the Town wetlands because they're going to do some modifications there. And what I really am curious about is the downstream implications should this project fail or it's not done properly. Who's downstream of this big dam? So, I think it's important that the Planning Board go on a site walk and understand this dam. What the potential is if there's a catastrophic failure. And what the impacts to the Town wetlands are in the construction process. I'm not opposed to it as long as the engineer's there to do the dam right. But I really think the Town Board should...I mean, the Planning Board, all of us, should go on site walk and see if...I asked Andrew that. They still have not flagged the Town wetlands. He said, well, the State has already approved this. I said that's fine but we have co-jurisdiction and it is our right to ask to evaluate what's being affected there.

Chairman McNulty: You mentioned a big dam. Is it holding back 10' of water? Twenty feet of water?

Ted Kozlowski: Well, I'm calling it a big dam because the State's involved and once the State's involved that means it's a significant dam.

Chairman McNulty: Well, if the State's involved, there must be a plan of some sort, correct?

Ted Kozlowski: There is a plan.

Rich Williams: Yeah, there is a plan. I have a plan.

Ted Kozlowski: He submitted the plan...

Chairman McNulty: We don't have it, do we?

Rich Williams: You don't have it.

[Laughter]

Chairman McNulty: Okay. That's what I mean.

Rich Williams: If we gave you a plan, it leads to all sorts of questions and problems.

Ted Kozlowski: Tom, we're not going to...

[Laughter]

Chairman McNulty; That's why I want to see it.

Ted Kozlowski: I don't think the Town is going to change the plans of the dam but we...he's going to be altering Town wetlands.

Chairman McNulty: I don't know that. I haven't seen a survey, a plot.

Ted Kozlowski: Well...

Chairman McNulty: I don't know anything about it other than the application here. So I'm, you know, yeah go ahead. Do it. Just say that for every application.

- Ted Kozlowski: No, no, no.
- Chairman McNulty: I mean, we need some information here.
- Ted Kozlowski: I really think that the Board should schedule a site walk and see it. Once the flag...once the wetland's flagged...As of today, it has not been flagged yet.
- Rich Williams: Tom, before you're asked to make a decision, you'll get a plan.
- Chairman McNulty: Okay. Well, no. Well, I saw Andrew's email. He was like can we get moving on this? I'm like, well, no.
- Board Member Montesano: Sure we could. Give us a plan. Give us the information...
- Ted Kozlowski: Well, I gave...A month ago, I've asked him for this information and I've shared that email...
- Chairman McNulty: And if the DEC has approved it, it's got to be something. Have you seen a plan, Ron?
- Ron Gainer: No.
- Ted Kozlowski: I have...
- Chairman McNulty: Right. Rich has seen the plan.
- Rich Williams: I've seen the plan.
- [Laughter]
- Chairman McNulty: Have you done a review?
- Rich Williams: No, I've got to calculate the fee first.
- Board Member Brady: It's top secret.
- Chairman McNulty: Okay. Alright.
- Ted Kozlowski: You guys still don't have a complete wetlands application. That's the problem.
- Chairman McNulty: Yeah. So there's really nothing we can do with this at this point.
- Rich Williams: Right.
- Board Member Montesano: He's trying to bypass us with going to the State.
- Ted Kozlowski: That's what Rich is trying to do and that's what I'm trying to do is...and we've asked...I've asked this a month ago, at least that, I don't know when that email is I sent, but I shared

it with him. He didn't have the soils on the plan. He didn't have the wetlands delineated and we don't know what the fee is because we don't know how much wetland is being impacted.

Chairman McNulty: Well, I'm not in favor of doing anything until we know something.

Ted Kozlowski: Right.

Chairman McNulty: No one seems to know anything, so.

Rich Williams: Nobody's asking you to do anything, Tom.

Chairman McNulty: Okay.

[Laughter]

Chairman McNulty: Let's move on to the next item.

Board Member Brady: Yup, that's the best bet.

Board Member Montesano: That's the best thing to do.

Ron Gainer: She said she's already on next week's agenda or is she going to get pulled?

Chairman McNulty: Okay.

Rich Williams: Did what?

Ron Gainer: Is that one for next week's agenda or is that going to be pulled?

Board Member Montesano: We can table it forever.

Rich Williams: I keep it on the agenda so we keep working on it. If I take it off the agenda, we're going to forget it and it's going to...

#### **8) Nihad Vukovic – Wetland/Watercourse Permit Application – Initial Application**

Ted Kozlowski: The next one...

Ron Gainer: Right.

Rich Williams: (inaudible – too many talking).

Ted Kozlowski: The next one is me, too.

Chairman McNulty: Well, stop.

Board Member Taylor: Can't we just do a blanket thing for these East Branch Road properties that extend into the swamp and...

Ted Kozlowski: Okay...

Board Member Montesano: Yeah, bury it.

Ted Kozlowski: This is...I don't even know how to pronounce his first name. I thought I...

Chairman McNulty: Vukaka.

Ted Kozlowski: What?

Rich Williams: Ask Sarah.

Chairman McNulty: Vukoviv.

The Secretary: Nihad Vukovic.

Chairman McNulty: Vukovic. I said it...

Ted Kozlowski: Very nice guy. I've been out to the site. He has got lawn...Everybody along East Branch Road that has a house that borders that State wetland...

Chairman McNulty: Is he on the east or the west side?

Board Member Taylor: The west side.

Ted Kozlowski: He's on the west side. Everybody has...

Chairman McNulty: So he's in the lowland.

Ted Kozlowski: lawn that goes right up to the State wetland that has engulfed of the State wetland. He wants to put a shed right at the edge of the grass...Well actually, he wanted to go into the wetland further. I will tell you this, everybody that lives along that road, once you get down the slope, everybody's lawn is former wetland. Okay. And that was all wetland. And if they would stop mowing it, it would be all weeds. Alright, but he's got lawn. I asked him, keep the shed on the lawn. Don't go any more further into the wetland. He doesn't know if this shed is going to have a foundation or a slab.

Rich Williams: We can talk about that.

Ted Kozlowski: I've asked him to...I'm just looking at the application.

Rich Williams: He's going to be on piers.

Ted Kozlowski: What's that?

Rich Williams; He's going to be on piers.

Ted Kozlowski: Okay. I asked him to have everything completed in the application. I don't have a problem with the shed. I think he just wants to put his lawn equipment and stuff in there.

Chairman McNulty: Is he planning any kind of driveway or path to it?

Ted Kozlowski: No. He said no. But, and that's exactly the reason I told him to go through the wetlands permit, is we want to document where the shed is going. And that nothing changes from his interpretation to the actual permit. Now, you might want to ask why isn't the shed going closer to the house. And the simple reason is his septic field...

Chairman McNulty: Is in between.

Ted Kozlowski: is between the house and where the shed is.

Board Member Brady: That's in the wetlands, too.

Ted Kozlowski: Because my first...

Ron Gainer: That's in the wetlands, right.

Ted Kozlowski: Yeah. I first asked him why can't we put the shed up by the house so we're nowhere near the wetlands and that's the reason. His whole septic...Everybody's septic along there is...

Board Member Taylor: Is in the buffer.

Ted Kozlowski: is in the buffer of the wetlands.

Board Member Ladau: Yeah.

Ted Kozlowski: So that's where we are.

Chairman McNulty; So you don't have any...

Ted Kozlowski: I don't have a problem with the shed. I just want to document it so we're not in the position two years from now that it's a shed or it's a building...an apartment with a driveway and another septic going...You know. You know how these things go. So I just...

Board Member Brady: (Inaudible) already.

Ted Kozlowski: Is it a shed? How is the shed going to be built? How is it going to be accessed? To where is it's exact location?

Board Member Taylor: Pretty good sized shed, isn't it?

Chairman McNulty: Twelve by twenty [feet]. Yeah.

Board Member Brady: Yeah.

Chairman McNulty: Rich, were you going to say something?

- Board Member Brady: Yeah, my cabin's 12 by 30.
- Rich Williams: Yeah, just so you all know, a couple of other things. It's going to have to be put on piers and the floor elevation's got to be above 470. Because that takes it out of the floodplain he's putting it in.
- Chairman McNulty: So how high are the piers and what does that do to the height of the shed?
- Rich Williams: I don't know. But I imagine...
- Chairman McNulty: Doesn't a shed have restrictive height to be a shed?
- Rich Williams: I imagine the piers are going to be about 8 to 10 inches out of the ground.
- Ted Kozlowski: So then that means that shed probably is going to have some sort of ramp going up.
- Chairman McNulty: Yeah. And a wood deck.
- Ted Kozlowski: So is that on the plans?
- Board Member Brady: No.
- Rich Williams: No.
- Board Member Taylor: No.
- Ted Kozlowski: So he's going to have to amend that.
- Rich Williams: Is it a big deal?
- Ted Kozlowski: Look, you know as well as I do...
- Chairman McNulty: I don't think so.
- Ted Kozlowski: we've been doing this long enough...
- Chairman McNulty: Not for 10".
- Ted Kozlowski: this then changes over time. If he's...I don't know what 470 means, but if it's a foot or two above ground level.
- Rich Williams: Well, it depends on the construction of the shed...
- Chairman McNulty: And then...
- Rich Williams: whether it's 2' by 6' or 2' by 4'. I don't know whether he's buying a shed or building a shed.
- Chairman McNulty: At what point is it...

Ted Kozlowski: He doesn't know either.

The Secretary: He's buying.

Ted Kozlowski: Because I asked him.

The Secretary: He's buying one.

Chairman McNulty: At what point is it no longer a shed and becomes a structure.

Rich Williams: A shed is a structure.

Chairman McNulty: Well, a permanent type structure, that's not a shed. A shed has particular...a very...

Rich Williams: A shed is a permanent structure.

Chairman McNulty: Yeah, but it has a very particular guidelines on size and height in the Code, does it not?

Rich Williams: In the Code...

Chairman McNulty: Yeah.

Rich Williams: it has zoning requirements, yes.

Chairman McNulty: So, is he going to stay within those zoning requirements? That's my question.

Ron Gainer: Ask him.

Rich Williams: Yes.

Board Member Taylor: Or is he within them? So the question...We should know what the zoning requirements are. What's the size permitted and how high? It's 14' or something.

Chairman McNulty: I forget what it is.

Rich Williams: We're going to, just so you know...

Chairman McNulty: I've looked it up, but...

Board Member Ladau: Yeah.

Board Member Taylor: Yeah.

Rich Williams: We are going to change it, the maximum size, the maximum height s 96".

Ted Kozlowski: I think that they...

- Chairman McNulty: Only 8'?
- Rich Williams: It's got to go higher.
- Chairman McNulty: Yeah, I thought it was 12'.
- Ted Kozlowski: The other thing, guys...
- Rich Williams: I don't think we changed it yet.
- Ted Kozlowski: And this is where...
- Chairman McNulty: I thought it was 12'.
- Ted Kozlowski: This is where I get a little...
- Rich Williams: I'm going to have Bob go to Tom's house tomorrow.
- Ted Kozlowski: This is where my...Ron, I always say to Ron, this is where my Long Island comes out.
- [Laughter]
- Ted Kozlowski: It's a 12' by 20' shed. You have to realize that all those houses are lined up and all those houses just have massive lawns; it's one, big massive lawn. This shed is going to stick out. The question I have to this guy, and I brought this out to him when I met him, is when we had this problem in Putnam Lake where a guy right along the lake put a shed next to a wetland, the shed, a big shed, turned out to be a fancy car garage and it became something more than a shed. So, I really think that a 12' by 20' shed...Is this a two-story shed? Is this a single-story shed?
- Chairman McNulty: Well, twelve...
- Ted Kozlowski: Is there going to be a second floor or...
- Chairman McNulty: Single-story, 12' by 20'.
- Rich Williams: There's a difference between a shed and an accessory structure, such as a barn. That's why we have the design requirements within the Zoning Code.
- Ted Kozlowski: But that's why I think this permit should clearly show what is going there. Right now, the plan is just showing a rectangle box, 12' by 20'. We don't know how high it is. We don't know what kind of ramp to access it because of the elevation change. We don't know anything other than a 12' by twenty-something going there.
- Chairman McNulty: Now you met this gentleman? You went out to...
- Ted Kozlowski: Yeah.
- Chairman McNulty: speak to him?

Ted Kozlowski: Yeah.

Chairman McNulty: Does he understand his restrictions on a shed? What was your feel for him...you got from him? I mean, if he's got to build it out of the floodplain...

Ted Kozlowski: He was nice enough and cooperative enough but, again, I've been doing this a long time and it could be a very nice looking shed or it could be something that those neighbors are going to kill us for. So I really think he should clearly identify to the Board what is going there.

Board Member Taylor: Well, he did.

Board Member Ladau: So he should locate the shed. He should...

Ted Kozlowski: Give us a picture. Give us something...

Board Member Ladau: Yeah.

Ted Kozlowski: to go by so we could say, yeah that's a nice shed. It goes there. Fine.

Board Member Taylor: And he can't put it...

Ted Kozlowski: You are looking at Bill Henry's barn, or whatever you want to call it, and you're worried about what the windows look like. I would think you would want to give the same kind of treatment to the shed.

Rich Williams: You want an architectural rendering for a shed?

Ted Kozlowski: No. I just want a picture he can...If he's going to mail order it or he's going to get it from Home Depot or whatever he's going to do...

Rich Williams: All they have to do is approve a wetlands permit for a shed, that sets the criteria for the Building Department.

Chairman McNulty: Yes. That's the way I see it.

Rich Williams: Now in the past, we had a Building Department that much care for the criteria...

Ted Kozlowski: And who lives down the road from this guy is our friend...

Ron Gainer: Your other buddy.

Ted Kozlowski: Illescas, who built a shed.

Rich Williams: I understand that.

Ted Kozlowski: And now we have half of...

Chairman McNulty: But under a different Building Department.

Ted Kozlowski: his family living there. So...

Chairman McNulty: Different building inspector. Right? Correct?

Board Member Brady: Yeah, I'll never forget that one.

Rich Williams: Huh?

Chairman McNulty: Different building...

Ted Kozlowski: Remember that?

Rich Williams: Under different building inspector.

Chairman McNulty: Yeah. So we have to trust the Building Department to do their diligence and make sure it conforms to a shed.

Rich Williams: And the neighbors are not going to be upset about the shed. They're going to be in asking for on.

Ron Gainer: Yeah, I was going to say, it's going to drive in more applications.

Ted Kozlowski: Well, the neighbor to the right has got a shed in the wetlands.  
[Laughter]

Rich Williams: Yeah.

Chairman McNulty: I think we...

Board Member Brady: So he's not going to complain.

Chairman McNulty: I think we just need to...

Ted Kozlowski: I just think we should...

Rich Williams: With a building permit.

Ted Kozlowski: I think you should tidy up the plan a little bit.

Chairman McNulty: Well, I think the gentleman should come in...

Ted Kozlowski: I'm not making it difficult. I just...

Chairman McNulty: and we should make it our point that, you know, you're in the buffer. You're asking relief to get in the buffer and you're restricted on your use.

Ted Kozlowski: Right.

- Chairman McNulty: Understand a shed is restricted to certain sizes...
- Ted Kozlowski: And...
- Chairman McNulty: and your use. I mean...
- Ted Kozlowski: I think we need to go on record...
- Chairman McNulty: That's all we need to do.
- Ted Kozlowski: because I asked him this question, but I think it should be on record, what is going in the shed? Is it simple lawn equipment and hobby stuff? Or are you going to store toxic chemicals? I don't know what he's doing. So, it really should be clear the purpose of it.
- Board Member Taylor: Okay.
- Board Member Brady: Well...
- Chairman McNulty: Yeah.
- Board Member Brady: if the ground floor elevation changes, then he's got to put a ramp in; his paperwork here is going to change.
- Board Member Taylor: Yeah. Right, so we ask him for more information.
- Chairman McNulty: Yeah, we need...
- Board Member Taylor: I think we've heard you.
- Rich Williams: Just to be clear, I don't care what shed you're putting a ramp into it.
- Board Member Brady: Oh, yeah. Right. You're right. Yeah.
- Chairman McNulty: Mine don't have ramps.
- Ted Kozlowski: But, to be...
- Rich Williams: Remember I told you about Bob?
- Ted Kozlowski: To be further problematic, that is a former wetland area and I'm sure it gets very soft. So if you're putting any kind of equipment, he's going probably eventually, at some point, probably have to put some gravel driveway or something to get there.
- Chairman McNulty; I'm concerned about his piers if it's that soft.
- Board Member Ladau: Yeah.
- Chairman McNulty: I mean, how deep's he have to get to get something to support this structure.
- Board Member Montesano: He's got the guy coming down from Alaska who builds in permafrost.

Chairman McNulty: It's not like it's a...

Rich Williams: I'm only worried about keeping it up because you have to have space underneath for the water to travel, so...

Chairman McNulty: No, I understand but any shed, even if it was on the ground, that it's going to be supported. He might be going down 10 feet...

Ted Kozlowski: I think that...

Chairman McNulty: to hit bed rock.

Ted Kozlowski: ground gets pretty spongy in the spring.

Chairman McNulty: But that will be his...

Board Member Montesano: We're going to put floats on it.

Chairman McNulty: That will be in the construction process. That's for the Building Department.

Board Member Brady: Yup.

Chairman McNulty: Alright, so we'll get him in here. We'll speak to Mr. Vukovic.

Board Member Brady: Vukovic.

Chairman McNulty: Vukovic. Okay, Chase was next. We dealt with that.

### 9) Inked Studio – Sign Application

Chairman McNulty: We're at Inked Studios.

Rich Williams: Inked Studios is a new sign application in for Ryder's building right down here near the intersection of [Route] 22. But we're not going to talk about it tonight because they have failed to drop off their fee as they're required to do. So...

Board Member Brady: Cool.

Rich Williams: We'll push it off till the next meeting.

Chairman McNulty: Tabled.

Chairman McNulty: Okay. Have you gotten any information? Is it in here, the information...

Rich Williams: Yup, you have the information.

Chairman McNulty: Okay. So I need to review.

## 10) Other Business

Chairman McNulty: Okay. We have Other Business.

### a) 2016 Planning Board Agenda

Chairman McNulty: Planning Board Agenda for 2016. Sarah gave us a copy. Or Rich gave us a copy. Somebody did.

Rich Williams: Sarah.

Chairman McNulty: And it looks like coming up, we do Tuesday before New Year's Eve rather than New Year's Eve. And then the Tuesday before...

Board Member Ladau: What are you doing on New Year's Eve?

Chairman McNulty: And the Tuesday before Thanksgiving in 2016. Anybody have any objections to this agenda?

Board Member Montesano: Would you like some?

Chairman McNulty: Want to see it?

Board Member Taylor: I've seen it. I have no objection.

Chairman McNulty: I'll make a motion to approve the agenda for 2016 Planning Board Schedule.

Board Member Brady: Second.

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

Chairman McNulty: Great.

## 11) Minutes

Chairman McNulty: Minutes, I haven't had a chance to look at them. I'll be ready for next meeting.

Board Member Taylor: Boy, they were a long, drawn out discussion about this thing they call bed and breakfasts that's never going to come...

Board Member Brady: Yeah.

Board Member Taylor: to fruition in Patterson, right?

Board Member Brady: Yeah.

Board Member Montesano: Picky, picky, picky people.

Board Member Taylor: I think we should send it on the Town Board and tell them to put it in the Code the next time the Code's revised. We spent so much time on it.

[Laughter]

Board Member Montesano: I think you ought to tell the new Supervisor to get on the stick here.

Board Member Brady: Yeah.

Board Member Ladau: Yeah.

Board Member Brady: Push everything to the new Supervisor.

Board Member Taylor: Yeah.

Chairman McNulty: Do we have any other comments tonight? Anything? Ron, do you have anything... You didn't do anything with Comprehensive Plan, did you?

Board Member Taylor: No.

Chairman McNulty: No. I was going to look at it, too, and didn't get there.

Board Member Taylor: No, no, no.

Board Member Montesano: Happy Thanksgiving.

Board Member Taylor: I will for January.

Chairman McNulty: Rich, anything?

Board Member Brady: You don't have that done?

Rich Williams: Nope.

Chairman McNulty: I'll make a motion to adjourn tonight's meeting.

Board Member Montesano: Second.

Board Member Brady: Second.

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

*Meeting was adjourned at 8:10 p.m.*