

**TOWN OF PATTERSON**  
**PLANNING BOARD MEETING**  
**December 27, 2007 *Work Session***



**AGENDA & MINUTES**

	<b>Page #</b>
1) <b>Boniello Site Plan – Public Hearing Wetlands</b>	1 – 7
2) <b>Cingular Wireless/Maldunn Site – Request for Final Approval</b>	7 – 16
3) <b>The Shamrock Castle – Sign Application</b>	16 – 19
4) <b>Putnam Steel/T &amp; T Sporting Good – Sign Application/Bond Release</b>	19 – 22
5) <b>Barjac Realty Site Plan</b>	22 – 37
6) <b>Apap Site Plan – Continued Review</b>	37 – 40
7) <b>Papitto Site Plan – Continued Review</b>	40 – 42
8) <b>Bear Hill Estates Subdivision</b>	42 – 44
9) <b>Genovese Site Plan – Continued Review</b>	44 – 49
11) <b>Other Business</b>	
a. <b>Telecom Bond Reduction</b>	49 – 50

**PLANNING DEPARTMENT**

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

Michelle Russo  
Sarah Wager  
*Secretary*

Richard Williams  
*Town Planner*

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



**TOWN OF PATTERSON  
PLANNING & ZONING OFFICE**

**ZONING BOARD OF APPEALS**

Howard Buzzutto, Chairman  
Mary Bodor, Vice Chairwoman  
Marianne Burdick  
Lars Olenius  
Martin Posner

**PLANNING BOARD**

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

**Planning Board  
December 27, 2007 Work Session Meeting Minutes**

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

**APPROVED**

Present were: Chairman Rogan, Board Member Pierro, Board Member Montesano, Board Member DiSalvo, Board Member Cook, Rich Williams, Town Planner, Ted Kozlowski, Town of Patterson Environmental Conservation Inspector.

The meeting was called to order at 7:32 p.m.

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

**1) BONIELLO SITE PLAN – Public Hearing Wetlands**

Chairman Rogan stated Boniello Site Plan, Public hearing on the wetlands.

Board Member DiSalvo laughs.

Chairman Rogan stated Ted, Boniello site plan.

Board Member DiSalvo stated I don't know what they down sized.

Chairman Rogan stated with the public hearing on the wetlands, anything new or exciting going on with that.

Ted Kozlowski stated just that we calculated a fee, did he pay the fee.

Rich Williams stated he has not been in to pay the fee nor has he been in to sign the application.

Board Member Pierro stated does he know what the fee amount is.

Ted Kozlowski stated oh.

Rich Williams stated oh yeah, he knows, he and I have talked.

Chairman Rogan stated what did it turn out to be.

Ted Kozlowski stated Rich and I met and we came up with a. We came up with a fee and I relayed that to him and he did not have problem.

Chairman Rogan stated do you recall what that ended up being.

Ted Kozlowski stated twelve.

Chairman Rogan stated twelve grand.

Ted Kozlowski stated twelve hundred.

Chairman Rogan stated twelve hundred.

Board Member Pierro stated sounds like a bargain.

Board Member DiSalvo stated chump change, chump change.

Ted Kozlowski stated what we did was we looked. Do you want to know how we did it.

Chairman Rogan stated what's that, yeah I would love to know how you did it.

Board Member Pierro stated you flipped that coin.

Board Member DiSalvo stated one months rent, that is what it sounds like.

Ted Kozlowski stated we actually looked at the previous site plan, an aerial and we deducted the square footage of the existing building and the existing disturbance from what he proposed and we came up with the square footage. Which I think is, is a fair way of doing it, so there really is no break, there is no you know, you are a nice guy we are going to give you this, it was pretty.

Board Member Pierro stated did you go to church the next day.

Ted Kozlowski stated yes.

Board Member Pierro stated okay that is all that counts.

Ted Kozlowski stated I think that it was a fair shake.

Chairman Rogan stated great.

Rich Williams stated (inaudible).

Board Member Pierro stated there is hope for you yet.

Ted Kozlowski stated so I think that in the future that is the way that we do it too.

Chairman Rogan stated good.

Board Member Montesano stated I like this idea, that he put the picture in, the aerial.

Ted Kozlowski stated well that helped us.

Board Member Montesano stated yeah well it comes in awfully handy.

Ted Kozlowski stated that helped us in calculating the fee.

Board Member DiSalvo stated yeah I mean, for the people who aren't there regularly.

Chairman Rogan stated have they performance bond yet.

Board Member DiSalvo stated I think I asked something like that.

Rich Williams stated we were close, Gene and I met with Joe from insert Joe's last name.

The Secretary stated Fassacesia.

Rich Williams stated yeah, whatever, from Joel Greenburg's office. We went through item by item and squared everything away and he revised the plans and of course you know, when he revised the plans, he added the restaurant, you know, which now requires review by the Health Department. There is the question about the, he does meet the parking requirements but he actually doesn't, he is one short which the Board may want to consider a waiver on that one parking space, rather than trying to figure out how to get it on. We looked at some of the other issues about where the run off is going from the dry wells, when the dry wells are over capacity and the oil/water separator, they've added a swale but no details on the design of the swale. They did not give us new drainage calculations showing the map of stormwater. They were hoping, I know talking to Joe who called me and asked if they got everything done but the drainage, the dry well testing, if I thought he could get an approval, if that was the only outstanding issue, probably but you've got that, but there are still a lot of outstanding details.

Board Member DiSalvo stated as far as the restaurant that was the only kind of tenant that he could attract there.

Rich Williams stated I, as far as I know, it is his wife that is proposing to do it.

Board Member DiSalvo stated uh-oh.

Rich Williams stated I don't know if it is the only one that he could attract there.

Board Member DiSalvo stated that is bad, take it from experience, you never want to work with your husband.

Board Member Pierro stated that is why she is opening her own business, she'll probably.

Board Member DiSalvo stated they are under the same roof.

Board Member Pierro stated well they live under the same roof.

Board Member DiSalvo stated it is different when there is no escape.

Board Member Pierro stated no escape.

Rich Williams stated just so you know, the apartment too from upstairs is now drifting down stairs. The entry way is now a laundry room and something else.

Chairman Rogan stated a laundry for what.

Board Member Pierro stated the apartment upstairs.

Rich Williams stated the little apartment in the back upstairs is now the whole upstairs and is now starting to expand downstairs.

Board Member DiSalvo stated so is it maybe a two bedroom apartment now up there.

Rich Williams stated I don't know what is upstairs.

Board Member DiSalvo stated it looks like it is getting more complicated.

Rich Williams stated when I was there, it wasn't an apartment. A bathroom downstairs and a laundry room. I have to talk to Dave about some things because they are showing the stairs going up into the apartment upstairs and they are showing a door going into the bathroom downstairs in the restaurant area and I think, I crunched some numbers and it looks like the stairs are cutting through the door at about five feet, so.

Chairman Rogan stated so something's not right.

Rich Williams stated something is not jiving.

Chairman Rogan stated why are things changing so much.

Board Member DiSalvo stated yeah, they have to make it handicap accessible because of the business there.

Rich Williams stated they are, they changed some things around so that the deck.

Board Member DiSalvo stated has a ramp.

Rich Williams stated the little deck on the side, has a ramp going up to that deck or the little deck on the side and then the deck on the side, now wraps around the whole front of the building.

Chairman Rogan stated it sounds like they are changing some things right at the eleventh hour.

Board Member Pierro stated correct, it is zoned for that, this is zoned for this already.

Rich Williams stated oh yeah.

Chairman Rogan stated it goes back to us approving.

Board Member DiSalvo stated multi uses.

Chairman Rogan stated a use not a specific tenant, when we do these site plans.

Board Member Pierro stated right.

Chairman Rogan stated and planning for that because tenants change so often regardless of whether it is a wife or not, so if it works, great, if not. In terms of the parking spot being one short, I am not as concerned with that and I certainly would rather waive one spot then reduce the size of the spots. That I don't have a problem with.

Board Member Pierro stated right.

Board Member DiSalvo stated I am just concerned about the activity level.

Chairman Rogan stated well that is a good point because we talked about the contractors yard, well not the contractor yard the amount of trailers and things coming and going out of there, certainly adding in a business where you have customers coming in and out a lot.

Board Member DiSalvo stated does she eventually want to do like an outside hot dog stand, like that other restaurant there.

Board Member Pierro stated what is the capacity.

Board Member DiSalvo stated or do they have to take up a parking space.

Rich Williams stated the restaurant.

Board Member Pierro stated yeah.

Rich Williams stated its only about eight seats, its on the plan, you have to pull the plans.

Board Member Pierro alright I will open it up.

Rich Williams stated it has been awhile since I've looked at it. There is nothing on the plans showing any outdoor activity.

Board Member DiSalvo stated and they are going to use the deck for any outdoor eating.

Rich Williams stated they are not showing anything, they are not showing any outdoor at all.

Chairman Rogan stated typically a business like what it sounds like they are proposing, the seating is considered more like convenience seating, it doesn't generate any real additional water usage because the people, it is almost like when you go to a deli, Sauro's is a great example, the seating at Sauro's outside, doesn't change the water that they use at all because people have the option of either leaving with their food or they sit down and we kind of refer to that as convenience seating.

Board Member Pierro stated right.

Chairman Rogan stated and probably a hot dog shop would be very similar.

Board Member Montesano stated you've got the one up here on [Route] 22, that little hot dog place across from Getty.

Chairman Rogan stated I don't know anything about that one.

Rich Williams stated we don't see that.

Chairman Rogan stated that's in.

Board Member DiSalvo stated that must be in Pawling.

Board Member Montesano stated I know we don't see it, it is, its right on the line. But the fun is that its got tables chairs set up outside.

Rich Williams stated yeah but we don't have to worry about that, they don't have a septic.

Board Member Pierro stated they don't have a bathroom, they don't have anything. As Shawn says, it doesn't contribute to water usage.

Board Member DiSalvo stated if people were staying longer, like when you go to Sauro's, you sit around, I'll have another cup of coffee, so you use more water.

Chairman Rogan stated yeah, oh, right, right.

Board Member Pierro stated there is no place to pee over there if you had to.

Board Member DiSalvo stated you can go in the back of the building.

Board Member Montesano stated how many hot dogs.

Board Member Pierro stated you can go to Alice's but I don't expect you to go squat in the back of the building.

Board Member DiSalvo stated I don't go there anymore, to be honest, the water is very bad there.

Chairman Rogan stated sounds like an urban myth, I would let you know if it was really bad. Okay so, we'll take a look at these plans a little bit.

Board Member Pierro stated right.

Board Member Montesano stated (inaudible).

Board Member Pierro stated it is the only that I didn't open up, I came in this week to get the plans.

Board Member Montesano stated if the water is terrible, how is the coffee so damn good.

Board Member DiSalvo stated I think one of the memos said something about make sure that everybody has been notified on the wetlands.

Chairman Rogan stated you mean the neighbors.

Board Member DiSalvo stated for the wetlands.

Chairman Rogan stated we do that on all of them.

Board Member DiSalvo stated the public hearing, have we gotten them all back or.

Rich Williams stated they generally bring them in that night, I am starting to just throw that in there so.

Board Member DiSalvo stated the last couple have been a little botched up.

Chairman Rogan stated since they are number one on the agenda, we'll get him to give them to you before we start.

Board Member Pierro stated up front.

Chairman Rogan stated up front.

## **2) CINGULAR WIRELESS/MALDUNN SITE – Request for Final Approval**

Chairman Rogan stated okay, Cingular Wireless.

Board Member Pierro stated are we all on track with them or do we need to have anything else done.

Chairman Rogan stated Cingular Wireless.

Board Member Pierro stated yeah.

Rich Williams stated Cingular Wireless, we talked about that for awhile. There are two separate issues, one is the cell tower and the other is the overall site plan the place.

Board Member Pierro stated right.

Rich Williams stated I believe that we are squared with the cell tower, you know, and we can have a resolution done for that. With the overall site plan, I was waiting for Dave and I haven't had a chance to speak with him, he was supposed to go back other there and go into the buildings actually do a little bit more investigation about what is going on there. I think that might have been a little helpful but the fact of the matter is that you've got three buildings that they admit there is no water, there are no bathrooms, there is no formal parking to that. I guess the question before the Board is now are you going to allow principal uses to exist in those buildings or are you going to acknowledge that those buildings are on the site as accessory buildings. Certainly, if you've got a tenant in the main building and they need a place to store some material, they can store it in those buildings but those buildings are not set up, they don't have the parking, they don't have the water, they don't have any septic and are they are aren't they going to be used

for principal use, if they are going to be used as a principal use, then we probably need to take a look at, does anything need to be added to the site to make sure that they can be reasonably and.

Board Member Pierro stated has there been any contact with the property owner about expanding the septic systems and bringing water out to those individual buildings on site, there has been none.

Rich Williams stated well at this point, all we are trying to do is gather the facts.

Board Member Pierro stated right.

Rich Williams stated what is really out there, what is going on and it is up to him if he wants to use those for something other and it is up to the Board and again you may say, they are only set up as accessory buildings and we are only going to allow them as accessory to the principal occupancy of the main building, if he wants to change that, he needs to do A, B, C and D.

Board Member Pierro stated right.

Chairman Rogan stated the problem though is that they are already being used as accessory clients, so in effect by saying that you would be booting those people out.

Rich Williams stated correct.

Chairman Rogan stated right and.

Board Member Pierro stated and I think that he understands that because.

Board Member DiSalvo stated I don't know about that, I didn't get that opinion.

Board Member Pierro stated John Ravetto who has that building listed for sale, has communicated, he was at last our Planning Board meeting when we discussed that, in fact John told me that he told the landlord and John told me that his response was that the landlord says well if I lose the use, I lose the use. I don't think that we are going to get an argument from him on that and I think we are better off cleaning up this whole site and allowing them to be used as accessory structures to the main facility.

Board Member DiSalvo stated wasn't the woman, that was the woman in the audience that night, she was supposed to get back, get some information back to us on one of the tenants.

Rich Williams stated she was and she was also supposed to meet with Dave Raines, I don't know if Dave has actually been out there.

Board Member DiSalvo stated I mean, she didn't give me the opinion of what you just said, you know.

Chairman Rogan stated I got the opinion that, the impression from her that first of all, she was very up front in saying look I don't really understand a whole lot of what's going on here, I am new to this.

Board Member Pierro stated right, right.

Chairman Rogan stated but I am here representing, I think for her father or.

Rich Williams stated the owner, I'm not sure what the relation is.

Chairman Rogan stated the owner, okay, she was some relation to the owner. I would be fine with approving the cell tower and the site plan.

Board Member DiSalvo stated right.

Chairman Rogan stated acknowledging that these buildings are accessory the main building and if that means that they can't have the tenants in there, so be it. Until they want to, if they or the new owner wants to come in and get site plan approval for the new buildings, then we can address those issues, that is fine with me. Because then we are not approving anything more then.

Board Member DiSalvo stated then the cell tower.

Chairman Rogan stated what's out, the cell tower and what's out there, but not the existing uses.

Board Member DiSalvo stated that is what we said, we are going to two site plans.

Board Member Montesano stated if they were to take out (inaudible).

Board Member Pierro stated no.

Board Member DiSalvo stated the last, treat these cell towers separate.

Board Member Pierro stated no, I don't think so.

Rich Williams stated it is not allowed and it is not permitted, its not addressed in the Code. It is really a Health Department issue whether you allow the long term occupancy for a building or relying on port-a-potties.

Board Member Pierro stated I think the Health Department rules are in most scenarios are that if you put in a chemical toilet, you have to demonstrate the ability to put in a full septic system.

Chairman Rogan stated I really don't know the answer to that.

Board Member Pierro stated I have run across that on a couple of projects that I've had.

Board Member DiSalvo stated what do we have at Penwest, don't we have like kiosks over there, that should be coming up for another renewal.

Rich Williams stated oh that has long since passed. They are still there.

Board Member DiSalvo stated what do they use for, do they have porta sands.

Rich Williams stated well they use the.

Board Member Pierro stated they use the existing ones in the building.

Rich Williams stated yeah.

Board Member DiSalvo stated but do they have access to go into the building.

Board Member Pierro stated sure.

Board Member DiSalvo stated the kiosks are outside.

Rich Williams stated well not kiosks, they are mobile portable office trailers.

Board Member DiSalvo stated they are not attached, they are not mounted to the building, are they.

Rich Williams stated no.

Board Member DiSalvo stated so there is.

Board Member Pierro stated but they are interconnected, you can walk from one to the other.

Board Member DiSalvo stated you can walk from one into the main building.

Board Member Pierro stated yes.

Rich Williams stated that I don't know about.

Board Member Pierro stated I know one person that works there. Adam's sister works there.

Rich Williams stated I don't know, when the whole original conversation was up, they were going to use the bathrooms in the primary facility.

Board Member Pierro stated right.

Chairman Rogan stated and they were close enough where it wasn't deemed an issue, it was not like you are walking out of one building, up the hill, and.

Board Member Pierro stated right.

Rich Williams stated but you bring up an interesting point here, in that they were temporary, they were only supposed to be there six months or a year.

The Secretary sneezes.

Chairman Rogan stated bless you.

Board Member Pierro stated bless you.

Rich Williams stated actually I think we gave them fourteen or eighteen months worth of approvals overall.

Board Member DiSalvo stated right.

Rich Williams stated while they decided whether they were going to expand or not. You know, like everything else.

Board Member DiSalvo stated I remember it was always around Christmas time.

Chairman Rogan stated why expand when you can keep the temporary trailers.

Rich Williams stated and they have been, they were actually there long before the Board gave them approval to have them there.

Board Member Pierro stated right and we also gave them some extra yardage on the sign, correct. Because that sign wasn't conforming, yeah.

Rich Williams stated that I don't know.

Board Member Pierro stated check the records, the sign wasn't conforming, they wanted to add to the top of it and we allowed them to do that.

Rich Williams stated that would have been a ZBA variance.

Board Member DiSalvo stated I think before we do anything with Cingular Wireless, I don't have a problem with it being a separate site plan just to get the cell tower moving along. We seem to be like, I got the hint that the lawyer seems to be threatening us a little bit, you know but as far as the second part of it. Well, maybe we should wait and see what happens if they ever went out with Dave Raines, if anything has been finalized with that.

Board Member Pierro stated I don't feel threatened at all the attorney, I thought he was quite eloquent and spelled it out that one.

Board Member DiSalvo stated he spelled it out.

Board Member Pierro stated one doesn't have to be connected to the other.

Board Member Cook stated he came on strong. I think we should deal with the application before us and then continue to deal with the overall site plan.

Board Member DiSalvo stated right.

Board Member Pierro stated right. Absolutely.

Board Member DiSalvo stated maybe he won't need those other buildings.

Chairman Rogan stated well, in order to do that, though you still have to address the entire site, you have to either, I am seeing it as two different scenarios, we either approve the cell tower and approve along with that application the site as it exists but specify what the uses of those buildings or the use that can not be there. In other words, they are not standalone business or we go through the site plan that approves everything and we correct the issues, the parking, the septic, the other issues.

Board Member Pierro stated right, my question is Rich, aren't there multiple tenants inside the main facility now.

Rich Williams stated yes.

Board Member Pierro stated which, what happens if we run across the scenario where one tenant may desire to acquire that accessory space in the back and then another tenant desires to have the other accessory space. Are they going to be deeded to a particular accessory space or.

Rich Williams stated the reality is, you are studying up that scenario the primary tenant in the main building, is only going to use that to store materials, warehouse.

Board Member Pierro stated right.

Chairman Rogan stated right.

Board Member Pierro stated right.

Rich Williams stated and that is essentially what you are going to approve those smaller buildings at under that scenario.

Board Member Pierro stated okay.

Rich Williams stated that they would be accessory warehouse structures to the principal building.

Board Member Pierro stated okay.

Chairman Rogan stated so could we.

Board Member Pierro stated so that is general enough to allow any tenant from inside to use that.

Rich Williams stated yeah.

Chairman Rogan stated and regardless really of what Dave, if Dave goes out there and checks out the buildings in and out, that still doesn't, isn't going to change the fact that they don't have septic, that we would want, without those issues, we really wouldn't be a position, I don't think, to approve those buildings as standalone uses, a business wants to rent them and they don't have a place and they don't have facilities and they don't have adequate parking.

Board Member Pierro stated until they come into conformance.

Chairman Rogan stated why don't we prepare a resolution for the tower with the stipulations that those buildings are for storage only.

Rich Williams stated I could do one, I don't know, let me think about that. I could probably do one that approves the overall site and the tower.

Chairman Rogan stated right.

Board Member DiSalvo stated and as far as the stipulations, that may hold up them starting on the cell tower, it may take a year to evict those people and tell them to get out. You know, they don't want that holding up the cell tower.

Rich Williams stated yeah but see what we would be doing is we would essentially be approving the use of those buildings, they are already up. We are not talking about he has to go out and construct and improvements, so at that point, we just have to sign off on everything, then it becomes an enforcement issue.

Board Member DiSalvo stated uh-huh.

Board Member Pierro stated yeah.

Rich Williams stated and if wants.

Board Member DiSalvo stated but is there a time frame for the enforcement issue.

Rich Williams stated that is going to be up to Dave.

Chairman Rogan stated that is up to the enforcer.

Rich Williams stated generally something like that it starts immediately, he might give them thirty or sixty days to comply but.

Chairman Rogan stated what are the pitfalls in that scenario, other then the fact that we are creating an enforcement issue, we are creating an approval by its very nature creates an enforcement scenario, that is not the only pitfall is it.

Rich Williams stated that is pretty much the only problem with doing something like that, you are doing an enforcement.

Chairman Rogan stated that is also up to the rights of the owner.

Board Member Pierro stated but it doesn't, even though we are approving the use and creating this enforcement issue, it doesn't negate the fact that the buildings are in violation now.

Chairman Rogan stated right.

Board Member DiSalvo stated you are getting into like legal issues with like what if they have leases with those people, I don't know, technically they can turn around and, you really need to talk to Anthony on this.

Rich Williams stated well you know.

Board Member Cook stated well I was going to say and no offence to Rich, but I think that whatever resolution is drawn up, you have to consult with Anthony.

Rich Williams stated I always do but you know, as far as a lease agreement, if he leased property that he didn't have a legal right to lease.

Board Member DiSalvo stated it happens all the time.

Rich Williams stated you know, I know that, but that is between their lawyers to work out not the Town, the Town is only responsible.

Board Member DiSalvo stated you don't want it holding up the cell tower.

Board Member Pierro stated we quite frankly don't care whether it holds up the cell tower or not.

Rich Williams stated but Maria, it won't hold up the cell tower.

Board Member Pierro stated we are giving them an approval.

Board Member DiSalvo stated okay.

Rich Williams stated at that point.

Board Member DiSalvo stated it will hold it up with them and the landlord.

Rich Williams stated at that point it becomes an enforcement action, the property owner has three options, he can either comply and vacate the buildings and use them according to the approved site, he can not comply and get the appearance ticket and go to court and pay a fine and then he is still going to have to comply, or he can come in for an amended site plan.

Chairman Rogan stated which is what he should do.

Rich Williams stated to say, now I am going to correct, now this is how I really want to use the buildings, I am going to put a septic in, I am going to put parking.

Chairman Rogan stated and the enforcement part of it would probably allow for that, they probably would say we are going to give you three months to get to Planning Board and get some, realistically. That is what, it might be impeditious to have it done properly.

Board Member Pierro stated it puts it in forward motion.

Board Member Montesano stated what I would Anthony to find out is we are going to approve this, knowing its got the build in problems already, should we in fact approve it, even though it is going to go to a different department to handle it. We are approving something, we know it is illegal, to me it is like approving an illegal lot.

Chairman Rogan stated but we are not approving a use though. We are not approving it though, you are not approving that use, you are approving what the site is capable of. It would be different if you were approving the cell tower with the use, with the clients there, then you would be approving something that it can't really.

Board Member Montesano stated what I feel that we are doing is we are going to approve this site plan as is, even though we know it is full of violations. It has violations on it.

Rich Williams stated one of the principal violations it has, is that it doesn't have a site plan for the use of the property as it is currently be conducted. You are remedying that primary violation.

Board Member Montesano stated alright.

Board Member DiSalvo stated so we are eliminating one violation.

Board Member Pierro stated so that resolution is going to have a stipulation in it that says, okay we approve the cell tower and approve the site plan but these items have to be corrected.

Chairman Rogan stated no, not necessarily.

Rich Williams stated we are not even going there. If I wrote the resolution, I would write to approve the use of the site for the cell tower based on those plans and the use of the site consistent with our zoning requirements to do A, B,C and D.

Board Member Pierro stated okay.

Rich Williams stated here is how you are using the principal structure right now because right now the only approved site plan we have on this is for a research facility.

Chairman Rogan stated right.

Board Member Pierro stated right.

Rich Williams stated US Plywood, they did back in the 60's.

Board Member Pierro stated right.

Rich Williams stated we don't even have it for light manufacturing or anything else.

Board Member Montesano stated automotive repair.

Rich Williams stated yeah, so.

Board Member Pierro stated I would feel much, after what we've seen out there.

Rich Williams stated automotive repair was never a permitted use on that site.

Board Member Montesano stated I know.

Board Member Pierro stated I would feel much more comfortable with getting rid of those uses there.

Board Member Montesano stated but he's got one hell of a shop in there.

Chairman Rogan stated I am happy to have uses there if they can.

Board Member DiSalvo stated comply.

Chairman Rogan stated comply with what is required.

Board Member DiSalvo stated right.

Board Member Pierro stated sure.

Chairman Rogan stated the smart thing, if I were the owner, I would be right back in here applying for an amended site plan. Hey, I've got the cell tower off my back, we are moving forward.

Board Member DiSalvo stated and that will buy them some time.

Chairman Rogan stated there, I am making some money, now let's see what we can do to make this site more viable for these building.

Board Member DiSalvo stated right.

Chairman Rogan stated and that would be the way to go.

Board Member Pierro stated he's got a long, there are a lot of issues there for septics and a lot of work, a lot of design issues.

Chairman Rogan stated but I think that seems like a pretty logical way to go on this.

Board Member Montesano stated you'll have a multiuse building (inaudible) to begin with.

Board Member Pierro stated okay.

Chairman Rogan stated any other discussion.

Board Member Pierro stated none from my end.

### **3) THE SHAMROCK CASTLE – Sign application**

Chairman Rogan stated Shamrock Castle sign application.

Board Member Montesano stated is it going to green.

Board Member DiSalvo stated do we have a copy of what the other sign looks like, the other applicant, the other sign.

Chairman Rogan stated not here but we have.

Board Member DiSalvo stated somewhere.

The Secretary stated I asked him to take pictures of the other sign.

Rich Williams stated I do have pictures.

Board Member DiSalvo stated similar to this, with the wood hanging there still.

Board Member Pierro stated we have them in the file from the Poitin Still, right.

Board Member DiSalvo stated because I am wondering this one wants to be bigger then what is there now, because the one there now is pretty big.

Rich Williams stated he is adding four square feet.

Chairman Rogan stated but he still within the, lighting will probably be the same with what is probably existing there.

Board Member Pierro stated still within the Code.

Chairman Rogan stated I can't imagine that they would want to change it that much.

Board Member DiSalvo stated he is going to keep it in the same spot there, when you pull out with your pick up truck, you hit it, remember.

Rich Williams stated well you know.

Board Member Cook stated this is a free standing sign.

Board Member DiSalvo stated remember that day.

Rich Williams stated I took a look at the application, there are some ambiguities in the application submitted, there are some conflicts in regard to what the colors are going to be, it doesn't really address lighting, it says it is going to be lit.

Chairman Rogan stated spot light.

Rich Williams stated it doesn't say you know the intensity or the location or are they shielded or anything.

Board Member DiSalvo stated (inaudible).

Rich Williams stated so there are some issues that you need to talk about with him and get on the record and get clear and determine if it is appropriate.

Board Member DiSalvo stated can we have this by next week.

Chairman Rogan stated Rich, can you call Mr. Savio before the meeting and ask him if he can bring in some color, some kind of color samples for the sign.

Rich Williams stated okay.

Board Member DiSalvo stated right, who is doing his sign, he should do a little rendition.

Board Member Montesano stated is it dark green or black.

Rich Williams stated yeah.

Board Member Montesano stated it is going to green and it is going to be gold.

Chairman Rogan stated Irish green and gold.

Board Member Cook stated but the application itself says black.

Board Member DiSalvo stated there is no little man on it, there is no leprechaun on it.

Board Member Montesano stated it's a black application, put the application in color.

Chairman Rogan stated the color of the letters, it says gold letter with the background color black.

Board Member DiSalvo stated who is doing it.

Rich Williams stated it is in there that reverses the color.

Board Member Cook stated yet but then you go to the exhibit and it says dark green.

Board Member Pierro stated yeah, background is black with red letters.

Board Member DiSalvo stated let's get some specifics before (inaudible).

Board Member Montesano stated he is one of these English fellows and everything he knows has been backwards.

Board Member Cook stated I understand.

Board Member Pierro stated another Michael.

Chairman Rogan stated if it meets with the square footage, which it apparently does and if we can get some more detail, this doesn't seem like a big deal. The Shamrock Castle on Putnam Lake, Old Irish Pub and Restaurant.

Board Member DiSalvo stated that is a lot on that sign.

Chairman Rogan stated that is a lot.

Board Member DiSalvo stated I wonder how big the letters are going to be, two inches tall with all that lettering.

Board Member Montesano stated you can do it in script.

Board Member Pierro stated that is up to him.

Board Member DiSalvo stated oh what do you call it, like groge.

Board Member Montesano stated Gaelic.

Board Member DiSalvo stated Gaelic, that is.

**4) PUTNAM STEEL/T&T SPORTING GOODS – Sign Application/Bond Release**

Chairman Rogan stated Tri County Sporting Goods, number four, that is if you recall they wanted their bond release and part of that meeting the site plan issues was putting up a sign for the business. So we said that we would rather finish this out, so they are in for their sign.

Board Member Pierro stated where is this going to be located, Rich.

Rich Williams stated ten feet off of the property line, directly in front of the building.

Chairman Rogan stated there is a plan attached to the application.

Board Member DiSalvo stated off the property line from [Route] 22.

Board Member Pierro stated the property line from [Route] 22, is it in the same location as the existing gun shop.

Rich Williams stated similar.

Chairman Rogan stated yeah.

Board Member Pierro stated similar, okay.

Board Member DiSalvo stated yeah, like over here.

Chairman Rogan stated yeah. That doesn't effect any sight.

Board Member Pierro stated no.

Board Member DiSalvo stated do they have lights on theirs, at all, do you remember, I don't go there at night, just nothing.

Board Member Pierro stated yeah this, hunting, fishing, archery, paintball, licensing, firearms, who is going to see it.

Chairman Rogan stated is not visible.

Board Member Pierro stated the only guy that is going to read that is maybe.

Chairman Rogan stated the lawn mower.

Board Member Pierro stated the lawn mower, if he speaks English.

Chairman Rogan stated Putnam Steel.

Board Member Pierro stated this guy is quite the character, Anzalone.

Chairman Rogan stated now the Putnam Steel sign, is that going to be on the same location.

Board Member DiSalvo stated yeah, see the sample, where is it.

Chairman Rogan stated oh, I'm sorry.

Board Member Pierro stated same sign.

Board Member DiSalvo stated are these two separate signs.

Board Member Pierro stated no its one free standing sign, correct.

Chairman Rogan stated two separate.

Board Member Pierro stated two separate signs but the same poles.

Board Member DiSalvo stated two separate pieces or are they both on the same poles.

Board Member Pierro stated same poles.

Chairman Rogan stated yeah.

Board Member DiSalvo stated what I am saying is that there is no separation here.

Board Member Pierro stated it looks like there is.

Chairman Rogan stated there are going to be two signs that they hang on, on these six by sixes.

Board Member Montesano stated does it say anything about ten feet from the roadway.

Rich Williams stated as long as it is out of the State right of way.

Board Member Montesano stated that is all I wanted to know (inaudible).

Board Member Pierro stated alright.

Chairman Rogan stated it sounds like it is not ten feet from the pavement, its ten feet on to their property, that is a big difference right.

Rich Williams stated yeah.

Chairman Rogan stated because ten feet from the roadway would be in the right of way.

Rich Williams stated and permitted.

Chairman Rogan stated and not permitted but realistically it is probably more like twenty-five feet or so from the, its pretty wide there but still.

Board Member Pierro stated yeah I don't.

Chairman Rogan stated how much of width right of way do they have up and down [Route] 22 there.

Board Member Montesano stated twenty-five feet from the center.

Rich Williams stated it varies, it varies up and down [Route] 22, generally it is twenty-five to thirty.

Chairman Rogan stated because twenty-five feet from center in that area, isn't all that much really, that is pretty wide given the blueprint and everything. Okay, you know we did just talk about colors.

Board Member Montesano stated that was never explained, the center line of the lane, the center line of road (inaudible).

Board DiSalvo stated are they putting the address on that you recommended.

Rich Williams stated you have to assume that the road is in the center of the right of way.

Board Member Montesano stated there is that word again.

Rich Williams stated and then there in lies the problem.

Board Member DiSalvo stated are they putting the address on the sign like you are recommending.

Rich Williams stated I don't know, I reviewed it, they didn't have a number on it, I thought it might be a good idea to put the number on top of the sign.

Chairman Rogan stated that can certainly hold.

Board Member DiSalvo stated right on top here, like a little bump or a half moon or something.

Chairman Rogan stated that is good idea, the physical address, 2656. What I was just saying before, we were just talking about contacting the other sign applicant to talk about bringing in colors but nobody has mentioned that with these signs that they provided black and white sketches.

Board Member DiSalvo stated white background with black and red letters.

Chairman Rogan stated so. Supposed they get their approval for the sign, they actual have to construct the sign to get the bond, they have to construct it and have it in place before the bond release.

Board Member DiSalvo stated (inaudible).

Board Member Cook stated are we all set on the colors.

Chairman Rogan stated let's let, try to get some idea of what they are going to look like.

Board Member Montesano stated we never did come up with a color code for the Town.

Board Member DiSalvo stated Putnam Steel 878-878-7808.

Board Members laugh.

Board Member DiSalvo stated instead of 845.

Board Member Pierro stated they messed that up.

Chairman Rogan stated hopefully it won't happen to their actual sign.

Board Member Pierro stated you have tell the sign painter, that could be expensive.

Board Member Montesano stated (inaudible) signed off on it.

Chairman Rogan stated she gives them that sign, you know.

Board Member Montesano stated they'll be out there with the paint bucket again.

Board Member Cook stated they used to give management classes so that you could pick out the errors, nobody would ever pick them out, there was one person.

Chairman Rogan stated it is good that you picked it up.

Board Member DiSalvo stated they may say to guy here, make me a sign.

Chairman Rogan stated right, exactly.

## **5) BARJAC REALTY SITE PLAN**

Chairman Rogan stated Barjac Realty, is a sketch plan, I think in everybody's packet. Ted did you take a look at that.

Ted Kozlowski stated I am just reading over Rich's letter. It has definitely changed from what they originally proposed to get across the wetland and.

Rich Williams stated there are some major changes to site plan, that haven't been reviewed by this Board before.

Ted Kozlowski stated right and this is to me another case of.

Board Member Pierro stated bait and switch.

Ted Kozlowski stated a major project being squeezed into a small area and.

Board Member DiSalvo stated did they downsize it.

Ted Kozlowski stated what I want to know is, why can't they go straight, this layout it must be a logistical reason why they have this new layout, to me crossing the wetlands straight is the minimal impact and now we have the diagonal as Rich pointed out in his memo.

Rich Williams stated which means you are not going to get the bridge at the end of the (inaudible).

Ted Kozlowski stated which also means a lot more disturbance to the buffer and I just you know, where do we stop.

Chairman Rogan stated right.

Ted Kozlowski stated when do we say enough is enough and here we are, they came in, we've been so far and now they are coming in to me, at the eleventh hour with something new and on the surface without seeing it and all that, I am opposed to something like this. Again it is very ambitious for a site that has a lot of challenges.

Rich Williams stated the barn and the riding rink have been downsized somewhat, they split the pasture area, they eliminated most of the parking that was on the site. They are challenged in my opinion as far as trying to get trucks in or bedding and for.

Board Member DiSalvo stated I said that in the beginning.

Board Member Pierro stated dumpsters, dumpster pick up.

Rich Williams stated they moved the outdoor riding rink and one of the smaller ones, they shifted it over to the other side of the barn. I'm not sure what happened or what is going on.

Board Member Pierro stated Rich, what is their reasoning for moving the driveway closer to the stormwater ponds.

Rich Williams stated I have no idea why they shifted the driveway going on a diagonal across the thing.

Board Member Pierro stated does the driveway have any connectivity to the stormwater ponds other than that. Do they have to do any drainage from the roadway to the stormwater ponds.

Rich Williams stated oh yeah, they have to pipe that over and get it over there to the grass swales.

Ted Kozlowski stated from the regulatory standpoint, that change represents considerable amount of impact to wetland and buffer.

Board Member Montesano stated is there an entrance on the street, on that side street for that parcel.

Ted Kozlowski stated we originally looked at that first.

Board Member DiSalvo stated the ball field.

Ted Kozlowski stated the first right of way.

Rich Williams stated in addition they are not showing the full wetland buffer or the full wetlands on the

plan. The wetland actually comes over to the property line and then cuts up for a short way along the eastern property line, they are not showing that, they are not showing the buffer, they are not showing the additional portions of the stormwater ponds within the buffer.

Ted Kozlowski stated again I am not comfortable with a change like that, that's.

Board Member DiSalvo stated how did they, what else did they, how small did they make the indoor ring now, they go 80 by 100, 80 by 200.

Rich Williams stated I don't recall the size.

Board Member DiSalvo stated it was 100 by 200.

Rich Williams stated and you know, we are working off of this sketch you, that black line going around the barn is probably about ten to fifteen feet.

Chairman Rogan stated right, yeah right.

Board Member Pierro stated alright, hopefully Theresa can answer some questions.

Chairman Rogan stated these fenced in areas, what are they called.

Board Member DiSalvo stated paddocks.

Chairman Rogan stated at least that part of the plan, its like a soft use, its still kind of open, its just fenced in, is that barbed wire just fenced in.

Board Member DiSalvo stated fence.

Chairman Rogan stated I don't see why they can't shift the roadway back more similar to what we originally had, use the bridge concept and you know.

Rich Williams stated I don't know.

Board Member Pierro stated they probably found out what the cost of the bridge was, right.

Rich Williams stated even that is the issue, why not come straight across.

Board Member Pierro stated right.

Chairman Rogan stated right.

Rich Williams stated no matter what you do its cheaper coming straight across.

Board Member Pierro stated straight.

Rich Williams stated (inaudible) culvert.

Board Member Pierro stated (inaudible)

Ted Kozlowski stated turning radius and stuff like that for those big trucks, I don't know.

Rich Williams stated I don't know.

Ted Kozlowski stated but again the site is what it is, it is a big piece of property but it has a lot of constraints, its in a residential area, it has a huge wetland on one side and a small wetland on the other and the owner would like to do what they would like to do on it but sometimes the sites just can't handle that.

Chairman Rogan stated yeah.

Board Member DiSalvo stated did they provide another spot for the dumpster because it looks like now you have that new paddock going up to that area.

Rich Williams stated lets take this in a whole nother direction at this point, what started this all was Theresa calling me up and saying there are new regulations with the Health Department which says that the engineers can not go out and do soil testing and have those soil tests witnessed by the Health Department and DEP unless the local wetland board.

Board Member DiSalvo stated which is us basically.

Rich Williams stated yeah, says you know they have the authority to go out.

Ted Kozlowski stated that is a good new rule because case and point is Bear Hill Estates where Rob Cameron sent somebody in and destroyed a wetland to get the test hole pits. He has no permit, we had no idea this was coming.

Rich Williams stated in general I don't disagree, the problem that I have with it is that the Planning Board only meets once a month generally and now you are requiring everybody who wants to do soil testing whether it is a single family home or a commercial site being proposed.

Board Member DiSalvo stated (inaudible).

Rich Williams stated to sit and come before the Planning Board and now the Planning Board has to review all of this.

Board Member DiSalvo stated and that is going to take awhile.

Rich Williams stated and the reality is the Planning Board you know, doesn't have the basic information to begin with. Well the fact of that matter is how we are really going to determine this. We are going to get an application, I am going to pull it up on the GIS system, I am going to look at you know are there wetlands close to it, are there soils close to it, is there really any impact. If I think there might be, then I am going to contact Ted and I am going say that we need to talk about this and we need to take a look.

Ted Kozlowski stated the only problem with that Rich, again, is what happened with Bear Hill Estates, they might want, there may be a wetland up here and they want to do something over here and you sitting at the desk looking at it, okay, no impact but they, you don't know how they are going (inaudible – coughing) that area unless they tell you.

Rich Williams stated no I don't but that is why.

Ted Kozlowski stated that is what happened at Bear Hill.

Rich Williams stated that is why we would develop a form letter.

Ted Kozlowski stated right.

Rich Williams stated that says you are authorized to do this, this and this, not this, this and this.

Ted Kozlowski stated right, we had that at NRA too, you guys remember NRA, which is on.

Chairman Rogan stated Birch Hill [Road].

Ted Kozlowski stated Birch Hill Road, where they used to shoot 'em up cowboy, that area, they went through wetlands to do test pits and you know, so.

Board Member DiSalvo stated so you are saying that they should come before us for a wetlands permit.

Rich Williams stated what the Health Department is saying is they either have to come and get a wetlands permit from you.

Board Member DiSalvo stated right, that is what I mean.

Rich Williams stated or they have to get a letter saying they don't need a wetlands permit.

Board Member DiSalvo stated take like Doug Wallace lots.

Ted Kozlowski stated right, he was a major violation.

Board Member DiSalvo stated but didn't he eventually want a wetlands permit to go in and see if the land would perc.

Ted Kozlowski stated we made him do that.

Board Member DiSalvo stated and what happened with that.

Rich Williams stated he never finished it up, he never came back.

Ted Kozlowski stated that was another thing, he went and destroyed a wetland and buffer.

Board Member DiSalvo stated right.

Board Member Pierro stated right.

Ted Kozlowski stated so, you know, it might be just a matter of Richie going or me going out with them and say show us exactly what you are going to do and if it is a major impact they are going to have to get a permit.

Rich Williams stated what I am suggesting, the procedure that I am suggesting and I gave you the letter that I drafted back to Mike Budzinski is initially everything is going to come into this office and I am going to check it out and clearly there is no impact and I am just going to give them a letter back.

Board Member DiSalvo stated based on what the amount of disturbance they want to do too, that is what your letter said, 1,000 square feet or something.

Rich Williams stated well no, based on the plan that you've got here and the proposed access and you know you are not being near any wetlands, you know, the testing is authorized.

Board Member DiSalvo stated right.

Rich Williams stated or I have to look at it and say well jeez, they have a to do a little bit of testing in the buffer but everybody know that they are going to be doing a little bit of testing in the buffer and okay it is authorized, go do it. Or something like this.

Board Member DiSalvo stated so we need like an authorization certificate as opposed to a wetlands permit, like you were saying.

Rich Williams stated right.

Board Member DiSalvo stated go in and do it, they are still going to have to have something.

Ted Kozlowski stated right, it would be some sort of checklist form letter or something like that.

Board Member Pierro stated right.

Board Member DiSalvo stated right.

Rich Williams stated and then we may say just you know, give us 48 hours notice before you go do it, so we can make sure that you are not doing what they did at Bear Hill. You know, if gives us a little bit more oversight, but you know we want to minimize that, we don't want to make it so harsh that everybody.

Board Member DiSalvo stated the line will be out the door.

Ted Kozlowski stated but technically, you know Rich, but technically whether we do this or not if they go and trash a wetland putting those test pits in, they are in violation anyway.

Rich Williams stated absolutely.

Ted Kozlowski stated so they should be doing this to begin whether the Health Department makes them do it or not.

Rich Williams stated right.

Board Member DiSalvo stated so what does that have to do with this project.

Ted Kozlowski stated this project is a new.

Board Member DiSalvo stated I mean they are going for wetlands permits anyway.

Rich Williams stated this actually, you know, I've heard from two engineering firms since, I had no idea they changed the regulations in July. Theresa called me up and said I need a letter saying that I can go do the soil testing and have it witnessed by the Health Department and by the DEP, what do I do. There are new regulations and I said I have to see the regulations, the wetland board is the Planning Board, you are going to have come back into the Planning Board and oh by the way, the plan that you submitted doesn't require any testing in the wetlands. Oh, well, we modified it.

Board Member Pierro stated oh.

Rich Williams stated I said well.

Board Member DiSalvo stated well let them go back to the old plan.

Rich Williams stated you know, you've got to show us the modifications.

Board Member Cook stated so as you point in your memo, do these folks have to go back to the ZBA.

Rich Williams stated probably not because the ZBA, again the ZBA and I have to look at the resolution, may not have.

Board Member DiSalvo stated given a special use permit.

Rich Williams stated given them a special use permit based on a specific plan.

Board Member DiSalvo stated right.

Rich Williams stated and I am trying to tighten that, I don't know that that happened.

Board Member DiSalvo stated basically the plan is still the same, the use is still the same, the buildings are there, it is not like they maybe added more buildings, they just messed up on this road basically.

Rich Williams stated they've done more than that.

Board Member DiSalvo stated well.

Ted Kozlowski stated if they have modified this plan and now they want to do testing in the wetland buffer, they have to get a wetlands buffer.

Board Member Pierro stated good luck.

Ted Kozlowski stated period, it is a disturbance.

Rich Williams stated well, I don't necessarily agree. If they are going to do the testing and you are okay with the fact that having reviewing the conceptual plan, the Planning Board knows that the stormwater ponds going in the buffer and they are okay with that concept and the way that this would work just so everybody understands, is I would issue them a letter to do that testing.

Board Member Pierro stated right.

Rich Williams stated what they are doing here, is they are proposing ponds that have not been reviewed or accepted by the Planning Board, so that, there is no way that is getting a letter.

Ted Kozlowski stated right.

Rich Williams stated right. So, my opinion is that they wouldn't necessarily need a wetlands permit to do the soil testing, a couple of deep hole tests to make sure the ponds work, as long as the Planning Board has reviewed it and says that we are willing to consider these ponds in the buffer.

Ted Kozlowski stated it depends totally, totally on what impact they create by getting to that testing site.

Rich Williams stated well that the Planning Board needs to take a look at that now.

Ted Kozlowski stated if that means cutting down through a productive buffer and wetland to do it, to me triggers a wetlands permit, period.

Rich Williams stated there are two issues here, the first is the or the second is the Health Department, whether the Board is okay with that policy, if you are, then I would like to do by motion establishing that policy and authorizing me to send that letter over to Mike Budzinski, if you're not then we need to think about how we are going to do it then.

Board Member Pierro stated well in this case, I really would like, I don't think that it requires all of us to do another site walk but I would like to see you out there with Ted and.

Rich Williams stated well this again, I go back to the specifics on this one, she is coming in with a totally different design.

Board Member Pierro stated right.

Rich Williams stated the first thing the Board has to do before we are going, before anybody is going to consider saying it is okay to go do the testing, are you okay with this layout and what information do we need to look at to be comfortable with that.

Ted Kozlowski stated and so, just that it is clear in my mind and maybe this Board is questioning it too, had not those new regulations been promulgated by the DEP, we would not have known any of this.

Rich Williams stated D, Health Department.

Ted Kozlowski stated Health Department, we would not have known this.

Rich Williams stated she would have gone out and tested.

Board Member Pierro stated right.

Ted Kozlowski stated right.

Rich Williams stated right, so it is good that that is out there.

Ted Kozlowski stated but they would have been going forward with a plan that wasn't approved by this Board.

Board Member Pierro stated right.

Rich Williams stated absolutely.

Chairman Rogan stated on their own.

Board Member Pierro stated not even on a conceptual basis.

Ted Kozlowski stated right and that is the thing that troubles me. I am not sitting on this Board but had I did you know, that's not playing in the same ball park, that is not being fair and square with this Board.

Board Member Pierro stated no.

Board Member Montesano stated (inaudible).

Ted Kozlowski stated they carried this Board through a certain direction and now they've changed it.

Board Member DiSalvo stated is that the old one.

Rich Williams stated the plan.

Chairman Rogan stated it is kind of underneath it if you look at it but it's hard.

Board Member DiSalvo stated you can make it out like over here, I mean I see the road.

Board Member Montesano stated the problem I have right now is.

Rich Williams stated want me to pull it.

Board Member DiSalvo stated yes.

Board Member Montesano stated is starting out on square one, as far as I'm concerned, they changed the plan.

Board Member DiSalvo stated why don't they just go back to the old one.

Board Member Montesano stated the object is if they go back to the old one that's fine but if they want to start with something new then we ought to erase the black board and start from one, two, three and start the whole thing over.

Ted Kozlowski stated what I think is most troubling is they could have just picked up the phone and called Rich and said look, we want to make changes, what do we need to do, we want to give you a heads up.

Board Member Montesano stated my thing is this.

Ted Kozlowski stated what we were looking at, doesn't work well, this is why.

Board Member Montesano stated this is going to be on the record but let me put it this way, we have engineers that we deal with and this Board, every bloody Thursday that we have a meeting, they know what the regulations are, the courtesy should be extended by their office to this Board when they do something like this or a client requests, instead.

Ted Kozlowski stated I think I am saying that.

Board Member Pierro stated well in instance that happened.

Board Member Montesano stated they don't.

Board Member Pierro stated it happened.

Chairman Rogan stated that is why this is a concept.

Board Member Montesano stated what I am saying is, now they have to because there is another law that they have to fight. If the Health Department law had not been passed, we would know nothing.

Chairman Rogan stated of course.

Board Member Montesano stated and what I am saying is that the engineers get this change, they know it is not 100 percent, they should contact us to begin with but they don't, it is not in their best interest to do so.

Board Member Pierro stated well at least she made the attempt when she knew she needed the letter, she is boxed into a corner.

Board Member Montesano stated well (inaudible).

Board Member Pierro stated well that's good Mike, we have stop gaps.

Chairman Rogan stated I have two questions Rich.

Rich Williams stated yes.

Chairman Rogan stated one, if they were testing for the stormwater basin that is half in the wetland buffer, they would need that approval, in other words if they want to go out and do deep test holes to see what they've got in this area, that I understand is a big impact certainly different then driving through an area to test these septic areas. Truth of the issue is that this is out of the wetland area, the first one.

Board Member DiSalvo stated so this is over here, this was coming in this way.

Board Member Pierro stated see this line, see this, this whole thing excuse me.

Chairman Rogan stated no that's alright, I just don't want to have three conversations in the record.

Board Member Pierro stated this circle here, this is one of the reasons that they moved it over to get it out of, get it into a thinner part of, this is buffer here.

Ted Kozlowski stated well you see what happens here Dave is this straight line is the.

Board Member Pierro stated right.

Ted Kozlowski stated now you are doing this, so you're area of disturbance is much greater.

Board Member Pierro stated is larger, the road is longer but they are going through a shorter, I guess her mindset it maybe that she is going through a shorter portion of the buffer here.

Board Member Montesano stated what I think it is, (inaudible) trailer.

Board Member Pierro stated I don't know.

Ted Kozlowski stated I don't understand why they are doing it.

Board Member Montesano stated depending on the size of the trailer.

Board Member DiSalvo stated Mike, I have tractor trailers coming in my driveway.

Board Member Montesano stated your driveway is nice and straight, what I am looking at is up and down [Route] 311 to that point.

Ted Kozlowski stated the other.

Board Member DiSalvo stated but they are not changing the entrance, you still have to make the swing here.

Ted Kozlowski stated the other impact as you see on the old plan, is the stormwater is out of the buffer.

Board Member Pierro stated right.

Ted Kozlowski stated now the new one is all in this area impact is pretty damn close to the wetland itself.

Chairman Rogan stated yup, I remember how wet that was, the back of that lot.

Ted Kozlowski stated so now, this as I recall was pretty much natural area, now this is all going to be disturbed, it is much bigger, more disturbance.

Board Member Pierro stated it looks like there are less stormwater basins now.

Chairman Rogan stated there are.

Board Member Pierro stated one, two, three and this was a fourth one.

Board Member DiSalvo stated but they are bigger.

Ted Kozlowski stated but now they are in the buffer.

Board Member DiSalvo stated like Triple J.

Ted Kozlowski stated they weren't here before, now they are in here.

Board Member DiSalvo stated those.

Chairman Rogan stated let me ask a question of the Board, why, since this is a brand new project, we are not talking about previously approved and we are looking at.

Board Member Pierro stated right, nothing.

Chairman Rogan stated why would we even tell them that we would consider having half of a stormwater basin when we could have them moved out. Just say, keep them out, here is the line because right now they are showing an idea, they get us to buy half the basin being in and guess what happens, now before you know it, the toe of the slope is going to run 20 feet further down in. Why not just say, we understand that you have to get in there to do some soil testing and that is fine for the septic areas, for the areas outside of the buffer but we are not in favor of you going in that 100 foot wetland control line for stormwater. Keep it out, it is a brand new plan, we are going from here forward.

Board Member Pierro stated Rich, this line back here, is that a wetlands line or a buffer line.

Chairman Rogan stated that is a wetlands line.

Rich Williams stated no that's a wetlands line.

Chairman Rogan stated it's a wetlands line, I can see the triangles on it. So why.

Ted Kozlowski stated this is all wetlands, state wetlands.

Board Member Pierro stated why did they, this outdoor ring or this pasture here, the area designated for pasture.

Board Member DiSalvo stated switch this over here.

Chairman Rogan stated right.

Board Member Pierro stated if they were to turn it like this and put it in this area, so it's a little smaller and it is up against the wetlands line, they could still have the necessary stormwater pond in this area and pull this one.

Rich Williams stated the wetland line or the buffer line.

Chairman Rogan stated you are talking about the wetland line.

Board Member Pierro stated I don't know, is this a wetland. Can we put this pasture here.

Ted Kozlowski stated this is almost already in the 100 foot buffer.

Chairman Rogan stated the concept is keeping it about 100 foot out.

Board Member Pierro stated but that is an old plan, this is a new one.

Chairman Rogan stated yeah the new one shows it, if you look at the wetland line, they are trying to keep the proposed pastures, the outdoor ring and the pasture more or less at 100 foot off.

Board Member DiSalvo stated (inaudible).

Ted Kozlowski stated the thing is where they are proposing the outdoor ring has already been disturbed and its all concealed.

Chairman Rogan stated yeah.

Ted Kozlowski stated where they want to put this new stormwater is as I recall, I may be wrong, this was all undisturbed, second growth forest.

Board Member Pierro stated right.

Ted Kozlowski stated and probably much more of a productive buffer zone then would be up here where they are playing paintball and riding motorcycles.

Rich Williams stated the stormwater ponds would be in the field.

Ted Kozlowski stated this one down here where that second entrance, I think that goes through the woods but I may be wrong.

Rich Williams stated and yeah just so.

Board Member Pierro stated I would.

Rich Williams stated just so we are clear, you know the issue is not gaining access in to do the testing because they have fine access to get in without disturbing anything.

Board Member Pierro stated right.

Rich Williams stated the issue is the stormwater ponds in the buffer and the driveway access for the use of the site.

Board Member DiSalvo stated right.

Chairman Rogan stated keep the stormwater pond out of the buffer and make good on the idea that they had presented which was bridging the wetland.

Ted Kozlowski stated didn't they come in with a new plan.

Chairman Rogan stated yeah that is just a concept, they want to feel it out before they do all the work.

Board Member Pierro stated Shawn.

Ted Kozlowski stated again the question is why didn't they do this a month ago and say hey guys.

Board Member Pierro stated it didn't come up, they didn't know it was coming up until they realized.

Rich Williams stated if it was my call, once she said, I've got to go out there to do some soil testing, I need it witnessed and its going to be within the buffer. My first reaction was you're not in the buffer, what do you need to test.

Board Member Pierro stated right.

Rich Williams stated lets see the plan and then you know, its got to go back to the Board.

Board Member Pierro stated Shawn.

Chairman Rogan stated yeah.

Board Member Pierro stated my point was here, wouldn't you prefer to have this pasture maybe more of a lineal site so that it is, it frees up this space down here for stormwater retention ponds.

Chairman Rogan stated well I guess the answer is if it was between having a stormwater pond in the buffer or the pasture in the buffer, I would probably have the pasture that is to me.

Board Member Pierro stated right.

Chairman Rogan stated less excavation and it is already disturbed area.

Board Member Pierro stated and it pulls it out of the buffer here.

Chairman Rogan stated but I would rather start from the opinion of not allowing anything in buffer.

Board Member Pierro stated I agree.

Chairman Rogan stated and go from there, to be honest with you.

Board Member Pierro stated I don't know why this outdoor ring has to be right at this location though.

Rich Williams stated the pasture is going to produce a greater impact.

Chairman Rogan stated oo.

The Secretary stated that was good.

Chairman Rogan stated that was good, I was looking, I didn't realize that it was.

SIDE 1 ENDED

Board Member Pierro stated or no.

Rich Williams stated the pasture is going to produce a greater impact on the wetlands than the stormwater pond will.

Board Member Pierro stated what is this here.

Board Member DiSalvo stated this is the old.

Chairman Rogan stated because of the nutrients.

Rich Williams stated because of the nutrients and the animal feces all running off into the wetlands as opposed to the stormwater pond, you are going to get a short term you know temporary potential for erosion as the soils and surfaces are disturbed but once it is re-stabilized, now you have something that (inaudible – Train horn sounds) before it gets into the buffer. In either case, (inaudible – train horn sounds).

Chairman Rogan stated right.

Rich Williams stated so.

Ted Kozlowski stated I think that you also have to look at slope and I think you have to look at a few other things. It is a disturbed site, as in with Triple J, I don't have a problem with a stormwater basin going into the wetland buffer, if that wetland buffer was previously disturbed and pretty much nonfunctional in a natural state.

Rich Williams stated again I was talking in generality.

Ted Kozlowski stated right.

Rich Williams stated and you and I disagree about this, my opinion is.

Ted Kozlowski stated but I think.

Rich Williams stated a wetland buffer should be managed as a wetland buffer regardless of whether it has been disturbed, if it's been disturbed then we should establish targets to recreate that wetland buffer so that it is functional.

Ted Kozlowski stated right but I also think that stormwater basins become part of our wetlands system whether science wants to tell you that or not, I think it becomes functional. But that is getting a little beyond this project, the change, this Board didn't know about, I didn't know about, you didn't know about it until you got the call for a letter of permission and so I think they have some explaining to do.

Board Member Pierro stated okay.

Chairman Rogan stated okay. Thank you.

Rich Williams stated who started folding this, Dave.

Board Member Pierro stated no.

Board Member DiSalvo stated no, you did.

Board Member Pierro stated I just handed it to you.

**6) APAP SITE PLAN – Continued Review**

Chairman Rogan stated Apap.

Board Member Montesano stated Apap.

Chairman Rogan stated if everybody remembers we were out there.

Board Member Montesano stated okay.

Chairman Rogan stated on site, there wasn't much to see, they've got plans, how are we looking.

Rich Williams stated they made some changes, the plans look in fairly good shape, I only have two real concerns at this point.

Chairman Rogan stated and what are those.

Rich Williams stated one has to do with the dumpster location.

Chairman Rogan stated okay.

Rich Williams stated the dumpster location where they are showing it to get a large bucket, is very, very tight, their response to my suggestion that they turn it on a diagonal, so you either can back in or pull straight into it.

Board Member DiSalvo stated to back in.

Rich Williams stated so that there is sufficient room because they only pick up before 7 o'clock and nobody is going to be parking there.

Board Member Pierro stated well.

Rich Williams stated I can't always guarantee that they are always going to pick up at 7.

Board Member Pierro stated pick up times change.

Rich Williams stated you know and I think if there is a way to do it to make the site functional so that pick up can occur anytime of the day or night then that what.

Ted Kozlowski stated that is not always the business that is going to be there.

Board Member Pierro stated right.

Chairman Rogan stated right.

Ted Kozlowski stated what if it changes a year from now.

Board Member Pierro stated right.

Rich Williams stated it doesn't matter it is still.

Chairman Rogan stated we are only talking about turning it 30 or 40 degrees, really.

Board Member Pierro stated it is not a big move.

Rich Williams stated and where it is, there is no problem turning.

Chairman Rogan stated okay, what is the other thing.

Rich Williams stated the other issue is the loading zone, in theory they are required to have a loading zone out there, I don't know considering essentially it was a house that is now converted to an office, it is not going to be a big office building, it is not going to be a warehouse, it is what it is. They are trying to show a loading zone, in doing so, they are showing it essentially going where the garage is, and they are showing an area that is ten by twenty and in order to get there you either have to go across one of the parking spaces and count on that being empty or you have to go across the access aisle for the handicap space and count on nobody is going to be there. If a regular truck, a box truck that is 35 or 40 feet long, drives in the nose of that truck is going to be sitting in the handicap access aisle, essentially blocking that aisle. So you know, ladies and gentlemen for me, looking at the site, looking at the buildings out there, my recommendation would be to waive that loading requirement and get rid of that because it just isn't going to work out there, you are not going to find a way to get it on there.

Board Member DiSalvo stated going back to issue you just presented about some truck pulling in, you are still going to have that same problem.

Rich Williams stated that is what I'm saying, that type of building, odds are you aren't going to see large tractor trailers backing in on that site.

Board Member DiSalvo stated to back of the tractor would have to be open.

Board Member Montesano stated they are going to stay right on [Route] 311 and just lease the tail gate right there.

Board Member DiSalvo stated yeah.

Rich Williams stated yeah and you.

Board Member Montesano stated that is what they are going to do.

Rich Williams stated you are not going to have a business in there that is going to require deliveries of tractor trailers even if its not a painting contractor who is using it for his office, you know what are you going to get, a small, maybe retail in there, it is going to be UPS delivery trucks.

Board Member Montesano stated most of the time you can request, we had businesses that we couldn't bring in a big truck to, we would be limited to a twenty-six foot truck and you do it, if you want to make the delivery.

Ted Kozlowski stated as Mike said, even if big trucks did come, the driver is going to sensible enough not to pull in there, right, they'll pull on the shoulder of the road.

Board Member Montesano stated you'll get some cowboys that they are going to show that they can back in there, the average guy is in too much of hurry, he is going to come in, park on [Route] 311 and unload right there and take off.

Rich Williams stated regardless, they are never going to use the loading space as it is shown.

Chairman Rogan stated they'll end up using space number seven, the one closest to the dumpster.

Rich Williams stated or they'll sit right in the middle of the parking lot.

Chairman Rogan stated right in the middle of the parking lot, yeah.

Board Member Pierro stated yeah.

Board Member DiSalvo stated yeah.

Chairman Rogan stated so we got a dumpster and loading space, one to move and one to waive.

Board Member Pierro stated uh-huh.

Chairman Rogan stated and we can set the public hearing on this on too, we need a public hearing on this one, right.

Rich Williams stated yes.

Chairman Rogan stated we can set that for next meeting.

Board Member Pierro stated yeah, why not.

Chairman Rogan stated modify the plans and.

Board Member Montesano stated this way you can get somebody to come in and paint the place.

Rich Williams stated (inaudible).

Chairman Rogan stated yeah, okay, that is going to look sharp out there on that site though, that's really going to.

Board Member Pierro stated yeah be attractive.

Chairman Rogan stated to be key, you know, the colors they did and everything with that building, it looks great.

Board Member Pierro stated I'm sorry they didn't, I mean I know they had to take out that truck back that was back there but I'm sorry they didn't use that old structure too, as well but that will be in the dumpster in about 20 minutes.

Board Member Montesano stated that is not what George is going to do.

Board Member DiSalvo stated they are going to replace that with the another overhang where the old truck bodies are back there, what is he going to do, he is going to replace that with some more storage.

Rich Williams stated no its all gone.

Board Member Pierro stated no its all going in the dumpster.

Chairman Rogan stated it is all going.

Board Member DiSalvo stated then what is he going to use that area.

Rich Williams stated lawn.

Chairman Rogan stated lawn.

Board Member Pierro stated lawn.

Chairman Rogan stated it is going to look sharp.

Board Member Pierro stated yeah, if he can clean up the rest of it.

#### **7) PAPIITTO SITE PLAN – Continued Review**

Chairman Rogan stated okay, Papitto.

Board Member Pierro stated now they needed to get permission to take out trees before they had approval, Rich.

Rich Williams stated yes.

Board Member Pierro stated eight trees.

Board Member DiSalvo stated we were on the other side of the stonewall from the back there.

Rich Williams stated yes, two were dead, none of them were significant, they were all small trees.

Board Member Pierro stated okay.

Chairman Rogan stated I see we got bond calcs [calculations].

Rich Williams stated we got bond calcs [calculations], we've got a recommendation back in from the engineer.

Chairman Rogan stated great.

Rich Williams stated so that is wrapped up. There are only a few minor issues that they have identified, I have gone through it, my only big concern is they need a drainage easement, a grading easement, they keep saying we've included with this letter and there is never anything attached.

Chairman Rogan stated okay.

Rich Williams stated so that is still outstanding.

Board Member Pierro stated drainage and what.

Chairman Rogan stated grading.

Board Member Pierro stated grading.

Rich Williams stated grading easement.

Chairman Rogan stated because they are grading over the property line there or to the, that is to the neighboring DeBonis factory area.

Rich Williams stated right, down at the front where the driveway is coming in, they need to grade a little bit over onto the other driveway, I don't see that as a big issue.

Board Member Pierro stated okay.

Rich Williams stated the drainage easement, may be another issue.

Board Member Pierro stated that's with the County.

Board Member DiSalvo stated who is that with.

Rich Williams stated again with the.

Chairman Rogan stated the factory or warehouse.

Board Member DiSalvo stated Von Essen.

Rich Williams stated Von Essen, yes, right next door.

Board Member DiSalvo stated so what are we doing, we are dumping more water on their property.

Rich Williams stated the stormwater pond, the outfall for the stormwater pond, the hundred year outfall from the stormwater pond which means.

Board Member DiSalvo stated the worst possible flood.

Rich Williams stated worst possible flood.

Board Member DiSalvo stated that we had in April.

Chairman Rogan stated yeah, build the arc.

Rich Williams stated goes over onto the Von Essen site.

Board Member DiSalvo stated and where will that water go on the Von Essen site.

Rich Williams stated no place good.

Board Member DiSalvo stated like of the grass.

Rich Williams stated yeah it will discharge onto the grass run down, run into the building, if not around the building. That is why I am saying I don't know, he is confident that he is going to get but and I haven't gone out there to look really where the water is going to flow, I know it is flowing down towards them.

Chairman Rogan stated it doesn't seem like it would be.

Board Member DiSalvo stated it's not flowing out onto the street.

Rich Williams stated well eventually it will flow out to catch basins on the street.

Board Member DiSalvo stated right but not like onto the street where it will freeze.

Rich Williams stated correct. We haven't seen the stormwater plan, not yet.

## **8) BEAR HILL ESTATES SUBDIVISION**

Chairman Rogan stated we've got Bear Hill Estates Subdivision.

Rich Williams laughs.

Chairman Rogan stated you laughed, what happened.

Rich Williams stated the good news is they moved the expansion out of the wetland buffer. The bad news is they are showing real houses on the site but didn't seem very concerned about set back lines. So on lot two, the house it stands into the rear yard set back, on lot one both scenarios and I actually like the alternate better than I like the (inaudible), you know the house, the house corners or the whole front of the house is right on the set back, they are not showing the porch going in, so that would (inaudible).

Board Member Pierro stated so decks, shed, all that would be.

Board Member DiSalvo stated another problem.

Chairman Rogan stated oh boy that lot two is not (inaudible).

Board Member DiSalvo stated it may be a problem.

Rich Williams stated on the alternate plan that they show, I think they could move the houses to the center of the site and it will be great and fine.

Chairman Rogan stated for lot one or two.

Board Member DiSalvo stated they want to get the views.

Rich Williams stated lot two.

Chairman Rogan stated that's (inaudible).

Rich Williams stated in the alternate they shift the house, they bring this line up here like this and over and then they turn the house a little bit.

Chairman Rogan stated yeah, that will work much better for them.

Rich Williams stated yeah but if they move the house.

Chairman Rogan stated it faces the road better.

Rich Williams stated just right over to here, they are golden.

Chairman Rogan stated yeah.

Ted Kozlowski stated don't they have to be a certain set back from the septic from the house.

Chairman Rogan stated not there.

Rich Williams stated yeah they do but they've got more than enough.

Chairman Rogan stated well yeah, that is what I mean, they have tons of room there, like you said, shift it down, give them a little back yard area here.

Ted Kozlowski stated they are just lousy lot lines though.

Chairman Rogan stated terrible.

Ted Kozlowski stated they really are.

Chairman Rogan stated look at this, because of the four acre.

Board Member Montesano stated yeah blame it on the four acres.

Board Member Pierro stated Ted you have no problem with that expansion area in the.

Ted Kozlowski stated well they are moving it.

Board Member Pierro stated they are moving it out.

Rich Williams stated yeah its out, this plan shows it out.

Ted Kozlowski stated that was the trade off, to save the vernal ponds, now they moved it out but those lot lines for the future owners.

Rich Williams stated you know what means.

Ted Kozlowski stated yeah, we'll see next month when the.

Board Member Pierro stated when he comes in for another subdivision.

Ted Kozlowski stated the next one comes in.

Rich Williams stated as soon as you approve this, they'll be in to re-subdivide the other lot.

Ted Kozlowski stated right.

Board Member Pierro stated not to just back to something we were on, if we do any further discussion on Barjac, the address of this site is 70 Maple Avenue, I am only assuming that is the address of the baseball fields.

Rich Williams stated right.

Board Member Pierro stated so in the future, we should keep that in our minds, if this project ever does get developed, that change that address to Route 311 for 911 purposes.

Rich Williams stated yeah it has to because the access will be off of Route 311.

Chairman Rogan stated absolutely.

Board Member Pierro stated Bear Hill.

## **9) GENOVESE SITE PLAN – Continued Review**

Chairman Rogan stated Genovese.

Rich Williams stated Genovese.

Chairman Rogan stated Genovese, a good Irish name.

Rich Williams stated they resubmitted a portion of, you know their whole set of plans showing some of the changes, there are not a lot of issues with it, they submitted architectural, you need to take a look at the architectural.

Ted Kozlowski stated Rich, what wetland buffer are they (inaudible).

Board Member DiSalvo stated in the back, right.

Rich Williams stated they've got a well that is currently in the wetland buffer, that runs behind Boniello.

Ted Kozlowski stated this is the lot that was going to be the Honda dealership.

Board Member Pierro stated just south of Boniello.

Board Member DiSalvo stated right, the Honda.

Rich Williams stated the well was there from a long time ago.

Ted Kozlowski stated right.

Rich Williams stated they have to trench to put the utility lines in, you know, I mean for the utility lines for an existing well I didn't even raise it as a wetland issue, Gene did. And then you've got the entrance coming in which is within the hundred foot buffer of the DEP wetlands across the street.

Ted Kozlowski stated the only thing about the trench is, you and I have a vision about it to be sensible done, we just have to make sure it is done that way.

Board Member Pierro's cell phone rings.

Board Member Pierro stated excuse me.

Rich Williams stated well, we are going to be out on the site doing inspections, we can make sure it gets done that way.

Chairman Rogan stated I never would have expected them to come in with architectural plan that looked anything like this with the type of building they are building. It is very surprising.

Ted Kozlowski stated wow.

Chairman Rogan stated it looks like a court house or something.

Rich Williams stated a school.

Ted Kozlowski stated let's hope Tractor Supply looks something like this.

Board Member Montesano laughs.

Board Member DiSalvo stated I just said that to Shawn.

Chairman Rogan stated yup.

Board Member Montesano stated Tractor Supply is going to be attractive.

Board Member DiSalvo stated did you get the letter that he is going on vacation.

Board Member Montesano stated yes.

Board Member DiSalvo stated and please don't forget about him.

Chairman Rogan stated who is going on vacation.

Board Member DiSalvo stated the owner of the property.

Chairman Rogan stated oh.

Board Member DiSalvo stated it was just here.

Chairman Rogan stated its here, I haven't read it yet.

Ted Kozlowski laughs.

Board Member Montesano stated is that a funeral call.

Rich Williams stated you really have to run to see your wife.

Ted Kozlowski stated yes. Guys, I have to run, I've got a date with my wife.

Chairman Rogan stated oh that's nice.

Ted Kozlowski stated so happy new year everybody.

Board Member Cook stated happy new year.

Board Member Montesano stated happy new year.

Ted Kozlowski stated be safe.

Chairman Rogan stated for what its worth, don't be thinking about me on the second, alright, you'll know.

Ted Kozlowski stated feel better.

The Secretary stated thanks.

Board Member Montesano stated take your (inaudible) and be safe and.

Ted Kozlowski stated see ya guys. Rich, I'll see you tomorrow.

Chairman Rogan stated be careful.

Rich Williams stated hey Ted, I may be out of here for lunch.

Ted Kozlowski stated what's that.

Rich Williams stated I may not be around for lunch, so well before lunch or well after.

Ted Kozlowski stated okay, in the morning.

Rich Williams stated okay.

Chairman Rogan stated I'm not sure what I think about these architectural for the area.

Board Member DiSalvo stated oh, its not visible, right.

Chairman Rogan stated no, and yeah.

Board Member DiSalvo stated it depends on what kind of material is going to be here.

Rich Williams stated let's see, big block buildings or school.

Chairman Rogan stated yeah, no, I mean.

Board Member DiSalvo stated well it's a block building with some façade on it and a copula.

Chairman Rogan stated yeah, lots of windows.

Board Member DiSalvo stated well Rico has horses so.

Chairman Rogan stated it is interesting the way the windows break with the columns, it actually, when I first looked, it looks like columns hanging in the picture, instead of windows, like half columns the way they did them, it is interesting.

Board Member Montesano stated they must be sitting in here at night listening to us.

Board Member Pierro stated who left, Ted.

Chairman Rogan stated maybe, yeah. Zoning was out on this site already.

Rich Williams stated yes, so were we.

Chairman Rogan stated yeah well yeah, I know we were.

Board Member Pierro stated and which one is that.

Chairman Rogan stated Genovese.

Rich Williams stated the other thing is he is acknowledging is that the owner probably will not be occupying the whole building.

Chairman Rogan stated that is probably not too much of a surprise.

Board Member DiSalvo stated and that is zoned for manufacturing.

Rich Williams stated they are getting special use permits for light manufacturing and warehousing and it is zoned as a (inaudible) office.

Board Member Pierro stated okay.

Rich Williams stated those are the two uses they proposed.

Board Member DiSalvo stated okay and how much room does he want to occupy, half or.

Board Member Montesano stated you need help.

Rich Williams stated they are not saying at this point, I don't recall.

Board Member Montesano stated (inaudible).

Rich Williams stated yeah, no we just have (inaudible).

Board Member Montesano stated okay, I was just wondering (inaudible).

Board Member DiSalvo stated how big is this building again.

Board Member Pierro stated 67,000 square feet. That is pretty substantial, he will be a big tax payer. Okay, where are we at.

Board Member DiSalvo stated anything more with that property in the back, Leondias.

Board Member Pierro stated well they burnt a house down last week.

Board Member DiSalvo stated what house.

Rich Williams stated the main house.

Board Member Pierro stated the main house.

Board Member DiSalvo stated up there, the white house, that they just rebuilt.

Board Member Pierro stated yeah, I don't know.

Board Member DiSalvo stated on the left there.

Board Member Pierro stated I understand that it was Greek lightning, there was nobody living in the house at five o'clock in the morning.

Board Member DiSalvo stated wasn't somebody renting it, renting a garage or something.

Board Member Pierro stated no, it was empty.

Rich Williams stated I know it burned down but I don't know anything else.

Board Member Pierro stated all I know is we got a call like that, all we did was bring out pocket knives and empty paint cans to take samples of the wood to find accelerant. Because empty houses hardly ever burn unless they have electric heaters going.

**10) OTHER BUSINESS**

**a. Telecom Bond Reduction**

Chairman Rogan stated so under other business, Telecom bond reduction, Gene recommends, if we want to reduce the bond, to reduce it by fifty percent to \$ 22,500.

Board Member Pierro stated what more do they have to do. Oh that is for the parking lot in the rear.

Rich Williams stated some site stabilization and all the landscaping.

Board Member Pierro stated oh okay, did they do anything out there in the back yet.

Board Member DiSalvo stated it is almost done.

Board Member Pierro stated it is almost done, I haven't been looking at it to tell you the truth.

Board Member DiSalvo stated it looks great.

Board Member Pierro stated I have to go take a look.

Chairman Rogan stated anybody want to do the bond reduction tonight, so we don't have it at the meeting.

Board Member Pierro stated in the matter of Telecom, I make a motion that on the advice of our Town Engineer, that we do a bond reduction to \$ 22,500 dollars.

Board Member Montesano seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carried on a vote of 5 to 0.

Board Member Pierro stated who is the engineer.

Chairman Rogan stated Theresa, she'll be done.

Rich Williams stated after Barjac maybe you want to (inaudible).

Chairman Rogan stated oh no, we don't want to do that.

Board Member Pierro stated be nice.

Chairman Rogan stated after Barjac.

Board Member Pierro stated that's mine, I didn't know what they were for I was reading them to see how they fit in here on the.

Chairman Rogan stated does anybody have anything they want to discuss. A couple of comments in here from the public for the cell tower.

Board Member DiSalvo stated oh we have hate mail.

Board Member Pierro stated yeah.

Board Member DiSalvo stated and a couple of articles from the Journal News, pro and con.

Chairman Rogan stated do we want to make a motion on the letter to the Health Department so that we can send that, the letter to Mike Budzinski.

Board Member DiSalvo stated the one that Richie drafted.

Chairman Rogan stated the one that we were just talking about, yeah.

Board Member Pierro stated yeah.

Board Member Montesano stated I make a motion that the letter for Mr. Budzinski to be sent.

Board Member DiSalvo seconded the motion.

Chairman Rogan stated and that the policy aforementioned in that letter be instituted.

Board Member Montesano stated so moved.

Chairman Rogan asks for all in favor:

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

Motion carried on a vote of 5 to 0.

Chairman Rogan stated so what does Tom Raveson say.

Board Member Pierro stated he is willing to donate the back half parcel to a not for profit and continue on with the project.

Board Member DiSalvo stated there is something in there about.

Board Member Pierro stated he should have listened to Rich from the get go, he would have saved a lot of time.

Rich Williams stated some things you just plan (inaudible).

Board Member Pierro stated yeah I know.

Rich Williams stated (inaudible).

Chairman Rogan stated okay.

Board Member DiSalvo stated whose property is that to the east of him, John Mauro.

Board Member Pierro stated Mero.

Chairman Rogan stated Allied Pollution.

Rich Williams stated Allied Pollution.

Board Member Pierro stated Allied Pollution.

Rich Williams stated where you approved the sign, the old feed and grain store.

Board Member DiSalvo stated oh okay.

Board Member Montesano stated motion to adjourn.

Chairman Rogan seconded the motion.

Chairman Rogan asks for all in favor:

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

Motion carried on a vote of 5 to 0.

Chairman Rogan stated everyone have a careful and safe new years.

The meeting adjourned at 8:50 p.m.