

PATTERSON TOWN ALL BOARD SPECIAL MEETING  
PATTERSON TOWN HALL  
1142 ROUTE 311  
PATTERSON, NEW YORK 12563  
MARCH 19, 2015

MINUTES

TOWN BOARD: MICHAEL GRIFFIN, SUPERVISOR  
KEVIN BURNS, COUNCILMAN  
CHARLES W. COOK, DEPUTY SUPERVISOR  
PETER DANDREANO, COUNCILMAN  
SHAWN ROGAN, COUNCILMAN  
ANTOINETTE KOPECK, TOWN CLERK  
DONALD ROSSI, TOWN COUNSEL

DIRECTOR OF CODES: ROBERT MCCARTHY

PLANNING BOARD: THOMAS MCNULTY, CHAIRMAN  
EDWARD BRADY  
ROBERT LADAU  
MICHAEL MONTESANO  
RONALD TAYLOR

TOWN PLANNER: RICHARD WILLIAMS

ZONING BOARD: LARS OLENIUS, CHAIRMAN  
MARY BODOR  
MARIANNE BURDICK  
MICHAEL CARINHA  
STEPHANIE FOX

Salute to the Flag and Roll Call. The meeting was called to order at 7:00 p.m. with 2 in attendance.

Mr. Kevin Burns, Town Board stated the idea behind this meeting was to have all three boards together and have a discussion about the Master Plan. It has served us well over the years and has not been updated in quite some time. Rich did the survey and we have some results. We can use that as a starting point. I think the idea was that if we are going to revise it, what is our wish list. It's a lot of money to retain a Planner to revise the Master Plan. We really thought we should have some discussion with the boards as to what is out there, what issues do you see, where do you think there are some areas of opportunities to update it.

Mr. Rich Williams, Town Planner stated before we start, I put together a little handout. Basically this gives you (inaudible) statutes. The authority to do a Master Plan or Comprehensive Plan which is the term du jour, that comes out of Town Law, Article 16, Section 272A. I gave you that section of law, so you can take a look at it. It defines pretty much what a Master Plan or Comprehensive Plan is. If you look at Section 2, that is the basic definition of what a Town Comprehensive Plan should be. If you turn the page to Section 3, that really goes into some detail about the types of things that could be or should be in a Master Plan. Also, within the packet of information you have in front of you, I pulled out of the Town's current Comprehensive Plan all goals, which are really the meat of the Comprehensive Plan, which lay out the policies for the direction that the Town is seeking to direct development. There were the basic goals, there were some specific to traffic and open space. I guess that is where we will start most of the conversation moving forward. Does anyone have any comments at this stage.

Mr. Charles Cook, Town Board stated the last Master Plan; was it put together by the three Boards?

Mr. Williams stated the last Master Plan, the initial draft, I prepared through our GIS system, which is when I initially built the GIS system. I still have all that. After that, we put together, I think, about 25 people on an oversight board to go through the Master Plan and refine it. Maryann and Shawn were both there and so was Maryann Bodor.

Mr. Shawn Rogan, Town Board stated when was the current Master Plan, in 2000.

Mr. Williams stated yes, it was adopted in December of 2000.

Mr. Rogan stated it outlines the law well. We have to have a good starting basis with the current plan.

Mr. Williams stated I think the current Master Plan is still one that is serving the Town well now and could for the foreseeable future. After we did the Master Plan, we were required to do a Croton Plan, which was similar to a Comprehensive Plan as a Watershed Plan. It was part of the 1997 MOA and as part of that we did the second Community Survey and got all of those results in. The first one was done in 1999 by the Environmental Law Foundation, Paul Schwartzburg. Some of you might remember him. In 2001, as part of the Croton Plan, we did a community survey, which gauged the opinion of residents. We got back for that type of survey, in my opinion, a very good showing. We got back about 726 surveys, which is about a 20% return rate. Typically when you mail out a survey like this, the return rate is about eight to ten percent. Typically, as we all know, people move here because they like rural character. They like the openness and the natural environment. In 2011, we repeated that and modified some of the questions, but basically we kept the same format and to see if any of the resident's opinions changed. For the most part, the results came back very very close to the survey we did in 2001. The resident's like and supports the rural character of the Town and they want to see that continue. They support the natural environment and they want to see adequate protection, but a couple of things changed with the 2011 survey, and I attribute that mostly to the economic climate at the time that we were doing it. As you all recall, the recession started about the end of 2007, so we were in the middle of it at that point. When the survey came back, a lot of the priorities of the residents have changed from environmental protection to commercial development, especially in the area of retail and looking for local jobs.

Mr. Williams continued what I gave you was the short version. The actual community survey is this thick. We will have to talk about who wants it and it looks a lot better in color, whether we want to spend that kind of money.

Mr. Rogan stated Rich, can we back up for a minute to the very basics for everyone's edification what a Master Plan does and can do for the Town as a guiding document.

Mr. Williams stated sure, and it's just that. A Master Plan or Comprehensive Plan is a guidance document adopted by the Town Board which sets the policies for the development and growth of the municipality. The type of land use that you are going to have, where it is going to be located, what types of environmental protection you are going to have, what are your important assets that you are going to protect, what you are going to do for recreation, and community facilities.

Mr. Burns stated I know when I ran for election, I was knocking on doors and asking people what do you like about the Town, what do you think opportunities are, I did hear echoed any number of times that they would love to shop Putnam. At the same time, it is very true. I love being able to go out to walk out in the woods, walk with the dogs and have the nature open to us. The land trust properties are a phenomenal asset to the Town. I thought it was really important in terms of updating the Master Plan, we did rely on this very heavily when we had an issue before us regarding a potential race track that they wanted to put in Town. That guidance document proved very helpful in addressing that issue and handling that issue. We don't know if that will come back and if that will be an issue if that is presented again. It is such a critical document that I think we should have some discussion about it where we think maybe there are some areas of opportunity, be it commercial development or just reviewing where we are now. Are we going to have Rich update the plan or retain a consultant for a portion. We can budget for that in the upcoming budget. It is a very expensive proposition to redo the plan in its entirety. I don't think anyone is suggesting we do that, but it would be worth looking critically at the document.

Mr. Thomas McNulty, Planning Board stated on the Planning Board we have recently been talking about form base code. Something maybe to introduce to the Master Plan is some more specifics for the commercial area of Putnam Lake and our Hamlet to get it developed. We recently had someone make an initial proposal for Front Street. There is infrastructure, parking is an issue, water is an issue and some of these things as a Town we should get out in front of, so when a proposal comes to us, we can jump on it. I don't how that infrastructure can work

into the Master Plan, other than it is covered to encourage smart non-residential use. It's kind of a broad statement, but that is what we want to do. I don't know if the Master Plan can get more specific in areas. Maybe with a form base and an addendum to it.

Mr. Ron Taylor, Planning Board stated you certainly can. Southeast just did a new Master Plan that includes form based codes as the basis of the zoning in the plan.

Mr. McNulty stated yes, but they give you a guideline.

Mr. Burns stated can you give an example of what that would mean.

Mr. Rogan stated use Front Street as an example.

Mr. McNulty stated Front Street, the form based code gives you a guideline of how a streetscape would look. How you would want your environment to be in that particular commercial area of mixed use area. We are all learning about it. I recently read something about it. Rich has some information on it and there is a training class coming up and we are hoping to educate ourselves a little bit more on that and get it implemented into the Town in these particular areas. Maybe the 22 corridor has form base put to it. Rich do you have any comment on that.

Mr. Williams stated I think Tommy knows my opinion on it and my concern. You start off with your basic Euclidean zoning where you have dimensional requirements; lot area size, set back dimensions, height requirements. Form based code is the next level of that. Mike may remember this, way back in 1990 when we started out, we called it neighborhood zoning. Dwayne Zeiback came along and they turned it into neo-traditional zoning. It is basically the same type of zoning that has evolved over the years. It is the next step from your basic Euclidean zoning, in that it starts looking at aspects as; lighting, sidewalks, landscaping and actual architectural standards for your buildings.

Mr. McNulty stated does it take infrastructure into it as well.

Mr. Taylor stated yes it does.

Mr. Williams stated I have not seen it take infrastructure, but it is certainly something that needs to be considered in any overall Master Plan/Comprehensive Plan or Capital Improvement Plan from the Town.

Mr. McNulty stated sure, just if we could get out in front of it.

Mr. Rogan stated clearly, if you just said that we needed to do some zoning changes for Front Street to be able to create the type of Front Street that we might envision. You can work backward from that to say, "ok, what would we need to support that", "we need water, community sewage, we already have that, we need parking". Maybe we need to change some of the zoning requirements for set-backs. Maybe even a change in the zoning to allow the mixed use of retail and residential, so the Planning Board isn't approving a project and then automatically it is being sent to zoning, which would be bad planning. That has happened in that past, because of faults within our zoning or things lacking or deficiencies. I think this is a perfect opportunity to be able to look into some of these areas like Route 22 and especially given the project that you are currently reviewing; Front Street, so that we are proactive instead of reactive with these projects.

Mr. McNulty stated when I have questions and we see an application, I'll go back and look at it to see if it fits into the scheme. Generally they do, but that is the overall guidance to apply the code to. If we could update the Master Plan for some specific areas or infrastructure it gives us a little more help.

Mr. Burns stated do you use the same application to that area of Putnam Lake by Haviland Hollow by the monument and the old gas station and going down by where the castle was.

Mr. McNulty stated yes, that whole area there. We have some issues. We have restaurants in there, beauty parlors and it's questionable. Should they be there, shouldn't they be there. If we could help clear that up. I don't know enough about form base.

Mr. Williams stated I think form base code would be great for Front Street. The problem is we have a proposal where we basically saw the building, so we have them. The issue with Front Street is the supporting infrastructure, it just isn't there. We need to work on that. I don't know if that is a short term fix.

Mr. McNulty stated but even Route 311, how do we want it to look from Tractor Supply to Route 292.

Mr. Williams stated my concern with form base code, I don't want to say we shouldn't investigate and I'm not sure if we should dip our toes into the water to see what it is like, but it tends to take the flexibility out of development. That is why planners love it. When they come in to develop a lot, they know exactly what the Town wants put on that lot. It comes down to the question of whether they are willing to make the economic investment to do that. They are not always willing to do that and that is my concern with form base code, taking all the flexibility out.

Mr. Burns stated how potentially would it be written. Would it be written as it applies to localized areas or is it Townwide.

Mr. Williams stated yes, you could do it Townwide or just for a very localized area. My recommendation would be to start with a localized area to try it out. Basically, what you are doing is taking Front Street and saying you want five foot sidewalks, they will be concrete, you will have street trees in there, here is where the parking is, here is the parking stalls, this is what the buildings will look like, etc. and you will be basically doing the whole design.

Mr. Rogan stated can't we say we are going to do everything you said up to the design of the building and say what we were shooting for is a mixed use between window shops or retail on the first floor and a possibility of office and residential on the second and third floor and leave that lease of discretion to the applicant to be able to decide and then there is a review within the contexts, just like we have a sign code for colors, it's not one color; it's an option of three. Maybe you layout an architectural rendering of some design styles and still allow flexibility so it's a win win for everyone.

Ms. Stephanie Fox, Zoning Board stated when you have a street (inaudible) you need to have some sort of tying element to tie it together. If it can be something like a tree line or a sidewalk or some sort of tying in element. They can have the variation and the building style and height. If you are going to plan and maybe you don't do it necessarily in the code, but maybe you make a design guideline manual. Plenty of cities have the guideline.

Mr. McNulty stated yes, it's difficult crafting it so it works with our code, not to take the flexibility out that Rich was talking about.

Mr. Burns stated do you think it moves the project like Front Street forward.

Mr. McNulty stated I kind of think it puts the Town out front a little bit that we did some planning and had some thought, so when a plan does come, if the current plan came through and it was a stucco front with a square roof, it's not the look we are looking for, but maybe he wouldn't visualize it, maybe with a form base someone with that kind of plan.....

Mr. Taylor stated it also puts the Town out in front in terms of it looks at infrastructure as one of the responsibilities of planning. The problem we have now with Front Street, the code we have is a suburban code. You have a forty foot setback and parking in front of buildings, it doesn't work for that kind of development. Front Street is a street scheme. It's always been and Main Street too. Some areas you want that definition. The building line, the sidewalk line, the tree line all those things are put in place in advance. It deals with parking in advance, so these developers could have come in instead of them having to create all of this, some of this would have been in place and they would just have to create buildings and the uses as Tom said to fit into to this. Transportation is a big problem. There would have been a transportation plan of laying out the possibilities of how to make all these things work. They want to use the railroad, but do you have problems with parking. We did the parking count, there is no place to put all these cars in Town. Maybe the code should have been changed for that kind of development in Town where you don't require 2.2 cars parking lots or spaces.

Mr. Williams stated but the parking is based on the needs of the use that you are proposing.

Mr. Taylor stated but you could also change those needs.

Mr. Williams stated you can't change people's habits as easily as you think. I said this to the applicant. He came in and he said we are only going to provide eight or nine parking spaces, but you are going to have sixteen apartments. Every one of those people is going to come up on the train and they will want to get in their car and go to shopping, they all are going to want cars.

Mr. Taylor stated but there are alternatives for forms of transportation that Villages are looking into. There is licensing of stalls for people, if they are going to have cars they have to have a licensed spot to put the car in. There are other ways of dealing with this then just saying the code says 2.2, therefore; you can't develop. You have to be more flexible about these things.

Mr. Williams stated that parking is based on people's needs for transportation in the area. That is not going to change. What you have to do is recognize what the traffic demand is going to be and what the number of cars are going to be generated off of these sites and not cut yourself short, because if you do, they will be parking all over the streets.

Mr. Taylor stated and it will get towed. That is what they do in some places.

Mr. McNulty stated we might end up with a parking district. Maybe we end up with certain meters for 12 hour parking.

Mr. Williams stated that may be, but we have to identify where those parking spaces are going to be. Right now, unless we are going to start taking private property, those spaces aren't in the Hamlet. I also want to point out, Front Street in the GB zoning set back is fifteen feet, and it's not forty feet.

Mr. McNulty stated maybe it's not so much as taking property, but maybe there is private municipal partnerships we can get. Maybe there is someone that is sitting there with land and needs some encouragement to make it a parking lot or develop it.

Mr. Robert Ladau, Planning Board stated I think Tom raises an interesting point. We are talking about setting standards of one sort or another in anticipation of applicants, developers coming in. I have to wonder, in fact, this notion of a private public partnership that somewhere along the line we could craft something where we would act as outreach to find developers to come in and to accommodate that development. It may be putting the tail before the head of the horse, but even a number of years ago we had an Inventorial Development Authority which offered financial benefits of tax exempt financing for something that the Town wanted to encourage. I think Front Street is the perfect example of that. There are problems with parking and all kinds of problems we know too well, I have to think that perhaps it is a question of going out talking to developers to say, "here's a strip of property that we would like to enhance and make more vital or make it vital one way or the other and to encourage proposals that would also include beneficial financing".

Mr. Williams stated typically I don't know if we are going to reactivate the IDA, but we rely on the County IDA and EDC when we are looking for financing like that. All the time we are out there looking for businesses that want to come to Patterson, what we need is to offer them something, whether it is a site that has already been approved and the Planning has been great with a couple of the sites we have keeping them viable sites, so we can go to people and the EDC and say, "we do have sites, they are shovel ready". I'm looking at another one that is coming back in, they were just before the Zoning Board last night, where I'm encouraging the developer at least to do all the prep work on the site if he doesn't put the building up. That is coming back to you that South Patterson Business Park. We had long conversations with a gentleman over at Patterson Interstate Business Park about getting all his sites so we can market it. It hasn't really worked out for us. Over the years, Mike and I have gone to a number of developers on a number of different projects and tried to encourage them to come in and do the planning and do a project. It's a great idea and we will continue to do it.

Mr. McNulty stated one of the things is if you develop or improve your property your taxes go up. So there is no incentive there.

Mr. Williams stated only if you are putting a building on it.

Mr. Griffin stated the other part of the problem for a lot of developers is, Rich and I approached the DEP and asked if we did a Master Plan for Route 22, and if we design the storm water and everything else, if it is built exactly as according to the plan you develop, would they fast track the approval and they said, "absolutely not".

Mr. McNulty stated not doubt DEP, DEC etc. are all stumbling blocks.

Mr. Griffin stated again, why a developer isn't going to want to put any money into something until such time as I'm ready to pull the trigger on it. To say, "ok, we are going to design something," we can design, but they won't approve it. Until actual submittals are made and you have a project, they will not and this is something that has been a sticking point, because we wanted to do it in several areas in the Town where we design the storm water drainage for the whole corridor. We looked at Route 22 from the Jehovah's basically all the way up to the bank. They will not consider any of that type of preapproval.

Mr. Ladau stated is this something that our legislative representatives can provide us with some influence.

Mr. Griffin stated we have been to Albany, I don't know how many times. The Association of Town's goes up there, the Planning Federation goes there year after year with legislative agendas that go nowhere. Our Governor got up today and said the reason New York costs so much to live in is because of local government. It has nothing to do with Wicks Law, prevailing wages, welfare or Medicare plans. I don't know how you deal with that mentality. One of the reasons why I am retiring at the end of the year is because I got to the point where I have lost Shawn's enthusiasm. Unfortunately, being in a New York City watershed, preplanning is a very difficult thing. You can design a Master Plan, you can articulate what you want to see, you can talk about what you really want, but until someone says these are my plans, you don't know what you are going to get, because New York City is going to say no and they won't preplan with you. They won't even tell you what they don't like about your plan. They will just tell you to go back and do it again.

Mr. Taylor stated I think that points out a problem and the way we need to be looking at this differently. Relying on commercial development as the savior for the Town, I think is unrealistic. For one thing, the Town is in a position where it really can't compete with other areas because of some of these issues. There are assets the Town has besides land proved commercial development. We have parks and recreational lands, including the watershed and wetlands and buffers. We should preconceive of the watershed, instead of being a negative it should be a positive. One of the leading economic engines in this State is recreational tourism. The State is pushing that all over the place. Some of that is happening in Town. People are being drawn to the Town for that.

Mr. Griffin stated if we only had a hotel.

Mr. Taylor stated the other thing we have is farmland. If you want to preserve real character, you can't preserve it by saying you are going to preserve real character. The only way to preserve the past is to repurpose it for the future. You can't have it sitting there. There needs to be some ways found to make that farmland economically viable. There are all these little farms all over the State and we are closer to the city than those places. They have people going to Vermont for spas. They could come to Patterson for a spa. The third thing is the train, we have the train here. The problem with that is, there is no way to get from the train to anywhere else. You need a transportation infrastructure to go with that asset. If you look at these assets in a different way, some of that we could incorporate into a plan.

Mr. Williams stated we do have taxis for Front Street. The Comprehensive Plan that was done in 2000 has promoted farming as a viable alternative and it promoted recreational activities.

Mr. Taylor stated how did it promote farming. Did it provide farming or did it actively promote farming.

Mr. Williams stated one of the recommendations in here was to encourage farming within the community. Based on that, when we did the changes to the zoning, we actually have a "Right to Farm" section that allows people the right of flexibility to farm their property. It's based on real farming. The Master Plan does that. Now, can we do more, sure we can do more. Maybe

we want to take a look at that and start looking at how we can make it more economically viable to do farming in the community.

Ms. Fox stated what about farm to table with restaurants and things like that. Is that allowed here.

Mr. Griffin stated sure.

Ms. Fox stated the closet one is in Purdy's Holmstead.

Mr. McNulty stated the other thing is breweries. New York State commanded a law that microbrews have to buy a certain percentage of their ingredients from New York farms, like hops etc. If you have a hops farmer growing, he could start his own brewery.

Mr. Taylor stated one of the problems is we are treating the plan as a passive document. If you do that, this development is going to happen. If you are going to wait for a developer to come in, just the way you went out and tried to bring developers in for commercial development, the same thing for farming. We need to go out there and bring people to this. Yes, we need to structure the code so they can do it, just like we need to structure the code for Front Street, so people can walk in and build their buildings when they want to build a building, but we have to be out there trying to bring these people into this area or develop these other recreational resources. Trails, bike rentals or canoe rentals. We have incredible recreation assets here. It's very limited in how people can access it.

Mr. Williams stated that goes back to the central discussion here, having the infrastructure and building it and identifying what that is and getting it out there. You're right, one of the things that came out in the survey that we did was everyone was looking for more hiking and bike trails. Bike trails and biking in the community was a central theme that came out of that survey.

Mr. McNulty stated we have the abandoned rail lines. Does our Master Plan touch on greenways at all.

Mr. Williams stated it touches on greenways and a trail system throughout the Town and we have gone most of the way to at least acquiring the lands to build that trail system.

Mr. Rogan stated it is a matter of taking it to the next step.

Mr. Williams stated actually building the trails.

Mr. Burns stated the plan was out there for Putnam to finish the rail line between Dutchess and here, but that money is no longer available, right.

Mr. Griffin stated the grant was never pursued for the Patterson portion of it. The other part of the problem, Ron, is that we have run into, particularly with the Environmental Park, is a debate over who is allowed to use it. You have a lot of local hunters that want to go down there and duck hunt and they don't want guys from Danbury and New York City in there. You have people complaining there are too many people using the park, there are all these groups in there, so it's a tough nut to crack. You invite people over, come up on the train and take a kayak through the swamp and when the locals want to use it, the place is jammed full of tourists.

Mr. Taylor stated well then you do what the National Park System does or the State Park System does and you put licenses that control the number of people going through and you get fees from the licenses to support the Rangers who are out there keeping the trails clear and picking up the waste and educating people.

Ms. Fox stated it's like apple picking time, you can't go on the weekend because everyone from the city comes up. You have to go on Tuesday.

Mr. Griffin stated I completely agree with you. Rich and I spoke about this a long time ago. Come play in Patterson, leave your money and go home. No one liked my casino idea for Pine Island. I was really disappointed.

Mr. Rogan stated it's tough to get there.

Mr. Griffin stated I got laughed at when I spoke about the bottled water company for Peckham's Quarry.

Mr. Taylor stated a casino should go down where they are going to build a race track.

Mr. Griffin stated we had a great plan, we were going to have a cable car go out to it. It was a beautiful plan.

Mr. Williams stated I'm talking to you the way I'm talking to you not because I'm trying to discourage anyone from any of these ideas, I think they are all good ideas and worth exploring. I just want everyone to go in with their eyes open.

Mr. McNulty stated there is another level behind this.

Mr. Griffin stated I think there is an opportunity for Thunder Ridge. Now that the Conklin's are out of there, there is a possibility. I think we need to take a hard look at just what you guys are talking about, the infrastructure, particularly the parking. We know that parking up there has been a nightmare forever. You have mountain biking opportunities and a lot of other opportunities for recreational activities.

Mr. Burns stated paintball.

Mr. Griffin stated that is very popular and that still seems to be strong. The idea of recreation in Patterson is a great idea.

Mr. McNulty stated coming back to the infrastructure that seems to be the one strong item that we can take the lead in as a Town to either plan for or execute.

Mr. Williams stated it's not even a question of planning for it so much, we know where there are deficiencies and we know where we would like to improve things. It's regulations of other agencies and money. I don't know which is more difficult.

Mr. Rogan stated what infrastructure are we talking about other than parking, water and sewer.

Mr. McNulty stated roadways, transportation.

Mr. Griffin stated the only other opportunity after sewers (inaudible) pick up areas on Route 311. New York City, the MOA and the original agreement talks about 350,000 gallon a day plants. They are all taken. There are no more sewer plants to be had in Putnam County. The one good news is, we have capacity in the plant we have. The next part of the problem is how do you get the money to build the infrastructure. We've had a lot of interest where the furniture place was to put in another building. Again, you get back to the two issues, parking and water sewer.

Mr. Rogan stated right now some of that is used for parking for the Tavern.

Mr. Griffin stated yes, you need to look at that. We spoke about Lumber Street lots. Take the one lot that used to be the lawn mower place and turn that into a parking lot. No one wants to hear it. It's the only thing that is logical to me. If you want to put something on a vacant lot where you have a three story building and apartments, the other part of it is a three story building with residents has to be sprinkled. Now you have to figure out where you will have that kind of water storage.

Mr. Michael Montesano, Planning Board stated what about a three story garage in one area, everyone builds here, the air space above it is blank, what about for argument sake, we put a parking garage here and people are charged.

Mr. McNulty stated or over the Metro North lot.

Mr. Montesano stated or over the Metro North lot.

Mr. Griffin stated if I was going to develop, the first thing I would consider is giving all of my tenants an MTA parking lot pass. What does that cost, a couple of hundred dollars a year. The lot is empty all the time. Park your car there and walk home.

Mr. Burns stated there is a very strong access in that downtown area. You can park conceivably at the library and walk to downtown. If there was parking at the fire department, there are a lot of spaces within that access where I wouldn't be offended if I had to go somewhere on Front Street to park at the library. Everyone wants to park in front, but that is not always going to happen.

Mr. Montesano stated you promote exercise.

Mr. Griffin stated from a business standpoint, you really have to think that through. Could you make a business on Front Street work if you couldn't pull up to the front door and run in and run out. You wonder why when Rocco's was at the old Benevita site it did so poorly. They had plenty of parking right in front of the building, but it was a hundred and fifty feet off the road. I don't know why some things work and some don't.

Mr. Burns stated is this something we address through a consultant that we retain in terms of just consulting on how do we solve infrastructure issues. Is it an issue of zoning.

Mr. Taylor stated talk to business people too.

Mr. Williams stated for the most part, with the infrastructure it is a question of we have a general idea of where the needs are. We certainly can articulate them within the document, but mostly it is about chasing money and then trying to push the projects through. I've had a number of meetings with our County and State people recently about what our infrastructure needs might be and the things that I have identified that we are currently looking for State money for is to expand this plan and sewer lines both ways along Route 311, to put a waste water treatment plant in over near Fair Street and Route 311 and another one down in the South end of the Town etc.

Mr. Burns stated is there any potential leverage with the City of New York based on the compliance that they have to have as far as the water quality within the next five years.

Mr. Williams stated as far as proving our infrastructure.

Mr. Griffin stated we can't even get them to live up to the original MOA. The only negotiating to be done with New York City at this point is year six through ten for the phosphorus reduction and the only possible leverage would be through the filtration of (inaudible) which has five more years to run.

Mr. McNulty stated does an MOA have an expiration date.

Mr. Griffin stated no, and the problem with the MOA is there are ninety-two signatures to that document and to make any changes you have to have unanimous consent. Every single entity has to agree to it; the river keeper, probably six or eight or ten environmental organizations.

Ms. Fox stated what is the MOA.

Mr. Griffin stated Memorandum of Agreement. Back in the mid-90's when Governor Pataki first got into office, New York City was required by the EPA to filter their office. New York City said there is no way in the world we can afford to filter all the water required. They went to the Federal Government and applied for a Filtration of Avoidance Determination. The fad was eventually approved and there was a whole set of restrictions that New York City had to take action in their watershed to clean up the water, so they wouldn't have to filter it. What grew out of that became the Phosphorous Reduction Program. It's an offshoot or part of the primacy of MOA.

Mr. McNulty stated what assistance do we get from the County with our infrastructure or design or planning or money.

Mr. Williams stated they are very supportive of improving the infrastructure. There was recently a pot of money that was thrown out there and the County has been coordinating between the Towns looking at infrastructure improvements that will be designed to encourage further economic growth within our individual communities. Senator Murphy has been phenomenal with trying to keep this on the agenda. One of the other infrastructure

improvements is bringing broad band in, fiber optic. That would do so much for enticing quality office businesses within our community. Unfortunately, Verizon stopped building out the network. We rely on what Comcast has and that's not much.

Mr. McNulty stated there are no alternatives to that.

Mr. Taylor stated it's coming. The Wi-Fi technology is coming.

Mr. Williams stated one of the things we started to look at is broad band.

Mr. McNulty stated tower to tower type broad band.

Mr. Williams stated yes.

Mr. McNulty stated well we have plenty of towers.

Mr. Williams stated if we are going to do something like that, we will need substantially more.

Mr. Griffin stated a lot of businesses are reluctant to go with tower to tower or wireless because it is so easily hacked. It's tough enough with hard wire, but when it is in the air it is anyone's. I think Ron is on the right track with agriculture and recreation.

Mr. Williams stated I wrote a paper for the Putnam Chamber of Commerce talking about encouraging artists in communities and building artists in communities as an alternate economic need. We have all built out to residential communities and that fits in really well for the development policies that we've had for the past 20 years, about allowing people more flexibility to put up art studios on their property. Glass blowing shops, carpentry and cabinetry.

Mr. Griffin stated I love the way they do the yellow barn on Route 311.

Mr. Burns stated it's the model airplane place.

Mr. Griffin stated it's in front of it. The question is, how many artists are there.

Mr. Taylor stated what Beacon had that we don't have is an infrastructure. It was a crumbling infrastructure, but an incredible one with warehouses and old buildings. We don't have that in Patterson. We have four churches and a couple of old barns.

Mr. Rogan stated tying in with what Ron and Mike just said about the farming initiative, the soil and water department, Lori Taylor and a representative from Glenwood, they are hosting a meeting on the 26<sup>th</sup>. I will be the liaison to the Health Department, but it is a "Keep Putnam Farming" initiative and it falls right in line with what you were saying about promoting these sorts of businesses. It also is focusing on the businesses we have in Putnam County and the surrounding area and how to make that resource available, not only to the restaurants for the farm to table initiative, but for the general public to provide a resource directory, so that we can demystify some of the concerns people have with getting these products. There is a gap in the service between who makes it and who wants to buy it and putting them all in the same boat, so we can figure out how to make it feasible. That is part of what this initiative is all about. I'll be involved and I'll bring that information back.

Mr. Williams stated it's going to be a very big topic, because a lot of people are very concerned about where their food is coming from.

Mr. Rogan stated as they should be.

Mr. Griffin stated a lot of people are concerned about where their food is coming from. I'm not crazy about eating food from China. I'm certainly not crazy about getting stuff from Vietnam and a lot of other areas.

Mr. Rogan stated we have some classic existing properties that can be utilized with the right people on them.

Mr. Griffin stated Rich, if I wanted to clear 20 acres of second or third growth, where is the DEP going to be on that. If I'm going to go out there and cut down a couple of hundred trees

and rip out stumps and going to disturb more than 5,000 square feet of land, how bad of a beating am I going to take.

Mr. McNulty stated if I'm not in the wetlands, it's Town law.

Mr. Williams stated as long as you are not on 50% slopes, it doesn't trigger any DEP permit. If you are clearing it for farmland, you would need to get a basic erosion plan by the Town. The Town is required by the DEC to administer the State requirements for the erosion control.

Mr. Griffin stated if I turn it over every year, do I have to get a permit every year.

Mr. McNulty stated not once it's cleared.

Mr. Taylor stated there is a lot of cleared land in Town, whether people would want to use.

Mr. Griffin stated the question is, the people that own it would they be willing to lease it. The Sills family up on Harmony, they are very reluctant, David Frost threw up his hands and walked away, the guy up at the old Burdick farm; that would be a beautiful place to set up farming.

Mr. Rogan stated we have to be in a position to be promoting in the right way. Someone pointed out to me that Patterson has the most farmland in the County proportion. What do we have to do to move forward.

Mr. McNulty stated I have one more thing to touch on and that's the fees in developing. Rich and I spoke about it at one of the Planning Board meetings, to look at it, not compare so much, but how we compete with neighboring Towns. What do we need as a Town for a fee. That goes back to the Town Board to regulate more than us, correct.

Mr. Griffin stated we regulate it based on your recommendations.

Mr. McNulty stated I know we spoke about knowing what we need for a fee versus how do we compete with Brewster.

Mr. Griffin stated the fee should actually reflect on the actual (inaudible).

Mr. McNulty stated I agree, we need to recoup our costs.

Mr. Rogan stated when we compare to other municipalities that shouldn't be the deciding factor in anything, they may all be wrong. We have to do what is right for Patterson, whether that means lower fees or higher fees. It's a comparative and it's something to look at.

Mr. McNulty stated I think it is something we should look at to make sure we are competitive.

Mr. Griffin stated we are in the process of looking at the fee schedule. If you have recommendations, now is the time.

Mr. Taylor stated I think the one time building fees should be dedicated and separated out of the General Fund for building projects, overseeing it and economic development costs, so we have some money to do some of these things we are talking about. Service costs to the Town, like the Recreation Department and Fire Department, should be covered by ongoing fees, like property taxes and specific service fees for a specific use. The Town looks to get a shot in the arm every so often from a development and I think that is the wrong way to look at it. We need this money to invest in our future, not spend it on current services. I think you should consider that.

Mr. Griffin stated I would defer to the Attorney in the room, but I don't think you can necessarily over charge people.

Mr. Taylor stated I'm not saying overcharge people.

Mr. Griffin stated I'm not entirely following what you are saying.

Mr. Taylor stated if Watchtower came through, there would be a huge building for you to start up, right. That would go into the General Fund and some of that would have been used to

defray the budget problems that the Town is facing which should be covered by taxes or reduced service costs. That is all I am saving. Take those funds and put them in a different fund and it goes to cover planning, zoning and economic development of that nature. We are always faced with a problem of where is the money going to come from to create this thing that will then create economic benefits.

Mr. Donald Rossi, Town Attorney stated it is what is currently set up with rec fees. I think what you are proposing is allocating funds received for certain specific uses. I don't think there is a general (inaudible), I would have to check. Rec fees are something the Town has within its control and those rec fees have to be geared to the recreation needs of the Town. I don't work to often with the zoning code, but I assume there is a rec fee per new house in a development. Those funds have to be segregated and kept for rec uses.

Mr. Taylor stated I'm not talking about those rec fees.

Mr. Rossi stated you are just talking about the general application fees.

Mr. Taylor stated the building fees.

Mr. Rossi stated those building fees, there is a portion of it that is necessary to cover the administrative costs. Then how high can you increase them if you are going to try to use them as a way of generating additional income and that is where you start getting into a problem, because if they become unreasonable or exorbitant under the circumstances there could be a problem. As far as the Master Plan and a possible (inaudible) certainly the ability to have a recreation/agricultural use perhaps project that might be smaller in scope and less expensive than a complete overhaul of the Master Plan that really focus on those items that have been discussed tonight, I think generally the Master Plan should be looked at and updated because we are outside the periods where the States statues recommend it be done. There is an important legal basis to doing it to avoid potential developers coming in and contesting the decision that one of your boards might claim that the Master Plan is out of date.

Mr. McNulty stated and to see how our code fits a situation with an (inaudible) with a retail end of some sort.

Mr. Griffin stated as outgoing Chief Fiscal Officer for the Town of Patterson, I can tell you that any update to the Master Plan in the next few years is probably going to have to come from internal. We have been told by the Patterson and Putnam Lake Fire Departments that they are no longer going to be able to provide ambulance service that anticipates a cost of an additional \$300,000.00 to the Town and the taxpayer's. We will still be obligated to continue under our tax cap, which on paper is listed at two percent, but it also has a little caveat in there that talks about inflation. Last year our tax cap was 1.5%. When you look at the increase in cost for medical insurance, etc, pretty much everything is eaten up before you even get to planning or looking at excess money. When I came into office in 1994, we were taking in about \$225,000.00 to \$265,000.00 in mortgage taxes. This year we won't break \$200,000.00 and that is on a home evaluation of twice of what it used to be. Our principle source of revenue has dried up. Our requirements from the State are not backing down. If anyone thinks they are going to find \$200,000.00 to rewrite the Master Plan with a consultant, I strongly urge you to think again. Start thinking about how we are going to accomplish this in-house, because that is the only way it is going to happen.

Mr. McNulty stated I don't think the Master Plan should be rewritten, from what I know about it. I'm not an expert, but I have looked at it and reviewed it. Would an update bring us in compliance.

Mr. Williams stated the enabling statues simply say that the Master Plan has to identify what the periodic review is. There is no actual time frame. The recommendation from all sources is every ten years.

Mr. Rossi stated the other thing that has been talked about and certainly can be explored is trying to reach out to entities that might assist. Someone mentioned Southeast before. I know that Brewster Village is in the middle of an extensive Comprehensive Plan. A new Comprehensive Plan with components of warm based zoning with a Transportation Improvement District proposed utilized the hub of the train station there and with the specific idea of addressing what has been categorized as blight conditions in the Village to promote a

revitalization of the Village. Now, the County Planning Department has had (inaudible). They reached out to Pace University Land Use Center. I don't know what it costs, but it costs something. It wasn't gratis. There might be a way to reduce potential expenses. The principle architect at Pace is John Nolan, he's a very well known land use attorney. I could find out what the ropes are.

Mr. Williams stated I hate to put it this way, "the old man, and a great man".

Mr. Rossi stated yes, a great man, but he still runs the land use there.

Mr. McNulty stated maybe we could create some kind of internships and tap some of those students.

Mr. Griffin stated maybe something slightly less ambitious, like a Hamlet Master Plan or a Recreation Plan for Thunder Ridge or something a little more localized.

Mr. Burns stated I don't want to give you a heart attack, but I would be willing to spend some of the Fund Balance on something that was carefully crafted if we are going to spend money on a consultant.

Mr. Griffin stated if you want to spend money on a consultant right now, I would recommend you spend money on one that will provide assessment evaluation for emergency services, because that is where the next big hole in the vote is going to come for financial.

Mr. Burns stated we will have to deal with that issue separate and far from this. We can't just say it's the DEC.

Mr. Williams stated I understand that, but we haven't been at a standstill for 20 years. In the past 20 years we have done the Recreation Center because we wanted an anchor down on that end of the street. We did this building and the court, we put the sewer lines in and we put new sidewalks in. We have done everything we can to encourage. We now know we need to do more and we need to look at how we will do more. There is progress.

Mr. Burns stated I'm not saying there was no progress. I'm just saying how do we move this to the next stage. If we are going to spend thousands, be it internships, a consultant, etc.

Mr. Rogan stated if we break this into little pieces, none of that is all that difficult. It comes down to updating what we currently have to address changes in the last 15 years, based on survey results and what the community is seeing as a change.

Mr. Williams stated we have to incorporate the census in there.

Mr. Rogan stated we are looking at these unique areas, almost as an appendices to the Master Plan whether it be Front Street, Route 22 corridor, Route 311, or Thunder Ridge. You are identifying the uniqueness of these areas. We don't have to figure out necessarily within the Master Plan how to solve all the problems, but we certainly need to identify. The Master Plan has been considered a passive tool, we need to turn that into an active tool, a mission statement for the Town to say; "we have identified it, now we need to figure out how to go after it". That is something bigger than the Master Plan. That is not going to lay out that road map, per se. It can, but it's not going to do all the work. That requires a group of people that have some energy and insight into how to go after and build these relationships.

Mr. McNulty stated Rich, you said the latest survey was 2011, correct.

Mr. Williams stated yes.

Mr. McNulty stated you commented how it was tough economically. It's rebounded to a degree. Would it be worth it to do another survey now that we are talking about updating the Master Plan at this point.

Mr. Williams stated based on the results, I don't think there is a real need to redo the survey.

Mr. McNulty stated it's been four years now.

Mr. Rogan stated can you give us a blank. Maybe if everyone looked at that blank survey versus the results.

Mr. Williams stated going forward that is going to be the whole document, which has the 2001 and 2011 survey.

Mr. Burns stated that is food for thought, we are not going to solve this problem tonight. We can have another meeting or a forum where we can contribute on-line. The other issue I wanted to talk about is the sign for the fire house. Are there any other issues that people want to put out there in terms of zoning issues that have been problematic for us.

Mr. Williams stated sheds.

Mr. Rogan stated I was thinking about the changes we were contemplating for restaurants, catering definitions. I think we are in the midst of making some decisions that will shape the future of the Town. That relates back to the Master Plan. Thank you for the recommendations that have come from the Boards.

Mr. McNulty stated sorry it took so long.

Mr. Rogan stated no, but you guys did a good job.

Mr. Griffin stated it's more important that you get it right than get it quick.

Mr. Williams stated what is being passed around now is three potential changes to our Zoning Code. The first one is restaurants based on the recommendation for the Planning and Zoning Board. The second one is the change to the fencing code and the third one has to do with sheds and other accessory structures. The Building Department, whether it's a shed that is not compliant, they simply classify it as "other accessory structure", which is why we pled some difficult cases before the Zoning Board recently. What started out to be a shed, wasn't a shed at all. We need to clarify that along with having a 10 foot limit on a shed, which isn't realistic. Most people are getting 12 foot wide sheds and the average height on a 12 foot wide shed is 12 feet. My suggestion is we take a look at that.

Mr. Burns stated are there any other issues besides what Rich has in front of us that we should be looking at.

Mr. Williams stated I figured we would start small but I have a list of about 8 changes.

Mr. Griffin stated what else do we want to accomplish here.

Mr. Rogan stated it was a great start. I think we should do a follow-up maybe in a month or two.

Mr. Michael Carinha, Zoning Board stated in regards to development, do you think we should talk to and I know Rich you have some contacts to some of the local real estate people that want to bring in development and get some of their concerns. They might tend to stay away than come here because they know there are problems.

Mr. Rogan stated that's the million dollar question.

Mr. McNulty stated when you get the Putnam County EDC, do they promote for our Town.

Mr. Williams stated Megan Taylor was there and the one thing I hear consistently is the amount of time it takes for a project to get through the approval process. That is not driven by us. When we did Brewster Plastics and it was totally within our control, we put a substantial addition on Brewster Plastics in four months. That was an IDA project. The problem consistently is when you have to go to the other agents, DOT, DEP and DEC. That slows the process down dramatically, because the applicants and the engineers don't want to invest in a lot of money to get through the Planning Board process unless they know they have something with the other agencies. They take baby steps with everyone. What we need are projects that are preapproved to some level, if not fully approved, where we know what the building is going to be. At least have the site work ready, so they have a building pad. We have an idea of what the runoff is going to be and how it will all be treated. That is really what we need to market

the Town. No one wants to hear that when you are talking to a company that they will have to wait for two years. I can't believe Costco is still sitting there in the wings.

Mr. Griffin stated when a developer is going to commit two to five million dollars to a crap shoot, it is not something I want to do. You come in here and you say, "ok, I have this great piece of property and this really terrific project, well maybe the city of New York doesn't think that is so terrific or the Army Corp doesn't think it is terrific. It's a big risk for a developer to come to the New York City watershed and say; "I want to build something there". You don't know if there is anything at the other end.

Mr. McNulty stated that is part of the problem with Commerce Drive off Fair Street. We have a nice start to an industrial area, commercial area, but it comes down to DEC and Army Corp.

Mr. Williams stated not even DEC it's Army Corp. There is small wetlands on the site and is actually an environmental problem that really should be filled in and we even have the fill to fill it in, but he has to get through the Army Corp process. That is a long process. He doesn't even want to start the process.

Mr. McNulty stated he doesn't want to invest the money to find out it won't happen.

Mr. Griffin stated you invest the time, the money and two years later you get turned down.

Mr. McNulty stated how can the Town help a developer like that. Is there any recourse we have through the Army Corp. What is our liaison to the Army Corp of Engineers.

Mr. Williams stated if it was a State agency like the DEC or DOT, at times we could talk to those agencies and work things out with them, but when it comes to New York City DEP or the Army Corp there is no talking to them.

Mr. Griffin stated look what Tractor Supply went through with the DEC with the fragmented wetlands in the front. It was created because the DOT spike was plugged. They had to move the whole building back and they had to redesign the whole thing. It wasn't what Tractor Supply wanted and here you are four years later and the guy just mows it like it's lawn. This is the kind of stuff you are up against all the time.

Mr. McNulty stated I see it and it drives me nuts.

Mr. Griffin stated what could be better for New York City than for us to have taken an entire area or whole corridor and say; "you have all of these issues with Thunder Ridge and run off, you have all these other issues up and down the Route 22 corridor and we are willing to address them in a comprehensive manner for miles. All you have to do is work with us and if everyone follows their piece of the plan you will expedite the approval process." We were ready to commit when we had a lot of money to develop the plan and they wouldn't even discuss it with us. It was a flat out rejection.

Mr. McNulty stated we need a PR firm to shame them.

Mr. Griffin stated you need something from the Governor's office for some push back to New York City to say; "if a municipality is willing to preplan, you need to either preapprove or say we will do a 60 day review on this". You would have already reviewed it. It seemed like a no brainer to us.

Mr. Rogan stated Mike, how did the City of New York get so much oversight and control over Patterson.

Mr. Griffin stated it was actually all built into the original watershed (inaudible) back in the day. This goes back 100 years. For 75 years, they sat on it and didn't do anything. All of a sudden the EPA came around and said you have a problem with your water and everyone said, "what do we do." The pendulum went from do nothing, to strangle everything. Unfortunately, that is the position we are in right now. It's a war. You are not only fighting the DEP, you are fighting the river keeper, Serra Club, the Natural Resource Development. They are suing the DEC because the regs for phosphorus reduction aren't good enough for them. The municipalities that are part of East of Hudson water shed coalition, the 19 Towns are spending 40 million dollars for phosphorus removal and they want to quadruple that cost by quantifying

everything through water testing etc. They sued the DEC because the regs weren't tough enough.

Ms. Fox stated can I ask a stupid question. Not that I choose to do work in New York City, I avoid it like the plague, but obviously when I do, I hire an expediting firm. Are those types of services available for a public project because that is what we would do for a private project.

Mr. McNulty stated good question.

Mr. Griffin stated if you have someone that has some influential juice in New York City, I would like to know who that is.

Ms. Fox stated I have a friend in New York City who is actually considered a Project Advocate.

Mr. Griffin stated if they can advocate for the Town's and development in the watershed, send him our way, because that is the one thing we never had.

Mr. Charles Cook stated I would suggest that the folk's in the room review these handouts that you gave out tonight and submit any comments back to Rich. You can summarize for the next meeting, which I would suggest, like Shawn said be in two months. The other thing is, Tom; I don't know if it makes sense, but do you think it would make sense to ask people from the Chamber Board and/or local realtors to come in and meet with the Planning Board to discuss their angle on commercial customers of theirs.

Mr. McNulty stated it couldn't hurt. I brought up private public partnerships. We could get some feedback from that.

Mr. Cook stated but here are the people that are marking the properties. You see the signs all over the place.

Mr. Williams stated the Chamber or commercial real estate agents.

Mr. Cook stated both.

Mr. Griffin stated Charlie, if you want I have a copy of Putnam County Chamber Legislative Agenda for this year, if you would like to see it.

Mr. Rogan stated I wouldn't object to hearing from them for 15 or 20 minutes in a meeting to get some feedback. Who do you target. You can go to the local Patterson Chamber.

Mr. Williams stated we can contact Joe Russo.

Mr. Griffin stated Tony Lemelli is also a Town resident. I would be happy to listen to them, but we heard it all before.

Mr. McNulty stated we are the board, we're making the recommendation, it can't hurt for us to hear it.

Mr. Griffin stated absolutely. The only problem is the decision makers we need in the room will never get in the room. On Sunday, I sat with the Putnam Chamber of Commerce, five Towns in Putnam County and a lot of County representatives. These problems are at the State and Federal level. If it was just left up to us, these wouldn't be problems at all. We can turn this into a very nice Town. When you have outside agencies and New York City that don't care what we think or what happens here because they don't live here, they don't come here and they don't want to know.

Mr. McNulty stated there has to be a way around it.

Mr. Griffin stated I think Ron is on the right track. You have to look at what you can do and stop worrying what we can't do.

Mr. Rogan stated Rich mentioned the great relationship we are building with Senator Murphy. We need to invite him to be part of the discussion.

Mr. Griffin stated especially in terms of the six billion dollars that is on the table Statewide.

Mr. Rogan stated he is open to that and we can reach out to him.

Mr. Griffin stated the sad part of it is they constantly pit Towns against Towns, areas against areas and everything is a competition. There is always a political decision.

Mr. Williams stated right now for the six billion he has the County coordinating everything between the Towns.

Mr. Griffin stated which is a good way to go.

Mr. McNulty stated so who is that person at the County. Maybe we should invite them to come by and latch onto them first.

Mr. Williams stated for what.

Mr. McNulty stated for the money.

Mr. Rogan stated the County is coordinating six million dollars.

Mr. Rossi stated Bruce Walker probably pinpoints a lot of it.

Mr. McNulty stated maybe the Town Board should get a hold of him.

Mr. Griffin stated believe me, we speak to Bruce Walker on a regular basis. There are a lot of things we are looking to get. We are trying to get traffic lights up on Route 311 and Route 84. There are a lot of other infrastructure improvements we are looking at. Russ is fighting up in Albany trying to get two hundred million dollars of our portion of the two hundred million dollars for additional CHIPS money for road repairs after this money. We are looking at a lot of this stuff and we are pushing as hard as we can. Yes, we couldn't have a better advocate up in Albany than Mr. Murphy.

Mr. McNulty stated I heard good things about him.

Mr. Rossi stated Rich, is there a big inventory for land for sale.

Mr. McNulty stated we have a number of properties.

Mr. Williams stated I wouldn't say there is a big inventory. There are a lot of lots available that people are looking to develop in Town.

Mr. McNulty stated there are several that are ready.

Mr. Williams stated there are three that are ready.

Mr. Bruce Major, Resident stated Rich mentioned something earlier about things getting pre-approved and having them do some of the site work. I have seen where Assessor's will assess that, however; you could put into your code, if someone is preparing a site for future development and is making certain improvements, you could put a time frame of two or three years where there would be no increase in assessment, unless a project goes forward. That would at least help that developer not reap the extra costs. I was looking to put a development up in Pawling, a five lot subdivision, of course the market went in the can and I did not get my final approval, because I would have went from one lot of undeveloped land to five building lots and the taxes would have been substantial, so we didn't do it. The second thing is, politics is politics. Right now we have a Governor and Mayor who are oil and vinegar. The issue of DEP not allowing to approve something that you develop along the 22 corridor, I think this is the perfect time to get not just Murphy, but our Assemblyman in, get up to Albany, get a hold of the person in Albany who is selling New York as the place to develop it, and say; "this is a problem for New York, at least our section of New York to develop and then we need you to be the advocate to change the City of New York's attitude and preapprove these projects". The timing is probably good to attempt that. It is a matter of writing letters. You met with the other Towns, I think it's a perfect opportunity to get their input if they are experiencing the same problem and get that up to Albany and say; "all it takes is to tell the city we will pass legislation

that will require you to assist Towns in preparing their Master Plan or their facilities to move forward and develop industry that will help bring commercial tax base into the City of New York". Thank you.

Mr. Williams stated just so you know Bruce, those conversations about DEP and their regulations and how it's stifling us have been had.

Mr. Major stated we don't want conversations, we need to see it in writing.

Mr. Griffin stated the problem is the Governor and the Senate are all for it and the Assembly just aren't.

Mr. Major stated you have to get it out there in writing.

Mr. Griffin stated Dede do you have anything you would like to contribute to this conversation.

Mr. Dede Lifgren, Resident stated about this or something else.

Mr. Griffin stated about what we were talking about tonight.

Mr. Lifgren stated one thing occurred to me, I know some other Towns design infrastructure with art in mind, so that some of the things got extra money or grants because it was linked with art projects, little park areas, painting, sculptures, etc. Also, in regards to restaurants, can I comment on that now.

Mr. Williams stated we would love to hear your comments.

Ms. Lifgren stated the restaurant, for the most part, is similar to what it is now, except for the one addition about twenty percent. I think what is problematic now is that what is already there is not being enforced and nothing against the current Inspector, but it is problematic in the Town that some of these establishments aren't really restaurants, because they are not serving the food primarily for patrons at tables inside. Therein lies the problem. In the case that I brought forward that prompted this to be changed, the impacts and the amount of volume of food was really not from patrons eating inside. It was all the food going out and catering going out of the restaurant. It was approved as one thing, but it is actually being utilized as something else. I would say if these got changed there would still be a problem of enforcing exactly what a restaurant is.

Mr. Griffin stated anyone else.

Mr. Robert McCarthy, Building Inspector stated back to Front Street, do we have the capacity for sewers.

Mr. Griffin stated yes, it's already there.

Mr. McCarthy stated we have enough to accommodate three buildings.

Mr. Griffin stated we have plenty of capacity.

Mr. Williams stated no, we don't have the water.

Mr. Griffin stated water is a separate conversation. There was a suggestion made about where to locate a well field in the Hamlet area and it's actually a very good suggestion, if that was a direction the Board ever wanted to go.

Mr. McCarthy stated so, that is what is holding us back right now.

Mr. Griffin stated you could probably get a well almost anywhere in this Town to work. It's a possibility. The whole problem is to get something like that off the ground is hundreds of thousands of dollars. You create a water district and you borrow and you have to get everyone in the Hamlet to buy into it and dig up the road. It's a substantial undertaking. The West Street lots would be a potential area for a well field.

Mr. Williams stated the problem with putting the well field there is we need a tank and water treatment plant on top of it. I don't know how those residents would feel about that.

Mr. Griffins stated therein lies the next issue.

Mr. McNulty stated I'm in line.

Ms. Fox stated do we have an affordable housing well.

Mr. Williams stated yes.

Ms. Fox stated the reason why I ask is, Ossining Tribe could do redevelopment and of course then the market crashed. The one thing that they implemented was affordable housing. I'm not sure that that is the way this Town wants to go, I'm not saying it should. Of course, what that does is it brings in a lot of developers, because they get a lot of money from the State and the County. Now Ossining is inundated and they all went to auction. When I think about redeveloping a downtown area, even though it's much smaller, that is the first thing that comes to mind. Again, it's not something that I necessarily think the Town needs to go in that direction.

Mr. Williams stated I will say affordable housing is addressed in our current Master Plan. So it is in there. We haven't done anything for affordable housing.

Mr. McNulty stated it's not implemented.

Mr. Taylor stated I know the State money for subplanning, has anyone explored that.

Mr. Williams stated State money.

Mr. Taylor stated I think it is State money.

Mr. Williams stated it used to be a lot of State money. Now all the money is going to consolidation.

Mr. Taylor stated ok, so it's not there.

Mr. Griffin stated much of that is all competitive. We thought we put a great plan together for something here for grants.

Mr. Williams stated unfortunately, now they moved all the Department of State Planning Funding into consolidation.

Mr. McNulty stated just one item on restaurants how redefined, I don't have a problem with the way it's done, but will catering then be defined as a separate item.

Mr. Williams stated I can. I can come up with a definition of catering, but the definition you have here allows a percentage of the food to be taken off site, but I wasn't defining catering.

Mr. McCarthy stated how do you address that, how do you enforce that. How can I tell if there is twenty percent going out.

Mr. McNulty stated yes.

Mr. Williams stated that's your problem.

Mr. Burns stated the Town Pizza place by Sauro's, there is a lot of take-out. I think there is more take-out business then they are eating in.

Mr. McNulty stated that is what I am saying. Is that considered catering.

Mr. Williams stated it's considered take-out. Take-out and catering are usually separate. Notwithstanding the Health Department.

Mr. Rogan stated so, it sounds like the driving impetus is whether or not it is causing a negative issue, because Sauro's is doing, let's say one thousand pizza's take-out, but if they are not harming anyone or not causing a nuisance, but in the case we are talking about it is causing potential harm. The idea that we approved a restaurant to be put in versus what is there becomes a nightmare for this gentlemen for enforcement.

Mr. McNulty stated if someone comes in front of the Planning Board and they want to put a catering business in.

Mr. Taylor stated then we will send them to the Zoning Board to ask for a definition for catering.

Mr. McNulty stated that goes against everything we spoke about. That is the only reason why I asked if catering would be added so it would be clear in the future.

Mr. Williams stated if everyone wants to throw a definition in there, I can throw one out for everyone to look at.

Mr. Griffin stated I think it's certainly something that catering versus restaurants is very difficult.

Mr. Williams stated absolutely.

Mr. Rogan stated it's one thing to have a definition and another what we are going to do with that definition and how it will be utilized.

Mr. Williams stated I wish I had gotten that recommendation from the Planning Board.

Mr. McNulty stated Bob, any comments.

Mr. McCarthy stated no.

Mr. Rogan stated I just wanted to go back to the affordable housing. We do have affordable housing issues in Town, but they are all illegal affordable housing issues. It seems to be the new trend is that we are seeing rather nice homes chopped up into all kinds of illegal sub-letting situations. I'm concerned for fire safety, but I'm also concerned about how it changes the character of the community where we have houses that have four and five bedroom units with a dozen or fifteen cars in the driveway. People can say it's family living there, but the reality is they are being chopped up and being rented out.

Mr. Williams stated are you seeing that anywhere other than the southwest corner of Town.

Mr. Rogan stated yes, you can even see at the Front Street area where there are people that have said, "we can gladly point them out to you". We have a Rental Registration Law that people aren't following and I think we have to address that. I don't know how. We are not going to go around knocking on doors necessarily. We have rentals that aren't being registered all over the place. From what I understand, the primary purpose is fire safety. We are not doing what we can as a Town right now to protect for fire safety. The complaints that I have heard just around within three hundred yards of where we are sitting were significant.

Mr. McCarthy stated one of the problems is family. What is family.

Mr. Rogan stated that is pretty well defined.

Mr. Williams stated it is well defined in the code.

Mr. Griffin stated good luck checking that out.

Mr. Rogan stated we had people here for Rental Registration issues that we were talking with. It comes back to, and this is a pet peeve of mine, that we have laws on the books and we can't enforce them. That is why I was so critical of the Bamboo Law. Not that I didn't think it was justified, but I think we want to have laws on the books that we can enforce. Right now, I think it falls to you Bob and I don't think you have the proper tools and definitions to support you.

Mr. McCarthy stated or the authority to go in. How do I get in there.

Mr. Griffin stated the illegals are the tough ones to crack.

Mr. Rogan stated we are not talking about people.

Mr. Griffin stated no, I understand what you are saying, but if they aren't registered it is very difficult for us to be able to go in there and they are telling us these people are their cousins. Rental Registration Law came out of the fact that the Assessor's Office had a lot of two-families. Technically by Building Code, we don't have any two-families in this Town. We have a couple, but not many. What we said was, "this is a liability issue if the Assessor's Office is legitimizing all of these and the Building Department isn't inspecting any of these and there is a fire or something happens, the Town will get hung". The problem is, the next step in that is trying to identifying all the illegal ones. Larry Lawlor told me don't even touch that one. It's such a tar baby, it's a quagmire, once you get in there is no getting out. You campaign in this Town, how many houses have three front doors. It is a tough nut to crack. You get to these people and they say they can't afford to live here.

Mr. Rogan stated we spoke about having a grace period in regard to other violations in Town, but we mentioned, not a grace period but an amnesty period with violations.

Mr. McNulty stated yes, I spoke to you about that. An amnesty for all the applications that come in, property we know of that are commercial that don't have a site plan, or are in violation of the site plan. How do you notify everyone to make it equal. There are a lot of things to work out.

Mr. Williams stated I understand what you are doing and I agree with the concept, but I think what you do is you have to go on a case by case basis, identify them. We do have a list of everyone who has a site plan and who doesn't. I just have to get it to you.

Mr. McNulty stated maybe people whose people are in violation qualify for amnesty.

Mr. Williams stated it's not so much amnesty. We go to the property owner and we try to get compliance out of them and we try to work with the property owner and give them some time to do it. Bob is great doing that, trying to get people into compliance rather than punishing them. It will go on a case by case basis what someone can do.

Mr. McNulty stated what about the ones that just thumb their nose at us.

Mr. Williams stated we give them as much time as we think is reasonable given the circumstances. After that, they get a violation.

Mr. McCarthy stated the best way we address this is when they actually come into you and they bring it up. We have had a couple with Automotive Repair on Route 22. When something comes in, I look back and see if they have a violation, because I get it thrown back in my face.

Mr. McNulty stated what is your trigger for a violation. Each situation is different.

Mr. McCarthy stated yes, everyone is different.

Mr. Griffin stated there is also the wildcard. When they get in front of the Judge. We took Mr. Reed in front of Judge Reitz, he never did a thing. Fortunately now it's been bought out. We have another one over in Putnam Lake we don't have any clue what to do with.

Mr. Rogan stated one more comment about Master Plan. We've talked about changing our code or changing the way we view development to take into account Ridge Line Development, which would be helpful for what we were dealing with Fox Run and usable area on a lot as opposed to bulk area. We spoke about this for years, but this might be the right time to kick this around. The idea that we take out things like steep slopes and wetlands and look at actual usable area as a primary component of development for parcels. You have a hundred acre subdivision in front of us and now we are starting to break it up in four acre parcels or whatever we are doing, instead on day one look at usable area and have a method within our code different from bulk area. Maybe you still have bulk, but you put more emphasis on usable areas and have a required "X" number of usable space.

Mr. Griffin stated isn't that part of the code that if you come in with a subdivision and you want sixty homes on one hundred acres you have to prove them out before you go (inaudible).

Mr. Rogan stated yes, but proving them out we have been doing this pretty well over the last few years talking about swimming pools and sheds and we haven't quantified that. I think we would be wise to look at what usable area, less than fifteen percent slope, outside wetland buffer is required or we think is necessary for a single family home and quantify that within our code.

Mr. McNulty stated I think what Shawn is saying is when you have a seven acre lot and four of the acres are in the wetland, people don't get it. The house sells two or three times and the third guy comes in and he has all this land and whacks all the trees down and before you know it Teddy is out there.

Mr. Rogan stated our current code, if you have bulk area and you can prove septic and well and a place for the house, we would be hard pressed to not approve that lot, correct.

Mr. Williams stated correct. We don't factor in things like wetland areas, steep slopes.....

Mr. Griffin stated when you have a cluster development, when you have to prove it out you have to start by designing it.

Mr. Williams stated I took "to proving it out", out. We want it to be more development friendly, so what I did was create a formula whereby somebody who has a one hundred acre lot, they know going in that based on the density requirements they are entitled to twenty-five lots. Those lots are going to be forty to eighty thousand square feet. What we don't do, we don't start looking at what the bedrock is, is there adequate soil for a septic system, are there wetlands on those individual sites. We have a code that is set up that encourages them to take those environmentally sensitive areas and put them on the side and only build on good areas, but it doesn't go to the next step of looking at the individual lots, making sure there is a buildable area on each individual lot.

Mr. Rogan stated which gets back, we've seen in other areas, where they defined building envelopes, they define usable areas. Then within that area, you construct your house, pool, garage or whatever and that is a percentage of the overall lot. I think that is something we should take a look at.

Mr. Williams stated we can certainly do that.

Mr. Peter Dandreaano, Town Board stated what control or do we have any control over non-for-profit tax exempt organizations. The Jehovah Witnesses have acquired a lot of property between us and Southeast. I know the Brewster School District took a hard hit on the tax base. Is there any limit.

Mr. Williams stated Mr. Clinton took care of us with all that when he adopted RIPA. Not-for-profits, yes, because we can regulate non-for-profits and we do. We regulate non-for-profit clubs and some other types of non-for-profits. When it comes to religious organizations, we have very little teeth that we can put in our code to stop them from acquiring land. One of the things Charlie asked to do, which is going to take some level of effect, is to build a map showing all the dedicated open space lands and all the vacant lands. I think everyone is going to be very surprise when I throw all the dedicated open space. How much now is open space in the Town of Patterson. The whole Haviland Hollow site, the whole northwest side of Town is open space. Trust me, if I could have stopped Watchtower from buying Field and Forest, I would have. That is not a good thing for us. The fact that they now bought a commercial property in Southeast that is not a good thing for Southeast. What happens when they want to start buying commercial property in Patterson taking it off the tax rolls.

Mr. Rogan stated do you have any idea what we will be losing in property taxes from Field and Forest.

Mr. Williams stated I don't know off the top of my head.

Mr. McNulty stated doesn't it have to be for religious use to be tax exempt.

Mr. Williams stated because they are a religious organization, they can take it off the tax roll.

Mr. McNulty stated no, it has to be for religious use.

Mr. Rossi stated I don't think it is difficult to meet the threshold of what religious use is.

Mr. McNulty stated can the Town enhance on that.

Mr. Rossi stated the section that I am familiar with is, I think, 483 Real Property Laws, it's the same as if Putnam Land Trust bought a piece of property. I don't think that their mere ownership gives them the exemption. They have to file and they have to have some semblance of use for the particular of purpose. You will see a conservation piece that might throw in small parking area with a kiosk and some maps and that is enough to meet the threshold. I think, it is the same on the religious use. Just the mere ownership doesn't take it off the tax roll, but the second they start using it for meditative trails or one or two buildings on a lot that have a religious purpose, a dormitory or chapel or study hall, that kicks it in. It's a low threshold. The RIPA that Rich is talking about has to talk about the ability of the Towns to control the development of those sites, but it's very very limited. Pete, I don't know if you are asking more on the real property taxation side or on the regulatory side.

Mr. Dandreaano stated on both. I'm all for religious organizations, but we don't get much out of it as a Town or anything that goes to local businesses. In the morning, I see five greyhound buses go by and they go out. It's not like they are driving up and going to Thunder Ridge for the weekend or using any of our businesses.

Mr. Rossi stated they can come up with a modest use and have it off the tax roll. It's definitely a reality.

Mr. Burns stated the hour is late. I'll make a motion to adjourn.

#### ADJOURNMENT

There being no further business, Mr. Burns made a **motion** to adjourn the Town Board meeting at 9:00 p.m.

Seconded by Mr. Rogan. All in favor: Aye. Carried.

Respectfully Submitted,

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Antoinette Kopeck, Town Clerk