

**TOWN OF PATTERSON
ZONING BOARD OF APPEALS
August 21, 2013**

AGENDA & MINUTES

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4) Other Business		
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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

ZONING BOARD OF APPEALS

Lars Olenius, Chairman
Howard Buzzutto, Vice Chairman
Mary Bodor
Marianne Burdick
Gerald Herbst

PLANNING BOARD

Shawn Rogan, Chairman
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**Zoning Board of Appeals
August 21, 2013 Meeting Minutes**

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

Present were: Chairman Olenius, Board Member Howard Buzzutto, Board Member Mary Bodor, Board Member Marianne Burdick, Board Member Gerald Herbst, Nancy Tagliaferro, Attorney with Town Attorney’s Office and Richard Williams Sr., Town Planner.

Chairman Olenius called the meeting to order at 7:04 p.m.

There were approximately 11 members of the audience.

Sarah Mayes was the secretary for this meeting and transcribed the following minutes.

Chairman Olenius led the salute to the flag.

Roll Call:

Board Member Bodor	-	here
Board Member Burdick	-	here
Board Member Buzzutto	-	here
Board Member Herbst	-	here
Chairman Olenius	-	here

1) DESIGN CONCEPTS ENGINEERING, P.C. CASE #14-13

Mr. John Kalin was present.

Chairman Olenius stated first.

The Secretary read the following legal notice:

NOTICE IS HEREBY GIVEN BY THE TOWN OF PATTERSON BOARD OF APPEALS of a public hearing to be held on Wednesday, August 21, 2013 at 7:00 p.m. at the Patterson Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider the following applications:

Design Concepts Engineering, PC Case #14-13 – Area Variances & Use Variance – Held over from the July 17, 2013 meeting

Board Member Bodor stated again, I must recuse myself from this case.

Chairman Olenius stated come on up to the microphone. Or you can take it out of there.

Mr. John Kalin stated front and center. I'll stay right here. Good evening everyone.

Chairman Olenius stated good evening. State your name one more time.

Mr. Kalin stated John Kalin. Design Concepts Engineering.

Chairman Olenius stated thank you, John. Okay, so I thank you. We had the opportunity to go out there for a site walk and...

Mr. Kalin stated I apologize. I had an unexpected vacation block that one off for me. But...

Chairman Olenius stated that's okay. The mock-up was good. It gives us a real good idea the distances from the highway...

Mr. Kalin stated yes.

Chairman Olenius stated and the overall size of the proposed sign. And I believe you stated the last time, I just want to reiterate it, 100% of that sign is not actually animated.

Mr. Kalin stated no. Just the lower portion of the sign. As you can see on the...I'm going to walk away from the mic for a second.

Chairman Olenius stated you can take that away with you.

Mr. Kalin stated I feel like a club singer.

Chairman Olenius stated yes.

Mr. Kalin stated the lower half the sign is the digital portion of the sign. I don't have the specific dimensions, but we know the sign is, you know, 8' wide, so it's approximately 7.5' wide by probably 2' tall; digital. The rest of it is a static sign with some ornamental pieces around the top.

Chairman Olenius stated and there was a little confusion when we were out there for the site walk, and I couldn't recall specifically either, does it...It rolls, the message.

Mr. Kalin stated the sign has the ability to roll the message. I mean, any automated sign, we can do anything with from bells and whistles...

Chairman Olenius stated so if it's too big to be static...

Mr. Kalin stated right. If there three lines of text, you're going to see two lines of text, it will pause...roll to the third line of text and it's...You know, you can adjust the speed. You can adjust every (inaudible) you know, whistle feature. But, for the most part, it's just going to be static messages.

Board Member Buzzutto stated it's not going to be a creeper.

Mr. Kalin stated no. No, it won't be moving, it won't be changing colors. It will just be, you know, different than the background color so it stands out.

Chairman Olenius stated colors can change.

Mr. Kalin stated I'm sure it has the possibility to change. They have not ordered or, you know, will not order on that has 15 L.E.D. colors or whatever. It's just going to be a static, you know, white or yellow or whatever the sign is. When that graphic was made by the company, I don't think there was that level of communication with the company. So, they put something on there that was contrasting off the background colors so you could see them.

Chairman Olenius stated okay.

Mr. Kalin stated so, again, yes, it's not in our interest to do that. We just want to have one color. It's going to be, probably, white or yellow just so it contrasts.

Board Member Buzzutto stated is there going to be any other illuminating lights from the ground to that or just...

Mr. Kalin stated no.

Board Member Buzzutto stated because that will...

Mr. Kalin stated it's just...

Board Member Buzzutto stated kind of block out the...

Mr. Kalin stated right. This is it.

Board Member Buzzutto stated yes. Okay.

Chairman Olenius stated alright, so I think that the biggest concern with this application is the fact that it's on a vacant piece of land and it's going to have to meet the requirements for a use variance, which I will defer to the attorney to explain, our Counsel, to explain. I don't want to speak for the Board, but I believe they're going to be a little difficult to achieve on a vacant parcel. But if you could just...

Nancy Tagliafierro stated well...

Chairman Olenius stated elaborate.

Nancy Tagliafierro stated basically the applicant has to show that without the use variance there's a hardship and they can't realize a reasonable return on the property and in order to do that have to show economic proof that without the use variance they can't realize a reasonable return.

Mr. Kalin stated yes, if I may speak to that, I'm not quoting anything, but it seems to me like that code was actually pertaining to a for-profit business. Where we would rely on that sign for, you know, revenue. This sign is really just an informational sign for the Town; emergencies, general data, general information. It's really nothing for-profit. So, I looked at the use variance criteria and most of them really don't pertain to this particular case because, again, we're not seeking financial compensation for anything with that sign so I don't know how I can prove that we can't expect a reasonable return. It's just not applicable.

Nancy Tagliafierro stated it's...There's no exception that I'm aware of in the Town Code or State Law for not-for-profit corporations or entities. It applies...This sign code applies to all businesses in this particular district.

Mr. Kalin stated right. Okay. Well, I guess, you know, the only other option we would have then would, and this is beyond the realm of this particular staff here, is to go to the Town Board, perhaps, to seek an amendment to the Town Code exempting the fire department from certain regulations like this.

Nancy Tagliafierro stated that's a possibility. Or we talked about the possibility about merging the lots so it wouldn't be a separate lot and then you would be able to have one free-standing sign.

Mr. Kalin stated right. I...

Nancy Tagliafierro stated this one would still need variances, but you'd have one freestanding sign to advertise the use of the buildings.

Mr. Kalin stated right. Understood. I don't think...The sign's important for the Fire Department but at the same time having that separate piece of property makes a lot of sense for them too. We don't know what the future's going to bring for the department; hardship, something. If they had to sell it, it would be good for them to, you know, keep it in a separate state and certainly if the sign was on that piece of property and it did have to get sold, there'd be easements through it and, you know, that's a whole nother ball of wax that somebody has to take care of in the future.

But I think it's, at this time, the Fire Department really doesn't want to join those lots and I don't think they should have to just to satisfy a use variance.

Chairman Olenius stated I understand completely what you're saying it's just we're at a point...

Mr. Kalin stated right. You're working...

Chairman Olenius stated where our hands are kind of tied with...

Mr. Kalin stated you're working with those set of rules. I understand.

Chairman Olenius stated this set of rules. The Town Board sounds like a legitimate...

Nancy Tagliafierro stated yes.

Chairman Olenius stated you know, to me. I don't know. Do you think...

Mr. Kalin stated right. Because I mean...

Nancy Tagliafierro stated I think it's a good option.

Mr. Kalin stated the other criteria that we need to satisfy, you know, starting with number three, essentially altering the character...no one knows that that's not one piece of property at this point, anyway. So, I mean, that one I don't see as being a big issue. The Town...Or, you know, the Fire Department mows it. People park on it. It looks like it's one piece of property, so, that one really wouldn't make any difference. The alleged hardship has not been self-created. Again, they bought a piece of property they didn't sell a piece of property to create a hardship. They'd just like to utilize that property because the site distance would be that much better. So, I don't know if four is really anything to consider. And number two, I'd like to say it's unique. I certainly don't know of any other businesses that have property off of a town road that own a separate parcel in front of the town road. And I'm sure we could go through a zoning analysis to look, but there's few businesses in here that don't have frontage on the main road. For us to put the sign on property, we were, I believe, it was almost 250' or something like that off of the road. So, you know, I do think our situation is unique and that, you know, our main frontage is not on [Route] 311 but the patron...I don't want to call it patrons. Everybody in the Town drives on 311, they don't drive on the side road, so we need to put our notice, you know, on that side. So, I mean, in that regard, I think our situation is unique. So the question really comes down to the first one. And it's, like I said, to me, there's just no applicability to what we're doing here with profit or not-for-profit. But I understand your position and you have black and white set of rules and...

Nancy Tagliafierro stated right.

Mr. Kalin stated you can only operate within those rules.

Chairman Olenius stated that's the difficulty. And...

Mr. Kalin stated so...

Chairman Olenius stated to be quite honest with you, without the use variance the other two are...

Mr. Kalin stated moot.

Chairman Olenius stated a moot point.

Mr. Kalin stated right.

Chairman Olenius stated yes.

Mr. Kalin stated right.

Chairman Olenius stated so...

Mr. Kalin stated having said that though, if I may, would it be possible for you to guys to consider the other two variances.

Nancy Tagliafierro stated it doesn't seem to make much sense.

Chairman Olenius stated I'd be leery to consider them at this point until we got a little direction from the Town Board. I'm not going to...

Mr. Kalin stated okay.

Chairman Olenius stated you know, I...

Mr. Kalin stated yes, I don't want to send mixed messages.

Chairman Olenius stated I don't want to put...

Mr. Kalin stated I understand.

Chairman Olenius stated the cart before the horse.

Nancy Tagliafierro stated yes.

Chairman Olenius stated you know, because if they want to pass a resolution, you know, like you said...

Mr. Kalin stated okay.

Chairman Olenius stated making your situation different from what State statutes are that we have to follow for...

Mr. Kalin stated understood.

Chairman Olenius stated you know, a use variance then we'd have something to lean on. I don't...When's the next Town Board meeting. Do you know.

The Secretary stated September 11th.

Chairman Olenius stated and how early do you...Do they have time to get on that agenda or...

The Secretary stated yes. I believe so.

Chairman Olenius stated okay. And our next meeting is September 18th so...

Mr. Kalin stated pencil us in.

Chairman Olenius stated yes. Well, I wouldn't...I'm not...I'm looking to hold your case over. I wouldn't, you know, close...

Mr. Kalin stated sure.

Chairman Olenius stated the public hearing or anything.

Mr. Kalin stated okay.

Chairman Olenius stated just hold you over until we receive a little more direction.

Mr. Kalin stated okay. I understood.

Chairman Olenius stated from the Town Board what their thoughts are.

Mr. Kalin stated yes. I...

Board Member Buzzutto stated does that apply to State, County or Town roads in general, all of them. That...

Nancy Tagliafierro stated all of them.

Board Member Buzzutto stated all of them.

Nancy Tagliafierro stated yes. It's everything.

Board Member Buzzutto stated it doesn't make a difference.

Mr. Kalin stated yes. Because we also explored the opportunity to lease property from D.O.T. being that they do own such a wide corridor in that particular area. And I don't know if that would change the use variance or not because now we're out on D.O.T's property.

Chairman Olenius stated good question.

Mr. Kalin stated other people certainly advertise within their corridor...

Chairman Olenius stated it's leased land though. That is...Can you get a use variance on leased land or would you need require...

Nancy Tagliafierro stated you can apply for variances on property that you lease, but again, if it's just a vacant piece of property, it's not really accessory to the use of the principal structure, so, there's still that problem.

Mr. Kalin stated well, I thought I'd explore the possibility because it was offered to us.

Nancy Tagliafierro stated but it's...I think it would be a little easier to consider than this one, the use variance.

Mr. Kalin stated okay.

Nancy Tagliafierro stated so...

Mr. Kalin stated well, we've got two avenues to pursue and hopefully the first one is the easier route and we'll take that one.

Chairman Olenius stated I hope so. Like I said, I'd...It's just our hands are kind of tied.

Mr. Kalin stated I understand.

Chairman Olenius stated you know.

Board Member Buzzutto stated well, that's a State regulated body. State...We don't have anything to do that.

Chairman Olenius stated just a matter that all four pieces of that criteria have to be met.

Nancy Tagliafierro stated yes. You have satisfy all the criteria and the hardship is hard to get to on this one.

Mr. Kalin stated right. Yes. There's really no applicable situation that I could think of...

Nancy Tagliafierro stated understood.

Mr. Kalin stated that would get us there. So, alright. I will see you guys very soon and we'll call the Town Board and get on their agenda.

Chairman Olenius stated yes. We'll hold over...

Mr. Kalin stated see if we can entertain something.

Chairman Olenius stated till next month. You know, if they require more time or anything, we're not closing the case. We'll, you know...

Mr. Kalin stated okay.

Chairman Olenius stated till we hear back from them.

Mr. Kalin stated fair enough.

Chairman Olenius stated alright.

Board Member Buzzutto stated one other thing...

Chairman Olenius stated thank you for your time.

Board Member Buzzutto stated you had a good representative at the site walk. She knew what she was talking about.

Mr. Kalin stated yes.

Eleanor Smith stated thank you.

Mr. Kalin stated Eleanor's very well versed.

Chairman Olenius stated yes.

Mr. Kalin stated so, thank you very much. Appreciate your time.

Chairman Olenius stated no, thank you.

Board Member Buzzutto stated so this is tabled.

Chairman Olenius stated we're tabling to make it...We're going to table it till next month, at the minimum. At such time as we receive a little more direction. What could the Town Board do for that. They could just like pass a resolution.

Nancy Tagliafierro stated yes, that's particular to their situation.

Chairman Olenius stated right.

Nancy Tagliafierro stated or they could modify the Code to, you know, make some exception for that type of entity.

Chairman Olenius stated so they have an avenue. That's...I feel better about that.

2) **PHILIP TASSI & JULIANNE SOTOMAYOR-TASSI CASE #15-13**

Mr. Philip Tassi and Mrs. Julianne Sotomayor-Tassi were both present.

The Secretary stated okay.

The Secretary read the following legal notice:

**Philip Tassi & Julianne Sotomayor-Tassi Case #15-13 – Area
Variances**

Applicants are requesting area variance pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, in order to a 16' x 32' in-ground swimming pool with walkway and patio. The Patterson Town Code requires a minimum side yard setback of 40'; Applicant will have 19'; Variance requested is for 21'. The Code also requires a minimum 80' rear yard setback; Applicant will have 64'; Variance requested is for 16'. This property is located at 12 Teal Lane (R-4 Zoning District).

Chairman Olenius stated good evening.

Mr. Philip Tassi stated good evening.

Chairman Olenius stated just state your names for the record, please.

Mr. Tassi stated Philip Tassi.

Mrs. Julianne Sotomayor-Tassi stated Juliann Sotomayor-Tassi.

Chairman Olenius stated do you swear the testimony you provide tonight will be the truth and the whole truth.

Mr. Tassi stated yes.

Chairman Olenius stated thank you very much. So...

Mr. Tassi stated one thing. The address is actually 29 Teal. Not 12.

Chairman Olenius stated 29 Teal Lane.

Mr. Tassi stated yes.

Mrs. Sotomayor-Tassi stated yes.

Chairman Olenius stated oh.

Board Member Bodor stated this was in the published notice.

Board Member Buzzutto stated what are we changing.

Chairman Olenius stated it's 29 Teal Lane. Not 12.

Board Member Buzzutto stated oh.

Nancy Tagliafierro stated I assume that the notices to the neighbors were all correct or did they reference 12 Teal Lane.

The Secretary stated they would have all been 12 [Teal Lane].

Nancy Tagliafierro stated I think that's a problem.

Chairman Olenius stated do you.

Nancy Tagliafierro stated yes.

Mrs. Sotomayor-Tassi stated is there a 12 on the street even.

Nancy Tagliafierro stated I don't know.

Mr. Tassi stated I don't think there is a 12.

Chairman Olenius stated was everyone noticed within the 500 feet.

The Secretary stated yes. And we didn't receive anything back or any calls.

Chairman Olenius stated well, it doesn't stop us really...

Nancy Tagliafierro stated I mean your...their names were on it.

Chairman Olenius stated right.

The Secretary stated yes.

Mrs. Sotomayor-Tassi stated they should know.

Nancy Tagliafierro stated and there's no 12. Nobody's here.

Chairman Olenius stated give us your shpeal. Let's hear what you have to say.

[Laughter].

Mr. Tassi stated our schpeal is just we'd like to put a pool on the property; we have five children plus to two of us. Since the property is not really very well laid out for any other location other

than where we selected. The whole front of the house, it's all front yard and septic fields in the front.

Chairman Olenius stated I noticed that from your survey.

Mr. Tassi stated right. And the other side is just the driveway. So there's really only one location to put the pool. And then it's also...The back of the house goes steeply uphill. You know, about 15 to 20 back. So, if you will see the pictures where we have the fence there that's existing...

Chairman Olenius stated this is the picture...This is what I was curious about. This is the opposite side of the house.

Mr. Tassi stated that's...Right. That's from the corner of the...

Chairman Olenius stated that's the driveway side for that...

Mr. Tassi stated no. That's not the...

Mrs. Sotomayor-Tassi stated no.

Mr. Tassi stated driveway side.

Chairman Olenius stated oh, it's not.

Mr. Tassi stated that's from the neighbor's side...

Chairman Olenius stated okay.

Mr. Tassi stated looking sideways.

Mrs. Sotomayor-Tassi stated looking...

Mr. Tassi stated but we go up probably 50 to 60 feet higher.

Mrs. Sotomayor-Tassi stated higher than...

Chairman Olenius stated I was going to say, the elevation looks steeper on this...

Mr. Tassi stated right. It goes up from there.

Chairman Olenius stated side than over here. Is that...I saw a reference for a 9' retaining wall or...I don't know if I'm correct with that.

Mr. Tassi stated no. The height would be, it's only...

Mrs. Sotomayor-Tassi stated 40 inches...

Mr. Tassi stated yes. It's going to be like 40 inches. But it's going across...

Mrs. Sotomayor-Tassi stated we'd be...Across.

Mr. Tassi stated we would continue the wall that there if you look in that picture. Just going straight. When you see that side view that you had.

Chairman Olenius stated yes.

Mr. Tassi stated there's an existing stonewall.

Mrs. Sotomayor-Tassi stated stonewall.

Chairman Olenius stated right back here.

Mrs. Sotomayor-Tassi stated yes.

Mr. Tassi stated right.

Mrs. Sotomayor-Tassi stated the stonewall ends there.

Mr. Tassi stated so we're actually going to extend it all the way...

Mrs. Sotomayor-Tassi stated continue it...

Mr. Tassi stated to the end and then that way we can put plantings and stuff.

Chairman Olenius stated and to hold the hill back I'm assuming...

Mr. Tassi stated right.

Mrs. Sotomayor-Tassi stated yes. Yes.

Chairman Olenius stated from...

Mrs. Sotomayor-Tassi stated it is a blended family and it took us two years to find a house that was big enough for everyone to live. And we did look for houses with pools but just so this is was the one that we ended up with. So...

Chairman Olenius stated I only smiled when you said five children because I have three and I know what...

[Laughter]

Chairman Olenius stated I go through. So...

Mrs. Sotomayor-Tassi stated yes.

Chairman Olenius stated so this, this is where I thought...Does that say 4' then. I thought it said...

Mr. Tassi stated yes. That's...

Chairman Olenius stated 9' high.

Mr. Tassi stated no, that's 4'.

Chairman Olenius stated oh, okay.

Mrs. Sotomayor-Tassi stated yes.

Chairman Olenius stated I'm sorry. It just looked like it was looped there. So I was just under the assumption that the property...

Mr. Tassi stated no.

Mrs. Sotomayor-Tassi stated it's not that bad.

Chairman Olenius stated really sloped up. It appears from your photos here that the property is pretty well wooded for screening from the...

Mr. Tassi stated yes.

Chairman Olenius stated adjacent neighbors.

Mrs. Sotomayor-Tassi stated from the next neighbors, yes.

Chairman Olenius stated I know you took a photo you just explained, from what your neighbor's property looking towards where you were explaining the wall would extend. I can't see that house in any of these...

Mr. Tassi stated you probably...Even if you stand on the property line, you know, with the trees that are existing...

Mrs. Sotomayor-Tassi stated oh.

Mr. Tassi stated wait a minute. Okay, that's looking towards the neighbor's property.

Mrs. Sotomayor-Tassi stated the bottom one.

Mr. Tassi stated the bottom one.

Chairman Olenius stated okay. Are they...Are you elevated above...

Mr. Tassi stated we're above their house. So they're actually, probably, 80' and down the hill on the other side. And the people that are behind us, it's at least 50 or 60' to the stonewall on top of the hill and we can't, from our backyard, see their house.

Mrs. Sotomayor-Tassi stated no. We can't see their house at all.

Board Member Bodor stated one of those photos there did show one of the other homes in the neighborhood, I could see the roof. So it's downhill from you quite a distance, quite a bit.

Mr. Tassi stated well, the one that's over here is across the street.

Chairman Olenius stated this photo here, is this the one the one you referring to. I'm sorry.

Board Member Bodor stated no. But, well, there's two of them actually because there's on where it more in the middle.

Chairman Olenius stated now, this is not...

Board Member Bodor stated it appears to be high.

Chairman Olenius stated an adjacent neighbor. This is...

Mr. Tassi stated no. They're across the street.

Chairman Olenius stated across the street.

Mrs. Sotomayor-Tassi stated they're across the street. Yes.

Board Member Bodor stated there's a street in between.

Mr. Tassi stated yes.

Mrs. Sotomayor-Tassi stated yes. There's a cul-de-sac, actually, and they're on the other side.

Chairman Olenius stated oh, this is a cul-de-sac.

Mrs. Sotomayor-Tassi stated yes.

Mr. Tassi stated yes. There's a cul-de-sac.

Mrs. Sotomayor-Tassi stated there's a cul-de-sac.

Chairman Olenius stated okay.

Mrs. Sotomayor-Tassi stated yes. So it's them and then our next door neighbor and us on the cul-de-sac, yes.

Chairman Olenius stated and the adjacent properties are both developed already. Are there...

Mr. Tassi stated yes.

Mrs. Sotomayor-Tassi stated yes, they...

Chairman Olenius stated are there...There are homes on them already.

Mr. Tassi stated there's homes, yes.

Mrs. Sotomayor-Tassi stated yes. This is in Windsor Woods; I don't know if you're familiar with...

Chairman Olenius stated I asked the Town Planner to explain to me, and I had a good idea once he...

Mrs. Sotomayor-Tassi stated where...

Chairman Olenius stated did. Where exactly you were. Because I just didn't recognize the name.

Mr. Tassi stated the entire development is...

Mrs. Sotomayor-Tassi stated it's done, basically.

Mr. Tassi stated completed now.

Mrs. Sotomayor-Tassi stated yes.

Mr. Tassi stated so there are no other homes going up.

Chairman Olenius stated it's adjacent to the Apple Hill...

Mr. Tassi stated yes.

Chairman Olenius stated subdivision.

Mrs. Sotomayor-Tassi stated yes. Yes. It's a...

Mr. Tassi stated it's a continuation.

Mrs. Sotomayor-Tassi stated continuation of Apple Hill and yes.

Chairman Olenius stated this is what I was looking for. Oh, okay. Now I see from this survey, the way the...I thought that was a turn in the road but that's actually...

Mrs. Sotomayor-Tassi stated it's a cul...yes.

Chairman Olenius stated cul-de-sac.

Mr. Tassi stated right. And then our neighbor's driveway would be coming off of part of that cul-de-sac.

Mrs. Sotomayor-Tassi stated their driveway is...There are trees and then their driveway, right.

Mr. Tassi stated right. So, if our driveway comes in here in front of the house, theirs goes this way off the house.

Chairman Olenius stated okay.

Mr. Tassi stated and again, we're elevated so they're well below us.

Chairman Olenius stated got you.

Board Member Bodor stated you know, I'm not really familiar with where this is and the surrounding area.

Mr. Tassi stated okay. This...As you're coming up [Route] 22, it would be Old Road...

Board Member Bodor stated yes. I know Old Road and I know...

Mr. Tassi stated and we're behind...

Board Member Bodor stated Apple Hill, but once you get in there...

Mrs. Sotomayor-Tassi stated yes.

Mr. Tassi stated when you're on Old...As soon as you come on Old Road, in the fall you can see our houses because as you come up Old Road off of [Route] 22.

Board Member Bodor stated yes.

Mr. Tassi stated right. Teal Lane is behind that. So it's behind those row of houses.

Board Member Bodor stated I think I'd like to go out and take a look at this since I don't...I'm not comfortable...

Chairman Olenius stated I was going to say...

Board Member Bodor stated with what...

Chairman Olenius stated typically when we're not familiar with the actual area, we typically do take a walk out there just to see for ourselves the elevations and, you know, the...

Mrs. Sotomayor-Tassi stated okay. We don't...

Chairman Olenius stated neighbors and what everybody looks at and everything. So I agree. I don't know if that's good with everybody else. But, the Secretary would be in touch with you if one of you or a representative could meet us there. Is that possible. We usually go in the evenings.

Mrs. Sotomayor-Tassi stated okay.

Chairman Olenius stated I don't know if that's bad for you or good for you.

Mr. Tassi stated the evenings are actually better. And if it's not one...

Board Member Buzzutto stated early evening.

Mr. Tassi stated of us at least, you know, her son would be there, you know.

Mrs. Sotomayor-Tassi stated yes.

Mr. Tassi stated there would be somebody who's at least in their twenty's.

Chairman Olenius stated that's fine. Just so they can kind of show us...I don't know if that spray paint is there on ground or not.

Mrs. Sotomayor-Tassi stated no.

[Laughter]

Chairman Olenius stated yes.

Board Member Bodor stated it's gone. It was water-soluble.

Mrs. Sotomayor-Tassi stated it lasted for a good, long time.

Chairman Olenius stated it's really for us just to stand there and kind of...Where the pool's going to be, and kind of do 360 [degree]...

Mr. Tassi stated right.

Chairman Olenius stated you know what I mean, just to...

Mr. Tassi stated yes.

Chairman Olenius stated and familiarize ourselves with the surroundings.

Nancy Tagliafierro stated and then you can really get a feel for how substantial the variance

actual is.

Chairman Olenius stated correct.

Mrs. Sotomayor-Tassi stated and then how far back will that push us...

Nancy Tagliafierro stated or insubstantial.

Mrs. Sotomayor-Tassi stated timeline for work if...

Chairman Olenius stated September 18th is the next meeting.

Mr. Tassi stated I'll be back

Mrs. Sotomayor-Tassi stated okay.

Mr. Tassi stated

Chairman Olenius stated and you know usually when we do a site walk, there's no other...Because now we've seen it. We've spoken to you, we've seen it.

Mr. Tassi stated right.

Chairman Olenius stated you know, usually you'll get a decision...

Mr. Tassi stated okay.

Chairman Olenius stated that evening.

Mrs. Sotomayor-Tassi stated okay. Oh great. Okay.

Nancy Tagliafierro stated at the next meeting. Yes.

Mrs. Sotomayor-Tassi stated okay. Terrific.

Chairman Olenius stated yes. On the 18th, yes. What time...You're back on winter hours now.

Board Member Burdick stated no.

Chairman Olenius stated not yet.

Board Member Burdick stated no.

Chairman Olenius stated I mean, typically we do the site walk around 4:30 or 5 o'clock. Is that too early.

Mrs. Sotomayor-Tassi stated no. I am a teacher in the Lakeland School District. So we don't

start until September 9th.

Chairman Olenius stated September 9th.

Mrs. Sotomayor-Tassi stated so I'll be... Yes. So I'll be around even just sort of...

Chairman Olenius stated okay. We will do our best to...

Mrs. Sotomayor-Tassi stated I know...

Chairman Olenius stated we usually settle on that at the end of the meeting. The Secretary will be in touch but we'll do our best to do it before September 9th.

Mrs. Sotomayor-Tassi stated okay, yes. I mean, if it has to be after, one of could get home by then, right, or...

Mr. Tassi stated yes. Except I have a couple trips, but that's all right.

Mrs. Sotomayor-Tassi stated that's right. Or John, my son, who's 23 [years old] will probably be home by 4:30, 5:00 if it's a day he's...

Chairman Olenius stated okay. If we can't do it before the 9th, we'll throw a couple of options out and we'll include a weekend date, also...

Mrs. Sotomayor-Tassi stated okay. That will be great.

Chairman Olenius stated for you.

Mrs. Sotomayor-Tassi stated thank you.

Chairman Olenius stated you know, just to get it done.

Mr. Tassi stated okay.

Chairman Olenius stated we try to do them during the week so we get the weekends off but, you know, obviously we're going to try and accommodate...

Mr. Tassi stated right. I understand not knowing the development because I live...

Mrs. Sotomayor-Tassi stated he used to live on Bradley Drive which is...

Mr. Tassi stated Bradley Drive. I lived, maybe, a quarter mile from where the house is now and...

Chairman Olenius stated really.

Mr. Tassi stated yes.

Mrs. Sotomayor-Tassi stated yes.

Chairman Olenius stated okay.

Mr. Tassi stated without having driven down there too often because there was no reason to.

Board Member Bodor stated yes.

Chairman Olenius stated right.

Mrs. Sotomayor-Tassi stated so he moved 2000 feet I moved far.

[Laughter]

Chairman Olenius stated substantially more.

Mrs. Sotomayor-Tassi stated okay.

Chairman Olenius stated here, you can take this back.

Mr. Tassi stated are there any other questions besides just having to look and see.

Chairman Olenius stated I don't think so. I mean, you gave us a pretty good feel with your picture packet and everything. It's just pictures don't show everything...

Mrs. Sotomayor-Tassi stated yes. You're not going to...

Chairman Olenius stated that's the problem.

Mrs. Sotomayor-Tassi stated that's fine.

Chairman Olenius stated and we kind of try and in our minds visualize it with the leaves off, you know, the leaves on.

Mrs. Sotomayor-Tassi stated right.

Chairman Olenius stated obviously this is more of a leaves on situation when it's in use.

Mr. Tassi stated right.

Chairman Olenius stated you know, but still.

Mr. Tassi stated right, and eventually the thought would be , you know, I'd probably put more screening up there but we haven't done a landscape plan, so...

Chairman Olenius stated oh, okay.

Mr. Tassi stated my thought would be putting arborvitaes or something that would actually screen the neighbor's completely anyways.

Chairman Olenius stated that's...Typically after a site walk, those are the questions that come up at the next meeting.

Mr. Tassi stated okay.

Chairman Olenius stated you know, for a little bit of discussion. So...because then we'll have a better feel where...

Mr. Tassi stated right.

Chairman Olenius stated you know, might be a good idea to put them. We can't force you to put anything, but, you know.

Mr. Tassi stated right. It's very wooded as it is right now. So I think, you know, when you do the site walk you're going to see the trees and shrubs that are there. Basically block the view of the house anyway, so...

Chairman Olenius stated okay.

Board Member Bodor stated okay.

Chairman Olenius stated well, I thank you for your time.

Mr. Tassi stated thank you.

Chairman Olenius stated we're just going to hold you over. Sarah will be in touch with a date for...

Mr. Tassi stated okay.

Chairman Olenius stated well, she'll be in touch. We'll give her a few.

Mr. Tassi stated okay.

Mrs. Sotomayor-Tassi stated okay.

Chairman Olenius stated she'll give you the first one first.

Mr. Tassi stated okay.

Mrs. Sotomayor-Tassi stated okay.

Chairman Olenius stated just so you know.

Mr. Tassi stated you know, we're usually very flexible. It's just I have a couple business trips, but we'll have somebody there.

Chairman Olenius stated okay, great. Thank you very much for your time.

Mrs. Sotomayor-Tassi stated thank you.

Board Member Bodor stated thank you.

Nancy Tagliafierro stated thank you.

Chairman Olenius stated can I keep this.

Board Member Bodor stated yes.

Chairman Olenius stated mine just stays together. We'll have it for the site walk, for a reference is really what I want it for, so...

Board Member Buzzutto stated the 9th was not a set date. That was just a...

Chairman Olenius stated if we could do it before that, that's all she asked.

Board Member Buzzutto stated okay. I did put it down with a question mark.

3) DANA SIMMONS CASE#16-13

Mr. Dana Simons was present.

The Secretary read the following legal notice:

Dana Simmons Case #16-13

Applicant, on behalf of The Andrew Trust, is requesting a Special Use Permit pursuant to §154-106 of the Patterson Town Code; Accessory buildings, in order to rebuild the 612 sq. ft. accessory building with a bathroom and kitchen. This property is located at 80 Big Elm Road (R-4 Zoning District).

Chairman Olenius stated good evening. Could you state your name for the record, please.

Mr. Dana Simmons stated Dana Simmons from Simmons Construction, Inc.

Chairman Olenius stated swear the testimony you provide will be the truth and the whole truth

tonight.

Mr. Simmons stated I do.

Chairman Olenius stated thank you very much. So, explain to us a little about your situation, please.

Mr. Simmons stated this property was purchased by a gentleman who is a little bit high profile. He does security for private people and the government and the CIA and that kind of thing. And he has a security staff that he employs on his property. Sometimes they're there 24 hours. Sometimes they're there...Normally they're there 8 to 10 hours a day, just as basic security. When he purchased the property, on the original survey that they got, there were two cabins on the property. One had been demolished without...He didn't know about it until he got there. It wasn't rebuildable. But the other cabin was there had a bathroom and a kitchen in it. He hired me to fix it; it was beyond fixing, so I had to tear it down. And what we're looking for is to put an office for his security guy. And he's also a write and he has two small children; 3 and 5 years old, and they make a lot of noise. So he would like a spot that he can also write. So, there's two rooms in the cabin. I think you have the plans in front of you. One's an office and one's his writing office and one's the office for the security guy. Now, the main reason we'd like to put the bathroom back in there is...Well, I can show you rather than tell you. Did anybody get the chance to make it out there to the site.

Board Member Bodor stated no, I haven't been up there. Actually, we don't have permission to be there. That was not signed.

Chairman Olenius stated that was in a different affidavit.

Board Member Bodor stated oh, okay. Alright. I looked at this.

Mr. Simmons stated so I've taken some photos of the property and basically I borrowed my wife's nice camera and I took pictures of the cabin and the bathroom and everything. That didn't work out so hot. So these are the pictures after we got out there and started. That's the cabin under destruction...demolition. We're tearing it down there. That's the drain from the old toilet that was there and the shower and the sink. We found the septic tank; we dug it out the day before yesterday. We ran water through it. And then when the Building Inspector came he said why don't you call the Board of Health and find out what they say. So I called and I spoke to Joe Paravati today...or yesterday, sorry. And he said why are you going to zoning. I'm like, well, because...Because. You know, it's a special use situation. And he said, well, the tank doesn't leak. I ran water through it for three hours. It just...There is a line going into the tank from the cabin and out of the tank. So there's a leach field already there because we didn't see any signs of water coming out of the ground at all. And he said, well, that sounds like a viable septic system to me. And I said, well, okay. But we're probably going to replace the tank anyway, you know, because the homeowner would definitely want to do that. Currently, his staff is in that trailer [referring to the pictures on the board]. That's the office for the security guy. That's the bathroom that they have on site; it's been there for a year and a half [referring to a picture of a porta potty]. When they go to hire...They've tried to hire temp help for bookkeeping and that kind of thing, you can't have temp help come to a property that doesn't

have a bathroom in it. In other words, they won't come to an office is the bathroom is in somebody's house or...The actual office has to have facilities for them. So, it is a kind of hardship, and that's what we're here to try to make. Have this. To get...

Chairman Olenius stated I'm...

Mr. Simmons stated we wish to put this in.

Chairman Olenius stated I'm looking at your drawing here.

Mr. Simmons stated yes.

Chairman Olenius stated 612 square feet. The 18' x 34' roughly, is that what the previous cabin was.

Mr. Simmons stated yes.

Chairman Olenius stated is he replacing the same footprint.

Mr. Simmons stated it's in exactly the same spot, yes.

Board Member Bodor stated and wasn't...Aren't you asking to put a bathroom in this new cabin.

Mr. Simmons stated we are.

Board Member Bodor stated you are. But it's not on here [referring to the plans].

Mr. Simmons stated why...I couldn't get the building...I have men who wanted to work, so I couldn't get the building permit with the bathroom on the plan, so it states on the plan "future bathroom" once it's approved by Zoning. See, we wanted to build the cabin anyway because we have a lot of work to do so, and I had my guys there and they were scheduled to start building, so I...In order for the Building Department to grant me a permit to build the cabin, I couldn't put the bathroom on there without permission from you guys. So, as soon as you say okay, I have a revised plan with a bathroom in it for him.

Board Member Bodor stated okay.

Chairman Olenius stated this is a big parcel.

Mr. Simmons stated 144 acres.

Chairman Olenius stated whoa.

Board Member Bodor stated the buildings look so tiny on here.

Mr. Simmons stated the real actual survey is huge and I can't...I have a plotter that prints out 3' by 2'...or 2' by whatever length, and the actual...It's like 4' x 5', the actual survey. It's huge.

Chairman Olenius stated I'm looking at this reduced copy here.

Mr. Simmons stated yes.

Chairman Olenius stated where is the cabin in relation to the main house, for a lack of a better word.

Mr. Simmons stated the main house is the big dot you see there.

Chairman Olenius stated yes.

Mr. Simmons stated and then the cabin is where the arrow goes to, to the right of it. That's where the cabin is.

Chairman Olenius state oh, up here. It's that far away. Okay.

Mr. Simmons stated yes. And I think it's just like 124' or so.

Chairman Olenius stated but it's 900 feet to the closest property line.

Mr. Simmons stated yes.

Chairman Olenius stated wow.

Mr. Simmons stated yes. I don't think anybody's going to be effected by this in other words.

Chairman Olenius stated no, I would say not.

Board Member Bodor stated what's the other little building on the way in on the driveway there.

Mr. Simmons stated there's a barn. It's about...

Board Member Bodor stated a barn.

Mr. Simmons stated 200 years old. It's on the property. I'll be back for that one.

[laughter].

Board Member Bodor stated it's falling apart.

Mr. Simmons stated well, He would like to subdivide, possibly, and refurbish it and make it into a home or something like that but there's issues and, you know, we haven't really begun to tackle that yet. But I have a feeling in order to make that happen I'll have to come see you again. But that's way down the road.

Chairman Olenius stated and what's the size of the principal structure.

Mr. Simmons stated 5,000 square feet.

Chairman Olenius stated okay. So you're well within the...

Mr. Simmons stated that's...Yes. Five thousand square feet on the first floor and we're looking at making a master bedroom on the second floor and it will end up probably being closer to seven [thousand square feet], you know. And that's part of...Part of the other staff that's there is the ground keeping staff. They're fulltime as well. And they're in the other trailer. So, you know...But that is the bathroom that those guys use. It's not a bathroom. Porta-John they use. Which is, you know, uncomfortable in the winter time as you can probably imagine.

Chairman Olenius stated I'm sure. Does anybody in the audience have comment on this case.

Audience Member stated no, just listening.

Chairman Olenius stated okay. I don't have anything further. You guys have anything further on this.

Board Member Buzzutto stated no. How old is the structure itself that's there.

Mr. Simmons stated the one that we tore down.

Board Member Buzzutto stated yes.

Mr. Simmons stated that was 1953, I think.

Board Member Buzzutto stated oh, it's fairly...

Mr. Simmons stated yes.

Board Member Buzzutto stated okay.

Mr. Simmons stated the septic tank we think is like in the seventy...It must have been a replacement tank. We're thinking somewhere in the late 70s, 80s. It doesn't leak, which is an interesting thing because it's an old metal tank in the ground.

Chairman Olenius stated steal tank.

Mr. Simmons stated but we opened it up. We ran water through it. And water fills up and it goes out. And, you know, they're like okay. So when I called Paravati he was like, what. He's like it works, it works. I'm like, yes, okay. I guess that's the way he kind of looks at it. But we will apply for a permit with the County to replace the tank and repair the septic and make sure that everything's up to Code on that and then we'll have a document from them stating that it's working.

Chairman Olenius stated I admire the fact that you're trying to do everything properly.

Mr. Simmons stated everything, yes.

Chairman Olenius stated usually people come to us after they've done it and beg forgiveness.

Mr. Simmons stated there was a bit of that, but I came on the scene after that. We straightened all of that out. There was a little bit of that going on. We fixed it.

Chairman Olenius stated you guys have anything else.

Board Member Bodor stated no.

Board Member Buzzutto stated no.

Chairman Olenius stated I'm going to make a motion to close the public hearing.

Board Member Buzzutto stated second.

Chairman Olenius stated all in favor. Motion carried by a vote of 5 to 0.

Chairman Olenius read the following resolution:

IN THE MATTER OF THE APPLICATION OF
Dana Simmons Case #16-13
For a Special Use Permit for an Accessory Building

WHEREAS, *The Andrew Trust* is the owner of real property located at 80 Big Elm Road (**R-4 Zoning District**), also identified as ***Tax Map Parcel #24.-1-1***, and

WHEREAS, *Dana Simmons of Simmons Construction, Inc.* has made application to the Zoning Board of Appeals for a Special Use Permit pursuant to **§154-106** of the Patterson Town Code; Accessory buildings, in order to rebuild the 612 square foot accessory building with a bathroom and a kitchen, and

WHEREAS, §154-106 of the Patterson Town Code; Accessory buildings states that accessory buildings for residential occupancy may be permitted in the R-4 Zoning District by special use permit, and

WHEREAS, the proposed action constitutes an unlisted action under 6 NYCRR Part 617, and

WHEREAS, a public hearing was held at the Patterson Town Hall, 1142 Route 311, Patterson, New York on **August 21, 2013** to consider the application; and

WHEREAS, The Patterson Zoning Board of Appeals finds that the Applicant ***has*** met the requirements for the issuance of a special use as set forth in **§154-106** of the Patterson Zoning Code;

- A. The building shall be used as an accessory use to a detached one-family dwelling only.
- B. The building is used solely, and in its entirety, for the purpose of providing living quarters.
- C. The parcel of property containing the structure is five or more acres. ***The property is 134.53 acres.***
- D. The maximum size of the accessory structure shall be a 1/3 the size of the principal building, as measured by the total floor area, including nonhabitable space, of each building; however, in no case shall the building exceed 1,250 square feet in livable floor area. In addition, the architectural character of the accessory building shall be similar in character to that of the principal building.
- E. The principal dwelling shall be occupied by the owner of the property on which the accessory dwelling is constructed.
- F. The Zoning Board of Appeals shall determine that suitable facilities exist for yard space, sanitary facilities and potable water.
- G. Suitable access and parking shall be provided, which shall be constructed in accordance with the standards of this chapter.

NOW, THEREFORE BE IT RESOLVED, that the Patterson Zoning Board of Appeals hereby determines that the proposed action ***will not*** have significant effects on the environment and issues a negative SEQRA declaration for the following reasons:

1. There ***will not*** be substantial change in existing air quality, ground or surface water quality or quantity, traffic or noise levels.
2. There ***will not*** be substantial increase in potential for erosion, flooding, leaching or drainage problems.
3. There ***will not*** be removal or destruction of large quantities of vegetation or fauna.
4. There ***will not*** be substantial increase in traffic or the use of existing infrastructure.
5. There ***will not*** be significant impairment of the character or quality of architectural or aesthetic resources of the existing neighborhood character.

NOW, THEREFORE BE IT RESOLVED, that the Patterson Zoning Board of Appeals hereby ***grants*** the application of ***Dana Simmons*** for a special use permit as set forth in §154-106 of the Patterson Town Code; Accessory buildings, to permit the reconstruction of a 612 square foot accessory building with a bathroom and kitchen.

Board Member Herbst stated second.

Board Member Bodor	-	yes
Board Member Burdick	-	yes
Board Member Buzzutto	-	yes
Board Member Herbst	-	yes
Chairman Olenius	-	yes

Resolution carried by a vote of 5 to 0.

Mr. Simmons stated thank you guys.

Chairman Olenius stated thank you. Good luck.

Board Member Buzzutto stated good luck.

Mr. Simmons stated thanks. I'll be back.

[Laughter]

Board Member Bodor stated you have your photos [referring to the picture on the board].

Mr. Simmons stated my poster.

Board Member Herbst stated already you're coming back.

Mr. Simmons stated what.

Board Member Herbst stated already you're coming back.

Mr. Simmons stated oh, yes. I'll be back next time. There's plans all of it good though. Thank you.

Chairman Olenius stated thank you.

Board Member Bodor stated you're welcome. Good night.

Chairman Olenius stated big property.

Board Member Bodor stated yes.

4) OTHER BUSINESS

Chairman Olenius stated other business. Can you renotece...

The Secretary stated yes.

Chairman Olenius stated the correct address...

The Secretary stated when I notice for the next meeting...

Chairman Olenius stated on the Teal Lane.

The Secretary stated yes. I will correct that.

a) Site Walk

Chairman Olenius stated so we're covered with that, please. And what does everybody think for a site walk for that one while we're talking about Teal Lane. Oh, so we have more than two weeks. Her school must...doesn't start until after the Jewish holidays. That's nice. That's a nice school district. Does anybody have any bad times. We have the last week, like next week, the last week in August.

Board Member Bodor stated that's impossible for me.

Chairman Olenius stated and the first week in September.

Board Member Buzzutto stated we've got a holiday in the first week of September, right.

Chairman Olenius stated Monday, yes.

Board Member Bodor stated Monday.

Board Member Buzzutto stated Monday, yes. Well, that's okay with me then.

Chairman Olenius stated I can't do Monday.

Board Member Bodor stated I can't either.

Chairman Olenius stated but I don't have anything Tuesday, Wednesday, Thursday or Friday, which sounds far too good to be true. That's got to be impossible. It's not in here, so...Anybody have a...Do any of those work for anybody.

Board Member Burdick stated all of those days work for me.

Board Member Buzzutto stated when.

Board Member Bodor stated Wednesday would be tight for me because I work till 4:30.

Chairman Olenius stated okay.

Board Member Bodor stated the others are alright.

Chairman Olenius stated Thursday.

Board Member Bodor stated the 5th.

Chairman Olenius stated Thursday the 5th at...

Board Member Buzzutto stated September.

Chairman Olenius stated yes. What time, Marianne, can you still do.

Board Member Burdick stated 4:30. Quarter after 4, 4:30.

Chairman Olenius stated 4:30 work for everybody.

Board Member Buzzutto stated 4:30.

Board Member Bodor stated and a second choice.

Chairman Olenius stated I don't have anything Friday the 6th.

Board Member Bodor stated alright. 4:30 on the 6th would be alright, yes. So your first choice the 5th and the second choice the 6th, at 4:30 each day.

Chairman Olenius stated sounds good to me.

Board Member Buzzutto stated and what was the alternative day.

Board Member Burdick stated the 6th.

Board Member Bodor stated the 6th.

Chairman Olenius stated the 6th.

Board Member Burdick stated September 6th.

Board Member Buzzutto stated the 6th.

Board Member Herbst stated the 6th is what day.

Chairman Olenius stated Friday.

Board Member Buzzutto stated at 4:30.

Board Member Burdick stated the 5th is the first choice, that's Thursday. And then the alternate...

Board Member Herbst stated that's Thursday.

Board Member Buzzutto stated yes, Thursday the 5th would be the first choice.

Board Member Burdick stated and the alternate site walk is the 6th, which is Friday.

Board Member Buzzutto stated 4:30.

Board Member Herbst stated okay.

Board Member Buzzutto stated (inaudible) has got to go. Where will we meet on that there. I don't know where we're going on that one.

Chairman Olenius stated I don't know either, exactly. Other than it's off Old Road, that new subdivision that attaches to Apple Hill.

Board Member Buzzutto stated Old Road, isn't that down near...

Board Member Bodor stated by the old troopers barracks.

Board Member Buzzutto stated by the old troopers... Yes. That's Old Road.

Board Member Bodor stated yes.

Board Member Buzzutto stated that comes out some place up on top of the hill though.

Board Member Bodor stated yes it does. But I don't know where.

Board Member Buzzutto stated what end though, we don't know.

Chairman Olenius stated I think it's closer to [Route] 22. Towards that end. When you come...If you came in Old Road from 22, I think it's your first left. Or first major left because it's the new subdivision going in there.

Board Member Buzzutto stated yes.

Board Member Bodor stated he said something that you could see it almost immediately in front.

Chairman Olenius stated if there were no trees, he said.

Board Member Bodor stated if there we no...Yes. So it's got to be down on the end somewhere.

Board Member Buzzutto stated I think we site walk over there once before.

Chairman Olenius stated we have.

Board Member Bodor stated we have.

Chairman Olenius stated there's a big retention pond there.

Board Member Bodor stated we've been there before.

Board Member Buzzutto stated right, yes.

Board Member Bodor stated we've been in there before but I don't know my way around there.

Chairman Olenius stated it sounds like you go up to that first intersection and make a left. Because I think our other one...One was to the right and one was before the first intersection.

Board Member Bodor stated I don't remember.

Chairman Olenius stated one was like the first house on the left. It was a patio or something like that, right. So I think you go to the stop sign and make a left and go down. You know what, I'll get there early and I'll meet you guys by the entrance. I'll go scout out the exact location...

Board Member Bodor stated drop crumbs.

Chairman Olenius stated location. I can do that.

[Laughter]

Chairman Olenius stated and I'll meet you back by the retention pond there.

Board Member Bodor stated a retention pond. What retention pond.

Chairman Olenius stated I remember it distinctly because when you pulled in, it was big. It was on your right and it was all...

Board Member Bodor stated right.

Chairman Olenius stated rock lined and whatnot. Because we were looking at the houses directly across from it.

Board Member Bodor stated okay.

Chairman Olenius stated I believe.

Board Member Buzzutto stated so be it.

Board Member Bodor stated okay.

b) Minutes

Board Member Buzzutto stated minutes, I haven't looked at. I just got mine, so...

Chairman Olenius stated I did read the minutes. I'll make a motion to approve the minutes as submitted from July.

Board Member Burdick stated second.

Chairman Olenius stated all in favor. Motion carried by a vote of 5 to 0.

Chairman Olenius stated okay, good. I make a motion to close.

Board Member Herbst stated second.

Chairman Olenius stated all in favor. Motion carried by a vote of 5 to 0.

Meeting was adjourned at 7:45 p.m.