

**TOWN OF PATTERSON
ZONING BOARD OF APPEALS
August 30, 2010**

AGENDA & MINUTES

	Page	
1) Robert Pinchbeck Case #15-10	1 – 5	Public hearing continued; Application held over pending a new survey
2) Sean Fallon Case #19-10	5 – 10	Public hearing closed; Area variances for side and rear yard granted
3) Getty Petroleum Marketing, Inc. Case #20-10	10 – 19	Public hearing opened; Application held over pending site walk
4) Robert Stanton Case #21-10	19 – 29	Public hearing opened; Application held over pending site walk
5) John Ragonesi Case #22-10	29 – 37	Public hearing opened; Application held over pending site walk
6) Other Business		
a) Site walks	37 – 38 39 – 43	Site walks set for September 7, 2010
b) Minutes	38	May 19, 2010 and June 14, 2010 minutes approved
c) Hudson Valley Trust, Inc. Case #08-10	39	

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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

**ZONING BOARD OF
APPEALS**

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Mary Bodor, Vice Chairwoman
Marianne Burdick
Lars Olenius
Gerald Herbst

PLANNING BOARD

Shawn Rogan, Chairman
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**Zoning Board of Appeals
August 30, 2010 Meeting Minutes
Held at the Patterson Town Hall
1142 Route 311
Patterson, NY 12563**

Present were: Chairman Howard Buzzutto, Board Member Mary Bodor, Board Member Marianne Burdick, Board Member Lars Olenius, Board Member Gerald Herbst, Carl Lodes, Attorney with Town Attorney's Office Curtiss & Leibell and Rich Williams, Town Planner.

Chairman Buzzutto called the meeting to order at 7:03 p.m.

There were approximately 9 members of the audience.

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

Chairman Buzzutto stated alright.

Roll Call:

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

1) ROBERT PINCHBECK CASE #15-10

Mr. Robert Pinchbeck was present.

Chairman Buzzutto stated you want to read the...

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 30, 2010 at 7:00 p.m. at the Patterson Town Hall, 1142 Route 311, Patterson, Putnam County, New York to consider the following application.

Robert Pinchbeck Case #15-10 – Area Variances; Held over from the June 14, 2010 and July 21, 2010 meetings

Applicant is requesting area variances pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, in order to legalize an existing wood deck. The Code requires there to be a 15' side yard setback; Applicant has 11'; Variance requested is for 4'. The Code also requires a 20' rear yard setback; Applicant has 0'; Variance requested is for 20'. This property is located at 36 Lacona Drive (RPL-10 Zoning District).

Chairman Buzzutto stated Mr. Pinchbeck here. You heard the agenda read. Is there any changes in your...

Mr. Robert Pinchbeck stated no changes since we've met. Except for I have met with a land surveyor. They are ready to do a land survey.

Chairman Buzzutto stated you're having one done now.

Mr. Pinchbeck stated I...It's a phone call right now.

Chairman Buzzutto stated okay. Well, in that case we have to see the new survey if you're going to have it.

Mr. Pinchbeck stated okay. My concern was to be here tonight to, one, address the fact that I'm trying to remedy an existing violation...a building department violation, on the property.

Chairman Buzzutto stated yes.

Mr. Pinchbeck stated and this is a continued effort. Two, with respect to the survey, reviewing it with the surveyors office, they're assured me that if a property hasn't changed and the structures haven't changed, that there's a good chance that the only thing to change on the survey will be the Prepared for and the date.

Chairman Buzzutto stated but the survey, you say, will basically be the identical to the original.

Mr. Pinchbeck stated yes.

Chairman Buzzutto stated well, we should wait until we see that then.

Board Member Bodor stated when we did the site walk, we did request that you get a new survey because the existing one was very, very old. I don't have my copy here tonight...

Mr. Pinchbeck stated okay, I mean...

Board Member Bodor stated but it was extremely old. And our other concern was exactly where your property lines were. I think it goes this way on that angle. We couldn't find the pin and, you know, we were unable to definitely tell where the property line was, and the survey with the new stakes, would be...would mark it off for us. Those were our concerns. And as a result, especially with that back deck that you're going to cut off, part of, to keep it within your property, you want to cut it at the property line, well, which way is the property line. See what...

Mr. Pinchbeck stated right. They're ready to do that...

Board Member Bodor stated everything is contingent upon...

Mr. Pinchbeck stated okay.

Board Member Bodor stated that new survey, actually.

Mr. Pinchbeck stated and you are asking for stakes, I mean, for the property.

Board Member Bodor stated oh, yes.

Mr. Pinchbeck stated not just the survey.

Board Member Bodor stated well, when the surveyors do it, they'll put the stakes in.

Mr. Pinchbeck stated okay.

Chairman Buzzutto stated yes.

Board Member Bodor stated but the existing survey was so old, you know, things change. And you know, you know, yourself, you admit it. You couldn't find the pins there. So we couldn't...

Mr. Pinchbeck stated no.

Board Member Bodor stated it was hard to tell where exactly your line began and the next neighbor's began.

Chairman Buzzutto stated yes.

Mr. Pinchbeck stated let me...

Chairman Buzzutto stated alright, so what we'll do is just table this.

Mr. Pinchbeck stated okay.

Chairman Buzzutto stated we won't close the public hearing on it. We'll just table it until the next meeting...Or until you show us the new survey.

Mr. Pinchbeck stated okay. I'll...

Chairman Buzzutto stated so when you get the new survey, will you get in touch with Sarah...

Mr. Pinchbeck stated okay.

Chairman Buzzutto stated can have it, and we can make copied of it.

Mr. Pinchbeck stated very good.

Chairman Buzzutto stated okay, sorry for the delay, but...

Mr. Pinchbeck stated no, it's...

Chairman Buzzutto stated but it's something that we have to have...

Mr. Pinchbeck stated I was concerned about the change that (inaudible – too many talking) if there was no change. But, you know, having stakes done and...

Chairman Buzzutto stated thank you for your patience and stuff like that.

Mr. Pinchbeck stated being able to locate the property line.

Chairman Buzzutto stated very good.

Mr. Pinchbeck stated I mean, my other concern was, you know, having a zero setback, you know...

Chairman Buzzutto stated yes.

Mr. Pinchbeck stated could they pin it or stake it right then so we could get a line to show you where I'm going to cut.

Chairman Buzzutto stated yes.

Mr. Pinchbeck stated and, you know, we're trying to do that all at once.

Chairman Buzzutto stated okay.

Board Member Olenius stated it will definitely be beneficial. Also, if they could put points for the carport, which on your current survey don't have distances to the sideline...

Mr. Pinchbeck stated yes.

Board Member Olenius stated just so we could see.

Mr. Pinchbeck stated okay.

Board Member Olenius stated and (inaudible) boundaries. I'd rather you were all legit...

Mr. Pinchbeck stated okay.

Board Member Olenius stated in one fell swoop.

Chairman Buzzutto stated okay, fine.

Board Member Olenius stated alright.

Board Member Bodor stated so when you're ready to proceed, you may contact...

Mr. Pinchbeck stated I'll call the office.

Board Member Bodor stated okay. Thank you.

Board Member Burdick stated thank you.

Board Member Olenius stated thank you.

Chairman Buzzutto stated okay, that...

2) **SEAN FALLON CASE #19-10**

Mrs. Margaret Fallon and Mr. Art Travis were both present.

Chairman Buzzutto stated Fallon.

The Secretary read the following legal notice:

Sean Fallon Case #19-10 – Area Variances; Held over from the July 21, 2010 meeting
Applicant is requesting area variances pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, in order to replace and enlarge an existing rear deck. The Code requires a minimum side yard setback of 15'; Applicant will have 3'; Variance requested is for 12'. The Code also requires there to be a minimum rear yard setback of 20'; Applicant will have 5'; Variance requested is for 15'. This property is located at 7 Ulster Road (RPL-10 Zoning District).

Chairman Buzzutto stated Fallon.

Mrs. Margaret Fallon stated my husband couldn't be here. He had three softball playoff games tonight, so this is my dad.

Mr. Art Travis stated I will attempt to answer anything you need.

Board Member Bodor stated so you're Mrs. Fallon.

Mrs. Fallon stated that's me. Peggy. Margaret.

Chairman Buzzutto stated okay.

Board Member Bodor stated and your dad's name.

Mr. Travis stated Art.

Board Member Bodor stated Art.

Mr. Travis stated Travis.

Board Member Bodor stated Travis. Okay. For the record.

Chairman Buzzutto stated alright, let's see. We did a site walk on this.

Board Member Bodor stated we did a site walk and at the time we found the shed was sitting there and we were questioning whether it was too close to the side and rear but...

Mr. Travis stated it was...

Board Member Bodor stated the Building Inspector has been out there...

Mr. Travis stated yes.

Board Member Bodor stated it has been measured out and the size of it was okay, too. It was all legal.

Mr. Travis stated that's right.

Chairman Buzzutto stated yes. It was all...We did get a letter on it.

Board Member Bodor stated yes. We have a letter from the Director of Code Enforcement saying that everything was fine...

Mr. Travis stated right.

Board Member Bodor stated as far as the shed goes.

Mrs. Fallon stated great.

Board Member Bodor stated okay.

Mr. Travis stated we were pretty sure it was.

Mrs. Fallon stated thanks.

Chairman Buzzutto stated okay. Now, the setbacks. This was the one that had the...They need the side yard and the...This is the one that had the big area in the back, wasn't it. The triangle area. I don't have my plans.

Board Member Bodor stated no. This is the one...

Chairman Buzzutto stated well, yes. Is that...

Mr. Travis stated I have a plan here.

Chairman Buzzutto stated I don't think that picture was a picture of...

Board Member Bodor stated here.

Chairman Buzzutto stated yes. That's the one.

Board Member Bodor stated the deck is going back into the back corner.

Chairman Buzzutto stated right.

Board Member Bodor stated which is...There's fencing all around. Here's the house.

Chairman Buzzutto stated right. The only question we had was the shed.

Board Member Bodor stated right. Exactly. This looked like, as far as I was concerned, the deck was a good plan.

Chairman Buzzutto stated right. The way it was setup.

Board Member Bodor stated yes.

Chairman Buzzutto stated alright. You satisfied by the site walk and that we've seen everything out there.

Board Member Bodor stated oh, I am.

Board Member Burdick stated yes.

Board Member Olenius stated yes.

Chairman Buzzutto stated is there any input from the audience on this particular application.

Board Member Bodor state this is in an area where everyone is...decks out in the back and...

Chairman Buzzutto stated yes.

Board Member Bodor stated fencing around their yard and...

Mr. Travis stated one good thing about this, I think, is it's very low to the ground.

Board Member Bodor stated yes.

Chairman Buzzutto stated yes.

Mr. Travis stated if it were a normal deck above ground, you'd be looking over fences.

Board Member Bodor stated right.

Mr. Travis stated so this is kind of...

Chairman Buzzutto stated yes.

Mr. Travis stated it's on the ground.

Chairman Buzzutto stated and this is sort of secluded from...

Mr. Travis stated yes.

Chairman Buzzutto stated everybody else.

Mr. Travis stated yes.

Mrs. Fallon stated yes. Exactly.

Chairman Buzzutto stated so nobody can see anything there.

Mrs. Fallon stated nobody will really be able to see it. And we actually plan on putting the stockade fence on the other side of our property where it was just chained link. And our neighbors are totally fine with that, so...

Mr. Travis stated next project.

Mrs. Fallon stated yes.

[Laughter].

Mrs. Fallon stated not this time.

Chairman Buzzutto stated you got that one there [referring to the resolution].

Board Member Bodor stated I make a motion to close the public hearing.

Board Member Herbst stated second.

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

Chairman Buzzutto stated so be it.

Board Member Bodor stated duly noted.

Chairman Buzzutto stated public hearing is now closed.

Board Member stated we have a reso. Lars, you have that one.

Board Member Olenius stated I'll do my best here.

Board Member Olenius read the following resolution:

IN THE MATTER OF THE APPLICATION OF
Sean Fallon, Case #19-10
For Area Variances for Replacing and Enlarging a Rear Deck

WHEREAS, *Sean Fallon* is the owner of real property located at 7 Ulster Road (RPL-10 Zoning District), also identified as **Tax Map Parcel #36.57-1-10, and**

WHEREAS, *Sean Fallon* has made application to the Patterson Zoning Board of Appeals for area variances pursuant to §154-7 of the Patterson Town Code, Schedule of regulations, in order to replace and enlarge an existing rear deck, and

WHEREAS, §154-7 of the Patterson Town Code requires a 15' side yard setback; Applicant will have 3'; *Variance requested is for 12'*, and

WHEREAS, §154-7 of the Patterson Town Code requires an 20' rear yard setback; Applicant will have 5'; *Variance requested is for 15'*, and

WHEREAS, the proposed action constitutes a Type II action under 6 NYCRR Part 617, and therefore requires no further review under the State Environmental Quality Review Act (SEQRA), and

WHEREAS, a public hearing was held on the Application at the Patterson Town Hall, 1142 Route 311, Patterson, New York on *July 21, 2010 and August 30, 2010*, and a site walk conducted on *August 3, 2010* to consider the application; and

WHEREAS, The Patterson Zoning Board of Appeals has given careful consideration to the facts presented in the application and at the public hearings and finds that:

1. the proposed application *will not* produce an undesirable change in the character of the neighborhood *because due to the small lot sizes within the existing neighborhood, typical situations arise on all neighboring properties.*
2. the benefit sought by the applicant *cannot* be achieved by any other feasible means *because of the situation of the house within the property; it is tucked in the left rear corner.*
3. the variance requested *is* substantial *however not so much as to disqualify the application.*
4. the proposed variance *will not* have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district *because there still exists a large enough area of non-impervious coverage for absorption and environmental impacts.*
5. the alleged difficulty necessitating the variance *was self-created, however, is not sufficient* so as to cause a denial of the requested variance.

NOW, THEREFORE BE IT RESOLVED, that the Patterson Zoning Board of Appeals hereby *grants* the application of *Sean Fallon* for *an area variance* pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, *of 12' from the 15' required for a side yard setback*, and

BE IT FURTHER RESOLVED, that the Patterson Zoning Board of Appeals hereby *grants* the application of *Sean Fallon* for *an area variance* pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, *of 15' variance from the 20' required for a rear yard setback*, in order to replace and enlarge an existing rear deck.

Board Member Bodor stated I'll second it.

Board Member Bodor	-	yes
Board Member Burdick	-	yes

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

Resolution carried by a vote of 5 to 0.

Chairman Buzzutto stated the existing deck was not very big, was it.

Mrs. Fallon stated no. It was tiny. You could put our grill on it.

Chairman Buzzutto stated yes. Okay, good luck.

Mr. Travis stated thank you very much.

Mrs. Fallon stated thank you so much everyone.

Board Member Bodor stated okay. Good luck.

Mrs. Fallon stated thank you for your help. Should my husband contact you. Does he need to do anything after this.

The Secretary stated just Building.

Mrs. Fallon stated what.

The Secretary stated Building Department.

Mr. Travis stated Building Department.

Mrs. Fallon stated Building Department. Okay. To get a permit, right.

The Secretary stated right.

Mrs. Fallon stated okay. Thank you.

Board Member Olenius stated this number was different...It's right, it just caught me off guard [referring to the resolution].

3) GETTY PETROLEUM MARKETING, INC. CASE #20-10

Mr. Jason Caza was present.

The Secretary read the following legal notice:

Getty Petroleum Marketing, Inc. Case #20-10 – Area Variances

Applicant is requesting area variances pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, in order to legalize the existing kerosene and propane sales area. Sales areas will be 5' from the side property line; The Code requires a 20' side yard setback in the C-1 Zoning District; Variances requested are for 15' for both the kerosene and propane sales area. Applicant is also proposing a dumpster area 5' from the side property line; Variance requested is for 15'. Applicant is also requesting an area variance pursuant to §154-67(2) of the Patterson Town Code; Signs in business districts. The main sign is 38.65 square feet; The Code states that the sign shall not exceed 25 square feet; Variance requested is for 13.65 square feet. This property is located at 3230 Route 22 (C-1 Zoning District).

Chairman Buzzutto stated Getty. You want to give your name, Sir.

Mr. Jason Caza stated yes. My name is Jason Caza. I'm Compliance Project Manager for the Tyree Environmental Corporation. On behalf...I'm here on behalf of Getty Petroleum Marketing.

Chairman Buzzutto stated okay. These variances are all...

Board Member Bodor stated do you swear to tell the...

Chairman Buzzutto stated oh. Go ahead.

Board Member Bodor stated do you swear to tell the...that the testimony that you provide tonight will be the truth and the whole truth.

Mr. Caza stated yes I do.

Chairman Buzzutto stated okay, fine. Thank you. These are all preexisting violations on the property.

Mr. Caza stated yes.

Chairman Buzzutto stated they're all preexisting.

Mr. Caza stated yes.

Chairman Buzzutto stated but they were not conforming.

Board Member Bodor stated they're all in existence right now.

Chairman Buzzutto stated they're all...

Mr. Caza stated yes.

Board Member Bodor stated this is not anything new that you want to do. They are in existence.

Mr. Caza stated yes they are.

Board Member Bodor stated why are you here tonight to all of the sudden legalize them.

Mr. Caza stated well, this has been going for quite awhile. The original site plan drawings were wrong. And it kind of just...it just kind of fell, and nobody took care of it. And thus it came to me and I had new plans drawn up. These are actually the third set of plans. After several site visits, we actually finally got it right and now we want to make sure that everything's...we really just want to be in compliance with the Town Code and regulations, so...

Board Member Bodor stated so the things have just kind of mushroomed...

Mr. Caza stated yes.

Board Member Bodor stated and taken a life of their own.

Mr. Caza stated yes.

Board Member Bodor stated and now we're working on a site plan.

Mr. Caza stated now we're here, now we have the right plans. The right drawings. And we also, if I may, besides the variances that we're requesting, we also have a scope of work that go along with this. If I may go over the scope, if that's okay.

Board Member Bodor stated go ahead.

Chairman Buzzutto stated yes. Go ahead.

Mr. Caza stated it won't take long.

Chairman Buzzutto stated referring to the scope of work meaning...

Mr. Caza stated meaning...

Chairman Buzzutto stated just for the record.

Mr. Caza stated yes, right. In regards to the violations, some of the other violations that were given by the Town. Half the building's being leased by a body mechanic, so there are a lot of cars, makeshift tents, tires and debris. We've had several site visits with the Territory Sales Manager of Getty, myself, and the overall Territory Manager. And we've had several site walks with this gentleman, and he understands what needs to be done. Vehicles that are being stored in the southern and eastern corners of the property are to be removed. Vehicles not actively being serviced, scheduled for service, are not permitted on site.

Chairman Buzzutto stated these are unregistered vehicles.

Mr. Caza stated some of them may be, yes. But some of them are. He says that they are...that he uses them for parts, etcetera, and it's just...

Chairman Buzzutto stated junkyard, really.

Mr. Caza stated what's that.

Chairman Buzzutto stated it's a junkyard then, if he's using them for parts.

Mr. Caza stated right. And that's what we told him. That's not acceptable.

Board Member Bodor stated is there a timeframe for this all to take place.

Mr. Caza stated there may have been at one time. But no one's acted on it.

Board Member Bodor stated okay.

Mr. Caza stated so we take...We took the initiative and told him, you know, these cars have to go. Your makeshift tents...He's got like makeshift type garages made out of canvas. They have to go. Any debris that he has laying around has to be cleaned up. Trailers that have to go to. He understands that. We made it very clear at our last meeting; We had the big shot of Getty come with me. So, it's a little more ammo in my belt. And he got the hint.

[Laughter].

Mr. Caza stated dumpster. The dumpster is to be enclosed per specifications of my site plans. Trees; this was a big issue. Trees behind the building are to be trimmed and removed as necessary to allow for room for emergency vehicles to travel behind the building. That was a big issue. And I'll be taking on that...I'll be project managing that part of the work myself. The chained link fence behind the building in the southern corner is to be removed. Gutters and downspouts are to be repaired, replaced if necessary. That's already been done. The structure needs to be power washed and be painted; that's already done. And the modifications to be made to the gasoline fueling area, propane filling area and kerosene fill area as noted. That's a general scope of work that we're planning on doing.

Chairman Buzzutto stated well, who owns and operates the store there. The owner.

Mr. Caza stated the operator.

Chairman Buzzutto stated the operator...

Mr. Caza stated yes.

Chairman Buzzutto stated owns the...

Mr. Caza stated and the operator and the body mechanic, I have his card in my briefcase, they get along but they understand what we need to have done.

Chairman Buzzutto stated and they have agreed to comply with all your requirements.

Mr. Caza stated oh.

Chairman Buzzutto stated now these are requirements from Getty.

Mr. Caza stated some of them are from Getty, but some of them are from the Town.

Chairman Buzzutto stated the Town. Yes, that's right.

Mr. Caza stated yes. Especially the emergency vehicles being able to get in the back. That's a biggie. So...And like I said, I'm taking on that project myself. And that was definitely going to be handled.

Board Member Herbst stated when do you plan on having that finished.

Mr. Caza stated once I get the go ahead. Once these variances are...These variances and site plans are approved.

Board Member Bodor stated none of this cleanup can take place until we approve these variances.

Mr. Caza stated that's what I was led to believe. But if...I would love to do it today.

Board Member Bodor stated I would love you to do it today.

Mr. Caza stated yes. I would have loved to do it last month. But I was under the assumption that I had to have these variances requested and then approved and then my site plans approved before I...

Chairman Buzzutto stated well, it would be contingent on everything being done. If it wasn't done, then the approvals wouldn't be in effect, the way I see it. If that was stipulated.

Carl Lodes stated I'm a little confused between some of the compliance issues and here. Here, he's for the variances. The other issues are probably before the Planning Board or the Building Inspector. Not for here.

Board Member Burdick stated he's just...He wanted to give us a scope of what the project...

Carl Lodes stated just a scope.

Board Member Burdick stated was.

Carl Lodes stated right.

Board Member Burdick stated of what they we were planning on doing.

Mr. Caza stated I just wanted you to know what we were doing at this site...

Board Member Bodor stated right.

Mr. Caza stated to make it in compliance and to make it...

Board Member Burdick stated and I think what some of the Board Members are saying, and I agree, is that some of the cleanup...there's nothing stopping you from doing that.

Mr. Caza stated okay.

Board Member Burdick stated those tents and the stuff that you're asking the gentleman that's doing the mechanic work, that stuff could be done. And you said at the last meeting that you made it very clear and he understood what needs to be done, was there a timeframe at that meeting given to him.

Mr. Caza stated we gave him until...We gave him until today, to be honest with you. We told him that we want this stuff cleaned up. We want the cars removed. We want the trailers moved. We want these makeshift tents taken down, everything cleaned up, during the time of this meeting. So...

Board Member Bodor stated and has it been done.

Mr. Caza stated I have not been to the site since then. And that was two, two and a half...three weeks ago. So, I'm assuming that has been.

Board Member Bodor stated never assume.

Chairman Buzzutto stated does Getty own that property or do they lease it from...

Mr. Caza stated yes.

Chairman Buzzutto stated another owner.

Mr. Caza stated Getty owns the property.

Chairman Buzzutto stated Getty owns the property.

Mr. Caza stated yes.

Chairman Buzzutto stated it's not a leasee type of thing.

Mr. Caza stated that's why I had the territory manager come with me.

Chairman Buzzutto stated okay.

Mr. Caza stated to make it very clear that this wasn't going to be acceptable.

Chairman Buzzutto stated alright.

Board Member Olenius stated well, I'm speaking for myself, but I have to be completely honest. I'm not comfortable reading any resolutions tonight, being the fact that you don't know what's been accomplished at this point and neither do I, until I do a site walk and see the property for myself. And I'm speaking solely for myself, but...

Board Member Burdick stated I agree.

Board Member Olenius stated I'm just stating my position.

Board Member Bodor no, I agree with you. I do have one question. The sign, now that is larger than our Code states. Apparently it's 38.65 square feet, and our Code says it shall not exceed 25 square feet. Is that a standard size, that Getty sign that's up there.

Mr. Caza stated yes. And that sign has been there for a very long time.

Board Bodor stated I know it has. Yes.

Mr. Caza stated it doesn't prohibit any visual, you know, going north or southbound. It doesn't, you know, inhibit anybody's, you know, sight of view. And to, honestly, to take it and move it would just be a, you know...

Board Member Bodor stated no, I'm just asking if that was the size that was consistent...

Mr. Caza stated yes.

Board Member Bodor stated with Getty.

Chairman Buzzutto stated but we would have to give some kind of variance on that there.

Board Member Bodor stated oh, yes. The size of it, sure. Yes.

Mr. Caza stated a lot of the fire safety work has already been done. The area lights have been replaced. The fire extinguishers have been mounted on the islands. Basic cleanup has been done. There's no more garbage or any like...My first visit, there was garbage coming out of a dumpster. That's been taken care of. The property's been being maintained, since I've taken over this. I don't want any confusion there; it's not a mess. But, besides a few extra cars and a couple of, you know, trailers that the auto body mechanic uses for storage, that's it. And the trees and the fence. I mean, but the property...The property has been being maintained. Work has been done.

Board Member Herbst stated well, how long do you think it's going to take you to finish it.

Mr. Caza stated oh, it won't take me long at all. I'm...Just make a few phone calls, hire someone to come in, cut the trees down, take the fence down, and the property will be up to Code.

Board Member Bodor stated okay.

Chairman Buzzutto stated the storing of kerosene, is that aboveground.

Mr. Caza stated yes it is.

Chairman Buzzutto stated does that have to have a prior underwriter's approval.

Mr. Caza stated it needs to have, they call them, ballards...bollards, what have you. The operator...That way cars can't drive into it. You know what I mean.

Board Member Olenius stated they're very heavy posts they drive into the ground...

Chairman Buzzutto stated okay.

Board Member Olenius stated so you can't...

Mr. Caza stated those have been ordered by the operator. That's his responsibility, he knows that. And those are being in place. But the tanks themselves, if you're referring to any kind of fire code, they are up to code. They have signs. They have a lock on the gates.

Chairman Buzzutto stated okay. That's what I wanted to find out.

Mr. Caza stated yes. Nobody could just walk in there and just take kerosene. They...It's under lock and key.

Board Member Bodor stated are the kerosene and the propane in the same area.

Mr. Caza stated yes. They're right next to each other.

Board Member Bodor stated okay.

Chairman Buzzutto stated yes. That's on the right of the driveway as you go in there.

Mr. Caza stated that's correct.

Chairman Buzzutto stated the propane, yes.

Board Member Bodor stated yes.

Chairman Buzzutto stated I've seen that there. Alright, so do I have any input from the audience on this particular case here. Alright, do you have any more questions on this until we up and take a site walk on it.

Board Member Herbst stated I think we should do a site walk.

Chairman Buzzutto stated yes. Alright. Majority of the Board feels we should take a site walk and go over this list of variances needed. Alright. So we'll table this.

Board Member Bodor stated so we'll table it until the next meeting.

Chairman Buzzutto stated table this until the next meeting.

Board Member Bodor stated and we will schedule a site walk on the premises.

Mr. Caza stated okay.

Board Member Bodor stated just so we can walk it and see, you know, where these things are and...

Mr. Caza stated okay.

Board Member Bodor stated and where the sideline is, is there...I don't think there's anything on the adjoining property at this time, either side.

Mr. Caza stated no.

Board Member Bodor stated there's no structures there, are there.

Mr. Caza stated no.

Board Member Bodor stated no. And it is all commercial through there. But just to get a feel for what's there and what isn't there.

Mr. Caza stated okay.

Board Member Bodor stated okay. So we'll schedule you for the next meeting which this is what. August. It will be September what.

Board Member Olenius stated 15th.

Board Member Burdick stated 15th.

Board Member Bodor stated 15th.

Board Member Olenius stated would it be possible for somebody to meet us out there.

Mr. Caza stated I could meet you there. I could also have the Territory Sales Manager, Kim Keel, meet you there, too.

Chairman Buzzutto stated that's great. Yes, fine.

Board Member Olenius stated that's fine. Just to point it out to us so we're not searching for what you're looking for.

Mr. Caza stated and that date again, sorry.

Board Member Bodor stated the meeting will be September...

Board Member Burdick stated 15th.

Board Member Bodor stated 15th. The site walk we will determine at the close of this meeting and we'll contact you. Sarah will contact you.

Mr. Caza stated okay.

Board Member Bodor stated we've got to get five people on the same schedule.

Mr. Caza stated okay.

Board Member Bodor stated okay.

[Laughter].

Mr. Caza stated I understand.

Board Member Burdick stated are there any...

Board Member Herbst stated does Sarah have your phone number.

Mr. Caza stated yes.

The Secretary stated yes.

Board Member Burdick stated are there any days or times that are not good for you.

Mr. Caza stated no. I'm open.

Board Member Burdick stated okay.

Board Member Bodor stated okay. Thank you.

Mr. Caza stated thank you.

Board Member Olenius stated thank you.

4) ROBERT STANTON CASE# 21-10

Mr. Robert Stanton was present.

Chairman Buzzutto stated alright.

The Secretary read the following legal notice:

Robert Stanton Case #21-10 – Special Use Permit and Area Variance

Applicant is requesting a Special Use Permit as required by §154-105 of the Patterson Town Code; Accessory Apartments and an area variance pursuant to §154-7 of the Patterson Town Code; Schedule of regulations, in order construct a new 4 bedroom, single family dwelling with a one bedroom accessory apartment. The Code requires the building in which the accessory apartment is constructed to be at least 5 years old and the owner occupy the dwelling for at least one year prior to the initial application for the Special Use Permit, with the exception that the accessory apartment will be used for a person(s) related by blood or marriage and that a special or unique hardship exists. The Code requires a minimum of 75' for road frontage; Applicant can provide 60'; Variance requested is for 15'. This property is located at 70 Newburgh Road (RPL-10 Zoning District).

Board Member Olenius stated Mr. Chairman, I'm going to recuse myself from this case.

Chairman Buzzutto stated alright...

Board Member Olenius stated as...

Chairman Buzzutto stated okay.

Board Member Olenius stated a neighbor of his.

Chairman Buzzutto stated okay. You heard the agenda. Is there any differences in what you heard Sarah read it. Oh, do you want to give your name, Sir.

Mr. Robert Stanton stated it's Robert Stanton.

Chairman Buzzutto stated Stanton. Do you testimony... You swear the testimony you provide tonight will be the truth, the whole truth.

Mr. Stanton stated yes.

Chairman Buzzutto stated alright, fine. Like I said, is there anything different then...

Mr. Stanton stated there is one correction on here. Where it says to construct a four bedroom single family. That's going to be four bedrooms in total, not a four bedroom and an accessory to make it a fifth bedroom. So in total it will be four bedroom. The house itself will be three bedroom and the accessory...

Chairman Buzzutto stated oh, I see.

Mr. Stanton stated would be the fourth bedroom.

Chairman Buzzutto stated okay. We'll make that correct. Oh, I see where that is. Okay, fine. And this accessory apartment will be used by...

Mr. Stanton stated by my parents.

Chairman Buzzutto stated by immediate family.

Mr. Stanton stated correct.

Chairman Buzzutto stated okay. Can...Where are these people now. They...

Mr. Stanton stated they're living in the Town of Somers right now.

Chairman Buzzutto stated alright. Okay.

Board Member Bodor stated they're not in need of assistance at this time.

Mr. Stanton stated not at this time, no.

Board Member Bodor stated you're looking down the road then.

Mr. Stanton stated that's correct.

Chairman Buzzutto stated let's see what we've got.

Board Member Bodor stated what's the acreage on that size plot.

Mr. Stanton stated it is 1.9 acres.

Board Member Bodor stated 1.9 acres. And it was over...He has almost 2 acres. Do you have a septic in place yet. A well in place.

Mr. Stanton stated it's not in place. It is there ready. It was already...in the process right now of getting Board of Health approved. The perk tests were done. All the (inaudible) was put in. So it is with my engineer, it is at the final stages of getting a septic plan completed.

Board Member Bodor stated does it look like you're going to get approval for four bedrooms.

Mr. Stanton stated actually, I'm getting approval for five bedrooms.

Board Member Bodor stated you are.

Mr. Stanton stated yes. With the Board of Health, is...Is the way they are looking into it, is the three bedroom house...The apartment itself is going to be a one bedroom, but since there's going to be a kitchen downstairs it's actually considered...Since there's water usage there, it's considered a five bedroom house. But there won't be five bedrooms. The fifth bedroom is technically the kitchen because of water usage, based on their regulations. That's how I understand that. So the house itself is going to have three bedrooms on the upper floor with a kitchen, and that makes it three bedrooms. The downstairs is going to have a one bedroom accessory apartment, but because there's a kitchen downstairs, the Board of Health is calling that a two bedroom accessory apartment because of the water usage. They're actually calling the kitchen a bedroom. But it's not a bedroom...It's not an actual living bedroom. Based on the water usage they're calling it a bedroom.

Chairman Buzzutto stated okay.

Board Member Bodor stated they're...

Board Member Burdick stated because in the future, that bedroom could...that kitchen could be turned into a bedroom if the accessory apartment...

Mr. Stanton stated no. They're doing it based on water usage. That's how they determine their size of septic. So it's just going to be...Always going to be a one bedroom accessory apartment because there is the water usage in the kitchen area, that is considered a, based on their regulations, a two bedroom. But it's only going to be a one bedroom. But the kitchen is considered a bedroom because of the water usage. That's kind of confusing when they explained it to me. I mean, I understand it now. But when they explained it to me, I was kind of confused at first. But...

Chairman Buzzutto stated the house is...There's nothing on the property now.

Mr. Stanton stated right. There's nothing on the property.

Chairman Buzzutto stated there's nothing. You're going to start from scratch.

Mr. Stanton stated correct. Yes. The plans...I definitely have the plans with me.

Chairman Buzzutto stated do I have any input from the audience.

Marie Marino stated I don't understand why he says it's a...

Chairman Buzzutto stated wait. Do you want to come up to the microphone and give your name. You want to give your name and...

Marie Marino stated yes. My name is Marie Marino. I live at 50 Newburgh Road.

Chairman Buzzutto stated neighbors.

Marie Marino stated yes.

Chairman Buzzutto stated and...

Vilar Locascio stated 54 Newburgh Road. I'm right next door to the property.

Board Member Bodor stated your property adjoins this.

Vilar Locascio stated yes.

Marie Marino stated I'm one down.

Board Member Bodor stated speak one at a time and into the mic, please. Okay.

Marie Marino stated well, I'll explain...

Chairman Buzzutto stated you can take the mic off there if you wish.

Marie Marino stated thanks. We don't seem to understand why he says it's no other...It's a house...We saw that the property you're talking about, the house is already there. You're building another one on the same property. That's to us, what it looks like.

Chairman Buzzutto stated there is no house there.

Marie Marino stated sure there is.

Mr. Stanton stated no there is no house there. It's on a separate lot.

Marie Marino stated it's a separate property.

Mr. Stanton stated correct.

Marie Marino stated it's not on like one big property. Your house plus the one you bought down there.

Mr. Stanton stated a separate two acre lot, correct.

Vilar Locascio stated I was concerned about the water levels on the property, especially when you're talking about a five bedroom apartment. My...I have had problems in the past with my water level. Especially when it is summertime...

Marie Marino stated and now.

Vilar Locascio stated and now, when it's very hot, my water goes down. And now we're talking about putting a septic...a big septic system in for this five bedroom, or...

Chairman Buzzutto stated it's four.

Vilar Locascio stated four bedroom...

Chairman Buzzutto stated three bedrooms he said. No, four.

Vilar Locascio stated well, the Health Department is categorizing it as something bigger, so that I'm concerned about my water level. I'm also concerned about the septic being placed on that property because the water level, I don't know if it's going to affect my water. And I'm very concerned about the impact that building this would be on that property. Because there is my house, the house that he's in right now, and he's...and it's all within the same area.

Board Member Burdick stated well, if I may, just to put this into perspective, if he wasn't coming to ask for the accessory apartment, he could have a five bedroom house built there per the Health Department. You're saying that's what the approval is.

Mr. Stanton stated correct.

Board Member Burdick stated without any variances.

Mr. Stanton stated correct.

Board Member Burdick stated he's just here because of that apartment. If there was no apartment, he'd be able to put a five bedroom house there without any variances needed at all.

Marie Marino stated even with only the 60' frontage. He has only 60' frontage. He needs 75'.

Mr. Stanton stated but that's a second variance.

Board Member Bodor stated that's another variance. That's a separate issue.

Board Member Burdick stated but all the properties in that area probably have 60'. Do you have more than 60' on your property.

Vilar Locascio stated I have more than 60', yes.

Board Member Burdick stated how much do you have.

Vilar Locascio stated I have 100'.

Board Member Burdick stated you have 100'. Do you know what yours...

Marie Marino stated I have about 75'.

Board Member Burdick stated excuse me.

Marie Marino stated 75'.

Board Member Burdick stated 75'. Okay. So it's probably not too different than the rest of the...

Marie Marino stated yes. I'm on the corner. I'm just on the corner. I just go around the street. I mean, we have like...on two streets.

Board Member Burdick stated okay.

Marie Marino stated and we're worried about the well and the septic.

Board Member Burdick stated okay.

Marie Marino stated because the houses are really close.

Chairman Buzzutto stated but you already got approval from the Health Department.

Mr. Stanton stated that is correct. Joe Buschynski with Bibbo Associates has the accepting of the...

Marie Marino stated and it's not going to be an enclosed or septic or well...

Mr. Stanton stated on septic...

Marie Marino stated because both of our wells are very close together already. And we need...

Mr. Stanton stated (inaudible – too distant).

Chairman Buzzutto stated could you get closer to the mic.

Mr. Stanton stated sorry. If you're downhill from a well, you need 200'. And if you're uphill you need...Excuse me. If you're downhill you need 100', and if you're uphill you need 200'. So if you measure that properly it's actually...

Marie Marino stated so it was...

Mr. Stanton stated yes. It's fine. Actually, it has all the measurements on the actual survey itself.

Marie Marino stated (inaudible).

Mr. Stanton stated excuse me.

Marie Marino stated our kids used to go play down there.

Mr. Stanton stated yes. It does meet all the requirements for the...

Chairman Buzzutto stated yes.

Mr. Stanton stated for all the wells near there.

Chairman Buzzutto stated well, we appreciate your concerns and, you know, why you're worried. But I'm sure when they put a new well... You have a septic and a well and everything, right.

Mr. Stanton stated right. Yes.

Chairman Buzzutto stated yes.

Mr. Stanton stated the wells will be basically right alongside all the other existing wells of the houses in front of me, right in front of Newburgh Road.

(Inaudible – too many talking).

Mr. Stanton stated all the septic itself need a certain amount of distance between all the wells.

(Inaudible – too many talking).

Board Member Bodor stated I wonder if this is the proposed (inaudible – too many talking).

Marie Marino stated so then your house, is what. It's going to be 72, 74. What number is going to be then, your house.

Mr. Stanton stated oh, the house address.

Marie Marino stated yes.

Mr. Stanton stated 70.

Marie Marino stated the same.

Mr. Stanton stated the address is 70.

Marie Marino stated the same address.

Mr. Stanton stated no. The address of the house I own there already is 66.

Marie Marino stated oh, is 66.

Mr. Stanton stated right.

Board Member Bodor stated Mr. Stanton...

Chairman Buzzutto stated Mr. Stanton.

Board Member Bodor stated could you clarify something. We're looking at the survey here. Is this large parcel here where you're planning to build. Or is this the proposed [referring to the survey]...

Mr. Stanton stated that is the driveway area coming off of Newburgh Road. Because that is where I need the variance for the road frontage.

Board Member Bodor stated where are you going to build your home that we're talking about.

Board Member Burdick stated this whole thing's the 1.9 [acres].

Mr. Stanton stated yes. The whole thing is 1.9 acres.

Board Member Burdick stated all one thing. This is where they're coming off the road, this whole thing.

Mr. Stanton stated correct.

Board Member Burdick stated this is just a little jut up in this larger portion.

Mr. Stanton stated right. The house is going to be in this area and the septic is this whole front right here. And the house will be...

Board Member Bodor stated okay. So this is all one parcel.

Mr. Stanton stated correct.

Board Member Bodor stated what is this structure here.

Mr. Stanton stated that was a shed that was there but it was removed. It was...

Board Member Bodor stated okay. So this is all one piece.

Mr. Stanton stated correct.

Board Member Bodor stated and you're going to build up in this area.

Mr. Stanton stated correct.

Board Member Bodor stated and where do you live now.

Mr. Stanton stated I'm at the house right now.

Board Member Bodor stated down here.

Mr. Stanton stated up in this lot right here. Right in...41 to 48.

Board Member Bodor stated okay. Oh, that whole lot.

Mr. Stanton stated correct.

Chairman Buzzutto stated is that the one...That's the change of address.

Board Member Bodor stated I don't know what you're talking about. Okay. I would like to take a walk out there to see all of this. I'm not familiar with the lay of the land.

Mr. Stanton stated okay.

Board Member Bodor stated I don't know whether you're high or low, or they're high or they're low and whatever. So I'd like to take a look and see.

Mr. Stanton stated okay.

Chairman Buzzutto stated okay. You want to look at it.

Board Member Herbst stated I agree. I agree, definitely.

Board Member Bodor stated well this is all one parcel.

Mr. Stanton stated yes. When you go to the property itself, you'll see an area where there's exposed rock. And that's where the foundation is going to go. That rock is going to come out. So, the foundation itself is going to be, I believe it's going to be 32' x 60'. And that's where...When you take a walk itself, you see total exposed rock, and that's where the foundation's going to be. Half the rock's taken out.

Board Member Bodor stated is this property cleared.

Mr. Stanton stated yes.

Board Member Bodor stated okay. It's not dense woods or anything.

Mr. Stanton stated no. It's cleared. It's easy. You can drive right down to the...

Board Member Bodor stated you can drive down there.

Mr. Stanton stated yes.

Board Member Burdick stated and you'd be able to meet us there.

Mr. Stanton stated sure.

Chairman Buzzutto stated alright.

Board Member Bodor stated drive us down.

Chairman Buzzutto stated do I have any other input from the audience on this. If not, we're going to table this particular...We're not going to close the hearing, we're going to table it until the next meeting. And in the interim there, we're going to take a site walk on it and look again to see how the property looks. So we'll be back in touch. And Sarah will get in touch with you. We don't know when we'll take a site walk.

Mr. Stanton stated okay.

Chairman Buzzutto stated we have to get everybody together on...

Mr. Stanton stated sure.

Chairman Buzzutto stated okay.

Board Member Bodor stated okay.

Mr. Stanton stated okay.

Board Member Bodor stated we'll be...she'll be in touch and let you know when...

Mr. Stanton stated okay.

Board Member Bodor stated when we make up our minds, okay.

Mr. Stanton stated yes. Thank you very much.

Board Member Bodor stated thank you.

Board Member Burdick stated thanks.

Board Member Bodor stated is there any time that's bad for you Mr. Stanton.

Mr. Stanton stated pretty much I'm good anytime.

Board Member Bodor stated you're local.

Mr. Stanton stated yes. Give me a head up and...

Board Member Bodor stated okay.

Mr. Stanton stated I'll be there.

Board Member Bodor stated okay. Thank you.

Board Member Burdick stated thank you.

Mr. Stanton stated okay. Thank you.

Chairman Buzzutto stated that's a big property for the Lake.

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

Board Member Herbst stated is that a flat piece of property. It sloped down.

Board Member Olenius stated a little bit.

Chairman Buzzutto stated was this yours or mine.

Board Member Olenius stated I think it's yours. This is Getty. This is yours, you wrote on it.

Chairman Buzzutto stated oh yes. Okay.

5) JOHN RAGONEI CASE #22-10

Mr. John Ragonesi was present.

Chairman Buzzutto stated okay. Now we have...

The Secretary read the following legal notice:

John Ragonesi Case #22-10 – Area Variance

Applicant is requesting an area variance pursuant to §154-58 of the Patterson Town Code; Enlargement of nonconforming buildings, in order to construct an addition consisting of a great room and deck. The Code requires a minimum side yard setback of 15'; Applicant can provide 10'. This property is located at 16 Warren Drive (RPL-10 Zoning District).

Chairman Buzzutto stated okay, Mr. Ragonesi.

Mr. John Ragonesi stated yes.

Chairman Buzzutto stated you want to raise your right hand. Do you swear the testimony you provide tonight will be the whole truth.

Mr. Ragonesi stated yes.

Chairman Buzzutto stated okay. Is this a picture of...I just want to make sure we got that right [referring to the picture of Mr. Ragonesi's house on the property description page].

Mr. Ragonesi stated yes.

Chairman Buzzutto stated that's it. You've heard the reading on the agenda there, is there any difference is what Sarah read and...

Mr. Ragonesi stated nope.

Chairman Buzzutto stated it hasn't been changed.

Mr. Ragonesi stated no, Sir.

Chairman Buzzutto stated okay. Enlargement of a nonconforming building in order to construct an addition of a great room with a deck.

Board Member Bodor stated I've notice you've been before our Board before in years past for...

Mr. Ragonesi stated yes.

Board Member Bodor stated approval of...

Mr. Ragonesi stated I think prior to buying the property the first time was to confirm the two-family status of the house. That was prior to me buying it. And then the second time, I think it was two properties; It was 16 Warren Drive and 18 Sharon Road.

Board Member Bodor stated okay.

Mr. Ragonesi stated and I had to combine the properties to make the...to put a pool there. There may have been something else, but I think that was it. It was the pool deal...

Board Member Bodor stated the pool ended up in the front yard because you have two front yards.

Mr. Ragonesi stated yes, so I combined the properties. They said that, you know, it was useless that way. You couldn't do anything with it like that anyways, so...To me, it didn't make a difference. So...

Board Member Burdick stated the metal shed that's shown here on the survey, is that still there.

Mr. Ragonesi stated no.

Board Member Burdick stated 4' from the property.

Mr. Ragonesi stated no, that's long gone. So is the other one. Well, I have a new survey. Actually, I don't know if...Let me see here. I don't know, it's probably the same one you have. If you want, I can show it to you. But it looks like the same one.

Board Member Bodor stated that metal shed is gone.

Board Member Burdick stated yes.

Mr. Ragonesi stated yes. Yes.

Board Member Bodor stated and I see a framed shed, well that's (inaudible). That has an "X" through it also.

Mr. Ragonesi stated yes. That's gone, too. That...Those have been gone for a few years now.

Board Member Bodor stated okay.

Board Member Burdick stated it seems like you took those down when you did the pool.

Mr. Ragonesi stated yes.

Board Member Bodor stated yes, (inaudible – papers shuffling).

Mr. Ragonesi stated we did put another one up. We got the approval for that. Did the inspection, bought it from the place on [Route] 22 and they gave us the permit and all that other stuff, and put it up in the far corner. It's not on here, but it's somewhere.

Board Member Burdick stated and you received...You got a building permit...

Mr. Ragonesi stated oh, yes.

Board Member Burdick stated from the Town.

Mr. Ragonesi stated yes.

Chairman Buzzutto stated how big is the addition going to be.

Board Member Bodor stated where's the pool. I don't see the pool.

Mr. Ragonesi stated you want me to give you this here.

Board Member Bodor stated oh, (inaudible). It was somewhere in there.

Mr. Ragonesi stated it's 32' x 19'.

Chairman Buzzutto stated that's the addition.

Mr. Ragonesi stated yes.

Board Member Olenius stated with the deck included.

Mr. Ragonesi stated no. The deck is...It doesn't give a dimension that way, but it looks like...Maybe I'm missing something. It's 16 feet long, but I don't...I mean, feet...I don't believe it says anything depth wise. Maybe if you wanted to look at it.

Board Member Bodor stated 16' x 23' on here.

Mr. Ragonesi stated oh, the existing one.

Chairman Buzzutto stated no.

Board Member Bodor stated oh, the existing, I'm sorry.

Mr. Ragonesi stated no, no.

Chairman Buzzutto stated no, that says proposed.

Mr. Ragonesi stated yes, no. I know, but like on these plans right here, I'll show you. I don't think it says it. I can't see...I don't believe it says it. On the deck, I see 16 [feet] but I don't see anything going the other way unless I'm missing it.

Chairman Buzzutto stated no, I don't see anything either. Okay.

Mr. Ragonesi stated yes.

Chairman Buzzutto stated it just says proposed deck, 23' x 16'.

Board Member Herbst stated yes. It's here.

Mr. Ragonesi stated is it.

Board Member Herbst stated yes. On the backside...On the end of it where it says proposed deck, going towards the left.

Board Member Burdick stated oh, yes. On this...On the survey it's (inaudible – papers shuffling).

Mr. Ragonesi stated alright. It's on here. Okay. It's not on here. That's...I would have expected it to be on here, but it's not.

Chairman Buzzutto stated you questioned the metal shed, Mary.

Board Member Bodor stated it's gone.

Board Member Burdick stated yes, it's gone.

Chairman Buzzutto stated yes, you did. Yes.

Board Member Bodor stated yes.

Board Member Burdick stated both shed are gone.

Chairman Buzzutto stated yes. That's gone right.

Board Member Bodor stated yes.

Mr. Ragonesi stated both of those are gone.

Board Member Bodor stated is that great room going to be two stories. The house is two stories.

Mr. Ragonesi stated no. It's going be on grade, one story. No basement below it.

Board Member Bodor stated oh, okay. Alright.

Mr. Ragonesi stated yes. It's just going to connect to the house.

Chairman Buzzutto stated looking at this picture, where would the deck be. Over on this...Up here, or over here.

Mr. Ragonesi stated well, it would be like where that red truck is [referring to a picture]. Going in that direction forward. That's the back of the yard.

Chairman Buzzutto stated oh, I see. It's going to be here.

Mr. Ragonesi stated no. That's the front of the house.

Chairman Buzzutto stated no, I mean the deck will be in here.

Mr. Ragonesi stated no. That's the drive...That's my neighbor's driveway, the right side of (inaudible).

Chairman Buzzutto stated yes.

Mr. Ragonesi stated and then if you go forward of it that way, up like...

Chairman Buzzutto stated up here.

Mr. Ragonesi stated yes. Up straight, that's the backyard.

Chairman Buzzutto stated that's where the deck is going to be, in the back.

Mr. Ragonesi stated yes. It's going to be basically...It's going to be right where the other one is, pretty much like it's shown in the...on the survey. But the new living room is going to go right where the deck is basically, and the deck is going to go right off of that.

Board Member Bodor stated which is all on the back...backside of the house.

Mr. Ragonesi stated yes. The 5' I'm at, I only want to keep it like that because the back of the house looks nice and straight like that with the four windows that go down in a row like that. I want to keep that look. If I didn't go for the variance, I'd have to go 5' in and it would like just go like a corner. But, you know, we kind of like the way it looks straight, like that. Just add another window to it and make it look nice. You know, that's basically the reason. Otherwise we would have just built it the other way.

Board Member Olenius stated so the main structure, the existing dwelling, is 10' from the property line.

Mr. Ragonesi stated yes.

Board Member Olenius stated and you wish to continue this new structure along that same plane.

Mr. Ragonesi stated right.

Board Member Olenius stated I'm just making sure I'm understanding this properly. Wherein, you need the variance now. And if I remember correctly when we visited this, although you have two front yards, Warren Drive was your primary entrance...

Mr. Ragonesi stated yes.

Board Member Olenius stated to the property. Like what you would consider your front.

Mr. Ragonesi stated yes. Warren Drive is. There is no more Sharon Drive...

Board Member Olenius stated that's where the driveway came in. The main driveway and everything.

Mr. Ragonesi stated yes. 16 Warren. Yes, there's no more Sharon Drive on...Road on that anymore.

Board Member Burdick stated what do you mean there's no more Sharon Road.

Mr. Ragonesi stated it used to...There was two addresses but it's combined now.

Board Member Burdick stated because the properties are combined.

Mr. Ragonesi stated yes. It's only 16 Warren now.

Board Member Burdick stated it shows a dirt drive from Sharon to the back of the property.

Mr. Ragonesi stated yes, I still pull in there.

Board Member Burdick stated it still exists. You do.

Mr. Ragonesi stated I pull in in the back over there.

Chairman Buzzutto stated how big is the property. RPL-10.

Mr. Ragonesi stated it's a little over a half an acre. I think it's 200' x 100', something like that. No, actually it's 120' x 200'. Yes.

Board Member Bodor stated 200', yes.

Mr. Ragonesi stated yes. Oh, 24...

Board Member Olenius stated 12 lots.

Mr. Ragonesi stated what's that.

Board Member Olenius stated 12 lots.

Board Member Bodor stated one, two, three, four, five, six...

Mr. Ragonesi stated 2,400 square feet.

Board Member Bodor stated it looks like 12 lots.

Board Member Olenius stated it's big. It's a big piece.

Chairman Buzzutto stated well, this is one that I want to see.

Board Member Olenius stated we've seen it before. I think you'll remember it. We should look at it again because this is different than the last one we looked at.

Chairman Buzzutto stated this is pushing out towards Sharon.

Board Member Herbst stated when did you all do a site walk on this.

Board Member Olenius stated this was in 2006, I believe. For a pool variance.

Chairman Buzzutto stated basically, I remember this thing.

Board Member Olenius stated I don't think it's a bad idea to look at it again. Especially with this tightness here.

Chairman Buzzutto stated yes.

Board Member Olenius stated just to revisit and get a refresher.

Chairman Buzzutto stated yes. I'd like to take a look at it. I don't comprehend here what's...

Board Member Bodor stated alright. So we'll keep the public hearing opened and we'll put...table this until the next meeting. And in the interim, we'll come out and take a look.

Mr. Ragonesi stated okay.

Board Member Bodor stated alright.

Chairman Buzzutto stated is this driveway where the truck is, is your neighbor's driveway [referring to a picture].

Mr. Ragonesi stated yes. That truck's not there. You won't see that when you come back. But I mean, I don't think he'll care if you walk up there or if you come up my way, it doesn't matter to me. You can walk in from the dirt way on Sharon...

Board Member Bodor stated well, we're going to meet you there.

Mr. Ragonesi stated oh, okay.

Board Member Bodor stated or somebody.

Mr. Ragonesi stated oh, okay.

Board Member Bodor stated someone from your household to meet us there.

Mr. Ragonesi stated that's...Well, okay.

Board Member Bodor stated and show us around. How's that.

Mr. Ragonesi stated okay. That's...Anything you want to do.

Board Member Olenius stated if you could stake it out, or put some spray paint on the ground.

Mr. Ragonese stated yes. I'm going to have...I was going to ask you about that. I heard you say something about that because they did paint it, all of that stuff. But, you know, landscaping was done, and they're not visible anymore, so I have to make them visible again.

Board Member Olenius stated if you can.

Board Member Bodor stated well...

Board Member Olenius stated just so we see...

Board Member Bodor stated your addition we'd like to see marked off.

Mr. Ragonese stated oh, is that what you mean.

Board Member Bodor stated yes.

Mr. Ragonese stated alright.

Board Member Olenius stated yes, we don't need your property lines, just what you're proposing...

Mr. Ragonese stated alright. Because those stakes are buried right now. I have to, like, get them up.

Board Member Olenius stated if you can just measure the, whatever, the 26' off the house where the great room...

Mr. Ragonese stated yes. No problem.

Board Member Olenius stated is going and then the deck. And then put some string in between or some spray paint, just so we have a...

Mr. Ragonese stated okay. I'll mark it out like I did with the pool. I strung it out.

Board Member Burdick stated exactly.

Board Member Olenius stated yes, you did.

Board Member Burdick stated exactly.

Board Member Olenius stated I remember. Yes.

Board Member Bodor stated okay.

Mr. Ragonese stated you got it.

Board Member Bodor stated and is there sometime that's bad for you.

Mr. Ragonese stated no time is bad.

Board Member Bodor stated you're local.

Mr. Ragonese stated yes. You just...Whenever...What are you guys just going to call or something.

Board Member Bodor stated what we'll do tonight is determine when we're going to do the site walks and then Sarah will give you a call.

Mr. Ragonese stated okay.

Board Member Bodor stated and hopefully you'll be available. If it doesn't work for you, you'll tell her and...

Mr. Ragonese stated oh...

Board Member Bodor stated we'll reschedule.

Mr. Ragonese stated it doesn't matter. Just tell me what time and I'll be there. I'll be home.

Board Member Burdick stated thank you.

Board Member Bodor stated okay, thank you.

Mr. Ragonese stated thanks a lot.

Board Member Bodor stated okay. Bye-bye now.

6) OTHER BUSINESS

a) Site Walks

Chairman Buzzutto stated on the Getty one, do you think we can have Rich come along with us on that one.

Board Member Bodor stated (inaudible).

Chairman Buzzutto stated I mean, he might be able to point out stuff.

Board Member Olenius stated field trip.

Board Member Burdick stated like what.

Chairman Buzzutto stated Rich, could you be available to take a site walk on Getty for us...with us.

Board Member Bodor stated wouldn't you like to walk up there.

Rich Williams stated again.

[Laughter].

Chairman Buzzutto stated you might have...

Board Member Bodor stated well, you've been there already, obviously, so you'll note any changes that have been made.

Rich Williams stated I will.

Board Member Bodor stated thank you.

Chairman Buzzutto stated in the minutes, I'm requesting the Town Planner be available with us.

Board Member Bodor stated okay.

Chairman Buzzutto stated I need his expertise.

Board Member Bodor stated other business. Other than site walk, setting times...

Chairman Buzzutto stated times, yes.

b) Minutes

Board Member Bodor stated anything else. Okay. Then we'll go onto the minutes. May 19th minutes.

Chairman Buzzutto stated does anybody have any objections to any that were submitted.

Board Member Bodor stated I make a motion to accept the May 19th minutes.

Board Member Burdick stated second.

Board Member Bodor stated all in favor. Motion carried by a vote of 5 to 0.

Chairman Buzzutto stated opposed. No.

Board Member Bodor stated June 14th.

Board Member Burdick stated I make a motion to accept the June 14th minutes.

Board Member Bodor stated I will second that. All in favor. Motion carried by a vote of 5 to 0.

Chairman Buzzutto stated okay.

Board Member Bodor stated good job, Sarah.

The Secretary stated thank you.

c) Hudson Valley Trust, Inc. Case #08-10

Chairman Buzzutto stated on the Hudson Valley Trust, did we put that into any kind of thing for the minutes. Hold it over, or do we just let that go.

Carl Lodes stated you didn't put anything on it but just...

Board Member Bodor stated we did...We could just make a statement that number one...Number 3 on the agenda, The Hudson Valley Trust, Inc. Case #08-10, is being held off due to the moratorium...

Chairman Buzzutto stated moratorium.

Board Member Bodor stated that is in existence regarding clubs.

Chairman Buzzutto stated yes. Just for the record. Thank you Mary.

Board Member Bodor stated you're welcome.

Chairman Buzzutto stated okay.

Site walks

Board Member Bodor stated okay. When are we going to site walk. Now, we got three of them. Getty which is right here. We have Stanton...

Board Member Herbst stated wait a minute, I have to get my book out.

Board Member Bodor stated and Warren...And Ragonesi. In the lake.

Board Member Burdick stated yes. Those two should go together first, and then this one because Lars doesn't have to go to that one.

Board Member Herbst stated yes. But you all complain that I didn't have my dates set. So now I got a book.

Board Member Olenius stated if we go to Getty first and then Ragonesi, I can take you to Stanton on my way home.

Board Member Bodor stated oh good.

Board Member Olenius stated so you plan it. I know. I'm very familiar with the site.

Board Member Bodor stated and then you can go home and we'll wander around.

Board Member Olenius stated you can wander...meander in my woods.

Board Member Bodor stated in your woods. Is your property backup to this, or what.

Board Member Olenius stated it's close.

Board Member Bodor stated is it, huh.

Board Member Olenius stated yes.

Chairman Buzzutto stated Getty, then we've got Stanton.

Rich Williams stated Stanton.

Board Member Bodor stated so we'll do Getty...

Rich Williams stated I'm not worried about the trees.

Board Member Olenius stated I've got quite a (inaudible) of view up there.

Board Member Burdick stated do Getty, Ragonesi...

Board Member Bodor stated and Stanton will be third.

Board Member Burdick stated okay.

Chairman Buzzutto stated you tell me when you want. I'm available.

Board Member Herbst stated alright. Monday's Labor Day, we're not going then I guess.

Chairman Buzzutto stated when in September is the meeting.

Board Member Burdick stated the 15th.

Board Member Bodor stated the 15th.

Chairman Buzzutto stated that gives us two weeks.

Board Member Bodor stated it's got...

Chairman Buzzutto stated okay. Getty.

Board Member Herbst stated are we going to do all three in one night.

Board Member Bodor stated we're doing all three in one shot, yes.

Board Member Herbst stated okay. That's fine. I don't have a problem with that.

Board Member Bodor stated starting at 4:30 [p.m.] during the week. Okay. How about Tuesday the 7th.

Board Member Herbst stated Tuesday the 7th.

Board Member Bodor stated Thursday the 2nd.

Board Member Burdick stated either of those are fine with me.

Chairman Buzzutto stated it's okay with either one.

Board Member Bodor stated how about Thursday the 2nd for the first choice and if we need a rain date, the 7th.

Board Member Olenius stated that's this week.

Board Member Bodor stated yes.

Board Member Olenius stated Thursday, I can't. I'm sorry.

Board Member Bodor stated okay.

Board Member Olenius stated it's my daughter's birthday. We'll be in the Bronx at the zoo.

Board Member Bodor stated Thursday the 2nd.

Board Member Olenius stated yes.

Board Member Bodor stated okay.

Board Member Herbst stated alright. Wait a minute now.

Board Member Bodor stated alright, well, Tuesday the 7th or Thursday the 9th.

Board Member Olenius stated either one of those is fine with me.

Board Member Herbst stated Tuesday the 7th or Thursday the 9th. Okay.

Board Member Bodor stated make them one and two, rain date. Alright, the 7th is the first choice. That's the day after Labor Day, guys. Okay. I hear no objections.

Board Member Burdick stated nope. Both are fine with me.

Board Member Bodor stated and then Thursday the 9th as the rain date.

Board Member Herbst stated okay. Wait a minute now. Tuesday...

Board Member Bodor stated and we'll meet up at Getty's at 4:30.

Board Member Herbst stated so we're doing three site walks that day. Okay.

Board Member Bodor stated yes.

Board Member Herbst stated and Getty will be the first.

Board Member Bodor stated right. And Ragonesi number two. And then Stanton number three.

Board Member Herbst stated 4:30.

Chairman Buzzutto stated that will be the same day.

Board Member Bodor stated all in the same day. We're just choosing the 7th as our first date, and if it rains or we have a tornado or something, we'll do the 9th.

Board Member Herbst stated oh, wait a minute now.

TAPE ENDED

Board Member Olenius stated Ragonesi.

Chairman Buzzutto stated Ragonesi.

Board Member Herbst stated Ragonesi.

The Secretary stated you think you might be there around 5:15ish.

Board Member Bodor stated 4:30, Ragonesi...

Board Member Olenius stated the 4 things at Getty, Rich, will they take...will they be time consuming.

Rich Williams stated half hour.

Board Member Olenius stated half hour.

Rich Williams stated yes.

Board Member Bodor stated half hour.

Board Member Olenius stated yes.

Board Member Bodor stated then we need travel time to get over to the lake.

Rich Williams stated about a half hour with travel.

Board Member Bodor stated 5:15, 5:30.

Chairman Buzzutto stated Ragonesi, 5:15

Board Member Bodor stated 5:15, 5:30. It gives us some room in there. And then Stanton shortly there after.

The Secretary stated okay.

Board Member Bodor stated another 15 minutes.

Chairman Buzzutto stated some time thereafter.

Board Member Herbst stated Stanton is...

Board Member Bodor stated some time thereafter 5:30.

Board Member Olenius stated I don't think Ragonesi will take long at all. Except for Jerry, he's never been there.

Board Member Bodor stated right.

Board Member Olenius stated I'll remember when I see it though.

Board Member Bodor stated it's pretty open.

Chairman Buzzutto stated yes. Okay.

Board Member Bodor stated okay, is there anything else.

Chairman Buzzutto stated can you hand this to Sarah. Thank you.

Board Member Bodor stated I make a motion to adjourn then.

Board Member Herbst stated second.

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

Meeting was adjourned at 8:04 p.m.