

**North Salem Planning Board Minutes  
July 9, 2012  
7:30 PM – Ruth Keeler Memorial Library**

**PRESENT:**  
**Cynthia Curtis, Chairwoman**  
**Charlotte Harris, Board Member**  
**Bernard Sweeney, Board Member**  
**Robert Tompkins, Board Member**  
**Gary Jacobi, Board Member**  
**Roland A. Baroni, Town Attorney**  
**William Agresta, AICP**

<b>ATTENDANTS:</b>	<b>Ruth Keeler Memorial Library:</b>	<b>Carolyn Reznick</b>
	<b>Salem Hunt:</b>	<b>Bill Balter</b>
		<b>Tim Miller</b>
		<b>John Bainlardi</b>
		<b>Scott Blakely</b>
	<b>Ehrenkranz:</b>	<b>Jeff DeRosa</b>
		<b>Michele Belansky</b>
	<b>The School House Theatre:</b>	<b>James Nixon</b>
		<b>Jan Asong</b>
		<b>Lee Pope</b>
	<b>McCarthy:</b>	<b>Ryann McCarthy</b>
		<b>Tim Allen</b>
	<b>Total Energy:</b>	<b>Tim Allen</b>
	<b>The Commons at Purdys:</b>	<b>Ken Kearney</b>
		<b>Jeffrey Contelmo</b>
		<b>Tim Miller</b>

**Chairwoman Cynthia Curtis calls the July 9, 2012 North Salem Planning Board Meeting to order.**

**REGULAR MEETING:**

- 1. Ruth Keeler Memorial Library:** Carolyn Reznick (owner – Ruth Keeler Memorial Library)  
**Site Development Plan** (location – 276 Titicus Road)

- Consider Waiver Request

Cynthia states the first item on the Agenda is a request in regards to the building we are in tonight, the Ruth Keeler Memorial Library for Site Plan Waiver. They are going to install a generator, basically right out the back of the building, as well as an above-ground propane tank. Cynthia has the approved Site Plan with her tonight. Cynthia shows the Board on the approved Site Plan where the generator will be located, outside the door, as well as the location of the tank, which will be located near the woods. It will be tucked back into the edge of the wood line. Cynthia asks the Board whether they have any questions and states that the Director, Carolyn Reznick is here with us tonight, as well as John Roach. The Planning Board has no questions. Cynthia reads the Draft Resolution.

**Charlotte Harris motions that the Planning Board Hereby Grants the Waiver of Site Development Plan Review for the Proposed Installation of a Generator and Above-Ground Propane Tank in Accordance with Zoning Ordinance 250-47C, for the Ruth Keeler Memorial Library. Gary Jacobi seconds. All in favor. No opposed.**

**2. Bridleside/Salem Hunt:** Bill Balter (owner – June Road Properties, LLC)  
**Amended Site Dev. Plan, Wetlands Permit** (location – June Road & Starlea Road)

- Consider Draft Amended SEQR Findings
- Consider Draft Resolution of Site Plan, Wetlands, and Stormwater Approval

Cynthia states the Board has received a Draft of the Amended Findings for review. Cynthia apologizes to the Board and states that because of last minute discussions between the Project Team and the Town Board, the latest Draft was circulated this past Friday, and the Findings were not finalized until this afternoon. Cynthia asks whether all the Board Members had a chance to see the packet that came out this afternoon. Gary states yes. Cynthia asks the Board whether they want Will to go over any aspects of the proposed Findings. Gary states not just for him, no. Charlotte states, no. Cynthia states the Board has a request in regards to a minor change on the top of Page 6. Cynthia handed out a few copies highlighting the change. Cynthia asks if the Board has issues with the first proposed change regarding changing the word “will” to “may”. Cynthia states if we keep in the word “will”, she doesn’t have a problem with the first one. Gary asks whether the word “socioeconomically” will come out. Cynthia states it is a fiscal impact, which is what we want to make clear for the record. Gary states the word “negative” comes out which implies that this could have greater positive physical impact. Cynthia states it is part of this entire document. It lays out that it is not a positive impact. Cynthia states it is a negative impact. It is an impact. Gary agrees that it is an impact. He would like to know why we took out the word “negative”. Cynthia states we don’t usually qualify the impacts as positive and negative because we have already established that throughout the document. Cynthia does not believe it should be there in the first place. Cynthia states it was suggested wording that came from the Applicant to take out the word “negative”. Gary asks what we mean by fiscal impacts. Cynthia states we established that throughout the entire process showing the reduced amount of taxes that will be received. Bernard mentions the school impacts. Will states that Gary is reading it out of context and refers him to Page 6. Cynthia refers to the suggested change on Page 6, and states she does not have a problem taking out the language “negative and substantial substantive significant”, and changing to “The Project Sponsor also acknowledges that the proposed action will result in fiscal impacts to the Town due to an increase in population without corresponding offsetting revenue”. Cynthia states this will be added to Pages 6 and 34. Will confirms the word “significant” will come out. Cynthia states those are the two changes to take place in three places. Cynthia asks the Board whether there are any other questions for Will. Gary does not believe this reads right. Gary refers to language on the top of Page 6 where it states “Broadly speaking, the physical land impacts associated with Bridleside are either similar or reduced from those of Salem Hunt”. Gary states that physical land impacts being reduced is a positive impact. We start off by stating there is a positive impact, and then we switch to state that it will result in a greater fiscal impact. Gary states we have gone from a positive physical impact to greater fiscal impacts. Cynthia states we didn’t use the word “positive”. Gary states we did in the first sentence. Cynthia refers to the language “similar or reduced”. Gary states that is a positive physical impact because there will be less of a strain on the physical land. Will agrees with Gary and states that by taking out the word “negative” you haven’t stated which direction the greater is. Gary states that it follows after the first sentence, we might be lead to believe that it has positive impacts, because it does have positive physical impacts, which everybody in Town would agree is a good thing. Cynthia states the word “however” in the second sentence is setting up the opposite situation. Gary states that is not the way he reads it. Cynthia states that mostly everything is going in one direction however one thing is going in another direction. Gary states that is not how he reads it. Will refers to the language “similar or reduced” and states that greater tells

us that it is more than it was but not whether it is good or bad. Will states that “similar” is the same and “reduced” is less than what it was. Will states that “reduced” is the opposite of “greater”. Cynthia states the entire document is laid out. It is all backed up by the numbers which clearly show the direction. This is just a summary. We shouldn’t be taking things out of context, we should be keeping things in context with what we have already said are the impacts. Will refers to the second sentence in the next paragraph on Page 6 where the wording is “without significant offsetting revenue”. Gary refers to the second sentence in the second paragraph on Page 6 where it states “The Project Sponsor also acknowledges that the proposed action will result in negative fiscal impacts to the Town due to a substantial increase in population”. Gary states “negative impacts” compared to what? Roland states that is a word that will be coming out. Cynthia states the proposed language is “The Project Sponsor acknowledges that the proposed action will result in fiscal impacts to the Town due to an increase in population without corresponding offsetting revenue being generated by the development, which population growth will make demands on the Town and its provision of overall services to the Town’s citizens”. Gary states there is offsetting revenue. We are going to receive tax revenue. Cynthia states it will not be in equal proportion. Robert states it is not relative to the previous Salem Hunt Project. Gary states that is not how it reads. Cynthia states the next sentence really spells it out that there is a greater contribution coming. Obviously when you read the whole document you are seeing that we have identified the one impact, and what is coming to offset that impact. The corresponding revenue from the taxes is pretty small.

Cynthia refers to the Conservation and Trail Easements in regards to processing and asks Mr. Balter if his office has had a chance to go down the list that has been prepared. Mr. Balter states they look right to him.

Cynthia asks if there are any other questions.

Robert refers to Page 35 and asks who determines the extent of the Town’s obligation relative to the statement “Bridleside will serve to satisfy much of the Town’s obligation to provide affordable housing”. Robert would like to know whose statement that is as it relates to the Settlement. Cynthia states that right now this is what we understood to be our role under the previous County Plan. Cynthia states the County is not giving anyone numbers as to what the goals are and what the contributions should be. Will states that these words will be the Planning Board’s once they are adopted. Cynthia states that 65 is a significant amount, and she likes the way it is expressed. Cynthia states that at one point the number was around 150 units and 280 units had been talked about. Roland states the amount will never be satisfied. Robert refers to seven or eight towns being involved in this in regards to the criteria. Cynthia states we are not just putting this against the Settlement, we are putting this against whatever our obligation is for affordable housing, then, now, and in the future. It is still a lot.

Cynthia asks the Board whether they are comfortable to act on this, and whether they have any further questions.

Cynthia states the Board has a two page Draft Resolution to consider adopting the Amended SEQR Findings entitled “Lead Agency Amended Findings Statement for the Type I Action – Coordinated Environmental Review for Bridleside (formerly Salem Hunt), dated July 9, 2012”. Cynthia reads a condensed version of the Draft and asks the Board whether they have any questions.

During the motion process Gary states that he would probably be willing to vote for it, but he hasn’t read through all of the documents. Bernard states that is why he will vote no. Gary asks whether he may abstain. Cynthia states she will finish poling the Board and we will see where we are.

**Cynthia Curtis motions that the Planning Board Adopt the Lead Agency Amended SEQRA Findings Statement for the Type I Action – Coordinated Environmental Review for Bridleside (Formerly Salem Hunt). Charlotte Harris seconds. Robert Tompkins States he Reluctantly Votes yes. Bernard Sweeney votes no. Gary Jacobi abstains.**

After the motion, Cynthia confirms with Will that he has all of the changes noted.

Cynthia states the second item to consider is the adoption of the Draft Resolution of Approval of Site Development Plan, Stormwater Management, and Erosion and Sediment Control for the development called Bridleside. Cynthia states there is one clarification which would need modification throughout this document. Cynthia states that when going over this Draft with Will they were very specific in their language that there are 65 affordable units, 1 of which is set aside for a superintendent on the property. Cynthia states that she does not believe that particular unit will qualify as an affordable rental apartment unit as defined under our Ordinance and all the other Agencies. Cynthia states we need to clarify that there will be 64 affordable units, plus 1 superintendent apartment. Cynthia states the one apartment did qualify for the funding. Cynthia states that Will should search through the document. Roland states it might qualify as middle income versus moderate income. Will states it still has to go through the whole selection process. Cynthia asks if the Board has any questions for Will or Roland on the specifics of this Draft Resolution.

Bill Balter refers to the recreation fee to be paid in the amount of \$300,000 which is specified in Item e, on Page 10 and states that right now, the fee has to be submitted prior to the signing of mylars. Mr. Balter states that if Town law allows it, he would like to submit the \$300,000 prior to the first COO, so as there will be no recreation fee for the development until the first person moves in. Cynthia states she has never done it that way. Roland states he hasn't either. It may be an initiative that has to be brought in front of the Town Board to change the policy of the Town. Roland states the recreation fee has always been submitted prior to the signing of mylars. Mr. Balter states he didn't know it was a Town Law, issue. Cynthia states they have to look at both the Local and Town Laws. Roland states that once the Planning Board loses control of it, and the Town Board never really has control of it, we are relying upon the Building Department. Roland states that since it has never been done before, it would be difficult to control and have it paid up in a timely manner. There will be no leverage. Will states that if it is allowed, everyone else will want it that way. Roland states that is the other issue, everyone will be asking for the same relief. Mr. Balter asks Roland if he is sure that is what the Town and Local Law state. Roland states it is Town Policy that the recreation fee is always paid prior to the signing of mylars. It has never been deviated from in North Salem. Roland states a policy change like that irrespective to whether it is in the Code or not, would require the legislative board to approve. Mr. Balter states that if it has never been done before, he gives in. Mr. Balter states he gives up.

Cynthia asks the Board whether they have any other questions. Cynthia refers to Pages 15 and 16 and states we have a series set up for the order of when certain items will happen. Cynthia refers to Page 15, No. 34 in regards to prior to the Issuance of the 1<sup>st</sup> Multifamily Building Certificate of Occupancy, and states all of these items must be in place. Cynthia refers to Page 16, No. 36, in regards prior to the Issuance of the 8<sup>th</sup> (last) Multifamily Building Certificate of Occupancy, the following items have to be in place. Cynthia refers to Page 16, Item 35 and states she is not sure whether it is needed. It does help move things along. We could keep it and add a number in there, or move it. Cynthia states we briefly went over this at the last Meeting where there was a suggestion in regards to when half of the structures are up. Mr. Balter suggests having the condition after No. 36, which would apply to the last residential COO. Mr. Balter states he needs every COO. He needs the last building as much as the first building. Will understands, but doesn't like the wetland mitigation coming at the tail end. Mr. Balter states there should be some ability for bonding. Will refers to No. 37 on Page 17 regarding landscaping. Mr. Balter states he didn't see language in regards to top coating. Will states that the top coating is done last. Mr. Balter states we could very easily get into a situation where the last thing

anyone wants is for top coating to take place before everyone has moved in. Mr. Balter states that top coating a road in June, July or August is best, because that will be when the best job will be done. Will states he understands the seasonality, but not the moving in and out. Mr. Balter states it is different when there are a lot of trucks. Cynthia suggests adding a “g” to No. 36 that would provide for the posting of a bond. Will states we could expand No. 37 to cover all those types of conditions. Mr. Balter suggests leaving No. 35 the way it is, and add language in No. 37 for the bonding. Cynthia confirms that prior to the issuance of a COO in regards to the fourth multifamily building language will be added to No. 35. There will be a provision for posting a bond added to No. 37. Will refers to the landscaping and confirms top coating and paving should be added. Mr. Balter states also wetland mitigation. Mr. Balter asks who decides on the bond amount. Roland states it should be the Town Engineer who decides the amount. Mr. Balter confirms that will include the wetlands mitigation and top coating. Cynthia asks whether that will happen through the Building Department or through the Planning Board. Roland states he would imagine it would happen through the Building Department. Mr. Balter states he does not have any other comments.

Cynthia refers to Page 19, Item e in regards to lighting and states there is a blank there and asks the Board whether they want to specify times. Cynthia states that the lights will not be on sensors. Mr. Balter states the lights go on with sensors, they don’t go off with sensors. Cynthia asks Mr. Balter if all the lighting along the road are on sensors. Mr. Balter states they are on sensors to turn on so they are not on during the daylight. Roland asks when they go off. Mr. Balter believes they go off at dawn. Mr. Balter states these are all dark sky compliant fixtures. Cynthia states maybe we don’t need the hours. Maybe we just say they will be equipped with sensors. Will suggests taking out the whole item e.

Gary asks Mr. Balter whether there will be a generator for the water plant. Mr. Balter states yes. Gary asks how it will be powered. Mr. Balter states it will be powered by propane. There is discussion about the propane tanks being underground. Mr. Balter states they will show the tanks on the final plans to be submitted. Mr. Balter states they are not electric. Mr. Balter states they will put a note on the final plans. Mr. Balter did not realize they would be an issue because they are unseen. There is a discussion about the water tanks. Mr. Balter states there will be two twenty-five thousand gallon water tanks. Gary asks whether the tanks will be pressurized. Mr. Blakely states there are two twenty-five thousand gallon underground water tanks, and there will be a twenty-five thousand gallon underground water tank used as storage for domestic and fire-fighting purposes which will be booster pumped in the water controlled area. Gary confirms the tank and supply system for general use isn’t pressurized. Mr. Blakely states the tank is set at an elevation that provides enough pressure. There will be booster pumps in the water controlled building. Gary confirms there will not be any booster pumps located throughout the system. Will asks whether Mr. Balter has a general idea where the propane tanks will be located. Mr. Balter states that each building will have a tank at the end of the building.

Gary refers to the Amended Findings Statement and would like to know where we have local medical facilities. Cynthia asks what page Gary is on. Gary states Page 4. Gary refers to the statement in regards to regularly scheduled van service being provided to local medical facilities. Cynthia states three levels of radius were identified which included Danbury. Cynthia states the van service will go to Danbury. Mr. Balter states there are certain services that will happen forever. Mr. Balter states that the people who live there will be driven wherever they need to go for shopping and medical services without charge.

Cynthia refers to Page 13, Item 29 in regards to monitoring. Cynthia confirms with Will that we don’t monitor their monitor, we only check to make sure the reports are coming in. Will states the answer is yes. We don’t monitor their monitor. Will states the Applicant will pay someone who is on the Site regularly as part of the construction team. They have to file the Reports that the Town is expected to review. Will states the wetland law requires this, as well as the stormwater. Mr. Balter asks if they may submit a letter to the Planning Board.

Cynthia states she believes these reports go to the Building Inspector, and the Planning Board receives copies. Will states it is all administrative. There is a Condition in the Resolution so that a lot of the reports are filed with the Building Inspector and Planning Board Secretary. Mr. Balter refers to the Environmental Monitor being determined acceptable by the Planning Board. Cynthia states the Planning Board will determine whether the Monitor is qualified. Mr. Balter confirms he may submit a letter.

Cynthia states she has covered all of her questions, and believes the Board has picked up all of the blanks. Cynthia asks Will whether he requires direction from the Board on any other items. Will states no.

Cynthia states that clarification will be made throughout the document so that the reference will be changed to 64 affordable rental units. We will insert that it is the fourth building that triggers the Conditions on Page 16, Item 35. Language will be added in regarding the opportunity for posting a bond if the topcoat is not finished and the wetland items are incomplete. We are deleting Item e on Page 19 concerning the timing limitations for the exterior lights. Language will be added in regarding the change from electric to propane. The location of the propane tanks will be added to the revised Plans.

**Chairwoman motions that the Planning Board Consider Adoption of the Resolution of Approvals for the Freshwater Wetlands Permit, Stormwater Management and Erosion and Sediment Control, and Site Development Plan for Bridleside as Amended Above. Robert Tompkins seconds. All in favor, except Bernard Sweeney and Gary Jacobi vote no.**

After the motion (but before the vote), Gary refers to Page 14 in the Amended Findings Statement, in regards to a Declaration of Covenants, Restrictions and Easements to be created which will define the common areas and establish the ownership and maintenance. Gary does not understand why the property owner will not be responsible for everything. Why are we carving out areas that the property owner will not be responsible for? Will states this is not the Resolution. Gary states he knows that, but the Resolution feeds off the Findings. Will states that two items are listed there. It states that the property owner is responsible for everything. The major infrastructure components are listed. Gary states it sounds like there are going to be multiple deeds and maintenance obligations. Gary asks why we are carving out common areas and treated them differently. Cynthia states it separates what the Project Sponsor will be responsible for as opposed to the people that are living there. Gary states the individuals that are living there are not going to be responsible for any common areas. Cynthia does not understand Gary's question. Gary states the Declaration of Covenants will be created which will define the areas and establish the ownership of these common areas. This implies that there will be multiple owners of this whole property. Mr. Balter states there will not be multiple owners. Gary asks why it reads this way. Cynthia states we could take out the word "ownership". Will states we could go back and amend this to take out the entire sentence. Mr. Balter agrees. Charlotte refers to the next sentence where it states that the property owner will retain ownership and repair and maintenance of the entire development. Cynthia states we will have to go back and do this later because right now there is a motion and a second on the table. Cynthia states she was poling the Board. Right now there are four votes cast. Cynthia asks Gary what he would like to do. Gary states he will either abstain, or vote no. Cynthia asks Gary to pick one. Gary states he votes no (as reflected above).

Cynthia states that Gary has made an excellent point. The Board goes back to the second paragraph on Page 14 of the Amended Findings Statement and decides to take out the first two sentences. Cynthia states that if Gary finds anything else, he should bring it to the Board's attention. They can always take it up at the next Meeting. Cynthia states that Will did a yeoman's job on trying to take all of the previous Findings and rearrange the Amended Findings Statement. Gary does not dispute that. He states he has not had a chance to read it yet. Gary states it is a little premature to ask someone to come in and be handed a multi-page document to vote on in ten minutes. Bernard agrees with Gary's statement. Bernard states there have been many

changes discussed tonight. Bernard does not see how anyone can vote on something that is being changed by the moment. Cynthia states we are not changing the concept that we have been discussing. We are trying to make the documents accurate in regards to everything that has been reflected and stated. Bernard states we should be voting on a document as it is stated as is. If we don't like that, then we don't vote on it. Cynthia states we have to allow for some amendments at each Meeting.

**3. Ehrenkranz: Jeff DeRosa** (owner – Joel Ehrenkranz)  
**Lot Line Adjustment** (location – 131 & 151 Keeler Lane)

- Consider Draft Resolution of Approval

Cynthia states that Jeff DeRosa is here tonight to represent the Applicant. Cynthia states that Mr. and Mrs. Ehrenkranz own under the name of Joel Ehrenkranz as Trustee. Cynthia states that there are two large parcels at the top of Keeler Lane. Cynthia states that prior to the adoption of the 1987 Zoning Ordinance, a home was built on one lot, accessory structures on a second lot, and a swimming pool which ended up straddling two lots. Cynthia states even though the Town records referred to the secondary structures on the second lot as accessories, we could not find anything in the records where they went through the special permit process to have the accessory structures deemed accessory. We appreciate the intent, but it was the Building Inspector who suggested this be handled as a merger to straighten this out. That is exactly what the Applicant is proposing. The two lots will be merged so all of the structures will end up on one lot with the bottom lot having an accessory apartment to the main dwelling. Cynthia states she has structured the Draft Resolution as a merger. The mylar may not be signed unless the Zoning Board of Appeals (ZBA), who is scheduled to hear this Thursday night, does declare the apartment is indeed an accessory apartment. Cynthia asks Roland if he has had a chance to read the Draft Resolution and asks if it is structured okay. Roland states it is fine. Cynthia asks the Board whether they have any questions.

**Chairwoman motions that the Planning Board Accept a Lot Line Change Which will Merge two Lots on Keeler Lane Into one Subject to the ZBA Action on July 12, 2012, as well as all the Other Conditions, Regarding the Payment of Fees and Taxes, and Endorsement of the Plat. Robert Tompkins seconds. All in favor. No opposed.**

After the motion, Cynthia confirms with Mr. DeRosa that he is on the ZBA Agenda for July 12<sup>th</sup>. Cynthia asks Mr. DeRosa if he will be attending that Meeting. Mr. DeRosa states yes. Cynthia asks Mr. DeRosa to remind the ZBA to forward the results of their action so she may finalize the Draft Resolution.

**4. The Schoolhouse Theatre: James Nixon** (owner – White Squirrel Properties, LLC)  
**Site Development Plan** (location – 3 Owens Road)

- Consider Report From Planning Consultant
- Consider Setting a Public Hearing

Cynthia states that we have James Nixon, Jan Asong, and Lee Pope with us tonight. We have a revised Plan which still raises some questions regarding parking. Cynthia states it would be helpful if Mr. Nixon could explain the parking plan that was presented as part of this package and how the two-way system would work, and how it changes to a slightly reduced area in the event there is a full house. Mr. Nixon refers to the Plan and states this is the Plan the Board has in their packets. Mr. Nixon states the grey highlighted area shows the parking. Mr. Nixon states he has tried to address the safety ingress and egress issues that were raised with the prior set of Plans. Mr. Nixon states they have 24 line isles for two-way traffic, as required, and 15 line isles where there is one-way traffic. Mr. Nixon states that the revised Plan shows a reduction in striped parking

spaces to 38. Cynthia asks Mr. Nixon to show the location of the extent of the two-way traffic. Mr. Nixon shows the Board the two-way traffic flow on the Plan, as well as the one-way traffic flow. Mr. Nixon states the retention wall area has been pushed out, and five spaces have been added. Mr. Nixon states in addition to the 38 spaces, he is proposing, when the house is full and the parking lot is full, 6 more cars may be parked in the driving lanes without adding inconvenience or danger. Mr. Nixon states he is showing these spaces with dashes on the Plan, because they will not be painted on the ground. Mr. Nixon states they are proposing nine feet wide parallel spaces and states they will still have a fifteen foot wide runway access isle. Mr. Nixon states he is proposing to do the same procedure around the right end of the building, so there will be six more spaces which will only be used when drivers are directed to park there by someone from our staff. Cynthia asks how the average person coming in will be prevented from parking along that western line and whether there will be someone out there directing traffic. The habit right now is to park along that line. Cynthia states it is clear that the parking will be marked in the other areas, but there will be an area of black mcdam that will look very inviting. Mr. Nixon states that this will be like driving into a parking lot. There will be two-way traffic and a 24 foot isle. We can mark the center line of the 24 foot wide isle. Mr. Nixon states that normally, that area would not be meant for parking. Bernard asks how people will get into that area in the first place. Mr. Nixon states they will be going on Owens Road. Will states it does act as a driveway, but old habits are hard to break. Cynthia states she is not so concerned about the entranceway in. Once someone takes the curve, people tend to park in that area. Cynthia confirms that the parallel spaces 8 to 12 would be marked. Mr. Nixon states that if a person has to make a ninety-degree turn, they should know they shouldn't be parking there. Cynthia asks if there is a full house, will someone be out there directing traffic. Mr. Nixon states yes. Someone from the staff will come out and direct traffic when the house is full. Cynthia states people could walk in and buy a ticket, so it might not be known until 10 minutes prior to production that there will be a full house. Cynthia states there could be an unusual situation when a number of people arrive separately in single cars. Will asks if attendance deviates much from performance to performance. Ms. Pope states it is not uncommon for two people to come in one car. Will states that is not what he is asking. Will asks when there is a performance, are the seats in the theatre, and the spaces in the lot full. Ms. Pope states that varies. Ms. Pope states they have a computer system for filling their seats. At the moment people begin arriving, we know how many people are coming. We don't know how many parking spaces they are going to need. Few people come and just walk in. It does happen from time to time. People are used to making reservations ahead of time. Will asks whether the amount of staffing varies. Ms. Pope states no. At every performance we have at least one volunteer, a theatre manager, a stage manager, and an usher. If the Plan that James has proposed works out, it would make sense to have a specific person to rely on as a parking attendant. Will states that is what he was going to suggest. Will talks about having it be a condition of approval. Cynthia confirms that there are 38 marked spaces being proposed. Cynthia shows two alternatives that Will prepared and it appears there is the possibility of having either 40 or 41 marked spaces. Cynthia asks Mr. Nixon what his reaction would be to cutting into the hillside, and has he already looked into trying to do this. Mr. Nixon states he did look at the alternatives and does not believe it will cut into the hillside any more than what he has proposed. Mr. Nixon states it is a matter of how we lay out the stripes. Mr. Nixon states he would be inclined to lean towards the alternative with 41 spaces which would give us 3 more spaces. Cynthia states the four spaces could also be added near the front entrance way if they are still needed. Cynthia asks if parallel spaces may be added in the middle. Will states that we can, but people will not be able to leave. Will states he likes the concept of having a parking lot attendant directing people, but the attendant will have to be there when they leave, unless the people back in. Mr. Nixon agrees with Will. Will states the smart thing would be for the attendant to have individuals back in. Cynthia states if there will be a full house, and the possibility of a parking situation, having the cars back in may be done early on.

Cynthia talks about having this Application go to the Public Hearing stage. It will be the people who live around there who will tell us whether or not they have observed certain situations up until now. People may come in and tell us there have been a lot of situations that the Applicant may not know about. Cynthia states

people may have parked on the road, and it may have been an issue. Cynthia would like to get this Application to a point, where a Plan is picked, so we may hear what the public has to say about this concept.

Cynthia refers to Will's Memo and asks Mr. Nixon if he has any questions or issues of what is being asked in order to be prepared for a Public Hearing. Mr. Nixon states no. He is prepared to add the outstanding information to the Plans. Cynthia confirms that Mr. Nixon is going to try and do the 41 space layout that Will has suggested. Cynthia asks Mr. Nixon how quickly he would be able to submit revised Plans so the Board may consider setting a Public Hearing. Cynthia states if the Board takes action tonight, and the revised Plans were submitted in a week or so, we could be looking at a Public Hearing on August 1<sup>st</sup>. Mr. Nixon states he would be able to submit revised Plans so as to make the August 1<sup>st</sup> Meeting. Cynthia states for the Board that it is better to have Public Hearings when school is back in session because people may be away. Cynthia states that August seems to be when people are away. Cynthia states that the notice of public hearing is sent via certified mail, so if people are away, they could at least write in.

Gary asks when the submission has to come in in order to have this on the August 1<sup>st</sup> Agenda. Dawn confirms the submission date is July 11<sup>th</sup>. Cynthia discusses the requirements for the Public Hearing notification. Mr. Nixon asks how the ZBA fits into all of this. Cynthia states she will turn the floor over to either Roland or Will in regards to the area variances that will be needed. Cynthia asks Will whether this will be considered Uncoordinated. Roland states that the Board may refer the Applicant now to the ZBA. The Applicant will then go on the ZBA's Agenda in August, which would be after the Planning Board Public Hearing. Cynthia refers to SEQR in regards to an Uncoordinated or Coordinated review. Will states it would be up to the Board to decide what they would like to do. Roland states that if the Board makes Findings after the close of the Public Hearing, then a Coordinated review may be done. Roland states the Planning Board would have to make their Findings at the close of their Public Hearing that would cover what the ZBA would do at their Meeting. Cynthia states that the Planning Board will not be in a position to do that. Will states the Board may want to consider doing an Uncoordinated review.

Cynthia states we have not sent this over to the Town Engineer. We have to send it to him in regards to the stormwater management. Cynthia refers to the proposed retaining wall and asks whether that is something the Town Engineer should look at. Will asks Mr. Nixon what the height will be for the proposed retaining wall. Mr. Nixon states the exposed height will be approximately 10 feet. Will states the Board may want an engineer to check it out, or maybe just the wall design detail. Cynthia confirms the figure of 10 feet. Mr. Nixon states yes, 10 feet out of the ground. Mr. Nixon states the wall will not be that prominent a wall relative to the overall construction. Robert states the Plan shows plantings to be placed in front of the wall. Will asks whether materials will be taken out from the back. Mr. Nixon states yes, not as much as he originally thought. There is discussion about the width of the wall being 45 feet. Will states that portion of the Plan may be sent to the Town Engineer for his review. Cynthia states we need that detail first. Will refers to the 41 space plan and states the grading may be reduced. Cynthia states that Mr. Nixon has quite a bit of work to put together this week in order to make the August 1<sup>st</sup> Meeting.

Cynthia talks about the Board considering setting the Public Hearing conditioned upon receiving the revised materials. We can make a recommendation to the ZBA. Cynthia confirms with Roland that it should be a referral to the ZBA to consider the area variances. Cynthia states the first variance is for a building set back. Will has stated that the building addition is proposed wholly within the minimum 75 foot front setback area, which will require area variances, provided the ZBA determines the proposed addition does not increase the degree of or create any new noncomplying bulk. Cynthia states it did, and asks if that triggers a use variance. Will states no, then it is prohibited, and that is the bulk, not the use. Will states a portion of the building is closer to the front yard than the addition is. The ZBA could determine that it is not anything worse than what is there. Roland states that in the referral letter, it may be a good idea to point this out to the ZBA. Cynthia

talks about attaching a copy of Will's Memo to the referral for the ZBA. Cynthia will forward a copy to Bruce Thompson also. Roland states that Bruce does attend the ZBA Meetings so it would be helpful for him to have an understanding of the issue. Cynthia talks about adding in language drawing the ZBA's attention to the first bullet in Will's Memo that may require input from the Building Inspector. Cynthia confirms the Board does not have to do anything tonight under SEQR.

**Chairwoman motions that the Planning Board set the Public Hearing on the Site Development Plan Application for the School House Theatre on August 1, 2012, Subject to the Receipt of Amended Plan Materials by Friday, July 13<sup>th</sup>. A Referral will be made to the ZBA and the Building Inspector, Including MDRA's Memo to the Planning Board Which Outlines the Required Considerations for the ZBA. Charlotte Harris seconds. All in favor. No opposed.**

After the motion Cynthia advises Mr. Nixon that he is responsible for doing the notification to all of the neighbors. Cynthia states she will prepare the Public Hearing Notice which is the same Notice the neighbors will receive. Cynthia states the Planning Board Office will handle the publication of the Notice in the newspaper. Cynthia lets Mr. Nixon know that the Site Plan Public Hearing process specifications are written out in the Code.

5. **McCarthy:** Tim Allen (owner – Ryann McCarthy)  
**Land Exc., Fill, Chapter 189 Permit** (location – 205 Hardscrabble Road)

- Consider Report From Planning Consultant
- Consider Report From Town Engineer
- Consider Setting Public Hearing

Tim Allen is here tonight to represent Ryann McCarthy, the Applicant who is also here. Mr. Allen states he would like to move forward with a Public Hearing. Mr. Allen states he has Memos from both MDRA and Hahn. Mr. Allen states the wetlands were discussed at the last meeting. They approximated them based on the topo, aerials, and soil conditions and think they are fairly accurate. Mr. Allen states that whether or not the Board wants the Wetlands Inspector to go out to the Site is up to them, but he does not think it is necessary. Cynthia asks Mr. Allen to show the Board where the wetlands are on the Plan, and how close he proposes the activities to be. Mr. Allen shows the closest activity, the silt fence, which is already up and approximately 130 feet away. Cynthia asks if there was another issue on the other area where the Applicant is not proposing additional disturbance, except for the installation of plants, and asks whether that is close to the wetlands. Mr. Allen states no. Cynthia states that having been out to the Site twice, she doesn't see the need to have the wetlands further verified considering the slope and the location of the activities. Cynthia asks the Board how they feel about it. Cynthia suggests Mr. Allen check the edge of his clients property to see whether the wetlands go further. Cynthia states it is controlled area, not wetlands, so there will be no wetlands soil. Will asks who identified it. Mr. Allen states they did, based on topo and soil conditions. Robert asks Mr. Allen to refresh his memory on what is being proposed now in remediation. Mr. Allen refers to the Plan and shows where they are proposing to finish off grading an area. They are going to replant an area as a meadow. Mr. Allen states that three areas were involved. The back of the house, the area in the front, and the area that was cleared. Robert asks whether the whole thing will be stumped. Mr. Allen shows an area on the Plan that will not be stumped. Robert asks how there will be a meadow? Mr. Allen states it will grow in. It has already been seeded and is growing in. Cynthia states it should not be called a meadow. Mr. Allen shows on the Plan where they are proposing trees along the driveway and embankment. Will suggested shrubbery up above. We are not sure what the tree types will be yet. Will asks whether the trees can be picked out. Mr. Allen states they may pick them, but they may change. Mr. McCarthy states he was thinking about planting orchard type trees, such as apple trees. Cynthia confirms Mr. McCarthy is the owner. Cynthia would like to talk about the

areas behind the house and states that aside from replanting trees back, and stabilizing the areas, there has been a visual impact from some of the neighbors above. Cynthia states that when this goes to Public Hearing, the neighbors may be looking for a certain amount of trees of a certain height to put the view shed back. Cynthia states the Applicant should think about a screening-type of planting behind the house. She is not sure whether it should be short and at the top of the slope, or tall and at the bottom of the slope. Cynthia states that a lot of rock is in that area in terms of the survival of trees. Cynthia asks Mr. McCarthy if he has spoken with his neighbors about what he is intending to do. Mr. McCarthy states he has spoken with one of the neighbors who told him he just wants the job finished. Mr. McCarthy refers to another neighbor who has been very friendly. Robert inquires about an area on the Plan not all carved up where trees have been taken out. Mr. Allen states there is a slope from in front of the house that goes down. Robert talks about the rock that was exposed and asks where the rock ledge is in the front of the house. Cynthia states there is more rock on the side also. Mr. McCarthy shows on the Plan where the stone wall is located. Will states if the Applicant is looking to plant trees in order to break it up a little bit, and still have the field, there will be 14 trees along the bottom of the slope. Will suggests shrubs be planted on the slope so it will not have to be cut. Will suggests trees be planted along the edge and along the stone wall. This may provide relief as to any view that may be obtained. This will be somewhat of a tree row and will break up the open area where the house, the septic, and the field are. Mr. McCarthy talks about planting bushes in those areas. Will states that bushes will not do anything. Will is talking about views from around the property. The only thing that will do anything is trees. Mr. McCarthy would like to be able to see his children playing in that area. Mr. Allen states this is not a neighbor impact. It is only from the specific house. Will states he thought that is how the discussion started. Cynthia states that we will hear what the neighbors have to say at the Public Hearing. Cynthia states that the Board does not want to design how the Applicant's property will look. The Board wants to minimize the impacts with some of the neighbors. Mr. McCarthy states he knows one of the neighbors will be coming to the Public Hearing. Cynthia states the Board will consider setting the Public Hearing. Mr. Allen talks about getting the planting schedule ready for the Public Hearing and states that they will be looking for input from the neighbors. Robert asks if a violation was issued. Mr. Allen states a Stop Work Order was issued, but no violation. Cynthia states there must have been, because there was a waiver of the APRL. Roland states there is a note whereas the Applicant has to go back to the Town Board for a renewal. Mr. Allen states they submitted that request. Roland asks Mr. Allen what the violation was for. Mr. Allen states he thought it was a Stop Work Order, maybe there was a violation with it. Mr. Allen states it was for erosion control and tree cutting.

Cynthia states this will have the same condition as the last Agenda item. Materials have to be in by Friday, July 13<sup>th</sup> in order to be on the August 1<sup>st</sup> Agenda for the Public Hearing. Mr. Allen states he does not think there is a lot more to resubmit. He will take a look at it. Cynthia asks if the Board is comfortable that there is no further work on the wetland delineation. Gary states he is fine with it. Mr. Allen states they are fine with Item No. 2 in the Memo, and the planting schedule is to be determined. Will talks about getting input from the neighbors in regards to the plantings, and states the Plans should be fine to go ahead to a Public Hearing.

**Chairwoman motions that the Planning Board set the Public Hearing for the McCarthy Land Excavation, Fill, Chapter 189 Permit Applications for August 1, 2012, Contingent Upon the Town Board Granting an Extension of the APRL Form Tomorrow Night, July 10<sup>th</sup>. Gary seconds. All in favor. No opposed.**

After the motion, Cynthia refers to the Town Board Agenda and states she believes the Applicant is on for a three-month extension. Cynthia asks whether that will be sufficient. Will states that should be enough. Mr. Allen agrees.

**6. Total Energy:** Tim Allen (owner – Robert Armentano)  
**Amended Site Development Plan** (location – 2 Hardscrabble Road)

- Consider Report From Planning Consultant

Mr. Allen states he has looked at the MDRA Memo and doesn't have a lot of issues. There are a few items he would like clarification on. Mr. Allen refers to the lighting and septic areas on the proposed Plan. Mr. Allen states there should not be an issue with lighting. The lighting has been on the property for quite some time. Mr. Allen refers to the gas lights. Cynthia states the representative photographs should be added to the Plan. Mr. Allen states they have reduced the parking on the property. Cynthia states the removal of the shed is in a controlled area, so technically you will be acting under a wetlands permit. We will not ask you to go through a formal submission of a wetland application because it will not give us any more information than we already have. Cynthia states that Mr. Allen will see that the Board will act on Site Plan and Wetlands for the removal of the shed. Mr. Allen refers to the sign and states it will be made of a wood construction. Mr. Allen states it is their intention to have a sign board below in terms of a future tenant in Building B. Will asks Mr. Allen to note that on the Plan. Mr. Allen states that we are in good shape with everything else. Mr. Allen is confused about No. 11 in the MDRA Memo. Will states we just talked about that. Mr. Allen will take photographs of the lights to submit. Mr. Allen refers to Building B and states the Building Department has already issued a Building Permit on that once. That was a waiver of Site Plan. Cynthia states we want to memorialize it now. Cynthia asks Mr. Allen to submit an 11 x 17 Plan that references what was already previously approved, so we will know that what you are doing is the same as what was submitted as part of the waiver. Mr. Allen states it is smaller now, because it was a full bump out before, and now it has been reduced in size. Cynthia asks how that weighs into the parking calculation. The second floor dormer is discussed. Will confirms it is not there right now. Mr. Allen states it was previously shown as a full addition to that building. Now it will be an extension to the second floor. Cynthia states the first floor is there, and they will be building above it.

Cynthia refers to the ZBA and asks Mr. Allen if he has already been before them. Mr. Allen states it was a while ago. Mr. Allen states they received a variance in regards to the location of the sign. Mr. Allen states they had received approval for a sign that is now off the Plan. Cynthia confirms the sign that is being proposed now is 10 feet back from the property line, and it does not require a variance due to the size.

**Chairwoman motions that the Planning Board set the Public Hearing for Total Energy for August 1, 2012, Conditioned Upon the Submittal of Revised Plans by Friday, July 13<sup>th</sup>. Charlotte seconds. All in favor. No opposed.**

**7. The Commons at Purdys:** Jeffrey Contelmo (owner – Seven Springs Farm I, LLC)  
**Site Dev. Plan, Subdivision, Wetlands Permit** (location – 537 Rt. 22)

- Consider Report From Planning Consultant
- Consider Intent to be Lead Agency

Cynthia states that at our last Meeting we had one issue raised by our Planner that prompted a response by the Applicant's attorney. Cynthia states she believes this will be discussed with by the Town Board at their Meeting tomorrow night. We will put that aside for the moment. Cynthia states the Board could move forward with their Intent to be Lead Agency on what has been presented to them. It would be with the understanding that depending on the result of the conversation with the Town Board on the issue with the zoning, there is a risk that there may have to be a modification and recirculation of what is being presented. Cynthia states she asked the Applicant if he is willing to take that risk, and he stated he was. He would like the Board to move forward to declare themselves as Lead Agency. Cynthia states we do have a Report from

MDRA. Cynthia asks the Applicant's team as to whether they will be able to have everything modified in a timely fashion so we may circulate. Cynthia asks the Board whether they have any additional questions or comments to add to the Report from MDRA.

Ken Kearney states he is the Applicant. He states that a major change to the Project is that the owner of the property was gracious enough to agree to sell him the additional ten acres. This was a large concern, which we heard from the Board. Those ten acres will no longer be subdivided. Mr. Kearney states that in addition from their initial proposal, as was asked at the last meeting, the current Plan call for a 100% senior project. The townhomes have been removed, so the intergenerational aspect of the project has been eliminated. The project consists of four buildings. Two buildings will have 24 units, and two buildings will have 30 units in each. Mr. Kearney states that a question was asked regarding the age and the Fair Housing Law as it applies to this Project. Mr. Kearney states this Project will be for individuals who are 55 and older. As such, the Fair Housing Law dictates that a minimum of 80% of the units have to be rented to individuals that are 55 and older. We are proposing to have 100% of the units rented to seniors who are 55 and older. Mr. Kearney states they are proposing to have 82 one bedroom apartments, and the remainder will be two bedrooms. We will not have children or anyone under the age of 18. Mr. Kearney refers to some of his other projects with an age 62 and older status and states if the wife was 59, they could not move in. Mr. Kearney states that by age 55 and older it is a more active community and less demand on services. Mr. Kearney states that 100% of the units will be set aside for seniors who are 55 and older. Mr. Kearney states that his team is here tonight to answer any questions.

Cynthia states she believes that deed restrictions were discussed so that no one under a certain age may reside there. Mr. Kearney states that in addition to the deed restrictions, restrictive covenants are used by the various funding sources. Those are vehicles that can be worked out by the Attorney for the Town and my Attorney. Mr. Kearney states that these restrictive covenants run with the various funding sources. Cynthia asks when Mr. Kearney states that it runs with the funding sources, does that mean when an obligation for a funding source is completed, that the deed restriction goes away. Mr. Kearney states that in addition to a deed restriction there are other ways. Mr. Kearney states that sometimes there are two, three or four levels of enforcement.

Cynthia refers to the road going through the parking lot and asks whether this Plan is the latest Plan.

Will refers to the deed restrictions and asks who would be the enforcer. Mr. Kearney states they will always have funding agencies. Mr. Kearney states that in Westchester County the funding is for a minimum of 50 years. Mr. Kearney states that the last project he did with Westchester County is for 99 years. Mr. Kearney states they come and do annual monitoring. New York State does annual monitoring. Mr. Kearney asks whether the question is that the Town has to enforce it. He states no. Cynthia asks what happens if there is no enforcement. Roland states it would be difficult for the Town to enforce a deed restriction. We do not want to be responsible. Roland states the question is pertinent. Who does enforce the deed restriction? Who is the beneficiary of it? Mr. Kearney states the deed restriction, as such is his responsibility. It is the general partner's responsibility. Mr. Kearney states he gives personal guarantees to ensure that he is in compliance for fifteen years. Mr. Kearney states that after fifteen years, in the extended use period, for the additional 35 to 99 years, the responsibility falls on us, as the general partners of this limited partnership. Mr. Kearney states that Somers is monitored by three different agencies at least once a year. Mr. Kearney states that in Red Hook he has an inspection from the State coming in September. Mr. Kearney states he had his tax credit investor come last April. Mr. Kearney states he had Dutchess County come last December. Roland asks what they actually look at when they come. Mr. Kearney states they look at the files. Each time they come, they visit 20% of the units. They knock on doors and ask the tenants if there is anything new since the last time they were there. Mr. Kearney states they ask him or his property manager to step outside. They ask tenants questions as to how

everything is going, and how their neighbors are across the hall. They ask the hard questions. Roland asks if they ask for proof of age. Mr. Kearney states his firm receives that information. They have an onsite manager at every one of their properties. It is our responsibility to know who is living there and who is not. The only people who live there are on the lease. We receive proof of their age. When someone moves in they have to be at least 55. In the case of a project that is 62 and older, if the wife is 58, they can't move in. Mr. Kearney states the ongoing management in this business is critical. We do it. We don't contract it out. We currently own and manage 600 units in the Hudson Valley. It is a family-owned business consisting of my wife, my son, and I. We have a dozen employees. A good portion of our day is spent on minor management issues. We have onsite managers at each location. Cynthia understands that it is fairly straight forward when someone is applying to sort out who would be eligible and who wouldn't. Charlotte asks what happens when someone age 55 moves in and then gets married to someone younger. Charlotte asks whether they would be kicked out. Cynthia states if a 55 year old marries a 30 year old and they have a child, would they be evicted. Mr. Kearney states he has had evictions. Mr. Kearney states this is a sensitive business. No one wants to be accused of picking on seniors. There are responsibilities. It is our job to enforce it as far as we have to go. Mr. Kearney talks about the threat of an eviction. Mr. Kearney states that someone years ago challenged him on the definition of a live-in aide. Mr. Kearney states a person over 62 moved in, as well as her daughter who was in her 30's. We were told the daughter was a live-in aide. Mr. Kearney states that a live-in aide has to have certain qualifications. Mr. Kearney talks about how they know and states they know because they are there. The superintendent is also there. The superintendent is there on site when the property manager goes home. Cynthia was expecting Mr. Kearney to say that the lease would not get renewed, versus going through an eviction process. Mr. Kearney states that every year everyone gets recertified. All of their assets and income are reviewed. If someone moves in that is not supposed to be there, we will know. Nine times out of ten one of the neighbors will tell us.

Bernard asks Mr. Kearney how he is going to handle the parking and traffic in a complex like this with 55 and older individuals. Bernard refers to the number of units being doubled because two people will be driving. Bernard refers to the traffic on Route 22. Mr. Kearney states they will do a traffic study and enhance the original traffic study that was done for the rezone. Mr. Kearney states his experience has been in most of his complexes, it is never difficult to find parking. Mr. Kearney states that in a one-bedroom apartment it is very rare that a couple will have two cars. Mr. Kearney states that we also find with seniors that children tend to take their keys away. Bernard states that is fine for age 62. He does not agree for age 55. Mr. Kearney states it is 55 and older, but this whole community will not be age 55. There will be a mix of people who are 65, 70 and 75.

Will asks how many 100% affordable 55 and older senior developments does Mr. Kearney have. Mr. Kearney states they have three finished and one under construction. Will states there must be some type of profile data that shows how many parking spaces and units are utilized. It would be helpful and useful.

Cynthia asks whether the Applicant has looked at the MDRA Memo and see if there are any questions about the additional information being asked. Cynthia asks how soon the Applicant will be able to submit the information. Mr. Contelmo states the only item that will take them a little bit of time is the easements. Mr. Contelmo states that the rest of the items are minor. They will need several days. Cynthia states we have a master list that we use for all of the interested and involved agencies. Cynthia states the Applicant should not be alarmed when he sees it because most of our circulations are in electronic format. Cynthia states the individuals that are not on the list are the funding agencies. We will need as much information such as contact, e-mail address, telephone number, and mailing address. Cynthia asks Mr. Contelmo to e-mail that list to Dawn. Cynthia states we will share our list with Mr. Contelmo. Cynthia states we are down to only a few hard copies. Mr. Contelmo talks about providing pdf copies. Cynthia states if the Plans can be e-mailed that would be great. Normally we have to circulate cd's. Cynthia asks whether there is anything else to consider at

this time.

Cynthia goes over the Draft Resolution regarding the Planning Board's Intent to be Lead Agency. Cynthia states we will be circulating a Plan set, an EAF Part 1 and a Draft Scoping Outline. Will asks Cynthia whether they will be circulating a Draft Scoping Outline. Cynthia states she does not know, she is asking him. Cynthia confirms with Will that the Board is just declaring their Intent to be Lead Agency. Roland states the Board does not have to decide on the Scoping Outline tonight.

**Chairwoman motions that the Board Adopt the Draft Resolution Declaring Their Intent to be Lead Agency for the Commons at Purdys Multifamily Senior Affordable Rental Housing Units. Robert seconds. All in favor. No opposed.**

**8. Financial Report:**

- June, 2012

**Chairwoman motions that the Planning Board Approve the Financial Report for June, 2012. Bernard Sweeney seconds. All in favor. No opposed.**

**9. Next Meetings:**

- Work Session – July 18, 2012 – (discuss possible cancellation)
- Regular Meeting – August 1, 2012

**10. Comments from the Chair:**

The Board confirms there will be no Work Session on July 18<sup>th</sup>. The next Regular Meeting will be on August 1<sup>st</sup>. Bernard states he will not be at the August 1<sup>st</sup> Meeting.

Cynthia states that the Town Board will be Meeting tomorrow night. We have completion reports on the latest submission from Highgate/Woodlands. It is likely the Town Board will move it as sufficient for circulation subject to a few revisions. Sometime over the next few months, the Planning Board will be seeing a complete Supplemental Draft Environmental Impact Statement for Highgate/Woodlands. Cynthia states she is going to ask the Applicant to come to our next Meeting or Work Session and give us an overview because it has been a long time. The Board is going to put together comments under SEQR. Cynthia talks about scheduling a Site Walk as soon as the leaves come off the trees. Bernard states he will miss all of the Public Hearings in August. Cynthia asks Bernard to submit his comments in writing.

**11. Resolution:**

**Chairwoman motions to adjourn the Planning Board Meeting. Bernard Sweeney seconds. All in favor. No opposed.**