

Determination of Non-Significance. Cynthia confirms with Dawn that the Applicant has a copy. Cynthia states a great deal of this Draft Resolution is a leap of faith. Cynthia states if the theatre becomes extremely successful, and parking does become an issue, the Board would like the Applicant to exercise valet parking, in addition to taking advantage of the parking lot in Croton Falls. Cynthia states the Board does want to see the success of the theatre continue, but they have concerns in regards to the parking. Cynthia states the Board hopes that whoever takes over in the future understands this issue also. Cynthia refers to the Conditions under which the Draft Resolution of Approval will be granted. Cynthia confirms with the Board it isn't necessary for her to read through the entire Draft. Cynthia asks the Board whether they have any questions. They do not.

Gary Jacobi motions that the Planning Board Adopt the Draft Resolution of SEQR Determination of Non-Significance, Stormwater Management and Erosion and Sediment Control and Site Development Plan Approval for the School House Theatre, Conditioned Upon a Sign off From the Fire Commissioners. Robert Tompkins seconds. All in favor. No opposed.

3. Purdy's Farmer and the Fish: Viktor Solarik (owner – Purdy Family Trust)
Site Development Plan (location – 100 Titicus Road)

- Consider Report from Planning Consultant

Cynthia states a concern that has come up, as she has been working through this proposal with Will at MDRA, is the fact that we do have two previous partial Site Plans. We had one for the horse barn, and we had one for everything across the front. Cynthia states the current proposed Plan that has been submitted was just a blow up of the front area portion. Cynthia states that since the 1995 Plan is being updated, we need to keep that portion together. We are not asking the Applicant to do anything different in regards to how the other areas were represented. Viktor Solarik is here tonight to represent the Applicant. Mr. Solarik states he will prepare a comprehensive picture and Plan. Mr. Solarik talks about obtaining the 1991 Site Plan information. Cynthia states she does not believe the Applicant needs to worry about the horse barn because that is up in the back. Cynthia states one item she is curious about is that the one acre Lot that is under a different ownership was shown as part of the 1995 Site Plan. Cynthia is not sure what the relationship is, but states it is a separate Lot. Cynthia states that is the Lot she referred to when she suggested the Applicant talk with the neighbor to see about working out extra parking potential. Mr. Taylor states that Edward Taylor, the Owner of the restaurant is here with us tonight. Mr. Solarik states if they take all the information from the 1995 Site Plan and incorporate it into the new Site Plan it will only show what happened in 1995. Cynthia asks Will whether the Applicant should continue to show the separate Lot. Will asks what the actual Lot Number is. Mr. Solarik states it is Tim Purdy's property. Will states he believes there is an issue with the Lot Number. Will states he has not seen the 1995 Plan but if the Lot is unrelated and owned by someone else, he is not sure why it would have been on the 1995 Plan. Mr. Taylor states it is all part of a Trust. Mr. Solarik states he will have to check this out. Cynthia states there are two Lots. There is a 19 acre Lot and a 1 acre lot. Mr. Taylor states he believes Mr. Purdy carved a portion of the property for his use. Will states it may have already been two Lots, and the Site Plan was issued on both. Will states there should have been a Resolution done at that time. Cynthia asks Will if he is suggesting both Lots be kept together. Roland asks if the well or the septic are on the separate Lot. Will states he is not sure. Mr. Solarik states chances are the water is shared. Mr. Taylor states the water goes through his building. Mr. Taylor states that Mr. Purdy's office, the horse barn, and Joe Cotter's house share the water usage as well as his building. Mr. Taylor talks about sub-metering it and states they have explored this and cannot find where the water comes, goes out, or how to meter it. Mr. Taylor states it is underneath the foundation somewhere. Mr. Solarik refers to the back of the building and states there is no crawl space. The floor is basically sitting over dirt. It is impossible to go back and trace the water lines to see where it goes out of our building to the other structures. Will states to move forward he would recommend having a Plan that restores the 1995 Plan. Will refers to the new Plan and states Mr. Solarik is showing prior

changes such as work that has already taken place, as well as items that have been removed. Will suggests the first Plan Sheet should show the 1995 Plan and annotate those prior changes. The second Plan Sheet should show the items the Applicant is now seeking approval for and what will replace the prior Plan in the end. Mr. Solarik states between 1995 and now there have been changes. Will states the Plans will be approved as retrofit.

Cynthia refers to the parking suggestions from Will in regards to expanding the lot behind the wall and states this will probably require a variance because it does extend into the front yard. Cynthia states it is a viable parking lot, part of it is pre-existing, and it makes sense. Cynthia asks Mr. Solarik if he can continue on that vane. Mr. Solarik states the parking lot has been in use in connection with the restaurant since the 1980s. Mr. Solarik refers to the new Plan and states they have delineated the parking in more of a refined way to show how it is being used. Mr. Solarik states there have been changes and the layout has been moved around over the years. Mr. Solarik states he has shown how the parking areas are being used today. Will asks how the parking areas look today compared to the 1995 Plan. Mr. Solarik refers to the 1995 Plan and states it showed nine or ten parking spaces. Cynthia states the pushing over of the parking lot is recent and that is what we are trying to nail down now, and perhaps make it more efficient. Will states if the back corner or triangle occurred since 1995 that would be considered a new parking lot, and it would be a violation of the setback. That is what the variance would be needed for. Will states the other parking that was already there and approved in 1995 would be pre-existing, and wouldn't require a variance. Cynthia states the Planning Board would consider whether to provide a recommendation to the Zoning Board of Appeals (ZBA) for the variance. Will shows on the proposed Plan where he is suggesting the parking lot be more like a rectangle in order to obtain more spaces. Mr. Solarik states this is a difficult area, and they are trying to preserve mature trees. Mr. Taylor states that is their flattest area for growing. Cynthia states that the parking is the biggest issue.

Mr. Taylor states they have found a septic system that is not on any Site Plans. Mr. Taylor states the system was not working. They had someone come in and pump it, clean it, and repair it. Mr. Solarik refers to the crawl space area and states that is where the pipe is located. Mr. Taylor states they had to have someone run cameras underground. Mr. Solarik states they do not want anyone to park in that area. Mr. Taylor states they have twice as much septic as they thought they had. Cynthia asks if the septic is on Mr. Taylor's property. Mr. Solarik states that Mr. Cotter and the other buildings have their own septic system. Cynthia refers to the location of the septic systems on the Plan. Mr. Solarik states he believes there is a septic system in the back of the property, however, he has never seen documentation in regards to either the barn or the office. Cynthia asks if Mr. Solarik is referring to Mr. Purdy's office. Mr. Solarik states yes. Michael Liguori is with us tonight also representing the Applicant. Mr. Liguori refers to Site Plan Sheets he brought with him that were prepared by Insite Engineering in 1998 which may have been a proposed revision, the Plans show reputed septic areas for the buildings as b, c and f, as well as the reputed septic area for the single story building. Cynthia states those are approximate locations.

Cynthia states we still have not resolved the parking problem. Mr. Solarik states the parking is a sticking point. Cynthia states we should talk about the Department of Transportation (DOT) land. Cynthia states there is one lot in the front of the building that houses approximately 12 cars away from the fence, on the street side. Cynthia states that going further west there is an area that would house at least 10 or 12 spaces. Cynthia asks if the DOT has provided their permission for that area to be used for parking since it is all leveled out gravel and patrons currently park there. Viktor states he is not aware of any documentation granting permission. Cynthia states that patrons are parking there. Mr. Taylor asks if that would solve the problem if they were to obtain approval. Cynthia states the point is, it would not solve the problem. Cynthia states the parking in the front is full, as well as in the DOT area. Cynthia is not sure whether patrons are going behind the wall to park and talks about having a little sign so people know there is additional parking that way. Cynthia states people are also going across the street and parking on the ball field side. Cynthia states when the restaurant is full, they need a lot more parking spaces than what our regulations say should be provided. Cynthia states we are

trying to figure out how to get the spaces on the Applicant's property, which is the safest and most sufficient way to handle parking. Cynthia refers to the DOT land in front of the building and asks whether the Applicant knows how they are allowed to use that land, such as is there an agreement, or did the situation just evolve. Cynthia states when the prior owner came before the Board for the sign permit, it was stated that the DOT required the entrance and exit signs, so there had to have been some type of communication with the DOT. Cynthia suggests the Applicant talk with the DOT, Mr. Cotter, or Mr. Purdy to see how that came about. Mr. Solarik talks about trying to look for any prior communication. Cynthia states the downside is you may ask the DOT, and they say no. Cynthia states the other downside is that they haven't improved that intersection and all of those spaces may be lost, which is why the 1995 Plan showed where those 17 spaces would go. Mr. Liguori states his recollection with the 1995 Plan was that there was passive consent by the DOT in order for the 17 spaces in the front to be used. Cynthia states that is what she thought too. Mr. Liguori states he remembers reading the Minutes of the Planning Board Meetings at that time. Gary states he likes that word passive. Mr. Liguori states thank you. Gary states there may not be any documentation from the DOT. Gary states that when people park across the street, it is only a matter of time before someone gets hurt, and then there will be a big problem. Cynthia states the City could also shut the parking down. Cynthia states that people are parking on the grass. Cynthia states that more efficient parking has to be created on the Site. Will refers to the area where the three pits are located and asks if there is space back there that might be usable. Mr. Solarik states that trees would have to be cleared out. Mr. Solarik states that area goes into the hill. It would require substantial grading in order to create parking. Robert asks where the paddock is located. Will asks if there is any way to have a circular pattern. Mr. Solarik states there may be room for a 16 foot driveway. Having a one way driveway is discussed. Utilizing an area Mr. Cotter has is discussed. Mr. Taylor states Mr. Cotter has been there only three times in the last year. Cynthia states the Applicant should speak with both of their neighbors. Speaking with Mr. Purdy is discussed. Cynthia states that if Mr. Purdy has at least five spaces and he leaves at 5:00 p.m., maybe something may be worked out for the employees to park there. This would free up spaces for the patrons closer to the restaurant. Mr. Taylor talks about having a small directional sign, as well as two lights on a column. Gary states the parking has to stop taking place across the street. Mr. Taylor talks about having a few lights so people may see the ground, and adding a sign so people know additional parking may be utilized there. Mr. Taylor states the last thing he wants is for someone to cross the street and get hurt as he would feel awful. Gary states when people drive south down that hill they go fast. Someone may take their time crossing late at night. Gary states the Applicant should do his best to provide spots on the Site. Will asks if the parking area may be extended further past the dumpster.

Cynthia talks about the Applicant figuring out what they are going to do with the drainage in that area and states that during a couple of the rain storms the area has puddled. Mr. Solarik states they are proposing to have an open trench that will intercept the water that is coming down the hill. It will have a pitch and slope down. There will be a drywell structure. Cynthia asks if that has been designed. Mr. Solarik states yes, they have done testing and will provide data. Mr. Solarik asks if they may put gravel down in that area when it is done. Cynthia states that the Applicant should show what he is proposing and we will have our engineer review it. Cynthia states it all has to do with the stormwater and what is the best way to handle the flow. Will states the Applicant may have to correspond with New York State Department of Environmental Protection (NYSDEP). Mr. Taylor asks if Will is referring to percolation tests. Will states the Applicant should check with the NYSDEP. Mr. Taylor states one of the reasons why people don't walk out there is because there is no gravel there yet and when it rains it gets muddy. He would like to clean it up and install gravel. Cynthia states that may not be done until the engineering has been finalized. Cynthia states the Applicant should see whether the area may be made larger in order to fit more cars in there.

Cynthia refers to the dumpster and asks if it is possible to move it behind the building, or to the other side of the building. Mr. Taylor states they do not want people driving across the septic system. Cynthia states the dumpster used to be on the other side. Mr. Taylor states it was in the middle. Cynthia states the 1995 Plan

had it outside the kitchen and asks if it may be moved back over there. Mr. Solarik states he is not sure whether it would be desirable there. Mr. Taylor states it would not look pretty there. Cynthia asks if the dumpster could go behind the fence. There is discussion about dumpster having an odor, especially from the fish. Mr. Taylor states that is why they have it located on the other side of the Site and talks about fencing it in and planting shrubs.

Cynthia states the Board has provided the Applicant with some ideas to try and help them improve the parking issue. Cynthia states the Applicant has an engineer in regards to the drainage issues.

Cynthia states the other issues that remain are the Uses. Cynthia refers to the septic and states it is more than originally thought. Cynthia asks what the capacity of the restaurant is and how far it will go. Cynthia states there used to be a restaurant on the first floor, and a residence on the second floor; but now the residence is gone. Cynthia states there are a couple of offices up there, and the rest of the space is not being used yet. Cynthia refers to the back area and asks whether it will be take-out. Mr. Taylor states the back will be utilized as a preparation area for the kitchen, as well as the location of a market. Cynthia refers to the term "market" and states the Board is having difficulty figuring how it would be allowed under our Zoning. Robert suggests the term "market" be changed to a "farm stand". Cynthia states we would have difficulty with that too. Cynthia asks whether there will be any take-out aspect from that area. Mr. Taylor states yes, if the Board wants them to. Cynthia states at one point selling bakery goods had been discussed. Mr. Taylor states they would like to put a bakery in. Mr. Taylor refers to the two buildings and states they cannot attach them without an approval. There is a discussion about utilizing the breezeway to grow vegetables for the farm stand. Mr. Taylor states they would like to make crab cakes to go. Mr. Taylor states that whatever they make in the restaurant, they would also like to make it to go. Mr. Taylor states there are great farms here in North Salem where people raise beef. Mr. Taylor states they would like to be able to sell the beef. Mr. Taylor states a neighbor makes honey that he would like to sell. Cynthia states this is not a retail zone. Mr. Taylor states the Board should tell him what he can and cannot do. Cynthia states that anything that is an extension of the Restaurant Use such as bakery goods, and take-out would all be fine. Will states if Mr. Taylor would like to pursue the sale of the other items, he may consider going to the Town Board for an Amendment to the Zoning. Cynthia states we have been through that road before. There is a discussion about selling prepared food.

Cynthia talks about the second floor and asks Mr. Taylor what his thoughts are for that space. Mr. Taylor states his long term plan for the winter time is to take out all of the tables around the fire place downstairs, as it is nice to have all of the fireplaces lit. Mr. Taylor states there is also a fireplace in the bar area. We have a couch in there that would have to be moved. Mr. Taylor talks about having a room upstairs for clubs such as the Hunt Club to use. It could be considered a party room. Mr. Solarik states it would be an extension of the restaurant. Mr. Taylor talks about moving the tables from downstairs upstairs. Cynthia states why not do it all now, and show it as a potential future restaurant dining area. Cynthia states the calculations for water, septic, and parking should all be worked out now, so there may not be a need to come back. Cynthia confirms that any expansion for the restaurant is a Permitted Use. Cynthia states it makes sense to do all of this now, even if everything is not completed right away. Cynthia states to the Applicant that he should not start adding on porches to be enclosed and enlarged. Mr. Solarik states they went to the Historic Preservation Commission (HPC) and the Architectural Review Board (ARB) and received approval to put up a small shed roof. Cynthia asks if Mr. Solarik is referring to the portico. Mr. Solarik states that between the back of the building and the ice box they would like to install a roof. Will states that the ARB does not provide the Applicant with approval to build, it still has to be transferred to the Site Plan. Mr. Solarik talks about closing in the space between the take-out area and the bakery and states they would go back to the HPC and ARB for their opinion. Mr. Solarik talks about having offices upstairs for the restaurant, as well as dining rooms. Mr. Solarik talks about going through the Health Department, as well as providing parking calculations. Mr. Taylor talks about possibly having valet parking. Cynthia states, if nothing else, when it starts to get crowded, someone should be out there directing the people to park behind the wall. Cynthia talks about keeping a lane

open for fire trucks. Mr. Solarik talks about the width of the entranceway.

Cynthia states the Applicant should concentrate on the parking, engineering for the drainage, and adding all of the Uses. Cynthia refers to the Applicant progressing with their Plan, and asks whether the Board would agree to allow a Meeting with the Town and Applicant's engineers to go over basic stormwater issues, if needed. The Board agrees. Mr. Solarik states he would love that, as it would make the process easier.

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

- Consider Draft Resolution of Approval

Cynthia states Tim Allen is here tonight to represent the Applicant. Cynthia asks Mr. Allen if he has had a chance to take a look at the Draft Resolution. Mr. Allen states no. Dawn hands a copy to Mr. Allen. Mr. Allen states that last night Ryann McCarthy went before the Judge. He pleaded guilty to tree slashing and paid a fine of \$250.00.

Cynthia refers to the cost estimate and asks if at some point Mr. Allen presented one for the proposed Performance Bond to Frank Annunziata. Cynthia states that Frank signed off on a \$14,000.00 Performance Bond. Cynthia asks Mr. Allen what that cost estimate was based on. Cynthia asks if it was based on the stormwater. Mr. Allen states there was no stormwater involved. It involved the cutting and filling that would have to be done in order to stabilize the soil. The Board reviews the Draft Resolution. Cynthia states based on the last Plans that were submitted, the only items left open were the sign-off on the SWPPP, the Performance Bond, and any outstanding fees. Cynthia asks Mr. Allen whether the work will begin this fall. Mr. Allen states the cleanup may be done, but we will have to wait until the spring for the planting. There is talk about being able to stabilize the grass areas now, depending on what type of fall we have. Cynthia asks if the Board has had a chance to review the Draft. Gary states he has, and is okay with it. Robert refers to the remediation in regards to the trees in the back of the house as far as the final conclusion as to what the size of the trees will be. Mr. Allen does not recall what was agreed to at the Public Hearing. Robert states initially there was a discussion about four to six foot trees. Cynthia states the wall was extended. The Board agrees for the trees to be a minimum of six feet. Will refers to the Plan and states it lists four to six feet. Mr. Allen states he will change that to be a minimum of six feet. Cynthia will modify the Draft to read a minimum of six foot trees. Robert refers to the stumps and states if the area is being proposed as a meadow, it will not be a meadow if the stumps are still there. Mr. Allen states it is a meadow now. Robert asks if that will be a play area. Mr. Allen states they will be filling the flats in at the location of the play area, and the stumps will be removed.

Gary Jacobi motions that the Planning Board Adopt the Draft Resolution of SEQR Negative Declaration, Chapter 193 Stormwater Management/Erosion & Sediment Control, Chapter 189 Land Excavation, Filling and Tree Removal Permit Approval for Ryann McCarthy, as Modified. Cynthia Curtis seconds. All in favor, except Robert Tompkins votes no.

After the motion Cynthia asks Robert what the Board could have done to make this better and asks him if he wanted more plantings. Robert states no. He feels like the law, as it is, is useless. He states he wanted to make a point to the Town Board.

5. **Sprint Spectrum L.P.:** Douglas Warden (owner – Pasquale & Francis Carrozza)
Cond. Use/Site Development Plan (location – 509 Route 22)

- Discussion Regarding Request for Recertification of the Conditional Use and Site

Development Plan Approval

- Consider Renewal of Conditional Use Permit

Cynthia states this item has been removed from the Agenda tonight because the Applicant has not submitted their Application Processing Restrictive Law (APRL) Form. Cynthia states this proposal is for a renewal of small panels on the top of a building. Cynthia states she checked with the Building Inspector and he is going to let her know if there are any issues from his department. Cynthia states she did notify the Attorney representing the Applicant that we are going to make sure the Removal Bond amount is sufficient. Cynthia states the Applicant is having a cost estimate prepared that we will provide to Frank Annunziata for his review. If all of the information is in place, this item may be placed on our Work Session Agenda for October 17th.

WORK SESSION:

6. Discussion Regarding Chapter 189 Sand & Gravel/Tree Removal and Planned Development-Continued Care Retirement Community (PD-CCRC) District.

- **PD-CCRC:**

Cynthia states at the last Meeting Will gave us an overview, and we have had a couple of weeks to review it. Cynthia states the Town Board is anxious for us to make the Referral over to them. Cynthia asks the Board whether they have any questions for Will at this time in regards to the Draft. Cynthia states she has extra copies with her in case anyone needs one. Cynthia states the overview was provided to the Board two weeks ago so they would have two weeks to consider it. Bernard asks Roland whether there were any changes at all made or are these just clarifications. Roland states he thinks the purpose is to get the Board to where they always believed they were. Bernard states he wants to make sure that is all that was done and that there were no changes done that may be questioned in court. Roland states he is not aware of any changes and asks Will to clarify. Will states that was the intent, to keep it that way. Gary asks what the significance of 55 and older. Roland states there are two sections of Law under the Federal Fair Housing Act. One is 55 and older, and the other is 62 and older. Roland states at 55 and older 80% of the residents have to be over 55. If it is age 62 and older, 100% of the residents have to be over 62. Roland states it is a Federal Law, but for marketing purposes, very few developers come in believing they can make it at age 62 and older because the market is so limited. Gary states he was wondering because someone may be 45, handicapped and requiring assisted living. Roland states they would fall into the 20% category. Gary states he does not see any problems with the Draft. Robert states he is not prepared to move on this tonight, as he has not had an opportunity to read through it. Robert states he would like to talk more with Will about it. Cynthia asks Roland whether the Board has time to hold this over and states there will be a Public Hearing at the Town Board level. Roland refers to a developer and states we do not know whether they have disappeared or are waiting in the wings. Roland states when decided to do this, we did say that there was no reason to refer it over to the Building Inspector for an interpretation before the Zoning Board of Appeals (ZBA) because we could move the legislative process just as quickly. Robert states he does not want to hold anything up. Roland states the more time that it takes, the more we are proving ourselves wrong that it is tied up in a bureaucratic review.

Chairwoman motions that the Planning Board Refer the Proposed Amendments to the Planned Development-Continued Care Retirement Community (PD-CCRC) Zoning District, as Prepared in the Draft Dated September 19, 2012, to the Town Board. Gary Jacobi seconds. All in favor, except Robert Tompkins abstains.

After the motion, Cynthia asks Will if he would prepare the SEQR documents. Cynthia asks Roland whether the Town Board is anticipating having this on their October 9th Agenda. Cynthia states she will try and forward everything to the Town Board in time for the October 9th Meeting. Roland states that would allow the Town Board to declare their intent to be Lead Agency. Will states there are no other agencies. Roland confirms the Town Board does not have to declare their intent, they can go right to lead agency. Will talks about adding that language into the Resolution of adoption. Will states a referral has to be made to the County. Cynthia asks Will if he will be able to prepare an EAF by October 9th, as this is a holiday weekend. Will states he will try. Cynthia states she will do the Referral to the Town Board, in case they want to put it on their Agenda for an overview. Cynthia asks Roland if he is comfortable providing an overview to the Town Board, or whether we should ask Will to attend. Roland states the Town Board may prefer to have Will there in case they have any questions. Will states the Town Board may want to begin discussions, even if he does not have an EAF prepared by then. Roland states it is important to show good faith in moving this along. Cynthia states she will be flying back in from San Francisco that night. She may or may not be able to get to the Meeting in time. Cynthia states she will let Warren know that Will plans to be there to provide the Town Board with a general overview, so that if they are comfortable, they may set everything in motion within the two weeks after the Meeting.

- **Chapter 189:**

Cynthia thought we would have Will give us a quick overview tonight of the changes that he has incorporated in the Tree Ordinance and then we will discuss it more fully in two weeks.

Will states the text in red has been added back since the last version. Will states in one instance, there is an alternative text in a magenta color. Will states the items that have been struck out were in the last version, and it was suggested they be deleted in this version. Will refers to Page 2 and states he added in a definition for Steep Slopes because this may come into play later on where a Permit may be necessary. Will states there isn't a Steep Slopes Ordinance in Town, and there isn't a definition of Steep Slopes in the other Ordinances. Will states he brought the definition in from a Draft that the Board had worked on a long time ago. Will states the regulated activities are where the main focus of the changes occurred. Will states he revamped the Regulated Activities Section on Page 3 based on their last discussion. Will refers to the number of trees to be removed based on the acreage and states he has put in an alternative for the Board to review. Will refers to Bedford and Somers and states if a property has 2.1 acres, they would be able to take down 9 trees, but someone having a 2 acre property would only be able to take down 5 trees. Will states he came up with something for the Board to review based on a sliding scale depending on the acreage. Will states that when we get to 20 trees or more, everyone would require a Permit. Gary states that works. Robert agrees. Will refers to Page 4 and states language was added in regards to the waivers that may be requested. Will states he reworded a few items based on points that were raised. Gary asks if an Applicant would have to come before the Planning Board to find out if they need a waiver. Will states it is no different than what an Applicant would do for a Wetlands or Site Plan Application. When making their initial submission, the Applicant may request certain waivers. The Planning Board would look at those materials and decide. Will refers to Page 10, Item D and states that was taken out after a discussion at the last Meeting. Will refers to Page 12 in regards to the fine issues and states Roland's office provided information that has been incorporated in this Draft. Will states he tried to focus the language on the offenses, as well as the fine amounts. Will requests Roland take a look at this Section. Will states that edits were made on Page 13 and states Roland should look at this as well. Will refers to the Public Hearing section and states it doesn't belong there. Will states there may be language in this area that doesn't pertain to the Tree Ordinance. Roland states he believes we would still want notice to be given to the neighbors. Will states this is referring to amendments to the law, so which neighbors would be notified? Roland states he misunderstood. He thought this had to do with a Permit procedure. Cynthia asks what the Public Hearing timeframe is because some of them are too far in advance,

and some of them are too short. Will states it is drafted to be 5 business days for the publishing, and 13 business days for the notice to the neighbors. The Board agrees to change it to 10 business days. Cynthia thanks Will for the overview and states the Board will have two weeks to read and study it to be prepared for a discussion at the October 17th Work Session. Bernard refers to the amount of trees per acreage and states it looks like the old language. Cynthia states if someone has two acres, they may take down six trees, and if they have three acres, they may take down nine trees. Will states the parcel acreage should be multiplied by three.

7. Financial Report:

- September, 2012

Chairwoman motions that the Planning Board Approve the Financial Report for September, 2012. Gary Jacobi seconds. All in favor. No opposed.

8. Next Meetings:

- Work Session – October 17, 2012
- Regular Meeting – November 7, 2012

9. Comments from the Chair:

Cynthia refers to the Highgate/Woodlands Project and states she is running into a lot of minor issues. It is definitely not ready for circulation. Cynthia states she called Michael Plottel today to let him know she is half way through reviewing it. Cynthia refers to the cut and fill documentation provided in the executive summary and states when looking at the Section that is supposed to list the details, there are different figures listed. Cynthia states she has no idea which figures are right and which figures are wrong. Cynthia refers to the cut listed on the Plans and states the cut she came up with is different. Cynthia states she is waiting to hear from Mr. Plottel.

Cynthia refers to Monomoy Farm and states the Board had previously approved a Wetland Permit Application for them. Cynthia states she learned from the Building Inspector that the work that has been finished on the Site does not conform to the Plans that were approved. Cynthia states the Applicant has been in touch with the New York City Department of Environmental Protection (NYCDEP). Cynthia states she and Bruce went out on the Site with the NYCDEP. Cynthia states the Applicant may be coming back to us with revised Plans based on these changes. Bernard asks if the work has already been done. Cynthia states yes. Cynthia passes out a summary showing what was approved, and what has been done.

10. Resolution:

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