North Salem Planning Board Minutes
April 3, 2013
7:30 PM – Annex

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

ATTENDANTS:

Joe's Getty Station/Fuelco:	**Joe Bryson**
	John Sinis
	Brian Orser
	Paul Sirignano
Monomoy Farm:	**Jeri Barrett**
	Bill Beckman
	Steve Coleman
	Mike Cobban
Fink/Finch Farm:	**Peder Scott**
Salt Shed/New Highway Garage:	**Doug Hahn**
	Frank Annunziata

Chairwoman Cynthia Curtis calls the April 3, 2013 North Salem Planning Board Meeting to order.

REGULAR MEETING:

1. Bridleside/Salem Hunt: (owner – June Road Properties, LLC)
Site Development Plan (location – June Road & Starlea Road)

- Naming of the Private Road

Cynthia states Bridleside is under construction and the Building Department wanted to get some of the information into the computer, so the first question that came up is what is the name the road and how will the buildings be numbered. Cynthia states that there have been discussions back and forth between the Building Department and the Town Assessor, as well as phone calls with the County Representative for E911. Cynthia states she pulled John Bainlardi from the Bridleside Project into the discussion because some of the information we received sounded a little odd to her. They were thinking of giving numbers to the eight buildings and then giving high numbers to each of the units. Cynthia states the first item should be the naming of the road. Cynthia states that in Subdivisions, the Planning Board signs off on road names. Cynthia states she is not sure if that also pertains to Site Plans, but it should be. Cynthia states the Applicant has requested the name of the road be Bridleside Road. Cynthia states that in conversations with John Bainlardi and the County Representative, she thought the simplest way to handle this would be the exact same way that Cotswold was handled, whereas every unit has a door that is accessible from the outside. Cynthia states each door will be numbered 1 through 65, and there will be directional signs routing people to them. Cynthia states she described the development to the County Representative for E911 and they also suggested having one number for each door, as well as directional signs. Cynthia states she told the County Representative that was exactly what she wanted to hear. Cynthia states that in her conversations with Karen Futia, she asked if Karen

knew who is charge of deciding the numbering system and whether or not it works for the E911 system. Karen stated she wasn't aware as to who that would be. The Building Department pushed this over to Karen, so Karen thought that the Planning Board should just do as part of the process and sign off. Cynthia asks Will if he knows how other communities do it. Will states he is not sure whether Planning Board's get involved with numbering. Cynthia states that maybe the Planning Board doesn't have to get involved, but at least they should set it up. Will states that he wouldn't advise this be called a road, and suggests it be called either a drive, or a lane. Will states it is not a public road. Robert agrees. Roland suggests building 1, unit 4. Cynthia states that is the system they didn't want. Cynthia refers to the Cotswold's and states they are all attached, and each one has a door. Cynthia states that each one will have its own exterior doorway entrance. Roland refers to EMS and how they will know where to go. Will states that is what the directional signs will be for. Will states there will be a two-way road all around. Will states an example of having directional signs for units 1 – 13, and 14 – 27, ect. Cynthia states that each building would have a directional sign. Gary asks if the front doors face the driveway. Gary states that is a problem. Cynthia states she spoke with the County Representative for E911 and they confirmed it is not a problem, and that is what the directional signs are for. Gary asks how someone would find the door for unit 12 if it is around back. Cynthia states it is not around back, the sidewalks clearly delineate the locations and it is a short turn around the front of the buildings. Cynthia states she e-mailed the Board the Plans which show exactly where the doorways are. Robert states they are all assessable. Gary states he is not worried about that. He gives an example of someone trying to find Unit No. 9, and is worried about someone trying to find a unit if the door faces in a different direction than the road. Cynthia states there will be a directional sign with arrows in front of the building. Will states there will be multiple directional signs. There will be one at the road which takes people left or right, and one or more at each building. Cynthia states the problem with having them be numbered such as Building 1 Unit 100 would be that people would get to the building and expect to go in the door. Gary states another way around it would be to do 1a, 1b, 1c, and 1d, and 2a, 2b, 2c, and 2d, and they would be uniform. Cynthia states that people would still need to know where 2b, 2c, and 2d are. Gary states that 2a would always be in the same place as 1a, 3a, and 4a. Cynthia states no, not the way they are proposed to be laid out, which is why the Board has to look at the Plan. Cynthia states the Building Inspector and Assessor can help the Applicant finalize the actual numbering system. Cynthia states we have this on our Agenda tonight to approve the road, and states in the future we should have this discussion happen sooner in the process so there isn't a rush at the last minute, causing the Building Inspector to call for numbers. Cynthia states the Board should have been talking about this a couple of months ago and talks about making it a step in the final planning process. Robert asks if the Board may proceed with a name. Cynthia states yes.

Chairwoman motions that the Planning Board Recommend a Road Name of Bridleside Lane. Gary Jacobi seconds. All in favor. No opposed.

2. Joe's Getty Station (Former Fuelco): John Sinis (owner – Joseph Bryson)
Site Development Plan (location – 2 Fields Lane & Hardscrabble Road)

- Project Discussion and Status of Application

Cynthia states this Agenda item is the former Getty Station at the corner of Fields Lane and Hardscrabble Road. Cynthia states when we left off with this Application there was a proposal for reopening the gas station, keeping the automotive repair center, and making a little convenience store into a larger Accessory Use. The prior tenant was well into the planning process, and had been dealing with the Health Department, as well as working to get their engineering done. Cynthia states that proposal had not been finalized and we now understand there may be a new proposal. Cynthia states she received a call in regards to a request to change the square footage of the convenience store. Cynthia states she met with Joe Bryson and John Sinis who are both here tonight. Cynthia states she stressed the fact that the convenience store is an Accessory Use, and that

a presentation should be given to the entire Planning Board in order to obtain their reaction. Cynthia states the Town Planner and Town Attorney are also here tonight. Cynthia states she is not sure where in the process the Applicant is, but believes there needs to be a discussion about how to begin the process and whether or not there is favorable reaction to increasing the proposed convenience store area. Cynthia asks Mr. Sinis if he brought Plans with him tonight. Mr. Sinis states yes.

Cynthia states she had promised to move the Salt Shed/New Highway Building discussion up to No. 2 on the Agenda because the engineer has to leave soon. The Board will continue with this Agenda item after the Salt Shed/New Highway Building discussion takes place.

3. Salt Shed/New Highway Building: Doug Hahn (owner – Town of North Salem)
Site Dev. Plan, SWPPP, Wetlands Permit (location – 250 June Road)

- Overview of Site Plan for New Highway Garage

Cynthia states that both Doug Hahn and Frank Annunziata are with us tonight from Hahn Engineering. Cynthia states this is a Town Project. Cynthia asks Doug to explain the limitations of the Site and what is left to be discussed if anything with the Planning Board. Cynthia states the Board is here to make recommendations. Cynthia states when this Site was first built there was not an Approved Site Plan by the Planning Board. Cynthia states she did recommend to the Town Supervisor that the Planning Board provide input. Cynthia states this proposal will not be put through a full Site Plan review, but will definitely have Planning Board involvement.

Doug refers to an existing Plan and points out the pond, salt shed, parking lot, ball fields, and deli. Doug shows a shaded asphalt area which will be milled and paved. Doug shows the new proposed Site Plan, including the new Highway Garage location, extended parking area, and storage area. Doug shows the proposed stormwater detention system and states it will be retrofitted from the old pond that exists now. Doug states that this is all part of a Phosphorus Reduction Program that the Town is participating in. Doug states that about 33% of what the Town is required to treat will be treated. Doug states it is a good find. Doug also shows the infiltration system, septic area, and septic fields. Robert asks what the scale of the map is. Doug states it is 40 scale. Doug states the building will be 120 x 80. Cynthia asks what the height of the new building will be compared to the existing Salt Shed. Doug states he does not have elevations with him. Cynthia refers to the information the Supervisor gave her and states the height is 16 feet at the highest point. There is discussion about the Salt Shed being approximately 30 feet. Robert asks what the setbacks are in relation to the lots in the front. Doug states about 40 feet. Doug shows where a berm will be located. Robert asks whether trucks will be going completely around the building. Doug states no, trucks will be going through the building. Cynthia states that will minimize the necessity for a lot of backing up.

Will asks if there is a Landscaping Plan. Doug states yes. Doug refers to the Plan and states he knows there is a concern with a specific corner. Doug states they are proposing to take down Pine Trees, but are proposing to plant 5 or 6, 14 to 16 foot Spruce Trees. John Vassak, states he owns a neighboring property. Mr. Vassak states he had spoken with the Town Supervisor Warren Lucas. Mr. Vasak states it is news to him, that the pines will be taken down. Mr. Vassak states that the Pine Trees were planted with an agreement between the property owners and the Town of North Salem in 1993 to provide screening. Mr. Vassak states that he met with Supervisor Lucas and the Superintendent of Highways in June and September and was assured that his concerns were understood. Mr. Vassak states the trees had grown high, and the bottom branches that had died were taken off. Mr. Vassak states the verbal agreement was for there to be a row of Spruce Trees planted behind the present Pine Trees. Mr. Vassak states that at one point, the Highway Superintendent suggested having the pines at the far left side cut down, and the Town Supervisor said no, they should all be kept as they

are, with a row of Spruce Trees behind them. Cynthia states this Plan just came in and it is the first time it is being looked at. Cynthia states that nothing is set in stone. The Board is here tonight to hear what is being proposed. Mr. Vassak thanks Cynthia for telling him that. Cynthia states that Supervisor Lucas just received the Plan too, and the Board hasn't received his feedback. Mr. Vassak states he can't help but be concerned when he sees the impacts on his property. Cynthia states the Board should ask a few questions in order to find out why the proposal is being made in such a way. Cynthia refers to the berm to be constructed and asks if it will impact the pines that are there now. Doug refers to a corner on the Plan and states there are seven pines that they are proposing to remove. Doug states they are proposing to plant six spruces. Mr. Vassak asks how long it will take six spruce trees to grow until there is a screen. Doug states he is not a landscape architect. Mr. Vassak asks if it will take one year, two years, five years, or ten years. Cynthia asks Mr. Vassak to direct his comments to the Board, and let Doug finish explaining what is being proposed. Cynthia states she doesn't know whether the trees will be planted at the top of the berm or at the bottom of the berm. Cynthia asks Doug how far the bottom of the berm will be from the property line. Doug states the berm will be about eight to ten feet from the property line. Cynthia asks Doug if the trees are on the property line. Doug states the trees are on Town property. Doug states that five or six trees will be kept within a certain area, but they couldn't keep all of them even though they would like to. Cynthia confirms the trees are staggered right now. Cynthia confirms the trees will be supplemented with more trees planted at the bottom of the berm. Cynthia asks Doug what the height of the new trees will be. Doug states they will be 14 to 16 feet tall. Cynthia asks how high the berm will be. Will asks what the elevation of the driveway is. Doug states the elevation of the driveway is at 519. Will asks what the top elevation of the berm is. Doug states the top elevation of the berm is at 518, and then the berm goes down approximately 8 feet. Cynthia confirms the trees will be approximately 6 feet above the top of the berm. Cynthia asks whether any of the original pines in the corner will remain. Doug states no, it doesn't look like it. Cynthia states that corner will have new plantings and asks whether the rest of the pines will be kept along that line. Doug shows the sections where the trees will remain. Cynthia asks whether Lucille Munz prepared this Plan. Doug states yes. Cynthia asks if the Board may be provided with a visual so they may understand the height of the trees and the berm. Cynthia asks for a blow-up of that area so the Board may better understand which existing trees are staying and which are not. Cynthia asks if the trees to stay or go may be marked in the field. Doug states yes. Cynthia states the main concern is the view shed from the residential areas. Cynthia asks Doug if enhanced planting around the detention pond is proposed. Doug states yes. They are planting all the slopes for stabilization. Cynthia confirms that more Spruce Trees will be planted on the corner. Robert asks if there is a reason why the planting line stops near the property line. Doug states those are existing pines and there is no disturbance in that area. Robert states it is his sense that that whole area should be properly screened, without question. Robert states it is a difficult thing to swallow to be next to this and anything we can do to enhance the noise, and provide privacy, would be beneficial for everyone. Cynthia states if the trees that are staying could be marked, then when the Board does their Field Visit, they will have a better idea visually. Cynthia asks Doug for two full size sets of the Landscaping Plan.

Cynthia refers to the vehicles driving forward and not backing up as much as possible. Cynthia asks Doug where the parking will be for the employees. Doug states he is not sure where they park now. Cynthia states that no one is there on a regular basis. Doug shows an area that looks like it would be used for parking, but he isn't sure. Cynthia states that at one point there was a discussion about having 12 spaces and it would be nice to know where those spaces will be. Robert states he would like to see the parking further away from the building as opposed to right next to the building. Cynthia asks Roland if there is any reason the Highway Department can't share the parking in the park. Roland states no. Cynthia asks Doug to confirm the overflow parking and states there are a lot of spaces there. The area below the pond is discussed. Cynthia states she would like to better understand why the Pine Trees at the end of the slope can't stay and states it looks like the trees going in will be planted in the exact same spot. Doug states he believes it has to do with the root system. The possibility of undermining is discussed. Will states it might be possible to double up the row and stagger the trees. Cynthia states that pines are going out and spruces are going in and asks what the reason for that is.

Will states that pines are lousy trees. Robert states they do screen noise and talks about leaving the pines in and filling in with spruce and states there will be the benefit of both without disruption, but doesn't know how that would impact the design and whether it is worth it. Cynthia refers to the slope and asks what type of plantings will be on it. Doug states the slope will be stone on one side to protect it from erosion.

Mr. Vassak refers to the Plan and asks if the trees circled are proposed to be taken down. Doug states no, the trees that are x'd out are the trees proposed to be taken down. Mr. Vassak states he would like to remind the Planning Board that he did meet with the Town Supervisor and Superintendent of Highways in June and September. Mr. Vassak states that when they met in June, the Town Supervisor looked at the situation from the perspective of his property, looking back towards the salt facility. There was no screening to 10 feet above ground level because all the branches have been cut off the trees. Mr. Vassak states that they see every truck that pulls in there. Mr. Vassak states the Town Supervisor responded with a fence proposal. Mr. Vassak states that a 6 foot stockade fence was put in and it is a big help. Cynthia confirms the fence is there now. Mr. Vassak states the six foot fence doesn't provide screening from inside the house. Cynthia takes the trees that come down will immediately be planted with at least 14 foot trees that are full all the way down. Robert states it will take a while for them to fill in. Mr. Vassak states the pines were planted in the mid-1990. Mr. Vassak states he is standing up to his rights as a property owner. Cynthia states that Mr. Vassak's concerns were listened to. There is no longer a roadway going around the building, and only two trees behind one of Mr. Vassick's homes are proposed to come down, other trees will be going in, and maybe we will ask for more. Cynthia states that behind one house two pines are coming down, and the Board could consider adding more. Cynthia refers to the issue on the corner which has been discussed tonight. Cynthia states there is also an area where trees are not proposed to come down. Cynthia asks Mr. Vassak if he minds if the Board goes on his property when they do the Site Visit. Mr. Vassak states no. Mr. Vassak states he even invites the Board to come into the building to see what the impact of the Salt Shed has been over the last 20 years, and now with the new proposed Highway Garage. Cynthia states that they will let Mr. Vassak know when the blow-up of the Plan comes in as it may be easier to see which trees are coming and going.

Cynthia asks the Board whether there are any other aspects of the Plan they have questions on. Cynthia states there is very limited area where the garage may be located. Cynthia states as Mr. Vassak has stated the neighbors had concerns about the impact of the placement of the garage, as well as the septic.

Cynthia asks Doug for a blow-up of the corner area quickly and asks him to let Lucille know the concerns heard tonight. Cynthia asks Doug to ask Lucille for suggestions she may have to augment the impacts from the two neighboring homes.

The Board discusses setting a Site Visit. Cynthia states that as soon as she gets the Plans she will let the Board know. Cynthia states she will include Mr. Vassak on the e-mail. Cynthia states she will let Warren Lucas know too.

Cynthia states the Board meets every two weeks, and will keep the discussions going if Hahn is able to turn around Plans quickly. Cynthia states the Board will meet again on April 17th.

Cynthia states she did see that the proposed fueling area has been moved to behind the existing building. Cynthia reminds Doug to check on the shared parking. Cynthia states a walkway may need to be provided. Doug states they will mark the trees to be removed in the field. Cynthia asks if someone could put a stake at the corner of the building. Frank states there may be a stake there already.

Joe's Getty Station (Former Fuelco): John Sinis (owner – Joseph Bryson)
Site Development Plan (location – 2 Fields Lane & Hardscrabble Road)

- Project Discussion and Status of Application

Continuation of Agenda Item No. 2 Discussion:

Mr. Sinis passes around renderings he brought with him tonight and states the proposal is for a BP Station. Cynthia states this is a good Site for a station. Cynthia states there are a lot of Connecticut cars coming through Town, going over to the Shell Station and if they could fill up here, it would take a lot of the traffic off Route 22. Mr. Sinis states this is a beautiful Site. Mr. Sinis states they are proposing to redo the entire property, including a retaining wall, and landscaping. Cynthia states the Board knows what it was supposed to look like at the previous stage and asks what the suggested changes are. Mr. Sinis refers to the walk-in boxes and states they are proposing to locate them in the back of the building. Cynthia states since the proposal is for more retail area, why are the walk-in boxes needed. Mr. Sinis states the walk-in boxes are for refrigeration and freezer items. Mr. Sinis states people may want to come in for ice. Will asks if the walk-in boxes will be accessible to the patrons or just the staff. Mr. Sinis states the walk-in boxes will come in from the side of the storage area. Will asks whether the patrons will have access or just the staff. Mr. Sinis states there will be 10 doors in the front as well as a storage area. Will confirms the deliveries will be made in the back in the storage area. Gary asks how many doors there will be. Cynthia states 10. Will states they are refrigerator doors. Robert confirms the doors will be in the interior space of the building. Cynthia states only the doors will be in the interior space. Cynthia states a new addition is being proposed. Cynthia states the yellow on the Plan shows what is existing. The proposed addition is discussed. Ann Morley states that right now, there is a garage door in that area which will be taken down for the addition. Gary asks if there will be an entrance around the back of the building. Mr. Sinis states no. There will be only one entrance through the front of the building. Gary asks why there is a roadway around the back of the building. Mr. Sinis states that is an existing roadway for the cars that pull in and out. Gary asks if it is needed going forward. Mr. Sinis states yes. Gary asks why. Mr. Sinis states there is a repair shop and existing garage where the parking garage will be for the towed cars. Gary asks why the road around the back is needed. Ms. Morley states when looking at the building, the right side bay will still be the main building to be utilized for repairs. The little building is an assessory building where our truck(s) will be. Cynthia states if you look at the Site, and the circulation, that picture isn't a good one to use. Cynthia states that we don't want people backing up where cars are coming in to fuel up. Cynthia states there is a parking lot, as well as spaces in the back. Cynthia states she went in there the other day. Cynthia states we want people to be able to circulate all the way around. Cynthia states this is one of the problems over at the Shell Station where cars cannot circulate around the building, and there is a lot of interference between people parking and people pumping. Mr. Sinis states they are proposing 16 parking spaces and 1 handicapped space in the front. Mr. Sinis states the building is going to look the same as it was built, with the exception of new gutters, roof, blacktop and curbing. Mr. Sinis states they are going to make it look beautiful. Mr. Sinis talks about the Board agreeing to the refrigeration and interior work. Cynthia asks Mr. Sinis to show the Board the major changes with the interior. Mr. Sinis shows their proposed Plan and the location of the front door. Mr. Sinis states the existing Plan had three bathrooms, and they are taking out two of them. Mr. Sinis states they are proposing one very large handicapped beautiful marble bathroom. Mr. Sinis shows the location of Joe's repair shop, and where a wall will be been moved, per a request from his client. Mr. Sinis talks about the funds required in order to construct the store, per square foot, and the money being put into it as far as the excavation, tanks, and septic work, ect., and states his client would have liked to utilize the entire space, but it is not going to work.

Cynthia refers to the convenience store and asks what is planned to be sold. Mr. Sinis refers to one area where they will sell oil, filters, and gas tanks, such as items a car would need. Mr. Sinis refers to another area

where they will sell items such as toilet paper and dog food. Mr. Sinis states they will be selling chips and pretzels. Mr. Sinis states there will be an island with Green Mountain Coffee, pastries, cappuccino, and milk. Mr. Sinis refers to an area in the back and states there will be a handicapped 3-bay sink, and two other sinks. Mr. Sinis states there will be a storage area for the goods. Cynthia asks where the counter will be located at which people will pay. Mr. Sinis shows the counter on the Plan. Will confirms everything will be pre-packaged.

Cynthia states the proposed convenience store is highlighted in yellow and states the red dotted line represents the Plans that the Board had been studying up until now. Cynthia states an area that was supposed to be all automotive is now being reduced. Cynthia states there is an increase of the convenience store, a decrease of the automotive, but there is a larger building to be utilized for automotive repairs. Cynthia states the square footage of the convenience store is approximately 1,800, and the square footage of the automotive repair area will be approximately 1,000, plus the pumps in front. Cynthia states the question she has, considering we have the Planner here with us tonight, is when does an Assessory Use get to be a bit much, and no longer an Accessory, and is it a matter of square footage, or how it is being used. Mr. Sinis states that Mr. Bryson has been using this repair shop for years and will still do the same amount of work with the two buildings regardless of their new proposal. Cynthia states Mr. Bryson had talked about his vehicles and which of them could be parked inside the buildings, and which couldn't. Cynthia asks whether the vehicles Mr. Bryson uses will all be parked outside. Mr. Sinis refers to the regular tow truck and states they will install heavy duty columns for safety. Mr. Sinis refers to the other building and states if the garage doors are moved over, the larger truck fits perfectly, and if they do not move the garage doors, they will be eight inches too short. Mr. Sinis states they are going to put the new doors on the gable end of the building, and replace anything that has rotted on the building. Mr. Sinis states they will be installing a new retaining wall, and landscaping. Will asks what the relationship is between the repair shop and the proposed BP Station. Mr. Sinis states there is no relationship, there are two tenants. Mr. Sinis states the landlord is the mechanic shop, and the BP Station is the tenant. Will confirms the old gas station also did repair work. Mr. Sinis states it was a gas station and convenience center, as there was a 400 square foot convenience center inside the building. Will states it was not the type of convenience center currently being proposed.

Mr. Sinis states there are two items North Salem will receive. One item will be the taxes received, and the other is that we are going to make the property look beautiful. Mr. Sinis states that by helping us in trying to get this approved they will be able to move pretty quickly. Will states the fuel would be perfect to have there and states the fuel is the draw.

Cynthia confirms that all of Mr. Bryson's equipment can be indoors with the exception of the two trucks. Mr. Sinis states they will be redoing the parking lot and constructing a fence all around the property. Mr. Sinis refers to a fence that had been there which has rotted away. Natural screening instead of a fence is discussed. Lighting is discussed. Mr. Sinis states they are proposing 14 foot lights around the whole property. Cynthia asks Mr. Sinis how he can get the lighting down. Robert states that has always been an issue. Cynthia refers to bollard height lights and states that high lighting should only be put where it is actually necessary. Will asks if there will be a canopy. Mr. Sinis states yes, and they could also put lights in the canopy. Cynthia refers to the Shell Station and states it is all lit up, and it is totally unnecessary to have all that lighting around the building. Cynthia states Mr. Sinis has heard the Board's concerns and asks him to come back with some suggestions the Board would like which softens the lighting.

There is discussion about a chain link fence in the back towards I-684.

Cynthia refers to the lighting on the building and states it should be kept at a minimum and directed downward.

There is a discussion about the new sign. Mr. Sinis shows the Board the size of the pole and states the sign will be 4 feet wide, and they had planned on going 30 feet high. Cynthia states the sign cannot be 16 square feet. She believes the limit is 8. Cynthia suggests Mr. Sinis look at the Town Code. Brian Orser states he thought the Board was going to allow the same square footage as the Shell Station sign. Cynthia states the Board can only allow what the Code allows. Mr. Orser talks about receiving a variance. Cynthia states that is if a recommendation is received by the Planning Board. Mr. Sinis states they have a deadline with BP Company. Will asks if the sign will be two-sided. Mr. Sinis believes it will be two-sided. Cynthia refers to the Plan where a notation of three-sided is listed. Robert states the problem with a tall sign is that by the time someone sees it, they are already past the highway exit. Having a sign on the highway is discussed.

Mr. Sinis states they would like a BP Station there, not a Shell Station, and their time is very short.

Will states he believes the Board has given the Applicant good advice, and so has he. Will states that an Application has to be submitted with detailed analysis for review. Cynthia asks procedurally, what the Applicant needs to do and asks Will whether the Applicant may pick up where the prior Application left off. Will states the Applicant may pick up where the prior Application left off, even though it seems somewhat different. Will states an Application has to be submitted. Cynthia asks if a revised EAF has to be submitted, or just a revised Site Plan. Will asks how old the prior EAF was. Cynthia states 2009. Will states yes, a revised EAF should be submitted.

Will states that the Applicant's timetable is more dependent on themselves than it is on the Board because the Board cannot react until they receive the materials.

Will suggests the Applicant go back and look at the Town Code in relation to signage. Cynthia states a new set of Plan Sheets with an updated EAF should be submitted.

There is a discussion about the garbage enclosure. Cynthia asks if anything is different than what was proposed before. Fencing is discussed. Not requiring plantings is discussed.

The canopy is discussed in terms of a flat roof. Having a slightly pitched roof is discussed. Cynthia states a Joint Meeting was held with the Architectural Review Board (ARB), Zoning Board of Appeals (ZBA) and Planning Board (PB), and there were a lot of opinions given in regards to the canopy. Recessed lighting is discussed, as well as not having lenses sticking out.

Cynthia confirms with the Board that they agree with the realignment of the interior space.

Cynthia states she does not know whether any zoning issues will be raised and states when the revised Plans are submitted, the materials will be reviewed. Cynthia states there may be outstanding variances. Cynthia states the Applicant may be sent over to the ARB one more time. Cynthia does not know where the Applicant is with the City or the Board of Health. Cynthia states it was her understanding that the engineering was almost there.

Roland asks where the SEQR process is. Cynthia states she has to check and see whether the Board declared themselves as Lead Agency. There is a discussion about re-circulating the revised Plans.

4. **Monomoy Farm:** Jeri Barrett (owner – Monomoy Farm, LLC)
Amended Wetland Permit (location – 806 Peach Lake Road)

- Consider Reports from Planning Consultant/Wetlands Inspector and Town Engineer

Jeri Barrett is here tonight to represent the Applicant. Mr. Barrett refers to the lower farm road and states there is a water course separating the properties. Mr. Barrett shows Monomoy Farm on the Plan and states it is at 806 Peach Lake Road, which connects to another part of the farm at 706 Titicus Road. Mr. Barrett states the two roads are connected with the lower farm road. Mr. Barrett states that construction of the farm road had taken place in the spring of 2012. Mr. Barrett states that the construction was done lower on the slope than what was originally approved. Mr. Barrett states the Building Inspector issued a Stop Work Order. Mr. Barrett states they met at the Site with the Building Inspector, New York City Department of Environmental Conservation (NYCDEP), Joe Bridges, and the Planning Board. Mr. Barrett refers to their Plan and states they came up with a solution to take fill out, build a stone wall, reclaim and replant. Mr. Barrett states they have tried to manage the smallest amount of stormwater possible, so the water that is going to the wetland now is only the pink watershed highlighted area. We are diverting water from the blue, green and yellow highlighted areas. Mr. Barrett shows the rain garden that will be built. Mr. Barrett refers to the Review Memos from both MDRA and Hahn and states they will address the comments. Mr. Barrett states they will be modifying the storm walls. Mr. Barrett states they have swales as well as catchments to be built where the water has to come through. Mr. Barrett states they are going to replant and reclaim the old trails. Mr. Barrett states he thinks they have everything addressed.

Cynthia refers to the State NOI and asks if it was ever terminated, or if it is still open. Mr. Barrett states they still have SWPPP coverage on it. Mr. Barrett states they were active in the fall of 2011 and in the spring of 2012 they went out to the Site to see how everything held up over the winter. Mr. Barrett states it was then they realized what had happened. Mr. Barrett states they have gone out a couple of times for inspections, and nothing else has happened.

Cynthia refers to the issue of the trails and states she believes the Planning Board was satisfied. Cynthia asks if the State has the issue. Mr. Barrett states that Heather Gierloff had a conversation with Steve Coleman in regards to taking the trail out. Mr. Barrett states they had taken out about 80% of the trails at that time. The bridle trails are discussed. Cynthia states she is familiar with this property and when the conditions are wet, sometimes signs may be put up so people do not use the trails, and sometimes show alternate routes. Cynthia suggests in those situations where the trails aren't suitable for use, a sign should be put up. That may be used as a compromise, but not on a regular basis. The wood bridges are discussed. Cynthia states that horses to cross wood bridges. Cynthia states that the bridle trails have a good best management policy which is filed with the Building Inspector, and they are very protective of their trails. When they are wet, they close them. Cynthia suggests the Applicant communicate with the bridle trails folks to obtain the correct terminology.

Cynthia states when all of the outstanding issues are addressed, the Board will move forward. Mr. Coleman refers to the E-mail from Heather Gierloff. Cynthia states that assuming the next submission meets the requirements of MDRA and Hahn, the Board may consider moving to conclude this Application. Mr. Barrett asks if the Board may conclude the Application subject to the additional documentation to be submitted. Cynthia states yes, as long as the Applicant can meet all the conditions that were asked in the two memos. Cynthia states the Board does not have a Draft Resolution to consider tonight, but the Applicant is close. Cynthia asks Will if he needs to see another set of Plans in order to prepare a Draft Resolution. Will states it is not just their portion of the review to consider. Will states he can't speak for Frank. Will states another way to do this is for him to prepare a Draft Resolution which could be looked at in conjunction with the next Plan submittal.

5. Fink/Finch Farm: Peder Scott (owner – Lawrence Fink)
Wetland Permit (location – 25 Finch Road)

- Discussion of Wetlands Permit Project

Peder Scott states he is here tonight representing the Applicant for a Project at 25 Finch Road. Mr. Scott states the Project consists of a restoration program for an ongoing remediation, and demolition removal process. Mr. Scott states that about a year ago, there was an existing house which was removed, and the well remained. Mr. Scott refers to the Plan and states that everything has been taken out, and now a gravel roadway is there. Mr. Scott states the Site is currently storing in a graded and seeded nature additional materials that were removed from the adjacent 55 Finch Road Project. Mr. Scott states the soil is being stockpiled in an area where the old house foundation would be. Cynthia asks if the stockpiling if temporary. Mr. Scott states it will be seeded in place as part of the restoration program. Mr. Scott states the original house sat on a rise, as there is a natural rise in the soils. Mr. Scott states the top was cut out when the house was built and the soil was removed. Mr. Scott states the soil has all been spread over time. Will asks how much of the soil was in the regulated buffer. Mr. Scott states none. Mr. Scott states that most of our work was towards the front, eliminating the old driveway area. Mr. Scott states they received a DEP Permit to re-seed the entire field with the intent of creating a meadow. Mr. Scott states over the last 10 years this property included a variety of plantings, in addition there are a lot of invasive species that have meandered up through the wetland. Cynthia asks what type of plantings there are. Mr. Scott states Loosestrife, Barberry, and Phragmites. Cynthia states that Phragmites and Loosestrife do not come out with just a little scraping. Mr. Scott states that they can't use herbicides. The DEC is requiring them to scrape it first, and then hand dig. Mr. Scott refers to the DEC Permit which included one scraping, multiple inspections, and hand removal of any remnants. Robert asks how big of an area there is. Mr. Scott states .74, some of which is within a shared DEC buffer area. Cynthia states there is another acre of a controlled area. Mr. Scott states the DEC Permit basically extends all of the 100 ft. setback buffer area. Mr. Scott states as part of the DEC Approval, they would like us to do that area first. Mr. Scott states the DEC would like this area done in the first area of the program so it may be seeded and serve as a buffer for future activities within the controlled area. Will asks Mr. Scott why the DEC didn't extend the wetlands into the other area. Mr. Scott states that Beth Evans was the wetlands filing agent for their client. Mr. Scott states he believes the soils were not adequate for serving as a wetland.

Cynthia asks the Planning Board whether this Application should proceed as a Planning Board Permit or are they inclined to kick it back to the Building Inspector and Wetlands Inspector as a Full Permit handled by them. Cynthia states this Application was filed in late January and the verification of the Town Wetlands will not happen until tomorrow due to the snow cover. Cynthia states we don't have all the details. Cynthia refers to the invasive species that are coming out and states this is the first time she is hearing about the Phragmities and Loosestrifes which concern her a little bit. Cynthia asks Mr. Scott where the Phragmities and Loosestrifs are. Mr. Scott shows their location on the Plan and states they are adjacent to the State Wetland Area. Cynthia asks whether they will be taken off site. Mr. Scott states they are going to be temporarily stockpiled.

Mr. Scott states the DEC has signed off and the DEP has signed off on the planting portion. Mr. Scott refers to the stormwater compliance and states a SWPPP was submitted which is being reviewed by John Drake. Mr. Scott states this operation relates to taking two inches off the site and replanting everything. Mr. Scott states they were hoping this would be sent back to the Building Inspector and Wetlands Inspector to handle. Mr. Scott states they have a SEQR determination of a Type 2 Action on their Wetlands Permit. Mr. Scott states that it is vague as to whether they qualify for a referral back to the Building Inspector and Wetlands Inspector or not. Cynthia states that clearly three of the criteria have been met, and the Building Inspector and Wetlands Inspector have referred the Application to the Planning Board. Cynthia states at this point she would like to hear from Will because his office started looking at this back in January, and the Planning Board is playing

catch up. Will states it is a tossup and refers to the mitigation required for cleanup. Will discusses the stormwater and states it is unfortunate that the verification will not happen until tomorrow due to the snow cover, as more may be learned from the Site Walk. Will states that Joe may have more insight when he gets there. Will states it may be best to wait and see what happens tomorrow. Will states alternatively, the Application may always be kicked back to the Planning Board again. Cynthia states she is familiar with the Site. Cynthia states there are no structures being proposed. Cynthia states she is comfortable sending the Application back to the Building Inspector and Wetlands Inspector. Cynthia states she tried to obtain input from the CAC as they have had the Application since January, but she hasn't heard back from them, and finds that very disappointing. Cynthia states that one or two members of the CAC may be going on the Site Walk tomorrow. Will asks what the long-term goal of the property is. Mr. Scott states it is under a Conservation Easement. Will asks if in the end the access will go away. Mr. Scott states yes, but the existing bridle trails will remain. Mr. Scott states the access way will be gated. Mr. Scott refers to the seeding criteria being reviewed. Mr. Scott states that 5,300 plants are being provided.

Chairwoman motions that the Planning Board Refer the Wetland Permit Application for Finch Farm at 25 Finch Road Back to the Building Inspector and Wetlands Inspector for Processing. Robert Tompkins seconds. All in favor. No opposed.

6. Next Meetings:

- Work Session – April 17, 2013
- Regular Meeting – May 1, 2013

7. Resolution:

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