

**North Salem Planning Board Minutes**

**May 6, 2015**

**7:30 PM – Annex**

**PRESENT:**

**Cynthia Curtis, Chairwoman  
Charlotte Harris, Board Member  
Bernard Sweeney, Board Member  
Gary Jacobi, Board Member  
Christopher Brockmeyer, Board Member  
Gerald Reilly, Esq.  
William Agresta, AICP  
Frank Annunziata, Town Engineer**

**ATTENDANTS:**

<b>Sprint Corp:</b>	<b>Cara Bonomolo</b>
<b>Salem Golf Club:</b>	<b>Todd Zorn</b>
	<b>Stephen Lopez</b>
	<b>Luigi Demasi</b>
	<b>Ralph Peragine</b>
<b>Gilport Develop. Corp.:</b>	<b>Peter Gregory</b>
	<b>Richard Morgante</b>
<b>Hawley Woods:</b>	<b>Peter Gregory</b>
	<b>Steve Bliss</b>
	<b>Patrick Bliss</b>
<b>Fuelco/BP (Getty)</b>	<b>Marc Petrero</b>
	<b>Brian Orser</b>
	<b>Lindsey Rutka</b>
<b>Salem Hills Healthcare Center:</b>	<b>Dan Gallagher</b>
	<b>Mark Halliday</b>
<b>Air Professional Assoc., LLC:</b>	<b>Merv Blank</b>
	<b>Joseph Lazarcheck</b>
	<b>David Feureisen</b>

**Chairwoman Cynthia Curtis calls the May 6, 2015 North Salem Planning Board Meeting to order and states that we do not have cameras or microphones tonight and the only recording we will have is a small MP3 recorder. Cynthia states that anyone who is presenting or speaking should make sure they are not under the low ceiling area, and always speak towards the Board so we will be sure to pick up your comments.**

**PUBLIC HEARING:**

- 1. Salem Golf Club: Todd Zorn** (owner – Salem Golf Club)  
**Amended Site Dev. Plan/Cond. Use Permit** (location – 18 Bloomer Road)
  - Open Public Hearing
  - Consider Report From Planning Consultant
  - Consider Report From Town Engineer

Cynthia asks the Dawn Onufrik, Planning Board Secretary to confirm that the Public Hearing Notice did appear in the newspaper. Dawn states yes, it did. Cynthia asks Dawn if she received confirmation that Notice was given to all the neighbors. Todd Zorn hands Dawn the Green Cards from the Certified Mailing. Cynthia states this Public Hearing is about a proposal to add a swimming pool and pool house with some related parking. Cynthia states in a moment she will ask Todd Zorn, the General Manager of the Club, to introduce his Project Team and to give a brief presentation. Cynthia states she would like to point out, which everyone will hear a little more about during the presentation, is the issue of parking, which is a major issue on a Site this size with a lot of members. Cynthia states back in 2004 when Salem Golf put an addition on, at that time they asked for a reduction in the required number of parking spaces to the tune of 25%, and also asked the Planning Board if they could construct so many parking spaces and hold others in reserve, and it was approved that way. Cynthia states today we have a similar situation as there is a lot of parking being shown and when the Applicant gives the presentation he will point out what parking is built, what parking they are proposing to build today, and what parking they are hoping to have in reserve. Cynthia states the Applicant is also asking the Board this time to consider the 25% reduction in parking, and the Board is considering that. Cynthia states the Board will not make their decision until they have concluded their review. Cynthia states it is also going to be a consideration of the Board that if they do give a reduction in the parking and hold off on the construction of all the parking, there will be a Monitoring System in place, which means the Golf Club will report their usage, either through the Planning Office, or the Building Inspector so someone keeps an eye on what is happening and decide at a later date whether additional parking as shown, but not built, may have to be built. Cynthia asks Mr. Zorn to introduce his Team and give his presentation.

Todd Zorn states Steve Lopez from Tim Miller Associates is here with him tonight, and he doing their Landscape and Site Plan. Mr. Zorn states that Ralph Peragine is here with him tonight from TRC Engineers, and he doing all of the Grading Plans. Mr. Zorn states that Luigi Demasi is here with him tonight, and he is their building architect from Goewey & Demasi. Mr. Zorn states this Project is being proposed to supplement the requests of their members at the Club, as they are looking for more activities, and this is one activity that they have been asking for. Mr. Zorn states more and more clubs are adding pools and other facilities because golf is on a decline. Mr. Zorn states they would like to keep and retain their members and hopefully be able to attract some new members. Mr. Zorn states the membership level that the Club was at when the building was approved for construction 11 years ago is about two-thirds lower now than it was back then. Mr. Zorn states they want to supplement their member's activities with a pool and pool house and he believes it will benefit everyone in order to keep the Club and local community viable.

Steve Lopez from Tim Miller Associates states they looked at several Sites initially on the Golf Club property when for a potential location of the proposed facility. Mr. Lopez states they looked at a wooded area to the west of the driveway, and the short game area down next to the horse stables. Mr. Lopez states there were concerns with both of those locations. Mr. Lopez refers to the wooded area and states they would have to clear out the woods. Mr. Lopez states if they went into the area where the short game area is, that would need to be relocated. Mr. Lopez states that either way, they would have impacted wooded areas if they considered either of those two areas. Mr. Lopez refers to the location being proposed and states there is an open lawn area, and it has been disturbed in the past. Mr. Lopez states this location makes a lot of sense because it is very close to the existing club house so they would have the utilities. Mr. Lopez states the parking and pathways may be utilized with a minimal amount of additional disturbance to the Site. Mr. Lopez states the proposed location is essentially exactly where the 10<sup>th</sup> tee currently is for the 10<sup>th</sup> hole. Mr. Lopez states by shifting the 10<sup>th</sup> tee over they are able to align it with the hole. Mr. Lopez refers to the Plan and shows where the 10<sup>th</sup> tee currently is. Mr. Lopez states with the realignment of existing cart paths, where the center of the pool would be, they will come along the west side of the club house to construct the pool and pool deck. Mr. Lopez states this will allow them to utilize outdoor seating for a proposed café. Mr. Lopez states the golfers who are playing a round of golf, when getting to the 10<sup>th</sup> tee, can pull around the outside of the building and go to the separate

eating area where they may enjoy a snack or a meal during their play of golf. Mr. Lopez states the excavation for the pool and the club house is largely going to be in fill that was originally placed for the 10<sup>th</sup> tee. Mr. Lopez states they have done some exploratory work, and Mr. Peragine will discuss this further. Mr. Lopez states they are proposing to use the existing parking lot for both the club house and pool activities. Mr. Lopez states generally speaking, the activities will be somewhat separated. Mr. Lopez states the evening functions at the club house that might attract larger crowds will be when the activities at the pool are winding down. Mr. Lopez states the end of the pool activities will be at approximately 7:00 p.m., which is when the indoor operations for the club house and eating activities might start. Mr. Lopez refers to the parking area and the club house on the Plan and shows where there will be two entrances, one around the north side of the building, and one around the south side of the building. Mr. Lopez states that all access to the pool and pool deck will be through the building. Mr. Lopez states the outside exterior of the pool and pool deck will be fenced in to keep people and stray animals from enjoying the facilities during the off hours. Mr. Lopez shows a new parking strip on the Plan and states it will be paved. Mr. Lopez states that the Chair mentioned, which Mr. Peragine will discuss in greater detail, an overflow parking area on grassed areas. Mr. Lopez refers to the parking strip and states it will be angled toward Bloomer Road. Mr. Lopez states they will be putting plants in the front to screen out the cars. Mr. Lopez states they are proposing plantings at the base of the berm that will be built for the new 10<sup>th</sup> tee, and the outside of the berm that comes across the lower side of the cart path. Mr. Lopez states they are proposing foundation plantings around the building, screening, and accent plantings. Mr. Lopez states there is a fair amount going on in regards to landscaping materials. Mr. Lopez states that a lot of the landscaping will be concentrated around the building and the parking areas. Mr. Lopez states there will not be a change to the roadway circulation pattern, or plantings near the entrance to the property. Mr. Lopez states that area will remain as it is today. Mr. Lopez confirms with Mr. Peragine that the pool house will be approximately 300 feet off the road, so it is quite a distance back. Mr. Lopez states that Mr. Peragine will now talk about some of the details.

Mr. Peragine states he is the Senior Project Manager with TRC Engineers out of Buffalo, NY. Mr. Peragine states his Firm was retained to do the Site engineering, which includes the parking area layouts, septic system, water supply, and grading. Mr. Peragine shows on the Plan where they are proposing to construct 14 additional parking spaces to be developed as porous pavement parking. Mr. Peragine states the overflow parking rings the existing roadways coming in with an area on the lawn where there are approximately 80 spaces of overflow parking. Mr. Peragine states this will remain a grass surface unless the future monitoring dictates otherwise. Mr. Peragine states to accommodate the pool also needed to put in a new septic system. Mr. Peragine points out the location of the new septic system on the Plan and states it will be down near the 10<sup>th</sup> green, in an area suitable for the design. Mr. Peragine refers to the Plan and states they will also be doing stormwater management systems. Mr. Peragine shows on the Plan where the current stormwater management system is located and states it is a sub-surface infiltration system. Mr. Peragine states the porous pavement would absorb the rainfall and discharge through infiltration below. Mr. Peragine refers to the excavation and states they have done a sub-surface exploratory program. Mr. Peragine states the rock elevations are from 8 to 12 feet deep from the area of the pool and the pool house. Mr. Peragine states they still need to do the analysis as they only received the results yesterday. Mr. Peragine states there may be limited rock excavation for the construction of the facility. Mr. Peragine states that one of the comments from the Town Engineer had to do with the sub-surface stormwater management. Mr. Peragine states they conducted percolation tests and submitted the results to the Stormwater Management Officer this afternoon. Mr. Peragine states he has copies with him tonight. Frank states he will also need the revised calculations. Mr. Peragine states that one of the issues that came up during the exploratory program is that they found bedrock in the area where they were proposing the sub-surface infiltration system. Mr. Peragine states they investigated other areas and refers to the parking area adjacent to the porous asphalt pavement. Mr. Peragine states if they build under the parking area they can relocate the infiltration system. Mr. Peragine states they were able to dig down 17 feet with boring and did not find any rocks. Cynthia asks if that is why there was a backhoe out there today. Mr.

Peragine states yes, as well as the percolation test. Mr. Peragine states the Stormwater Management Officer asked them to dig a test pit so he could look at the soils, and we updated the percolation test at the same time. Mr. Peragine states this was done today with the supervision of the Stormwater Management Officer.

Cynthia states she should have mentioned earlier that the Golf Club owns eight lots, and part of this proposal will be to remove all the lot lines so as to end up with one 163 acre lot. Mr. Zorn states that is correct, they are in the process of going through the legal aspect. Cynthia states that three of the lots were Golf Course lots and five were free-standing residential lots. Cynthia states that the old subdivided lots will be given up.

Mr. Peragine states they prepared a letter in response to the letter from the County Planning Board. Mr. Peragine asks whether he should submit it now. Cynthia states it should be submitted with the next package. Mr. Peragine states he will turn the floor over to their Architect, Luigi Demasi. Mr. Demasi states he is proposing a pool house that will face the pool to be used by club members and individuals using the pool. Mr. Demasi states the pool house is going to house a small gymnasium, locker rooms for men and women, with toilet and shower facilities, a play area for the kids with video games and a ping pong table, as well as a small kitchen or café area for snacks and a light lunch menu. Mr. Demasi states there will be access for the golfers as well as the people using the pool. Mr. Demasi shows the Board two renderings. Mr. Demasi refers to the pool house and states they are proposing to have a couple of rooms for overnight transient guests, not for anyone to stay for long periods of time. Mr. Demasi states they are talking about having a golf simulator which will help the golfers with their golf swings and practice. Mr. Demasi states they went before the Architectural Review Board (ARB) last week and the Members had asked us to study the side elevations that would be facing the road. Mr. Demasi refers to the Plan and states the ARB brought up the kitchen hood in terms of where it would be vented. Mr. Demasi states the ARB had a very good question. Mr. Demasi states he hasn't seen the Kitchen Plan yet, but they were talking about fabricating a false chimney on the side of the building in order to house the vent hood. Mr. Demasi states he will be studying this more. Mr. Demasi points to an area on the Plan and states he is looking into creating more decorative features, possibly windows, or false window look in order to break up the siding. Mr. Demasi states the ARB had concerns about the side that faced the road in terms of it being too plain compared to the rest of the building. Mr. Demasi states the siding will match the existing club house, which is white. Mr. Demasi states they will probably go in the direction of a Hardiplank siding which is a lot more environmentally friendly and less maintenance. It will last a lot longer for the facility. Mr. Demasi states the stone work will be matched with the existing Club House. Mr. Demasi states the architectural shingles will be matched with the singles on the Club House.

Cynthia asks whether the Applicant has heard from the Croton Falls Fire District. Mr. Zorn states no.

Cynthia states she will open up the floor for questions from the public. Cynthia acknowledges that a letter was received May 5, 2015 from the Westchester County Planning Board. Cynthia states that copies are available for anyone who would like to see it. Cynthia states they reminded us that the Project fronts on a County Road, should provide Croton Watershed protection, and try to introduce green building concepts. Cynthia states we received an e-mail from the New York City Department of Environmental Protection (NYCDEP), and they need additional time in order to get their comments in. Cynthia states e-mails were received from the two Co-Chairs of the CAC, and they are both here tonight, so if they have any comments as individuals, hopefully they will be expressed tonight. Cynthia asks the CAC Co-Chairs to check with the rest of their Board Members to see whether or not the rest of them will have comments. Cynthia asks Dawn whether there were any other phone calls or e-mails from the public or agencies. Dawn states Joe McKenna came in to look at the Project File. Cynthia states that is good; Joe is also here tonight.

Mr. McKenna asks how many golfing members there are at the present time. Mr. Zorn states they have 220. Mr. McKenna asks what the maximum is that they are allowed to have and the maximum amount they are

going to have. Mr. Zorn states 11 years ago, there were about 365. Mr. McKenna asks whether there will be a separate membership for the pool and states that Lakeside has a pool on the other side of the street. Mr. Zorn states yes, there will be a provision for a separate pool membership, but it will be combined with a social membership which already exists. Mr. McKenna states there are not enough parking spaces on Saturdays and Sundays, and asks how many social memberships will be accepted. Mr. Zorn states they anticipate accepting either 25 or 30. Mr. McKenna confirms that 30 social memberships will be the maximum. Mr. McKenna asks whether this will be in writing. Mr. Zorn states not at the present time. Cynthia talks to Will and asks whether the parking is based on the lockers which somehow ties into the number of members, so that is how we monitor it and set it by the Site Plan. Will states that the Applicant is also adding a number of lockers and parking. Will states a parking analysis has been requested. Will states if the membership was at 365 11 years ago, and it is at 220 now, what happened 11 years ago in terms of parking when there were 150 more members. Mr. Zorn states it is up to interpretation whether there is a parking problem or not. Will states we do not have the data yet. Cynthia states the short answer to the question from Mr. McKenna is yes, we do monitor the number of members and it does become memorialized on the Site Plan because that dictates the number of parking spaces that we should be considering. Cynthia states she had previously mentioned that if the Board agrees to the reduced parking, so they are not all built out, we are going to have a Monitoring System with regular reports which would include the weekend special events and an observation as to whether people are parking their cars on the grass or not. Cynthia states this is one of the Board's biggest concerns and if there is continued parking on the grass it will wear it down and not be controlled through the stormwater system. Cynthia thanks Mr. McKenna for his questions. Mr. McKenna refers to the five residential lots and three golf course lots that will be combined into one commercial lot and asks whether there are any other properties on the golf course that are residential lots. Cynthia states right now there are five and they are giving them up. Cynthia states they are making the entire 163 acres one lot which is the way the Deed is written right now.

Robert Kirwan states he is Mr. McKenna's neighbor. Mr. Kirwan states that he wonders what the driver is behind combining the lots because it seems to him that the Golf Club is having trouble with membership. Mr. Kirwan states in 1968 when his house was built, those lots were sold off and it saved the Golf Course from going under at that time. Mr. Kirwan states he wonders if giving up the five residential lots on Bloomer Road is beneficial to the business plan. Cynthia states there is one reason why this is happening. Cynthia states as she was reviewing this Application, she discovered that back in 2004 the septic system that was built for the extension at that time actually extended onto one of the residential lots. Cynthia states the additional septic system now being proposed would also extend onto one of the residential lots. Cynthia states this begged the question as to how this would be allowed. Cynthia states the simple solution for the Applicant was to give up at least the residential lots that were impacted with the septic system, and we were told that they decided to give up all the residential lots in order to make it one lot. Cynthia states it is the Applicant's decision. Mr. Kirwan states that does impact the neighborhood, if there were five two-acre residential lots that are now being converted into the golf course lot. Cynthia states the Applicant is not proposing to use any of the lots for golf activities. Cynthia states if they did that, they would have to amend the Site Plan again. Cynthia states that right now they are just staying as vacant wooded areas. Will states the majority of those lots will fall within the setbacks for the Golf Course. Mr. Kirwan states he understands, but they will be taking five residential lots off the tax rolls, and putting them into a Golf Course lot which is taxed at a much lower rate. Cynthia states she is not sure about that because we are going through a re-evaluation. Mr. Kirwan states Bloomerside has 100 acres with a taxable value of approximately \$318,000. Mr. Kirwan states the 153 acres on this particular Golf Course lot has a taxable value of \$786,000 and the taxable value of the other lots is approximately \$13,000 or \$14,000 each. Mr. Kirwan states his assumption would be that they would ask for a tax adjustment based on the fact that now they will not have residential lots. Cynthia states that would be a question for the Tax Assessor. Cynthia states she knows the Town is going through a re-evaluation and the Assessor has said that one of the biggest questions is going to be how open space and vacant land are going to be addressed.

Cynthia states she cannot answer this question, but certainly can ask the Tax Assessor if she has any questions. Cynthia states at the end of the day it is really the Applicant's decision. Cynthia states she doesn't believe the Town can tell someone they can't undo a Subdivision. Will states the flip side of the coin is that at least the lots that have the septic systems need to come into the Golf Course lot. Will states whatever lost tax dollars there are for the vacant parcels could be offset by the proposed improvements which are not small. Will states if the properties were to be developed as residential lots there would still need to be a fiscal analysis of what the cost would be to the Town to maintain whatever comes with those lots were they to be developed, versus them not being there. Will states not all residential lots are tax revenue positive. Cynthia states they are usually just the opposite. Will states it depends. Cynthia states that Mr. Kirwan is absolutely correct in terms of today's Tax Roll numbers, but she doesn't know what tomorrow is going to bring, and this is the year we are going through the re-evaluation.

Lori Tripoli states she was wondering if tree removal could be addressed. Mrs. Tripoli states that there had been discussion about the 10<sup>th</sup> tee and asks whether trees will be removed in order to build the additional parking or any other activities. Mr. Peragine refers to the Plan and states as far as the septic system is concerned, they will be removing approximately 15 trees which is required because they are not allowed to be within 10 feet of the septic system. Mr. Peragine states there are five or six trees within the Pool House and Pool Deck which are being removed. Mr. Peragine refers to the parking area and states only one tree is being removed to provide access for the overflow parking area. Mrs. Tripoli asks that additional night lighting be added as a result of the improvements or parking. Mr. Peragine states there is no additional lighting being provided for the parking areas. Mr. Peragine states there will be additional lights on the building, and Mr. Demasi will talk about them. Mr. Demasi states the lighting around the Pool House will be around the doorways, and not lit all the time. Mr. Demasi states the lighting is only for Code Requirements, and there are no lights that will stay on all night. Mr. Demasi states the lights will face down, not out, as they are for access to the doorways. Mrs. Tripoli states she understands a portion of the property may be home to bats or a bat habitat, or a couple different species of bats. Mrs. Tripoli states it is her understanding that while other agencies may have jurisdiction over the role of preserving any habitat for bats, she wonders whether the Applicant is taking any environmental friendly measures, or have addressed this with other agencies. Mr. Lopez states that his office looked at the bat issue, as they have a wildlife and wetlands person. Mr. Lopez states there was a notice from the agencies that there was a bat sighting five miles from the proposed Project which is about the perimeter of the range from their roosting place. Mr. Lopez states there was a site nearby where a different species of bat was sighted. Mr. Lopez states there is the Long Eared Bat and the Little Brown Bat, maybe somewhere in the area or at least on the edge of their range. Mr. Lopez states he spoke with his wildlife person about these issues today. Mr. Lopez states that they did not look at the tree locations on the property as being prime bat habitats. Mr. Lopez states there are isolated trees where there is a lot of activity with people coming and going with golf carts, not just near the Club House, but also along the wooded area. Mr. Lopez states with so much prime wooded area within the general vicinity of this Site and throughout the County, they didn't feel this was a prime bat habitat. Mr. Lopez states they didn't feel as if it was necessary to do any Site controls as they might do on a larger project where a lot of trees are being taken down. Mr. Lopez states there will be a lot of additional plantings going in. Mrs. Tripoli asks whether any agency has jurisdiction over whatever wildlife might be there. Cynthia states the U.S. Fish & Wildlife in the other instance had a restriction in terms of when the trees could be taken down. Cynthia states it wasn't a prohibition, it was a recommendation that the trees could not come down after November 1<sup>st</sup>, and before March 30<sup>th</sup>. Mrs. Tripoli states that she would imagine that if any landowner wants to develop their land there would be an inclination to cite bats or any other animals. Mrs. Tripoli asks whether anyone oversees this. Will states the bats are protected by the Federal Government of the State of New York. Will states the protocol has to do with there being a certain time to clear the trees. Will states exceptions can be made in situations like this when there isn't a prime habitat, and when a lot of trees are not coming down. Will states the responsibility of protecting the bats exist regardless of whether it is prime habitat or not. Will states

someone may not kill or hurt a bat and if someone cuts down a tree and it happens, the act has been violated. Will states that is why there are precautions in terms of when trees may be taken down. Will states there are other ways and states the property down the street is seeking a waiver based on some mitigation measures and having the trees being inspected before they are cut, so they will know whether there are bats or not. Will states that area is more heavily wooded than this current proposal. Will states the law only comes down to whether a bat is hurt, and then the person would be in violation of the law. Mr. Lopez states the Long Eared Bat was under consideration to be placed on the endangered list, and it wasn't put on that list, it was designated as a species of concern. Mrs. Tripoli states as part of this proposal has the Applicant identified any environmental friendly measures that might be taken that are not legally required, but may be good corporate responsibility, such as sourcing sustainable food in the café, having bat boxes for bat habitats, or replanting trees elsewhere. Mr. Lopez states he cannot address what type of food will be prepared, but they are looking at light foods. Mr. Lopez states with respect to bat boxes, he doesn't think management would have any issues with them being installed. Mr. Lopez states the plantings that are going in are much more varied than the plants that are coming out and mostly natives. Mr. Lopez states they are not using Colorado Blue Spruce, they are using native White Spruce which has a whitish green color. Mr. Lopez refers to the Plant List and states that most of the plants are native and should provide a greater range of forest or wildlife, and a greater range of nesting habitat as well as screening. Mr. Lopez states he appreciates the questions from Mrs. Tripoli. Mr. Lopez states he does try to make his Plant List 100% or as close as possible to native because this question comes up a lot when working in these parts of the County.

Mr. McKenna asks whether the planting materials will be deer proof. Mr. Lopez states the Spruce he mentioned are deer proof because the deer do not like to get their noses pricked. Mr. McKenna asks whether the Maple on the 10<sup>th</sup> tee will be coming down. Mr. Lopez states yes, there are three in that area that are coming down. Mr. Lopez states there are a couple of Maples and a Hemlock which is doing poorly. Mr. McKenna states there is a big Maple right near the 10<sup>th</sup> tee. Mr. McKenna asks whether he could go back to the prior discussion about the membership and the number of lockers. Mr. McKenna asks whether the new lockers will be golfing lockers. Cynthia states they will be lockers for the pool area. Mr. McKenna asks whether there is a maximum membership for golfers. Cynthia states the maximum is stated on the Site Plan because it is what is used to calculate their parking spaces. Cynthia states if they are exceeding the number that they are using to calculate their parking spaces they need to tell us. Will states if you are calculating parking based on lockers, someone may have a locker and not have a membership. Will states there could be 10 lockers and 400 members. Cynthia states that is the way we do it. Will states the point is that they are proposing to add more lockers. Cynthia states yes, for the pool house building. Will states by the fact that a building is being added, an activity, and additional lockers, parking requirements are added.

A member of the audience asks whether solar has been looked at in terms of the pool house roof as it seems as if it will be an open area. Mrs. Pooley refers to the New York incentives. Cynthia states for clarification that the above question is from Pam Pooley, Co-Chair of the CAC. Mr. Demasi states the roof is not set up for southern exposure, so it would be difficult for it to be solar. Mr. Demasi states it is not going to be cost effective.

Mr. McKenna asks when the construction will start. Mr. Zorn states they would like to start sometime in September. Mr. McKenna confirms the work will start before winter.

Cynthia states we have not heard from the NYCDEP, and they have asked for additional time. Cynthia states since they are an involved agency, the Board has to keep the Public Hearing open. Will states the last time we met, one of the pieces the Applicant was supposed to work on is the parking data. Mr. Peragine states he had a preliminary analysis, but based on the MDRA Memo, there should have been two additional overflows to make up the total parking. Mr. Peragine states they will adjust their analysis to reflect the comment. Will

states there were issues being worked on in the field today. Mr. Peragine states that was the percolation testing that was witnessed with Bruce Thompson this morning. Mr. Peragine states the data is available. Mr. Peragine states the other issue was the legal agreement which is in the second or last Appendix of the Stormwater Pollution Prevention Plan (SWPPP). Mr. Peragine states that the Town Engineer may have missed it in the Appendices. Mr. Peragine states the calculations for the stormwater, which were an open issue, will be redesigned now that the percolation testing has been done. Mr. Peragine refers to the Plan and states they did boring tests and rock was found at about four or five feet deep and the system was seven feet deep so it cannot go there. Mr. Peragine shows another location on the Plan where they did boring tests and no rock was found at 17 feet deep and the perk tests are in the 30 to 40 minute range for the infiltration pipe. Mr. Peragine refers to the porous pavement and states the percolation test at that level was at the 17 unit per inch range, so those are good values for the design. Will states the Board has to decide whether these issues are substantive or technical. Will states if the issues are substantive in nature, the public may have something to say and comment about. Will states that by not having the NYCDEP comments, it may not be necessary to hold the Public Hearing over because they didn't get their work done. Cynthia states she thinks we need to hold the Public Hearing open because of the NYCDEP comments yet to come. Cynthia states she would like to look a little more into the question about the memberships and lockers as good points were raised tonight. Cynthia asks whether the Board could expect to see information in regards to parking and overflow usage since the Golf Club is open now, and the activity is happening. Mr. Peragine states his office did do a parking analysis and took several counts. Mr. Peragine states that his office took several counts on Thursday, Friday, Saturday, and Sunday a few weeks ago, and they do have four days of counts which showed that approximately 87% of the developed parking was being utilized during those peak periods. Cynthia asks whether there were any special events any of those evenings. Mr. Zorn states one Saturday there was a special event during the evening. Cynthia asks Mr. Zorn if special events are held during the day when members may be playing. Mr. Zorn states no, not during the season, but during off season yes. Mr. Zorn states the Club House is just not set up for them to do that, and their kitchen is not set up in order to do multiple affairs. Mr. Zorn states they will only do one affair a day, in the evenings, during the season. Mr. Zorn states during the off-season, they will do events during the day, but there is no one there. Cynthia refers to special golfing events, such as tournaments. Mr. Zorn states that all of the tournaments are member-related tournaments. Cynthia asks whether non-profits do special events. Mr. Zorn refers to Monday golf outings and states the Club is closed to the members then. Cynthia asks Mr. Zorn to start putting all of this information together in a Report so the Board may understand how the parking might be impacted. Will asks whether the number of outings are tracked that would go out in a day. Mr. Zorn asks Will if he is referring to the number of golf rounds. Will states yes. Mr. Zorn states they do keep track of the number of rounds. Will states he assumes the summer time will be busier than now. Mr. Zorn states it depends on the weather. Mr. Zorn states that sometimes it is not as busy because people go away. Will states it will be interesting to see some of the data to understand the flow. Mr. Zorn asks Cynthia to tell him exactly what the Board is looking for. Cynthia states if a draft of the Report is put together we could go from there. Mr. Peragine states he has a draft except there was a mistake in the count of the parking which hasn't been addressed, and they have only four days of data. Cynthia asks if the analysis will be a count of the cars in the lot. Mr. Peragine states no, it is an analysis and a projection with a traffic engineer. Cynthia asks if Mr. Peragine has the internal data that Will has asked about in terms of how the facility is being used, when there are only members, or special events and states the Board is trying to get an angle on that. Mr. Peragine states he will incorporate that data as best he can.

Cynthia states she is inclined to leave the Public Hearing open until June 3<sup>rd</sup> and asks what the Board thinks. Christopher states there are at least two questions that are pertinent to explore more. Cynthia states by June 3<sup>rd</sup> we should have a response from the City. Cynthia asks Mr. Lopez if he is expecting to receive another response from the Fish and Wildlife regarding the bats in terms of when they may proceed. Mr. Lopez states he doubts it. Cynthia states the way it stands right now, you wouldn't be able to take any trees down until after November 1<sup>st</sup> unless you receive a waiver. Mr. Lopez states their Naturalist has never seen a Site of this size

have a restriction, especially with the limited number of removals placed on it. Mr. Lopez states he will ask their Naturalist to put something together. Cynthia asks Mr. Lopez to have it clarified. Will states Mr. Lopez should call and talk to someone because when reading the New York State protocol, the DEC has to bless the tree removal. Will states there are only a few trees coming down. Christopher requests as much data on the parking and traffic flow as possible and states between now and June 3<sup>rd</sup> will be peak season. Cynthia states this information will help the Board to formulate the Monitoring Program. Mr. Peragine talks about having to submit by a certain day and states they may not have counts in terms of parking for more than a few days since he has to prepare the memo and do the calculations. Mr. Peragine states he will get as much as he can in. Cynthia states she doesn't mind if this information is submitted at the last minute if it will provide more time so as to include more data. Cynthia states this one item could be submitted one week before the Public Hearing.

Mrs. Pooley refers to the parking and states the CAC tries to think ahead in terms of sustainability. Mrs. Pooley refers to the best practices and talks about having parking spaces for hybrid or electric vehicles to encourage them for the future. Mrs. Pooley states it is just something to think about as the Applicant creates the parking areas. Mrs. Pooley refers to electric charging stations and states we want to think towards the future. Mrs. Pooley states that we should engage with some of these ideas. Mr. Zorn states they will take it into consideration.

Cynthia states that the Applicant received two Reports, one from Will at MDRA which has been talked about quite a bit, and a Report from Frank at Hahn Engineering. Cynthia asks whether there are any additional questions in terms of what has been asked for. Mr. Peragine states he will double check now. Mr. Lopez states he is fine with the MDRA Report. Mr. Peragine refers to the Hahn Engineering Report and states he believes Mr. Annunziata missed the Maintenance Agreement which is in one of the Appendices in the SWPPP. Mr. Peragine states the rest of the calculations will be done.

Cynthia states that knowing that the Public Hearing is on what we already have in front of us, and there has been discussion about another submission, she is not quite sure how to handle that during the course of an open Public Hearing. Cynthia asks Will whether these are just technical review issues that are being dealt with. Cynthia asks Mr. Lopez if he will be doing another submission. Mr. Lopez states he believes the Board mentioned that. Mr. Lopez states they will not be doing another submission in terms of Plans. Mr. Lopez states they will be responding to open comments in more of a Report nature. Cynthia asks Will whether he was anticipating to receive anything more than responses to his comments. Will states he would like the Applicant to address what needs to be revised. Will states we have gone back and forth with the lighting, and we need a detail sheet. Will states that the Board should close out as many items as possible. Mr. Demasi states he did submit a spec sheet. Will states that Mr. Demasi needs to create the detail that will be on the Plans, and whether he submits the Plans, or the information that will end up on the Plans. Mr. Demasi states the information will be part of the construction documents. Will states a note needs to be on the Plans. Will talks about one of his comments about the monitoring going forward and states it might be helpful to develop something that defines exactly what will be monitored each time, so that it is clear. Will states it will make it easier for the person doing the monitoring. Mr. Peragine states they will try to develop something to include in the Report. Mr. Peragine states the Use of the disabled symbol has come up. Mr. Peragine states he understands it is a new New York State Law, but it has not made its way into the New York Code Rules and Regulations. Mr. Peragine states the signs have not been updated, nor has the striping in the Manual. Mr. Peragine states those are regulatory objects. Mr. Peragine states he has no objection to doing it if the signs have been updated. Mr. Peragine states those are legal regulatory signs. Cynthia states she realized that, but the Board wanted to give the Applicant a heads up that if new signs were going in, they might want to move in that direction. Mr. Peragine states the new signs are not available yet. Mr. Peragine states the pavement parking might be available as a stencil. Cynthia states the work will not begin until September. Mr. Peragine

states if they are available at the time of construction, yes they will install them, in accordance with the current Law. Cynthia states she understands. Will states he wonders why the information has been distributed to all of the Towns. Mr. Peragine states there are three Laws that need to be changed.

Cynthia states that is all she has and the Public Hearing will be adjourned until June 3<sup>rd</sup>.

## **REGULAR MEETING:**

**2. Gilport Develop. Corp.:** Peter Gregory (owner – Richard Morgante)  
**Residential Subdivision** (location Oak Ridge/Overlook Rd.)

- Consider Report From Planning Consultant
- Consider Report From Town Engineer

Cynthia states this is a proposal for an eight lot subdivision off Oak Ridge Road, and there are two private driveways being proposed to access four lots. Cynthia states it has been a long time since this has been in front of the Planning Board and there are a lot of issues to go over. Cynthia confirms with Peter Gregory that the current owner has had the property for five years. Cynthia states at one time, a nine lot subdivision with private roads had been proposed and now we have been looking very seriously at the amount of disturbance and how this could work better for the environment. Cynthia states the Board has pushed the Applicant in the direction of taking it down to driveway access knowing that it would trigger a 280-A to the Town Board because the Applicant would not have frontage on an approved street. Cynthia states it still raised a lot of issues in terms of how the lots would be laid out and how they would work. Cynthia states the last time the Applicant had been in front of the Board was in 2010. Cynthia states that now the Applicant is back before the Board with something he feels will work. Cynthia states it has been a little difficult to follow the lot lines so if Mr. Gregory could take the Board through how he envisions this will work that would be helpful.

Mr. Gregory states he is with Keane Coppelman Engineers in Mount Kisco and he is here tonight with Richard Morgante of Gilport Development Corporation (Gilport). Mr. Gregory states it has been some time since they have been before the Board and they are excited to be back. Cynthia asks Mr. Gregory if he wouldn't mind turning the easel since this discussion is before the Board. Cynthia states the Plan is also up behind the Board. Mr. Gregory states the Salem Hills property is approximately 13 acres in size and is located in the ½ acre Zoning District. Mr. Gregory states their current Plan proposes eight lots ranging in size from ½ acre up to approximately 2 acres. Mr. Gregory states when Gilport purchased the property the idea was to try and remain as close as possible to be consistent with the previously Approved Plan. Mr. Gregory states at that time there were a couple of issues as the previous Plan didn't address the new Stormwater Requirements for the NYCDEP, and the changes that have taken place since then. Mr. Gregory states that also more work needed to be done in regards to the septic areas with the Westchester County Health Department. Mr. Gregory states when Gilport stepped in, and understood what those issues were, we met with the Westchester County Health Department, and defined where the areas for the proposed septic areas would be, and within the areas that were shown originally on the previous subdivision. Mr. Gregory states they also had met with NYCDEP to walk the property. Mr. Gregory refers to the Plan and states that access to the property is from two locations off of Oak Ridge Road. Mr. Gregory states there is a 50 foot right-of-way where access would come in to serve what they are referring to as the lower portion of the property. Mr. Gregory states there is another 50 foot wide access area off of Overlook Road that will serve the upper area with four homes in that location. Mr. Gregory states the original Plan showed nine lots, and there was a fifth lot that was located on the lower portion of the property that had been eliminated to accommodate the stormwater mitigation area. Mr. Gregory states that soil testing was performed for each of the lots, and was witnessed by the Westchester County Health Department. Mr. Gregory states they had very successful results. Cynthia asks approximately when the soil testing had

been done. Mr. Gregory states sometime between 2009 and 2010. Mr. Gregory states that deep holes and perk tests were witnessed. Mr. Gregory states at that time NYCDEP walked the property with the Westchester County Health Department and it was determined that the septic's would be delegated to the Health Department. Mr. Gregory states the Health Department wasn't going to be involved with the septic's on the individual lots however they were concerned regarding the entryway and the wetlands in that area. Mr. Gregory states subsequent to some of these Plans, we developed stormwater which involved infiltration practices. Mr. Gregory states that NYCDEP came back out to the property and they witnessed deep holes and perk tests in the areas where infiltration is being proposed. Mr. Gregory states they have addressed their soil study for the property which in turn brings him to the point of explaining how they arrived at the current configuration with the house sites, septic's, and well locations. Cynthia states the NYCDEP wrote a memo, in approximately 2011 and asks when they came out to the Site the second time, was it before or after that memo. Mr. Gregory states it was after 2011 when they came out to look at the stormwater soil testing. Mr. Gregory states at that time they also discussed the wetlands and the entrance coming in off of Oakridge Road and as a result of that meeting, and the memo prepared, they are proposing that a portion of the entryway be with a permeable paver which will be defined as a porous pavement so they are allowed to have access as long as they maintain a 50 foot distance to the wetland and watercourse to the Town for impervious surface. Mr. Gregory states they are proposing the permeable paver which the NYCDEP will accept. Cynthia asks if that still requires a waiver. Mr. Gregory states they would not need a waiver. Gary asks if there is a statute of limitations in regards to tests that are five, six, or seven years old. Mr. Gregory states sometimes there could be, but he feels that the people at the NYCDEP and Health Department are still there today, and this is all on record in their files. Gary states that is not the question. Gary states conditions do change after half a decade. Gary states groundwater changes, as well as streams. Gary states there may be the same people, but that is irrelevant to his question. Mr. Gregory states that would be something that would be discussed, except in this particular case, the soils that were encountered were very deep, well-drained soils. Mr. Gregory states he is not aware of any statute of limitations on testing or the results that were obtained. Mr. Gregory states if the Health Department or the NYCDEP wanted them to go back out to the property again, they would work with them at the property. Cynthia states that certainly changed regulations will have to be met, but Gary had a good question regarding the testing. Cynthia states when we do the circulation we would find out from the Health Department. Gary states that underground water streams change and while there were no perk problems five years ago there could be one today. Gary states things change. Mr. Gregory states they could, but from what he recalls from being involved with witnessing the soil testing, they have very good soils. Gary states Mr. Gregory should change the word "have" to "had". Mr. Gregory states he does not recall having any issues at that time with groundwater. Gary states there may not necessarily still be good soils. Gary states it seems to him that there should be some kind of a time limit in terms of an Approval being given and then waiting years. Gary asks what the reason for the delay was. Mr. Gregory states a big part of it had to do with the stormwater requirements since the regulations had changed, as well as what came up in terms of mitigation. Mr. Gregory states that another discussion was held with the Fire Department to discuss access into the property and how they would attack an emergency situation or a fire. Mr. Gregory states that had a lot to do with their entryway, and coming up with the permeable paver suggestion. Gary states those do not sound like five year windows. Will states it is also possible to have a subdivision approved, filed, and recorded, and not have a house built on it for 10 to 20 years. Will states that once someone decides to build they would need to obtain a Permit which could necessitate testing at that time, and changes could be required based on conditions. Will states there are probably existing subdivision lots today that are based on 20 year old data. Mr. Gregory states if the approvals are older, they have been asked us to re-test. Will states there are several levels. Will states the Department of Health is required to sign the Plat. Cynthia asks Mr. Gregory if he is aware of any activity taking place around the Site that has occurred during this timeframe that might be an influence. Mr. Gregory states the property is bounded by single-family homes on three sides. Mr. Gregory shows an area on the Plan and states it is an undisturbed wooded area behind the nursing home property. Mr. Gregory states there are instances when there has been some encroachment from the rear of the properties into

the Salem Hills property, just by extending the lawns, and the building of small retaining walls. Cynthia states that is going uphill. Mr. Gregory states yes, that is correct. Mr. Gregory shows an area on the Plan where clearing had been done. Gary states that Salem Hills Healthcare Center did some work. Cynthia asks how far away they are. Mr. Gregory shows on the Plan where the Healthcare Center is located and states he believes work has been done, but they are quite a ways away from it.

Christopher states when he was on the Town Board, he recalls them requesting that the access roads be built as Town roads some years ago. Christopher states he supposes this is no longer the case because the Applicant is now proposing private roads, so that idea may have been abandoned. Christopher states he also seems to recall at the time that there was one loop going from Overlook all the way down through Oakridge Road. Charlotte states it connected. Mr. Gregory states there is a trail. Christopher states they were connected in the initial Plan many years ago. Mr. Gregory states that may have been a Plan from the previous owner/applicant. Mr. Gregory states when he stepped in there were two roads that were proposed. Mr. Gregory states the first road came up ending in a cul-de-sac and was approximately 900 to 1,000 feet, and there was an approximate 400 or 500 cul-de-sac that ended up on Overlook Road and those were eliminated and modified to have common driveways. Christopher states he also recalls that there were some discussions and issues with the Fire Department. Christopher asks Mr. Gregory if those have been resolved. Mr. Gregory states he believes those issues have been resolved and the idea was that they would be able to approach a fire from two directions. Mr. Gregory states they proposed to have mountable curbs and shoulders that could support vehicles in case they had to pass. Mr. Gregory states they have also discussed having a dry/draft hydrant water line that would allow a tanker truck to come in that would supply water down to a hydrant down below in case a pumper had to pull in to pump a fire in a certain area. Mr. Gregory states he believes there is a waterline that will run parallel with the storm drain line to the lower part of the property. Mr. Gregory refers to the Plan and states their stormwater will be conveyed through an easement down to the treatment area down below and the fire line would follow along the same pattern. Will asks whether the line could go both ways. Mr. Gregory states yes, it could. Mr. Gregory states they would hook up a tanker also.

Christopher states this is a heavily wooded area and asks if the development will take place at the peak or the ridge of the hill. Mr. Gregory states yes, their property abuts Salem Hills and refers to the high point which drops off in all directions around the Site. Mr. Gregory states that Overlook Road does continue to climb and go up, and that is behind the nursing home property. Mr. Gregory shows the relative high point in between Overlook Road and Oakridge Drive on the Plan

Gary asks if each home will have its own septic and water well. Mr. Gregory states yes, each home will be supported by individual septic and water supply, and there are several homes that will have their own stormwater mitigation practices. Mr. Gregory states the homes where they are limited in area will be treated with drainage.

Cynthia asks Mr. Gregory to outline the layout of each lot for the Board. Mr. Gregory shows the location for Lot 1 and states it is just over  $\frac{1}{2}$  of an acre. Mr. Gregory shows the location for Lot 2 and states it is just over  $\frac{3}{4}$  of an acre. Mr. Gregory shows the location of Lot 3. Cynthia asks if Lots 2 and 3 will share a driveway. Mr. Gregory states yes, Lots 2 and 3 are sharing a driveway to the individual homes, and Lot 8 is the remaining portion. Mr. Gregory shows the location for Lot 8 and states it is 2 acres. Mr. Gregory states the lot line that separates Lots 3 and 8 is consistent with what was on the original subdivision Plat that had been approved. Cynthia asks who owns the driveway access under this configuration. Mr. Gregory states that is a question they have to resolve. Mr. Gregory states he assumes there will be easements with ownership by everyone. Cynthia confirms that right now, Mr. Gregory is showing each Lot up to the edge. Cynthia asks Mr. Gregory to outline the access Lot. Mr. Gregory refers to the Plan and points out the access Lot and where it runs. Gary asks whether it jointly owned by the four homeowners. Mr. Gregory states that was the original intention, but

they will work out the details. Mr. Gregory states it is similar down below and points to where the 50 foot strip ends and they are proposing to extend it. Gary asks why it wouldn't be extended all the way up to the first driveway. Mr. Gregory states he doesn't have an answer for that, and thinks they were just following what was already established. Cynthia asks Mr. Gregory to show the Board the remaining lots. Mr. Gregory shows the location for Lot 6 and states it is 8/10's of an acre. Mr. Gregory shows the location for Lot 5 and states it is 2 acres. Mr. Gregory shows the location for Lot 4 and states it is 1.9 acres. Mr. Gregory shows the location for Lot 7 and states it is 2 ½ acres. Cynthia inquires about the drainage. Mr. Gregory states the drainage will be part of multiple lots. Mr. Gregory refers to the Plan and states the lot lines come out. Mr. Gregory refers to a parcel where the drainage improvements are shown will be on a portion of Lots 4, 5, and 7. Mr. Gregory states he will make the notations darker on the Plan. Cynthia requests a simplified page in order to understand the 280-A and all the bulk. Cynthia asks Mr. Gregory how he calculated the bulk. Mr. Gregory states that goes back a while since the calculation was initially done. Mr. Gregory states they put a lot of time into that process. Cynthia asks where Mr. Gregory is calculating his lot widths. Mr. Gregory refers to Lot 6 and shows on the Plan where he assumes the front of the house would be and the lot width. Cynthia states that Lot 6 is an easy one and asks how the others were calculated. Mr. Gregory refers to the Plan and states if there was a lot line between Lots 5 and 6, the line, while it is the rear to Lot 6, was included in the front of Lot 5 calculation with sides on each side of the rear and back. Cynthia asks Will if that makes sense. Will states what Mr. Gregory just said may be what is listed in the Code when there is a lot behind a lot, but he would like to double check that. Cynthia states the lot line will also go all the way down. Will states the lot width is very specifically measured and part of it is called a street line which we do not have in an open development area. Will states the Definition in the Code he pointed out does point to a situation when dealing with easements and right-of-ways, and not dealing with streets. Will states the difficulty he sees with the layout is when the lots straddle the easement and that is where it becomes murky for him. Will states the upper side may be a little easier, but it becomes much harder down below because the bulk of the land is on the other side of the easement. Mr. Gregory states that is correct and one of the things they were trying to avoid was to have a separate parcel just for stormwater. Cynthia refers to an area and states she thought Mr. Gregory just said it wasn't easement area, and it ended in a certain location. Gary states it ends just shy of the first driveway. Mr. Gregory states there is an easement for the access, but not the right-of-way off of Oakridge Road. Will asks what the purpose is of having some kind of right-of-way strip that goes to another type of an easement instead of one continuous easement. Mr. Gregory states because at the time this was developed the idea was to try and bring the lines to the right-of-way line and not have the easement come through and end. Mr. Gregory shows on the Plan where a dedicated parcel would be. Will states if that is the case he doesn't think the Plan complies and talks about the way the strips come down in terms of their narrowness. Will states the lot width is measured at 25 feet off the centerline so the lots wouldn't comply. Will states Mr. Gregory has to figure out how to make the lots comply and show they are compliant. Will states the open development area and common driveways would have the least developmental impact. Cynthia asks Mr. Gregory if he has the lot width for R-1/2 on the Plan. Mr. Gregory states Lot 2 is only 50 feet and the others are shown as being in excess of 100 feet. Mr. Gregory states he will revisit this. Cynthia states the lot width has to be met. Mr. Gregory states they have never had an opportunity to discuss this prior to tonight, and it is the first time we have talked about this lot configuration. Cynthia states she believes there were general discussions back in 2010 and Mr. Gregory went away to see how it would work on paper and this is the first time the Board is seeing this layout. Gary refers to the wording "never had an opportunity" by Mr. Gregory and states he wouldn't use that wording because it has been five years and there were opportunities. Mr. Gregory states they have not formally discussed this with the Board. Will states in reviewing for this Project we looked back at some of the older files to refresh our memory too, and there is one item that maybe Mr. Gregory could shed some light on. Will states in some of the documents or Minutes there were discussions about this Project not having a Homeowners Association, and three pages later, there was a discussion about having a Homeowners Association. Will asks if there is a desire to stay away from having a Homeowners Association, and is there a particular reason. Mr. Gregory states they were trying to avoid having a Homeowners Association. Will asks

if it had to do with the formation and relative costs associated with it. Mr. Gregory states yes. Will asks Gerry Reilly if he has heard of a Civic Association in relation to residential development. Gerry states he hasn't, but there will need to be something so the maintenance may be shared for all of the driveways in terms of access. Cynthia states also for the stormwater. Gerry states yes, for the stormwater. Will states in reading and trying to understand the Town Code in relation to 280-A the way the language is structured it almost seems as if it intends for open development areas not to be parcels for the driveways, but the lots go to the centerlines which defines the yards and the widths. Will states there would be an easement or maintenance agreement in relation to access to everybody. Will refers to 280-A which talks about right-of-ways or easements and does not know if they are intended to be the same thing. Gerry states he thinks they are as to distinguish them from a road. Gerry states this goes back a long way and has to do with the size of the driveways. Gerry states the intent was not to make it like a cluster where there is deviation from the requirements; it is just the access that is allowed differently in a Town. Will states Mr. Gregory has to go back and look at the zoning and make a simple drawing to show where the numbers are coming from. Mr. Gregory states sure. Cynthia states she believes that would be a good pause in order to get the lot configuration down and make sure it fits with zoning before too much time and energy is put into everything else. Mr. Gregory states if they come up with something, maybe they could meet prior to taking up the Board's time, and then make a submittal. Cynthia states just seeing a clear page with the lot lines would be helpful, as well as who will own what. Cynthia asks who will own the first 100 or 200 feet of road. Mr. Gregory states it will be shared. Will states whether there is a separate right-of-way parcel, or someone owns the land, and everyone else has a cross-easement over it, the Town's interest is that the arrangement be that if there are four lots on a common driveway, that all four lots are equally responsible for the maintenance. Cynthia states that will work on the roads, but what complicates it is that the drainage will service all eight. Will states Cynthia is right, but there could be cross-easements for those instances as well, except they are tied together. Gerry states it is complicated and there might as well only be one. Will states why not have a Homeowners Association. Cynthia states these days the drainage is just as important and might almost put the Applicant in the position of needing a Homeowners Association, whether there are driveways, or a private road. Will states the Applicant is also going to have to figure out how to deal with the fact that there are eight lots. Gerry states once a drawing has been submitted with the lots, maybe the Board will see what is needed. Cynthia states it would be beneficial for the Applicant to come back to a Meeting and states that Roland will be here the first Meeting of the month. Cynthia states she would like the benefit of having him present. Cynthia talks about pausing to make sure there is Code-compliance as that is critical. Cynthia states the Applicant can then mull over how they are going to do easements or a Homeowners Association. Cynthia states that Frank is here tonight and asks in general terms, with the stormwater, does it all seem to be working, and going in the right direction. Frank states he has no idea, as the Applicant has not submitted any updated information and regulations have changed substantially since they were here last. Cynthia asks if there was a change in the Code since the last submittal. Frank states not in the Town Code, but the General Permit has been updated a few times. Will states he believes the Stormwater Regulations have changed. Frank states there was one Amendment. Frank refers to the soil testing and states it was not observed, so Mr. Gregory should provide enough evidence of that. Frank states he would need to see a whole updated Plan. Charlotte asks Frank if he is aware of a statute of limitations on soil testing. Frank states no, he has never seen anything specific. Frank states it would need to be looked at to see what kind of soil there is. Frank states that five years in the context of the history of the world isn't that much either. Frank states the soils can change, especially if they are marginal. Frank states it might be a good idea, even if the soils were okay, to take a few extra tests to make sure nothing has changed. Christopher states down the road, because this property is at the top of the hill, he is interested in seeing what kind of visual impact might exist if a house were to go at the top. Christopher states that may be something to keep in mind. Cynthia states it has been a long time since we have walked the Site and talks about setting up a walk through because there is a nice pathway there. Cynthia states it is fairly obvious how to go in from the top, but once we are in there, are the trails still open, and is this something the Board could do on its own. Cynthia states the Board would love to have Mr. Morgante help them. Mr. Morgante states the property is very walkable. Cynthia talks about

setting something up for a Saturday. Gary talks about everyone going on their own. Cynthia asks Mr. Morgante if it would be alright if the Board Members walked the property on their own. Mr. Morgante states sure, but he would like to know about it. Cynthia states absolutely, we will stay in touch with you. Cynthia states she thinks it would be good to set something up as a group, because sometimes when you are out there by yourself you may think you know where a house site is, but it could be turned around. Charlotte states the property is beautiful. Cynthia talks about the Applicant getting the zoning compliance nailed down. Gary states he would like to see more information about how the roads will be managed in terms of easements, even if it is preliminary, it is important. Mr. Gregory states he agrees.

**3. Hawley Woods: Peter Gregory** (owner – Hawley Woods, Ltd.)  
**Subdivision** (location – 396 – 404 Hawley Road)

- Consider Report From Planning Consultant
- Consider Report From Town Engineer

Cynthia states the entrance is an eye opener in terms of the walls. Cynthia states the pictures are down in front of Frank. Mr. Gregory states they submitted conceptual renderings of two scenarios. Mr. Gregory states one scenario had to do if we encounter ledge rock, and one if we were to utilize walls in this area and how they may appear from two different perspectives. Mr. Gregory refers to looking up towards the entryway, and coming down heading south on Hawley Road. Mr. Gregory states he and Alan Pilch, their Landscape Architect, have talked about how difficult it would be to plant on or above the rock if they do encounter ledge rock. Mr. Gregory states they talked about installing strategically placed boulders in order to backfill for a planting bed. Mr. Gregory states he did see the Hahn comment in regards to sight lines, which he will check on. Mr. Gregory states there may be a way with exposed ledge rock to do something on the top of the re-graded area, as well as at the base in front. Mr. Gregory talks about keeping the plantings limited so as to maintain sight distances in each direction. Cynthia asks what the total height of the disturbed area is proposed to be. Mr. Gregory states at the highest point, it is approximately 16 to 18, feet which is 100 feet into the driveway. Mr. Gregory refers to another area and states it ranges between 4 to 8 feet along the front property line. Mr. Gregory states based on the depth it is likely that they will encounter ledge rock in those areas, and based on how much area could be preserved, there would be tapering on the upper portion in earth, which is what we have tried to show in one of our renderings. Mr. Gregory states the other issue is what type of material we would use if we had a wall. Mr. Gregory talks about trying to keep it as a natural stone appearance at the entrance. Will asks whether the wall is dependent upon whether rock is hit. Mr. Gregory states yes, it will depend on what we encounter. Will states if you hit rock, you won't be able to build the wall. Will states this is not a situation where you can build the walls and have an area for plants because there isn't going to be much sub soil for the plants to survive. Mr. Pilch states they completely eliminated the plant materials from between the walls. Cynthia confirms there will be no plants between the walls. Cynthia states that was the point Christopher made the last time. Cynthia asks what is happening on the ground in front of this area both along Hawley Road and the proposed entrance way, and whether there is a need for swales or stormwater there. Mr. Gregory states there are swales that will be on the lower side as well as the upper side. Mr. Gregory states there is a swale that comes down to a drain inlet at the entrance. Cynthia states there is a proposed driveway, a swale, and then you will go up. Mr. Gregory states that is correct. Cynthia refers to the swale in terms of landscaping and asks Frank whether the swale may be planted. Frank states he believes it is paved. Mr. Gregory states right now they are showing it as a vegetated swale. Cynthia refers to the boulders. Mr. Gregory states it is hard to see, but in the front there are boulders. Cynthia asks if that is the swale area. Mr. Gregory states the swale would be located in front of that. Mr. Gregory states it might not be represented well in the rendering. Cynthia states it almost looks like the boulders are in the swale. Mr. Gregory states the idea was to come up with something that was that would soften the exposed rock. Cynthia states that swales sometimes have rocks in them if there is running water. Cynthia states this is just a seepage swale. Cynthia

states this is not possible. Will asks if there is a possibility of pushing back further in order to get some perennial type plants in there that may flower. Mr. Gregory states he believes it is possible. Mr. Gregory states they would avoid impacting the basin. Will states in some respects we will not know anything until the work begins. Cynthia asks whether we may ask for borings to find out if there is rock. Will states that will tell us a little bit, but not everything. Will states the borings would be more for the road line. Will talks about having two ways to do it, but have a check-in to see how the Site conditions present themselves. Mr. Gregory talks about having different scenarios based on what they encounter. Will states they may only be able to implement it partially. Will talks about building language in rather than requiring an Amendment. Cynthia asks whether the Applicant would come back before the Board. Will states the Applicant would come back and talk with the Board, but there wouldn't be the need to change the whole process. Will talks about having it built into the process. Will states he doesn't know how else to do it. Cynthia states she doesn't either because this is a big area and there will be a big visual impact for the whole road and all the neighbors. Cynthia states the Board wants to make sure it is done right, or the best it can be done. Will states if they hit exposed rock there may be areas for planting which could be very attractive.

Cynthia refers to the comments in both Memos and asks Mr. Gregory whether he has any questions. Mr. Gregory states the specific questions had to do with the declarations and easements and refers to No. 3 on Page 2 of the MDR Memo. Mr. Gregory talks about the easement that is over a portion of Hawley Road in terms of what is being conveyed to the Town. Will states the way he read the instrument, it is the Town that would grant the Applicant an easement over Hawley Road. Mr. Gregory states he believes that is how they have shown it. Will states that pipes will be built that will be in the roadway and there will be a conveyance once the pipes have been constructed. Will states the Town would own those pipes and be responsible for maintaining them. Will states he doesn't know what instrument or agreement the Applicant would need from the Highway Superintendent in order to tie into the Town's System, but there is something already built in for that kind of situation. Will states he doesn't think the Town would grant the Applicant an easement over a Town Road. Will states if anything the Town would want an easement back to the inlet where it leaves the property. Will states he doesn't think the Applicant would maintain the pipes. Will states he doesn't think it is an easement that the Town grants to the Applicant, he believes there will be an easement on the Applicant's property to be granted to the Town. Will states that would be a lot simpler. Will states the other way he would suggest to deal with all of the instruments, assuming all the other issues are resolved, would be to have a step of Preliminary versus Final and it could be built in as part of the final Conditions. Will states this way, the Applicant could get better engaged with the Town Attorney's Office in order to hammer out the specifics between Preliminary and Final. Cynthia states that Will stated in his Report that the Board could consider scheduling a Public Hearing and asks if they did that, would they need another submission with a minimum of certain items addressed. Will states the items he has left are fairly simple, in terms of the protocol and monitoring aspects. Will states he doesn't have a problem holding off on the instruments until they have been resolved. Will states he doesn't have any other Plan aspects and asks Frank whether he does. Frank states his issues are not big, but he looked at the Plan a little closer today, and we really need a Utility Plan that just shows the utilities. Frank states a separate Utility Plan would be helpful. Gary asks whether we need a new Plan in order to notify the neighbors, since there are a whole new set of neighbors here. Cynthia states when we go to set the Public Hearing, the Applicant has to obtain the most current list of neighbors and notify them. Cynthia states her question was whether the Applicant needs to make another submission with updated information and confirms she doesn't think so. Cynthia states she believes the Board may go to a Public Hearing with the current set of Plans. Gary states he is okay with that. Cynthia states that is why she double checked with Will to see if he wanted any other documents updated. Will states he is fine with the legal instruments for now. Will states he asked for language to be added to the Plan and more or less told the Applicant what to write. Will talks about that particular plan being updated before the Public Hearing. Cynthia confirms that Frank is comfortable with the current set of Plans. Cynthia states if the Board is comfortable, they could set the Public Hearing for June 3<sup>rd</sup>. Charlotte and Gary state yes.

**Chairwoman motions that the Board set the Public Hearing on the Hawley Woods Proposed Three-Lot Subdivision for June 3, 2015. Christopher seconds. All in favor. No opposed.**

After the motion Cynthia states that Mr. Gregory should get in touch with Dawn with respect to how many paper and electronic copies will be needed. Cynthia states she believes the list is quite extensive and will probably mock the SEQR Circulation List. Cynthia states the CAC is here tonight and asks if they are alright with one hard copy set of Plans, and the rest electronic. Mrs. Pooley states yes. Cynthia states she will prepare the Public Hearing Notice and the Applicant will use it to notify all the neighbors. Cynthia states Mr. Gregory should check with Dawn on the timeframe. Cynthia states there will be a lot of involved agencies.

**4. Fuelco/BP (Getty): Marc Petroro (owner – Joseph Bryson)  
Amended Site Dev. Plan (location – 2 Fields Lane & Hardscrabble Road)**

- Consider Report From Planning Consultant
- Consider Report From Town Engineer

Cynthia confirms that Marc Petroro is here tonight and asks whether the Owners or Applicants are here. Mr. Petroro states Brian Orser is here with him tonight. Cynthia states let's see if we can get you over to the ZBA. Mr. Petroro states they are very excited to get to this point. Charlotte states the parking is now on the side. Mr. Petroro states since the last Board Meeting there was a minor comment added to the Plan which was to incorporate the addition of a landscaping area adjacent to the south side of the building. Mr. Petroro states other than that, the Plan is pretty much the same. Mr. Petroro refers to the Plan and states the location of the wall was adjusted slightly for constructability purposes. Mr. Petroro shows on the Plan where a screen fence has been added per a request from Joe Bryson in order to screen people from looking into his area. Mr. Petroro states other than those items, the majority of the Site layout conditions are the same. Cynthia asks Mr. Petroro if Mr. Bryson asked for a physical fence. Mr. Petroro states yes. Cynthia asks whether there is an opportunity to do plantings instead of a fence. Mr. Petroro states there is a possibility and he will look into it, but states it is meant to be more of a shadow fence. Mr. Petroro states it would be for screening purposes. Gary asks why Mr. Bryson wants the area screened and states fences can be ugly. Mr. Petroro states this will be more of a wooden fence, not a chain link fence. Mr. Petroro states it will be a wooden shadow box fence. Christopher suggests possibly putting plantings in front of the fence. Cynthia asks whether Mr. Bryson realizes there will be grass on both sides. Mr. Petroro states the Landscaping Plan has not been finalized yet. Cynthia states she understands that, except the green area will not be macadam, so trucks may not go there. Will states it may either be grass or plantings. Gary asks if there will be a sign, and if so, where, and how big will it be. Mr. Petroro states the sign location hasn't changed since the Application has been before the Board back in December. Mr. Petroro states the concept is the same in terms of being low. Cynthia states a stone base has been discussed. Mr. Petroro states the final design has not been submitted yet. Gary asks whether the sign will be lit. Mr. Petroro states yes, indirect lighting from the ground. Will states if Mr. Petroro is still working on those details he would suggest a decorative cap which would conceal the LED lights. Will states the ground lights could then be taken out, which become a maintenance headache, plus the lights will always be seen from the road. Mr. Petroro states they will consider the suggestions when preparing their designs. Gary states he likes that idea.

Cynthia asks Mr. Petroro to walk the Board through the Variances that will be needed and states he has an opportunity of giving the Attorney for the ZBA an advanced look at this tonight. Gary states that Gerry can also weigh in if there are any issues. Mr. Petroro states the Variances have been outlined in the MDRA Memo. Cynthia states that is correct, but she would like Mr. Petroro to walk through them in conjunction with the Plans. Mr. Petroro states that one of the Variances would be for the canopy. Mr. Petroro refers to the Plan and states they did try to take the canopy off the property line, but as far as the proximity to the right-of-way,

they would require a Variance because the minimum required setback is 35 feet, and they are 13 feet off the right-of-way. Mr. Petrero refers to the location of the fuel pumps underneath the canopy and states a Variance would be required. Gary states what would be required if the pumps are not located under the canopy, where would they be. Mr. Petrero states they would need to be out of the front yard setback. Gary states he understands. Mr. Petrero states a Variance will be required for the separation from an intersecting right-of-way. Mr. Petrero states the zoning requires 100 feet. Mr. Petrero states it would be an improvement over the existing non-conforming and they are increasing the distance. Mr. Petrero states there is also a Variance required for the retaining wall in the back as well as the loading space and the trash enclosure that is located in the setback area. Mr. Petrero states a Variance will be required for the fence and states he believes the Town only allows five feet, but we will need a little more than five feet to screen the viewing due to the grading because it actually goes down into a lower area. Cynthia asks if Mr. Bryson wants his lower parking lot screened from the gas station/convenience store customers. Mr. Petrero states that is correct. Cynthia states that is something we should try to achieve with plantings rather than fencing. Will refers to his Memo and asks Mr. Petrero whether he identified the fence in it. Mr. Petrero states he believes Will did. Will asks whether he was referring to the fence or the wall. Will states he thought the fence height complied. Will asks Mr. Petrero what the height of the fence is and how much of it is in the setback. Mr. Petrero states it is about 14 feet into the setback. Will asks how tall the fence will be. Mr. Petrero states it will probably be around five or six feet. Cynthia states the Code requires a five foot minimum. Will suggests Mr. Petrero try and keep the fence at five feet and supplement it with plantings. Mr. Petrero states he can try to do that with plantings covering the upper portion of the fence. Mr. Petrero states that Use Variances would be needed for the Convenience Store and Gas Station. Cynthia states she would like to see it worded as a Gasoline Service Station with an Accessory Convenience Store, as it is not a stand-alone Convenience Store, it is an Accessory to a Gasoline Service Station. Gerry states there is one Principal Use. Cynthia states right, one Principal Use is the Gasoline Service Station and as an Accessory to that, they would like a Convenience Store which means a Variance may be needed for the size of the Convenience Store. Cynthia asks Gerry whether we specify Accessory Use sizes. Gerry states only with apartments. Cynthia states that the Standards were not updated for motor vehicle service stations. Will states we did a few minor updates, but nothing like Cynthia has just mentioned. Gary states given that there will be another separate corporate entity doing business on this plot do we also need a Variance for a third business. Will states it would be a second business, because the gas station and convenience store are all one business. Cynthia states what Mr. Bryson is doing is considered part and parcel of a gasoline service station; he is the automotive part of it. Gary states there are separate owners with separate corporate structures. Cynthia asks whether that matters. Mr. Petrero states the property is still owned by one person. Gerry states Mr. Bryson is leasing it out. Cynthia states that Mr. Bryson's business is part of the Principal Use. Mr. Petrero states there is one property owner with multiple building Uses. Will states it is like a corporation contracting with Marriott to do the food service. Mr. Petrero states a Variance is required in order to have the combination of the fuel/diesel pump as well as the 10 foot landscaping buffer in the back toward I-684. Gerry states his recollection from when this matter was before the ZBA is that there was a third operation going on at this property. Mr. Orser states that was a fire extinguisher repair shop and the man left. Mr. Orser states that Mr. Bryson has moved into that access building. Gerry confirms that the fire extinguisher repair shop is no longer on the property anymore and states that was a problem when the ZBA initially talked about this. Cynthia states that repair shop was not recommended by the Planning Board back then. Will states there will be a gasoline service station with an accessory convenience store and as part of the gasoline service station there is the towing/repair business. Gerry asks if that is everything. Mr. Orser states yes. Cynthia asks if Mr. Bryson does repairs also or just towing. Mr. Orser states that Mr. Bryson does minor repairs. Cynthia refers to the Standards for Motor Vehicle Service Station and states she wanted to know if there was any limitation in terms of accessory size. Will states he doesn't think there is because it is not like the Retail Use that is listed in the different Districts. Cynthia states the Board is going to recommend that an Accessory Convenience Store be permitted as part of the gasoline service station as an Accessory Use. Cynthia asks Mr. Petrero if he is proposing that the entire building is for the retail convenience store. Cynthia asks Mr. Petrero

what the square footage will be. Mr. Petrero states it will be 1,800 square feet. Cynthia asks what the square footage of the canopy area will be. Mr. Petrero states the canopy area is 24 x 102 feet. Cynthia asks the size of Mr. Bryson's building. Mr. Petrero states it is 725 square feet. Will asks if there is a financial understanding of what percentage the gas station plays versus the sales. Mr. Orser states it is hard to determine right now, but there may be projections. Gerry states that one of the requirements to obtain a Use Variance is to show real financial information to the Board. Gerry states there are studies and just about every gas station usually has a convenience store. Gerry states this information, along with the recommendation will be needed in order to go before the ZBA. Will states if the gas is less than 50% then it would not be accessory. Jerry states Will is correct that is the way it is heading. Gerry states there is the additional towing/repair business. Will states we would need to rely on the owner to provide that information. Will states at one time a BP station was proposed to go in and is not sure if that is still the case. Will states any name brand gas station will know the numbers. Mr. Orser states the dollar amount for a gallon of gasoline will probably outweigh what the store sales would be. Cynthia states the Board is suggesting the retail of the convenience store be an Accessory to the motor vehicle aspect. Will refers to Dunkin Donuts and states they actually make more money on the coffee than the donuts. Gary asks if there will be tables and chairs inside for people to sit and eat at. Mr. Petrero states no. Cynthia states don't go there. Cynthia states the Board would like to be in a position to refer this matter over to the ZBA and there is still a lot of information that is lacking. Cynthia asks Will what the minimum amount of information to be submitted to augment this Plan for them to go to the ZBA based on the comments in his Memo. Cynthia asks if the Applicant can go with what has been submitted or should they at least do some of the updates before they are referred to the ZBA. Mr. Petrero states the majority of the items are addressed in Site Plan review process. Cynthia states she understands that, but the Planning Board wants to give the ZBA a good sense, because they will want to know some of the visual and screening aspects. Cynthia states to some extent some of these items will be addressed through Site Plan review, but the more you can show them, the better. Gerry states the neighbors will be there and want to know about the trees/shrubbery and size/color of the fencing. Gerry states that all the issues that come up in a Site Plan Application are possibly something that will interest the ZBA, including the factors set off in Town Law 267 which Mr. Petrero should have when he makes his presentation to the ZBA to be prepared to answer why these Use Variances should be permitted. Gerry states the more information Mr. Petrero submits, the easier it could be, along with a recommendation from the Planning Board, which he assumes the Applicant will get. Will confirms with Cynthia that this is a coordinated review. Will states that understanding the impact analysis relevant to the Variances is part of the SEQR analysis. Will states the Applicant may go to the ZBA, but they cannot make their determination until the Planning Board does a Neg. Dec. Will states whether the Applicant goes to the ZBA and starts something or not, the ZBA will be at bay for a while until everything is finished with the Planning Board. Will states the Planning Board has to finish SEQR before the ZBA may act. Will states that part of what the Planning Board is acting on is being looked at by the ZBA. Gerry states there is not one item that goes to one Board that doesn't go to the other Board. Cynthia states if the Planning Board sends the Applicant over with the current Plan, one good part of it is the ZBA will put pressure on the Applicant, and will not drag this out for another six months. Will states the ZBA is going to want the Applicant back so they are going to need to move the Site Plan very quickly. Mr. Petrero states they can provide the necessary items that the ZBA would be looking for as far as landscaping plans. Will states the Applicant would be submitting to both the Planning and Zoning Board. Will states one advantage of going to the ZBA is they will look at the issues and talk about them, and provide a component of the SEQR input as an involved agency so that could be incorporated into what the Planning Board is doing for SEQR so it supports the ZBA's decision as well. Will states if the Applicant goes to the ZBA now, they will be on a dual track to give the materials to both Boards at the same time. Cynthia asks Will how much of the information should be submitted now. Will states that is up to Cynthia. Will states a lot of the information he needs has to do with details. Will states the last submittal did not have a full set of Plans because the Applicant was focusing on defining the zoning issues. Will states it may make sense to flush out a full set of Plans before referring the Applicant over to the ZBA. Gerry states Will is correct because there is history of this matter being with the

ZBA month after month after month and finally a letter was sent to the Applicant. Gerry suggests the Applicant follow the advice from Will and come back with a more flushed out Plan, and then have the Planning Board do their referral to the ZBA. Gerry states the Applicant will apply to the ZBA and include the recommendation from the Planning Board, plus the analysis of the statute in terms of all the requirements, and why a Use Variance is needed, and why you should be entitled to it. Gerry states this will speed the process up, and the matter will not stay with the ZBA, as they have a tendency not to drag matters out. Gerry refers to the submittal of a full Application and states the Applicant may be finished in a month or two. Cynthia states that timing wise this might still work for the Applicant, because if a submittal is made for the June 3<sup>rd</sup> Meeting, and the Applicant starts their Application to the ZBA, the Planning Board recommendation could go over June 4<sup>th</sup> and the Applicant may be on a ZBA Agenda the second Thursday in June. Gerry states is only if the Notice gets done in time. Gerry states the Applicant may apply to the ZBA before receiving a recommendation from the Planning Board, assuming the recommendation will come. Gerry states the Applicant does not want to have a Public Hearing scheduled with the ZBA with the notices out to all the neighbors, and not have a Recommendation from the Planning Board because they did not comply with something. Gerry states the neighbors would come, and we would be back to where we were three or four years ago. Gerry states completeness to the extent needed would be proper. Will states the one thing different from tonight versus the last Meeting is that the Applicant has gotten past the point of a design the Board likes. Gerry states there were traffic concerns. Will states the Applicant had a traffic engineer working with them. Cynthia states the traffic engineer has not been re-engaged for the current Plan. Mr. Petrero states there is a reduction in the square footage of the building so the trip generation should actually be less than what the old Application was. Cynthia states let's get going on the submittal based on the two Consultant's Reports. Frank states he realizes a full set of Plans were not submitted, but in any of the submittals over the years he hasn't seen anything in terms of addressing stormwater impacts, which would impact the visual aspects too. Frank asks if something is in the works. Mr. Petrero states the final design in terms of the stormwater system still needs to be figured out as far as whether they can use an area for stormwater usage, or somewhere else on the Site for underground filtration. Cynthia states it will be necessary to receive one more submission. Will refers to the Town right-of-way and states that probably isn't the way to go because it will add another layer of problems. Mr. Petrero states that is a State right-of way and the Town owns the road. Will states he does not think the State is going to give you a drainage basin in the right-of-way. Mr. Petrero states there is a drainage basin there right now. Mr. Petrero shows on the Plan where there is a drainage basin with pipes extending under each driveway. Mr. Petrero states there is no curb. Will asks whose water it is. Mr. Petrero states it is from the road. Will talks about possibly tying into it, but not getting storage and treatment with that. Will states a concern he had regarding to the stormwater, when reading the Plan, is that the septic to the south, having no curbs, all the stormwater was draining over the septic system. Will states he thought this had been discussed. Will states that Frank is right, stormwater details are needed. Will states it is a developed Site. Mr. Petrero states trying to find a location will be difficult, but it is something he still needs to figure out.

Cynthia asks Mr. Petrero how quickly he will be able to make a submittal. Mr. Petrero asks when the next deadline date is. Dawn states next Wednesday. Cynthia asks Mr. Petrero to do it and states she knows he can do it. Mr. Petrero states he will try his hardest.

**5. Salem Hills Healthcare Center: Dan Gallagher (owner – Mokray Acquisition I, LLC)  
Amended Site Dev. Plan (location – 537 Route 22)**

- Review of Conceptual Plan

Cynthia states that this is a case where there were building improvements and minor Site amendments and during the course of construction they needed a place for all of the construction vehicles to be and created a flat area for the parking which was supposed to be temporary according to the Building Inspector, and it

became paved and is in use. Cynthia states at the last Meeting when they presented it to us one of the major issues is that the area is in the setback area and we would have to send them over to the ZBA for a variance, and one of the first questions they will ask is whether this could have been put someplace else. Cynthia states that was a big question the Planning Board had in terms of why this location and why not someplace else. Cynthia states without doing a lot of drawings, the Applicant came in with a Report and asks Dan Gallagher if he could give the Board a little background on the layout of the land for the benefit of the Town Engineer who is with us tonight, in addition to what was done, and where, prior to going into the argument as to why, in your opinion, this is the only place the parking may go.

Mr. Gallagher refers to the layout of the land on the Plan and states it is a very steep slope. Mr. Gallagher refers to his cover letter dated April 8<sup>th</sup> that came with his last submittal and states it addressed the Planning Board suggestion that additional parking might be on the uphill east and north side of the building. Mr. Gallagher states this is the only somewhat flat area on the Site. Mr. Gallagher refers to the Plan and points out where there is a 20 foot difference in grade. Mr. Gallagher states that people enter the building on the lower level. Mr. Gallagher states there is a door off the back, but it is one story up. Mr. Gallagher refers to a rock outcropping on the Plan and shows where the rock extends to. Mr. Gallagher refers to an aerial photograph that was taken during construction showing the rock outcropping behind the building. Mr. Gallagher shows an aerial photograph that was taken before the construction in the fall when there were no leaves on the trees. Mr. Gallagher states it is not easy rock to chip out and it would require blasting which they are trying to avoid. Mr. Gallagher states that was an explanation of their exploration into other parking areas on the Site. Mr. Gallagher states at the last Meeting, we were asked to look at other ways to make the parking area that is there Code Compliant. Mr. Gallagher states that Mr. Halliday met with his contractor to look at extending the parking lot in either direction and as it turns out, it cannot be extended in one direction because of the rock. Mr. Gallagher refers to the Plan and states if they maintain the same line and do an extension down-slope, they will need to add a retaining wall and fill. Mr. Gallagher refers to the Plan and shows the proposed retaining wall with a guard rail. Cynthia asks how high the wall will be. Mr. Gallagher states the retaining wall will be four feet and there is a five foot flat area on the guardrail curve where grass or plants may be planted. Mr. Gallagher shows the asphalt parking lot on the Plan and states they made all of the spaces 9 feet wide by 13 feet deep to be Code Compliant. Mr. Gallagher states they added a turnaround area at the end because there was no way to turn around in the existing parking area. Cynthia asks where the little bit of buffer or planting will be in the yard because the Site backs into Residential Zone land. Mr. Gallagher states this is Waterview Hills property. Mr. Gallagher shows the location of Waterview Hills on the Plan. Cynthia asks Mr. Gallagher to go back to the other Plan Sheet and show her where the residential property is located. Mr. Gallagher refers to the Plan Sheet and shows where the residential property is located up above. Mr. Gallagher states the other issue was the drive between the existing lot to this lot due to the depression. Mr. Gallagher refers to the drainage swale and states they widened the isle to be 24 feet wide and changed the grading to shed the water towards the swale. Mr. Gallagher states they also spaced out the grading so there is not such a steep incline when first entering the parking area. Cynthia asks where the drainage will go and what is going to happen to it. Cynthia asks what the existing drainage is doing minus the parking lot. Mr. Gallagher states the drainage goes down across the road and into the swale system. Cynthia asks how much disturbance the parking lot will add. Mr. Gallagher states very minimal. Mr. Gallagher states they submitted a Stormwater Report for the existing parking lot which was a bit smaller than this one. Cynthia asks what the square footage of the new disturbed area is. Mr. Gallagher states the entire new parking lot disturbance is 102 feet by 60 feet, which would be 6,000 square feet. Will asks whether that amount is cumulative to the other additional disturbance that happened before that. Mr. Gallagher states yes. Will asks what the cumulative total is. Mr. Gallagher states it was .17<sup>th</sup> of an acre with the parking area added. Cynthia asks Frank when the disturbance is more than 5,000 square feet what does he look for. Frank states they have to obtain coverage under the Spedes General Permit and have to submit a SWPPP to us. Frank states it basically has to be an erosion control plan to minimize disturbance during construction. Frank states the Town Regulation would kick in at that point due

to any disturbance over 5,000 square feet within the impervious area, which gives the Planning Board the discretion to require some sort of mitigation, usually water quality mitigation. Cynthia asks Frank if they have to look at whether or not all of the areas below where drainage is flowing can actually handle it because it is an old system of swales and it even wraps around the Sewage Treatment Plant. Frank states the minimum would need to deal with water quality concerns. Mr. Gallagher states they submitted a letter in their previous submission and their engineer did look at all the swales and determined there would not be a problem with the additional load in terms of the smaller parcel. Mr. Gallagher states they will look at it all again and address the SWPPP. Will refers to the connector portion and why the whole new lot couldn't be pushed down into the other lot as a continuation rather than have the separation. Mr. Gallagher points to the area and states it is very steep, and there is a rock outcropping. Cynthia states there is a little structure on the Plan and asks what the truck does when it comes in if all the parking spaces are full. Mr. Halliday states the truck pulls into the parking lot. Cynthia asks if the truck is big. Mr. Halliday states it is a 24 foot box truck. Cynthia asks whether the truck will be able to turn around in the proposed turnaround area. Mr. Gallagher states it should be able to pull in and back across to pull out. Cynthia asks whether the truck will stay on this lot. Mr. Gallagher states yes. Will asks what the purpose of the truck is. Mr. Halliday states it is for infectious waste. Will asks if this is where it is stored. Mr. Halliday states yes, there are regulations, and they have to be 100 feet from the building. Will refers to the boxes facilities have outside their door. Mr. Halliday states this is a bigger version of them. Cynthia asks whether it could be moved to the edge of the road so the vehicle could loop around and just stop to pick up and then keep going. Cynthia states if a truck pulls in there and stops it will block everybody from doing anything until he is done and then he has to go up and turn around. Cynthia talks about putting something around the structure. Will asks how this would be done in a more urban setting when there isn't 100 feet. Cynthia asks whether this could be looked at in terms of whether there may be a better spot so a truck doesn't need to go into the parking lot. Will states the turnaround at the end is generous, but it doesn't need to be double-loaded. Will states more area may be obtained as a buffer on the bottom side. Cynthia states although she is not a fan of fencing, something may be needed along the property line. Cynthia states she has seen landscaping materials dumped there. Charlotte states she has seen tire marks. Cynthia states maybe if a fence was put up this wouldn't happen. Mr. Gallagher states it is a same owner, so they would be crossing over their same lots. Cynthia states it is not a road or a driveway and not on an approved Plan. The property is starting to be used by vehicles. Mr. Gallagher states he believes the property next door has a variance. Cynthia states if the day ever comes when they want to exercise that, they will come in and file an Amended Site Plan. Cynthia states her point is that there is raw earth and cars are driving over it which she doesn't want to see. Will asks if there is common ownership. Mr. Halliday states yes. Will states he thought last time there was not common ownership. Cynthia states that was her mistake. She thought we were discussing the corner of the Seven Springs property. Will refers to the last Meeting and states he thought the Applicant mentioned that there was not common ownership. Gerry states the common ownership can end at any time. Will states if it is common ownership and the property has a Variance, why not just do a lot line change to get rid of the Variance. Mr. Gallagher states there have been discussions about that. Cynthia asks Will if he is talking about making it one lot. Will states yes, or at least give them the land around it to get to the setback. Cynthia states that nobody should be driving there for any reason unless there is an approved Amended Site Plan. Will states yes, anything that is done differently requires an Amended Site Plan. Cynthia states she would like to see a fence go up so the landscapers are not going in there to stack materials. Will states this common ownership makes it difficult in terms of the Variance. Will states the Applicant has an option to explore something different. Charlotte asks Will if he is referring to a lot line adjustment. Will states yes. Mr. Gallagher refers to the Plan and states there are changes they made that were talked about last time. Mr. Gallagher states they took away the two spaces at the end of the parking lot and took away two spaces at the end of another parking area. Will asks the Board whether they are comfortable with the spaces being striped as that is not what he had suggested. Cynthia states that landscaping had been proposed instead. Will states the striping is only going to get parked on. Will states in his Memo he suggested capturing the land and in part maybe some understanding in terms of mitigation. Mr. Gallagher refers to the previous 2008

Approval and states there was striping. Will states he knows, but that is not a good design, and it will just get parked on. Mr. Gallagher states they could change it. Gerry states this matter does have to go to the ZBA and one of the items they will look at is whether there is an alternative so as a Variance would not be needed. Gerry states the Applicant should take Mr. Agresta's suggestion and if there isn't an answer to that, when they come before the ZBA, they should be ready with an answer as to why his suggestion was not pursued in terms of a lot line change so a Variance would not be needed. Cynthia asks whether both lots are 10 acres. Mr. Gallagher states yes. Cynthia states that is the problem, as 10 acres is the minimum, so if the lot was pushed one way, it would need to be pulled another way. Will states that merging had been talked about. Will asks Mr. Gallagher where the eastern line is on the Plan. Mr. Gallagher shows Will the eastern line on the Plan. Mr. Gallagher states that both lots are 10 acres plus or minus; it is very close. Will states that not much is needed. Mr. Gallagher states they also prepared a parking lot calculation as was recommended at the last Meeting. Mr. Gallagher submits nine copies. Mr. Gallagher states they have 98 people on staff at Salem Hills. Mr. Gallagher states they also noted visitors, and included them in the calculation. Mr. Gallagher states the number of visitors varies by day and duration of the visitors stay varies. Mr. Gallagher states that during the day and evening shift change most staff members are present at the facility. Mr. Gallagher states there are 57 day staff and 28 evening staff members, for a total of 85 present during the staff change. Mr. Gallagher states with the addition of the proposed parking lot the total parking spaces would be 75. Christopher states he sees some of the staff walking along Route 22 to get to the train station. Mr. Halliday states they do have a certain percentage of employees who take the train. Mr. Gallagher states that helps the influx and the number of 85 doesn't include visitors. Cynthia states she has gone up a few times and observed that all of the spaces were filled. Will asks whether there are specialists who visit on a daily basis. Mr. Halliday states that a lot of people come and go for activities. Mr. Halliday states someone comes to play a guitar certain days of the week. Mr. Halliday states that an eye doctor and a foot doctor also come. Will asks if the visitor numbers incorporate the visits from the doctors. Mr. Halliday states yes. Mr. Halliday states they have a log book that people sign in and out on. Cynthia asks if the log book includes the doctors. Mr. Halliday states no, it is just for visitors. Mr. Halliday states there are sign in and sign out times and between 3:30 p.m. and 4:30 p.m., during the heaviest days, we average approximately eight visitors. Mr. Halliday states that is the worst case scenario as the day shift has not gone home yet and the evening shift is coming in. Will refers to the lot and asks what the total number of spaces there are. Mr. Gallagher states 75 spaces. Mr. Halliday states that would be the total after taking away the four extra add-on spaces at the end of the two lots. Cynthia asks whether the Board feels they have seen a sufficient argument that this is the only place on the Site where additional parking may be. The Board agrees. Cynthia states that given that the Applicant has to deal with issues in terms of obtaining a Variance, and demonstrated additional parking is needed, and to the Board's satisfaction showed the area where it should go. Cynthia states there is the issue of the common ownership for the two lots which needs to be dealt with. Cynthia states that there is a 50 foot setback. Cynthia asks what the width of the parking lot is. Mr. Gallagher states the width is 60 feet. Cynthia states we are talking about swapping out 350 square feet. Will states in theory there is land at the bottom that could be swapped out. Cynthia states don't forget they already have parking down at the other lot in the southern tip. Mr. Gallagher states there is a Variance for that. Will states it may be possible to eliminate the Variance with the creation of a lot line adjustment, but that is something the Applicant would need to look into. Will states the easement down below may also be cleaned up. Mr. Gallagher asks whether that would be easier versus going for a variance and asks whether it could be addressed by the Planning Board. Gerry states it would be the Planning Board and then a Variance would not be required. Mr. Halliday states they have a temporary CFO which will expire May 24<sup>th</sup>. Mr. Halliday states they kept extending it because this Project is tied into it. Mr. Halliday states if this goes on for another couple of months would he need to keep extending the CFO. Cynthia states yes, except there is nothing the Planning Board can do about that. The Board advises Mr. Halliday speak with Bruce.

Mr. Halliday refers to a gentlemen who spoke tonight regarding a Project by the name of Salem Hills. Cynthia states yes, that was the old name. Cynthia states the Board is now calling it Gilport/Salem Hills. Mr. Halliday

states he had a concern because of their Salem Hills Healthcare Facility in terms of 911 calls.

**6. Sprint Corp:** Cara Bonomolo (owner – Heziha Sulcevski)  
**Amended Site Dev. Plan** (loc. – 73 Crosby Road)

- Consider Report Resolution of Approval

Cynthia states the reason the Board wasn't going to consider a Draft Resolution tonight is because they haven't seen a submission on the Removal Bond as to whether it is needed or not. Cynthia states that is a requirement of the approval process. Cynthia states perfecting the Bond may be a Condition with the Town Board. Cynthia states when the submission didn't come in, this matter was taken off the Agenda. Cynthia states she believes this was discussed at the last Meeting that the Board wanted to see a submission. Cynthia asks Cara Bonomolo to get the submission in soon.

Cynthia states the Board has a Draft Resolution to consider for the change out of the Sprint antennas on the Sulcevski Tower. Cynthia refers to the Conditions and states that Reports need to be submitted, and there are numerous items that are still outstanding and these Conditions need to be addressed before signing. Cynthia asks Mrs. Bonomolo if she has any questions. Mrs. Bonomolo states she does not. Cynthia asks the Board whether they have had a chance to read the Draft. Christopher states yes. Cynthia asks if the Board is comfortable with moving the Draft forward. Gary asks why there are so many Conditions that are outstanding. Charlotte states she had that question also. Cynthia states that some of the Conditions are minor in nature. Gary states the question still stands, and if they are minor in nature, let them get the documentation in. Cynthia states at this point we usually have some of these items as Conditions of Approval. Cynthia asks Gary if there are any items he thinks are substantive. Gary states that having an adequate Bond is important. Cynthia states the Applicant is going to do the Bond. Gary states they say they are going to do it, but Sprint is not exactly financially solid. Cynthia states they are not allowed to obtain a Building Permit, and all the Planning Board can do is vote on the Draft in order to keep the process going. Cynthia states the Mylar's cannot be signed until the Conditions are met. Gary states he understands, but is not sure why the Board is doing an Approval with so many Conditions. Charlotte states maybe to keep the process moving. Gary states as he understands it the process can't move. Cynthia states the main item is the Bond and we may not need an adjustment. Cynthia states we have not seen a submission in order to understand whether the Bond needs to be increased. Cynthia states the Applicant reviews the cost of removal, and compare it against the current Bond already in place to see whether it needs to be increased or not. Cynthia states the estimate is sent over to Frank and he decides whether it is adequate or not, and then it goes over to the Town Board. Mrs. Bonomolo states they have done several of these Applications over the past couple of years and most recently, the Bond has been a Condition of Approval. Mrs. Bonomolo states they have gone through the process. Cynthia states that usually the first step would be the submission of the first Report so it may go to the Town Engineer. Mrs. Bonomolo states she believes if any increase in the Bond is necessary it will be minimal. Mrs. Bonomolo states they are adding three antennas on the same frame and the equipment is within the existing equipment cabinet. Mrs. Bonomolo states there may not be a Bond increase.

**Chairwoman motions that the North Salem Planning Board Adopt the Resolution of Approval for Sprint on the Sulcevski Tower to be Approved as Written. Christopher Brockmeyer seconds. All in favor except Gary Jacobi votes no.**

**7. Air Professional Assoc., LLC: David Feureisen** (owner – 39 FL LLC)  
**Amend. Site Dev. Plan and Sign Permit/Cond. Use Permit** (location – 39 Fields Lane)

- Discussion Regarding Proposed Applications
- Consider Report From Planning Consultant

David Feureisen states he is an Attorney for 39 FL LLC which is owned by Mr. & Mrs. Blank who are here. Mr. Feureisen states that Joseph Lazarcheck is the Architect for the Project. Mr. Feureisen states Mr. and Mrs. Blank purchased the property January 12, 2015. Mr. Feureisen states the property is in an RO Zone. Mr. Feureisen states that Mr. Blank runs an HVAC contracting business and would like to move his business into the premises. Mr. Feureisen states they are here tonight for a Conditional Use Permit for Tradesman and Light Industry, as well as a Sign Permit. Charlotte states the building on the proposed property looks almost the same as the current building being used for the business. Mr. Blank states yes, different materials, but similar. Cynthia states the only change in the building is on the south side. Cynthia states from a procedural standpoint, even though the proposal is minor, because a Conditional Use Permit is required, the Board will need to see an updated Site Plan. Mr. Lazarcheck asks whether they would need to submit a Survey or a Site Plan. Mr. Feureisen states he read the Code, and under 250-50 it appears that they may need to submit an Amended Plan. Mr. Feureisen states they are trying to avoid having to do a whole new Plan. Cynthia states it is not necessary to do a whole new Plan. Cynthia states the Applicant either has to say that the building will go back to the condition of the last Approval, or that he is going to make some slight modifications based on what has changed over the years, such as landscaping that has been taken out. Mr. Feureisen states it appears that the only changes relate to a little strip in the parking lot, and it looks like a COO was granted for that, and a new Survey was submitted for that. Mr. Feureisen states this was back in 1991 or 2000. Mr. Feureisen states that some of the plantings have died, but other than that nothing has changed. Cynthia asks if the property is being used just as the Site Plan states. Mr. Feureisen states that is correct. Will states every new Plan is a new Site Plan. Will states that the Applicant is building upon what was previously there but someone has to draw up the Plans and someone has to sign them. Will states it is not as simple as taking the prior Plan and drawing over it. Will states someone has to own the drawing. Gerry states doing it this way will avoid receiving violations for violating the Site Plan because if what is operating on the property does not match what is on the Site Plan, there could be violations. Mr. Feureisen states the point is that nothing has changed. Mr. Feureisen states the only amendment to the Plan would be what the previous owners seem to have done, which is just the strip in the parking lot. Gerry states that Will is telling you to have someone do a set of Plans with those changes and put a current date on it with a seal. Mr. Lazarcheck states this is a new Survey. Will states that the new Survey could be used as a base, and annotated to give more Site Plan information in terms of delineating where the parking spaces are. Mr. Lazarcheck states this is an As Built and he doesn't understand why it has to be recreated. Mr. Lazarcheck states he is submitting an As Built of what is built to date. Will states it is a limited As Built Plan and does not show everything as he articulated in his Memo. Will states it does not show the delineation of the parking spaces and there are line differences whereas parking has become bigger. Will states there is a shed on the property that wasn't originally there. Mr. Lazarcheck states the shed is being removed. Will states the As Built is not a Site Plan and it is only as good as the day it was written. Mr. Feureisen refers to the old files and states they will be using the old parking plan which has all been approved. Mr. Feureisen states they are trying to avoid the tens of thousands of dollars by having to recreate documentation in order to go back to the same Plan. Mr. Feureisen states the shed is going to come down. Mr. Lazarcheck refers to the parking lot and states there is a tree that is about eight feet tall. Mr. Feureisen states that 250-50 specifically addresses this situation in the Code. Will states in order to do this as an Amendment would be to take the approved Plan and do a revision of it with all the detail, taking off the wording "proposed", and making it "existing", and everything that has changed becomes "proposed". Cynthia asks Mr. Feureisen to flip up the Survey. Cynthia asks Mr. Feureisen if the Site looks exactly the same now. Mr. Lazarcheck states not exactly, because there are no measurements taken. Cynthia states she is

not talking about the dimensions of the parking lot, she is talking about the plantings. Mr. Lazarcheck states the plantings have been eaten by deer. Cynthia asks if the Applicant is willing to restore all of the plantings back to what the Site Plan says it should be. Mr. Blank states he had a meeting with Bruce Thompson about this and his exact words were that the plantings originally specified were all deer food and he would not recommend putting back what was on the original Plan. Will states he agrees. Mr. Blank states this is going to be their home and they will dress it up so it will be attractive and nicely done. Cynthia asks Mr. Feureisen to put the proposed Plan up again and talks about a modified planting plan to be submitted whereas the planting area would not change. Cynthia asks Will if the Applicant is willing to restore plants where they were originally proposed, and confirm that every parking space is exactly the way the original Plan says, and they are not amending anything, what would we be looking for. Will refers to the outer limit of the parking area and states there are a few areas where there are deviations. Mr. Lazarcheck states there is one area. Will states there are two areas. Will refers to a rock. Mr. Lazarcheck states it is not rock, there is a tree. Will states parallel parking spaces have now become full size spaces. Will states it should not be a problem to articulate this information. Will asks if there is a light in the parking lot. Mr. Feureisen states it is in the three foot space and there is a revised Survey and COO for it. Cynthia asks if this is the Amended Site Plan or the Original. Mr. Lazarcheck states this is the Amended Site Plan and there were a number of Site Plans that went through, and this showed the 1991 addition. Will states he does not want to get into an argument whether the COO validates the inconsistencies of the Plan. Will states the point is that the proposal is for a change of Use, and a Conditional Use that is not approved now. Will talks about protecting the Applicant and the Town and states having a good Approval is a benefit. Will states he does not think the Board is asking for the world. Will states the spaces should be delineated, and the two changes should be noted. Mr. Lazarcheck asks if they can make the notations on a Survey instead of preparing a whole new Plan. Will states he doesn't care if a Survey is used. Mr. Blank shows a Survey which has the light on it and states it goes back to 1983. Will states the Survey may be used as a base. Mr. Feureisen states that seems reasonable. Will states the plantings should also be added. Will states the Applicant will build on the Survey that they have as their drawing. Cynthia asks Will if he wants all of the detail on there. Mr. Lazarcheck states the original submittal had five Site Plan sheets and that is what he is trying not to recreate. Will states there will not be a Grading Plan because nothing is being graded. Mr. Lazarcheck states that they were asked to prepare a topo. Will states there is a difference between a topo and a Grading Plan. Will states there are items in the Regulations relative to these two Uses and provisions relating to storage. Cynthia asks what the existing lighting is. Mr. Lazarcheck refers to the building and states there is only the existing lighting on the front. Cynthia asks if there are lights in the parking lot. Mr. Lazarcheck points out to three lights in the parking lot. Cynthia asks if they face down. Mr. Lazarcheck states they are in the original Resolution. Cynthia asks if the Applicant could consider changing the lights so they are down. Will asks if the lights are in good shape and working well. Mr. Lazarcheck states yes. Cynthia states we are trying to cut back on lighting that leaves the property. Will states there are only three.

Cynthia states there has to be a Public Hearing and asks Will if he is comfortable enough to set it tonight for June 3<sup>rd</sup>, or should we see another submission. Will states he doesn't think setting a Public Hearing would be a problem for this Site. Gary and Charlotte agree. Cynthia asks Mr. Lazarcheck if he would be able to make a submittal within a week. Mr. Lazarcheck states yes, he will do a combined Landscape and Site Plan. Cynthia states there is no change in the building, so this will be a Notification Only to the County. Cynthia states it is usually mandatory to send the materials to the Fire Department and the CAC due to the change of Use, and asks Will if this may be bypassed since there are no changes to the Site Plan. Will confirms that Mr. Blank has an HVAC business. Will asks if the Tradesman portion will be leased out. Mr. Blank states that is his business as well. Will confirms the Light Industry is the manufacture of sheet metal fabrication.

**Chairwoman motions that the Planning Board set the Public Hearing for June 3, 2015 for 39 Fields Lane, Contingent Upon Receipt of a Revised Plan. Gary Jacobi seconds. All in favor. No opposed.**

After the motion, Mr. Blank states they closed on the building January 12, 2015 and had a Demolition Permit to demolish the side where the shop/manufacturing facility will be and demolished where the offices are going to be. Mr. Blank asks if there is any way for them to commence construction of partisans without waiting another couple of months. Mr. Blank states this is strictly internal work inside the building. Gerry states Mr. Blank should go see Bruce Thompson. Gary states Mr. Blank should go talk to the Building Inspector because if it is all internal it would be up to him. Gerry states that no building may take place without a Building Permit. Cynthia states if everything is in order, it could move very quickly on June 3<sup>rd</sup>. Mr. Blank states they have paid taxes, mortgage, and rent every month. Cynthia states if Mr. Blank bought the property in January, why did he not come before the Board back then in order to move ahead faster. Mr. Feureisen states that Bruce Thompson wanted them to remove the tenants that the Town wasn't happy about. Gary asks Mr. Blank where he is moving from. Mr. Blank states they are moving from 31 Fields Lane.

**8. Financial Report:**

- March, 2015
- April, 2015

**Chairwoman motions that the Planning Board Approve the Financial Report for March, 2015 and April, 2015. Gary Jacobi seconds. All in favor. No opposed.**

**9. Next Meetings:**

- Work Session – May 20, 2015 – cancelled due to training class
- Regular Meeting – June 3, 2015

**10. Resolution:**

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