

North Salem Planning Board Minutes

November 4, 2015

7:30 PM – Town Meeting Hall

PRESENT:
Cynthia Curtis, Chairwoman
Charlotte Harris, Board Member
Gary Jacobi, Board Member
Bernard Sweeney, Board Member
Christopher Brockmeyer, Board Member
Roland Baroni, Esq.
William Agresta, AICP

ATTENDANTS:	39 Fields Lane:	Joseph Lazarcheck Merv Blank Sherry Blank
	Salem Hills Healthcare Center:	Dan Gallagher Mark Halliday
	Palaia Subdivision:	Matt Gironda Diane Kolev Dawn Didomenico
	Railyard:	Tim Allen Don Rossi Erik Ryzerski Evelyn Ryzerski

Chairwoman Cynthia Curtis calls the November 4, 2015 North Salem Planning Board Meeting to order and states our Planning Consultant will be here shortly, as he is caught in traffic on I-84.

PUBLIC HEARING:

1. Hawley Woods: (owner – Hawley Woods, Ltd.)
Subdivision (location – 396 – 404 Hawley Road)

- May be reconvened at the next scheduled Meeting on November 18, 2015

Cynthia states the Board may not have a Meeting on November 18th so we will probably hold this matter over until December 2nd.

REGULAR MEETING:

2. 39 Fields Lane: Joseph Lazarcheck (owner – 39 FL LLC)
Site Development Plan (location – 39 Fields Lane)

- Consider Resolution of Approval Regarding Amended Site Development Plan

Cynthia states that the Board granted an Approval back in June of this year and in working on the Site they discovered that their retaining wall needs to be repaired or replaced and they would like to change the type of material. Cynthia states she set it up as an Amended Site Plan Approval. Cynthia states the Draft had been

sent around earlier today and asks the Board whether they have any questions on what is being proposed. The Board has no questions. Cynthia states that we had one comment from the Applicant. Cynthia states while they did submit the specifications for Unilock they may use a different company. Cynthia refers to the second paragraph on Page 2 in the Draft and states at the end she is going to add (Unilock or equivalent manufacturer). Cynthia asks Will if he had a chance to take a quick look at it. Will states he is looking at it now. Will suggests it be reiterated that all other timeframes and conditions are still in effect. Cynthia reads the next to the last BE IT FURTHER RESOLVED whereas it states “that all of the proposed field changes and site plan changes are subject to review and approval of the Planning Board”, and states language will be added stating “that all time periods and previous conditions except as modified herein shall remain in full force and affect”.

Chairwoman motions that the Planning Board Approve the Amended Site Development Plan for 39 F L LLC and Air Professional Associates LLC. Bernard Sweeney seconds. All in favor. No opposed.

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

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

Cynthia states we have to use microphones in order to have the sound picked up and points the microphone out to Dan Gallagher. Cynthia states we have Reports from the Planner and Town Engineer and there are still items to discuss and consider. Cynthia states we will start with the Report from MDRA. Cynthia refers to the screen and states the first item in the Report does concern her regarding the lack of any kind of plantings in the area where the parking lot is being removed. Cynthia states the reason she is concerned about this is because, when up there, she noticed there that is movement of vehicles into the next area as well as dumping of landscaping materials. Cynthia states she wants to make sure there is nothing going on in that direction unless the Applicant comes back before the Board for discussions. Cynthia asks Mr. Gallagher how he can assure the Board, that just by planting grass there, someone will not start driving over it. Cynthia refers to the screen and asks whether there will be curbing there at the edge as that would help. Cynthia asks the Board how they feel and states usually there would be buffers. Cynthia states this happens to be the same owner of both parcels but at some point in the future it might not be. Christopher states it is not supposed to be a parking area or a usage area and we need assurances that it won't be. Cynthia states she brought the Site up on Google Earth to see what is going on and she could see how people were not behaving properly. Cynthia refers to the screen and points out where cars are parked and states it becomes an enforcement issue for the Applicant which is another burden that he does not need. Cynthia states the more that the Site Plan is designed so that people can't do things like that the better. Cynthia refers to the screen and asks if there could be plantings in this area. Mark Halliday states as far as the roadway, he would need to check with the property owner Barry Reisler who is next door. Mr. Halliday states he believes there are items written into the sale of the property, that Mr. Reisler has a right of way to certain areas of the property. Mr. Halliday states right over that line in the clearing is Mr. Reisler's property. Mr. Halliday refers to leaves that have been put there when the property had been cleaned up. Mr. Halliday refers to the access road and states there are utility poles up in the woods. Cynthia states he shouldn't be doing all of that unless he has Site Plan Approval. Mr. Halliday asks if the Chair is referring to driving on the roadway and states there is an access road that goes back to the property. Mr. Halliday states there is a concrete reservoir, utility poles, and water mains back there that need to be accessed by vehicles. Cynthia states she knows that Mr. Reisler has, by Easement, a reserve road to go there, but using it for storage of materials seems to be an oddity. Roland inquires as to what type of materials are being stored there. Mr. Halliday states it is just leaves and compost. Cynthia states Mr. Halliday just mentioned utility poles. Mr. Halliday states there are poles up there because there is a concrete reservoir there and power coming in. Mr.

Halliday states there are also wells up there. Roland confirms the utility poles are not being stockpiled up there. Mr. Halliday states there are shutoffs for water mains up there and vehicles need to access them. Mr. Halliday talks about putting poles with a chain across in order for people to have limited access. Mr. Halliday states he doesn't want strangers driving up there and dumping anything on the property. Cynthia asks whether it is supposed to be shown as a roadway or a driveway. Mr. Halliday states he has been working on the property for over 20 years and it has always been a dirt roadway and access road. Cynthia states then it doesn't make sense to have grass because if it is driven over it will turn into mud and the mud is going to move. Mr. Halliday states it was always just a dirt pathway up into the woods as an access road. Christopher states he has not seen this property and has relied entirely on all of the Plans the Board has seen for the last several months and not a single Plan has shown any road there. Will states there is a wide open path up there which they have walked. Mr. Halliday states it is not really a road. Will states it is a big clearing. Mr. Halliday states that off the clearing is another area where a pick-up truck could drive up. Mr. Halliday states there are water main shutoffs in that area which need to be accessed by the Water Department. Charlotte states the idea of two poles with a chain would work. Cynthia asks whether it still makes sense to have grass. Mr. Halliday states it would only be needed in one spot in the middle for a vehicle and they have no problem planting trees in the rest of the area. Will states a portion of the roadway is disturbed. Will states he doesn't think people go up there that often. Mr. Halliday states no, mostly to take care of a little bit of brush and leaves in the fall and that is the extent of it. Cynthia would like to know how the clients and employees will be kept from going there. Mr. Halliday states they could put poles with a cable across. Cynthia refers to the plantings in the other areas and asks the Board how they feel. Cynthia asks the Board whether they want all grass or some type of a restoration. Cynthia states a lot of trees came down when the parking lot was built. Cynthia talks about the reestablishment of trees. Mr. Halliday states trees would help for erosion as well. Cynthia asks Mr. Gallagher to submit a Planting Plan for this area. Mr. Gallagher asks the Board what type of trees they would like to see and refers to native trees. Cynthia states she is not going to pick them out for Mr. Gallagher, except they should be native. Cynthia states she doesn't think there needs to be a lot of trees; just something to reflect what is there already that will blend in. Cynthia states we are not looking for a garden planting area, we are looking for a restoration of a wooded area. Mr. Halliday refers to Maple and Oak Trees. Cynthia states if that is what is there now sure. Cynthia asks the Board whether they have an opinion. The Board agrees.

Cynthia asks whether there are any questions on the rest of the comments from Will. Mr. Gallagher refers to No. 2 on Page 2 regarding the landscaped islands. Mr. Gallagher states at the last Meeting there was a discussion about making the islands smaller. Mr. Gallagher states comment No. 2 states that the shorten islands present a vehicular hazard. Will states he is just being consistent with his comments. Will states he didn't agree with having the islands shortened and it is up to the Board to agree or disagree. Will states from his professional experience and the way they are designed, they are not the full length of the space; therefore they are a hazard because they only cover a portion of the space, and that is not how to design islands. Will states it is up to the Board to decide, but he will not recommend them. Mr. Gallagher states they brought the Fire Department in for the last Meeting and talked about full islands being in the way of fire apparatus and the temporary reservoirs that are used for the pumper trucks. Mr. Gallagher states if they are not going to have half islands they shouldn't have any. Cynthia asks Will whether he is saying this is a hazard for the people trying to park, or the people trying to maneuver around. Will states typically you want to flank the parking lot from the travel aisles, and you flank it the whole way. Will states if you don't flank it at all, or flank it partly, part of the car is exposed and does offer opportunities for problems. Will states it is not a good design. Will states it doesn't mean it can't work, it is not a good design, and he cannot recommend it. Christopher states although Will can't recommend this to us, under the circumstances, considering the discussions the Board has had with the Fire Department, it may be the best we can do with this Site. Will states that is for the Board to decide. Will states the reality is if there is a car parked there he doesn't see how it will help the Fire Department. Cynthia states they said they would push them out of the way. Will states it is not the end of the world, but he can't put it in his recommendation. Cynthia refers to the screen and states she thinks shortened

islands will work because they will prevent cars from parking before space Number 1 and after space Number 13. Will states half an island is better than no island. Charlotte and Christopher state full islands are too big. Christopher states emergency vehicles will not be able to navigate. Charlotte states it is a compromise. Cynthia states she is fine with the compromise and asks Gary and Bernard how they feel. Bernard states safety is the most important and as long as the Fire Department and EMS can respond he doesn't care what is there. Bernard states it could be a very difficult situation if they had a fire up there as there are an awful lot of people that would need to be moved. Mr. Halliday states he has concerns with snow removal. Mr. Halliday states he has been on the Site for 20 years and has plowed snow every single year. Mr. Halliday refers to the screen and points out where snow would be built up around an island. Mr. Halliday states this is a 24 hour facility and when they are plowing snow, cars are coming and going from the parking lot. Mr. Halliday states snow tends to pile up. Mr. Halliday refers to the screen and points out parking spaces that will be lost after a typical snow storm. Mr. Halliday states the snow tends to get piled up on islands and if someone is plowing snow and doesn't realize they are near an island they could run a truck straight into one of them. Mr. Halliday states this parking lot is unusual. Mr. Halliday refers to parking lots in shopping centers and states in a lot of them people are coming in 90 degrees off a main direction of travel and make a turn. Mr. Halliday refers to the screen and states in a situation like this someone could be coming straight on into one of the islands. Mr. Halliday states he is concerned about snow apparatus being damaged. Cynthia states in Croton Falls there are a lot of islands and they work. Cynthia states it is a little more work to clean out the corners. Cynthia states the islands are needed specifically to make sure people park where they are supposed to park and not all the way at the ends. Cynthia states this may create more work, but the idea of not having the islands and having extra cars parked there is even worse. Mr. Halliday states another concern is the more snow that is piled up the more melt off there will be and this area is where everybody walks around to get into the building. Mr. Halliday states the driveway is pitched and every sunny day there will be melt off going right across. Cynthia states then you can't put the snow there and will need to find another place to put it. Mr. Halliday refers to the screen and states normally they would push the snow all the way into the corner. Mr. Halliday states from his experience, in a 24 hour facility with small parking lots where turning around is difficult during snow storms, having anything else stuck in these parking areas will make it a lot more difficult to plow snow. Christopher inquires how else cars could be prevented from continuing to stack up and park where they shouldn't be. Bernard states signs could be put up stating that the cars will be towed, and actually do it. Cynthia states then it is an enforcement issue and asks whether cars will really be towed and states no. Cynthia states she would like to see the shortened islands and doesn't know how the rest of the Board feels. Christopher states he thought the Board had come to terms with this, notwithstanding the non-recommendation from Will.

Mr. Gallagher refers to No. 3 on Page 2 regards to the Plant List being more specific in terms of the sizes. Mr. Gallagher states he list the sizes on the Plant List and all of the heights are listed so he is not sure exactly what else is being looked for. Will states he isn't talking about sizes. Will states there are no species listed, only families. Will states that Junipers have been proposed and there are thousands of different types of Junipers. Cynthia states they could be 18 inches when they are planted and end up being 6 feet, or a groundcover type of Juniper may stay low, so we need to know specifically which kind is being proposed. Will states the scientific and common name of the species should be listed.

Mr. Gallagher refers to No. 4 on Page 2 and states that would be a 90 degree template for a 37 foot truck. Mr. Gallagher states they can make the turn there and at the other parking lot they can maneuver as well. Cynthia asks if this is a case where they would turn up and then back in and go. Mr. Gallagher states yes.

Mr. Gallagher refers to No. 5 on Page 2 regarding the propane tanks and points them out on the screen. Mr. Gallagher states they are hoping the tanks will not need to be moved to get the slope of the new bank completed. Mr. Gallagher states if they do need to be moved then they will have to go closer to the building so as not to be in the setback. Mr. Gallagher states they won't know if they have to be moved until they start

excavating and know how much rock is there. Mr. Gallagher states that Mr. Halliday informed him the tanks are actually set down into a pocket in the rock. Will asks where the tanks would go if they have to be moved. Mr. Gallagher states they would have to be moved towards the building in order to be outside of the setbacks as the line is right to the left. Cynthia confirms they are not going to go into the setback area. Mr. Gallagher Halliday states that is an area of a slope anyway. Mr. Gallagher states he will show the dash on the Plan. Will states that is all he wants so he knows where it is.

Mr. Gallagher refers to No. 6 on Page 2 and states he will provide the curb detail. Mr. Gallagher refers to No. 7 and states they can definitely show the lights with the poles. Cynthia refers to the screen and asks if there will just be two poles and shows the location. Mr. Gallagher states yes. Cynthia asks if there is lighting there now in the existing lower parking lot. Mr. Gallagher refers to the screen and points out where the poles are. Cynthia asks whether the style will be the same. Mr. Gallagher states those fixtures are not available anymore, but the fixture is similar to the one they provided on the cut sheet to the Board. Mr. Gallagher states they will provide the details showing the pole attached to the base. Will states they only have the pole detail without the supporting foundation base. Will states he would like to see the light on the pole and know the height of it. Will suggests Mr. Gallagher put the manufacturer's information on the Plan. Mr. Gallagher states the specifications are on the Plan and points them out on the screen.

Cynthia asks Mr. Gallagher if he has any questions regarding the Report from the Town Engineer. Mr. Gallagher refers to No. 1 on Page 2 and states the water main is shown on TSP-0 and it is underneath the parking lot. Mr. Gallagher states it is only four feet below the parking area. Mr. Gallagher states this was discussed at the last Meeting and he doesn't think it is possible to relocate the water main. Mr. Gallagher states this has to do with addressing the 13% slope in the parking area. Mr. Gallagher states the 13% slope is the same as the existing which is there now. Cynthia asks if it becomes an issue whether it will be set lower. Mr. Gallagher states it won't be an issue as it is now. Will states maybe this was a carryover comment from Frank and states when he first read it he thought he had read it before. Will asks Cynthia whether she has the prior Hahn Report. Christopher states he will look for it and asks what the date was. Mr. Gallagher states the last Report pointed out that the slope was 13%. Cynthia refers to an August 27th Report. Cynthia asks Will what he is looking for. Will states when he first read this he thought he was reading something he had read before since we had talked about it. Will states he thought that maybe Frank wants to see it on the Plan except Mr. Gallagher has stated it is on the Plan. Mr. Gallagher states he believes they are being asked to show actual depth. Cynthia states she believes this came up in a discussion at the last Meeting. Mr. Gallagher states in the previous Report the Town Engineer did point out that the proposed parking was at 13% grade and he was concerned with that. Cynthia states will clarify this with Frank and asks Mr. Gallagher whether he has any other questions.

Mr. Gallagher refers to the first three bullet points under No. 2 on Page 2 in regards to contractor information and states they do not have a contractor yet for the Project. Mr. Gallagher states he doesn't know how to obtain that information until they actually put the Project out to bid. Will states that could be a Condition for the finalization of the Stormwater Pollution Prevention Plan (SWPPP).

Mr. Gallagher refers to the first bullet point on Page 3 regarding soil tests. Mr. Gallagher states at the last Meeting the Engineer asked to see something that would help control the stormwater from the new parking area. Mr. Gallagher states their Engineer called the Town Engineer and they talked about a trench, the Town Engineer didn't say anything about soil tests and he doesn't know what type of soil test is being asked for such as perk tests or deep hole tests. Mr. Gallagher states this is bringing up a whole set of requirements. Cynthia states she is not sure she agrees because what we were concerned about was a simple trench that would make the water flow and the Town Engineer actually wants to make sure that the water will be slowed down and be infiltrated in the trench. Mr. Gallagher states that is what the SWPPP explains. Cynthia states how does the

Town Engineer know it will work unless he knows what the soils are. Mr. Gallagher states this is the first time soil testing has been mentioned. Cynthia states if it is the first time Mr. Gallagher is hearing it, so be it. Cynthia states there is no way the Town Engineer can say the trench will work unless he knows that it is feasible. Cynthia states if the Town Engineer is asking for a soil test, we will need a soil test. Mr. Gallagher states he would need clarification as to what the Town Engineer is looking for. Cynthia states if the Board agrees, she and Mr. Gallagher will have a conference call with the Town Engineer. The Board agrees. Cynthia states to Mr. Gallagher that the Town Engineer should not be called directly as he is supposed to work through the Planning Board. Cynthia states there are not supposed to be any phone calls made from the Applicants directly to the Consultants without Board approval.

Cynthia gives a brief summary and states the Board is agreeing to go with the modified islands near Parking Space Numbers 1 and 13. Cynthia states plantings will be shown in the parking area that is being removed, as well as a barrier or chain that could be removed by the neighbor who has access through there. Cynthia states Mr. Gallagher will be a little more specific with the Plant Listing he is showing. Cynthia states we have clarified that the propane tank will not go into the setback area. Cynthia states Mr. Gallagher will provide the light manufacture cut sheet. Cynthia states Mr. Gallagher should call her office and she will set up the conference call.

4. Palايا: Matt Gironda (owner – David Palايا & Dawn Didomenico)
Subdivision (location – 1 Wallace Road)

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

Cynthia brings the most recent submittal up on the screen and states we have Memos from both MDRA and Hahn Engineering. Cynthia suggests starting with the MDRA Memo. Cynthia states Matt Gironda is here tonight and asks him if he has any questions or concerns with the Memo. Mr. Gironda states he would like go over some of the items. Diana Kolev states she is from the firm of Shamberg Marwell. Ms. Kolev states Daniel Hollis from their firm was here last time. Ms. Kolev states at the August 12th Meeting there was a discussion of the Subdivision and the procedure and proceeding towards the Zoning Board of Appeals (ZBA). Ms. Kolev states there was a submission made and comments were received which Mr. Gironda will address. Ms. Kolev refers to procedures and states their position is that there is a Town Law Section 277, which Mr. Baroni is aware of. Ms. Kolev states this Law permits an Applicant to go directly to the ZBA when the Plat contains lots that are not in compliance with the Zoning Regulations. Ms. Kolev states they have come before the Board to present the Subdivision so the Board could see what is being proposed. Ms. Kolev states the idea is that the ZBA would then refer them back to the Planning Board for their written Recommendation on the Variance. Cynthia states what she believed Mr. Hollis agreed to was that we would get to a point where we could start a Coordinated Review under SEQR and that is when we would send the Applicant over to the ZBA. Cynthia states the Planning Board has to get this Application in a more complete form so they may declare their Intent to be Lead Agency and do the Circulation. Cynthia asks Roland if she listed everything correctly. Roland talks about the Board being in a position where they could issue a Positive or Negative Recommendation which avoids the ZBA getting a package and not being able to act on it and having to refer it back for the Recommendation. Roland states although it may seem like a slow path it is actually going to be a quicker path overall because the Applicant would avoid the ping pong back and forth. Ms. Kolev states she understands that except their concern is they did receive comments back that are somewhat voluminous and refers to addressing all of the comments and going through the entire process when they don't yet know what will happen when they go before the ZBA for the Variances. Ms. Kolev states all of this will take up a lot of time on their end. Cynthia states at this stage we don't even have the wetland verification yet so we don't even know the extent of the Variances that might be needed. Cynthia states the Applicant might need to move

something if that wetland line were to move. Cynthia states there are definitely aspects of this that have to proceed, responses need to be made, and more work needs to be done before the Board would be at a point where they could do a Recommendation to the ZBA. Cynthia states she is not aware of any items in the Review Memos that could be put off for a later date, but we could go through them and take a closer look. Mr. Gironda states he would like to go through the Memos. Mr. Gironda states he thinks we are all in agreement that the Subdivision is not in compliance with the Town Zoning Ordinance. Mr. Gironda states from an engineering standpoint the Project being proposed is for a practical use of the property and consistent with surrounding land uses. Mr. Gironda states it is not an overly aggressive plan of development. Mr. Gironda states there is ample room on the Site for wastewater treatment and water supply. Mr. Gironda states they have done testing and from an engineering standpoint it works. Mr. Gironda states obviously there are issues and final design elements that have to be worked out which will be vetted out in the Subdivision Approval process. Mr. Gironda states, at this point in time, with the exception of the wetlands, which will impact lot area calculations, and is the main hurdle at this point in determining how much of a Variance will be needed, he believes all the issues raised in the Town Planner's Memo will be addressed and vetted out during the Approval process. Cynthia states it is not just the wetlands. Cynthia states the Town is required to take road widening strips if they are identified as necessary. Cynthia states we do not know what the detail is along Wallace Road and whether or not there would be a road widening strip that would also affect the development coverage. Mr. Gironda states he will have their surveyor look into the right of way of the road. Cynthia states there may be other items. Cynthia states she just pointed out two items off the top of her head. Mr. Gironda talks about not addressing each comment individually. Cynthia states she doesn't see how a Circulation may be done under SEQR unless there is a more complete Application. Mr. Gironda states he does believe there is sufficient information for the Board to determine that the Subdivision is not in compliance with Town Zoning Requirements which is simply all they are asking the Board to do, to determine that this Application is not in compliance for the reason being that they don't have sufficient lot area. Cynthia states Mr. Gironda wants the ZBA to do the job of the Planning Board and they are not going to let that happen. Cynthia states the ZBA is going to need more information from the Planning Board and this Board can't give that information until they have an Application that is in better shape. Cynthia asks Roland if she has misstated anything. Roland states until the Planning Board is comfortable with the information before them they can't reach that level of Recommendation which the Law requires.

Mr. Gironda asks if he can go through the Memo to see what is absolutely necessary to provide. Mr. Gironda states at this point he doesn't think it is reasonable to ask the Applicant to incur costs for final design elements when we are not sure whether the Project will actually progress to that point. Cynthia states we will go through the Memo and see what Mr. Gironda is talking about. Cynthia states the Board will try, but they are not guaranteeing anything. Mr. Gironda refers to Comment No. 1 on Page 2 and states it refers to points that will be discussed at the ZBA level. Mr. Gironda states they mentioned this at the last Planning Board Meeting that they are not here for an interpretation of the Zoning Code. Mr. Gironda talks about going through the necessary procedures to get to that point so the Applicant may argue their case in order to go through the proper path to obtain the Variance. Will asks Mr. Gironda if he is implying that there will be a request for interpretations from the ZBA in concert with the Planning Board Application. Mr. Gironda states no, they are going to apply to the ZBA based on a denial from this Board. Cynthia states this Board is not doing a denial. Roland states this Board needs to know the extent of the Variance. Mr. Gironda states that is exactly his point. Roland asks Mr. Gironda if he agrees that he has more work to do to come up with the acreage Variance he needs to apply for that this Board can either positively or negatively recommend. Mr. Gironda states he understands. Will states if Mr. Gironda goes for a Variance for 3.9 acres, and that is what the ZBA lists on their Public Hearing Notice, and you need 3.85, they can't hold the Public Hearing. Mr. Gironda states he is not disagreeing with the areas that are listed in the MDRA Memo as the areas they will need a Variance for are .43 acres and 0.51 acres. Mr. Gironda states he is in agreement with that 100%. Mr. Gironda refers to the comments regarding the 7.995 acres and the 1.99 dwellings and states there is an argument to be made for

significant figures. Will states he gets that and talks about his original comment regarding a request for an interpretation of the ZBA to determine whether it is 7.995 or 8 acres and that is not the same thing as asking for a Variance. Mr. Gironda states ultimately he would be asking for their attorney to make those points in front of the ZBA. Will states that is for an interpretation, not a Variance. Will states they are two different things. Mr. Gironda states as he understands it they will need a Variance for .43 and .51 acres and asks if that is correct. Cynthia states she doesn't know as she hasn't seen all of the correct details. Mr. Gironda states with the exception of the verification of the wetland boundary by the Town Wetlands Consultant, as presented right now, they understand they will need an Area Variance of .43 and 0.51 acres. Will states the figures are based on the information Mr. Gironda has which are incomplete. Will states the Applicant cannot go to the ZBA with these figures. Mr. Gironda states he understands that and is not asking for this Board to send them to the ZBA tonight. Mr. Gironda states they understand that the wetland boundary has to be confirmed by the Town Wetlands Consultant. Mr. Gironda refers to the floodplain being immediately adjacent to the Titicus River and any deductions taken from the lot area for the floodplain were included within the limits of the wetland. Mr. Gironda refers to the Area Variances that are listed in this comment Memo that they would require, based on the information provided, and states he agrees with them. Will refers to the floodplain and states that is fine as it is pretty close. Will states it is not just floodplain, but also for land subject to potential flooding, which is based on soils. Will states this Site may not have any of those soils, but that is something to revisit. Mr. Gironda states he understands and those items will be addressed. Mr. Gironda states they understand they need to know exactly how much of an area they will be requesting a Variance for.

Mr. Gironda refers to Comment No. 1 on Page 2 and states he is not in disagreement with anything listed.

Mr. Gironda refers to Comment No. 2 on Page 2 in regards to stormwater management and states they understand the Town does typically require post construction and stormwater management practices for land development projects over 5,000 square feet. Mr. Gironda states the Town Code does essentially leave it up to Planning Board or Town to request because the State requirements do not require post construction stormwater management practices for projects under an acre of disturbance. Mr. Gironda states they have done testing on the property, there is ample room, and they have found suitable results. Mr. Gironda states they have no issues with providing stormwater management, except if this is a final design element, is it necessary for the Applicant to incur the costs for the development of a full SWPPP at this point when they understand the Application and Subdivision are not in compliance with the Town Zoning Requirements currently. Mr. Gironda asks if this information is absolutely necessary in order for the Board to make their Recommendation, positive or negative. Cynthia states she believes the Board needs to know where all of these design elements are going to be on the Plat. Mr. Gironda states they could show a schematic. Cynthia asks how the Board will know what Mr. Gironda is showing them is sufficient. Cynthia states she doesn't see how the Board can cut corners or do a Circulation under SEQR with an Application that is cutting corners. Cynthia states the Town Engineer is not here tonight to advise the Board. Roland states maybe the Board needs to consult with the Town Engineer to see if in fact this information would be required to get the Applicant to the point of a SEQR Circulation and or a Recommendation to the ZBA. Roland states he doesn't think it would. Roland states maybe this is something that could be deferred. Roland states it is a possibility but he doesn't want to speak for the Town Engineer. Ms. Kolev states pursuant to the Statute, the Recommendation of the Planning Board would be with respect to the Variance and not necessarily with the entire lot. Ms. Kolev states she understands the Board is trying to do a coordinated review, but with respect to the Recommendation, it would only be for the Variance. Will refers to the design and states there has to be some conceptual level of understanding whether it is feasible, because if it isn't that means more land will be needed or different land and that will change the configuration and potentially the acreage requirement on one of the lots. Mr. Gironda states they do not have an issue with delineating or identifying an area for stormwater management. Mr. Gironda states they have done preliminary sizing calculations and this is something they anticipated. Mr. Gironda states in regards to the comment from Mr. Agresta, he doesn't know whether it is necessary to provide a full SWPPP at

this time in compliance with the Town Requirements. Cynthia states she will have to confer with Mr. Annunziata; we can't answer that question tonight. Will states his comments are completeness comments per Requirements in the Subdivision Regulations and they are comprehensive because of that. Will states this is a Preliminary Application and that is the first thing he does. Will states there is a Completeness Review based on the Regulations. Will states what is acceptable at what point in time is up to the Board.

Mr. Gironda refers to Comment No. 3 on Page 3 regarding the construction sequence and states they do have a preliminary construction sequence listed on the drawings. Mr. Gironda states maybe additional detail is being asked for which can be provided. Mr. Gironda states detailing a full construction sequence at this point when the project may not progress to that point may not necessarily be warranted for the Board to make a Recommendation one way or the other. Cynthia states perhaps, if we are just talking about the scheduling, but again, it all falls back to how much detail we are going to have and whether or not the detail is complete. Christopher refers to Comment No. 3 on Page 3 and states he takes that to be primarily for scheduling and location of the project when it is in process. Charlotte states yes or if/when it is approved. Cynthia states so long as we have all the detail we may be able to hold off on the timing and the sequence of construction but we still need to know everything that needs to happen on the Site. Cynthia asks Will what his thoughts are. Will states he agrees.

Mr. Gironda refers to Comment No. 4 on Page 3 regarding consistency with the Town's Comprehensive Plan. Mr. Gironda refers to the location and classification of streets and states obviously they do identify the streets abutting the property and can look into classification of those streets. Mr. Gironda states Titicus Road is a New York State owned and maintained Road. Mr. Gironda states Wallace Road is a Town maintained Road. Will refers to Wallace Road and states this gets into the issue regarding the possible need for a road widening strip. Mr. Gironda states they will review this and provide further information for the Board.

Mr. Gironda refers to water service and wastewater treatment as well as drainage and states they have identified schematically an area for wastewater treatment and they show a proposed well location on the drawing for water supply and can very easily identify an area for a potential stormwater management area where they have done testing and found suitable results. Cynthia states these tests are supposed to be overseen by our Town Engineer or the Department of Health. Mr. Gironda states they will have to be during the formal approval process and for now the preliminary testing has been observed by his office.

Mr. Gironda refers to parks and recreation and states they can provide information regarding that, however this is a private lot. Will states he knows and asks Mr. Gironda how he proposes to deal with the requirements for the set aside. Mr. Gironda asks if this is something that is absolutely necessary for the Board to make a Recommendation at this time. Will states if there is a set aside the acreage will change. Mr. Gironda asks if the Town will require a set aside for a park facility on a private lot. Will states the difficulty is that is part of the decision of approving a Subdivision and is sort of a catch 22 for the Board. Mr. Gironda asks if the area makes sense in terms of providing a public recreation facility. Cynthia states it could be in the form of a bridle trail and states the Board has done trails as parkland before. Cynthia states Mr. Gironda is showing trails that just stop in the middle of the property and asks if there are trails right now that go across the property. Charlotte states there are. Cynthia asks if they are important to the system. Will states that a trail wouldn't necessarily affect the acreage as it would probably be an easement situation. Cynthia states we have done dedicated trails before. Christopher asks if this bullet point was intended to include easements for trails and the like. Will states it could be part of the mix, or a fee may be taken. Will states there has to be a determination made as to whether or not the property is appropriate for open space or a dedication. Cynthia refers to the 10% set aside.

Mr. Gironda talks about providing information on existing housing resources and future housing needs, including affordable housing and asks if they are supposed to provide information on the potential of affordable housing on this property. Mr. Gironda states they are discussing tonight whether they will be allowed a half acre Variance to build a single house. Will states this is something that Mr. Gironda needs to make a statement about.

Mr. Gironda states to go through each one of these items at this particular point in time may not be necessary. Mr. Gironda refers to what Ms. Kolev stated earlier in terms of obtaining a Recommendation from the Planning Board to the ZBA strictly for what they would be seeking a Variance for, which in this case, is for a lot area insufficiency. Cynthia states if we go down a couple of bullet points we will get into the Phase 1 a/b Investigation and states that has to start. Mr. Gironda refers to the New York State Department of Environmental Conservation General Code and states there is a letter of resolution attached to that Permit which allows for an Exemption even if someone is in an archeological sensitive area for the construction of a single home on a single lot, whereas it isn't necessary to provide an archeological Phase 1 Analysis. Mr. Gironda states it is their opinion that this Exemption would apply to their project. Mr. Gironda states it is an Exemption they have used in the past on projects with Frank Annunziata in North Salem. Will states he is not saying Mr. Gironda is wrong, but will have to look at that. Cynthia states she has not seen that Exemption and will need to look at it. Mr. Gironda states there is a letter of resolution attached to the New General Permit which is available on the new DEC Website and it lists categorical Exemptions for certain projects and a single house on a single lot is listed. Cynthia states she is not familiar with that. Will states he is not familiar with it either. Will states if we take the philosophy Mr. Gironda mentioned, why is a 2-lot subdivision any different than a 10-lot subdivision when in the end it is a single house on a single lot. Cynthia states it may be a pre-existing lot where they wouldn't be taking away the building rights, but this is a case where it is a Subdivision. Cynthia states she will have to see this for herself and see what it says. Cynthia states she cannot give Mr. Gironda an answer tonight.

Mr. Gironda states in the interest of saving some time he doesn't know that it is necessary to go through all of the items point by point. Mr. Gironda states all of the comments will be addressed and vetted out during the subdivision approval process. Mr. Gironda states they understand that all of these items will need to be resolved. Mr. Gironda states they feel it is absolutely reasonable to have the Town Wetlands Consultant verify the wetland boundary so they may confirm the necessary deductions taken to allow for their specific Area Variance amount. Mr. Gironda states the comments regarding the Short EAF can be easily addressed and provided to the Board. Cynthia suggests Mr. Gironda prepares a response based on what he has tried to tell the Board tonight and give them time to take a look at it. Cynthia states personally she doesn't see how the Board can waive the majority of the items. Cynthia states there may be a few items the Board can waive. Cynthia asks Mr. Gironda to take the time to go through the Memo point by point and tell the Board what he can definitely respond to now, and give the Board reasons why he feels that some items don't need to be provided. Cynthia states we will make a referral back to the Planner and Town Engineer and discuss it at the next Meeting. Cynthia states she doesn't think the Board has enough in front of them tonight to make a decision on each item. Cynthia states the Board is used to having a Complete Application in front of them so they may commence the SEQR Process, Coordinated Review, and send their comments over to the ZBA. Cynthia states short of having a good sense of how this could be a viable subdivision she is not sure how to proceed. Mr. Gironda states he understands that typically these completeness comments and the information being asked for are provided when seeking a subdivision approval. Mr. Gironda states he thinks it is safe to say that they are all in agreement tonight that this subdivision doesn't comply with the Town Ordinance Requirements due to it being insufficient in lot area. Mr. Gironda states the point he is trying to make and the point they will make in their response back is whether, at this point, it is necessary for the Applicant to have to incur these costs. Cynthia states it is important, and the Applicant is going to incur more costs in order to give us more information before the Board can take the next step. Mr. Gironda refers to the costs associated with final

design elements, construction sequencing, and scheduling. Cynthia states she previously mentioned that the Board will listen to the responses, but it will not happen here and now. Cynthia suggests Mr. Gironda take the time to respond to the Memo and the Board will take it under further consideration. Mr. Gironda states that is fair enough. Roland states Mr. Gironda should comply with the items he thinks he can comply with easily enough in order to reduce the list. Christopher states some of the items, whether Mr. Gironda thinks should or should not be done now, are really simple. Christopher states they shouldn't take a lot of time, energy, or cost on anyone's part. Christopher states this is delaying the process. Ms. Kolev states they do want to point out that this is the second Meeting and then there will be a third Meeting maybe in December. Ms. Kolev asks the Board to keep in mind how many Meetings they have been too and the length of time before the Board before they can actually proceed to the ZBA to discuss the viability of the proposal. Will states the Applicant can go directly to the ZBA for a discussion, but the Planning Board doesn't have the information they need to make a Recommendation to them, and the ZBA will need to wait. Will states he doesn't see what the benefit of jumping to the ZBA will do. Roland refers to the coordinated review. Ms. Kolev inquires if there is any way to get a sense from the ZBA as to where they are with this, as it will give them guidance. Roland states historically the ZBA does not do that.

5. Railyard (formerly Lakeland Lumber): Tim Allen (owner – Rylan West Realty, Inc.)
Site Development Plan (location – 621 Route 22)

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

Cynthia states we have Don Rossi, Tim Allen, and the owner, Eric Ryzerski and his Wife here with us tonight. Cynthia states we received a submission and have Reports from MDRA and Hahn Engineering. Cynthia states as done with the previous Applicants, we will take the time to go through the Reports and see what questions the Applicant may have in regards to responding to the information still needed. Mr. Rossi states they received the Reports today and really haven't had a chance to huddle up, so there might be comments after tonight. Mr. Rossi refers to the Variances and states they are eager to get to the ZBA as soon as they can. Mr. Rossi states the one Variance that was raised that he wasn't clear on is in regards to the access way being a foot from a residential property line. Will refers to the screen and states he guesses it is somewhat interpretative. Will refers to the red line showing the existing condition and states in theory pavement is being added to get to the 24 feet for compliance. Mr. Rossi states they will check that. Mr. Allan states to Mr. Ryzerski that he doesn't think they are expanding the pavement. Mr. Allen states that is all that is there. Will states he knows the area had been walked, but was basing his comment on the red line on the Plan. Mr. Rossi states they will double check it and if it is not expanding the current parking area then they would think that Variance wouldn't be necessary. Cynthia asks if the parking area is on the list, as it is not supposed to be in a yard. Cynthia states she will double check it. Mr. Rossi refers to a comment about the parking spaces being within a certain distance from a residential property line. Mr. Rossi states they had commented that there were none within the limiting distance from a property line. Cynthia states no parking is supposed to be in any yard, no matter what Zone you are in. Will states he took the spaces as being existing based on the red line. Cynthia states the parking there is not existing. Cynthia states she has been going to Lakeland Lumber for 30 years and there is no parking there. Will states if the premise is that the parking was not there, and not approved, then a Variance is needed. Mr. Rossi states they take the position that it was a parking area, and whether or not cars park there or not is a function of the intensity of the Use of the Site. Mr. Rossi states it was clearly designed as a parking area. Cynthia states no, she doesn't agree at all. Mr. Rossi states then we disagree, as it seems clear to him. Mr. Rossi states there had been discussions about having a pass through to go out to Maple Avenue for Fire Department purposes. Cynthia states that was the extent of it. Cynthia states there was a Condition of the ZBA to have a fire access there. Cynthia states how the macadam went down, she doesn't know. Cynthia states it was never used as a parking lot, and now the Applicant wants to use it as a parking lot, so a Variance

should be obtained for it. Mr. Rossi states they disagree, and it appears clear that this was a parking area. Will states this is one more Variance and asks Mr. Rossi if he sees a problem adding it to the list. Mr. Rossi states they do, because every time you add a Variance, you add potential impacts on neighbors and additional scrutiny. Mr. Rossi states it is their position that they are putting lines down in an existing parking area. Will asks if they are in a GB Zone. Mr. Rossi states yes, the Site is in a GB Zone and above is Residential. Mr. Allen states their position is that if it is paved it was potentially for parking. Cynthia states if it is paved it could have been an access road and you can have an access road in a yard, but you can't have a parking lot in a yard. Cynthia states she has never seen cars parked there and it was not used as a parking lot. Cynthia states that sometimes materials were there. Mr. Rossi states he guesses that is an issue and they will look into it. Mr. Rossi states that cars weren't parked there regularly. Cynthia states not ever. Mr. Rossi states he doesn't think we can use the term never, as this was designed for some Use, and refers to the storage of materials. Mr. Rossi states he thinks it fairly apparent that it was intended for parking. Mr. Rossi states if there is an issue, there is an issue. Mr. Rossi states they will look into it and see what type of empirical evidence they can get that shows it was used for parking cars. Mr. Rossi states they will look at aerial photos. Mr. Rossi states it has been a parking area and the potential at any time for a car to park there. Cynthia states it has been a paved area and she doesn't agree that it has been a parking area. Cynthia asks Mr. Rossi to do his homework and come back. Mr. Rossi states they will, or on your side, do your homework and see whether or not there were any restrictions placed upon it for parking. Cynthia states no, she isn't going to go back through the files. Cynthia states she is very familiar with this Site. Christopher states the Applicant is seeking other Variances and doesn't understand what the problem is with adding this item to the list. Mr. Rossi states an adjoining owner might have a problem with cars being parked there, and they will have another hurdle to jump through to prove out that the spaces are necessary for their Use, it is appropriate to have them there, and does not create any adverse impacts. Mr. Rossi states why would we concede that we need a Variance for something that could raise those types of issues? Mr. Rossi states the Site has been purchased and will be rehabilitated which will be good for the neighborhood. Mr. Rossi refers to proposing parking on macadam areas. Cynthia states from day one, when this area had been shown to her as parking, she made it clear that there was never a parking lot there that she knows of. Cynthia states she asked for proof that there had been an approved parking lot. Mr. Rossi refers to other areas and asks if there had been parking there. Cynthia states that is not the issue, this is the issue, and she pointed it out from day one. Cynthia states if the Applicant believes there was a parking lot there, it should be proven, otherwise let's deal with it. Mr. Rossi states fine. Will asks if there is an understanding or belief that the neighbor will be difficult. Mr. Rossi states the neighbor is here tonight, ask him. Cynthia states he might not have a problem with it. Mr. Rossi states, regardless, don't create hoops for people to jump through when there is no need for it. Cynthia states she is not creating hoops; she likes to start with facts, which she has talked about from day one. Cynthia states the Board has been working very closely to try and get this to move forward. Cynthia states the Applicant has had over a year to demonstrate this. Mr. Rossi states the Planning Consultant didn't raise it as an item for a Variance. Mr. Rossi states now they have to deal with it and they will determine what the area was used for and call the prior owner to find out if once during his ownership anyone parked cars back there. Mr. Rossi states if that is the case, then they will consider it a parking area and determine whether or not they want to add it to their list of Variances. Cynthia states that is not where she is at, so let's continue. Mr. Rossi states they were told they have to prove whether or not it was used as a parking area. Cynthia states whether or not it was an approved parking area. Gary states Mr. Rossi should see what he can come up with. Mr. Ryzerski refers to sitting in the Town Hall office back in February and talking about needing to have an area in the back for contractors, fixing up the front building, and needing this area for parking. Mr. Ryzerski states that was his key focus on this Project. Cynthia states she recalls the conversation and Mr. Ryzerski probably recalls her saying that the Zoning doesn't allow parking in yards, and the item should be put on a list for a Variance that will probably be needed. Cynthia states that was her response every time that area came up and every time she saw a Plan. Cynthia states she is not trying to be difficult and raised this a long time ago. Cynthia states she would think by now there would be an answer. Mr. Ryzerski asks if this will be difficult to obtain. Cynthia states she doesn't think it is going to

be difficult. Gary states it is not our call, but it probably won't be difficult, unless a neighbor has concerns. Cynthia states she believes Mr. Ryzerski will receive a Recommendation from this Board that it is necessary and they don't have an issue with it. Will states the case to be made is that the area has been paved. Will states the number of years the area has been paved should be listed. Will refers to showing aerial photographs. Cynthia states it has been used for the storage of materials. Mr. Rossi states they will add this to the list of potential Variances. Will states if for some reason the head of the car is the problem, just flip it. Mr. Rossi states then they may be adjacent to a residence. Will refers to the wall that is as tall as this Court Room ceiling.

Mr. Rossi refers to No. 3 on Page 2 of the MDRA Report regarding parking spaces, their numbers, and locations and states he has seen the calculations and believes they have ample parking for the office space and contractor's yards that are being proposed. Mr. Rossi states Mr. Ryzerski will talk a little bit more about the day to day operation of a Site such as the type he operates for his business. Mr. Rossi states they have the 23 spaces. Cynthia asks Mr. Rossi to show what the Zoning Code says they are supposed to have so we can all agree about how the calculation is going to be made, then if you need waivers, she believes this Board has the ability to deal with that. Cynthia states the starting point is how are we going to agree to calculate the number of parking spaces that the Code says are needed. Cynthia asks Mr. Rossi if he has any issue with the way Will is laying it out. Mr. Rossi states he didn't when looking at it today, but doesn't know if Mr. Allen or Mr. Ryzerski do. Mr. Ryzerski states he doesn't. Mr. Allen states there is a double dip there in terms of office versus what the Code intended. Mr. Rossi refers to the calculation and talks about whether storage space needs to be taken into account when preparing the number of spots. Mr. Rossi states that is one place where the overall calculation might be subjective as far as what the Standard is in the Code. Mr. Rossi states he doesn't have a problem with the calculation Mr. Agresta had based on the square footage of office space and it seemed fine. Mr. Rossi states utilizing the Site is a little different because the 17 spaces in the contractor's section are kind of like flex spaces. Mr. Rossi states people who are going into the calculation of the Tradesman Offices Use are actually going to use spots back where the contractor's spots are because someone will drive in with their car and leave in a service vehicle. Mr. Rossi states if an electrician's van is back there parked to be used, the guy who uses it is going to drive his car in and probably put it in the spot where the van is. Mr. Rossi states there is going to be a little bit of a flex use with the spots in the rear, thereby justifying a decision by this Board that there could be a much lesser number based on the calculation. Cynthia states she thought space numbers 12 through 23 were going to be where the employees are going to park and then they would go in the back and pick up the vehicle they are going to use for the day. Cynthia asks whether space numbers 12 through 23 are now retail spaces. Mr. Rossi states they would be spaces for whatever Uses there are on the property. Mr. Allen refers to people who have employee vans and states they would drive in, park, and then leave in their vans. Mr. Ryzerski states the vans wouldn't be parked in that area. Cynthia refers to the screen and talks about where the employees will park their vehicles. Cynthia refers to the screen and states this is what was described to them in terms of where the vans and the trucks for the two Tradesmen will be parked. Cynthia states when the employees come in, they will pull in and park their personal car, go pick up their assignments, and take off in one of the trucks or vans. Cynthia refers to the screen and talks about the trucks being filled up with materials and states both the employee's vehicle and the work truck/van cannot take the same parking spot. Mr. Allen states that is built into the Code; 1 per 300. Will states a Tradesman Office is not double-dipping. Will states the requirement for Tradesmen, which was only written last year, took into account a number for the Tradesman Offices, which is not equal to other types of offices. Mr. Allen states exactly, and that is their point. Mr. Allen states it is less because it is not an office. Will states it is an office, but refers to having vehicles and wanting to know that they are taken care of. Will states vehicle space is for the Tradesmen, it is not the same thing as their parking requirement. Will states it could have been more difficult and had the same requirement as the Business Office and then you would have had twice as many spaces, but it doesn't and is a lesser number. Will states Mr. Allen has to identify what the parking spaces are for compliance of the Uses and which then are the Tradesmen vehicles spaces. Will refers to spaces being

interchangeable or shared and states that is something we may discuss but it is also something very difficult to achieve. Cynthia states on the practical side, if she were showing up for work and had to spend an hour loading up her van, both vehicles have to be parked. Mr. Rossi agrees, but states at other times there may be no vehicles in the rear. Cynthia states she knows but unfortunately that area is not for the retail even though there could be potential sharing, but you will not be sharing back there. Cynthia asks whether the Applicant is suggesting that the electrician will pull out his truck/van and jump into his personal car and park it there. Mr. Rossi states given the relatively limited amount of space in the main building out by the road, where several of the Tradesman Offices are likely to be, the 23 parking spaces would be sufficient, all be it less than the 30 or so that are calculated pursuant to the Code numbers/formula. Cynthia asks if Mr. Rossi is stating that if the Code requires 23 spaces for the front building he wants a reduction in that number which would free up spaces for the back.

Will refers to Item d on Page 3 of his Report and states he thinks the Applicant is showing a very gross area dedicated to Tradesman Offices when in reality the office part of the Tradesman is a small portion of that area, and although the Code doesn't account for that, it is a reality, and that is why he quoted a similar Use of Light Industry which does do that type of thing whereas there is office space and storage and manufacturing. Will states if the Applicant starts looking at that the overall number will come down anyway, but you have to tell us how much of the space is for actual offices versus the other space which will be more for storage. Mr. Ryzerski refers to the screen and states if they look at the front building and the parking calculation they didn't know what to do. Mr. Ryzerski states they heard the term "gross floor area". Mr. Ryzerski states the second floor, which is attic space, is in the gross floor area. Will states it does need to be in there because it is part of the square footage, but his point is that based on what it is projected to be used as, that is why he made the comments he made, because Mr. Ryzerski is not proposing just direct Tradesman Offices, which is sort of what the Code was written for. Will states Mr. Ryzerski has a mixture and we don't have a separate category other than the catchall which is that the Board has the liberty to set a Standard for those portions. Will states Mr. Ryzerski needs to better define for the Board what portions of the areas he is dedicating in the gross floor area to the Tradesman that are their offices and what part is their dead/storage space, and maybe that could have a different calculation. Mr. Ryzerski states if you look at the architectural plans there are Tradesman, Retail, and Offices on there. Mr. Ryzerski states he appreciates comment d on Page 3 from Mr. Agresta because it sheds some light on the fact that there is a lot of storage space on this property.

Mr. Ryzerski states he really took a good look at the number of parking spaces he will need. Mr. Ryzerski states if he breaks it down according to Town Code, for the front building, he came up with 19 parking spaces. Mr. Ryzerski states realistically that number is overstated, as 13 or 15 would be fine because there is not much traffic in there. Mr. Ryzerski refers to what he will need in the back and states he believes he has a spot for every car that is coming in that day for every worker to park, and not need to shuffle around vans. Mr. Ryzerski states the employee would walk over to his van, load it up, and leave. Mr. Ryzerski states that is one of the reasons they made the spaces in the back sort of blocked in. Mr. Ryzerski states it can work, and may be a little of a timing issue. Will refers to an employee coming in early and someone coming in next blocking the first employee in. Mr. Allen states they will all know each other. Will states he understands that, but it is hard to accept that from a Permit point of view. Mr. Ryzerski refers to parking his trucks and states he only has 6 and he is planning on taking 10 spaces. Mr. Ryzerski states of the six work vehicles, two of them go home every night, so only three will be left. Mr. Ryzerski states the other spots will be taken up by people coming in to work in the morning. Gary states the challenge for the Board is that if they approve it with the knowledge that this is the way the Applicant will use the Site, that will be great, but unfortunately the Permit runs with the land. Mr. Allen states they understand. Mr. Rossi states the area to the rear is not intended for retail traffic or other people coming to the Site who are not working there every day. Mr. Rossi states it is the Site Owner's problem to make certain there is peace and harmony back there. Mr. Allen agrees and states also that they have all the spots that are required. Gary states he doesn't doubt it will work for Mr. Ryzerski, and he doesn't

doubt that the Board wants this to go through. Gary refers to the next guy who may come in. Mr. Ryzerski states they will have painted parking spaces on the ground. Gary states yes, for the way Mr. Ryzerski wants to use it, but refers to a year from now if the property is sold. Mr. Ryzerski states we are talking about his Project, we are not talking about someone else down the line. Mr. Ryzerski states if they are painting the ground then that is where they will have parking. Mr. Rossi states there still would be that the back parking area is not for transient cars. Gary states we are trying to delineate it. Cynthia states we do understand that but the Applicant has to help the Board try to get to a certain point. Cynthia refers to the front building and states when Mr. Ryzerski stated he came up with 19 spaces is that using the numbers that were suggested in d on Page 3 of the MDRA Report. Mr. Ryzerski states it does take into account the second floor which comes out to 1,683 square feet, for which he called two parking spots. Cynthia confirms Mr. Ryzerski is already using the MDRA suggestion listed in d which gives him 19 spaces. Cynthia asks Mr. Ryzerski whether, in reality, the building needs 19 spaces. Mr. Ryzerski states no, realistically, that building needs 13 or 15 spaces. Cynthia states that is what she wants Mr. Ryzerski to do, show what the Code says is needed, and come back with his argument as to why he should receive a waiver for a reduction in the required number of parking spaces. Cynthia states if 15 or 16 spaces will be needed in the front, there are still spaces in that area that could be used for some of the employees in the back. Cynthia states she is still having difficulty trying to figure out how, if there are two different Tradesmen, understanding Mr. Ryzerski is one of them, everyone will play nicely and not eat up all the parking spaces which are supposed to be for the offices and retail in the front. Cynthia refers to Tradesmen coming in and states she can't see how an employee arriving on the Site is just going to put his car in the middle of nowhere until he figures out which vehicle he is going to jump in. Mr. Ryzerski states it is not his goal to have cars parked in the middle of nowhere. Cynthia asks Mr. Ryzerski to tell the Board how the Tradesmen will park, giving his employees as an example. Mr. Ryzerski states there are 38 spaces and he realistically came up with 37. Mr. Ryzerski refers to the spaces on the screen and states if you think of every single one of those spaces having a van, there is no way this will work. Mr. Ryzerski refers to 17 spaces in the back and states having at least one or two guys in a van would mean that 40 people are coming to work, so where would they park, as it wouldn't work. Mr. Ryzerski states he is going to have six trucks and six parking spots somewhere on the Site for his employees to come to work. Mr. Ryzerski states his business is comprised of eight people; two guys driving to work in a work truck, and six guys driving their own trucks. Mr. Ryzerski states the other contractor that is going to be there will have five trucks and five parking spaces. Will states that would be 11 so why do you need 17. Mr. Rossi states they are going to have a lease with people who are there other than Mr. Ryzerski. Will states he gets that. Will states Mr. Ryzerski just mentioned 11 as opposed to 17. Will refers to the six trucks and six parking spaces he needs and talks about those six spaces being in the front. Mr. Ryzerski states they can be wherever they want. Mr. Allen states they are not further disturbing anything. Mr. Allen states if all of the spots are not needed, why not give us the potential to have them all. Cynthia states to Mr. Allen that the Board is just trying to get there in terms of a calculation. Cynthia talks about the Board fully understanding the business Mr. Ryzerski has in terms of what part of the Site he will use, and then do the same exercise for the other Tradesman. Mr. Ryzerski refers to two spots on the screen and states those two people take their trucks home at night, so those spots are never filled at night. Mr. Ryzerski states when the employees come in the morning, they park there. Mr. Ryzerski refers to trucks being gone all day and states they can get out whenever they want and if they come back early they can park their work truck in these specific spots, so they are always able to get out. Mr. Ryzerski states a truck may come in for 10 minutes towards the end of the day to pick up materials and then leave. Mr. Ryzerski refers to spots that will basically be vacant. Cynthia asks Mr. Ryzerski to show which spots will be his. Mr. Ryzerski states he needs 12 and points them out on the screen. Cynthia asks Mr. Ryzerski what is left for the other Tradesmen. Mr. Ryzerski states he believes 11. Mr. Allen states there may be a few more. Cynthia asks how many spots were left for the front building. Mr. Ryzerski states he believes 19. Cynthia states Mr. Ryzerski should recalculate based on the front building and provide the arguments for the waiver in order to receive a reduction of that number. Cynthia states the Board will then have that number and Mr. Ryzerski can then explain his business, and what he actually needs, as well as how many are shared spaces. Cynthia states

Mr. Ryzerski should show the Board what the second Tradesman would need. Cynthia states when the Board sees all of this they will be able to understand it better. Mr. Allen states they would normally land bank some of the spaces but there is no sense in doing that in this case. Cynthia states clearly a reduction will be asked for, but everything needs to be figured out. Christopher states the biggest concern he has with this Plan, notwithstanding how Mr. Ryzerski has told us it will work, has to do with Gary's point about the Approval going with the Site. Christopher states this has to potentially be forever. Christopher refers to spaces 7 and 8 c on the screen and states people will be blocked in if other people decide to use spaces 9 and 10 c. Cynthia states that is right. Christopher states those are the only two spots that seem really impractical. Mr. Ryzerski states he agrees, they are impractical depending on the way the Site is used, there is no question about it. Mr. Ryzerski states that is why there is a gate, so during the day there are no strangers coming back parking their cars as the area is off limits. Mr. Ryzerski states there will be a delineation done which will show where each of the contractor's spaces will be. Gary confirms the general public will not be able to get down to that area. Mr. Rossi states they go through this issue at their office building. Mr. Rossi states it is kind of hard to say specifically those are the spaces for the other contractor. Mr. Rossi states if another contractor comes in to use it, that contractor will ask how many parking spaces he has, and state how many vehicles he has in order to confirm there is room back there. Gary states by process of elimination, someone who needs 25 spots, isn't going to go there. Cynthia states the other concern she has is the size of the vehicles that contractors have. Cynthia states the Plan shows 25 foot vehicles here and there, but some of the vehicles are 20 feet. Cynthia asks what if a contractor buys a flatbed and it is longer than 25 feet. Mr. Ryzerski shows on the Plan where there is room for a longer truck. Mr. Ryzerski states he doesn't see that being an issue. Mr. Ryzerski states the Site is pretty tight and he doesn't want a contractor that has giant trucks. Cynthia states we should have limits on the classification of trucks and she doesn't know how that relates to length. Cynthia states she has seen a lot of these vehicles that are pulling trailers behind them because they have the equipment in there. Cynthia states Mr. Ryzerski could contract with somebody and the next thing you know he is starting to come in with bigger pieces of equipment. Cynthia doesn't know how that would be handled. Mr. Ryzerski states there are standards and they laid all of that out when they were at the Site last winter in terms of what could go on the Site. Mr. Ryzerski states he thinks the amount is reduced to sub-30 thousand pounds. Mr. Rossi refers to a truck being less than thirty thousand pounds but having a 35 foot trailer. Gary refers to trailers with backhoes on them. Mr. Ryzerski states this had been discussed and he stated he needed a trailer with a backhoe on it that wouldn't come off. Gary asks what the length of that would be between the trailer and the truck. Mr. Ryzerski states they are not going to be attached. Gary states at some point they will. Mr. Ryzerski states at that point they are going to leave. Cynthia asks where the trailer would be parked as well as other items. Mr. Ryzerski refers to the screen and points out an area where he would think the trailer would be kept. Gary refers to the screen and states clearly a trailer should be kept in spaces 14 through 16 or maybe spaces 7 and 8. Cynthia asks if Mr. Ryzerski owns trailers too. Mr. Ryzerski states he doesn't own a trailer he pays someone to move his machines. Mr. Ryzerski states he mentioned this specifically that contractors sometimes need trailers with machines. Mr. Ryzerski states it is important to have something like that there. Cynthia states she thinks there is an understanding how the parking will be approached. Cynthia states calculations will be done based on what the Code says is needed and then present the waiver request. Mr. Allen states the only issue is going to be the office versus storage. Mr. Allen talks about 300 square feet per space. Cynthia states the issue with the storage is people go to the Building Inspector and get the storage changed to a Use and the next thing you know they need more parking. Cynthia states that is why we are trying to be very careful here. Mr. Ryzerski states the gross floor area number is very big and states if they take the actual area and consider that in terms of 300 feet per space that skews the number a lot. Mr. Ryzerski asks if they can use the storage as the 1,000 square foot number or is that going to be gross floor area divided by 300. Mr. Allen states he believes the Board is telling them to come up with a realistic number. Mr. Ryzerski states he is also being asked to list the Town specifications and he is still a little grey on that area. Mr. Allen states there are two numbers; a realistic number and a Town number. Mr. Ryzerski asks if the Town number is the gross floor area. Mr. Allen states he believes they have met the Town number. Will states it is gross floor area and when

the Tradesman Offices Standard had been written he doesn't think they factored in the storage-type areas as was done with Light Industry. Will states there are issues with conversions that are not sanctioned and an Approval would be needed to change the Use of different areas. Will states he thinks an argument could be made that a Tradesman Office is a portion, and the storage is a portion, but it has to be storage, and can't be an interchangeable room in an office that is utilized, for records, as an example. Will states that would be considered part of the office. Will refers to cold/dead storage and making an argument for that. Will states the calculation should be figured out and will be less than what has been calculated to date. Mr. Ryzerski refers to the storage and asks if he is supposed to use 1,000 square foot calculation. Will states that is all we have as a measurement and states the storage will need to be characterized. Will states the retail is clear, but the office portion needs to be defined and calculated. Will states he doesn't think the number of spaces on the Site had been thought about. Will talks about reducing the number of spaces that are required. Cynthia states that is right. Cynthia states this would be the Board to grant a reduction in parking spaces. Mr. Ryzerski states for his calculation he is going to use storage at 1,000 square feet. The Board agrees. Will states Mr. Ryzerski should bear in mind that the Tradesman Office has two components. Will states it has the inner square feet for the office, and a separate requirement in terms of the contractor's space for vehicles. Will states Mr. Ryzerski should be realistic about that and then the Board will talk about whether a reduction may be had. Cynthia asks Will whether there is a Code issue in having the vehicles parked right against the buildings. Will states no.

Mr. Rossi refers to Page 3, No. 4 in regards to the Landscape Plan. Mr. Ryzerski refers to the comment about having a more linear pattern and states he will make it less linear and use more plants. Mr. Ryzerski refers to the Site Walk and states Mr. Agresta seems to think there had been a discussion about a sidewalk. Mr. Ryzerski states he doesn't remember that discussion. Mr. Ryzerski states regarding that comment he doesn't see where the sidewalk would start and where it would end. Mr. Ryzerski states he doesn't have a problem with putting in a red brick apron, which is similar to what is in Town. Will states we talked about the village character. Cynthia states she believes the problem is that they are on Department of Transportation (DOT) land. Cynthia refers to the screen and points out the edge of the road. Will refers to more of a hardscape appearance and not just a planter on the side of the building. Mr. Ryzerski states he is suggesting a porch with a bench and railing and states he could add in red curbing to match the rest of Town. Mr. Rossi states they would like to avoid going to the DOT for a Highway Work Permit. Mr. Rossi states it goes to the abutment and there are no adjoining buildings on either side. Cynthia states she doesn't think someone could walk under the railroad overpass and may need to go across the street. Cynthia states we are talking about if someone did walk through Town and walked on the sidewalk, they would then cross over. Cynthia asks how they will feel welcome and get in and where does Mr. Ryzerski want them to go. Mr. Ryzerski states there is really only one office that would be accessed by that door. Mr. Ryzerski states to him it is more about keeping the area looking presentable. Cynthia states if it is lunch time and the employees want to go over to Who's Cooking or the other establishments, how are they going to come out and go across the street. Cynthia asks Mr. Ryzerski to look at it from that angle. Mr. Rossi states the bulk of the employees will be coming out the side door. Mr. Rossi states it would be nice to have a sidewalk flow if the other houses became commercial uses which would have more foot traffic. Mr. Rossi states then having a sidewalk would make more sense. Cynthia asks if there will be a front door. Mr. Ryzerski states yes. Mr. Rossi states it is paved now. Cynthia asks if all the sea of pavement will be left. Mr. Rossi states the pavement belongs to the DOT. Cynthia states people are going to parallel park along there if something isn't done with the pavement. Cynthia talks about the area being more defined. Gary states he thought planters were going there. Mr. Ryzerski states there is a planter there. Mr. Ryzerski states when pulling into this Site, whatever is done in this area will affect the way people pull in and pull out. Cynthia states she doesn't want to see the sea of macadam left on the DOT property. Cynthia states to Mr. Ryzerski this is his front yard and people are going to park there if it stays that way. Gary refers to pavers and asks if it is necessary to go to the DOT in order to do that. Will asks Mr. Ryzerski if this area is going to be repaved. Mr. Ryzerski states he doesn't know whether he would be responsible for that, as the whole area is busted up. Mr. Ryzerski states he would assume they would need to

pave fairly close to the road. Will states that work is going to be done in that right of way as it is. Will states he is suggesting the area be cleaned up and reduced as much as possible. Will refers to the templates for turning. Mr. Allen states right now the proposal is such that they are not in the right of way. Mr. Allen refers to the triangle. Will states you are going to be in the right of way because there is no way you are going to leave the pavement that way. Will states the pavement is all chunked up and a mess. Cynthia states that is the front entrance. Mr. Allen states the proposal is to work on the property Mr. Ryzerski owns. Cynthia asks how people will be prevented from parking there. Mr. Allen refers to landscaping the triangle area. Mr. Ryzerski states he sees putting anything out there as a hazard. Mr. Ryzerski states the way it is now, people can pull out to make a left. If something were to be put there it will create a log jam. Will suggests Mr. Ryzerski look at the turning radius for the trucks and patrons and see what is left. Will states the curb cuts will be redefined. Cynthia states to Mr. Ryzerski that he doesn't want people to park there as it will become a hazard. Cynthia states if it is left like this it will be an invitation to have people park there. Mr. Ryzerski talks about having a removable planter. Mr. Rossi states they will talk about it and refers to the adverse reaction of adding the DOT. Will states you are chewing up DOT land anyway so you are going to need a road-widening or curb cut Permit anyway. Mr. Rossi states he doesn't necessarily agree. Mr. Rossi states this will add another Involved Agency to the SEQR review. Will refers to repaving the driveway in terms of going to the DOT. Mr. Rossi asks where that would be done. Will refers to the Plan and points out pavement that has historically been in front of the building. Will refers to pavement being redone and a check of pavement being left. Mr. Rossi states from an aesthetic standpoint maybe it is not the best. Mr. Allen states they were planning on leaving it alone as it is not Mr. Ryzerski's land. Cynthia states this is the front of the building and the entrance to a brand new facility. Cynthia refers to the broken up pavement being left there that goes all the way across. Mr. Allen states they have to go to the DOT to do all of that and that is why they have avoided the DOT. Gary states to Mr. Allen that he should come up with ideas, such as planters or grass. Mr. Allen states there is a lot of asphalt in the front there. Cynthia asks if the driveway will be repaved. Mr. Ryzerski states he will be repaving south of the gate, and patching the other portion. Cynthia refers to the area on the screen that will be repaved. Mr. Ryzerski states literally he hadn't thought about it exactly. Cynthia states if Mr. Ryzerski is going to repave, she suspects he will repave all the way in. Mr. Ryzerski asks if he has to contact the DOT to do that. Mr. Rossi states that would trigger a Work Permit from the DOT. Mr. Allen states they may have a little leeway considering they would be repairing an existing driveway. Cynthia states Mr. Ryzerski should draw the line in terms of what will be needed for the vehicles to safely turn in and turn out and show the Board what is left. Cynthia states in the next conversation the Board will work with Mr. Ryzerski. Cynthia states the Board will give Mr. Ryzerski a recommendation as to how to deal with this. Will states this is a very small area. Mr. Allen states this is almost bordering on a Croton Falls Grant, which they would be more than happy to do, but there is a lot of area there. Cynthia states the point is that the Applicant needs to define what is needed first and then we will see what is left. Mr. Ryzerski states everything south and east of the border would all be new because that is the public space, and the other area would be re-patched up and redone. Mr. Ryzerski refers to the screen and states it may get to the point where it is Swiss Cheese in the back and they will need to redo all of it. Mr. Ryzerski refers to areas that are fine and states there is an area in the middle to be torn up and excavated for utilities. Cynthia states at the end of the day there will be macadam back there, and it might be patched macadam. Cynthia states the Board can consider that for the moment and talks about understanding the extent of the area that will need to be dug up and patched. Cynthia states she doesn't remember if the surface is uneven. Mr. Ryzerski states if there is going to be a landscaping island, something may need to be done so the water flows through the property. Cynthia refers to the engineers comments and asks whether water had gone into one of the buildings. Mr. Ryzerski states no. Mr. Allen states they have taken care of the drainage flow. Mr. Allen states the Hahn question had to do with disturbance which they will need to research. Cynthia refers to the Site Walk and states she thought they noticed the drainage was going towards the building on the left. Mr. Ryzerski states all the water flows down the left driveway. Will refers to the opening under the building and asks where the water goes. Mr. Ryzerski states it goes right into the ground, even without any gutters. Cynthia refers to the island and asks if the water will go through it. Mr.

Allen states there is a drain in the middle of the property. Mr. Rossi refers to the arborvitae plantings along the property line. Cynthia refers to the screen and states the arborvitae plantings are being shown off the property Mr. Ryzerski owns. Mr. Ryzerski states he would prefer to move on from the Landscaping Plan discussion, as his neighbor Jon Jacobsen is very concerned about what is going on in his back yard. Mr. Ryzerski states the two of them haven't come up with a solution that makes either of them happy.

Mr. Rossi refers to Page 3, Item 4(b) and states that Mr. Allen's office is working on septic and water.

Mr. Ryzerski refers to Page 4, Item d in regards to the recommendation of landscape islands and states he sees a real problem with traffic flows. Mr. Ryzerski wonders how a truck would move through the Site. Mr. Ryzerski refers to the plowing of snow also. Cynthia asks Mr. Ryzerski if he is planning to line the parking spaces. Mr. Ryzerski states he would assume they would have to. Mr. Rossi states he assumes the Board would want the spaces lined. Mr. Rossi states it improves the regulation of the Site. Cynthia states we have had other Sites where there were no lines and it raised issues. Mr. Allen states that goes back to their original discussion about defining the area. Will states he thinks islands are very important and states if Mr. Ryzerski is going to leave it the way it is, he suggests making the painting line a wide double line. Will refers to the screen and talks about shifting it a foot or two. Charlotte refers to the trailers that will be backing up. Mr. Ryzerski states he appreciates a little discretion on this item. Mr. Ryzerski refers to the third bullet on Page 4 under (d). Will refers to a portion of the Plan on the screen and states it ramps upward. Mr. Ryzerski states it will be gentle because it is fairly flat there. Will talks about people walking and states instead of a landscape island, possibly use pavers so people know where to walk. Mr. Ryzerski is not sure what the fourth bullet under (d) means. Will states to be a handicapped space there cannot be any curb and the Plan shows proposed bollards all the way across, and a wheelchair cannot go through there. Will states Mr. Ryzerski has to look at this. Mr. Ryzerski refers to the sidewalk and planters. Mr. Rossi states the island on the right side already works to soften the area back there. Mr. Ryzerski confirms these comments do not have anything to do with stopping cars, they have to do with wheelchairs getting through. Mr. Rossi refers to No. 5 on Page 4. Mr. Ryzerski refers to the first bullet and asks if Mr. Agresta is asking for a cross section of a mortared stone wall and the details. Will states yes, the finish and materials that are being proposed. Mr. Ryzerski asks if he should provide pictures. Will asks Mr. Ryzerski what he is proposing. Mr. Ryzerski states it will be a drywall-faced mortar stonewall. Will states the detail should go on the Plan. Mr. Ryzerski refers to No. 5 (b) and states there will be no mechanical units on the roof.

Mr. Rossi refers to the third bullet under No. 5 (a) in regards to the sign. Will states you are moving the signs that are in the right of way and refers to the 10 foot requirement. Will states he doesn't know whether the Applicant will be able to meet that. Cynthia refers to the sign on the screen and asks if it is 10 feet away from the property line. Mr. Rossi states he doesn't know, but assumed a Variance would be needed. Will states that is what he is getting at. Cynthia states if it has to be less than 10 feet put it on the Variance list. Mr. Ryzerski points out a different area for the sign on the screen and states it would work better. Mr. Ryzerski asks if he moves the sign a few feet over does he need to obtain a front and a side yard Variance, and would it be harder to obtain. Cynthia states Mr. Ryzerski would only need a front yard Variance. Cynthia asks Mr. Ryzerski if there will be a sign on the building also. Mr. Ryzerski states yes. Cynthia asks what will be on the free-standing sign; everybody or just the name of the building. Mr. Ryzerski states Railyard will be listed, and there will be four plaques below it for the different tenants. Cynthia asks what the size of the second sign will be. Mr. Ryzerski states he will double check it. Will states it should be detailed on the Plans. Mr. Rossi states the concept is similar to what he has outside his office in terms of the name of the building and the tenant spaces. Cynthia states even though all of the tenants are not going to have doors in the front, will their names be across the front façade. Mr. Ryzerski states no. Mr. Ryzerski states there would be two small plaques where the door is for the people in the front. Mr. Ryzerski refers to Page 4, Item 5(b) and states the proposed septic line does match what is on the Plan, but when you look at the Plan, and it is not on the

computer, it doesn't look good. Mr. Ryzerski states the Board of Health wanted it sleeved by a larger pipe and that is why there are two lines on the outside. Mr. Ryzerski states they will fix the drawing.

Mr. Rossi refers to Page 5 regarding the EAF and states they will look at what the required Permits are. Mr. Rossi states he has one comment which also goes over to the Memo from Hahn in regards to the Stormwater Pollution Prevention Plan (SWPPP) Requirements and whether this constitutes a redevelopment, or disturbance of the type that would trigger a SWPPP. Mr. Rossi states he would like to do research in order to look into and discuss everything with Mr. Ryzerski. Mr. Allen talks about a Designated Main Street Area. Cynthia states we do not have Designated Main Street Areas in Town. Mr. Allen states they are fairly sure they don't need the New York City Department of Environmental Protection (NYCDEP), or a SWPPP Approval, as long as this is not a Main Street Area. Will states from his perspective, when he talks about disturbance, most of the Site will be disturbed. Will states the disturbance Mr. Allen is talking about is whether the disturbance constitutes a redevelopment which would leave a net disturbance for purposes of a SWPPP. Will states those are two different matters to him.

Mr. Ryzerski states he would like to make a comment about the trees in the back and states the trees that are on the Railyard property are really close to the building and have been overgrown for a long time. Mr. Ryzerski states not all of the trees back there will be coming down. Mr. Ryzerski states the nicest trees back there are actually on the property behind. Mr. Ryzerski states there is a huge Maple Tree back there that is going to be very nice once he takes the smaller trees in front of it down. Mr. Ryzerski refers to the screen and points out where the huge Maple Tree is located as well as a couple of smaller trees, and another tree. Mr. Ryzerski states all of those trees will remain. Will states the trees that are all safe should be put on the Plan. Cynthia asks whether all of the trees will be coming down. Mr. Ryzerski states there are trees in the back that are not on his property. Cynthia states she is just talking about the trees on the property Mr. Ryzerski owns. Mr. Ryzerski states yes, they are all coming down. Cynthia refers to three trees that are on the property line. Mr. Ryzerski states one of those trees is falling down and crossing with a larger tree. Mr. Ryzerski states a lot of the trees are growing towards the light and reaching towards the top of the building, so they have to go. Cynthia asks Mr. Ryzerski if he is putting solar on the roof. Mr. Ryzerski states right now he would love to, but the Project is getting more and more expensive, so it is probably going to be the first item to be taken off. Cynthia confirms there is the potential for solar in the future. Mr. Ryzerski states the roof is being designed so it could be done in the future.

Mr. Ryzerski states he brought in color boards for everyone to see. Mr. Ryzerski states he was not happy with the renditions of the colors on the actual Plans. Mr. Ryzerski states he is trying to break down the back part of the building to make it look different from the front. Mr. Ryzerski talks about having two complimentary colors. Mr. Ryzerski states the front building will be brick with travertine stucco, and the back building will have brick and grey stucco. Mr. Ryzerski states the Board had expressed an interest with the front being lightened up. Mr. Ryzerski refers to the green and states it is not quite as green outside. Mr. Ryzerski asks the Board whether the colors he has brought with him tonight are softer. Cynthia asks Mr. Ryzerski whether he has been to the Architectural Review Board (ARB) yet. Mr. Ryzerski states no. Cynthia states once this is complete the Planning Board will make a Referral under SEQR, and the ARB will want to see all of these materials too. Cynthia states she appreciates that Mr. Ryzerski has softened up the colors. Mr. Ryzerski asks whether the ARB is going to want the Site Plan colored, or can they move forward stating that these are the colors. Cynthia states she thinks Mr. Ryzerski should indicate the specific colors on the Plan, and bring the samples for the ARB to see. Mr. Rossi asks the Board how they feel about the colors. All of the Board Members like the colors.

Mr. Rossi refers to Page 5, Item 7 (g) and states they would like to avoid doing a Traffic Study. Mr. Rossi states if they look at the Lakeland Lumber Site in terms of operation, the new facility is comparable, if not

better. Mr. Rossi states they would like to ask that the Board, in their SEQR review, take note of this request and come to a determination that they have considered traffic flows from the Site and a separate Traffic Study, which would cost between \$5,000 to \$8,000 could be avoided. Mr. Rossi states there is a State Highway. Mr. Rossi states he does not believe traffic counts are necessary. Will states he wasn't really asking for a Traffic Study, but something would be more than nothing. Will refers to having an assessment from a traffic engineer in terms of a summation without doing a full blown traffic study. Cynthia asks Will if he is talking about turning radius information. Cynthia states she is more concerned with making sure everything flows and there is good sight distance. Mr. Rossi states that would be up to Frank. Cynthia states sometimes we have our Traffic Consultant consider the proposals. Will talks about a preliminary analysis being done which would look at trip rates. Mr. Rossi states the traffic flow will be less than Lakeland Lumber had. Christopher talks about the Applicant stating that the traffic flows will not be the same as they were with the previous business. Cynthia refers to the larger vehicles and states if they have to enter the Site will there be the same situation as there had been with Lakeland Lumber where the traffic on Route 22 is shut down. Cynthia states the larger vehicles often backed in. Cynthia refers to the new design and asks whether larger vehicles will now be able to drive in and turn around inside. Mr. Allen states yes. Cynthia states she believes the issue with Lakeland Lumber is that the vehicles were backing into the Site from Route 22. Mr. Ryzerski states the big lumber racks prevented anyone from turning around once they pulled in there. Cynthia states they were 18-wheelers delivering windows and other materials. Christopher asks whether Mr. Ryzerski will have trucks that size making deliveries. Mr. Ryzerski states he doesn't think so. Mr. Ryzerski states they will have big trucks. Mr. Ryzerski states hot tubs come in big trucks. Mr. Ryzerski states the deliveries will not be very often. Mr. Ryzerski states they will be able to have a big truck in the back and have plenty of room to unload it. Mr. Ryzerski states they may need to be a little creative about the time of day the deliveries are made. Cynthia asks whether the trucks can make the turn coming in either direction. Mr. Allen states Mr. Agresta has asked for that information and they will provide the turning radius details. Mr. Ryzerski shows the Board a sample of a pool safety fence he is proposing to put across in the back as a barrier. Mr. Ryzerski states it can be moved very easily. Cynthia asks if it is locked or hooked together. Mr. Ryzerski states it just latches together. Cynthia states she asked if it would be locked in case the people leasing the space are expecting a secured/locked area, or just a barrier. Mr. Ryzerski states there will not be much outside. Cynthia refers to the screen and talks about fencing. Cynthia asks whether fencing will be avoided and plantings used instead. Cynthia states this is the discussion Mr. Ryzerski was going to have with the neighbors. Mr. Ryzerski states Mr. Jacobsen wasn't crazy about having tall trees. Mr. Ryzerski states Mr. Jacobsen wants to be able to look out on the lumberyard. Mr. Ryzerski states the Arborvitae Trees didn't work for Mr. Jacobsen. Mr. Ryzerski states they are thinking about a small fence in that area. Mr. Ryzerski states they are going to repair and maintain the chain link fence on the right side. Charlotte asks where Mr. Jacobsen lives. Cynthia points it out on the screen. Mr. Ryzerski states Mr. Jacobsen is not quite sure what he wants there. Cynthia states Mr. Jacobsen doesn't want any growth that is going to take up his yard in terms of height that will shadow, or growth that will expand. Charlotte suggests a nice little wooden fence. Mr. Ryzerski states it might come down to that.

6. Financial Report:

- October, 2015

Chairwoman motions that the Planning Board Approve the October, 2015 Financial Report. Christopher Brockmeyer seconds. All in favor. No opposed.

7. Minutes:

- October 7, 2015
- October 21, 2015

Chairwoman motions that the Planning Board Approve the Minutes for October 7, 2015. Christopher Brockmeyer seconds. All in favor. No opposed.

Chairwoman motions that the Planning Board Approve the Minutes for October 21, 2015. Christopher Brockmeyer seconds. All in favor. No opposed.

8. Next Meetings:

- Work Session – November 18, 2015 – Meeting canceled
- Regular Meeting – December 2, 2015

9. Resolution:

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