

North Salem Planning Board Minutes

January 13, 2016

7:30 PM – Town Meeting Hall

PRESENT: Cynthia Curtis, Chairwoman
Charlotte Harris, Board Member
Christopher Brockmeyer, Board Member
Gary Jacobi, Board Member
Gerry Reilly, Esq.
William Agresta, AICP
Frank Annunziata, Town Engineer

ABSENT: Bernard Sweeney, Board Member

ATTENDANTS:	Hawley Woods Subdivision:	Peter Gregory Alan Pilch Steve Bliss Patrick Bliss Kevin McKenna
	Fuelco/BP (Getty):	Marc Petroro Richard Hein Joseph Bryson Ann Morley Bryan Orser
	Railyard:	Don Rossi Ed Delaney Erik Ryzerski Evelyn Ryzerski
	Gizzi:	William Kenny Jeremy Clark Marilyn Gizzi John Gizzi
	Homeland Towers, LLC:	Ray Vergati

Chairwoman Cynthia Curtis calls the January 13, 2016 North Salem Planning Board Meeting to order and reminds all of the presenters that we do have microphones and when they are turned on they have to be used or else people will not be able to pick up the sound if the Meeting is viewed at a later date. Cynthia states the Board Members and Consultants have microphones and everyone else has to use the one at the podium.

PUBLIC HEARING:

- 1. Hawley Woods: Peter Gregory** (owner – Hawley Woods, Ltd.)
Subdivision (location – 396 – 404 Hawley Road)
 - Continuation of the Public Hearing
 - Consider Written Reports and Comments

Cynthia states Peter Gregory is here with us tonight and asks him to introduce his Team. Mr. Gregory states he is here this evening with Alan Pilch from Evans Associates, Steve Bliss and Kevin McKenna from Hawley Woods, as well as Patrick McKenna. Cynthia states we are starting to see what this road cut is going to look like and we do have comments from the Town Engineer. Cynthia states we will start with his comments and see if the Applicant has questions in terms of adjusting what has been presented to the Board. Mr. Gregory refers to the last time they were before the Board when they discussed the results of what they observed in terms of the location and depth of rock located along their proposed roadway. Mr. Gregory states they discussed, that in light of the rock they found, they may be able to eliminate some retaining walls and earth regrading, as well as utilize some of the rock cut to act as a retaining system and ultimately reduce some of the disturbance associated with the road. Mr. Gregory states after discussing what the extent of some of that work would involve, the Board had requested they provide some typical Cross Sections that would be encountered as a result of the regrading work, up to a certain point, which was considered critical, where they have a very large knob formation or peak at approximately Station 600. Mr. Gregory states what they have presented now are the locations where these Sections were established at certain intervals up their roadway, and then provided Cross Sections showing what the existing grade was at each of those Cross Sections, what their finished grades were and proposed grading, as well as where the rock surface was approximately located. Mr. Gregory states from these Sections we have been able to calculate the quantity of rock that would have to be removed between Hawley Road and approximately Station 600 plus 40, which will bring them up through the critical area. Mr. Gregory states what they found is that the entrance to the road is reasonable in terms of what they expected as far as rock, but as they get up to the higher Stations, especially at Section 6 at the end, that is where they see the extreme condition of exposed rock. Mr. Gregory refers to the screen and states based on the shaded areas, which are massive rock, they have estimated the quantity to be approximately 6,500 cubic yards of material. Mr. Gregory states that Section 6 is their worst case scenario that the Board had expressed some concern about in terms of the high point of the roadway. Mr. Gregory refers to the screen and states what they have shown is that having an exposed rock of four feet high off of the finished road, taking back approximately four feet, and creating a benched area, and then continuing up to meet their existing grade, you can see that compared to the right of the curser, where the original proposed slope was shown. Mr. Gregory states there is some reduction in the area of disturbance associated with the earth work; however, the tradeoff would be exposed faces of rock through this corridor as we continue up. Cynthia asks how long the rock tunnel is going to be. Mr. Gregory refers to the screen and states it will be approximately 30 to 40 feet in this condition, as they approach and go through the high point, which was the knob that had been shown on the driveway profile discussed several Meetings ago. Cynthia refers to the screen and talks about the cut area. Mr. Gregory refers to the screen and states the entire length is a cut but they are not really seeing the exposed rock on both sides until they get up to the point where the darker shading shows an existing stone wall. Cynthia refers to the screen and confirms that up to that point there will be cut. Mr. Gregory refers to the screen and points out where it becomes more severe as they go through the high point. Christopher refers to cut Section 7 and thereafter and asks if it is similar to Section 6. Christopher states a Cross Section was not done for anything past Section 6. Mr. Gregory states they did not continue past Section 6 because the existing grade that is coming off of their high point and their proposed grades are climbing as they go up the hill. Mr. Gregory states they have not prepared any Sections through that area. Mr. Gregory refers to the screen and states they felt that, at a prior Meeting, this was a critical Section, right before they get to the first driveway for Lot 1, because of the highpoint that occurs where the knob is located. Cynthia states aside from the incredible amount of work that will be involved to create this, it seems difficult for her to comprehend, that this will end up as a great entranceway to the style of housing that she imagines is being proposed here. Cynthia states people will basically be driving through a rock tunnel. Mr. Pilch states he would be very reluctant to use the word tunnel. Mr. Pilch states at a maximum height, the stone wall is 13 feet high. Mr. Pilch states that is less than half the height of the wall behind this building, which is about 27 to 30 feet high. Cynthia asks Mr. Pilch how high he thinks the ceiling in this room is. Mr. Pilch states approximately 10 feet. Cynthia states on both sides of the road there will be rock walls. Mr. Pilch states for about 30 linear feet. Cynthia states that was her

question in terms of how long the cuts will be going on for. Mr. Pilch states about 30 linear feet, as the rest of the road will be much less, as may be seen on the other Sections. Cynthia refers to the screen and states she is still seeing 12 feet at Section 1 on one side. Mr. Pilch states on the other side it is minimal. Cynthia states yes, on the other side it is minimal. Christopher states he wouldn't say it is minimal, as it is still higher than a car. Mr. Pilch states it is only a few feet and at that one Station where it traverses a rock knob. Cynthia asks to be reminded again, just to construct the road, what the quantity of rock is to be removed. Mr. Gregory states 6,500 cubic yards of rock will be coming out of the Section between Hawley Road and their last Section. Charlotte states that is a lot of rock. Mr. Gregory states they have consulted with a company that does rock removal and they have confirmed their number, so they feel comfortable with that amount of material. Cynthia states that over 200 trucks will be coming and going with rock. Cynthia asks whether any of the materials will be used on the Site. Mr. Gregory states there are areas where materials may be used on the Site. Mr. Gregory states there are some Sections associated with the individual Lots that would require some fill and some of the material could be processed and placed there.

Cynthia refers to the Hahn Memo and asks if Mr. Gregory agrees that there are some discrepancies in terms of items that he has submitted. Mr. Gregory states yes. Cynthia asks if the discrepancies can be fixed. Mr. Gregory states they will make corrections, but with respect to the exposed cuts, their documentation is accurate. Cynthia states we are going to need the Impact Analysis, and the Public Hearing will be kept open until the Board sees the EAF Part 3 addressing some of these items. Cynthia asks Mr. Gregory if he has any questions in regards to the items the MDRA Memo from Will suggests be submitted at this point. Mr. Gregory asks whether this type of Section is something the Board would like to see. Mr. Gregory talks about trying to show how the disturbance may be minimized that is associated with the road work. Cynthia states the alternative is to have one continuous wall. Cynthia states she is really wondering whether there are safety factors here and asks whether fences are going to need to be installed up above. Mr. Gregory states there are no fences proposed in that area. Cynthia refers to there being a series of four foot walls rather than a four foot wall and an eight foot wall. Cynthia states she is trying to envision this. Mr. Gregory refers to the screen and states, in this particular Section, to the right hand side, they are bringing the rock up to where the rock surface is that they encounter. Mr. Gregory states from that point, up to where they meet their existing grade, it would be regraded in earth at a two to one slope. Cynthia confirms on the screen which area Mr. Gregory is talking about. Mr. Gregory refers to the screen and states the sheer slope or the Section on that rock is up to where the rock surface was encountered on the ground and from that point it is earth which they will taper it back at a two to one earth slope. Cynthia refers to the screen and asks what is on that side of the cut regarding the deeper cut. Mr. Gregory points out the right hand side as they go up the driveway. Cynthia refers to the Station 600 which is further up on the screen. Mr. Gregory states Station 600 to 640 is where they see the severe cut on both sides. Cynthia refers to the screen and points out the front yard for one of the houses. Mr. Gregory states that house is set pretty far back from where the road is. Mr. Gregory states it is private and it is setback. Mr. Gregory talks about how a driver will approach it and states there is a separation there between an earth form and another rock outcropping and then below that towards Hawley Road is their stormwater area which will provide a separation between the two, and an access path would be occurring between those features and the roadway grading. Mr. Gregory states there are items that are worked in that would separate the use of the front area. Cynthia refers to the screen and asks if the area is going to be grass or woods, and whether it will need to be maintained. Mr. Gregory states, in this particular instance, that area would not be disturbed. Mr. Gregory states it would have been disturbed on previously submitted Plans. Mr. Gregory refers to the screen and states the earth will be regraded and restored naturally by seed. Mr. Gregory states they were able to reduce that disturbance for the whole area and points out on the screen where an area will remain as a wooded condition, such as exists there now. Cynthia states she is trying to figure out whether someone has to be right at the edge and maintain something. Will states the question would be how much of the rock will continue that will stay natural. Will refers to the screen and asks how much of the rock will continue at that elevation and asks whether there is vegetation there. Mr. Gregory states they encountered rock at the surface

in those areas. Mr. Gregory states as they walked up their proposed roadway they were seeing rock right up to the surface in some of those areas. Mr. Gregory states they went approximately 20 to 30 feet on each side of where their centerline was. Will states there is some vegetation growing there. Mr. Gregory states there are a few things growing there. Will states it might be hard to augment right up to the edge in order to have plants that cascade down. Mr. Gregory states having some form of a bench there, while it may not be suitable for planting, would allow some factor of safety for anything that were to slide down. Cynthia asks what type of rock this is and wonders if rain gets in there is it the type of rock that, with freezing and thawing, will chip and fall. Cynthia refers to the screen and points out an area that had that issue in terms of breaking and falling. Mr. Gregory states he is not sure. Cynthia states this is something the Board should consider. Mr. Gregory states anything that falls would be the responsibility of the owners for cleaning up any damage that was done. Mr. Gregory states as time goes on the homeowners would be responsible for maintenance. Mr. Gregory states there will be shoulder space and a bench area that would allow for the capture of rock before it goes onto the roadways. Cynthia states she would not be too pleased to create a situation that is going to require a lot of maintenance or be a concern for the future owners of these Lots. Christopher states he is trying to envision anywhere else in Town that is similar to this for the Board to look at and states he doesn't think there is anything. Christopher states this will create massive rock walls on both sides of the entrance. Mr. Gregory states it isn't at the entrance. Christopher states well then throughout. Christopher states there will be between 10 and 15 feet on one side basically all the way through the end of the wall and the end of the road. Cynthia states Station 1 is the entrance. Mr. Gregory states it is about 30 feet in. Cynthia states Mr. Gregory is asking the Board what they think of this design versus a straight one or a long thin one. Cynthia states it is all about quantity of rock and what it looks like at the end of the day. Christopher states initially we had suggested in order to reduce the areas of disturbance to go more severe. Christopher states he is not sure what he thinks. Christopher states it is better not to have disturbance, but on the other hand we are looking at 12 to 15 feet of sheer rock. Cynthia states she is really concerned if every winter or every spring there are going to be a few rocks breaking off and falling down which will become an issue. Frank asks Mr. Gregory how much of a shoulder is being proposed and states there may be an area if rocks were to fall off. Mr. Gregory states at the entrance they do have vegetated swales that are making the shoulder a little bit larger down near the entryway. Mr. Gregory states they are still at about 8 to 10 feet in width in some of these areas. Will states yes, but then it goes down to four. Cynthia states yes, it is reduced. Mr. Gregory states yes, as they go further up. Christopher asks what the grade of the road is. Mr. Gregory states he believes they are at 10%, but will double check that. Will refers to the notch on the screen and asks if it is to save from cutting an area away, or to make it less dramatic. Mr. Gregory states to make it less dramatic. Cynthia refers to it being a type of rock that might break away and asks Frank whether it is better to have a steep slope or a long and gradual slope, or whether it makes a difference. Cynthia states if it breaks away and falls, it will be an issue either way. Frank states if it is going to break away, you would want there to be less of a steep slope. Frank states there will be relatively little traffic compared to a regular road. Frank states even if one lane were to be blocked, a car could still get by, until it is cleaned up. Frank states if you are interested in minimizing the horizontal disturbance, you would pick up four feet on one side, and possibly eight feet on both sides in those areas. Will asks Mr. Gregory how wide the driveway will be. Mr. Gregory states the driveway will be 16 feet with 2 feet of mountable shoulders on each side for a total of 20 feet. Cynthia asks Mr. Gregory to give the Board a comparison of the rock removal for this Plan versus the original Plan and states that might be helpful. Cynthia states Mr. Gregory showed the Board where he originally proposed the regrading to be. Christopher states if regrading were to take place, would topsoil go in so the area would be replanted naturally, or left as exposed rock. Christopher states one of the Board's concerns is stormwater runoff and asks Mr. Gregory if there is any way to mitigate it by putting topsoil back in. Mr. Gregory states by reducing the disturbance that might be some form of mitigation itself. Christopher states that is right, but refers to going back to a slope. Cynthia refers to the screen and states this is the original proposal. Will states that is if there wasn't any rock. Mr. Gregory states that is correct, as they were asked to show what the extent of the work would be if it were earth. Mr. Gregory states in some of those locations where there would be earth regrading there would have been the

need for retaining walls and that is when we had the discussion about where the rock may be. Cynthia states that is right, and now we know it is rock. Cynthia states for the purpose of the Applicant taking the next step, and preparing the Impact Analysis, do we want them to do it on what they are showing with the shelf, or, as Frank has suggested, with one straight cut. Cynthia asks Will whether he has any words of wisdom regarding a shelf versus a straight cut. Will states by not having the shelf there will be more rock cut. Will refers to the screen and talks with Mr. Gregory about how far up they will go if they don't do the shelf. Mr. Gregory states they will continue straight up and from that point be regraded back in the earth so there would be even less disturbance doing it that way and less rock removal. Cynthia refers to the screen and asks whether the math would cancel out. Cynthia states it seems to her that there would be no change. Mr. Gregory states from a volume standpoint that might be correct. Cynthia states the shelf may be an attractive nuisance for kids. Christopher states if we have to go with this design he is more inclined not to have a shelf, but then there would need to be some type of fencing due to a dangerous drop off. Cynthia refers to the screen and states then there would only be fencing at the top and talks about having a second fence if parents are nervous about their kids being up there. Will asks Frank if he knows if New York's Code has a requirement, or is it just if someone builds a wall. Frank states he is not aware of it, but he isn't very familiar with the State Building Code. Will suggests Bruce be consulted. Cynthia states aesthetically the shelf might have some advantage, but for some of the reasons that have come up tonight, the Applicant might be better off to look at one big slope. Christopher states yes, one that is not quite as steep. Cynthia gives an example and talks about there being a long angle versus straight up. Cynthia states it wouldn't change the calculations of the cut. Mr. Gregory states they will figure out what the ratio is between the horizontal and vertical and show something in between in terms of the sheer cut and the two to one grading. Cynthia states let's get started on the rest of the information we need so we may see the full impact of this. Cynthia refers to the screen and states to Mr. Gregory the next time he comes in it might be helpful to mark up on this sheet the extent of the wall cut in terms of the exposed rock figures. Cynthia states that will help the Board envision the length of it along the road. Mr. Gregory states he will also show where the cuts are and what the new limits of disturbance will be. Mr. Gregory states the Board will be able to see visually what the corridor will look like. Mr. Gregory states they will then be able to get an idea as to how much of the area may remain intact between the stormwater feature and the top of the slope. Cynthia states that would be most helpful.

Cynthia states with the resubmission Mr. Gregory will provide the SEQR documents as well. Mr. Gregory refers to a comment in the MDRA Memo about their revising the Plans for regrading and asks if that is something they would be required to do now. Will states that is what we just talked about. Mr. Gregory states he will give an indication as to where the extents are. Mr. Gregory talks about providing some of the information at a later date. Will asks Mr. Gregory how he prepare the Impact Analysis.

Will asks Cynthia whether the Board is taking any public comments. Cynthia asks whether anyone would like to ask questions or make comments. There are no members of the public who wish to speak. Cynthia states the Public Hearing will stay open awaiting the submission of additional materials.

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

- Open Public Hearing
- Consider Written Reports and Comments

Cynthia asks Dawn for confirmation that the Public Hearing Notice did appear in the newspaper. Dawn states yes, it did. Cynthia confirms with Dawn that she has received confirmation from the Applicant of the Public Hearing Notice being sent to the neighbors. Cynthia states the Applicant has also appeared in front of our Zoning Board of Appeals (ZBA), and they have started to consider the review of this Application. Cynthia

states it is a coordinated review under SEQR and there are Use Variances that are involved. Cynthia states we do have a Memo from the ZBA on their first Meeting in regards to the two Use Variances and Area Variances that are required. Cynthia states we received a Memo from the Westchester County Department of Planning, and have two old Memos from the New York City Department of Environmental Protection (NYCDEP). Cynthia states she received phone calls from both of the representatives of the NYCDEP to remind us that the items in their Memos are still open and have not been addressed. Cynthia states we also have Memos from our own Consultants that are still open and have not been addressed. Cynthia states in part, it is because the Applicant did want to get a feel from our ZBA as to whether or not they may consider this Project to move forward considering the Use Variances. Cynthia asks Marc Petrero to introduce himself and his Team, and asks for an overview of the proposal.

Mr. Petrero states he is with John Meyer Consulting and is here with Richard Hein who is the Architect on the Project, as well as Bryan Orser who is representing Fuelco. Cynthia states she believes the Owner is here tonight also. Mr. Petrero states yes, Joseph Bryson is also in attendance. Mr. Petrero states the Project has been in front of the Town for a while and gone through many iterations of the development. Mr. Petrero states they have come to the latest iteration of the Project. Mr. Petrero states the Project is to reestablish a previously existing gas station on the property. Mr. Petrero refers to the Plan he brought with him tonight which shows the prior pump locations, parking, and fencing. Mr. Petrero states there is a larger building and a smaller building on the property and the proposed development will be to demolish the existing larger building, which is approximately 2,500 square feet, and propose a smaller 1,800 square foot convenience store with associated pump locations. Mr. Petrero states the pumps will generally be in the same location as the previous pumps. Mr. Petrero refers to the Plan and points out the proposed building and the fuel pumps. Mr. Petrero points out where there will be four fuel pumps for a total of eight fueling positions, as well as one more remote fueling location to provide diesel fuel, as well as gasoline, for a total of nine fueling positions on the property. Mr. Petrero states the smaller existing building to remain is for the towing and repair facility that currently is on the property. Mr. Petrero states the development will include curbing, site layout changes, as well as parking associated with the convenience store. Mr. Petrero states there will be a retaining wall in the back where the property borders the I-684 right-of-way. Cynthia brings that Plan up on the screen. Mr. Petrero refers to the screen which shows the Landscaping Plan and states they are trying to maximize the amount of landscaping wherever they can on the property. Mr. Petrero states there are underground storage tanks for stormwater that they are proposing, as well as reusing the existing septic system. Mr. Petrero states some of those areas may not be planted on due to the underground units. Mr. Petrero states they did prepare a Traffic Study as well as a Stormwater Pollution Prevention Plan (SWPPP) for the Project. Mr. Petrero states the Traffic Study was reviewed by the Town and generally accepted based on the last Memo from Maser Consulting. Mr. Petrero states the Hahn Memo did have comments in regards to the SWPPP. Mr. Petrero states he is in the process of making the necessary revisions, as well as addressing the NYCDEP related items. Mr. Petrero states they will be working with the County in regards to their Memo and states the property is bordered by a County Road, which is Hardscrabble Road. Mr. Petrero states Fields Lane, even though it is actually a Town Road, was constructed when I-684 was constructed and the land from the edge of Fields Lane to the property line is still New York State land. Mr. Petrero states they will obtain a Highway Work Permit from New York State. Mr. Petrero states they are proposing landscaping in the front between the two proposed driveways that will require a Use Permit from the New York State Department of Transportation (NYSDOT). Mr. Petrero states they have submitted Plans to the NYSDOT to begin the process for both of the Permits. Cynthia asks Mr. Petrero if he brought the Architectural Plans with him or should she put them up on the screen. Cynthia states there were comments from the ZBA. Cynthia asks if this Plan is the one the ZBA looked at. Mr. Hein states this Plan shows their response. Cynthia states if she remembers correctly the ZBA suggested it wasn't necessary to have the cupola on the top of the building, and requested to have the dormers a little bit smaller. Mr. Petrero states the Plan he brought with him shows the revisions based on the ZBA comments. Cynthia states normally we would send the Applicant back to the Architectural Review Board (ARB), and at some point we will.

Cynthia introduces Gerry Reilly who is with us tonight and states he is sitting in for Roland Baroni. Cynthia asks Jerry if that will become a Condition of their Approval. Gerry states the ZBA made comments in terms of how the building will look and took this very seriously. Cynthia states she doesn't know whether the Planning Board should weigh in and resend it to the ZBA or just let it go. Christopher states if the ARB is going to be looking at it he thinks they have more expertise than we do. Cynthia and Charlotte agree. Will states there are open issues, and during the time the Applicant is dealing with that, the ARB could be looking at it. Cynthia states absolutely, we could send the Applicant back to the ARB. Cynthia refers to a ZBA comment in regards to the windows. Mr. Hein states the windows have been subdivided with historically correct muntins. Cynthia states that is very nice. Mr. Hein states the last comment was in regard to the field stone veneer. Mr. Hein states they have a sample in the car if the Board would like to see it. Mr. Hein states it is New York State Field Stone and they are proud of it. Mr. Hein states it is truly native stone. Cynthia states that is great. Christopher states that is terrific. Mr. Hein states the ZBA comment was very appropriate. Cynthia states she is glad the ZBA picked up on that. Cynthia states she believes the Planning Board had been shown the field stone for the sign and assumed it would also be on the building. Cynthia refers to the conditions of the Site right now and states when the NYCDEP called her and asked about the soil testing for the stormwater purposes, they said they thought the NYSDEC would be requiring soil testing anyway because of the nature of the business. Cynthia states her reply was that it probably already happened when the tanks in the front were removed, but she would check into it. Cynthia states she had a conversation with the Building Inspector and he said back in 2007 there was a sign-off by the NYSDEC when the old tanks were removed and he mentioned that a waste oil tank had been removed which was examined and had no sign of leakage. Cynthia states that leaves just the diesel. Cynthia states there is a diesel tank there now, and the proposal does include the sale of diesel. Cynthia asks whether the diesel tank is coming out, and a new one going in. Cynthia asks whether there is any soil testing involved. Mr. Petraro states the current tank that still resides on the property is an above-ground tank adjacent to the building which is going to be removed. Mr. Petraro states the proposed tanks are going to be underground. Cynthia states it seems to her that there is no need to question about another soil test since all of the other tanks are gone. Cynthia confirms with Mr. Petraro that all of the other tanks are gone.

Cynthia asks the Board whether they have questions at this point before she opens up the floor to the public. The Board has no questions. Cynthia refers to the Memos that the Applicant has received so far and asks whether there are any issues in regards to responses or if clarification is needed. Mr. Petraro states generally the questions are mostly technical that will be addressed going through the Site Plan Approval process. Cynthia states we are going to keep the Public Hearing open until the Applicant makes the first round of responses. Cynthia asks Mr. Petraro how quickly he will be able to get in his responses to the City Memos as well as the Memos from MDRA and Hahn. Mr. Petraro states he knows the NYCDEP asked for a determination in regards to SEQR, so they cannot finalize their Memo, but can address some of their other items. Mr. Petraro states they can address some of the NYCDEP items after there has been a SEQR determination, as well as the NYSDEC and the County. Cynthia confirms with Mr. Petraro that he will be making another submittal while the Public Hearing is open.

Cynthia opens up the floor to the audience and asks if there is anyone who has questions or comments. There are no members of the public who wish to speak.

Will refers to Comment No. 4 in the Westchester County Department of Planning Memo in regards to green building technology and bicycle parking and asks Mr. Petraro whether he has any reactions. Mr. Petraro states he has no reaction yet as far as what may be done in regards to green building technology, and they do not see substantial bike traffic being generated due to this development, therefore a bike rack is not being proposed as part of this Application. Mr. Petraro states they will look into the other practices listed in the Memo. Mr. Petraro states they do not want to deter from the look of the development. Will states it might be helpful when

Mr. Petrero makes his responses to the MDRA and Hahn Memo, and the other outstanding Memos, that he include a response in regards to No. 4 in the Westchester County Department of Planning Memo. Cynthia asks whether Mr. Petrero has had a further conversation with the County Department of Health in regards to the septic situation. Cynthia states she is getting the impression that the City thinks there is going to be an expansion. Cynthia states the documentation from the Applicant implies that the same size septic will be used. Mr. Petrero states that is correct as the bathroom will be private for the employees only. Mr. Petrero states they have not spoken with the Department of Health recently and will address this with them.

Cynthia confirms there are no further comments and states the Public Hearing will be kept open. Cynthia asks Mr. Petrero if he knows how quickly he will make the next submission. Mr. Petrero states he doesn't know at this time. Cynthia states hopefully it will be soon. Mr. Petrero states they will try their best.

REGULAR MEETING:

3. Bridleside/Salem Hunt Site Development Plan (owner – June Road Properties, LLC)
(location – Bridleside Lane)

- Consider Recommendation of Release of Stormwater Performance Bond in the amount of \$480,000.00

Cynthia states the Bridleside development has been completed, has all of the COO's, and is fully occupied. Cynthia states according to our Stormwater Regulations we have to wait one year and have one more Inspection before the Performance Bond is released. Cynthia states Will and Frank should earmark this to take a look at it because there probably would have been a Maintenance Bond once it is finished rather than a Performance Bond. Cynthia states the Building Inspector did go out for his final Inspection and sent us a Report recommending that everything is fine and the Board may recommend the Release of the Bond. Cynthia reads the Draft Resolution and confirms the Board has no questions or comments.

Chairwoman motions that the North Salem Planning Board hereby recommends that the Town Board consider releasing Stormwater Performance Bond No. 015-038-016, in the amount of \$480,000.00, from Liberty Mutual Insurance Company, for June Road Development LLC, as per the Recommendations of the Building Inspector Bruce Thompson who is also the Stormwater Management Officer. Charlotte Harris seconds. All in favor. No opposed.

4. Railyard (former Lakeland Lumber): Don Rossi (owner – Rylan West Realty, Inc.)
Site Development Plan (location – 621 Route 22)

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

Cynthia states we have Don Rossi here tonight who is the Attorney for the Applicant and asks him to introduce his team before we go over the Reports. Mr. Rossi states Ed Delaney is with us tonight from Bibbo Associates. Mr. Rossi states Mr. Delaney has been involved with this Project, although not to the extent Tim Allen has been. Mr. Rossi states Mr. Delaney has been the point person with the Health Department and it will be helpful to have him here tonight to discuss those aspects. Mr. Rossi states they have Memos from Hahn and MDRA. Cynthia asks Mr. Rossi to introduce the Owner. Mr. Rossi states Erik Ryzerski is here tonight and he is a Representative of the Owner. Mr. Rossi states the Owner is an entity by the name of Rylan

West Realty, Inc. Mr. Rossi states Mr. Ryzerski is technically the Tenant of the property, and his family owns the property. Mr. Rossi refers to the Memos and states he would like to go over the basic provisions. Mr. Rossi states initially a couple of conceptual provisions run through both Memos. Mr. Rossi states this has to do with stormwater, SWPPP Requirements, and disturbance of the Site. Mr. Rossi states they would like to obtain permission from the Board for Mr. Delaney to speak directly with the Town Engineer to reach some consensus on the issue of the disturbance. Mr. Rossi states they basically have here a Site that is significantly developed. Mr. Rossi states there will be buildings that will be removed, extensive repaving, and removal of the slab concrete structures through the center of the Site. Mr. Rossi states that one might argue that a lot of that work does not constitute land disturbance as defined in the applicable Regulations. Mr. Rossi states they certainly have disturbance on the Site and believe, once it is looked at and analyzed, it is probably over 5,000 square feet, which is a magic number under the Town Code, but not as extensive as the entirety of the Site, which is approximately 1.9 acres. Mr. Rossi states they do not think a lot of it should be considered disturbance. Mr. Rossi states the bottom line of it is that they will work to come to an arrangement and an agreement with the hopes of coming to a SWPPP that would involve erosion and sedimentation control factors, but request from the Board that they would not have to do a full-blown SWPPP that would include water quality controls. Cynthia states that is a Board decision. Cynthia states we should take a moment right now to just roughly go over what we are talking about here. Cynthia refers to the screen and points out the building that is going to be removed. Cynthia states she would like to walk through the disturbance. Cynthia states this does not only have to do with the removal of the buildings and the re-creation of the parking, but it is the trenching of removing pipes and adding waterlines. Cynthia states there are a whole series of wells going in that will have a series of pipes to bring heating back to the building. Cynthia refers to all the trees that came down in the back. Cynthia states at the end of the day, when all of the macadam is roughed up and the planting areas are created, it seems to her that there will be a substantial amount of disturbance. Cynthia asks Mr. Delaney to walk the Board through it and we will see if they agree with the basics. Will states when he talks about disturbance, there are two different types. Will states there is disturbance from the point of view of physically disturbing something which is one category, and the other is how much of that disturbance will be the stormwater number to deal with in terms of determining what type of SWPPP should be done. Will states there is physical disturbance, and the sub-component of the net which is the SWPPP related disturbance. Mr. Rossi states one of the things this has spurred on his part is to take a look at the different Regulations that are involved. Mr. Rossi states they also are influenced somewhat by the NYCDEP's Definition of Disturbance which kind of contemplates impervious surface in existence replaced by impervious surface. Will states that is stormwater related and the 5,000 is a State Regulation. Mr. Rossi states ultimately the real bottom line is what does the Town Code require. Mr. Rossi states if there is more than 5,000 square feet of disturbance there needs to be a SWPPP and the Board, in its review, can evaluate the Project to determine the extent of the SWPPP. Cynthia states that is right, but we are going to continue with this exercise and have Mr. Delaney tell us about all of the disturbance. Cynthia states we will then have Frank comment on what aspects he feels falls under the stormwater part of it. Mr. Delaney refers to the Plan and states he would like to start with the destruction and demolition. Mr. Delaney points out a portion of the buildings that will be coming down forever. Mr. Delaney points out buildings that will come down and be rebuilt in the same footprint. Mr. Delaney refers to the Plan and talks about the disturbance associated with the waterlines, drains, and running a sewer line down to the new septic tank, as well as the disturbance behind the buildings. Mr. Delaney states it is impossible for them to make the argument that it is less than 5,000 square feet. Mr. Delaney states it is definitely under an acre. Mr. Delaney states they know what they have to do in regards to erosion and sedimentation control if this were a house site. Mr. Delaney states they are going to be disturbing vegetative cover and there will be silt. Mr. Delaney states 98% of this is impervious surface that will be disturbed in regards to parking or buildings and they cannot put silt fences up. Mr. Delaney states they will be protecting the drainage inlets. Mr. Delaney states when they meet with Frank they will see where the in between is that may go to secondary treatment. Mr. Delaney refers to the septic system and states the reason why they can't possibly do infiltrators is because they are not allowed within 50 feet of it. Mr. Delaney states they are on sand

and gravel otherwise it would be perfect for this type of thing. Mr. Delaney states they will talk about a possible treatment of an aqua swirl or some sub-surface treatment that will meet the intent of the Code between the 5,000 square feet and the 1 acre. Mr. Delaney states right now, the erosion and sedimentation control for a construction project like this means protecting the stockpiles on top of the pavement while they are building, which may be done by tarping and surrounding it with hay bales. Mr. Delaney states this is a different job than would be associated with subdivisions and new house sites. Mr. Delaney states this is a weird situation when dealing with something that is all pavement.

Cynthia asks whether eventually most of the pavement will be taken up and redone. Mr. Delaney states no, most of it will be refinished. Cynthia confirms the areas will be patched and repaved over. Mr. Delaney states everything that is paved now will continue to be paved. Cynthia states she knows it is going to end up being paved. Cynthia states her question is whether the pavement will be lifted up so that new pavement could be put down, or weather cutting and patching will take place. Mr. Delaney states if there is a hole they will be filling it in and repaving over it throughout the whole Site. Frank states this is where the large amount of possible variation from the original disturbance amount, which has been stated to this point, versus what it could be. Frank refers to the Stormwater Regulations in regards to disturbance and talks about someone repaving over pulled up pavement that comes within six inches of the bottom of the sub-base or item four. Frank states if you have anything less than nine inches, or three inches of pavement and six inches of existing item four, if you take off the top three, and leave the bottom six there, you would be okay, and it is not disturbance. Frank states if there isn't six inches of item four under there, or the whole thing isn't eight to nine inches, then if you pull up the pavement and there is only an inch of item four there, technically, that could be in the disturbance category for the SWPPP, which will run the numbers up. Mr. Delaney states he doesn't disagree. Frank states he has asked for detail in regards to the what the re-pavement will be. Frank refers to the Plan and states they have it delineated by the little fence and have stated the area to the south is going to be repaved, and the area to the north is going to be patched. Frank states potentially the whole patched area could be disturbance, or none of it could be disturbance. Cynthia states ultimately where are we going with this is whether there are opportunities to introduce some practices. Frank refers to the worst case threshold if the Site is near one acre and everything were to be disturbed, and states the requirements aren't limited within the property line and that is why we were asking questions about off property disturbance. Frank states the front portion of the Site is proposed to be repaved. Frank states there is a new storm drain being proposed off the property and a new water line. Frank states he was looking for a breakdown in order to get to a total. Cynthia states there is an area coming up for plantings. Will states we have talked about this several times, and notwithstanding the stormwater aspect, he has asked these questions a few times. Will refers to an area on the Plan and states he thought it was proposed to be repaved, and another area would be patched. Will states that a lot of money will be spent in order to make this a nice looking place and he isn't sure whether the Applicant is going to want to just patch this area. Will states the area should have new pavement. Mr. Delaney states they don't disagree with that either. Mr. Delaney refers to offsite impact and states there are a couple of graphical mistakes on the Plan. Mr. Delaney refers to a pipe on the Plan and states they have no desire to rip it out. Mr. Delaney states they will not be doing any excavation in the DOT right-of-way. Mr. Delaney states they are going to approach DOT to see about obtaining permission to repave without a Permit, or with a minor Permit. Mr. Delaney states if the DOT does require a Permit they will adjust their EAF and announce them as another Agency. Mr. Delaney states in their subsequent drawings they have stopped at the property line with their drainage and are simply just intercepting the existing pipe that is there. Mr. Delaney states there will be no construction in the DOT right-of-way. Mr. Delaney refers to the Plan and points out an existing 12-inch metal pipe which will remain. Mr. Delaney refers to another catch basin that will go in on the property. Mr. Delaney states they try to avoid agencies, including the NYCDEP. Charlotte asks whether the repaving will entail going over the existing macadam and will not entail tearing anything out. Mr. Delaney states that is correct, as a lot of it is in pretty good shape. Charlotte confirms there will just be an extra layer. Frank states a lot of the pavement is broken up, especially in the front. Cynthia refers to the screen and states there used to be a curb in

the front. Cynthia asks if the area is going to be repaved whether the curb will disappear. Cynthia states it might have been a sidewalk at one point which may be the reason for the curb. Cynthia states everyone kept parking head in towards the building. Mr. Delaney states the curb is not there now. Cynthia asks whether there is any evidence that there was supposed to be a sidewalk there. Mr. Delaney states there is no room for it. Cynthia asks whether the Applicant anticipates any issues with the DOT. Mr. Delaney states no. Mr. Delaney states they will ask the DOT whether they will allow them to go in and fix the pavement. Mr. Delaney states he just went through the DOT in regards to jobs in Mt. Kisco and they were very cooperative. Mr. Delaney states he was told by the DOT that the Town should make those decisions. Cynthia states she just wonders whether the DOT might pull out an old Plan that shows two curb cuts because she remembers when there was a sidewalk there.

Cynthia states she doesn't have a problem with allowing the engineers to sit down and resolve some of the issues, but wanted to go through this exercise tonight. Cynthia states that Frank doesn't make decisions on his own and in this case he works with the Board. Cynthia states the Board takes the recommendations from Frank very strongly. Cynthia states she thinks it is good to have this conversation with the Board so we may give Frank some direction if we do agree for the engineers to meet in order to get some of these issues resolved. Frank states if we have all of the breakdowns and everything falls between 5,000 square feet and 1 acre, then we will refer to the Town Regulation whereas the Board has the discretion as to whether they want to require any post-construction practices or not. Frank states we have flexibility. Frank states in the past, the Board has looked for some sort of water quality and mitigation to some extent. Frank states there are things that could be done to provide some water quality benefits that aren't the whole nine yards as if we had to go by the State Manual. Frank refers to hydrodynamic separators that might be able to pick up some concentrated runoff that is in the pipes, pervious pavement, or stormwater planters that could be strategically located at the downspouts of the buildings or the covered areas. Frank states they would pick up runoff and sit on the surface. Frank states they would filter the water out again and probably won't take up all that much room. Frank states the design criteria that they would use does not have to be for the one year rainfall; we could go as if it were a retrofit practice because this is a redevelopment project. Mr. Delaney states it is a Chapter 9 project. Frank states 90% rainfall and 1.3" might be appropriate to use here. Frank states the Applicant should see what could be done which would provide some sort of mitigation for water quality without severely impacting what he is trying to do. Cynthia asks Mr. Delaney if he thinks his office can come up with a few of those practices. Mr. Delaney states yes they will look at it. Mr. Delaney states he believes he and the Town Engineer are on the same page here. Cynthia asks whether the Board has a problem with the engineers meeting. Gary and Charlotte state they do not have a problem with it. Charlotte states it is a good idea. Cynthia states she will leave it up to Mr. Delaney and if he can sit down and do some of these practices that Frank has mentioned, he may not need a meeting, but if he does need to have a conversation with Frank or wants to sit down to go over the Plans, we can make it happen. Mr. Rossi confirms they will look into the calculations for the disturbed area, as well as look at potential practices for water quality. Mr. Rossi refers to the two Consultants Memos and states once they work on these two issues, that will cover a number of the comments.

Mr. Rossi refers to the signs and states he has not seen the renderings of the elevations, but he does know from the pdf's that he has seen there will be a free-standing sign in the front that has been moved back in order to meet the setback requirement. Mr. Rossi refers to the pre-existing sign that will be moved back. Mr. Rossi states they may need relief from the Board, either by a Waiver or a Variance in regards to the signs that are proposed for the walls. Cynthia refers to the screen and confirms the sign that will be relocated and confirms the sign on the other side is going completely. Cynthia states she will bring up the Architectural Plans. Cynthia states there will be three businesses so there will be the need for three façade signs, or will have one name out front and everyone else will figure out how to have signs later on. Mr. Rossi talks about having a balance between unsightly signs compared to signs that are properly designed for the building that would give

notice to people in terms of what businesses are in there. Mr. Rossi states talks about safety issues and refers to someone looking for Somers Acupuncture, for example, being able to readily see it on their sign. Mr. Rossi states he doesn't think the Code permits the number of wall signs that they have on their Plan. Mr. Rossi states it would permit the Railyard sign subject to confirming it. Cynthia states she believes the Code does allow for façade signs per Use. Cynthia states that is what we did at North Salem Center. Cynthia states it is a lot easier when the building is long and there is a front for companies a through c. Cynthia refers to the Plan and states the signs may not exactly line up with how the interior space is, but she thinks the Board can work with the Applicant, and worst case scenario we would have to send him for a Variance. Cynthia states she doesn't have a problem with nice, tasty façade signs for each business. Cynthia asks whether a big Railyard sign will still be needed. Mr. Rossi states yes and they will also need signs on the north side so that people parking the rear would know where to go. Cynthia states those may be interior directional signs. Will states the key is to obtain a little more detail on the Plans and reconcile with the Standards in the Code in order to get an answer in terms of size. Cynthia states our intent was to allow the same size façade signs for each business on the front. Cynthia states that calculations need to be made according to the length of the building in terms of the percentage. Cynthia asks Will how we should view a sign on the back door of a building. Will refers to seeing what the Code allows. Mr. Rossi talks about whether the Board is comfortable with the general layout. Christopher agrees as long as it looks nice and is representative of the aesthetics and the businesses. Cynthia states we prefer not to give Variances due to the size, and like to keep within the proper lettering size. Mr. Rossi states he read something that listed a 2 x 15 wall sign that had been permitted. Cynthia states if Mr. Rossi wants to call her, they will go over it.

Mr. Rossi refers to square footage as it relates to parking and Health Department Requirements. Cynthia refers to one document that the Applicant submitted from the Health Department and states it seemed odd in that it mentioned a very small square footage and she doesn't know what that meant and what the purpose of that particular document was. Cynthia states certainly we are seeing a lot more square footage here. Mr. Delaney states there is a line on the form for the Construction Permit with the County Health Department and everybody lists 1,500 to 2,000 square feet plus or minus for commercial buildings. Mr. Delaney states it has nothing to do with their review. Cynthia asks how the Health Department receives communication with the exact figures. Mr. Delaney states they explained to the Health Department that this had been the lumberyard and explained what it had been used for and the number of employees. Mr. Delaney states they calculated the amount of retail/office space that the lumberyard was using. Mr. Delaney states they calculated the amount of retail/office space that the Railyard will be using. Mr. Delaney states the Health Department does not count storage areas in their calculations. Mr. Delaney states the Health Department made a determination that this is not a change in Use; it is a similar Use with no change in the amount of wastewater generated, and no change in the nature of wastewater generated. Mr. Delaney states the Health Department wanted them to relocate the septic tank and make it bigger, as well as put it in an area that met Code, which would be 50 feet away from the existing well that is there. Mr. Delaney states they did that and obtained an Approval which is in the file, and it also shows two bathrooms from the back building coming forward into the new septic tank. Mr. Delaney states the Health Department acknowledged the bathrooms in the back also. Cynthia asks Mr. Delaney if he has an Application that is stamped by the Health Department. Mr. Delaney states the Board has it. Cynthia states we just have the one that lists the septic tank relocation information. Mr. Delaney states the Board has a Permit and a Plan stamped by the Health Department. Mr. Delaney states the Board does not have the Floor Plans stamped by the Health Department. Cynthia states she does not recall seeing those documents and believes the Board only received the one document. Cynthia asks Mr. Delaney to submit the rest of the documentation. Mr. Delaney states the tank has been installed and the Health Department has already inspected it and given their Approvals. Mr. Delaney states the Health Department wants them to file an as-built now. Mr. Delaney stated to the Health Department that everything is going to be coming down around the tank so it is going to be tough to file an as-built plan now. Cynthia states the main reason for the Consultants comments is because we have not seen the documentation. Will asks how the Health Department

equated the medical to the pre-existing. Mr. Delaney states they used the same number of employees. Mr. Delaney states one or two employees and 15 gallons a day. Mr. Delaney states retail and office space are both similar. Mr. Delaney states the septic system that is there has been existing for a few years. Mr. Delaney states the Health Department was not that concerned about it and because there is no change in Use, they did not refer them to the NYCDEP. Cynthia states we just need to see that documentation because all we have is the single sheet that didn't make any sense. Mr. Delaney states the Board will get the Plans signed by the Health Department and the Floor Plans also signed by the Health Department. Will states that is not the only square footage issue. Mr. Delaney refers to the water supply and states they have an existing well that is in pretty good shape. Mr. Delaney states they need to determine whether they will use that well or not. Mr. Delaney states if they don't use the well and tie into the Croton Falls Water District, that has nothing to do with the Health Department. Cynthia states that is correct, you have a right to do that because you are a member of the District. Mr. Delaney states that was one of the Consultant comments. Mr. Delaney states if they do decide to do the waterline they will take care of those particulars down the road. Cynthia states the Applicant would need to communicate with VRI and Hahn's Office. Cynthia states that is all about backflow. Will states if you abandon the well, you will need to go to the Health Department. Mr. Delaney states no, not in this County. Cynthia states there is an interesting heating system going on. Mr. Rossi refers to the square footage and states they have used net office areas in connection with the calculation of parking spaces, not storage areas and the like. Cynthia states the Code says you have to do it. Cynthia states the Board is not opposed to adjusting the number of parking spaces, but that is how you are supposed to do the calculation on the gross. Will states they left areas out altogether. Will states they didn't count it as storage or office and it has to be in some category. Mr. Rossi states they will revisit the calculation. Mr. Ryzerski states the hallways and bathrooms were left off. Mr. Rossi asks whether the Board is satisfied with the number of parking spaces. Cynthia states she will bring that Plan up on the screen. Cynthia states she understands how the parking is proposed to be intended and states hopefully there will be great cooperation. Cynthia refers to the screen and points out the loading zone. Cynthia states if it is 7:00 a.m. in the morning and the garbage truck comes and wants to get to the dumpster, and people are parked there, how is that going to work? Mr. Ryzerski states that dumpster is owned by him. Mr. Ryzerski states that is a dumpster he loads on the back of his truck. Cynthia asks where the garbage receptacle is going to be where the people hired by the Town would come in, or someone who may be contracted separately. Mr. Ryzerski refers to a shed that will be utilized for the people in the front. Cynthia confirms the location of the only access the garbage people will have to worry about. Cynthia refers to the dumpster and asks Mr. Ryzerski how it is going to work. Mr. Ryzerski states it works the way he has been using it by putting debris in it and taking it to the dump when it is full. Cynthia confirms that Mr. Ryzerski will be taking the debris himself. Mr. Rossi refers to there being a private hauler. Cynthia states if everybody came and left at the same time all of the cars could be packed in, but it is still mindboggling how some of the parking spaces are going to work. Cynthia states there has to be cooperation between Mr. Ryzerski and the various tradesmen who will be his tenants. Cynthia states she imagines these details will be worked out in a Lease. Mr. Rossi refers to his offices that are on Starr Ridge Road and states they have a dumpster enclosure and there are a couple of parking spaces that could conceivably impede the truck from backing into it. Mr. Rossi states if the truck driver cannot take the materials they will come back the next day. Cynthia states the important thing is that there are enough spaces being designed for the public who are going to come and visit the retail stores and the employees who will need to park. Cynthia points out the retail and employee spaces on the screen and states neither of them will be towards the back. Cynthia states an employee will walk to the back in order to take out a vehicle that belongs to one of the businesses. Will refers to the screen and talks about the numbers not changing based on the square footage. Will states he mentioned this in his Memo. Will refers to the screen and points out three spaces that are technically the standard spaces. Will states they are still for employees, so they may be in the back.

Mr. Rossi refers to a comment from MDRA in regards to fencing and states they would like to stick with the black vinyl type fencing around the Site. Mr. Rossi states there is a chain link fence that will be replaced with

new fencing. Cynthia brings up the Site Plan on the screen. Mr. Delaney states in conversations with the neighbors, the black vinyl type is what was asked for. Mr. Ryzerski states there is a six foot high cedar fence and as it goes around the Maple Tree it will morph into the black chain link which will be hidden by landscaping. Cynthia states she doesn't have a problem with black fencing; she does have a problem with the slats. Mr. Ryzerski states there are no slats on that elevation. Mr. Ryzerski states there wouldn't be any slats on any of this. Cynthia asks Mr. Ryzerski to repeat the type of fencing. Mr. Ryzerski states it would be black chain link fencing. Cynthia asks how high it would be. Mr. Ryzerski states five feet high. Cynthia asks the Board whether they have a problem with black chain link fencing. Gary states Mr. Ryzerski mentioned that the neighbors are comfortable with it. Mr. Ryzerski states he did speak with the neighbors, as originally he was thinking about putting a hedge there, but they were concerned about security. Mr. Ryzerski states now there will be the combination of a fence that will allow the hedge to grow on one side so it gets light. Christopher states he doesn't especially like chain link fences. Cynthia refers to the screen and confirms a location where additional hedges will go in. Charlotte asks where the cedar fence is located. Mr. Delaney states it is near the Maple Tree. Cynthia refers to the screen and asks if a fence will go along the line. Mr. Ryzerski states that is the existing fence that they are going to repair. Mr. Ryzerski states there is a section that is fine and a section that will be replaced. Cynthia asks if it is chain link. Mr. Ryzerski states yes. Cynthia asks if it is black. Mr. Ryzerski states it is galvanized. Cynthia states there will be galvanized fencing in one direction and black in another. Will states there will also be stockade in between. Charlotte states black looks better than galvanized. Mr. Ryzerski states it can be painted. Mr. Ryzerski states they could even replace the fence. Mr. Ryzerski states it is there, and it is not in horrible condition. Mr. Ryzerski states it could be painted black very easily. Cynthia asks whether Mr. Ryzerski talked to the neighbor about black chain link. Cynthia asks whether this is an area where there is an opportunity for planting. Mr. Ryzerski states his idea was to continue the Arborvitaes on the side, but he doesn't know how will they will do next to a six foot high fence. Mr. Ryzerski states the neighbor did not want Arborvitaes there. Mr. Ryzerski states without a fence or plantings, people will just be looking into the neighbors' back yard. Mr. Ryzerski states the neighbor has a lot of exposure there because there is no elevation change. Mr. Ryzerski states it comes in at grade. Cynthia refers to the screen and asks whether there is a wall there or whether it is at grade level. Mr. Ryzerski states it is at grade. Cynthia asks if there is any opportunity, for stormwater purposes, to put something in there. Mr. Delaney states possibly. Cynthia states she is referring to plants. Mr. Delaney talks about the 50 foot restrictive distance. Mr. Delaney refers to the screen and talks about getting the drainage down as far as possible before it is treated. Mr. Rossi states this is also a sensitive area in terms of the traffic flow. Mr. Rossi states the fence is something that Mr. Jacobsen feels comfortable with that will block the view towards the contractor's site. Mr. Delaney states there is additional landscaping on the other Plan. Mr. Ryzerski refers back to the comment about the slats and states the only place slats would be are in front of the outdoor storage area. Will refers to the stockade fence and asks who gets the good side. Cynthia states the neighbor has to get the good side according to our Code. Mr. Ryzerski states both sides are the same.

Mr. Rossi refers to EAF comments and states several of them will be addressed by the site disturbance and stormwater issues. Mr. Rossi states one of the comments was that the Plan should be referred to the NYCDEP. Mr. Rossi states he believes they have a clear situation here where they are under the two-acre threshold, and the NYCDEP does not have involvement. Mr. Rossi states they would like to not have the NYCDEP involved at all in this rehabilitation project. Cynthia refers to the NYCDEP and asks Will whether that was a suggestion just based on the stormwater aspect. Will states no, in general, we coordinate with them. Cynthia states we do, and it will get circulated to them, but it will not be identified on the EAF. Mr. Delaney states it is not a requirement to go to them under their Code for stormwater or septic. Cynthia states that is right, so when the EAF is done, the NYCDEP is not shown as a permitting agency, but we always circulate to them anyway. Mr. Rossi states they would be interested, not involved.

Mr. Rossi refers to the comments related to traffic and states he believes everyone recognizes the Project for

what it is and compared to what used to be there, and they would like to avoid having to do a Traffic Analysis. Mr. Rossi states this is not a State Highway, it is an intersection that is regularly traveled and he does not think they are going to be doing anything that will exacerbate levels of service anywhere. Mr. Rossi states they are adjacent to the Croton Falls Business District. Mr. Rossi states they would like to ask the Board to Waive the requirement for a Traffic Analysis and take note for SEQR purposes that a consideration has been made of it and the proposed Uses will not create a situation that would worsen existing conditions. Mr. Ryzerski states they will be improving the flow in and out of the Site and by getting rid of the parking in the front, which was a major problem, he foresees a lot less traffic than the lumberyard had. Mr. Ryzerski states clearing up the entrance and the exit will be a huge step in the right direction. Mr. Rossi states the real key item with regard to a potential for a Traffic Analysis is whether they are going to be increasing problems relative to cuing. Christopher asks Mr. Rossi what he is referring to. Mr. Rossi states he is referring to existing conditions on Route 22. Mr. Rossi states that is a basic consideration for this Board. Mr. Rossi states we know that there was a lumberyard there and we know the extent of the Use that is going to be made of this Site. Mr. Rossi talks about whether they will be creating changes in levels of service on Route 22 and the intersections of the Croton Falls Business District by virtue of this Project. Mr. Rossi states he does not think there is enough activity projected for this Site based on the Use. Mr. Rossi states if they were doing something that would add 30 or 40 cars at peak hours to an intersection that could impact the cuing situations at the light at Route 22, but they do not think this Project has the potential for that. Christopher asks what the retail hours of operation will be. Mr. Rossi states overall the addition of 26 to 30 cars at a certain time will not change levels of service which is what a Traffic Study is typically asked for. Mr. Rossi states he does not think this is going to change the extent of the traffic congestion that might exist. Will refers to the businesses and states they are probably going to be off-peak. Will refers to the business Mr. Ryzerski has and asks whether it will primarily be on the weekend. Mr. Ryzerski states yes, mainly on Saturday. Will states the medical office will probably be off-peak from the commuter traffic or just after it, and extend past it. Will confirms with Mr. Ryzerski that the tradesmen will come in at approximately 6:45 a.m. Will states that may coincide with peak, but it will be a small number. Mr. Ryzerski states they are usually gone by 7:15 a.m. Will states if anything, there will be a delay with exiting into the traffic. Will states we could also check general traffic rates to see if they are similar. Will states he was not referring to a Traffic Study. Charlotte states not having anyone backing out on Route 22 will make a big difference. Cynthia states the real issue is that the vehicles leaving the Site in the morning may not get out as quickly. Cynthia states during the day with the retail it is probably the same impact as the lumberyard had. Cynthia states there will be more employees parking here than the lumberyard had. Cynthia states they will get in, but the trucks may not get out that quickly. Cynthia states if they are turning right they might be okay, if they want to turn left they will sit and wait like all the rest of us do in Croton Falls. Mr. Ryzerski states their deliveries will be more typically happening during the middle of the day. Mr. Ryzerski states his deliveries occur when no one is there. Cynthia asks whether it would be helpful for the record if the Applicant did a summary of how they anticipate the traffic to work, including the hours and number of employees. Will states it would be helpful.

Cynthia asks Mr. Rossi how quickly he can turn around the responses. Gary states our next Meeting is in three weeks. Cynthia asks Mr. Rossi if they can get something in within the next week. Cynthia states since we just had the conversation about stormwater and there is more clarity with respect to what we are looking for, how quickly can something be submitted. Mr. Delaney states in theory, if he and Frank sit down and reach an agreement on what the engineering is, a submittal may be done relatively quickly. Mr. Delaney states whether designs can be generated the next day is not going to happen. Mr. Delaney states they certainly are within striking distance here with everything they have discussed tonight. Mr. Delaney states the Board is not going to see a lot of changes on the Plan. Mr. Delaney states the Board is not going to see buildings being moved around. Cynthia states hopefully we will see changes due to practices being added.

Mr. Rossi states he believes they are at a stage where they could be referred to the ZBA. Cynthia states we

should very quickly go over what the Variances are. Cynthia states she believes they are summarized in one of the Memos. Cynthia confirms that the Applicant is in agreement with the list Will has on the second Page of his Memo. Cynthia asks Will whether the Board may make the recommendation at this point. Cynthia states the only disadvantage is that we do not know whether a Variance will be needed for the signs, so it might be necessary to go back to the ZBA for them. Mr. Rossi states they do have to come back to this Board before the ZBA can make a final determination. Cynthia states this is not a coordinated review. Mr. Rossi states that Gerry Reilly is here tonight, and talks about going to the ZBA to obtain a final determination without a Negative Declaration from the Planning Board. Will states the ZBA will do their own. Mr. Rossi refers to the signs and states they are depicted on the drawings as what they would like to see. Mr. Rossi states if any of them require Variances he thinks they could be referred to obtain whatever Variances are necessary for the signs. Gerry states the ZBA is going to want to know what the Planning Board thinks about the precise signs that are being proposed and they will not have that information. Mr. Ryzerski asks whether the two signs on the front are the problem. Will asks when the next ZBA Meeting is in terms of timelines. Gerry states the next ZBA Meeting is tomorrow, so the one after that would be in a month. Mr. Rossi talks about making a submission with the ZBA by the last Thursday of January in order to be on their Agenda in February. Gerry states the Applicant wouldn't be able to come back to the Planning Board before then. Cynthia states the Planning Board has a Work Session next week and states between now and then if Mr. Delaney and Frank have their conversation about stormwater, and we see how that goes, and the Applicant has a chance to go over the signs to confirm whether they fit within the Code, we may be able to do the Referral next week. Cynthia states she does not think this will change the schedule with the ZBA. Mr. Rossi states that will give them a week to focus on the sign issue so as to be thorough. Cynthia talks with Will and states assuming we have this matter on the Agenda next week and have an indication of how the Applicant is doing with the responses to both Consultants Memos, she wonders whether a lot of detail would need to be reviewed prior to going into a Public Hearing. Will states we should focus on the stormwater between now and next week. Cynthia states if we don't talk about this now, we will not have a Public Hearing until March. Will states stormwater is a big item, and the signs will help clarify the ZBA issues. Will states the only other issue that we need to flush out is the parking calculation because that may affect the number of spaces. Will states if we hone in on those three items between now and next week, and feel comfortable, a Public Hearing may be set next week. Will states the rest are details and clean up in terms of notes. Cynthia asks Dawn if we decide next week to set a Public Hearing for the first Meeting in February would she have sufficient time to do her notices, and does the Applicant have sufficient time for their mailing. Mr. Delaney states their mailing list is done. Dawn states we should be okay. Cynthia states there are no guarantees, but we could aim for and work towards that in order to have a Public Hearing February 3rd. Will asks whether anything has been sent to the County. Cynthia states we haven't circulated anything. Will states this would be for the Referral and there is a potential 30 day window of time for responses. Cynthia states she would do that Referral at the same time. Will states he doesn't know whether we are at the threshold for that or not. Cynthia states she will check. Cynthia states Mr. Delaney has to contact her at the office and she will set up a meeting with Frank. Cynthia states if they need to sit down together they may meet at Lobdell House. Cynthia states she will sit in if she is around.

**5. Homeland Towers LLC/Verizon Wireless: Ray Vergati (owner – Bloomerside Coop.)
Cond. Use/Site Dev. Plan (location – 101 Bloomer Road)**

- Consider a Field Change/Amendment for the Relocation of the Utility Line

Cynthia states she believes the Board received the e-mail she had sent yesterday. Cynthia states at the Pre-Construction Meeting it was brought to our attention that New York State Electric and Gas (NYSEG) would like Homeland Towers to use a different utility pole. Cynthia states there will be a lesser impact and a shorter route. Cynthia asks whether the Board Members have any issues with this. They do not.

Chairwoman motions that the Planning Board hereby acknowledges receipt of a letter from Ray Vergati of Homeland Towers dated January 12, 2016 requesting a change in the underground trenching for the power supply from NYSEG due to a requirement from them to use a utility pole just east of the proposed driveway cut instead of the one shown on the Approved Plans. The Board hereby approves said change to the signed Mylar's dated December 1, 2015. Gary Jacobi seconds. All in favor. No opposed.

After the motion Charlotte asks Mr. Vergati when the construction will start. Mr. Vergati states they are working with Bruce Thompson in order to receive their Building Permit. Mr. Vergati states once that is done they are looking to break ground immediately, hopefully by February 1st. Gary states yes, weather permitting.

6. **Gizzi:** William Kenny (owners – Marilyn & John Gizzi)
Chapter 189 Permit, Wetlands Permit (location – 886 Peach Lake Road)

- Consider Report From Planning Consultant and Wetlands Inspector

Cynthia states we have a multi-phase Project has been proposed. Cynthia states we had a Site Inspection that included CAC Members. Cynthia states we may be considering looking at one aspect of this as a test. Will talks about seeing how we do with one area, learn from that, and if that goes really well we will consider additional areas. Cynthia states we had a resubmission and the nice news is they did realign the wall as we had suggested.

William Kenny states here is here this evening with Marilyn and John Gizzi, the Owners of the property, as well as Jeremy Clark a Certified Forester. Mr. Kenny states he is a Wetland and Soil Scientist as well as a registered Landscape Architect. Mr. Kenny states his office prepared the drawing up on the screen and Mr. Clark prepared a very detailed and extensive Forest Management Plan that was submitted. Mr. Kenny thanks the Board for coming on the Site Walk and states he believes it was helpful for everyone in order to see that the proposed work is really needed to help enhance the forest and help take care of the problems with the invasive plants. Mr. Kenny states compared to the Projects discussed previously tonight, other than the stone wall, this project doesn't include any type of development. Mr. Kenny states they are proposing enhancements which are often required for mitigation for development projects. Mr. Kenny states the Owners are offering this and are very anxious to get started. Mr. Kenny states they would like to work with the Board to find a way to still the process down and get to the point where they can get this good work going. Mr. Kenny states since their last Meeting with the Board, they did do other research that hasn't been submitted. Mr. Kenny states this work is very common. Mr. Kenny states this issue has become such a problem that all open space, land trust properties, and parks are very active and interested in doing this kind of work. Mr. Kenny states they spoke with people in the area such as the Mianus River Gorge, Pound Ridge Land Conservancy, Westchester Land Trust, Bear Mountain State Park, West Point Military Academy and the Bedford Audubon Society. Cynthia and Charlotte mention the North Salem Open Land Foundation. Mr. Kenny states the University of Connecticut published in conjunction with another agency in Connecticut a great Guideline for Barberry control. Mr. Kenny states he has copies with him tonight if the Board would like to see them. Mr. Kenny states they made a submission to revise the Site Plan. Mr. Kenny states the primary revision was the relocation of the wall. Mr. Kenny states it was previously substantially in the wetlands and now it has been moved out of the wetlands except for a crossing of approximately 35 feet or so. Mr. Kenny refers to the screen and states there is a small ditch/watercourse there. Mr. Kenny states they are proposing a culvert where the watercourse is located which is just upstream from the existing culverts for the driveway. Cynthia refers to the screen and points out the driveway. Cynthia asks if Mr. Kenny is talking about a proposed culvert to the south of the driveway. Mr. Kenny states that is correct. Mr. Kenny states to assure that there is no change in hydrology they would make the opening the same size or larger than the pipes in the driveway which would allow for the

movement of wildlife and flow of water. Mr. Kenny states that is the only traditional development. Mr. Kenny states the stone is a native species. Cynthia states she would like to talk about the Pilot Program. Cynthia states what we mentioned on the Site Walk, and what Will repeated in his Memo, is that if we are going to focus on this one area first, we should let go of the rest of it so it doesn't look like we are segmenting. Cynthia states we should concentrate on Forest Stand No. 3 and what the Applicant wants to do there for this Application. Mr. Kenny refers to the MDRA Memo and states they feel they have addressed many of the concerns in one way or another with the documents they have submitted. Mr. Kenny states they would love to review these items and see if there is a way to minimize the amount of document preparation moving forward. Mr. Kenny states there are two components. Mr. Kenny states the first component is the control of the Barberry, and then the second component is the thinning of the trees to help the better trees have more room to grow. Mr. Kenny refers to the Barberry and states they see this as a very minimalistic activity. Mr. Kenny states they see little to no soil disturbance and will go in by hand with a Brush Hog, which is a walk-behind three-foot wide mower that is made for cutting shrubbery like this. Mr. Kenny states there will be very low impact on the soil. Mr. Kenny states they do not anticipate any soil disturbance of significance that would warrant silk fencing. Mr. Kenny states they would go in and mulch the shrubbery and in some areas they may use a brush cutter that is like a string line trimmer with a steel blade on the bottom instead of a string line. Mr. Kenny states those are the two types of equipment that would be used. Mr. Kenny states they will not be driving in large vehicles. Charlotte asks whether pesticides will be used. Mr. Kenny refers to a brochure he brought with him tonight which talks about cutting herbicide treatment using fire to control Barberry. Mr. Kenny states they would go in and cut the Barberry first because it is so high and then allow it to re-sprout. Mr. Kenny states if they could begin this winter they would cut it as soon as possible and then maybe cut it again in June to start to deplete the energy that is in the root system of the plants in order to stress them out. Mr. Kenny states when the Barberry re-sprouts and the vegetation is only about a foot or two high, then they will come in and use a very strategic application of a herbicide. Mr. Kenny states right now, the Barberry covers approximately 90% of the land. Mr. Kenny states after the cutting there will be pockets of stumps. Mr. Kenny states they could do this process without spraying and just keep cutting, but it means there will be more activity in order to continue going back into that area. Charlotte states it doesn't really work either. Christopher states the Board had raised questions and concerns in terms of what the NYCDEP might think about the use of herbicides and asks whether it has been resolved. Cynthia states no. Cynthia states we also have to worry about Peach Lake as it has just been declared an inland waterway. Cynthia refers to possible leaching and potential surface flows down to the Lake. Mr. Kenny states refers to regulatory agencies and states at the Federal level this activity would not require a U.S. Army Corps of Engineers (ACOE) Permit. Mr. Kenny states the application of herbicide is a water quality issue and the Environmental Protection Agency (EPA) registers herbicides and then the State handles it from there to issue licenses for applicators. Mr. Kenny states if it is not on a surface body of water, such as standing water, it doesn't require a Permit at the property. Mr. Kenny states there would be a licensed applicator who could work in areas where there is not standing water. Mr. Kenny states the wetland area in this location is on the dry end of wetlands, and there are saturated soils in the spring and then it dries up. Mr. Kenny states by August there would be no water on the surface. Mr. Kenny states they would do this procedure at a time when there is no water on the surface. Mr. Kenny states the herbicides that would be used do not bio-accumulate. Mr. Kenny states they do break down in the soil. Mr. Kenny states by doing this during a dry period, when there is no water on the surface, they would substantially minimize any potential impact to the Lake. Mr. Kenny states this procedure is commonly done. Mr. Kenny states he is working with the Audubon on a 40-acre project in Connecticut and they use herbicides to control invasive plants. Cynthia states we have to stick to New York and consider our Stormwater Regulations. Cynthia states the Town has taken a position and has a policy of no pesticides or herbicides. Cynthia refers to phosphorus and asks whether the herbicides have phosphorus in them or not. Mr. Clark states phosphorus is used for plant growth. Cynthia states it was the NYCDEP who didn't want the herbicides and refers to the Memo she had sent around. Cynthia states we are in a wetland area and she suspects this has to go to the NYCDEP. Mr. Kenny states not for Permits. Cynthia states the NYCDEP owns water rights to

Peach Lake. Cynthia states they do not own the Lake but they own the rights. Mr. Kenny refers to the Watershed Agricultural Council (WAC) and states they are funded by the NYCDEP. Mr. Kenny states WAC reviewed and approved the Forest Management Plan that includes a proposal for the use of herbicide. Mr. Kenny states the WAC Staff was closely involved with the development of the Plan. Mr. Kenny states they have reviewed and certified it. Cynthia asks whether the Board has received a copy of it. Mr. Kenny states that was in the original submission. Charlotte states she would think that should probably be sufficient. Cynthia states she doesn't know and asks Will his thoughts. Cynthia asks Will whether it is a NYCDEP decision and is that the only time this would come up in regards to the herbicide use. Will states the Board's normal course is their normal course and he wouldn't advise them to deviate from that. Will states if what Mr. Kenny has stated is true then the NYCDEP will not have any comments. Cynthia states it is a very large area and it does concern her. Cynthia confirms the alternative is to just keep cutting. Cynthia asks Mr. Kenny whether he will be cutting once or twice a year anyway for other reasons. Cynthia states assuming the Barberry dies, what will be planted in its place and what will the maintenance be. Mr. Kenny states the seed bed is there and these areas will revegetate. Mr. Kenny states they have proposed planting. Cynthia states yes, in specific areas. Mr. Kenny states the tree cutting will re-sprout from the stumps. Mr. Kenny states they may work with those sprouts and select a main leader to allow it to grow into a sapling for the future. Christopher confirms that once the invasive plants are gone, there are native plant species that will then thrive. Mr. Kenny states they would maintain the area to keep out invasive woody plants and encourage the native plants. Mr. Kenny states the area would be maintained as another part of the property would be, but in a different way. Mr. Kenny states it requires regular annual maintenance where they would do a walk through and take a look at it and address invasive plants. Mr. Kenny states by taking care of those areas, the native plants that are nearby will have the ability to thrive and slowly make it more and more difficult for the invasive plants to live. Mr. Kenny refers to the perimeter path and states there are ferns that have started to come in. Charlotte refers to a comment about the deer and states the Barberry is there because the deer have eaten everything else. Mr. Kenny states in the short term where they are showing the shrub plantings, they would circle the massing of shrubs with deer fencing until the root system of the shrubs are well established and the plants are taller so as to withstand some browsing. Mr. Kenny states if they allow browsing right when the plants go in, and the roots are not established, they will not be able to withstand the deer. Mr. Kenny states they recognize that there will be some browsing and the approach will be to get the plants healthy enough so they withstand it. Cynthia states we should go through the MDRA Report and go over some of the items Mr. Kenny wanted to discuss and the Board will get back to him on the rest.

Before the Board continues Cynthia states to Frank that she isn't sure if they need him to stay. Will states he and Frank spoke about this and it would be a good idea to obtain input from him in regards to the wall opening. Will states there is a culvert in the driveway and they are going to create a gap and then have a wall. Will states he is not an engineer, and we should be comfortable in our determination as to whether the same size or bigger will handle it. Cynthia states on the next round we will send the Plans to Frank to review that one aspect of it. Frank states he is familiar with the driveway and refers to the pillars that are there. Frank talks about the wall being extended. Mr. Kenny refers to the screen and points out the existing pillars and the existing wall and states the idea is to put in a certain length of wall and follow the property line. Mr. Kenny states there is a small channel and there will be a small opening through an arch in the wall. Frank asks if the existing culvert ever goes over the top. Mrs. Gizzi states no, it usually occurs when there is rain and then dries up. Mr. Gizzi states it never hits half. Cynthia asks how many years Mr. & Mrs. Gizzi have observed the culvert. Mrs. Gizzi states 10 years. Cynthia states they made it through the big storm. Mr. Kenny refers to the screen and states there is 400 to 500 feet length of property. Will states the detail will be forwarded to Frank once it has been received.

Cynthia states Mr. Kenny had questions in terms of what is being asked of him to submit. Mr. Kenny refers to Items 1 and 2 on Page 1 of the MDRA Memo and states based on a description of the control of the Barberry

and the fact that they are not going to disturb the soil, he does not see a lot of value in providing a more detail review of that area. Cynthia states the purpose of this is to concentrate on the Pilot Area and let go of everything else. Will states this drawing is okay for an overview but the other areas shouldn't be talked about in terms of when they will commence. Will states Mr. Kenny should detail the area and meltdown the big Report which is full of a lot of information and covers everything in order to get it down to a working Plan. Will states it should include the items that Mr. Kenny has verbally discussed tonight. Will states verbal statements are not the same as having all of the details on a Plan and the Inspector will be looking at the Plans, not here listening. Will states there has to be a set of Drawings and Plans that dove everything being proposed so the Inspector will be informed about what is part of the Plan. Mr. Gizzi states everything is in the Plan. Will states that Plan includes multiple levels and there is a lot to get through. Cynthia suggests Mr. Kenny take the Report and narrow it down to concentrate on Forest Stand No. 3. Cynthia states that should be presented as a Plan for the Pilot Program with all the detail necessary to get through that one phase, as well as the stone wall area. Cynthia states as far as the removal of everything Mr. Kenny has described, this first Application is only going to be about that one area. Mr. Kenny states he sees it as a fairly simple list of notes. Mr. Kenny states there is a defined boundary of the area. Mr. Kenny states the sequence will be cutting, another round of cutting, and herbicide application. Cynthia states now we need to go on to the detail that Will has been asking for and see whether or not that has already been addressed in the bigger Report or not, and it may have to be supplemented. Mr. Kenny states he will take the information he just described and put notes on the drawing in terms of a sequence. Will states the idea is to take the language mentioned tonight, the specific pieces that are in the big Report, and make a construction document. Will refers to the response in terms of it giving directions to someone if the job were to be bided out. Cynthia states they would know exactly which trees to take down, the sequence of work in terms of the removal of the invasive plants, whether everything will happen all at once, and whether there be mulch and is the mulch going back on the ground. Cynthia talks about having all of these details on a Plan so it is all there on one sheet and someone may follow it with the Report narrowed down to this one phase. Mr. Clark talks about preparing a bulleted list. Gary states the information is there, you just need to start cutting out all the ancillary stuff. Cynthia refers to the details later on and states normally we ask for the trees to be marked in the field and put on a survey. Cynthia states that may be one of the items the Applicant asks to be waived, but this Board has to discuss whether they want to see the trees in Forest Stand 3 marked. Christopher and Charlotte are fine with the trees being marked in the field. Will states one distinction he has in regard to this project from other tree removal projects is that a lot of those had to do with clear swaths and views. Charlotte states a lot of the trees are dead that are proposed to come down. Mr. Kenny states the intent is that this is a forest that will remain a forest. Gary states Mr. Clark has told us there will not be any trimming. Mr. Clark states maybe along the forest edges. Mr. Clark states they are putting an investment in increasing the native diversity and soil health of the whole site. Mr. Clark states they will mark each tree that will be cut. Mr. Gizzi confirms the trees will be marked in the field. Mr. Clark states it is unfeasible to do it on a Plan. Will states the Plan should describe the categories of the trees, the process in terms of selecting what will be cut. Will states it is sort of as if you were putting all of the instructions down. Cynthia states when Mr. Kenny does his point by point answers to the Memo from Will when it comes to the Section on marking the trees, he will ask for a Waiver of that and indicate that the trees will be marked in the field and there will be explicit instructions in terms of which trees will remain and which trees will be removed. Cynthia states Will listed this request in his Report because it is a requirement under our Code. Mr. Kenny will be asking the Board for a Waiver of the requirement. Cynthia states the Board has to make that part of their Resolution in terms of waiving the requirement. Cynthia states the response from Mr. Kenny will be the formal request, and the Waiver will be listed in the Resolution. Mr. Kenny asks whether the request should go on the Drawing. Cynthia states Mr. Kenny is going to respond to the Memo from Will point by point and that is where he will ask for the Waiver. Cynthia states Mr. Kenny should explain why he is asking for the Waiver and what he has done in lieu of the Waiver, such as marking the trees in the field, and clearly showing them on the Construction Plan or Worksheet. Will states when the Board gets to their Approval, it will state that there has been a request for a Waiver and the Board has granted the Waiver,

why the Board granted the Waiver, and what the Plan says. Mrs. Gizzi states this is a Pilot, so when we want to move forward, are we going to need to go through the same process again. Cynthia states the next time presumably would be for the balance and it will be a much easier process because we are going to learn from this Pilot if it worked, based on everything we have asked for, and whether we received enough information. Mrs. Gizzi states could not this Pilot be incorporated into the entire Plan, so if the Board looks at it and determines we did well, they could tell us to go ahead. Mrs. Gizzi states if the Board doesn't like it, we would not be able to go any further. Mr. Kenny states this way Mr. & Mrs. Gizzi would not have to come back. Will states how will we know whether it worked or not. Mrs. Gizzi states some would come out to our property. Will states the Board will not come, it will be the Wetland Inspector. Mrs. Gizzi states the Inspector will report to the Board. Cynthia states the Board needs evidence that this is going to work. Will states we can't prejudice for the entire Site the environmental impacts based on the Pilot Area. Mrs. Gizzi states she understands that. Gary states Mrs. Gizzi is asking if we like everything and it is fine, what is the next step. Cynthia states the next step is not a rubber stamp. Cynthia states the next step may have different issues and elements that we have to deal with. Cynthia states we certainly are going to learn a lot from this Pilot. Cynthia states Forest Stand 3 is kind of different from the area that is right along the Lake for instance. Cynthia states she does not know whether the exact same program will be done. Mrs. Gizzi states they are not going along the Lake. Mr. Kenny states that is in the 10 Year Plan. Cynthia states the short answer is this is a two-step process with two Applications. Cynthia states one is the Pilot and then the second will be the balance of the Project. Mr. Kenny states they have identified Forest Stand 3 as being the most visible from the house. Christopher states to address what he believes the Applicant has mentioned about a lengthy process, the idea is if this works well, the balance of the process will hopefully be easier as a result. Mrs. Gizzi states there is no guarantee. Christopher states worst case scenario, there will be the use of herbicides, and if nothing grows, there will be a black patch of dirt. Christopher states no one is saying that is going to be the case, but he thinks that is why the Board wants to proceed in a certain way. Mr. Gizzi states if they receive an Approval and end up with dirt, then they will be told to stop, rather than having to come back and pay all of these people to do this all over again. Will states for the Board to approve the bigger Plan entails a lot more work that would have to be done now because all of the areas and potential impacts of them have to be looked at so a determination may be made on all of the areas as opposed to one. Mr. Gizzi states basically they are eliminating Barberry which is an invasive which he would think they would want to do anyway. Will states he isn't saying that isn't true, but it can be done right, and it can be done wrong. Will states he has confidence it will be done right, but the people representing the Mr. & Mrs. Gizzi may move out of Town, and bring in someone we don't know. Mr. Gizzi states there will be Inspectors. Mr. Gizzi states it is not as if they will be able to go in and bulldoze areas and no one will know. Will states Mr. & Mrs. Gizzi may decide they don't want to go any further also. Mr. Gizzi states that is true. Mr. Gizzi states his point is he doesn't want to have to pay if it is working. Mr. Gizzi states if it is not working everybody says no and we stop. Mr. Gizzi refers to basically remove Barberry and having to pay again. Cynthia states this isn't just the removal of Barberry, as quite a bit more is being done, while in a controlled area. Cynthia states we have to set up a Monitoring Program afterwards. Will states each Forest Stand is slightly different, and do not involve the same activities. Mrs. Gizzi asks who will be doing the monitoring. Cynthia states since this is in the wetlands area usually we engage our Wetlands Inspector. Cynthia states a lot of it can be done by Mr. & Mrs. Gizzi's Representatives. Cynthia states Reports are submitted by them and occasionally the Inspector will go out and check. Cynthia states part of the purpose of developing a Monitoring Plan is to outline when it is important for our Inspector to go out and take a look at it and how often, as well as whether some of it may be handled via Reports providing the conditions. Cynthia states a program is developed as to how everything will be monitored for a three to five year period, which would include checking on the health of the plants, and whether the process is working. Cynthia states other people have developed Monitoring Plans for different purposes and we can Mr. Kenny with samples. Will states the bulk of that is done by the Applicant and the Inspector is merely reviewing the results and periodically checking in. Cynthia states the Applicant is basically submitting a Report which states everything has been checked for regrowth, and the applications have been applied.

Cynthia states it will all be laid out in the Plan how the Applicant would design the Plan to make sure, after two or three years, it is achieving the goals that were being put in, and what you are telling us now should happen. Mr. Kenny refers to Monitoring Plans that he has done in the past and states mitigation has been proposed to offset a new parking lot or something like that. Mr. Kenny states Mr. and Mrs. Gizzi are taking the initiative and spending the money to do these great things and are not being required to do them. Mr. and Mrs. Gizzi have already demonstrated their desire to make sure this happens. Mr. Kenny states he is hoping that monitoring is considered in a different way than something for mitigation. Mr. Kenny states a primary component of the monitoring will be to ensure there are no invasive plants which is what our whole proposal is. Christopher states the question is what are we monitoring for? Will states monitoring isn't just for mitigation, it also has to do with the wetland activity. Will states it is really to make sure the Plan is being followed, what is happening with the Plan, and what are the results. Will states it is more like checks and balances throughout the process so in the end we can determine that you have done what the Plan called for and have met the criteria, either successful or not. Will states he doesn't think it is much different than Mr. Kenny is used to, but the focus is checking to see whether he is implementing the parts of the Plan as it has been laid out. Cynthia states it kind of meshes with what Mr. Kenny has said will be done. Cynthia states trees will come down and thinning will take place during the first month, and the cutting of the Barberry will happen on a certain date. Cynthia states Mr. Kenny has mentioned going back in six months to cut the Barberry again and apply the herbicide. Cynthia states he will then be extending into the monitoring period. Cynthia states Mr. Kenny will be taking the construction sequence and putting it into a Monitoring Plan so a responsible person may oversee the steps. Cynthia talks about the end of the Project and states will it be after the 20 trees come down and the first cut of the Barberry takes place, or out there in the future. Cynthia states there will be an initial end and a monitoring program. Will states he sees it two-fold. Will states the Applicant should not go far what is Approved, and compile the information as to what is working and what is not working prior to going into other areas. Mr. Gizzi asks how long the monitoring will take place and refers to possibly coming back six months after the first Approval, if they decide to come back to do the rest of the Project. Will states Mr. Kenny has to make a proposal telling the Board how long the timeframe will be. Cynthia states the regrowth is the key and whether or not the seedlings grow into other plants. Cynthia states if a year goes by and nothing is happening, it will be good to have a Monitoring Plan in place so Mr. Kenny may come back and let the Board know that what he expected to happen didn't happen and something else will need to be introduced or planted. Cynthia states the whole purpose of the monitoring is that everything that has been planted is healthy and we are not looking at dead shrubbery that will just sit there. Cynthia states the purpose of the Monitoring Plan is to make sure that at the end of two to five years what Mr. Kenny tells the Board is the expected time to have something established works. Cynthia states the Board wants to make sure it happens. Mr. Gizzi states he understands that and they want that too. Cynthia states the reason we want the Monitoring Plan is because if it doesn't work out, there could be a lot of erosion, and during heavy rain, if plants didn't grow as planned, the soil could start moving, and that is why it has to be monitored. Mr. Gizzi states their goal is to meet the goal of the Board. Mr. Gizzi states they have decided to do this, so why would they not make it work. Cynthia states we have had people walk away from projects. Cynthia states we have had people abandon projects and there have been serious problems. Cynthia states unfortunately we have to make sure that everything someone says they are going to do actually happens. Cynthia states we ask for a reasonable amount of monitoring time based on what the planting and regrowth proposal is. Cynthia states in this case if the Project were to be abandoned and the Applicants decide to move, the Project would not be finished. Cynthia states we need something in place that will protect the Lake because if the plants do not grow the soil is going to move. Will states the monitoring will actually start at the beginning of the work, so it is part of the Project. Mr. Clark states to some extent when he goes back to properties there is always some type of monitoring in place, whether it is written down and submitted formally or not. Mr. Clark states he checks for regrowth and erosion. Mr. Clark states he doesn't think Mr. & Mrs. Gizzi are going to walk away from this Project, but if they did, the only thing that would happen would be the Barberry re-sprouts. Mr. Clark states they are not disturbing the soil and no root systems are being ripped up. Mr. Clark states all the

trees root systems, even the ones that are being cut, are still going to be in place to hold the soil. Mr. Clark states the soil slopes in this area are approximately 12% and minimal. Mr. Clark states if the whole hillside did erode, which he has high doubts of happening, we have the zone buffer before the Lake, so it balances itself out. Mr. Clark states he couldn't make the Site Walk and doesn't know how far everyone went. Mr. Clark refers to the screen and points out the label where Forest Stand 1 is and states there are a lot of standing dead Ash Trees, Sugar Maple, White Ash, and Tulip seedlings that are between 6 to 12 inches tall that have come in, as well as grasses. Cynthia refers to the herbicide that is proposed to be used specifically on the Barberry and states assuming it does work, will it kill any of the seeds right where the Barberry is. Mr. Clark states he doesn't think it will kill the seeds because most of the herbicide is brought in through the root system. Mr. Clark states he is not a licensed applicator, they would work with someone if they were going to be spraying. Mr. Clark states they would have better recommendations as to exactly what chemical would be used. Mr. Clark states he has heard about a product by the name of Glyphosate, which binds the soil particles. Mr. Clark states there is another product that is just for woody stem plants and won't target grasses. Mr. Clark states it doesn't affect the seeds. Mr. Clark states they are going to have some invasive seeds along with the Maple and Tulip seeds which might regenerate as well. Mr. Clark refers to going back every year to cut and states that is a lot of labor so it has to be balanced out.

Mr. Kenny refers to Page 2 of the MDRA Memo and states they have a few location maps, such as the one that is in the Forest Management Plan. Mr. Kenny states they did add a map to their drawings. Mr. Kenny refers to the comment about showing surrounding parcels within 200 feet and naming area streets and the surrounding zoning designations of the area shown. Cynthia states this is what our Code requires. Cynthia states this Project has to have a Public Hearing, so this will need to be done anyway. Cynthia states the information may be pulled right off the County GIS by plugging in 200 feet. Mr. Kenny refers to Item 4 on Page 2 and states with their initial submission they included a brief functions and values analysis. Mr. Kenny states he believes that should be sufficient for what they are proposing. Mr. Kenny states this is an environmental improvement project and the whole idea is to improve the habitat out there. Cynthia states Mr. Kenny should reformat his response so it is just for Forest Stand 3. Cynthia states Mr. Kenny should repackage it, and state the information is already there. Cynthia asks Will whether he recalls reading the information in the submission. Will states that is something Joe would have read. Mr. Kenny refers to obtaining a Tree Removal Permit and states almost half of the path is in Forest Stand 3. Mr. Kenny confirms Mr. and Mrs. Gizzi would like the path continued to be maintained. Mr. Kenny states this information will be indicated on the Drawing. Mr. Kenny states they will request a Waiver for the Tree Survey. Mr. Kenny states they will provide a work sequence on the Drawing. Mr. Kenny refers to Item 9 on Page 3 and states based on the items he has described this evening, he does not see a need for a comprehensive Erosion and Sedimentation Control Plan with perimeter silk fencing and stabilized construction. Mr. Kenny states people will be walking in these areas with small ATV type vehicles. Christopher refers to soil disturbance. Mr. Kenny states if there is a small area that has disturbance they will stabilize it with wood chips. Cynthia refers to the wall area. Mr. Kenny states they will provide detail information in regards to the crossing. Will suggests Mr. Kenny make a Plan that is to scale with what is being proposed. Charlotte refers to the monitoring and asks whether they have to wait three to five years before they can do the next phase of the Project. Cynthia states we should see what they propose because they know best what they are recommending to be planted. Cynthia refers to the basic trees that will be added and states they would be monitored for two to three years to make sure they survive. Cynthia states for everything else the Board would like to see the Applicant propose the Monitoring Plan based on how they think the Site is going to act and react. Will states in this instance the monitoring can start at the beginning. Cynthia states she doesn't know when it will end and at some point the Applicant has to decide whether it is working or not and that may be how the Monitoring Plan ends. Cynthia states either everything will be successful and is working or something different has to be done. Charlotte asks if that is when the Applicant can come back for the next phase of the Project. Cynthia states yes, we have to decide at what point it makes sense. Cynthia states the key to this is whether the

herbicide application is going to happen. Will asks Mr. Kenny approximately how long it will be before he has creditable confidence that everything is working. Will refers to how many cycles may need to be done. Mr. Kenny states within the end of this first growing season they will have a very good idea how everything is going. Christopher states that would be less than a year from now. Mr. Kenny states yes. Mr. Kenny states the immediate re-growth may take longer, but the effectiveness of the cutting and herbicide treatment will be known. Mr. Kenny states in a woodland environment you have leaf litter and the root systems from the trees that help prevent all of the erosion. Mr. Kenny states they are not going to be looking at or expecting 100% cover in the areas that are shady, but they do expect and are very confident that they won't have significant erosion anything more than what is typical in a woodland environment. Mr. Kenny states there will be re-growth of plant life from the seed beds. Cynthia states she assumes there will be a certain amount of chipping and asks whether there are places the chips might be used, such as for pathways or to mulch around the trees to be planted. Cynthia states Mr. Kenny mentioned a mowed pathway and asks if it could be a chipped pathway. Mr. Kenny states they would consider that. Cynthia states she doesn't know whether it is healthy for this particular Site and in the wetland area. Mr. Kenny states chips are great, but if there is vegetation that you do not want to destroy you would not want to bury them in chips. Cynthia states the use of the chips would be part of the construction steps, including whether some of the wood will be left there to rot or will it be taken away. Cynthia states the NYCDEP lets the trees fall and rot and that is not very attractive.

Mr. Kenny states they have been in touch with the NYSDEC about the list of species and states he has a Letter with him tonight from SHPO, and they have indicated no impacts to archeological or historic features. Mr. Kenny states they have a Letter from the State saying there are no current records of rare or listed animals or plants. Mr. Kenny states it was indicated that the Northern Long Eared Bat is in the Region and there could be concerns about roosting on large trees that have exfoliating bark where the bats may use as a place to roost. Cynthia asks Mr. Kenny to include both of the Letters when he makes his next submittal. Cynthia refers to the bats and states on two other projects in the area, the Applicants had to work around the bats. Mrs. Gizzi states they have a bat house if they need it. Mr. Kenny states the Letter referred to additional work that may be required. Will states in the response, Mr. Kenny should talk about the trees that do not have that type of habitat. Cynthia states the response will be that the property does not have those types of trees. Cynthia states the SHPO Letter is interesting because just a little further up the Lake, a Phase I and Phase II environmental review had to be done because artifacts were found. Mr. Kenny states they are not doing ground disturbance. Cynthia states a new bubble was created because of the Peach Lake Sewer Project. Mr. Kenny states they will address the comments in regards to the EAF. Cynthia states a lot of what is being asked for is a repackaging of most of the material that has already been given to us. Cynthia states we will concentrate on the one Forest Stand. Cynthia states Mr. Kenny will develop the Monitoring Program. Mr. Kenny asks what the process will be moving forward. Cynthia states when Mr. Kenny resubmits and the materials are reviewed to a point where the Application is considered complete a Public Hearing would be set. Cynthia states when we set the Public Hearing and consider the Application complete we send the materials to interested and involved agencies that we are required to. Mr. Kenny refers to the prior Applicant and states there was discussion about having them on an Agenda in February and asks the Board whether they see the potential for that. Cynthia states the submission deadline date for the February 3rd Meeting was today. Cynthia asks Mr. Kenny how quickly can he turn a response around. Cynthia states right now we only have two Applicants on that Agenda. Cynthia states if we don't have too many Applicants sometimes leeway may be given. Cynthia asks Mr. Kenny if he can turn a response around in a week. Mr. Kenny states they would like that opportunity. Cynthia states tomorrow she will check with the Consultants since they have to look at their workload to see if, in a two-week timeframe, they could possibly turn around a Report. Cynthia states she isn't sure whether Will would be able to respond tonight as he may not know what the Wetland Inspector has on his plate. Will states he thinks they will probably be able to make it work out. Cynthia suggests Mr. Kenny try to submit by next Wednesday. Mr. Kenny states in the Wetland Regulations the Board does have the ability to waive a Public Hearing and asks if that is something they ever do. Will states in this case there is also a Tree Removal Permit that would be

required. Will states he isn't sure whether that option would apply and will look back in the Code. Mr. Kenny states this is not a development Project, but an enhancement Project. Cynthia states Mr. Kenny should ask the Board to consider a Waiver in his response and it will give them time to look at it and consider it. Cynthia states we will have to see if the regulations allow it. Cynthia states Mr. Kenny should give his argument as to why the Waiver is being requested.

Will refers to the stone wall construction and talks about the stone being imported. Will asks how the stone will be transported to the far end of the driveway. Will asks whether the stone will be dropped off by a truck, or carted in a wheelbarrow. Mr. Kenny states they will drive a truck along the road and off load small amounts at a time. Cynthia asks whether it will be fieldstone. Mr. Gizzi states it will be blasted rock and he isn't sure whether it is fieldstone. Mr. Gizzi states if it is right along the property line there will not be a lot of space. Will states you do not want to get too close to the wetland. Mr. Gizzi asks what distance could they bring it in off the property line. Will states the wetland line would need to be looked at in relation to the property line. Will refers to going two feet in. Cynthia asks whether a huge pile of rock will be dumped somewhere along the driveway. Mr. Gizzi states it depends on how much space they have between the property line and the actual road. Mr. Gizzi refers to a location where the stone could possibly be dumped in order to utilize wheelbarrows to go across. Cynthia states that should be shown on the Plan. Cynthia refers to the driveway across from the Site and asks how the break will be designed. Mr. Kenny states they are stopping there. Cynthia states that is a controlled area of the wetlands and if it is going to be used it should be shown on the Plan as a temporary stopping area for the stone access, as well as how the area would be restored. Mrs. Gizzi states they have a well in this area and asks whether anyone knows whether it has ever been used. Cynthia states that would be a Department of Health question. Mrs. Gizzi states it is all overgrown by weeds. Mrs. Gizzi states she knows the property had been a dairy farm. Will asks whether it is a dug well. Mrs. Gizzi states yes.

7. Hayfields Market: (owner – Ralua, LLC)
Amended Site Development Plan (location – 1 Bloomer Road)

- Consider Draft Resolution of Approval Regarding Extension

Cynthia reads the Draft Resolution and asks the Board whether they have any questions. They do not.

Chairwoman motions that the Planning Board hereby grant Hayfields Market a second sixty-day extension of their SEQR Negative Declaration and Site Development Plan Approval from December 18, 2015 to February 15, 2016, per written request from Renea Dayton. Christopher seconds. All in favor. No opposed.

8. Appointments:

- Planning Board Secretary – Dawn Onufrik
- Deputy Chair – Charlotte Harris
- Planning Consultant – Matthew D. Rudikoff Associates, Inc.
- Engineering Consultant – Hahn Engineer
- Radio Frequency Consulting Engineer – Ronald Graiff

Prior to the motions Gary asks whether we ever solicit bids from anybody else. Cynthia states in regards to Traffic Consultants we had to because we have had people who worked for someone in Town. Gary refers to the Radio Frequency Consulting Engineer. Cynthia states when Ron Graiff was asked to review specific Projects there was an extensive file and he was the only person who didn't actually work and consult in this

area. Cynthia states they are hard to find. Cynthia states if Gary has other people for the Board to consider he should let them know. Gary states it has been seven or eight years since we last looked. Cynthia states when she first came in 2008 she did a search on engineers and traffic people. Cynthia states she has one or two Traffic Consultants that the Board may use. Gary asks why the appointment is for a year instead of just hiring them as we need them. Cynthia states the next Planning Board should have the ability to make their own appointments. Will states the Board is not appointing a Traffic Consultant. Gary asks why we don't just wait until we need somebody. Cynthia states we would have to wait for a Board Meeting and then do a Referral and could lose a whole month. Cynthia states when Dawn receives a submittal that would mean she couldn't send it out. Gary states it seems as if every decade we should review some of these appointments. Cynthia states she agrees. Will states he hasn't been with the Board that long. Gary states Will hasn't, but MDRA has. Gary states he is not disputing that they are all not creditable and reputable. Will states he hasn't had a raise in five years. Cynthia states that is all the more reason to do a yearly appointment versus per applicant or for ten years. Gary states certainly not for ten years, but he was wondering if there is a rule as to when we should review these people rather than hiring them because we have been hiring them. Cynthia states we should periodically review if we think there is good cause for it or we think there is someone else out there who might serve us just as well or better. Cynthia states when she came on in 2008 the Supervisor asked the same question and we looked at a lot of other people. Christopher states maybe next year we do an RFI. Cynthia states she had to take a look at traffic two years ago because we had a conflict. Christopher states we should always go out and see if an incumbent is competitive, but it takes time and we need these professionals now. Cynthia states we would have to start the process in September. Gary states we do not need a Radio Frequency Engineer right now. Will states since this involves MDRA, they haven't changed their rates for the Town in the past five years, plus he is at a discounted rate. Will states he charges \$130.00 an hour and his going rate is \$167.00. Will states Joe Bridges charges \$125.00 and his going rate is \$145.00. Gary states he is not disputing whether the people being recommended are good. Gary states if anybody asks whether we did any check at all the answer would be not more than five years, except for traffic. Cynthia states she looked around when the Bloomer Road Tower proposal came in and did shop around. Cynthia states it was not automatic. Cynthia states there were no other choices she could find. Christopher states we should agree to do an RFI or an RFP in the fall. Christopher states maybe an RFI would be sufficient just to get a sense of what the other going rates are. Gary states just given what has been going on with some of the municipal governments and budgets, he doesn't think it is the worst idea to periodically review this.

Chairwoman motions that the Planning Board Re-Appoint Dawn Onufrik as Planning Board Secretary for the year 2016. Christopher Brockmeyer seconds. All in favor. No opposed.

Chairwoman motions that the Planning Board Re-Appoint Charlotte Harris as Deputy Chairwoman for the year 2016. Christopher Brockmeyer seconds. All in favor. No opposed.

Chairwoman motions that the Planning Board Re-Appoint Matthew D. Rudikoff Associates, Inc. as Planning and Wetland Consultants for the year 2016. Christopher Brockmeyer seconds. All in favor. No opposed.

Chairwoman motions that the Planning Board Re-Appoint Hahn Engineering as Engineering Consultant for the year 2016. Christopher Brockmeyer seconds. All in favor. No opposed.

Chairwoman motions that the Planning Board Appoint Ronald Graiff as Radio Frequency Consulting Engineer for the year 2016. Christopher Brockmeyer seconds. All in favor. No opposed.

After the motion Cynthia states she will leave it up to Gary to remind the Board about this in September. Gary states he is not sure why the Board can't look into one or two right now. Cynthia states if Gary wants to start

something he should go ahead as she doesn't have the time. Cynthia states she just sent the Stormwater Report over to the Town Board. Christopher states as a practical matter it takes a number of months to send out RFP's and analyze them. Christopher states we need to have someone now. Gary states we don't need an RF Engineer now. Christopher states we do. Gary states we don't, as we have no work pending for an RF Engineer. Gary states we might tomorrow, but we don't right now. Cynthia states if Gary has some names of RF Engineers she would like to have them. Christopher states he agrees with the point Gary has made that we should be out bidding the market to see what the going rates are, but is not comfortable with doing that today. Gary states he is not saying to do it today, just not to wait a year. Cynthia asks Gary if he is specifically talking about the RF Engineer. Gary states primarily. Cynthia refers to undoing that motion. Gary states the Board has voted. Cynthia states she wishes Gary had spoken up sooner. Gary states when. Cynthia states last fall. Cynthia states Gary knows, as he has been on the Board the longest, that every January we do the reappointments and we will be doing them again next January unless something happens in between. Cynthia states she came up with no other RF Engineers and inquired with a couple other communities. Cynthia states we should keep a file and if Gary has any names he should give them to Dawn and we will start working on them. Cynthia states at one point we received a phone call from Ron Graiff asking what the Town policy is in terms of whether he could work for someone in this area. Cynthia states she let him know our general policy is that we really don't want our Consultants working in our Town. Cynthia states she believes he turned down something.

9. Financial Report:

- December, 2015

Chairwoman motions that the Planning Board Approve the December, 2015 Financial Report. Gary Jacobi seconds. All in favor. No opposed.

10. Minutes:

- December 2, 2015

Chairwoman motions that the Planning Board Approve the Minutes for December 2, 2015. Christopher Brockmeyer seconds. All in favor. No opposed.

11. Next Meetings:

- Work Session – January 20, 2016
- Regular Meeting – February 3, 2016

12. Resolution:

Chairwoman motions to adjourn the Planning Board Meeting. Charlotte Harris seconds. All in favor. No opposed.