

Town of Stony Point

Department of Planning

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PLANNING BOARD MINUTES

May 22, 2014

RHO BUILDING at 7:00 P.M.

Present:

Eric Jaslow, Member

Peter Muller, Member

Michael Puccio, Member

Gene Kraese, Member

Gladys Callaghan, Member - absent

Gerry Rogers, Member – absent

Michael Ferguson - Member

Thomas Gubitosa, Chairman

Stephen Honen, Esq.

Special Counsel

Max Stach

Town Planner

PLANNING BOARD AGENDA

May 22, 2014

RHO BUILDING at 7:00 P.M

Public Hearing:

1. Amar Estates, LLC – SBL14.03-1-10-18 & 21-23 Amended Subdivision located on the south side of Gate Hill Road and the West side of Blanchard Road

Pending Application:

2. Tractor Supply – SBL 20.04-11-1 Site Plan Conditional Use, located on the north side of 9W in the Stony Point Shopping Center

- New Application

3. Referral from the Town Board requesting Planning Board recommendations on a Text Amendment Affecting the BU Zoning District.

OTHER BUSINESS:

Informal Discussion - Hudson River Industrial Park Building B – Good Luck Auto
SBL 20.02-11-25

Accept minutes of December 12, 2013

Accept minutes of January 23, 2013

Chairman: First on the Agenda tonight is Amar Estates Public Hearing Mr. Zigler could you please give us an update.

Amar Estates, LLC – SBL14.03-1-10-18 & 21-23 Amended Subdivision located on the south side of Gate Hill Road and the West side of Blanchard Road

Mr. Zigler: Dave Zigler from Atzl, Nasher and Zigler representing Amar Estates the maps you have before you one is the subdivision map and the next one is the landscaping plan. That landscaping plan is going to be carried up along the frontage of Gate Hill Road and along Blanchard and at the corner. What we are doing is he is going to cut across he is not going to go out to the peak and come back with his fence he is going to cut across so it will be open at the intersection because that is a tough intersection.

Chairman: So all along the side the plans will continue down.

Mr. Zigler: Around Blanchard and back up the hill around his house it is going to encompass his entire property.

Chairman: I know when we were up there talking to him he said he still had a lot of work to do with the sod and the plantings alright. Does the Board have any questions before we go to the Public Hearing? What I am going to do now is open the Public Hearing and I am going to ask if you want to comment that you just state your name and address for the record and then sign in for us direct your questions to the Board you know at this point I am going to open the Public Hearing for Amar.

John Pagano, Blanchard Road and the corner of Brayfield

Mr. Pagano: My name is John Pagano and I live on the corner of Blanchard Road and the corner of Brayfield and wanted to show you what the property looks like at this point in time. We have basically have a lot of dirt and drainage issues at this point in time that is impacting the safety of Blanchard Road this is kind of what it looks like after a recent rain storm and the amount of the big dirt pile that exists where there used to be trees and rocks so it has obviously been disturbed and I certainly a good landscaping plan but I am hope that that landscaping plan for your consideration will include drainage. The water and dirt that comes off this hill even with sod as we know it doesn't stop water from coming down the hill to a natural environment the trees and rocks and leaves and everything else that would have been built up the last 100 years our beautiful entrance to Bear Mountain Park. The drainage needs to be included if this is an amended plan and so kind of drainage that borders Blanchard Road to make it safe. Shortly after I took so of these pictures there are bikes and walkers I am not sure how this is going to be cleaned up after rain storms and that is primarily our concern.

Chairman: You are at the corner of Blanchard Road.

Mr. Pagano: We are at the corner of Blanchard and Brayfield so we are across from those two lots that are excluded from the subdivision.

Chairman: Ok I got you alright.

Mr. Kraese: Could you pass those pictures around to us.

Chairman: Frank

Frank Collyer, Stony Point Action Committee for the Environment

Mr. Collyer: Excuse me but I have about 85 questions here suggested by a number of different people. Believe it or not I was on the Planning Board a dozen or so years ago when the original map had been decided so it has changed a lot since then so a few questions on trying to condense this down is there has been a lot of fill brought in. Now having had a similar problem in my backyard with the cutting of trees and the fill. First of all from the trees how did this happen we have a conservation advisory committee that is supposed to ok this you are not supposed to cut anything down 3 inches in diameter unless you got permission for this so how is it that the whole thing basically got clear cut before the fill was even brought in?

Chairman: After you are done we will see if Bill can address them.

Mr. Collyer: Question number two is that the fill that was brought in there are regulations on fill. First of all it has to be certified by the Town Engineer where it came from so it has to be certified by him that it is actually clean fill and doesn't have debris or tar that can contaminate people's wells. Second of all it appears to me that a couple of people comment to me on this is that it seems to be no drainage plans on this thing right from the get go the trees were all cut down and the fill was brought in there with what appears to be no plan so I don't know where this is all going but it seems to me we are back in to what is very typical of Stony Point where we have this hilly country and we ok things and we will take care of the problems after it shows it's head

instead of anticipating these things. It seems we are getting into the usual problems now by putting the fill in there and figuring it out later on. Another question that I have I am gathering from what I am understanding is they want to put a heli pad in there that's the word. I already heard that you have to get permission from the County from the Planning Board and the road department correct so you haven't got that. Ok now there was one person commented that the Public Notice he found the Public Notice because he walks around the area he found it laying on the ground so he didn't even know about the Public Notice I was not adequately posted evidently and I am going to ask that the Public Hearing be kept open for a while on this because I think a lot of people are going to have questions on this. What seems like the cart before the horse but the cart is half way down the hill already. Thank you for your time.

Chairman: Bill.

Mr. Sheehan: Someone called this morning with the same concerns as the first speaker as far as the trees on Blanchard Road prior to that the owner did approach the Town and this will answer Franks question is that we do not have regulations as far as cutting trees down.. can I finish Frank.. the tree law only has to do with subdivisions approval during subdivisions. We have no conservation law as far as once the lots are created so that takes care of that. I did have the property owner contact the County because Blanchard and Gate Hill are County roads. He did seek approval or let us know what he was planning on doing. As far as the fill and so forth on Blanchard Road they should contact the Town Engineer and County being it is a County road. What is before this Board has nothing to do with what is on Blanchard Road it has nothing to do with what the speakers are talking about and I understand there is some concern there. But that is not what is before you the heli port the heli pad is not what is before you. What is before you is the two lots on Gate Hill Road/Old 210 it is the two lots on either side of the entrance. They are talking about changing a conservation easement to conservation buffer this is a Type 2 action it doesn't require SEQRA so I will explain for the audience that is what is before this Board the two lots nothing on Blanchard Road so any concerns the public might have would be along Blanchard Road therefore can be addressed by the Town Engineer, myself and the County. As far as the Public Notice the requirement is that they post the corners of the property beside the official paper all of that has been done the notices that are posted on the property are 8 1/2 by 11 pieces of paper that the Town provides and I am sure they do come down now and then but anybody adjourning this property was notified by certified mail.

Chairman: Thank you Bill this map was approved in 01 right.

Mr. Sheehan: Carlton Meadows?

Chairman: I am looking at the original this original subdivision was I guesses 2001 it was approved like what Bill said what we are hearing tonight was those two lots on Gate Hill. Anyone else.

Mr. Collyer: Has anyone seen that pile of dirt there this is the Planning Board.

John Dimeen, 1 Odell Drive, Stony Point

Mr. Dimeen: I live at 1 Odell Drive which is right off of Blanchard so we get back to the fence which is why we are supposed to be here. I walk around trying to take off some weight anyway I walk around there every day I walk up around action meadow this big triangle and come down here. So when you look at these mighty gates it looks like something out of Beverly Hills hillbillies. This whole area here if I understand Conservation Easement it is something you are not supposed to touch right?

Chairman: The easement if the trees drop down if you have garbage and you can't..

Mr. Dimeen: Well forget that over here because there is nothing natural left there except for dirt and rocks. On this side it still got some trees it looks like it was cleaned and mulched that actually looks pretty natural. My question is this how big is the fence going to be because I can't keep the deer out of my yard how big is the fence going to be?

Mr. Zigler: Eclectic, no it is going to be 8 foot.

Mr. Dimeen: Maybe it is to simple a suggestion but why don't they just put the fence on their land and leave.

Chairman: That what he is doing right?

Mr. Zigler: The easement is his land the easement is on his land.

Mr. Dimeen: So why can't they put it inside the easement and leave the easement the way it is?

Mr. Zigler: Because the plans are better as proposed.

Mr. Dimeen: When I walk down there it looks natural the way it is you put a fence with big cement pillars if it is inside the easement then you don't have to get the approval of the Board to do that then you just put it on your land inside the easement.

Mr. Zigler: If he kept the conservation easement that is correct.

Mr. Dimeen: I think the natural landscape is pretty nice. So we have already done away with the natural landscape this is still ok this side is done we can't do anything about that this side is pretty nice still.

Chairman: Right.

Mr. Dimeen: I say where are the gates are they on the Conservation Easement?

Chairman: Ask me the questions.

Mr. Dimeen: Well you drew the map so are the gates on the easement?

Mr. Sheehan: There are no easements in the right away the driveway.

Mr. Dimeen: So that is my suggestion you can't change this so why don't try and save this and put the fence on the inside of the easement and leave it natural. It hasn't been disturbed leave it.

Mr. Muller: I have a question for Dave you said it is going to be a minimum of 20 feet from pavement in.

Mr. Zigler: The fence will be at least 20 feet off the pavement.

Mr. Sheehan: This Board has to keep in mind to the east of the gate I believe that was part of the initial subdivision years ago so overiously we would want to put some plantings in there. West of the entrance beyond that lot there is no restrictions but basically the only thing that wouldn't be landscaped. If you follow that suggestion that the one lot be taken out of the approval the whole frontage on Blanchard Road will be landscaped and fenced and then that one lot the fence would jot in and you would have what is there so I don't think you would be serving the propose of trying to landscape that whole area.

Mr. Kraese: Seems like we have gotten off track here and Bill has kind of straighten us out I know there are some issues on Blanchard Road that have to be addressed but we don't have the wherefore right now to address it. Am I right counsel?

Mr. Honen: The issues that have been brought to Board attention with Blanchard Road is more in the line of enforcement issues if there are any silt fences that need things of that nature but there is no application before this Board with respect with work along Blanchard Road.

Mr. Kraese: We have dealt with this conservation easement and buffer before on Crickettown and if a land owner in my opinion wants to do something to better the area and overiously lot number 9 needs some work you can't do anything now at least by granting that easement there will be some sort of improvement on lot number 9.

Chairman: John go ahead.

Mr. Dimeen: So if we can accomplish anything can we at least say the trees to the west of the big gate won't be clear cut like they were on Blanchard can we at least save those trees. You can put a fence up without taking trees down but it seems to me the gentleman that made the presentation indicted they will be taking those trees down to the west of the gate.

Mr. Muller: If he changes the grading he will have to take those trees out. Are there grading issues there Dave where he will have to grade in order to put that fence in that will affect the trees?

Mr. Zigler: No not in that area but the trees if you look 10 foot high the trees look nice if you look really at the top of the trees when we were there – there are not leaves on the top. A lot of the trees are broken on top because when they whenever they clear cut the rest of the property they just dropped the trees into the standing trees and that was what was along Blanchard a lot of the trees were snapped along the top so you had this nice tree at the bottom but it was snapped on

top and we were looking at those trees on lot 5 I would say at least half of them were snapped on top and major damage to the tree. So I think he would like to save some of them but half of them are going to come out.

Mr. Dimeen: I really object to that snapped on top business the trees don't get dropped on to Gate Hill Road they would be dropped into property. Let's leave this one more meeting so we can look at what we are doing before we remove trees to the west of the property it is horrible what they did on Blanchard Road we can't bring trees back.

Mr. Zigler: Just one thing to the Board that was looked at during the subdivision portion of it this gentleman came in and brought the property he now owns the lots on the property and he would like the landscape. The question is here if you went up and looked at his house and looked at the rest of the area it is pretty good looking it is nice looking and he planted trees and everything else. I did look at the trees and we looked at it with a landscaper and a lot of them trees had been hurt quite bad by trees being pulled through after they were dropped if you would try and save the trees along lot 5 some of those trees are going to come out. The bottom line is if you change this to allow him to put the fence up and put the landscaping let him do it. We are talking about private property and what somebody should do with it right now our problem is the restriction of the easement everybody has said clean it up that means we should go to an easement to a buffer and once he gets to the buffer then being there are no regulations to whatever he wants to do on the rest of his property as long as it is in the code I think that should be his discretion.

Chairman: Alright thank you.

Mr. Muller: Observation is he may be taking some trees out but he is putting many trees in he is not clear cutting it and leaving it blank and bear you are going to be removing trees and putting many more in.

Mr. Zigler: And they are only the ones around the fence there is going to be other landscaping inside the fence. Right now he can't put anything up there.

Mr. Dimeen: Tom

Chairman: Yes, John.

Mr. Dimeen: This is like two separate version of reality here. It is not the typical subdivision where you think of in New City were everyone has got a quarter of an acre or an half acre. This is 8 building lots on eighteen acres and there is this massive house that is so out of place not only they have this massive fence and clear cut the rest of the property it is outrageous that we are talking about this let him put the fence inside of the easement an at least save those trees that we still have left. It is on the border of Harriman State Park on the edge of Lake Welch it is not typical suburban neighborhood so let's try and keep the character of the area consistent we can't change Blanchard Road but let's keep the trees we have. Leave the trees don't say you are going to pick this one that one and what's dead they all look alive to me. I think you should just hold them to that you can't change Blanchard at least you can hold them to the other street.

Mr. Pagano: I realize we can't change Blanchard and we are not there for this so in Lot 9 here this conservation zone has significant water runoff and if you look across the street to the lot that is designated Michael and Deborah Mashutte they have a dry river bed going through their backyard that takes the water off this lot comes underneath Blanchard Road from this lot and goes through their backyard you have a drainage issue there too which might my pictures didn't show.

Chairman: Like we are saying if we leave it as an easement he cannot do anything to it so.

Mr. Pagano: I understand if we leave it right now what we put together on the other side of the road it is not going to address what is in my pictures but it will not cause more of a problem.

Chairman: Kevin you have any comments?

Mr. Maher: From an engineering prospective I think it is a great idea to change the designation from conservation easement to a buffer the landscaping is going to be a bonus it is going to make the area look better especially the area that has had the vegetation removed in the past. The concern I have is now that even though you can't put Blanchard Road work into this now you are going to have total disturbance well over an acre on the property by state law that requires a SWIPP but it would only be restricted to erosion control you don't have to address storm drainage because you are not putting more impervious area. I don't think you need to enforce it at this time to make the change in the designation of the easement but before the work starts I think it is part and parcel of the other work that is going on Blanchard Road I think a SWIPP should be prepared but again it would only be for erosion control it would only be for no additional impervious area created. (talking inaudible) If the County wishes to add drainage in there that is the County prerogative as long as they restore back the natural vegetative surfaces that what the SWIPP would be limited to erosion control you are not talking taking a virgin piece of territory stripping it of vegetation and putting in houses driveways and roadways and sidewalks that definitely requires a full storm water pollution prevention plan. This only requires soil erosion control because you are stripping vegetation and putting new vegetation back retaining walls if they are necessary on Blanchard Road and yes fill material would be certified to me I do not certify the property owner has to provided certification as to that the material came clean locations. That is call the beneficial use determination it's a general document that they use a DEC certified source or they would have to go to an outside source or consulting engineer firm have the soil tested and prove to be clean. Broken up asphalt as long as it is in small pieces (inaudible) if that is mixed in with the fill that is ok if there is small pieces of construction debris not wood but rock stone brick and small pieces that is permissible too under New York State DEC.

Chairman: Anymore comments.

Mr. Sheehan: I would like to ask the Town Engineer a question what is before the Board here has nothing to do with Blanchard and the SWIPP and all that. If you feel (inaudible) then you would have to advise them about the SWIPP and so forth. But what is before this Board is no permission required from the DEC. What this Board is doing is changing or what they are asking this Board to do is change the designation the construction end of it could be something

down the road depending how far he goes and then he has to meet our Town regulations DEC regulations and so forth but what is before this Board doesn't require anything.

Mr. Maher: That is basically what I said that as far as changing the designation I don't see any restriction on my part as the Town Engineer it is a zoning issue but before the work starts extending the wall and putting in new vegetation (inaudible) that with the work going on at Blanchard that would require a SWIPP.

Chairman: Any other comments.

Mr. Dimeen: One more request Tom can we have some reasonable determination on trying to save the trees on the west side of that gate.

Chairman: We will make every attempt I have landscapers on this Board that have look and we will put that in we will make sure.

Mr. Maher: Bill was correct in saying that are required as far a Blanchard to maintain things and keep the road clean so if an violations pop up I have not been in Town the last week and a half I have been on vacation. So if any soil does was out on to the street they are obligated to maintain it immediately and clean up if we can issue violations so can NYSDECK.

Chairman: Thank you Kevin any other comments from the public.

MOTION: TO CLOSE PUBLIC HEARING

Made by Peter Muller and seconded by Michael Puccio

Mr. Dimeen: Tom one more question. I want to ask a question that does not pertain to this particular situation but I keep hearing heli port heli port all I want to ask was is something like that comes up will it just be adjacent property owners that will be notified or will those of us that are down here be notified.

Mr. Sheehan: If I can answer that the Town has nothing to do with that it is before the FAA and the State (inaudible)

Chairman: What Bill said if it does go might go to the Town Board but we do not give any notices on that.

Mr. Sheehan: It is regulated by the FAA.

Chairman: Just to let the public know I have been on the phone with the County and they are aware of Blanchard Road and they are keeping a eye on it. Like Kevin said now that he is back he is going to keep an eye on it. We are trying to fix Gate Hill Road and hopefully by him going up and putting the landscaping I think it is going to improve he is going to look at the trees we are up there we are going to make sure you know it looks good you know. The County like Kevin said Blanchard and Gate Hill are County roads so they are going to be up there I was on

the phone with them today they know about the runoff from the rain and Kevin is going to be up there monitoring so you know they are going to keep an eye on it.

Mr. Pagano: Can we ask Dave to ask the property owner to follow through on the drainage.

Chairman: I need a motion to grant approval for the amendment of the subdivision.

MOTION: GRANT APPROVAL FOR THE AMENDMENT OF THE SUBDIVISION
Made by Gene Kraese and seconded by Michael Puccio
Roll call vote all in favor

RESOLUTION
GRANTING APPROVAL
OF AN AMENDMENT TO AN EXISTING SUBDIVISION
For The Project
AMAR ESTATES, LLC
BY APPLICATION OF: Raja and Manju Amar

WHEREAS, an application has been made to the Planning Board for an amendment to a previously filed subdivision map requesting that the previously imposed “50 foot Conservation Easement parallel to Gate Hill Road” be eliminated and in its place establish a Conservation Buffer, pursuant to the provisions of the Town Code Section 215, and affecting premises designated as Section 14.03, Block 1, Lots 10 and 23 on the Tax Map of the Town of Stony Point, located in an RR Zoning District and upon a plat titled “AMAR ESTATES, LLC” dated April 14, 2014, prepared by Atzl, Nasher & Zigler, P.C., consisting of two (2) sheets; and

WHEREAS, this application seeks an amendment of a previously approved fourteen (14) lot subdivision, which is the subject of a map entitled “Carlton Meadows” and filed in the office of the Rockland County Clerk on May 25, 2001 as map number 7438, Book 121, Page 70; and

WHEREAS, the Planning Board on May 22, 2014, pursuant to the New York State Environmental Quality Review Act, reviewed the Short EAF submitted and determined that this was a Type II action and that no further action was required by this board; and

WHEREAS, by letter dated May 20, 2014, the Rockland County Department of Planning made certain comments applicable to the project, recommending a review by the Rockland County Department of Highways and by the Rockland County Department of Health; and

WHEREAS, a public hearing was held on May 22, 2014, at which date the public hearing was concluded and closed.

NOW, THEREFORE, be it

RESOLVED that the application submitted for approval seeking an **amendment to a previously filed subdivision map requesting that the previously established “50 foot Conservation Easement parallel to Gate Hill Road” be eliminated and in its place establish a Conservation Buffer, pursuant to the provisions of the Town Code Section 215, which shall be a fifty (50) foot wide Conservation Buffer parallel to Gate Hill Road and affecting premises designated as Section 14.03, Block 1, Lots 10 and 23 on the Tax Map of the Town of Stony Point, located in an RR Zoning District and upon a plat titled “AMAR ESTATES, LLC” dated April 14, 2014, prepared by Atzl, Nasher & Zigler, P.C., consisting of two (2) sheets, be and hereby is approved, and the Chairman is hereby authorized to sign same and to permit same to be filed in the office of the Rockland County Clerk, upon payment of any and all outstanding fees to the Town of Stony Point, subject to and conditioned upon the following:**

1. The signature of the Chairman of the Rockland County Drainage Agency is required upon the subdivision plat pursuant to the requirements of section 13-A of the Rockland County Stream Control Act (L. 1975, Ch. 846, as amended).

The question of the adoption of the foregoing Resolution was duly put to a vote on roll call, which resulted as follows:

There being six (6) votes in favor of the motion, and no (0) votes against the motion and no (0) abstentions thereto, the Chairman declared the motion carried and the Resolution was thereupon duly adopted.

**THOMAS GUBITOSA, Chairman
Town of Stony Point Planning**

Board

**Filed in the Office of the Clerk of the Town of Stony Point on this 27th day of May 2014.
Hon. Joan Skinner, Town Clerk
Town of Stony Point**

End.

Chairman: Next on the agenda is Tractor Supply.

Tractor Supply – SBL 20.04-11-1 Site Plan Conditional Use, located on the north side of 9W in the Stony Point Shopping Center

- New Application

Referral from the Town Board requesting Planning Board recommendations on a Text Amendment Affecting the BU Zoning District

Ira Emanuel, Attorney for applicant Tractor Supply

Mr. Emanuel: Ira Emanuel I am the attorney for the applicant this is an application involving the Aldi Supermarket Shopping Center on Route 9W the application is with respect to a proposed Tractor Supply Company Store. Tractor Supply Company is a department store (inaudible) towards landscaping and garden equipment but also sells hardware and work cloths also sorts of sundries. Part of them doing business is to have outdoor retail areas sort of like when you go to Home Depot you will see next to the store there will be an area primarily for garden supplies and garden equipment that is the sort of thing Tractor Supply Company likes to do as well they will also have some equipment that will be out there and also trailers. Your code currently does not allow any kind of storage or sales for retain purposes. An application has been submitted to the Town Board to amend the code with respect to that in the BU District and that is part of what we are here for this evening but we also want to start the Site Plan review process so that by the time we get to the next meeting with this Board in June hopefully the code will have been amended and you will be in a position to act. The Chairman just read the Site Plan as the agenda item but it may be better to reverse it and talk about the Text Amendment first. I think it would flow better for the Boards understand and everyone else understanding. As I mentioned your code currently does not permit any kind of outdoor storage or outdoor sales in any of the non residential districts in order for Tractor Supply to make a firm commitment to come in here it has asked the Town Board to make an amendment to the code and when we crafted the amendment working with Max and Bill and Steve we tried to be as careful about this and as narrow about this as we could without limiting it to this one piece of property because frankly it would be spot zoning and it would not be fair. So what we did is propose an amendment and the reason I am going through all of this is because as all of you folks know to amend the zoning code the matter has to be referred to you and you have to make a recommendation to the Town Board. So that is part of what we were going to ask you for this evening is to make that recombination to the Town Board. The amendment that is being proposed is strictly for the BU District so that is the big business issue that generally runs up and down Route 9W in a couple of different spots. The major part of the BU District is along 9W on either side starting from the Town Line and running north to just past Main Street up maybe as far a Teneyck I am not sure it is along that distance and of course this particular property happens to be right within that. We then limited it to an accessory use to mobile convenience commercial uses although it sounds like a very general category in you code it is actually a more specific one its retail uses that exclude other retail uses

that are separately defined so it does not include restaurants it does not include it does not include gas stations it does not include any kind of warehouse or wholesaler it is basically your standard retail type store it would include a supermarket for example it would include naturally Tractor Supply. Again because it has these certain exclusions we are further narrowing the circumstances. We are also requiring that the area be designated be on an approved Site Plan. The reason we did that was we did not want to give eligible retailers the right to just put outdoor sales area any where they wanted to without regard to the impact on traffic the impact on ascetics the impact on emergency vehicles. So we wanted to set it up so you folks who know best how to do this would have the control over were this would be. Now it does not have to be an enclosed area but you can require it to be enclosed you can have control over the type of enclosure if you require it to be enclosed on the other hand you can say maybe it shouldn't be enclosed area. In our discussions among staff we talked about for example supermarkets very often will have seasonal sales outdoors, mulch seedlings certain plants and they will have them outdoor on the sidewalk in front of the stores were people come in and you wouldn't necessarily want an enclosure there but you would want to make sure it stayed on the sidewalk and didn't spill over into the driveway. The Planning Board would have the opportunity to make sure that it happened and require it on the site plan. We recognized also that even though these retail areas are going to be outdoor they are still retail areas and hopefully that will generate additional traffic and hopefully if will create a need for additional parking and so we added in a provision that says if you have one of these sales area you are going to have to provide parking spaces at the same ratio 1 for 200 square feet as you have for indoor because your code currently doesn't provide for that. We amended another provision that said basically we took out a provision that said you couldn't have because overiously that does not make sense. The last thing that we did is we put in a provision that allows these areas that would be in a front yard again subject to this Boards approval of a Site Plan and we provided you with maximum flexibility with respect with how that would occur if we did put it into a front yard so you would have the flexibility with respect that they have the appropriate landscaping making sure there was appropriate fencing making sure that security was proper making sure that we didn't obstruct anything that shouldn't be obstructed site distances for example especially when we are talking about a front yard. So these are the provisions that we have put into the Town Board for a proposed amendment to the code and we think there are obviously there are generated by Tractor Supply needs we think that they are appropriate application to the BU Zone in general and so we like to ask the Board to consider this and make its recommendation to the Town Board the Town Board has scheduled a Public Hearing for its first meeting June 10th so clearly we would like to have your recommendation this evening so the Town Board can go ahead and hold the Public Hearing and hopefully enact the amendment at that time.

Chairman: Does the Board have any questions on the Text Amendment. So our recommendation will say we are ok with the text amendment the way the Town Board sent it to us the way it has been written up.

Mr. Kraese: Has been proposed.

Chairman: Has been proposed so if everyone is ok Max do you have anything to say?

Mr. Stach: I think perhaps you want to go beyond weather you are ok with this or is it something that would be good for the Town. I know when we were doing the Master Plan large focus of the Town Board at the time was to encourage additional retail sales and commercial traffic and ratable along Route 9W and increasing the amount of the site that is available to retail goods would have a positive impact on things like property taxes. I would just suggest that even beyond just saying it is ok perhaps you might want to give it a positive recommendation and I would further say that I have been in communication with Ira we have discussed these issues and we have worked with Bill also. The way it has been drafted is appropriate that it won't result in some unintended consequences that may otherwise have occurred for example the type of outdoor storage that probably was originally targeted by the prohibition is the type of storage you might see at a gas station which is perhaps is a sale at Costco on cases of water and the owner of the gas station goes out and buys 50 cases and now the whole front of the gas station is Poland Springs water. That wouldn't be permitted by this type because it is limited to local convenience commercial uses so it is really intended to establish permanent outdoor retail sales not transient or temporary or impromptu displays.

Chairman: Does the Board have any other comments. We make a recommendation on the text as proposed and we think it's beneficial to the Town to bring added retailers to the area and drawing people in and be more attractive for businesses to come in.

Mr. Kraese: For this applicant and others.

Chairman: For this applicant and especially for other applicants who want to come into Town who do have outdoor storage that they bring people into shop into that corridor so I am ok with that. We will draft something up we need a motion to send a positive recommendation to the Town Board we are in favor of the proposed Text amendment as stated.

MOTION: SEND A POSITIVE RECOMMENDATION TO TOWN BOARD IN FAVOR OF PROPOSED TEXT AMENDMENT AS STATED.

Made by Gene Kraese and seconded by Mike Ferguson

Roll call vote all in favor

Mr. Emanuel: With that background now we can discuss the proposal for the Aldi Shopping Center in particular as I said Tractor Supply Company would like to come in and they would like to create an outdoor sales and storage area as you saw from the drawings submitted. Tractor Supply is not taking an end cap here we have the Aldi on the north end down to the south we have the Rite Aid Tractor Supply will be taking a middle portion they are taking about 2/3 of the Stop and Shop so where they want to put this outdoor sales area next to the store there is no next to the store to put it. So what they are proposing is to take a portion of the parking lot here on Route 9W and also a small portion up here and use those for the outdoor display and storage area. This area here which is about 2,200 square feet will be a permanent display for trailers and related equipment this area down here would have changing displays and storage based upon seasonal needs in the spring time you will be having plants and plant materials and bags of mulch and bags of soil as you got further into the summer cement and rocks and other things and when you got down towards the fall fertilizers and other materials more appropriate for seasonal uses. There may also be some equipment that will be here but the intent of this area here also

will allow vehicles to drive through so they could make the purchase inside the store and come out with a ticket and then be able to drive through and have the stuff loaded onto their cars or trucks so they would be able to drive out. This will take up a number of parking spaces but because of the one to two hundred square feet ratio for parking spaces that were recently adopted the number of parking spaces which is actually required for a shopping center of this size is less for the shopping center when it was first built. Now you may be saying to yourself wait a second that does not sound like a good thing the reality is that the shopping center had too many parking spaces and that is not something that is unique to Stony Point all over Rockland County the Mid Hudson and all over the State you will find that codes that were originally drafted in the sixties and seventies and even the eighties put way to many parking spaces in and we paved over way to much ground. So when the Town Board adopted these new parking standards they were actually bringing the parking standards closer to reality and yes the parking lot will be more crowded because you have fewer spaces but it will be more efficiently used. There is a small deficit we will be asking for a waiver from this Board this Board does have the authority to waive up to 25% of the required parking we are in the process of conducting the parking study which will be present to you between now and next meeting. By the way we are not asking you to do anything in terms of approvals on this tonight we recognize this is the first time you are hearing this we recognize this is not a Public Hearing this is basically introductory material for you. So between now and your next meeting you will receive a parking study which will show the number of cars that are using the parking lot on its busiest days I know a parking consultant has been in contact with Max to determine which days should be used for the parking study and you will have benefit of that when we are asking you to vote. I know that there was concerns at the Tech meeting on what this is going to look like member of the committee were very concerned that the enclosure not be a chain link fence which would look like garbage after 6 months. Tractor Supply is also concerned that it be a nice looking fence. We gave you two renderings which you should have and you can see that the fence that is being proposed to my eye is a very handsome fence that is composed of black anodize aluminum sought of a wrought iron look with stone and brick pillars as support structures and it provides the aesthetics that the Town is looking for but it also provides an opportunity for people who are driving past on Route 9W to see what is in there and just as importantly it provides the security people at Tractor Supply and the Police the opportunity to see what is going on in there so you don't have somebody in the middle of the night ducking behind a solid fence and stealing things. So we need to have it as an open fence but we understand that an open fence can be attractive. The renderings that were provide to you one was sort of an aerial view taken from across the street the other is from Route 9W looking in that pavement is intended to be Route 9W but you get the idea. You can also see the shopping Center is a much nicer looking building that it was previously. We have also received some correspondence thus far and I would like to go over with you. First thing we have is from County Department of Planning May 7th and it asked that there be a review completed by New York State DOT and required permits and we will agree to that required because it is on Route 9W second is that comments and conditions of County Highway Department letter of April 23rd must be met and all permits must be obtained and we will talk about the State DOT letter as well. Additional evergreen landscaping must be supplemented on the areas on Route 9W and 202 were the parking is facing the roadway and landscaping exists particularly at the north end of the parking area facing South Liberty Drive. That is up here it is off the plan were not doing anything off of there we are proposing in front over here and quite frankly it is not up to us to fix things that have nothing to do with us. We are putting this area down here we will make this

area look nice but to ask us especially for the County to ask us to put stuff way up there I don't understand it. All proposed signage should be indicated on the sign plan and conform to the municipality sign standards we are not in favor of granting variances for signs do to the precedent the could be set – I am not aware we are asking for such things. Fifth to insure that there should be sufficient parking areas dedicated for snow plows and we will be happy to do that on the next map those of you have read the plans carefully will note that on the title sheet the description of the property was for a parcel in Queens we will fix that. We didn't want to make any additional changes until we heard back from you folks. I spoke a moment ago about the County Highway Department letter April 23, 2014 and together with that we also have a DOT letter of April 30, 2014 and both case they seem to be asking for a traffic study yes were confused about that to Mr. Chairman because although we are adding some more traffic we are not adding a significant amount of traffic that we think there will be any kind of a need for a road improvement on Filors Lane or on Route 9W or at that intersection. I know that Max's office sent a letter off to DOR and the County Highway addressing that issue I don't know if you have heard anything back on that Max. We are going to hold off on doing any traffic study unless the Board wants it frankly we do not think it is necessary the amount of additional traffic that will be generated by this I don't know if it will be measurable.

Chairman: It is a established Shopping Center.

Mr. Emanuel: We do not think it is necessary and we appreciate that the Planning Consultant for the Town has stepped up to help us out and try and get rid of this requirement. The last item I have in terms of agencies is from the Board of Fire Commissioners dated May 14, 2014 and they have no comments concerning this project. I am open for any questions.

Mr. Stach: As Ira has done very well in describing the process up to this point it is a little unique that this requires action by the Town Board before this application can proceed so what you have before you tonight is essentially applications submitting an application at his own risk anticipating separate action by the Town Board this would typically bring up coordinated review under SEQRA I have discussed this with Brian Nugent from Steve's office and with Ira about how to properly go about reviewing the environmental impacts of this application. Overiously putting a fence in the parking lot is not going to insult the environmental impacts. We talked about the minimal impacts for added traffic here for storing mulch and lawn mowers outside it is just not going to happen in terms of environmental impacts. If this were a permitted use already there would be no environmental review necessary this would be a Type II action because it would comprise expansion of less than 4,000 square feet. However a zoning amendment before the Town Board rises to the level of a Type 1 action meaning it rises to the level of intensive environmental review and would normally require coordinated review so communication between all the agencies. The complexity of this process for such a simple application shows you that it is an atypical situation and so I think while we came to the conclusion is that the Town Board should be lead agency and they should do an environmental review of changing the zoning how will that affect the Town if they allow these type of uses throughout the BU Zone not just this one application. So they have in fact declared themselves lead agency classified the action as Type 1 referred the EAF along with this recommendation to you for your comment. In talking with Ira I think we agree that this is a case on of the rare cases were segmentation of environment review is appropriate it makes a lot of sense for the Town to review this application

understand its environmental impacts of allowing the use in this manner though out the Town and once it is done for this Board to essentially do its own environmental review which at that point will be to say it is Type II and not subject to SEQRA however you cannot do any of that until the Town Board will finish there environmental review because there is a little sentence in that Type II description that says its only Type II description if it does not require a change in zoning. So essentially the Zoning has to be adopted and then you can proceed with this application.

Mr. Emanuel: As to respect to the segmentation issue I know that all of you have been to planning classes and all sought of continuing classes and it is drum into your head is thou shall not segment ok however there is actually a specific provision in the SEQRA regulations it is 617.3G just to prove it to you there is a sight 617.3G which says that segmentation is allow in appropriate circumstances so long as it is no less protective of the environment. In conservation with Max we spent a lot of time talking about that little phrase there.

Mr. Stach: I will concur with Ira that doing it does not result in a review that is any less protective of the environment and we will do also is that we will provide a letter explaining the appropriateness of segmentation and we will forward it to the Town Attorney.

Chairman: So for tonight we are just keeping our recommendation that we are in favor of Text amendment the way we are going to state it.

Mr. Emanuel: We would like whatever feedback you may have thus far so if we have to make any changes to the plan we can make them in time for your next meeting in June we would also like a referral to the ARB so that we can have that in hand. I will be perfectly frank with you our aim here is to go to the Town Board on June 10th get the text amendment done go to the ARB which is the 18th and then on the 26th come to this meeting for a Public Hearing and hopefully get an approved Amended Site Plan so by the end of July we can get a building permit pulled and hopefully in time for the Christmas season Tractor Supply will be open.

Chairman: Does the Board have any comments?

Mr. Kraese: I just have one with all these pictures you keep giving us are you going to come back next time with what we talked about at the Tech Meeting you gave us one rendition of the parking lot with some concrete around the bottom now the new ones don't have one.

Mr. Emanuel: We took a look at that and we talked about that and we talked about the issue of having wall along the bottom frankly it is become a very expensive proposition in addition it is not as good for drainage you will have a wall that would be interrupting the existing drainage pattern having the open post going down to the existing parking lot or the repaved lot will allow the water to continue to flow the way it does.

Mr. Kraese: That makes sense do you have any plans for any landscaping?

Mr. Miller: We will have the plans before the next meeting.

Mr. Emanuel: We don't do screen obviously we accent landscaping.

Mr. Kraese: My personal opinion was always my concern to do something on 9W obviously you want your product to be seen whether it be your product or the next applicant down the road a little more than nothing.

Mr. Emanuel: Something along the lines what is in the renderings is that acceptable basically street trees?

Mr. Kraese: No I was talking about in front of your fence over here on the initial one that you gave us not only did you have the wall but it does make sense with the drainage on the east side but you also show some shrubbery there.

Mr. Emanuel: You mean there within the parking lot.

Mr. Kraese: Yes, I think my concern personally would be from 9W because that is what people are going to see after a while everyone is going to know Tracker Supply is going to be there. See what you gave us over here last time something at least on 9W low shrub not something that is going to grow six feet.

Mr. Emanuel: We will take a look at.

Mr. Kraese: Mostly in the front.

Mr. Jaslow: At one of our meetings we were talking about propane in there and what is that going to look like having big tanks sitting in the middle of that area.

Mr. Miller: Think they are going to have propane swap area not a filling station.

Mr. Ferguson: They don't have a filling station they have swap usually bring in your old tank and pick up another.

Mr. Emanuel: I don't think they have filling stations any more except like Suburban Propane.

Talking inaudible

Chairman: I did look at the one in Chester I think they did have the swap we will have to look into that.

Mr. Emanuel: Any other questions comments?

Mr. Ferguson: One question on the applicant it says Alberto is he going to be the going to be the franchisee for Tractor Supply or is Gator going to be.

Mr. Emanuel: Gator of Stony Point is a unit of Gator Investments which is the landlord Tractor Supply owned store.

Mr. Ferguson: They are going to be leasing from Gator.

Mr. Emanuel: They are going to be leasing to Tractor Supply.

Mr. Sheehan: We will need a variance for the sign but that is down the road. I would like to see a real rendering that it will actually look like this rendering does not even show the drive through. I am also curious about what they are going to store in that area and how high it is going to be filed I think it is crucial being located along Route 9W that we have a handle of what is going to be in that area and what it is going to look like. I also think the renderings should encompass the entrance at least to Filors Lane so we can a comparison on how close it is that road. I also would like to see more on the existing landscaping and what is proposed on the site in front of the building. I think if we are going to allow this on Route 9W there should be some kind of a trade off (inaudible) to offset what we are losing.

Mr. Emanuel: None of that is going to be lost.

Mr. Sheehan: It's not on the landscaping plan and we would like to know what is proposed.

Mr. Emanuel: I am going to bring it up at the Town Board when they did Aldi I believe the Supervisor is still talking with Gator they had promised us screening along the north end of the building on the roof for the neighbors and I do not think (inaudible) that might be something you might want to discuss with the landlords. Also the second storage areas where these trailers are just sitting outdoors in the parking lot they are not fenced in or anything. I think that might be a little dangerous in the middle of the parking lot like that. Now that little area..

Mr. Emanuel: 2,200 square feet

Mr. Sheehan: Ok just make sure that is what we are getting and safety is a concern. Now the SEQRA.

Mr. Stach: It is a question if you are adding square footage here.

Mr. Sheehan: I know you are not adding square footage to the property so was not privy to the conversation between yourself and the applicant and the attorneys but you must know of segmentation I believe if it becomes unlisted I don't think at this Board but I think at the Town Board level. Normally when do a text amendment there is no applicant before us I was kind of surprised not that it was an issue I was away when I did finally see the conditions it actually came from either Gator or Tractor Supply so that is before the Town Board and the Town Board has to be aware they have to take this property into consideration when they do the Text Amendment otherwise (inaudible) its segmentation.

Mr. Stach: I think we can discuss it further.

Mr. Sheehan: I am not saying I am correct but I have not been able to discuss any of my thoughts.

Mr. Stach: Typically when an application would require a Site Plan and a Text Amendment you would do, the Planning Board would do the SEQRA for the whole project.

Mr. Sheehan: I do not have a problem with the Planning Board not doing SEQRA the issue I am thinking about is the Town Board doing the Text Amendment without actually doing the SEQRA for this property.

Mr. Stach: Without understanding physically what they propose with this particular.

Mr. Sheehan: Correct, typically when a project comes before this Board and these Text Amendments typically is done before this Board gets an application.

Mr. Stach: Often times when that happens there is still an applicant somewhere.

Mr. Sheehan: But it is not before the Board. I just want to make sure - I don't have any issues with the Town Board being lead agency.

Mr. Stach: I think we even discussed it that if there wasn't this prohibition this might even be something you might have been able to do I believe in the Building Department is that correct.

Mr. Sheehan: The storage itself isn't an issue it's the outdoor storage if that was not in there would be a Building Permit and go ahead and knock yourself out.

Mr. Stach: So what rises now to the level of need a requirement for environmental review is really not what is being proposed because it would have been so basic that it does not even require Planning Board review had we not had...

Mr. Sheehan: The Text Amendment is going to required Site Plan approval for outdoor storage.

Mr. Stach: Only because we have that statement that says all storage shall be within an enclosed building.

Mr. Sheehan: I am says the new Amendment is going to require Site Plan approval.

Mr. Stach: I understand that.

Mr. Sheehan: I just want to make sure that like I said with the Town Board (inaudible) the SEQRA overiously you all know it is a Type I action as far as the Text Amendment but I believe they are going to need to touch on the Site Plan.

Mr. Stach: We should talk about this at the Tech Meeting it may just be even advisable beyond whether it is required or not.

Mr. Sheehan: I am concerned about I am not concerned with the use they have come a long ways from the post in the ground and a chain link fence around it. Let's get something that is actually is real. I just want to make sure that it think it is around 13,000 square feet you are a 1/3 of an acre sitting along 9W and it has to be a nice pattern and it has to work so we should see what is existing on the site as far a landscaping and what they are proposing.

Mr. Stach: I applicant should be providing a landscaping plan with the (inaudible)

Mr. Kraese: What are our chances of getting a Site Visit I would request before the Site Visit that the applicant mark off the four corners and hit it with some white or orange paint you don't have to come in for that.

Chairman: Let Ira know and I will get a hold of the Board and we will do a Site Visit.

Mr. Muller: We are also looking for where the gates will be not just the four corners.

Mr. Kraese: Basically, then we will tell them the desires for landscaping at the time when we see where we are at. We want to encompass the complete exterior fenced area and whatever else they are doing.

Mr. Sheehan: I am thinking myself and I don't know if it is the case they might be ready to actually move that pavement I don't know if there is any pavement that is being curbed in this thing. If there is any pavement between this thing you know between what we have there now and the storage.

Mr. Stach: There isn't Bill they have it right up there.

Mr. Emanuel: It is right up the edge of the parking lot.

Mr. Sheehan: I think Gene is right in marking it out.

Mr. Kraese: And the gate that is going to pass through. How are you going to do this Mr. Chairman you going to set a date or what?

Chairman: We will set it for June 7th. For the storage the space here like Mike was saying for because of the incline do they have to stay in front of the store. Will they be able to go ..

Mr. Sheehan: My understanding is they cannot block Aldi it is in Aldi lease. If was up to me I would like to see up against the warehouse but the grade is so steep there that it wouldn't work for them. The reason they picked 9W is for two reasons one is for the site it is also for the flattest piece is on top so I understand why they went there in the real world it would be nice if that was a flat site and you would push it off to the side next to the warehouse and they it doesn't bloc 9W I think it is very important being along 9W. I think it is also critical that we have an 8 foot fence that we don't exceed the height of the fence.

Mr. Kraese: So June 7th 8:00 AM at the Site.

Chairman: About 8:30 AM is that too early or 8:00 AM.

Mr. Kraese: You are the Chairman you tell us.

Chairman: We will do 9:00 AM you know what we will do 8:30AM at the Site.

Mr. Emanuel: 8:30 AM

Chairman: What date?

Mr. Kraese: June 7th. Are you going to be ready for the ARB?

Mr. Emanuel: I hope so.

Chairman: We can refer you but it is out there so.

Chairman: What I need is a motion to send them to the ARB

MOTION: REFERR TO ARB

Made by Tome Gubitosa and seconded by Gene Kraese

All in favor

Mr. Emanuel: I don't remember does this Board vote to set a Public Hearing or do you just set it? Can I ask for a Public Hearing date for June 26th?

Mr. Stach: The risk in opening the Public Hearing is that you might have to keep it open and it could make lengthy comments at consecutive meetings it's not a bad thing but you should be aware. If you open it and it is not ready it will be continued forward.

Mr. Emanuel: We are fine with that.

Mr. Sheehan: Can you tonight set the Public Hearing subject to review at Tech Meeting?

Mr. Stach: Yeah you could.

Mr. Sheehan: If at the Tech Meeting it is not ready for a Public Hearing what would we do?

Mr. Stach: The only question the time frame for the notice.

Mr. Sheehan: It is two weeks apart I am just thinking I have the same feeling as Max I would hate to have a Public Hearing if Board is isn't even happy with the plans.

Mr. Emanuel: Tell you what as long as the timing works out in terms of notices I stipulate that we can make it subject to.

Chairman: We will make a motion to set the Public Hearing for June 26th based on what comes out of the Tech Meeting. I just need a second.

MOTION: SET PUBLIC HEARING FOR JUNE 26, 2014 SUBJECT TO OUTCOME OF JUNE 12, 2014 TECH MEETING.

Made by Thomas Gubitosa and seconded by Gene Kraese
All in favor

Chairman: Next on the Agenda is an Informal Discussion for Hudson River Industrial Park Building B – Good Luck Auto Mr. Zigler could you give us an update.

Informal Discussion - Hudson River Industrial Park Building B – Good Luck Auto
SBL 20.02-11-25

Mr. Zigler: Basically this is the Good Luck Auto this is the last one you approved in December of 2013 it is about 5 months old. What the Magee's have is a permit to fill this area from DEC and Kevin has reviewed it he will allow them to fill that lower parking lot and grade across it unfortunately this plan does not show that so the State wants to recognize that the Planning Board has reviewed that so what we would like to do is take this approved map and that fill and put the two things together and get a resolution from the Planning Board on that. I wanted to discuss that at the workshop but everybody was on vacation. Basically that is what didn't happen so what we are asking the Board is if we just make an application with that revision would that be something you could do or how would we approach that? Is that a minor change?

Mr. Sheehan: You amending the Site Plan?

Mr. Zigler: With grading only now we had a note that Phase II could be used if we went to the Building Inspector and asked to use that so the actual approval for Good Luck was this portion on the south end and this was an optional area where he could store basically store vehicles in now we are asking to fill that area so they need a Final Resolution stating that has been reviewed by the Planning Board.

Mr. Stach: How much fill difference in elevation?

Mr. Zigler: They want to go up equal to the other parking lot so it is 12 to 14 foot it is serious.

Mr. Stach: It is not like a field change 4 foot.

Mr. Zigler: They need a resolution from the Planning Board.

Chairman: So what do we need to do?

Mr. Stach: What you need is an Amended Site Plan.

Mr. Zigler: If we submit a Site Plan like that and an application could that be done without a Public Hearing?

Mr. Stach: I think that this Board has Amended Site Plans without a Public Hearing before but they do not make that recommendation till they see what the changes are significant or not.

Mr. Zigler: The intensity of it because we have did some amendments before and I am sure on the other projects.

Mr. Sheehan: You were approved for grading plans but no parking I am not saying you have to build it but you have to show what you are taking out.

Mr. Zigler: This Phase II was an optional area so what we would be doing is if we eliminated that parking would be stuck on Phase I and if there was any expansion they would have to come back to the Board.

Mr. Stach: My question if I were the State is why are you filling it?

Mr. Zigler: Everybody knows why he is filling it he is trying to bring the entire site up level they know it too but they want proof that this Board has looked at it.

Mr. Sheehan: What about SEQRA?

Mr. Zigler: I guess you would have to have SEQRA not to build anything just for filling it.

Mr. Sheehan: I am just trying to get the end results tonight what we are actually doing.

Mr. Zigler: We had the parking for the building but this was going to be storage area we are going to meet the code for the building if anything was going to be done at Insl-X would have to come back to the Board.

Mr. Sheehan: There is no parking so anything they can do basically what you are saying is we don't need to show parking for Insl-X we just have to show what we need for Good Luck.

Mr. Zigler: Part II yeas.

Mr. Sheehan: I thought the parking in the hole there was going to be storage Good Luck.

Mr. Zigler: It was only if they had permission with the Town it had a stipulation it was a note on the Site Plan.

Mr. Sheehan: How is the grading on the north side of the building or property?

Mr. Zigler: It is not going to go down that far it is going to stop right there at the edge of the pavement.

Mr. Sheehan: How are you going to hold it up?

Mr. Zigler: It is just going to be a slope no walls.

Mr. Sheehan: Are you going to show that?

Mr. Zigler: Yes because you are asking me to. Here it is phase II storage must maintain aisles as they exist utilizing the parking spaces as storage. There is another one here. Phase I may be expanded to Phase II by notification to the Stony Point Building Department.

Mr. Sheehan: I thought we did get permission for storage in a lot.

Mr. Zigler: We did but it had approval but you had to be notified that they were going to store there.

Mr. Sheehan: I thought we would have to show storage again? What I am thinking is the dip in elevation so some kind of containment.

Mr. Zigler: We have to stay away from the creek anyway so we will make an application to the Board and modify this plan then when we go to the workshop this time you guys will not be on vacation correct. Then we can discuss it then I want to be ready for the next workshop that is why we requested to be on informally tonight. Thank you.

MOTION: TO CLOSE PLANNING BOARD MEETING
Made by Tom Gubitosa and seconded by Gene Kraese
All in favor.

Respectfully Submitted,

Mary Pagano, Clerk to the Board

