

**TOWN OF NORTH CASTLE
PLANNING BOARD MEETING
15 Bedford Road
Armonk, New York 10504
October 27, 2008
7:00 p.m.**

PLANNING BOARD MEMBERS PRESENT:

Peg Michelman, Chairman
John Delano
Gene Matusow
Jane Black
Steve Sauro

ALSO PRESENT:

Adam Kaufman
Town Planner

Roland A. Baroni, Jr., Town Counsel
Stephens, Baroni, Reilly & Lewis, LLP

Ryan Coyne, P.E.
Kellard Sessions Consulting, P.C.
Consulting Town Engineers

Valerie Desimone
Planning Board Secretary

The meeting was called to order at 7:00 p.m.

APPROVAL OF MINUTES

SEPTEMBER 8, 2008 – AMENDED

Ms. Black moved to approve the minutes as amended. The motion was seconded by Mr. Delano and unanimously approved, with the exception of Chairman Michelman, who abstained.

OCTOBER 6, 2008

Mr. Delano moved to approve the minutes as amended. The motion was seconded by Ms. Black and unanimously approved.

PUBLIC HEARING:

EMPIRE STATE TOWING

Site Plan

Section 6 Block 6, Lot 56

152 Virginia Road

William O'Neill, AIA – O'Neill Assoc.

Discussion

Consideration of approving site plan resolution

Chairman Michelman read the public notice for the record. Ms. Desimone noted that 28 out of 35 cards were returned and that all paperwork was in order. Chairman Michelman asked if there were any neighbors present for the application. There were none.

Mr. Bill O'Neill was present for the application along with the owner. Mr. O'Neill said that he had received the memo from the Town Engineer and that he had reviewed the proposed resolution. He didn't believe there were any issues that couldn't be addressed.

Mr. Kaufman asked if the issues from Mr. Coyne's October 23rd memo be added as conditions in the resolutions. Mr. Coyne stated that they are already contained in the resolution, and included the requirement that the storm water be addressed to the satisfaction of the Town Engineer and resolution of the fence on Westchester County. He asked if that fence was going to be removed. Mr. O'Neill explained that he spoke to David DeLucia who told him that the County would be replacing the fence as part of their capital project next year. Mr. O'Neill said that the applicant would coordinate with the county, but didn't think he should put up a fence.

Mr. Kaufman said that the County agreed that the correspondence received by the Town was an error and they confirmed Mr. O'Neill's statements. Chairman Michelman asked what would happen if the County decides not to put up a fence. Mr. O'Neill said that the applicant was prepared to install a fence, but the County said they would deal with it. He added that if the Planning Board wanted to add some kind of condition in the resolution that requires the applicant to construct the fence if the County didn't, the applicant wouldn't object. Mr. Kaufman said that was acceptable and that condition #3 could be modified to reflect this and that they would give the county 18 months. Mr. O'Neill pointed out that the fence doesn't belong to the applicant but the County and asked that this be noted in the resolution. Mr. Kaufman said that would be corrected in the correspondence from the County. Dr. Matusow thought it should be corrected in the resolution. Mr. Kaufman said the condition could be revised so that it just read "fence."

Mr. O'Neill noted that the applicant wasn't proposing any work that would require a highway public works permit. Mr. Coyne agreed and said that the proposed basin is not in the right of way, and he did not think any curbing was either. Mr. Kaufman said that could be taken out.

Mr. O'Neill said that the applicant was willing to work with Mr. Coyne to work out the issues in his memo, as long as it isn't totally incorporated into the resolution, and only says to the satisfaction of the Town Engineer. Mr. O'Neill referred to the condition concerning encroachments and said that he would be happy to notify the neighbors, but did not want to have to get their permission before the applicant corrects them. Chairman Michelman asked

what would happen to the neighbor's property. Mr. O'Neill did not think anything would happen as they were removing an encroaching fence. Chairman Michelman asked about the holes and Mr. O'Neill said that they would be filled. Chairman Michelman thought it would be appropriate to seek their permission. Mr. Baroni suggested notification with restoration. Mr. O'Neill accepted that but said that he didn't want to have to be delayed by the neighbors while the applicant waited to get their permission.

Mr. O'Neill said that he submitted some information about the hydrocarbon filters and would be submitting more. He said he had no other issues. Chairman Michelman noted that the word "consulting" before "Town Planner" should be removed from the 3rd whereas on page three of six. Neither Mr. Coyne nor Mr. Kaufman had any other issues.

Dr. Matusow thought that the Town Board's conditions from the special use permit should be repeated in this resolution so that it is very clear. Mr. O'Neill said that they could take those conditions out of the conditions and leave them in the "whereas clauses" because a number of them are repeated. He didn't think they needed to be in there twice. Dr. Matusow said he did not care where they were, just as long as they were in there. Mr. Baroni said there was nothing wrong with having them in there twice, but the way Mr. Kaufman has them is sufficient. The Board agreed to only list them once, as long as they were all included.

There were no other issues. Dr. Matusow moved to close the public hearing. The motion was seconded by Mr. Delano and unanimously approved.

Dr. Matusow moved to approve the resolution as amended. The motion was seconded by Ms. Black and unanimously approved.

200 BUSINESS PARK DRIVE

Site Plan

Section 2, Block 16, lot 18A-1

200 Business Park Drive

Dennis Noskin Architect, PC

Discussion

Consideration of approving site plan resolution

Chairman Michelman read the public notice for the record. Ms. Desimone noted that 11 out of 11 cards were returned and that all paperwork was in order. Chairman Michelman asked if there were any neighbors present for the application. There were none.

Mr. Dennis Noskin was present for the application. Chairman Michelman asked how many spaces the applicant was asking for, and Mr. Noskin said they were seeking approval for 10 overnight spaces. He pointed on the plan where the building was located in relation to the parking lot, Route 22, the Town Park and Route 684. He explained this was before the Town Board for a change in use which was approved. Unfortunately, the applicant's attorney passed away, and the applicant never returned the Planning Board for site plan approval. The applicant has now received a violation due to operating a business with out Site Plan approval and he is now before the Planning Board to correct the violation. The applicant used to be on Main Street. The parking doesn't affect any neighbors.

Chairman Michelman asked how the applicant arrived at the requirement for ten spaces. Mr. Noskin said that was the number the leaseholder said they needed. Chairman Michelman said

that she was sorry that Mr. Noskin was the representative for the application, but she proposed that they adjourn the public hearing because there are issues that have become evident. She said that she went to the site last weekend, because she heard that there were many more than 10 spaces being occupied by Armonk Limo. The applicant is here to become legal, but the Board can't help them if they are lying. On Saturday morning, there were 26 vehicles bearing Armonk Limo that were parked in the rear. Other Board members have found that there were more than 10 spaces being used as well. She said she would like to know why the applicant wasn't asking for the number that is needed. If a waiver is required, then the Board needed to know that. But at this time, she did not believe that the Board could entertain this resolution.

Mr. Noskin said that he was only given this number and he was not thoroughly familiar with the details. Chairman Michelman recognized this, and said that was why she was sorry he was the one who had to present the application. Mr. Delano moved to adjourn the public hearing. The motion was seconded by Ms. Black and unanimously approved.

Mr. Delano suggested that Mr. Noskin discuss these issues with the applicant and either come back with an explanation, or a revised plan. The applicant has already shown the Town that they will be using more than 10 spaces and the Board can't sign off on a plan that approves 10 spaces when they know more are being used.

Dr. Matusow thought there was another issue here. Mr. Noskin might not be aware of the applicant's representations versus what they are doing; however, there is a lot of trust that has to be in place between the applicants and the Board because the Building Department cannot inspect every application. However, the level of trust here is already compromised. Even if the applicant comes in with a revised plan seeking 22 spaces, he would question whether that was accurate. He noted that he was at the site one day and counted 27 cars.

SAMIT
Special Use
Section 2, Block 3, Lot 7-23
14 Wrights Mill Road
Nick Pouder, ASLA – Pouder Design Group
Discussion
Consideration of approving site plan resolution

Chairman Michelman read the public notice for the record. Ms. Desimone noted that 12 out of 17 cards were returned and that all paperwork was in order. Chairman Michelman asked if there were any neighbors present for the application. There were none.

Mr. Nick Pouder was present for the application. Mr. DeLeo and Mr. Samit were present as well. Mr. Pouder explained that he had received ARB approval and they have made a number of changes based upon this Board's comments at the last meeting. The applicant has also submitted some drainage calculations to the Town Engineer. They have received the memo from the Town Engineer, which contains slightly different standards than what they currently design for, so they will have to revise the plans for a 25-year storm. Mr. Pouder said that since there is a water quality standard to meet they will probably propose a rain garden that will flow into a tank. They would work it out with the Town Engineer and provide the necessary details.

Chairman Michelman noted that Mr. Coyne's memo points to an issue with the retaining wall issue; some parts are 9 1/2' and others are at 5'. Mr. Pouder said that the plans have always

shown the big wall, but the detail shows 5'. There is a guardrail on the top. The elevations has always shown it as a 9 ½' wall.

Dr. Matuswo asked about Mr. Coyne's comment regarding the portion of the existing pool terrace in setback. Mr. Pouder indicated the area and said that it has always been there. Mr. Kaufman said that the code changed; the code used to require the pool itself to meet the setback, and now it requires anything associated with the pool meet the setback. This is a preexisting nonconforming.

Dr. Matusow asked if the rain garden proposal solved the Town Engineer's concern about the water quality and Mr. Coyne said that it did. Mr. Coyne added that if there was a way to get the roof leaders to the rain garden that would be good. Mr. Pouder said that it probably could not be done in the rear, but they could do the front. Mr. Coyne agreed.

There were no other issues from Mr. Kaufman or Mr. Coyne. Mr. Pouder said that he had read the resolution and had no problems with it.

Dr. Matusow moved to close the public hearing. The motion was seconded by Ms. Black and unanimously approved.

Ms. Black moved to approve the resolution. The motion was seconded by Mr. Sauro and unanimously approved.

GOLDSTEIN / ADLER

Special Use

Section 2, Block 02, Lot 23.N

26 Annadale Street

MacMillan Architects

Discussion

Consideration of approving site plan resolution

Chairman Michelman read the public notice for the record. Ms. Desimone noted that 22 out of 24 cards were returned and that all paperwork was in order. Chairman Michelman asked if there were any neighbors resent for the application. Mr. and Mrs. John Stamatov of 27 Annadale Street were present.

Mr. Doug MacMillan was present for the application. He indicated Annadale Street, the location of the existing house, the neighbor's house, the location of the proposed addition and other details regarding the plan. From the street, the view would be the same. Actually, it would be aesthetically improved because it would be re-sided and patched.

Chairman Michelman asked what the applicant was planning in the rear. Mr. MacMillan said that they were planning to expand the house to create a family room, dining area and kitchen space, as well as create master bedroom space, and enlarge the other bedrooms. The house is three bedrooms and would stay three bedrooms.

Chairman Michelman asked if the neighbors had any questions. They did not.

Mr. MacMillan asked about the comment in Mr. Coyne's memo regarding soil testing. He said that they tested for the cultechs in one area, but not another because they did not think it would

be good to rip up the driveway. Mr. Coyne said that he would accept the testing done once construction begins and they could then determine whether adjustments needed to be made. Mr. Coyne noted that they don't normally do perc tests during construction but these two infiltrators are above and beyond what is required, so instead of doing it now and tearing up the existing driveway it is appropriate to wait. He added that all of his other concerns were covered in the resolution.

Mr. Delano asked if this property was in a water and sewer district. Mr. Kaufman said he was not sure. Mr. Baroni said it was not, but it has been proposed from time to time. Mr. Delano said that this is a fairly high level of coverage for a small lot; it would work in an area where there is a district, but there is no hope of septic replacement on a lot this size. He didn't want to shoot down this application, but the Board should keep it in mind, and perhaps suggest a code revision to address this. The Board agreed, but they also agreed that the application was within the allowable limits of the Code.

There were no other issues. Chairman Michelman said there was a small typo on page two in the first whereas clause. The applicant noted a typo on her name. Mr. Kaufman made the corrections.

Ms. Black moved to close the public hearing. The motion was seconded by Dr. Matusow and unanimously approved.

Dr. Matusow moved to approve the resolution as amended. The motion was seconded by Ms. Black and unanimously approved.

80 BUSINESS PARK – GENERATOR

Site Plan

80 Business Park Drive

Section 2, Block 16, Lot 11.B10

Eric Lashins

Discussion

Consideration of approving site resolution

Chairman Michelman read the public notice for the record. Ms. Desimone noted that 10 out of 10 cards were returned and that all paperwork was in order. Chairman Michelman asked if there were any neighbors present for the application. There were none.

Mr. Eric Lashins was present for the application. Chairman Michelman asked if he had seen the resolution. Mr. Lashins said that he had and had one comment on condition #2 regarding the time limit. He said the applicant was doing this primarily for backup in a failure so that if the heat goes out, it might go on in the middle of the night. Mr. Kaufman said that the restriction was only for the testing; it can run whenever it needs to run. Mr. Lashins said that he had no other concerns.

Mr. Delano moved to close the public hearing. The motion was seconded by Ms. Black and unanimously approved.

Dr. Matusow moved to approve the resolution. The motion was seconded by Ms. Black and unanimously approved.

TUZZO

Special Use Permit

5 Stony Brook Way

Section 2, Block 2, Lot 22-8

Discussion

Brad DeMotte, R.A. – DeMotte Architects

Consideration of approving special use permit resolution

Chairman Michelman read the public notice for the record. Ms. Desimone noted that 17 out of 17 cards were returned and that all paperwork was in order. Chairman Michelman asked if there were any neighbors present for the application. There were none.

Mr. Brad DeMotte was present for the application. He explained that they were seeking permits for exceeding both basic land coverage and FAR; they are over by a minimal amount. At the last meeting, there were a few comments from the planner and engineer, which have been addressed.

Chairman Michelman asked if he had seen the resolution. Mr. DeMotte said that he had and that he had only one comment relating to landscaping mitigation issues, but none are being proposed here. Mr. Kaufman explained that this was just boilerplate and can be removed. The Board agreed.

Chairman Michelman noted that there had been some discussion between the applicant and Mr. Kaufman regarding the gross floor area and the correct figures. Chairman Michelman said that Mr. Kaufman recalculated and came up with same figure. Mr. DeMotte said that he would accept Mr. Kaufman's figure but said that he had recalculated too and came up with his same figure. Dr. Matusow did not think the Board should just pick a number. Mr. Kaufman said that he would ask the applicant to change the number so that it is the correct number. Mr. DeMotte agreed.

There were no other issues.

Mr. Delano moved to close the public hearing. The motion was seconded by Ms. Black and unanimously approved.

Mr. Delano moved to approve the resolution as amended. The motion was seconded by Ms. Black and unanimously approved.

CONTINUING PUBLIC HEARING:

170 BEDFORD ROAD

Site Plan

Section 2, Block 13, Lot 27

162 Bedford Road

Rebecca Rivera – Joseph Crocco Architects

Discussion

Chairman Michelman noted that this was a continuing public hearing. She asked if there were any neighbors present. There were none.

Mr. Joseph Crocco and Mr. Steve DeLaurentis were present for the application. Mr. DeLaurentis said that he had reviewed the comments from the Board and asked how they wanted to proceed.

Chairman Michelman said tha the issue regarding the water district still needed to be discussed. Mr. DeLaurentis said that he made an application to the Town Board, and believed they were awaiting comments from the Town Engineer. Mr. Kaufman asked if the applicant provided the Water and Sewer Department the information on the usage rates. Mr. DeLaurentis said that they had and that he thought that department was calculating them.

With respect to the memo from the Town Planner, Mr. DeLaurentis explained that they had been to the ARB at the beginning of the month and they have conceptual approval. The ARB still wanted the applicant to address the issue of fencing. He believed that the application was referred to the County. Mr. Kaufman said that it had and that they had received the comments from the County. Mr. DeLaurentis said that Bibbo is taking care of the comments relating to the stormwater treatment. He added that they would include a bicycle area and that they have submitted the detail to the Board that will be added to the plan. They would like to use grass-crete. Mr. Kaufman said that would be good.

Mr. DeLaurentis said that they would look into utilizing as much "green" technology as possible as they move toward the final drawings. They are including the additional curb cut to continue the sidewalk and indicated the location where he thought it would go. Mr. Kaufman thought that there should be one on the other side as well. Mr. DeLaurentis said that would not be a problem.

With respect to the landscaping, the applicant is proposing some street trees in the right of way but would get approval from the Town. Ornamental planting will take place on the applicant's property. The minimum required landscape area is 3,500 sq. ft. and the applicant is proposing 4,400 sq. ft.

Chairman Michelman asked if the lighting would impact the neighbors and Mr. DeLaurentis said it would not; Mr. Kaufman agreed and said it wouldn't be significant. Mr. DeLaurentis said that there would be some spillage into the playing field that he could probably remove. The Board said that would not be necessary.

Mr. DeLaurentis said that the applicant was proposing a 4' chain link on the westerly property line. The Board had recommended a 6' stockade fence, with privacy inserts in the remaining chainlink. But Mr. DeLaurentis did not see any need to change the fence in the rear; there is one there now and he proposed to plant ivy as opposed to ugly inserts. The Board said this would be OK. Mr. DeLaurentis suggested that one area would look much better with no fencing. He said that they would like to do planting there, but if he could work with the neighbor to plant, he thought it would be more attractive. The Board agreed. Ms. Black asked why Mr. Kaufman had suggested a stockade fence, and Mr. Kaufman said that it was because this was a residential area. Dr. Matusow asked if the applicant thought they would be able to come to an agreement with the neighbor and Mr. DeLaurentis thought that they could.

Mr. DeLaurentis said that they would comply with the stormwater requirements and that they have adjusted the parking, which reduced the space between the isles. He added that the changes did not affect anything substantially and that he would submit plans to Mr. Coyne in order to make sure it is acceptable.

Mr. DeLaurentis said that the sewer detail would be corrected for the appropriate condition. The grade will be corrected and all the engineering will be complied with. He would like to curb behind the swale on Bedford Road, and he would make that modification.

Mr. DeLaurentis said that the issue of traffic has been discussed for some time. F.P. Clark's analysis indicated that this development of the applicant's property would create a problem between Route 22 and Bedford Road. He presented some photos to the Board. Mr. DeLaurentis said that the applicant does not view that intersection as a problem other than what already exists now. Additionally, he said that he read the studies that were done previously for Mariani and Armonk Square and it seems that 170 Bedford Road was not taken into consideration at all, and he did not think that was right. It should have been included in the reports as some type of use that generated traffic.

With respect to the trip generation numbers for Armonk Square, he thought the numbers were disproportionate and asked Mr. Kaufman to look at the peak numbers. He pointed out that this project is 1/5th that size. In each of the reports, it indicates that the traffic will remain the same as it is today, but this little project would trigger all of these improvements. He did not think that was accurate. Chairman Michelman said the Board understood the point, but there were some issues that needed to be looked at and the Board just wanted to look at the whole thing. She noted that it is still unknown if the applicant would be able to make a left turn in that area. No one is asking for a blank check, the Board just wanted to know the whole thing. The recommendations were to take a look and to determine what was feasible and what was not.

Mr. DeLaurentis said that they were asking for a number. Chairman Michelman said the Board couldn't give them a number. Mr. DeLaurentis asked what he should do. Mr. Kaufman recommended doing what F.P. Clark suggested: look into the left turn. Ms. Black said it would just be a matter of restriping. Mr. Kaufman said that, and a study of whether restriping could add that lane. He said this is a study that should be done and is relatively low cost. Mr. DeLaurentis said that the intersection would have been impacted as a result of Mariani, and the conclusion was that the level of service would not change, and he didn't think that was right.

Dr. Matusow asked if the applicant wanted the Board to leave this applicant alone. Mr. DeLaurentis said that he had a budget and he needed to know what this Board wants them to do. Mr. Kaufman repeated that the applicant just needed look at the engineering details about whether they could restripe the road; it would not be that expensive. Mr. DeLaurentis said he would talk with the applicant to see what he is willing to do. Chairman Michelman said that if there isn't room to do this, and the answer is that the light needed to be reprogrammed, then that is the answer.

Mr. DeLaurentis asked if they should be responsible for the full cost of this if it was upwards of \$15,000. Mr. Kaufman said yes. Mr. DeLaurentis said that was a problem. He said that he did not have a problem with contributing to the cost, but they would not bear the entire cost when other projects impact the area as well. Mr. Delano said that studies have been done in the area, and included impacts from other projects. Mr. DeLaurentis said that those studies did not include this project. Mr. Delano thought the applicant was merely seeking to get confirmation

that the trip generation figures are accurate. Mr. Kaufman said that was what the report from Clark said; he thought it was fair to ask how those figures were derived.

Mr. Sauro asked if the approval was contingent upon the traffic study, or if it could be separated. Chairman Michelman said that it couldn't be separated. Mr. Sauro said that there are many other businesses in the area, and it is not fair to have this applicant solely responsible.

Mr. DeLaurentis said that the Board should keep in mind that when Mariani and Armonk Square did their studies, this site wasn't included. This applicant pays more than \$40,000.00 in taxes plus sewer tax so it was not fair to consider this vacant property. He asked the Board to close the public hearing. The Board pointed out that they would not be willing to do that unless the applicant waived the 62 day time period. The applicant agreed to waive it.

Ms. Black moved to close the public hearing. The motion was seconded by Mr. Delano and unanimously approved.

CONTINUING BUSINESS:

LOWREY

Site Plan – Garage

Section 1 Block 12, Lot 8

7 Round House Road

Bruce Bohlander, EIT – John Meyer Consulting

Discussion

Chairman Michelman said that the public was welcome and pointed out that although the Board shared some of their same concerns, that this was not a public hearing. There would be a public hearing, and at that time there would be a chance for the public to speak. She asked the neighbors to provide their names and addresses. The following neighbors were present:

Jeff Brown - Bedford Banksville Road
Eric & Nancy Birnbaum - 1 Round House Court
Gary Statham - 56 the Avenue, Greenwich Ct
Edward Saggese - 13 Hobby Farm Drive
Diane & Brian Dyer - 1 Hobby Lane
Sara & Robert Doto - 2 Hobby Lane
Anthony Longhitano - 5 Hobby Lane
Denise & Steven O'Connor - 5 Round House Court
Robert Silpe - 5 Hobby Farm Drive
Paul Jacobs - 1 Hobby Farm Drive

Chairman Michelman said that the applicant was going to give a presentation and that she would permit one or two representatives of the group to speak on behalf of the entire group tonight, provided that it is kept to a minimum.

Mr. Mark Miller was present for the application, along with Bob Roth and Bruce Bohlander. Mr. Roth presented the proposed site plan. It is approximately 0.9 acres. He indicated Round House Road and Banksville Road. The site is opposite Hobby Farms and just south of Round House Court. The proposal is for a 6,700 sq. ft. one story maintenance garage for the storage of North

Castle Landscaping maintenance vehicles. There are several trucks that will be kept within the garage. He indicated the parking area in front of the garage. There are nine parking spaces for employees who arrive in the morning to pick up their particular vehicle. Approximately four vehicles will go out per day during the summer months. There is also a small shed, which is a firewood shed and will be enclosed on three sides. Their ultimate goal was to have garage doors in the front to close it up at night. Wood could be split inside the building for delivery to customers.

The plan complies with all code requirements. At the site walk, it was noted that some of the existing vegetation is deciduous and they talked about the need to add landscaping to further screen. There is residential and commercial zones that surrounds the property. He showed the Board some photos of the machinery that would be housed in the garage. Chairman Michelman asked about the winter usage. Mr. Roth said that the applicant does some snow plowing and sanding. If a storm is predicted, the workers load the trucks with sand off site, and then bring the vehicle to their own home and go out to sand from there. They would not drive to the site and then go out. There is no outdoor storage permitted under the code, and none is proposed.

Mr. Roth said that he had received the comments from the Town Engineer and the Town Planner. With respect to the engineering, although the short EAF doesn't include a space for the requested information, they would include it. He recognized that they would need Health Department approval because there is a small office in the back corner in which there would be a bathroom facility, so there would need to be an on-site septic. He said that location has been marked on the plan. They would not impact wells or other systems on neighbors' properties. There was a question about wetlands but there are none on the site. There is no fuel storage on the property. The applicant will present photos and plans regarding the size and type of equipment and it will be forwarded to the fire department.

Chairman Michelman asked how the applicant would access the site. Mr. Roth said that Round House Road connects to the north to Bedford Banksville Road, and connects there from Banksville Avenue. The applicant already services a number of properties in the area. Chairman Michelman said that the entry to the property appeared to be directly opposite the entrance to Hobby Farm. Mr. Roth agreed and said that was the best location. Chairman Michelman did not agree. She felt that Hobby Farm is completely residential and access into and egress from it is from a residential street. Mr. Roth said that they have to use Round House but perhaps it could be shifted further to the south. Chairman Michelman said there were practical concerns, like children on buses and bicycles; there will be timing overlaps.

Mr. Miller said that they are aware of this concern and they contacted the school districts who told him that one bus picks up at 7:05, another at approximately 7:30 a.m. and another at 8:30 a.m. He said that the applicant is prepared to work within that time frame. The afternoon buses come around 2:45 / 2:50 and then another at 3:40 and another at 4:00p.m. The applicant understands the neighbors' concerns; but they paint this use as a 'hub of constant activity' and that is not true. The garage is designed to hold seven trucks and there are usually four out per day. The employees usually leave around 7:30, and the applicant will work that out with school and the Board, and those trucks are gone for the day. Only on rare occasions does a truck return in the middle of day. Trucks return at approximately 3:30 p.m. It is not a constant activity. We are not distributing or loading materials. All activity will take place within the garage. There is no external storage of materials or equipment. There will only be minor maintenance in the garage. We know that there is an application pending at 20 Bedford Road that does have some

of those characteristics, and likened it to a contractors yard. He said this application has none of those. In the winter, there are four plows, and they will be put on the trucks in the garage.

Chairman Michelman asked when the trucks would return from snow plowing and Mr. Miller said they would come back when they were done. Chairman Michelman said that the residents would be impacted by this. Mr. Miller said it was only four trucks and at the site walk, at least double that number drove right by the site; this will not add anything.

Chairman Michelman said that she appreciated your research on the issue of school buses, but the "down time" is utterly impractical because buses come late and early and parents wait with kids. Mr. Miller said again that the applicant would work with the schedules that they have; and the trucks will exit the site and be gone. They will not conflict with those cars accumulating on the sides of the road. The applicant is presenting a permitted principal use in a commercial zone that happens to be adjacent to some homes, but it has been this way for at least 30 years. This is a minimal impact.

Chairman Michelman asked Mr. Baroni if he was comfortable that this area qualifies as a maintenance garage. Mr. Baroni said that he only heard about this two days ago but he did have concerns about this. To him, at first glance, it sounded like a storage yard for contractor's equipment. He pointed out that he was not the judge of this; under the code it is the Building Inspector that makes the determination and any party that feels aggrieved, can make an application to the ZBA for a determination. Mr. Baroni said that the town attorney doesn't get to make an official opinion. Mr. Miller agreed with Mr. Baroni. He added that another principal permitted use in this zone is wholesale and storage uses except junkyards in completely enclosed buildings. So to the extent that it is found that this applicant is storing anything at all, it will be completely enclosed and they would qualify under either or both of the principal permitted uses. He added that this was easily distinguishable from a contractors' yard because the applicant is not a builder; he is a landscaping business. Mr. Baroni asked about bucket trucks. Mr. Miller said that there is one bucket truck, as well as two pick ups, a dump truck and some landscapers trucks that have bodies that can be swapped.

Chairman Michelman asked about the wood. Mr. Miller said that when the applicant cuts trees, sometimes customers want to keep it. If they don't, the wood would be split by hand at the site and kept in the wood shed. There would not be any chipping at all. They would only use a hydraulic machine to split those pieces that are too difficult to split by hand. Chairman Michelman asked the size of the shed, and Mr. Miller said it was 20x50. Ms. Black asked the height of the shed and Mr. Roth said it was approximately 12' but he was not sure because the dimensions aren't on here.

Dr. Matusow asked if the applicant was capable of putting the plows on the trucks entirely in the garage. Mr. Miller said he was. Dr. Matusow asked how that was possible. The applicant said that there are hydraulic hookups and the process takes only five minutes. Dr. Matusow said he was concerned about how the applicant would be able to keep it all entirely in the garage. The applicant and Mr. Miller assured the Board that it would all be able to take place inside. Dr. Matusow said he would like to see a diagram and Mr. Miller agreed.

Mr. Sauro asked if there would be any need for a chainsaw and the applicant said there would not be because they are cut on the site where they are cut, then hand split on applicant's property.

Mr. Kaufman said that the Board talked about his biggest concerns (vehicle access, the outdoor furnace and whether it is compatible with the area etc.) Dr. Matusow asked the applicant to talk about the outdoor furnace. Mr. Miller said that there is a small outdoor wood-burning furnace proposed, approximately 4 ½ feet x 4 ½ feet that burns very cleanly. They will use some of the wood from the shed. He said this was a very “green” system and will provide heat for the garage. He added that the applicant would submit further details to the Board. Chairman Michelman asked if the applicant would turn the trucks on in the garage during the cold months and Mr. Miller said they would. She asked about exhaust and Mr. Miller explained that the building is designed for that; the exhaust is vented through a vent on the roof. Mr. Roth said that there are cupolas on the roof and the venting will occur there.

Ms. Black noted that Mr. Kaufman was concerned about the size and mass of the building and wanted to know if there was any way to reduce that. Mr. Roth said that the FAR was misstated on the plans, and it is only one story. It is approximately 25’ tall and will be lower than the grade of the street. He pointed out that it was shorter than the surrounding homes. It is 50’ wide and approximately 130’ long. Mr. Miller pointed out that the maximum height is two stories and 30’. Mr. Roth said there is a great opportunity to buffer and virtually screen the entire thing. There is a gate at the driveway and the applicant could continue the fence along the entire property line. Aside from when the gate was open, you would not be able to see into it.

Mr. Delano asked if there was a sight line issue to the right. He noted that some of the existing trees might have to be removed. Mr. Roth recognized that. Mr. Delano pointed out the septic is right there, so replanting would be difficult. Mr. Miller said that the sight line issue is due to the plants right near the driveway, but will look into everything.

Mr. Delano said that with respect to the zoning question, he was sure that there were neighbors present that thought the applicant needed a special use permit, and perhaps they did, but the Board did not know how the Building Inspector arrived at the conclusion that they didn’t need one. There should probably be some discussion. He noted the letter on the record from the owner of the property authorizing the contract vendee to submit an application for a nursery retail wholesale business. Mr. Miller said that letter was superseded. Mr. Delano said that issue needed to be straightened out. Other submissions say it is for a maintenance garage or a public garage or a private garage and the Board doesn’t have a definition of a maintenance garage. The code has very specific definitions for public and private garages, and this doesn’t meet either of them. He understood the applicant’s position that that this is a business office and the equipment is being stored as part of that office. Mr. Baroni did not think that was how the Building Inspector arrived at his conclusion, nor did he think that was an appropriate conclusion.

Mr. Baroni believed that the equipment lends itself to a contractors’ equipment. Mr. Delano asked if the Board or the public could request an interpretation from the ZBA. Mr. Baroni said that the Planning Board is not an aggrieved party so they could not ask for an interpretation. He added that he had not yet seen a letter from the Building Inspector taking any position, and that is a condition precedent. At that point, an appeal could be made. Mr. Delano said that the Board didn’t know if they were going down a road they should be going down. Mr. Kaufman said that the next step was to get the letter from the Building Inspector. He said he would speak with him the next day. Mr. Delano said that should be the first step before too much time is wasted.

Mr. Miller said that it was important that they keep the concept of public / private garage in the context that this is a commercial zone, even though it is adjacent to residential zone. Whether it is a permitted use or a special use permit use, it is still permitted. If the applicant meets the

standards for a special use permit, NYS Law provides that they are entitled to the special use permit. Mr. Miller recognized that this was the beginning of the process, and that more information is needed. He also said that there is a revised letter from the owner that correctly states what the applicant proposes to do.

Chairman Michelman said this had nothing to do with Mr. Lowry. She has heard nice things about him and his business; the issue is this type of use being proposed in this location.

Mr. Delano asked the zoning for the adjoining property and Mr. Miller explained to his satisfaction. Mr. Delano asked if he would approach the Building Inspector about how he arrived at the decision that a special use permit wasn't needed. Mr. Kaufman said that he would do that.

Chairman Michelman said that she would give two people a few moments to speak. One neighbor said that she had a lot of questions from the neighbors. Chairman Michelman said that she only had a few minutes to speak; she reminded the audience that this was not a public hearing. Mr. Miller stated that the applicant would be more than willing to speak with the neighbors and answer any questions they may have.

Denise O'Connor, 5 Round House Court, was one of the residents chosen to speak on behalf of the group. Chairman Michelman said that the Board was aware of the submission she sent to the Board and unless there was something new, she didn't want Ms. O'Connor to prolong this knowing that there would be time at the public hearing. Ms. O'Connor said she appreciated the Board recognizing the neighbors' concerns but wanted to address the concerns early on in the process. She said that she has a petition of over 75 people who are very concerned about this project. She did not know the exact history about why this area wasn't rezoned residential, but it wasn't. At the time, there were strong recommendations that no more business activity be allowed in the community, but nothing was done, and the neighbors were left to themselves to fight on a case-by-case basis.

Ms. O'Connor stated that the applicant's lot is relatively small compared to its neighbors (neighboring lots are 1.5 acres, 2 acres and 1.3 acres). Nonetheless this applicant is proposing a 7,000 sq. ft. building, which is much larger than the surrounding buildings. The neighbors are not merely concerned with the look of it, but the use of it and the affect it would have. Other commercial uses in the area are homes with small commercial uses attached. This is not in keeping with the character of the other businesses because the applicant won't be living there and all the commercial use will be left there when he leaves. Ms. O'Connor wanted to know why it was a seven bay garage with room for fourteen vehicles. She also wanted to know the gross weight of the vehicles. She pointed out that Round House Road is a rural residential road, with no sidewalks or shoulders. One neighbor brought pictures of some potentially hazardous areas on the road. According to the Town Code, there is a 200' sight line requirement. This site doesn't have that due to the conditions of the road. She also pointed out that there is a bus stop nearby and children have to cross Round House Road to get to the bus stop. She doubted the viability of the lapses with buses. She felt that the application would put kids in danger. She said that this plan was "obviously inappropriate." She pointed out that residents actively use this street and we don't want "dozens and dozens and dozens of vehicles" to be coming in and out every day. Ms. O'Connor said that they hadn't addressed the noise issue and they are very concerned with the smoke stack.

Ms. O'Connor said that the neighbors are concerned with specifically what activities will take place in the wood shed. She recognized that there would be splitting, but wanted to know about

mulching or chipping. Mr. Miller pointed out that the applicant already explained there would only be splitting. Ms. O'Connor said that the neighbors wanted to know exactly what will be used for splitting, the decibel levels of the operation and when the splitting will occur. She said that zoning laws require this Board to "protect and promote the health safety and welfare of the community" in accordance with the master plan. The Board has to consider modes of living and existing situations. The master plan states that there should be more restrictive development conditions in this area, which "mandates" that this be denied, and otherwise, it is direct contradiction to the dictates of the code.

Ms. O'Connor said that she did not believe this was a garage. She added that she didn't think it mattered whether it was a garage or anything else; it is a structure and the Board needs to focus on what is being stored in this structure, and the applicant is storing trucks. The storage of trucks is not even allowed in the industrial zone. She doubted that it was a permitted use in this zone at all, even with special use permit.

Ms. O'Connor asked if there would be another storage facility. Mr. Miller said that there would not be. She asked how many trucks were be stored there. Mr. Miller said seven. The neighbors all spoke at once, saying that the applicant said there was only going to be four. The Board corrected them and said that only four trucks on average go out during the day. The neighbors were concerned that fourteen trucks would fit there. Mr. Miller said that the Board had the ability to limit the number of trucks.

Ms. O'Connor asked what the applicant planned to do with the trash and trimmings; if the applicant was cutting and burning wood, she thought it fit within the solid waste ordinance and therefore, not a permitted use.

Paul Jacobs, of 1 Hobby Farm Drive said that recently, he was driving down Round House Court and saw Mr. Roth and Mr. Miller and stopped to speak with them. They were standing by the entrance to the proposed site and there were approximately three cars parked nearby on Round House, and a white car going approximately 40mph came over the little knoll. He said that this is a very dangerous street, and with all due respect to the applicant, with the trucks driving along the road, and our kids driving and speeding, and the neighbors using the street, this is "an accident waiting to happen."

Mr. Kaufman asked if the Board wanted to declare their intent to be lead agency. Mr. Baroni suggested that they wait to see if the Town Board would be an involved agency. The Board agreed.

20 BEDFORD ROAD
Site Plan
Section 2, Block 14, Lot 13
20 Bedford Road
Rebecca Rivera – Joseph Crocco Architects
Consideration of approving site plan resolution

Joseph Crocco and Steve DeLaurentis were present. Mr. DeLaurentis said that they were before the Board for final approval for an addition. This was originally proposed as residential. There were some changes made to the parking area made to convert the use to commercial.

Chairman Michelman asked Mr. Coyne if he had any issues. Mr. Coyne said that he worked with the applicant's engineer and there are still some minor tweaking to drainage and some other minor details to be worked out, but other than that he had no issues. Mr. Kaufman said that he had no issues.

Dr. Matusow said that at the last meeting, the Board agreed that the cobblestone apron would be eliminated and the condition #3 should be revised to eliminate that. Mr. Kaufman agreed.

There were no other issues from the Board. Mr. Crocco noted that there might have been some typos relating to the gross floor area on page 2 of 8 - there were two other numbers that contradict that. Mr. Kaufman said that this was because they are counted differently; the applicant will end up with spaces that don't count toward FAR that do count now. That is how you arrive at total gross floor area of 4,000. Mr. Crocco pointed out that the lot size is inaccurate in one of the conditions. Mr. Kaufman agreed and said that it was approximately 19,000 sq. ft.

Mr. DeLaurentis noted that, with respect to item #2, the applicant will agree to install the window wells and replant any hemlocks that are damaged so he didn't know if it was necessary to submit a revised landscaping plan; they will absolutely replace in kind anything that is damaged. He pointed out that the wells would be hand dug and minimal damage will be done. Mr. Delano suggested a note be put on the plan that any damaged landscaping be replaced in kind. Everyone agreed with that.

Mr. Delano moved to approve resolution as amended. The motion was seconded by Ms. Black and unanimously approved.

FRISOLI

Site Plan

Section 3, Block 7, Lot 6-29

6 Kensico Knoll Place

Kory Salomone, Esq. – Veneziano & Associates

Mr. Kory Salomone was present with applicant, John Dematopolis, for both applications. He explained that the homes are in the R2F District, but the C.O. is only for the single family house. The applications seek to legalize the uses. At a prior meeting, there was a concern about the fire code compliance. Chairman Michelman noted that this was no longer a concern for the Board as it was addressed by the fire inspector.

Chairman Michelman said that the Board needed to refer the applicant to the ZBA for 6 Kensico Place, because this Board cannot proceed until the applicant had a variance. She thought it would be best to proceed with both lots at the same time at the same public hearing.

Mr. Salomone said the applicant preferred to process the applications separately because they didn't have tenants, and the longer they waited, the longer they wouldn't have tenants.

Mr. Delano thought that the ZBA would require a current survey, and even if they don't, the applicant should get a new survey. The plan that the architect put together is based on a 56-year-old survey. It doesn't make definitive statement as to retaining wall and doesn't include the chimney at all. Also on the second floor, the square footage should be checked. He thought that

it was less than 800 sq. ft. He thought that a lot of the problems come from the fact that this is based on an old survey.

Mr. Delano noted that the plans also mention a fire district, but there is no fire district in this area. The sideyard setbacks should be accurately indicated on the plan. He said he was not completely satisfied with the Building Inspector's letters, which were very basic; there is no definitive statement that a two family home would be compliant with the state code. There are some potential dimensional concerns.

Mr. Delano said that he had similar concerns with number 7. The survey is 37 years old. The applicant should verify things now as opposed to later. The basement is shown as more than 1,000 sq. ft. and based upon his review of the plan, it is closer to 700 sq. ft. This should be verified. There is also a chimney on this house that isn't on the survey. There is a lamp and fencing in the front that is in the right of way, but it doesn't belong to the Town. The survey boundary information is incomplete. The lot depth is also inaccurate and there are scaling issues. He also thought that the letter from the Building Inspector was inadequate; he wanted something that definitively states there would be two building code compliant units.

The applicant said that, with respect to the ceiling height, there was an inspection by the state and that inspector sent a letter to the Building Inspector. Mr. Delano noted that the letter from the Building Inspector doesn't say that. The Board does not have any document from the state. The applicant said that the state sent a letter to the Town regarding the ceiling height. The Board and Adam reiterated that they didn't have that letter. Mr. Delano said that the applicant had a document that says that these apartments would be code compliant, the Board needed it. The applicant said that he had a waiver and Mr. Delano said that the applicant needed to submit it to the Board.

The applicant said that this has been a preexisting condition for the last 50 years and did not understand the problem. Mr. Delano explained that the applicant was changing the use from a single-family house to a two-family house and that requires him to comply with the code.

Mr. Delano said again that it would be up to the ZBA whether they would want an updated survey, but he doubted they would accept such old surveys.

Dr. Matusow said that the Board still had to address the applicant's request to deal with the applications separately because #7 doesn't have to go to the ZBA. He didn't see a problem with handling it separately because they were two separate applications. Chairman Michelman said that some of the issues raised by Mr. Delano should be addressed before the public hearing. Mr. Salomone said that the applicant would address all of the concerns, but still wanted to handle them separately. The Board seemed to agree that they could be handled separately, but advised the applicant to be sure to answer the questions adequately. Mr. Salomone said that he was not necessarily looking to schedule a public hearing; he just wanted to do these two applications separately.

The applicant asked what Mr. Delano was referring to about the fence in the front. Mr. Delano said that the fence is a private improvement installed in the right of way. The applicant claimed to have a permit for it. Mr. Delano said that it should be on the survey and added that he doubted that the Building Department would issue a permit for a fence in the right of way. Mr. Delano noted that there is a relatively new fence on #7, but the applicant said that the fence was at least 18 years old. Mr. Delano said that, regardless it needed to be shown on the survey.

Mr. Delano moved to refer the applicant to the ZBA for 6 Kensico Knoll place. The motion was seconded by Ms. Black and unanimously approved.

The Board agreed that the applicant should come back for further discussion on 7 Kensico Knoll place.

FRISOLI
Site Plan
Section 3, Block 7, Lot 6-26
7 Kensico Knoll Place
Kory Salomone, Esq. – Veneziano & Associates

Discussed above

BERGER
Site Plan
Section 2, Block 3, Lot 3.D-11
29 Carolyn Place
Peter Kurth, AIA
Mark Miller, Esq. – Veneziano & Associates
Discussion
Consideration of approving site plan resolution

Kory Salomone was present with Peter Kurth for the application. Chairman Michelman asked if the applicant had read the resolution. Mr. Salomone said that he had and he had no issues with it.

Ms. Black moved to approve the resolution. The motion was seconded by Mr. Sauro and unanimously approved.

16 NORTH LAKE ROAD
Amended Site Plan
Section 1, Block 4, Lot 10-66A
16 North Lake
Tim Allen, P.E. – Bibbo Associates
Discussion
Consideration of approving site plan resolution

Mr. DeLaurentis was present for the application. Chairman Michelman asked if there were any neighbors present. Ms. Sue Miller, 12 North Lake Road and Robert Horowitz, 25 Upland Lane were present.

Mr. DeLaurentis said that he had reviewed the resolution for the construction of an 18x38 pool with associated terraces and walks. Chairman Michelman said that, unfortunately, she was absent for the meeting where this was discussed, but she wanted to put her concerns on the table. She said that she read the letter from Mr. D'Linardo, and felt there were some very valid issues worthy of consideration, among them being the precedent of allowing pools around the

lake. Additionally, it appeared that the recommendation from the Conservation Board was based upon a prior plan, and they never want back to review the second plan. She felt that if they are making a recommendation, then it should be based upon the current plan.

Chairman Michelman noted that there was discussion about the drainage on Mr. Schnapp's property and the problem there that was never resolved. It was mentioned that when the new drainage goes in, it would improve, but she did not think that would mean it would go away entirely.

Mr. DeLaurentis recalled that Mr. D'Linardo was concerned about increasing the impervious surface, which the applicant is not doing. The applicant came in with a plan that was 9 sq. ft less, but then through negotiations, they added some, but they have not increased the land coverage. Chairman Michelman said that was not his only concern.

Mr. DeLaurentis said that he read the Conservation Board's recommendation. Chairman Michelman noted that the recommendation was based on the old plan. Mr. DeLaurentis said that this was a better plan and he doubted they would approve a plan of less quality but not this one. Chairman Michelman said that may be true but that Board should have a chance to see the revised plan. Mr. DeLaurentis said that the applicant was never directed to go back to that board, and Mr. Fava was at the last meeting. Mr. DeLaurentis said that Mr. Fava did not put much stock into the off site mitigation. He said that they did not change one area, and they did provide the mitigation that the Conservation Board required. The area has become less impervious.

Ms. Black said that the only concern left from the last meeting was whether there was adequate screening between the properties and she thought the revised plan addressed that. Mr. DeLaurentis agreed.

Chairman Michelman asked about the screening from the lake view. Dr. Matusow explained that it was correctly pointed out at the last meeting that the level of the pool would be higher than the lake, so it would be impossible to see it from the lake. Only Mr. Schnapp would be impacted, and the screening adequately addressed that.

Chairman Michelman asked if there were any issues with the resolution. Mr. DeLaurentis noted that the name of the owner on page one should be changed to Michael Farerri. Mr. Kaufman said he would make that change.

Mr. DeLaurentis thought that the term listed on page 3 of 9 was 18 months as opposed to one year, but Mr. Kaufman explained that because this was a special permit the term was 12 months.

Mr. DeLaurentis believed that items 6 and 7 were addressed in a letter from Tim Allen to Mr. Kaufman some time ago; there would be a closed loop system with no drain and no backwash. Mr. Coyne explained that this had been addressed to the Town Engineer's satisfaction. Mr. Kaufman said that in that case, the condition could be removed.

There were no other issues from the Board. Mr. Horowitz asked to say something. Chairman Michelman said that he could, but he had to be brief; the public hearing was closed. Mr. Horowitz said that some of the information submitted at the September 8th meeting by Mr.

Green did not reflect the concerns of the entire neighborhood or the association's concerns on the matter. The association decided to stay out of the approval process.

Chairman Michelman said that she had a problem with the association not submitting comments to the Board. She said that she respected that they have a role as the North Lake Association but she felt that they abandoned that role. It was not positive that they didn't provide information to the Board until a late stage in the game. She felt that the Association had an obligation to present the information prior to the public hearing being closed, and earlier than the night it was to be voted on.

Mr. Sauro moved to approve the resolution. The motion was seconded by Ms. Black and approved by all but Chairman Michelman.

REAL BUILD LLC

Site Plan

Section 2, Block 11, Lot 3G-9-1

8 Briggs Lane

Tim Allen, P.E. – Bibbo Associates

Discussion

Consideration of approving site plan resolution

Mr. Nicholas Gabouri was present for the application. He said that he had reviewed the resolution and had no issues. There were no neighbors present.

Chairman Michelman asked if Mr. Coyne had any issues. Mr. Coyne said that there were a couple of minor details, but they were contained in the resolution. Dr. Matusow noted that at the last meeting he had asked for the engineer to show us a section that would depict the sections of the new house and the Anderson house. As he looked at the presentation and because of the grades and the topographic features, it is clear that you could only see the top 12' or so at a distance of approximately 650' from the Anderson house, and he did not think it was an issue that the Board could hold this application up for. The Board looked into this issue for the neighbor and found that the impact was minimal.

Ms. Black moved to approve the resolution as amended. The motion was seconded by Dr. Matusow and unanimously approved.

MARQUIS ASSOCIATES

Site Plan

Section 6, Block 8, Lot 69.A

56 Lafayette Avenue

Meredith Black – Zarin & Steinmetz

Discussion

Ms. Meredith Black was present on behalf of the applicant, along with Mr. Bill O'Neill. She explained that they submitted an application and they were requesting a referral to the ZBA for three variances: parking, reduction in length of parking spaces (from 18 to 17 ½ feet), and permission to back out into the town right of way.

Chairman Michelman said that it appeared that the existing building currently exceeds the permitted FAR, and asked if it was grandfathered. She noted that if it wasn't grandfathered, the applicant might want to add that to the ZBA application. Ms. Black said she planned to discuss this with Mr. Kaufman. Mr. Kaufman asked if there was a space in the building that has been converted to gross floor area. Mr. O'Neill said that he looked at the original application and it was shown as a .6 FAR, which is the requirement. His calculations were based upon the actual size of the building, and it came up to slightly more than that. He said he could not explain why there was a discrepancy; perhaps it was because the site plan didn't show a basement space. He said that he would look into this in more detail. However, due to the sparseness of the record, perhaps the applicant should deal with it before the ZBA. Mr. O'Neill added that the applicant was not changing the building at this time and no change has been made to the size of the building since the C.O. was issued.

Dr. Matusow moved to refer the application to the ZBA. The motion was seconded by Ms. Black and unanimously approved.

135 BEDROD ROAD ASSOCIATES
Performance Bond
Section 2, Block 16, Lot 11B-2
Recommendation to Town Board

Mr. Delano moved to recommend that the Town Board release the bond for 135 Bedford Road. Ms. Black seconded the motion and it was unanimously approved.

The meeting was adjourned at 10:31 p.m.
