

**NORTH CASTLE PLANNING BOARD MEETING
15 BEDFORD ROAD – COURT ROOM
7:00 P.M.
July 23, 2012**

PLANNING BOARD MEMBERS PRESENT: Robert M. Greene, Chairman
 John P. Delano
 Steve Sauro
 Guy Mezzancello

PLANNING BOARD MEMBER ABSENT: Art Adelman

ALSO PRESENT: Adam R. Kaufman, AICP
 Director of Planning

 Joe Cermele, PE
 Consulting Town Engineer
 Kellard Sessions PC

 Roland Baroni, Esq. Town Counsel
 Stephens, Baroni, Reilly & Lewis, LLP

 Valerie B. Desimone
 Planning Board Secretary
 Recording Secretary

 Conservation Board Representative:
 Larry Nokes

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

APPROVAL OF MINUTES:

July 2, 2012

Mr. Greene asked for a motion to approve the July 2, 2012 Planning Board minutes. Mr. Sauro made a motion to approve, it was second by Mr. Mezzancello and approved with three ayes. Mr. Delano abstained from the vote. Mr. Adelman was not present for the vote.

June 18, 2012

Mr. Greene made a motion to approve the June 18, 2012 Planning Board minutes. Mr. Delano second the motion and it was approved with four ayes. Mr. Adelman was not present for the vote.

PUBLIC HEARING:

RICHTER

6 Ridge Lake Drive

Section 2, Block 5C, Lots 19-4

Nicola Arpaia, AIA Arpaia Associates, PC

Legalization of existing accessory garage.

Consideration of approving Special Use Permit Resolution

Present for this application is Nicola Arpaia.

Mr. Greene read the affidavit of publication for the record. No noticed neighbors were present for this application. Mrs. Desimone stated that all paperwork was in order for this application.

Mr. Arpaia stated that the detached two car garage was built in 1998 and the loft was finished off when his client purchased the property. The shower in the loft will be removed to create a ½ bath. The Special Use Permit is necessary because the structure is over 800 square feet. Originally, in 1998 the Building Department issued a Certificate of Occupancy for the detached structure without a Special Use Permit.

The board members had no comments at this time. Mr. Arpaia had no comments regarding the resolution.

Mr. Greene made a motion to close the public hearing. It was second by Mr. Delano and approved with four Ayes. Mr. Adelman was not present for the vote.

Mr. Greene asked for a motion to approve the resolution. Mr. Delano made a motion to approve the resolution. It was second by Mr. Sauro and approved with four Ayes. Mr. Adelman was not present for the vote.

DISCUSSION

STERLING RD SOUTH SUBDIVISION

Final Subdivision

10 Sterling Road South

Section 2, Block 17, Lot 4.G

Westcon Custom Builders, Inc.

Subdivision of a 4.0 acre lot into a two lot residential subdivision.

Consideration of final subdivision resolution of approval

Present for this application was Michael Stein, Hudson Engineering and the applicant Joseph Daniels.

Mr. Stein stated that he is presently working with the board of health.

Mr. Kaufman noted that there were no major substantial changes from the preliminary approval to the final approval.

Mr. Delano noted that there was no septic information on the final subdivision plat from the surveyor's office. He also noted that when he reviewed the storm water infiltration practices for each lot they are shown less than 100 feet from the well which according to NYSDEC guidelines, chapter five of the design manual, they have to be 100 feet or more from the well. Presently they are shown less than 100' from the well.

Mr. Stein stated the septic design and tables are all on the second sheet of the plans. Mr. Cermele stated that he will work out both issues with the applicant.

Mr. Greene made a motion to waive the final public hearing and adopt the final subdivision resolution. Mr. Sauro second the motion and it was approved with four Ayes. Mr. Adelman was not present for the vote.

Mr. Daniels, applicant, signed the resolution and took the original with him to have both property owners sign the resolution at the closing next week.

ST. NERSESS ARMENIAN SEMINARY

486 Bedford Rd

Section 2, Block 8, Lot 17.B

Seth Mandelbaum, Esq. McCullough, Goldberger and Stout

Robert Aiello, PE John Meyer Consulting

Site plan, wetlands and special use permit referral from Town Board, renovation and adaptive reuse of the existing buildings and the construction of a new 8,400 square-foot, one-story theological center which includes a library and private chapel on the 5.55 acre property. The property is located within the R-2A Zoning District.

Consideration of site plan resolution

Present for this application this evening was Rob Aiello, PE, John Meyer Consulting; Seth Mandelbaum, Esq., McCullough, Goldberger & Stout; Mr. Kevork Toroyan representative from St. Nersess Armenian Seminary.

Mr. Mandelbaum stated that they have received Special Use Permit from the Town Board on July 11, 2012. They received ARB approval on June 13, 2012 and this board granted a negative declaration on May 30, 2012. He has submitted some revised fence details based on input from the neighbors and the Planning Board members. He spoke earlier today with Mr. Kaufman regarding the location of the portable water tanks for fire suppression on site. Presently the tanks are shown underground, the applicant is considering some other alternatives like putting the tanks in the basement. If the tanks are put in another location, that would not change the lot coverage or change the appearance of the buildings. It was suggested to inform the board now about this decision and note a condition in the resolution so that the applicant would not have to return to the Planning Board.

Mr. Greene agreed that the basement was a good location and would leave the move, if the applicant decides to, as a field change.

Mr. Greene stated that he does not have any concerns regarding the project and feels this applicant has worked very hard to satisfy the neighbors and conform to the requests of the board. Mr. Sauro stated that extensive work has been and the applicant has gone to great lengths to take all of the neighbors into consideration and he has no further comments.

Mr. Greene made a motion to approve the resolution as amended. Mr. Delano second the motion and it was approved with four Ayes. Mr. Adelman was not present for the vote.

Mr. Greene stated that the one thing he has not seen and was hoping the applicant would pay some attention to is the modeling of the stone wall entrance way to the site. He would like the applicant to model it similar to the stone wall entrance to Windmill Farms since they are so close. Mr. Mandelbaum thanked the chairman for his comment.

MARIANI GARDEN CENTER

45 Bedford Road

Section 2, Block 16, Lot 3.A

P. Daniel Hollis, Esq. Shamberg, Marwell & Hollis PC

Proposed amendments to the NB Zoning District to allow for less restrictive and additional uses in the NB Zoning District.

Discussion

Present for this application was Dan Hollis, Esq. and Megan Collins Esq. from Shamberg, Marwell and Hollis PC and Rob Aiello, PE John Meyer Consulting PC.

Mr. Hollis stated that his client is modifying the application regarding the outside use, there will be no outside uses on site, therefore; no tents will be used for social functions. He would like a positive recommendation back to the Town Board so he can return in September to the Planning Board for site plan approval.

Mr. Greene stated that change has changed the character of the application in a significant way and most of the concerns the board had revolved around the tent. Mr. Delano stated that this was a big step in the right direction.

Mr. Sauro confirmed with Mr. Hollis that the maximum capacity was 200 and Mr. Hollis agreed 200 people were the maximum inside the greenhouse and retail space. Mr. Sauro inquired if any changes would be made to the buildings to address the proposed noise on site. Mr. Hollis stated that an acoustical report dated July 11, 2012 was submitted to the board and the professional would be present at the Planning Board Public hearing for this application in September. (Upon review of the file after the meeting, the report was submitted late July 19, 2012 after the submission deadline of July 9th and was not reviewed by the board or professionals for this meeting). Mr. Sauro stated that he was unnerved about what we are exposing ourselves to once we open the door to social functions and the logistics of a 200 person weddings at 11:00 p.m. in Armonk. Mr. Hollis stated that not all people leave a wedding at the same time, they stagger at various times. This information will be presented at the public hearing.

Mr. Greene asked the applicant to consider the comment made in the F.P. Clark memo regarding their input financially toward the traffic improvements. Mr. Hollis will address this with his client and discuss it with his professionals to see what is appropriate and his client's fair share.

Mr. Kaufman asked the board if they had any comments on the other items noted in his memo. He wanted to make sure the recommendation back to the Town Board met the board's need and did it represent exactly what the board wanted. He offered to review any part of the document with the board at this time. The board members were alright with the other recommendations to the Town Board as noted in Mr. Kaufman's memo.

In response to Mr. Sauro's comment, Mr. Hollis stated that if there are any functions over 100 people, the retail part of the site would be closed; the café would be in use for the social function.

Mr. Bauman stated that most of St. Stephen's church is pleased with these amendments and was not aware of these changes and would like to review this new material. Mr. Kaufman stated he had not reviewed this new material either. Mr. Bauman was told he could pick up the new information at the Town Clerks office or Planning Department.

Mr. Greene asked for a positive recommendation to the Town Board as amended.

Mr. Sauro stated that he is very concerned with the logistics of a wedding occurring on site that could hold up to 200 people, he is also extremely concerned about the sound on site as well and would like these concerns relayed to the Town Board.

Mr. Mezzancello stated that he is concerned about the sound on site during an event and is concerned about the sound impacts on site after 5:00 p.m. in the evening.

The board decided to add to their recommendation, comments about acoustical issues and traffic concerns to the Town Board with their recommendation. Mr. Greene offered his copy of the plan to Mr. Bauman.

Mr. Mezzancello inquired if the residents at Wampus Close will be notified. Mr. Kaufman stated that people will be informed according to the code requirements and the list generated by the Assessor's office.

Mr. Greene made a motion to positively refer this application, as amended with no outside use and no use of tents on site to the Town Board along with the Planning Board's concerns regarding acoustical issues and traffic issues. Mr. Sauro second the motion and it was approved with four Ayes, Mr. Adelman was not present for the vote.

CVS

450 Main Street

Section 2, Block 13, Lots 7A & 10A

Site development plan for various amendments to the site and the establishment of a 17,389 square-foot pharmacy and 2,497 square-foot retail space.

Discussion

Present for this application is David Smith, Senior Development Advisor, VHB and Shannon Rutherford, PE Senior Project Manager, VHB as well as Al DelBello, Esq. Delbello Donnellan Weingarten Wise & Wiederkehr, LLP.

Mr. Delbello stated that his client will land bank 17 parking spaces at the rear of the site and 8 spaces toward the front of the site. This will leave 135 parking spaces on site. The land banked spaces in the front will be planted and grassed. Mr. Greene stated that the land banked parking spaces can be discussed during site plan approval. Mr. Kaufman agreed that this matter did not need to be resolved this evening.

Mr. Greene stated that the applicant submitted additional information regarding the impacts that CVS will have to the hamlet. Mr. Delbello stated that this report was prepared by David Smith, who is present this evening should you have any questions. Mr. Greene stated that the report was well done. Mr. Sauro stated that he did not have any questions about the report.

Mr. Kaufman stated that if the board were to adopt the negative declaration, it is concluding the SEQR process and determines that there is not going to be a significant environmental impact associated with this project. The Negative Declaration goes through the reasons why the board has come to those conclusions, which are about ten pages long. This material was posted on the Town's web site and copies were provided in the board's packets. If the board agrees with the information provided in the Negative Declaration, then the board can vote on it this evening.

Mr. Greene stated that the board has reviewed this material for several months.

Mr. Mark Miller, Esq. Veneziano & Associates represents the owner at 12 Maple Avenue, directly west of the Maple Avenue entrance. He submitted a letter this afternoon from his client. He noted that the plan before the board this evening did not show the curb cut which is subject to an easement agreement with his client and CVS. He noted his client supports the curb cut on Maple Avenue and looks forward to working on achieving this easement agreement.

In response to Mr. Baroni's comment, Mr. Delbello stated that he does not have an agreement with the neighbor next door and that is subject to some future negotiations and therefore he recommended the curb cut not be shown on the land banked parking plan subject to negotiations. This land banked parking plan was the only plan that did not show the Maple Avenue curb cut with 12 Maple Avenue, the site plan still shows the curb cut. Mr. Greene noted that CVS and 12 Maple Avenue have agreed in principle to the curb cut but the town has no control over the reciprocal easement agreement. He is hoping that by time the applicant returns to the Planning Board that both sides have negotiated successfully.

Mr. Baker, attorney for the Concerned Citizens of Armonk asked to speak and make a submission to the board. Mr. Greene stated that the Town Board will be holding its public hearing on Wednesday and we are only taking brief comments from residents at this time.

In response to Mrs. Jacobi's comment, Mr. Kaufman stated that no additional economic information had been submitted. Mrs. Jacobi stated that there are some discrepancies in the report like a pharmacy in the A&P. She has lived here for 15 years and has never seen a pharmacy in the A & P. She did not understand how the board could vote on something with erroneous information in the report. She handed out a submission to the board at this time. Mrs. Jacobi stated that this board was lead agency regarding this application and this board is responsible for reading everything it is given.

Mr. Smith stated that the response to the question relative to a pharmacy located in the

A&P was taken from a report prepared on behalf of the town of North Castle by BFJ and Urbanomics. The study was evaluating the relocation of the A&P within the Armonk Hamlet. We based our information on a report that was submitted to the Town relative to the operations at the A&P. More importantly what we included in the report and was submitted to this board was the overall economics of buying power and spending power within the hamlet. That information was based on 2010 data and it showed significant buying power not only within the hamlet for uses like pharmacies and the services they provide but also you had significant input from surrounding areas coming into the hamlet to purchase those goods and services. The fact that there may or may not have been a pharmacy in the A&P, the issue that we covered in our report was there going to be a significant adverse impact with the location of a CVS within the hamlet. Clearly we went through a number of steps that needed to be evaluated with respect to land use and existing land use and whether the proposed CVS would have a significant adverse impact or not and based on the analysis that we prepared and submitted to you, there will be no significant adverse impact to the community character.

Mr. Greene stated for the record, he could not vouch for everyone but was pretty sure that everyone did read the report, he read the report and spoke with the Director of Planning about and the applicant about the pharmacy in the A&P and after speaking with them concluded that comment was deminimis and would not alter the conclusion that was reached.

Mr. Delbello asked for a copy of the submission Mrs. Jacobi handed out.

Mrs. Jacobi asked Mr. Baroni why Mr. Miller, attorney for 12 Maple Avenue was allowed to speak and her attorney, Mr. Baker was not permitted to speak. She did not think it was fair that her attorney was not permitted to speak. Mr. Baroni stated that he was not running this meeting. Mrs. Jacobi stated – but you are the Town Attorney. Mr. Baroni stated it is the Chairman's protocol that counts in this instance. Ms. Jacobi stated that Mr. Miller is not a resident of town. Mr. Greene stated that Mr. Miller is an integral part of the site plan that is under discussion. Ms. Jacobi stated she will be severely impacted. Mr. Greene stated that you are not part of the site plan, the impact you have will be discussed at the Planning Board public hearing. Mrs. Jacobi expressed her concerns again regarding the erroneous information within the report. Mr. Greene thanked her for her comments.

Mr. Greene made a motion to conclude the SEQR process and adopt a negative declaration for the CVS application. Mr. Delano second the motion and it was approved with four ayes, Mr. Adelman was not present for the vote.

ASSISTED LIVING PROJECT

90 Business Park Drive

Section 2 Block 16 Lot 11.B08

Mark Miller, Esq. Veneziano & Associates

Amended site plan resolution

Mr. Kaufman stated that what the applicant has asked the board to do in light of conversations recently had with the NYSDOT regarding the reconfiguration of Business Park Drive, Route 22 and Maple Avenue, Essentially the plan we considered about reducing the size of the median is not going to be acceptable to the NYSDOT. They are requesting the median be removed. The DOT went through several improvements that they were willing to make to the intersection as long as the town provided the engineering to back it up. The Town Board authorized the study. The original resolution asked for these improvements to be done as soon as possible, this proposed resolution makes it a requirement prior to the CO to give the applicant and the DOT more than enough time to resolve this matter.

Mr. Kaufman read the changes to the resolution from the original approval to this amended approval. The board had no further comments at this time.

Mr. Greene made a motion to approve, it was second by Mr. Delano and approved with four Ayes. Mr. Adelman was not present for the vote.

NIKIC

12 Terrace Circle

Section 2, Block 3, Lot 3-12

Michael Stein, PE Hudson Engineering,

Construction of a new 8,203 square-foot single-family home.

Discussion

Mr. Delano stated that he has had a previous business relationship with this applicant and will recuse himself.

Present this evening was Michael Stein, PE Hudson Engineering; Jerry DeCarlo, project manager.

Mr. Stein stated that this was a referral from the RPRC. The property is located at 12 Terrace Circle and is zoned R-2A and known as building lot #13. The lot is approximately 4.5 acres. Mr. Stein stated that the RPRC suggested shifting the house to the northern side of the lot which would increase the roadway approximately 400 feet and would push the house back into the wetland buffer. Both professionals suggested in their memos that the wetland buffer be increased to 150 or to the bottom of the steep slopes, which ever less was. That house is presently located outside the steep slopes and if built where the professionals are suggesting you would have to cross additional steep slopes to access it and build some of it on steep slopes and cross further into the wetland buffer. Moving of the house as suggested would result in the removal of 95

additional trees, several of which are specimen trees. If the house were moved it would require additional storm water mitigation on site which would then trigger the applicant go over the 1 acre threshold for disturbance of the land. A gravity pump is proposed for the currently house location and if the house were moved, the gravity pump would not work due to low point on site and the DEC recommendations would not be complied with which said to avoid or reduce the impacts. The location of the house as proposed is the most sensitive to the site and minimizes the impacts to the lot.

Mr. Kaufman noted that was a good summary of where we are at. The RPRC reviewed the application; it is not the best lot in North Castle. The RPRC had some considerations and concerns regarding the lot. It is all a balancing test of what is more appropriate, certainly there potentially could be some more environmental impacts which are traded off with is that a better development site and that is why this application is before the Planning Board to discuss what they feel is most appropriate.

Mr. Greene stated that you can see more on the plan then in the field. There are two possible places for the location of the house and neither of them is perfect. The location of the house the applicant prefers is within a legal building envelope. He did not think it was that important to push it to the rear of the site. The house is close to some neighbors in its present location, but if moved back, it would be just as close to some other neighbors. He does not have any issues with the house location as proposed.

Mr. Dan Richman, Esq. Zarin & Steinmetz was present representing the neighbors at 9 & 11 Terrace Circle. He stated that he supports the Director of Planning and Town Engineers recommendations. He noted that a lot of the impacts noted by the applicant's professional could be avoided if access was from the neighboring lot which this same property owns. He stated that there are a lot of impacts on his client's lots as noted in the RPRC memo. A wetland permit is necessary and although the town's memo states this is a type II action, he feels this is an unlisted action which highlights the fact that if this project does have environmental impacts, it warrants a closer analysis from this board. He supports the staff's recommendation that a close comparison of impacts be submitted regarding both house locations on site. The house location now, as proposed by the applicant is unacceptable.

Mr. Sauro noted he did not have a chance to visit the site but wanted to know which house location was more detrimental to the wetlands vs. excavation of rocks. Mr. Kaufman had suggested tunneling in his memo and asked Mr. Stein to elaborate on that. Mr. Stein stated that if access were off of the adjacent lot, the driveway would pass right next to the house, about 28 feet from the garage, on the other lot and there would be no separation and they would share a common driveway. Mr. Stein stated that the tributary for the house located at the rear of the site would be all over the lot. The tributary would only be on part of the house in its present location. Mr. Greene stated that common driveways are to be avoided at all costs; it can be a real burden.

In response to Mr. Sauro's question, Mr. Stein stated that the setbacks were met and no variances were needed for this lot.

Mr. Greene stated that we are faced with this regularly; there are no fabulous building lots left in North Castle and those lots before the Planning Board present challenges. He appreciates the many residents who have been facing vacant lots for years don't like the idea of when development comes and development will always come. People should keep that in mind when purchasing a lot next to a vacant lot, eventually there will be a home there. The analysis the applicant has made regarding the hardships he would incur by moving the house to the rear of the lot, is more of a hardship than he would impose on someone. The house at the rear of the site has a worse environmental footprint.

Mr. Richman stated that Beth Evans was hired by his clients to review and study the wetland impacts on site. Mr. Baroni stated that a public hearing would be necessary for a wetland permit.

In response to Mr. Greene's comment, Mr. Cermele noted there would be a disturbance in the wetland based on the recent plans submitted and a wetland permit would be necessary. Mr. Kaufman stated the applicant would appear before the Conservation Board for a recommendation back to the Planning Board. When the applicant returns to the board, they will have a neighbor notification for the new construction and a wetland public hearing at the same time for the wetland permit and the board could conclude its review.

Mr. DeCarlo expressed his frustration that three other lots in this development under construction presently had received wetlands permits and did not require a public hearing. He wanted to know why his client had to go through a public hearing when the other neighbors did not. Mr. Baroni stated those other neighbors did not appear before the Planning Board and the Town Engineer issued those permits to the neighbors. Mr. DeCarlo stated that this application was pushed to appear before this board. Mr. Baroni stated that according to the Town Code, any applicant that appears before the Planning who requires a Wetland Permit must have a public hearing, the board can not change that requirement.

Mr. Richmond stated that there are certain items that were requested in the professional's memos and according to the code, i.e. elevations and the comparative analysis the RPRC requested, need to be in the file prior to the public hearing being scheduled so that it can be reviewed.

Mr. Kaufman stated that he was under the impression from the board that they were comfortable with the house in the location as presented by the applicant. If that is the case, then the applicant would not have to prepare any further investigation into the comparative sites and no further comparative analysis would be necessary. With respect to the house elevations, that would need to be provided prior to the neighbor notification as that is part of the site plan approval. Mr. Greene stated that he had no issues with the house location as it is.

Discussions were had regarding the wetland permit and neighbor notification and the differences for each one.

The application was referred to the Conservation Board.

Mr. Baroni stated that since this is an unlisted action, did we receive a long EAF for this application. Mr. Kaufman stated that we have always considered development of a single family residence, even with a wetland permit as a Type II action and a Long Form EAF is not required. Mr. Kaufman will double check the code. Mr. Baroni suggested that due to the application be in a contested matter that the applicant submits a long form EAF. The long form EAF should be submitted to the Conservation Board and Planning Board.

DRAMATIC ARTS SCHOOL

1 Labriola Court

Section 2, Block 11, Lot 13.-1

Robert Peake, AICP John Meyer Consulting

Site Plan for a change of use from office space to fine arts school and the construction of a student drop-off area.

Discussion

Present for this application was Bob Peake, John Meyer Consulting.

Mr. Peake stated that he had reviewed both memos from the professionals and noted that there was presently a bike rack on site and did not feel another was necessary. He has appeared before the Conservation Board and presented two driveway options to the Conservation Board. The NYCDEP has visited the site and there is a regulated water course on site. Since we are in the NYC water shed, additional impervious surface is forbidden except for certain conditions i.e.: expansion of an industrial use less than 25% which this would qualify for. We would need SWPPP approved by DEP, which is a defined procedural code which would prohibit the applicant from moving into the Building in September as they were hoping to do. We then moved the driveway further down Labriola Court to get the driveway out of the buffer and he will have to reflag the wetlands to confirm if he is out of the buffer or not. Mr. Peake stated that the Conservation Board was alright with either driveway location and his client is alright with the comments in the Conservation Board memo.

In response to Mr. Peake's comment, Mr. Kaufman stated that he had a meeting with the Armonk Fire Department, Police Department and Fire Marshal regarding this application and they were concerned about queuing when accessing the site. Mr. Peake presented current photos of the site to the board stating that he did not think that queuing would be an issue or access for emergency vehicles. He reviewed the photos with the board to that effect and noted it would be costly for the client to connect the parking lots and would create additional impervious surface.

Mr. Kaufman asked if the board had comments regarding the fire and police recommendation about connecting the parking lots, does the board feel it is necessary or warranted. Mr. Greene stated that he drove around the site and did not like the

alternate plan and did not feel the expense was warranted to connect the parking lots; there are two ways in and out of Labriola Court.

Mr. Kaufman stated while at the police and fire meeting Lieutenant Simonsen suggested that if the parking lots were not connected to install signs directing people on site who were unfamiliar with the site. The board and professionals liked that idea and the applicant agreed to comply.

Mr. Peake stated that he was scheduled before the Town Board on August 15, 2012 and a public hearing was scheduled with the Planning Board on September 10, 2012 regarding the original plan. The board will consider a resolution the same evening.

Mr. Nokes, Conservation Board representative, stated that the mitigation plan as noted in the Conservation Board memo was based on the alternative entrance on the assumption that it was out of the wetland buffer. The Conservation Board will not have a problem with either entry way and the mitigation plan will be altered based on where the wetlands are re-delineated and the Conservation Board does not have an issue with that and that can be resolved.

Mr. Greene stated that this is a great re-use for the area.

BRUNO

21 Whippoorwill Road

Section 2, Block 1, Lot 14

Robert Peake, AICP John Meyer Consulting

Subdivision of a 12.92 acre lot into a four lot residential subdivision.

Discussion

Present for this application was Bob Peake, John Meyer Consulting.

Mr. Peake stated that his client has agreed to a two lot subdivision from the originally proposed four lot subdivision.

Mr. Cermele inquired what is the water service easement shown on the rear of the lot was for. Mr. Peake stated that if his client were to build another barn on site she wanted water access to it. It was suggested the note be removed from the plan at this time and the applicant address that matter at the time it is needed. In response to Mr. Greene's comment, Mr. Cermele stated that the fire hydrant is no longer necessary. Mr. Kaufman stated that the fire hydrant proposed was no longer necessary because the additional driveways were not proposed and there will be no additional impact to the neighborhood.

A public hearing was scheduled for August 6, 2012 Planning Board meeting and the board will consider a preliminary resolution of approval the same evening.

Meeting adjourned at 8:35 pm.