

Meeting of the Planning Board of the Town of Lewisboro held via the videoconferencing application Zoom (Meeting ID: 949 3817 4278) on Tuesday, January 11, 2022, at 7:30 p.m.; the YouTube link is <https://www.youtube.com/watch?v=qDYjcjGXz6A>

Present: Janet Andersen, Chair
Jerome Kerner *arrived at 7:38 p.m.
Charlene Indelicato
Judson Siebert, Esq., Keane & Beane P.C., Planning Board Counsel
David Sessions, RLA, AICP, Kellard Sessions Consulting, Town Wetland Inspector
Ciorsdan Conran, Planning Board Administrator
John Wolff, Conservation Advisory Council

Absent: Greg La Sorsa
Bruce Thompson

Approximately 12 participants were logged into the Zoom and 4 viewers on YouTube.

Ms. Andersen opened the meeting at 7:30 p.m.

Janet Andersen: Happy New Year everybody. I'm Janet Andersen and I am calling to order the Town of Lewisboro planning board meeting for Tuesday, January 11, 2022, at 7:30 pm. The State legislature passed a temporary amendment to the open meetings law that allows municipal boards to meet by a video conference until January 15, 2022. The board agreed to meet via Zoom. We are live streaming to YouTube on the LewisboroTV channel: this will enable viewing by the public. No one is at our in-person meeting location that 79 Bouton. This meeting is being recorded. Ciorsdan has confirmed that the YouTube feed is active and working and that the meeting has been duly noticed and legal notice requirements have been fulfilled. We intend to post a recording and the transcript of this meeting to the town website. The Zoom video will also be available on the town's YouTube channel. I have to say that if the open meeting law is not extended our next meeting will be in person.

Joining me on the Zoom conference from the town of Lewisboro are members of the planning board Charlene Indelicato, and we expect Jerome Kerner shortly. Greg La Sorsa will not join us tonight. I also want to welcome Bruce Thompson to the board, he was appointed by the town board last night and I don't think he expected to be on and meeting quite so early, but once Jerome joins, we will have a quorum and that so we can conduct the business of the board and vote on any matters that come before the board. Also on the conference call is our counsel Jud Siebert and tonight Dave Sessions is handling the planning and wetland roles for Jan Johannessen so thank you Dave for stepping in and also on is the planning board administrator Ciorsdan Conran and I see our CAC chair chair John Wolff is also on. And we do not have a public hearings scheduled for tonight, so we do not expect to take any public com comments at this meeting. I will say however that members of the public can always express their views by mail or email to planning@lewisborogov.com.

Again, the public can see and hear this meeting via Zoom or live on the LewisboroTV YouTube channel, although Ciorsdan has let me know that's there it goes, it has now started. As usual, we ask any applicants that are not currently engaging in dialogue to mute their lines, this will help everyone hear over the inevitable background noises, and to ease the recording of our votes I will poll board members individually. I also expect that we will go into executive session tonight. And we will do that by going into a Zoom breakout room and then we will return and complete the meeting. So, with that. I was going to say let's get started, but I think I should probably wait for Jerome so that we do have a quorum to actually work on anything. But.

I. SITE DEVELOPMENT PLAN REVIEWS

Cal #04-21PB, Cal #42-21WP, Cal #08-21SW
(3:02 - 35:06)

397 Smith Ridge Road, LLC; 397 Smith Ridge Road, South Salem; Sheet 50A, Block 9848, Lot 2 (397 Smith Ridge Road, LLC, owner of record) - Application for an addition to an existing self-storage facility.

[Steven and Helen Kaplan, owners; and Alan Pilch, P.E.; and Beth Evans, PWS. were present.]

Janet Andersen: I can do the setup I think, so, the first item on our agenda is a site development plan review. This is calendar number 04-21 PB, calendar number 42 - 21 WP and calendar number 08 - 21 SW, 397 Smith Ridge Road LLC which is located at 397 Smith Ridge Road in South Salem. This is an application for an addition to an existing self-storage facility. Um.

Jud Siebert: Jan. Can we just hold it just to see if Jerome will plug in I think it would be helpful.

Janet Andersen: That's that's what I was just going to ask.

Ciorsdan Conran: I just called him. He's about to join us on the Zoom.

Janet Andersen: Thank you.

Ciorsdan Conran: We can talk about what a nice guy he is until he gets here.

Janet Andersen: Of course, that'll take us hours and. So one of the reasons I was thrilled to have the [town] board actually appoint another member is because of this. But, we'll, I mean it makes it easier when we have five members on but I, I certainly understand that it's hard to go from the day you're appointed to be ready to be on a, on a session so Jerome is joining us now. Say hi Jerome when you're, when your audio is connected. There you are.

Jerome Kerner: I'm here I'm sorry folks. My apologies.

Janet Andersen: Oh no problem. So. Who is going to start talking for 397 Smith Ridge Road? Alan, okay.

Alan Pilch: So, good evening, madam chair, members of the planning board. I'm I'm here actually maybe what I could do is share screen?

Janet Andersen: You may.

Alan Pilch: I want to do that. Hopefully I can do that yes. Okay, is it visible now?

Janet Andersen: It is.

Alan Pilch: Excellent, so I'm actually here to describe the project, as you know, the existing project consists of, there are two buildings on this property. One of which is 4,562.5 square feet, the other 2,150 square feet and the proposal is to add two additional buildings. Building number three, which is 1,500 square feet, both are in the rear of the site and building number four which is 1,346 square feet. The and I'll just sort of go over some of the modifications to the plan. Because what I can do is sort of switch, if you will, to the prior plan, just so you can sort of see the changes. That one one thing that we did on this plan was to reduce the amount of new space that is being proposed, and this former plan, there was 3,350 square feet, the new one is 2,846 square feet. So, a reduction of 504 square feet. And one of the things we did too is bring the buildings forward so it's further away from the wetlands, which is in the off site and the rear of the property, the hundred-foot state, it's a State wetland, hundred-foot buffer extends to into the rear of the property and the town wetland buffer runs through I'll call it in the mid to rear portion of the property.

So, one of the things that was eliminated, it was previously, an addition to building number one, that's been eliminated and really what we're using that space for is essentially stormwater management and for snow storage. And these two buildings have been modified, they're slightly smaller than what was there previously, and they were moved forward, so

as I say, they're they're further from the rear property line by about six and a half feet and they're also further away from the wetland as a result. So, with these changes the building coverage on the site was reduced to 9,558.5 square feet. A variance will be needed for building coverage, as we noted previously, but the variance will be smaller, amounting to 3.53% instead of 4.76%, but it's still in excess of the 20% coverage that is permitted. I'll just say the new buildings were designed to work with existing drainage system to the maximum extent we could. There's an existing subsurface system, Cultec chambers, which was installed. I'll just say, and in the I'll say the old plan, I can show you the final last time that's not showing very well, but within with a new building being placed on, right up against the existing curb line, which is what we've done it'll actually eliminate one of the rows of chambers, that one here, and it will be mitigated I'll just change the screen by constructing 12 new chambers. We're eliminating 11 and bringing in 12 new chambers, to the adjacent to building number one and building number three and, as I pointed out before as well there are two snow storage areas that are being provided, one which is located between building one and building number three through a gate. And one through I'll just say an access way at the south end of building number four. And finally, just also point out. There was a detailed mitigation plan as well that was submitted, which was requested. And this mitigation plan includes a lot of I'll say removal of a lot of the invasives which have taken over much of the former mitigation area back here and what we're doing basically is providing a clean slate and planting a lot of new native trees and shrubs in the rear portion of the property with the provision of gates and access. You know at the south end of building number four and at the north end building number three there will be an opportunity to provide maintenance of this area. And that's really the modifications to the plans, so, in addition, so just I'll just in summary, so there is a new planted mitigation area, as you can see, and there is a reduction in the amount of new building space that has been proposed. And, but still I think the site works well with its new arrangement. So, with that I'll let it. I'll stop screen share for a moment. And then. turn it back over to you.

Janet Andersen: Great so let me just ask one thing to make sure I'm clear. It sounded as if you're using the old mitigation area that that was done for the prior mitigation and you're using it, and it counted then and you're using that same area again to count for this new mitigation. Is that correct?

Alan Pilch: That is largely correct. It's been extended a little more than what was there before, but it does encompass the former mitigation area as well.

Janet Andersen: And even counting that, you're short of required mitigation?

Alan Pilch: That is correct. I'll just say when we when I was out there and Beth Evans is also here was out there and we both observed this slope here which we are hoping to try to include in some form of mitigation. Truthfully it is really so steep and so rugged that to be able to provide you know landscape, for a landscape crew to really be able to access it, it's very difficult, it really is, and I just think and because of the steepness of the slope, that'd be very difficult to establish any plants there after we sort of reviewed it again. That was our observation that'd be very, very difficult to do so. I was you know, I guess, one of the questions we have is there any other options with the town in a situation like this, where there are physical constraints on a property of I'll say proximity to a state wetland and extreme slope. I mean this this slope back here this area back up, let me re share. It will be easier if I do that. The steep area back here that I'm referring to is really, it's very difficult to access and to plant on it would be very difficult um the upper area this property is really just an old. However, it was done, it was fill that was placed there years ago that's that's what created it, and they just sort of left this very steep slope here and we looked at it, to try to see whether or not we might be able to plant it. And then maintain it, that's what we thought it was going to be very, very difficult to accomplish that, and so there are physical constraints on this property which make meeting this mitigation requirement. I'll say really feasible, I mean there is access through the two gates that are provided here and here to access and you know maintain the mitigation area in the rear of the property but this area is just so steep we just felt it was not practical. I don't know if Beth wants to discuss that too but I'm just saying that was our impression.

David Sessions: Alan hi, it's Dave Sessions, if I can interject. I think, as as and correct me if I'm wrong, but as part of the original approval and the original project, there was mitigation required I even think that there was some off-site mitigation that was supposed to be done. The mitigation was done the planting was done on site, but, as you know, it was never, the monitoring reports were never prepared and submitted, and the maintenance never happened on the site, so you

know that was obviously a bust on on the owners, you know as far as the owner was concerned. We're coming in now with additional development and additional coverage and additional disturbance to the wetland buffer. And we're about 2,500 or 2,600 square feet short in mitigation. You know look, this is just my opinion, I'm not a member of the board, but somehow this needs to be mitigated and you might need to start thinking about going off site again. You know, again initially this the the monitoring and the maintenance and the reporting was never done, that was on the owner. And now we're asking for more and asking for relief of the mitigation so, we'll leave it up to the board as to how they feel or how the board feels but I think you need to consider some off-site mitigation if in fact on-site mitigation is not possible, and I, and I don't disagree with you, that slope is is unreasonably steep and I really don't think anything can be done there. So, you know I think I think you need to consider some offsite mitigation, as you did originally.

Steven Kaplan: If I might just interject.

Alan Pilch: Um my recollection certainly is that there was onsite mitigation only, there wasn't offsite mitigation, however, it definitely was not maintained.

Beth Evans: And if I can just interject, is it all right Janet if I just. When when we went back to look at this site, obviously, the idea was we were going to use the whole property for mitigation but as Alan said, this appears to be very old unstable fill material there, hunks of concrete on that steep slope, it's it's not really suitable for a planted area. We looked off site further down the base of the slope, but the problem there, even if if the owner were to be able to work out some sort of a use agreement with that with that property owner, getting to that back area is nearly impossible, so I think we concur with Dave's assessment that, in this situation, given the constraints, off-site mitigation would be the obvious option.

Janet Andersen: I think that it wasn't the original 2012 approval that had offsite, but I think the prior submission had had some offsite.

David Sessions: You're right Jan.

Janet Andersen: Thank you, but I do understand you know we don't want to have you plant someplace that, then you can't ever get to, and it really isn't effective mitigation.

Jud Siebert: And I think I guess I guess my concern would be that whatever site constraints limited mitigation in 2012 continue to you know affect the ability to fully mitigate in 2021, and we have additional development proposed, so I think an offsite option has to be looked at.

Steven Kaplan: Can I just make a point. I didn't want this time, I'm Steve Kaplan my wife Helen owners of the property at 397. I. I try to do everything correctly I don't want to conflate the fact that I just didn't understand and just didn't make it through my brain, that I was supposed to make reports every year, so that's totally honest on me and I will not go down that alley again, now that I understand that that was just a big no no. I'm sorry to that that happened. We try to be good neighbors. I think we have been good neighbors we're we're we're sought after in by the by the community that's why we need to, we would like to expand. Having said that, though I wanted to ask about this other something in 2012 about off-site mitigation I I don't recall anything about any off-site mitigation having been offered are asked what we did, but with our original proposal. We owned the property for many years, I think we were the first ones to actually come in with the site plan for any work there. My recollection is that there's no other mitigation that was asked for or even discussed.

Janet Andersen: I think there might have been some confusion between the prior the way old plan, meaning the 2012 plan, and the previous iteration of this current plan, which I thought had, did have some offsite mitigation. I see Jerome, yes go ahead.

Jerome Kerner: Yeah, let's talk about for a moment, the purpose of the mitigation in my mind it's not just a numbers game per se that we're trying to accomplish it's for enhancing the wetland and perhaps this wetland has been enhanced as far as it can go on this property, I mean you know it's not a large piece of property. The only, you know as a planning board, I

think there are two options, one is to say. If there's no way to mitigate on this property and no other property with access that would work and it's the square footage addition that's causing this, this deficit, well then we just deny it, but, but if it's good for business and the community needs it, and the property is stabilized and it's the wetland can't be improved in that area any further then I would say that that would be the proposal that I would make that planning board realize that this mitigation. Now I know Jud's gonna say well yeah but that's what the code says it's got to be 1:1 and we don't want to set that precedent so. That takes me back to what Dave was saying and it's about finding off site, potential mitigation, or is there something else that can be done with the state's approval to like, for example, enhancing wildlife habitation there for nesting ducks, put up duck houses, is there running water there, or do you know, do something that would enhance the utilization and effectiveness of that wetland.

Janet Andersen: Yeah, I hear what you're saying Jerome and I think I'm I appreciate that creativity and and you know desire to figure out a way to get through this, that you bring. I'm I'm hesitant to go away from the 1:1 until we vet and especially until we've at least explored a little, I mean I think when the when the prior thing was done in, you know, the first set of buildings were done, they were pretty careful to keep everything sort of forward of the 150, I mean it went over a little bit into that buffer line, but it was sort of all designed to the front of the property. And I'm wondering if it would be, you know if you if you only put up one of the buildings and you use the other part, as mitigation. If there were you know if there is something else that could be done, so that first there's less square feet to mitigate and, second, more area to mitigate, I think I'd have to look at that, before you know, or or say find some off-site location, before I'd be willing to go away from the 1:1. I see Charlene, you're nodding, go ahead.

Charlene Indelicato: Yes, I would agree with that.

Janet Andersen: And I think there are some other comments so maybe Dave if you would be willing to go through the the memo that we have on this, I think it would be helpful to make sure we're identifying all of a, not in terrible detail, but you know, identifying the general areas that that we have to continue to look at.

David Sessions: Yeah yeah, I won't go through every comment. I think the the comments are pretty clear there, there are some stormwater technical stormwater type issues that we that we wanted to work out which we can work out with Alan you know offline. And you know the the fire department is going to need to take a look at this and I would suggest that maybe Alan maybe you contact the building inspector, to you know to maybe have the building inspector contact the fire department. I know that you had sent drawings, I think, I believe over to the fire department, but maybe go through the building inspector to get to the fire department, that's probably the best way to go. The quickest way to to go. And the building inspector is going to need to identify each of the nonconformities that are being proposed. So that we have a you know, we have a clear idea, you have a clear idea as to what variances are going to be needed here, I know that the buildings. One example is the the buildings are only about seven feet apart, I believe that the code requires 10 feet apart. You know that's one example. So maybe just just contact the building department. Talk to the fire department, with respect to what they're going to be requiring and again, I think. Stormwater, obviously, we need a wetland permit. We mentioned snow storage before, I believe that there's some sort of, there's a chain link fence up there, and I believe that you're showing your snow storage beyond the fencing. So, you know something's going to have to be worked out there, whether or not the you know the snow storage goes somewhere else, or the fencing become you know gets removed. details such as that. It's all outlined in the memo, but I think those are the you know those are the main, the main points we need site development approval we need stormwater permit approval, as I mentioned, we need a wetland activity permit. A public hearing is going to be required for this, ZBA for building coverage and referral to ACARC as well. So those are you know those are kind of the main the main points. The mitigation was really a main a main issue, though, that really needs to be worked out.

Janet Andersen: Go ahead Jerome. Thank you, I'm sorry first, thank you, David.

Jerome Kerner: Good job yeah just question Alan or Steve, have you looked at a cross section of the building parallel to the infiltrators it seems to me that by the time you excavate. You and to put a footing in you're going to have to disturb another row. Now, I think that should be looked at and developed to show us how that's going to be footing to be put in, alongside the existing infiltrator.

Steven Kaplan: I just couldn't get past that quickly the these buildings, because they're not heated or tempered, air conditioned even they have no foundation, they are haunched around the perimeters so we're only going, you know, maybe at foot down, all around the perimeters.

Jerome Kerner: Okay.

Steven Kaplan: And there's no interior here because stands are so narrow, I would also like to mention another thing because, in the interest of cooperation and moving forward. I know that we initially had, I think, because I missed the last meeting and I apologize for that. We do have an alternate location for mitigation and I'm not sure why we're very we have dismissed it or maybe not mentioned it, so I'm bringing it up to bring these, are further along because I mitigation seems to be the largest issue I have an arrangement to maybe Alan can speak to this better than I, but the way I understand it, the arrangement is that, in exchange for some consideration, I am able to get an easement from my neighbor between my rear property line and the actual brook that goes behind there for the deficit of the square footage that if you need to make up. So, even though we have this very steep incline that is difficult to maintain, which again is my fault [static] I didn't realize, I was responsible. There isn't, there is a viable alternative that I'm ready to do accept to let the board know that this is hearing. move on from this mitigation, now I hope I'm not speaking out of turn. Alan, that I said something that was you know not mentioned before, or maybe there was a reason that we didn't mention it, but I mentioning it now in the interest of moving the project along because I'm hearing you know, for taking a few steps forward, and I just want to continue to the forward motion and not you know meet again on the same particular topic. And there was one other topic, with regards to the gate for the snow removal area, I mean my nice snow removal guy has no problem opening gates and, and then pushing the snow where it needs to go and then locking the gate, from my perspective, it's a liability, an insurance liability to leave that back area, which is extremely slopey, unattended, so my preference is to, as he does with other properties that he maintains give them the key to the gate lock, let them open the gate, push the snow in and then lock the gate when he leaves. Otherwise, there's a there's an insurance liability, I have a very large insurance, people come sometimes with their dogs and just let their dogs run around inside there, while they're doing their loading and unloading and without a gate the dogs are going to run down that hill and then they're gonna have people following them and it is a dangerous slope. So, I'll stop there, thank you.

Janet Andersen: Thank you, Steven. I think that one of the concerns that I had with the gates is even if someone's willing to do it, depending upon how much snow we get unless, I just you know, and maybe maybe sort of explaining that in a note because I don't unless they can kind of pull the snow back, open the gates then I don't know which way the gates swing. How they get the snow away so you can put a so you can open the gate.

Steven Kaplan: It's sufficiently steep, it's sufficiently steep that even if you were to if you go out there, well you can't because you can't access it, but if you could look at the topo you would see is sufficiently steep that even if you dumped a lot of snow there. It would be below the bottom of the gate so.

Janet Andersen: So, do the gates open towards the back? Or do they have to?

Steven Kaplan: Yes, they would open towards the back from there, and there would be no snow there usually. The plow would come push the snow past the gate down the steep slope, and then they would close the gate behind it, you know.

Alan Pilch: It's a detail we'll work out.

Janet Andersen: Yes, that helps me understand a little bit better but I think it would be helpful to kind of understand that. I think this, you know this this off-site mitigation is exactly what we have been sort of saying is necessary, because there is there is a shortfall of mitigation of mitigation. I so. I think there are two two steps, I mean one we really do need to work on that mitigation piece, so if there is at at your neighbor at the you know, behind the neighbors' activities if there's mitigation area there that would be good to see. It is sort of new news that we've heard from the building inspector, he's asked us to really ensure that he is involved with anything that goes to the fire department, so we could refer this to the

building inspector again if you think that, at this point, you'd like us to do that. I think we would be hesitant, however, to do much more until we you know see what comes out of that. um.

Jud Siebert: Can I. Can I just an observation very quickly in terms of moving things forward there's already a recognition that there are variances at least one variance is going to be required, the applicant has indicated that that's the case. We have revised plans, my suggestion let's get the revised plans to the building inspector, he can review them and then give the applicant basically a laundry list of whatever issues are non-conforming to exist that are going to require relief from the ZBA. So that we're not doing a piecemeal application to the ZBA you'll need that determination from the building inspector to make that application, so I think let's get the revised plans to the building inspector, let him review it, let him work with the fire department in that regard. And then, whatever the building inspector determines can then provide the platform to get the ZBA process going and in the interim, I think. You know, an offline discussion between the applicant or the applicant's consultants and Kellard Sessions, with regard to this additional mitigation area, can you know can move that process forward, it doesn't sound to me like that additional mitigation area would upset any of the you know, the current plans in terms of building location and size and the rest, so that would be my, those are my thoughts.

Steven Kaplan: That you'd.

Janet Andersen: That's great.

Steven Kaplan: I would like to add. That actually, Jan has the wording that of these easements, we submitted it to them, maybe Mr. Sessions.

Jud Siebert: I have it yeah I have it Steven, and it's why it's sort of like this, why did the latest plan it seemed like it was sort of, it was dropped, so we were we just we don't know where that stands.

Steven Kaplan: It is back.

Janet Andersen: Okay wasn't part of this current thing. Okay, yes.

Jerome Kerner: Yeah, on the issue that the building inspector raised the building separation, I was wondering if that passageway was roofed over, and if it was, would that be considered one building which would not create that objection. It will be passageway within the building, and it might be something to think about.

Janet Andersen: Okay. Before we go further, I think, John, the CAC had a memo that came out just today, so I don't know whether that was forwarded to the applicant yet or not, but maybe if you want to, is there, were there comments in there that you want to bring up that we didn't yet address?

John Wolff: Somebody raised the issue, and we didn't really know, was there any requirement of how much impervious percentage there has to be on a property and then because this one is fairly fairly substantial impervious thing, and that was that was the issue that was raised.

Janet Andersen: I think that would be something that will come up by sending it to the building inspector. So and we can send to the building inspector by consensus so I'd look for agreement from the board members to to agree to send this to the building inspector and also ask that he coordinate with the fire department in a review, so I guess thumbs up everybody okay with that 123 okay good, so we have agreed to send that, to refer this to the building inspector and ask that he also go to the fire department with it. And I am pleased to hear that I guess we just assumed when we didn't see the mitigation offsite again that it has gone away, and I think that would be helpful to see so we'll do that, but then the I mean you know so next time we can do that, but in the interim, I think, getting the building inspector to look at this is the the sensible next step as Jud had suggested here. So is there anything else on this application that we should talk about at the moment. Okay I'm hearing none, I'll say thank you very much and we'll move on to the next item on our agenda, thank you very much.

[Various voices] Thank you.

[The Board reached consensus to refer 397 Smith Ridge Road, LLC; 397 Smith Ridge Road, South Salem to the Building Inspector for zoning compliance review as well as a referral to the Vista Fire Department.]

Cal #10-21PB

(35:07 - 48:44)

Palminteri Residence, 4 Bluestone Lane, South Salem; Sheet 40, Block 10552, Lot 42 (Chazz and Gianna Palminteri, owners of record) – Waiver of site development plan procedures application for the construction of a single-family house.

[Paulette Dimovski, AIA, was present on behalf of the owners.]

Janet Andersen: So, the next item on our agenda is calendar number 10 - 21 PB this is 4 Bluestone Lane, South Salem, it's a waiver of a site development plan procedures application for the construction of a single-family house. This is a little bit unusual for us and that it's it's not really a true wetland or site development plan application, we have a condition tied to a resolution and that's been changed and so maybe actually, Jud, I'll ask you to sort of explain a little bit about why this is here.

Jud Siebert: Yeah a little unusual, but the proposed residence is within a subdivision that was approved by the board and that subdivision approval had as a condition, and a note on the plat, that there were certain a building envelopes and building constraints on each lot that had to be observed, there were plans submitted with that subdivision approval and the condition said, if there was some alteration in the future, the development on a particular lot would would would have to come back to the board for approval. So, it's really it's it's, this is really a product of a condition of a subdivision approval that requires this board to look at this particular development as compared to what was contemplated at the time of the subdivision approval review it, and it would give a thumbs up or thumbs down.

Janet Andersen: Okay, and I believe Paulette, are you on for this?

Paulette Dimovski: Yes, I am. Hi, how are you? Members of board my name is Paulette Dimovski. I'm the architect for the owners who are Chazz and Gianna Palminteri and I think if I share my screen I'll be able to just give you a visual of everything Jud just explained. Can you see my screen? Okay great. So this is the subdivision, these are the six lots that were part of that earlier subdivision, and it just so happens that we happen to be the architect of all of the lots, except for this one, which was the building was already there, but we did design and build these three lots and are currently building this one now. This is the one in question, this is 4 Bluestone Lane, and in this case the restrictions for the contiguous building area were, while it's it's pretty expansive it's about 66,000 square feet of area that you can build on. It gets very tight, and this is a good visual because this line is the contiguous building area where you have to build within and you see how it narrows on each side, and you know, trying to position this house in such a way, where we take advantage of the topography, we take advantage of natural sunlight, South versus the North and then privacy for these owners, which is very important for them, for security and privacy they wanted to be a little further in in their lot. It was very difficult to plan this house without impeding on that area, so, as it turns out this, this is the area in question it's about 600 square feet. Which is about 1% of the buildable area that we're looking for and we we did go to zoning for this and they approved it, and now I think we're back to you because it was part of a previous resolution and I think we have to formalize it with the planning board, I believe.

Janet Andersen: I think that's correct okay so um. So, I think what has happened, if I understand correctly, is that the house has kind of been shifted a little bit and because it squeezes there you've you've had to go outside what had been defined as the contiguous building area but that that has been approved by the ZBA, so I think there's. I think this is now up to us to just basically say yes, we think this is okay, or you know no we don't and and I don't think there's too much more. I just do want to ask, it looks, this isn't even something I think I can we, as a board can discuss but I'm I'm looking at it appears that there's quite a bit of driveway area in the whole front, there is, that is, that pretty much what he has to middle. And so I just, yeah go ahead.

Paulette Dimovski: I'm gonna show you I don't know if I have to re share my screen, can you see the color rendering right now. Okay, just give me a minute to do a new share. This may be a little clearer maybe. So, so this is the house, and this is the garage. This is that line that we're impeding on and the pool, we can't just building that we can't. So, the driveway is a long driveway and they they wanted it to be a little meandering again so that you can't see down the driveway. Just for privacy and then you would come around this way I don't know if you can see my cursor, but you go into the drive into the garage its this way it's a three-car garage. They don't they didn't want the garage upfront they wanted it tucked away in the back for a couple of reasons, one for a little more security to have, you know their driveway not accessible, and also to maximize the views. Part of why they bought this property was because they have the natural preserve behind them and one of the, Chazz's office is going to be above the garage, so he really wanted to take advantage of that and have that more towards the back of the house. So, given the program given what you know they were hoping to achieve here, it just it, it is very difficult to fit within this very narrow, I mean it's very narrow here. If we moved it closer again, we'd be a lot closer to the street and closer to the neighbors. And if we moved it back we'd have a topography issue because it's really as we come back and you can't site the pool and it just becomes we have another limit line here that we have to stay within so we weren't really pushed into the corner and we felt that this this really was the least invasive into that area that we.

Janet Andersen: Okay, the color the color does help. Um I'm. You know I just between the some of the big rains and snows we have here I'm sure you're going to be thinking about how to handle all the the you know that area surface area that you have to collect the rain and the snow from.

Paulette Dimovski: Oh yeah, the Palminteris have retained Hudson Engineering to do all the civil engineering for this, and they will be taking care of all the stormwater management.

Janet Andersen: Great yeah that that color visual really does help. Thank you okay. So, are there any comments Jerome, Charlene on this, that you have?

Jerome Kerner: I have a, Charlene why don't you go first, and I'll follow.

Charlene Indelicato: I was just wondering if there were any objections at the zoning board and were the neighbors informed of the change.

Paulette Dimovski: Yes, yes, actually, most of the neighbors were there in support of it, and I believe I think it was unanimously voted on, I can't recall for sure, but it was approved, and I think it was, it was obviously a majority but.

Jud Siebert: Yes, the Board has a copy of the resolution that was adopted at the November 17th [2021] meeting I believe, of the ZBA and it was a decision five - zero.

Jerome Kerner: Yeah Janet.

Janet Andersen: Yes, Jerome.

Jerome Kerner: Yeah, I have to say that what I'm hearing, I have absolutely no objection to this, the rationale, you know is sound reasons for it and. I don't know how it was placed on the side, initially, but that was just a, nothing was carved in stone, and I think that as long as there's no encroachment on zoning envelope and there's no objection from neighbors, I think it's so perfectly fine as far as I'm concerned.

Janet Andersen: Yeah and thank you for Charlene for ferreting out what the neighbors thought, and I think that that is helpful information, so I I don't know Charlene do you have any more questions or would you be okay with this.

Charlene Indelicato: I'd be fine with it I'll make motion if you want.

Janet Andersen: And well I think let's see, I think, so I am going to ask you Paulette, if you would stop screen sharing, so we can see everybody a little bit more. Thank you and then I think what we want to do is ask for a resolution to be prepared, I think that's the right thing to do, for our next meeting. And I don't believe we need a motion to ask for the resolution we will just need a motion once we get the resolution and try to approve it so. If, you know Jerome, Charlene and me all kinds of thumbs up on that and the rest asking for resolution okay so, that's the work to be done for the next meeting. I hope that is okay. Paulette do you have any other requests of us before.

Paulette Dimovski: Um, I guess, I guess, I just wonder what's the next step for us, the applicant do we come to the next meeting, is that a public hearing or not, we need to present again.

David Sessions: No public hearing required.

Janet Andersen: So, what we would do at the next public hearing is discuss the resolution, and I would expect that, barring any surprises that are unexpected in the resolution we would approve it, so if you would like to be there to hear the resolution, you know, certainly, and any discussion that happens that's, but I would expect it to be a relatively brief conversation.

Ciorsdan Conran: And that meeting is February 15th.

Paulette Dimovski: February 15th. Okay, and then, if it's approved, then we proceed with our submitting to the building department for a permit and all that's required with that.

Janet Andersen: I believe so, I think you just go to get a building permit because you will have gotten through the ZBA, you've gotten through us I don't, unless something unexpected comes up.

David Sessions: I think, just and I'm sure your engineer's aware of this but Westchester County Health Department still needs to approve the well and the septic system.

Paulette Dimovski: Yeah, right.

David Sessions: Prior to the building department signing off on any building permit, they will need to see the approval from the from the county health department.

Jerome Kerner: It's not coming back to us after the resolution is revised.

Janet Andersen: Yeah, so I think you can work with the Department of Health, you know, in parallel, you don't need. I don't think you need the resolution to get to that far but we'll see. Okay.

Paulette Dimovski: Well, thank you very much.

Janet Andersen: Thank you, and perhaps we'll see you next month, but in any case, we will discuss the resolution next month. Thank you so much.

Paulette Dimovski: Okay, thank you have a great night.

[The Board reached consensus to request its consultants prepare a resolution amending a condition in the Popoli/Sicuranza Subdivision Resolution (08-02PB) dated December 8, 2009.]

II. WETLAND VIOLATION

Cal #01-21WV
(48:44 - 59:04)

Maple Tree Farm, 400 Smith Ridge Road, South Salem; Sheet 24, Block 9831, Lot 49B (Maple Tree Farm, LLC, owner of record)

[Brian Cooney, owner, was present.]

Janet Andersen: Okay, the next item on our agenda is calendar number 01-21WV this is Maple Tree Farm, 400 Smith Ridge Road, South Salem. And this is a wetland violation that I think has been discussed and Brian is here to talk about it, I guess, to is this. Do I turn this over to Jud maybe to explain or Dave?

Jud Siebert: Yeah, I'll start with it and Dave can chime in if he needs to but this is a wetland violation that was issued by the wetland inspector, issued by Jan, issued in October of 2021. It relates to site activity, it was conducted at that property located at 400 Smith Ridge Road. This property, just for the Board's reference it was once a portion, a portion of the Pound Ridge Stone property. And there was some tree removal. There was some. There was a gravel pad placed on the property in conjunction with the business that Mr. Cooney is now operating. It was done within the buffer and without a permit, without the benefit of a permit. The violation was issued, originally noticed for the October meeting, carried over to the November meeting and Jan and I had the opportunity to speak with Mr. Cooney on November 24 [, 2021] and our understanding and confirm with with Jan today is that Brian is working with consultants to prepare a wetland permit with regard to the work that was done, so that restoration work can be accomplished. There may, and I don't want to put words in Brian's mouth, there may be some additional work that he's seeking to do on the property in the future in terms of some improvements and like. Whether that gets folded into the wetland permit. That would be submitted to the board, you know, as part of the restoration project it remains to be seen, but in any event our understanding is that the property owner is moving forward.

Janet Andersen: Okay, Brian so I guess that's a question for you and perhaps you could tell us what, where you stand on this.

Brian Cooney: Um, well Jan was able to come out and meet with me and walk the property um I believe about a month ago. I thought we were I was going to be on the last meeting so um I was just kind of waiting to hear from you guys and I was going to reach out and he Jan had spoken to me about getting a whole mitigation plan in place and that's basically what I'm going to start working on, you know just coming slowing down in the season and so I you know I think he spoke to me about Bibbo or something and I I'm just coming up with a whole plan for the property and he said, you know there wasn't much you know, there was some topsoil to bring in he said and some plants, and you know kind of went over what I needed to do so that's my next step is to you know contact, you know Bibbo or something like someone like that and start working on the plan for the property and also working on a plan for the building as well.

Janet Andersen: Great okay um I mean I think if you, it's up to you, but if you if you want to get going on just them in pieces, you can or, if you want to do them all together you can as well. Jud, do we need to get a plea?

Jud Siebert: So, I we spoke, I spoke to Mr Cooney when we spoke in November and obviously, the decision is his but. I advised him that he's free to plead guilty or not guilty to the violation, that the way the board normally proceeds in the event of a guilty plea is guilty plea's entered, obviously, in anticipation of application for a wetland permit to do work on the property for restoration. And so you know I I just ask Brian if you're prepared to do that tonight.

Brian Cooney: Yes, um yeah I just the main thing was I just really wanted to you know go over everything with Jan and see what you know what was this, I just didn't understand the process much.

Jud Siebert: Understood.

Brian Cooney: Jan really helped me understand and I, you know, he said to you know explain everything and it's all seems extremely reasonable and fair, and you know not too bad of a process. So yes, I would like to plead guilty to the violation and continue moving forward with the wetland permits and the remediation and mitigation and whatever I need to move forward with.

[Brian Cooney entered a guilty plea to the wetland violation (#01-21).]

Janet Andersen: Okay, so you do feel a thing, first of all thank you for for, you know, being moving for the desire to move forward, and do you understand now sort of the next steps, or should we....

Brian Cooney: I do. Jan was pretty specific and you know I took pretty good notes. So, and he really helped with the whole process and it was great to just meet with him and walk the property um. So yeah, I will I guess the first step right now is to pull wetlands permit and....

Jud Siebert: So, I. I guess my recommendation is kind of twofold first is to the board, I think, maybe the best step tonight for the Board is to carry this over to either the April or May meeting just for control and Brian that simply means, it would be on the agenda of either of those meetings for you to come back to kind of check in, and then in the interim, for you to confer with Jan with regard to getting the wetland permit application moving forward.

Brian Cooney: Okay.

Jud Siebert: And how that's done is up to you, it just it seems to me that, well, I don't know how. I don't know how involved that the the overall plan for development of the site is envisioned at this point. And maybe it makes sense for it to roll all to roll everything into one application, if you're ready to you know to to do that all at once, but even if it were simply an application to get the restoration work done that Jan spoke to you about, that application can get in and I can't speak for the board but potentially could be relegated to Jan to to address in an administrative capacity, meaning you wouldn't have to be coming back to the board over and over again for that permit until it's completed so but, but we can we did that that's a discussion with Jan directly okay.

Brian Cooney: Okay. That sounds like a plan, I think, overall, I think, I would like you know if I had more time like you said it until April and May. It gives me a lot of time to work on, maybe doing the overall plan and so I'm not submitting you know because I, I would like to restore the building and you know not really move anything, whatever the existing structure is where I'd want to you know fix and rebuilt so wouldn't it's it's not much, but at least gives me time to work with you know some architects and engineers and kind of come up with a plan for the whole property.

Janet Andersen: Okay, so I think that does make sense to me. Maybe we'll put it on a follow up for May, which I'm looking to date, that would be I think it's May 17. And Dave do you have anything to add before we.

Jerome Kerner: Just what's the cutoff date for submission.

Janet Andersen: The submission is, will this be new or a resubmission?

Jud Siebert: It will be new.

Janet Andersen: Okay, so that would be April 12. So. If I'm doing that right and Ciorsdan will let me know if I'm wrong, April 12 and so you'd be on the agenda for May so that's really the deadline is kind of April, even though we're saying the May meeting.

Jud Siebert: But yeah, I would just keep it on the May meeting just for control so we can report in.

David Sessions: I don't have anything to add Jan.

Janet Andersen: Thank you so much I'm you know I just didn't want to be rolling right past and miss anything to add. Right, so this sounds good, I think, Brian I'm delighted that, in addition to kind of you know planting out the the area, a little bit you're actually looking at at dealing with that building, it's a probably a longer more complex thing, but I think,

you know, for the town it's a good thing, as well as I hope for you. Okay um anything else on this topic? Okay, I think we'll see you in May. And I'm sure Jan will be talking to you before that.

Brian Cooney: Perfect. Thank you very much. Good night.

Janet Andersen: Thank you.

III. DISCUSSION

2022 Fee Schedule

(59:05 - 1:09:47)

Janet Andersen: The next item on the agenda is a discussion item and it's the 2022 fee schedule. So, I have gotten a letter from [Town Clerk] Janet Donohue that asked does the you know, do we want to change any of the fee schedule, and this was interesting to me in that I didn't realize we could. Obviously we don't do it directly but we recommend to the town board and as I've looked at things that, that, Ciorsdan spends time on that we don't really have any fee for, the extension of time application or you know, the extension time, a process that we go through here, does not have a fee, and this is one of the places where maybe having a fee to cover Ciorsdan's costs would align with you know our desire to see people move forward rather than drag things out. So, it seemed like it might be a benefit. So, I wanted to talk to you about that. I did know. I asked Jan if he knew of any and he did say one, and and Ciorsdan has shared around the North Castle one, which I think starts at \$200 and then goes up by \$100. I'm not sure we should do that, but you know \$200 is kind of in line with with a lot of the other permits that come, and I think it recognizes that, you know Ciorsdan reaches out to people, reminds them the time is due, gets the letters, puts it on the agenda, sends out the the extension of time documentation. So, I'm I'm I wanted to bring it up, I mean I hate to cause, charged more fees that aren't necessary to the people, we could say, well, maybe the first one or two are free and then you have to pay or something, but I just wanted to bring it up for discussion and see what you guys thought. Go ahead Charlene.

Charlene Indelicato: I think it's actually a very good idea, because the extensions, from the short time period I've been on the board, we give out fairly freely and some of these things seem to have been going on for years and years and years. So I think I think that would be maybe a little push and obviously would cover the administrative fees that we incur so I go for it on maybe first extension nothing, and the second and on the second and start. And maybe even increased.

Janet Andersen: Okay. Jerome, what do you think?

Jerome Kerner: In general, I agree with what Charlene said. I don't think that \$200 is going to push a project let's say like Silvermine, a 13-unit subdivision, it's not going to move it along. Maybe a single family or smaller project. But I think increase incrementally, it's hard to say, and maybe. Should should the fee be based on a percentage of the estimated cost of the project, or you know. But I think \$200 is not, not a large sum it's covers our costs. So, I would say, I'd vote for first one is pro bono is free, and then, subsequently \$200 and then it doubles each one.

Janet Andersen: And it doubles each time.

Jerome Kerner: Yeah, go to \$400, \$800 I mean, okay, unless there's a reason why you know, like a pandemic, or some other kind of.

Janet Andersen: So maybe maybe you would suggest that the planning board be able to waive this in case of a hardship situation?

Jud Siebert: I'd be careful about something that aggressive, I think you really need to tie the fee to, you know, the administrative costs and the cost borne by the town. Now, does that mean it shouldn't kick up a little bit maybe it kicks up up you know another hundred dollars and then you hold it there, but to to have a doubling or to have this you know succession of increase increase increase when the administrative costs are going to remain fairly in check, I I would advise against doing that.

Janet Andersen: Okay, I think the North Castle one goes up \$100 to a cap of \$1,000. You know, but I I'm I just think I mean my major major reason is to make sure we recover the the administrative costs which we really do incur. It is a part of the agenda it's a part of the phone calls it's a part of the mailing.

David Sessions: Absolutely. And if I could chime in Jan you know, obviously we consult with the town of North Castle as well, so. I. I know, nobody asked for my opinion, but I'll give it anyway for what its worth. I don't think the first one should be free. You know.

Jud Siebert: Dave, I agree with you.

Charlene Indelicato: Okay, it's good with me.

David Sessions: \$200 is about you know what Jud, 5% of your billable rate for an hour. I'm kidding. But no really I mean when you when you know it's it's it's the cost of doing business and if somebody is before the board for a proposal before a planning board or something. Look they're they're making improvements to their house, they've got some dollars to spend why shouldn't the town Ciorsdan does not and should not come cheap right. I mean. I think the first one being free is is not appropriate. It's the cost of doing business. I don't want to sound too harsh here, but I mean, really.

Charlene Indelicato: I withdraw my my suggestion. And why don't we just do it North Castle does, I mean obviously it's been stead there and I don't think they've gotten sued on it.

Janet Andersen: So okay, so what I guess I'd look for is a motion for me to write a letter to the town board, recommending that we, recommending that they implement a fee for an extension of time, the first one to be \$200 going up by \$100 at each subsequent extension to a cap of \$1,000.

Charlene Indelicato: That's fine by me.

Janet Andersen: Is that a motion? Okay, Jerome.

Jerome Kerner: Oh well, I'll make the motion, I want to discuss it.

Janet Andersen: Okay, so Charlene are you seconding?

Charlene Indelicato: I'm seconding yes.

Janet Andersen: So, Jerome, discuss.

Jerome Kerner: Are there any exceptions made in New Castle, for example, a pandemic, health department skeleton crew, they have to get extensions because of third party approval. Unless you give some conditions.

David Sessions: No. Not that I'm aware of, and again we're talking about \$100 you know what I mean I mean I I don't want to.

Jerome Kerner: I understand.

Charlene Indelicato: Jud would would it be possible for us to waive it as we waive anything and not have to put it in the law, particularly.

Jud Siebert: No, I think once that well it's a town board decision if the Town Board adopts it as a fee then it's, you know, it's a fee.

Charlene Indelicato: We have no, no, you have no authority yeah.

Janet Andersen: But I mean, I do think let's say, and you know there's an Article 78 that drags on for a year, you know is that fair to charge so maybe, it could we.

Charlene Indelicato: Doesn't that stop it because...

Jerome Kerner: The only reason it be an Article 78 is if we approve something.

Janet Andersen: I'm sorry.

Jerome Kerner: What would trigger an Article 78. If we approve something and somebody felt we shouldn't.

Jud Siebert: But they'll come they'll be coming back here for extensions. In what, in light of the fact that.

Charlene Indelicato: But it, wouldn't it be held in abeyance as a matter of law under the Article 78?

Jud Siebert: It depends on the approval. Subdivision approval, yes, not, but not all approvals.

Janet Andersen: Right so maybe I mean well, I would say why don't we try it, we don't know if the Board will put it in. Let's just keep it relatively simple, since it sounds like that's what North Castle has done. So, we'll write a letter. So, the motion is to write this letter, suggesting to the to the town board that they implement this in recognition of the costs, trying to recoup some of the costs of doing business, and you know, following the model done by another Westchester town, so I think that's the motion any more discussion. Okay I'll poll the board. Charlene?

Charlene Indelicato: Aye.

Janet Andersen: Jerome?

Jerome Kerner: Aye.

Janet Andersen: And I also say aye, so I will write the letter which guess what that means really Ciorsdan and I, or mostly Ciorsdan will write the letter.

[On a motion by Mr. Kerner, seconded by Ms. Indelicato, the Board authorized Ms. Andersen to sign a letter to the Town Board recommending a new fee for extension requests be added to the Town's fee schedule. All in favor: Ms. Andersen, Ms. Indelicato and Mr. Kerner. Absent: Mr. La Sorsa and Mr. Thompson.]

IV. MINUTES OF December 21, 2021.

(1:09:48 – 1:10:33)

Janet Andersen: Okay, thank you um we also have the minutes of December 21, 2021.

Jerome Kerner: I move to be approved as submitted.

Charlene Indelicato: Second.

Janet Andersen: Okay I, I will say I think there's one small, we learned recently about how to spell the name of the person from the Department of Health and that's going to be updated in there to correctly spell it, but otherwise I think it's, the minutes are are ready to go so with that small amendment, I will poll the board. Charlene.

Charlene Indelicato: Aye.

Janet Andersen: Jerome?

Jerome Kerner: Aye.

Janet Andersen: And I say aye, so the minutes are approved. Okay.

[On a motion made by Mr. Kerner, seconded by Ms. Indelicato, the Board approved the minutes of December 21, 2021 as amended to include the correct spelling of Chika Amasiani's name. In favor: Ms. Andersen, Ms. Indelicato and Mr. Kerner. Absent: Mr. La Sorsa and Mr. Thompson.]

V. MOTION TO CONVENE EXECUTIVE SESSION

(1:10:34 – 1:25:09)

Janet Andersen: I move to convene an executive session for the purpose of discussing the employment of a firm and response to the town-issued RFP for comprehensive plan services and to appoint Jud Siebert for the purpose of taking minutes at this executive session. So, I've made a motion.

Charlene Indelicato: I second it.

Janet Andersen: Okay, and any discussion about this. Okay I guess I'll poll the board. Charlene?

Charlene Indelicato: Aye.

Janet Andersen: Jerome?

Jerome Kerner: Aye.

Janet Andersen: And I say aye so we will try to go into executive session now so.

Jerome Kerner: Are we closing the meeting or we're gonna come back to the main room.

Janet Andersen: We will have to come back to the main room so.

Jerome Kerner: Am I co-host, I'll make the breakout room?

Janet Andersen: I think we have them I'm just not quite sure how to get there.

Jerome Kerner: Click on breakout. And we'll just say you want to name the participants that are going in that breakout room you just have to click on them and.

Ciorsdan Conran: Janet, I just made Jerome a co-host as well, since he knows how to do this.

Janet Andersen: Okay, so I see breakout rooms.

Jerome Kerner: Okay.

Janet Andersen: Oh, we say open all rooms and I think all of these people.

Jerome Kerner: Well, yeah everybody in there is coming right.

Ciorsdan Conran: I didn't put Dave in there.

David Sessions: I probably I won't be attending.

Jerome Kerner: Oh yeah, I did that yeah.

Janet Andersen: Okay, Dave thank you so much for stepping in I do really appreciate, especially last minute it's wonderful.

David Sessions: It's good seeing you. Nice meeting is Charlene. Okay.

Charlene Indelicato: Bye.

[Various voices]: Bye. Bye. Bye.

[David Sessions left the meeting at 8:48 p.m.]

Janet Andersen: So now what you have to do is what join somehow? We just lost Jerome, he got in he got into the executive session.

Charlene Indelicato: And he's going to have it by himself, it seems.

Janet Andersen: Huh. It's just me that's not in. I think I hit join.

Ciorsdan Conran: Okay, have a good executive session.

[On a motion by Ms. Andersen, seconded by Ms. Indelicato, the Board entered into an Executive Session at 8:48 p.m. In favor: Ms. Andersen, Ms. Indelicato and Mr. Kerner. Absent: Mr. La Sorsa and Mr. Thompson.]

[On a motion by Mr. Kerner, seconded by Ms. Indelicato, the Board exited its Executive Session at 9:00 p.m. In favor: Ms. Andersen, Ms. Indelicato and Mr. Kerner. Absent: Mr. La Sorsa and Mr. Thompson.]

Janet Andersen: Hi, we're back, and I think everybody might have to unmute themselves. Because I see that we are. We were all muted okay we're back, so I think. We have come out of executive session by motion by Jerome. Are we okay?

Jud Siebert: Okay, we're okay.

Janet Andersen: We've lost Jud. So, we've come back out. And I see everyone is frozen I don't know whether it's my system or no not just.

Jerome Kerner: It's your system Janet.

Charlene Indelicato: I just feel frozen.

[VI. NEXT MEETING DATE: February 15, 2022.]

VII. ADJOURN MEETING

(1:25:10 – 1:25:56)

Jerome Kerner: So, can I make a motion to adjourn.

Charlene Indelicato: I second it.

Jud Siebert: Did we lose Janet?

Charlene Indelicato: She's frozen.

Janet Andersen: Okay, all right, I still see everything is frozen so I'm gonna leave and come back.

Jud Siebert: You're back. You're back.

Ciorsdan Conran: You're good now.

Jud Siebert: You're good now.

Jerome Kerner: She doesn't hear us though. While we're waiting for her to comeback, Ciorsdan number two Bouton Road.

Janet Andersen: Yep. Okay I'm aye. All in favor?

[Various voices]: Aye.

[On a motion made by Mr. Kerner, seconded by Ms. Indelicato, the meeting was adjourned at 9:00 p.m. In favor: Ms. Andersen, Ms. Indelicato and Mr. Kerner. Absent: Mr. La Sorsa and Mr. Thompson.]

Respectfully Submitted,



Ciorsdan Conran
Planning Board Administrator