Meeting called to order: 7:01pm

Members present: Chairman Serotta, Dot Wierzbicki, Jackie Elfers, Carl D’Antonio, Bob Conklin

Absent: Konrad Mayer (Barry Sloan-resigned)

Also Present: Dave Donovan-Attorney, Alexa Burchianti-Secretary, Al Fusco-Engineer

A motion was made to adopt the minutes from June 6, 2018 by Carl. Second by Jackie. Motion carried 5-0.

Next meeting of the Planning Board is scheduled August 15, 2018

**Hudson Solar-OCCF-90 Day Extension**

Motion made by Bob. Second by Dot. Motion carried 5-0

**Hills of Chester-90 Day Extension**

Motion made by Dot. Second by Jackie. Motion carried 5-0.

**191 Lehigh Ave-Public Hearing**

Ryan Fellenzer, engineer attended to represent the applicant Joel Schreiber. Ryan stated that the applicant operates a commercial lighting business here and is seeking site plan approval for a contractor storage yard with an accessory use of a caretaker or watchman’s dwelling within the existing structure. Both uses are allowed in the I Zone as an approved use. Ryan submitted changes to the plan that the board and Al Fusco had made comments on at the last meeting. (Chairman Serotta had the plan up on the projector screen). Some of the changes consist of extending the side buffering with landscaping up to the side of the proposed outdoor storage area for extra shielding from any potential side viewing. The ADA handicap parking space, number of the parking spaces, added impervious service (Chip seal type application), also indicated the size of the existing sheds. Called out the existing leach field and septic tank area. Concrete bollards were added to the plan as well with details on sheet 3. Also received comments from Karen Arent, Landscape Architect, 239 Municipal comments and from the Highway Superintendent Anthony LaSpina.

Karen Arent Letter 7-16-18:



Karen stated that she thinks the chain link fence with the fabric on will not last to long and is kind of flimsy and not very attractive. And suggested a more attractive looking fence, something more solid, vinyl or wood. It doesn’t need to be completely solid it can have small spaces in between like a picket with the one inch space in between so it’s slightly see through. As well as for the gate. The more natural color the better, if it was a cedar fence left to weather that would blend well. Or the wood tone PVC fencing that’s longer lasting. If they choose a PVC fence it should not be shiny. Same thing with the dumpster enclosure. Maybe double up on the evergreens in the front on the other side of the fence. Ryan stated he would have to check the clearance for the turning radius for the garbage truck. Karen stated that if they make the fence a beautiful feature that would help the screening a lot.

Bob asked Karen if she had any thoughts on a 8ft high fence opposed to an 6ft? Karen stated a 6ft high fence is easier on the eye than an 8ft, especially in the front yard. Since they have a combination of Evergreens maybe something that has tight spacing but some spacing rather than completely solid. Or if it is completely solid it could be 4ft solid with like a 2ft lattis or 2ft picket on top. Bob is concerned with Jackie’s comments from the last meeting about the existing trees are mature already and are getting thin, anything that is going to be replanted is not going to be anything close to that so we will have this 8ft high fence sticking out of the ground that we will be looking at for probably about 15 years before the screening catches up to it. Karen stated that’s why the fence is more of a feature and would be nice if the gate was beautiful too.

Chairman asked Ryan what the purpose of an 8ft fence was. Ryan stated that the applicant chose the 8ft more for security purposes and additional buffering. Bob stated any other time they have dealt with fencing especially in the industrial parks, it’s been open chain link so that police can patrol and observe and be able to see what’s going on. And now you put an 8ft high fence with that’s going to be totally screened, you are not going to know what’s going on in there. And from the Town’s enforcement standpoint they will be hiding behind an 8ft high solid fence. So from that stand point Bob stated that he is against the 8ft fence. Chairman asked if he was ok with a 6ft fence. Bob stated he would go along with a 6ft.

Karen stated shrubs could be put in the foreground in the front. And green giants on the inside. Chairman stated when changes are made make sure it’s submitted to Karen.

Al Fusco letter 7-9-18:



Al stated he asked for detail on the chip seal, thought it would be appropriate to see a small internal plan with the caretakers dwelling where the residential will be and commercial so we know the scope on it. There will need to be separations from residential and the commercial. Chairman addressed Ryan and said it’s only going to be ONE person, no children, no family. It is a commercial site. Ryan agreed. It would be one employee one room.

OCDP Response:



Al stated that the OCDP indicated SHPPO should be required under SEQRA the reason for that is when they did the DEC mapper it should up that there might be some archeological issues. They should get a sign off on SHPPO it is an on line survey. They should have it back in a week or 2. With the habitat report with the snakes, there are options, educations, notice and snake fences. Or if you do not do any of the site work between March and October there is no requirements for the snakes. That is up to the applicant. If he wants to start work right away (after approval) then they will have to do habitat and deal with the DEC. This does not include doing work inside the building. Ryan stated that regarding the SHPPO comments this is an existing structure and a fully developed site that’s been there for many years. They would be doing very minor landscaping and excavation on this site plan.

Anthony LaSpina Letter: 6-18-18

Al went over Anthony’s letter with the requirements. Wants to know where his ROW is for future purposes. And doesn’t want any tractor trailers backing into the driveway off of Lehigh.

Bob stated that Anthony is concerned with tractor trailer traffic on that road, should we get pro-active and get the Town Board involved and have them create an ordinance to restrict truck traffic? Otherwise how do you enforce it? It’s just a note on the plan. Al stated that in this particular case the building department would take care of that. There are other businesses on that road he believes so how could you restrict tractor trailers.

Chairman stated Anthony just doesn’t want them backing into the driveway. Bob stated he is just concerned with the enforcement ability. With no teeth behind it how do you enforce it. Cops can’t write tickets, building department can’t write tickets, there’s no ordinance there’s nothing controlling it. Counsel Donovan stated that if it is a condition of site plan approval it is enforceable by the building department. If there is unsafe backing then it’s violation of section 1211 of vehicle and traffic laws, so a ticket could be issued to that person. It would be a violation of the site plan. It’s not a weight limit. What ordinance are you looking to try and create? Bob stated he is just putting it out there for the conversation. From past experience if there is nothing to sink your teeth into there’s nothing to enforce. Donovan stated that the planning Board can make an official request to the Town Board to consider an ordinance in addition. Chairman added in addition to the note on the map with no backing in. Ryan Fellenzer also stated that the applicant doesn’t propose to use any tractor trailers in the business so doesn’t expect any tractor trailer traffic as part of this application. Bob said he’s not expecting it but if his business grows enough it’s given it’s going to happen with his deliveries and materials and supplies. Once a tractor trailer gets down in there, there is no place for him to turn around anyway except for on local roads. For tractor trailers it’s a one way in one way out. Ryan stated he will definitely add the note to the plan.

Counsel Donovan stated that we run into a little difficulty most of the time there are addressed in weight limits, you may have any issue (just pointing it out) that if it’s in an Industrial Zone you may have an issue putting in weight limits. Bob states he sees an enforce problem down the road and he sees everyone on Greycourt and Lehigh dealing with truck traffic. Chairman stated lets digest it, there are no approvals tonight and see what we can do.

Polled board for comments before open the public hearing.

Jackie: Questioned about the sign, we haven’t seen anything on it. Ryan stated they are just proposing the location right now they haven’t come up with a design when the do they will come before the board.

Dot: Do they have set hours when they are getting deliveries? Or is it a 24 hour operation. Ryan: Typically it’s 4 or 5 times a day where there is a pick up or delivery with a regular panel van or pick-up truck. Dot: How late into the evening? Ryan: Typically they won’t go past 6pm. Chairman asked to put hours of operation on the plan. Ryan stated it is actually on the plan Mon-Fri 7-6pm and Sundays 7-6pm, closed on Saturdays.

Chairman made the statement before opening the public hearing, the public hearing is about the site plan and application in front of this board, planning boards mission is to thoroughly review site plans and sub divisions to require any modifications or conditions that are deemed necessary. Once a site plan has received an approval the planning board has no further jurisdiction or and enforcement capabilities. So once it leaves our desks signed it is out of our hands. It’s the building department or the town board that handles things. We do no code enforcement on this board. Any code enforcement issues that have taken place in the past or in the future needs to be brought to the building department or the town board, that’s who you will have to go to.

Let the record reflect that the proper legal notice was printed in the Times Herald Record (for 3 days in a row only ONE day was required). The legal notices were also sent out certified.

Cindy Becker-11 Sanford Ave: Stated that their voices have gone unheard, they have gone before the Town Board, ZBA and have had many conversations both verbally and written complaints with the Building Inspector. They have also attended many planning Board meetings. They are before the board for site plan approval yet they have been running there business for more than a year. This began after they were denied a variance by the ZBA, now they want to erect an 8ft high fence that will not which will not fit with the surrounding farm and residential area. No disrespect to the woman who did the presentation for the fencing and appreciate the comments trying to get the fencing down, but a fence like that will look terrible in that area. Will the fencing cut down the amount of parking? When first in front of the ZBA 4-5 vehicles would be parking there that is what they said. This number requested for parking is double that. Cindy asked about minimal amount of trees on the right side of the property and wondered what is if any more are going in. (Cindy pointed out on the plan the area in question on the screen). How is it going to affect the parking on that side? Occasionally smells sewer when walking past and suspects the existing leach field is failing. Cindy stated she has asked on occasion about this and has written about it, if in fact the leach field has been checked. She is aware that he put in a new tank, nothing has been done about the leach field. Site plan also shows 3 buildings on the property that do not have building permits. And suspects that one of them is too close to her property line. Nothing has been noted. Cindy stated she has been through the files and that there are no building permits for those sheds and it has not been addressed. The highway Superintendent stated that he doesn’t want any tractor trailers backing into the driveway from Lehigh Ave under no circumstance, how will this be enforced? Cindy submitted pictures of tractor trailers that were in front of the property and another picture of a tractor trailer backing into the property. Cindy also submitted pictures of the outside storage, and lighting on the side of the building. Cindy stated that 191 has had a total disregard for the town and it’s neighbors. Questions the validity of 191 being in front of the planning board as the interpretation of the code has been interpreted several different ways by the town building inspector, and feels they should be sent back to the ZBA for an interpretation of such.

(Cindy Becker’s full statement is on file in the planning boards file)

Tom Becker-11 Sanford Ave: Stated he has attended many planning board meetings over the past year and have witnessed many applicants go through the site plan approval process. It appears that most of these applicants went through the process without starting their project before their site plan approval. The owners of 191 have total disregard for this process. They were denied an area variance on May 18, 2017 and after being denied they went ahead and started running their business from the property anyway. After complaints started flowing into the building department about the illegal run business they were told by the building inspector that 191 was going to be referred to the Planning Board for site plan approval this was in September of 2017. Since they started the approval process they have already completed most of the items needed, that they needed site plan approval to do. They transformed the house into a professional office, the office has many workers that show up each day, and other work vehicles that show up for supplies. We know this business is operating from the property because at the last meeting their attorney stated that they are currently using the property for their electrical contracting business. They have all the supplies for the business located in the buildings around the house. The engineer asked at the last meeting why they need outdoor storage, and was stated that all the buildings on the site were full of electrical supplies. The entire yard has been turned into a parking lot that in the past has been used to park as many as 11 work trucks for up to a week. Tom stated he has submitted numerous written complaints about what has taken place on this property an none of them have resulted in the illegally run business being shut down. Tom Also stated that on September 27, 2017 the Town of Chester Board amended there master plan with code 98-9 to allow existing undersized nonresidential lots of record to seek site plan approval. Was this done solely for this applicant? Tom stated he feels this applicant needs to go back to the ZBA to get an interpretation of this code. The code mentions several times, nonresidential. And this property has always been a residential lot of record. And the building inspector has written 2 letters trying to grandfather this into old zoning again why would he do this? Tom stated he feels this should go back to the ZBA because it is not clear cut.

(Tom Becker’s full statement is on file in the planning board files)

Amber Dimonotova-144 Guinea Hill Rd New Hampton, Previously 11 Sanford Ave: Amber stated her main concern is that there maybe multiple businesses operating out of this location, which will build up how many vehicles are going in, how many trucks. There are multiple names listed, Global Lighting, Y & Y Electric, and On-Time Electric. She would like to know what companies are being run out of the property and who owns them. There are multiple names. Who’s monitoring this?

Steven Keahon- representing preserve chester: Steve stated they wholeheartedly stand by what the Becker’s are saying tonight. They have been going through this for quite some time and feels they should finally be heard by somebody. There were 2 questions that were asked by the board last time, building permits on the sheds and a list of the citations over the years. He hasn’t heard that brought up. Believes that it important information. Knows that board has mentioned in the past that this is not an enforcement board, but you are going to approve something based off past digressions it should be taken into account. They have already proved that they are not good neighbors. We asked them to move all the electrical equipment that was illegally in front of the house and it was dumped in the back yard, everything. Then it was put on the agenda for the last meeting a month ago and suddenly the property got cleaned. So they are cleaning it now, they wouldn’t do it before. Now that they are looking for the board to say yes they have cleaned there property and he stated he feels that is not fair to the residents and does not think this project should be approved at all this is an up and coming area in the Town. All those new houses right there off of Lehigh, beautiful they are doing a really great job and to put a business in the middle of it terrible idea.

Tracy Schuh-94 Pickerel: Stated she feels terrible for the residents, the letters of complaint should be part of the hearing. Doesn’t know if the board has read them. Doesn’t know if the board read what the ZBA determined. If the ZBA denied a use, Chairman interjected that law changed in September. Tracy stated that she wondered if their determination had some sort of significant reasons or if it was just what the law was at the time. About the code change, heard speaking about residential and nonresidential and was wondering if this was residential at the time the code changed and would hope the board will look into that. When the zoning changed in 2016 from OP to I zone, tried to find the lot number listed that this was actually changing, and when opened up the Town code it simply says lots in the area of Greycourt, it doesn’t list the actual s/b/l’s just wondering if it was properly sent to the county, when she opens the county database it still says OP. So Tracy stated she was just trying to backtrack. Tracy also stated that she always talks about site plan notes and how important they are, there was a lot of mention of code enforcement AFTER it’s been approved, and what they are going to look at is the site plan. So it is really important the little details that are going to be on there. So signage and hours of operation are already on there, don’t know about the signage. Talked about lighting, Tracy stated the board should refer to the Town code because she knows it says no light source visible from outside the property. Doesn’t think the Town has caught up with LED lighting, but it is pretty bright. Just make a mention that a few meetings ago they made mention that there were motion lights and they weren’t going to be on all the time, doesn’t know if that’s what the board thinks is happening or if that’s what the board wants, then those kinds of things she would think would be on the site plan. She doesn’t know about water usage or sewer usage or how many employees, she heard one person talk about multiple businesses and one person living there. Was glad to hear esthetics being discussed. They plantings that are being made, they are for screening, and assuming that there will be some sort of notes on the plan about the warranty of that forever didn’t see any notes on the plan for that. How is the monitoring of that is going to take place for code enforcer if that who is doing it.

Cindy Becker- Stated that she, and one of her neighbors noted that if those are motion lights they are on all the time. If they are supposed to be motion, just wanted to make note that the board is aware.

Let the record reflect that no one else spoke for or against the application.

Motion to close the public hearing made by Dot. Second by Jackie. Motion carried 5-0.

We will take written comments for the next 10 days. Everything that we get is posted on line we don’t hide anything. No decisions are being made tonight. The board will digest everything heard tonight. We are an approval board NOT and enforcement board. What happened in the past is the past what happens in the future is the future. This is not the place to come, people come here even for the Greens of Chester, we are not that board. We will take every comment we heard tonight. This is what we want. We want people to come.

Ryan Fellenzer would like to be scheduled for the next meeting August 15, 2018 at 7pm.

Chairman told Karen Arent that Fellenzer’s office will send her the revised plans.

The agenda states architectural review for Nick Zungoli is next however, he is not here so Verizon is moved to the next item.

**Verizon Wireless-Site Plan Review**

Allyson Phillips Attorney, Mike Crosby RF Engineer present for representing the applicant. They are here tonight on a site plan application for a 12 antenna array on top of an existing water tank located on Kings Highway. The original submission included a site justification analysis and search ring justification. They are proposing to site the facility in this location because they have to coverage and capacity objectives they are looking to meet. Public hearing was held on April 4, 2018 and open comment was excepted for 10 days after that with the public hearing closed at that time. In the 3 months since the public hearing was closed they have been working with the planning board and the consultant Clint Smith on questions involving their needs analysis. But also provided additional information to show the their search for a facility that met their coverage objectives and also met the priorities of the town’s telecommunications law involved not just a search in their search ring, not just existing tall structures in that area. It also included areas in the commercial districts north along Kings Hwy and also other water tanks in the area. Allyson stated that she is hoping that the board tonight the board is in a position with the additional submissions that they made and the further analysis by the consultant to make a decision on the application approving a negative declaration under SEQRA. But also granting site plan and special use permit approval.

A 17-34 page document was submitted.

Clint Smith opined to explain the details of the report that was submitted. Clint’s report was pulled up on the projection screen and went through each point.

Mike Crosby explained capacity and frequency.

Clint went through the different charts and plots.

On page 21 of Verizon’s report showed alternative candidates of locations.

(Clint Smith’s report is on file in the Planning Board file as well as Verizon’s report that was submitted) Both reports were posted on line on the Town’s website.

Chairman asked Clint his professional opinion if they provided the answers. Clint stated in his opinion they did provide answers to the majority of his questions, they did provide proof need for the site for coverage and capacity off load. Chairman asked about the shrouding. Allyson stated that they did address it at the last meeting and explained why from a technical perspective and also a legal perspective why they do not feel shrouding is necessary or appropriate in this case. Mike can speak to the technical end of it how shrouding can be a detriment to the performance of the antennas but from a legal standpoint, shrouding is a mitigation measure that should be considered if you have potential for a significant esthetic impact. They have submitted through visual simulations prepared by a professional consultant that the inclusion of the antennas on top of the existing water tower really has a dominium’s visual impact. While realizing that the residents in the area may have a different opinion of that, but under established guidance for assessing esthetic impacts under SEQRA she would submit also relevant to consideration of those factors of the towns local law. They do not feel the fact that a resident can view the antennas from their home or that the antennas can be viewed from some other location equates to a negative esthetic impact. This is an existing 95ft tall water tower. It is a utility. Shrouding in itself could actually have the potential to make the tower look bigger. Putting a shroud across the antennas is going to increase the visual bulk of the whole structure.

Mike Crosby also stated that the antennas could be painted so they blend in with the water tower.

Chairman stated an ex-board member brought up that the water tower should be painted, who is responsible for this? From some of the comments the public made they have already been charged and paid to have the water tower painted and still has not been done. Allyson: As part of the lease agreement with the property owner provisions have been made for painting the tank. The owner of the tank is going to paint the tank and that is part of their obligation.

Polled board for comments:

Jackie: As long as they meet the safety issue requirements. Jackie aske Clint Smith if he feels confident that the requirements were met. Clint Smith responded with yes, and they did also look at other locations and this seems to be the best slot and they are in compliance with the EMF levels.

Carl: So basically we are looking at the esthetics. Moving on to how to make it appealable. So with this guarantee of painting this tower, can the tower be painted in a color that matches the cell antennas? Allyson stated yes, everything can match.

Bob: How many antennas? Allyson: 12 antenna array. Bob: He heard a lot about overflow from the gamma site to this site so, is that going to put your 12 antennas maxed out from day one when it’s activated? Or are you going to put 12 more? Mike: stated he does not foresee to go beyond 12 antennas. They do not have any information that would lead us to believe that. They would be stable. Chairman stated that if they are going to need more or go 5G they would have to come back to the planning board.

Board discussed color and finish. Matte finish was agreed and a light gray in color. Color swatch will have to be provided for the board to view.

Chairman stated we are bound by federal rules here we don’t always have a lot of leeway we did hire a consultant to make sure that they fall within all of the federal rules that they had to justify to the board the need for this and sometimes our hands get cuffed and there’s not much we can do. We try to do our do diligence as much as we can and Thank Clint for all his hard work on this and sifted through stuff we didn’t understand.

Chairman asked Dave to draw up a resolution which is highly unusual. We will poll the board to see if we want to issue a Negative Declaration this evening. Or we can ponder until the next meeting.

Bob: Have we had any additional comments since the public hearing? Chairman: Not within the 10 day period. We have had some comments come in after the 10 day period. One came in today, which asked about the rejections of the other sites. Bob: vote tonight

Carl: Can we make painting a condition? Chairman: Yes absolutely Carl: ok

Jackie: Ok

Dot: Ok

Dave went over the conditions to put in the approval. In terms of timing. Painting the tank would be painted prior to getting a building permit for antenna installation.

Motion made to grant a Negative Declaration on an unlisted action, motion made by Dot. Second by Jackie. Motion carried 5-0.

Dave Donovan read the conditions of the resolution of approval.

Motion made to grant Conditional Final Approval made by Bob. Second by Carl. Motion carried 5-0.

**Nick Zungoli-Architectural Review**

Nick Zungoli owns a photography business in Sugar Loaf. Nick submitted a picture of the building currently. He would like to change the windows and the roof and the color of the building.

Chairman pulled the colors and pictures up on the projector.

Polled board for comments:

Dot: Looks good

Jackie: good

Carl: ok-Doesn’t care for the windows (to modern)

Bob: Looks nice

Motion made to grant Architectural Review made by Bob. Second by Dot. Motion Carried 5-0

**Dorian Dehaan-PH Response**

Karen Emmerich from Lehman & Getz Engineering present to represent the applicant.

Dorian has a prepared rebuttal which was submitted to the board prior to the meeting. Dorian stated that there was a petition that was presented to the planning board during the public hearing. Dorian submitted her own petition during the meeting. Dorian stated, her statement are relative to the statements that were made and submitted at the public hearing (dated 4/7/18), numbering each paragraph and made notations from each one of those paragraphs. Dorian continued to read her rebuttal. Property was purchased back in 2005 as an investment to a business that allowed exposure on a main road. They invested knowing the parcel was sub dividable, and had every intention of doing so in the future. The lot was sold to her as a sub dividable lot and they paid a premium for that. Dorian stated that they started this project back in 2007, so this is not the first time in front of the board. She feels this is not a detriment to the Creamery Pond development or to the community as a whole. Rather they see their project adding an amenity which is important for business district growth. Furthermore there are no environmental concerns with her project, they are not disturbing any natural habitat, and water drainage would be through pervious materials as indicated on the plans.

Chairman stated instead of going on point for point, he wanted to make a statement, you have a right to develop this property no doubt about it. Whatever zoning applies is ok, we cant take those rights away. If you chose to put the Taj Mahal there and you can’t sell it that’s on you it’s not anyone else’s problem. 100% you have a right, as long as you stay within the zoning, stay with in the conditions of the board you have the right to do that.

Dorian stated that she feared because of public commentary they were going to lose the rights to do what they wanted to do on their property. They are specifically doing everything to the code and aren’t aware of any variance’s that they would need as of now.

Chairman stated we are going to hear from the board, 2 issues we heard from the residents of Creamery Pond, one issue was putting the driveway, which Chairman stated he was surprised caught him off target also, which was code 83-19(b)(8) which states that a commercial or retail application cannot exit into a residential sub-division. The 2nd problem is we work very closely with the Highway Superintendent who is very active, Anthony does not want to give you a driveway permit, he feels it’s a dangerous inter section. At the public hearing they showed pictures of cars that park there, mothers that very concerned with their kids. Chairman stated he doesn’t know if Warwick is going to re-route the school buses or anything like that. However Anthony stated that he’s not going to give you a driveway permit so now you have a double problem.

Chairman proceeded to read 83-19(b)(8). Chairman stated again, you have the right to do what you want to do, but the driveway exit. Dorian disagreed with the fact of the code because she feels it’s a driveway not a street. And feels that code doesn’t apply to her. Dorian also stated that she spoke to Alex, and discussed a 3 way stop sign to slow traffic down.

Chairman stated he will poll the board in a minute, but his interpretation is that you are adding 8-10 cars in and out all day in a commercial environment going out on a bad corner and residential. Feels she should explore another possibility. Doesn’t mean it will kill your project. Maybe you will need a 280A variance.

Polled board for comments and questions:

Bob: Stated his opinion hasn’t changed from back in 2007, he thinks it’s an over development of a lot.

Carl: Is in favor of 83-19 interpretation as no access.

Bob: Also agrees with Anthony

Jackie: Agrees it is a dangerous situation now, it shouldn’t add to it. Feels should re-work it.

Dot: Lives off Pine Hill Rd. and sees how the cars come down, see on that blind curve how fast they take it. Feels that can’t approve an application with the promise of moving the bus stop or the promise of a 3 way stop sign.

Karen Emmerich stated that they will look into all of that and asked if there were any other questions or concerns that the board has that they need to be aware of now. Chairman stated no, this is really just a 3 lot sub-division.

Al Fusco agreed with everything Chairman said.

Chairman stated to get back to us as soon as you can so we can get you over to the ZBA for a 280A variance. Karen: Just procedurally asked if the board will give a letter that they can apply to the ZBA? Chairman: Yes, need a plan first. And will get a letter stating the planning board is rejecting the idea of coming out into the Creamery Pond sub-division therefore has asked them to provide access to Kings Hwy, for that you need a 280A variance. Then you will make your case to them. Dorian: Do they have to have another planning board meeting for that or can she just submit a plan and the board writes the letter? Chairman stated he was comfortable if they submit a drawing and get it to us.

Motion to go into executive session @ 10:05pm for personnel Bob. Second by Dot. Motion carried 5-0.

Motion to come out of executive session @ 10:25pm made by Bob. Second by Dot. Motion carried 5-0

Meeting adjourned

Respectfully Submitted,

Alexa Burchianti

Planning Board Secretary