

APPROVED

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Chairman

ANTHONY DUSOVIC
Vice-Chair

ROSE TROMBETTA
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DAVID KLOTZLE
Wetland Inspector

TOWN OF CARMEL
ENVIRONMENTAL CONSERVATION BOARD



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Vincent Turano
Nicholas Fannin
John Starace

ENVIRONMENTAL CONSERVATION BOARD MINUTES
MAY 5TH, 2016

PRESENT: CHAIRMAN, ROBERT LAGA, VICE- CHAIR, ANTHONY DUSOVIC, EDWARD BARNETT, JOHN STARACE, VINCENT TURANO, NICHOLAS FANNIN

ABSENT: MARC PEKOWSKY

<u>APPLICANT</u>	<u>TAX MAP #</u>	<u>PAGE</u>	<u>ACTION OF THE BOARD</u>
Random Ridge Subdivision	76.10-1-23	1	No Board Action.
Panny, Michael	76.16-1-26	1-2	Permit Granted.
Meyers, Paul	76.5-1-21	3	Permit Granted.
Cavallaro, Jane	64.16-1-22	3	Permit Granted.
Manfred, Ashley & Francis	64.15-1-14	3-6	No Board Action.
Kleinschmidt, Leslie & Ned	64.16-1-33	6-9	Application Accepted.
Willow Wood Country Club d/b/a Willow Wood Gun Club	87.7-1-7	9-11	P.H. Scheduled.
Lake Plaza Shopping Center	65.10-1-45 & 46	11-16	Application Accepted.
Plewinsky, Michael & Sharan	64.19-1-16	16	Escrow Returned.
Minutes - 04/21/16		16	Approved.

The meeting was adjourned at 8:52 p.m.

Respectfully submitted,

Rose Trombetta

RANDOM RIDGE SUBDIVISION - KENNICUT HILL ROAD - TM - 76.10-1-23 - 29 LOT CLUSTER SUBDIVISION

Mr. Laga said the Random Ridge Subdivision has been withdrawn for tonight so we will move to item number 2.

PANNY, MICHAEL - 61 SANDY STREET - TM - 76.16-1-26 - CONSTRUCT SINGLE FAMILY HOUSE

Mr. Paul Lynch of Putnam Engineering representing the applicant appeared before the board.

Mr. Laga said you want to construct a single family home, has there been any changes made to this application from the last meeting.

Mr. Lynch said no, we did address the comments that you had relative to modifying the plans and resubmitted them.

Mr. Laga said they have the NYC DEP approval letter and they have the DEC permit, did you add the fueling plan on the drawings and the tree count.

Mr. Lynch said yes we did and we counted 35 trees.

Mr. Laga said that requires a permit.

Mr. Lynch said yes that will be a separate permit.

Mr. Laga asked if there is an application for that.

Mr. Lynch said no not yet, we will make an application for that.

Mr. Laga said okay I am going to double check your drawings and if everything is complied too with exception to the tree permit, the issuance of this permit will be contingent on the submission of the tree permit.

Mr. Lynch said okay.

Mr. Turano asked if this is a new construction.

Mr. Lynch said yes it is.

Mr. Turano asked if he needs a tree permit.

Mr. Laga said if he goes to the planning board then it does not need a permit.

Mr. Lynch said it is an approved subdivision.

Mr. Starace said then he shouldn't need a tree permit.

Mr. Turano said well he isn't submitting a subdivision he is submitting a site plan for a lot.

Mr. Lynch said correct but it is a lot in an approved subdivision.

Mr. Turano said the exception there applies to the subdivision but there is another exception, when done by a person in connection with a building permit issued by the building inspector and done solely for the construction of a residential building, driveway, sewage disposal, water supply or other accessory appurtenances doesn't need a tree permit.

Mr. Laga said okay.

Mr. Turano asked if they received a site plan approval from the planning board.

Mr. Lynch said no we don't need one.

Mr. Dusovic said as part of an approved subdivision we never asked for a tree permit in the past.

Mr. Turano said yeah but that is constructing a subdivision, he is not constructing a subdivision he is constructing a home.

Mr. Dusovic said he is constructing a home on a subdivision you don't need an individual one.

Mr. Laga asked if they have a letter for certified clean fill.

Mr. Lynch said we will provide that but we aren't sure where the fill is going to come from yet.

Mr. Laga asked if he set up a visit with Mr. Klotzle.

Mr. Lynch said we notified him that the flagging and staking is up and we requested him to come out but I'm not sure if he did or not.

Mr. Laga said ok I think I saw a letter in here because he set up an escrow of 500 dollars. There is a letter stating that Mr. Franzetti approved the SWPPP and it meets NYS DEC requirements.

Mr. Starace moved to grant the permit. The motion was seconded by Mr. Fannin with all in favor.

Mr. Laga said just for the record there are no comments from the public, the escrow is \$500 and I will sign the permit.

The Chairman filled out the EAF with the Board answering no to all questions.

**MEYERS, PAUL - 56 SYCAMORE ROAD - TM - 76.5-1-21 - PARTIAL 2ND FLOOR
ADDITION AND DECK**

Mr. Laga said there have been no comments from the public and I have read Mr. Franzetti's email approving your SWPPP, there is an escrow of \$500 and we had some comments last time you were here. We needed you to show the well and septic on the drawings as well as placing a note that there will be no motorized equipment to be used on site.

Mr. Greenberg representing Paul Meyers stated that they have added that to the drawings to the left of the house near the driveway.

Mr. Barnett asked if they are both existing and there are no changes to the well or septic systems.

Mr. Laga said no.

Mr. Barnett moved the motion to grant the permit to Paul Meyers at 56 Sycamore Road to do a partial second floor addition and deck. The motion was seconded by Mr. Starace with all in favor.

The Chairman filled out the EAF with the Board answering no to all questions.

**CAVALLARO, JANE - 284 WEST LAKE BLVD - TM - 64.16-1-22 - NEW FOYER TO
EXISTING HOUSE**

Mr. Matos is here representing Mrs. Cavallaro.

Mr. Laga said there were no comments from the public, the escrow was paid for \$500 and did you put the newest set of plans in the file because we did have a few comments from last meeting. The silt fence is put in between the cultec and the 100 foot buffer, he moved the stockpile so it is outside of the buffer, the fueling plan and spill kit are on the drawing, and the sequence of construction has been provided.

Mr. Barnett moved to grant the permit to Jane Cavallaro at 284 West Lake Blvd. The motion was seconded by Mr. Starace with all in favor.

Mr. Laga said to make sure they call the wetland inspector when they complete work.

The Chairman filled out the EAF with the Board answering no to all questions.

**MANFRED, ASHLEY & FRANCIS - 9 LAKESIDE ROAD - TM - 64.15-1-14 - INSTALL HOT
TUB**

Mr. Laga asked if they are looking for a letter of permission or a permit.

Mrs. Manfred said whatever I need.

Mr. Laga said you are putting a hot tub in by the Lake on the dock right.

Mrs. Manfred said originally we asked for it to be on the dock but they determined that no one could say who had ownership of the dock so it has been adjusted and is brought in back by the house.

Mr. Barnett asked if it's in the back yard.

Mrs. Manfred said yes.

Mr. Laga asked if she is putting the hot tub here or here.

Mrs. Manfred said I am putting it there.

Mr. Laga said where the cross hatch is.

Mrs. Manfred said yes.

Mr. Turano asked if it is a replacement or if it's a new hot tub.

Mrs. Manfred said it's a new one.

Mr. Laga said it doesn't show the 100 foot buffer but you are within the buffer. She provided a sequence of operation of work to dig and level existing grade and to construct a new pad for the unit. Then they will frame a small retaining wall along the back side of the new pad, 6 x 6 pressure treated railroad ties, mix and pour concrete to form and that's all that shown.

Mr. Fannin said you are going to need to run electric into it as well.

Mr. Starace asked where the house is on here, is it by Lakeside Drive because I don't see a structure.

Mrs. Manfred said the structure is here and the electric is currently on this side of the fire place.

Mr. Starace said ok and that's you panel.

Mrs. Manfred said yes.

Mr. Turano asked if this is going to be above ground.

Mrs. Manfred said yes.

Mr. Turano asked if they will be building a deck around it.

Mrs. Manfred said the cement pad is going to be around it.

Mr. Laga said they are within the 100 foot buffer and they are pouring a concrete pad, it is an 8c40 hot tub and the dimensions are 90 x 90 x 36.

Mrs. Manfred said correct.

Mr. Laga said so that's almost 8 by 8 by 3 feet high, so you will probably be pouring a pad about 10 x 10.

Mrs. Manfred said whatever you want me to pour I will.

Mr. Starace asked if they are planning to have a deck area.

Mrs. Manfred said no it's literally there just to step on.

Mr. Fannin said it also says in one of the project descriptions that concrete tiles will be laid down to act as a base for the hot tub as opposed to poured or is it the same.

Mrs. Manfred said that's what we wanted to do first but the contractors came back and said it needed to be poured, I don't know if you guys have a preference or if it matters.

Mr. Laga said ok here's the problem, this is a relatively simple project however there are some things that still need to be done. The first thing you are going to have to do is take this map and put the 100 foot buffer on it, also when they are digging this dirt out and making the pad for this you will need to install some silt fence between the work area and the Lake and show that on the drawing, that will require you to have the wetland inspector come out there after the silt fence is installed and after the work is completed.

Mr. Turano said the first thing you have to do is install the silt fence before any work gets done, the wetland inspector will then come and take a look at it.

Mr. Starace said the silt fence needs to be buried into the ground, we can give you detail on that.

Mr. Fannin asked if she has a copy of this original survey.

Mrs. Manfred said yes.

Mr. Fannin said ok on that survey there will be a scale so the scale will need to be added to the map.

Mr. Barnett asked if they need to remove any trees.

Mrs. Manfred said no.

Mr. Starace asked if the contractor is proposing to use equipment like an excavator or is it all hand work.

Mrs. Manfred said our property is on a slope so they don't think they can get a machine down there so it will be all hand work.

Mr. Laga said ok you will also need to provide us the dimensions of the concrete pad so we can figure out the true area of disturbance which will be less than 100 square feet. If they are using a machine that will require a spill kit, a spill plan and a fueling plan.

Mr. Fannin said you won't need any of that if they determine that they will only be doing hand work.

Mr. Laga said if you are going to just do hand work you need to put that in the notes.

Mr. Turano said if you are going to be putting electricity out there, the line where it comes out of needs to be shown on there as well.

Mr. Fannin asked if there are any concerns about the pressure treated railroad ties.

Mr. Laga said that is standard there is no leeching. So just get us those details, bring it back to Mrs. Tombetta and if you get it all done by the next meeting you can come and we will review it. If we accept your application at the next meeting then you wait two meeting and then you can get your permit.

Mr. Fannin said you also need a copy of the deed I did not see one in there.

**KLEINSCHMIDT, LESLIE & NED - 41 AVERILL DRIVE - TM - 64.16-1-33 -
RENOVATIONS TO EXISTING HOME**

Mr. Holt is the engineer for the Kleinschmidt's.

Mr. Holt said this was originally before your board last June under the name Roa, it is the same property but the Roa's had a much more intensive plan with 8,000 square feet of disturbance and almost 2,000 square feet of impervious surfaces. Subsequently I guess the Roa's lost interest and sold the property to the Kleinschmidt's. The Kleinschmidt's have drastically changed the plans, they have gone from the 8,000 square feet of disturbance to 4,000 square feet of disturbance and they reduced the amount of impervious surfaces within the buffer to about 200 square feet. What we are here to do is get the wetland permit for this piece of deck which is in the buffer and of course the mitigation which will be a rain garden down by the Lake.

Mr. Laga asked if they have proposed rain garden calculations.

Mr. Holt said yes it is on the plans.

Mr. Laga said just to note he has the rain garden calculations, he has a silt fence, construction fence detail, silt fence detail, sequence of construction and a stockpile area. He then asked if they will be using any motorized equipment.

Mr. Holt said no nothing to build, well maybe for the rain garden they may have to hollow out the area so it may be a small bobcat.

Mr. Laga said ok then you need to submit a spill plan.

Mr. Holt said we have that shown, it is the booms out on the Lake and all those details are included in the application.

Mr. Laga said you were here for the last applicant as well.

Mr. Holt said yes for the last three, basically what I did for you was I used Mr. Franzetti's last memo for the Roa's and kind of outlined what he did and compared them to that original memo.

Mr. Fannin said so if I am getting this right you are putting in a deck, a walkway and a retaining wall.

Mr. Holt said no retaining walls just a small part of the deck that shows extended over the buffer line in the 100 foot setback and some of the sidewalks are damaged so we are going to repair those.

Mr. Fannin said there is a proposed new concrete retaining wall which isn't within the buffer.

Mr. Holt said oh yes the retaining wall is for the steps that we have to rip down to get access to the back of the property as part of the expansion to the house.

Mr. Laga said we are going to need Mr. Klotzle out there after you get all the silt fencing installed.

Mr. Fannin asked if this is part of a series of work that is going to be done on this house or is this just a standalone project.

Mr. Holt said this is standalone it is basically expanding the house out the front and on the side and they are really just replacing the existing patios and decks and putting a building in its place so that's why there isn't a big increase of impervious area change on the plan.

Mr. Laga said we have a rain garden maintenance program on here and you have all of the drainage coming from the front of the house going out to the rain garden through a PVC pipe.

Mr. Holt said yes, something that I recently learned is the previous owners reconstructed there septic system they installed a curtain drain down the property line which is pretty normal for septic systems. However what they ended up doing is connecting the roof drains to the curtain drains, that's not something you would like to do but in a sense it is taking care of some of the problems where you are not getting erosion from the down spouts, you are getting it into the ground, were showing pulling it off and bringing it into our system to get to the rain gardens.

Mr. Laga asked if the 2 inch PVC pressure pipe is required because I see that you have an 8 inch HDPE for the drainage going down to the rain garden.

Mr. Holt said what we have is a septic tank with a pump in the back yard and part of the house renovation is going to take out the existing pressure pipe that goes out to the fields in the front yard so it needs to be replaced. We don't know exactly where it is but I am making the assumption that it will be in the way.

Mr. Laga said oh so you are going to pump from the back yard into the front.

Mr. Holt said it is currently pumping that way now and I have to relocate that pipe that is existing.

Mr. Barnett asked what kind of system is being installed.

Mr. Holt said I'm not changing the septic system at all it has been rebuilt a couple years ago. But because of the stairway that we are building to get to the back of the property I think the pipe will be in the way so it needs to be relocated.

Mr. Laga asked if the driveway is going to stay the same.

Mr. Holt said yes there might be a little realignment next to the garage door once it's all said and done but it's all staying in the same place.

Mr. Laga said you're not going to store any equipment down by the Lake at the end of the day.

Mr. Holt said absolutely not.

Mr. Fannin said after you install the sediment and erosion control you will need to have Mr. Klotzle come out to the site prior to the start of work.

Mr. Holt said that is in the general notes.

Mr. Laga asked if the soil stockpile area is shown.

Mr. Fannin said yes I saw it.

Mr. Holt said the reality is it probably will have to be pulled out because there just isn't any room on the property so it won't even be stored for very long.

Mr. Laga asked if he gave the deed.

Mr. Holt said I believe I gave it with the other applicant but I don't think I gave one for this applicant.

Mr. Laga said you will need to submit a separate deed for this application with the new owners name on it.

Mr. Fannin said it is noted that Mr. Klotzle will need to come out there.

Mr. Holt said the original plan was a lot more intense we had a lot more things going on and the rain garden wouldn't work for the original plan.

Mr. Fannin said it does say that you will contact our wetland inspector after you install the erosion plans but we also want him to go out there upon completion of work.

Mr. Laga said so just add that onto the sequence of construction and call the Planning Department to set up a meeting for the wetlands inspector to go out there so he can set up and escrow.

Mr. Fannin moved to accept the application for Leslie and Ned Kleinschmidt at 41 Averill Drive Tax Map #64.16-1-33 renovations to existing home. The motion was seconded by Mr. Barnett with all in favor.

Mr. Laga said you are on the clock you just have to give us the deed.

WILLOW WOOD COUNTRY CLUB D/B/A WILLOW WOOD GUN CLUB - 551 UNION VALLEY ROAD - TM - 87.7-1-7 - TREE HARVESTING

Mr. Kalkanini is the attorney for Willow Wood.

Mr. Harding is a member of the club.

Mr. Laga said the last meeting you were here we asked you to do a few things, the town forester needed to go to the property to inspect and Mr. Ramey did not think there were any issues with the logging operation. You are going to require a road bond which you can apply for after this permit has been granted so that is pending.

Mr. Turano said going back to the road bond, do you know what is entailed in getting a road bond.

Mr. Kalkanini said I have spoken to our logger and that is in our contract that the logger has to get that bond. I believe he has already spoken to the Highway person so we know it has to be obtained but I don't believe we got the details.

Mr. Turano said that usually takes a little bit of time because you have to specify what route you will be taking with the trucks for the highway surveyor, you may want to get started on that because that seems to take a while to get that permit.

Mr. Laga said we have to go through the public hearing first but it does take some time. He did provide the property deed, the location of the spill kit, fueling plan and water bars. They also provided a copy of the contract with the mill so they have provided everything that we asked for.

Mr. Turano asked if we asked them to provide additional details on the slopes.

Mr. Laga said we asked for a USGS topo.

Mr. Turano said yeah but it's kind of hard to tell what the slopes are.

Mr. Laga said we can go out for a site visit.

Mr. Turano said I think that would be a good idea because if you look at the slopes it seems like they are pressing 30% which is kind of a critical point.

Mr. Laga said according to Mr. Ramey the area of the project sites do have steep slopes but he said in his letter that the removal of trees on these slopes should not be a problem with proper ground conditions, well-constructed logging roads and with proper operations to the logging of equipment. The construction of the skid trails and erosion control measures should be confirmed before the project starts and monitored before the work. So what you will do is once you start getting your erosion control devices up, you will call Mr. Ramy so he can come out to the site to verify that everything has been done and he will be the one to tell you that you can start that day or not. He really has no concerns about this; it's his opinion that the project can be successful accomplished with minimum environmental impacts by following the guidelines and recommendations.

Mr. Dusovic asked when they expect to start if everything goes as planned.

Mr. Kalkanini said as soon as you give us the permit, the logger said they are ready as soon as you can give us a permit.

Mr. Starace asked what time of year this harvesting would happen.

Mr. Kalkanini said well if we are presumptuous to assume we can get our permit in June, then it would be June or July.

Mr. Turano said the procedure is if we accept the application tonight, we have 45 days to hold a public hearing, once the public hearing is closed then within 45 days we have to either issue or deny the permit.

Mr. Laga asked if there are any other questions.

Mr. Dusovic moved the motion to accept the application for Willow Wood Country Club of 551 Union Valley Road for tree harvesting and set a public hearing for the next meeting. The motion was seconded by Mr. Barnett with all in favor.

Mr. Turano said let's talk about a site visit, can we do Saturday at 10:00.

Mr. Laga said ok I would like to set the public hearing for the next meeting which is two weeks away.

Mr. Dusovic asked what the notification requires.

Mr. Laga said up to 45 days.

Mr. Barnett said well it has to be published.

Mr. Laga said the next meeting is May 19th so we can set the public hearing for June 2nd.

Mr. Turano said and unless you hear from us we will be at the site at 10:00 on Saturday.

Mr. Laga said ok so June 2nd is you public hearing and we will do the site tour this weekend.

Mr. Kalkanini asked if we have to send out the mailings.

Mr. Laga said no it will be advertised in the newspaper and I would check with Mrs. Trombetta just to confirm what you have to do.

Mr. Turano said it's just a notice in the newspaper.

Mr. Kalkanini asked if we have to arrange that.

Mr. Laga said no Mrs. Tombetta will do that, she will probably notice it on Tuesday and they have the month to respond so we either get comments from the public or not.

LAKE PLAZA SHOPPING CENTER (PROPOSED STOP AND SHOP) - 983-1005 ROUTE 6 - 65.10-1-45 &46 - PLANNING BOARD REFERRAL (AMENDED SITE PLAN)

Mrs. Tortorella, Mike Junghans, Mrs. Reeves, and Mr. Mandaros are here on behalf of the applicant.

Mr. Laga said just for the record you do not need a tree permit; we were just investigating that to make sure. Also, you met with our wetlands inspector on March 29th.

Mrs. Tortorella said we actually didn't meet with him; he just went out to confirm the delineations so you should have a memo from him.

Mr. Laga read the memo from Mr. Klotzle and asked if they got a copy of the memo.

Mrs. Tortorella said yes we did and some of those comments are from the January memo he issued, we have added notes to the plans to address his three comments about advanced notice, deer fencing and the three year guarantee.

Mr. Turano said I am looking at his letter from January 22nd and there are a number of conditions on here, have you complied with all of those conditions.

Mrs. Tortorella said yes I think they are actually repeated in his late March memo as well.

Mr. Turano said not according to what I have.

Mrs. Tortorella said I have his January 22nd memo where he indicated that plant materials are indicated and well selected, plans should include deer fencing to protect the young woody perennials and we added the note that the planning board should require a three year warranty on all plants.

Mr. Turano said that is all repetition I am talking about what is below that.

Mrs. Tortorella said the details for the specifications and requirements of trees are not shown.

Mr. Turano said that is what I am referring too, have you complied with all of that.

Mr. Junghans said all of those requirements have been added to the details.

Mr. Laga asked if they have a DEC Permit and a DEP Permit.

Mrs. Tortorella said no not yet, as we reported last time we are in the process of discussing with DEP and DEC. the DEC application is in the works and DEP will not accept a formal application from us until the planning board completes the SEQR Determination. We have been having meetings with DEP but until we get that determination they will not formally process our application. You have indicated that you can't give us the signed permit until we come back here and deliver those approvals.

Mr. Laga asked if they want to walk us through the drawings on what changes have been made and address the comments that we have gave you.

Mr. Junghans said we actually gave you a response letter and on the back is a summary of the comments that we got from the last meeting. I can go through what I have and if there is something I missed just let me know. The first comment was you wanted us to update the wetland buffer impact area, there are two areas in the buffer being impacted which is a .3 acre disturbance and it is presented on the plans with a shade. There is an existing parking area there and we are just reconditioning it and working on it in the buffer. The same thing goes for over here, this buffer area here is within an existing parking area where we will be reconditioning and reconfiguring. The total disturbance is .3 acres of buffer disturbance and the majority of that is paved today. The other thing we added is the update to the erosion control plan sheet, we added the 100 foot buffer so that is shown now. Next was to update the soil erosion plan to include silt fence location, drainage inlet protection, fuel staging and spill kit; we have added all of the silt fences and we have established a fuel staging and spill kit area over here that is fenced. Basically we will be putting a berm in the existing road with a sump so when they fuel, it will be cut by the berm and will be managed that way and the spill kit is adjacent to that. We updated the SWPPP to include the catch basin construction check list which we have added to the SWPPP, we also updated the soil erosion plan to provide construction phasing so we now show 3 phases with each phase below 5 acres. We have traffic circulation as a key as to what is being constructed and when, there is also a detailed construction sequence on the side.

Mr. Laga said very well.

Mr. Junghans said next was the landscaping which we already talked about and has already been reviewed by Mr. Klotzle.

Mr. Laga asked what size the 3 phases are broken down in.

Mr. Junghans said less than 5 acres and I think the biggest one is 3.15 and that is the central one where the supermarket itself is being constructed.

Mr. Laga said okay.

Mr. Junghans said the remaining notes we had have already been discussed about the review of the landscaping, the acceptance of the wetlands delineation and the fact that a tree cutting permit is not required.

Mr. Laga said so you have addressed all of our concerns.

Mr. Fannin asked if they have the stock pile location.

Mr. Junghans said yes the stock pile location is shown for each phase respectively.

Mr. Turano said now going back to Mr. Klotzles original memo, all trees being cut cannot be less than 2.5 inches or less than 10 feet high is that noted on the plan.

Mr. Junghan said yes that is noted on the landscaping plan.

Mr. Turano said also he has some specifications with regards to the excavations for the trees; they should be at least 1 foot deeper and 2 foot wider than the ball of the tree.

Mr. Junghans said correct we have details to present that.

Mr. Turano said trees should be staked and guided.

Mr. Junghans said yes they all are.

Mr. Turano said it is also required to remove the debris and it must be kept neat.

Mr. Junghans said yes that is part of our standard notes.

Mr. Turano said trees cannot be planted between May 15th and September 15th.

Mr. Fannin asked if they have a plan for the maintenance for the catch basins.

Mr. Junghans said there is a maintenance plan in the back of the SWPPP which goes over all of the storm water improvements. We are working with the DEP and we now have a bio-retention basin in the back and on the side to handle the new impervious areas, we added quite a bit of porous pavement to the area also which is also a DEP approach. We also added to the existing paved area that it will all go through sand filters and CDS units now so we are dramatically improving the water quality that comes off this site today. Just the areas for those measures are about .57 acres which is considerably more than the disturbance in the buffer which is paved buffer to begin with.

Mr. Dusovic asked if they are demolishing the existing facilities and building from ground up.

Mr. Junghans said yes that is correct.

Mr. Dusovic said everything up to Kmart.

Mr. Junghans said no just the entire key food and a portion of the CVS. We phased the construction so that when we start we are going to have access next to the existing building and we are going to build the new access around and when that is complete we will take this down and we will still allow access around for the loading docks for the Kmart.

Mr. Laga said since I recall last time up in the right hand corner here we were doing some of the parking islands, we had asked you to take into account some of the excavations as part of the calculations.

Mr. Junghans said yes we noted that on the plan but frankly when it comes to SWPPP review from the DEP they don't count it. We noted it and the creation of those landscape islands actually give us an extra .13 of pervious that we don't have today but we can consider it in our calculations.

Mrs. Tortorella said you had asked that question in terms of mitigation as well and litigated that it is not an in kind exchange so Mr. Junghans just indicated that our actual mitigation is exceeding our disturbance in the buffer by a ratio of 2 to 1.

Mr. Laga said I found your planting details, I saw your notes from Mr. Klotzle, I went through the problems we encountered and everything seems to be ok. Does anyone want to add anything, they pretty much addressed everything that we have asked from the last time we saw them.

Mr. Turano asked about how much area of wetlands is on the site.

Mr. Junghans said I don't know the area, but I would say between the two areas I would say about an acre and a half.

Mr. Fannin said the locations of the new detention ponds, are they within the 100 foot buffer.

Mr. Junghans said no, we tailored them to be outside of the buffer.

Mr. Laga said you are putting in a cultec system or something like that for rain water.

Mr. Fannin said I think they replaced that with rain water filters.

Mr. Junghans said I have been corrected and the wetlands are only a half of an acre.

Mrs. Reeves said in our original application we have a land cover figure with aerial and there is a table on that figure that gives you a summary of the whole area.

Mr. Dusovic asked when they plan to start work.

Mr. Junghans said I would hope by the fall if we get everything taken care of.

Mr. Fannin asked about how long it will take from start to finish.

Mr. Junghans said it's about 9-10 months of construction.

Mr. Laga said I can make a motion to accept the application as is and this is going to stay open until I get your planning board approval, DEC approval and DEP approval and that is barring any changes. I am assuming the planning board isn't going to change anything on you moving forward but if they do you will need to come in here and let us know if they change anything for you. It will just be an approved accepted application subject to any changes.

Mrs. Tortorella said from my understanding once you accept it as complete then you issue a notice of application, you publish it and there's a comment period.

Mr. Laga said yes there is a 30 day period for comments.

Mrs. Tortorella said ok so will we be doing that.

Mr. Laga said yes

Mrs. Tortorella said from my understanding we can do that now and then you can determine whether you wanted to have a public hearing and we can take all the steps except you issuing the signed permit.

Mr. Laga said right, what I am going to do is if we accept the application we will then notice the public for the application, they will have until June 2nd to give us comments. Typically if there are no comments then I would get a letter on my desk stating that there are no comments from the public and then if there were no changes we would vote on whether or not the permit should be granted or not. Since you are missing large pieces of the puzzle, we can go ahead with the public comments period and have the public review the application but depending on the number of comments we get we will then schedule a public hearing.

Mr. Turano said the only problem is they are waiting on approvals from a number of agencies which might cause changes to be made and then what will happen is we will have to re notice it depending on the significance of those changes. You may want to hold off on us noticing it if you think that there could possibly be any significant changes then you might want to wait because we can accept the application without noticing it right away.

Mrs. Tortorella said I appreciate you pointing that out, I think we would like to move ahead with the notice of the application.

Mr. Laga said if there is any changing to this drawing we need to be notified.

Mr. Dusovic moved to accept the application for Lake Plaza Shopping Center 983-1005 Route 6 Tax Map #65.10-1-45 & 46 for the proposed Stop and Shop with the following conditions

- We get the DEC and DEP approvals.
- You obtain the planning board approvals.
- Any changes to the drawing will require review by this Board.
- In the event the public hearing is held and changes are made, you will be required to re notice.

The motion was seconded by Mr. Fannin with all in favor.

Mr. Laga said ok you are on the clock, we will notice the application and depending on the comments we get we will determine whether or not we will need to have a public hearing.

**PLEWINSKI, MICHAEL & SHARON - 49 LAKESIDE ROAD - TM - 64.19-1-16 -
CONSTRUCT 2ND FLOOR ADDITION - ESCROW RETURN**

Mr. Laga said I have an email here from Mr. Klotzle stating that the project has been completed and the full return of the \$500 escrow fee can be returned.

Mr. Dusovic moved to return the escrow. The motion was seconded by Mr. Barnett.

MINUTES - 04/21/16

Mr. Turano moved to accept the minutes of April 21st, 2016. The motion was seconded by Mr. Fannin with all in favor.

A discussion ensued about going out to see Mr. Corbelli's tree cutting operation so we can have a better idea on tree permit applications.

Mr. Dusovic moved to close the meeting. The motion was seconded by Mr. Barnett with all in favor.

The meeting was adjourned at 8:52 p.m.

Respectfully submitted,

Rose Trombetta