

**MINUTES OF COMMITTEE OF THE WHOLE MEETING HELD ON
FEBRUARY 11, 2009, AT 7:00 PM AT TOWN HALL, ONE
OVEROCKER ROAD, POUGHKEEPSIE, NEW YORK**

PRESENT: Supervisor Myers
Councilman Baisley
Councilman Seminara
Councilman Conte
Councilman Cifone
Councilman Tancredi
Town Attorney Mahar
Town Clerk Miller

ABSENT: Councilman Krakower

***NOTE: Attachments pertaining to a particular Town Board Meeting will be found after the minutes of that meeting, which are kept in the official minute books, held in Town Clerk's office.**

Public comments made during a Board Meeting may be heard on the audiotape of that particular meeting, which are kept in the Town Clerk's Office.

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7:00 PM

CALL TO ORDER

SALUTE THE FLAG

02:11-COW 1 DISCUSSION

Dr. Weiss On Rezoning For Domestic Chickens

Dr. Weiss has come to ask that the Zoning be changed so that people can raise chickens on their property for the purpose of meat, eggs and pets. He built two animal hospitals in the past and the issues people have raised in Zoning and Planning Board Meetings is, boarding facilities, noise, and odor. He requested that people be able to raise 4 to 6 chickens as pets; hens and immature males, roosters make too much noise. **Noise:** hens just cluck and that's about all the noise they make except when they lay an egg, they cluck louder. **Odor:** It's only 4 to 6 animals or so, whatever the Board decides, and so there is not that much odor if the owner keeps it clean around the yard and coop. This would also be run by permit and so if the neighbor felt that it is not being kept clean or things are loud, then the Board could pull the permit to own the chickens. Finally, because people want their neighborhoods to look nice and look lovely, the Board needs to have some kind of policy as to the upkeep of the house and run looks like. It would probably be behind the owners home, etc. At this point, according to current zoning, the opportunity for people to raise chickens at their home, he thought they would need to have 5 acres of property and has to be 100 feet from the border of their property. He thinks that is kind of restrictive.

Councilman Cifone stated that he has actually had some people in his Ward who did have chickens and was called many times to go over and smell the odor. It has been difficult

because the Zoning Administrator had to go over and find the owner and site and it took 30 days to even do anything to get the pen cleaned. He stated that Mr. Weiss would most likely keep it clean, but how can you tell if any other resident would be as diligent as he is in keeping it clean. That odor was so bad there were residents that couldn't open their door in the summer and go out and enjoy their pool or anything. This was a "grandfathered" in use where they had an existing farm and they built homes around it. He also had a pig in the back yard.

Councilman Seminara asked if they had 5 acres and 100 foot setback. Councilman Cifone said they did not.

Dr. Weiss said they had a impromptu meeting a month or so ago and the question was "Will the allowance for someone to have chickens metastasize into goats and pigs and cows and horses on a ¼ acre lot and this is not an application so that other farm animals can be kept in a residential area. Chickens are small, and it should be limited to just chickens.

Councilman Seminara: Currently it is the ordinance that within a 5 acre parcel and 100 foot setback, chickens are allowed, right? He would never want to see this in a 3rd acre zoned neighborhoods. If you want to go down to 2-1/2 acres zones, that would make more sense. But, on ¼ acre, ½ acre lots, which is predominately what is in the Town, he would not see it being allowed. 5 acres may be an over kill, but to go down to a ½ acre zoning to allow for chickens he would not go for.

Dr. Weiss has a ½ acre lot. Councilman Tancredi said he told Mr. Weiss he has the option to go to the Zoning Board to get the chickens, but he preferred to have the Zoning law changed in this regard. Dr. Weiss is a veterinarian and knows how to take care of animals and would keep them clean and all, but the problem is, the majority of the public doesn't take care of animals in the fashion he would and the excitement of having those animals wear off and it would become a major problem for the Town to keep intact. Dr. Weiss had provided an ordinance from the City of South Portland where the coops had to be built to certain specifications, permits each year, a fee each year, etc. If they were to think of having something like this, the Board would have to be made up of some one like Dr. Weiss to help manage the program and inspect the grounds and coops and Ordinance follow up. Dr. Weiss knows the issues as Councilman Tancredi and he have discussed it thoroughly.

Councilman Seminara was not so inclined to allow this in residential neighborhoods. He felt it would cause an awful lot of trouble to an awful lot of people for the benefit of probably only a few. He would consider dropping from 5 acres to 2 ½ acres with a 100 foot setback but he does not feel it would be appropriate for residential neighborhoods.

Councilman Conte suggesting keeping the 5 acre properties and all the neighbors surrounding that property sign a petition saying they are ok with him having the chickens on premises. In other words, a chicken waiver. However, just as my opinion, I don't know that I would want them next to my property, but that's just me.

Dr. Weiss used the argument that dogs are a far worse pet to have next to your property because they are loud, and messy and aggressive. “We are not talking about a 50 to 150 lb. animal, we are talking about a chicken that weighs 4 to 6 lbs.” They are really small and the noise they would make would be far less than a dog.

Supervisor Myers stated that she grew up with chickens and she feels they are very noisy.

Councilman Seminara asked what about when a neighbor’s dog goes and grabs that chicken from next door, and it’s bound to happen. He thinks by limiting it to the larger parcels where there is more control of the downside of the equation is the better approach for the Town. He doesn’t feel it is practical in a residential area. He states that as he says, a dog can be a nuisance and that is evident where our Animal Warden is quite busy and this would just throw more into the mix for only minimal gain.

Dr. Weiss can’t see where a minimal number of chickens (4-6) could be that much of a nuisance to the neighborhood. If the Town only allowed, say, 2 chickens, he didn’t see how they could be such a nuisance to the neighborhood.

Councilman Baisley stated that he is the first “Chicken Case” they have had and he doesn’t feel they should change a law on one case that comes along and makes the request. He thinks he should apply to the Zoning Board for a variance instead. The Town needs to look at a bigger picture. More than one request should be made before even considering it.

Councilman Seminara stated that if someone even came in with a petition of 1000 signatures stating they wanted to raise chickens on their property, they may take a second look at it and think about it. He said they want to take smaller steps in this case.

02:11-COW 2 DISCUSSION

Lighting on Underhill Road by
Roger Karcher

Mr. Karcher did not show up for the meeting.

Councilman Cifone stated that Mr. Karcher called and asked if they could upgrade the light and the Supervisor did the paper work on it and it was approved by the Board (7-0), and they increased the lighting on that street, Underhill at North Grand. Mrs. Karcher called him in January of 2008 saying some kids threw some eggs at their house and asked if they could do anything about it and we said we would try. They wanted to know if we could tilt the light a bit on to their house and we called them and he said that they can’t do a work order to tilt a light and that’s where we left it and now they want another light added. That light is so bright on that corner, it is just that their house is set in and he explained that they should probably just put a motion light on their house and that’s where we are at.

Supervisor Myers: We've had the Engineering Department go out and look at it and it is just us guessing and they feel that the way it is now is the safest for people driving the roads and we feel that is the way it should be left.

Council agreed.

02:11-COW 3 DISCUSSION

Marist College on Route 9/New
York State Department of
Transportation

TABLED

02:11-COW 4 PRESENTATION

Thomas Meyering, Director of Town
Recreation will Present a Recreation
Department Update concerning a
Vision & Plan for Parks, Summer
Programs, Town Day, Field Use &
Casperkill Community Center
Update

Thomas Meyering introduced Justin Neishewat, Eagle Scout candidate from Troop # 17, Hyde Park, who presented some pictures to the Council. These pictures are just to show the Council what he is prepared to do. Mr. Meyering has come up with a project for Justin that consists of a few simple renovations. He would start by cleaning up the park a little and remove some old playground equipment that is not up to Code. It is very unsafe and he isn't sure if there is a plan in place to replace the equipment or not. He is going to renovate the entrance to the park with fixing the backstops and he was going to replace the roofing of the dugouts and then he was going to do a new park sign. It would include the park name and hours. He appreciated the opportunity given him to present this to the Board.

Councilman Tancredi said they appreciated his efforts and work here and look forward to the finished product and any Eagle Scout looking for the same type of opportunity to earn their badges, send them to us, we could use them.

Thomas Meyering gave a department update and the report is divided into three sections. A park section, a program section and a very quick update on the Casperkill Community Center. **The parks are first a "Vision" and the second part is a plan to achieve some of that vision.** The vision part is basically a self assessment based upon the expressed needs and desires of residents. The Department gets a lot of calls on what the neighbors want to see in the parks. This is a summary of what those wants and needs are. This was compiled last summer prior to becoming aware of the Casperkill Project and it amazes him how many of these vision aspects can be accomplished at Casperkill. Some is to maintain our current facilities better, maintain adequate indoor facilities, to build specific facilities that we don't have in this Town, but we could have. There has been need expressed over the years for an athletic facility with multiple fields at one location and

this is from our Little League Organizations. We need to reach out and be a better partner with our community groups and better communication about our resources and activities and help preserve open space and develop a trail network. The Park Plan. There are nearly 40 projects that are listed with target dates. The target dates were set looking at the individual park usage, safety concerns, and funding. I'm not promising these things will be done by a certain date, but this is the date we are looking toward to get it accomplished. The Spring's list I have, some of these things have already been accomplished. The fence repairs in most of the parks are done because they were safety issues. **The Summer list** shows we are going to be real busy this summer. Most of them are again, safety issues, to protect and some are enhancements. (The lists of activities for Fall and next spring is also listed on the video presentation being shown). The big question everyone most likely has is "How are we going to fund this?" Most of those projects are covered in this year's Town Budget. There are four exceptions. Tennis Court rehabilitation, (Recreation Trust Fund recommended), the Greenvale Erosion Remediation (out of the Trust Fund), the Trail at Peach Hill (We received a grant from the State for) and we will be ready to put that out to bid and start work on that very shortly, and finally, improvements in Fairview Park (A Community Development Block Grant). This summer theme is going to be "Give your Child a Staycation this Summer". A lot of people won't be going on vacation they will be staying in town so we wanted to look at what people can do in town and how we can support the Town residents. There are two limitations that came up, One, we received money for years from the NYS Youth Development Delinquency Prevention Grant. It looks like the Governor cut that from the Budget and changes have been made to the Budget that more than likely we won't get that money this year. It funded our playground program and our swimming lessons. The last two summers we have been running a day camp at Bowdoin Park. The costs of that program ran us over budget. The proposal for this summer is to establish the Greenvale Getaway Camp for children 5 to 13 years old. It will cost \$25 per week. 100 campers per week for 6 weeks. It will be one week per camper. After June 1st, if any spaces available, will open up to other people. There will be arts and crafts, nature, sports and games, special guests and sprinkler activities there. Hours Monday-Friday, 9-4 and a permit from the Health Department is needed. Day Camp finances will be provided by the YDDP Grant, some will come from that, about 1/3, another 1/3 will come from the Youth Program line in Town Budget and the other 1/3 will come from the \$25 per week fee. I believe we will more than break even on that. Swimming lessons, we are looking at options of funding it through user fees and we are looking at other locations as YMCA is no longer available to us. It will probably cost \$25 per child as last year. We have not had a lot of luck with finding a place yet. The Red Bull Soccer Camp we did not break even on this last summer and this year we told them we couldn't do it and they offered to renegotiate the terms and our new commitment would be to supply the fields to them. Much better deal for us than we had. **Town Day**, the last three years was at Bowdoin Park and the attendance was very low. We decided to put Town Day where the community is instead of down hidden in a park way out of Town. We are going to have a parade and a concert. The date is going to be Saturday, May 30th. Location is going to be at the Vassar Alumni Lawn for the concert and the Community Day aspect of this. The parade would be down Raymond Avenue from roughly Hooker Avenue down to

The Alumni lawn area, probably starting at 3 with the parade and concert starting at 4 and the whole thing will be over by 6. Not dragged out for ever, just giving people a chance to find out what is going on in Poughkeepsie. Fireworks will be moved to Music on the River program and have it as our opening concert instead on Community Day. Opening concert will be June 30th. The Concert is "Bill's Toupee". Then 7 Tuesday concerts and 4 concerts around the Town, Crestwood, Fairview, and Greenvale parks we are looking at now for those concerts. **Field use** by youth sports groups. The biggest problem is that the residents expect an excellent, safe program and that the Town will run the programs. In reality, the groups are separate and incorporated organizations and we have no method to oversee them or to control the program or no say of what is going on. We just want to make sure that the youth sports groups follow some safety guide lines that these people will agree with. **Casperkill Community Center Update.** The due diligent study is about to begin. It will include the evaluation on the facility conditions and an architectural review of options for use. It will determine repair and operational costs, potential income, potential project phasing, cost benefit analysis and environmental impact statement. The anticipated date for completion of this is April 15th. **The mission of the Recreation Department** is to improve the quality of life for all residents in the Town of Poughkeepsie by providing park and recreational services that foster personal growth and recreation, are innovative, exciting and safe, encourage a sense of community and responsible utilizing of the resources of the Town.

Councilman Seminara asked about the erosion and remediation at Greenvale Park. He said he thought that the Town had authorized the funding at a somewhat better level of the better project. I think that one was already funded.

Supervisor Myers: Yes, it was just the season---

Councilman Seminara: Right, thanks.

Councilman Conte asked if there was anything coming up in the future on the ideas that Tom and he had for Rochdale Park?

Tom Meyering said some of them are in the plan but not specifically stated in the plan, like general clean up of the areas, removal of trees, etc., and the issue with the entry way does need to be dealt with.

Councilmen all congratulated Tom on a nice presentation and program planning.

ATTACHMENT TO THE FINAL BOOK COPY

02:11-COW 5 DISCUSSION

New York Communications Company, Inc.
Lease Agreement

Jim Wojtowicz, Town Comptroller: We have a ten year contract coming due March 1st and I asked The Town Attorney to put this on because with technology and cell phones,

some of the departments may not need these radios and so I just wanted to get this out there in front of Board and the Building Department has already said they are not going to need theirs. That's about a \$400 a month charge we can save. Councilman Tancredi asked if he had heard back from any of the other departments on it.

Jim Wojtowicz We've heard from about three.

Supervisor Myers said some of the departments wish to keep the radios because when they are working and are in different locals, particularly the Water Department, Sewer Department and Highway, three or four people can get the same messages at the same time, which makes perfect sense. Most of the other departments rather use cell phones so they will get rid of the radios and decrease the cost because the cell phones are cheaper to begin with. The Police Department, of course, uses many of them.

Councilman Seminara: Well, at least we can reduce the cost by turning in ones that the other departments would rather give up. That's great.

Councilman Baisley suggested having a Budget Committee meeting and going over all the contracts out there for all the departments and going over it with them as to who needs them and who doesn't and see what we can eliminate and we can fine tune the contracts before we sign another one.

02:11-COW 6 DISCUSSION

Attorney Richard Cantor for O'Neill
Dutton Rezoning

RESOLUTION

Lou Coffman, O'Neill Dutton: They own this 15 acre site, which used to be the old Dutton Lumber Site in the Town and the City of Poughkeepsie. Approximately 4 acres of the property is in the Town. There are two buildings and one higher building that are located in the Town. All seven of the buildings that exist now are vacant. The rest of the property is primarily asphalt. The property is contaminated from the former industrial uses. We have a petition in and have been accepted in the Brownfields Cleanup Program. We have obtained approval of our remedial action work plan to clean up the property. Based on a conceptual plan to develop the property in a way similar to what we are going to show you tonight. We have provided a conceptual site plan as well as a proposed ordinance for the Zoning aspects. Right now it is Zoned Industrial so we could use it as a warehouse or trucking or manufacturing or a transfer station. We propose to use it as a small retail use or office on the Dutchess Avenue area. One problem we are having is it is a significant cost to clean up the property, so before we even put a shovel in the ground to begin the housing, we are going to have millions of dollars in expense and we've already spent millions of dollars to get to this point. We really feel our project is a really great project.

Richard Cantor, Attorney: O'Neill Dutton has made a request jointly of the City and Town to change the Zoning within the City portion and the Town within the Town.

In the City portion, which is approximately 2/3rds of the property, the City has a water front or W Zone which would allow this development to proceed. In the City's W Zone, it allows for multi-family housing at a density we are proposing. So, that is sitting at a very early stage to proceeding. When we look at the Town of Poughkeepsie Zoning Code, there doesn't seem to be an existing Zone that fits what we are proposing to do. What we have asked the Town to do is to create an Overlay District for a river front mixed use primarily housing. I used the Local Law that you adopted for that Senior Citizen use on Route 9 as the template. It calls for the Overlay to come before the Town Board and if the Board says it's what we want, it would then go to the Planning Board. It doesn't have to be that way, but with discussions with Neil Wilson. Because the application is in two communities and because the entire project needs to be examined under Environmental Review and SEQRA. One of the tasks is to identify a Lead Agency. Two most common would be the Common Council and the Town Board. The City of Poughkeepsie is going to act to adopt a preliminary resolution probably next week. The City Council wishes to be Lead Agency since 2/3rds of the property are in the City. We are hoping that you will concur with that and if possible, some kind of procedure worked out between the City and Town so there is full Town participation with it. Joint meetings should be made with the Town Board and Common Council so everybody is clear as to what everybody wants. An initial Environment Assessment Form was submitted to both the City and the Town back in October. There should be a positive declaration and an EIS and so when we get the Lead Agency established it will adopt a positive declaration and formal scoping process to study issues. The Town portion appears to be in the Fairview Fire District and so with that being an area of significance in the Town and the scope would require some detailed attention. The concept is a privately owned residential project, possibly mixed use with a small component of retail or restaurant use primarily to serve the project but not entirely limited to that. The river front would have to be addressed as to how it would be proportioned off and its uses, how it would be built and who would pay for it and how it would be paid for. After the SEQRA process and legislative process before getting the final Zoning changes. We are hoping the Common Council will act next week to adopt the first Resolution and we hope when you receive it, you will concur to have the City of Poughkeepsie as Lead Agency with agreement for ample provision for input and full Town participation.

Paul Ciminello, with Eco Systems Strategies: The property has been investigated for several years. It is currently in the Brownfields Cleanup program and all of the recent investigations conducted on the site were performed under the review and approvals of NYS DEC. The remedial plan that we prepared for the remediation of this site was reviewed and approved by the NYS DEC. The Certificate of completion will ultimately be issued by the NYS DEC in due time. The site has a history of long industrial use. It was used years ago for glass and iron work in 1895. At that time, petroleum tanks were present on the site. The boiler ash and blast furnace ash were generated was used to fill portions of the site, including the remnants of the kidney creek. The site has present known contamination from metals and petroleum products. Most recently, the contamination on the site is as a result of the pressure treated wood on the site from the Dutton Lumber Company. The site inside and outside of the buildings are contaminated with chromium, copper and arsenic. We have investigated the ground water issues such

as wells on the site. We've tested the river sediment to be sure the site contamination did not extend into the river and it has not. We've also tested the concrete which has been known to have arsenic and chromium contamination. About ¾ of the site will be involved in remedial actions. Asbestos in the buildings will be removed and the buildings themselves will be demolished. There are a series of underground and above ground storage tanks, the products of the tanks will be removed and the tanks themselves will be removed. The contaminated of concrete will be removed. The contaminated soils will be removed off site. The remaining soils will then be covered with a layer of soil and the ground water contains concentrations of metals and petroleum products and that will be monitored. This extensive remedial action on the site has been overseen by the NYS DEC.

Andrew Fetherston, Engineer, gave a review of what they want to put there as to water, sewage and drainage and access to the site.

Dave Minno, Architect, explained the plan to make the water front accessible to the people through public access. The landscaping is deep slope down towards the river. The plan three parking decks for the project that are 2 ½ to three stories with approximately 2 parking spaces per unit (about 1200 car spaces). (He provided a slide review of the entire project). Condominiums with beautiful views of across the river. Five story dwellings. One bedrooms from 650 to 940 sq. ft., two bedrooms from 1170 to 1360 sq. ft. and just a handful of three bedrooms from 1400 to 1500 sq. ft. Total units in both Town and City are 600. In Town only, 159. Ball park figure as to price range would be not less than \$300,000. Price range can't be developed at this point. In the Town, I have a breakdown of approximately 53 one bedrooms, 91 two bedrooms and 15 three bedrooms. Brownsfield funding is a credit funding once we have completed it. You get a percentage of the investment in the project as to the funding, I believe it is 10%, with a maximum of about 18%. Mostly non-children form of housing. Feels it is win/win situation. Actual construction time estimated would be about 18 months to 24 months depending on the occupancy count.

Philip Grealy, from John Collins, Traffic Engineer gave presentation on the traffic situation at the site. Peak hour would be between 250 to 300 vehicle trips. Nearness to train station could be a commuter benefit. There is access to the train station without exiting to Route 9. (Slide review of the traffic flow and access routes).

Richard Cantor: Continued to advise the Board that they are here requesting a legislative change in the Zoning. You have a complete blank slate to say "Yes" or "No" to work with as the project has not started or completed at this point. (Went through the previous procedures of the legal aspect of the Zoning change.)

02:11-COW 7 DISCUSSION

Lakeview Presentation of
Application of Lakeview Plaza
Development, LLC For Approval
As A Business Park in the Heavy
Industrial District

Kelly Libolt, Hudson O'Neill Engineering and Scott Bryant, applicant with Lakeview Development. Here tonight to initiate the Master Plan approval process for this project. When the new Master Plan was enacted, there were certain Zoning Districts and uses that mandated the Master Plan approval process. So, we fall under one of those uses, which is the Business Park use and so we want to give you an overview of the project tonight. (Kelly showed the Board the site outlined on an aerial map.) The applicant purchased this property with the intention of approving this particular area. It consists of two parcels, 1.8 acres. This is an existing non-conforming parcel. It is smaller than what the requirements are for the Unlined Zoning District. The applicant is proposing a 6,000 sq. ft. foot print on the property and it is a one building, 2 stories (front) and 3 story building (back) of the project. It slopes from front to back. So, you have a different story in the front vs. the back. Access is from Creek Road with access to Fairview School District and Arlington Fire District. Water is from the line at Creek Road. Sewer is provided from a line in back of the site. All stormwater for the site is underground. This building is approximately 21,000 +/- sq. ft. We are showing a parking area for potentially 55 parking spaces. We are proposing to bank some parking spaces. Restaurant Retail on the bottom and offices on the top. No residential, all professional offices. There is a little white house on the property now that is vacant and will be coming down. We are in the R-H Zone district and also in the I-L Zoning District. In the I-L Zoning District, Business Parks are permitted. So, we are asking for construction of a Business Park. There are a number of variances required for this property. We are seeking your Master Plan approval and then on to the Planning Board for the other approvals needed. This project is on the Loop Bus System with a bus shelter. This property is only about 200 ft. wide, northeast to south.

Councilman Cifone: Originally Mr. Bryant contacted me about a year and ½ ago with a proposal for residential and I told him to go back to the drawing board and he is now coming back with this.

Neil Wilson: This is the initial kick-off meeting for this particular project and we already went through this process once before for the Oakwood Commons project which was approved for Business Park designation back in December and is now before the Planning Board to finish the process. That is, however, is a largely built project. This is a Greenfield type project coming in the door. So, coming away from this meeting, I will be working with Kelly. Rodney Morrison will assist in the review because of the conflict of Morris Associates with Mr. Bryant and so we will be examining the materials and contacting the Board relative to the next report and making a recommendation to proceed with the Business Park designation or not. We aiming for the first Board agenda in March.

Councilman Seminara: You win the award, this is the first project in probably 8 years that I've seen that I like.

ATTACHMENT TO FINAL BOOK COPY

Neil Wilson, Town Development Director: The Arlington Town Center takes in a fairly large amount of land area, geographically. If you look North/South, East/West, we've got Raymond Avenue, which has a particular character of its own as you get down toward Vassar Road, particularly. The character changes somewhat as you come toward the Main Street end and, of course, Main Street itself from the City line all the way out toward the 44/55 area. We would love to see some of the properties redeveloped out there. One of the things Todd and I have been talking about specifically is that we have a prohibition on drive-thru in the Arlington Town Center, which I do believe is appropriate for large sections of the Arlington Town Center particularly in the Davis Avenue area and as you move down toward Vassar. The reason why we prohibited the drive-thru in the Arlington Town Center is out of concern of the impact the drive-thru create by generating additional vehicles and potential pedestrian and vehicle conflicts. If you take a look at the area along Main Street from North Grand Avenue down Main Street, we've got Wendy's, Taco Bell, KFC, and at least a couple of existing drive-thru, then down further is the old Key Bank, and the now abandoned Woodstock Chicken. So the question in my mind and what I've been discussing with Todd is trying to encourage a redevelopment particularly with the properties along Main Street, which we can agree we have some properties we would like to see something else happen with. Rather than simply permit drive-thru along Main Street, my suggestion would be to approach this the way we have with the Senior Overlay Designation, which is now proceeding at the existing Econo-Lodge where if an applicant wanted to redevelop a property, and wanted to include a drive-thru, that we have sort-of on the books the ability to allow the Town Board to designate a particular piece of property for a drive-thru by re-zoning and placing an Overlay on whatever the defective piece of property is. What this does is it doesn't allow someone to go forward by the Planning Board or even by Special Permit. It's an additional level of control by the Board and requires an applicant to give a real hard thought to what a particular re-development project that would involve a drive-thru would actually look like. So, I'm putting this out here and I want to put out the idea specifically what I further have in mind is to very narrowly define what this Drive-thru Overlay might look like and specifically confine it to properties along Main Street. I would not want to see it extend south down, say, Raymond Avenue, that would be inappropriate.

Councilman Seminara agrees with Neil Wilson. He feels Neil scaled it appropriately and located it appropriately. This seems wise to me.

Councilman Tancredi: I like the idea that we can see a project and determine if it is something we like for that area and if it is consistent with surrounding businesses and then allow the drive-thru on that basis.

Supervisor Myers: Right now they are outlawed, right?

Neil Wilson: They are outright prohibited, the ones that are there are grandfathered in and can't get anymore without this special approval idea. What I would do is to prepare a draft of what this Overlay Zone would look like, present it to the Board, review it, and if in agreement, schedule it for a Public Hearing at a later date.

Supervisor Myers: Likes the idea. The only thing is if what we were trying to do was to create a fast food strip along Main Street, then I am going to be adamantly opposed to that.

Councilman Seminara: A drive-thru has it's inconveniences, but there is an awful lot of conveniences accrued to it also, the pharmacies, or having a young child and you have to get in an out to do something, so some times in-as-much that they might be unsightly or create a problem, the restaurants, banks, and pharmacies that allow drive-thru do render something good to the community also.

Councilmen agreed.

Motion made to suspend the rules for public speaking: Supervisor Myers/T. Tancredi

CARRIED: 6-0

Doreen Tignanelli: First I would like to make a couple of comments about the Dutton Rezoning. I would urge the Board not to act as quickly as possible on this. First of all, the City of Poughkeepsie wants as much development as possible, which might not necessarily be the case with the Town. While Mr. Cantor tries to romanticize the project and how much control you will have once you rezoned, I don't buy that. For the applicant to say that "If you don't like the plan that we have given you, well, we will put something crappy in there." Well, does that say about him as a developer? Then giving the water front back to the people, well, I think it would be more like people paying \$500,000 for those and not \$300,000 and so I think there is a lot of issues and I would urge the Board not to act on it favorably and $\frac{3}{4}$ of the site need to be remediate because of the chemicals and they could clean that up first, that would be my preference. I also want to discuss the bus stop and safety issue I brought up last week, I took some pictures after the melting of the snow and you can clearly see the sidewalks heading south and the sidewalk is also along the Rural Cemetery. My only request is for safety and you can't have people standing in the lane on Route 9. So, I urge the Town to enforce clean up of the sidewalk by whoever owns that to make them clear it out. The Code also has a section on that definitely covering the safety issue and cleanup.

Councilman Baisley: I agree with you Doreen, but on the other note, three businesses called me last month where the business cleaned the sidewalks and the DOT came along and pushed the snow right onto the sidewalk.

Supervisor Myers: That's the battle we have with the State on every highway.

Nancy Zverev: Thank you for bringing up the Rochdale Park that you are looking into it and that the encroachment is on the Meyers Listing and you are going to try to find some satisfactory access for those two places.

Motion made to resume the rules: Supervisor Myers/T. Tancredi

CARRIED: 6-0

COMMITTEE REPORTS

1. FINANCE

Councilman Baisley: Right now we are passing out audits from the auditors and had everybody look at it. We had a couple of comments. We are addressing those and we are also looking at different departments and auditing them one at a time and we are in the Sewer Department at this time.

2. FIRE ADVISORY

Councilman Baisley: We had a meeting last week and we discussed wood burning furnaces and false alarm fire policies.

Supervisor Myers: Please take Town Hall into consideration, we could be fined big time, be careful about that. Ours works very well and goes off frequently.

3. GOVERNMENT OPERATIONS

Councilman Conte: No Report

4. LAND USE & PLANNING

Councilman Seminara: We found a little information about the change of the wetland status by the airport and basically they are going to replant the shrubs.

5. PERSONNEL

Councilman Cifone: No Report

Town Attorney Mahar: I have a suggestion for Personnel that we have a lot of vacancies on the Board of Ethics and we may not have a quorum and I sent you all a memo, please address that memo. We are getting into the season where we review all the financial statements and I need the Board of Ethics.

6. RECREATION

Councilman Tancredi: No Report

7. SENIOR CITIZENS

Councilman Krakower: Absent - No Report

8. TECHNOLOGY & EQUIPMENT

Councilman Krakower: Absent-Supervisor Myers: We signed the Verizon Contract.

9. WATER, SEWER, HIGHWAY

Councilman Seminara: We had our meeting tonight and they are getting their designs. We have a handful of roads left and the signs are on track to get them all done this year. We expect to go out to bid on some in March and May. The ones on where we had to take a little bit of bond money to get that design, the target date for getting that back from Lochner Engineering approved from DEC, we are looking at September at best. So, those roads probably won't get done this year. Arlington Sewer-there are a couple of items that have to go through there. Something has to come back from an audit committee and there are some design changes necessary and the earliest we may see something coming back from the DEC might be around July. So, the Arlington Project is moving forward. We will get some of the work done this year, but there is a little process we have to go through yet.

Motion made to Close the Meeting: Supervisor Myers/T. Tancredi

CARRIED: 6-0

MEETING CLOSED AT 9:45 PM

SJM:ikm