

June 4, 2007

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TOWN OF CORNWALL

PLANNING BOARD

JUNE 4, 2007

MEMBERS PRESENT: NEIL NOVESKY, CHAIRMAN
JANE DEANS
KENNETH BRODMERKEL
WYNN GOLD
DEKE HAZIRJIAN
WILLIAM GRABE

ALSO PRESENT: DOMINIC CORDISCO, ESQ.
PLANNING BOARD ATTORNEY

MARK EDSALL, P.E.
PLANNING BOARD ENGINEER

LESLIE DOTSON
PLANNING BOARD CONSULTANT

GARY VINSON
BUILDING INSPECTOR

ABSENT: LED KLOSKY

REGULAR_MEETING

MR. NOVESKY: I'd like to call to order the June 4, 2007 meeting of the Cornwall Planning Board. Mr. Brodmerkel is here, he's temporarily excused because he's presenting to the Town Board a request for sidewalks I believe in the name of the planning board so he'll be here shortly to arrive but you can count

him as present. And Led Klosky is in France.

CORRESPONDENCE

MR. NOVESKY: Correspondence, I'll forward them over to you.

TOWN BOARD REFERRAL OF LOCAL LAW #7

MR. NOVESKY: Discuss the Town Board referral Local Law #7 planning board report. For the record, this is a review of a request by the Town Board. We have to forward it to them related to our opinion on Local Law #7. Leslie?

MS. DOTSON: Yes, you have the Local Law before you that's proposed by the Town Board to amend several sections of the zoning code. It's really very simple. There are about five basic sections. The first one just creates a previous, technical omission that puts hospitals back and sanatoriums back in the G.C. district that was intended with the 2005 zoning amendments, G.C. district was expanded to include hospitals as the plan had recommended and the use tables have been to be corrected to list it specifically. Section 2 is just in my belief also a previous technical omission because the bulk requirements that prevail for hospitals and sanatoriums are excessively high and previously any time the hospital wanted to do anything they had to go to the Zoning Board, anything that would fall within that use category, it's almost confiscatory it's so high a set of requirements. So this is a classic sign of a problem with the zoning requirements, so this amendment is proposing to address it by reasonably moderating those requirements. Section 3 just renumbering to accommodate revised text. Section 4 enacts some new provisions for non-residential uses to give you two provisions for flexibility and parking requirements.

MR. NOVESKY: Deke just pointed out on our agenda it refers to Local Law #7, is this Local Law #1?

MS. DOTSON: It's Local Law #1 of 2007, that's the 7 part.

MR. NOVESKY: It's 1 or 7?

MS. DOTSON: It's 1 of 2007, this is '07. Section 4 would provide you the option of providing for shadow parking which means that you wouldn't have to require that all the required parking be built right away. This is something we have discussed before, we have decided that since we're in under the hood tinkering I think you've seen some very recent examples where you would have liked to have had it. It allows you the flexibility to bond the reduced number of spaces. Section 5 is similar to 4, allows you to reduce the number of parking spaces based on the requirements where you don't think that they're going to be necessary. Again, this would have been desirable in association with some other uses. I have suggested a planning board report that addresses these issues in accordance with the findings that you need to make under the code. I know that Mark has some comments probably appropriate to turn to him.

MR. EDSALL: I have some very minor suggestions, one that the bulk table is revised permitting the hospital use in the GC zone, that the verbiage describing hospitals be created flexible enough to acknowledge that in 2007 hospitals have accessory or associated medical office buildings uses that are part of such complexes so that the term hospital is not the only thing listed. You should reference the fact that it is kind of a mixed operation in today's current operational standards. Regarding the shadow parking, my only suggestion is that the bond requirement not be optional, that it be mandatory and same with the parking offset, I believe that any requirement that the

board is going to have and hold in abeyance for three years to wait and see if it works, we should have a bond or as Jim Loeb calls it a performance security to guarantee that if the board decides it's required you've got something that can financially require them to build it. A related item for parking since we have run into it several times I think the word dustless surface for parking requirements is the use of the word is ridiculous, it doesn't define what a parking lot is to be built from. I think it should be clearly indicated that it's bituminous paved surface and the structure be adequate for the intended use approved by the planning board and the engineer for the town and that other surfaces could be approved other than a paved surface if specifically waived, the pavement is waived by the planning board, that way that's the criteria and we by proper consideration would allow something other than pavement rather than argue what's a dust free surface or dustless surface. Those are my comments.

MR. NOVESKY: All valid comments. Dominic, did you have anything to add?

MR. CORDISCO: Just in terms of how this came about. As you know, St. Luke's Cornwall Hospital is also on the agenda with an application and it was by virtue of the fact when they came into the workshop and there was an analysis of the existing GC zoning bulk and the use requirements that it was found out that there was an omission as Leslie pointed out in the GC table and Leslie in conjunction with Mr. Loeb of my office has come up with a suggestion and this is what the Town Board is currently considering, the Town Board I believe is scheduled to consider this further at its meeting next week and has referred this to the planning board for its comments and report.

MR. NOVESKY: Thank you. Jane, do you have anything?

MRS. DEANS: No. Mark and Leslie have covered everything as far as I'm concerned, especially the parking.

MR. GRABE: Nothing.

MR. GOLD: No.

MR. HAZIRJIAN: Is there an action for us to take at this point?

MR. NOVESKY: We would direct Leslie to prepare and formalize a letter which would contain the recommendations that you have just discussed.

MR. GOLD: I assume it will also incorporate the recommendations we discussed before?

MR. NOVESKY: Can't do that, it's got to be on the record.

MR. GOLD: One recommendation we change the wording of Section 4 so that the period of three years following approval of the site plan is changed to three years following full occupancy.

MR. NOVESKY: You said the issuance of Certificate of Occupancy?

MR. CORDISCO: I think that's correct, issuance of Certificate of Occupancy for the final, if it's done in phases or stages so it would be the final Certificate of Occupancy.

MR. EDSALL: Yeah, just as I think that's a very good suggestion.

MR. NOVESKY: Deke, did you have a another suggestion? We're talking about Mark mandating that the definition of parking be paved parking and are we defining shadow

parking and you were asking about the definition of dustless parking?

MR. EDSALL: It's in the same section of the code relative to on-site improvements, off-street parking as it's known just cleans up that reference to the structure.

MR. NOVESKY: So does anybody have any other suggestions? What we'll do I think do we have Leslie your comments incorporated in Mark's and Mark's comments incorporated?

MS. DOTSON: I will incorporate those, I didn't get Mark's comments until today so--

MR. NOVESKY: Then I would have a--

MR. CORDISCO: I've prepared a resolution for your consideration, the resolution would authorize you to sign a report that would be prepared by the planner that incorporates all of the recommendations that have been made tonight.

MR. NOVESKY: That's what this says?

MR. CORDISCO: That's what it is says.

MR. NOVESKY: Very good. We have a resolution that's been presented but I need a motion.

MR. GOLD: So moved.

MRS. DEANS: Second it.

ROLL CALL

MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE

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MR. GOLD AYE
MR. NOVESKY AYE

MR. NOVESKY: Dominic, I'm sending this right back to you, right?

MR. CORDISCO: Yes.

MR. NOVESKY: Any other discussion? We'll save, Mr. Edsall will save the discussion of Butterhill till the end of the meeting.

APPROVAL_OF_MINUTES

MR. NOVESKY: Approval of the minutes. Did everybody get a copy of the minutes?

MRS. DEANS: Make a motion we accept them.

MR. HAZIRJIAN: Second it.

ROLL CALL

MRS. DEANS AYE
MR. GRABE AYE
MR. HAZIRJIAN AYE
MR. GOLD AYE
MR. NOVESKY AYE

RESOLUTIONS

LORRAINE_BENNETT__ (07-04)

(Whereupon, Mr. Brodmerkel entered the room.)

MR. NOVESKY: I have four resolutions. Are there copies here?

MR. CORDISCO: They're not, you should have what I handed up to you was the resolutions for adoption of the negative declaration and approvals for the Bennett and Pennings lot line changes.

MR. NOVESKY: First I'll go with resolution which for the record we discussed and directed Mr. Cordisco to prepare these resolutions last month, so this is more or less a formality of voting them for the record. I have a resolution adopting a negative dec for a lot line change for Bennett lot line change Planning Board agenda number 07-04.

MR. BRODMERKEL: So moved.

MR. HAZIRJIAN: Second it.

ROLL CALL

MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE
MR. GOLD	AYE
MR. BRODMERKEL	AYE
MR. NOVESKY	AYE

MR. NOVESKY: I have a resolution granting approval of lot line change Planning Board agenda number 07-04 resolution granting approval of lot line change for Bennett property. Can I have a motion on the table?

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MRS. DEANS: So moved.

MR. GOLD: Second it.

ROLL CALL

MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE
MR. GOLD	AYE
MR. BRODMERKEL	AYE
MR. NOVESKY	AYE

PENNINGS_ENTERPRISES_(07-03)

MR. NOVESKY: I have a resolution adopting a negative dec for a lot line change for Pennings Enterprises 07-03.

MRS. DEANS: So moved.

MR. HAZIRJIAN: Second it.

ROLL CALL

MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE
MR. GOLD	AYE
MR. BRODMERKEL	AYE
MR. NOVESKY	AYE

MR. GOLD: Can we ask Gary if he's inspected the refrigeration question from last time? There was a question about refrigeration unit on this property.

MR. VINSON: I thought the question was regarding the debris on the site, that's what I really thought was the, and we've been out there looking at it and I've spoken with Laura, Laura from Pennings and the weather has not been quite as cooperative for doing some of the moving of materials but they're cooperating so it's not complete at this moment but we need some dry weather, it's a little wet and muddy in that area.

MR. NOVESKY: Okay with that?

MR. GOLD: Yes.

MR. NOVESKY: I have a resolution granting approval for lot line change for a greenhouse for Pennings Enterprises, Inc. Planning Board agenda item 07-03.

MRS. DEANS: I don't have that.

MR. BRODMERKEL: Excuse me, lot line change has nothing to do with the greenhouse, does it, just a lot line change?

MR. CORDISCO: Just a lot line change.

MR. NOVESKY: Resolution granting approval for lot line change for greenhouse.

MS. DOTSON: It's the greenhouse property.

MR. NOVESKY: Shall I delete that?

MR. CORDISCO: You need not.

MR. NOVESKY: Pennings Enterprises, Inc. lot line change.

MR. BRODMERKEL: States lot line.

MR. NOVESKY: It does, I have a motion on the floor.

MR. GOLD: Second it.

ROLL CALL

MRS. DEANS AYE

MR. GRABE AYE

MR. HAZIRJIAN AYE

MR. GOLD AYE

MR. BRODMERKEL AYE

MR. NOVESKY AYE

MR. NOVESKY: That ends our resolutions.

WILLOW_WOODS_#2005-06

MR. NOVESKY: We have Willow Woods.

MR. MILLER: For the record, my name is Mark Miller representing Ginsberg Development. We're here tonight on Willow Woods seeking two things, first is a 6 month extension of the preliminary plat approval, that plat approval was granted by this board on June 5 of 2006, it was extended once. We're seeking a second extension so that it does not lapse. The second request is for consideration of a final plat approval. We would request if appropriate at the end of our little discussion tonight that this board authorize counsel to prepare a resolution to grant final approval. Having said that, I know one of the issues that we want to talk about tonight is where we stand with the outside agencies and I just want the board to be clear that we understand what the time limitations are with respect to final approval. There's 180 days plus two 90 day extensions, this board does not have any authority to go beyond that. Having said that, we would nevertheless request that the board authorize the drafting of resolutions necessary resolution for final approval. Basically, the final plat is virtually identical to the preliminary plat that was approved a year ago. Our engineer, Bill Dodge, is here to talk to you about where we stand with the outside agencies, what he will tell you in more detail is basically that we have been at least one round with all of the various agencies, we have gotten comments back from them and it's that first round that leads us to request, the authorization for the drafting of the final plat resolution cause we're comfortable enough that there won't be significant changes to the plat required by any of those agencies which would of course require us to come back. So with that again with two requests for the 6 month extension of the preliminary and for authorization for drafting a resolution for final plat and with that we're here to answer any questions and

Bill can take you through where we stand with the outside agencies.

MR. NOVESKY: Although you have recognized and acknowledged that you are aware of the timeframe, I think for the matter of record I want the consultants to explain on the record.

MS. DOTSON: I think I'll let Dominic do that.

MR. CORDISCO: Well, as Mr. Miller pointed out, they're up for an extension on the preliminary approval, preliminary plat approval, that's one thing for the board to consider tonight. The two other actions for the board to consider is whether or not you'd want to waive a public hearing on the final plat and then lastly would be to authorize resolutions be repaired for consideration at next month's meeting that would grant conditional final approval, the conditions being among other things of course standard conditions are that they obtain all outside agency approvals prior to actually having the plat signed by the chairman of this board.

MR. NOVESKY: Mark, any comments?

MR. EDSALL: Normally on conditional approvals I want to ensure that the response comments from all the agencies are such that we have the reasonable level of assurance that the plans will not change to any significant extent at the time the board adopts the conditional approval and when it's brought in for stamping Bill Dodge has been very cooperative in providing to me and I haven't had time to review it all yet a copy of all the letters from all the agencies and their responses for the resubmittals they're made. I will be in a position next month to feel either more comfortable or less comfortable I guess it would be as to a belief that the plan will not be subject to a lot more change to meet the agency approvals. Bill's

assured me that they believe they're close enough, I'll take that on face value when he has a better understanding for approvals that I do so I see no reason why we couldn't go ahead and authorize Dominic to prepare the resolution and I'll just coordinate with Dominic if I see any issues.

MR. NOVESKY: Thank you. Jane?

MRS. DEANS: He's explained that they understand the risk they're taking.

MR. MILLER: Yes, we do.

MR. NOVESKY: Do you fully understand it?

MR. MILLER: Yes, absolutely.

MR. GRABE: I just had a question about the public hearing, we've not waived that?

MR. NOVESKY: Well, we haven't discussed that.

MR. CORDISCO: You have already had a public hearing on the preliminary plat, the law allows the opportunity for a second public hearing on the final plat and typically that's where there's been changes between the preliminary plat and the final plat. Here I don't think that there have been any and it's appropriate for the board to consider waiving the public hearing but it's something that you have to do decide to do.

MR. GRABE: Not tonight?

MR. CORDISCO: Well, you'd actually do it tonight cause you're authorizing the preparation of the resolutions for next month's meeting and next month's meeting the only opportunity for the public hearing would be next month.

MR. GRABE: Okay.

MR. GOLD: Nothing.

MR. HAZIRJIAN: So the timeframe I'm asking about that second public hearing and the timeframe is going to be what if things haven't significantly changed and we don't know that cause they're moving ahead for how long is it going to be before we see this again, six months?

MR. BRODMERKEL: No, they're submitting their final plan to us now.

MR. HAZIRJIAN: When would the second public hearing happen if it was going to happen?

MR. CORDISCO: Second public hearing would happen between now and when you would grant conditional final approval so that--

MR. NOVESKY: So we can authorize a public hearing next month at the same time authorize you to prepare the resolution pending the outcome of the public hearing?

MR. CORDISCO: You could.

MR. HAZIRJIAN: Reason I bring that up I want to try to get a sense of what the timeframe was cause I don't necessarily think we need another public hearing unless there's a large timeframe between, I think it was only fair to the public if there was, doesn't seem to be, am I wrong?

MR. CORDISCO: No, if I could add once the board grants conditional final approval assuming that it does so next month that would be the end of their appearances before the board, they have satisfied the conditions and they have obtained final approval at that point.

MR. HAZIRJIAN: That was my question to the board that

if in fact it looked like there was going to be a longer period of time which doesn't look like the case I think that public would have another, should have another shot at it but I think in this case that's not--

MR. CORDISCO: The important point for a second public hearing is whether or not the plat has changed substantially.

MR. HAZIRJIAN: Substantially is a subjective term, is it not?

MR. CORDISCO: To some extent but I don't think that Deke but there isn't really any change.

MR. MILLER: Virtually no changes.

MR. HAZIRJIAN: Then there's nothing subjective about it, understand, thank you.

MR. BRODMERKEL: Mark, you've seen the previous plans and this final?

MR. EDSALL: Yeah, I've been on a fairly regular basis working with Bill on different responses and assisting him in some DEC issues that came up, the plans are virtually the same.

MR. BRODMERKEL: That's what I want to know.

MR. NOVESKY: No, okay, so we have two questions that we want to address the first is the preliminary.

MR. BRODMERKEL: No, I have one more question, I apologize maybe my memory isn't what it used to be or never was but we talked about putting in, never mind, I'm sorry, I remember, we covered it.

MR. NOVESKY: First we have if everybody is satisfied

first we have a request for 6 month extension, am I correct?

MR. CORDISCO: Yes, sir.

MR. NOVESKY: I'll take a motion.

MR. BRODMERKEL: So moved.

MRS. DEANS: Second it.

ROLL CALL

MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE
MR. GOLD	AYE
MR. BRODMERKEL	AYE
MR. NOVESKY	AYE

MR. NOVESKY: And second is a request for a final subdivision plot approval.

MR. CORDISCO: Actually, second one will be for whether or not to hold a public hearing.

MR. NOVESKY: I'll take a motion.

MR. BRODMERKEL: Make a motion we waive the public hearing.

MRS. DEANS: Second it.

ROLL CALL

MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE
MR. GOLD	AYE
MR. BRODMERKEL	AYE

MR. NOVESKY AYE

MR. NOVESKY: Is that it, Dominic?

MR. CORDISCO: Well, you did authorize me to prepare
the resolutions for consideration at next month's
meeting.

MR. NOVESKY: Right.

MR. BRODMERKEL: I'd like to make a motion that Dominic
prepare resolutions for next month.

MRS. DEANS: Second it.

ROLL CALL

MRS. DEANS AYE

MR. GRABE AYE

MR. HAZIRJIAN AYE

MR. GOLD AYE

MR. BRODMERKEL AYE

MR. NOVESKY AYE

MR. MILLER: Thank you very much.

CORNWALL_HOSPITAL_CANCER_TREATMENT_CENTER_#2007-01

MR. NOVESKY: We have Cornwall Hospital Cancer Treatment Center. Good evening.

MR. ROSS: I think most of you know me from another project, Robert Ross, vice president of operations at St. Luke's Cornwall Hospital. Many of you probably don't know the project that we're proposing, some of you may but I'll go through some detail as far as programatically what the proposal is and I'll let our architects and engineers talk about some of the details and questions you may have. Let me step back a moment. The last time I presented to you is two years ago regarding the medical office building and everyone knows that building has been completed, it's fully occupied, we've brought to the community orthopaedic surgery, internal medicine, general surgeons, a busy ophthalmology practice, we formed a clinical affiliation with Mt. Sinai Medical Center in Manhattan, they're bringing specialists, doctors who have specialties. But beyond the routine things that you see in the community hospitals providing invitro fertilization, providing GYN oncology, ambulatory surgery center had its inspection last week, we anticipate that that will be up and running and see patients in approximately two weeks provided that the State of New York provides their approval for that. So I believe you've seen from what we proposed and what actually got built you've seen something that was built almost exactly as presented to this committee two years ago. So now we're moving on to our next step or next steps is to provide a comprehensive cancer center, comprehensive cancer program to the St. Lukes Cornwall Hospital community, there is no comprehensive cancer services in eastern Orange County. You'll find them in Vassar, you'll find them in the City you'll find them in New Jersey. You won't find it here. Our goal is to bring those services to the community so patients don't have to go into the City to receive routine cancer care.

People live with cancer, people don't die with cancer. Used to be when you got the diagnosis generally it's a death sentence. That's not the case. People live for years and survive for decades, we need to bring those treatments to this community so people aren't traveling into the Manhattan and New Jersey. We need to add a building to provide these services, it's approximately a 20,000 square foot building. To give you a sense of scale that's less than half the size of the medical office building that was built on the 9W side of the campus. In the building on the ground floor is lab, radiation, oncology center, we're joint venturing with excellent radiation oncologists who have been in the New York metro area for many years. Second floor will be chemotherapy infusion center. As far as for chemotherapy patients, they will have the shops for wigs and other things people need as well as combining other services with Mt. Sinai bringing clinical research state of the art trials that people would have to go into the city for to Memorial Sloan Kettering to bring those into the community. And that's what we're proposing to go into this center with so that the general public can provide the general services that are needed for cancer care in our community. I will have Tim Coughlin, our architect, go through the details of the building that we're proposing. We're very sensitive to the fact that we're proposing this building on the Laurel and Elm side of the campus and we need to be very respectful of the historic nature of the front of the building which is built in 1930's and we're very respectful of what that looks like, that's something we have spent a lot of time and a lot of changes cause we've been very particular what we want it to look like so it blends in with the current front of the building. Are there any question about what we're proposing to do? As far as programatically Tim will get into what the building looks like and the impacts on the site.

MR. BRODMERKEL: Is this similar to the same day

surgery center in that it's privately owned or part of the property?

MR. ROSS: The building is as it's proposed right now and we're still working through those details which will be part of the hospital so your question is will it be ratable or not and I can't tell you right now that it will be, the medical office building I knew when I stood in front of you that it was a for profit venture from a separate developer but the hospital may end up building this. At this point in time we're looking at the hospital may be the one who's building it, we're looking at a variety of options. I don't want to tell you it is and it won't be, we're unsure at this point in time, I can go through the building where it's cited and I have some site plans and some elevations.

MR. COUGHLIN: What we tried to do is to start off with kind of Googled the site which was taken when the medical office building was under construction, this is 9W Laurel Avenue right here and Elm Street as it comes in and now it's modified with the corner as well. But overall there's a large expanse of grass down here at the bottom of the parking and then the existing building here with a boiler house addition that was over here, the medical office building emergency department and things which are back in this area. Where we're proposing the building right now is actually fronting it right back in this area right here, after a lot of study we looked at the original master plan it was done about four or five years ago had the cancer building actually over in this location over here that same master plan had the medical office building over in this area. We studied a variety of different locations of where it could possibly fit and this seemed to be the one that had the best location as far as not disturbing some of the main view and also being attentive to those comments that came up when the medical office building was there. We were actually

the engineers for that so we had a lot of knowledge of some of the concerns about traffic in and out, the neighbors over this way as well as again the Quaker Meeting House on this side. Needing to attach the building to the hospital for clinical reasons we actually have proposed I'm going to put this up kind of at the same time. Can everybody see that? This being the front of the original building to here, it was the addition on this side as well as the boiler house, you can see the building has been pushed as far back as we can. Right now, the building is 18,019 square feet with about 9,800 square foot first floor, all right, which is right here. We're proposing again there's one radiation oncology vault that's being proposed to be constructed now with an area designated for a future one.

MR. BRODMERKEL: Can you define the term vault?

MR. COUGHLIN: A vault, concrete structure to enclose the radiation put out by the machine, it's about three foot six inches of concrete all the way around including the ceiling. The elevations that you will see will show it as a one story portion of the building because the heights are different on that so we'd separate it off and leave room for future second vault. Most facilities for radiation oncology do have, do start off with one but as volumes pick up they actually most of them do find it economically feasible to put the second vault in. So we wanted to make sure right from the start that we did plan for that, all right, so that area would be right in here tucked behind the building so that any future construction would really be not noticed by the majority of the public in the back here. We're looking at taking the parking lot that currently comes through this parking lot, exist it stops right here and right here on this side we're looking at siting the building so we can put a dropoff right at the front entryway for both buildings and then adding the parking that's required by this building

which is 91 parking spaces as well as the relocated spaces of 43 between these spaces on the end and the 38 that are up here and relocate them down with an additional parking lot taking up the majority of the green space. When we came to originally come before the workshop we were investigating at the time whether or not to go with an open water storm water retention system and at the time I think we even spoke that we were going to do that. We have since in discussion with the hospital decided that we would continue on with the same underground chamber system that was installed in this area in this parking when the medical office building came in, so instead of having an open pond as everybody was saying you're putting a pond in my front yard we wanted to see further discussion with the chamber system to minimize any kind of disruption to the green space down here. The building is put on the upper level here, it's, again, there's quite a dropoff, about six or eight feet in this area right here, putting it all up here will require a slight relocation of the road but this road currently comes straight through this way but it does at this point curve back out to this so we're continuing this straight up minimizing any affect at all on the tree line or anything regarding the property line adjacent to the Quaker House on that side. We're not planning any new curb cuts onto Laurel or Elm, as you notice, there is none, we believe that the current ones can handle it with ease, we have looked at the radius for fire department access, we know we're altering it slightly that, right now, they can come up and access around this way but we have looked at it from a standpoint of access all the way around the building and we think we have minimized any impact at all on that.

MR. NOVESKY: Is that a sidewalk down there?

MR. COUGHLIN: Right, this is the existing sidewalk. The elevations that we've worked very hard on on the

elevation we both got a photo sim remodeled up the entire front of the hospital, I believe these same pieces were also given but we modeled up the original one and felt that we still wanted to give you a little bit better definition with a photo sim so we did try and overlay the building on to it. We have complimented the existing building and the intent was never to recreate a 1930's hospital with this but to compliment to make it look like it's been there for a long time. Some of the elements that we have used on here we have a porch similar to the front of the hospital with railings, with an outdoor area right outside the waiting room that people who are receiving treatment or family members that are waiting can come outside and enjoy the weather when it's not too hot or snowing, I guess we'll say. The roof color was chosen to compliment the existing copper roof, we originally had a copper roof shown on there but the copper roof that we put on the back of the hospital did not patina, it actually went black and we were originally going to use a copper roof. Right now, we're thinking to make sure that the color will match we're going to call off a metal roof on there that will be painted with a custom color to match the patina of the roof, the existing hospital roof so that's why we've shown it in green previous ones we had were shown in brown though still again the intent was always to use copper and this we figured we better make sure that the colors will match. We've got wood trim around similar to what's on the building, we've got square wood columns similar to what's on the existing hospital. We have keystones above the windows with the same muttons, we're not going to call them the exact windows that were there from the 1930's, the wooden ones the hospital has been replacing them so we're capturing the same look of the existing hospital. We have, there's a link that does come, this building is about 4, actually 5 1/2 feet below the finished floor of the existing hospital, there's going to be an elevator in here, the link will come across, go into an elevator that will

make up the difference between the finished floor here not to raise this building up anymore than we need to.

MR. BRODMERKEL: So that link is going to be like mid floor?

MR. COUGHLIN: Just about mid floor, about 5 1/2 feet or so, so if you look at why these windows over here are a little bit taller they actually are the same height as the windows that are in the existing hospital but they look a little different than what's being proposed down here. The brick color would be chosen. Right now, we've got two different brick manufacturers that have been by the hospital a number of times trying to get us a color and texture sample of brick that will match as close as possible to the existing part of the hospital, not any of the additions, not what's happening in the back but again the intent here is to compliment the building, not to recreate it but to actually pull in again a lot of the same piece or vernacular that's on the existing hospital. We did raise the center section up just a little bit to draw a little bit of attention to it both from the lower parking lots as you're looking up as well as the front, we've put a parapet on the building right now to hide, we expect at the moment right now exhaust fans on the roof, so we've put in a three foot parapet up there which does cover those and if anything, if any other mechanical systems do end up on the roof we'll do a visual analysis sight line visual analysis from here and be able to show that but again with this part of the site being so much lower than the top the sight lines are really going to be hiding quite a bit of whatever is on the roof back here. I think that's about all at this point.

MR. NOVESKY: Did you have somebody else presenting?

MR. COUGHLIN: No.

MR. NOVESKY: Do you have any questions?

MRS. DEANS: You sort of explained why you have a flat roof, you're going to put equipment on the top but I don't think it really compliments the existing building, it looks to me like somebody just sliced the top of it off, the porches and the canopies sort of look like an afterthought to me, I'd rather not see them there at all but that's my opinion. I'm not an architect and I don't know.

MR. COUGHLIN: This area right here is over a waiting room behind this say sky light that will flood the area with the light. One of the things with cancer patients they try to get as much natural light in as possible so the angle actually where this piece actually is the second floor actually continues on at this type level coming across so actually that's the waiting room with again to try to get as much natural light is why that area has the flat roof. We did look at putting up various styles, we modeled it up a little bit with sloping roofs on it and our thought on it was that actually it was actually drawing more attention to things and away from this of the building making this a little bit more neutral keeping as much of this piece right here visible as we could by keeping the building lower pushing the building back again the one thing that this building is hiding is the one story boiler house that's in the back.

MR. ROSS: It hides the boiler house, hides the oxygen, hides the generator in the back, hides the chillers in the back so all the mechanical stuff gets hidden from the front of the building.

MR. COUGHLIN: We did look at it with sloping roofs but again the thought was keep it low, keep the focus on this part of the hospital, stay away from that as much as we could.

MRS. DEANS: It still bothers me a flat cut off look but that's my opinion, you have other people.

MR. GRABE: I feel the same way as Jane feels that they have it with the picture, I didn't like the color of the brick.

MR. COUGHLIN: You know it's hard, it will match as close as we can with the color and the texture of the existing building, that's absolutely our intent.

MR. GRABE: It might change my view on it.

MR. COUGHLIN: Yes, the colors are very difficult to make as realistic as possible, especially when we did the photo sim it does look a little strange, it does.

MR. GRABE: You better believe it looks strange.

MR. COUGHLIN: It does but that's our intent, actually, if we have to come back before you we have no trouble at all with bringing back samples of the brick, we had a couple go by, we weren't satisfied with them went out to a different person and said what can you get that's close, again, the colors that you have the brick manufacturing process has changed between the 1930's and now.

MR. GRABE: Very familiar with that.

MR. COUGHLIN: So it's going to be our intention to match it.

MR. GRABE: Very family with that, I don't like it.

MR. GOLD: My first question is where on your drawings is the Quaker Meeting House? I'd like to see it included there so we can see the relative distances, I'd like to see where it's going to look like from the Quaker Meeting House to the back of this thing. I also

agree I don't like the fact that you've got a flat roof next to the building on this beautiful peak roof.

MR. ROSS: Regarding the Quaker Meeting House this thing is pushed up against the hospital and is relatively small, I'm curious as to why 2 five story buildings are directly across the street and were approved and yet this is a low two story building.

MR. GOLD: You're presuming it's going to be approved. I'd like to see what it's going to look like when the people in the Quaker Meeting House are going to see this building is right next door to the Quaker Meeting House.

MR. COUGHLIN: I was going to say today you go out there and I don't want to vouch for it all, for the winter if you go out there right now you can't even see the Quaker Meeting House from this hedge row and tree line is extremely thick, you could stand here and look out and not see that at all. And I would suggest if you do during the winter again I don't want to say there's a mixture of deciduous and pine trees but you cannot see it but we'll still come back with a back look, our intention right now brick around the building.

MR. GOLD: I understand that, I'm interested in knowing what it's going to look like. We made other developers float balloons while we looked up from a creek, I don't think this is an unreasonable request. Thank you.

MR. HAZIRJIAN: Is anything going to be done to the existing hospital to help match?

MR. BRODMERKEL: One of the pictures makes us think it's going to be modified.

MR. ROSS: No, the hospital itself, the exterior will not be other than it's going to connect into the

hospital it's where the gift shop is now.

MR. HAZIRJIAN: Because this one picture looks as though you're adding both.

MR. BRODMERKEL: Bottom left.

MR. HAZIRJIAN: Look, you're adding to the building, are you?

MR. COUGHLIN: No, the only thing we're adding is the link that's actually the porch.

MR. HAZIRJIAN: So there's no change intended at all for the existing building?

MR. COUGHLIN: None at all.

MR. HAZIRJIAN: This rendering is accurate?

MR. ROSS: The scale.

MR. HAZIRJIAN: No, is the existing rendering of the existing hospital accurate?

MR. COUGHLIN: Yeah, if you look at the picture over here this is the photo over here, the difference, the true difference between the photo and the rendering was the fact of when this was taken the porch, the second floor porch enclosure was not done, so if you do look in this area right here you'll see what at the time was still an open porch and that has since been new windows have been installed all the way across there's a porch enclosure that we did, actually did put in.

MR. BRODMERKEL: The porch is being enclosed?

MR. COUGHLIN: It was in a previous project it is now.

MR. BRODMERKEL: Cause that's what makes things look so

different, porch and the fences are white.

MR. COUGHLIN: It's kind of funny, we modeled up this and then we thought that we needed to have it in context with the building as we were showing everything like this, so we went ahead and modeled up the entire building, we have the original 1930's drawings so we actually imputed it all and then in talking again and this was more internal with our team who was here during the MOB, Norm Gardener was just insistent that you would be interested in a photo sim which again was difficult with the colors but yet if you look we tried, this was all done to scale with the modeling.

MR. HAZIRJIAN: It might be helpful in the future to have a better photograph of the existing so we can compare to what you're doing cause it's really tough to look at what you've given us and get a sense of the two. I really assumed you were going to do some work to the facade of the existing building so it would match so since you're not, it's now even more important to understand what you're doing with the new building so it feels like it matches the old.

MR. BRODMERKEL: Or you may have already done it.

MR. COUGHLIN: Well, again, we've tried to do it with the colors and again some of the details around and I say some of the details, again, it wasn't our intent nor the hospital's intent to.

MR. HAZIRJIAN: I understand. My other comment is I frankly think that the flat roof and the scale of that building works because had you more roof exposed it would, the weight of it would compete with the existing building so I appreciate that and I think it's a good idea, I don't like flat roof buildings either but this is an added structure obviously I'm okay with that I guess what I'm feeling though is you may like it or not need or a way to match the old with the new by changing

some of the old and I don't know what that is but I don't know whether it's railing, window, something because you can't build now cause they don't make the parts anymore, it's a different thing and I'm just suggesting that's something to think about and not that of course you'd spend more money but there's maybe there's a way around it.

MR. COUGHLIN: That's a good point.

MR. HAZIRJIAN: Right now whether it's railings or something that feelings like it belongs on the same planet would be nice and I think obviously the connector is important, the solution for that elevator is I'm sure it saves money and it works, it's not how do you see the function of the old with the new? Who's walking between, doctors or patients or--

MR. ROSS: Probably mostly it will be patients, what we have in the main hospital building today is our imaging so all of other x-rays, CT, laboratory services we're redoing the cafeteria on this campus, we're in design right now so all the food services that would be available to the cancer, treatment center would be on the ground floor of the hospital so it's that type of, we don't see it being heavy but there will be some.

MR. HAZIRJIAN: So there's not, there will be a short set of steps and an elevator to get through that?

MR. COUGHLIN: Correct, yeah, there's a stair tower right here and the stair tower is set up that you can come down a half flight or less than a half flight of stairs or you can take the elevator up and go out the back door of the elevator to go on the linkup again obviously to the second floor.

MR. HAZIRJIAN: All the machines that you're hiding is that noise going to affect the rooms and the folks in that new building in any way? Is that, is there any

consideration to triple pane glass or something that makes that or--

MR. ROSS: They're not noisy, plus they're in three foot concrete bunkers, they're not heard.

MR. HAZIRJIAN: The pedestrian movement within the campus especially in the parking areas between the parking areas and from the parking areas to the downtown which is through those shopping centers and all that I think that all of those need to be connected in many ways, not just a single walk when you go, when you leave the hospital and your intention is to go to the CVS drugstore or that shopping center across the way you walk through the parking lots, it's just, that's what you do.

MR. COUGHLIN: So maybe a connection.

MR. HAZIRJIAN: Not just one and I know that by experience just what you do so I would certainly look at connecting them, the one that exists now from the upper parking lot to the lower one happens to be when it rains a river all the water goes there.

MR. COUGHLIN: Up this way we're going to change that.

MR. HAZIRJIAN: But that's a consideration but I mean unfortunately or fortunately you're in your car, you pick stuff up, you go to the hospital, you go back and then you may want to go to CVS or get something or go to get something to eat whatever it may be, all of that is practical, people, that's what people do, so I think you'd want to connect all of that in some smart way.

MR. COUGHLIN: All the more reason for not having the open landscape storm water management system pond.

MR. HAZIRJIAN: It's great cause then you don't have that. I suppose we'll see more detail as this thing

progresses in terms of what these plantings are and what's left of the great lawn.

MR. COUGHLIN: Yes.

MR. HAZIRJIAN: Because that that looks like--

MR. COUGHLIN: We can submit a landscape plan, we're not yet but we can. Yes, the intention right now is again a garden area over this way right outside of the waiting area in here as well as if anything is needed across here if the planning board so dictates to make sure that they're, that it's screened properly or whatever. And also, just a little bit down in here what we've got is this parking lot will be draining off this way so we'll have some areas of small rip-rap that we're going to want to screen so that area will definitely we can come back and show you something.

MR. HAZIRJIAN: Mitigate all the steel, all the cars sitting there.

MR. COUGHLIN: Correct.

MR. HAZIRJIAN: I know you're looking uphill.

MR. COUGHLIN: We certainly can put in something across here if it's something that you so desire to screen some of that.

MR. HAZIRJIAN: I think you want to cause that's a lot of cars, you know, and you want to look at the building, not the cars. One last thing I wanted to say I think this turnaround and what you do up here is very smart that visually looks good but I think it works functionally.

MR. COUGHLIN: Thank you.

MR. BRODMERKEL: I agree with Deke's concern or request

that we have a connection down to Elm Street or pedestrian traffic. And the second question and I would ask you and our engineer possible entry to the parking area from Elm would that be a good thing? To my mind it would be but I don't know. Might be easier for some of the traffic to go on Laurel and might be a way to accomplish something. Just a question. Also what's the setback from that building to the property line? I can't, I don't see it on here.

MR. COUGHLIN: This over here I believe it was I believe it's 70 something feet back here and 285 feet, we may not have--I remember talking about it 75 or 80 feet, it's in that range but we'll make sure it's on there.

MR. BRODMERKEL: That would have been my guess but I wasn't sure where the property line is.

MR. COUGHLIN: We also on the plans I do want to, there was an error, we did not change the number of parking spots on there, it was in the area of 468 as the total number of parking spots on campus which is in general compliance with what we feel the code requires for again this building and the entire campus it's in addition to what was there.

MR. BRODMERKEL: Last question there's an item shown on the left-hand extreme edge it looks to be a fence something there not in the parking right on the property line there's something right there, I have no idea what that is.

MR. COUGHLIN: That could be the stone wall that exists there now.

MR. BRODMERKEL: It's drawn like a fence, I don't know that there's one there.

MR. ROSS: We're not, there's an existing stone wall

that's on the property line.

MR. BRODMERKEL: They're not usually drawn that way so I'm wondering what it might be.

MR. COUGHLIN: We're going to fire our engineers right now.

MR. BRODMERKEL: I would say that knowing the difficulty of what you're trying to achieve as far as architecturally and in deference to Jean's good taste I find this to be acceptable to me. The one thing I might suggest you do on a couple of the corners is try to match the corner brick work that's currently on the building that might really bring it together aesthetically, there's a distinct look to the corners of the building if you match, match that and a few corners it will really say hello, I'm part of the building.

MS. DOTSON: The coins.

MR. COUGHLIN: It's been interesting, we've had this up in our office and we've gone, there's been a lot of discussion, this is really an interesting project to do, it really is, and the, that was part of whether we do that or not the coins.

MS. DOTSON: I can almost see maybe just because with the scale of the building.

MR. COUGHLIN: Maybe we can explore something in a limited sense in the center, again, we did try to tie in more things over in the link but we'll go and look at it again.

MR. BRODMERKEL: It's just a look at that main building that might link it even more.

MR. NOVESKY: I want to compliment you, I think it's

time to have a cancer center in the area, it's a very, very good idea. I think it brings eastern Orange County in the 21st century, actually in the 20th century but I'm curious on the parking lot entrance on Laurel Avenue, I'm sure Mark will go into that in great detail but seems to me that it reminds me of the Westchester Medical Center cardiologist's office where you have one entrance and you have cars going all over the place one way in, one way out and there's only one way into the bottom parking lot, it just seems to me that the drivers that I've seen will have a really difficult time negotiating that thanking but that's for future, it's not something to be terribly concerned about. I'm sure the expertise provided by Mr. Edsall and Leslie will help you work out the details of that. Deke's point about the landscaping is a great point and Kenn's point about the possibility of an alternative entrance or exit into the parking lot you guys can work that out, doesn't mean it's necessary but just I have real concerns about the flow in that parking lot. Landscaping of course I have the question about the deed restrictions, the Stillman deed, again, this is not something you have to answer right now but I've heard rumor of a deed restriction that said that there had to be maintained as landscaped or as front yard or some sort of--

MR. BRODMERKEL: For evergreen front lawn.

MR. ROSS: We have reviewed the deed and the Stillman trust actually re-reviewed it many times, especially during the merger, talks backs in January of 2002, we'll review it just to make sure legally that we're not upsetting.

MR. CORDISCO: On the next submission if you can provide us with some analysis to that effect that would be very helpful.

MR. NOVESKY: Just strictly public relations, I just

I'm staring at this rendering and I note that the flag's at half staff behind the new building and it just drives me nuts, can you put that flag in full?

MR. COUGHLIN: We'll take care of it.

MR. ROSS: So noted.

MR. HAZIRJIAN: What's the next step?

MR. ROSS: I just wanted to make sure I understood if you don't mind me feeding back so I understand what the questions are, I noticed some questions about the roof line, I'll allow this committee to figure out what they want, you like to see the brick color, we agree with you and we'll get samples of the brick and bring that up.

MR. COUGHLIN: We can get you a sample of roofing too if we can have a custom color generated and made up as a sample we'll try to get that for you as well.

MR. ROSS: We'll get a view from the Quaker Meeting House so there's an understanding of where it sits next to this and we'll update the photo sim so we have a current for the hospital, the sidewalk through the parking we agree this is a great idea, we need to look at that, make sure, traffic especially with the development across the street there will be more coming across landscape plan, we need to note the setbacks on the drawings, we'll look at corner brick, the coins, look at that item. I think your point's excellent that it's not a choke point at that entry and exit so we'll take a look and we'll get our legal opinion of the Stillman trust and submit it to you so we can make sure. I think that covers that.

MR. NOVESKY: I'll defer to our consultants.

MS. DOTSON: Before we get into the next step I'd want

to second Deke's comment, I do, I think it's important to provide for identifying where the major directions of pedestrian traffic would be so that you can really, cause that's something that's very important. Deke's also right that people will go where they're going to go, so people will beat a path and you'll find yourself having to maintain it so you might as well identify it.

MR. ROSS: We can do what colleges do, don't put sidewalks until after the semester was over.

MS. DOTSON: I used to have to walk through the Harvard campus to get to my high school and there was a quadrangle I had to walk through, the gate was midway across, they had sidewalks all around the outside, everyone beat a path across the center in a diagonal to get to the gate, so they finally dummed up and paved the diagonal, so it was clear everybody was going to use that, it does make sense given the fact that the building across the street isn't open yet.

MR. ROSS: We want all of them to use our services so we want to make it accessible.

MS. DOTSON: The next step is I think because this would be a Type I action the next thing would be for the planning board to seek, to declare lead agency so I'd suggest that you direct your consultants to circulate on your behalf.

MR. NOVESKY: I think we should immediately do that. Take a motion for that.

MR. BRODMERKEL: So moved, make a motion we declare lead agency.

MRS. DEANS: Second it.

ROLL CALL

MRS. DEANS AYE
MR. GRABE AYE
MR. HAZIRJIAN AYE
MR. GOLD AYE
MR. BRODMERKEL AYE
MR. NOVESKY AYE

MS. DOTSON: A lot of my comments are technical, I think you're aware of some of them. I don't think there's any point in repeating some of them, certainly the plans do contain some issues and questions. The one thing I'd want to pick up on I was thinking about saying something about the coins, I think what you're wrestling with is the question of weight and balance because this is a smaller building, sometimes if you repeat the same elements at the same scale it's overpowering. There are some new buildings in Goshen that were designed to fill in and but look like they were traditional and some of the elements are a little bit too large, so you have to be careful not to overpower so it may be useful if you come in with a couple of options so people can look at them and see what you consider. That's why I was asking about the windows cause I wasn't sure about the ribbons, sometimes what happens when you're looking at a certain element with the size and the spacing if you're looking at it from a different angle it looks different.

MR. COUGHLIN: And there are angles to the building, this is at an angle compared to these other pieces when you look at it so this is a very angular building.

MS. DOTSON: Well, yeah, that was one of the problems that I had with it is that I'm not keen on all the little angles and the juts, juts in the front of that, I realize now where some of your elements are coming from, I'm still wondering whether you can accommodate the functions and still have a more squared off front because I think that it's really going to be very eye catching but not in a good way so that was my only

concern about that, if you can accommodate the same interior elements without having them stick out on the south side. I was also concerned in terms of the future expansion area for the exterior brick, I don't know if there's any consideration of whether you'd acquire materials at the same time, I know that you can have a really devil of a time mixing.

MR. COUGHLIN: Match the existing brick on the back, yes, we have been.

MR. NOVESKY: If I might interrupt, I think what you'd like to do is get an understanding of what the next step would be because of lot of these issues can be addressed at work session. So move to the stage when we know what the Planning Board's action would be.

MS. DOTSON: That's all we can do which is seek lead agency, circulate, that will be a 30 day time period so you won't be able to do anything as of next month just because, you won't be able to because you won't have 30 days.

MR. CORDISCO: That's okay because the plans are going to have to be revised, they need to be referred to the County Planning Department but because they have to be revised and we know that they're going to be revised they shouldn't be referred at this point, they should not be referred probably until they're ready for public hearing, so that you're not sending County Planning Department something that's going to be fleshed out or changed later and have to go again. So I don't think that even at the July meeting that there's really anything that the board could do without having revised plans.

MR. NOVESKY: Okay, thank you. Any other comments?

MR. EDSALL: I won't go through all of them but there's a couple items that I believe the board should give an

opinion on relative to some suggestions I had so that the applicant can have some direction. For the future expansion area I know Leslie's concerned about matching brick construction issue, if you're going to build it I would rather have you just show it as Phase 2 so it's a real approval so you don't have to come back to get it approved, that way the building inspector knows full well that he's, that these may come in separately or may in fact if you find it appropriate to build a shell initially but future is a terrible word, does it mean they come back for approval or not, just show it as Phase 2. Couple items on the front parking, they meet the requirements for handicapped parking for the 339 spaces out in front. My only concern is about 90 percent of the parking spaces are at a lower level and given the type of use, given the fact that some people come here, may have mobility problems, I think now is the time to bite the bullet and have some type of ramp access between at least middle parking area and the upper lot, not necessarily the bottom line, you have a couple steps there but some way of blending this now because it's going to be a devil to do later and I think this, a lot of people who are not necessarily parking in the handicapped spaces would be benefited 90 percent of the spaces are going to be at a different elevation, it should be addressed now. The other issue which they have indicated that they have considered and I'm just going to follow up is the issue of the turning radius for emergency vehicles up in the front which will be 180 degree turn now in front of the cancer treatment center that as I know being in the Cornwall Fire Department that's the response location for the ladder, that's the worst vehicle to try and make a 180 degree turn with, so I just need to get the templates for that to make sure if we have to modify the center island for the trailing wheels so it can make it around the corner so be it but I'll work with you on that. And I also contacted the fire chief to see if he has any input on his pre-planned response to see if there's any issues he has. I anticipate whatever concern

solvable so it's obviously an important issue for the hospital and for us. The rest of the comments I'll leave in printed form and they're straightforward.

MR. NOVESKY: Thank you, Mark.

MR. BRODMERKEL: The land next to the hospital behind the Quaker Meeting House.

MR. ROSS: The cemetery?

MR. BRODMERKEL: Thank you, that was the question what is it, is that the cemetery or not?

MR. ROSS: We asked them.

MR. COUGHLIN: They were not previous clients of the hospital that we're aware of.

MR. ROSS: Question for you. The issue with the ZBA when we get forwarded and it, I know it might impact that you're changing the zoning based on the change from the master plan, where does that ZBA fit into our process?

MS. DOTSON: Well, actually, if you're coming in as the medical and dental clinic for outpatient care that's Use Group D that's a permitted use, we did discuss this somewhat previously, I think it's probably appropriate to have this on the record, Dominic feels that that's an appropriate use, he and I have worked with the code, don't find there is any prohibition against having two different uses on the same site so therefore it does not appear that that's a problem. I think there's still reason to support Local #1 of 2007 because it provides a multitude of benefits. I just personally feel more comfortable with the idea of having hospital considered still as a conforming use in the district, that's my own issue and that's something that should have been there that was intended to have been there

but that doesn't affect you and the ZBA as of right now it doesn't appear that you need the ZBA.

MR. ROSS: So not a referral here from here to the ZBA?

MR. CORDISCO: It's going to depend on your revised plans but it doesn't appear so at this time.

MR. COUGHLIN: Right, we're within the parking, the setbacks at lot usage.

MR. EDSALL: Well, the parking, one of my comments there's no parking calculation on the plans and this plan is kind of a partial site plan partial amendment because it is as I understand it all on the property the only item that really needs to be considered on a total basis is the parking calculation, clearly there really is a front and back to this site, they're connected but they operate almost independently from a vehicle standpoint, but from a parking calculation standpoint they need to give us a total calculation.

MR. COUGHLIN: Okay.

MR. CORDISCO: That's why I said that.

MR. COUGHLIN: We have done a parking study on traffic and a parking study which we can submit as well to you for any impact on the local roads, we did do that with John Collins Engineers so we'd been happy to submit that as part of our next information to you.

MR. NOVESKY: Okay, thank you very much.

DISCUSSION_-_BUTTERHILL_DAY_SCHOOL

MR. EDSALL: Butterhill Day School, 265 Main Street former Davino Restaurant application 06-02, the applicant had some open items as part of their C of O and Gary has very graciously resolved four of the items being the vinyl black fence being installed that there are various pieces of play equipment all that I don't think we really restricted them to what types but more that they were providing adequate outdoor playing. We finished that up, I think they have more than what was required, the front door sign is installed giving directions to drop off, lease agreement is on file, two open items, the playground, planning board required that the fill material underneath the play equipment be that rubberized mulch, they didn't use rubberized mulch, they used kind of a standard mulch. Now I don't know that it, I think it makes more of a difference to the insurance company than it does to us but the question becomes do we want to mandate the rubberized material or basically tell her put her on notice that that's an insurance issue and it's your liability, it's your responsibility or do we want to mandate the type which then crosses the path we're starting to dictate it, the rubberized material and if that causes a problem we're in a liability situation as well.

MRS. DEANS: She should know that, she's in the insurance business.

MR. EDSALL: Leave it to her to make the safer site.

MR. NOVESKY: What do you think, Mr. Attorney?

MR. CORDISCO: It's not uncommon for materials to be substituted. This wasn't a condition of the approval in no way, shape or form but it was on the plan and I think at this point it's really discretionary up to the board and I think what's being asked here is to give the building inspector some guidance as to whether or

not this is an issue that should be corrected.

MR. VINSON: I just don't know what to do, she's requesting her C.O. and it's not what's on the site plan.

MR. EDSALL: My suggestion is that we should put something in writing from a liability standpoint and put her on notice that the board leaves her the flexibility to provide a material that's safe and in conformance with current standards and her insurance that way we're not telling her what to use.

MR. NOVESKY: Very reasonable. Should we put that in the form of a motion?

MR. EDSALL: No, it's in the minutes. Second item that Gary points out is that we had originally required on Torey that a small sign be put at the driveway so people who are trying to find where they're going know that that back drive serves the day school. She didn't put the sign on the, at the driveway, apparently there's something mounted to the fence and there's something on the building, we haven't gotten any complaints the people can't find it, so I don't think it's an issue but we just wanted to let you know that things seem to be working without the sign so unless you want it we'll just say it's okay.

MR. BRODMERKEL: How do we approach that?

MR. EDSALL: It could be a field change that what we thought was necessary to give.

MR. BRODMERKEL: We're authorizing the field change.

MR. EDSALL: Authorize that it's not a necessity if she wants to.

MR. HAZIRJIAN: We asked for one, she's got two.

MR. EDSALL: No, she has them on the building, we were doing so you can get into the driveway at this point if you're there you're there but it's working so if she wants to put it up, fine, if she doesn't, as long as people are getting there, who cares. That's the approach we're suggesting.

MR. BRODMERKEL: Should we make a motion that we accept the signage as it is and allow the field change?

MR. EDSALL: Could you?

MR. CORDISCO: You could, it's not necessary unless the board has any suggestions, it's little bit less formal than making a motion because it's not a site plan amendment, this is really just acknowledging the fact that there's been a field change.

MR. EDSALL: We'll accept no objection for the record.

MR. BRODMERKEL: So acknowledged.

MR. EDSALL: Work with the attorney or get her a letter.

MR. NOVESKY: Well said, Mark.

DISCUSSION_-_SIDEWALKS

MR. BRODMERKEL: I was upstairs a little while ago talking to the Town Board regarding sidewalks and went over things with them, if those of you who are here and we approved the original same day center in the back of the hospital we had wanted a pedestrian access from the front of the hospital to the intersection of Elm and Quaker, it got changed at the last minute Mark made the point to me that we weren't specific enough in what we were requesting, I would give yourself caution to be more specific and ask your help in doing so.

MR. NOVESKY: Next time.

MR. BRODMERKEL: Next time. Now when we and we mentioned to them already what we're looking for--

MR. NOVESKY: Be explicit about the sidewalk.

MR. BRODMERKEL: The other thing I mentioned to the board was again the fact that we often are trying to get pedestrian access, put in sidewalks and things like that, some of the concerns that Supervisor Randazzo had was the expense of maybe taking same and my personal statement to him was sometimes we gotta spend some money and either that or if he wants to change the Town Law making the people that own the property responsible for maintaining.

MR. NOVESKY: Isn't that the Town Law now?

MR. VINSON: Neighboring towns they do.

MR. BRODMERKEL: This town right now the town's responsible for maintaining the ice and the stuff like that. So I suggested to them if they want to change that that's fine.

MRS. DEANS: On every sidewalk in town?

MR. NOVESKY: You don't have to shovel your sidewalk?

MR. EDSALL: No.

MR. GRABE: That's okay.

MR. NOVESKY: Who does it?

MR. EDSALL: Town has to.

MR. GRABE: I would have an objection to maintaining the sidewalk unless they want to replace the ones that need repair.

MR. BRODMERKEL: We're not talking maintenance, we're talking clearing.

MR. NOVESKY: You're serious in Cornwall if you don't shovel your sidewalk?

MR. EDSALL: Most municipalities require that a commercial property you're responsible for the sidewalk in front of your property and residential most municipalities take care of the residential, they're all maintained by the town.

MR. BRODMERKEL: Correct.

MR. NOVESKY: Your sidewalk is maintained by the town?

MR. EDSALL: I'm in the village.

MR. NOVESKY: That's right, councilman.

MR. BRODMERKEL: So what I had suggested to the board was either bite the bullet and get the equipment that they need to take care of it or change the Town Law, whichever they want to do and maybe should be in commercial districts they maintain the sidewalks and in

residential they don't or I don't know but I brought it to them that they need to do that. I asked that as we were discussing with yourself and the highway superintendent the intersection at Elm and Quaker has no crossing whatsoever, in fact, they're missing a piece of sidewalk to get from the sidewalk in the hospital.

MR. EDSALL: The hospital, the problem that happened it goes under the heading of no good deed should go unpunished, you were very nice and you allowed them to proceed on a discussion of the sidewalk but not formal plans that were reviewed and approved.

MR. NOVESKY: Shame on us.

MR. EDSALL: Live and learn.

MR. BRODMERKEL: Ain't gonna happen again. I also mentioned to the Town Board a little bit off of our jurisdiction but along the lines of crossings for general pedestrian and specifically getting into more are needed down on Main Street and that general area now the pattern that we have and are trying to project is that we're encouraging pedestrian traffic and requiring or helping people to think about putting in crosswalks and sidewalks and ask that they be understanding and that they back that thought pattern. I saw a lot of shaking of heads.

MR. HAZIRJIAN: Which direction?

MR. BRODMERKEL: Up and down in a positive way, I hope, but I did not get a commitment, I was in a bit of a hurry to get back down here at that point so I talked to them, they're all aware of what we're trying to accomplish, they're all aware of what we think is important. I also as a member of the Chamber of Commerce did mention the Chamber is also behind this and that there are a number of stores on Main Street

and in the area where my store is that are vacant and if we can do something to help commerce we need to do that and I think what we're thinking is linking the hospital with the commercial district is an important thing to be done, we have to start thinking about that because I assume we're all aware this across from the shopping center where I'm at on Quaker that side the opposite side of Quaker is now GC and at Laurel the opposite side of the hospital is now General Commercial, okay, so the plan seems to be from the town's point of view is to grow the commercial area, to grow the commercial area, let's start thinking about how we want to do it and keep it in our mind's eye that we do that, I'm trying to get to them to think along those lines.

MR. NOVESKY: You represented the planning board very well for the record. With that, we'll take a motion to adjourn.

MR. BRODMERKEL: So moved.

MR. HAZIRJIAN: Second it.

ROLL CALL

MRS. DEANS	AYE
MR. GRABE	AYE
MR. HAZIRJIAN	AYE
MR. GOLD	AYE
MR. BRODMERKEL	AYE
MR. NOVESKY	AYE

Respectfully Submitted by:

Frances Roth
Stenographer