

Town of Halfmoon Planning Board

January 24, 2011

Those present at the January 24, 2011 Planning Board meeting were:

Planning Board Members: Don Roberts – Vice Chairman
Rich Berkowitz
Marcel Nadeau
Tom Ruchlicki
John Higgins
John Ouimet

Senior Planner: Jeff Williams
Planner: Lindsay Zepko

Town Attorney: Lyn Murphy

Town Board Liaisons: Paul Hotaling
Walt Polak

CHA Representative: Mike Bianchino

Mr. Roberts opened the January 24, 2011 Planning Board Meeting at 7:02 pm. Mr. Roberts asked the Planning Board Members if they had reviewed the January 10, 2011 Planning Board Minutes. Mr. Nadeau made a motion to approve the January 10, 2011 Planning Board Minutes. Mr. Ruchlicki seconded. Motion carried.

Public Hearings:

10.106 PH Pipino/Vosburgh Subdivision, 127 Vosburgh Road – Minor Subdivision

Mr. Roberts opened the Public Hearing at 7:03 pm. Mr. Roberts asked if anyone would like to have the public notice read. No one responded. Mr. Duane Rabideau, of Gilbert VanGuilder Land Surveyor, PLLC, stated the following: I'm representing the Pipino Brothers, LLC in their request before the Board tonight to approve a 3-lot subdivision. The parcel is located on the north side of Vosburgh Road approximately 1,500 FT east of Smith Road. The parcel is 5.50-acres. The proposal is to create 3 lots; the front 2 lots are for proposed duplexes and the rear lot would be for a single-family house. Lot #1 would be approximately 1.3-acres, Lot #2 is approximately 1.2-acres and Lot #3, which is the rear lot, would be a little over 3-acres that has 20 FT of road frontage with an easement for ingress/egress and utilities through Lot #1. This easement was setup to put the driveway in the best location to minimize any tree cutting. The parcel is serviced by public water. Each of these lots would have on-site septic and basically they would all have standard systems. All the driveways for the house and the two duplexes will come out onto a common curb cut onto Vosburgh Road. We have delineated the wetlands on the north side of the road and they are under Federal jurisdiction and the wetlands across the road are under the New York State Department of Environmental Conservation (NYSDEC) jurisdiction. In order to get the proper sight distance, we are going to have a clearing easement through Lot #1 to get the proper sight distance that meets all the requirements. Mr. Roberts asked if

anyone from the public wished to speak. Ms. Beverly Zagorski, 123 Vosburgh Road, stated the following: This property borders the west side of my property. There are several concerns that I have. There is a manmade pond in the back and I don't know what your plans are for that but I certainly don't want it to impact my property when you decide to get rid of it. I am concerned with the fact that I have been there for over 25 years and the family itself for 45 years and it makes me a little nervous that there's not going to be any room for the wildlife; i.e. deer, turkeys, foxes and so forth. Did you say the rear parcel would be a single-family home? Mr. Rabideau stated that is correct. Ms. Zagorski stated because I would really hate to give up my privacy because I have been there forever; it's quiet and I don't understand if it's going to be noisy or whatever and I'm very concerned about that. Mr. Rabideau stated the following: There is a pond in the rear and there is a wetland area there and nothing is going to be done to that because they are under Federal jurisdiction. The rear lot is a little over 3-acres and it is definitely private back there and granted you have been back there alone but times do move on. Mr. Nadeau asked Mr. Rabideau if the parcel in the rear would affect the pond? Mr. Rabideau stated no. This whole subdivision was setup so that there are no wetland impacts; including ponds and the wetlands. Mr. Brendan Lyons, 139 Vosburgh Road, stated the following: My neighbor, Mr. David Hofheinz, of 137 Vosburgh Road, couldn't be here tonight so I would like to submit a letter on his behalf to the Board: *Mr. Lyons read Mr. Hofheinz letter for the record: - (see attached – Exhibit "A") -*

Exhibit "A"

Untitled

To the Town of Halfmoon:

My name is Dave Hofheinz, I live at 137 Vosburgh Rd. Mechanicville N.Y. 12118. for the past 20 years.

I have a subpump that runs 365 days a year due to saturated ground and being that my house was built on wetlands and my house is on the lowest part of the area where they want to build.

Putting these 2 duplexes up, I believe they'll be pushing more water my way.

The house they want to put up in the back will also create another problem. Not only my privacy, but my well is back there and I'm not hooked up to the Town water. I use my well, which I believe that the 3 septic systems they want to put in and disruption of building the houses are gonna bring me more water problems and contamination problems.

For more of a wet basement that my subpump can handle and the contamination of my well. AGAIN, being on the lowest part of the land, water is going to be flowing.

Now the next problem I see... in our area, they are one family houses, by putting up duplexes on the side of me, it will bring down the value of my house.

I know other people around my house feel the same way and then some.

I want to let it be heard.

I hope the Town really considers and last but not least there's been a few deaths on Vosburgh Rd. where they want to build those duplexes because of high speed and visability.

and the bend of the road.

Sincerely yours,

Dave Hofheinz

(End – Exhibit "A")

Mr. Lyons further stated the following: We have lived in that area for 13 years and one question that I wanted to bring up is regarding the line of sight flag that was placed as you come out of that parcel and look to your right/look west there is a curve. Around that curve they placed the last flag in the front of my yard, which is where the line of sight will be to see where their driveway would be. I wasn't sure what the rules were because there is an evergreen in my neighbor's front yard that the line of sight would go through and I know that she has expressed interest in putting up a privacy fence out front for some of the road noise. I wasn't sure how that would disrupt the line of sight. That is just an issue that we wondered about whether if somebody is interested in putting a privacy fence now, before there is a building permit issued, what rights they would have as far as a disruption in the line of sight. This comes from just our experience living there for these many years and our neighbors and the contour of the land there so you can have an understanding of it; as you go west you run up to Smith Road and Smith Road is basically the crest of a hill and all the water from Smith Road flows downhill. In a major storm event it has been a problem and a few years ago the Town's Highway Department had put a pipe under the road to get water across Vosburgh Road because they recognized the problem. When there is a storm event, properties on the north side of Vosburgh Road water will come up into your yard. The water situation in that area is this; about 3 or 4 years ago we put a 400 SF addition on our house and the Town's Building Inspector approved the footings for us, which were concrete piers that were done according to code. This past year we had to have an engineer come in and we spent thousands to completely redo the foundation under an addition because the foundation failed. What was happening was that our roof was separating and the doors were so bad that our access door to the addition couldn't be locked in the wintertime and we had to literally put a sofa in front of it so that the kids wouldn't wander out. What he said was that the soil conditions in that area are severe in terms of a high water table, a very dense compact soil and he said that code in that area for the Town of Halfmoon is not sufficient. He said that there are two things at play; one is the dense soil that won't allow water through it, and more importantly is hydraulic pressure from a high water table. It can be in the middle of the summer, if you go down 3 or 4 FT, you come back in an hour and it will be filled with water. So, this Board may not be aware of it and I just wanted to raise that concern with you. Again, in addressing this, I want to say that we have spoke to Mr. Pipino briefly once, and my understanding is that his interest is to occupy the home in the back and to move his family there and I'm not here to oppose his idea to build a house to live there and we welcome that. On the issue of the duplexes; I have driven Vosburgh Road and looked at the houses and the nature of the road and how it's done and there are a few duplexes on Vosburgh Road but most of those are clustered over a mile away towards Stewart's near Sheldon Hills. From my understanding, there are a couple of other duplexes that were built more than 30 years ago but if you check the records within the last 10 or 15 years, the Town hasn't approved construction of duplexes, other than a single-family home or an owner-occupied home. It is a concern for some of us as we feel it will raise the issue with the property values and I think, unless I mistook him, the idea is for Mr. Pipino to build duplexes out front and then to manage those properties as rental units so that they wouldn't be sold as owner-occupied homes. That raises the issue that while the intention may be to live there for 30 or 40 years; what happens if circumstances change and he leaves for some reason? Then you have a situation with a single-family home in the back that may go up for sale and an owner who says "I don't want to share a driveway anymore with duplexes". So, what I'm wondering is what's to stop someone from putting a driveway in the flaglot stem eventually if they wanted to. On that issue I would like to make these statements for the record. As I understood it, the intent of a flaglot was to give otherwise landlocked properties a way to have road frontage for access and it seems that more and more developers are using this to build on land that is what we would say is "less desirable" for development. Coming in

under these shared driveway agreements, and I think the Town will admit, you have no way to enforce that. It's a private agreement and you did it with the Donati Subdivision up on Anthony Road. It may work but it can also be a problem if you have landowners who suddenly have disagreements or they don't like that somebody doesn't plow their driveway or their section of it. I note too that as you look at this 5.50-acre strip parcel, this Town and members of this Board have publicly stated that the most suitable land for development has been depleted. Now builders and others are trying to build on land that is not well suitable for construction. I have read meeting minutes and this Board has acknowledged it and recognized that you're getting to that point. I think it is very much arguable whether this lot, the way it is shaped, the location of it on that curve, whether this is really where you want to put two multi-unit duplexes fronting a road. I think that it would change the character of the neighborhood. One more extenuating factor is that we cannot ignore the fact that a few doors east of this proposal is a grandfathered heavy industry mining and trucking operation; the Luccarelli Company, and I think they have been there for 40 years or more. The Luccarelli's have also expanded their operation to the rear parcel and they have gotten bigger. So each day on this road, while it is a residential street, you have the added factor of loaded dump trucks that come and go all day up and down Vosburgh Road. On this turn, that you're looking at, is a 20 mph turn right there and the speed limit on Vosburgh Road is 40 mph and there is always a mixed bag on whether law enforcement believes that you can enforce a 20 mph speed limit. The reality is that you have a tremendous increase in traffic on Vosburgh Road because of Sheldon Hills and because of Toll Brothers. We get more traffic on this road and when you go down Vosburgh Road in the summertime, even though there is no shoulder and it's a fast road, you're going to see people pushing baby strollers, people walking dogs every day and sometimes you hold your breath. One day I was out front and the Luccarelli guys were on their way to somewhere to do work and they had a giant trailer on the back of vehicle and as they were going by our house the trailer separated from vehicle and went south toward the mobile home park and struck trees there and I remember thinking that was lucky because somebody could have been killed. Mr. Luccarelli is responsive when neighbors have complained to him about the speeding trucks. We're told that he takes it seriously; he tells his drivers he'll fire a driver but he can't stop them all. The fact is that you have to keep in mind that you're going to create a dangerous situation here with that road cut no matter what the engineering statistics or numbers will tell you about sight distance. We have had 2 cars in our front yard when cars come through that curve and they can't manage it. One was a rollover SUV into our front yard and the driver was fully ejected through the driver side door. Also, I don't understand the sewer district line for the Saratoga County Sewer District and they have adopted that line that it was brought out of the Vosburgh Mobile Home Park and I called them today and they indicated that new buildings could connect there and the standard fees are \$300 or so for pumps. My point is that when we bought our houses that were built 30 years ago, that's what they did back then. Now I know that as part of new development you want to encourage new development to hook up to sewer lines when they are close. This one is almost touching the corner of the property. So, it seems that with the septic systems in that area and we have to have ours pumped out a lot, that I would think that you would want to encourage that to make it part of the stipulation. Mr. Roberts stated the following: Mr. Lyons has raised some legitimate concerns. Regarding the duplexes, our current zoning allows single-family or duplexes in that zone and asked Mr. Lyons if he was aware of that. Mr. Lyons stated in other incidences the Board has discussed this and you have made comments about whether a multi-unit house would change the character of a neighborhood. That is a factor in the State Environmental Quality Review Act (SEQRA) and I think it is something that you must consider and you must talk about it and try to study whether or not it's right for this neighborhood. When you look at the empty nester houses that are being marketed in Arlington Heights and Sheldon Hills; I look at these a little differently because they are being looked at, as I understand it, as rental units that would be income producing rental property that's being dropped into

a middle of a neighborhood that is predominantly single-family owner-occupied homes. So, I hope that while the zoning code may allow it, I know that in the past members of this Board have examined that closely in other subdivisions and whether or not you felt comfortable and I think you have even made stipulations in some of your approvals where it was more a consent on the part of the owner that they keep that as an owner-occupied property with a pledge. I know that you cannot enforce that but it's just something to consider. When you look at this lot, is that really what the zoning intended for that much saturation and that many units to be dropped into a strip lot. I think it would be different if the layout of the lot were different, if the drainage pattern was better, if it wasn't on a curve and all those other factors that come into play. Mr. Roberts asked Mr. Bianchino to comment on the privacy fence issue with the sight distance. Mr. Bianchino stated the following: Generally, the Town ordinance has a provision in it for sight distance as it relates to corner lots and things like that. I haven't had any experience in that and I would defer that to the Building Department but I don't know what the Town policy has been regarding that issue. I think the question was if the neighbor wanted to put up a fence in the front yard that is a privacy fence but it affected the sight distance, would that be a problem with the neighbor and would it create a problem here. I would think any time something was done on a lot that created a potential issue with sight distance, I can think of several instances where shrubs were planted close to the right-of-way line but the shrubs over grew and created a sight distance problem at an intersection. I'm thinking of other municipalities and I don't know that not ever having that experience. Mr. Polak stated that there has been an instance on Sitterly Road where somebody put up a fence that created a sight distance issue and the town asked them to remove the fence and the person complied. Apparently there is a precedent that if there is an issue created by the installation of some improvements, that those ill affects are remediated. I would hope that with the neighbor knowing that there are curves and sight distance issues, before they go out and spend a lot of money that they would come to the Town's Building Department to make a determination as to what would be the appropriate location. I don't believe there are fence permits required. Mr. Roberts stated it is a good idea to have them check with the Town before they do anything because fencing is pretty costly and that could be a problem there. Mr. Nick Demos, 45 Cary Road, stated the following: I'm a civil engineer and I have been before the Board on other projects and I have been asked by the Neighborhood Association in the area to take a look at the plans and the documents that were submitted. After we F.O.I.L.'ed the information and I took a look at it, I do have a comment letter that I would like to submit to the Board for the record. (see attached – Exhibit "B" - 3 pgs.) -

Exhibit "B" page 1 of 3



Hudson River Valley Engineers, PLLC

45 Cary Road
Mechanicville, NY 12118

Phone: (518) 664-5354
Fax: (518) 664-5354

January 23, 2011
File no. 1103 Vosburgh

Halfmoon Neighborhood Assoc.
139 Vosburgh Road
Mechanicville, NY 12118

**Re: Preliminary Plan Transmittal; Subdivision Plan Review at 127 Vosburgh Road,
Town of Halfmoon, NY**

Dear HNA:

As requested by the Halfmoon Neighborhood Association (HNA), Hudson River Valley Engineers, PLLC (HRVE) has reviewed the documents provided and has the following comments:

COMMENTS TO SWPPP:

1. According to the General Permit, copy has been attached to the documents that HNA had FOIL'd from the town. Page 36, Table 2, bullet 5; *Multi-family residential developments that exceed 1-acre of soil disturbance require preparation of a SWPPP with post construction stormwater management practices.* If this were a single family residential subdivision than the cut off for post construction stormwater controls would have been 5-acres of disturbed soil.
2. SWPPP page 6 of 18, section 2.2 states that the plan was developed based on surveyed topographic information. However the survey map clearly states that no topography was done, contours are an overlay of USGS mapping, which is not adequate for development of an erosion and sediment control plan or for design of a driveway or septic system.
3. SWPPP page 6 of 18, section 2.3 fails to mention the DEC wetland across the street from this project.

Notice of Intent:

1. Item 17 states that 100-ft buffer to a DEC wetland will not be disturbed. Plans show that part of this buffer zone will be clear cut.
2. See item 1 above. NOI should include post construction stormwater management details.

PLANS:

1. The plans show clearing in ACOE wetlands and DEC buffer zones. Both these agencies will require notification of work in restricted areas.

Exhibit "B" Page 2 of 3

2. Limits of disturbance Lot 2 do not encompass the entire trailer. It is likely that the soil under the trailer will be disturbed.
3. Plan detail 4 shows an 11-foot wide grass swale. The plans do not clearly show where this is to be used. It is assumed to be along the west side of the driveway where the check dams are shown. The limits of disturbance do not include area for the grass lined swale.
4. Grass lined swale can only resist a certain flow velocity. Swale should be designed to carry the 10-year storm runoff. There is no topography and therefore the slope of the swale is not known.
5. Lot 1 silt fence does not extend all the way along the west side. Runoff could go around the fence into the wetland.
6. Well along property line is called out to be abandoned. The NYS DOH has guidelines for decommissioning wells. A note should be added to the plans that the well shall be decommissioned in accordance with NYSDOH Fact Sheet 4.
7. The limits of disturbance for the driveway are shown tight to the driveway. There is no design information to support this. If the driveway requires a cut or fill then the grading limits will be further from the driveway.
8. Driveway turnarounds have not been designed, they may or may not accommodate the required turn-radius that the Town requires.
9. The purpose of the "flag pole" in a flag lot is to provide the flag lot owner access to the street if it is ever needed. In this case the flag pole goes through the wetlands and therefore could never be used as a driveway location. The flag pole should be located in a more practical location.
10. New York State Education Law requires that the plans be stamped and signed before they can be approved by the Town.

SEPTIC SYSTEMS:

1. The septic areas shown are too small for a residential home, especially a two family home. The areas shown are approx. 25-feet by 30-feet. A typical raised bed system for a 4-bedroom home can have a footprint area of 100-feet square. Even an in-ground system could easily have (7) 60-foot laterals which would occupy 40-feet by 60-feet.
2. Provisions for 50% expansion area is required by NYS DOH; these areas are not shown on plans..
3. Soil information is not shown on any of the documents obtained from the Town. December 13th planning board minutes indicate that soil information was provided. Based on brief site observation it appears that the proposed septic for lots 1 and 2 are not very much higher than the adjacent wetland. It stands to reason that the seasonal high water table is at least as high as the permanent wetland. An in-ground system is required to have at least 4-feet of usable soil above the seasonal high water table.
4. Separation between neighboring well and Lot 3 septic (including expansion area) appears to be less than 200-ft
5. Separation between lot 3 house and septic is shown as less than minimum 20-feet
6. Lot 2 septic is shown at less than the minimum 10-feet from the proposed property line (relocated line along the fence).

Exhibit "B" page 3 of 3

7. Lots 1 and 2 septic systems are shown at a higher elevation than the ground at the proposed house and may require a pumped system.
8. Lot 1 septic is less than 100-feet from the ACOE wetland.

WETLND DELINEATION:

1. The DEC wetland ME15 is not shown on the map and should be delineated by a wetland scientist in order to know the extent of the buffer zone.
2. The ACOE wetlands on the west side of the property should be delineated so that adequate separation to the septic system can be obtained.

CONSTRUCTION PLANS:

1. There are no construction plans to show driveway construction; water line crossing Vosburgh Road; Mail Box location; etc.

OTHER SITE PLAN REQUIREMENTS:

1. Town of Halfmoon requires 2 parking spaces per dwelling unit.
2. Town of Halfmoon site plan requirements include the dimensions of proposed buildings. Currently the two family buildings are 35' by 50' which is a footprint areal of 1750 sf. This area seems small for a two family home with built in garages. (code 601.B.1)
3. Town of Halfmoon Requires PE stamp on plans (601.b.8)

Thankyou for contacting HRVE to provide you with an independent opinion concerning this project. Feel free to contact me at (518) 664-5354 if you have any questions.

Sincerely,



Nicholas Demos, PE

(End – Exhibit “B”)

Mr. Demos further stated: I would like to hit a couple of highlights; one is according to the general permit for construction that is in the Stormwater Pollution Prevention Plan (SWPPP) that they provided on page 36; Multi-family residential developments that exceed 1-acre of disturbance require post-construction stormwater controls. If they were single-family residential construction, then it would have a 5-acre cutoff limit. Multi-family residential developments have a 1-acre cut off so I believe that we need a little bit more stormwater control in the Erosion Sediment Control Plan that was submitted. The SWPPP also mentions that the plans were developed according to surveyed topographic information and Mr. Rabideau I don't think that there was a topo survey done on the property, right? Mr. Rabideau stated it was the U.S. Geological Society (USGS). Mr. Demos stated the following: So, there is no topographic information shot by the surveyor? We already know that there is a NYSDEC wetland across the street and it is noted as ME-15 and NYSDEC has to give a permit if the 100 FT buffer area is disturbed. I don't know if the wetland has been delineated and asked if a wetland scientist delineated the Army Corps of Engineers (ACOE) wetland or the NYSDEC? Mr. Rabideau stated yes. Mr. Demos asked was that done as part of our project? Mr. Rabideau stated yes, this project. Mr. Demos stated the plans show clear cutting to occur in the NYSDEC buffer zone and in the ACOE wetland and I believe the ACOE and the NYSDEC should be notified if there is going to be clear cutting of trees in their wetlands. I have a couple of items that have to do with the limits of disturbance. I think that the limits of disturbance are understated on the map. For instance on Lot #2 the limits of disturbance doesn't go under the trailer; the trailer to be removed is outside of the limits of disturbance so I think those lines should go around the trailer. The driveway for Lot #3 the limits of disturbance go right along the edge of the driveway and it doesn't account for any cuts or fills that may have to go in. The details show an 11 FT wide swale that should be shown as disturbed area. Another main point that I would like to bring up is the septic systems in the area. Right now they are shown as in ground systems with a 20 FT x 30 FT footprint, which is pretty small for a two-family house which may be 4 bedrooms all together or it might be 6 bedrooms all together and I was wondering if the septic systems have been designed yet or if that was just the schematic layout. Mr. Rabideau stated that was just the schematic layout. Mr. Demos stated the following: I would like to present to the Board that maybe the septic systems be engineered so that we could see what the footprint of those septic systems really are. As it is now, the septic system on the Lot #2 is less than 10 FT from the property line, which is outside of the New York State Department of Health (NYSDOH) guidelines. The septic system on Lot #1 is less than 100 FT from the wetland, which is outside of the NYSDOH guidelines. The septic system on Lot #2 is less than 200 FT from the well on the neighboring house. Mr. Rabideau stated the following: For clarification on the wetlands; we have ACOE wetland and NYSDEC wetlands established by jurisdiction. On the NYSDEC you have the 100 FT adjacent area and on the ACOE there is no buffer area and if so be, you can literally put the septic system right up to the edge of the ACOE wetlands. There is no NYSDOH restriction on ACOE wetlands. Mr. Demos stated I have the ACOE guidelines in front of me and it says “absorption field required separation distance from the absorption field to a stream, lake, water course or wetland”, that is Table 2 from the NYSDOH guidelines. Mr. Rabideau stated the following: We've been through this with the Town of Charlton and the Town of Ballston and they have had to retract that statement that it's to all wetlands, it's jurisdictional and that is a very key component. If I was the NYSDEC it would have to be 100 FT but it's not. It's very clear and we have run across this before and there are a lot of engineers that still think it has to be 100 FT from all wetlands and that is not true by the new guidelines. Mr. Bianchino stated the following: That is true and I have made that comment many times and it has come back to haunt me. I would suggest to the Board that I would like to go over the comment letter that has been submitted. We can review that comment letter as part of a continuation of our review that I would have Mr. Rabideau respond to the

letter and have that submitted to the Board with their review to us and we will follow up. The other comment that we had earlier about the Saratoga County Sewer District; in the past Mr. Jim DiPasquale has told me that they're not extending the sewer district for the private septic that is in this area. He may have changed his mind and asked Mr. Rabideau to go over that issue with the Saratoga County Sewer District #1 (SCSD#1). Mrs. Murphy stated the following: If they are tying into the Central Halfmoon Sewer Corp. line, they have to be in their service area and I don't know that this property is in it. So, that would be something else that I would ask Mr. Rabideau to follow up on along those lines. Mr. Rabideau asked are you asking that it is the Halfmoon Sewer thing? Mrs. Murphy stated just because the manhole is located on that corner does not mean that that property is in their service area and they are very limited in who they can service. So, if Mr. Rabideau could determine that, that would be very educational. Mr. Demos stated the following: Thank you Mr. Bianchino, members of the Board and Mr. Rabideau. That sums up the major points that were in my letter. I'd just like to conclude by asking the Board to not close the public hearing until we get some of these questions answered because I think that they'll have a pretty significant affect on the layout of the properties before we're done. Mr. Lyons stated the following: There is one neighbor who is not here tonight and I know he raised the issue of the placement of mailboxes because on Vosburgh Road all the mailboxes are on the south side of the road and it's a rural route. If you live on the north side of the road, you have to put your mailbox across the street and when we called the postmaster and asked him what the rules were because I know Mr. Pipino was willing to put a shared box over the driveway and the carrier truck could pull in and service that and I think that would be welcome to the neighbor across the street but the postmaster said that it's not automatic that it requires an application. They are going to come and look at the site and there has to be a good reason for them to do this and one of the things that would come into play is whether it is a danger for their driver to pull into a location that may be on a curve or something. I just wanted to put this in the record for my neighbor because I'm not sure why he couldn't make it. One follow up on the sewer is when they put that sewer line in, they put extension lines into all the residential properties on the north side of Vosburgh Road where this is. I don't even remember if I got a notice on it, they just did. Mr. Bianchino stated they probably did it right to the right-of-way line. Mr. Lyons stated yes, they said "we're putting this here and if you ever want to tie in, it's here". Mr. Bianchino stated they typically do that whenever they run a new line so they don't have to go back in and dig the road up later. Mr. Roberts stated that being said, we heard a lot of good concerns and comment here so I would recommend that we adjourn the public hearing and not close it because we have to address some of these concerns. Mr. Rabideau asked can I address some of these concerns now? Mr. Roberts stated we are going to need the comments addressed in writing anyway. Mr. Rabideau stated okay. Mr. Roberts stated if you want to touch on some of those comments now, you may go ahead and asked Mr. Rabideau if he had received a copy of the letter? Mr. Rabideau stated the following: I think one of the important things here is that we had prepared an aerial photo of the area and I think it would give a better prospective for the Board to basically refute some things that Mr. Lyons has said because a picture tells it all. One of the comments was whether the single-family and especially the two duplexes in the front fit the character of the neighborhood or devalue the neighborhood. I don't see how that his possible when you have 173-unit mobile home park just down the road from there and a construction operation just up the road from there. As far as the values; the anticipated value for each of the duplexes total approximately \$350,000 so that would be \$175,000 per unit and anticipating a half of million to a \$600,000 house in the back. So, now we've increased the value of this parcel to 1.3 million dollars. I don't see how that is possible to devalue the neighborhood when the values in the neighborhood are a lot lower. Mrs. Murphy stated I think the Board is more concerned with regards to some of the technical aspects that were brought up and would like an opportunity to review your response in depth. They are very aware of the nature and surrounding circumstances and values in the surrounding area and I don't think there is a concern

there. Mr. Rabideau stated okay so you want me to respond to whatever was said at the public hearing and the letter. Mr. Higgins stated the following: In the back it shows 2 different property lines; it says one property line is per deed reference and the other one is property line per map reference occupation and field evidence. Which property line are you anticipating using? Are you going to use the darker black line? Mr. Rabideau stated that is correct. Mr. Roberts asked Mr. Williams and Mrs. Zepko to make sure that Mr. Rabideau gets a copy of the draft minutes so he can see the concerns that were raised. Mr. Williams and Mrs. Zepko stated okay.

The Board adjourned the Public Hearing until the February 14, 2011 Planning Board meeting for the applicant to review/comment on the public's comments including a private engineer's report submitted by the Vosburgh Road neighborhood group.

11.004 PH Uncle Sam's Taxes, 432 Route 146 – In-Home Occupation & Sign

Mr. Roberts opened the Public Hearing at 7:45 pm. Mr. Roberts asked if anyone would like to have the public notice read. No one responded. Ms. Mitra Gouneh, the applicant, stated the following: I'm the owner of Uncle Sam's Taxes. My main office is in Schenectady and I would like to help my client's in Clifton Park out of my home. This is a seasonal business. Mr. Roberts asked if anyone from the public wished to speak. No one responded. Mr. Roberts closed the Public Hearing at 7:46 pm. Mr. Ouimet asked Ms. Gouneh if she would live in the home. Ms. Gouneh stated yes. Mr. Ouimet stated so any potential approval this Board might give would be contingent on the applicant living in the home. Mr. Roberts stated yes, owner-occupied. Mr. Higgins stated on your application I think you said that it was going to be January through April at this location. Ms. Gouneh stated yes. Mr. Higgins asked so if there are follow up visits after that date, would you then do it at your other location? Mr. Gouneh stated I basically meet my client's in Schenectady. Mr. Berkowitz stated the following: Right now you're applying for an in-home occupation between January to April. If you were to meet a client in May that needed an extension for something, you couldn't do that at your home and you would have to do that at your Schenectady location. I'm asking you if you want this to be year round or just between January and April. Ms. Gouneh stated I never thought about that. Mr. Berkowitz stated there are people who need to file extensions and you might have to meet them at your home to go over those extensions or if you do a business, you might have to do quarterly taxes. Ms. Gouneh stated yes I do but I see the businesses at their locations. Mr. Berkowitz stated if you are just saying January through April, you couldn't meet anyone at your home during other times of the year so you might want to amend your request of January through April. Mr. Roberts asked would you like to amend your application to year-round service? Ms. Gouneh stated yes. Mr. Ouimet stated so it wouldn't be seasonal, it would be annual or a permanent use. Mrs. Murphy stated just so we are clear, the applicant is amending her application to provide that she can provide these taxes services year-round and asked the applicant if that is what she is asking this Board to do. Ms. Gouneh stated yes. Mr. Higgins stated with the stipulation that the applicant is owner-occupied of this location. Mr. Roberts stated yes. Ms. Gouneh stated I am also proposing a sign application. Mr. Roberts stated the sign would be 2 FT x 3 FT for a total of 6 SF, one-sided and it would not be lit and that would conform to the Town codes. Please advertise that you are located in Halfmoon. Ms. Gouneh stated yes.

Mr. Ouimet made a motion to approve the In-Home Occupation for Uncle Sam's Taxes; the application was amended for year-round service. Mr. Berkowitz seconded. Motion carried.

Mr. Berkowitz made a motion to approve the sign application for Uncle Sam's Taxes contingent upon the sign is not place in the State's right-of-way and the Planning Board would allow the sign to be

temporary placed until the springtime; where then the sign will be permanently placed. Mr. Higgins seconded. Motion carried.

New Business:

11.005 NB Adirondack Tae Kwon Do/One Hour Heating & Air Conditioning/Benjamin Franklin Plumbing, 1595 Route 9 – Sign

Mr. Mike Remillard, of Adirondack Sign Perfect, stated the following: I am here tonight to propose 2 signs, one for the new building in the rear and a new freestanding sign to replace the existing freestanding sign located on Route 9. Mr. Roberts stated the freestanding sign would be 4 FT x 8 FT for a total of 64 SF, two-sided, internally lit and it would have a total height of 10 FT. Mr. Remillard stated that is correct. Mr. Roberts asked if the sign had any exposed neon. Mr. Remillard stated there would be no exposed neon. Mr. Roberts stated the wall sign for Adirondack Tae Kwon Do would be 4 FT x 18 FT for a total of 72 SF, one-sided and internally lit. Mr. Remillard stated the following: This sign would be lit internally with LED lights. Excluding the "Adirondack"; "Adirondack" would have a 2-inch high-density urethane and "Tae Kwon Do" is lit internally with LED's. The LED would be low voltage lighting. Mr. Higgins stated the existing building has some additional signs on it besides the sign out front and asked if that was correct. Mr. Remillard stated I'm not 100% sure but I believe there is a sign on the building for the One Hour and the Ben Franklin. Mr. Higgins stated I also believe there were some banners up there a couple of weeks ago advertising some kind of a special event. Mr. Remillard stated that could be a possibility but I don't know. Mr. Higgins stated all that signage has to be included in the application. Mr. Roberts stated first of all, banners aren't allowed. Mrs. Zepko stated banners are allowed for grand openings. Mr. Roberts stated but they don't go against the square footage. Mrs. Zepko stated right. Mr. Higgins stated but the existing building signage that we have approved, is that all included in the signage for the site because the front building and the rear building are all on one site and asked if that was correct? Mr. Williams stated this site has 250 square footage allowed for signage and they are well under that. Mr. Higgins stated I just want to make sure that the application is for one site for both buildings. Mr. Roberts stated yes.

Mr. Nadeau made a motion to approve the sign application for Adirondack Tae Kwon Do/One Hour Heating & Air Conditioning/Benjamin Franklin Plumbing. Mr. Ruchlicki seconded. Motion carried.

11.006 NB I Love NY Pizza, 1 Plant Road – Sign

Mr. Sandy Colaruotolo, of Vital Sign & Graphics, stated the following: We are looking to install 24 inch channel letters on 1 Plant Road for I Love NY Pizza. This is a newly constructed building. I Love NY Pizza is facing Papa John's Pizza right across the street and Papa John's Pizza has similar letters on their building as well as Will Nails. Mr. Roberts asked who chose the color? Mr. Colaruotolo stated it is red just like Papa John's across the street and the letters would be individual lighted LED. Mr. Roberts stated we are always concerned about the brightness. Mr. Colaruotolo stated they are not any brighter than Papa John's. They would be the same red LED with a red face. Mr. Berkowitz asked would they have any signs in the windows? Mr. Colaruotolo stated no, he's not going to have any window signs at this point. Mr. Berkowitz asked are they going to have any signs with a phone number or "delivery only" or anything like that? Mr. Colaruotolo stated he has not discussed that with me and I don't believe that he's doing that right now. Mr. Higgins asked if the sign across the street is LED? Mr. Colaruotolo stated yes. Mr. Higgins stated but the Papa John's sign has LED's behind a plastic cover. Mr. Colaruotolo stated yes, exactly. Mr. Higgins stated so this is how this sign is going to be; LED's behind a plastic cover. Mr. Colaruotolo stated yes. Mr. Higgins stated I think what we were concerned about is that it is not just standard LED that you see on some of the signs. Mr. Colaruotolo stated no, it has a red acrylic face. Mr. Higgins stated okay, so the LED is the lighting mechanism behind the face

of the sign. Mr. Colaruotolo stated yes. Mr. Ruclicki stated we have a concern regarding LED's because some of the LED signs that they are coming out with today are extremely brilliant. The proposed sign dimensions would be 2 FT x 16 FT for a total of 38 SF. The sign would be one-sided, internally lit and the sign would be attached to the front of the new building. Mr. Roberts stated please tell the applicant that I Love NY Pizza is located in Halfmoon. Mr. Colaruotolo stated okay.

Mr. Ruchlicki made a motion to approve the sign application for I Love NY Pizza. Mr. Nadeau seconded. Motion carried.

11.009 NB Jill Poisson, 82 Ridgewood Drive – In-Home Occupation

Ms. Jill Poisson, the applicant, stated the following: I'm requesting the Board's permission to do an in-home hair salon business in my home. I plan on having 10 to 15 clients per week. I have one chair and I would be the only person working at my home. I would just be doing hair and no nails. Mr. Roberts asked would you sell hair products? Ms. Poisson stated no. Mr. Roberts asked how much parking do you have available. Ms. Poisson stated we have enough parking for 5 to 6 cars in our driveway but like I said, it would probably be two people at a time. Mr. Nadeau stated okay, because there cannot be any on-street parking and your clients would have to park in your driveway. Ms. Poisson stated right. Mr. Roberts asked are you going to be the only person working there? Ms. Poisson stated yes. Mrs. Murphy stated they are proposing to construct a 174 SF room, so that would be less than 30% of her home. Mr. Berkowitz asked are you going to have a sign? Ms. Poisson stated no.

Mr. Nadeau made a motion to set a public hearing for the February 14, 2011 Planning Board Meeting. Mr. Higgins seconded. Motion carried.

11.010 NB Elevate Cycles, Inc., 1581 Route 9 – Change of Tenant & Sign

Mr. Tom Andress, of ABD Engineering & Surveying, stated the following: Elevate Cycles is proposing to move into the old Schenectady Electric location, which was a lighting store at Mr. Mark Rekucki's plaza located at 1581 Route 9. At the current time, Elevate Cycles is located across the street from DeVoe's where Soccer Unlimited is located. Elevate Cycles would occupy approximately 2,900 SF plus a 2,900 SF basement. There is more display area on the 1st floor and they would be able to use the lower level for bicycle repair. We were before the Board about a year ago and we received an approval for Saratoga Stoneworks but unfortunately they never materialized. Saratoga Stonework was a very similar type of operation where they had the retail on the upper level and they were going to have pottery classes down on the lower level. Currently in the back area of this existing site there are music and art classes in the lower level so it sort of fits into the same type of use. Mr. Berkowitz asked what are "spinners"? Mr. Andress stated the following: Actually, I think the next proposed project "Revolutionary Velo-Watts" is almost the same kind of thing as this proposal. People would bring in either their own trainer (being a training mechanism, not a person) or they can use one of the trainers there. They can put their own personal bike on the spinner that has a clamp that holds the wheel in the front so the rear wheel spins with a magnetic resistance. Mr. Berkowitz asked so is it a spinning class? Mr. Andress stated right now the owner has them up at his store in Saratoga where he spins at night. Mr. Berkowitz stated the following: I know what spinning is, but is he going to have a class or is it going to be like an individual lesson and how many people are going to be spinning at once? You literally can have 30 to 40 people in a spin class. Mr. Andress stated right now they have a couple of mechanics and the owner that do it and they will be expanding so that there will be classes. So, you'd have maybe 4 or 5 people. Mr. Ouimet asked did you say that they are just starting this concept up in this place? Mr. Andress stated the following: Yes, at this location they will be, but they are not

currently doing it at the other location across from DeVoe's. They do have a couple in the basement or the lower level at their Saratoga location. Mr. Ouimet asked how intense, participant wise, is this spinning class up in Saratoga now? Mr. Address stated he told me that it was a couple of his mechanics and himself and they do it a couple times a week. They're expecting to be able to do more here. Mr. Ouimet asked is he is expecting to expand it and could it be significantly more? Mr. Address stated significantly more and my discussions with him were 6 or so people, it wasn't going to be a large amount. Mr. Berkowitz asked would they advertise this? Mr. Address stated I think it would be word of mouth through his retail. Mr. Ouimet asked regarding the spinning class or whatever is going to be taking place on the lower level. Mr. Address stated the repairs and the spinning would be done on the lower level. Mr. Ouimet asked how are you going to access that lower level, from around the back or through the building itself because I know it has an internal stairwell? Mr. Address stated the following: Yes, it has an internal stairwell but that area could be accessed through the back so it would meet the handicap code if someone is coming in there to do the spinning. I know we had this discussion with the Building Department before about the upper and lower levels of the building. Mr. Ouimet stated the following: I think the real issue for us is we're trying to figure out how many cars are going to park up on top and how many cars are going to park in the back and if you will have both operations going on at the same time. It's hard to figure because the parking is limited. Mr. Address stated the parking is limited although there is a fair amount of parking for this size facility that they have verses their demand. I would imagine that most of the parking would come into the back. Mr. Ouimet stated so we should plan on reviewing this proposal in light of the majority of the people taking part in this secondary function; or the spinning function and them parking in the back of the building. Mr. Address stated that would be my estimate. Mr. Ouimet stated so depending on the size of the anticipated group; that's how we would determine how many parking spaces you would need for the back of this site. Mr. Address stated you could certainly do that. Mr. Ouimet stated the following: Well I'm trying to figure that out. If they were going to enter from the building to go to the back then it would just be the front parking because it's not likely to park in the back and then go to the front because they have to go up the hill and around. Mr. Address stated yes, they certainly are not going to. Mr. Ouimet stated if they are going to enter in the back, that means they are going to park in the back so we have to make sure that there is sufficient parking spaces in the back for that function. Mr. Address stated people could still park in the front and could still go to the lower level. Mr. Ouimet asked is this going to take place while the operation upstairs is open? Mr. Address stated that is correct. Mr. Ouimet asked so would they both be open simultaneously? Mr. Address stated that is correct. Mr. Ouimet stated okay because I'm just trying to get a feel of how this is going to work. Mr. Nadeau asked did you say there is going to be 4 units that they'll be using? Mr. Address stated right now they are approximately using 3 but I was told by the owner that they would be looking for up to 6. Mr. Nadeau stated I think we need to know how many units will be there, which would determine the number for the parking. Mr. Higgins asked how much parking is there in the lower level? Mr. Williams stated the following: There is a dance and music instructional studio, but I can't remember what the number of occupants are and what the classes are. I did look at the site plan and there are 11 parking spaces, per site plan, back in the lower level. Mr. Berkowitz stated the following: Does the dance studio know that there is going to be a spinning class next door because if the walls are thin, you are going to have clashing music going back and forth? The dance studio is going to turn up their volume and the reason I know this is because my office abuts a gym and dance studio and I can hear it through my walls. Mr. Address stated I had a clear conversation with the owner of this and this is not like the spinning classes you might have at an Accent on Health or something like that because it is a completely different setup. To answer your questions; the dance studio is at the far northern end and then there is some extra storage and then there is the organic grocery store that is inbetween that. Mr. Higgins stated the following: I'm familiar with that back area and I'm just a little concerned about

the amount of vehicles parking back there plus having access for emergency vehicles. When we originally approved this site, the lower level was going to be strictly storage and then over the years it has evolved into other things. Mr. Address stated the following: For clarification purposes; I did look at the original approvals and it is an 8,000 SF building upstairs and 8,000 SF downstairs. This Board approved 10,800 SF of office retail; so 2,800 SF of the lower level was approved as office retail at the full one per 200 ratio. So, there was anticipation that the lower unit would be used for some full 100%. Mr. Higgins asked how much is now being used because I don't think any of the lower level now is being used for storage. Mr. Address stated yes it is; all of it is used except for the art and music lesson area. Mrs. Murphy stated the Board always has the option of setting a maximum amount of spinners available pursuant to this current approval to limit the amount of people that are there. Mr. Higgins stated I'm just concerned about the parking in the back. Mrs. Murphy stated right, but I think that's one way to address Mr. Higgins' concern. Mr. Roberts stated right now I think you're saying 2 to 3 at a time. Mr. Address stated that's what they have in Saratoga but if we were going to set a limit, we would at least want the 6. Mr. Higgins stated I know there's plenty of parking up front but the trouble is people aren't going to park up front, as Mr. Ouimet has said, and they would have to wheel the bicycle down the hill unless there are no parking spots. Mr. Address stated there currently are a fair amount of parking spots in the back. Mr. Higgins stated I thought someone had said there were 10 parking spots. Mr. Address stated I think there are more than 10. Mrs. Murphy stated no, 11 per site plan. Mr. Higgins stated I'm sorry I thought it was 11 total but you're saying it's 11 per section on the bottom? Mr. Williams stated 11 total in the rear section. Mr. Higgins stated the following: Yes, I'm talking about the rear. So, you have the dance studio plus if you have 6 people back there plus a couple of employees, I'm concerned that we might have a problem back there. Mr. Address stated there are 11 total in the rear. Mr. Berkowitz asked what is the square footage of the building? Mr. Address stated approximately 10,800 SF of retail space. Mr. Roberts stated there are 11 total parking spots in the rear. Mr. Nadeau stated so are you going to use 6 of those parking spots for this proposal? Mr. Ouimet stated up to 6. Mr. Nadeau stated so that would leave 5 for the other businesses and asked if that was enough parking for the other business. Mr. Address stated if there is an issue here, we could make sure that the employees park on the side of the building. Mr. Berkowitz asked what is the other business in the back? Mr. Address stated the other business at the far end in the back is the art and music classes. Mrs. Murphy asked is it art and music or is it dance? Mr. Address stated I have art, music and dance. Mrs. Murphy stated because dance class usual encompasses more than one person and art or music is often one on one. Mr. Nadeau stated if we are approving this, we're going to use up 6 of those parking spaces so that would leave us 5 parking spaces for the remaining business and I guess that is what we need to know. Mr. Higgins asked how many square feet is the art, music and dance? Mr. Roberts stated the following: Since there is some confusion here, I have an idea here and why don't we go back to the old way of doing things and have a couple of our Board members go out and look at this thing. Mr. Nadeau stated right, because if this proposal is going to use up 6 parking spaces, we're leaving 5 parking spaces for the other business that I assume has already been there and is this going to work. Mr. Higgins stated the following: This site has gone through several different variations and all I'm concerned about is being consistent as far as the parking requirement for the space being used for a certain use, whether it's retail or whatever. I know that there is probably more than sufficient parking spaces on the site but I just want to make sure that we're staying consistent with the site because we're in fact increasing the amount of space that's being used now for retail or for whatever you want other than storage. I know that it was 2,800 SF on the bottom that was originally approved as retail and now we may be increasing that 2,800 SF to more space but nobody seems to know what the divisions are, correct? Mr. Roberts stated yes and we have to make sure that we are doing the right thing here. This should have been better explained to us in the first place so we wouldn't be going through what we are going through with all our questions.

Mr. Roberts asked Mr. Higgins and Mr. Nadeau if they wanted to be on the committee for this proposal. Mr. Higgins stated yes, I would be happy to look at it. Mr. Nadeau stated yes. Mr. Berkowitz stated and then they can find out what kind of business that dance studio is. Mr. Higgins stated and how many square feet each side is. Mr. Address stated yes, we can check into that. Mr. Ouimet asked Mr. Address what are the hours of operation for the spinning class verses the dance studio. Do you know if they conflict one another or do they occur simultaneously, will they occur at different portions of the day or the week? We are trying to figure out if there is competition for those 11 spaces. Mr. Williams stated there is 3,900 SF on the lower level for the dance studio. Mrs. Zepko stated their narrative stated that there are 6 to 7 study rooms for private lessons. Mr. Higgins asked is that for 3,900 SF for the dance studio and asked how many square feet is this? Mr. Address stated 2,600 SF. Mrs. Zepko asked Mr. Address if he had done a survey of the as-builts for the parking in the rear? Mr. Address stated the following: If you do a site visit, you'll find that there's double that amount of parking. There is another whole row of parking in the back that is not reflected on this site. Mr. Higgins stated I think the Planning Department should also do the site visit to do a walk through with us. Mr. Williams stated the following: Yes, I can go with Mr. Higgins and Mr. Nadeau when they do their site visit. The narrative for the music studio says that there are 2 staff members at the facility with one on one teaching for the students. So, I would say that there would be 4 people down there at one time. Mr. Nadeau stated we need to find out what is there and who is using what. Mr. Berkowitz asked for a new/current site plan since there is more parking at the site than what is listed on the map. Mr. Address stated we can update the site plan.

This item was tabled for the Planning Department to review existing uses and parking. The Planning Board set up a committee of Mr. Higgins and Mr. Nadeau to review.

11.011 NB Revolutionary Velo-Watts, 1683 Route 9 (St. John Plaza) – Change of Tenant & Sign

Mr. Tom Pratico, of the Rexford Group, stated the following: I'm here tonight to talk about a change in tenant use for the St. John Plaza in a space that was previously occupied by New York Mattress. The tenant space is 2,511 SF and the Revolutionary Velo-Watts facility would take that exact same square footage. We have added 2 bathrooms with a shower stall. This is similar to what Mr. Address was just talking about with Elevate Cycles, Inc. These are stations where you would bring your own bike and it's like virtual reality riding a bike with a computer in front of you. You can take an international course and people ride and train a little bit with this and they ride in the wintertime as well as in the summer when they can't go outside. There would be 8 stations and there will be a maximum of 8 bicycles in here to ride at one time. We have also applied for sign, which is a little less than the New York Mattress's sign that is there right now.

For the record: The Planning Department's write-up for the sign is as follows:

Sign-Revolutionary Velo-Watts

Proposed Sign Area: 30 SF

Proposed Sign Dimensions: 3ft x 10 ft

Sided: one-sided Two-sided

Location of Sign: above the entrance of the storefront.

Lighted: Internal Flood

Planning Board Date(s): 1/24/11

Brief Description: The applicant wishes to replace the former mattress business sign with a sign of the same dimensions representing "Revolutionary Velo-Watts" business. This sign conforms to the Town's Sign Ordinance.

Mr. Pratico further stated where the bicycle symbols is located it would be like one box with the bike sprocket and pedal on it, which is kind of their logo. Mr. Ouimet asked are there shower facilities available? Mr. Pratico stated yes, there is a shower in each one of the men's and women's bathrooms. They would be individual showers that are separate and the bathroom is separate and it has a small changing room so there could be 2 people in each bathroom. Mr. Berkowitz asked how long is an average ride? Mr. Pratico stated the following: I'm not a bike rider but I guess it can go 3 to 4 hours. Their hours of operation are from 8:00am to 8:00pm Monday through Saturday and closed on Sunday. I guess it would vary with the different courses that you would put up on the computer screen. Mr. Ouimet asked so the way this works is that each one of those stations are basically rented for a period of time? Mr. Pratico stated that is correct. Mr. Ouimet asked is the period of time fixed or is the period of time variable? Mr. Pratico stated it is variable according to what track or course you would be riding on. Mr. Ouimet asked is there scheduling involved or appointments? Mr. Pratico stated yes, it would be very much like appointments. Mr. Ouimet asked is there a lounge area where people would wait for the station to free up if they got there an hour or half-hour ahead of time? Mr. Pratico stated the following: No, not really. There is some open area where I guess you could lean a bike against if someone was just finishing their ride. But, there is not an area to wait for 8 people to wait for 8 other people to get off their bikes; it's not scheduled that way. Mr. Ouimet asked are these stations expandable and could you put more than 8 stations there? Mr. Pratico stated you probably could get 2 or 3 more in sometime in the future. Mr. Ouimet asked is this particular operation going anywhere's and is there any experience with this. Mr. Pratico stated it is pretty new and Velo-Watts is the inventor of this type of thing. Mr. Higgins asked how many parking spaces were allotted to New York Mattress? Mr. Pratico stated the following: New York Mattress had 12 parking spaces and they have 8 stations with 2 employees. Mr. Higgins stated so you would have 2 employees with 8 stations and asked could there be 2 or 3 other people taking showers, changing or whatever? Again, we just want to make sure that there is sufficient parking because I know this site and because of the success on certain days, it does get a little tight. Mr. Pratico stated the following: I guess you could say that there could possibly be maybe up to 12 with a couple people in there. If everybody was in a seat and there were 2 employees there, you would have 10 so a safety factor of 2 would still be within what was there. Mr. Higgins stated and chances are that their busy times are early and late? Mr. Pratico stated yes. Mr. Higgins stated okay, because I know with Tailgators, especially on certain days, it can get a little crowded. Mr. Pratico stated yes and our mall kind of works nice with some tenants who are not there at certain times when the restaurant is busy and visa versa with other spaces and that works out pretty good. Mr. Higgins asked Mr. Williams if there had been any parking problems? Mr. Williams stated none that I know of. Mr. Higgins stated based on 8 stations maximum at this point and obviously if you wanted to add more stations on this site you would have to come back before the Board. Mr. Pratico stated right. Mr. Roberts asked are you going to have a sign? Mr. Pratico stated the following: Yes, the proposed sign is 29+ SF and the old sign for New York Mattress was 30 SF. The sign would have individual box letters, one-sided and it would be internally lit. The sign would match the rest of the plaza's signage. Mr. Roberts stated this would conform to Town Code.

Mr. Nadeau made a motion to approve the change of tenant application for Revolutionary Velo-Watts condition on a maximum of eight bike stations are placed. Mr. Higgins seconded. Motion carried.

Mr. Higgins made a motion to approve the sign application for Revolutionary Velo-Watts. Mr. Ruchlicki seconded. Motion carried.

Old Business:**10.078 OB New Country Toyota Sales & Service, 202-204 Route 146 – Addition to Plan**

Mr. Dan Tompkins, of the Environmental Design Partnership, stated the following: This is a continuation of the Toyota Scion improvement program. It has been some time since I have been before the Board to discuss this in person. We have had a lot of correspondence that has gone back and forth. Questions were raised concerning parking in terms of allocation for customer and we did generate a letter to Mr. Steve Watts attention. I'm not sure if you have seen that or not. I just wanted to point out that on page 3 and what I want to explain because I wasn't able to give you a good answer the last time is that the entire front row of 14 parking spaces and also 12 parking spaces are all dimensioned 10 FT wide and they are allocated for customers. At the last meeting I think we were showing 2 handicap parking spots and I figured the customer parking plus employee parking allocated for what would be strictly the sales facility at around 56 cars. So, we added an additional handicap parking spot specific to sales so all three are here. That worked out well because we have the existing curb ramp and this area is getting modified so we would add another curb ramp. Just to remind you, this is sales facility with the exception that the southern end of the building with the existing footprint but it would be modified to allow 2 service write-up lanes. The write-up lanes is where you would come in out of the weather with your car, a service advisor would greet you and they would write-up the order and then an employee would take the car and would either bring it directly to what will be the service facility, strictly operations or it would park a staging depending upon what time of the day the service is scheduled. The other question that was asked is that it won't be left for customers to have to come into the site and find their car. The cars would be brought to them and it will be brought to them at the service write-up area. At the very worst, it might be in a parking area. But, the idea is basically here are your keys and here is what has been done to your car. So, the customer would not be stranded out in the middle of winter trying to retrieve your car, find it and that type of thing. The last part of the back and forth with the Planning Department, the Town and the Town engineer was discussion about the transfer or the recommitment to transfer the right-of-way. We've generated correspondence and the bottom line is with some stipulation in terms of timing and how it happens and that type of thing is Country Realty is in agreement that they would make the commitment to transfer the land if and when the Town does need it. So, you can go on the record with the New York State Department of Transportation (NYSDOT) saying that you have the second party lined up for that. We've generated a letter and there is some fine-tuning, for example: if it's not necessary to take all of the right-of-way that was granted to Country Realty, we would like to keep the land. For example: it flares out quite a bit and if it is not necessary to utilize it all for the alignment of the road, we would like to be able to utilize that and utilize that for greenspace and parking because now all of a sudden there is going to be a great deal of emphasis on this corner and we want to put the best face forward in term of presenting inventory, cars, signage and that type of thing. So, the focus would change and that had a lot to do with the concerns that Country Realty had expressed about the commitment because it could potentially change the focus of the facility. The bottom line is that we're on-board. There are sign applications before the Board as well. The signs were broken out into two parcels because it is two separate distinct tax parcels. Just to be clear, there will be no signs on the building here for this service operation. We are asking that where that real large sign used to be; we want to be able to put in another freestanding sign that is identical to the one that we have here. There is a lot of frontage there and the car business being what it is; identity is important so that there is no question in the public eyes as what is being offered there. It's a separate parcel so it qualifies in terms of the square footage of the building and everything else where we're way below what the requirement would be. With this building we had talked about a freestanding portal and iterations of that and there is no question at all that there will be no freestanding portal structure.

What they call a portal is really just the treatment in the façade in the front here so it really read well as your walk-in entrance and that's in the drawings. All of the proposed signage is in the application with the analysis of the square footages. Mrs. Murphy stated I just want to clarify that we spoke earlier today about the execution of the necessary transfer documents to be held in escrow pending the determination of the appropriate use and design of that right-of-way and asked are you still willing to do that? Mr. Tompkins stated I sent an email and I said "thanks" and what I'm going to want from you is paperwork so I can review it with them but I have heard absolutely nothing in the negative to say "no". Mrs. Murphy stated the following: So, I would ask that this Board act contingent upon that agreement being finalized. Mr. Tompkins stated the following: I understand that but the C.O. is important because that allows us to get a building permit in and then get a start on this. They want to show their best efforts to Toyota and this has been going on for a few months. So, if that is okay with you, that would be ideal for us tying into the C.O. but don't hold the building permit up for it. Mrs. Murphy stated that is fine as far as my concern. Mr. Higgins stated the only thing is that this is an existing operating facility. So, if we're giving them a building permit and they're going to make all the changes, they are in essence already operating. So, I just want to make sure we don't have confusion on their part that they can delay the C.O. for years. Mrs. Murphy stated the following: No, they can't utilize it in the way that they are saying they don't currently have those 2 driving lanes for the service pull-up. If they don't have that agreement or we haven't worked out that disposition with that agreement, they rebuild and get rid of those driving lanes because they're not part of the currently approved site plan. Mr. Higgins stated I just want to make sure that the applicant understands that. Mrs. Murphy stated the following: He was very very conciliatory and we're going to work together to get this done as quickly as possible. Although I can't obviously speak for an applicant, you were very clear about your concerns about the portico and it is no longer a part of the application. So, I take that as somewhat of a good faith basis to proceed. Mr. Higgins stated the following: What exactly is the decorations that are going to be around the door that are shown here? Now, you said it's not the portico; so, what exactly is this? Mr. Tompkins stated the following: Portal; it's almost viral in that you see a lot of re-do's of not just Toyota but other companies and it is the same architectural group that comes with this stuff. Basically what they're trying to do is punch out the entrance into the building so it really reads and it can go on for paragraphs about the experiences of the customer going through the portal. Mr. Higgins stated it basically is clear glass now. Mr. Tompkins stated the following: No, this is alucabon, which is a metal siding. *(At this point Mr. Tompkins moved away from the microphone and his narration was inaudible for transcription)*. The alucabon is going to be certain shade, which is going to be closer to appear to be white there as opposed to a light gray. Basically it is just an architectural expression at this point. Presently, it's clear glass that you can see. Mr. Roberts asked is it similar to Lia on Central Avenue? Mr. Tompkins stated yes. Mr. Roberts stated even though it isn't lit, it appears brighter because it reflects. Mrs. Murphy stated but it's not lit though. Mr. Tompkins stated this is not lit. Mr. Roberts stated but it does reflect from the other light around it. Mr. Higgins stated I'm not understanding but it's not going to be glass, it's going to be some kind of a material that you can't see through. Mr. Tompkins stated that's right. Mr. Higgins stated so the only place you're going to be see through is the doors. Mr. Tompkins stated doors and storefront windows. It's surprising but it's less window space probably than what you got out there now. Mr. Higgins stated I understand but this Board has had problems in the past with other applicants regarding what we interpret as a sign and that's why I'm trying to get in my own mind that this is not all one big sign. Mr. Berkowitz stated if it is the façade of the building, then they have signs on it and it's just a different exterior. Mr. Tompkins stated the following: My position is that it's an architectural feature at this point. When it started off it was a huge freestanding sign and it was very opaque material, it had interior lighting with batteries of neon. Mr. Higgins stated I guess at this point I'm going to have to leave it up to legal to determine what portion of this is considered a sign and what portion of it is

considered architectural just so it all adds to the proper amount of signage for the site. Mrs. Murphy stated I'm assuming Mr. Williams just did the square footage of the actual sign. Mr. Williams stated I went all the way around the logo or around the wording. Mrs. Murphy stated the following: Right, because the building material behind it; if he was going to light it all up, then I would say that that constitutes a sign. But the fact that it is not illuminated and it just the building material, we do not calculate that portion as part of the sign. Mr. Higgins stated okay and that's how the signage was? Mr. Williams stated yes. Mr. Higgins stated the following: Okay I can accept that and I understand that. Regarding the parking spaces; are they all 10 FT x 20 FT? Mr. Tompkins stated as I already pointed out on these two roads, the parking spaces would be 10 FT x 20 FT. Mr. Higgins stated I don't see anywhere where it says what is inventory storage, what is customers? Mr. Tompkins stated that's why I pointed it out to you because it was described to Mr. Watts in a letter. Mr. Higgins stated the following: I think because of problems that we have had on this site previously, we need to know exactly which ones are going be inventory storage, which ones are designated for customer parking, which ones are designated for customer parking after the service. We need to have that on site because on numerous times this site has been out of the approval as far as where they're storing cars. They have had cars on grass, they have had cars lined up on the entranceways on both sides and I know this for a fact because I bring my truck there to get serviced and I know what a headache it is trying to get in and out of this place sometimes. Mr. Tompkins stated that is what part of this whole improvement program is about is to get the kinks out of that kind of experience. Mr. Higgins stated the following: My personal opinion is it needs to be on the drawing for what is new car parking, what is used car parking, what is customer parking. Also, on the drawing just say which ones are which so that if there is a problem, the enforcement people can go out there with the drawing and say okay this is supposed to be customer parking and you have new cars parked here. Mr. Tompkins stated the following: That is certainly easy enough to do. I guess what I would ask you to do to avoid having to come back for another Planning Board meeting is if an approval is forthcoming tonight, I would make that a stipulation if that would be okay. Because we got the thing set up and now what it becomes is a labeling exercise on the approved site plan and that's certainly easy to do because those things have been anticipated. It's not like we would have to re-align anything so that certainly is something that could be done. Mr. Williams stated there is no loss or gain of parking spaces. Mr. Tompkins stated the following: I think I lost track on that. I think that if there was a loss or gain, it was just a handful of spaces one way or the other. To reiterate; we're not adding any footprint to the building so there just isn't a lot of space to get displaced. Mr. Higgins stated the following: That is not my concern because I know there is sufficient parking on the site for what you're doing. What I'm saying is numerous times they have parking new cars on the entranceways to get in and out and when you're coming out and there are cars parked on both sides of you because they feel it's a better display area. Mr. Tompkins asked are you talking about the driveways? Mr. Higgins stated yes, the driveways. Mr. Tompkins stated well that's never right. Mr. Higgins stated that is why I'm saying if it's situated where it shows the enforcement people what is customer parking, what is new car parking and what is service parking and they can go in and there is no question about it. Mr. Tompkins stated okay. Mr. Higgins stated regarding the freestanding sign; did you say that you want the new freestanding sign to be as big as the one that they moved across the street? Mr. Tompkins stated no, and if I said that, I misspoke. There is an existing freestanding sign that is about 15 FT tall and what we're doing is we want one just like that. Mr. Higgins stated okay, I might have misunderstood you because I thought you said you wanted to do the same thing as the one you moved across the street. Mr. Tompkins stated I was just pointing out where the position of the sign was. Mr. Higgins stated as long as it is the same size as the sign in front of the sales building I personally don't have a problem with that. I just want to make sure that you weren't talking about the sign that got moved across the street that was much higher and much larger. Mr. Higgins stated again, the only questions I've had have been regarding the correct

parking on the site of where customers have room to park and in all honesty, it has been a mess over there and that's why I feel it needs to be designated what's for customers, what's for service and what's for new car inventory. Mr. Tompkins stated that's fair and I can handle that because that is easy enough to do. Mr. Ouimet stated the following: Regarding the front of the building; I'm familiar and I think most people have gone up Route 9 and have seen the Lia-Infinity dealership. In the front of that dealership the façade of the building has no portal, as best I can tell, in front of it. The front of that building is faced off with an illuminist material that actually glows and it looks like it is backlit but I don't think it is. What you're proposing for the Toyota Scion building; are you proposing a material that is opaque to light but will reflect light or do you know what color and what material it's going to be? Mr. Tompkins stated I understand that the color is going to be white. Mr. Ouimet stated right, but is it going to look like the Lia building on Route 9? Mr. Tompkins stated it is going to appear brighter than the surrounding. Mr. Ouimet stated I understand that but the Lia building actually looks like a large lit sign, it has glass doors, glass windows, a service door but the whole front of the building lights up or at least it appears to light up. Mr. Tompkins stated the following: They're not going to light it up. This is what the sign company does; they design the structure that has bulbs behind it. I have no knowledge of how Lia's sign is constructed but it could have bulbs behind the face of the wall and that's why it appears bright. It's not going to have the bulbs there. So, I can't speak to your perception of how that white is going to look because I think they want it to look brighter than the rest of the building. Mr. Ouimet asked they want it to look lit up? Mr. Tompkins stated I don't see how it can look lit up if it's not lit up. Mr. Ouimet stated the following: I think this conversation goes to what Mr. Higgins had said earlier about this huge sign or signage, even though we have boxed around the proposed logos and things of that nature to determine the square footage, if the whole front of the building is truly the sign, then we are not looking at it right. Mr. Tompkins stated I would agree if it was the sign, but it's not lit up. Mr. Roberts stated the following: With the new technology nowadays, it's not lit up but I think it draws from the light around it so it makes it look like it is lit up because it is brighter than a regular wall. I drive by Lia a lot and that's what it looks like. Mr. Berkowitz stated the following: So, if the lights are on in the building, it's going to reflect the light. If the signs are backlit, it might reflect a little off the lights. Mr. Nadeau asked is this at nighttime only or daytime as well? Mr. Roberts stated at nighttime is when you really see it. Even the lights that light the parking lot will reflect onto that and it will make it look like it's lit up. This is what they do nowadays. Mr. Nadeau stated so Mr. Ouimet's question is; will it look illuminated. Mr. Roberts stated yes it would look illuminated. Mr. Ouimet asked so would the whole front of the building look like a sign? Mr. Roberts stated not a sign. Mr. Berkowitz stated I think it will look like a dull illumination, not like there's a bulb behind it because it's not like a sign. Mr. Tompkins stated the following: I want to be careful of they say because this is the first time that I've encountered this company and everything else. I'm probably repeating myself and I'm probably not saying it right, but they gave up an awful lot of their original design intent and I think they would be disappointed with the affect that this is going to have but they try to hold on to some of the imagery. I don't think you're going to have anything that's going to make you feel like you have egg on your face. Mr. Higgins stated the following: Over the years this Board has dealt with numerous large franchises; Lowe's, Home Depot, Wal-Mart and we've always strived to get the best product bottom line at the end. If you looked at what was approved by the Wal-Mart from what they came in with originally and what they ended up with and the same thing with Lowe's and Home Depot. This site has always been very bright with the amount of light that they have there 24 hours a day and I feel that it is a very prominent site, it's very easily designated that it's Toyota dealership and I'm just concerned that we're going to have something here that ends up looking like a sore thumb when it's all said and done. I think some of the other Board members have the same concern. Mr. Nadeau asked is it possible if you could find out if there are other buildings in the area that have that same type of technology for us to get an idea of what it might look like? Mr. Tompkins

stated the following: In all honesty, I don't know because I think anything we point you to is going to be the original design and even Lia and that's going to be misleading. It's not going to do Country Realty or New County any kind of a favor at all and it's not going to give you guys the right idea and what we would be doing is delaying this project further for information that is going to be perceived as too much of an impact and I don't think there is going to be any impact to this at all. Mr. Nadeau stated the following: That's your opinion but there must be a building someplace that uses this or you must have a picture of this someplace to show us what it's going to look like and could we possibly get a picture? I can't believe that they would design that building and not look at it to see what it would look like before they are done. Mr. Tompkins asked is there some way to separate the sign permit application from the approval application? Mr. Roberts stated sure we can do that. Mr. Higgins stated yes, but this is part of the approval and he's not considering this part of the sign. Mr. Berkowitz asked do you want a separate approval from the site plan verses the signs. Mr. Tompkins stated the following: The site plan approval would allow them to get a building permit to start gutting out the sales building. They're not going to work on the exterior until later on and that will give me time to get a picture or find one that is out there. Mrs. Murphy stated the following: The concern that I'm hearing expressed by the Board isn't about a sign; it's about the material being utilized to construct the wall itself. So, I don't know how you would separate the two. That being said, if you wanted to put up frosted glass and flick the lights on inside, there is nothing this Board could do to stop them from doing that. I don't see the real difference. Mr. Tompkins stated the following: That's kind of the way I'm feeling right now. We've gone through quite a process with the Town and I know not with you all as individuals. Personally, and this is me saying this, not New Country or Country Realty, we shouldn't be having this conversation at this point in time. I don't know if I could get a picture for you but I would make my best efforts to do it. I don't really want to handcuff the balance of the project. I know your comment about this being a lit site, that's site light and it's not the building. Mr. Higgins stated the following: I'm not saying that's it, all I'm saying is this is the first time you have come back to this Board with this application and this is the first time we're seeing it. So, I realize that there have been a lot of discussions between you, the engineer and the legal people; but that's not this Board. This is the first time we're seeing this so please don't give us a hard time about asking questions. Mr. Tompkins stated fair enough. Mr. Higgins stated again, I agree with Mr. Nadeau and Mr. Ouimet; I would like to see a picture of this. We have asked other applicants for pictures from everything from restaurants to retail facilities and everything else and I don't think that is an unreasonable request. We want a picture of what it's going to look like or tell us where we can go and look at a similar location. Mr. Roberts stated we would like to see a rendering of what the sign would look like. Mr. Ruchlicki stated you could probably generate this on a computer. Mr. Higgins stated and in color. Mr. Ruchlicki stated I'm sure there has to be something that exists relative to the way it's going to be put up on the front of that building. Mr. Nadeau stated we're not saying that we're not going to accept it. Mr. Berkowitz asked Mrs. Murphy if they wanted to, can they put this façade up without a sign on it just to see it architecturally? Mrs. Murphy stated the following: We don't have architectural standards set forth in the Town. So as long as they comply with the building code and the dimensions as approved by the Town, we don't regulate what material is utilized. We never have as a Town. I think the confusion is coming with the portico as it was a lit up freestanding sign and this is the applicant's way to get around our regulations by saying "no it's just a building material that may look lit up with a sign on". He's accurate; it's not a freestanding thing that we can regulate as a sign; it's a building wall. Mr. Tompkins stated I wrote Mr. Watts a letter and attached a skin portal elevation and the only difference on that elevation is that the portal no longer is a different roof edge; it's the same level. Mr. Berkowitz asked do you mean that it's flush? Mr. Tompkins stated the following: No, on the top it jumps up about a half of foot and it doesn't even do that now and it's the same level. This is how it is supposed to be when there's florescent tubing behind it. Mr. Roberts stated but it still going to be brighter than a

regular wall and in my opinion, we have no control over that. Mr. Ouimet stated the following: I have a couple of clarifying questions that might help us here. Whatever this material is that's going to face the building, it is what it is. The rendering shows 4 signs; Toyota, New County, Scion and Service and asked would these signs be an integral portion of the material that is affixed to the building or would they be affixed to that; in other words; would there be a relief between the lettering and the building. Mr. Tompkins stated I think they're going to be relief. Mr. Ouimet asked do you think or do you know? Mr. Tompkins stated this is what it says and it would be channel letters so that tells me that they are affixed to the building. Mrs. Murphy stated and backlit because they have to be lit by something. Mr. Tompkins stated all of these would be backlit except New Country. Mr. Ouimet stated so that means that they're not an integral part of the façade of the building. Mrs. Murphy stated the following: Right. When you designate the parking spots, make sure you put a note on the map that that's a future right-of-way area. Mr. Tompkins stated yes, I will probably mark it and then tie it into the tax map that the Town has assigned for so that there is no mistake. Mrs. Murphy stated the following: That's perfect. It is my understanding that the contingency is based upon the language for the transfer of the property to be held in escrow by the Town has to precede the issuing of a C.O. that being the operation of those service lanes; not a building permit. So, the applicant can begin to undergo the changes that they are asking for, however, they can't start utilizing those changes unless and until the agreement for the transfer of the right-of-way has been determined and satisfied.

11.007 NB Toyota Scion Service Operations, 202 Route 146 – Sign

For the record: The Planning Department's write-up for the sign is as follows:

Proposed Sign Area: 175.5 SF

Proposed Sign Dimensions: 15ft x 6ft

Sided: one-sided Two-sided

Location of Sign: at the south side of the entrance to the service building

Total Height: -N/A wall mounted.

Lighted: Internal Flood

Planning Board Date(s): 1/24/11

Brief Description: This site with its 25,780 SF service building is allowed 327.34 SF of signage.

The applicant wishes to place a freestanding sign at the entrance of the proposed service building. The building itself has no signage represented on it and the freestanding sign will be the only signage for this site. The existing building is located on a separate parcel to the sales building. This proposed sign is to be placed where the former GMC pylon was located and since removed and relocated across Rt 146. The proposed freestanding sign is similar to the existing freestanding sign located on the sales parcel. This sign conforms to the Town's Sign Ordinance.

11.008 NB Toyota Scion Sale Operations, 204 Route 146 – Sign

For the record: The Planning Department's write-up for the sign is as follows:

#1 (Toyota Logo)

Proposed Sign Area: 30.35 SF

Proposed Sign Dimensions: 5.0ft x 7.7 ft

Sided: one-sided Two-sided

Location of Sign: above to the left of the entrance to the sales building.

Lighted: Internal Flood

#2 (Toyota)

Proposed Sign Area: 18.19 SF

Proposed Sign Dimensions: 1.7ft x 10.5 ft

Sided: one-sided Two-sided

Location of Sign: above to the left of the entrance to the sales building.

Lighted: Internal Flood

#3 (New Country)

Proposed Sign Area: 19.47 SF

Proposed Sign Dimensions: 1.5ft x 12.9ft

Sided: one-sided Two-sided

Location of Sign: above the entrance to the sales building.

Lighted: Internal Flood –No Lighting

#4 (Scion)

Proposed Sign Area: 16.52 SF

Proposed Sign Dimensions: 1.25ft x 13.22ft

Sided: one-sided Two-sided

Location of Sign: to the left of the main entrance to the sales building.

Lighted: Internal Flood

#5 (Service)

Proposed Sign Area: 4.76

Proposed Sign Dimensions: 1.0ft x 4.81ft

Sided: one-sided Two-sided

Location of Sign: to the right of the main entrance to the sales building above overhead doors.

Lighted: Internal Flood

Planning Board Date(s): 1/24/11

Brief Description: This site with its existing 15,075 SF building is allowed 295.23 SF of signage.

The applicant is proposing a complete “facelift” to the existing sales building along with removing all existing signage (except for the existing freestanding sign) and replacing it with all new signage as described above. The once proposed “portal” freestanding wall signage is no longer being considered and all signage will be integrated into the building façade.

The total area of signage being proposed, as described above, adds up to 89.29 SF. The existing, previously approved, double-sided freestanding sign has an area of 175.5 SF. The total area of proposed and existing signage is 264.79 SF. All proposed signs conform to the Town’s Zoning Ordinance.

Mr. Ruchlicki made a motion to approve the addition to site plan and sign applications for New Country Toyota Sales & Service contingent on an agreement being executed to allow the Town to gain control of the right-of-way if and when the need arises, a note on the plan describing the future taking of the right-of-way is to take place, a building permit can be issued for the proposed renovations but no Certificate of Occupancy would be issued until the agreement is signed and submitted to the Town Attorney, the site plan will be revised delineating the uses of the parking spaces (i.e. customer, employee, new car sales, used car sales, service..), the new siding to the façade of the sales building is not illuminated and the signs are attached to the building and not integrated into the siding of the building.

Mr. Higgins made a motion to adjourn the January 24, 2011 Planning Board Meeting at 9:05 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Board Secretary