

Town of Halfmoon Planning Board

November 22, 2010

Those present at the November 22, 2010 Planning Board meeting were:

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

Planner: Lindsay Zepko

Town Attorney: Lyn Murphy

Town Board Liaisons: Paul Hotaling
Walt Polak

Mr. Watts opened the November 22, 2010 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the November 8, 2010 Planning Board Minutes. Mr. Ruchlicki made a motion to approve the November 8, 2010 Planning Board Minutes. Mr. Higgins seconded. Motion carried. Mr. Roberts abstained due to his absence from the November 8, 2010 Planning Board Meeting.

New Business:

10.090 NB Country Drive-In, 1455 Vischer Ferry Road – Addition to Site Plan

Mr. Hugh Mariaca, the applicant, stated the following: I have submitted a narrative and the plans for this application. We are proposing an addition to the site plan for the Country Drive-In. On the west side of our business there is a grassy area that is a hill. Currently we have picnic tables in that grassy area that don't get utilized because those tables kind of sit on a slant. We would like to do two things with an end result where we would like to provide our customers with a place to sit on rainy days, out of the weather. We are proposing to remove some of that dirt to kind of flatten out the hill, pour a concrete slab and then continue the roof from the building to cover that slab. So, basically it would be a covered patio, which would be approximately 480 SF. Then we are going to take the existing tables that are there and put them onto the proposed patio. The roof would also line up right to the front of the building and the customers would be able to walk from the area where they order and pick up their food right onto the patio without having to go out into the area that is not covered by the roof. That is what we are proposing and our contractors would be Riberty Contracting and CGM Construction and we have the plans drawn up and stamped by an engineer. Mr. Watts asked is this the same application that you submitted a couple of years ago? Mr. Mariaca stated the following: This is the same idea except that a few years ago when I did it, I didn't have an engineer draw it up, I had a contractor that drew it up by hand and I never followed through on it at that time. It is basically the same idea but I think this is a much better proposal. A few

years ago we were going to also do the flooring more like a deck. With talking to the contractor, they said it would be better to flatten out the ground and pour a concrete slab, which would be better construction. It is the same idea but a better plan. Mr. Watts stated when you came before the Board; we had to disapprove it because it was considered to be an expansion of a pre-existing, non-conforming use. Mr. Mariaca stated the following: Right and I never followed the next steps. Over the past couple of years with the economy and such we didn't want to do an expansion. So, now we are starting over. I am aware that it could be disapproved because it's not conforming and I know that I would have to go to the Zoning Board of Appeals (ZBA). Mr. Nadeau asked if there would be any change in the parking. Mr. Mariaca stated the following: No, it wouldn't affect the parking at all, it doesn't affect the quantity of parking spots, the number of tables or anything like that. Really it would just give us a flatter area where our customers could sit on days when the weather isn't good so they are not sitting in their cars or not stopping because of the weather. Mr. Watts asked Mrs. Murphy are we still at the same legal status as we were before; although, we might not have any difficulty as a Board with what Mr. Mariaca wants to do, we are constrained. Mrs. Murphy stated yes, that is correct. Mr. Watts stated you would have to go to the ZBA for a variance.

Mr. Roberts made a motion to deny the addition to site plan application for the Country Drive-In based on the proposal is an expansion of a pre-existing, non-conforming use. Mr. Berkowitz seconded. Motion carried.

10.095 NB Mielewski Subdivision, 108 & 104 Woodin Road – Lot Line Adjustment

Mr. Rick Andriola, property owner of 104 Woodin Road, stated the following: I am representing Mr. Frank Mielewski for a proposed lot line adjustment to make a non-conforming lot more conforming. Both involved lots have an existing residential unit located on them. Lot 104 is a pre-existing non-conforming lot due to the small lot area and the house being built ~1959 (7,405 SF or 0.17-acres). The applicant wishes to increase the area of the pre-existing non-conforming lot by conveying 9,375 SF of the neighboring property. This will create a 16,780 SF parcel, which is considered to be more conforming to the required 20,000 SF lot with public water and sewer being available. The neighboring property has an existing 33,413 SF of area and will be 24,038 SF after the proposed lot line occurs. Both parcels have public water and sewer available.

Mr. Roberts made a motion to set a public hearing for the December 13, 2010 Planning Board meeting. Mr. Nadeau seconded. Motion carried.

10.098 NB Halfmoon Sunoco, LLC, 325 Route 146 – Sign

Mr. Anthony Famiano, of Sunoco, stated the following: I am representing Mr. Bruce Tanski and Sunoco. I have submitted a copy of the proposed signage to the Board Members. I believe the proposed signage would meet all of the requirements of the Town. The proposed height of the sign would be under 16 FT with a total of 86 SF. Mr. Watts asked Mr. Famiano to explain more about their LED lighting. Mr. Famiano stated the following: As you can see, there are 2 panels on the LED signs. They would have red backgrounds, which do not reflect a lot of light through the red. It sort of dims the light down and the LED numerals are the ones that will show up in red and in green. One is for regular and one is for diesel. Each of the signs are 7 FT x 2 FT for a total of 14 SF. Mr. Tanski, the applicant, stated the following: When we talked to the sign guy, he said that because of the red background it won't be as bright as Stewart's LED because they have a white background. So this should subdue the amount of light that you would see at night. Mr. Berkowitz asked would the intensity change from nighttime to daylight? Mr. Tanski stated no. Mr. Roberts stated for the record I believe the proposal is for 15 FT in height. Mr. Tanski stated if it is supposed to be 15 FT, that's what we'll make it. Mr. Famiano stated we have that sign

set on a 2 FT riser so we can bring that down by 1 FT. Mr. Roberts stated as long as the total height is 15 FT; so, the total height of the sign from the ground up would be 15 FT. Mr. Higgins stated I'm, confused because there are 4 panels on either side. Mr. Tanski stated correct. Mr. Higgins stated and you said that the sign would be 2 FT x 7 FT times 4. Mr. Tanski stated I think the total square footage is 83 SF total. Mr. Ruchlicki stated we have a colored picture that shows a logo sign and asked is that what's going to be there? Mr. Famiano stated yes. Mr. Ruchlicki asked if the top of the Sunoco sign would rotate. Mr. Tanski stated no, the Sunoco sign would not rotate, and it's fixed. Mr. Watts stated the sign may change the price of gas once a day because it is a LED sign and asked if that would be considered scrolling. Mrs. Murphy stated the following: They are not allowed to have any kind of animated or repeatedly changing type of information on the sign. We usually talk to the applicant about what works for them; 24 or 12 hours depending on the cycle. Most places are doing 24 hours. Mr. Tanski stated we would be open from 5:30 am to 11:00 pm; so we'll change the price once in the morning and that would be it for the day. Mr. Watts asked if anyone knew if Stewart's abided by that. Mrs. Murphy stated that was a condition of their approval. Mr. Watts stated the one issue that we had with these LED signs that has come up is the general brightness and Mr. Tanski and I have discussed that. Mr. Tanski stated let's go on record to say that we will put it up and if the Board is not happy with it, we'll dim it. Mr. Famiano stated we usually dim them during the day and then they go brighter at night. Mrs. Zepko stated or vice versa and I think there is some kind of light sensor. Mr. Watts stated the following: Like some of the signs that have appeared in other municipalities that are scrolling, they're extremely bright and we have had people who drive in their cars say that they were visually distracted. I personally don't see where this sign is going to cause that issue. We will work together on it if we have an issue. Mr. Higgins asked are there any signs on the building or were they already approved as part of the initial? Mr. Tanski stated the following: Right now there are no signs on the building. I have to get a separate permit for Dunkin Donuts and I don't know if they are going to want another sign and if they do, we'll come back. As far as the gas station itself, this would be the only sign for the gas station. Mr. Watts asked when do you think you will be opening? Mr. Tanski stated the following: We are shooting for the end of January but we are waiting for a liquor permit. We are also waiting for all kinds of permits from New York State for the lottery, for the food and all the other stuff. Mr. Watts stated the following: I'm sure with the dire fiscal conditions of the State they would be working very hard to improve business like our Planning Board and our Town Board does. So, I would hope that the personages in Albany are able to understand the difficulties that municipalities and local businesses face trying to make money or support business.

Mr. Roberts made a motion to approve the sign application for Halfmoon Sunoco contingent on the sign is not placed within the State DOT right-of-way. Mr. Ruchlicki seconded. Motion carried.

10.099 NB Edward Jones, 1471 Route 9 (Crescent Commons) – Change of Tenant

Mrs. Murphy recused herself from this item. Mr. Mike Klimkewicz, of MRK Real Property, stated the following: I'm the owner of Crescent Commons at 1471 Route 9. I'm here on behalf of Edward Jones with Mr. Lou Dahoda who will be running this establishment. Mr. Dahoda would be renting 1,000 SF on the ground floor. He will have 2 full-time employees. His typical business hours would be 9:00 am to 6:00 pm and they would require 2 parking spaces. Mr. Dahoda stated the following: Edward Jones is recognized by J.D. Powers as being the number 1 in customer service and fees and did a lot of due diligence when I looked into coming aboard with Edward Jones and I believe that it is one of the best financial establishments that you could have in our area. We have been around since the early 1900's. Mr. Watts stated when you advertise, we wish that when you advertise that you state that you are located in the Town of Halfmoon and not some other town. Mr. Dahoda stated yes, even though the mailing address says some other town. Mr. Watts stated the following: Well that is beyond the control of our Town Board.

Our Town Board has tried for years with the 12065 zip code and the 12065 zip can have Halfmoon as a mailing address and it will be delivered. That is something that the postal service has been a little slow on.

Mr. Berkowitz made a motion to approve the change of tenant application for Edward Jones. Mr. Higgins seconded. Motion carried.

10.100 NB Wedding Combo, 1471 Route 9 (Crescent Commons) – Change of Tenant

Mrs. Murphy recused herself from this item. Mr. Mike Klimkewicz, of MRK Real Property, stated the following: I am here on behalf of Ian McGaughey and the Wedding Combo. Mr. McGaughey is in Arizona right now with much warmer weather. Mr. McGaughey has been a tenant of mine for the past 5 years in Clifton Park and he had decided to move up and come to Halfmoon. Mr. McGaughey's business is videography and photography. They offer an entire package for the wedding business. You would go there and they would sell you the videography, photography, music and the whole package. The business consists of one full-time individual and they have a couple of part-time individuals for evenings and weekends. They would occupy about 400 SF of space and it would be a very low intensive use. Mr. Roberts asked if Edward Jones and the Wedding Combo would have signage. Mr. Klimkewicz stated Mr. McGaughey would not have a sign because he would only be in the lobby and the Edward Jones signage will be presented at the December 13, 2010 Planning Board meeting.

Mr. Roberts made a motion to approve the change of tenant application for Edward Jones. Mr. Nadeau seconded. Motion carried.

10.101 NB Olesen Subdivision, #28 & #30 Route 146 – Minor Subdivision

Mr. Fred Metzger Jr., of Frederick J. Metzger Land Surveyor, P.C., stated the following: I am here tonight to represent Mr. Olesen for a minor subdivision. The parcel is an 11-acre lot at #28 and #30 Route 146. There are a couple of existing homes there that Mr. Olesen would like to subdivide into a 3-lot subdivision. There would be 2 lots in the front and then vacant land to the rear. Mrs. Zepko asked Mr. Metzger to inform the Board regarding the connection to the County Sewer due to absorption field being on the parcel. Mr. Metzger stated according to a prior survey, the existing leach field for #28 is located on #30 which was the only change between the original maps submitted. We put a note on the new maps that Mr. Olesen is to tie into the existing County Sewer for Lot #28. Mr. Higgins asked if that was a force main into the County Sewer? Mr. Metzger stated the following: I put a request into the County and I haven't got anything back yet from them. I believe we have two manholes that work for gravity and I believe even with the force main they can still tie into it. Mr. Higgins stated they can but it is very expensive. Mr. Metzger stated the following: Right, with the grinder pump and everything else. I think it is just force main to get underneath the creek or the low spot where the bridge is and then from there, at least in his portion, I believe it's going to gravity but I don't know for sure yet. Mr. Nadeau stated on the front part of parcel "A", which I believe is a filled area, I believe Mr. Bianchino had some issue and some questioning regarding if anything was going to be built there, there would have to be some test boring or something to that affect. Mr. Metzger asked if Mr. Nadeau was referring to the vacant parcel in the rear. Mr. Nadeau stated no, the forward portion of the lot, which was all filled in. Mr. Metzger stated the following: I don't know if they are planning on building anything there. My understanding is that Mr. Olesen wants to break them apart from the larger piece in the back to free it up to do some financing with the front half to do stuff to the rear. Mr. Higgins asked has this been subdivided into the 3 lots already or are you proposing to subdivide that now. Mr. Metzger stated I'm proposing the 3-lot subdivision. Mr. Higgins stated the following: With it set up this way the problem is; somebody could walk away from that third lot because it's basically wasteland and the Town is going to end up being stuck with it. The lot was never compacted and the majority of the parcel is a stump dump that they have had nothing but problems with for years

and years. Mrs. Zepko stated for the record the gentleman that owns that parcel that is in question right now, also owns the adjoining property. Mr. Higgins stated but if it's going to be subdivided and you're going to have 3 different tax bills, he could not pay the taxes on the stump dump, walk away from it and the Town is going to end up being stuck with it. Mrs. Zepko stated I'm just trying to clarify for the record and I'm not arguing what Mr. Higgins' point is but the large parcel that remains is still contiguous to a parcel that he owns to the rear. Mr. Watts stated I don't see where that falls under our jurisdiction or purview to worry about somebody possibly not paying their tax bills. Mr. Higgins stated I'm asking Mrs. Murphy if we are going to allow a subdivision of a piece of property that is questionable due to the fact that this Board has previously told applicants that because of the way that that dump was construction and Mr. Bianchino has gone on record, as Mr. Nadeau has said, to say that there really is no way to stabilize it to make it something that can be built on. Mrs. Murphy stated the following: I don't know that he said that. I think the concern was that proper borings be done before anything is built on it. It is up to the applicant as to what they are going to do, but if they choose to let it go for taxes, there is nothing this Board can do. Mr. Nadeau stated again, I believe the rear portion of the lot isn't an issue; it's just that they were filling the front portion, which was the access area.

Mr. Nadeau made a motion to set a public hearing for the December 13, 2010 Planning Board meeting. Mr. Berkowitz seconded. Motion carried.

10.102 NB AAA Car Care Center, 1647 Route 9 – Sign

Mr. Fred Early, of Signworks, stated the following: I'm here to represent AAA Car Care Center and AAA Travel and Insurance Company. They have made some changes and I know that other people have been in before the Board regarding this parcel and the signs. When I got a chance to look at the signage, we made some adjustments to the number of signs that were on the building. They did have a spread of signs across all the bays but more importantly was the freestanding sign. The engineer had the sign at 16 inches above grade and I reminded the folks that we live in the North Country and we have a little more snow than that most years. So, we raised the bottom of the sign. I did not change the location of the sign on the plot plan, which you approved for it's location and that is where it will be with the same appropriate setback. We want to get a little more size out of the sign. I think the original sign was 4 FT x 8 FT and there was no particular restriction to keep it that small. It was more of a technical problem because the AAA logo with that orbit and when you go to put lighting into the bottom end of that orbit, it's pretty small so I needed to boost it up just enough so I could get an LED in there and light the sign appropriately. This is more of the reason for the expansion in size of the freestanding sign. When you get to the building signs, they are only lighting the two AAA logos. The other signs on the building would be non-illuminated. I did offer then the choice and I checked with Mr. Williams to see whether or not that was okay and he said "yes, that was fine if you want to illuminate them", but they choose to stay with the non-illuminated building letters. So you'll just have the logos with lighting on the building. There will be LED lighting with minimal luminosity. For your information, I did a study for Price Chopper on their full size neon front Price Chopper sign last year, which ran about 95,000 lumens. The same sign that we produce now with LED's in it runs about 12,000 lumens. So, that is the luminosity, which is the amount of light output that you see. The difference is that it's not the intensity of glare that you get with other devices, although they would be well lit. But you won't have that glaring/blasting type intensity that you might with neon or some other type. I know neon is the forbidden word in this Town but nevertheless; it does keep a more minimal output when they're not free-floating like the previous Sunoco sign they were talking about. Mr. Watts stated I don't see any mention about the LED in the write-up and asked Mr. Roberts and Mrs. Zepko if they were aware of that. Mr. Roberts stated the following: I was aware of it once I got the application, but not before then. We may want to keep the option open if it is too bright, we can go back to them. Mr. Early stated the following: This isn't the same thing as having the open style

LED that you're talking about with Stewart's. Those are front-loaded open LED's and they are pretty blinding. In fact, if you stare into one of those, you are going to have a visual problem. We're talking about white LED's that would be inside behind the plastic face of the sign. The sign depth is going to be at least 6 inches deep; so you'll have the LED sit back 6 inches behind the face with a more even luminosity. We just want to get the glow; we're not looking at intense LED. Mrs. Zepko stated I did mention in the write up that they would be internally lit with LED lighting and the Town has approved several internally lit LED signs. Mr. Early stated the other choice is neon and neon in this small of a space at the tail end of those orbits and it is almost impossible to get your fingers in there and wire one up and that just doesn't work out very well. Mr. Roberts stated we still have to keep our option open because we don't know. Mr. Watts stated we are just being cautious relative to the LED because we have had issues with a couple of people with the brightness, the scrolling and all that kind of stuff. Mr. Early stated the following: Those are open style and this is not that type of sign. The other choice is normally you would light the AAA portion with 2 or 3 HO fluorescent lamps like all the other signs in the area.

Mr. Roberts made a motion to approve the sign application for AAA Car Care Center contingent on the sign is not placed within the State DOT right-of-way. Mr. Ruchlicki seconded. Motion carried.

10.103 NB Capitaland Home Improvement, 1660 Route 9 – Change of Tenant & Sign

Mr. Tom Address, of ABD Engineers & Surveyors, stated the following: Ms. Sunday Verrillo, co-owner of the property, is also present for tonight's meeting. We are here to propose a tenant change for the Prestige parcel at 1660 Route 9. We are proposing to maintain Prestige for a portion of the site and add a second tenant, which would be Capitaland Home Improvement. Currently Capitaland Home Improvement is located next to Clifton Park Pizza. They would like to move to this location because they feel that this site would have better visibility. The space they proposed to move into is slightly smaller and they don't want to have as much display inside as they had in their existing building at 1712 Route 9. Their principal business is roofing, siding and windows. They also have secondary businesses of kitchen cabinets and a small amount of decking material. They are proposing to set up a showroom on the first floor of the building to display their products. Not all of their clients would come to this site. They would not be storing any of the products at this site as they do have a warehouse in Mechanicville. This site is purely for their showroom and a place to try to promote their business a little better. They would use almost all of the existing first floor of the building, which is 2,200 SF. They would have one small office that would be about 200 SF for a single employee for Prestige. We have shown on the site plan the way the parking would work so that we would be able to accommodate all the needs for the number of employees that Capitaland Home Improvement has plus the one employee for Prestige. Prestige would still have the service in the rear of the building; so there would be parking for the service in the rear and parking for the employees for the service in the rear. The 2 apartments are still in the building on the second floor and we have 4 parking spaces for those 2 apartments. The remaining space that wasn't used for the customers, employees, and service or the apartments would be the cars that be displayed by Prestige on the outside. They wouldn't have any cars inside the building. Mr. Higgins inquired about the handicap parking spaces. Mr. Address stated we actually moved the handicap space that was always in the front because there was no way to get into the building in the front. They have 2 entrances near the front of the building but both of those entrances have steps. There is a back door that has the handicap ramp so we moved the handicap parking space back to that area so it was adjacent to where the correct entrance would be. Mr. Ouimet stated the following: Given the fact that you are adding an extra business to the building, it would seem to me that you might consider having 2 handicap spots; one for the car dealership business and one for the retail Capitaland business. Otherwise you're going to have 2 customers from 2 businesses competing for one spot and I don't think that is realistic. Mr. Address stated the following: We wouldn't have any problem doing that. We put the handicap space in based upon the code requirement

based upon the number of spaces. Again, if we need to put in another handicap space we could easily do that. Mr. Ouimet stated I'm not so sure that you need to do that, the question that I had is; is it realistic to think that you might need it? Mr. Address stated there is always that potential. Mr. Ouimet stated the following: If you are going to add a second retail establishment to the building I would ask that you consider a second handicap space. How many proposed car display spots do you have? Mr. Address stated we are showing 18 car display spots. Mr. Ouimet asked so you would not display more than 18 cars? Mr. Address stated 18 cars would be the maximum limit. Mr. Watts stated so there would 18 spaces for Prestige's vehicle display? Mr. Address stated right, for vehicle display and then there would be additional spaces for employees and for customers of both entities. Mr. Higgins stated does the applicant realize that those 18 spaces are the only places that they can display cars. Mr. Address stated they do. Mr. Higgins stated not on the grass, not on the entrance way or anything else. Mr. Address stated yes. Mr. Higgins asked is the rear access to the bowling alley, is that agreement still in existence? Mr. Address stated I am not aware of any change with that. Mr. Ouimet with respect to the Capitaland Home Improvement business, do they plan on keeping their 2 cargo vans and pick-up truck on site at any point in the day or night? Mr. Address stated those vehicles would be at the site overnight; they wouldn't be there during the day because they would be going out to the site with those vehicles. Mr. Ouimet asked is it conceivable that they could park in any vacant spot? Mr. Address stated the following: They would fit within the number of employee spaces. Again, as we noted in the narrative, even though Capitaland's hours of operation would be 9:00 am to 5:00 pm, the field employees will come into the site around 7:00 am and they would come back to the site as late as 8:00 pm on long days. Mr. Ouimet asked would they be parked there all weekend? Mr. Address stated they would be there on the weekend. Mr. Watts stated if business were slow, the vehicles would be parked there during the day and that has been figured into the whole parking scheme. Mr. Address stated, yes that could happen. Mr. Ouimet stated we have also experienced from their current location the fact that they have banner signs up a lot of times in addition to their fixed signage that has been approved by the Board and asked if they were planning on doing any of that stuff? Mr. Address stated Capitaland would have a much better visibility at this location and a sign. Mr. Ouimet stated I assume that you have a lease with them, right? Mr. Address stated there would be a lease. Mr. Ouimet asked would there be anything in the lease that would control the amount of signage or what they hang-up? Mr. Address stated I think we can certainly add something into the lease. Mr. Higgins asked did you say that there wasn't going to be any inventory or stock on this site. Mr. Address stated no stock at all; everything they handle is out of their Mechanicville warehouse. Mr. Watts asked regarding the sign application. Mr. Address stated the following: The applicant wishes to replace the existing freestanding sign with a new design. The new sign would be placed in the same location as the existing freestanding sign. The sign would be 5 FT x 10 FT, double-sided for a total of 100 SF and the sign would be internally lit for Capitaland on the top section of the sign and other sections underneath would be lit by floodlight. Mr. Roberts asked if the sign height would be 12 FT? Mr. Address stated right. Mr. Roberts asked if the internally lit portion would have exposed neon? Mr. Address stated nothing is exposed. Mr. Roberts stated for the floodlights, make sure they don't shine out into the roadway. Mr. Address stated yes.

Mr. Ouimet made a motion to approve the change of tenant application for Capitaland Home Improvement. Mr. Higgins seconded. Motion carried.

Mr. Roberts made a motion to approve the sign application for Capitaland Home Improvement contingent on the sign is not placed within the State DOT right-of-way and it is located on private property. Mr. Nadeau seconded. Motion carried.

10.104 NB O2 Solutions, 1406B Route 9 – Change of Tenant & Sign

Mr. James Lawton, the applicant, stated the following: Ms. Janet Patrizio is also present for this application. I'm an investor in O2 Solutions and Ms. Patrizio is the majority owner. We would like to occupy space at 1406B Route 9 and do business under the name of O2 Solutions/HP Medical and Surgical Supply Inc. Our business is a home healthcare business. Mr. Watts asked how many employees would you have. Mr. Lawton stated anywhere from 8 to 10 employees. Mr. Watts stated and there would be very little client visits to the office and it wouldn't be a regular occurrence. Mr. Lawton stated at any give time there may be 1 individual and the most would be 2 probably. Mr. Watts asked Mrs. Zepko if the site had adequate parking. Mrs. Zepko stated yes, we did review the parking and they would have adequate parking available. Mr. Berkowitz asked would you store oxygen at your site? Mr. Lawton stated no, our oxygen supplier is right up the road on Arrowhead Lane/Route 9 at Light Gas. Mr. Berkowitz asked if they would store the oxygen tanks at the proposed site? Mr. Lawton stated the oxygen tanks would be stored at our supplier and not at our site. Mr. Berkowitz asked would you have any vans that would go back and forth with oxygen in them? Mr. Lawton stated the following: The vans would leave in the morning, go pick-up tanks, deliver and then they would drop off the empties in the evening at Light Gas. That is one of the conveniences of the location is that we are close to the supplier. Mr. Watts asked where are you located now? Ms. Patrizio stated Saratoga. Mr. Watts stated please advertise that you are located in Halfmoon. Mr. Lawton stated the sign would be within the existing framework that is provided by the landlord and Ms. Patrizio has a picture of our present sign. Mr. Roberts stated so you would just be replacing what is already there? Mr. Lawton stated correct. The sign dimensions would be 4 FT x 10 FT (double-sided) for a total of 80 SF and the sign would be internally lit.

Mr. Roberts made a motion to approve the change of tenant application for O2 Solutions. Mr. Berkowitz seconded. Motion carried.

Mr. Roberts made a motion to approve the sign application for O2 Solutions. Mr. Nadeau seconded. Motion carried.

Mr. Ruchlicki made a motion to adjourn the November 22, 2010 Planning Board Meeting at 7:50 pm. Mr. Higgins seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Department Secretary