

Town of Halfmoon Planning Board

January 12, 2009 Minutes

Those present at the January 12, 2009 Planning Board meeting were:

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

Alternate

Planning Board Members: Bob Beck
Jerry Leonard

Planner: Lindsay Zepko

Town Attorney: Lyn Murphy

Town Board Liaisons: Paul Hotaling
Walt Polak

CHA Representative: Mike Bianchino

Mr. Watts opened the January 12, 2009 Planning Board Meeting at 7:01 pm. Mr. Watts asked the Planning Board Members if they had reviewed the December 8, 2008 Planning Board Minutes. Mr. Roberts made a motion to approve the December 8, 2008 Planning Board Minutes. Mr. Ouimet seconded. Motion carried.

Public Hearing:

08.060 PH Donati Subdivision, 172 Anthony Road – Minor Subdivision

Mr. Watts asked if anyone was present for the Donati minor subdivision public hearing. No one responded. Mr. Watts stated the Board would need to postpone tonight's public hearing and reschedule this item for the next Planning Board Meeting due to a notification process error where all of the adjoining property owners were not notified.

Mr. Berkowitz made a motion to reschedule the Donati public hearing for the January 26, 2009 Planning Board Meeting. Mr. Higgins seconded. Motion carried.

New Business:

09.001 NB Temple Baptist Church, 142 Lower Newtown Road – Addition to Site Plan

Mr. Nick Demos, of Hudson River Valley Engineering, PLLC, stated the following: I am representing the Temple Baptist Church for an addition to site plan application. I have

submitted a site plan to the Board and I have one displayed on the bulletin board. The church would like to build an accessory building, which is shown on the plans. The location would be near the pond in a grassy field area. The building is proposed to be 32 FT wide and 88 FT long. Inside the building on the main floor would be the pastors' offices, a counseling room, a copy room and a couple of office functions. The second floor would be a conference meeting room for the church staff. There would be a walkout basement with approximately half of the basement area used as an occasional assembly area with a couple of tables if they were having a large meeting. Currently the pastors' offices and the counseling rooms are shared with the Sunday school rooms, which are in the old church building. The church is growing and they are looking for a little bit more room. The area of disturbance would be less than 1-acre. No stormwater plan should be required. I did detail a silt fence and construction entrance. I did detail a basic Stormwater Pollution Prevention Plan (SWPPP) and I will be on-site for periodic inspections to make sure run-off and stormwater is handled. Mr. Nadeau asked if they were updating a previous plan submitted that did not take place. Mr. Demos stated the following: There was a site plan submitted by Mr. Gil VanGuilder in 2006 and that never came to fruition. I do have Mr. VanGuilder's base mapping used on this plot plan with the building shown on it. Mr. Roberts asked if the main use is going to be for offices and meeting rooms. Mr. Demos stated the following: Yes that is correct. The first floor or the main floor would be 4 offices and a copy room and for the clerical staff. On the basement level they would have a few tables if they have an assembly with maybe about 20 people who show up for a meeting. I did submit a letter to the Board dated December 30, 2008 discussing the proposed use. The upper floor would be a conference room with a floor area of 2,012 SF. The main floor would be for a business use, which is just the offices for the pastors, which would be 2,816 SF. Down in the basement level there would be a finished half of 1,600 SF, which we have classified as an assembly area class A3 in the building code. The other half of the basement would be unfinished mechanical space. Mr. Ouimet asked what else they were planning on putting on the second floor other than the conference room. Mr. Demos stated the church has gone back and forth with what they wanted to do up on the second floor. We have gone from ideas of storage to ideas of having the meeting room up there. Right now they want to plan it with just the boardroom with a table on the second floor. They have even entertained different ideas of having an apartment up there for missionaries who come to town. Currently they put their missionaries up in hotels. When my assistant architect reviewed the project, it seemed to have a mixed use of residential/business use, which was going to be pretty complicated with additional costs. The church decided this time that they could put up a lot of hotel rooms for the additional cost of having a mixed use so that is why we backed off to just a meeting room upstairs. Mr. Ouimet stated so it would just be a conference room. Mr. Demos stated yes. Mr. Ouimet stated, so it would be a rather large conference room. Mr. Demos stated the following: Yes. Perhaps it may have some paper storage and other files, but it is going to be one open room on the top level. Mr. Berkowitz asked if they would be relocating offices from one of the present buildings to the new building. Mr. Demos stated the following: Yes. Right now the pastors' offices are down on the basement level of what used to be the old church and the desks, shelving and all those units would be moved over when the pastors move over to the new building. Mr. Berkowitz asked so what would become the new use for the old space. Mr. Demos stated the following: It is my understanding that the old space would be used for additional Sunday school rooms. Currently along that hallway they already have rows of Sunday school rooms. Mr. Ruchlicki asked if the shed and dumpster, that would now be in front of the new building, would be moved to a new location. Mr. Demos stated the following: Yes. Right now there is a small portable shed and dumpsters that would be in front of the

proposed building. The shed would be moved and the dumpsters would be relocated. Although I didn't show the actual location where the shed and dumpsters would be moved. If the Board would like that shown on the site plan, I can make a revision but right now they weren't sure where they were going to move that stuff to. Mr. Ruchlicki asked the following: Do they foresee a change to the septic tank location, if the development would interfere with that and is there a leach field associated with the septic tank. Mr. Demos stated the following: There is about a 1,000 linear feet of leach field, which is located across from the pond near the gravel parking area. I have the original septic system design that Mr. Marty Wolfson designed for them several years ago. There is enough capacity in the system that is there now to handle the additional office space. I put my assessment of the septic system in my December 30th letter. Mr. Ruchlicki asked if they were going to run that leach water all the way up along the length of the pond on that side across the end and over to that field. Mr. Demos stated the following: What we will have is a septic tank just on the outside of the new building to filter out the solids and then we will have an effluent line that runs to the new church where there is a pump system already. So it will run to the existing pump tank and pumped over to the system. Mr. Ruchlicki asked so it will not be all gravity feed, as you will be pumping it to that field. Mr. Demos stated the following: It will gravity feed 8 inch per foot from the new building over to the pump tank and then it will be pumped over to the existing field. Mr. Higgins stated the following: Regarding the new assembly areas in the basement and on the second floor; one of the concerns back from 2 years ago was parking during major holidays such as Christmas and Easter where some of your constituents were actually parking on the road and some of the neighbors had a complaint about that. Will these areas be used during those major holidays for additional prayer areas? Mr. Demos stated the following: When we finish the new building, there will be a couple of new spaces created. I did a brief analysis of the parking and for a normal church use and it is 1 parking space per 3 seats. We have a 600-seat church so we do have an overage that is detailed out on the plan sheet. There is overage on the number of parking spaces and we will create 2 to 3 additional spaces during this construction. Mr. Higgins stated what we are concerned about is that if these are being used as additional assembly areas, you may actually require another 20 or 30 parking spaces rather than just another 2. Mr. Demos stated I imagine that the people who will be at the assembly area are still the church congregation whether they are attending the church or attending the assembly. Mr. Higgins stated the following: I agree but as I said 2 years ago there was some questions by some of the neighboring residents about whether or not parking on the street was a safe thing to happen. So if this is another area where you are going to bring in another 200 or 300 people during the major holidays, obviously now we are talking about even a worse parking condition. Mr. Berkowitz asked how many spots are available for additional parking if necessary. Mr. Demos stated right now there are 213 spaces available and we are only creating 2 additional parking spaces. Mr. Berkowitz stated there is a note on the map that there is an area available for additional parking if necessary that is located to the left of the new addition where it says "proposed septic area". Mr. Demos stated that is a paved area and right now there is no striping marked on the pavement. Mr. Berkowitz asked if you needed to stripe that area for parking, how many parking spaces would be available. Mr. Demos stated I see that the old church building above it has 11 spaces along that one row so if we just went along the grass line I can see that we could fit 11 to 12 spaces in there. Mr. Berkowitz asked if they could go any farther to the east. Mr. Demos stated it looks like in the middle there would still be room for another row in the middle but I haven't scaled it off or measured it so I am not sure if we could get the 10 FT x 20 FT parking spaces to fit in a middle row to get additional spaces. Mr. Watts stated the following: We are going to refer this to CHA for review but what we can do as

part of the process is landbank parking spaces that will show that there is space available. I don't think our Board wants an overly paved area because you might be busy on Easter and Christmas. We are trying to get away from issues of giant paved parking lots because you might need them once a year. We have done a lot of landbanking if need be and if that became an issue, then we might tell you to add additional parking in the future. Mr. Demos stated the following: There is a gravel overflow parking area in the back on the far side of the pond but I am not sure what the history of the gravel area is and if it was built within the last couple of years or if it is older. I don't know if that was built as a repair for the overflow parking or if it still was under capacity but I will look into that. Mr. Watts stated the following: I know this plan has changed in the last weeks because they originally came in with some other plans to our Building Department. Please try to make sure you are up to date with what you want to do, when you want to do it and how you want to do it because we can't really work on maybes, ifs and this could be. Again, we are going to refer this to CHA for their review and then at some point we will have to schedule a public hearing because this would be a special use permit. Mr. Demos asked when would we be back before the Board. Mr. Watts stated the following: It depends on CHA's review and this Board meets every 2 weeks. You will be scheduled when we have all the information that is required so I can't commit to when you will be placed on the Planning Board agenda. Mr. Demos asked if CHA would be sending their comments directly to me or does it go through the Board first. Mrs. Zepko stated the comment letter would come to both of us and the Planning Department would be in contact with you to let you know at what point you would be placed on the agenda. We will certainly have communications with you in between meetings if we need to regarding the review and whatnot. Mr. Bianchino asked Mr. Demos to submit a copy of the Short Environmental Assessment Form (SEAF) to CHA and to the Town. Mr. Demos stated okay.

This item was tabled and referred to CHA for their review and for the applicant to provide a more definitive narrative on existing and proposed uses at the site.

09.002 NB Parma Italia, 1503 Route 9 (Halfmoon Plaza) – Change of Tenant

Mr. Dzavid Cekic, the applicant, stated the following: I am planning to open an Italian Deli and pizza shop in the Halfmoon Plaza. The owner of the plaza is Mr. Jeff Weiss and I was talking with him for a pizza shop with northern Italian cuisine. My architect was supposed to be with me tonight but he could not make it. I have all the plan designs for the interior and the kitchen. Mr. Watts asked Mrs. Zepko about a note in the file that says "find site plan". Mrs. Zepko stated there is an original site plan in the file. Mr. Watts stated the following: The original site plan in the file was never stamped and I don't believe it is up to date. The narrative that the applicant submitted stated, "This business will be a combination of a Northern and Southern Italian Cuisine. I will be serving pizza, sandwiches, pasta and chicken. I will also be providing delivery to my customers and customer pick-up. Indoor seating will also be available. In the kitchen I am planning to have a pizza oven, cooking stove with a convection oven, fryer, cooler/freezer, dishwasher, sandwich table and pizza table. I will provide you with a site plan of the business. I have been in the restaurant business for over 14 years. Sincerely, Dzavid Cekic". Mr. Watts asked who was the architect for this project. Mr. Cekic stated my architect will do a site plan for me and his name is Dennis and I cannot remember his last name. Mr. Nadeau asked how many delivery vehicles they would have. Mr. Cekic stated only one vehicle and I will only have deliveries on Fridays and Saturdays. During the weekdays I want to do more sandwiches. Mr. Berkowitz asked the applicant where he was currently located. Mr. Cekic stated I have been in the 20 Mall for about 10 years at Nicole's Italia

Restaurant and I have also been in Clifton Park for 3 years also at Nicole's Italia. Mr. Watts asked if the two restaurants were still in operation. Mr. Cekic stated we sold the one at the 20 Mall in Guilderland, we had a 3-year lease at the restaurant in Clifton Park and we were only open in the summer and now there is somebody else at that location. Mr. Watts asked how many tables are they proposing for the shop. Mr. Cekic stated I was planning on having a maximum of 30 chairs. Mr. Watts asked if they would have a liquor license. Mr. Cekic stated no. Mr. Watts asked if there was any other site plans for the Halfmoon Plaza. Mrs. Zepko stated the site plan in the file is the only site plan we have on record and I don't believe there is any other site plan for that plaza being the age of it. Mr. Watts asked if the site plan included all of the establishments at that plaza and if the site plan is an accurate representation of that plaza. Mr. Bianchino stated the following: I think it is the original site plan and it doesn't have the building broken down with tenant spaces, etc. It just has the overall complex with the total square footage. Mr. Nadeau stated I don't get to that plaza too often but a concern I would have would be if they need X amount of spots that would use up a lot of spots that the other businesses wouldn't be able to use. So this could hurt the other businesses and this is something that we would have to watch to be fair to the applicant and we don't want to short the other businesses either. Mr. Nadeau asked if the Halfmoon Plaza had a total of 75 parking spaces. Mr. Watts stated the following: The Planning Department's write up says, "this type of use (restaurant) requires one parking space for every three seating spaces. The applicant is to utilize 1,500 SF of space that would require 1 space for 200 SF, 8 parking spaces. Therefore a seating arrangement of a maximum of 24 seats would meet the allotted 8 parking spaces". We also have the people who would be coming in for take-out also. Mr. Cekic stated yes some people would be coming for take-out, but it depends. I see this plaza getting busy after 6:00pm and most of the businesses at the plaza are closed at that time and maybe our operation could open a couple of hours later around dinnertime. Mr. Watts stated the application says that you are going to be open from 11:00am to 8:00pm Monday and Tuesday, 11:00am to 9:00pm Wednesday and Thursday, 11:00am to 10:00pm on Friday and Saturday and 12:00 noon to 8:00pm on Sunday and that you would have 1 full-time employee and 2 part-time employees. Mr. Cekic stated yes, I want to keep the number of employees down. Mr. Berkowitz asked if there would be any waitresses or waiters? Mr. Cekic stated one person from the counter could do that. Mr. Berkowitz asked if it would be safe to say that there would be a total of 3 employees at one time. Mr. Cekic stated it depends, but if it gets busy then maybe we can add 1 or 2 more people but I don't want to say that is my plan. Mr. Berkowitz asked if they would be doing any catering. Mr. Cekic stated no because it is not going to have a big kitchen. Mr. Berkowitz asked how big the kitchen is proposed to be. Mr. Cekic stated the kitchen would have one stove with 6 burners and a convection oven. Mr. Berkowitz asked if everything would be out in the open. Mr. Cekic stated yes everything would be open but a wall would separate the kitchen. Mr. Berkowitz stated so there would be tables and counter space. Mr. Cekic stated yes and there would be a separation from the customers. Mr. Watts asked if there was a grease trap already at that location. Mr. Cekic stated Mr. Weiss told me they already had a grease trap behind the building. Mr. Watts asked the applicant if he knew when the last time the grease trap was used. Mr. Cekic stated I don't have any idea but Mr. Weiss told me they built a grease trap behind the plaza but I am not sure. Mr. Ouimet stated I am concerned because if there are only 8 parking spaces to work with and there are going to be at least 2 if not 3 or 4 employees, where are those cars going to park? Mr. Watts asked if Mrs. Zepko and Mr. Williams met with the applicant. Mrs. Zepko stated the following: I know Mr. Williams did and they discussed the number of seats and they were unable to come up with the exact number that they were proposing. Mr. Williams and I looked at the site to see what the

number of parking spaces were for the existing tenant uses that are already at the plaza, what the number of parking spaces that it would permit for the number of seats the applicant is asking for and it looked like about 8 parking spaces would remain for customers and that is how we broke it down. Mr. Watts asked if they included the employee parking. Mrs. Zepko stated the following: We didn't include the employees in that number. We did that separate because there is a lot of parking on the side of the lot that could be used for employees. Mr. Watts asked Mr. Bianchino if any of the parking was displayed on the site plan. Mr. Bianchino stated according to the original site plan, which again didn't have the uses for the building, a 10,000 SF building would require 50 parking spaces per code and there are 58 parking spaces on the site plan. Mr. Watts asked if the parking is shown on the side of the lot. Mr. Bianchino stated yes it does, it shows 50 spaces in the front and on the side and the site plan does show the grease trap in the rear of the building. Mr. Berkowitz asked if the Board could get an updated site plan so they could discuss this at our next meeting to see how many parking spaces are actually there and how many parking spaces there are for each use. Mr. Watts stated I think we need more information. Mr. Nadeau stated the topic write up stated that there are 75 existing parking spaces. Mrs. Zepko stated I will talk to Mr. Williams about that number. Mr. Roberts stated I also think we need more information on this. Mr. Watts stated the following: We are not prepared to take any action on this proposal tonight. We will be in touch with the applicant during the week to determine what additional information is required. Mr. Cekic stated Mr. Weiss stated he has an extra 4 parking spaces and I don't know if anyone counted them. Mr. Watts stated the Planning Department will visit the site to determine how many parking spaces the plaza has.

This item was tabled for additional information regarding adequate parking, number of seats intended and additional site details of Halfmoon Plaza.

Old Business:

08.089 OB

Professional Office Building, 1396 Vischer Ferry Road – Commercial Site Plan

Mr. Mike Tucker, of Infinigy Engineering & Surveying, stated the following: We were in front of this Board back in September 2008 to present this plan. To update the Board, this proposed project would be located at 1396 Vischer Ferry Road almost directly across the street from the Bast Hatfield's office. We are proposing two separate 3,000 SF professional office buildings, single story with 30 parking spaces as required by code. This site is in the Professional Office/Residential (PO-R) district and as shown on the zoning table in the submission we have met all the bulk requirements of that zoning district. In September we briefly present this project to the Board and were referred to CHA. Since then we have gone back and forth with CHA and we have received their comments and I believe we have addressed those comments to CHA's satisfaction. We are in the process of working with the NYSDOT to obtain our minor commercial curb cut permit given that Vischer Ferry Road is a State road. This is where this project stands at this point. Mr. Watts asked Mr. Bianchino if this project had been reviewed by CHA. Mr. Bianchino stated the following: Yes. I don't think I have done a final sign-off letter. The last time we did the letter, which was back in December 2008, I think the only thing we had was the resubmission of the Stormwater Pollution Prevention Plan (SWPPP) based on the plan revisions which has now been submitted. I recommend that the plans not be stamped until I do a final sign-off letter on the SWPPP. Mr. Watts asked if the SWPPP has been submitted to our office. Mrs. Zepko stated yes. Mr. Bianchino stated I think we have the SWPPP also but I don't think we have done the final sign-off letter. Mr. Tucker stated we

submitted a copy directly to CHA when we submitted it to the Town. Mr. Polak asked if anything architecturally has been submitted because in the PO-R zone the theme is to try to keep it residential in style. Mr. Tucker stated my client has not engaged in the architecture at this point but the buildings would be single story buildings and they will be residential looking in nature but I don't think the design has been completed. Mr. Polak stated actually this should be part of the approval. Mr. Watts asked regarding the Hoffman property because there were some questions raised at a previous meeting. Mr. Tucker stated the following: My client has been in contact with Ms. Jean Hoffman and they are working with her to establish this potential grading easement. As of yet, we do not have anything in writing. However, the site has been designed so that if for some reason we can't work that out, which we don't think is likely, one of the buildings could be constructed if we put a retaining wall there along that edge. This is really just a mound that comes up from Ms. Hoffman's property and quickly goes back down so it would be somewhat of a waste of a retaining wall but it could be done if necessary. Mr. Watts asked when do you anticipate some decision. Mr. Tucker stated I would hope that within the next couple of weeks to get something back. Mrs. Murphy asked Mr. Bianchino if the applicant had submitted the plans both ways or would the approval be contingent upon it being graded. Mr. Bianchino stated right now it is not designed with a retaining wall. It is designed with the grading on the adjoining property, so it would be contingent upon the permission of that grading easement. Mrs. Murphy asked if Mr. Tucker understood this. Mr. Tucker stated yes. Mrs. Murphy stated if they do not get the easement, they would need to come back with a different plan. Mr. Higgins stated looking at the access, especially to the building on the west, it looks to me like if they were going to have any kind of delivery truck or any kind of tractor-trailer, once the truck gets in there how are they going to turn around? Would the truck have to back all the way out? Mr. Tucker stated the following: Our site plan had originally contemplated two separate curb cuts and at the Town's request we actually removed one of the curb cuts. I admit this would be a difficult move for a truck. We are not expecting any full size tractor-trailer in there for any reason. They will be small office buildings for small businesses. They are 3,000 SF each. I wouldn't expect anything larger than a box truck in there for deliveries. Mr. Higgins asked if they were going to have some kind of a sign up at the entrance warning drivers about that. Mr. Tucker stated yes we could do that. Mr. Watts asked what kind of businesses would be going to be in there. Mr. Tucker stated one of the buildings is going to be an insurance company and the other building has not yet been determined. Mr. Berkowitz asked if there was enough room for emergency vehicles to navigate at that site. Mr. Tucker stated the following: There is enough room for them to get in front of the building. In this case the emergency vehicle would have to make a similar movement as if a tractor-trailer came in. The other building would be much easier as you can come in and back and get out that way. Mr. Watts stated the prospective uses are solely office. Mr. Tucker stated correct. Mr. Watts asked Mr. Bianchino if he was comfortable with where we are. Mr. Bianchino stated yes. Mr. Ruchlicki asked what type of activity takes place in the garage on the adjoining property. Mr. Tucker stated I believe it is the maintenance garage for the apartment complex. Mr. Ruchlicki stated the grading that would take place; I am assuming there is no concern on the adjoining property owners as far as a buffer between the two properties because you would be pulling down the berm. Mr. Tucker stated in our initial talks with Ms. Hoffman we talked about providing additional landscaping on her property if that is one of her concerns. Mr. Watts asked when did you start to discuss this with the Hoffman's. Mr. Tucker stated the following: We had discussed this with Ms. Hoffman two years ago when we had a different client that was looking at this property. Mr. Petro, my new client, has been in touch with Ms. Hoffman I believe a month or two ago and he is continuing to try to do so. The initial discussion that we

had with her a couple of years ago it seemed like it would not be an issue to get the easement. Mr. Ruchlicki asked and you still retain open dialog with those people. Mr. Tucker stated yes and there is no adverse relationship there that I am aware of. Mr. Higgins asked if there were any requirements for the side yard because the driveway is only 16 FT from the property line. Mrs. Zepko stated there are no setbacks for the paved area; it is the building that would have the setback requirements. Mrs. Murphy stated it is my understanding that the maker of the motion is asking that the approval be contingent upon the obtainment of a grading agreement which would permit the applicant to build the site after CHA's site plan approval, it would be contingent upon receipt of a final sign-off letter from CHA, it would be contingent upon the applicant agreeing to office use only and that the buildings be constructed in a residential type style.

Mr. Roberts made a motion to approve the commercial site plan application for the Professional Office Building located at 1396 Vischer Ferry Road contingent upon grading agreement being obtained from lands of Hoffman, professional office use only, residential style building and final sign-off from CHA. Mr. Nadeau seconded. Motion carried.

08.114 OB Architectural Glass & Mirror, 11 Solar Drive – Addition to Site Plan

Ms. Stefanie Bitter, of Hershberg & Hershberg, stated the following: I am the attorney for Architectural Glass & Mirror (AGM). Mr. Bill Mafrici, the project engineer, is here with me this evening as well as the applicant Mr. Mike Haverly. As you are aware, we are requesting a site plan modification for the site plan that was approved last summer. The one main thing that we were doing with this modification was because we had an oversight on the necessity of a dumpster. We included a dumpster in one location that then modified the site in that we needed to create 3 new parking spaces, which we did on another area on the site plan. With including those 3 new parking spaces we had to landbank 3 more parking spaces. With that modification we also included an overhead door that would be utilized to access the dumpsters. Then we also shifted the loading dock, which was originally approved to have 2 accesses in the future tenant space, and now it is being split down the middle so there is an additional access in the main area where AGM will be located. At our last meeting one of the concerns that was raised by this Board was that fact that we were not incorporating covers over the dumpsters. Since that time, our client sat down with the Town staff and made a proposal that is now going to have 3 dumpsters, 2 of which would be 6-yard dumpsters both of which would be covered and would be provided by County Waste. The last would be a 30-yard dumpster which will also have a cover which will be something that the client has had designed. The 30-yard dumpster is going to be utilized for work materials which would include glass, wood and plywood. The other 2 dumpsters would be utilized for office waste and garbage. We do have a layout, which I believe was provided to the Town. As you can see from the detail, the cover is provided in 3 sections. It would have a stackable opening, kind of like an accordion. Once the cover is closed, the client intends on bungee cording it shut just in case there are any windstorms. The hinges have rubber membranes to stop any water penetration and there is also a secondary neoprene gasket at all intersecting surfaces both horizontal and vertical. The cover is made of **Alucobond*. Mr. Ouimet stated I think we also talked about raising the height of fence screening around the dumpster given the fact that the dumpster was 6 FT. Ms. Bitter stated the following: I am sorry, you are absolutely correct. I think the fence was originally proposed as 6 FT and we talked about it being 8 FT. Mr. Ouimet asked if the arborvitae screening would still stay as proposed. Ms. Bitter stated yes as originally planned. Mr. Ouimet asked can you tell me a little bit about this cover and how are you are going get construction material into this

dumpster if that cover opens a third or two-thirds. Mr. Haverly stated if we have a big piece of material the sections of the cover would keep folding back on top of each other. Mr. Ouimet asked when the dumpster is full and is ready to be removed what happens to the cover. Mr. Haverly stated we would take it off, County Waste would come and empty it and we'd put it back on the dumpster that they leave to replace the full dumpster. Mr. Berkowitz asked how heavy is the cover. Mr. Haverly stated maybe 100 lbs. Mr. Ouimet asked if there were neoprene gaskets on the bottom of the cover as well to keep the water from going into the dumpster. Mr. Haverly stated there is a side of the top that would come down the side of the dumpster and the water would just shut off and there is an 8-inch vertical piece. Mr. Ouimet stated the following: I just wanted to make it clear that one of the reasons why I was interested in covering the dumpster is because of its location over the catch basin and any sediment may leach through the dumpster and into the water collector. There were a number of other options with re-grading and putting a roof over the top but I think they have done a lot to address my concern about the dumpster itself. Mr. Ruchlicki asked is that material that the lid is made out of is something that you use in making window frames or any other portion of what it is that you do. Mr. Haverly stated yes. Mr. Polak stated that is a pretty unique cover for the dumpster.

Mr. Ruchlicki made a motion to approve the addition to site plan application for Architectural Glass & Mirror contingent upon an 8 FT stockade fence enclosure is placed around the dumpster area. Mr. Higgins seconded. Motion carried.

**(Alucobond is a light-weight composite material consisting of two pre-finished 0.02" (0.5mm) thick aluminium cover sheets heat-bonded (laminated) to a core made of polyethylene plastic.)*

Mr. Ruchlicki made a motion to adjourn the January 12, 2009 Planning Board Meeting at 8:00 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Department Secretary