

Town of Halfmoon Planning Board

Meeting Minutes – July 9, 2012

Those present at the July 9, 2012 Planning Board meeting were:

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

Senior Planner: Jeff Williams
Planner: Lindsay Zepko

Deputy Town Attorney: Matt Chauvin

Town Board Liaisons: Paul Hotaling
Walt Polak

CHA Representative: Joe Romano

Mr. Watts opened the July 9, 2012 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the June 25, 2012 Planning Board Minutes. Mr. Ouimet made a motion to approve the June 25, 2012 Planning Board Minutes. Mr. Ruchlicki seconded. Motion carried.

Public Hearing:

12.047 PH Pingelski Subdivision, 221 Upper Newtown Road – Lot Line Adjustment

Mr. Watts opened the Public Hearing at 7:00 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. John Keating, Surveyor, stated the following: We did a subdivision about 24 years ago on a 10-acre parcel that was broken down into an 8-acre parcel and a 2-acre parcel. This current proposal is just a lot line adjustments changing the 2-acre parcel to a 5-acre parcel and the 8-acre parcel to a 5-acre parcel. There would be no additional lots and no change to anything else on the parcels. Mr. Watts asked if anyone from the public wished to speak. No one responded. Mr. Watts closed the Public Hearing at 7:01 pm.

Mr. Nadeau made a motion to approve the lot line adjustment/minor subdivision application for the Pingelski Subdivision. Mr. Higgins seconded. Motion carried.

New Business:**12.051 NB Gil's Garage, 219 Guideboard Road – Sign**

Mr. Tom Wheeler, of A J Sign Company, stated the following: We are proposing some wall signs on the new Gil's Garage that is located at 219 Guideboard Road. There will be 3 signs; one sign would be on the front of the building facing Guideboard Road, another sign on the side of the building facing the plaza and another on the opposite side of the building facing Route 9. All 3 signs would be internally illuminated and the word "Gil's" would be halo lit channel letters so the letters would be raised and at night there will be a soft glow around them. "Garage Inc." would have an acrylic back that is internally lit and at night just the word "Garage Inc." will light. This is a classier softer way to light a sign rather than a big light box.

For the record: The Planning Department's write-up for the sign(s) is as follows:**Sign #1**

Sign Size: 20 SF

Sign Dimensions: 17.5" x 166"

Sided: ☒ one-sided ☐ Two-sided

Location of Sign: side of building

Lighted: ☒ Internal ☐ Flood

Planning Board Date(s): 7/9/2012

Sign #2

Sign Size: 20 SF

Sign Dimensions: 17.5" x 166"

Sided: ☒ one-sided ☐ Two-sided

Location of Sign: side of building

Lighted: ☒ Internal ☐ Flood

Planning Board Date(s): 7/9/2012

Sign #3

Sign Size: 39.6 SF

Sign Dimensions: 22.5" x 252"

Sided: ☒ one-sided ☐ Two-sided

Location of Sign: front of building

Lighted: ☒ Internal ☐ Flood

Mr. Berkowitz made a motion to approve the sign application for Gil's Garage. Mr. Ouimet seconded. Motion carried.

12.052 NB 10 Enterprise Ave., 10 Enterprise Ave. – Addition to Site Plan

Mr. Robert Marini, Jr., of Fortress Partners, stated the following: Our proposal before the Board this evening is an expansion of 10 Enterprise Avenue where Creatacor and my corporate office is currently located. Creatacor is a maker of tradeshow exhibits. We built a 58,000 SF facility at 10 Enterprise Avenue in 2003 for Creatacor and at that time we appeared before this Board and we received a site plan approval for a 90,000 SF structure in 2003, which is shown on the map. About 5 years ago, we expanded the building and put my offices in there but we didn't need to expand it to the size that was originally approved. So, we put a 15,000 SF addition on the building and now there is a 73,000 SF building. Since that time Creatacor has expanded their business and their lease is up for renewal. They would like to stay in this location so they're going to take over the entire building, as it exists now. They are requesting that I add a 13,000 SF warehouse expansion. Because of the way they run their business, they ship tradeshow exhibits all over the United States, they need more storage space for these big crates that they store on-site and logistically that's

what they need to run their business efficiently. So, the new proposed building is still less in size than the original 90,000 SF structure that was originally approved. The new proposed building size is 86,370 SF. The entire acreage on the site is 8.17-acres. We have adhered to all of the building setback lines that were on the original subdivision plan. At the time that we built the building, the neighbors in the back wanted us to add some additional mitigating factors for noise, lighting and other things. We installed a fence along the entire property line and changed the lighting on the back of the building and since we have been there, we haven't had any complaints from any of the neighbors. There would be no change to the impervious cover on the site and we're giving up blacktop area that is currently there and substituting it with a warehouse. The driveway into the site would remain identical to the way it is now and it would just come around the newly built warehouse. We would still be utilizing the back of the building exactly the way it is. Mr. Higgins stated the following: I'm familiar with the site and as far as outside storage of materials, I know at times they have had some materials outside. With this addition, would they then be able to keep the materials inside? Mr. Marini stated the following: The only materials are materials that I store outside in my yard. I have heavy equipment and I have Peterbilts and trailers. The only thing that Creatacor has stored is a fit up a trailer for mammograms. Mr. Higgins stated the following: I'm familiar with the trailers and I'm familiar with your equipment but I have been there a number of times and at one time they were storing some crates and things like that outside, which wasn't on the original approval. The only reason why I'm bringing this up now is because we are changing the site plan approval and if they are going to want outside storage of material, we would need to know that so that is shown on the site plan. Mr. Marini stated Mr. Jerry Glynn is here from Creatacor and I am not aware of any crate storage. Mr. Glynn, Operations Manager at Creatacor, stated it might have been when we ran out of room but we now have a storage facility in a 10,000 SF building in Watervliet or it may have been while they were getting scraps that were headed to the dumpster. Mr. Watts stated I don't know that we've ever had a complaint from anybody relative to the site and everything has been fine. Mr. Glynn stated the following: We have been at the site for 9 years this July. We did change out the 10-yard dumpster to a large 30-yard compactor. So, the trash pickup is not very frequent because we can get quite a bit into that compactor; probably 10 times as much as we were getting into the dumpster before. Mr. Watts asked when would you start all of this? Mr. Marini stated the following: There was a pilot program that got approved this morning for just the expansion part. This originally was on a pilot program for 7-years that expired and this entire property is back on the tax rolls. Only this particular portion, I believe, will receive a pilot for 5-years and that got done today. The next step is to get this done and I have to get an architect to draw the plans, which is going to take me a couple of months to do and come to the Town for a building permit. The plan is to start construction probably in October/November and build it through the winter. We will get that warehouse up for them and then I still have about a year to get out and find somewhere else to go because I would like to build a facility for myself as opposed to retrofit one.

This item was tabled and referred to CHA for their technical review.

12.053 NB Rock's Precision Automotive, 190 Route 146 – Commercial Site Plan

Mr. Scott Lansing, of Lansing Engineering, stated the following: I'm here tonight representing Rock's Precision Automotive. The proposed site is approximately 1-acre located just to the north of Upper Newtown Road. There is an existing residence on the parcel and the applicant does intend to demolish that structure and construct a garage in accordance with the C-1 Commercial zoning for the parcel. The garage is proposed to be 50 FT x 50 FT, which is approximately 2,500 SF. There would be 3 garage doors on the face of the building with 2-stalls deep. So, a total of 6 cars could potentially fit within the structure. Based on the parking requirements of the Town, it is my

understanding that 3 parking spaces per stall would require 18 parking spaces and the applicant is estimating approximately 4 employees. We have shown 22 parking spaces on the site plan and we are proposing to landbank 9 of those parking spaces in the short term. The access would be out to Route 146. We did try to orient the building slightly turned so that the garage doors are facing away from the roadway. The entrance and the face of the building would be facing Route 146. The applicant does intend to work on oversized vehicles that are longer than the typical vehicle. The utilities are proposed to be both public sewer and water. There is a culvert that goes across Route 146 and the existing drainage would go in that direction for stormwater management. We have a dumpster located on the eastern side of the parcel that is also shown on the site plan. Mr. Higgins stated there are 2 or 3 circles with a "Y", are they planters? Mr. Lansing stated those are symbols for decorative trees. Mr. Berkowitz asked are you going to have 6 bays? Mr. Lansing stated yes. Mr. Berkowitz asked is there going to be outside storage of vehicles? Mr. Lansing stated there might be as far as transition from inside to outside. Again, we would meet the parking requirements for the 3 spaces per stall. I don't think the applicant intends to go over that and that is why we are proposing landbanking the parking spaces. Mr. Berkowitz asked will there be night drop offs? Mr. Lansing stated I don't know, but I will check on that. Mr. Higgins asked is the rest of the parcel going to remain as greenspace? Mr. Lansing stated the following: There are two small wetland areas that are essentially undevelopable. By the time you apply the setbacks there's really nothing left to develop so that would remain as greenspace. Mr. Higgins stated would the backside of the building also remain as greenspace because obviously there are some residences behind there that would look directly down on that. Mr. Lansing stated there is nothing proposed in that area and that does slope up, so any storage or development and anything of that sort would be difficult in that area. Mr. Berkowitz asked what is directly south of that site? Mr. Lansing stated the following: I believe that is just vacant. The aerial photo shows a power line and a structure or a home of some sort there. I will have to check on that because I'm not exactly sure what's there. Mr. Berkowitz asked are those structures or homes occupied? Mr. Lansing stated I don't know, I will have to check on that. Mr. Nadeau stated the following: I believe they are occupied. Also, isn't Sheldon Hills located at the top of the hill? Mr. Lansing stated up and over, yes. Mr. Nadeau asked are they doing only mechanical work or are they doing body work also? Mr. Lansing stated I believe it's just mechanical work. Mr. Watts stated is it just mechanical and no bodywork? Mr. Lansing stated no bodywork. Mr. Nadeau asked would they have car sales? Mr. Lansing stated I don't believe they are doing car sales, but I can check on that. Mr. Watts stated those are questions that should be answered. Mr. Lansing stated okay, I will check on those. Mr. Watts stated the following: "Yes, we're going to" or "no we're not going to" statements are the answers we are looking for. "I believe" doesn't cut it. You need to check with the applicant and make sure what they're saying and then we can go forward from there. Mr. Lansing stated I will check with the applicant. Mr. Watts asked what about the lighting at the site? Mr. Lansing stated the following: On the concept, we're not showing any lighting. They will probably have some building mounted lighting, a sign light in the front and that's probably about it. Mr. Nadeau stated they are showing a light on the building. Mr. Watts stated as part of the review, I want to make sure that we don't have too much light spillage into any residences in the area. Mr. Nadeau stated the following: I don't think you'll see any because they're kind of below everything but I'm not saying that it couldn't happen. I think most of the residences are up on the hill. Mr. Watts stated okay, I just want to make sure, as part of the review, that they look at this. Is there any fencing proposed or anything? Mr. Lansing stated no, there is not.

This item was tabled and referred to CHA for their technical review.

12.054 NB Anna's Place Residential Subdivision, 95 Werner Road – Major Subdivision

Mr. Scott Lansing, of Lansing Engineering, stated the following: I'm here tonight for the Anna's Place Residential Subdivision. Mr. Bruce Tanski, the applicant, is also present for tonight's meeting. The parcel is located off of Werner Road on the eastside of Werner Road, south of Vosburgh Road and north of Route 146. The site is approximately 19.25-acres and is currently zoned Agricultural-Residential (A-R). There is an existing home located on the front portion of the parcel. The applicant intends to demolish that structure for this proposed project. The proposal includes one curb cut on Werner Road and another curb cut to connect to the project to the south, the Pipino Residential Subdivision. The application does include duplex lots that would be 30,000 SF in size. The duplexes would be 2-unit/2-family structures on each one of the lots with 150 FT minimum frontage, 50 FT front yard setback, 10 FT side yard setback and a 30 FT rear yard setback. Water would be served by an existing water main along Werner Road and it would also connect into the water main on the Pipino project to the south. Sanitary sewer is proposed to be gravity flow down to an existing sewer manhole on the Pipino project. Stormwater would be in accordance with the new stormwater regulations, green infrastructure, and runoff reduction practices and would be largely managed on the individual parcels but we do also show conceptually a stormwater management basin on the low point of the site. Mr. Berkowitz asked how many apartments did you start with. Mr. Lansing stated I believe it was 176 apartments. Mr. Berkowitz asked how many duplexes are you proposing? Mr. Lansing stated the proposal is for 19 buildings for a total of 38 units. Mr. Berkowitz asked if this were conventional single-family residences, how many would it be? Mr. Lansing stated I believe it was 26 single-family homes. Mr. Berkowitz asked why straight duplexes or twin homes instead of a mix or twin homes and single-family homes. Mr. Tanski stated the following: The reason is for the demand I have for 3-bedroom units. I receive 4 to 5 calls a week and I just don't have any available and I don't see that changing in the next couple of years. The single-family homes just aren't selling the way they used to sell. Mr. Berkowitz asked would these be owner-occupied duplexes? Mr. Tanski stated I haven't decided if I'm going to sell them or not but they would be on lots that could be sold and I haven't made that decision yet. Mr. Berkowitz asked what is the character of Werner Road as far as single-families verses duplexes? Mr. Tanski stated the following: There are a couple of duplexes east of this parcel, there are single-family across the street and behind the parcel there is a trailer park. So, I think it is nice transitional zoning between the trailer park and the single-family homes and there also are duplexes to the west of this parcel. So, I have duplexes on both sides and a trailer park behind me. Mr. Berkowitz asked what about going farther south or north of your parcel? Mr. Tanski stated farther north you still have the trailer park. You would have to come up to Vosburgh Road to go north that way. Mr. Berkowitz asked how about coming back down Werner. Mr. Tanski stated back down Werner you have 2 or 3 duplexes that I know of on the north side. Mr. Higgins asked so as each building is constructed you would get a Certificate of Occupancy (C.O.) for each building and each building would have a separate deed, correct? Mr. Tanski stated the following: Correct. Each building will have 2-units as a duplex that would have 1 C.O. It's not a zero lot line and it's not like a townhouse project. So, it would be 1 C.O., 1 deed per lot, which could be sold off. Probably my intent down the road is to find people who want to live in the area that I know would maintain the property and I would probably give them the option to buy because then I would know the people who would rent to them would be decent people. The rents would be in the \$1,500 to \$1,700 neighborhood. So, you are going to get a decent cliental. Mr. Higgins stated the following: Several of us have been on the Board for a number of years and this is the first time we can remember ever seeing a development like this. That's why we're asking the questions to make sure that we understand the concept. Mr. Tanski stated the following: I understand that and I greatly respect that. I'm trying to build a nice place here and I thought my apartments were also

going to be very nice but obviously the community around there didn't want them so I thought this was the next best thing which would satisfy everyone's concern. You won't have the traffic and you're going to have a nice building and a nice place live. Like I said and I don't want to be discriminatory, but it would be hard for me to sell single-family homes there that back up to the trailer park. Mr. Nadeau asked what is the distance between your parcel and the trailer park and isn't that area all wooded between your parcel and the trailer park? Mr. Lansing stated it's approximately 200 FT from structure to structure and it is wooded. Mr. Nadeau stated so the transition is questionable. Mr. Ouimet asked where is this location in relation to Mr. Zdrahal's project? Mr. Higgins stated about ¼ of a mile maybe or less. Mr. Ouimet asked would both sides of these duplexes be 3 bedroom units? Mr. Tanski stated that is correct. Mr. Ouimet asked do you intend to rent them as opposed to selling them at least initially? Mr. Tanski stated the following: I haven't made up my mind on that yet. My first intent is to rent them and if I can find the right people to buy them, I will sell them. I just don't want to sell them to somebody that's not going to take care of them and somebody that's not going to maintain the character of the neighborhood. I think I meet all the zoning requirements. Initially I think I'll have to rent them so that I can satisfy my commitments with the bank and then as time progresses I will probably try to sell them. Mr. Ouimet asked are you proposing to build these in phases or are you going to build it all at once? Mr. Tanski stated I would build it all at once. Mr. Nadeau stated you're saying that you want to be able to screen the purchasers but once they purchase the property, you have no control over their property. Mr. Tanski stated the following: That's correct but you have a pretty good idea if you rent to somebody for a period of time and you have a pretty good idea of the type of client that you're dealing with but once they own it, they own it. Mr. Nadeau stated I understand that but the fact is that it's still their property and they can sell it to whomever they want to. Mr. Ouimet stated but if you go to sell these units, you would have to sell both sides to the same purchaser. Mr. Tanski stated the following: Correct, it's one piece of property per building. It's not like a townhouse unit that has a zero lot line like my townhouses at Pointe West. You would have to sell the whole building and then the person that buys it would be responsible for leasing out the other side. Mr. Ouimet stated the following: I understand that but what I'm trying to understand is that it is going to be a rental property in all likelihood. Mr. Tanski stated the following: I would probably put in the deed descriptions, like I did at Pointe West, that you couldn't just buy them to rent them. I had one guy that wanted to buy 12 buildings at Pointe West and we wouldn't let them do that because I didn't want to have that type of situation. So, we would probably put in the deed descriptions that somebody just can't come in and buy them to rent them and that somebody has to live there; one of the owners has to live there. Mr. Nadeau stated so it would be owner-occupied unit. Mr. Tanski stated correct. Mr. Ouimet asked would there be a Homeowner's Association (HOA)? Mr. Tanski stated no. Mr. Ouimet asked who is going to maintain the property, the individual owners? Mr. Tanski stated just like everybody does with their own homes. Mr. Ouimet asked would you maintain the property until you sell enough of them off? Mr. Tanski stated that is correct. Mr. Berkowitz asked do you have an agreement with Pipino to go through that area for another access? Mr. Lansing stated the following: That is proposed as a Town right-of-way but I don't know if it has been dedicated yet. There is a temporary turnaround at the end that would be removed and it would be a permanent access. Mr. Berkowitz stated so that road would be there whether Pipino builds on that or not. Mr. Lansing stated the following: Pipino is actually building in there now. The aerial photo shows the construction activities have advanced significantly and I believe it is all paved but I'm not sure if it has been dedicated but it's probably close to dedication. Mr. Higgins asked is there an easement at the bottom of #11? Mr. Lansing stated that is the house. Mr. Higgins asked is that the existing house? Mr. Lansing stated no, I believe that is an old driveway that perhaps that residence to the south is using. Mr. Higgins asked so is that an easement for house to the south? Mr. Lansing stated I don't believe it is an easement,

I just think it is a driveway or an access way that has been encroached on on the parcel. Mr. Higgins stated because obviously if it's going to be an easement, the Town lawyer would need the easement language. Mr. Tanski stated it is my understanding that there is no easement there. Mr. Higgins stated that's fine, I saw it there and that's why I asked. Mr. Nadeau stated I think you mentioned 26 single-family homes if you did a conventional subdivision. Mr. Lansing stated that is correct. Mr. Nadeau stated the following: Regarding the intersection to the north. On the PDD you talked about correcting that. This doesn't solve that problem and as we know that is a very poor intersection. Mr. Tanski stated correct. Mr. Nadeau asked do you have any thoughts on that? Mr. Tanski stated the following: I have no thoughts on that at all because this isn't a PDD. This proposal is for a straight subdivision. Mr. Nadeau asked in which direction is the extra traffic going to go from this project? Mr. Tanski stated the following: I think most of the people would come towards New York State Electric & Gas (NYSEG) and take a right and go out that way. I have sat and watched it and I don't know what the traffic study is because I've only read parts of it. In watching it, I would say 85% of the people come out and go west. Mr. Higgins asked would the balance of the people go to Cemetery Road out to Farm to Market Road? Mr. Tanski stated the following: I only was out by NYSEG watching the people go that way. I counted about 100 cars and 78 or 80 of them went right at NYSEG. Mr. Ruchlicki stated I would think that for a while people are going to use Cemetery Road. Mr. Tanski stated you are probably right. Mr. Ruchlicki stated once they figure out that it will be easier to go to Route 146, they will use the end of Werner Road. Mr. Tanski stated the following: Right. I drove both ways where that piece of property is and I think the best way to go is to drive out NYSEG, take a right on Route 146 and go directly to the Northway rather than following a school buses and driving around Cemetery Road and places like that. Mr. Nadeau stated I do find that a lot of people go down towards the red light off of Farm to Market Road to get the red light to get on the road because Route 146 is becoming a hassle now. Mr. Watts stated the following: At this point, we are going to refer this to CHA for engineering review. The process that we generally follow is that at some point we would hold a public informational meeting once the project sorts out after the engineering reviews and they come back before the Board. So, at this point there is no particular value in scheduling a public informational meeting until the project is more solidified. Obviously, that did occur with our back and forth from the Planning Board and the applicant with the previous application where it was withdrawn after the Planning Board had raised the questions of density, traffic and everything else. Just so you're aware, it is our intention at some point, if the project progresses, to hold a public informational meeting when it is more defined. That way we know what we're talking about because some people might have one concern one day and then as the project changes they may have more concerns and they may have less. With the subdivision, we hold a public hearing also. Mr. Nadeau stated the following: You initially were talking about 26 single-family homes. That is a 12 home different in the units, was there any thought to keeping the character of area more single-family verses the duplexes? Mr. Tanski stated the following: Like I said, based on what I have to pay for the property, based on the fact that there are duplexes on both sides of the property and based on the fact that there is a trailer park behind the property, I feel that I am in keeping with the character of the neighborhood. So, that's why I chose that route and basically it's just a money thing. I cannot compete with gentlemen like Mr. Peter Belmonte or Mr. Bob Marini who build excellent homes that are a different scale than I do. I just don't seem to have the sales that these other gentlemen do so that is why I've taken this route. Mr. Nadeau stated the following: I'm just thinking about the character of the Mills project that is across the street that we did years ago and Mr. Ivan Zdrahal's project as well. I'm just wondering about the character in that area of the single-family homes. Mr. Tanski stated the following: I think Mr. Zdrahal's project is down the road about a ¼ to a ½ mile and like I said, I do agree with what you're saying but there are duplexes all around me and there is a trailer park. I think that kind of says it all. Mr. Nadeau

stated I don't agree with the trailer park because there is too much distance between them, but that's fine.

This item was tabled and referred to CHA for their technical review.

12.055 NB Mister Sew-N-Sew, 34 Plank Road – In-Home Occupation

Mrs. Marcia Kees, the applicant, stated the following: I'm here tonight with my husband, Mr. Charlie Kees, to request your permission for an in-home occupation within a portion of the residence located at 34 Plank Road. We've attached a Town of Halfmoon owner authorization form to our narrative for your information, which your planner told us that we needed to do because we do not yet own the property. We wish to move our home to this address and relocate our existing home business to this residence as well. We have provided photos of the site to the Board so that you could see the nature of the property. We have owned and operated our business called "Mr. Sew-N-Sew" for about 12 years. We provide a custom service to people who are looking to improve, replace or supplement their existing canvas, vinyl or fabric components of their boat or other item. We design and sew custom canvas pieces and upholstery items for one client at a time because it is custom work. We do not plan to make changes to the existing site at 34 Plank Road or to either of the existing driveways, which are located on either side of the residence on the north side and south side of the residence. The total building floor space is about 3,600 SF. We have estimated our home occupation would be located in a small portion of the residence that would be about 5 FT x 5 FT for a computer workspace and a portion of the existing detached 3-car garage that is approximately 400 SF of workspace. We meet with our clients by appointment. That way we control what is on-site and any given time by scheduling what jobs we accept. We do not expect and we do not want drop-in clients. Our busy season is in the summer months because we do work primarily on boat canvass. We expect about 1 boat per week at our site and we would house that boat in the garage during periods of inclement weather and for security purposes. I'm just wanted to emphasize that because of the nature of our business. We are a mobile business and we need to travel to the site, which is usually a marina. So, there are weeks when we do not have any boats on site at all. The materials that we acquire for each custom job and those materials are mostly delivered by either the U.S. Postal Service or United Parcel Service (UPS). On average we get no more than about 1 delivery per week. Our proposed in-home occupation would provide no dust, electrical disturbances, odors, heat or glare. The only noise would be from our sewing machine and from the air compressor that runs a stapler that we use as needed. As I mentioned, we would have a client dropping off or picking up an individual boat by appointment. We believe that our home occupation should not change the existing character of the neighborhood. The site has off-street parking as shown in the photos that I provided to the Board and as I mentioned, there are 2 existing driveways on the north side and the south side, which we've measured and we've been told that it's approximately 3,500 SF of paved are in those driveways. So, no on-street parking should be created by this home occupation. We do not wish to put up a sign at this time but if we do in the future, your planner has instructed us on how to do so and we would come back to the Board for that application. Lastly, we understand that the home occupancy permit would be contingent on our family taking up residency at 34 Plank Road and the current owner of the property is aware of this also. We also included with our application a copy of an addendum to our purchase contract, which states that our purchase is contingent upon receiving this Board's approval for the in-home occupation. Mr. Nadeau asked would you have storage of inventory items? Mrs. Kees stated the following: As I mentioned, we order the materials for each job as we book the job. We have small items such as snaps, hooks, threads and various small things that we use on various jobs if they're fairly small. Mr. Higgins asked do you do the larger jobs at the marina itself? Mrs. Kees stated yes, we do the sewing on-site with the sewing machine

but then we pack it up in the back of our pickup truck and go to the marina where the pieces have to be fitted onto the boat itself. Mr. Higgins stated the following: The in-home occupation has very stringent guidelines that the Planning Board has to adhere to and obviously that you would have to adhere to. Obviously, working out in the yard on a boat, I don't believe that's considered in-home. The in-home occupation has to be within the building, correct? Mrs. Zepko stated the following: The following is the Town's definition of a Home Occupation: "Any personal or professional services customarily conducted entirely within a principal or accessory structure which use is clearly incidental and secondary to use of the property for dwelling purposes and does not change the residential character, with no retail sales thereof and in which there is kept no stock-in-trade, and such use shall not exceed 30% of the total building floor space, excluding accessory and outbuildings". Mr. Higgins stated the following: So, what that means is if you were working on a boat at your facility, it would have to be in one of your garages. It looks to me like that one garage has a 10 FT tall door. Mrs. Kees stated the following: We believe that that door is 8 FT with a potential to put in a 9 FT door, which we do not intend to do. However, we do intend to have the boats inside when we work on them if they are on a trailer because, as I said, of security. Mr. Higgins stated the following: I agree but all I'm trying to explain to you that if in fact you are working on a boat, it's going to have to be by the Town's regulations for an in-home occupation. The boat is going to have to be inside one of the garages. Mrs. Kees stated right, thank you for the clarification. Mr. Higgins stated the following: I understand as far as making the material inside or going to a marina and installing it, that doesn't concern that you meet those requirements. The only requirement that I was concerned about was the fact that if you're working on a boat on your premises by the regulations that we're force to adhere to, it would have to be inside the building. Mrs. Kees stated right, that's possible and very doable. Mr. Ouimet asked where is your business located now? Mrs. Kees stated we currently live in Malta. Mr. Ouimet asked do you currently do the same thing from your residence in Malta? Mrs. Kees stated it's very similar but this particular property that we would like to move to has better access in and out of the garage area, which would be a tremendous improvement.

Mr. Nadeau made a motion to set a public hearing for the July 23, 2012 Planning Board meeting. Mr. Higgins seconded. Motion carried.

Mr. Ruchlicki made a motion to adjourn the July 9, 2012 Planning Board Meeting at 7:49 pm. Mr. Higgins seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Board Secretary