

MINUTES MEETING
Town of Halfmoon Planning Board
May 9, 2016

Those present at the April 25, 2016 Planning Board meeting were:

Planning Board Members: John Ouimet – Chairman
 Don Roberts – Vice Chairman -absent
 Tom Ruchlicki
 John Higgins
 Marcel Nadeau
 Tom Koval
 Richard Berkowitz

Planning Board Alternates: Margaret Sautter-absent
 Mike Ziobrowski
 Corie Custer- absent

Director of Planning: Richard Harris
 Planner: Paul Marlow

Town Attorney: Lyn Murphy
 Deputy Town Attorney: Cathy Drobny

Town Board Liaison: John Wasielewski
 Jeremy Connors

Chairman John Ouimet opened the Planning Board Meeting at 7:00 pm

John Higgins made a motion to approve the April 25, 2016 minutes with changes. Tom Ruchlicki seconded. Minutes Approved.

John Ouimet: Good evening ladies and gentleman I would like to call the meeting to order. Have the members of the planning board had an opportunity to review the minutes from our last meeting? Minutes are approved.

16.061 / 16.024 Paar Estates of Halfmoon PDD, 33 Farm to Market Road - Minor Subdivision & Major Subdivision

John Ouimet: Would anyone like the notice read? If not Mr. Williams whenever you're ready.

Jeff Williams: Good evening Jeff Williams, Bruce Tanski Construction and Development. The first item is the Leggett Farm LLC. Minor Subdivision. The Leggett Farm LLC owns two parcels that add up to 91.46 acres, located at 33 Farm to Market Road. This 91.46-acre parcel is bisected by Farm to Market Road itself that leaves a small portion on the south side of Farm to Market Road. That small portion adds up to be about 80 acres it's between route 146 and Farm to Market Road on the south side and it will be retained by the Leggett's. The north side of the property will add up to 83.46 acres, this property is under contract from Bruce Tanski construction to purchase in order to be the site for the proposed Paar Estates of Halfmoon PDD. So basically the subdivision calls for dividing a 91.46-acre

parcel into two parcels one being an 8-acre parcel to be retained by the Leggett's and the remainder of the 83.46 acres to be purchased by Bruce Tanski construction.

John Ouimet: Thank you, would anyone from the public wish to speak? If not I'll close the public hearing, any questions from the board? Please come up and identify yourself please.

Scott Saunders: Scott Saunders, 23 Farm to Market. I haven't received anything any verification from Tanski Construction about the work they are going to be doing to my house when they put the road in behind my house, I was just looking for any confirmation from these guys.

John Ouimet: Is that on the second part?

Jeff Williams: Yea we can get into that more with Paar Estates.

John Ouimet: Yea why don't we just stay with the first part. We will answer your question as soon as we get to it. Anyone else wish to speak? Yes Sir. You have to come up and use the microphone, I'm sorry.

James Brennan: James Brennan 15 Farm to Market, the, I just want to sort of clarify, when you bring water down Farm to Market it's gonna come down the north side of Farm to Market?

Jeff Williams: Yes it will be on the north side of Farm to Market Road.

James Brennan: Ok, and that means your gonna be taking out an old sugar maple that is big shade on the front of my house in the summertime, cause its, every time the county redoes the road they take more of my property, there used to be a curve in front of my house now its a straight road and so I've lost about 15 feet of depth from my lot which again, the tree is now what 12 feet from the side of the road so I'm guessing that's gonna come out, also I would like to, if your coming all the way down there , I would like to have a couple of weeks advanced notice of exactly when your gonna be running waterlines down there I have a number of places along the front of my yard , I have Heirloom roses planted that I would want to transplant but I would like to if possible not to transplant them until after the early June bloom.

Jeff Williams: Can I just answer, the water line is coming from Pruy Hill, Farm to Market intersection, its moving easterly to our site, I believe then after that, I cant remember your name but, James you live further east of our site and that waterline will be extended through a different developers, two different developers, Able and Clemente piece. All the work will be placed in the Farm to Market right of way; I guess that's what I've got to say on the waterline.

James Brennan: And I'm told but I'm not sure, running the waterline will also mean they will be putting in fire hydrants?

Jeff Williams: Yea that's a requirement from the town, I think they are every 300 feet, fire hydrants.

James Brennan: Ok, good cause that greatly reduces fire insurance costs. Ok thank you.

John Ouimet: Thank you sir. Anyone else wish to speak? If not i'll close the public hearing any questions from the board.

John Higgins: Jeff the existing house that's across from the barn is coming down?

Jeff Williams: It is.

John Higgins: Ok so there won't be any residences on that side? I was just curious that's all.

Jeff Williams: The barn at 33 Farm to Market road and the barns are coming down actually one at the golf holes are on that spot.

John Higgins: No I'm talking about on the south side of farm to market.

Jeff Williams: No that's retained by the Leggett's, the Leggett's are going to keep them.

John Higgins: But there's no residences there?

Jeff Williams: there's not I don't believe.

John Higgins: I didn't think so, I just was asking.

Jeff Williams: Just barns.

John Higgins: ok

Jeff Williams: I'm sorry those barns are staying at this time.

John Ouimet: Any other questions? Can I have a motion that SEQR has already been done on this minor subdivision request?

Lyn Murphy: This is consistent with the prior SEQR action taken by the town board.

John Higgins made the motion that this SEQR application is consistent with the prior SEQR application from the town board. Marcel Nadeau seconded.

John Higgins made a motion to approve the Paar Estates Minor Subdivision as submitted by the applicant. Marcel Nadeau seconded. Motion Approved.

John Ouimet: Jeff you want to move over to the preliminary.

Jeff Williams: Ok, Jeff Williams, Bruce Tanski Construction and Development. I'm here for Paar Estates of Halfmoon PDD Major Subdivision. The major subdivision consists of taking the northern portion of the Leggett farm that I just spoke about the 83.46 acres and further subdividing that into the basic layout of Paar Estates of Halfmoon PDD, that consists of 65 twin town home lots along with the development of the roads right of ways, storm water management areas, the extensive open space, the green space we are proposing an executive golf course will be placed. The 65-twin town home lots which totals up to 130 living units will have lots that range between 12,000 sq ft and 50,000 sq ft. We are proposing to phases, the first phase being the southern portion of the development of 29

home lots, the second phase would be the northern part of the development of 36 lots. This project was first introduced to the town board back in 2014 it was referred to the planning board then. We received a positive recommendation from the planning board on November of 2015 and then the town board after holding a public hearing passed the legislation and in January 2016 creating the Paar Estates Planned Development District. Since then we have been in front of the planning board for final consideration. The layout and the concept of this project has remained consistent throughout the reviews, we first started out asking for a total of 143 residential units and after the reviews and more in depth studies we are now proposing a total of 130 units. Each one of the town home units will be owner occupied and each unit will be given its separate tax I.d. on its own deeded lot. The units will be 1,700 sq ft with an attached 2-car garage full basement, 3 bedroom, 2 1/2 bathrooms. I do have a rendering right here of what we are proposing to build. These units will have a 9 hole executive golf course surrounding the development for the use of the residents, public water will be provided by extending a 12 inch water main from the pine hill or farm to market road intersection, public sewer will tie into Saratoga county sewer main along route 146 which lies south to the project. The developments road network will be offered to the town for dedication along with the storm water management areas. As fro the public benefit we are offering to engineer and construct a 12 inch water main along Tabor Rd, this will extend the towns water system closer to the county's water and will also alleviate the persistent problem of water quality and quantity experienced by some of the residents up along the road. We have provided the town and its engineers a detailed engineered plan of the project, we've gone through several reviews and comments, we believe we have addressed most, if not all of the concerns from the reviews. Its our belief that the proposed Paar estates Halfmoon PDD will be found consistent with the towns ordinances and its objectives listed in the planned development district and also to be found consistent with the towns north Halfmoon generic environmental impact statement studies. In closing we believe this project will provide its residence a unique living style that provides the owner more efficient piece of property to own and maintain while offering the added benefit of having a large expansive open space and recreational golf in its own backyards. I thank you for your time.

John Ouimet: Now you had a question earlier that was raised by the member of the public?

Jeff Williams: Which was the, I forgot what it was.

John Ouimet: Can you come back up here, identify yourself and repeat your question please.

Scott Saunders: The proposed road turns in and it goes behind my house and it crosses my existing leach field, and we just have nothing in writing verifying what they are going to do while they cross my leach field.

Nicole Saunders: 23 Farm to Market. What we had been told was that they were going to change the plumbing in our house over so that we are set up for water and sewer, they would not be crossing over our existing leach field until that is completed, we have 6 people in the house, we cant have well disruption or any issues and they are talking about building the southern part first and that goes directly behind our house and the first road that goes to the cull de sac that goes right through the middle of our leach fields so unfortunately they cannot drive on that until they have us hooked to water and septic.

John Ouimet: Mr. Williams.

Bruce Tanski: Bruce Tanski Clifton Park, I said that I would hook up their existing septic system to the new sewer line that is going in. As far as the well goes there's going to be water going by and I cant recall if I said that or not but if I have to hook up water to their house I will also do that. But I'm not going to be told by my neighbors where I can and where I cant go with the road cause once I go in there I have to be able to go in we will put the water line in at the

same time the sewer line will go in at the same time so there shouldn't be any disruption we might go over the leach field but you know if we have to pump the tank once or twice until we get the new line in that's what we will do, but I will hook that house up to the sewer I will hook up that house to the water.

John Ouimet: Does that answer your question?

Nicole Saunders: We were told by you that you were going to do both we actually got one thing in writing, we said that just doing the sewer was not ok, that you needed to do both which you agreed to and you also agreed so we are not telling you we are reminding you of your agreement that you will not drive on our property, being our neighbor until that's taken care of. We will block it off with a fence we have no issue with that so that there's no confusion on where you can drive. We should not have to go through the inconvenience with four children in the house of having our well pumped our septic back out I mean are you going to pay for damages if our septic backs up into our house?

Bruce Tanski: Well number one I think that this board needs to realize that the septic system is on the property that I am buying ok, number one. Number 2 I will hook it up to the sewer I will hook it up to the water like I said, I don't know what else more I can do.

Lyn Murphy: I just want to be very clear what ever the two of you agree as a part of a side agreement is not governable by this board, so I just want to be very clear you need to either seek council or what ever you need to do to protect your own rights. But this board we cant negotiate the contract for you.

Nicole Saunders: And that parcel of land is ours by several rights of variance it has always been used since our house was built by the family, 60 some odd years ago, for that specific reason, it has not been used for any other reason, it is grand fathered into our home, we discussed this before there is absolutely no issue until today, so if we need to get council we can certainly get council to take care of that issue. Thank you.

Bruce Tanski: I just want to go on record that we will hook it up to the sewer and we will hook it up to the water.

Jeff Williams: I just want to explain where the sewer is and where they are. The sewer is going to come down this way its actually going to be forced down to this point and then right here it turns gravity and then it goes, its actually on the south side of Farm to Market road, the sewer doesn't go across, I believe they live here.

Nicole Saunders: yea we live right there and if you go directly behind us our leach field runs, keep going, up, up up up up about right there, that's our leach field, so that's where you'll be driving your equipment and there is a multitude of reasons of which I presented you with at the last meeting, and also presented other people with it at the last meeting and the entire board actually. The disruption that can take place from the vibration of all of the equipment.

Bruce Tanski: The only think I'm going to acquiesce to is hooking up the sewer and the water.

John Ouimet: Anything else?

Scott Saunders: I just want it in writing that's all.

Bruce Tanski: Not a problem.

Scott Saunders: ok.

John Ouimet: anyone else wish to speak?

Barbara Koval: Good evening my name is Barbara Koval, no relation to the Koval that is on the panel, so I want to put that out there, I live at 33 Tabor road, and I'm in favor of this proposed development mostly because of the public benefit of extending water on Tabor road. We've had problems for a long long time and this is just the beginning of a solution to that. This year in particular because we did not have a bad winter and we really didn't have that much rain, I gotta be honest with you I'm concerned and I'm one person in my house and so I can't even imagine the other people on the road I also would like to note because she asked me to that Miss Pat Rushby she couldn't be here today I know you guys are familiar with her she also wanted to say that she is in favor and that she's hoping that this gets passed so that the public benefit will begin the water towards the county system. Thank you very much.

John Ouimet: Thank you, yes sir.

Dave Leggett: Dave Leggett, I live at 39 Farm to Market Road, I'm actually one of the owners of 3 Farm to Market road, these young people here, these are my nephew and his wife and I don't mean to bring a family argument before you folks and I don't know what the scale of feet is on this thing but, when Mrs. Saunders was just telling Jeff to move his marker way up way up yes you were a little bit over aggressive on that I just want to say that she was being way over aggressive on that, as far as where any of their septic is or anything like that it does not run way out in that field, the fact that some of their septic effluent may be out behind the house there to some degree but certainly I can't even envision being as far out as where the bend in the road there is indicated so I just wanted you folks to know that, that was a bit of an exaggeration, and it's definitely not that far, I think Jeff if you can point there again or if I can point I mean that area that they are talking about, should be a very short area right in here at the most. I mean as Mr. Tanski pointed out this is all property that he is purchasing so, I'm sure that these little differences can be worked out and he has very generously offered to hook them up to sewer and water which I think is a very generous offer. Thank you.

John Ouimet: Thank you.

Scott Saunders: 23 Farm to Market, where the road turns and stuff is my concern is my septic tank leaches down through, and if he builds a road across it won't be able to continue to leach and it will back up. That's my only concern.

Lyn Murphy: And I think the board has heard your concern, however it's a private issue between two land owners not the planning board, I understand but there's a grandfather clause with that part of the property being used for a leach field since the house was constructed in 53' so even though technically it's not on my deed, that was always through the farm set for that, I just don't want my stuff backing up. That's my only concern.

John Ouimet: Is there anyone else from the public wish to speak? If not ill close the public hearing, questions from the board?

John Higgins: Jeff I know Bruce has mentioned this previously and I know at the time he was hoping to get in on Tabor right in the spring but obviously ya know it's taken longer the improvements, Bruce could you give us an update on proposed time frame for Tabor road?

Bruce Tanski: I don't want to be presumptuous here but I don't know if Jeff asked for preliminary approval that's what we are trying to get and then we will start, I've already turned my engineers loose on it but the window of opportunity to do this work is fast leaving us because my contractors are all taking work and if I don't do something in a fairly short order I'm gonna be stuck till late next fall, and it's just and everybody knows construction they have certain windows of opportunity to take advantage of, we are definitely working on it as far as the engineering goes and then we are going to put the waterline in..

John Ouimet: Thank you Bruce.

John Higgins: He didn't ask for preliminary.

Bruce Tanski: Well do your thing.

John Ouimet: any other questions Tom?

Tom Koval: I seem to recall that when we first talked about that nothing was getting built or filed or anything until the Tabor Road floor plan was done.

Bruce Tanski: Absolutely not, absolutely not and I don't, no disrespect but two entirely different things and I said that once we got moving along I would turn the engineers loose and he just informed me that engineering is done, so we tied in the Tabor Road water line with c/o's and so I won't get any c/o's until the line is in and I think that is before you came here,

Tom Koval: No I was here,

Bruce Tanski: Ok, I can't get any c/o's I can get building permits up to five but I can't get any c/o's.

Tom Koval: When you start talking about next fall and I know you want to get moving on this project I wonder if one could happen before the other?

Bruce Tanski: No absolutely thank you,

John Ouimet: Marcel? Anything else?

John Higgins: The only other question was about easement language and I had asked a proposed easement be submitted to Lyn as far as the sewer line going across the Leggett Farm, and Lyn said she had not seen anything as of yet. Again if you don't have that done yet and it's just a case of having the lawyers draw it up we could, if the rest of the board is in agreement we could approve this preliminary contingent upon the easement language being approved by the town attorney.

Jeff Williams: Your right we haven't had the language, I think we just got the positioning of that sewer line if you need to know the sewer line, well it's not really on the board but if this is 146 and Farm to Market road the Leggett Farm kinda ends here as, so that easements going to be on Leggett Farm going to the 146 main, also when we do get preliminary approval we have to go in front of Saratoga County Sewer district for their easement to that to, so we'll get that worked out with Mr. Anderson Bruce's attorney and we can submit that to Lyn as soon as possible.

John Higgins: Ok, Thank you.

John Ouimet: Any other questions?

Lyn Murphy: they can't really give it to me until they get approval from the sewer district may want it on the line to the left or to the right but they don't know a 100 % now so that's why.

John Ouimet: Can I have a motion on preliminary approval.

John Higgins made the motion that this SEQR application is consistent with the prior SEQR application from the town board. Marcel Nadeau seconded.

John Higgins made a motion to give preliminary approval the Paar Estates Minor Subdivision project as submitted by the applicant contingent on the easement language being approved by the town attorney. Marcel Nadeau seconded. Motion Approved.

Bruce Tanski: Thank you very much and just so the board knows I don't know if you heard or not but the engineering is done on that waterline. Ok.

16.065/ 16.066 American Promotional Events, 1549 Route 9- Change of Tenant /Use & Signs

Robin Curran: Mr. Chairman, members of the board thank you for your time, I am here this evening to discuss this evening the permitting approval for a temporary tent sale at the Wal-Mart in Clifton Park. I represent American Promotional Events, TNT Fireworks. We are the largest consumer fireworks company in the nation, we coordinate over 7,000 tent sales in the two-week period leading up to July 4th. We will be selling only New York legal sparklers and sparkling devices, Id like to give you a few specifics about our program. The dates of the sale are from June 20th through July 5th. The tent will be erected prior to that date and dismantles shortly after. There will be a storage container on site for 24-hour security and a porta potty on site as well. The storage container will be parked with 1.4 orange plaquereds for the duration of the event 10 feet away from the tent. We abide by the state law and require positive identification for all purchasing of product that states that they must be 18 to sell and to buy. We provide product and premises liability insurance for the property owner and the group running the tent. We can also do this for the town if that ends up being necessary, NYS Firework sales permits and certificate of authority including sales tax will be onsite and displayed at all times. We will also have a ten-pound fire extinguisher and a watering can onsite per NFPA 1124 guidelines. Safety as always will continue to be a top priority we, will continue to work with the town fire, zoning, building and police dept. We make sure that they are aware of our set up and guarantee that they meet our needs. We have carefully considered where the placement of the tent will be; again we want to make sure that the location is conducive to our commitment to safety. Ad you can see on the site plan provided the location is clearly marked. Our company has been involved with Wal-Mart for quite sometime. And I am here this evening to request your permission to move forward with the permitting process, I welcome any questions that you have for me at this time.

John Ouimet: Thank you, any questions from the board?

Marcel Nadeau: Yea, my first question is that Wal-Mart is in the Town of Halfmoon not Clifton Park.

Robin Curran: Right the address is Clifton Park; sorry I should have said in the Town of Halfmoon, I apologize.

Rich Berkowitz: So you're gonna have both storage containers and a tent?

Robin Curran: We do and actually I brought because of the issue you guys were talking back and forth about the security and storage of stuff I actually have an updated site plan that includes the storage container which we had talked to Rich about back and forth, I can pass that around if I hand it to John is that ok?

Rich Berkowitz: So is that in lieu of a security guard or?

Robin Curran: No a security guard will be there as well.

Rich Berkowitz: 24/7 and with the containers.

Robin Curran: Yes, with the container as well.

Marcel Nadeau: You said 24/7 someone will be there.

Robin Curran: 24/7 yes.

John Higgins: So the container will actually be on the Wal-Mart side of the tent, as it's shown on that drawing?

Robin Curran: Yes.

John Higgins: It wont is between the tent and route 9.

Robin Curran: No, no ok.

John Higgins: Thank you.

Lyn Murphy: I may have misheard, could you just state your name for the record.

Robin Curran: I'm sorry my name is Robin Curran, I did not.

Lyn Murphy: Thank you.

Robin Curran: You're Welcome.

Rich Berkowitz: Are we doing signs now at the same time? Or are we doing that after?

Marcel Nadeau: Have you looked at any other portion of the site because we know that entrance is very busy and its bottle-necked by itself with out actually having anything else in the area, and have you looked at any other portion of the lot to put your tent?

Robin Curran: Well generally when I talk to the manager because I go through and I do a meeting with the manager at the Wal-Mart site before we kind of do the site plan to find out what the best place would be for them as well and we had talked about putting it out near the marquis in that general area because the traffic came in more, I don't know

what you call east or west but towards Wal-Mart and then the bottle-neck actually is the road like is a little bit south of where we are so I don't think it will impede the traffic up in that corner its usually , there's nobody parked there , there really isn't anyone there when I've driven by unless I'm unaware of something.

Rich Berkowitz: Now in the picture there's

Robin Curran: I did scoot it, sorry, I did scoot it a little bit towards the road of more away from that bottle-neck he is talking about on the new site plan.

Rich Berkowitz: No I'm talking about in the picture there are two R.V's that are there that are usually park overnight.

Robin Curran: Oh our on the picture?

Rich Berkowitz: not you're RV if you look in the picture there are two RV's and RV's will park there overnight. Generally RV's do park in that parking lot overnight.

Robin Curran: Well usually go over before we put our tent up to make sure that we have that space, but Wal-Mart doesn't generally allow RV's to park overnight.

Rich Berkowitz: When we approved them they said they encouraged RV's to park there and I would discourage an RV to park anywhere near your tent overnight.

Robin Curran: Oh of course, we actually put, when you look at the site map it shows the actual tent itself but we actually put out things like a barrier as well around the tent so that nothing can park close to the tent, so that should probably keep them ten feet away, so

Rich Berkowitz: Would you want someone parking there overnight more than ten feet away?

Robin Curran: Would I want them to do that? I mean I'm only.

Rich Berkowitz: How far are you going to keep an RV away 100 feet? Are you even going to want an RV in this whole area, cause your gonna have, obviously this area is going to be a lot busier now then it is before, there is a lot more traffic going in there so if you have RV's parking along the road there, take a look take a look at your map, here take this one here.

Robin Curran: I actually gave it to you, I passed it along with you guys but. Ok.

John Ouimet: It's down at the end, this end.

Rich Berkowitz: You see where the RV's are parked right there? Yea and they are usually parked in that area.

Marcel Nadeau: Rich I think we made a statement that we did not want any RV's in that, whoever the manager was at that time.

Rich Berkowitz: But they still park there.

Marcel Nadeau: I understand they do right, but I mean they were under the understanding that they are not supposed to be there basically.

Rich Berkowitz: Well there are a lot of things that are not supposed to be in that parking lot that happen but.

Marcel Nadeau: Well my point is the manager needs to know this and get him off of there.

Robin Curran: How would you suggest that I go about that?

Rich Berkowitz: Well you're going to have a security guard there 24/7 right, and if someone attempts to park there, I would suggest the security guard.

Robin Curran: How far away would you suggest that we keep them from parking there?

Rich Berkowitz: I'm not an expert in fire control so I have no idea. But also just because that area will be a lot busier that it has been in the past. I would probably prohibit them for the two weeks you are there.

Robin Curran: Ok I can talk to the manager about that, I know that our meeting with Wal-Mart we cant have anybody stay overnight that is doing the security with any kind of an RV, thats part of our contract so thats why I was saying I know they generally don't like to have that go on there, we could, yea I can see him in there, well that was a goggle map I don't know how long ago that map was but.

Rich Berkowitz: Google usually updates every couple of years.

Robin Curran: Generally just for, because you want the large vehicle parked close to there when it comes to if we are in an area that has a gas pump fire marshals require us to be 50 feet away from the gas pump so that might be something that we can enforce and make sure that no RV's park with in 50 feet of our tent if that would be acceptable I don't know if I can enforce the whole parking lot but, with in 50 feet of ours we can maybe do that.

Rich Berkowitz: No that's a small little square area in that parking lot where your gonna be and its kinda separated off by the other parts of the parking lot by that perimeter road.

John Ouimet: And I'm not so sure you can make those kinds of statements to us because it's not your parking lot.

Robin Curran: Right.

John Ouimet: I don't know what your arrangement with Wal-Mart, you leasing the entire trapezoidal lot?

Robin Curran: We are leasing the parking spaces that have our tent, the parking spaces that you can see on the map between our tent and stuff so you're right I wouldn't be able to make that statement.

Mike Ziobrowski: Is this tent going to be enclosed on all sides?

Robin Curran: Yes.

Mike Ziobrowski: So it's going to be like four walls?

Robin Curran: At night time it would be, during the day when we are selling we actually roll the sides up so that people can kind of see inside the tent and know that we are open and that sort of thing.

Mike Ziobrowski: So the sides are fully open while people are in there to shop?

Robin Curran: Yes, unless there is rain, we would put them down if it was raining, but as long as weather permitting we require that we have the sides up for our customers.

Mike Ziobrowski: So during a rain even would you consider having exit signs?

Robin Curran: We will have exit signs, we are required by the Fire Marshall at both entrances and exits to have some kind of an illuminated sign there and we will have those signs as required.

Mike Ziobrowski: Very good.

John Ouimet: Anyone else?

Marcel Nadeau: I think we had some issues with another similar venue and then afterwards I believe there was a quite a few boxes and everything left out there, naturally you wont be leaving anything in the parking lot is that correct?

Robin Curran: No sir we do instruct customers they are to take all of their trash off site as well as recycle their cardboard and I actually live in Stillwater but I will be coming around after the site is closed down to make sure that things were cleaned up appropriately and take care of that.

Marcel Nadeau: And how long after July 5th will that tent be taken down?

Robin Curran: Our tent companies we give them till the 8th to take them down, but they get them done as soon as possible, they have a lot of tents they put up for us so thats kind of that 6th, 7th, 8th buffer, but it would be guaranteed to be down by the close of business on the 8th.

John Ouimet: Now will you provide 24-hour security until the tents taken down?

Robin Curran: We do not do 24 hour security as long as our product is not in the tent, so the tent will go up the day before so it will just be the tent thats there and then when the product leaves and they move the product at the end of the sale and the tent would be there, stand alone and then the company would come and take it down.

John Ouimet: So only while product is present you have security?

Robin Curran: Yes, sir.

Marcel Nadeau: And your product will be removed on the 5th?

Robin Curran: the product, yes, the end of close of business on the 5th, yes.

John Ouimet: Any other questions?

John Higgins: Marcel I know you had concerns earlier, what I think Marcel was trying to say was even though its a signal intersection coming in off of route 9 its an awful lot of accidents right there and I agree with Marcel that tent might be an attractive nuisance with people heading up or down route 9 and looking over and seeing it and, were you thinking Marcel possibly trying to put it further south in the parking lot? Marcel were you, when you were talking about location were you thinking farther south in the parking lot because there is a lot more room and your further away from the intersection and its less likely to have accidents. Go ahead

Marcel Nadeau: The bottle-neck, I don't know if you have the same picture but where it says 20 x 8 foot that's the general bottle-neck in that area of everyone trying to come out and I don't know, again it's just my opinion. If it were further south it seems like the traffic would be able to meander into the main thoroughfare a little bit easier than everybody at that.

Robin Curran: So what you're saying is that you prefer to have the tent in the lower lot as opposed to the upper lot?

Marcel Nadeau: I don't know what you're calling lower.

Robin Curran: I guess where that main road

John Higgins: The southern portion of it, down where that road that intersects the parking area, if you look at the picture see where the road here intersects here he is talking about down in over here with in the parking lot so down further south, this is north, there is a traffic light here, this right here there is a lot of accidents in through here, so thats what we are thinking of, public security as far as putting it further south.

Robin Curran: You can see a little bit more, so where were you proposing that you wanted to have the tent?

Marcel Nadeau: I was thinking down in this area here that way allows the traffic leaving to meander into this, here where the bottle-neck is right here, when this traffic is coming in they don't let these people out so this backs up all along here ok,

(Everyone talking)

John Ouimet: We are running into a little bit of a problem these side bar conversations aren't getting recorded, its a lot of back and forth going on.

John Higgins: I don't know anybody else have ya know a better idea go ahead.

Rich Berkowitz: Yea our side down here came up with a better idea. I don't know I didnt hear yours. There's a little rectangular spot directly south within the perimeter road area, right here that's protected by trees on both sides.

Tom Ruchlicki: Little triangle of trees is.

Marcel Nadeau: Yea right here,

Tom Koval: the only issue I see with that is scale out the tent compared to those spots now you are creating no access (garbled, too many voices at once)

Rich Berkowitz: If you close off the access there then, really no one parks there, except people coming in for the fireworks.

John Ouimet: I know but I don't know if you can negotiate closing off an access road like that.

Tom Koval: They can take cars out that same exit then. You are still pushing cars out the same exit once you block that off, so you didn't gain anything. You can't see it but there.

John Ouimet: you still maintain high visibility because you're right along the route 9 corridor but the problem that you're running into now is you have a very small footprint that you are trying to put the tent. It seems like the more optimal placement would be here, the fact that you don't control what is around it is a problem, I think.

Rich Berkowitz: that's where a security guard can come in too.

John Ouimet: Yea but if they don't have, if this is the part that's being contracted to be leased they won't have control with what can park over here.

Rich Berkowitz: Unless the Fire Marshall says so depending on how far away that is from the building. Does fire know that RV's park over there?

John Ouimet: It's in their jurisdiction, Rich? I think that we are concerned about the storage of the pyrotechnics so.

Rich Berkowitz: But if something does happen an RV's parked there and somebody's sleeping there

John Ouimet: But if you have 24-hour security guard that's.

Rich Berkowitz: Accidents happen.

John Ouimet: You don't have a, your not proposing a 24 hour sale operation.

Rich Berkowitz: I know but there is a lot of criminal activity in that parking lot.

John Ouimet: Well it's a tough location.

Marcel Nadeau: What if we move it to this section, my whole point is to get it away from the intersection so if we bring it over here at least that will force their traffic a little bit away from the congestion.

John Ouimet: I don't know if we have the right parties in the room here tonight. I don't know what your arrangement is with Wal-Mart, do you have the ability to negotiate any spot on the parking lot for your.

Marcel Nadeau: John, John how about this, how about if we are satisfied with this area, she needs to convey that to them, that this is the area we want, if we are in agreement to it? Am I the only one having a problem with the traffic?

John Ouimet: I don't think you're the only one no.

Marcel Nadeau: My objective is to get most of that traffic away from that bottleneck area.

Rich Berkowitz: You're talking the most northerly part of it.

Marcel Nadeau: You know where. If the people coming in don't let that traffic out that stacks all the way back, it stops everybody from going out, and now you've got and typically there aren't cars coming in from where they are doing their tent, but now you will have so now your are going to have cars on both sides trying to get out of there, thats going to stop the cars trying to come in and its going to be

John Ouimet: It's hard to see how they are going to flow the traffic through this site.

Marcel Nadeau: will the outside garden area be gone by this time?

John Ouimet: The outside that's way out in the other corner, that's over here.

Rich Berkowitz: Oh there's even more traffic in that area.

John Ouimet: Yea

Robin Curran: Would it help if we moved just south of that whole area into the top part, just there right under the triangle, do you see there's a place there where you cant really see the parking spaces and its still a double row and we can still do the boundary there, I mean its still gonna have, its a pretty good sized tent its relatively tall so we don't have to be right at the front for people to be able to see it, which I think may take care of the issue and Wal- Mart wont have a problem with me moving that and I can send you something.

Mike Ziobrowski: there's an area that looks like it's been milled, the pavement was milled down it looks like you could almost put a tent right there.

Robin Curran: That's just a little bit south of that or I'm not sure what direction.

Rich Berkowitz: We are talking right in the middle of the parking lot toward the road, where it looks like there is an excavator there.

Mike Ziobrowski: yea that's the location where the pavement was milled. It's almost just as close to route 9.

Rich Berkowitz: You would have to clear this with Wal-Mart.

Robin Curran: I would need to go by and talk to the manager, and then I can send you guys over a copy, they usually store stamp when they approve the site, as you can see, they usually store stamp it for me and I can send you over a copy with the store stamp on it. Letting you know that they signed off on the new location.

Tom Koval: the only problem that I have with the new location is that I have to keep in mind this is fourth of July that parking lot is going to be jammed.

Rich Berkowitz: It's on a weekend this year.

Tom Koval: Now we are stacking cars even closer, now we have 20 cars parked, their barriers are only 10 feet that we have 20 cars burned instead of sparse couple that are in an offset parking lot, its my only concern, cause I've been in that parking lot a few times on busy weekends its filled.

Robin Curran: The only thing that I can point out is that we do put up probably 2,500 Wal-marts across the country and they all have pretty busy parking lots and this is kind of standard and we haven't had incidents as far as cars running into the tent or those sorts of things there's nothing on record having an incident so I wanted to point that out as far as to show a president of the fact that we do deal with safety and a bunch of things if that.

Marcel Nadeau: And the answer to that is their footprint may not be the same as ours, that's the only objection that I would have to that. I think the newest spot maybe the lesser of two evils, but at least the traffic will be further south on the site away from the bottleneck intersection.

John Ouimet: Are we clear on where this new spot is going to be? Marcel, have we clearly showed them where this new spot is going to be.

Robin Curran: Do you want to write it on a piece of paper for me?

Rich Berkowitz: Is it on the milled area?

John Ouimet: And I can only assume you are going to have to go back to Wal-Mart to ask them if it's acceptable?

Robin Curran: I had proposed this site originally, cause normally we are as close to the road as possible so if I go back and propose this site they should not have a problem with it but if you will let me know how would convey that to you I will make sure to get you the documentation you want.

Richard Harris: If you get confirmation from the manager and send it to me.

Robin Curran: Id be having that container next to that and a port-a- potty on this side of this would that be fine?
(Garbled)

Tom Koval: Yes that would be fine.

Richard Harris: That is a general area where an auto show happens a couple of times right in that area its kind of milled, Wal-Mart had stopped letting them do it, we had no problem with them doing it, code had checked it out last summer and thats where they were stationed, its kind of a no mans land.

John Ouimet: So that would be down in here, so do you need that?

Robin Curran: I can take a picture of it

John Ouimet: You can take it, other than the location, any other questions?

John Higgins: Signage, have we looked at the signage?

Richard Harris: They are aware, when they first started talking for a while, I used the template of Keystone fireworks last year when it came to signs, proposed banners I said last year how we overcame the provision of banners was it needed to be affixed to something rigid, of some sort so it didnt blow away, rip that type of thing, I know you confirmed you were going to do that but what were you going to use to affix it to do you know?

Robin Curran: We were actually, we were talking today to figure out how we were going to affix it, if we were going to do banners we generally taught them pretty tight when we do them up and they actually don't move too much in the wind as far as that goes, thats normally how we would do it, if you want us to affix to something, I mean if you wanted it to be affixed to something we could use like you know a thinner plywood. Is that, and then we would put them up.

Richard Harris: yea whatever they used last year, its a banner for lack of a better definition, we called it a banner, maybe not a banner, something that its going to adhere to, thats less likely to blow away or rip,

Robin Curran: Ok we can comply with that and then we have the 3x3 foot sign that was allowed to be out by the road and that was approved I believe right, ok.

Rich Berkowitz: Where onsite would that be on the road?

Rich Harris: they didnt pinpoint the exact location of that but (inaudible)

Rich Berkowitz: It's just a sandwich sign not a

Lyn Murphy: It's a sandwich sign yes, it's got to be taken down when you're not selling, there are regulations.

Rich Harris: It can't be on a right of way or a sidewalk or blocking any type of car access, you've got that grassy area there.

Robin Curran: Between the sidewalk and the Wal-Mart parking lot would be where, ok

Marcel Nadeau: And what day will the tent actually be assembled at the site?

Robin Curran: Our tents are going up between 17th and the 19th so it will be on that Friday, Saturday or Sunday.

Marcel Nadeau: ok not two weeks or three weeks prior?

Robin Curran: No sir, my tent companies will be very busy a few days before that trying to, because we don't want to impede and have stuff there longer than necessary.

Rich Berkowitz: So if you know the date you erect the tent, when does it come down?

Robin Curran: The tent will come down between the 6ht and the 8th.

Rich Berkowitz: Ok, cause before you wouldn't give us those dates,

John Ouimet: Yes she did.

Rich Berkowitz: Oh she did, sorry.

Robin Curran: ok.

John Ouimet: Ok, can I have a motion?

John Higgins made a motion to approve American Promotional Events Change of Use /Tenant application, the temporary location as per amended drawing that was shown to the board. Marcel Nadeau seconded, subject to the final approval from the planning dept. once paperwork is filed for the change of location of the tent signed off on by Wal-Mart Motion Approved.

Robin Curran: Thank you so much for your time today.

John Ouimet: Thanks for working with us; it's a tough site.

16.073 United Auto Supply, 1466 Route 9 - Change of Tenant/Use

Kevin Cloughlin: Latham and I am the owner 1466.

Alex Cudocov: Redmark Realty I'm the broker for both landlord and tenant.

Todd Story: I'm representing United Auto today.

John Ouimet: Ok who wants to make the presentation on behalf of United Auto Supply?

Todd Story: So this is going to be as what we would classify as one of our smaller stores, it would have 6 employees which corresponding would have 6 fleet vehicles so I know that was a concern I wanted to touch on was any given day there is going to be a max of 12 cars on the lot, 6 belonging to the employees and 6 being united cars that would be parked overnight. Then as far as the other stuff goes it's just a car parts delivery service.

John Ouimet: Now United Cars are they, they carry company logos on them?

Todd Story: Yes, yes sir.

Marcel Nadeau: So you will have inventory stock there?

Todd Story: Yep, yep definitely.

John Higgins: What percentage is wholesale and what percentage is retail order, customer would actually come to this location to purchase?

Todd Story: We would always welcome walk ins, but the majority of our sales is wholesale its almost 98% to 2%.

John Higgins: Ok, thank you.

Rich Berkowitz: Do you do any changes to batteries or wipers in the parking lot?

Todd Story: No, we don't get into any of that, we really, we'll sell you the parts but we don't even want to get into that just for obvious reasons.

Rich Berkowitz: Ok.

John Ouimet: Rich, I understand there is parking behind the building?

Richard Harris: According to the last time the site plan was approved there's on the site plan, just north of the building in a kind of gravel area space for the site plan shows 21 cars, 21 spaces, 10 x 20, like you said, max in terms of employees 12 with a handful of potential retail clients coming in or people coming to look at product, so that's 21 spaces just to the north of the building. Between the building and where Metabolic Meltdown and Floor Source is we estimated last year that's online with another 20, 25 spaces there and then in the front of the building I believe there is 25 lined. So there's upwards of 70 to 80 parking spaces if you were to line everything out for all the tenants there.

John Ouimet: So the 25 lined spaces are along side of route 9?

Richard Harris: Correct, yup.

John Ouimet: Now do you intend to park your overnight vehicles alongside route 9? Or Behind the building?

Todd Story: I'm not sure, for this particular tenant I believe they would be utilizing the parking, and correct me if I'm wrong on the concrete path that you see adjacent to the building, so that would primarily be the parking area that they are utilizing.

Richard Harris: That's the north side that I was speaking of, its concrete right there, the site plan shows like I said it can hold like 21 spaces there.

Todd Story: Yea because its mostly wholesale there's really very little to no retail traffic, so really its gonna be utilized by the employees and wholesale customers that pull up to the building get their product and get out.

John Ouimet: Right, so in all likelihood there won't be parking conflicts with Metabolic Meltdown.

Todd Story: Not at all, we don't anticipate that.

John Ouimet: Ok, any other questions from the board?

Rich Berkowitz made a motion to approve United Auto Supply's Change of Use and Tenant application. Tom Ruchlicki seconded. Motion Approved.

John Ouimet: Thank you very much.

Todd Story: Thank you for your time.

16.074 **Bobby Z's Automotive Detailing Center, 1516 Crescent Road - Sign**

Bob VanAllan: Hi, I'm Bob VanAllan from Fast Signs of Albany and I'm here for Noah Zort the owner of Bobby Z's and he is looking to put up a 24 sq ft sign on the front of his business at 1516 Crescent Road.

John Ouimet: Now is that sign oriented in such a way that you can see it from Crescent Road?

Bob VanAllan: Yes, that's facing Crescent Road.

John Ouimet: Any questions from the board?

John Higgins: Is it illuminated?

Bob VanAllan: No.

John Higgins: ok, thank you.

Rich Berkowitz made a motion to approve Bobby Z's Automotive Detailing sign application. Marcel Nadeau seconded. Motion Approved.

John Ouimet: Thank you very much.

Bob VanAllan: Thank you.

16.075 **Powers Inn & Pub, 130 Meyers Road - Sign**

Bryah Gifford: Hello Brian Gifford with Powers Inn & Pub. This is a sign that I'm proposing to put in on the south side of the building, we currently have one sign on the building, its on the west side which is the back of the building facing on the rte 9 side, so this sign would be on the south side of the building facing the parking lot and the customers. Ironically funny enough, 5 years later we realized there's no sign facing the customer as you walk in the building. You could walk around, you've already pulled in so hopefully you already know it's us but oddly people have said.

Marcel Nadeau: So is this near the outside deck or further to the front?

Bryah Gifford: This would be if you're facing again the south side of the building toward the blilco doors, our basement doors it would be directly above that at the peak of the building.

John Higgins: Is it illuminated?

Bryah Gifford: No, it is a wooden sign, at the time; at the current time right now there is a spotlight on the corner of the building that faces that direction but its not illuminated or anything.

John Higgins: Its not neon?

Bryah Gifford: No it's not neon or back lit or anything.

John Higgins: Thank you.

Marcel Nadeau made a motion to approve Powers Inn & Pubs sign application. Rich Berkowitz seconded. Motion Approved.

16.077 John W. Danforth Company, Office Addition Modification, 5 Liebich Ln - Amendment to Site Plan

Mike Ziobrowski recused himself.

Joe Dannible: Good evening Joe Dannible with Environmental Design here tonight with Steve Deramo of D.W. Danforth. This application has been in front of the board twice now we are 2 for 2 in approvals we're hoping to make it 3 for 3 tonight. What you are currently looking at is a proposed 30,000 sq ft expansion to the existing 60,000 sq ft warehouse facility. Previously the board approved a 20,000 sq ft expansion which was then amended to go to a 18,000 sq ft addition, most recently the company's been re-evaluating their contracts in the area and realized that they need significantly more room than the 18 or 20,000 sq ft building in order to accommodate the staff they need for the growing demand for their business in this area. So currently we are proposing again the 30,000 sq ft 2 story building, that's 2 15,000 sq ft floors with in the building. The building itself is being placed ovetop of an existing parking lot, the parking lot will be removed the building will be put in over top of it. Our disturbance for this plan is 25,000 sq ft, we are under the threshold for an acre which would require stormwater pollution prevention plan. We have actually no change to the impervious area on site, we have accommodated the parking for the site. The proposed building for the warehouse area is anticipated to have no more than 50 employees working there and having one space for every one and a half employees that equates to 33 spaces. The 30,000 sq ft office building requires 150 parking spaces, between the remaining parking in the front of the building, the land bank parking on the side of the building that was approved when this project was in front of the board as proposed by Baron Construction, and then in the back of the building in the loading dock area we are striping an additional series of spaces about 90 spaces in the back. If you recall this building has roughly 16 overhead delivery doors in the back of the building, Danforth has only the need for 4 of these doors to be used for delivery import, export materials from this site. Those doors are going to be set up over in this area, these are the doors that are going to be used, none of these doors along the back of the building will need to be used. Again we are providing parking for 183 spaces that's what meets the code, we don't anticipate having more than 120 to maybe 130 total vehicle parked on this site at any given time, so I think that we've demonstrated that we meet code and that we have ample parking for the anticipated use on the site. With that I'm here to answer any questions and I'd ask that we recieve approval to move forward and finalize these plans and proceed to building permits. Thank you.

John Ouimet: So the new proposed flow has got to go completely across the front of the building to the rear?

Joe Dannible: There's 2 points of egress from the site, this curb cut here would be where we anticipate the majority of the employees coming into the park, again those are the office staff that would be coming in here, there's a second means of access this is where the tractor trailers would be coming into the site backing into the loading dock and out or they could circulate the building if necessary. Its all been designed for full circulation of tractor trailers when we got this approved for Barron several years ago.

John Ouimet: Thank you, any questions from the board?

John Higgins: Now the centerline of parking is not there now correct? On the, yes exactly.

Joe Dannible: None of this parking is striped. In the back.

John Higgins: And presently there is a bunch of outdoor storage I assume that was when they were doing the construction inside, is that going to be minimized once the construction is done inside?

Joe Dannible: It will be minimized but there will be some con ex's in this area in the areas where they are not using loading docks.

John Higgins: Ok, just so our enforcement people know when you say containers, approximately how many are we looking at having in that area, I mean is 6 a reasonable number? The approval just needs to have certain stipulations so that the enforcement people if they need to go to the site have guidelines.

Joe Dannible: We can agree to say 10 or less on the site.

Marcel Nadeau: Do we know what the original site was for?

Joe Dannible: The original site I don't think had any, any at all on the original site.

John Ouimet: I don't think it did, I don't think he requested any.

Joe Dannible: the original site plan was all designed for tractor-trailers.

John Higgins: No, when Danforth came here that question was asked.

John Ouimet: The original approval had no discussion about containers remaining, or outside storage.

Joe Dannible: ok, then at this time my understanding is that they are going to have some and we would like to say there will be no more than 10.

John Ouimet: Is that going to be a permanent thing or is that going to be something that is going to be temporary during construction or you planning on having 10 or 11 of these containers all the time outside? : I guess that's the question that John wanted to get at.

Steve DeRamo: Steve DeRamo from Danforth, we have some use for them, but I wouldn't say there is a large amount of use for some outside con-ex boxes, the exact amount I'm no sure we would state an exact amount at this point unless you need an exact number but something 10 or less would be reasonable, not 10 all the time either. It just depends on if we need some extra storage outside.

John Ouimet: I think that's a pretty interesting question that you raised, cause I'm not so sure any is a reasonable amount in my mind. I don't recall us having any conversation when you were originally coming to the site that you were going to utilize on-ex boxes for storage, at any point in time, whether that be temporary, permanent or ongoing. I think there's a pretty clear sense from the board that we don't particularly care much for containerized boxes being

left outside. I guess to be blunt if the building isn't big enough for you to containerize your storage needs don't try to make it bigger by putting in con ex boxes, ya know parking lots are for parking not for storage.

Joe Dannible: And that's understood, my understanding of those con ex boxes and correct me if I'm wrong, as certain materials are being manufactured to be sent to the site at specific times.

John Ouimet: Temporary, temporary, not 10 all the time.

Joe Dannible: Correct, and I don't think we are asking for 10 all the time, I think we.

John Ouimet: And what your not answering us is our concern that temporary could be forever, that there is no end in site, ya know its 10 boxes today and it might be 4 tomorrow but it might be 4 ten years from now, ya know what I'm saying your always gonna have boxes out there?

Joe Dannible: I think it is that the boards concerned that we are gonna have a box on the site at this one location thats gonna stay there for 10 years cause we need it for the storage, and I don't believe that is the case, I believe what we are gonna be doing is filling con ex's one at a time moving it off site, placing one in a different location as they are filled for different jobs.

John Ouimet: Outside?

Joe Dannible: Outside.

John Ouimet: Are you going to have con ex boxes outside all the time? Be it 1,2, 3, 4 up to 10? But there will be some con ex boxes in the parking area all the time?

John Higgins: John I have the minutes from what was approved originally.

John Ouimet: That's ok John hold on to that. I mean that's our concern, con ex boxes we understand can be a temporary thing and we are ok with that but if temporary becomes everyday, we are not ok with that.

Joe Dannible: Ok, and I understand that, but from the standpoint of the use of this site there could be any given day in its original form 60 tractor trailers parked behind that building loading and unloading 10% of the time so having a 20ft long storage cube as opposed to 60 ft long or 52 ft long tractor trailers is much less intense use than what was approved for the site.

John Ouimet: but Joe when does that ever end, or do you always have 15 or 16 tractor-trailers coming into this site?

John Higgins: And guidelines in the town if it's a DOT approved tractor trailer and its licensed then that's a road vehicle going in and out that's something totally different from storage containers. And there are guidelines with in the town regarding storage containers and that's the reason this came up. Tractor trailers DOT approved with license plates are totally different than storage containers that are set on the ground and thats the only reason cause the original approval said that the fabrication and material was going to be stored inside the building and that there would be tractor trailers possibly by the loading docks if there was material that needed to be stored in those tractor trailers. Obviously things are totally different now and that's the reason the question came up.

Joe Dannible: Ok, I understand the question, I guess the best answer we can give you if we are looking for an approval tonight is that we are looking to have con ex's on the site temporarily that will be loaded, picked up, moved by a licensed flat bed tractor trailer, like a crate, storage container, moved off site and as a new job starts up again con ex will be brought in again, very similar to as if a licensed tractor trailer was parked there.

John Ouimet: Do me a favor define, temporary, how many days? Sorry, but you understand our dilemma don't you.

Tom Koval: If it's separate, why are you even taking it off the trailer frame it came in on? I think we are setting ourselves up to these things sitting around forever, and you just telling us that's a new one, meanwhile your gaining square footage your not paying taxes on, we've got a bunch of outside storage and the place starts looking like warehouse row which is what we don't want. The towns always been pretty strict about storage containers when Lowes or Home Depot want to put one in with their seasonal thing we make them come in and get an approval for it. Its just, Its just what we are trying to avoid, so if you have a trailer body, a tractor trailer body thats fine its registered 30, 40 footer 20 footer in there, but a container will sit and sit and sit and I know the cost of moving a 20 foot container they are not doing it that often as if its just fabricating take them to a job sit, a tractor trailer job site, con ex's are fine for job site for storing where you are going to be moving them all of the time, but I'm not comfortable with allowing you to have a bunch of con ex boxes on the property. I'm not happy about approving that, this if that's gonna be the case cause its not what we are looking for here.

Joe Dannible: We will agree we will have no conex's onsite for can we get a time period of no greater than one month period? Just asking.

Marcel Nadeau: I think typically when we have temporary items we have a date from point A to point B and then its removed is that correct? That's our temporary storage.

Joe Dannible: So temporary back and forth doesn't work? Ok.

Tom Koval: I mean if it's only a month leave it on the trailer it came in on, or use the trailer.

Joe Dannible: That may be what happens, we will agree that we will not have con ex 's stored on site.

Tom Koval: Outside.

Joe Dannible: Outside.

John Ouimet: Any other questions? Motion.

John Ouimet: Now before I call for a vote how realistic is no? I mean your going to need a period of time to empty the con ex box correct?

Joe Dannible: We would have to trailer it; we would have to make sure it's on a trailer.

John Ouimet: What is a reasonable amount of time for you to get it, ya know if we say no con ex boxes ever that means you cant have any, ya know if you need a period of time in which to unload ya know then you have to tell us what a reasonable amount of time is and we can say you can have no con ex boxes for longer than that period of time, we don't want to be presumptuous and just give you a period of time.

John Higgins: But if they are on undercarriages that are DOT approved and licensed they can keep it there as long as they want. Its a con ex on an undercarriage, thats how they, they either move it that way or on a flat bed so as long as its on an undercarriage with plates and ya know NYS licensed that we have no control over that, cause thats an over the road vehicle.

John Ouimet: It doesn't have to be NYS licensed, it has to be valid. Valid license and registration. Ok does that work?

Joe Dannible: Yes.

Tom Koval made the motion that this SEQR application is consistent with the prior SEQR application from the town board. Marcel Nadeau seconded.

Tom Koval made a motion to approve John W. Danforth Company's Office Addition Modification application with the stipulation that there are no conex containers left onsite or any outside storage. Marcel Nadeau seconded. Motion Approved.

Tom Koval made a motion to adjourn the Planning Board Meeting at 8:20 pm. Rich Berkowitz seconded. Meeting Adjourned.