

1 CHAIRMAN STUTO: Okay, we'll call up the next
2 project. Lia Honda, 1258 Central Avenue. This is an
3 application for concept acceptance. This is 100 car
4 parking expansion.

5 MR. LACIVITA: This project was here actually a
6 couple of times before. We were at DCC on July 11,
7 2012 when we came before this Board for original
8 concept. On October 23, 2012 we walked away from that
9 meeting with a couple of points that had to be
10 discussed and Mr. Lia and the engineers got together
11 with the Town Departments and went through the various
12 comments. We're back here tonight to hopefully issue
13 concept acceptance on the plan for 1258 Central Avenue.

14 CHAIRMAN STUTO: Okay, I'll turn it over to the
15 applicant.

16 MR. MAFRICI: Good evening. My name is Bill
17 Mafrici and I'm with Hershberg and Hershberg. We're
18 the engineers for the applicant.

19 With me today is Mr. Foote who represents the
20 Lias. He is the Operations Manager.

21 CHAIRMAN STUTO: There was a lot of public comment
22 on this the last time. We have at least one new Board
23 Member. I'm not sure if everyone else was here. Could
24 you start from the beginning like you were explaining
25 it for the first time?

1 MR. MAFRICI: What we proposed initially -- I
2 don't have the original plan in front of me, but it was
3 a parking expansion and it was adjacent to the
4 residences on Lockrow Boulevard.

5 CHAIRMAN STUTO: Can you show us where Central
6 Avenue is on that?

7 MR. MAFRICI: Central Avenue is here (Indicating)
8 and Lockrow Boulevard is here (Indicating). For
9 planning purposes, north would be here and west would
10 be toward Lockrow.

11 At that time, there was significant concern.
12 There was a buffer in this area (Indicating) -- a
13 natural buffer that exists. It was a tree buffer.
14 Although the plan technically met the needs for
15 this Board to grant site plan approval with
16 respect to zoning setback and other items, there
17 was significant objection from the neighbors to
18 encroach into this natural buffer and provide the
19 necessary parking that the Lia Honda operation
20 required. During that meeting, a number of
21 different items came out that led us to this plan
22 that we are presenting now. I believe that the
23 Board Members have, which is not colored but in
24 black and white, the acquisition of a portion of
25 Beaver Street, its cul-de-sac on Kairnes Street

1 and relocating parking entirely in the southwest
2 corner or southeast corner of the property and
3 removing it completely from the rear of the
4 residences to the west.

5 CHAIRMAN STUTO: Can you repeat that so that I
6 understand it? You're moving it all to the back?

7 MR. MAFRICI: Correct. We relocated the entire
8 parking that was here, with the Town Board action, to
9 acquiring a portion of Kairnes Street.

10 MR. LANE: Is that something that we had discussed
11 at that time? Did that briefly come up?

12 MR. MAFRICI: That was mentioned as a solution to
13 try to --

14 CHAIRMAN STUTO: There is a paper cul-de-sac now,
15 right?

16 MR. MAFRICI: Right.

17 CHAIRMAN STUTO: Can you trace the cul-de-sac?

18 MR. MAFRICI: This red line that's shown is the
19 cul-de-sac and we're proposing to basically transfer
20 the ownership from that paper street to provide
21 additional parking that is required by the Honda
22 dealership (Indicating).

23 In addition to that, this plan also depicts
24 some new trees, which would be coniferous trees.
25 Currently, these are mostly deciduous trees and at

1 this point screening is there with the leaves
2 down. So, in order to try to acknowledge the
3 residences to the west and try to buffer some, we
4 are proposing 10 additional coniferous trees to
5 further buffer what's existing there that will not
6 be disturbed due to the installation of new
7 parking facilities.

8 MR. MION: You're just going to put them in that
9 area and not all the way down?

10 MR. MAFRICI: Correct. We only own to this
11 property (Indicating).

12 MR. MION: I mean in the other direction.

13 MR. MAFRICI: As it is now, there are some
14 considerable encroachments for various residences that
15 are currently on the property. As it is now, the
16 dealership doesn't intend to request them to be
17 removed. So, we chose not to do anything with that
18 area as it exists. The same concept exists regarding
19 the stormwater management. This is porous pavement
20 which will not encumber stormwater management areas.
21 This yellowish green area is where the existing
22 stormwater management facility is (Indicating). Again,
23 we tried to depict that because it wasn't quite clear,
24 originally on the previous edition.

25 With that, I would open it up for questions.

1 CHAIRMAN STUTO: We'll ask our Town Designated
2 Engineer, CHA, to make their comments. That would be
3 Joe Grasso.

4 MR. GRASSO: Within the Planning Board packet
5 there is a letter that our office issued dated DEcember
6 10, 2012 and I'll go through some of those comments in
7 that letter.

8 The first comment is regarding the
9 substantial revisions that have been made to the
10 plan in response to the concerns expressed by the
11 neighbors as well as supported by the Planning
12 Board at the last Planning Board meeting.

13 Subsequent to that Planning Board meeting
14 there was a meeting held with the Planning
15 Department staff, a representative from the Town
16 Attorney's office, the applicant and their
17 consultant where we discussed the possible
18 abandonment of the Town right of way that would
19 allow this change to occur. In general, this plan
20 is consistent with those discussions and we think
21 that the revision is a positive change to the plan
22 and addresses all of the concerns that were
23 expressed during the original Planning Board
24 meeting when the application was heard.

25 There was a question at the last Planning

1 Board meeting regarding the need for additional
2 parking. I think that it's in your packet or
3 included within the application materials. There
4 is a November 27th letter from the applicant that
5 justified the proposed increase in parking and
6 that's really geared towards the uniqueness of the
7 car sales facility and the need for them to have
8 ample parking to handle their operations as well
9 as highly fluctuating inventory of cars. So, we
10 feel that they have provided appropriate
11 justification for the need for what we consider a
12 relatively modest increase in the amount of
13 parking on the site.

14 Regarding the right of way at the end of
15 Kairnes Street that's going to be abandoned --
16 it's undeveloped basically for the most part and
17 it was likely established to allow the Town at
18 some point in the future to have an area to
19 develop a typical Town cul-de-sac that would make
20 it easier for town vehicles, maintenance vehicles,
21 snow plows and such to turn around. We've touched
22 base with the Department of Public Works and they
23 feel that they can continue to make three-point
24 turns at the end of Kairnes Street and don't
25 foresee the need to develop that cul-de-sac.

1 Therefore, they are supportive of the plan.

2 One comment that they provided to us is that
3 they would like to reach an agreement with the
4 applicant that would allow Ttown vehicles to make
5 a turning movement within their property as they
6 back in -- as they would do a three-point turn,
7 that may encroach a little bit into the property.
8 It obviously wouldn't require a large cul-de-sac
9 as currently exists. This is something that we
10 could handle through a minor easement.

11 MR. LANE: Will this be on porous pavement?
12 Wouldn't that porous pavement be sensitive to that?

13 MR. GRASSO: We'd have to look at it to see if it
14 would be just -- I don't know if we are actually
15 looking to construct any pavement. This is just to
16 allow the ability of the Town to add pavement off the
17 end of Kairnes Street, if it's needed at some point in
18 the future. Right now what the trucks do is they come
19 down Kairnes Street and they pull into the private
20 drives on either side. If those are ever eliminated,
21 then the Town might need the ability to actually work
22 within the Kairnes Street right of way and that's where
23 they would like to have a little additional room. What
24 we would like to see on the final plans would be a
25 proposed easement to the Town off the end of Kairnes

1 Street such that it could be preserved.

2 The next comment in our letter is specific to
3 the right of way to be abandoned. We recommend
4 that the limits be revised such that there are two
5 existing catch basins. That is based on their
6 plan they would have been included in the property
7 conveyed to the applicant. We recommend that the
8 right of way limit be revised so that those catch
9 basins and the entire limit of the pavement on
10 Kairnes Street is kept within the Town right of
11 way.

12 That's acceptable, Bill?

13 MR. MAFRICI: Yes, we have no objection to that.

14 MR. GRASSO: We included a sketch because it's
15 hard to narratively describe it in our letter, so we
16 included a sketch as an attachment to our letter that
17 clarifies that.

18 Comment five - the Planning Department had
19 requested an additional connection to the site
20 through Kairnes Street.

21 When we had seen that comment and supported
22 it, we thought that there was only one existing
23 curb cut off Central Avenue to the site. After
24 talking to the Planning Department and doing more
25 research into the site, there was actually two

1 already so this would actually serve as a third.
2 It was a comment brought up by the Planning
3 Department. They continue to support a connection
4 there.

5 CHAIRMAN STUTO: Where are the two, currently?

6 MR. MAFRICI: We have one connection to the south
7 east on Interstate Avenue - the main driveway is off of
8 Central Avenue.

9 CHAIRMAN STUTO: I'm looking at an aerial and I'm
10 not seeing it. It's right along the property line?

11 MR. MAFRICI: Pretty much. It's about 30 feet off
12 the property line. If you see the aerial, it's right
13 behind the bank. There is a curb cut almost at the
14 point of curvature of Interstate Avenue.

15 CHAIRMAN STUTO: Okay, I got it.

16 MR. GRASSO: So, we feel that those two are
17 adequate.

18 CHAIRMAN STUTO: So, you're rescinding your
19 comment?

20 MR. GRASSO: We are rescinding our comment. It
21 should be big enough, but we don't think that it should
22 be a requirement of the project. Obviously, the
23 property is going to continue to have frontage on
24 Kairnes Street. An easement will further encumber the
25 property such that a connection could be made if it was

1 ever needed at some pointing the future. We really
2 don't think so. As long as the property has two viable
3 means of access --

4 CHAIRMAN STUTO: The one on the side street is not
5 an emergency, right?

6 MR. MAFRICI: Correct. That's a fully operable
7 two way entrance and exit.

8 MR. GRASSO: Comment six through eight are really
9 technical items that we just wanted to bring to the
10 attention of the applicant so that they can take them
11 into consideration as they develop their final plans of
12 the project.

13 Our last comment is regarding the SEQRA
14 review. It's been classified as an unlisted
15 action by the Town Attorney's office. The only
16 involved agency is going to be the Colonie
17 Planning Board with referral to the Albany County
18 Planning Board for recommendation. I think that
19 they've shown their support for the project
20 included in the Planning Board packet. In
21 general, we feel that the short EAF adequately
22 describes the enviromental setting and the
23 potential impacts associated with the project.
24 So, we don't believe that any significant impacts
25 are expected and we are prepared to support a

1 SEQRA determination when appropriate, which
2 doesn't need to occur at this time but would occur
3 before final site plan application.

4 CHAIRMAN STUTO: Did you talk about stormwater? I
5 know that he talked about porous pavement.

6 MR. GRASSO: And that's an acceptable approach
7 for this site, given the soil conditions.

8 Regarding the specific design, we had a
9 couple of comments regarding things for them to
10 take into consideration. But they've already done
11 a lot of testing out there and proven to us that
12 the use of pervious pavement is an appropriate
13 method for stormwater management. We're confident
14 that it's something --

15 CHAIRMAN STUTO: So, we'll hear something about
16 that at final?

17 MR. GRASSO: When they do the final design and
18 give us a full stormwater management report.

19 CHAIRMAN STUTO: Craig Bryda?

20 MR. BRYDA: I just had a couple of concerns. Is
21 Kairnes going to be a dead end, or is that going to be
22 some kind of parking lot? I plow that area. There is
23 no place to put the snow. If you put an entrance way
24 on Kairnes, where am I going to put the snow? You have
25 a building on one side and I think that it's an

1 insulation rep on the other side. You've got two
2 driveways like this (Indicating) on either side. I
3 push snow straight. So, if you do a cul-de-sac or an
4 entrance going there, we won't have a place to put
5 snow. That's one of my concerns.

6 Is a retention area going to be involved in
7 this at all? ARE you converting any of that
8 retention area to parking space?

9 CHAIRMAN STUTO: I'll take your questions and
10 direct them to the applicant.

11 MR. BRYDA: I'm just wondering if any of the
12 parking lots are going to be in the retention areas.
13 When I talked to Mr. Dzialo, he said right now there is
14 so much silt build up that they have to dig out that
15 retention area and do some maintenance to it prior to
16 anything being done. That's one of my concerns because
17 you walk back there right now and it's over your boot
18 right now. There is no maintenance of that at all. I
19 want to know how far that parking lot is actually going
20 to go into that retention area because that whole area
21 floods out. If you take away our retention area,
22 you're adding more pavement and where is that water
23 going to go? That's the idea of the retention area to
24 hold the water and slowly dissipate it into Kairnes
25 Street, which is going to go onto Interstate.

1 I didn't hear anything about the downward
2 lighting. There are still houses back where
3 they're going to propose. As a matter of fact
4 it's going to be directed to my house now. Since
5 we did have the last meeting, I just want to say
6 that they turned their lights off at 10. All
7 their lights are off on the back of the building.
8 I haven't heard a PA system. So, the things that
9 we did bring up, they did work on and I'd like to
10 say thank you for that. It did work out.

11 CHAIRMAN STUTO: Do you think that this new
12 location is better than what was formerly proposed?

13 MR. BRYDA: If it's going towards Kairnes and
14 Interstate, I say that it's great, as long as you clean
15 up that retention area. Like I said, right now that
16 retention area hasn't been maintained and it's all
17 silted over. My other concern, like I said, is
18 Kairnes. Since I plow that area -- where am I going to
19 put the snow? It's bad enough with businesses. They
20 pile them on the ends.

21 CHAIRMAN STUTO: I'll try to get those issues
22 addressed. If you have more questions later, you can
23 ask them as well.

24 Joe, are those two issues of snow, snow
25 plowing and drainage under DPW?

1 MR. LACIVITA: Yes.

2 CHAIRMAN STUTO: Have they given an opinion on
3 this?

4 MR. LACIVITA: I believe that they have. I know
5 that the Town Attorney was involved and there were
6 conversations with DPW. So, they looked at that area
7 and I believe that they talked with Mr. Grasso as well
8 as far as the whole retention pond and everything else.

9 CHAIRMAN STUTO: Do you want to address those
10 issues, Joe, or do you want to return it to the
11 applicant?

12 MR. GRASSO: I don't know about the condition of
13 the existing stormwater management areas. Bill can
14 probably talk to that. I will speak to the issue about
15 the snowplowing at the end of Kairnes Street. There
16 are no physical changes being proposed right now to
17 that arrangement. So, how the road is plowed right now
18 will continue to exist in the future.

19 CHAIRMAN STUTO: I think that what he's saying is
20 that if they push it onto the paper cul-de-sac and that
21 now becomes a parking area for Lia, there is not going
22 to be any room.

23 MR. GRASSO: If you look at the sketch that we
24 have provided, our recommendation is to provide a
25 20-foot buffer from the right of way for snow storage.

1 So, that 20-foot could be snow storage for both pushing
2 off the end of Kairnes Street, as well as the Lia
3 pushing off their parking lot.

4 CHAIRMAN STUTO: Do you think that's more than
5 adequate?

6 MR. GRASSO: I do. Then I solicited an e-mail
7 from Bill Neely who is in the Department of Public
8 Works where he says that the proposed arrangement is
9 acceptable and will accommodate their snow maintenance.
10 I don't think that the parking area is proposed within
11 the two existing stormwater management areas. Again,
12 we'll ask Bill to speak to that as well.

13 MR. MAFRICI: If you see, it's adjacent to the
14 existing recharge basin, which is what this is
15 (Indicating). It's a Stormwater management area
16 intended to fill up with stormwater that flows and
17 perks into the ground. Over the years, through
18 vegetation and whatever maintenance -- whatever they've
19 done, it's possible that the infiltration rate has
20 decreased or diminished to a point where it needs to be
21 maintained.

22 CHAIRMAN STUTO: If you didn't have this
23 application, whose responsibility would that be?

24 MR. MAFRICI: The owner is responsible. This is a
25 privately owned system. The owner of the property is

1 responsible for maintaining that. That was part of the
2 issue of stormwater management when the facility was
3 constructed.

4 As with the porous pavement that's proposed,
5 that will be privately owned and maintained.

6 CHAIRMAN STUTO: Either you or the owner's
7 representative, do you think that needs a little bit of
8 clean up back there?

9 MR. FOOTE: There is some vegetation in there, but
10 I don't see a problem with it.

11 CHAIRMAN STUTO: Can we examine that and clean if
12 necessary?

13 MR. FOOTE: Sure.

14 CHAIRMAN STUTO: Is water going to flow from the
15 new parking lot towards that stormwater treatment?

16 MR. MAFRICI: The grade is downhill towards
17 Kairnes Street, but through the use of porous pavement,
18 no water will get to that. It will all be infiltrated.

19 CHAIRMAN STUTO: It won't head west.

20 MR. MAFRICI: That's correct. It will not head
21 west. As it is now, there is about a three-foot
22 difference in grade from the existing edge of pavement
23 which is approximately located here (Indicating) to the
24 existing pavement back here on Kairnes Street. That
25 grade is anticipated to be maintained with the porous

1 pavement intercepting that drainage.

2 CHAIRMAN STUTO: Thank you.

3 Ma'am, I'll be honest, I can't read your
4 handwriting.

5 MS. HUGHES: Linda Hughes. I do want to thank
6 everybody for listening to us and for revising the
7 things that were really serious concerns for us. With
8 the leaves down, I am hearing a lot of noise from the
9 warehouses. So, I was really concerned that if you did
10 take the buffer zone down, that would be difficult to
11 stay there. I would feel like my neighbors are
12 warehouses.

13 My one concern is the stormwater. Last year
14 we had a lot of mosquitoes. I couldn't even sit
15 in my backyard last year. I don't have the
16 technical expertise to know why, but I do believe
17 that it's because of all that water and whether or
18 not there is some vegetation in it. If you do own
19 the property, you do have to manage it so that it
20 doesn't become a health hazard for the neighbors.
21 Even though I greatly appreciate everything that
22 you've done, I do think that this is a serious
23 issue also.

24 CHAIRMAN STUTO: What was your last issue?

25 MS. HUGHES: Stormwater. We have a lot of

1 mosquitoes. You can't even sit in your backyard after
2 supper, and I work all day.

3 CHAIRMAN STUTO: We did talk about that just now.
4 I don't know if you can readdress that.

5 MR. GRASSO: Well, this application won't make
6 that issue any worse because unlike the current site
7 which does have what we call open air stormwater
8 mangement area that does collect stormwater, that's
9 what can lead to mosquito breeding habitat and this one
10 is not going to result in any stormwater management
11 areas like that. It's all going to be pervious
12 pavement where the water is just going to go through
13 the asphalt itself.

14 MS. HUGHES: I wasn't thinking that it was. I was
15 thinking that because they had revised all the things
16 that were serious considerations for us - the
17 stormwater that's already there - you said that it
18 didn't need to be cleaned up and in our respect it does
19 because we have a lot of mosquitos. We can't even
20 enjoy our backyards. A lot of mosquitos are a health
21 hazard.

22 CHAIRMAN STUTO: I think that they agree that they
23 are going to take a closer look at it.

24 MR. GRASSO: We will take a close look at it, but
25 the stormwater areas unfortunately by design are

1 designed to collect stormwater and allow a slow
2 percolation into the ground or discharge off site. So,
3 by their very nature, they do -

4 MS. HUGHES: Can the water be treated so there is
5 not mosquitos?

6 MR. GRASSO: Not legally. Mosquito breeding
7 habitat goes hand in hand with the design of many
8 stormwater management areas. So, the fact that these
9 are collecting water means that they are actually
10 operating as designed.

11 MS. HUGHES: I've been there eight years and last
12 year was the only year that it was that bad. It was
13 noticeably a lot worse than it had been previously.

14 MR. GRASSO: And I think that the one thing that
15 we talked about is if the lack of maintenance is
16 causing more water to be ponded than normal, then we
17 can take a look at that and see if they need to be
18 cleaned out which will help promote infiltration and
19 they may become drier. I don't want anyone to think
20 that there won't be standing water at any point in any
21 basins because that's what their function is.

22 CHAIRMAN STUTO: We made some great changes. This
23 is not the final review. Your committed to taking a
24 close look at that.

25 MR. GRASSO: We will; yes.

1 CHAIRMAN STUTO: Any other questions?

2 MR. BRYDA: Can I ask one more? I didn't really
3 get a clear answer. Are you taking any of the
4 retention area that is there now and turning it into
5 parking space?

6 MR. MAFRICI: No.

7 MR. BRYDA: So, the remaining retention area that
8 is there right now stays?

9 MR. MAFRICI: Correct. We're adjacent to that,
10 but we're southwest of that. This lime green area is
11 the existing facility (Indicating).

12 MR. BRYDA: And just for knowledge for you to
13 know, that catch basin that is supposed to be working
14 that's in the middle of that retention area is probably
15 going to flip under - just so you know. I have walked
16 there already and I've poked around.

17 CHAIRMAN STUTO: Okay, we'll take a look at that
18 closer.

19 Anybody else from the public?

20 MR. SAVAGE: Victor Savage. You said you're going
21 to put trees in. It looks like 11 to 15. How are you
22 going to get them in through Richmond? You said you
23 weren't going to disturb any of the buffers and you're
24 just going to give us an added bonus of some more
25 trees?

1 MR. MAFRICI: That's correct.

2 MR. SAVAGE: That's very generous of Mr. Lia and
3 all who are associated with this. Thank you.

4 CHAIRMAN STUTO: Anyone else from the public?

5 (There was no response.)

6 CHAIRMAN STUTO: Susan, do you have any questions
7 or comments?

8 MS. MILSTEIN: I don't.

9 CHAIRMAN STUTO: Karen?

10 MS. GOMEZ: Nothing.

11 CHAIRMAN STUTO: Tim?

12 MR. LANE: I was just wanting to listen to the
13 neighbors concerns. It doesn't seem that you've lost
14 any parking space. You seem as though you have the
15 same square footage that's been transplanted or
16 similar?

17 MR. MAFRICI: It's increasing in the parking so
18 there is a positive gain from the applicant's
19 standpoint.

20 MR. LANE: But not without additional cost.

21 MR. MAFRICI: No, not without additional cost.

22 CHAIRMAN STUTO: Brian?

23 MR. AUSTIN: I have nothing.

24 CHAIRMAN STUTO: Lou?

25 MR. MION: The one issue that came up was

1 initially you were going to put more lighting in. If I
2 remember correctly, are you going to put more lighting
3 here?

4 MR. MAFRICI: Yes, but the plan conceptually is
5 that there are three current single-headed light poles
6 that exist on site. Our intent is to back them with a
7 down style lighting just to illuminate the new parking
8 for security purposes. It would be down style lighting
9 and it would be directed in to the southwest toward the
10 industrial Kairnes Street area.

11 MR. MION: I believe that when I walked over
12 there, the one place where I saw the lighting going out
13 was the area of the building with the detention basin.
14 It's probably the only place that you had projected
15 lighting. Excellent job.

16 CHAIRMAN STUTO: Kathy?

17 MS. DALTON: I guess I just want to commend you
18 for working with the Town, but I think I also want to
19 commend the Town for figuring out what we were going to
20 do with that cul-de-sac, working with you and what your
21 benefit is and what the residents' benefit is. It just
22 shows a nice example of everyone working together. So,
23 I want to thank you for working together. You did
24 exactly what we were hoping you would do.

25 CHAIRMAN STUTO: I also want to thank you for

1 making great strides and listening to the neighbors and
2 reacting to that in a positive way. Thank you.

3 What's before us is an application for
4 concept acceptance. We have revised plans. I'll
5 say for the record that concept acceptance is not
6 a binding action. It's just an indication of the
7 direction that we're headed. There are going to
8 be changes as to what is before us now and final
9 approval. Final approval will involve the
10 environmental review and that will be the approval
11 that's binding on the Planning Board and the Town.

12 Do we have a motion for concept acceptance?

13 MR. MION: I'll make that motion.

14 CHAIRMAN STUTO: Contingent upon --

15 MR. MION: Exactly what you said.

16 MR. LANE: Except for number 5.

17 CHAIRMAN STUTO: And the comments of the Town
18 Designated Engineer with the exception of 5 in the
19 letter.

20 Lou, you made that motion?

21 MR. MION: Yes, I did.

22 CHAIRMAN STUTO: Do we have a second?

23 MS. DALTON: I'll second.

24 CHAIRMAN STUTO: Any comment or discussion?

25 (There was no response.)

1 CHAIRMAN STUTO: All those in favor say aye.

2 (Ayes were recited.)

3 CHAIRMAN STUTO: All those opposed say nay.

4 (There were none opposed.)

5 CHAIRMAN STUTO: The ayes have it. Thank you.

6 MR. BRYDA: Can I just ask one thing? Was there
7 anything ever added to that -- what we talked about
8 before? Was there anything grandfathered in for that
9 buffer? Say five years from now if they want to park
10 another 100 cars that lot - can they change that
11 buffer? Is there anything in the minutes or did we
12 find anything?

13 CHAIRMAN STUTO: Do you know the answer to that?

14 MR. LACIVITA: We'll take a look at it during the
15 course of the project.

16 MR. BRYDA: Can that be grandfathered in saying
17 that we will have that buffer between the businesses
18 and our houses?

19 MR. GRASSO: We had researched that and there are
20 no restrictions on the property regarding required
21 buffers.

22
23 (Whereas the proceeding was concluded at
24 8:03 p.m.)

25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATION

I, NANCY STRANG-VANDEBOGART, Shorthand Reporter and Notary Public in and for the State of New York, hereby CERTIFY that the record taken by me at the time and place noted in the heading hereof is a true and accurate transcript of same, to the best of my ability and belief.

NANCY STRANG-VANDEBOGART

Dated January 10, 2013

