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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

TEXAS ROADHOUSE
105 WOLF ROAD
AMENDMENT TO FINAL SITE PLAN
BUFFER AREA

THE STENOGRAPHIC MINUTES of the above entitled
matter by NANCY STRANG-VANDEBOGART, a Shorthand
Reporter, commencing on December 3, 2013 at 7:50
p.m. at The Public Operations Center, 347 Old
Niskayuna Road, Latham, New York

BOARD MEMBERS:
PETER STUTO, CHAIRMAN
LOU MION
KATHY DALTON
TIMOTHY LANE

ALSO PRESENT:

Elena Vaida, Esq., Counsel to the Planning Board

Joe LaCivita, Director, Planning and Economic Development

Joe Grasso, PE, CHA

Pat Mitchell, PE, Creighton Manning Engineering

Bruce Rubin

1 CHAIRMAN STUTO: An amendment to final site plan.

2 The Board will recall that we gave final site
3 plan approval, but we were talking about mitigating
4 or screening behind the number 8 house on the
5 adjacent residential road.

6 I know that a lot of the Members have visited
7 the site.

8 I'll leave this to Joe Grasso to take the lead
9 on the presentation and hopefully the resolution on
10 this matter.

11 MR. GRASSO: The application was heard at the last
12 Planning Board meeting and it was for construction of a
13 temporary parking lot to serve the Texas Roadhouse.

14 The applicant had previously already graveled
15 the area of the proposed parking lot and at the last
16 Planning Board meeting most of the discussion
17 revolved around the screening behind 8 Kenlyn Drive,
18 which is a couple of hundred feet distance from
19 where the actual temporary parking lot is. There
20 was a lot of discussion of what the appropriate
21 screening between 8 Kenlyn Drive and the current
22 restaurant should be.

23 What currently exists behind 8 Kenlyn Drive is
24 an area of woods and brush that was growing
25 undisturbed. There were some claims by the adjacent

1 property owner that perhaps there was some clearing
2 that had taken place and we haven't been able to
3 substantiate that.

4 There was considerable dialogue regarding the
5 need for screening and if there was screening
6 warranted, should it be a continuation of existing
7 fencing that has already been done along the back of
8 the Kenlyn Drive properties, or an alternative of
9 landscaping treatment.

10 So, at the last Planning Board meeting the
11 Planning Board approved the temporary parking lot
12 construction. That actually has been paved and
13 they're working through final construction of that
14 parking lot, conditioned on the applicant coming
15 back for additional Planning Board review for
16 consideration of two alternative forms of mitigation
17 if deemed appropriate by the Planning Board. One
18 being up to five Canadian Hemlock trees, eight feet
19 in height and spaced approximately 10 feet on center
20 at a location to be determined, or up to 80 linear
21 feet of white vinyl fence, which is basically what
22 you see out there along the back of the Kenlyn Drive
23 properties.

24 So, we've had a chance since the last Planning
25 Board meeting to go out to the site. I've reviewed

1 the conditions in the field. I think that I had a
2 pretty good understanding at the last Planning Board
3 meeting and had made the recommendation that we had
4 supported the placement of five Canadian Hemlock
5 trees. We thought that would provide the most
6 appropriate form of screening between 8 Kenlyn Drive
7 and the back of the Texas Roadhouse restaurant.
8 That's what we continue to feel is the most
9 appropriate form of mitigation. The property
10 contains a 30-foot wide easement to the Town of
11 Colonie and the current fencing that comes along the
12 back of the Kenlyn Drive property extends into that
13 easement a small distance. We don't feel like
14 extension of that fence continuously for another 80
15 feet behind 8 Kenlyn Drive is the appropriate form
16 of mitigation. We believe that it would impact the
17 woods and the shrubs that are right up to that back
18 property line of 8 Kenlyn Drive and we just think
19 that it would just change the context of 8 Kenlyn
20 Drive. One of the things that was previous
21 mitigation between development of the property and 8
22 Kenlyn Drive was that undisturbed wooded buffer.
23 Although that buffer doesn't provide total screening
24 to the back of the restaurant, it does provide a
25 certain wooded buffer behind the property. I think

1 that bringing an 8-foot white vinyl fence behind
2 that would change the context of that property line.
3 We are still in favor of five Canadian Hemlock -

4 CHAIRMAN STUTO: Did you speak to any of the
5 neighbors?

6 MR. GRASSO: I did talk briefly at the beginning of
7 tonight's meeting just to let the adjoining property
8 owners know of my feeling. It wasn't about telling them
9 or to convince them. I think that they would be happy
10 to discuss their thoughts on that proposal. I just
11 wanted to explain to the Board that you've had a chance
12 to closely look at on the field. We feel that is the
13 best solution, all things considered. We have not had
14 any dialogue with the applicant or the consultant
15 regarding the potential resolution, or our
16 recommendation.

17 CHAIRMAN STUTO: I'm assuming that the applicant
18 agrees with you.

19 MR. MITCHELL: Yes, the applicant agreed at the
20 previous meeting that it was an either or condition at
21 the Board's decision. The Board was the one that was
22 going to decide whether it would be an extension of the
23 fence or plantings. He agreed that you guys make your
24 decision and that's what he's going to do.

25 CHAIRMAN STUTO: You don't have a preference?

1 MR. MITCHELL: We would rather see plantings. One
2 reason that I say that we'd rather see plantings is that
3 we were in front of the Zoning Board and we did receive
4 a variance required that this remain forever wild. If
5 we extend the fence over here, I believe that we're
6 going to have to go back to the Zoning Board to get
7 their approval, as well. We can discuss that further,
8 if need be, but my understanding is that we would have
9 to go back to Zoning and satisfy that since we have
10 already agreed that we wouldn't touch the area.

11 CHAIRMAN STUTO: Okay, we'll hear from the
12 residents.

13 MR. RUBIN: My name is Bruce Rubin and I was here a
14 couple of weeks ago. I want to thank all of you for
15 your attention and your questions and all of your
16 patience with us and the situation. You probably don't
17 get thanked enough, but we do want to thank all of you.

18 I also want to thank Mr. Grasso for taking the
19 time out and speaking with my brother and myself. I
20 did have a nice talk with Mr. Grasso and I spoke to
21 my brother privately afterwards. Initially, our
22 application was to have a fence along the entire
23 back of the property. I know that there were a
24 couple of questions at the last hearing. The back
25 property line is 85 feet wide and 168 feet deep.

1 The other question that was mentioned was does
2 10 Kenlyn Drive, north of our property, have a
3 fence? They have a combination wood/metal fence
4 behind them. They are farther away from the Texas
5 Steakhouse than we are.

6 Essentially, Mr. Burke has placed a very large
7 steakhouse in what had been a residential area for
8 probably 50 years. My mother and brother have lived
9 there for about 40 years. It has impacted them.
10 Obviously, my mother and my brother like walking in
11 the back yard and it is a very busy place. It's a
12 large steakhouse. I think that anyone would agree
13 to that. Our request - and I acknowledge Mr.
14 Grasso's expertise as an engineer and landscape
15 architect - is a melt of the two. We would ask for
16 the five Hemlock -- Mr. Grasso stated that it would
17 be in an east/west direction and not along the back
18 of the property, but an east/west direction along
19 the side of the steakhouse. I believe that it would
20 be south of the drainage easement. Instead of a
21 fence the entire width, we just ask for a little
22 spur being 25 to 30 feet fence along the back of our
23 property to help block and give us a little bit of
24 privacy. It would be a lot smaller in scope.

25 Essentially, that's it. In other words, just

1 to summarize, it would be 25 to 30 feet of fence as
2 opposed to 85 feet and the five Hemlock, eight foot
3 on center as suggested by Mr. Grasso.

4 Again, I want to thank you very much, again.
5 I'll do my best to answer any questions you might
6 have for me. I want to thank you.

7 CHAIRMAN STUTO: Are you saying not continuous from
8 the old fence? Would it go over the Town easement
9 there?

10 MR. RUBIN: The trees?

11 CHAIRMAN STUTO: No, the fence that you are
12 describing.

13 MR. RUBIN: The fence would almost be a right
14 angle.

15 CHAIRMAN STUTO: I understand what you are
16 describing with the trees.

17 MS. MILSTEIN: Can you point it out on the drawing?

18 MR. RUBIN: Yes, I think that I can.

19 CHAIRMAN STUTO: I guess my question is would it go
20 over the own easement and meet the other fence, or would
21 it begin at where your property line begins?

22 MR. RUBIN: At the property line.

23 CHAIRMAN STUTO: Does the applicant have any
24 feeling on that - that hybrid solution?

25 MR. MITCHELL: It is a little bit different than

1 what was agreed to by the owner. Again, it will require
2 that we go back to Zoning because again we were already
3 asked to keep this forever wild.

4 CHAIRMAN STUTO: Elena, do you have any input on
5 that?

6 MR. GRASSO: Just to Clarify, I think that we're
7 talking a lot of fence with an easement. When I look at
8 the plan, the easement covers a 35-foot wide slot there.

9 CHAIRMAN STUTO: It goes on their property?

10 MR. GRASSO: Yes. The easement that we're talking
11 about in this location would be on the easement. It
12 wouldn't be in that forever wild. I don't think that it
13 would have to go back to the ZBA, but it would be a
14 fence within an easement which the Town has concerns
15 with. I mean, not to say that it can't be done.

16 CHAIRMAN STUTO: You don't think that it would
17 violate the variance, though.

18 MR. GRASSO: It would not violate the variance.
19 I'm not supportive of a fence in the easement. This is
20 a substantial fence that we're talking about.

21 CHAIRMAN STUTO: I think that the Board understands
22 the issues. Is there anybody that wants to speak or ask
23 questions?

24 MS. DALTON: Lou and I went out together the very
25 next morning and it seemed to me that I saw the gap.

1 Given all the variables, the Zoning Board of Appeals,
2 preferences and the fact that it might require other
3 approvals and the fact that really the gap that we're
4 talking about -- I know that I don't live there but from
5 my perspective, it's in the corner of the property. I
6 think that the trees would do a good job and I think
7 that given all the competing things that we have to deal
8 with, the trees are the best option. I have given this
9 a lot of thought and a lot of time, so I appreciate that
10 you thanked us. I'm just not in favor of the fence.

11 CHAIRMAN STUTO: Anybody else want to speak up?

12 MR. MION: I'd have to agree with Kathy.

13 MS. DALTON: We spent a lot of time walking it and
14 we talked about it. We looked through all the records.

15 MR. RUBIN: And we thank you all for taking the
16 time.

17 MS. VAIDA: I don't know if you wanted me to
18 mention anything about the -- I don't know if you had
19 gotten my earlier email.

20 CHAIRMAN STUTO: I didn't get a chance to read it
21 all, but I knew that it was on the variance. Joe had
22 spoken on it. If you disagree with Joe -- Joe thinks
23 that it wouldn't violate the variance.

24 MS. VAIDA: Right, but there was also another issue
25 that I actually missed when this came up last time which

1 was that the Land Use Law actually addresses the issue
2 of amendments to prior approvals of site plans and it
3 basically says that if they Planning Board finds that
4 the proposed amendment is consistent with the terms of
5 the prior approval and doesn't represent a substantial
6 change from the approved site plan, our Land Use Law
7 actually says that the amendment shall be approved, so
8 it almost takes away the discretion of the Planning
9 Board to vary from a prior approval unless the amendment
10 is seeking a substantial change. I just wanted to point
11 that out.

12 CHAIRMAN STUTO: I'm not sure I understand. They
13 were proposing new parking. That's the amendment that
14 they sought.

15 MS. VAIDA: I think that it was an increase in the
16 prior approved waiver that we had already granted.

17 CHAIRMAN STUTO: Plus a substantial increase in
18 asphalt so that they can park cars there.

19 MS. VAIDA: It would be a fact determination
20 whether it's substantial or not.

21 Then the other issue is whether or not putting
22 a fence on the property which was supposed to remain
23 untouched would violate the zoning condition that it
24 would remain untouched. It doesn't seem like that's
25 really an issue at this point based upon what I'm

1 hearing.

2 CHAIRMAN STUTO: Okay, anybody else want to speak?

3 MR. AUSTIN: I also took a walk out there and
4 walked the property for quite awhile a few days later.
5 From our last meeting. I came to the same conclusion as
6 Kathy and Lou. I had a difficult time getting from the
7 Roadhouse property to your property through the woods.
8 Once I got to the property and went a little bit
9 further, I didn't want to disturb the property at all.
10 Once I got on the side of the woods where there was the
11 lawn and grass, you couldn't really see the Roadhouse
12 too well. Once again, Mr. Burke had mentioned last time
13 or maybe Mr. Mitchell that you would have to go to the
14 corner and look around the fence to see the Roadhouse.
15 It was definitely a screened area. I think that the
16 trees would definitely take care of it.

17 As far as the parking goes, I took a lot of
18 pictures as well with my phone. I didn't have to
19 print them out, but I really wanted to because I
20 wanted to share them with my Board Members too. I
21 don't think the shorter fence -- I think that's
22 going to look worse than the longer fence. This
23 piece meal picket fence that is there -- you said
24 that it wouldn't be on the easements and there would
25 be a gap between the existing fence and the big

1 fence or that the old fence would attach to the old
2 fence over the easement. Okay, so it would attach
3 to the existing fence. But there is no 25 feet of
4 easement that would have to be crossed. I don't
5 know. I went out there with an open mind.

6 CHAIRMAN STUTO: Joe, they're saying that the
7 existing fence is already on top of the easement.

8 MR. GRASSO: Yes, the existing fence encroaches a
9 couple of feet into the existing easement.

10 MR. LANE: But not over the pipe.

11 MR. GRASSO: No, and what they're saying is that
12 it's taking a 90 degree turn and coming up back towards
13 the restaurant with an easement.

14 MS. MILSTEIN: Can someone point out to me where
15 the easement is? From the plan it doesn't look like we
16 have an easement.

17 MR. GRASSO: This is the Texas Roadhouse
18 (Indicating). This is the easement (Indicating). This
19 is one side of the easement and this is the other side
20 of the easement. The existing fence comes along this
21 back property line and extends a couple of feet into the
22 easement.

23 MS. GOMEZ: Where is the pipe?

24 MR. GRASSO: The pipe runs right down the center.
25 I think that there was a discussion about possibly

1 extending the fence along here which we do not support.
2 What we support is adding landscaping within the
3 easement; but no fence.

4 CHAIRMAN STUTO: They're proposing continuing the
5 fence and not going at a 90 degree angle; right?

6 MR. GRASSO: If you continue the fence, then you're
7 going right over the storm sewer line. You can only go
8 25 feet because then you would encroach upon the
9 variance conditions.

10 MR. AUSTIN: So, they want a 90 from where the
11 fence is and down.

12 MR. GRASSO: That was one of the things that was
13 discussed tonight.

14 CHAIRMAN STUTO: No, not 90. They want to continue
15 the fence along the same line.

16 MS. DALTON: There are two options here. One is
17 that you go straight across along the back of the
18 property line. The other that hadn't been mentioned
19 before is something that Lou and I considered when we
20 got there which is what came up tonight. If you didn't
21 go straight across the property line and instead you ran
22 the fence parallel, if you will, to the back of the
23 building, would that resolve any of the problems and
24 would it also solve the applicant's problems and solve
25 the neighbors problems and also be something that

1 legally would be a good option for the Town and the
2 Zoning Board? After walking it and considering that,
3 even though it hadn't come up, Lou and I both thought
4 that was not the best alternative. I just want to say
5 that even though it hadn't been mentioned that evening,
6 when we got there, we saw it as another option. We
7 considered that option as one of the options that was
8 there and we rejected it.

9 CHAIRMAN STUTO: Anybody else?

10 MR. LANE: I walked it as well and I went in there
11 with an open mind. I looked at the juxtaposition of the
12 Texas Roadhouse to 8 Kenlyn and I absolutely thought
13 that the fence was not a good idea and that the trees
14 would be the best alternative. The fence would
15 absolutely violate what was initially approved to have
16 that property function. To try to put a fence in would
17 disturb the property so it contradicts itself. The best
18 alternative, I thought, would to have more plantings
19 along the back of the property line. Right now there is
20 not a lot of foliage on the low lying bushes. The trees
21 are pretty good, but the low lying bushes are without
22 foliage. It would be interesting to see when the
23 weather is warm that it probably fills in a lot more.
24 Other than that, I would have to agree with Joe and my
25 colleagues that the fence is not the way to go.

1 CHAIRMAN STUTO: Anyone else want to speak?

2 MS. MILSTEIN: I was on the Zoning Board when this
3 decision was made. The only thing that I respectfully
4 disagree with was that the land itself was to be kept
5 forever wild. It didn't mean that you couldn't put a
6 fence there.

7 MR. LANE: That's not what we are saying. It was
8 said to be left undisturbed and now you're saying
9 forever wild. Let's talk about the terminology. It's a
10 very small lot and forever wild and undisturbed are two
11 very different terms.

12 MS. MILSTEIN: But the intent was that they weren't
13 going to chop down --

14 MR. LANE: And they didn't.

15 MS. MILSTEIN: Exactly, but that's not to say that
16 a fence couldn't be put up. It's just that the
17 vegetation wasn't supposed to be disturbed.

18 MR. LANE: But you couldn't put up a fence without
19 disturbing the vegetation.

20 MR. GRASSO: I agree. To put a fence up, you're
21 going to effect 10 feet along there.

22 CHAIRMAN STUTO: I favor the fence, but I also know
23 how to count. I think that there are four against the
24 fence.

25 MS. MILSTEIN: Is there any magic with five? Can

1 you do six or seven? Is there any magic in the number
2 here?

3 MR. GRASSO: What I was trying to do was at the
4 last meeting I talked about spacing the trees 10 feet on
5 center. After looking at it and looking at the angle
6 that the trees would be regarding the dumpster area
7 which was my point of reference, I was thinking that
8 they should be tightened up to maybe eight feet on
9 center and still keep the eight feet high Hemlocks.

10 CHAIRMAN STUTO: Were you talking about going to
11 the other side of the easement?

12 MR. GRASSO: At the last Planning Board meeting I
13 talked about landscaping being added on the north side
14 of the easement. After looking at it, I think that the
15 south side -- they would still be within the easement,
16 but I think that they wouldn't be over the storm sewer
17 pipe and that would provide a better screening because
18 it would take off right from the corner of the existing
19 fence which is already landscaped with arborvitae. It
20 could come right off of there --

21 MS. MILSTEIN: Joe can you please point that out to
22 me what you are proposing?

23 MR. GRASSO: Sure. Here is the easement and here
24 is the fence that comes along and it stops right where
25 the end of my finger is (Indicating). It would be

1 extending up to this direction.

2 CHAIRMAN STUTO: Show her where you were saying
3 last week.

4 MR. GRASSO: Last week I was saying on this side of
5 the easement. After looking at it, I think that within
6 the easement right along the edge, there is a small
7 asphalt area back in here (Indicating). Right there
8 starting at this corner and extending up for
9 approximately 40 feet. You're going to need five or six
10 trees to cover that distance. At the last meeting we
11 had talked about five because I thought about 10 feet on
12 center but to go 40 feet, you're talking about six. So,
13 my recommendation would be six trees, eight feet on
14 center.

15 CHAIRMAN STUTO: Is the applicant okay with that
16 solution?

17 MR. MITCHELL: I think that in theory yes, although
18 I do feel the need to point out that as we left the last
19 meeting that it was an either/or situation. It was
20 either five trees, or up to 85 feet of fence. Again, I
21 don't believe that Tom Burke is going to say six trees
22 is one too many. Unfortunately, I'm not the owner here.
23 I'm a little leery to say six trees is going to be good
24 with Tom, although I think that it will be. I
25 unfortunately don't have that final say. I would hope

1 that we could agree on five trees as we discussed at the
2 last meeting.

3 MR. AUSTIN: Wasn't that the determination of the
4 Planning Board? That was left up to us, right?

5 MR. MITCHELL: The determination of the Planning
6 Board was an either/or situation. Either up to 85 feet
7 of fence, or five Hemlocks. If I can talk Tom into six,
8 we will gladly put six out there. I just hate to see
9 that go on record and then I have agreed to something
10 that I have no control over.

11 CHAIRMAN STUTO: What about going to the south side
12 of the easement rather than the north side?

13 MR. MITCHELL: That's not an issue. Location isn't
14 anything that we had agreed on. So, location is good.

15 CHAIRMAN STUTO: Don't you think that the applicant
16 should have somebody with authority to make that
17 decision at the meeting?

18 MR. MITCHELL: I agree.

19 MR. GRASSO: I'd be happy to stake out the
20 locations based on what I feel is most appropriate with
21 spacing and know the exact location.

22 MS. GOMEZ: But if we said five trees or the fence
23 and not six trees and the fence then the vote is five
24 trees and the fence --

25 MR. GRASSO: I think that the decision is whether

1 or not you support five or six trees.

2 MS. GOMEZ: That's the question; isn't it? It's
3 five or the fence, period. No one has the authority to
4 say six or the fence, so we have to do five or the fence
5 today or have another meeting or put up the fence.

6 MR. GRASSO: I think that the Board can make
7 whatever determination you want. If it's unacceptable
8 to the applicant, they can always come back for
9 additional review. It's up to the Planning Board to
10 decide. It's not up to the applicant to decide and it's
11 not up to the adjoining land owner.

12 CHAIRMAN STUTO: It's a democracy here. Do we want
13 to take a vote on the fence? Do we want to take a vote
14 on the recommendation of six trees?

15 MS. DALTON: I make a motion that we support
16 requiring five trees as we previously discussed with no
17 fence and no extra trees. If the neighbors want more
18 trees at some point, they can add them. What we had
19 discussed and what we considered I think is where we
20 should stay. My motion is five trees.

21 MR. MION: I'll second that.

22 MR. AUSTIN: I'd like to amend that motion to say
23 if the applicant so feels that he can add a sixth tree -

24 MS. DALTON: We would not stop him.

25 MR. AUSTIN: We would not stop him.

1 MS. GOMEZ: I'll second that.

2 MS. DALTON: I then make a motion that we go with a
3 minimum of five Hemlock trees to be added to as the
4 applicant is moved to.

5 MS. GOMEZ: That, I will second.

6 CHAIRMAN STUTO: Any discussion?

7 (There was no response.)

8 CHAIRMAN STUTO: I'll discuss it then. I think
9 that the motion should be six trees.

10 MS. MILSTEIN: I agree because I think that the
11 power to make these decisions is with the Board and not
12 with the applicant. It's our job to decide whether it's
13 five or six is appropriate.

14 MR. AUSTIN: But I think that since we're locked
15 into the five trees -

16 MS. VAIDA: That is what we proposed. It's not
17 fair to really change it.

18 MS. DALTON: Let's remember that we took the advice
19 of the TDE. It's not like the Planning Board just
20 pulled a number out of our hat. So, at this point I
21 think that whether or not that extra tree is needed is
22 up for anybody's debate and it's not the best use of
23 anybody's time for us to debate it here.

24 CHAIRMAN STUTO: I disagree. I think that we're
25 trying to get to the best solution. We have a motion

1 before us. I don't think that there is anything wrong
2 in tweaking it. Joe has thought better of us. None of
3 us have really studied the issue that much. Here we
4 find ourselves today and I think that he has refined his
5 recommendation based upon a field investigation and so
6 forth.

7 Which side of the easement is this on; the
8 north side or the south side?

9 MR. GRASSO: The south side.

10 CHAIRMAN STUTO: That's in the motion? I didn't
11 hear it.

12 MR. GRASSO: That's my recommendation.

13 CHAIRMAN STUTO: That wasn't what we talked about
14 last week?

15 MR. GRASSO: No, we changed the location.

16 CHAIRMAN STUTO: Then we can change the number of
17 trees, can't we?

18 MR. GRASSO: That's up to your counsel.

19 CHAIRMAN STUTO: We'll let the motion go.

20 Any other discussion?

21 (There was no response.)

22 CHAIRMAN STUTO: All those in favor, say aye.

23 MR. MION: Aye.

24 MS. DALTON: Aye.

25 MR. AUSTIN: Aye.

1 MS. GOMEZ: Aye.

2 MR. LANE: Aye.

3 CHAIRMAN STUTO: All those opposed say nay.

4 MS. MILSTEIN: Nay.

5 CHAIRMAN STUTO: Nay.

6 The ayes seem to have it.

7 MR. MITCHELL: Thank you for your time and I will do
8 what I can to give you six trees.

9 CHAIRMAN STUTO: Thank you.

10

11 (Whereas the proceeding was concluded at
12 8:24 p.m.)

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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 December 31, 2013

