

1 PLANNING BOARD COUNTY OF ALBANY

2 TOWN OF COLONIE

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4 CRISAFULLI PROFESSIONAL BUILDING  
5 407 ALBANY SHAKER ROAD  
6 APPLICATION FOR CONCEPT ACCEPTANCE  
7 AND ODA RECOMMENDATION TO THE TOWN BOARD

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9 THE STENOGRAPHIC MINUTES of the above entitled  
10 matter by NANCY STRANG-VANDEBOGART, a Shorthand  
11 Reporter, commencing on April 14, 2015 at 8:22 p.m.  
12 at The Public Operations Center, 347 Old Niskayuna  
13 Road, Latham, New York

10

11 BOARD MEMBERS:  
12 PETER STUTO, CHAIRMAN  
13 LOU MION  
14 BRIAN AUSTIN  
15 SUSAN MILSTEIN  
16 TIMOTHY LANE  
17 KATHY DALTON

18 CRAIG SHAMLIAN

16

17 ALSO PRESENT:

18

19 Joseph LaCivita, Director, Planning and Economic  
20 Development

21 Joseph Bianchini, PE, ABD Engineers

22 Joseph Grasso, PE, CHA

23 Michael Crisafulli, Jr.

24 John Romaniuk  
25 Lucy Topaliar  
John Topaliar

1           CHAIRMAN STUTO: I'll call the next one up for the  
2           sake of time.

3           Crisafulli Professional Building, 407 Albany  
4           Shaker Road. This is for concept acceptance and an  
5           Open Development Recommendation to the Town Board.  
6           This is a two-story, 18,000 square foot office  
7           building.

8           Joe, LaCivita, do you have any comments before  
9           we turn it over.

10          MR. LACIVITA: No, you can turn it over to the  
11          applicant.

12          MR. BIANCHINI: Joe Bianchini with ABD Engineers  
13          and Surveyors representing Crisafulli Associates. They  
14          have an option to purchase 407 Albany Shaker Road which  
15          is right next to their office. This is Albany Shaker  
16          and this is Everett Road (Indicating). This was  
17          approved a few years ago. There is a Berkshire Bank  
18          that was approved and has been built. Now, this site  
19          has an existing single family house on it and it has a  
20          landscaping business and a metal barn with a contractor  
21          area in the back. It is surrounded -- this is Green  
22          Meadow Lane over here (Indicating). There are two  
23          residential properties here and there are three  
24          residential properties that border up near Cloverfield  
25          Drive. It's in a COR zone.

1           What Mike would like to do is build an 18,000  
2 square foot building, a two-story building here  
3 (Indicating) towards the front of the property and  
4 put the parking in the back and then it's an open  
5 development area because we're not asking for a curb  
6 cut on Albany Shaker Road. We like to funnel the  
7 traffic through and out to the light since Mike would  
8 own both sites.

9           CHAIRMAN STUTO: You're not going to merge them,  
10 right?

11          MR. BIANCHINI: We're not going to merge them at  
12 least at this point.

13          CHAIRMAN STUTO: You'll record some kind of cross  
14 easement?

15          MR. BIANCHINI: Right, we'd have to do cross  
16 easements for the access and parking and so forth.

17          Utilities are out of the site. There are water  
18 and sewer and we can connect to those. The drainage  
19 would be controlled just like we did over here with  
20 underground. We'd have to do some test pits and  
21 some percolation tests out there that we'll be doing  
22 in the next couple of weeks. We've put that on this  
23 side here. There are several large trees through  
24 there that we are trying to preserve as many as we  
25 can through here and then beef it up with additional

1 maple trees along the front. That's similar to what  
2 was done in front of the Berkshire Bank and then  
3 we'll probably add some landscaping. We show it in  
4 the back here, but I think that we need to add some  
5 around the corners and through there. The lighting  
6 would match the lighting that's already in the  
7 parking lot here and then we would extend the fence  
8 -- there is a gray vinyl fence along the back of  
9 this development and that would be extended down and  
10 then we'd have a black aluminum fencing along the  
11 front similar to what was done somewhere over in  
12 here.

13 We do have some landscaping in the back and in  
14 the islands. We are asking for two waivers from  
15 parking. One is for the number of parking spaces.  
16 We show 75 parking spaces here and we need 92. So,  
17 we're asking for a waiver of 17 parking spaces. The  
18 Crisafullis have monitored their existing site over  
19 here (Indicating). They have over 120 or 122  
20 parking spaces over here and they have records that  
21 show that traditionally all there is is 45 to 50  
22 cars that parked over here. So, we're asking for a  
23 waiver of 17 and then again, to have cross easements  
24 on the parking.

25 Then there is one other waiver. I think that

1           it's a slight waiver on the greenspace on the  
2           internal islands of 20 square feet. It would help  
3           because we would probably have to lose another  
4           parking space to get the 20 square feet. Rather  
5           than use that, we'd just like to ask for a waiver on  
6           that.

7           The building itself would be a very nice  
8           looking building with brick on the bottom and  
9           clapboard type siding and shutters on the top. I  
10          think that the building that is there that the  
11          Crisafullis have already done is a nice looking  
12          building and they maintain their property well. I  
13          think that it's going to be a nice asset to the  
14          area.

15          CHAIRMAN STUTO: That is the proposed building?

16          MR. BIANCHINI: That is the proposed building.

17          CHAIRMAN STUTO: Is that door facing Albany Shaker  
18          a real door?

19          MR. BIANCHINI: It is a door, but it's not usable  
20          as a door. The access would be from the back. The  
21          parking lot is here and then on each side.

22          MR. LANE: Is there an emergency access?

23          MR. BIANCHINI: Yes.

24          MR. GRASSO: Can you just discuss the pedestrian  
25          accommodations?

1           MR. BIANCHINI: Sure. There was a comment about  
2 pedestrian access. There is a bus stop here and  
3 previously on this development we provided a sidewalk  
4 along an up to connect to this building (Indicating).  
5 There is a sidewalk along the other side and we don't  
6 have a problem putting a sidewalk out to Albany Shaker  
7 Road and maybe a crosswalk across Albany Shaker Road.  
8 It's a little difficult to connect the sidewalk all the  
9 way across the front because of the grade change right  
10 in this area on both sides of the entrance (Indicating).  
11 There are also signal wires and other things - poles and  
12 so forth. It's a little difficult. If we can do  
13 something like this to get across the street, that's  
14 what we would be looking to do.

15           CHAIRMAN STUTO: I was asking Joe a question. What  
16 was everyone asking questions about?

17           MR. BIANCHINI: Access -- sidewalk access.

18           CHAIRMAN STUTO: What were you saying?

19           MR. BIANCHINI: That there is access here up to  
20 this building (Indicating). Actually there is access  
21 through the parking lot over there. It's difficult to  
22 put an access right through here because of the grades.  
23 If you go out there and look at it, it drops down and  
24 those sidewalks have to be handicapped accessible. It  
25 would be quite a venture to get a sidewalk through

1           there. So, we are proposing something like a sidewalk  
2           down here and then a cross walk across here  
3           (Indicating). There are sidewalks on the opposite side  
4           of Albany Shaker Road.

5           MR. MION: How close can you get that to the light?

6           MR. BIANCHINI: I don't know exactly yet until we  
7           kind of get out there and work it out and see what we  
8           can get it.

9           MR. MION: I think that our concern is that it's so  
10          close to the light yet so far away from the light.

11          MS. MILSTEIN: Can the sidewalk go around the back?

12          MR. BIANCHINI: It's right along the building and  
13          there is no room. It's all paved and you could walk  
14          along here (Indicating) .

15          MS. MILSTEIN: At least it would give a safe way of  
16          getting to the bus stop.

17          MR. BIANCHINI: Yes, you can walk up here and  
18          through here to get to there, yes.

19          MR. AUSTIN: I have a quick question on the  
20          facade. Is there a chance -- I know that the existing  
21          Crisafulli building is how many years old? Is it 10?

22          MR. CRISAFULLI: It's about four and a half.

23          MR. AUSTIN: Is there a thought about matching to  
24          the exteriors?

25          MR. CRISAFULLI: To be honest, we think that we

1 can improve on this.

2 MR. LANE: It looks like a medical building.

3 MR. AUSTIN: I'm saying can you match the old one  
4 to the new one?

5 MR. CRISAFULLI: There is no thought in that.

6 CHAIRMAN STUTO: John Romaniuk.

7 MR. ROMANIUK: I'm John and the existing building  
8 is very much an improvement compared to the Vandelloo  
9 building that was there before which was very hard to  
10 see because of some of the obstructions. We are located  
11 -- our property is right here. Everything about the  
12 development sounds wonderful to us. We think that it's  
13 just going to be a vast improvement. We have had some  
14 concerns with the landscaping business that is there.  
15 Some of the neighbors have had issues in the summertime  
16 where they have had large amounts of mulch put in the  
17 back yard. Obviously, you know what that smells like on  
18 a wet rainy hot day. The only concern that I have is  
19 already voiced is the elevation difference between our  
20 property and the parking lot property here. Because of  
21 the elevation difference and where the property line is,  
22 what I want to make sure that we are looking at is  
23 possibly building up a berm of some sort so that the  
24 continuation of the grade vinyl fence stays at an  
25 elevation that lets me look at a six-foot fence in my

1 back yard and I'm not looking at two feet of fence down  
2 at the bottom of the hill. I know that grading was not  
3 something that was looked at in the original proposal,  
4 but we are looking at some nice greenery there and  
5 that's about the only thing that I think that we can  
6 improve for us. That's the only concern that my wife  
7 and I have. That's all I have to say.

8 CHAIRMAN STUTO: Thank you.

9 MR. CRISAFULLI: The grade does change quite a bit  
10 as it goes. We have a retaining wall back to the  
11 existing building. We have maintained with John and  
12 other neighbors that live along the back that we would  
13 try to berm that area up as high a possible so that we  
14 can put the fence on top. They would provide the most  
15 screening without having to get into additional  
16 retaining walls. We will work on the grade.

17 CHAIRMAN STUTO: Do you see any problem with that?

18 MR. BIANCHINI: Not at this point. That's the  
19 first that I have heard that. I think that we can  
20 accommodate that.

21 CHAIRMAN STUTO: Okay, thank you. I'm glad that we  
22 got that out of the way.

23 MR. AUSTIN: Mr. Romanik, you already have an  
24 existing stockade fence?

25 MR. ROMANIUK: Yes, I do.

1           MR. AUSTIN: And then there will be another fence  
2 behind that?

3           MR. ROMANIUK: One of the things that we talked  
4 about was if we didn't build up the berm, could we put  
5 up a higher fence. When Tomaszewski put in a  
6 greenhouse, 12 or 14 feet high, 85 feet long which  
7 looked like the Starship Enterprise when the lights were  
8 tuned on inside of it. The Board offered me the option  
9 of putting up an 8 foot fence across my backyard so that  
10 I would have to see as much of the greenhouse. I  
11 already had my six foot stockade fence and the stockade  
12 fence has a few years on it and just in the last few  
13 weeks we had 60-mile an hour winds and as was pointed  
14 out to me the reason why you can't put an 8 foot fence  
15 up there is because the 60-mile an hour winds simply  
16 break it right down so half of my fence right now is on  
17 the ground from those 60-mile an hour winds. Again,  
18 it's an old fence. I will be replacing the damaged  
19 portion because I know that it's going to be more than a  
20 couple of months before any new fencing or berm work is  
21 done.

22           Then, we do have to talk about where the  
23 property line is. We really don't know how far back  
24 it is and whether we can salvage any of the existing  
25 trees along that property line. There are the two

1 tall trees which are right there between the Jackson  
2 property and ours. Their poplars or whatever they  
3 are -- I only think that they are poplars. They are  
4 not beautiful trees, but they're trees and it took  
5 them quite a long time to grow if we cut those down.  
6 I don't think that we'll have to cut those down.

7 MR. AUSTIN: What I'm trying to get across is that  
8 on the plans it looks like maybe 10 feet between the two  
9 fences so you're going to have a run way for maybe a dog  
10 or something. They can go between the two fences, but  
11 is that what you want?

12 MR. ROMANIUK: No, and that's the whole issue.  
13 Right now I really don't know how much behind my fence  
14 is my property.

15 CHAIRMAN STUTO: Can you estimate it for him? You  
16 have it drawn here.

17 MR. BIANCHINI: I've probably got 10 feet right  
18 here (Indicating).

19 MR. LACIVITA: Joe and Mike, in the course of your  
20 review about a berm -- they are graciously asking for a  
21 berm. My only concern is -- is there any water flowing  
22 that is not going to pass through? Please keep that in  
23 mind. I don't want to see them flooded out. I know  
24 that they're asking for a berm. I just don't want to  
25 make any water issues.

1 MR. CRISAFULLI: We're going to try to accommodate  
2 that as best as possible.

3 MR. SHAMLIAN: Do you envision a retaining wall  
4 behind this -

5 MR. CRISAFULLI: That's what I'm saying. We don't  
6 want to get into that.

7 CHAIRMAN STUTO: Thank you.

8 Lucy Topaliar. You live at 50, right?

9 MS. TOPALIAR: Yes, on the other side. My only  
10 concern is that how far is the building fence is going  
11 to be from our property and how far are the lights? The  
12 bedrooms are facing there. Will the lights be lower?

13 CHAIRMAN STUTO: Ma'am, can you address us and then  
14 we'll make a list?

15 MS. TOPALIAR: I'm at 50 Greenmeadows. My concern  
16 is that how far is their fence and their property going  
17 to be from our backyard and the lighting - because our  
18 bedrooms are on that side -

19 CHAIRMAN STUTO: Can you point to your house for  
20 us?

21 MS. TOPALIAR: It's right here (Indicating).

22 MR. BIANCHINI: They also have a fence along the  
23 back here (Indicating).

24 MS. TOPALIAR: Yes, we have a fence and a bunch of  
25 trees.

1 MR. BIANCHINI: They're going to gain about 10 feet  
2 because the property line is 10 feet beyond that fence.

3 CHAIRMAN STUTO: So, it's the same thing.

4 MR. BIANCHINI: Yes, it's the same as this up here  
5 (Indicating).

6 CHAIRMAN STUTO: You own 10 feet beyond your fence.  
7 That's what he is saying.

8 MS. TOPALIAR: Is that where it's going to be?  
9 That's what my question is.

10 MR. BIANCHINI: Yes, you'll own it.

11 MR. TOPALIAR: No. What our question is: Where is  
12 the fence?

13 MR. BIANCHINI: The fence will be on the property  
14 line.

15 MR. TOPALIAR: You're going to put the fence right  
16 on the property line?

17 MR. BIANCHINI: Right.

18 CHAIRMAN STUTO: He's proposing to put a new fence  
19 right on the property line which would be 10 feet behind  
20 that.

21 MS. TOPALIAR: Those trees are ours, though. Those  
22 trees belong to us. The trees that are there now?

23 MR. BIANCHINI: Yes.

24 MS. TOPALIAR: And the lighting is going to be low?

25 MR. BIANCHINI: Yes, just like the parking lot over

1 here (Indicating).

2 MS. TOPALIAR: Thank you.

3 CHAIRMAN STUTO: Would you speak to them off the  
4 record, if she needs to?

5 MR. BIANCHINI: Yes.

6 CHAIRMAN STUTO: Do you have a card on you?

7 MR. CRISAFULLI: Yes. We have all of their contact  
8 information.

9 CHAIRMAN STUTO: Ma'am, they're going to give you  
10 their card, if you want to call them with any questions  
11 tomorrow.

12 Any other neighbors?

13 (There was no response.)

14 Board Members, any comments or questions?

15 (There was no response.)

16 Joe, do you have anything else to day?

17 MR. GRASSO: This is in front of the Board for a  
18 couple of things. It's for concept review. It was  
19 previously before the Board for sketch plan review.  
20 There were very little comments. We had commended the  
21 applicant and their designer for efforts. At sketch  
22 plan review they were responsive to the comments from us  
23 and the Town Departments that were brought up during the  
24 DCC process. So, it's going for concept review and it  
25 requires a recommendation to the Town Board on the ODA.

1 The Town Board asked the Planning Board for a  
2 recommendation on the ODA and because the next step in  
3 the process would be ODA review by the Town Board, SEQRA  
4 needs to be addressed.

5 In terms of the site plan comments, the only  
6 comment that I really think that we need to bring  
7 the Board's attention is the comment about  
8 pedestrian accessibility from this site down to  
9 Albany Shaker Road to the sidewalk system on Everett  
10 and then the interconnection of sidewalks across the  
11 three sites that would provide a logical connection  
12 down to the bus stop. So, there is obviously some  
13 great challenges here on there site and Joe spoke to  
14 those. It's something that we do feel that it's  
15 important that we get thee connections built. There  
16 is no reason why we shouldn't have a connection like  
17 over to the Stewarts and Everett Road sidewalk  
18 system. It's helpful for us what the best solution  
19 is at concept because we haven't gotten into the  
20 grading, but it's something that I just want to  
21 bring to the Board's attention and we'll work with  
22 Mike and Joe on it as they go through the design  
23 process.

24 In terms of a crossing of Albany Shaker Road,  
25 it would have to be at the signal. There are

1 certain design standards that it has to be. You  
2 cannot accommodate a mid-block crossing, so it's  
3 either at the signal or we don't cross Albany Shaker  
4 Road, which is another option. If the Board has  
5 specific feelings about where the sidewalk should be  
6 or shouldn't be, I could be happy to take it into  
7 consideration. I don't have anything more to say on  
8 it at this time.

9 CHAIRMAN STUTO: I think that your analysis is  
10 correct. I don't have any particular comments until you  
11 study it. I don't know what the rest of the Board  
12 thinks.

13 MR. SHAMLIAN: I agree.

14 MS. MILSTEIN: I agree.

15 MR. GRASSO: Very often we don't do SEQRA until  
16 later on in the process but because the Town Board will  
17 need to take formal action, we think that it's  
18 appropriate for the Planning Board to be lead agent.  
19 The Town Attorney's office designated this an unlisted  
20 action so there is a short EAF which was prepared by the  
21 applicant. We have drafted Part II and Part III of the  
22 short EAF. There isn't that much information there.  
23 The project, based on its small size, we know that there  
24 isn't going to any significant impacts associated with  
25 it. There is a Draft Resolution for lead agency

1 declaration and adoption of a negative declaration in  
2 the packet that Joe just passed out to you.

3 Also in your packet is a draft of the  
4 recommendation from the Planning Board to the Town  
5 Board regarding the support for an open development  
6 area. Obviously, we support the access management  
7 strategy did not develop another curb cut on Albany  
8 Shaker Road which they would be entitled to because  
9 this is a separate lot and they've done this at the  
10 Town's request and our request. We support their  
11 application, so we're in full support of the ODA  
12 recommendation.

13 There are some waivers that Joe mentioned. We  
14 can consider them minor and consistent with what the  
15 Planning Board has seen done in other parts of the  
16 Town when they are trying to come in with the design  
17 standard. So, we see no issue with waivers.  
18 Waivers is something that the Planning Board can  
19 take action on after we have gotten into the final  
20 site plans and before a final site plan  
21 determination. So, tonight it's for concept  
22 acceptance, SEQRA determination and recommendation  
23 on the ODA.

24 CHAIRMAN STUTO: Any questions so far?

25 (There was no response.)

1           Can we start off with the environmental review?

2           MR. GRASSO: Sure. So there is a short EAF, again,  
3           Part I was filled out by the applicant. Part II was  
4           filled out by CHA on the Planning Board's behalf. Part  
5           II lists all of the potential areas of impact and you'll  
6           see that all of the boxes are checked that there will be  
7           no impact or a small impact may occur so no additional  
8           environmental review was warranted. The last part of  
9           the short EAF is the negative declaration and the box is  
10          checked that the Planning Board has determined that  
11          based on the information and analysis above that the  
12          proposed action will not result in any significant  
13          environmental impacts so there is a Resolution in  
14          support of that action attached to that.

15          CHAIRMAN STUTO: Can you read the Resolution? It's  
16          not too long. I'll ask that the stenographer put the  
17          whole thing into the record.

18          MR. GRASSO: This is a Resolution of the Planning  
19          Board regarding lead agency designation and adoption of  
20          a negative declaration.

21          Whereas the project is an unlisted action  
22          pursuant to SEQRA, whereas the Planning Board has  
23          reviewed Part I of the short EAF submitted by the  
24          applicant and completed Parts II and III of the EAF  
25          in conjunction with the review and the significant

1 number of documents related to the project that  
2 enumerated in the draft neg dec and maintained in  
3 Town files.

4 Now therefore be it resolved that the Planning  
5 Board declares itself lead agency for the purposes  
6 of SEQRA review, and be it

7 Further resolved that based on a through review  
8 of the project by the Planning Board that there will  
9 be no significant adverse environmental impacts and  
10 no EIS will be required, and be it

11 Further resolved that the attached neg dec is  
12 hereby adopted in accordance with SEQRA.

13 CHAIRMAN STUTO: Any comments or questions by the  
14 Board on that?

15 (There was no response.)

16 Do we have a motion?

17 MR. MION: I'll make a motion.

18 MR. LANE: Second.

19 CHAIRMAN STUTO: Any discussion?

20 (There was no response.)

21 All those in favor say aye.

22 (Ayes were recited.)

23 All those opposed, say nay.

24 (There were none opposed.)

25 The ayes have it.

1 For Open Development Area recommendation.

2 MR. GRASSO: Okay, I'll go through. Again, we are  
3 in support of the ODA application and there is a Draft  
4 Resolution setting forth the Planning Board's findings  
5 and conclusions and recommendations.

6 CHAIRMAN STUTO: Just so we are clear, there seems  
7 to be two of those. I don't know if they are identical.  
8 One is in the back of your package, attached to your  
9 letter.

10 MR. LACIVITA: Special rule of establishing the  
11 ODA?

12 CHAIRMAN STUTO: Right. There is two of them.

13 MR. GRASSO: There is one that came out with our  
14 letter. Then the Planning Department provided another  
15 copy as part of the Planning Board packet.

16 CHAIRMAN STUTO: Okay, we'll ask that a copy be  
17 submitted to the stenographer for inclusion in the  
18 record. The open development area allows them to not  
19 have direct access to the road.

20 MR. GRASSO: That's right and permits their sole  
21 access through an adjoining property and that access  
22 will be protected through an egress and ingress use.

23 CHAIRMAN STUTO: If you think that it's appropriate  
24 to start with the therefore be it resolved. We've all  
25 reviewed this.

1           MR. GRASSO: Now therefore be it resolved that the  
2           Planning Board has determined that it's in the best  
3           interest of the public's health safety and welfare to  
4           limit access to the subject property by way of ingress  
5           and egress through 399 Albany Shaker Road, and be it  
6           resolved that the Planning Board recommends approval of  
7           the ODA for the subject property subject to the  
8           following conditions. It shall be demonstrated to the  
9           Town that the subject property and any future heirs,  
10          successor, assign have legal right of way or perpetual  
11          easement providing unrestricted ingress and egress to  
12          the signalized curb cut on 399 Albany Shaker Road. Such  
13          proof shall be provided prior to final site plan  
14          approval for the subject property.

15          CHAIRMAN STUTO: Before we make a motion, can  
16          either you or the applicant show us where we are getting  
17          access and why that's a good idea? To me, it's obvious  
18          but I don't know if the public knows. We only have one  
19          curb cut here.

20          MR. BIANCHINI: The existing access is right here  
21          at the intersection as a single access into the site.

22          CHAIRMAN STUTO: So, instead of having two driveway  
23          on Albany Shaker -

24          MR. BIANCHINI: There is one driveway over here  
25          (Indicating) and everyone using this site will come

1 through the site and down to this pint where there is a  
2 traffic light.

3 CHAIRMAN STUTO: And that's one of the planning  
4 principals that we think is a good idea.

5 MR. LACIVITA: Peter, being that this easement is  
6 gong to be in perpetuity, the only think that I think I  
7 would like to see if we could also preserve is the fact  
8 that they are asking for a waiver and shared parking.  
9 Can we add shared parking into this?

10 CHAIRMAN STUTO: I have no objection to that. How  
11 does the Board feel about that?

12 (No one on the above disagreed.)

13 MR. LACIVITA: I know that there is a project in  
14 Town that we are having issues with so I'd like to  
15 preserve the shared parking.

16 CHAIRMAN STUTO: Okay, condition two proposed would  
17 be that the subject lot and the neighboring lot through  
18 which access is granted also have an easement for shared  
19 parking- a permanent easement recorded.

20 Do we have a motion on that?

21 MR. LANE: Motion.

22 MR. MION: Second.

23 CHAIRMAN STUTO: Any discussion?

24 (There was no response.)

25 All those in favor say aye.

1 (Ayes were recited.)

2 All those opposed, say nay.

3 (There were none opposed.)

4 The ayes have it.

5 And on the concept acceptance.

6 MR. MION: I'll make a motion.

7 MS. DALTON: I'll second.

8 CHAIRMAN STUTO: And that's a motion contingent  
9 upon all TDE town comments and Planning Board comments  
10 so far?

11 MS. DALTON: Yes.

12 MR. MION: Yes.

13 CHAIRMAN STUTO: Any discussion?

14 (There was no response.)

15 All those in favor say aye.

16 (Ayes were recited.)

17 All those opposed, say nay.

18 (There were none opposed.)

19 The ayes have it.

20 Thank you.

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22 (Whereas the above referenced proceeding was  
23 concluded at 8:44 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 May 8, 2015

