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PLANNING BOARD COUNTY OF ALBANY

TOWN OF COLONIE

\*\*\*\*\*  
CGM SUBDIVISION PHASE I  
621 & 645 BOGHT ROAD  
BOARD UPDATE AND AMENDED CONCEPT ACCEPTANCE  
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THE STENOGRAPHIC MINUTES of the above entitled matter  
by NANCY L. STRANG, a Shorthand Reporter commencing  
on January 23, 2018 at 7:27 p.m. at The Public  
Operations Center, 347 Old Niskayuna Road, Latham,  
New York

BOARD MEMBERS:  
PETER STUTO, CHAIRMAN  
KATHLEEN DALTON  
BRIAN AUSTIN  
LOU MION  
CRAIG SHAMLIAN  
STEVEN HEIDER  
SUSAN MILSTEIN

ALSO PRESENT:  
  
Joseph LaCivita, Director, Planning and Economic  
Development Department  
Kathleen Marinelli, Esq. Counsel to the Planning  
Board - RECUSED  
Roger Keating, PE, Chazen  
Charles Voss, PE, Barton and Loguidice  
Chris Marchand  
Mark Couch  
Tom Woods  
Mary Jane Bendon  
Michael Maloney  
Jeff Connery  
Chris Guzda  
John Chakmakas  
Tiffany Rios

1                   CHAIRMAN STUTO: Next on the agenda is CGM  
2                   Subdivision Phase I, 621 and 645 Boght Road, Board  
3                   update and amended concept acceptance.

4                   We have seen this project before and we have  
5                   seen the adjacent project that goes to Loudon Road. I  
6                   have seen some notices on this project that have gone  
7                   around in the adjacent neighborhood; Bergen Woods and  
8                   so forth. If it helps the discussion - I will speak  
9                   for myself.

10                  My recollection is that at the last Board  
11                  meeting, we were not going to allow any road  
12                  connections into the Bergen Woods neighborhood. That  
13                  said, we can still have all of our presentation and  
14                  discussions and so forth. I think that it does raise  
15                  some questions in that regard.

16                  That said, Joe LaCivita, do you have any  
17                  introductory remarks?

18                  MR. LACIVITA: No, nothing at this time.

19                  MS. MARINELLI: Peter, I would like to say that  
20                  I'm going to recuse myself from this matter because I  
21                  live on Bergen Wood Drive.

22                  CHAIRMAN STUTO: Okay, thank you.

23                  MR. MARCHAND: Good evening. My name is Chris  
24                  Marchand from CGM Construction.

25                  I'm going to let Roger from Chazen speak

1 about the nuts and bolts.

2 I just want to take a few minutes to kind of  
3 reintroduce to the Board and the neighbors to the  
4 history - a quick summary of the history of this  
5 project.

6 CGM Construction is a local company. We are  
7 based right across the river in Halfmoon. We were  
8 approached roughly 5 years ago by Bill Jones, his  
9 daughter Tiffany and her husband Mike. They are right  
10 in the front row. These are your neighbors. They have  
11 owned the land for a number of years. They live right  
12 off of Boght Road and interested in building a home  
13 for themselves and in conjunction with that,  
14 developing the rest of the acreage there.

15 They asked us to be involved and we began to  
16 develop a concept plan for a residential development  
17 on the vacant property off of Boght Road. Roughly 4  
18 1/2 years ago we had a meeting with the DCC. It was  
19 with all of the Town of Colonie departments; highway,  
20 Sewer, water, Public Safety, etcetera.

21 We presented a project that I believe was 23  
22 lots at the time with just a cul-de-sac. It was a  
23 dead-end street. There was no connectivity. From day  
24 one, it was stressed upon us that they wanted  
25 connectivity. They wanted a connection for emergency

1 fire truck access, for water, for sewer. So, that is  
2 the path we ended up going down.

3 We looked at connection to Bergen Woods  
4 because that's what was asked of us. At the time, the  
5 property behind us was not for sale.

6 We had approached, at the Town's request, the  
7 Bednarczyks who owned that land with a utility  
8 connection, running water and sewer. Mary, who we have  
9 spoken with, was not receptive to grading, easement or  
10 anything like that. We came to the Town Planning Board  
11 and they said keep trying, keep trying. We want this  
12 connection. So, we lost a better part of the year  
13 trying to get the connection.

14 Finally, it seemed like we were at a dead-end  
15 road. We were going to proceed with the cul-de-sac. We  
16 had come to the Planning Board and we were headed down  
17 that path.

18 Shortly after that Planning Board, which I  
19 think may have been back in November 2015 - shortly  
20 after that we had received notice that the land had  
21 been sold and was going to be up for development.

22 Ridgeview, as you probably know them by  
23 Ridgeview - had approached us and said listen, we  
24 understand you need connection. We are willing to give  
25 you that connection. So, we kind of shifted gears and

1           went down that path of working with them to get a  
2           connection to Bergen Woods.

3                         We presented that drawing and I think we had  
4           a meeting in March 2016. At that point, after that we  
5           had received a slew of comments from the Town  
6           Engineer. It was a very thorough review. So, we  
7           started addressing these comments.

8                         Some of the neighbors had mentioned that  
9           there was flooding concerns in their backyards. So, we  
10          addressed all of these comments. Roger had spent  
11          almost a year addressing his comments. We were ready  
12          to present this past spring and Ridgeview came in and  
13          had a meeting in July 2017. I'm sure many of you were  
14          here. It was standing room only.

15                        At that meeting it was as if the Board -  
16          understanding the reasoning - did an about-face and  
17          said hey, we don't want a connection. We don't want a  
18          connection anymore. We asked you for connection, but  
19          we were listening to the feedback from the neighbors.  
20          We don't want anything. We saw the writing on the wall  
21          at the July meeting and completely changed the concept  
22          so that we have two phases which we think addresses a  
23          lot of your concerns.

24                        At the meeting I had heard concerns about  
25          people shortcutting from Route 9 through Boght Road

1 using our proposed project. This eliminates that.

2 Just to give a quick summary, what we are  
3 here for tonight is Phase 1, which is six building  
4 lots and a short cul-de-sac off of Boght Road. Phase 2  
5 is to be determined down the road.

6 We are not Ridgeview. I do not work for  
7 Ridgeview. We are not in any way working with or for  
8 or against Ridgeview. Fate has had it that we are  
9 pretty much tied at the hip. We need to access our  
10 proposed project through whatever means Ridgeview is  
11 proposing.

12 Ridgeview has what's called the lower half of  
13 the property. They are proposing some residential lots  
14 that they are not necessarily looking to develop.  
15 Ridgeview was more concerned with the development off  
16 of Route 9 which is still progressing through the Town  
17 process. They have approached us to see if we have an  
18 interest in possibly buying those lots next door -  
19 building houses on those lots next door.

20 At this point, it is too early to say because  
21 we don't know what's going to happen next door. I know  
22 for the Joneses - Mike and Tiffany - they are looking  
23 to build a house for their family. We are looking to,  
24 after all this time - this is the business that we are  
25 in. We are looking to get something going. I am hoping

1           that tonight isn't another rehashing of all the  
2           neighbors' concerns about connectivity, because that  
3           is gone. There is no more connection anymore. I  
4           understand there may be concerns about Ridgeview, but  
5           we are not Ridgeview. I hope we don't have to go  
6           through that whole rigmarole again tonight about  
7           Ridgeview. This has nothing to do with them.

8                         This is simply the six lots on top. We are  
9           showing you what is here, potentially. We are showing  
10          what could be Phase 2. Once again, for better or  
11          worse, we can't do Phase 2 if Ridgeview doesn't  
12          happen. I am hoping that this addresses a lot of your  
13          concerns. I will let Roger speak for the engineering  
14          portion.

15                        MR. KEATING: Mr. Chairman, members of the  
16          Board, my name is Roger Keating from the Chazen  
17          Companies.

18                        Just to build upon Chris's introduction with  
19          some history there, what we are looking to do is - we  
20          did have a concept approval previously for the  
21          project.

22                        As Chris said, we had gone through the DCC  
23          process. We had submitted plans to the Planning Board  
24          for preliminary approval process. We have gone through  
25          multiple iterations of that when the Ridgeview project

1 happened to come along and we took a lot of those  
2 comments into consideration as we revised the plan.

3 Now we are back before you for consideration  
4 on the amendment of our concept that we had previously  
5 submitted so that we could go through and advance the  
6 project to the preliminary review process for  
7 approval.

8 As a result of all of that, some of the  
9 revisions to the plan is taking a much more simplistic  
10 approach to the development. The initial project had  
11 Welding Way that connected down into the project site  
12 which ultimately connected or showed a connection to  
13 the property to the north. As part of the revision to  
14 this plan, we are proposing a cul-de-sac connection  
15 off of Boght Road. This would serve as six residential  
16 lots, one stormwater management lot. That would allow  
17 us to eliminate that connection that had some of the  
18 cut through concerns that were raised by the residents  
19 previously as part of the last project.

20 Another revision was - we were going through  
21 the process with the Town - through the preliminary  
22 final approval process. Early on in that process we  
23 were working with the departments and there was a lot  
24 of talk about conservation subdivision. We have  
25 revised our plan. Back then when we made our first

1 submission for preliminary final approval to the Town  
2 - we made some revisions to that plan. Again, the  
3 Ridgeview project came. We heard that there was some  
4 negative feedback with respect to conservation  
5 subdivisions in this part of the Town with respect to  
6 the lot sizes because there were concerns that we  
7 would be making the lot sizes smaller than what the  
8 zoning standard was.

9 As such, we came back and pulled the road out  
10 and we revised the plan such that we are consistent  
11 with the SFR zoning districts. So, we are proposing  
12 all the lot sizes to be the minimum of 18,000 square  
13 feet which is consistent with the SFR zoning district.

14 As part of that plan, when we changed this to  
15 provide the cul-de-sacs, the lot count dropped by two.  
16 So, when we are looking at this as Phase 1 and Phase 2  
17 together, it's about 20 residential lots with two  
18 stormwater lots.

19 Again, the Marchands are custom home  
20 builders. So, they are looking to build similar style  
21 homes that you see in the surrounding neighborhoods.  
22 They don't have a specific suites of homes that they  
23 build each and every time. They do custom homes for  
24 each one of their customers.

25 With the reduction of the number of homes,

1           there is some reduction of a lot of the roadway  
2           infrastructure between the two areas of the site.  
3           Once you begin to recognize reduction in the cover  
4           statistics as it relates to the drainage -- there has  
5           been a lot of conversation as it relates to drainage  
6           here. Because of the concerns along the western  
7           portion of the project and the existing 24-inch  
8           diameter culvert -- as part of this project we end up  
9           reducing a lot of that impervious cover through this  
10          revised concept in which homes ultimately reduce the  
11          drainage that you are seeing happening up there.

12                         Phase 1 is six residential lots with one  
13          stormwater lot with a connection off of Boght Road.

14                         The Phase 2 that you are seeing here is  
15          showing concepts of what could potentially be  
16          developed there.

17                         We understand that we are highly dependent  
18          upon what happens next door to us to the north. That  
19          plan could change, depending on the outcome of  
20          Ridgeview. So, although SEQR is going to be conducted  
21          as a comprehensive review of Phase 1 and Phase 2,  
22          Phase 2 is not being progressed at this time. We are  
23          not addressing the Phase 2. We are simply showing the  
24          concept there of what could be developed on that  
25          portion of the project site knowing that there is a

1 development that it is contingent upon. So, if the  
2 Ridgeview project was never approved, we have a more  
3 simplistic approach here initially so that we can at  
4 least develop the project as shown for Phase 1. At  
5 that time, if we needed to come back in to revise the  
6 plan for a different connection point, we would have  
7 to do so.

8           Regardless of Phase 2, we are going to have  
9 to come back before the Board. It's not that we are  
10 going to be progressing the plans for the full Phase  
11 2. We are going to have to come back in ultimately in  
12 the end for whatever ends up happening to the north  
13 along the property.

14           Again, to Chris's points, he has been working  
15 long and hard at this project and working with the  
16 Town and the Town's consultant through this process.

17           We have been over to Barton and Logidice's  
18 office on a number of occasions now just trying to  
19 work through a lot of the stormwater concerns. We are  
20 looking forward to being able to advance the project  
21 and amend our concept so that we can get back into the  
22 Town so that we can begin the preliminary final  
23 subdivision review process.

24           With that, I will turn it back over to the  
25 Board to answer any questions or comments.

1                   CHAIRMAN STUTO: Does the Board have any quick  
2 questions before we turn it over to the Town Designated  
3 Engineer?

4                   (There was no response.)

5                   Barton and Loguidice has reviewed this on  
6 behalf of the Town. Chuck Voss is here to make a  
7 presentation.

8                   MR. VOSS: Peter, thank you. The Board should  
9 have in their packet our letter dated January 12, 2018.

10                  As the Board knows, we have seen this project  
11 now for quite some time in several different  
12 iterations. This latest version - we did an amended  
13 concept review. We attended the DCC meeting that  
14 occurred for the projects with all the Town  
15 departments.

16                  Let me just walk through a couple comments  
17 that we have from our letter.

18                  As Roger mentioned, the project will be  
19 phased with Phase 1 being considered today, which is  
20 the seven lots upfront off of Boght Road. Phase 2 is  
21 the additional in the back. At this time we understand  
22 that there will be no plans to advance to Phase 2.  
23 Simply, it is a concept. I think it's good that the  
24 Board at least sees and understands that the project  
25 may have some future development build-outs as

1 associated with it.

2 We noted a reduction in the total subdivision  
3 lots from the original proposal from 22 down to 20, as  
4 Roger mentioned.

5 Phase 1 includes six residential lots with  
6 one stormwater lot. Phase 2 looks like it would  
7 include 14 residential lots, again with one stormwater  
8 lot.

9 I think that it is important to know that at  
10 the DCC meeting, we heard the departments on September  
11 22 of last year. The department specifically asked the  
12 applicants -- I say the departments. I mean Latham  
13 Water and Pure Waters, sewer and water, to only  
14 include utility and infrastructure from Phase 1. That  
15 is what is being proposed today. They clearly  
16 understand that there may be a potential for looping  
17 or insert connecting of utilities as the project may  
18 build out into Phase 2. At this time, they are only  
19 considering the Phase 1 utilities which are all coming  
20 rate off of Boght Road. If you look at your map,  
21 sewer, utility and water utilities are available on  
22 Boght Road and that will certainly serve this project.  
23 As Roger said, we spent a significant amount of time  
24 looking at stormwater issues out here, especially the  
25 original iteration that you had last year. There was

1           some significant flooding issues that were occurring  
2           off to the west end of this parcel. We met with the  
3           residents. We had several meetings certainly with this  
4           application and their engineers and we are very well  
5           aware and up to speed on those flooding issues. When  
6           the original plan came and, there was a hope that the  
7           applicant could provide some relief through site  
8           design on the original proposal with some of that  
9           flooding. As we all know, there are some culverts in  
10          there and they are undersized. However, with this new  
11          proposal or amended plan, we have looked at potential  
12          for alleviating some of that flooding that is  
13          occurring now on the site. We believe certainly in  
14          talking with Roger and looking at his designs that a  
15          fair amount of flooding should be potentially diverted  
16          that is now coming from off the top of the site that  
17          is entering the site further to the west, will now be  
18          mitigated further up on the site and actually diverted  
19          out onto Boght Road and through the systems. We think  
20          that is a significant alternative.

21                   CHAIRMAN STUTO: Can you confirm that and point  
22          to where you are talking about?

23                   MR. KEATING: As part of the revised plan, as  
24          Chuck is pointing out, we have under the Phase 1A storm  
25          water management facility that is being proposed here.

1                   There is also some improvements along Boght  
2                   Road. That will allow us to shed some of the water  
3                   that currently goes over to this west end of the  
4                   site -- we can push some of that out to the Boght  
5                   system and it allows us to do a little bit of  
6                   improvement out on Boght Road. We can start to pull  
7                   some of that water away that has been a big concern.

8                   Chuck, I know you want to get back to your  
9                   review letter.

10                   The other thing is that we listened a lot to  
11                   the residents from the Phase 2. We worked a lot with  
12                   Chuck's office on the location of the stormwater  
13                   basin. It was shown as Phase 2. Originally, it was  
14                   great behind the homes that were here, if you recall.  
15                   We now have been able to work through the plan to  
16                   allow us to pull that basin in so it's now inward to  
17                   the project site so it's not on the exterior out near  
18                   the residents. That allows us to also redirect some of  
19                   the run-off internally when Phase 2 is constructed. By  
20                   having a cul-de-sac here without that through road, it  
21                   allows us to actually pull some water that went  
22                   directly to that culvert back and away.

23                   MR. VOSS: Does the Board have any other  
24                   questions on that?

25                   (There was no response.)

1                   It is certainly a step in the right direction  
2 with this plan.

3                   The other thing I would like to mention is  
4 the SEQR review. In discussing this with the Town  
5 Attorney's office, we felt that because it is still  
6 the same parcel being developed in phases, we wanted  
7 to make sure that the SEQR review included the entire  
8 parcel and not just Phase 1. Therefore, we have asked  
9 the applicant to provide a full EAF in their next  
10 submission so that we have that additional  
11 information. I think it is certainly important that we  
12 have that as we move forward.

13                   The last thing that I just wanted to touch on  
14 quickly with the Board is we had a discussion with  
15 Roger today. He can certainly elaborate on this if the  
16 Board has any additional questions.

17                   One of the other concerns that we had was if  
18 and when Phase 2 develops and there is no possibility  
19 for an interconnect with the adjacent parcels to the  
20 north, at some future date, there is the possibility  
21 to put an access road off Welding Way cul-de-sac into  
22 that Phase 2 area. It has not been designed and it  
23 has not been engineered, but we wanted to make sure  
24 Roger was aware that could be a potential reality if  
25 and when there is no future interconnect to a

1 potential Ridgeview project or somebody else. I think  
2 that's important to know.

3 From a concept standpoint, we think it is  
4 certainly an improvement based on a lot of public  
5 comment that the Board had received and based on a lot  
6 of our review in terms of utilities and stormwater.

7 With that, Peter, we will hand it back over  
8 to you.

9 CHAIRMAN STUTO: Does the Board want to hear  
10 from the neighbors? There are several neighbors that  
11 want to speak.

12 (The Board agreed.)

13 Chris Guzda.

14 MR. GUZDA: I have prepared a statement. Good  
15 evening, my name is Chris Guzda. I am a resident at 29  
16 Bergen Woods Drive. I lived there with my wife and two  
17 kids.

18 This is a statement regarding the overall  
19 subdivision. Eventually, obviously they are going to  
20 seek Phase 2. There are major concerns still from the  
21 residents. We don't mind development, but we just  
22 want to see it done right.

23 My wife and I are generally not opposed to  
24 the development of land, but when we see development  
25 plans that would negatively impact our lives and the

1 quality of our neighborhood, we have no choice but to  
2 take a firm stand against the development. As  
3 residents and taxpayers, we hope and trust that the  
4 Planning Board serves to protect us from developments  
5 that violate state and local laws.

6 I stand before you today because I feel the  
7 lack of transparency of development plans across  
8 multiple phases limit your ability to protect us using  
9 Local Laws. The New York State DEC cautions local  
10 Planning Boards from the segmentation of lands for  
11 exactly this reason. Do not limit their power and  
12 protecting existing neighborhoods.

13 Our main concern with the proposed Phase 1  
14 development is that it will dictate in the outcome of  
15 how some phases are developed. That is how streets  
16 will be connected, how stormwater will be managed and  
17 how our neighborhood will be affected.

18 Both the developers from these multiple  
19 phases know that Dutch Meadows residents are adamantly  
20 against street connections through our neighborhood  
21 for vehicular traffic. We have submitted a prior  
22 petition with 137 signatures from Dutch Meadows  
23 residents in this regard and voiced our concerns at  
24 the last public meeting held July 11, 2017. I argue  
25 that street connections as previously proposed to

1 Bergen Woods Drive and Weatherby Court are in  
2 violation of Town Code. Town Code states all streets  
3 shall be laid out to provide a convenient system of  
4 traffic flow without causing undue hardship to  
5 adjoining properties and that the project shall not be  
6 detrimental to the health, safety or general welfare  
7 of the persons residing in the vicinity nor injurious  
8 to property or development in close proximity.

9 We are not opposed to utility easements for  
10 sewer and sanitation and conservation of current green  
11 space and wetlands as a buffer that is present at our  
12 cul-de-sacs. If necessary, we suggest pedestrian  
13 connections only for these purposes.

14 I argue that a future connection through our  
15 neighborhood rather than directly through Welding Way  
16 as a continuous road to Phase 2 increases the travel  
17 time for emergency responders by 2 to 3 minutes  
18 depending on the route traveled. The Boght districts  
19 emergency responders are currently point five miles or  
20 approximately 2 minutes from the proposed Phase 1  
21 development. Traveling through street connections and  
22 Bergen Woods Drive to Weatherby Court to access future  
23 phases of the development such as Phase 2 would result  
24 in response times of 4 to 5 minutes, respectively.  
25 Therefore, imposing greater risk on the general

1 welfare and safety of future residents in going  
2 against Town development codes.

3 I recommend having an access to Phase 2 from  
4 a continuous road like proposed in the past plans  
5 called Welding Way. This is obviously the shortest  
6 route and having an egress through 1126 Loudon Road  
7 property to Route 9, if necessary which can be  
8 negotiated with that owner as you have the same  
9 engineer designing the plan. You can start with a  
10 paper street for Phase 1.

11 As to the Phase 1 development plans and the  
12 overall CGM subdivision plan, I argue that they are in  
13 compliance with Town Codes. The Town Code states that  
14 adequate buffering shall be established to mitigate  
15 impacts of visual and noise pollution permitting no  
16 privacy, screening or buffering as proposed for the  
17 properties along Bergen Woods Drive other than lot  
18 seven in Phase 1. I recommend a buffer and privacy  
19 screening such as evergreens or coniferous vegetation  
20 along the west side of the overall project to respect  
21 our privacy.

22 Town Code also states the streets and lots  
23 should be laid out with consideration to existing  
24 topography to minimize clearing and grading. The 621  
25 and 645 Boght Road property is currently at a higher

1 elevation when compared to Bergen Woods Drive  
2 properties. CGM will have grading and building of  
3 structures that will further elevates the CGM  
4 properties above the Bergen Woods properties and this  
5 will disturb our privacy. Town Code states the  
6 proposed projects shall not place undue burden on the  
7 capacity of the existing infrastructure, streets,  
8 drainage and utilities. The current property at 621  
9 and 645 Boght Road is landlocked and has existing  
10 water drainage problem that drains north and west  
11 toward Bergen Woods Drive and 1126 Loudon Road. Every  
12 spring and fall there is standing water along our  
13 property lines and this generates water flows through  
14 most of Bergen Woods properties. The existing drain  
15 between 25 and 27 Bergen Woods Drive properties is not  
16 large enough to accommodate those flows from the  
17 proposed CGM Development site and becomes obstructed  
18 by leaves and debris that causes flooding on those  
19 properties. I asked the developer to improve on this  
20 and the current water flow issues during concept of  
21 future development. Possibly consider a fresh drain  
22 along our properties or alternative measures and/or  
23 have the Town improve on the existing storm drain  
24 between 25 and 27 Bergen Woods Drive. That is this  
25 storm drain here which is a 24-inch pipe and the water

1 flows this way in around to the wetlands. At times in  
2 the fall - late fall to early spring, it becomes  
3 obstructed and it floods onto these two properties.  
4 Water also flows from East Hills, collects here and  
5 here and flows back this way (Indicating). I have  
6 pictures of that to show you.

7 In addition to the current water problems,  
8 shortly after concept acceptance for the original CGM  
9 plan on March 8, 2016, it was realized by residents  
10 that a large stormwater management facility was being  
11 proposed on the directly adjoining Bergen Woods  
12 properties 27, 29 and 31. Once again, a petition was  
13 signed with over 30 Bergen Woods Drive residents  
14 opposed to this action.

15 A meeting on record was held on June 2, 2016  
16 with the Town Designated Engineer, Stormwater Manager,  
17 Mrs. Paula Mahan, Mr. Mike Magguilli and Mr. Joseph  
18 LaCivita.

19 It was stated by Mrs. Mahan that stormwater  
20 management should be considered in other locations on  
21 the property not anywhere near Bergen Woods properties  
22 affect existing residences.

23 I argue that lot 12 in Phase 2 is not an  
24 ideal location for the properties that were opposed to  
25 the original location as this can still place an

1 impact on our homes.

2 Has the developer considered other ways to  
3 reduce water runoff? For example, rain gardens,  
4 reducing impervious surfaces or other stormwater  
5 management practices.

6 Ladies and gentlemen of the Planning Board, I  
7 urge you to act on our behalf and recommend to the  
8 developers to improve on the above issues pointed out.  
9 These issues are real and need correction before  
10 further approval of any plans put forth by the  
11 developer. Please do not accept Phase 1 and later  
12 Phase 2 as is designed at the present time. Not once  
13 has this developer approached any of the residents  
14 from Dutch Meadows and the surrounding properties to  
15 discuss their plans at a neighborhood meeting so that  
16 we can express our concerns to the existing problems  
17 and their proposed sketch.

18 I welcome a meeting with the developers so  
19 that solutions can be offered and a conclusion to this  
20 process can be made. I thank you for your time and  
21 consideration.

22 CHAIRMAN STUTO: Thank you.

23 MR. GUZDA: I have pictures of water issues, if  
24 you would like to see them.

25 CHAIRMAN STUTO: Sure. Are you going to leave

1           them with us, for the record or you just want to show  
2           us?

3                   MR. GUZDA: I can leave them with you for the  
4           record.

5                   MR. MARCHAND: Chris, I wonder if you are  
6           familiar with the term not in my backyard.

7                   CHAIRMAN STUTO: You know what? I don't think  
8           that's can be helpful.

9                   MR. MARCHAND: It is perfectly helpful. I  
10          believe so because Chris, from day one, why would I have  
11          a public information meeting when everybody, especially  
12          Chris, has been here expressing their concerns?

13                   The first meeting was the storm water pond,  
14          which we listened to. We moved it.

15                   We have addressed everything that the Board  
16          has asked. We have addressed the stormwater. The time  
17          and effort that is expended between Ron and Chuck  
18          addressing stormwater -- let's call a spade a spade.

19                   Chris does not want anything but vacant lands  
20          here - nothing. Nothing is going to make him happy.

21                   CHAIRMAN STUTO: Okay, you have said your  
22          peace. I want to hear from the next person.

23                   Mark Couch.

24                   MR. COUCH: Good evening Mr. Chairman and  
25          Members of the Board. First, I was good to start with

1 that I want single-family homes in my backyard but maybe  
2 not anymore from these guys, because of that outburst.

3 I came here to say that this is a big step.  
4 Barton and Loguidice has been working with us -- I'm  
5 sorry my name is Mark Couch and I live at 27 Bergen  
6 Woods Drive and a 2 foot undersized conduit is in my  
7 yard. My yard floods. My pool floods. I've had to  
8 replace the liner from the hydrostatic pressure of the  
9 pool. It's a 2 foot inch diameter pipe. It is not  
10 their fault. They inherited it. So, it is what it is.

11 Barton and Loguidice walked the site. They  
12 have been there and they are trying to work this out.  
13 We appreciate that.

14 If up top now drains stormwater to Boght  
15 Road, I agree that's a great step in the right  
16 direction. Something still has to be dealt with in  
17 Phase 2, when we get there.

18 Here is my real concern now. While the  
19 engineer did mention there is some way to access Phase  
20 2 from Phase 1, I don't see it on the plan. I did go  
21 to engineering school, but I am not a PE. I don't see  
22 it unless the Rios change where their driveway is  
23 going to be when their driveway becomes a road.

24 CHAIRMAN STUTO: I did talk about it with these  
25 gentlemen before the meeting.

1                   Do you want to describe how many feet are  
2                   there, Chuck - or the engineer for the applicant?

3                   MR. VOSS: Roger can certainly add to this. One  
4                   of the original comments that we had in our letter and  
5                   that we still continue to discuss with Roger was where  
6                   the new proposed driveway is for lot seven that the  
7                   frontage of that would actually be created with a formal  
8                   curb cut where you could develop 50 feet of actual Town  
9                   designated streets. That would then lead obviously into  
10                  their driveway, but that would provide the physical  
11                  interconnect for a potential future road going into  
12                  Phase 2. So, we would make sure that the applicant  
13                  design the end of that cul-de-sac so that it could be  
14                  accommodated for a road connect.

15                  MR. LACIVITA: Whereby coming back out to Boght  
16                  Road.

17                  MR. VOSS: That's correct.

18                  CHAIRMAN STUTO: We will talk about that more,  
19                  too.

20                  MR. COUCH: Our concern, I think, as you can  
21                  imagine -- we were here for the other development who  
22                  shall remain nameless, apparently.

23                  Chairman, you spoke and Chief Heider spoke  
24                  and Mr. Austin spoke about the connectivity and why  
25                  they were bad ideas; safety and quality of life. We

1 have the transcript. Now, if I am looking at Phase 2  
2 and you retire, the Chief moves to Florida, Brian  
3 retires - okay, we have a new Board. They come in and  
4 say there is no other way out of this property. I am  
5 landlocked. Well, you have to connect to Bergen Woods  
6 and Weatherby Court. That's just not fair to us. You  
7 made a decision, but it is not law. You made a  
8 decision on the development next door not to connect.  
9 That's fine, but you guys retire and we are still  
10 stuck here and they're going to put another road in,  
11 or they're going to ask to put another road in because  
12 that's the way they want to do it. So, unless there is  
13 some restriction that it is not going to connect, we  
14 are just looking at segmentation and they are trying  
15 to back in to what Ridgeview tried to back into  
16 before. That is my peace. Thank you, very much.

17 CHAIRMAN STUTO: We will talk about that more.  
18 I understand what your point is.

19 Jeff Connery.

20 MR. CONNERY: Hi, how are you? My name is Jeff  
21 Connery. I live at 15 Weatherby Court with my wife and  
22 two kids. My property is about right here (Indicating).  
23 I am right alongside of Ridgeview.

24 I do see some progress that is going on with  
25 this project. I am being honest. I don't have a

1 problem with nice homes being developed next to our  
2 neighborhood. I just see a couple of things and I have  
3 had a number of conversations.

4 Everybody that is in Dutch Meadows, I think,  
5 knows me. I have been pushing hard to make sure that  
6 we get something nice out of this project. I was  
7 seriously concerned when I first saw this here and  
8 that continues down into here (Indicating) -- in case  
9 nothing ever happens in this property over on  
10 Ridgeview.

11 Today I had a conversation with the owner of  
12 Ridgeview who basically said to me he's not going to  
13 leave any opening from Route 9 down here to Ridgeview.  
14 He said the opening should be on Weatherby Court and  
15 Bergen Woods. He says, that's what it should be.  
16 That's why they are there.

17 I can't seem to make any progress with him in  
18 this whole issue. I do know that he is working on the  
19 commercial spot on Ridgeview up on top. He has no  
20 intention on leaving that open. Therefore -

21 CHAIRMAN STUTO: Then they can get to your  
22 street. I would say that.

23 Joe, do you know anything about what's going  
24 on with that application?

25 MR. LACIVITA: There's actually nothing going

1 on with that application.

2 CHAIRMAN STUTO: From your perspective?

3 MR. LACIVITA: There is no application for the  
4 Town or any conversation as to the commercial.

5 MR. COUCH: I guess my concern is that if these  
6 guys can just actually sell us a road going in here that  
7 could potentially go in here in the future to solve a  
8 land lock issue - if you land lock this and this  
9 (Indicating) now you are opening our street.

10 CHAIRMAN STUTO: And I asked these questions  
11 earlier of the department and the engineer. It's  
12 technically not landlocked. It's part of that  
13 residential parcel. That's one big lot. So, that has  
14 frontage on the cul-de-sac. It is not landlocked. Do you  
15 follow what I am saying? I just want to make sure that  
16 we are on the same page.

17 MR. COUCH: I am good with that. My big concern  
18 was looking at this project. I liked the fact that they  
19 increase the lot size to 18,000. I like the fact that  
20 they are building bigger homes to equal what is in Dutch  
21 Meadows. I'm not talking about dollar wise. When you  
22 look at Dutch Meadows - the lower part of Dutch  
23 Meadows - those are the same size and square footage as  
24 the top of Dutch Meadows, but they are a different  
25 price. The square footage is the same. I think we're

1 making progress. I think we have a little bit more of an  
2 issue to address with some of these neighbors from  
3 Bergen Woods regarding the water run-off.

4 The developer has moved the water storage  
5 away from the people from Bergen Woods, which is good.  
6 I think we're making progress, but there needs to be  
7 more conversation to address some of those issues for  
8 the people along Bergen Woods and make sure that we do  
9 not end up in a situation that our streets are going  
10 to get opened because there is no ability to put a  
11 road from here down to the next development. I guess  
12 that's it.

13 CHAIRMAN STUTO: Understood. We are going to  
14 talk about that more.

15 Michael Maloney.

16 MR. MALONEY: Good evening. My name is Michael  
17 Maloney and I am at 14 Wildflower Way which is just  
18 behind lot seven.

19 CHAIRMAN STUTO: Can you point to where that  
20 is?

21 MR. MALONEY: That is right here (Indicating).

22 Chris, you mentioned that there are six lots  
23 on top, but there is that lot in the back to, right?

24 MR. MARCHAND: There are six building lots. The  
25 seventh is the stormwater lot.

1                   MR. MALONEY: When you said on top, I was  
2                   thinking it was the parcel up on top - that runs along  
3                   the side.

4                   I guess my question is if there are all the  
5                   issues as far as this is kind of imaginary and not  
6                   quite sure if this is ever going to happen and that  
7                   this lot also really has the same stormwater  
8                   management issues, this area versus this area  
9                   (Indicating) - this area has really much drier lands.  
10                  Up here is where you have all the wetlands and the  
11                  watercourses and all that stuff. Why not just put a  
12                  paper street here and put this as one development and  
13                  just have this as a separate development?

14                  MR. MARCHAND: I will be honest with you. We  
15                  really, really tried our best -

16                  CHAIRMAN STUTO: I just want to say something.  
17                  You've got to ask your questions the Board. We will get  
18                  that answered. Why don't you restate your question.

19                  MR. MALONEY: My question is: If the issue is  
20                  all of the watercourses, the wetlands on the lower lot -  
21                  - when you look at it, there is the lower as far as the  
22                  grade goes and then the upper -- is quite a hill right  
23                  here (Indicating) where you have the stormwater lots up  
24                  at the top. It is supposed to help stop the water from  
25                  going down the hill.

1 I know when I spoke with Joe this past week  
2 he mentioned that lot would help the storm water  
3 management for lot seven. I just could not understand  
4 that. He said there are engineers for that.

5 MR. LACIVITA: The engineering will be  
6 completed during the course of -

7 MR. MALONEY: But that's one heck of a hill to  
8 try to get water up as far as stormwater management.

9 CHAIRMAN STUTO: It's going to capture it  
10 before it goes to the low land. That's how I understand.

11 Chuck, is that correct?

12 MR. VOSS: Yes, there is water currently now  
13 that is sheeting from Boght Road and sheeting down into  
14 the back towards Bergen Woods. Having a stormwater  
15 management system up above to capture the run-off that  
16 is currently working its way down the hill will help  
17 alleviate, to some extent, the flows in the flooding  
18 that you are currently seeing down there.

19 MR. MALONEY: If you look at the full length of  
20 that ridge and the percentage for that top lots, it's  
21 pretty narrow though, isn't it?

22 MR. VOSS: There is, but you have to remember  
23 that not all the water that's going down into the back  
24 is coming off of this lot. It's coming off of 108 Loudon  
25 Road and 111 Loudon Road. So, all those upper ridge

1 lots are contributing to the flows down below. It's not  
2 all coming off this one parcel.

3 MR. MALONEY: Also, there is some coming  
4 through 641. I know there is a flow through there. How  
5 is that going to be mitigated with the driveway?

6 MR. VOSS: They have engineering that we  
7 preliminarily looked at capturing all that water up  
8 above and mitigating it.

9 MR. MALONEY: It's already down below -

10 MR. VOSS: Not for 641.

11 MR. MALONEY: That's what I was asking.

12 MR. VOSS: The upper seven lots will be  
13 mitigated and the stormwater flows from those seven lots  
14 will be dealt with up above.

15 MR. MALONEY: How about the driveway? What  
16 plans are being made to allow that water to continue to  
17 pass rather than pooling for 641 and my property?

18 CHAIRMAN STUTO: The keyhole lot - you don't  
19 want that driveway to be blocked to water and diverted  
20 to your house.

21 MR. MALONEY: Correct.

22 CHAIRMAN STUTO: I understand the question.

23 MR. VOSS: They currently have a culvert design  
24 underneath that driveway that allows flows that are  
25 queuing now from the back of your property. They will

1 not be unobstructed.

2 MR. MALONEY: So, I guess to the Board my  
3 question is: If the characters of the upper and lower  
4 lots are so separate -- and I know there are questions  
5 regarding what to be done in Phase 2 -- why not have  
6 Phase 1 be the upper lot and have Phase 2 a totally  
7 separate submission?

8 MR. VOSS: That's what they are proposing.

9 MR. MALONEY: Well, they are including lot  
10 seven also. That is also part of the lower lot. I'm  
11 saying, having a paper street address your connectivity.

12 MR. VOSS: The lower lot, lot seven, will also  
13 have any mitigation problems addressed as part of their  
14 storm water. Roger can address that.

15 MR. MALONEY: Thank you.

16 CHAIRMAN STUTO: Can you describe in your way  
17 to answer that last question which is - I think they are  
18 saying the long driveway - that is going to act as a  
19 dam?

20 MR. LACIVITA: Along with a culvert that's in  
21 there right now.

22 MR. KEATING: We are proposing a culvert to be  
23 installed. We have not called for the complete design of  
24 this. That's why we're back before the Board for concept  
25 so that we can get the blessings and we can finish the

1 engineering design. We are planning on putting in  
2 culverts underneath that driveway to allow that flow  
3 from the upland for the project site as it exists today.

4 CHAIRMAN STUTO: It cannot be improved upon?  
5 I'm not an engineer. We have sit through an awful lot of  
6 meetings. Can't there be stormwater management on the  
7 north side of the driveway? In other words, capture some  
8 more? You are not building any houses there, anyway.

9 MR. KEATING: We are not and that is something  
10 as we go through the engineering with Chuck, we can take  
11 a look at those types of -

12 MR. VOSS: There might be a way to slow it down  
13 or capture the existing condition.

14 MR. KEATING: We also don't want to slow it  
15 down to an extent that it also creates a problem with  
16 the adjoining properties. From a detention standpoint we  
17 could create the barrier as she said. The initial  
18 approach was to let that upland flow -

19 CHAIRMAN STUTO: Because it is no worse than it  
20 is now.

21 MR. KEATING: We are not changing the upland.  
22 The upland is there today. We're going to let that water  
23 flow.

24 CHAIRMAN STUTO: He's the last person that at  
25 least for now has signed up to speak.

1                   Can we talk about ways to design the  
2 cul-de-sac and the Phase 1 so at least we can see  
3 engineering wise how you can put a road in there to  
4 connect it up to Phase II?

5                   MR. KEATING: Bringing it back to here  
6 (Indicating)?

7                   CHAIRMAN STUTO: Just to make sure that it is  
8 feasible, engineering wise so we can start talking about  
9 it and thinking about it.

10                  MR. KEATING: Understood.

11                  CHAIRMAN STUTO: Because if you don't get  
12 access on the other side, you're going to need access --  
13 and also to accommodate the keyhole lot.

14                  MR. KEATING: We can look back at the road  
15 design that was previously proposed. Much like you would  
16 have a lot of your projects where you are planning for a  
17 future connection and you want to see the cul-de-sac, we  
18 can put the road design back on there for you to see  
19 with the intention that we are not building a road as  
20 part of Phase 1. There's ample room - we have plenty of  
21 room for right-of-way to still connect in that fashion  
22 over there.

23                  CHAIRMAN STUTO: Somebody refresh my memory.  
24 You mentioned in your initial presentation that you  
25 eliminated a road because we didn't want to drive

1 through traffic. What about cul-de-sacing it? What about  
2 bringing it through and cul-de-sacing it where Phase II  
3 is right now?

4 MR. KEATING: That is something that we can put  
5 back on the plan. That was back from the very, very  
6 beginning - we showed a cul-de-sac. We showed it as a  
7 temporary cul-de-sac but all the concerns of the  
8 interconnectivity came back up and that's where we were  
9 like, we don't want that cut-through traffic that was  
10 talked about last time. So, we showed the concept as an  
11 idea because we don't know what happens with Ridgeview -

12 CHAIRMAN STUTO: This is where I was. Refresh  
13 my memory. We have been coming back for almost 10 years  
14 since we first got here - when you originally knocked  
15 off those two lots. I think we did the original drawings  
16 back then which is: Do we want to drive traffic to go  
17 into Bergen Woods or to Route 9. Joe, do you remember  
18 what the discussion was at that point?

19 MR. LACIVITA: Back on the original, everything  
20 was on these two parcels known as the Jones parcels.

21 CHAIRMAN STUTO: Phase I and Phase II were at  
22 the same time and it was a cul-de-sac development.

23 MR. LACIVITA: And it all came back out to  
24 Boght Road. There was potential for a future connection  
25 and then everything kind of fell apart when Ridgeview

1           came in and then all of a sudden everything started as  
2           an assumption going out to Route 9. It never went to  
3           Route 9.

4                       CHAIRMAN STUTO: Did we object to a large  
5           cul-de-sac neighborhood?

6                       MR. LACIVITA: There was no objection to it and  
7           they actually showed a future connection.

8                       MR. KEATING: That's when there was a lot of  
9           requests back when we first came in for that connection  
10          to ajoin the neighborhood.

11                      CHAIRMAN STUTO: I am not saying that you're  
12          wrong about that. We obviously took a position on that  
13          the last time we were here.

14                      MR. KEATING: It was 18 months that we went  
15          back to the adjoining property owner for trying to get  
16          access for emergency vehicles and trying to get access  
17          for utilities.

18                      CHAIRMAN STUTO: Would you want to design it  
19          that way? I'm just trying to think out loud. Do you want  
20          to build the whole thing out now?

21                      Go ahead, Joe.

22                      MR. LACIVITA: I can't seem building the road  
23          now because we don't know what's going to happen here. I  
24          think a lot of assumptions are being made.

25                      CHAIRMAN STUTO: Of designing it -- I'm not

1 saying building it.

2 MR. LACIVITA: I think what we do is leave the  
3 placeholder on that thing just in case.

4 MR. KEATING: For paper street or whatever.

5 MR. LACIVITA: That's correct. I think we have  
6 been hearing from the few people that spoke that  
7 connectivity to the larger portion and to Bergen is  
8 going to be where I think this Board was. They don't  
9 want to. Right now we are hearing connectivity from this  
10 design is already a conflicted idea. So, the idea to put  
11 a placeholder for future connections which is a  
12 cul-de-sac to keep everything coming back out to Boght  
13 Road I think is the path that you going to go down. We  
14 have to design it that way.

15 MR. KEATING: To your point, someone in the  
16 audience said that you're going to retire and somebody  
17 else is going to retire on the Board -- in the event  
18 that you will decide to retire - to have that cul-de-sac  
19 with this connector road from here built as part of  
20 Phase 1 - I think that would come back to the  
21 connectivity concern that you guys were talking about.  
22 We were trying to come up with a plan that tries to  
23 address that cut-through traffic concern while showing  
24 something for Phase 2 - whether we connect back out to  
25 Boght -- I think something more has to happen next door

1 so that we can understand the path. Whether that project  
2 dies on the vine or they come up with a different  
3 connection -

4 MR. COUCH: Don't you just need the connection  
5 to the utilities, though?

6 MR. KEATING: What they are saying is the  
7 connection for the road for gaining access to Phase 2.

8 CHAIRMAN STUTO: Does the Board have anything  
9 to say about that at this point?

10 MR. LACIVITA: To Jeff Connery's point - he  
11 talked about connectivity for utilities. In 2017 - the  
12 latter part of 2017, Fire Safety Laws have changed. They  
13 have adopted now 2015 laws which talked about street  
14 lengths and certain things that have to be done. So,  
15 maybe that utility connection that you are thinking of -  
16 that may be a fire access connection -- we are not there  
17 yet.

18 MR. MARCHAND: It has nothing to do with this  
19 phase.

20 CHAIRMAN STUTO: Joe, you bring up his new fire  
21 regulations. Are you ready to speak to those?

22 MR. LACIVITA: No, because Fire Safety is  
23 reviewing those regulations and that's what has to be  
24 done when we look at Phase 2 in a holistic approach.

25 CHAIRMAN STUTO: Chief, what you think? You

1 have seen a lot of traffic and so forth.

2 MR. HEIDER: I think that at the end of the day  
3 - I am on the record as being against the connectivity  
4 for the vehicle access - whether it be Bergen Woods or  
5 the other street down there -- however, I think people  
6 have to realize if you're ever going to build that long  
7 of a cul-de-sac, there is no way that you would not have  
8 a second entry for fire emergency. You wouldn't want the  
9 people down at the end of that street to have to deal  
10 with that, nor would anyone in this room want to be the  
11 one at the end of the street. Like we did with On the  
12 Farm, with Sylvan and Vista and Grove, we would not give  
13 access to that. One of them I think is a fire entrance  
14 -- I've seen that done where it doesn't have to be a  
15 two-lane roadway.

16 CHAIRMAN STUTO: We've seen them many times.  
17 This conversation is not over.  
18 Mary Jane Bendon.

19 MS. BENDON: I appreciate you letting me sign  
20 up late. I did not see the sheet.

21 My name is Mary Jane Bendon. I'm married to  
22 the person who spoke earlier.

23 CHAIRMAN STUTO: The lawyer, right?

24 MS. BENDON: I am, too. We have been to this  
25 before.

1                   I heard Mr. Marshand's concern that the  
2 neighbors are predisposed at not wanting there to be  
3 development there. As somebody who lives there, I can  
4 tell you that there would be ample benefits and we  
5 would love to have houses behind there. One of which  
6 would be that we wouldn't have a backhoe driving  
7 around the back of the house looking in everybody's  
8 yards. That would be awesome.

9                   The real thing that I think would be really  
10 helpful is that they have said they had multiple  
11 meetings with Loguidice about the water.

12                  Chuck, I met with you on many occasions  
13 previously. You said that this alleviates some degree.  
14 Why can't I meet with you six or seven times about the  
15 water? That would be pointless. Why aren't we all  
16 sitting down and having a useful conversation about  
17 where these berms have gone and where the wires and  
18 fences are going to be located that used to be right  
19 behind my backyard? I would just like to know where  
20 the water is going to go and where these drainage pits  
21 are going to be and whether you think this is really  
22 the fair and appropriate way to do this.

23                  A few moments earlier you said that a lot of  
24 the water is coming off of other lots on Route 9. This  
25 is an opportunity to fix that, isn't it? This is a

1 place where water comes out and it lands in my  
2 backyard.

3 CHAIRMAN STUTO: It's not necessarily a burden  
4 on this developer to fix all the problems.

5 MS. BENDON: But then is it a burden on those  
6 that live on Bergen Woods Drive though? Apparently it is  
7 then, if that would be the approach. I guess I am asking  
8 you -

9 CHAIRMAN STUTO: When they do Phase 2 is when  
10 they are going to look at that.

11 MS. BENDON: Why can we do that now, though? If  
12 Mr. Marshand is indicating that we should have a  
13 conversation, why do we have one? Why don't we all have  
14 a conversation about what it looks like and where the  
15 water is going to go and Chuck can help us to understand  
16 that? I don't understand why we are just doing it here  
17 when we only have little snippets of information. I just  
18 don't understand that. That doesn't make sense to me. I  
19 know they have been wanting to do this for a long time.  
20 I can't see that a delay of four or five weeks for us to  
21 have a conversation and a better understanding is a bad  
22 idea. I really can't.

23 Thank you for considering that.

24 MR. MARCHAND: By no means am I lumping  
25 everybody together. I don't want to do that. I'm not

1 lumping the whole neighborhood together. I just find  
2 personal offense when somebody thinks that we are trying  
3 to do something shady or underhanded. The term  
4 segmentation was thrown out. I'm not trying to do  
5 anything shady. I'm trying to do something very  
6 straightforward and honest. By no means am I lumping  
7 everybody together.

8 We did have a meeting regarding the  
9 stormwater. Chuck, Roger and some neighbors - I'm not  
10 sure, but some neighbors brought photographs. So,  
11 there was a site meeting. I really hate that we are  
12 going above and beyond trying to incorporate  
13 everybody's concern. Not doing this in some  
14 closed-door session.

15 There was a site meeting, correct Roger?  
16 Neighbors brought photographs. Neighbors, I think, had  
17 written letters to the Supervisor about the  
18 stormwater.

19 CHAIRMAN STUTO: Tom Wood.

20 MR. WOOD: Thank you for the opportunity to  
21 speak. I live at 19 Bergen Wood Drive.

22 Obviously this development impacts me with my  
23 wife and daughter that live with me and I have a son  
24 in college. My brother-in-law and sister live right  
25 next to me and 21 Bergen Woods as well. We certainly

1 appreciate that the builders want to build and the  
2 landowners want to build homes. We get that part.

3 The only consideration that we have is first,  
4 I know there has been a lot of talk about water. I  
5 just want to let everybody know that it's not this  
6 builder's problem. Certainly, we have floods in our  
7 basement. I know my twin sister has had floods in her  
8 basement. I'm not an engineer either.

9 Certainly, it sounds like the plan makes  
10 sense, but we certainly understand Dr. Maloney's point  
11 which is there is an upper-level group of homes and  
12 part of this development and there is a lower level  
13 and we are obviously at the lower level and that's  
14 where a lot of the water comes. Clearly, we are  
15 concerned about those issues. The other point I want  
16 to make is if you look at the various lots, we get the  
17 logic for the development of the top. What we are  
18 struggling with is that there is a driveway that is  
19 probably longer than the road that goes right back  
20 right next to our house in the building and lot seven  
21 is going to be 30 feet off of our property line. It's  
22 a 3 plus acre lot. Why can't we put the home in a  
23 place that is just more logical so were not having my  
24 daughter look at it every time she gets up in the  
25 morning?

1                   Again, I don't know if there's a better place  
2                   for it. We are not looking to offend our neighbors  
3                   before we even have one. I know that there are  
4                   different considerations going on.

5                   CHAIRMAN STUTO: That's where dry spot is. On  
6                   this map it is easy to see that is the buildable space.

7                   Can you show him with a wetland is?

8                   MR. KEATING: Yes, the back corner here is the  
9                   high ground.

10                  CHAIRMAN STUTO: And that's why they had chosen  
11                  that spot.

12                  MR. WOOD: So because of that, we should have  
13                  to look at that every day. I get it. There are lots of  
14                  considerations going on. I would say that there's not  
15                  another property in Colonie that has a 400 foot driveway  
16                  to a \$250,000 house. I can imagine somebody plowing up  
17                  the road, which is what is contemplated -- and I don't  
18                  know what the pitch is on the road but that's pretty  
19                  significant. It just doesn't strike me -- I know that  
20                  the current owners have whatever equipment they need to  
21                  plow into whatever they need to do. I certainly wouldn't  
22                  think that was a high resale value.

23                  We have people looking at a driveway that's  
24                  500 feet long that they have to plow. It's not going  
25                  to happen. I just don't love the idea of having a

1 house that's probably not going to be as marketable as  
2 a lot of other ones right behind it. I'm not trying to  
3 offend the neighbors.

4 CHAIRMAN STUTO: If I understand it, this is  
5 the couple here. They are relatively young. I think I  
6 think Mr. Jones is closer to my age. They are building  
7 and it's their property. It's where they want their own  
8 personal house to be.

9 MS. RIOS: Just so you know, it is ranch home.

10 MR. WOOD: We're just worried about close  
11 proximity; that's all.

12 CHAIRMAN STUTO: A lot of people live next to  
13 residential properties.

14 Chuck, I'm going to ask you to help us since  
15 you're semi-neutral or appear to be. One has to do  
16 with stormwater and Mary Jane Bendon's comment of why  
17 can't you comprehensively get together with the  
18 neighborhoods and talk about stormwater  
19 comprehensively. The engineer for the applicant seems  
20 to think that they have, in some sense, done that.  
21 Maybe you can make some sense of out that. If you  
22 think that this is a reasonable approach at this  
23 point, why it is. Then, we are going to talk about  
24 understanding the access.

25 MR. VOSS: Certainly in terms of stormwater,

1 based on the last concept that we looked at, we spent  
2 the better part of a year probably studying this with  
3 the applicant. We didn't cite numerous times. We had our  
4 hydrogeologist out there. We are well aware of the  
5 culvert issues that were developed with the prior  
6 development. At the time, that was the standard; 24-inch  
7 culvert pipes that were installed between 25 and 27  
8 Bergen. The developer of that subdivision at the time  
9 felt those were adequate and whatever the Board looked  
10 at back then - that was the standard. Obviously, you  
11 have to mitigate with happening on the parcel. The  
12 applicants are tasked with doing that -

13 CHAIRMAN STUTO: Can you explain what that type  
14 does? Where does it take water from?

15 MR. VOSS: They basically drain water off to  
16 the west and the north through a series of drainage  
17 patterns that have gone through Dutch Meadows that were  
18 developed as part of Dutch Meadows. It goes on further  
19 to the north and then eventually down to the  
20 Mohawk/Hudson watershed.

21 CHAIRMAN STUTO: Is it underground?

22 MR. VOSS: Yes, it is all underground pipes. If  
23 you go over to Bergen Woods, you can see it. Certainly,  
24 there is a lot of water that sheds off this existing  
25 parcel.

1                   This parcel, as Roger knows, acts almost as a  
2 funnel for additional waters that are shutting off the  
3 top of the ridge closer to Boght Road. There is water  
4 shutting off of those parcels that this applicant has  
5 no control over. The Town doesn't have a lot of  
6 control over parcels that are shedding that water.

7                   CHAIRMAN STUTO: Would you say clearcutting at  
8 some point has exacerbated the problem?

9                   MR. VOSS: It probably could have at some point  
10 in the past, but it's now Meadows. It has become an  
11 emerging wetland.

12                  CHAIRMAN STUTO: If you look at the pictures  
13 that we passed down, it looks pretty wet. It is  
14 presumably a spring or whatever, but I will ask the  
15 question - is this buildable property?

16                  MR. VOSS: The majority of that back parcel --  
17 I shouldn't say the majority but about half of that,  
18 based on our assessment, is wetlands. Those are wetlands  
19 that you cannot build on. We know that. That is an  
20 existing condition that they have to deal with. They  
21 have been able to, through engineering techniques, find  
22 additional space where they can develop.

23                  If you look at Phase 2, the parcels off to  
24 the north and east -- that side of the back parcel  
25 there is developable land. It is a higher ground. They

1 can certainly develop that and stay away and avoid the  
2 wetlands. Like you said, they have to mitigate the  
3 existing condition of the water.

4 Our assessment of the project, as it is now,  
5 is that the upper cul-de-sac where you have six or  
6 seven proposed lots which can handle and mitigate the  
7 stormwater of the lot. That's as per DEC regulations  
8 and as per the Town regulations. Phase 2 is going to  
9 require some additional engineering.

10 The applicants originally came up with one  
11 general concept plan for dealing with stormwater. They  
12 never really advanced that far because the project  
13 didn't advance that far. We did not agree with the  
14 original stormwater basin that they had backed up  
15 against the Bergen Woods properties. We didn't think  
16 it was adequate or appropriate.

17 Roger has done some work over the last year  
18 and redesigning that development scenario so that  
19 there is no stormwater management facilities backing  
20 up to the Bergen Woods site. He has pulled it in -  
21 more into the interior of that site. He has been able  
22 to change the grades in the slopes we think out there.  
23 The existing water condition will no longer have such  
24 a severe impact when faced with developed. Phase 2  
25 should be able to handle the majority of that water

1           that you are seeing now back there and pull it in  
2           different directions and mitigate it differently so  
3           that you could potentially significantly decrease the  
4           amount of off the flow that is occurring now to his  
5           Bergen would properties. He has developed the  
6           engineering yet.

7                         We haven't seen the actual plans for those  
8           facilities yet. It is part of the process. We just  
9           haven't gotten that far. Conceptually, it's possible.  
10          That's really the important consideration for the  
11          Board tonight - conceptually can we deal with  
12          flooding? We think we can through proper design and  
13          proper engineering. We think they have already  
14          addressed the access issue. If they can redesign and  
15          show potential new road that comes off the Welding Way  
16          cul-de-sac into the interior and slightly redesign  
17          this concept that they have for the additional 14  
18          lots, I think they can achieve the access without the  
19          interconnect to the Bergen Woods or Weatherby Court  
20          areas.

21                        At some point in the future if the Ridgeview  
22          project comes online and there is an opportunity to  
23          create an additional contact or connection there,  
24          whether it is an emergency connection or something  
25          else that goes someplace else other than Whetherby and

1 Ridgeview, that would be okay -- if it went directly  
2 out to Route 9, we don't know.

3 CHAIRMAN STUTO: How hard schematically would  
4 it be to show that road?

5 MR. VOSS: Roger, you just have to adjust the  
6 plans.

7 MR. MARCHAND: It's the previous plan, really.

8 CHAIRMAN STUTO: So, not that hard.

9 MR. VOSS: No.

10 MR. KEATING: We had it shown on the previous  
11 concept. We would just simply put the cul-de-sac back in  
12 on that side. The Board has already kind of seen the  
13 road with the cul-de-sac at the end. That was the  
14 original concept.

15 CHAIRMAN STUTO: Do you have to move many  
16 houses around?

17 MR. KEATING: Not really. You actually would  
18 have less houses with this development versus what we  
19 had previously. We had 23, I think, it was before.

20 CHAIRMAN STUTO: Another gentleman has signed  
21 up, but I want to ask the Board what they think right  
22 now. We have a lot of good information in here. I will  
23 tell you what I think, if you want.

24 MR. SHAMLIAN: Generally speaking, in my view  
25 what we are trying to balance here while accommodating

1 the neighborhoods' concerns and balance that with quite  
2 frankly, not great planning. Great planning is to  
3 connect this area to Dutch Meadows. That's how the roads  
4 were designed originally. Given the Dutch Meadows  
5 neighbors' concerns, we're trying to balance something  
6 that works and still is relatively good planning.  
7 Conceptually, that's how I'm viewing this.

8 CHAIRMAN STUTO: Anybody else want to talk?

9 MS. MILSTEIN: The way that I see this is that  
10 it's in two phases. In the first phase we can get  
11 through it. It seems like we can deal with the  
12 stormwater. Then, if it gets to Phase II and we can't  
13 find an adequate plan, then it won't be a project as a  
14 Phase II. So, really what we are dealing with at this  
15 point is Phase I and can we meet the goals and  
16 objectives of each side.

17 CHAIRMAN STUTO: Anything else at this point?

18 Mr. Chakmakas.

19 MR. CHAKMAKAS: Hi, my name is John Chakmakas.  
20 I live at 8 Wheatheby Court which would be the  
21 turn-around area on my property.

22 I want to just ask a question from a logical  
23 perspective of what I have heard here.

24 When the original Bergen Woods was put  
25 together, they said that they used 20-inch piping to

1 take care of the drainage and the water issue. That  
2 has been a failure. Did that go through the same  
3 engineering review that this is going through? At the  
4 end of the day, the neighbors are left holding the  
5 bag. So, they got kind of the raw end of the deal  
6 already. I want to know what engineering was done  
7 during that time and how to you prevent that from  
8 being so wrong this time?

9 CHAIRMAN STUTO: Okay, we're going to answer  
10 the question.

11 MR. VOSS: I think that the original  
12 subdivision was built 20-some odd years ago. When we had  
13 a discussion with John Dzialo's office at stormwater  
14 management. They pulled the original stormwater design  
15 map and we have it. It was his opinion now and looking  
16 at current standards and with current rain flow  
17 quantities that we are experiencing that those pipes  
18 were probably undersized at the time when that  
19 subdivision was approved.

20 MR. CHAKMAKAS: That's my whole point.

21 MR. VOSS: So, 25 years ago when the stormwater  
22 management system was designed, it probably was  
23 undersized, to be perfectly honest. Our goal now is to  
24 make sure -

25 CHAIRMAN STUTO: The standards have changed, as

1 well.

2 MR. VOSS: Yes. The standards have changed  
3 significantly, given what we are dealing with these days

4 CHAIRMAN STUTO: Can you describe that a little  
5 bit?

6 MR. VOSS: I am not as versed as may be Roger  
7 and some of the design standards that are out there now.  
8 DEC requires far more significant engineering reviews  
9 and far more significant size and capabilities and  
10 dealing with existing conditions and certainly dealing  
11 with pronounced new conditions in terms of precipitation  
12 and dealing with stormwater runoff. The science now is  
13 much more advanced than it was 25 years ago in dealing  
14 with stormwater management. Years ago you would design  
15 swells and drainage ditches and let it run off your  
16 site. You can't do that anymore.

17 I can't speak to how the Bergen Woods system  
18 was designed because we were not involved. We just  
19 don't know. If you talk to the hydrogeologist we have  
20 in our office or engineers and they will tell you that  
21 it's probably undersized now, for today's standards.

22 Our goal is to try to not stress that system  
23 with this project or any surrounding projects. You  
24 don't want to have distress and existing system. The  
25 Town stormwater management office would acknowledge

1 that system is probably undersized in terms of today's  
2 standards.

3 Can you go in there and rip it up and change  
4 it? Sure, but you will be removing all the streets in  
5 all those drainage culverts and manholes. It is a  
6 significant job. So, really the goal for this project  
7 is to make sure that they are dealing with their own  
8 stormwater management on their site as per DEC  
9 regulations and that they don't contribute to any  
10 off-site issues.

11 MR. CHAKMAKAS: What are the consequences, if  
12 they do?

13 MR. VOSS: They get fined. DEC -- there are all  
14 kinds of penalties. Maybe Roger can speak to that. The  
15 Town Stormwater Management Officers, the Compliance  
16 Officer for the DEC -- they are regulated as well.

17 CHAIRMAN STUTO: Having set to these meetings  
18 for 10 years as a non-engineer, it has been explained to  
19 us and we have asked our design professionals to explain  
20 it. In the old days, they would grab the water and pipe  
21 it and move it somewhere so I got to the river -- in  
22 this case probably the Mohawk. Now, they try to keep  
23 more of the water on-site and not impact the next door  
24 neighbors. In fact, my understanding of the new  
25 stormwater regulations is that it can be no worse and it

1 has to be by design to let the water off at a slower  
2 pace than it currently does. Is that a fair summary?

3 MR. VOSS: Yes.

4 CHAIRMAN STUTO: So, unless they fool all of us  
5 and lie and everywhere on the checklist of design  
6 engineers -- it should get better and definitely get no  
7 worse. There has to be some trust. Lots of things have  
8 changed in 25 years.

9 MR. SHAMLIAN: The other issue is that we now  
10 have the TDE and I don't know back then whether there  
11 was a TDE. I don't think there was. Back then the Boards  
12 were relying on more on the applicant and Town staff,  
13 whereas now we have professional engineers that work on  
14 our behalf for guidance.

15 CHAIRMAN STUTO: Chief?

16 MR. HEIDER: Chuck, if you can imagine for a  
17 moment that everybody in this room got along and that  
18 they were all in favor of this project, if the  
19 connectivity issues were resolved, will the development  
20 of Phase 2 helped the drainage problems?

21 MR. VOSS: Yes, it certainly would. I look at  
22 Phase 2 as an opportunity to help improve the drainage  
23 issues.

24 MR. HEIDER: You're not going to get to Phase  
25 2, until you get through Phase 1.

1 MR. VOSS: Correct.

2 CHAIRMAN STUTO: Any other resident want to  
3 speak?

4 MR. CONNERY: I feel like Mr. Sullivan is  
5 putting the onus on our community to take the traffic  
6 from what these developers are doing. Like you said  
7 before, we are good with getting utilities from our  
8 street. We do not want it opened. Fire Department access  
9 - make Mr. Passinello put something in so that those two  
10 neighborhoods can join together. They can get their  
11 access going out in both ways. They don't affect us.

12 I don't understand why the onus has to be on  
13 us. We have had 15 years of dead-end streets for our  
14 kids. It has been great. That's why people are buying  
15 on our streets. That's why our houses are worth what  
16 they are worth. Now you're going to take the advantage  
17 and you're going to give it to the builder and now  
18 you're going to change our streets. I think there's  
19 something wrong with that. We are saying take the  
20 utilities. We are not arguing with you about that.

21 CHAIRMAN STUTO: I don't follow what you are  
22 saying.

23 MR. CONNERY: What I'm saying is that you guys  
24 are coming down and hear you're talking about leaving a  
25 road coming into this development.

1                   CHAIRMAN STUTO: I don't know what you just  
2                   said.

3                   MR. LACIVITA: We're not talking about the next  
4                   development.

5                   CHAIRMAN STUTO: The potentiality is that it's  
6                   either going to go through the neighbor to the north, to  
7                   Route 9, or it's going to come back through to Boght  
8                   Road.

9                   MR. CONNERY: That's all I am saying.  
10                  Originally, Mr. Sullivan was saying --

11                  MR. SHAMLIAN: What I said was good planning  
12                  would connect these roads. That's what good planning  
13                  does. Most of the cul-de-sacs were clearly identified as  
14                  being points of a connection when people bought in Dutch  
15                  Meadows. It's not like it was surprise that the road  
16                  might connect some day.

17                  But I also said, though, that given the  
18                  neighbors' concerns that have come before the Board,  
19                  we are compromising good planning to try to make some  
20                  things work that meets everybody's needs.

21                  MR. CONNERY: You say that it is good planning.  
22                  I say there is a lot of traffic coming down my street  
23                  now. I don't think that's good planning.

24                  MR. SHAMLIAN: There are 300 houses in Dutch  
25                  Meadows. They're going to be a lot of cars in Dutch

1 Meadows?

2 MR. CONNERY: Not on my street.

3 CHAIRMAN STUTO: We are saying that we are not  
4 connecting to a street. We are sympathetic to the  
5 traffic on your street, but it's not really relevant.  
6 You're not really making a relevant points to this  
7 process.

8 MR. CONNERY: We keep talking about it like  
9 it's two different projects. These two projects are  
10 going to work together. Are you kidding me? Seriously?  
11 We are going to sit and look at each other and act like  
12 they are two different things and we should consider  
13 them completely separate? You have to think about it.  
14 You just have to take a lot of things into  
15 consideration. It seems like things are not, that's all.

16 As far as getting together with people, I  
17 would gladly sit down with these guys and talk about  
18 the issues. Nobody is saying hey, do you want to that?

19 MR. SWAZY: I am Mike Swazy and I live that 5  
20 Mulholland Drive.

21 I remember when the Planning Board was  
22 talking about adding onto Phase 3 after Bergen Woods  
23 went in.

24 Originally, you talk about good planning --  
25 originally, Weatherby and Bergen Woods were connected.

1           There were going to be houses along the whole way. We  
2           are a victim of our own approaches to the Planning  
3           Board from 20 years ago that people believed that  
4           Bergen Woods thought to - because Weatherby wasn't  
5           there yet - to make two cul-de-sacs.

6                     All I say in terms of planning way back when  
7           is it was going to be one sea of development. They  
8           fought and got the two cul-de-sacs. I just hope that  
9           the Board from my perspective keeps the access to  
10          the -

11                    CHAIRMAN STUTO: We said repeatedly that they  
12          are.

13                    MR. SWAZY: And when you guys are all retired,  
14          it stays that way. Thank you.

15                    CHAIRMAN STUTO: We're going to stay organized.  
16          You guys are going to retire and move on too.

17                    Anybody else?

18                    (There was no response.)

19                    Okay, I want to ask a couple of questions and  
20          then try to move forward. This is what we get paid  
21          for. We have to do something.

22                    The two issues are the connectivity and  
23          particularly with respect to this because I think that  
24          we are all on record - either it comes back out  
25          through Boght and you said that you've already

1 basically designed that or it goes the other way which  
2 is the current Phase II that's sort of sketched out.

3 The other issue is the water on Phase II and  
4 the remainder of Phase I, including some of the issues  
5 that we talked about.

6 Is this too much to ask, Chuck -- if you got  
7 concept today, would you begin designing the rest of  
8 that?

9 MR. KEATING: We would be right back in Chuck's  
10 office doing what we have been doing the past year -  
11 trying to work through that drainage.

12 CHAIRMAN STUTO: Would you start thinking about  
13 Phase II harder?

14 MR. KEATING: We will certainly take a look at  
15 Phase II harder and again, there are going to be some  
16 unknowns as to what happens and where it goes.

17 CHAIRMAN STUTO: That is fair enough.

18 MR. KEATING: We have done preliminary stuff  
19 that we have shared with Chuck about moving this basin.  
20 So, we have already looked to make sure that we can get  
21 water back to this point. So, we are not opposed to  
22 sharing that information.

23 From a master SWPPP perspective I would be  
24 willing to put it in the master SWPPP with the  
25 understanding that there would need to be a SWPPP

1 amendment at some point in time. As Phase II happens,  
2 if that is something that you would be willing to look  
3 at --

4 CHAIRMAN STUTO: Here is what I'm driving at:  
5 If it's not too much extra expense or time, I'd like to  
6 refine what the stormwater is going to look like on  
7 Phase II. What do you think?

8 MR. KEATING: Again, we developed the SWPPP  
9 that shows the Phase II component of it. Understanding  
10 that, it may have to change depending on what happens  
11 next door.

12 MR. LACIVITA: We will make sure that our  
13 department gets in touch with DEC.

14 CHAIRMAN STUTO: Does it make sense to get a  
15 preliminary report before final, or not - on that issue?

16 MR. VOSS: We can certainly do that; sure.

17 MR. LACIVITA: We are looking on final on just  
18 these six lots and the stormwater could be on the master  
19 SWPPP with the potential development in there. Then, you  
20 have to look at lots and how many lots you're going to  
21 get out of it with the roadway. So, all that is going to  
22 have to be reviewed.

23 CHAIRMAN STUTO: So, you're not going to know.

24 MR. LACIVITA: Well, I think that you'll have a  
25 general idea and if we can have it amended through the

1 course of the review -

2 MR. KEATING: Correct. So, the DEC has a  
3 mechanism in place -

4 MR. LACIVITA: We have to get them on Board, as  
5 well.

6 MR. VOSS: Peter, at that point Roger will be  
7 able to advance some designs for Phase II. We'll take a  
8 hard look at it so that they make sense.

9 MR. LACIVITA: We are trying to advance final  
10 on just on Phase I.

11 CHAIRMAN STUTO: Then, I will make this  
12 request. When you come in with final can you show a  
13 different designed driveway so that you can reserve some  
14 kind of connection for future needs and clearly demark  
15 it so that there is no dispute in the future.

16 MR. KEATING: We will do what we have done in  
17 the past with paper streets if that's okay with the  
18 Board to delineate that outline - if that's what you  
19 would like me to do.

20 CHAIRMAN STUTO: If the engineering works and  
21 the design works. A paper street has a meaning and a  
22 connotation. It's not just an idea, it's an open offer  
23 of dedication to the Town.

24 MR. KEATING: Understood. In their previous  
25 road design that we had prepared, it was designed in

1           accordance with the Town standards.

2                   CHAIRMAN STUTO: Is there any downside to  
3 putting a paper street there, from the applicant's  
4 perspective?

5                   MR. LACIVITA: It's going to be dedicated at  
6 some point, anyway.

7                   CHAIRMAN STUTO: Potentially.

8                   MR. VOSS: As long as you show a right of way  
9 wide enough through a dedication, they can move it, if  
10 we need to. If there is an environmental issue with the  
11 wetland crossing or something and DEC requires that road  
12 to be off-set a little bit -- as long as we have that  
13 flexibility built in, we have no concerns with it.

14                   MR. KEATING: I would just like to have  
15 flexibility built into whatever is provided for the  
16 road. The Lot 7 access would be the general location of  
17 where we would like to have that road. So, what would  
18 simply happen is if the road was to be extended like we  
19 had shown before, we have a different driveway  
20 connection for Lot 7.

21                   CHAIRMAN STUTO: Can you show that on the  
22 drawing?

23                   MR. KEATING: We would just go back to the plan  
24 that you saw before with the exception of the cul-de-sac  
25 on it.

1 CHAIRMAN STUTO: That would be contingent -

2 MR. KEATING: That would be contingent,  
3 depending on which way the Ridgeview project advances.

4 CHAIRMAN STUTO: Something may happen before  
5 then. Who knows?

6 I'm ready to vote. I don't know about the  
7 rest of the Board.

8 The application or the main item before the  
9 Planning Board is concept acceptance. The Board  
10 update, we have had -- an amended concept acceptance.  
11 They already have a concept acceptance, right Joe?

12 MR. LACIVITA: Correct.

13 CHAIRMAN STUTO: Do we have a motion for  
14 concept acceptance?

15 Acceptance does not mean approval. I'll just  
16 say that for the record for the residents and the  
17 applicant. Acceptance is not an approval and it could  
18 be withdrawn. So, do we have a motion for concept  
19 acceptance, based upon all the comments and direction  
20 of the Board today, the departmental comments and the  
21 comments of the Town Designated Engineer.

22 MR. HEIDER: I'll make that motion.

23 MR. MION: I'll second.

24 CHAIRMAN STUTO: The Chief made that motion and  
25 Lou seconded it.

1 Any discussion?  
2 (There was no response.)  
3 All those in favor, say aye.  
4 (Ayes were recited.)  
5 All those opposed, say nay.  
6 (There were none opposed.)  
7 The ayes have it. Thank you.

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10 (Whereas the above entitled proceeding was concluded  
11 at 8:45 p.m.)

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CERTIFICATION

I, NANCY L. STRANG, 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.

Dated: \_\_\_\_\_

NANCY L. STRANG  
LEGAL TRANSCRIPTION  
2420 TROY SCHENECTADY RD.  
NISKAYUNA, NY 12309

