

PLANNING BOARD
TOWN OF COLONIE

COUNTY OF ALBANY

BOGHT MEADOWS CONSERVATION SUBDIVISION
59 POLLOCK ROAD
PUBLIC HEARING
AND
APPLICATION FOR SEQRA AND FINAL CONSERVATION
SUBDIVISION APPROVAL

THE STENOGRAPHIC MINUTES of the above entitled
matter by SUZANNE T. HARRINGTON, a Shorthand
Reporter, commencing on August 7, 2018 at 7:36 p.m.
at the Public Operations Center, 347 Old Niskayuna
Road, Latham, New York.

BOARD MEMBERS:

PETER STUTO, CHAIRMAN
KATHY DALTON
BRIAN AUSTIN
LOU MION
CRAIG SHAMLIAN
SUSAN MILSTEIN
STEVEN HEIDER

ALSO PRESENT:

Kathleen Marinelli, Esq., Counsel to the Planning Board

Joe LaCivita, Director
Joseph Grasso, PE, CHA

Jason Dell, PE

Frank Barbera, Barbera Homes, applicant

Cynthia Ray, homeowner

CHAIRMAN STUTO: We'll do a transition to the next applicant, which would be on the Bought Meadows Conservation Subdivision, Public Hearing, 59 Pollock Road, application for SEQRA Environmental Approval and Final Conservation Subdivision Approval.

And Joe LaCivita, do you have any introductory remarks for this project?

MR. LACIVITA: Just to get some dates on the record here. We've seen this project many times. We also included in here what was a rezoning when we had a portion of the property that went from an OR, office residential district, to an SFR.

But we saw the project, from a town perspective, since November 17, 2015. So it's been around for a little bit of time. We saw it four different times through sketch plans and gave it concept March 21, 2017.

Before we get further into the project, we do have the public hearing requirement to read into the record, and I'll turn that over to Kathy.

ATTORNEY MARINELLI: Town Planning Board, Town of Colonie, Albany County, New York. Notice is hereby given that pursuant to Section 276 of Article 16 of the Town Law, the Town Planning Board of the Town of Colonie, Albany County, New York, will meet and conduct a public hearing in the Public Operations Center, 347 Old Niskayuna Road, Latham, in said Town of Colonie, County of Albany, New York on the 7th day of August, 2018 at 7:00 p.m. for the purpose of hearing all persons regarding the approval, modification or disapproval of a certain subdivision and site plan approval in the Town of Colonie, County of Albany, known as Boght Meadows Conservation Subdivision, located at 59 Pollock Road, which consists of a 46 lot residential subdivision, dated July 25th, 2018, Latham, New York.

CHAIRMAN STUTO: Okay. We'll turn it over to the applicant. If you would identify yourselves and make your presentation.

MR. DELL: Good evening. My name is Jason Dell. I'm an engineer with Lansing Engineering here on behalf of the applicant for the Boght Meadows Subdivision.

As mentioned, we had been before the Board quite a few times, and we're here tonight for the public hearing in the hopes that we'll be granted an approval for the project.

So I would like to just go through a brief overview of the project, a quick summary, then get into some of the bigger items that we have changed as we've gone through the technical review of the project.

So the project site is located at 59 Pollock Road. The parcel encompasses a little over 35 acres and is zoned single family residential. For the project, the applicant is proposing a 46 lot subdivision of the 35 acres. The project is a conservation subdivision. And as you go through the conservation analysis, the calculations would yield a maximum allowable density for the project of 63 lots.

However the applicant is only proposing 46 lots. So the access into the project will be from one access point off of Pollock Road. As Joe mentioned, this project was before this Board quite a few times for sketch plan review, where we looked at various access points into the project.

We've had one where there was two accesses in different configurations.

And based upon quite a bit of back and forth, we have one access point now on the opposite side of Morningside Drive coming into the project. All lots will now also access the internal subdivision roads. There are no longer any lots that have driveways that will front on Pollock Road. The average lot size in this subdivision is about 13,000 SF or about .3 acres.

The water and sewer will be provided to each of the lots via connections to the town's system. And stormwater will be managed in accordance with all requirements.

So a couple of the design features that were changed as we went through the process with the TDE and Board; but first, the biggest one we already mentioned about, the one access road now into the subdivision.

The second being there are no longer any lots that front -- or driveways accessing out onto Pollock Road. We added a small pocket park over off the cul-de-sac as well as a central mailbox location that will also be right in the general

vicinity of that pocket park.

We included a 25 foot vegetated buffer along the western property boundary to the residents to the west to provide visual screening. The TDE had recommended a double row of evergreen trees, which we provided on the plans, in addition to additional screening of evergreen trees along Pollock Road.

We also increased the setback for the lots that are closest to Pollock Road. We increased those setbacks to 40 feet in accordance with the town's request. We also have included an emergency access drive.

As we went through the process, the national building code changed to where any development that has 30 lots or more is required to have a secondary point of access or egress, so we're proposing --

CHAIRMAN STUTO: Is that adopted by the town -- or by the state? That code change you just mentioned?

MR. GRASSO: Yes.

MR. LACIVITA: Yes.

CHAIRMAN STUTO: When did that take

effect?

MR. LACIVITA: I think it was 2017. But it was a 2015 action, right?

MR. DELL: I believe so.

CHAIRMAN STUTO: Thank you. Because I know we've spent a lot of time over the years talking about that. Thank you.

MR. DELL: So that access drive will also service these two houses for the driveway and then there will be a crash gate at the end here, so that it's not used as a thoroughfare but yet can be used during emergency purposes.

We also provided a loop in the water system from Pollock Road through the project over into Oxford at the request of Latham Water. So those are the main items that were revised as part of the project.

CHAIRMAN STUTO: Can you talk about the conservation aspect? How much green space, how many acres and so forth?

MR. DELL: Certainly. The overall parcel size is a little bit over 35 acres. When you take out the constrained land of the wetlands or slopes, you take out about 4.1 acres, which leaves

an area of about 31.34 acres. So the required 40 percent conservation area is approximately 12.53 acres.

And the total conservation area provided by this project -- excuse me, conservation area minus any constrained lands is a little over 13 acres and the total conservation area provided of 17.3 acres. So we're at about 50 percent, just less than 50 percent, whereas the requirement was 40 percent, so we do meet the conservation requirement.

CHAIRMAN STUTO: Can you show the Board and the public where you're conserving the land?

MR. DELL: The majority of the conservation area is in the land that was previously zoned as part of the professional office. So this entire 10.6 acre portion will remain undisturbed wooded areas, with the remainder of the conservation areas being in and about the project along the back here, the back side of the cul-de-sac, as well as up front and in the center, in order to maintain some quality open space for the project.

CHAIRMAN STUTO: Okay, thank you. As

with our other projects, this has been reviewed by our town's designated engineer. CHA, I think, has the full agenda tonight. Joe Grasso, could you give us your comments on this project?

MR. GRASSO: Yes, I'm going to go through as --

CHAIRMAN STUTO: Before you start, if any members of the public would like to speak on this, would you sign-in on that piece of paper over there?

MR. GRASSO: I appreciate Jason did a very good job describing the project. Just in terms of where we are with our review, we have done seven reviews of the project before it made it ready for consideration by the Planning Board and ready to be scheduled for the required public hearing.

So you'll see our May 3rd letter is very short. It talks about the SEQR requirements. This is an unlisted action, so a short EAF was deemed required, you know, to describe the action and describe the environmental impacts.

The applicant has completed Part 1 of the short EAF. We actually go through on the Board's

behalf and complete the questions for Part 2 that evaluate the impacts.

And then the Part 3 of the short EAF is the determination of significance, which is up to the Planning Board. So that's in your packet. We talk about the conservation overlay district and allowable density by the zone. Based on the amount of constrained lands would be 76 single family lots and they're only, you know, building 46.

Because the project is in the conservation development overlay district, findings are required by the Planning Board, so we drafted those based on the merits of the project. So that's something that's in your packet as well that the Board would need to take formal action on.

And basically the findings go through and describe the project, the number of lots, the maximum allowable density, the amount of constrained lands, and how much of the project site is going to be protected from future development.

And it describes where those open space

areas are. The last thing for conservation subdivisions, there is a clause in the code that says conservation subdivisions are supposed to provide common parking areas with at least 0.5 common parking areas throughout the development. It's not something that we have supported, and the Planning Board hasn't supported it on past conservation subdivisions; only because the style of development that's proposed is more of like a conventional subdivision, just on a clustered scale.

And therefore common parking areas aren't needed, because the lots are going to be developed with a minimum number of parking spaces. They're going to have garages and they're going to have at least two spaces per lot for off street parking.

And the width of the roads is such that people can actually park along the road and you can still have emergency vehicles pass through the development. So we don't recommend that these common parking areas be provided. So that was our third comment in the letter. Other than that, it's ready for the public hearing and discussion by the Planning Board.

CHAIRMAN STUTO: Is David Golden here on this project?

MR. GOLDEN: Next one.

CHAIRMAN STUTO: Okay, Cynthia Ray. Could you take the microphone?

MS. RAY: Hi. My name is Cynthia Ray. I may have already heard this is at the town meeting. Was there an impact on -- a traffic study, and what the impact would be on Oxford Drive?

CHAIRMAN STUTO: If you can get all your comments out, we'll try to get them answered. Is that your only --

MS. RAY: Just want to know if there's been a traffic study of the impact of the traffic on Oxford Drive based on this.

CHAIRMAN STUTO: Okay, thanks. Joe or the applicant, can you help me out on this?

MR. DELL: We have no connection from this project to Oxford Drive, so there should be minimal impact to Oxford Drive. The traffic engineer, if you recall during the sketch plan review, was here quite a bit discussing the various access points.

The peak traffic generation by this project would be about 35 peak trips in the a.m. and about 46 peak trips in the p.m. entering and exiting the site. So on an a.m., you know, that's about one car every two minutes going out onto Pollock, so I don't believe there would be any impact to Oxford Drive by our project.

CHAIRMAN STUTO: Where is Oxford Drive?

MR. DELL: It's over here.

CHAIRMAN STUTO: Okay. Were there sight line improvements here?

MR. DELL: Right along here the traffic engineer recommended some clearing. And there is an existing intersection warning sign for Morningside Drive that has a diagram. What they recommended was that sign be updated to reflect the new geometry, with the sign for the driveway on the opposite side as well, so a four-way.

CHAIRMAN STUTO: So that's all going to occur?

MR. DELL: Yes, that's all in the project plan.

CHAIRMAN STUTO: Does that answer your question, Ma'am?

MS. RAY: It answered the question but not really what I was asking, because there is going to be an impact on Oxford Drive. Because as they're coming out, they're going to go left, and Oxford Drive is a straight thoroughfare out to Sparrowbush. Or they would have to go all the way around Pollock, and most people don't do that.

So most people are driving down Oxford Drive so there is going to be an impact. So my question is, what will the impact be?

CHAIRMAN STUTO: We'll try to answer it again.

MR. GRASSO: As with any development there is going to be additional traffic. And Jason quantified it accurately. For the 30 to 40 trips that come out during the peak hours, those trips will disperse along. Some are going to go, they call it west, on Pollock Road. So there will be additional traffic along that road.

The traffic study looked at whether or not other improvements are required based on congestion or increased levels of delay. And it demonstrated that there won't be any -- that any impact and level of delay will be negligible,

almost immeasurable. That's how few trips there will be.

CHAIRMAN STUTO: I think that's as complete an answer that we can give you. Nobody else has signed up on this --

MR. GRASSO: The only other thing I wanted to say on traffic is just that this project site has been designed with a stub street to the southeast, so that as -- because there was additional lands in this area, undeveloped lands, that we expect will be developed at some point.

And that stub street connection I think is very important, because it should limit the future trips that are going up to Pollock, and send more traffic down to Sparrowbush directly to the south.

So I would think as time goes on, assuming that development does take place, hopefully there will be less traffic on Pollock Road. We're really trying to minimize traffic impacts along Pollock Road.

CHAIRMAN STUTO: We'll turn it over to the Board. Chief, do you have any questions?

MR. HEIDER: Yes, a couple. Forgive me

for not being a part of the process. This was before my time on the Board. You have trees along Pollock Road. You're telling me you're clearing trees for sight distances. How far back are those trees, the ones near the entranceway? Are they going to become a sight problem down the road?

MR. DELL: No. The clearing was to be at least 15 feet off the edge of Pollock. And our trees are all situated, that we're proposing, inside the lots and outside of the right of way. So to answer your question the best I can, they should not become sight line issues based upon where they're placed on the lot.

MR. HEIDER: Two internal things. Your proposed mailboxes are all the way deep into the neighborhood, and I could see people complaining about the traffic going to their mailboxes.

Is there any reason that can't be located toward -- most of these developments I've seen, including one by the current developer, the mailbox is closer to the front entrance.

So as people pull in in the afternoon, they can pull off, pick up their mail and go. This one, you're requiring all 46 homes to drive

back to the end of one cul-de-sac to get their mail.

And I can see neighbors loving neighbors until they drive past their house three times a day to go to the mailboxes. There is no parking lot for down there?

MR. DELL: We're not proposing any parking. And as far as your mailbox question, we did take a look at different areas within the subdivision, and this is the area in which the applicant preferred to put the mailboxes.

It's set away in an area where there shouldn't be a high volume of traffic, as opposed to putting it in the entrance --

MR. HEIDER: Well, you can't say that. It's going to get every car in the neighborhood going to it.

MR. DELL: Understood, but they would be going at a slower rate as they pulled off over here, as opposed to coming down the hill off of --

CHAIRMAN STUTO: Joe, what do you think? They're good comments.

MR. GRASSO: Yeah, they're great comments. The project was designed really with

that cul-de-sac to have a quiet spot that cars could pull in there and go to the pocket park. We didn't expect the use to be so significant that you would have more than three or four cars there at once.

The road coming in, off Pollock Road, has a steep down gradient. So that was why we didn't think that was the best location for the mailboxes. But I agree with your comment. I mean it does force cars that wouldn't otherwise need to come through the neighborhood to go through at least half the neighborhood to get there.

CHAIRMAN STUTO: Does that make you reconsider the location?

MR. GRASSO: No. I agree with way it was designed -- and I think the planning department, Mike Lyons, actually had recommended that location -- but he's done, so --

MR. SHAMLIAN: What amenities are in the pocket park?

MR. DELL: We did show on our layout plan in the lower right hand corner, there's a couple of tables that are set up there, as well as a small children's play set type of system. We did

also provide details to the planning department that were cut sheets of what the applicant is proposing to construct it.

So that was Part 2 of our submission and our task for Mike Lyons when he still here. He wanted to see those details, so we did provide those to the Board.

MR. GRASSO: And this is a HOA maintained pocket park.

MR. SHAMLIAN: The only other comment I have has to do with the elevations. Are these what you're actually -- or are these just -- because I'm not -- I would like -- one of the things that, especially more recently, that we're looking to try to make sure that we have is as much variation in a development as possible, both in terms of materials and colors.

CHAIRMAN STUTO: And models.

MR. SHAMLIAN: Yes.

CHAIRMAN STUTO: We set a condition at our last Planning Board meeting on another subdivision saying no two models next to each other and no two colors next to each other. Am I remembering that correctly?

MS. DALTON: I think it was no two colors, not models.

MR. HEIDER: I think it was the elevations.

MR. SHAMLIAN: I'm not trying to hamstring you, because you know markets change as a project gets developed. But we're more and more sensitive to try to make sure that things look as varied as possible.

MR. BARBERA: Frank Barbera with Barbera Homes. Right, those plans were submitted three years ago. If you were to go to our website, you'd see the variety of homes that we build. In a conservation subdivision you tend to get smaller footprints, more detail, in order to enhance the neighborhood.

We're doing neighborhoods with this size lot already. So you'll see board and batten mixed in with cedar shake. Some of the homes will have a little stone. You'll have nice columns, decorative garage doors. Those are all available and a lot of that will be standard for the homeowners.

In addition, as a matter of practice for

the last 20 years, we track the color of the houses. We do not put two colors next to each other. Periodically we will put the same house next to each other, but we also make sure that they don't look identical, because some plans are just very popular.

But it doesn't look like three of the same houses in a row, so we're very conscious of that.

CHAIRMAN STUTO: How about no three models in a row. How do you feel about that?

MR. BARBERA: I don't think I've had three models in a row, ever.

CHAIRMAN STUTO: Okay. So if we put that as a condition -- okay.

MR. SHAMLIAN: As they come up with --

MR. BARBERA: If I may back up. A lot of times what we'll have is different elevations for the same model. So to say three models are the same in a row wouldn't really work, because you'll have elevation A, B, C. So people wouldn't even know if that situation occurred.

MR. GRASSO: So not having the same exterior facade?

MR. BARBERA: Correct.

MR. GRASSO: Because you can even mirror the floor plan to --

MR. BARBERA: Some are right, some are left --

MR. GRASSO: That's the concern, is that you wouldn't have three front elevations being the same.

CHAIRMAN STUTO: So maybe we should make that the condition.

MR. BARBERA: I would like to avoid having a condition in that sense. We're pretty conscientious of that. It matters to us as well. So we're very good about placing differential product on the lots themselves. Plus nobody wants to look the same as their neighbor. They're looking for that.

MR. HEIDER: I think the verbiage is not to use the word model, but use the word elevation.

CHAIRMAN STUTO: Yes. And we're saying three, we're not saying two.

MR. HEIDER: Certain models catch on, that's what people want.

MR. BARBERA: Right.

MR. HEIDER: But as long as you change the elevations to make it not look like the one next door, I think that's what we're going for.

MR. BARBERA: Yes. Because there's many instances where we'll have a popular plan, where we'll spend time both with the color work and also with the materials that go on the exterior.

So even though they may have the same gable elevation, you don't know that when you drive by. Your eye is not going to catch that.

MR. LACIVITA: No two elevations shall be constructed next to each other?

CHAIRMAN STUTO: We said three in a row, and no two --

MR. LACIVITA: You were talking models versus elevations.

CHAIRMAN STUTO: I'm okay either way.

MR. LACIVITA: No three elevations, okay.

CHAIRMAN STUTO: That should -- does that do it?

MR. SHAMLIAN: Yes.

MR. LACIVITA: And selected colors?

MR. BARBERA: It's not a problem. It never comes up.

CHAIRMAN STUTO: We looked back at some other ones and we see the same house after the same house --

MR. SHAMLIAN: When you get to the point where you have to come back and forth to show us elevations, I think we're making very clear what we'll be looking for, so --

MR. BARBERA: No problem.

MR. SHAMLIAN: In addition to the conditions we're putting on.

CHAIRMAN STUTO: Susan?

MS. MILSTEIN: I don't have anything.

CHAIRMAN STUTO: Brian?

MR. AUSTIN: I appreciate the efforts that went into getting the driveways off of Pollock Road, because that was a big concern, having multiple entrances on Pollock.

And having only the one entrance and exit is much better and the emergency access as well. You have done a lot with the project since we have seen it from the beginning, so you've worked very hard on it.

MR. BARBERA: I appreciate the comment and feedback.

MR. AUSTIN: I think it's come a long way.

MR. BARBERA: Thank you.

CHAIRMAN STUTO: Lou?

MR. MION: I would echo what Brian just said. It's come a long way since we first saw it.

MR. BARBERA: Thank you, Lou.

CHAIRMAN STUTO: Okay. The matter before us is application for the environmental review. Joe, can you walk us through that?

MR. GRASSO: So in your packet is the short environmental assessment form. As I was stating before, Part 1 goes through a series of questions over three pages. It's filled out by the applicant and basically describes the components of the project and also describes the environmental setting of the project site.

Part 2 is something that we draft for the Planning Board's consideration. It's the impact assessment. There is a series of questions, 11 questions I could ask, and basically have to respond whether or not there will be no or a small impact may occur. Or, conversely, if there's expected to be a moderate or large impact.

And these questions deal with conformance with adopted land use plans. The change in intensity of the use of the land. The impacts on the character of the community.

Whether or not there's any critical environmental areas as part of the project site, which there are not. It does talk about the traffic impacts, and that's a comment we heard during the hearing.

Impacts on existing infrastructure. It also talks about energy usage. Talks about the infrastructure of the town and possible impacts on water supply and sewer facilities.

It talks about the impacts on historic or archeological resources, and those studies have all been done. It talks about the impacts on natural resources such as wetlands, water bodies and ground water and flora and fauna. It also talks about the potential increase for erosion or flooding or drainage problems.

Then, lastly, it talks about the hazards to environmental resources or human health. So in response to all of those questions, based on the information in the file, no or small impact would

occur. We don't -- I haven't seen anything that would raise a red flag that would require more in-depth study than has already been provided as part of the review of the project.

Then Part 3 the form is the determination of significance. There's a couple of boxes. The one box that goes along with the negative declaration says, check this box if you determined based on the information and analysis above and any supporting documentation that the proposed action will not result in any significant adverse environmental impacts.

So if the Board is in agreement with that, there would be a resolution for the Planning Board's consideration which I would be happy to read into the record. I don't think it's in your packet, but I can read it into the record.

CHAIRMAN STUTO: Are there any questions at this point?

(There was no response.)

CHAIRMAN STUTO: Okay, why don't you read that into the record.

MR. GRASSO: Okay.

WHEREAS Barbera Homes, the applicant, has

submitted to the Town of Colonie, a project located at 59 Pollock Road.

WHEREAS the project is an unlisted action pursuant to SEQR and;

WHEREAS the Planning Board has reviewed Parts 1, Parts 2 and Parts 3 of the short EAF in conjunction with a review of a significant number of documents related to the project that are enumerated in the draft neg dec and maintained in the town's files.

NOW, THEREFORE, BE IT

RESOLVED, that the Planning Board declares itself lead agency for the purposes of SEQR and be it further

RESOLVED, that based on a thorough review of the project by the Planning Board, that there will be no significant adverse environmental impacts and no EIS will be required; and be it further

RESOLVED, that the attached neg dec be adopted in accordance with SEQR.

CHAIRMAN STUTO: Any questions on that? Do we have a motion on the negative declaration?

MR. MION: I'll make a motion.

CHAIRMAN STUTO: Lou.

MR. HEIDER: Second.

CHAIRMAN STUTO: Chief, second. Any discussion?

(There was no response.)

CHAIRMAN STUTO: All those in favor say aye.

(Ayes were recited.)

CHAIRMAN STUTO: All those opposed, say nay.

(There were none opposed.)

CHAIRMAN STUTO: The ayes have it. We had also have the land use conservation findings resolution. Is that separate from the subdivision approval?

MR. GRASSO: That is separate, yes.

CHAIRMAN STUTO: Do you want to walk us through that resolution?

MR. GRASSO: So this is something special for projects being developed in a conservation overlay zone, a couple of the highlights.

WHEREAS the applicant's current proposed plan is 46 single family lots, which conforms to the density requirements of the conservation

development overlay district which, based on the size of the project site and the extent of constrained lands, the project -- the site permits a maximum allowable density of 76 single family lots.

WHEREAS the Planning Board has determined that property has areas worthy of deed restrictions to preserve a buffer along the undeveloped portions of Pollock Road to provide a buffer to adjacent residences and to protect environmentally sensitive features within the project site.

WHEREAS the proposed development is providing permanent deed restrictions of a total of 16.91 acres, which includes 12.81 acres of unconstrained lands that would be owned and maintained by a homeowners association that is being created as part of the proposed project and;

WHEREAS over 1300 feet of frontage along Pollock Road will be deed restricted, contributing to the rural qualities of the Pollock Road corridor and.

WHEREAS the 12.81 acres of unconstrained lands will be deed restricted, which exceeds the

40 percent required minimum of 12.52 acres.

NOW, THEREFORE, BE IT

RESOLVED, that based on the Planning Board's review of the subdivision application and conservation analysis, the Planning Board determines that the project complies with the requirements of the conservation development overlay district.

CHAIRMAN STUTO: Any discussion with or questions on that? Do we have a motion on that resolution? Brian. Second? Craig. Any discussion?

(There was no response.)

CHAIRMAN STUTO: All those in favor, say aye.

(Ayes were recited.)

CHAIRMAN STUTO: All those opposed, say nay.

(There were none opposed.)

CHAIRMAN STUTO: The ayes have it. The main question before the Board is for subdivision approval conditioned upon those requirements placed on it by the Board, including the one about no three identical models next to

each other, and conditions as placed on by the town departments and conditions placed by the town designated engineer. Do we have a motion? Lou motioned. Second? Second, Kathy.

MR. BARBERA: You had mentioned models. I believe the discussion was elevations.

CHAIRMAN STUTO: Yes, let's correct that word from models to elevations.

MR. LACIVITA: Peter, just a question on that. Normally we take the elevations at the time of final, so you sign them. Do you want to look at a packet of elevations at a later date when he's getting ready toward this project?

CHAIRMAN STUTO: I think he would have to --

MR. LACIVITA: Because the building department will need to sign off on the elevations.

CHAIRMAN STUTO: The applicant suggested that the ones in our packet are not the current elevations.

MR. LACIVITA: So at some time we'll bring you back with the list of what we have so the building department can go from this.

MR. DELL: Okay.

CHAIRMAN STUTO: So with that change, do we have -- Lou made a motion, Kathy seconded it. Any discussion?

(There was no response.)

CHAIRMAN STUTO: All those in favor say aye.

(Ayes were recited.)

CHAIRMAN STUTO: All those opposed, nay.

(There were none opposed.)

CHAIRMAN STUTO: The ayes have it.

MR. DELL: Thank you.

(Whereas the above entitled proceeding was concluded at 7:46 p.m.)