

TOWN OF NEW BALTIMORE PLANNING BOARD

**Regular Monthly Meeting
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(Approved 10/13/16)

The meeting was called to order at 7:02 p.m. by Kathy Rundberg, Chair, followed by the Pledge of Allegiance. Other Board Members present were Joseph Caputo, Ann Marie Vadney, Jean Horn, Bob Court, Pat Bruno and Rob Van Etten. Also in attendance was Councilman Chuck Irving and Code Enforcement Officer Steve Mantor. Mrs. Rundberg asked that everyone turn off their cell phones or any other digital devices since they interfere with the meeting recording devices. She further asked that there be one conversation at a time; and anyone in the audience wishing to speak needs to come forward so comments will be properly recorded and all Planning Board members will be given an opportunity to speak.

OLD BUSINESS

William Brandt – Bristol Manor – Assisted Living Facility - Site Plan Application

Present on behalf of the applicant was Attorney Michael Biscone, authorized agent.

Rundberg: Mr. Biscone, how are you this evening? Biscone: Very good; how are you?

Rundberg: Good. Can we address whether this is assisted living or senior living before we even go any further.

Biscone: As a result of the meeting had with the Building Inspector, it is **assisted living** and the title on the plans will be modified to that end.

Rundberg: Thank you. Okay. I have my list from 2015, May 27. Where would you like to begin, Michael?

Biscone: With Mr. Mantor. We had a very productive meeting with your Building Inspector on August 23. His list is extremely limited and narrow. The list has now been turned over to our site designer. They are addressing each and every one of his concerns and will be able to report back to him through my office within the next couple of weeks so that the revised building plans that have to comport with the new Code because of the time element of this project will be complied with. That is the most important thing for me to address and that is what I wanted to address in July because I had actually filed these plans in May. They have now been thoroughly reviewed. The list, as I said, is limited. There are some answers that I have for Mr. Mantor tonight; but instead of giving them to him piece meal, we will give them to him in one summary fashion.

Beyond that, the next thing that involves him is the **Fire District**. My understanding after my meeting with Mr. Mantor is that we have a January 25, 2011, letter authored by Jeffery Deso consenting to this project with one caveat which was already addressed in the past. Mr. John Wallace is the Chief and my understanding with Mr. Mantor, he was just going to ask Mr. Wallace some questions about an **exterior road access in the back** that he wanted to clarify and to re-affirm that letter as a result of our meeting. I don't know if he has had time yet to do so.

Mantor: In fact, I have. I got the letter, which is exactly as Mr. Biscone just said. When I read it, it was essentially the position of the Board of Fire Commissioners on that date, which was January in 2011. Essentially, **their concerns**, one of which I don't think we can address since it has something to do with taxes, none of my business; but that:

- ...The building meets the current codes;
- ...Stand pipes;
- ...The Chief be notified so he can do a walk around.

So I did contact Chief John Wallace to ask his opinion on the exterior road access issue which was not well defined. As of this time, the Chief is going to go to the current Board of Fire Commissioners and he is going to get me an answer. So that is where we are with that and I spoke to John on 8/31/16.

Biscone: Very fine. We can have that probably for the next meeting then. I am sorry where did you say he went to, the Commissioners?

Mantor: The current Board of Fire Commissioners and two of his Assistant Chiefs to see if they had any questions. In fact, I expect them to come down and look at the drawings that we have currently.

Biscone: That would be excellent. All right, I believe that was the only thing on the list other than, of

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course, the plans, that Mr. Mantor and I had discussed from his perspective. Is that correct or is there something else that you want to add?

Mantor: No. I think it was [Comment not completed.].

Biscone: I know what the AO means incidentally.

Mantor: Oh, good. Perhaps you can educate me a little bit.

Biscone: The designer is from Colorado. They number their pages starting with zero. That is a zero.

Mantor: Oh. It was in a note about the occupancy. That confused me.

Biscone: AO is Page A zero. The next page is then A1, 2 and so on and so forth; and the A actually means something and I will get that for you.

Mantor: It is the architectural planning usually.

Biscone: Yes, that is it. And then they have letters for others. But the zero is the page number; and when I asked him that, I thought I almost heard a click.

Mantor: Heard what? Biscone: Never mind. Unidentified: Hang up.

Biscone: Go ahead. Anything else from your perspective?

Mantor: No. And you did contact--I sent you the information to contact Alan Van Wormer, who is the **Town's Emergency Services Coordinator**.

Biscone: You sent me that? Mantor: I did. Biscone: When did you do that?

Mantor: In a letter to you of August 24. Biscone: I have August 10. Mantor: Here is a copy.

Biscone: This is the draft and that is the final? Yeah, yeah, yeah, I got it; and what needs to be done? Alan Van Wormer, right.

Mantor: It is a matter of contacting him and there was an issue that seems to be hanging out about the effect of the placement in the service in the Town and what that is going to mean to ambulance folks. There have been different opinions dancing around and you know them better than I do. But he was one of the folks that was going to be contacted; and at the time we had discussion in your office, you didn't know who to contact.

Biscone: That is correct. For that though and you weren't here on the; I don't remember the date. We are actually--this facility actually has a vehicle, a van, that will be used for the purposes of transporting residents of this facility to the Coxsackie Urgent care. I understand that the requirement for the re-issuance of that letter has now been [Word not understood.] which is fine but nevertheless in **our brochure** that was filed heretofore with the Board.

Rundberg: No, we never received it. Excuse me but we have not received a brochure.

Biscone: Okay, I have seen it. If it is not in your file, I will have to tip my client.

Rundberg: I have my file right here.

Biscone: The old one, now. This is the initial, the initial file that Mr. Brandt and I actually authored it. We can't find it. I will have to ask him to re-create it or to find out where it is. In any event, in that brochure, is this vehicle that is going to be purchased by the facility to transport, you know if someone has the flu, someone has this, someone has that, to the Urgent Care. And we actually had a contract letter with the Urgent Care for that purpose. The actual amount of calls from an emergency basis, was diminious. We had a study and I presented in the booklet the study of what this type of facility adds to the burden or not of that emergency system because the question came up the last time.

Mantor: Mr. Biscone, I am sure that these things are important but these are not building issues.

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Biscone: No. Mantor: It just happened to come up in our discussion.

Biscone: You are being courteous though. No question about it. I will contact him for us and apparently if that brochure is not available, I am going to have to get Brandt to re-create it but in the brochure was all the statistics and the regions and it went by the number of residences and so on, number of residents in the facility. Okay. So I will get a hold of him and I do appreciate that. Anything else from your perspective.

Mantor: No. Do you want to cover these things, to bring everybody up to speed or would you just rather submit it to me?

Biscone: Well, we will submit them to you because basically they are going to go away. We are going to answer the questions and we are going to satisfy your inquiries so that you can then say I have the plans, they have been revised, they are now stamped, they are satisfactory to the Town from my perspective. That is the report that I am going to ultimately.

Mantor: That is my goal. Biscone: And me too.

Rundberg: If you don't mind, Steve, if you would read them.

Mantor: Oh sure, there were a number of issues that I discussed. First of all, and not the least, I received.

Vadney: August 24th letter? Biscone: Yes, August 24th . .

Mantor: August 24, second page. The package that was delivered to me, none of it was stamped by a professional and there were some disclaimers on every page which were unsatisfactory to me as a Codes reviewer that these plans are not to be for building, not to be for dah, dah, dah. I have the copies over here if you want to look at them. So I proceeded to look at these things as a preliminary plan. Okay. Stuff I discovered in there that I thought was important that we needed to figure out is:

- ...Where will the fire pump house be to be built by others because there is a large amount of water to be consumed by this newly proposed sprinkler system? Okay, so where was the fire pump house?
- ...Where is the six inch line going to show up on the site plan? It didn't have it.
- ...The sprinkler storage.

Because the sprinkler tanks, the sprinkler system for the attic requires such a volume of water okay. Clearly we need to have some storage tanks on site to be able to handle that amount of water and that is one of the things that the Fire Company is going to comment on for me, how much water can they deliver compared to what the sprinkler demand and I tell you I have been a Commissioner of a fire company for many years; and when you have a 500 gallon per minute need for water, pumper trucks cannot keep up. It has to be on site.

Vadney: Steve, I thought that the Code would require the building to accommodate enough water in tanks.

Biscone: We have it in the basement. It is on the plans and it is going to be further defined. Again, I do appreciate Mrs. Rundberg's request to read this letter. I don't think it needs to be read into the record. These are review of preliminary plans. They will be addressed with him and if there are any further concerns that the Inspector needs to report to the Board, I am sure he will; but to go over a five-page letter which quite frankly as I stand here today two thirds of have already been corrected is a waste of everyone's time.

Mantor: What is your pleasure?

Rundberg: What is the pleasure of the Planning Board. Pat? Some of us have not even seen plans so that is why I think it is important and we do have public present. That is why I think it is important to go through them and Steve is going through them as quickly as possible but that is only me.

Vadney: Okay, I have a couple of questions. Didn't we at one time have stamped plans?

Biscone: Yes.

Mantor: I saw some earlier on plans that were partial plans and they had some stamps on them.

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Vadney: All right. So, Mike, these preliminary plans that we have now. Biscone: Same man.

Vadney: Same man, okay, I am confused though. . Why didn't we just go with the plans that we have?

Biscone: Because the Code changed and I needed to add six things that Gordon Pebler had asked for. and those six things are now being addressed. However, Steve has now reviewed them and has some additional clarification questions which we will be happy to clarify like what is Page A0

Vadney: Right, okay, all right. Biscone: That really is no longer

Vadney: I thought we had stamped plans. Biscone: You got stamped plans

Vadney: Okay. My second thing is that. Rundberg: We did have stamped or we do have stamped?

Biscone: You have them in your file. Mantor: The older version of stamped plans is available.

Rundberg: Now it has changed. Biscone: But these are changed plans.

Rundberg: Requirements have changed, yes. Okay.

Biscone: You know that. Rundberg: Okay. I am just making it clear.

Vadney: So I am going to jump the gun, Steve. Mantor: Go ahead.

Vadney: When will we have these plans submitted that are stamped and Code compliant?

Biscone: Within 60 days.

Vadney: Okay. I don't think I care to go over this because when those are submitted, then

Biscone: However, you wish. Burns: Go over it all then.

Rundberg: I agree. Anyone on the Board, Joe? Caputo: No. Rundberg: Jean

Horn: Well, it is important. I mean I read them. So I think that was important to read them. I can go either way, either going over them. I mean you do have them documented here and we have them.

Vadney: We are going to get Code compliant, stamped. [Several spoke at once.]

Caputo: Steve can go over them. If there is a problem, then you can bring them up, rather than go over this stuff right now.

Vadney: Exactly.

Mantor: I am not trying to hold up this project. I absolutely want this to move ahead. Let me give you an example. In the last week or so I have had some plans come in for some rather large industrial projects. Okay? They were stamped. I was able to review them. I called the architect of record and asked okay, what are you doing with this? He said oh, that is right, that needs to be dressed up. They were approved and out the door it went. The fact that the plans are stamped does not alleviate the requirement under the Law for me to review them thoroughly. Okay? That is the way it is.

Vadney: I understand. I understand it. Mantor: And I will certainly do an expeditious review.

Vadney: I don't think anyone is saying you are holding this project up.

Mantor: It seems to be. Just an impression I have, I am sorry. That is all.

Vadney: No, absolutely not. I think we are all seeking clarification from Mike and you because also it was submitted in May and I had confusion last month because we thought it was only here a month. I don't know why it took so long for our side to review it.

Mantor: It was a matter of backlog. I was out one week for training and I was also out for one week because I had a health issue. There was a severe backlog and there is still a severe backlog; but with the

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Supervisor's help, we are chewing away at it.

Vadney: All right because I don't think that is fair to the public and I know it is not just your issue, so that is why I wanted to bring that up and to provide clarification for everyone that is listening and for the Board because we were a little confused about that.

Clerk: This letter was received as part of the correspondence and is in the record. We have partially discussed it and it can be fully put into the record.

Vadney: Okay

Mantor: If you don't want to use up the time, I think everybody has a copy of this in your package.

Vadney: Yes, we do. Mantor: So if you have any questions, you can certainly call.

Horn: And you were very thorough. Mantor: I tried to be.

Body of August 24 CEO Mantor's letter is as follows:

This follows our meeting yesterday morning during which we discussed my review of the current plan package for Bristol Manor (noted above).

I have completed a review of the preliminary plans that you submitted.

Records available to me also included a list of documents noted as needed by the Planning Board. We parsed through the list and you indicated that you have most of the relevant documents and that they were still viable for use by the planning board.

Town's Emergency Services coordinator is Allen VanWormer – 756-7685, his cell is listed as 365-4479

The June 9, 2015, notes indicate that you advised "That Bristol Manor is to be an "Assisted Living Facility" and that Health Department approval will be obtained .

It is affirmed that the Occupancy will be " I-1, Assisted Living " .

Site Plan

The Bristol Manor Site Plan dated August 16, 2005 by Carl A. Zaccola, P.C.

It is not yet "stamped" by a licensed professional. The Site Plan is numbered 1 of 3, but there is only one sheet.

Where is the Fire Pump House to be "Built By Others" going to be located?

Where is the 6" HP water line?

Where are the sprinkler system's water storage tanks to be located?

Sign dimensions noted in the site plan are 8x15 (120 square feet) at 30 feet high. It correctly says "Assisted Living". This property is located within a "Commercial Zone" ...as such this Free Standing sign cannot exceed 42 sq. ft.in area or 12 feet in height without a variance. NYS Thruway approval may also be an issue.*

The access road on the south side does not appear to accommodate larger emergence vehicles – Fire Trucks. There is no indication for such access down the back of the building. The fire department must be invited to comment ,, on this and water supply issues

Required Water Supply:

Potable water is noted at 5,000 gallons per day.

Sewage is noted as at 5,000 gallons per day.

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Sprinkler Water Requirements – 1st floor Rooms ?? ??

-2nd floor rooms ?? ??

Hallways at 178 gallons per minute at 80 psi.

Attic Sprinkler Water – Roof Station are noted station at 550 gallons per minute at 84 psi.

Fire Pump, Pump House, and Tanks “Too be provided by others...” What is the location and the related capacities?

Sprinkler drawings (2) – dated October 27, 2015 by RBM (Goradino) of Albany are not stamped by a design professional. However the concepts do appear workable if an adequate water supply is available. It may be that water supply demands for the attic space are stated as high because the attic shows as one contiguous space for the entire 200 foot length above the residential section of the building.... Nothing in these preliminary plans indicates that the fire areas defined on the first and second floors extend through to the underside of the roof as defined in Section 708.4 of the Building Codes; “continuity of the fire partitions”.

Plan Review

A note states “Dwelling A0” What does this indicate?

Occupancy is I-1

Construction Type is Type 5, 1 hour fire service sprinklered.

I note that all of these drawings must be “preliminary concept drawings” as none have been stamped by a design professional. Additionally, all pages except the 2005 Site Plan contain an unacceptable notation disclaiming any design responsibility and stating “that they have not been engineered... See the engineered plan by others”.

A1 – S3 dated March 20, 2016. Notes A4.1 refer to 2010 Codes.

There has been a Code update. 2015 Codes began April 6, 2016 and 2010 Codes Sunset by October 3, 2016...

All other plans are dated March 20, 2016....

The “A” Series Plans (architectural) indicate a series of rooms that are too small, less than 120 square feet, NET (section 1208.3 and 1208.4 of the Building Code) do not meet requirements of an efficiency dwelling unit. What are these dwelling units supposed to be?

A-2 – Bed Room size appears to be too small, Suite 101, 102, 132

The rooms in 201, 202, 232 also appear to be too small...

Refer to Sections 1208.3 & 1208.4 of the 2010 and 2015 Building Codes

The dimensions shown for the other “Standard Units” depicted on drawing A2 also appear to show rooms that are small for dwelling units. Refer to Sections 1208.3 & 1208.4 of the 2010 and 2015 Building Codes

Where are the HVAC drawings?

Where are the commercial kitchen fire suppression system drawings?

Where are the fire extinguisher placement details?

Where is the electrical distribution system defined?

Where is the fire alarm system defined?

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The superficial notes on drawing E1 are not an acceptable substitute for fire alarm system, and electrical system drawings with sufficient details.

Where are the Energy Codes compliance drawings and details?

Rundberg: Thank you very much for going over the plans.

Caputo: And something else, some of the people were not on the Board. This came before the Board a long, long, long time ago and we were all set to pass it a long, long time ago; but then the owner and the people we were building it had problems with parking lots, with spaces, with ladders and stairs and what they were going to do with it and it has been dragged out but not by the Town. It has been dragged out by the people who were running that organization. I mean we have spent a lot of time with this and haven't gotten anywhere so it is not necessarily the Planning Board. It goes right back to the very beginning. That is what we are trying to alleviate now and I guess we are just mainly waiting for the Inspectors to get done.

Bruno: I don't think anyone is pointing fingers at anybody

Caputo: It just seemed that way in talking about it. I have heard it seemed like it was getting pointed at the Planning Board and I kind of resented that.

Vadney: Well gee, I haven't heard any of that talk about it so I was happy I hadn't. I think clarification is important for everyone.

Rundberg: Okay, would we like to go through our 13 items that are really not 13 now but they were?

Biscone: Yes, I would.

Rundberg: Steve, thank you very much.

Mantor: You are quite welcome.

Rundberg: I look forward to when we have the stamped version and we can go through that.

Mantor: It will be given appropriate treatment.

Biscone: One of the items has to do with the SPEDES Permit. **I have a letter**. I will forward however many copies you ask me to **that has now extended the SPDES Permit to December 31, 2017**. Rebecca Mitchell, Environmental Engineer #1, Division of Water, NYS Department of Environmental Conservation, authored the letter. The gentleman that you may recall his name who actually is the head of that unit is Malcolm

Rundberg: James Malcolm.

Biscone: Yes, bang.

Rundberg: I remember that name.

Biscone: Yes, that is the dude. In any event, I spoke with him and I asked him to author the letter, I have a letter and tell me how many copies you want of this.

Clerk: Definitely eight, one for the file and then one for each of the Board members.

Biscone: Eight, she said? Do you have a stickum note thing?

Clerk: Right here. I need them tomorrow.

Biscone: You need them tomorrow. That is nice.

Rundberg: Because they should have been here for all of us to look at..

Biscone: You are not going to get them tomorrow. I have three court appearances and a divorce conference but we will certainly get them to you as soon as time permits. All right, that is the SPDES Permit.

Rundberg: That is great.

Biscone: The **SWPPP's Plan**, our Engineer died. Literally. We now have to start over with the SWPPP's Plan. Congratulations, to Mr. Brandt and I will be using a gentleman called Hudson Land Design. His name is Michael Bodendorf. I am currently working with him on a project in the Town of Cossackie. That is the gentleman I have contacted and will be retaining on Mr. Brandt's behalf. My

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inquiry is on the prior application. Does this Board know whether or not it contains a SWPPP's plan from the Engineer who has now.

Rundberg: We have never had a SWPPP's plan.

Biscone: Okay, so you have never had a SWPPP's plan. Rundberg: No.

Biscone: All right, well, he is dead. All right, so I will work with Hudson Land Design. They are in Beacon, New York, and they are one of three firms in what we would call Upstate New York that does SWPPP's plans. They are very, very rare individuals who are qualified to do these things. That is the report on. That is #1 on your list. The storm sewer and the SWPPP's plan are one and the same.

Rundberg: Yes. Well, not really but we can go forward.

Biscone: The New York State Health Department has already approved our **water system**. I don't have it in this file. You should understand I have three files the size of this. It is in the old file. If you can't find one.

Rundberg: We don't have one. I am sorry.

Biscone: Well, there is one and I will go through your old file and I will get a hold of your staff and get it from the old file since I personally got.

Rundberg: You can't go through our old files, Michael..

Biscone: Why not? It is public record.

Rundberg: You can request that the Clerk go through the file. I will do it right now. Do you want me to do a FOIL request? That is what the process is to go through a file.

Biscone: I will be happy to.

Rundberg: But I have gone through the file and I never found one.

Biscone: Well. Rundberg: Maybe I overlooked it too.

Biscone: Okay, and if the answer comes back that you don't have the Health Department water, again, Mr. Brandt is going to have to procure that but as Joe said these were approved. What he is saying what happened is right. There was an issue with the stairs. There was an issue with how many spaces; and quite frankly what happened is you had a financial collapse in this country and Mr. Brandt's financing evaporated for three years. It is now back. All right, so if you do not contain that, I will have to procure it through the New York State Department of Health. I know the lady who runs it, for that Bureau. In the meantime, I will do the FOIL request; and if Marjorie says she does not have it, I will ask my Secretary to go through my voluminous files and if we still don't have it, maybe they have it on record.

Rundberg: We do not have it.

Biscone: Thank you. Okay, the **sign information**. On our plans, the sign that fronts on 9W is within the Code specifications. We will apply for the sign permit at the appropriate time which is not now. We will do it after the construction of the facility and we will apply through.

Rundberg: It is part of the Site Plan approval though..

Biscone: It is on the plan. It complies with your Code. All right, we are not going to ask for a Permit now. Mr. Mantor and I went over that. There are two other signs that front on the Thruway. I have to get from the Thruway the consent for the content and size of those two signs and I will do that.

Mantor: They will also need review by the Town because it is in excess of what the Town Law allows.

Biscone: You can but they trump you. If they approve, they are the State of New York. They are the king. If they approve it and as you notice, as you drive up and down the Thruway, there are billboards behind these motels and hotels and the billboards exceed the sign allowance of all of those Towns. If the Thruway that faces the sign permits it, that is the end of it.

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Rundberg: As soon as you get it to us, that will be good.

Biscone: Next thing. All right. This is wonderful. Rundberg: Yes, this is **DOT**.

Biscone: There is a gentleman, two gentlemen, Bruce Secor used to be the Town Engineer for the Town of Bethlehem. Do you remember Bruce Secor? Bruce Secor was for 30 years, the Town Engineer up there. He formed a company with David Hansen called Standtec. Well, we are at a standstill. All right. They are going to give me a road cut approved by DOT once we have a negative declaration on a SEQR. You and I have gone over the SEQR. As a matter of fact, you wrote me a three-page letter about some questions I did not answer and then we answered those questions and we have the Long Form SEQR.

Rundberg: Yes, I have it.

Biscone: The ZBA will not give me approval on the slant of the roof without your acting as Lead Agency on the Long Form SEQR. I can't get a road cut without a negative declaration on a SEQR. What is your pleasure? I have to have you review the SEQR and either say it is Negative or Positive. You know you actually already did this. We already reviewed the SEQR. You and I did it and I don't know who the members of the Board are; but you have a letter that you wrote to me and you asked my consent to change certain questions.

Rundberg: Yes, we had a few questions.

Biscone: Yes, right, we did it all and we actually went exhaustedly for 45 minutes point by point through the Long Form SEQR. Do you remember that night?

Rundberg: Well, we have to do it in a Public Hearing also, Mr. Biscone.

Biscone: Well, that is great but here is the problem. Rundberg: I know.

Biscone: What comes first? I can't get you the road cut without a Negative Dec. I can't get my ZBA to give me.

Rundberg: Well, okay, so. Biscone: How do you want to do it?

Rundberg: Well, okay, what we could do is bring us all the other items; but set the DOT aside.

Biscone: Okay.

Rundberg: Bring us all the other items and then we can go forward with reading the SEQR process.

Biscone: Done. Rundberg: It would be nice to have some sort of a letter from DOT.

Biscone: They won't even consider it. I would be happy if you would like eight copies of this, I will give you eight copies of this. This is all of my correspondence with Stantec and they are in Columbia Circle in Albany, New York. I know Bruce Secor very well. I don't know Hansen; but in any event, they have gone as far as they can go. I will be happy to share this with the Board. We have all of the measurements, all of the cut specifications. All of the application with DOT, and DOT said great. We will act upon this once we receive a Negative Declaration from the Lead Agency on the SEQR.

Rundberg: So do you think when you have your plans stamped, we will know--that will be on the plans, correct, where the cuts are?

Biscone: I would imagine they are.

Rundberg: They would have to be, so at that time we will know where your cuts are.

Biscone: Yes, but you are not going to have the DOT approval.

Rundberg: No, but we will be able to see them. I don't have a clue to where your cuts are right now but we would like something in writing from them. You know even if it is we are waiting for the Negative Declaration.

Biscone: [Comment not understood as he spoke at same time as Mrs. Rundberg.]

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Rundberg: Okay, thank you. Next would be the **pamphlet** that we don't have.

Biscone: We already talked about it. The **Emergency Coordinator**, that is the gentleman you just gave me the name of. Okay.

Rundberg: Alan Van Wormer.

Biscone: Yes, Hook and Ladder Department, Mr. Mantor reported on. Okay. Here is the best one of the night. Actually, here is that letter. June 3. That is your letter so we can do the SEQR at your leisure. It is already filed. You do acknowledge the receipt of the Long Form SEQR, correct?

Rundberg: We have it.

Biscone: Perfect. Okay. There is a new County Attorney; and by that, I mean he has been there the last two years. His name is Edward Kaplan. I have now met with Mr. Kaplan on two occasions. There is **no DSS requirement** for us to provide rooms. Oh, you know this.

Rundberg: No, I don't. I am just acknowledging what you are saying.

Biscone: And I have a letter from him indicating that he acknowledges my inquiry. I have a letter back from him saying that there is nothing in his file.

Rundberg: We just need the copies.

Biscone: You will? But he is not going to write a letter saying that DSS doesn't require something when it is not in the Code.

Rundberg: Yes.

Biscone: Okay. I don't need another slip. You want eight copies. Page 2, yes, we just did that, the assisted living.

Rundberg: Right. We are putting it back in.

Biscone: Yes, we are. Dr. Gertzberg. I will also send you these little gems. I have written to Dr. Gertzberg. Well, actually, we all thought there—Jean, I think is the one that clued me in. She thought there were new owners. Well, they are not. They are tenants. They lease it. Dr. Gertzberg is not selling that real property and he made it emphatically clear to me on the phone before he hung up that don't ask him again. Even I can't buy it. So he understands his duties, his duties are part of his site plan approval of his building for this pond. So we will forward this to you as well. There are no new owners.

Rundberg: And Steve, would you mind digging that out of the file, it is from like seven years ago for Gertzberg, the dental office, because we will have to look at that and be sure that that includes the remediation pond for you.

Biscone: Oh yes, you hit it right on the head. The remediation pond, Steve, is very unusual here. We sold Dr. Gertzberg his land and reserved the right to put a remediation pond partially on his land and partially on ours and he acknowledges it.. And when he came here, gee, I forgot that builder but he is a very nice fellow.

Clerk: Berry.

Biscone: That is it and they put a presentation on in front of the Board, so on and so forth, and the Board made it a requirement of their Site Plan Approval that they acknowledge and that they live up to the agreement with Mr. Brandt as to the easement on their property for this remediation pond. Now, unfortunately, that is the engineer who died. The guy who designed this. William Boehler or something like that. And any ways, he has passed. We talked with his wife and she does not know where his files are and well, that is our tough luck. So I have Hudson Land Design to re-do this and they will come up and I work with them a lot. And they will come up and then you are going to see the SWPPP's plan, what Kathy is saying about on the two lots.

Mantor: To answer your question, I will certainly go through the records we have.

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Rundberg: Thank you.

Biscone: But I think you are asking him for Gertzberg's records, not mine.

Rundberg: Gertzberg, yes. So it is like they are sharing that land so to speak.

Biscone: That is the end of your letter I think. Rundberg: Yes, it is. This is fantastic.

Biscone: Well, it is some progress. Rundberg: I think it is. I really do.

Biscone: Well, I would certainly entertain any questions starting with you and then go from there.

Rundberg: Does anyone on the Board have any questions? Anyone in the public have any questions?

Van Etten: Do you have any idea when you anticipate starting?

Biscone: Listen to me, you all know or most of you know me. I talk very bluntly. This kid is not going to put me through this again. Let me be very specific. I call him the ground mole and the reason he is called the ground mole is because it is very difficult to find out where he is living. Some of you know that I call him that; some of you don't; but in any event, I have told this boy that once he gets his approval, he better break ground right away. He has asked me look, can I start. There was an access road that was started there. Okay, he said can I start that? I said well, you can start something. You have to talk to Mantor about it; but you can't cut it on the highway. So to answer your question within ten days of this approval, this guy has promised he is going to start.

Rundberg: Because his approval for SPDES.

Biscone: Bang.

Rundberg: Is 12/31/17. At least, it doesn't say like the last letter did that it had to be up and functional totally.

Biscone: You have an excellent memory. You said it right. That is an Engineer question. Do you need me to state it more emphatically?

Van Etten: I was just curious. Biscone: So was I.

Vadney: You said that we would have final drawings in 60 days?

Biscone: Yes. Vadney: Stamped, final drawings. Biscone: Yes.

Vadney: They are not going to be 50%.or you know?

Biscone: No, no. His questions are very narrow, are very focused. Okay, I have already sat down with Brandt for an hour and a half and I reviewed them. He has already started to do the corrective work on them. I would expect actually I would have the re-drawn plans to him within 30 days. He can approve them. We will get them stamped and we will beat that 60 days by quite a number. That is my goal.

Vadney: That is great, so maybe we can have this [Comment not finished.].

Biscone: We can't--what I want to do is have a report date for October with the Board's consent for some of the ditties on her letter and I doubt that the plans will be done then; but subject to that, maybe in October and with a further guidance yes, I have the revised preliminary plans, all they do now is need to be stamped. We can set the Public Hearing for November and be done with it. That is my goal. With the Board's cooperation, I don't see that that is anything but feasible. Wouldn't you agree?

Mantor: I hear what you are saying is you are going to send another set of unstamped plans.

Biscone: Well, I don't--this guy charges ten grand for the stamp.. Okay? If we revise the plans again, and he has to re-stamp them, it is 10K. That is why we are in a Catch 22, so what I want to do is get the plans addressed to your concerns. You just check off your list. Bang, get them stamped. And then within days, I will get them stamped.

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Mantor: In the interest of moving this forward, I could provide that extra service; but it is actually, as you know, it is a rather unusual step. Plans that are submitted to the Town for review are supposed to be stamped.

Biscone: You are never going to have another project like this, Steve. This is even worse than his hotel/motels that I did.

Mantor: Mr. Biscone, the fellow who is doing this, the engineer or architect or both who are going to be stamping these drawings, where do they reside and are they recognized in New York State?

Biscone: Yes.

Mantor: Because of reciprocity.

Biscone: The answer is “yes”. They reside in Colorado Springs, Colorado and they are licensed to do business in New York.

Mantor: Okay, That is an important thing sometimes and the law requires that they have to be certified with the State Education Department.

Biscone: Yes. I don’t know that they are going to provide the road cut. Okay, because Bruce Secor was an engineer and Hansen will probably on a separate sheet do the road cut with their stamp.

Mantor: Sure

Biscone: It is a lot of work on my part because I am doing it alone. What do you want me to say to you?

Rundberg: You need to have one lawyer just doing this.

Biscone: Yes, okay, tell my wife. So that is the best I can do because of the gun he holds. That is a big bullet, ten grand. So I appreciate but your concerns are so focused.

Mantor: They are fairly specific.

Biscone: Right, you are just going to go tick, tick, tick and that is it.

Rundberg: Then they should be able to stamp them.

Biscone: Immediately. You are correct because we will tell them there are no further revisions. Now send us the mylar stamped. We will run off what we need from the mylar, distribute them and be done with it.

Vadney: Do you see a problem with that, Steve?

Mantor: It is slightly unusual; but I will certainly accommodate the extra step; but before I can even consider issuing the permit, I have to go over stamped drawings. This is very unusual. This fellow is in Colorado. An Engineer is essentially responsible for any errors and omissions on his stamped drawings. I have never seen a project yet that when the rubber hit the road he wasn’t required to answer some questions either by the contractor or by the Building Department after the contractor says something to him.

Biscone: He is the one that designed it. My guy went to Colorado, saw the assisted living facility that he absolutely wanted, found out who designed it, went to that fellow and here we go.

Mantor: I am just answering the question. It is a little bit unusual but I will certainly try to accommodate you.

Biscone: And we don’t need the Building Permit issued before this Board approves. That is afterwards. As long as I have plans submitted that you have approved, okay, let’s clarify that tonight. As long as I have plans that you have approved with the caveat that they are not stamped, that is enough for this Board to act on them.

Rundberg: I would say it would have to be tentative.

Mantor: It will be. I will tell you there will be a very thorough comparison when the stamped ones come

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in. It should not take that long.

Biscone: Oh, my God, Steve, yes, absolutely. We are not going to pull any of that. After all these years that Joe said.

Rundberg: And so what comes before us will be stamped.

Biscone: No, maybe not. What comes before you will be approved plans from your Building Inspector.

Rundberg: No, I want a stamp.

Mantor: Mike, sorry, I cannot approve plans that are not stamped.

Rundberg: He is not going to give plans [Comment not finished.] Biscone: Okay, okay.

Vadney: I don't see how this is even an issue. If Steve says, go, that is good, you get them stamped.

Mantor: And then I will approve the stamped drawings.

Rundberg: And then they will come to us.

Vadney: So it is a moot issue, I would think.

Biscone: And where we left off, who has questions on the Board?

Rundberg: I think that was the most important one. Is it going to be stamped?

Biscone: Apparently it is. Van Etten: You are just concerned about holding it up, Mike?

Biscone: No, I am concerned about a further modification after this man puts his stamped seal on it and I have to be honest with you

Rundberg: We don't want any modifications, Michael..

Biscone: We are not going to want any more modifications. .

Mantor: I am willing to review the other set of plans and give you an informal oversight

Biscone: Good.

Mantor: Okay? But I am not, I can't approve any plans that are not stamped. It is against the law.

Biscone: Okay.

Bruno: But you can say yes, they look good, you know, I don't see any problems with it. You can get them stamped.

Mantor: In the spirit of trying to get this thing off the dime and in the ground, I will do it.

Biscone: Is there any other question?

Rundberg: Anyone on the Board have any questions? Anyone in the public have any questions? I think this is very productive, Michael.

Biscone: I wanted it to be so. Rundberg: We look forward to seeing you.

Biscone: What is your next meeting then for report? Vadney: October 13.

Biscone: October 13. Court: I have one question. Rundberg: Yes, Bob.

Court: Since it is an assisted living facility, do you need any licensing or permission from the State or permits from the State to do this and that is all done?

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Biscone: No. But that has nothing to do with your approvals. Rundberg: Not yet.

Biscone: He can go open for business until he gets those. Okay, there are several that he has to get from the State. And it depends what degree he is of assisted living; and at this point, Van Allen Farms, do you know what I am talking about for Van Allen Farms? Are you familiar with Van Allan Farms?

Court: I know where it is.

Biscone: Yes, well Van Allen Farms is where the people live there, they can get their meals in a cafeteria and so on and so forth. But it is not that we have to administer them meds at a specific time of the day. That is the next level. Now so that you are all aware because I would assume I will still be practicing law by then, there are plans already in the works for a wing to this joint for the graduates. How did you know all this?

Alfeld: You said that at the last meeting. Vadney: Yes, you did.

Alfeld: Sorry, Michael. Biscone: Okay, so that is the end of your question.

Court: I didn't know if you needed it before you proceeded or what comes first. Biscone: No.

Vadney: A lot of those are done for opening, then they inspect.

Biscone: They want to see the whole facility up and done, approved by the Town. We will come in and this needs to be changed or that needs to be changed but it is very little.

Rundberg: Okay, the 13th of October is the date. Biscone: And Mr. Brandt will be here that night.

Alfeld: Most of the members have never seen Mr. Brandt: Rundberg: Ellie, 2007 I think it is.

The Clerk pointed out and has been mentioned before and is stated in the minutes, Van Allen Farms is independent living, not assisted.

Lands of Leona Flack (16-09-08 FLA#1)

Minor Subdivision Application, Short EAF, copy of deed, aerial photo of property and copy of section of tax map reflecting the 15.6 acres located at 1185 River Road were provided prior to meeting. Present on behalf of Mrs. Flack, was her son, Jeff, who holds Power of Attorney for his mother. Power of Attorney papers were reviewed by the Chair and Clerk, found to be in order and returned to Mr. Flack \$60. application fee was paid. Since property is located in an Ag District, Mr. Flack will have to complete and submit an Agricultural Data Statement Form.

The proposal is to subdivide the property into two parcels,, the 6.6 acres with house to be sold and nine acres to be retained. Survey is to be completed by Surveyor Gary Harvey of Harvey Associates in the next couple of weeks.

It was moved by Caputo and seconded by Vadney to classify the Flack Application as a minor subdivision.

AYES: Caputo, Horn, Rundberg, Van Etten, Vadney, Court, Bruno

NAYS: None

ABSTAINED: None

ABSENT: None

Required **On Site** will be done by Vadney and Court. Mr. Flack is to let the Clerk know when the survey is completed and map available. On Site visit will then be scheduled. **Public Hearing** was tentatively scheduled for 7 p.m., October 13, provided surveyor can have maps done. Mr. Flack was provided with the blue sheet which explains the certified letter process and reminded that he would have to notify the farm operations listed on the Agricultural Data Statement of the proposed subdivision. This notification could be included in same envelope with Public Hearing notice. It is not necessary to send two certified letters.

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Minutes

Approval of August 11, 2016, Regular Monthly Meeting minutes was postponed until October to give Board Members more time to review them.

Correspondence

1. Copy of CEO Mantor's 8/24/2016 letter to Attorney Michael Biscone, re: William Brandt – Bristol Manor
2. From CEO Mantor, copy of Jeff Deso, New Baltimore Fire District, 1/25/2011 Letter to Town of New Baltimore Planning Board, re: Proposal Senior Housing/Assisted Living Complex

Items #1 and #2 were discussed earlier in the meeting.

3. From Assessor Bennett, copy of July, 2016, Real Property Transfer Report
4. Copy Building Permit Applications for: 1 Storage Building; 1 Garage; 1 small home addition; 1 Home Renovations; 1 carport; 1 roof mount solar; 1 Aboveground Pool Permit Application; 2 Demolition Permit Applications

It was moved by Caputo and seconded by Vadney to accept the correspondence.

AYES: Caputo, Horn, Rundberg, Van Etten, Vadney, Court, Bruno

NAYS: None

ABSTAINED: None

ABSENT: None

Public Comment

Mrs. Rundberg advised before anyone else has comment, she would like to apologize if she had hurt anyone's feelings by using the word "unruly" in the September report to the Town Board. She simply meant that more than one person was speaking at a time and suggested for the future that one person speak at a time.

Mr. Van Etten advised that he wished to comment on this. There are several new members on the Board, we need to ask questions and that he believed that was pretty much what the discussion was about. They had no idea what the background of the Bristol Manor project was. Pat Bruno commented that she didn't feel it was unruly but rather just open discussion. Mr. Court felt "healthy" would have been a better word. Mrs. Rundberg disagreed because everyone was speaking at once and reminded the Board it is very difficult for the Clerk to transcribe the minutes with several speaking at once. She continued that she had been Chair of the Board for several years, was on the Town Board and attended Planning Board Meetings while a Town Board Member. That is just the way the Board had been run. If it is the Board's consensus that it wants open discussion, then there will be a period for open discussion. That is the purpose of Work Meetings where you can work together in discussion. In a formal meeting, such as we were having, first of all I cited that it was Councilman Ruso which evidently I should not have since he was there as a private individual. Mrs. Rundberg clarified that she certainly was not insulting him in any way by saying that he was a Councilman. I thought that he would like that and that she had apologized to him for that. However, it is important for transcription. She further pointed out that she tries to poll the Board on matters. If she was moving too fast and not always polling the Board, she asked that the Board tell her to slow down or if she needed to stand corrected. She apologized if she had been neglecting these duties.

Ms. Vadney didn't think that it was much different than their other meetings. Mrs. Rundberg continued it was a mess. There were comments that were not professional being made and she expressed her concern about law suits against the Town. Personally, she did not like talking about an individual unless they knew she is talking about them. The Board was discussing the Bristol Manor proposal without Mr. Biscone or Mr. Brandt present.

Ms. Vadney commented that she was going to stop and listen to a tape(s) for her own benefit. There were evenings when she was appalled before the current Board was seated. There was discussion that was very unprofessional and she felt the current Board would be in agreement. What she considered "unruly" however would be people throwing things back and forth. She now had a better understanding and Mrs. Rundberg again commented that she had apologized for whatever the misunderstanding was. Mr. Van Etten pointed out that he didn't think anyone was talking about anyone. It was more of a question and answer thing, a healthy conversation as Mr. Court had commented. Mrs. Rundberg continued that she

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could not follow the discussion, whose question was whose and what/who Jeff was answering too. Ms. Vadney continued that Jeff did clearly state he was not representing and everyone knew that. Pat Bruno concurred that she distinctly got the impression that he wanted to be recognized as a Town member and not with any kind of title.

Ms. Horn commented along that same line, from the Town Board minutes, she was a little discouraged to hear what Rob had to say in that you have heard business people say that New Baltimore's Planning Board seems to be the worst of all out of New Baltimore, Coxsackie, Ravena, Town of Coeymans. I am disappointed #1, that you did not ask these people why we are so bad. If this is the case, then you are saying that business people are saying that about our Planning Board, which I don't know why they would be. I think in the future you need to ask these people what they don't like about our Planning Board. We can't fix it if we don't know what it is. Mr. Van Etten responded that that would be a long conversation. Like you say, you don't put out names. These are people that have a pretty good finger on the pulse of the community. One of them was a banker and Mr. Van Etten was disappointed to hear it himself. He didn't know I was on the Planning Board. Ms. Horn continued that she felt that we had to get to the bottom of it because it is very bad that they are saying that about New Baltimore. Mr. Van Etten responded and maybe this goes back a ways. Ms. Horn concurred that it may be because many years ago it was very obstructionist and there was a very power hungry group up here.

Mrs. Rundberg pointed out to Mr. Van Etten the word "maybe" was not in your comments. She further pointed out that several businesses have come before us in recent years. Hecktar Holding that does work on the turbos for trains would like to have bowed down before us. He had been before Boards in other Towns and felt we were totally professional and extremely helpful. Package Pavement just came before us. Concern was expressed with regard to how the people wanting to purchase Brockett's property were treated by certain Board Members no longer on the Board and that it may have been the Board's fault the deal did not go through. Comment was then added that while there were issues at the Planning Board, it was not felt the deal fell through because of the Planning Board. It was believed to be something that occurred at a later date. .

Mr. Caputo pointed out the current Board is a good Board. There had been times years ago when the Board was rather pushy. We have a current Board that tries to go by the rules. We have rules and we have regulations and that is what you are doing; you are doing a good job of it. The Board discusses it and most of the time it is pretty easy to do it. There are people who are not going to like what this Board is doing and there are going to be big mouths in this Town that are going to cause trouble no matter what. Everybody is talking about what we are doing but I have not heard any bad words about the Planning Board. If I do, they will hear about it because this Board is trying to do things the way the book says it should be done. We don't always agree with everything but that is the way the rules are and we have to work with them.

Mr. Van Etten responded since I came on the Board in January, there have been two instances. To quote the one guy, and maybe it goes back a ways, well, he got the feeling they said they got theirs and the heck with everybody else. Ms. Horn responded I don't think any of us have ours. Mr. Van Etten continued this is a guy, you respect his opinion. Ms. Horn responded that she thought this person was behind the times. Mr. Van Etten continued it may be that it goes back a ways; and Joe is right, it goes back a ways; but it is unfortunate and we have to turn it around.

Mrs. Rundberg advised the Board that she was so honored to be on this Board and everyone that knew her late husband knew he was a hoarder. I cleaned up my property at a great expense. I didn't make any money off the scrap that was removed which was foolish on my part but I wanted it done because I was on the Planning Board and because I am proud to be on the Planning Board to try to assist the Public whether it is a business or a regular person; but we still have, as Joe said, we do have to follow the Code.

Solar Legislation

The Clerk pointed out that she had read through the solar legislation. It is very clear in here that if it is over a certain size, residential or commercial, they have to get a Special Use Permit. The small, small ones, no; then you proceed on through the legislation and there is reference to Site Plan, where Steve has to review the Site Plan. But then it comes to a point on Page 4 where it says:.

"Additional landscaping, screening and/or earth berming may be required by the Town Board and/or the Planning Board to mitigate visual and aesthetic impact."

The Clerk continued that she felt perhaps there was a little too much generic in here which she would

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explain further later. Continuing, when you get to #6 under C on that page, it states that:

“Existing roadways shall be used for access to the site wherever possible and determined acceptable by the Planning Board through Site Plan Review”

It does not indicate early on in the document that an applicant is going to need Site Plan Review as well as a Special Use Permit.

Ms. Vadney questioned what document is this and was advised it was the recently approved Solar Legislation Local Law. Question was raised don't you think it depends on the size? CEO Mantor responded that he felt very strongly that this should be reviewed and some clarifications made. The Clerk continued the reason I am bringing this up is if there is a project coming, I may get the call and be asked what do I need from the Planning Board? Well, yes, you need a Special Use Permit but there is this haze when it comes to the Site Plan. Not only the haze of that; but yes, our application that we have now cuts down the paperwork, streamlines the process before the Board and the application is used for Special Use Permits and/or Site Plans or both. It gets the information that we need all out there at once; but not only that, it would mean that there are two fees. There is a Site Plan fee and there is a Special Use Permit fee, We don't need to have the applicant get before us and then we say, oh, surprise you have another big fee to pay.

It was clarified this would be just for the Commercial ones. Mr. Mantor explained this just effects the large Commercial ones and there are three or four companies calling right now asking for information.

Mrs. Rundberg advised she felt it should be brought to the Town Attorney's attention for him to bring it to the attention of the Town Board. She further felt since it is Commercial, the Site Plan Application is also needed. Ms. Vadney commented that she felt everyone should re-read the Solar Legislation and submit to the Planning Board Chair any concerns they have. It was felt that the Board has focused more on the proposed Lot Line Adjustment legislation which ties in with the Board's subdivision process and which was put forth at about the same time as the proposed Solar Legislation.

The Clerk explained where it commented about landscaping, etc. being looked at by the Town Board or the Planning Board, in Towns where you do not have zoning or you don't have a separate Planning Board, a lot of this falls on the Town Board. She again pointed out that she felt this was somewhat of a generic document and that our Town Board does not need to be or would want to be involved in saying “oh, you need more trees there.”

Lot Line Adjustments

Returning to the Lot Line Adjustment Legislation, Ms. Vadney pointed out if you really read through the process as spelled out, it is longer. It was further noted it is complicated and more involved than the subdivision process. The Clerk advised she had again read through the Lot Line Adjustment legislation, looked at some sample Lot Line Adjustment Applications and found that the questions needed in our application had pretty well fallen in place for putting a draft application together.

Mrs. Rundberg advised her first question to the Supervisor on this legislation had been why only one acre? If our subdivision law is two acres, it should read “up to two” or 1.9 or whatever the number is that follows the one to make it just under two, anything under two acres. Ms. Vadney commented that perhaps the Board needs to take another look at this as well. The Clerk pointed out there is the 30- day requirement in there and then it can be extended. She questioned how long or how many times can it be extended? Ms. Vadney responded that she felt it should be the same, 60 days, and that that was in the comments sent to the Town Board earlier on. Concern was expressed that if they can keep extending, the Board can change and then the new Board does not know if it has been extended or not. It just would not be a good policy. There should be a limit on how many times it can be extended.

Ms., Vadney will re-send to the Board Members and Clerk, the comments forwarded earlier on to the Town Board regarding the Lot Line Adjustment Legislation.

Pending FOIL

Mrs. Rundberg advised the Board that she had received a September 8, 2016, e-mail from Harold Vadney advising that a FOIL request would be forthcoming requesting information with regard to the Bristol Manor project. She further advised it is the Town Clerk who handles the FOIL requests and she was just

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informing the Board regarding what was expected.

Bristol Manor (Cont'd)

Mr. Court commented with regard to Mr. Biscone's earlier comment regarding the addition of a future wing, which would require additional parking that he did not think the lot was hardly large enough to house what is currently proposed. He then questioned if anyone had looked at the site plan, the current coverage of the property for the facility, the required parking and further questioned will he be exceeding the land coverage of that property and will there be room for an addition? Mr. Mantor responded without seeing what they are talking about on paper or at least a preliminary review of it, he could not imagine that there is any more room on the site. Mrs. Rundberg advised that originally that was to be an area for a nice garden for people to sit in and then all of a sudden.

Mr. Caputo pointed out this has been the story of this project from day one. Every time he came in, he would come in with something different the next time. Mrs. Rundberg cautioned we don't have to worry about that; we have to have tunnel vision and just deal with what is before us on the Site Plan. Ms. Vadney questioned how much more parking there would need to be. Mrs. Rundberg explained according to Health officials it has to be a separate building. It is quite a small building, the Alzheimer's patients are allowed to roam the halls and that is why it is locked.

Mr. Mantor wished to clarify one thing that Mr. Biscone had said. The issue of assisted living, I asked him about that because they are classifying this building as designed what is called Institutional One and that has a lot of impact on fire rating and quite frankly they have done it as neatly as they can by adding the sprinkler system or it would not be allowed to be built. The sprinkler system makes it allowed to be built. When you start talking about adding another section where people are not free to move about, that is an I-2 or I-3 designation. It is a more complicated construction and it also has some requirements for key control, and specifically the Department of Health would come in and say you have to have "x" number more people, operate only two doors to let people out and it gets much more complicated. I don't see that there is room on this site. .

Mrs. Rundberg pointed out there was to be a restaurant on the site. It was clarified that that was to have been on another lot, that was part of a larger plan they committed to that we are not even looking at. Mrs. Rundberg pointed out but it is part of the SWPPP. Plan, all three lots, so it does have to be kept in mind. If a restaurant or some other building goes on that third lot, there has to be a place for the water to run into. Ms. Vadney commented if it is not in the plans that Steve is looking at, then that SWPPP Plan would have to be modified at a later time. It was noted that that is not a matter for us to deal with at the moment.

Adjournment

At 8:20 p.m., it was moved by Caputo and seconded by Vadney to adjourn the meeting.

Ayes: 7 Nays: 0 Abstained: 0 Absent: 0

Respectfully Submitted,
Marjorie Loux, Clerk