

**PLANNING BOARD
TOWN OF BETHLEHEM
July 15, 2003**

A **regular meeting** of the Planning Board, Town of Bethlehem, Albany County, New York, was held on Tuesday, July 15, 2003, at the Bethlehem Town Hall, 445 Delaware Avenue, Delmar, NY. Chairman Douglas C. Hasbrouck presided and called the meeting to order at 7:30 p.m.

Agenda Items: Amsler – Subdivision – 12 Mosall Dr.
RDA Associates – Subdivision – 536 Russell Rd.
Willow Estates – Subdivision – Willow Dr.
Banahan – Subdivision – 551 Old Quarry Rd. – County Route 102
Nigro Companies – Bethlehem Ctr – Site Plan – Rte 9W & Old Kenwood Ave.
Approve minutes of May 6, 2003 Meeting

Present: Douglas C. Hasbrouck, Planning Board Chairman
Daniel Odell, Planning Board Member
Howard Engel, Jr., Planning Board Member
Parker Mathusa, Planning Board Member
Katherine McCarthy, Planning Board Member
Keith Silliman, Planning Board Counsel

Jeffrey Lipnicky, Town Planner
Janine Saatman, Deputy Town Planner
Randall Passmann, PE, Department of Public Works

John Della Rocco, Esq. – (RDA Associates)
John C. DeMis, J.C. DeMis PE & LS, 2280 Blessing Rd., (Banahan)
Duane Amsler, 80 Blessing Rd., (Amsler)
R. Becker, RDA Associates (RDA Associates)
Michael Trout, 71 Lester Rd., Selkirk (Nigro Retail)
Bill Banahan, 551 Old Quarry Rd., (Banahan)
Pete Giovenco, Bergmann Assoc., Rochester, NY (Nigro Retail)
Cindy Estes, 15 Carriage Rd. (Nigro)

AMSLER - SUBDIVISION - 1 lot - Mosall Drive, 12

Chairman Hasbrouck reviewed public comments made at the Public Hearing, July 1, 2003. Most of the comments related to an offsite issue on Mr. Amsler's property, but not

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within the lands to be subdivided. It was decided that the issue couldn't be considered a factor in the Board's decision making. Another issue that was a concern was whether the trees on the proposed lot would be maintained. Chairman Hasbrouck stated that the Planning Board could not assure over the long term that the trees would be preserved.

Chairman Hasbrouck turned the attention of the Board to the draft documents prepared by the Planning Department. They included SEQR, Park Land Resolutions and the Conditional Final Approval.

Mr. Lipnicky, referring to the Conditional Final Approval, stated that on page 3, Item 20, the year should be 2004. The document was amended to read as such.

There being no further comments, a motion was made by Mr. Mathusa to approve the SEQR Resolution as written, seconded by Ms. McCarthy and passed by all present.

Chairman Hasbrouck asked for the members to consider the Parkland Resolution. This will require a fee in lieu of parkland reservation.

There being no further comments, a motion was made by Mr. O'Dell to approve the second draft of the Parkland Resolution, seconded by Mr. Mathusa and passed by all present.

Chairman Hasbrouck asked members to turn their attention to the Conditional Approval of Final Plat, second draft including the change made by Mr. Lipnicky concerning Item 20. Motion to approve as amended was made by Ms. McCarthy, seconded by Mr. Mathusa, and passed by all present.

Amsler business concluded

RDA ASSOCIATES - Subdivision

This is the smaller of 2 related subdivisions that have been submitted. Public Hearing for this project was held on July 1, 2003. There was no significant public comment at that time.

Chairman Hasbrouck asked Mr. Lipnicky to comment on the documents, in particular the implications for SEQR. Mr. Lipnicky suggested changing the draft SEQR Resolution, 7th Whereas, to read "the eventual plan of both Mr. Califano and RDA Associates is to subdivide out and convey the 0.644 acre lot, or a part thereof, for a public right-of-way to be used for accommodating a future access road to the larger 27 lot subdivision". The 8th Whereas also needs to be changed as it presently reads because transfer of the property to RDA Manor, would at least in the interim put Mr. Califano's lot in violation of the zoning code. If and when a public street is built in that area, it would be conveyed directly from Mr. Califano to the Town.

Chairman Hasbrouck asked if the non-compliance would relate to access. Mr. Lipnicky confirmed. Mr. Lipnicky indicated that an item not discussed before has been added into the draft approval document concerns a request for an easement along Russell Road. A Town of Bethlehem Park is on the other side of the Niagara Mohawk right-of-way. The Planning Department is looking for an easement to the Town for a possible future sidewalk in that area. It is one of the conditions that were added to the approval document. Also considered was a recommendation from the Albany County Planning Board that the subdivision be disapproved. They based their decision on the belief that the larger future subdivision should also be assessed at this time under the SEQR regulations. The Planning Department indicated its belief that segmentation was justified in this instance and recommended that the Board could proceed with the project; the justification relating to SEQR procedure is contained within the SEQR resolution itself. That justification is, even though there is a development proposal on the adjoining parcel, the proposed project is located on an existing flag lot and under current regulations the applicant can build on the lot. He has access to Russell Road. The proposed subdivision would simply allow the proposed driveway to be shifted from the 30 ft access strip to the flag lot onto the adjoining property. The portion of the property to be conveyed will accommodate that driveway. The benefit of allowing the proposed subdivision is that it reduces the amount of clearing and grading that would be necessary and will improve traffic safety along Russell Road by eliminating a second curb cut. This resolution doesn't imply any approval for the larger 27 lot subdivision, nor does it imply that the proposed street to the larger subdivision will be constructed in the location that it is now anticipated. This is an instance of moving the driveway and utility access 50 ft to the south of where it would otherwise be located.

Mr. Silliman stated that he worked closely with Mr. Lipnicky on the project. He feels that the Board is justified in proceeding on the project on the grounds that Mr. Lipnicky stated, particularly in relation to the Albany County Planning Board Recommendation. By doing this we are actually minimizing Environmental Impact. Mr. Silliman believes the documents are legally sufficient and justified.

Mr. Lipnicky explained that there is no Parkland Resolution in the packet, because it's an existing lot.

Chairman Hasbrouck explained that in order to override the Albany County Planning Board Recommendation a majority plus one is needed. The Board's majority is four and with only five members present a unanimous vote would be needed.

There being no further comments, a motion was made by Mr. Mathusa to override the Albany County Planning Board Recommendation, seconded by Mr. Odell and passed by all present.

Chairman Hasbrouck turned attention to the SEQR Resolution with the modifications by Mr. Lipnicky. Motion to approve as amended was made by Mr. Mathusa, seconded by Ms. McCarthy and passed by all present.

Chairman Hasbrouck turned attention to the Conditional Approval of Final Plat draft. The members were advised that in Item D on page 2, the blanks would be filled in with the results of the vote taken tonight. If approved, it will reflect a vote of 5 for and 0 against.

Mr. Passmann commented that the Engineering Division's comment letter of 7/1/03 that was given to the applicant was not a reason to delay acting on the Conditional Approval as it is written.

There being no further comments, a motion was made by Mr. Mathusa, to approve the Conditional Approval of Final Plat with the two numbers filled in 5D, seconded by Mr. Engel and passed by all present.

RDA Associates concluded.

WILLOW ESTATES – Subdivision

Mr. Hasbrouck turned attention to Willow Estates. The Board received a request from the applicant to begin clearing and grading. Mr. Hasbrouck asked Mr. Hite if he'd like to make any comments. No comments from Mr. Hite. Mr. Passmann asked that the following language be written into the associated letter to the applicant in regard to Phase II storm water permitting: "This approval is contingent on the applicant obtaining SPDES permit coverage as required by the DEC, prior to any site disturbance. The applicant must provide the Town of Bethlehem Engineering Division with copies of this permit coverage including any Notice of Intent, the Erosion and Sediment Control Plan or Notice of Termination when they're prepared." Mr. Mathusa asked for clarification as to the intent of the language. Mr. Passmann explained that DEC in their permit language states the applicant is required to have the permit coverage before any disturbance associated with construction activity begins. Mr. Hasbrouck stated that this is not the Board's requirement but a re-statement of the DEC requirement. Mr. Hasbrouck commented that there's no formal approval document required, but a letter will be sent to the applicant. Mr. Hasbrouck stated again that the request and approval is only for the clearing and grading for the extension of the road and the drainage. Mr. Hite didn't agree with Mr. Passmann's interpretation of the DEC requirement. Mr. Hite wanted to be supplied with the section of the Code that supports Mr. Passmann's position. Mr. Hasbrouck reiterated that the DEC regulations required that no site disturbance occur until the permit is obtained, if the permit is required. He indicated he is not sure if the permit is definitely required but if it is then the approval is contingent on Mr. Hite obtaining the appropriate permit. Mr. Hite's interpretation of the DEC regulation is that the applicant has to give the DEC Notice of Intent, then they review the applicant's presentation to them and provide direct approval to do the work. Mr. Hite stated that it didn't say that Final Plat Approval could not be granted until the Planning Board was in possession of the permit. Mr. Hasbrouck stated that Final Plat Approval was not the issue, only permission to commence grading to begin the roadwork. Mr. Hite was under the impression that Final Plat Approval would not be granted until this condition was satisfied. Mr. Silliman reiterated what Mr. Passmann had previously stated that prior to

doing any site disturbance, if you need SPDES permit coverage, you need to obtain it. Mr. Passmann offered to send Mr. Hite some additional information pertaining to the DEC regulation in question. Mr. Hite was still concerned that the Board would not grant the Final Plat Approval until it was in possession of the permit. Mr. Hasbrouck stated that the issue before the Board was not Final Plat Approval but a request to begin grading for the road and assured Mr. Hite that no provision or condition of an approval by the Board of the applicant's request to begin limited clearing and grading will have impact on the Board's determination as to Final Plat Approval for the project. Under DEC regulation, any site disturbance that would involve more than one acre may need to have a SPDES permit. It is the Board's understanding that the one acre threshold would be passed by the end of the grading work. The Engineering Department feels that fact initiates the DEC regulation, hence the necessity of the permit. Mr. Hasbrouck indicated this is not a new requirement of the Board, simply a reiteration of the existing DEC regulation. The Board is stating that approval of this request would be contingent upon the applicant getting the necessary permit, if it is required. Mr. Hasbrouck stated that the request is not being denied but it is contingent on acquiring the permit, if it is necessary. Mr. Hite wanted to know where he goes from here if Mr. Passmann's interpretation of the regulation is incorrect. Mr. Hasbrouck stated that if Mr. Passmann's interpretation of the DEC regulation is incorrect, then the contingency is moot.

There being no further comment, a motion to grant the request for the clearing and grading for the highway and drainage, with the contingency, was made by Mr. Mathusa, seconded by Mr. Engel. All voted in favor, none opposed.

Willow estates concluded.

BANAHAN SUBDIVISION No. 2 – 535 Old Quarry Road

This is a new project and Mr. DeMis made a presentation. Mr. DeMis stated that Mr. Banahan wanted to subdivide a 7.16-acre parcel from a larger parcel of 26 acres. The larger parcel is physically split by the water line of the Albany Water Board. The approval on the existing lots was given in 1999. Ms. Saatman stated that the application submitted called it a two-lot subdivision and there is a question as to whether to call it a one-lot or a two-lot subdivision. Applicant's stated intent is to develop the southerly lot and use the remaining land for agricultural purposes. The Planning Department is leaning toward calling it a two-lot subdivision for a couple reasons. It's currently part of an approved lot and if Mr. Banahan wanted to do anything other than the current use, he would not have to come back to the Planning Board again for an approval of another subdivision lot. In a sense, the applicant wants the Board to unapprove a portion of an existing lot and call the lot remaining lands. Mr. Banahan asked if a person had 5 acres and went to the building department, would he be allowed to build on the lot? Mr. Lipnicky told him that it would depend on a variety of zoning code issues. Circumstances and history of the lot would also come into play. Mr. Silliman stated that with the remaining lands, being a significant parcel, the owner might prefer to develop that lot as buildable now, but the applicant is not required to that. It is up to the applicant as to how he wants it to handle it. Ms. Saatman asked for clarification as to whether Mr. Banahan

plans to transfer ownership of the other parcel because as it stands, he could go to the Building Department today and request to build a house. Mr. Banahan asked if that would hold true if he wanted to put up a duplex. Ms. Saatman told him he would need a site plan for that. Mr. Silliman suggested to Mr. Banahan that making it a two lot subdivision might be to his advantage. The bigger issue that he is caught up in is the current status of the “Rural-Not Zoned” zoning category. The Town Board may resolve that issue at the next Town Board Meeting. Mr. Odell asked how a single parcel could consist of parts that are not adjoining. Mr. Silliman stated that the parcel probably existed prior to the Albany Water Department needing an easement through, so not only is it a right of way but the Albany Water Board, in this instance, now owns that strip of land. Mr. Lipnicky stated that it also happens with property that Niagara Mohawk needs. It is not an easement, they own the property. Mr. Odell wanted to know if such a division of an approved lot by another party (e.g. NIMO or other) creates defacto lots. Mr. Odell was trying to grasp the theory behind having one parcel and tax number that is completely dissected by other ownership. Mr. Silliman stated that the parcel was together at one time and through a series of easements and right of ways, parcels can appear to be cut into pieces. The issue of tax map parcel numbers comes into play in that determination. One deed, one tax map parcel number, with an exception to the land that is within the easement or right of way. Mr. Hasbrouck brought up the issue of access to the back lot if indeed they decide to treat it as a 2-lot subdivision. They would have to be granted an easement from Albany Water Board to cross the water line. Mr. Lipnicky stated that the potential problem of this being classified as a one-lot subdivision and the second lot being labeled as remaining lands is that it would not be an approved building lot. Mr. Lipnicky presumed that the Building Department couldn't issue a building permit, whether for a house or a barn. Applicant stated that it was approved and Ms. Saatman reiterated that this is what she meant about going backwards from the remaining lands being part of an approved lot. Mr. DeMis, based on the information that he just heard, would like to change the application to a 2-lot subdivision. Mr. Hasbrouck wanted to know what the intention of the applicant was as to the use of the land. If it were done as a two-lot subdivision then there would probably be other things that will need to be shown to the Planning Board during the review process before approval could be granted for the second lot. Ms. Saatman offered to look into how the Building Department would view an application for a building permit whether a residential or other building once the Town rules on whether single-family homes again become legal in that zone. Mr. Hasbrouck suggested a meeting with the Building Inspector, John DeMis, the Planning Dept., the Planning Board Chair and the applicant to make sure that everyone understands the implications of either a one-lot subdivision or a two-lot subdivision and then decide how best to proceed. The meeting will be scheduled to accommodate the schedule of the applicant. This would clarify as to whether the comments that Ms. Saatman gave to the applicant on his map would still be relevant.

There being no further comment, a motion was made by Mr. Mathusa to table the discussion, seconded by Mr. Odell and passed by all present.

NIGRO RETAIL – Site Plan - Proposed retail project on 9W, just north of Bethlehem Town Center

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This is a proposal by the Nigro Companies for a new retail store just north of the Bethlehem Town Center that is currently under construction. Mr. Steve Powers made some introductory comments and then turned the presentation over to the project engineer, Mr. Pete Giovenco from Bergman Associates. Mr. Giovenco stated that they would update the list of people and agencies that are involved in the project on a regular basis. He turned his attention to the concept map. Mr. Giovenco stated, currently the 9W corridor has been designated as commercial in which 2 projects are presently under construction, the Lowes project and the Wal-Mart project. 9W will be expanded to accommodate these projects. They are currently working with DOT on the review process and are acquiring the necessary permits to begin the highway work. The proposed new project will have a use that is consistent with the established zoning in the area. It will be adjacent to the current project but should be viewed as a separate project because it is a separate land piece, with a different owner and tenant and different zoning. The new project will utilize an access road that is currently being built at the north end of the adjacent project. In concept, the project will be an 88,500 sq. ft. retail store, with one user, one tenant. The concept map shows a future expansion in the rear that will not be shown in future documentation because there is a gas line that goes through that area. Expansion would require relocation of the gas line, which would be very expensive. The expansion will be removed from the application. No further curb cut will be necessary because they will be utilizing the existing curb cut from the Bethlehem Town Center project. They will add a curb cut onto the access driveway being constructed and obtain an easement in order to use the access driveway. They are initiating a traffic study that will evaluate the existing Town Center traffic study and the impact of the new retail store. Applicant believed the Town Center study included an aggressive growth pattern for the area. Their first idea is to signalize the intersection of the access driveway and 9W. Mr. Giovenco turned his attention to the layout of the project. The parking will be in the front of the store and meet the minimum requirement of Town Code for spaces. There will be 10% green space within the design of the parking lot through the placement of landscaped islands. More landscaping will be directly in front of the building. Utilities will be extended from the adjacent project. Further investigation will be made as to whether there is sufficient water pressure, sewer capacity and gas and electric. As far as storm water, they proposed to meet the new SPDES regulations through creating a storm water pollution prevention plan that will account for storm water quality as well as quantity. They will try to accommodate that as much as possible on site by creation of storm water detention basins in a few locations. One could be in the rear of the property because that part of the property is owned. Mr. Giovenco feels that the project is in keeping with the other projects in the area. The parcel is zoned correctly and even though the tenant could not be revealed at this time, he feels that the structure is upscale and would be a compliment to the area. Mr. Giovenco showed a different drawing of the project. He indicated landscaping in the front of the building is thought to make this more pedestrian friendly and takes emphasis from the sharp edges from the structure. The building elevation will be presented at a later time. Another issue he discussed is truck access. The loading dock will be hidden in the back. Lighting will be discussed in the future. Mr. Giovenco stated that what is being sought at this meeting is for the Board to declare their intent to become lead agency and then they could start the SEQR process

such as getting out notices to the involved agencies. Mr. Giovenco took questions from the Board. Mr. Mathusa felt that some day there would be a bridge from the back of the lot to the Delmar Bypass. He felt that congestion of 9W would warrant it. In theory this would extend Kenwood Avenue across the bypass. Mr. Mathusa suggested that Mr. Giovenco keep this in the back of his mind, so if it is added, they will have room in the back of the retail store to do that. Mrs. McCarthy asked if it wasn't possible to put the building in front and the parking in the rear, in order to keep the small town feel and make it more pedestrian friendly. Mr. Giovenco would agree if the building was closer into the town but didn't think that this particular area was of that nature. The other retail facilities being constructed are also set back in the same manner as the proposed new space. If Mrs. McCarthy's suggestion were taken, then the customers would have to walk all the way around the entire building to get to the door. Mrs. McCarthy suggested putting another access in the rear. Mr. Giovenco brought up a retail policy called loss prevention in which the retail store works to control points of entry and exit to their building, it's a big concern. They would have to reconfigure the entire store to accommodate a rear entrance and locating a loading dock and truck access would be difficult. Mr. Giovenco did not feel that the type of building placement that Mrs. McCarthy is suggesting would work in a store this size. Mrs. McCarthy felt that the streetscape would be nicer and with the addition of sidewalks, it would encourage foot traffic from Glenmont and parts of Elsmere. She felt that it would help to keep the small town flavor and help with the box phobia of people. Mr. Giovenco stated that this retailer has a certain concept and specific requirements for parking in front, not unlike the retailers currently under construction next door. They also have to satisfy the zoning requirements of the Town. Mr. Giovenco stated that they have tried to include as much green space as possible. They have also tried to keep as much set back as possible. They really couldn't move the building back much further because of the slope of the property. An anchor point of the design was the entrance to the building and how that line fit in with the Bethlehem Town Center. They also looked at internal traffic patterns. There will be sidewalks in the front of the building and along the side of the access road. There could be a continuation of the sidewalks to help the flow of internal pedestrian traffic to make sure they have a route to the front door. Mr. Silliman asked about the identification of wetlands on the site. Mr. Giovenco stated that they would do wetlands delineation to confirm that there are no wetlands. They will obtain an Army Corps jurisdiction letter to confirm. Mr. Hasbrouck asked if there had been a discussion with DOT about this site. Mr. Giovenco said that DOT has not been notified about this proposed site. They were waiting for input from the Board before they contacted the other agencies that will be involved. Mr. Hasbrouck indicated he is under the impression that the road work for the Bethlehem Town Project is almost at the stage for final approval from DOT, if not done already, and now this new project will impact the traffic. Mr. Hasbrouck believes that traffic will be a critical point of discussion. Mr. Hasbrouck brought up the issue of the wetlands again. He feels that the sooner it can be brought before the Corps the better, because too many other issues depend on that information. The Board needs to know the real picture of the wetlands situation to determine whether this is a viable project. Mr. Hasbrouck asked if the map submitted has a property line that may change. Mr. Giovenco responded that the back property line is a proposed line and the actual property line goes back even further. They were going to subdivide the back property but it isn't

useable. The new map will show the entire parcel and they will not be seeking a subdivision. As far as wetlands, if they need the property for mitigation it will be available as part of the project. Mr. Hasbrouck brought up the storm water issue. He wanted to make sure that it would be contained as much as possible on the site and not on the Town Center site, so it wouldn't require an amendment to the Town Center BPA. Mr. Giovenco said that they wanted to be in compliance with the storm water drain permit so they wouldn't have to seek a variance. Mr. Passmann pointed out that the storm water pond on the left of the concept map shows an encroachment onto the Town Center property. Mr. Giovenco said that the pond would be moved so it is completely located within the boundaries of their property. Mr. Odell brought up Old Kenwood Avenue, which shows on the map, and wanted to know the ownership status of it and why it is being shown on the map. Mr. Giovenco said that the surveyor picked it up, that's why it is showing. It is currently the Town of Bethlehem's right of way. Mr. Passmann asked if it's a Town Road but Mr. Giovenco wasn't sure. Mr. Mathusa stated that he sees Town trucks using the road on a regular basis. He's not sure who owns it but they use it. Mr. Giovenco said they would look into ownership and identify it on future drawings. Ms. Saatman asked about how many employees would be in the store at any given time. Mr. Giovenco was unsure but he could find out. Mr. Hasbrouck answered an earlier request from Mr. Giovenco for the Board to declare its intention to become lead agency. He stated that when the Board initiates SEQR it is done by approving documents that have been prepared for that purpose. This does several things; it coordinates review, states the intent to become lead agency and notifies the other agencies of that intent. Mr. Hasbrouck stated that the project was not at that point yet, especially with the changes that need to be made to the map. The Board would seek to be the lead agency because of it being a site plan and that is a function of the Board but that will be in the future. The other issue will be one of access and whether this property will need to be part of the open development arrangement with the Town in order to grant legal access because the access is through the Town Center property. That is something that needs to be discussed in the future. Mr. Mathusa brought up the point that during the layout of the parking on the Town Center project; there was a lot of discussion on wetlands and traffic flow. It was very complicated, especially with the access onto 9W. The addition of another store will almost make it certain that the northern exit of the Town Center will need to be signalized. He feels that it should be brought to the attention of DOT. Mr. Lipnicky said he just received the application within the past 2 weeks. With the present workload in the Planning Department, they have not been able to review it at this time. Mr. Passmann mentioned that the back of the building is at the top of the slope and wanted to know if the applicant's geotechnical engineer, had a chance to review or have any initial comment on the slope stability issue. Mr. Giovenco stated that the engineer would be Gregg Gifford, the same engineer that worked on the Town Center project. On first blush, Mr. Gifford hasn't seen any significant issues but he still has to conclude his findings and make sure that there aren't any global failures in the slope. They may end up surcharging a little bit to alleviate any settlement but they are still looking into these things. They realize they are working with steep slopes, wetness and dampness and it needs to be handled carefully. Mr. Engel brought up the traffic issue, specifically Route 9W, a small road that has turned into a highway and is now commercial. With all the proposed development along the Route, all the way to the southern part of the Town, he thinks that

someone, be it the Town Board, Planning Board or DOT needs to study closer the traffic volume and flow. It is a two-lane road that basically winds through a residential section and is fast becoming a commercial highway. Mr. Engel believes that care must be taken in how fast you proceed with something like this. He stated that we all realize that we need and want commercial development but we really don't have the road structure now to handle the existing development and future commercialization would put more of a strain on the road. Mr. Hasbrouck stated that there are substantial highway improvements that are required as part of the Town Center project. DOT as of yet hasn't signed off on the final plans but they also include improvements to the intersection at Feura Bush Road. DOT is currently short of funds, which is limiting them as to what they can accomplish. Mr. Hasbrouck noted that the applicant's representative had stated earlier in the meeting that the traffic study that was done for the Town Center Project included fairly aggressive growth patterns. The Board will be looking very carefully into the traffic issue. He wanted to make it clear that there will be no short changing the traffic study. It will be necessary for it to be very thorough and to stand on it's own. Mr. Hasbrouck believes there will be a substantial increase in traffic regardless of who the tenant is. He is concerned about the timing of the application. He's not saying that the application shouldn't be here; it is and will be dealt with. Mr. Giovenco agreed that the traffic study will need to stand on it's own. It will deal with the recommendations from the Town Center study as current conditions and it will take that and make a new traffic study. It will be treated as a new independent study. Mr. Hasbrouck stated that Mr. Lipnicky would be in touch with Mr. Giovenco to get a starting point as to the changes that will be needed for future maps. Mr. Hasbrouck asked Mr. Giovenco to leave the maps that were used this evening because they are a matter of public record. Mr. Hasbrouck wanted to clarify the title of the project. Mr. Giovenco said for now it will stand as Nigro Retail.

There being no further comments, a motion to table the project was made by Mr. Odell, seconded by Mr. Mathusa and passed by all present.

Mr. Mathusa moved to approve the minutes of May sixth, seconded by Mr. Odell and passed by all present.

Mr. Mathusa asked whom Ms. Moquin would report to. Mr. Hasbrouck stated that Ms. Moquin works for the Board but none of the Board are full time employees. Mr. Mathusa was interested in making sure that Ms. Moquin was reporting to the Chairman of the Planning Board. He indicated time sheets are a different matter. Mr. Lipnicky confirmed that the Planning Board Secretary has historically reported to the Chairman of the Planning Board. In budget matters, historically, the Planning Board members and secretary were part of the Planning Board budget, apart from the Planning Department. The two departments' budgets recently have been merged into one item. The last time that a reorganization of the Planning Department was done was during Ken Ringler's term. Then the Planning Department consisted of the Planning Department Secretary, 2 or 3 planners as well as an intern. Mr. Lipnicky stated the Planning Board Secretary has never been a part of the Planning Department. Mr. Mathusa stated with the possibility of changes with a new administration, he would like to make sure that the Planning Board

Secretary remains under the Planning Board. Mr. Hasbrouck never signed Mrs. Cirillo's time card or any purchase orders for the Board. Mr. Mathusa wants the structure of Chairman, Members and secretary for the Planning Board to remain the same.

There being no further comments, a motion to adjourn was made by Mr. Odell, seconded by Mr. Mathusa and passed by all present. Chairman Hasbrouck declared the meeting closed at 9:10pm.

Respectfully submitted,

Nanci Moquin
Secretary to the Planning Board