

1 PLANNING BOARD COUNTY OF RENSSELAER

2 TOWN OF SCHODACK

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PLANNING BOARD

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5 THE STENOGRAPHIC MINUTES of the above entitled  
6 matter by NANCY L. STRANG, a Shorthand Reporter  
commencing on July 6, 2020 at 7:00 p.m. at Town Hall  
265 Schuurman Road Castleton, New York

7 BOARD MEMBERS:

- 8 WAYNE JOHNSON, ACTING CHAIRMAN
- 9 JOHN LAVOIE
- 10 LAWRENCE DANGELO
- 11 ANDREW AUBIN
- 12 JAMES SHAUGHNESSY
- 13 STEPHANIE LEONARD

14 ALSO PRESENT:

- 15 CRAIG CRIST, ESQ., COUNSEL TO THE BOARD
- 16 NADINE FUDA, DIRECTOR OF PLANNING AND ZONING
- 17 MELISSA KNIGHT, SECRETARY
- 18 FRANK RAZZANO
- 19 LEE RUTH ARMSTRONG
- 20 CURT NUSBAUM

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25

INDEX

PROCEEDING	PG
PUBLIC COMMENT	3
6 KEVIN LANE, PROPOSED AREA VARIANCE FRANK RAZZANO	7
365 WOODWARD ROAD, PROPOSED IN-LAW APARTMENT LEE RUTH ARMSTRONG	11
1550 COLUMBIA TURNPIKE, PROPOSED LOT LINE ADJUSTMENT CURT NUSBAUM	13

1           CHAIRMAN JOHNSON: The meeting is called to  
2 order.

3           The first order of business is approval of  
4 minutes. Are there any proposed corrections or  
5 changes?

6           (There was no response.).

7           I have a few that unfortunately I left at  
8 home and I will bring them to Melissa tomorrow.  
9 They were just minor typos.

10          Can I have a motion to approve the minutes,  
11 as corrected?

12          MR. SHAUGHNESSY: So moved.

13          MR. D'ANGELO: Second.

14          CHAIRMAN JOHNSON: All in favor?

15          (Ayes were recited.).

16          Opposed?

17          (There were none opposed.).

18          Okay, that's done.

19          This next item is a period of public comment.

20          Does anybody want to comment on their  
21 proposal? You will get a chance to talk when your  
22 project comes up.

23          MS. FUDA: We had three letters that came in  
24 that Craig can read into the minutes. That's the  
25 public comment for tonight.

1 MR. CRIST: The first one is an email from Tim  
2 Crannell. It was sent on Monday, July 6 at 2:16 PM.  
3 Here's what it says:.

4 Nadine, I recall a discussion about Nusbaum  
5 and his interest in building housing units on  
6 property located off 9 and 20 behind my property  
7 at 1530 Sunset Road. It was also stated then that  
8 he would need an entrance/exit at 9 and 20 for  
9 that development to go forward. The proposal to  
10 divide his property appears to make an access road  
11 off 9 and 20 impossible. We can't have traffic  
12 from this proposed development dumping on Sunset  
13 Road. Thanks for listening. Timothy Crannell.

14 A second letter is from George Hodgson dated  
15 July 6, 2020. It was received today at 6:20.  
16 Here's what that says:.

17 Planning Board Members, I am writing  
18 regarding the proposed Nusbaum lot line  
19 adjustment, 2020-11.

20 In general, I'm not opposed to an owner of  
21 multiple adjacent properties adjoining their lot  
22 lines to best fit their use. These parcels,  
23 however, are involved in a project already  
24 proposed before this Board and require careful  
25 thought before approving the requested lot line

1 adjustment.

2 Specifically, in November 2019 this Board  
3 heard the proposal for these parcels to be used to  
4 create a PD2 subdivision with 232 lots and 501  
5 parking spots.

6 Attached is a site plan rendering of this  
7 project. While these properties contain frontage  
8 on both Sunset Road and Routes 9 and 20, the site  
9 plans for the subdivision utilize only the  
10 property's frontage on Sunset Road.

11 At the November meeting, Board Member Johnson  
12 pointed out previous concept meetings that had  
13 occurred about this project that had called for  
14 the use of Routes 9 and 20 highway frontage as an  
15 entrance/exit. Board Member Shaughnessy concurred  
16 on the importance of including an entrance from  
17 Routes 9 and 20.

18 The Schodack Town Code Chapter 219-23 states:  
19 Relationship to major transportation facilities: A  
20 PD district shall be so located as to be provided  
21 with direct access to major streets, highways or  
22 other transportation facilities so as to prevent  
23 the generation of traffic along minor streets in  
24 residential neighborhoods.

25 If today's proposed lot line adjustment is

1 granted, it paves the way for the Routes 9 and 20  
2 frontage to be sold or otherwise permanently  
3 excluded from use by the subdivision. It seems  
4 clear to me that this lot line adjustment aims to  
5 ensure that future development can only utilize  
6 Sunset Road as an entrance and exit, which goes  
7 against Town Code.

8 If this lot line adjustment is approved, then  
9 this Board should deny any large development that  
10 would only utilize Sunset Road as an  
11 entrance/exit.

12 I urge you to table the lot line adjustment  
13 application until such time that the subdivision  
14 site plan has received more thorough attention and  
15 review.

16 Attached to that is entitled Schodack  
17 Multi-Family Residential Plan Development Site  
18 Plan and a document which at the bottom which  
19 has stated proposed lot lines of Nusbaum.

20 Those are the two letters that I have on my  
21 desk here.

22 This is the third letter. This is from  
23 Kenneth Holmes, Superintendent of Highways, Town  
24 of Schodack. It says:.

25 Memorandum for Record. Subject: 1500 Sunset

1 Road Novak property. Date: June 2, 2002.

2 Mr. Edward Novak of the above address met  
3 with me on his property today to discuss the  
4 drainage easements on his property and his concern  
5 over adjoining property development.

6 Mr. Novak would like to be insured any  
7 approval for development of any adjoining property  
8 to include continuing the existing drainage  
9 easement.

10 Thank you in advance for assistance in this  
11 matter. Signed, Kenneth Holmes.

12 MS. FUDA: Members, there was another file  
13 number for Mr. Nussbaum noted on there. That  
14 application was withdrawn. That was by Jeffrey  
15 Booth. He withdrew his application and Mr. Nusbaum -  
16 - you can ask him other questions about it. As far  
17 as my file is concerned, it is a closed file.

18 CHAIRMAN JOHNSON: Item number three is a  
19 recommendation to the ZBA for Francos Razzano.

20 MS. FUDA: It's supposed to be Francis.

21 CHAIRMAN JOHNSON: Could you come up please and  
22 give us a little explanation of what you are  
23 proposing?

24 MR. RAZZANO: I brought additional prints, if  
25 it would be easier for everybody to see a set of

1 full-sized prints.

2 MS. FUDA: Members, it's up to you. I would  
3 just like to hand them back to him so that they can  
4 go to the ZBA next week, because it's more important  
5 for the ZBA to see the better print.

6 CHAIRMAN JOHNSON: I think we are all set.

7 MR. RAZZANO: So, essentially, we want to take  
8 the roof off of the house. We want to put a truss  
9 where the existing roof is now. So, we will take the  
10 hip-style roof off and put a gable roof on. It will  
11 have a faux dormer on and will bring the front of  
12 the house out about 8 feet over the front porch.

13 On the backend, we want to add a two car  
14 garage with a great room above it. It's  
15 approximately 600 square feet. There is a deck  
16 that will come off of the back of that.

17 That entails moving our septic tank, but our  
18 septic tank -- we were going to replace it anyway  
19 because it was replaced in the 80's and it was a  
20 plastic tank and it was one of the first tanks  
21 that they had that were plastic so, it didn't have  
22 a baffel and has a little bit of a sag. So, it was  
23 recommended to us that it be replaced. So, it's on  
24 the short list any way for us to do.

25 It will be done in two phases. So, this year

1 we want to take the roof off and put the roof and  
2 trusses in and put the front porch on. Next year,  
3 we will add the two-car garage in the great room.

4 CHAIRMAN JOHNSON: Any of the Members have  
5 questions?

6 MR. SHAUGHNESSY: So, it looks like the two  
7 issues are the front setback would be affected and  
8 also the overall square footage of the lot.

9 CHAIRMAN JOHNSON: That's correct - the  
10 coverage.

11 This is a Type II action so -

12 MS. FUDA: Lead agency, first.

13 CHAIRMAN JOHNSON: I thought you said we could  
14 make a motion to do lead agency -

15 MR. CRIST: I would recommend that you do them  
16 separate.

17 CHAIRMAN JOHNSON: Could I have a motion for  
18 the lead agency?

19 MR. SHAUGHNESSY: So moved.

20 MR. AUBIN: Second.

21 CHAIRMAN JOHNSON: All in favor?

22 (Ayes were recited.).

23 Opposed?

24 (There were none opposed.).

25 This is a Type II action. Can I have a motion

1 to declare this a Type II action?

2 MR. DANGELO: So moved.

3 MR. AUBIN: Second.

4 CHAIRMAN JOHNSON: All in favor?

5 (Ayes were recited.).

6 Opposed?

7 (There were none opposed.).

8 Now, a recommendation to the ZBA. Would  
9 anyone like to make a recommendation?

10 MR. SHAUGHNESSY: What is the square footage  
11 on the existing house, Frank?

12 MR. RAZZANO: It's 15,050, I believe. It's  
13 roughly 1,500.

14 MR. DANGELO: I will make a favorable  
15 recommendation.

16 CHAIRMAN JOHNSON: Do we have a second?

17 MR. SHAUGHNESSY: I'll second.

18 CHAIRMAN JOHNSON: All in favor?

19 (Ayes were recited.).

20 Opposed?

21 (There were none opposed.).

22 You're all set to go to the ZBA.

23 MR. RAZZANO: Okay, thank you very much.

24 MS. FUDA: See you next Monday at the same  
25 time.

1 MR. RAZZANO: Okay, thank you, have a nice day.

2 CHAIRMAN JOHNSON: All right, the next item is  
3 Lee Ruth Armstrong; a proposed in-law apartment.

4 MS. ARMSTRONG: I am a new resident in  
5 Schodack. We are happy to be here. The house that I  
6 bought -- it was an estate. It was an elderly  
7 gentleman who had been there for 40 years and it  
8 appears that he sort of made a caretaker apartment.  
9 So, what I would like to do is apply for an  
10 accessory apartment approval and really just take  
11 what's there and bring it to Code.

12 The project does not involve any addition.  
13 Nothing structural.

14 CHAIRMAN JOHNSON: Any of the Members have  
15 questions?

16 So, this is going to be owner-occupied?

17 MS. ARMSTRONG: I'm doing it now for my son. I  
18 know the kids come and go. The idea was that he  
19 could live there now and when I'm an old lady, I  
20 will live there - well, when I am an older lady. If  
21 he moves to Colorado next week, I would like to be  
22 able to have a tenant.

23 CHAIRMAN JOHNSON: But the residence is  
24 owner-occupied?

25 MS. ARMSTRONG: Yes. It is a salt box. This is

1 the ground floor living space where I live and then  
2 the bedrooms are above (Indicating). What's  
3 indicated here is a firewall separating the unit  
4 from my living space, but there will also be a  
5 one-hour rated ceiling to separate my bedrooms above  
6 from the unit below.

7 CHAIRMAN JOHNSON: No questions?

8 (There was no response.).

9 So, I will set this for public hearing on  
10 July 20th.

11 So, you will have to come back on the 20th.

12 MS. ARMSTRONG: Okay. Am I all set?

13 CHAIRMAN JOHNSON: I think so.

14 MS. ARMSTRONG: Okay, thank you very much.

15 MR. CRIST: You can do SEQRA tonight, if the  
16 Board wants to.

17 CHAIRMAN JOHNSON: Anybody want to make a  
18 motion for the Schodack Planning Board to be lead  
19 agency.

20 MR. SHAUGHNESSY: I'll make the motion;  
21 Shaughnessy.

22 MR. LAVOIE: John Lavoie, second.

23 CHAIRMAN JOHNSON: All in favor?

24 (Ayes were recited.).

25 Opposed?

1 (There were none opposed.).

2 And to declare this as a Type II action? Can  
3 I have a motion?

4 MR. DANGELO: So moved; D'Angelo.

5 MR. SHAUGHNESSY: Second; Shaughnessy.

6 CHAIRMAN JOHNSON: All in favor?

7 (Ayes were recited.).

8 Opposed?

9 (There were none opposed.)

10 MS. ARMSTRONG: Thank you.

11 I don't know what just happened, but I will  
12 call you and you can explain.

13 MS. FUDA: Just know that you have to be back  
14 here on the 20th at 7:00. They will do the public  
15 hearing.

16 MS. ARMSTRONG: Thank you, very much.

17 CHAIRMAN JOHNSON: This is not approved yet.

18 Next on the agenda is Nusbaum lot line, 1550  
19 Columbia Turnpike.

20 Good evening. Would you like to give us an  
21 explanation of what you are proposing and why you  
22 are proposing it?

23 MR. NUSBAUM: I have just acquired some  
24 property at my Exit 10 facility. The property I just  
25 bought -- the other project that was on the Board --

1 I canceled the contract because of the magnitude of  
2 the project and it wasn't very feasible - that they  
3 had going forward. That's out of the picture,  
4 totally.

5 What we are looking to do is a simple lot  
6 line adjustment, so I can square off my  
7 properties.

8 MR. SHAUGHNESSY: Do you have any other  
9 projects -

10 MR. NUSBAUM: No, I don't have any other  
11 projects.

12 MR. SHAUGHNESSY: Nothing else that would  
13 replace the one that got canceled - similar size or  
14 scope?

15 MR. NUSBAUM: No, I tabled the whole deal for  
16 now. It's basically not on the market. It was on the  
17 market when I came here.

18 MR. SHAUGHNESSY: Okay.

19 CHAIRMAN JOHNSON: I missed a little bit of  
20 what was said, but you're not proposing anything in  
21 the future?

22 MR. NUSBAUM: Not at this moment. I don't have  
23 anything that I plan on doing there.

24 CHAIRMAN JOHNSON: You mentioned in conjunction  
25 with the adjacent property that you just purchased -

1 that has nothing to do with -

2 MR. NUSBAUM: No, that has nothing to do with  
3 any further development.

4 CHAIRMAN JOHNSON: Outside of the lot line  
5 adjustment and any other property -

6 MR. NUSBAUM: Right, I bought the Housely [sic]  
7 property and that's the property that I'm going to  
8 square off.

9 CHAIRMAN JOHNSON: Is that something you're  
10 proposing to do in the future?

11 MR. NUSBAUM: No, it is right now.

12 CHAIRMAN JOHNSON: Which lot did you buy  
13 parcel -

14 MR. NUSBAUM: I bought Housely's [sic]  
15 property.

16 CHAIRMAN JOHNSON: I don't know what Houselys  
17 [sic] property is. You're going to have to explain  
18 that.

19 MR. NUSBAUM: It's to the north. It's the big  
20 white house.

21 CHAIRMAN JOHNSON: On this map it is listed as  
22 parcel number 4 2.269 acres.

23 MR. NUSBAUM: It's 2.14 acres.

24 MS. FUDA: On the map it says 2.69

25 CHAIRMAN JOHNSON: It's 2.269.

1 MS. FUDA: It's 2.269, I'm sorry. Are you  
2 giving them more property or taking away from that  
3 property?

4 MR. NUSBAUM: No, that's going to be the  
5 storage property. That's going to be the total  
6 square footage of the storage property.

7 MS. FUDA: Okay, so your guy didn't put it  
8 right, then. It says: parcel one is 1.439 acres.  
9 Proposed area is 3.977 acres.

10 MR. NUSBAUM: With that lot line adjustment,  
11 that's how it will end up.

12 CHAIRMAN JOHNSON: What's the purchased  
13 property have to do with this lot line adjustment?

14 MR. AUBIN: I don't think it has anything to do  
15 with it.

16 MR. NUSBAUM: Doesn't have anything to do with  
17 it. I just want to square the boundary lines up.

18 MS. FUDA: On the back side, you're saying?

19 MR. NUSBAUM: Yes, on the west side.

20 CHAIRMAN JOHNSON: This is the entire lot that  
21 you purchased.

22 MR. NUSBAUM: Correct.

23 CHAIRMAN JOHNSON: Nothing from this lot is  
24 going to be transferred to your existing -

25 MR. NUSBAUM: No.

1           CHAIRMAN JOHNSON: You're proposing this to put  
2 your storage units all within one lot and you're not  
3 squaring anything up except making this part of this  
4 lot, which is going to be the 3.977 and then the  
5 existing lot is going to be reduced by the same  
6 amount. The existing lot is going to be reduced from  
7 38.098 to 35.560.

8           MR. AUBIN: Those other parcels have nothing to  
9 do it. Parcel 4 and Parcel 2 have nothing to do with  
10 the lot line adjustment. It's strictly between  
11 Parcel 3 and Parcel 1. Parcel 3 is giving some area  
12 -- giving 2.6 acres to Parcel 1.

13           CHAIRMAN JOHNSON: Right, okay.

14           MR. AUBIN: The only extinguished property line  
15 is the one that goes diagonally through the existing  
16 storage units. So, that line is extinguished and a  
17 new line gets formed back further making the  
18 additional 2.6 acres. It's a little confusing where  
19 the other lots are shown.

20           CHAIRMAN JOHNSON: In my mind the map is  
21 adequate for showing the acreage that is being  
22 transferred from one parcel to another. He is also  
23 proposing to delete the existing property line that  
24 goes through the storage units. So, the map is  
25 complete.

1           You were saying that you have no proposal for  
2 future development.

3           MR. NUSBAUM: No, we don't have anything  
4 planned.

5           MR. SHAUGHNESSY: It would seem like, worst  
6 case, if another project did come along in the  
7 future, there would always be an opportunity to add  
8 some kind of easement through the one parcel into  
9 the other, should something else come up; is that  
10 correct?

11          MS. FUDA: Yes, he could do that.

12          MR. AUBIN: This two-story home shown on Parcel  
13 1 -- wasn't that knocked down?

14          MR. NUSBAUM: No, just the front porch was  
15 taken off. It was in disrepair. We cleaned the  
16 property up quite a bit.

17          MR. AUBIN: You did. It seemed like a whole lot  
18 more was removed, but it was just cleaned up.

19          CHAIRMAN JOHNSON: Anything else you want to  
20 offer?

21          MR. NUSBAUM: No, you've got all the info.

22          CHAIRMAN JOHNSON: Any questions from the Board  
23 Members?

24          MR. AUBIN: I have one question about this  
25 Parcel 2 that is showing a property line dashed

1 across here (Indicating). You might want to come up  
2 and take a look.

3 Does the parcel line go like this, or does it  
4 go like this (Indicating)?

5 MR. NUSBAUM: It is on this lot, as well.

6 MR. AUBIN: Is this lot a separate lot from  
7 this (Indicating)?

8 MR. NUSBAUM: They are.

9 MR. AUBIN: Then that line should not be shown  
10 dashed. That should not be shown like that if these  
11 are two different properties.

12 MS. FUDA: Did they merge them?

13 MR. NUSBAUM: I don't know.

14 CHAIRMAN JOHNSON: It's got a separate tax  
15 number and it's a totally separate parcel, then that  
16 should be a solid line so that it shows that Parcel  
17 2 is a separate parcel for tax purposes.

18 MR. AUBIN: The boundary of Parcel 3 should be  
19 clearly marked.

20 MR. NUSBAUM: This has been in existence for a  
21 long time. This has nothing to do with this  
22 property.

23 MR. AUBIN: Right, but if this is the property  
24 line and it goes like this (Indicating), this should  
25 be shown as a solid line and I could care less about

1 that. The fact that is even shown is superfluous.  
2 That shouldn't be on there. This line should be  
3 shown as the property line. It looks as though this  
4 is part of this whole parcel.

5 MS. FUDA: Kurt, when you did the storage  
6 units, did you give yourself an easement?  
7 Technically, that back lot is a land-locked lot. Is  
8 there an easement?

9 MR. NUSBAUM: No, because I owned them.

10 MS. FUDA: You had them all together.

11 MR. NUSBAUM: Because I own all the properties.

12 MS. FUDA: Right, and now your land-locking it  
13 again.

14 MR. AUBIN: I was going to say that technically  
15 it's still land-locked.

16 MR. NUSBAUM: That's what I thought. I should  
17 be paying less taxes on that.

18 MR. AUBIN: You own these parcels, so there is  
19 probably a law that says that if you own the  
20 property that connects it to the road, you're  
21 supposed to unsubdivide it to merge the properties.

22 CHAIRMAN JOHNSON: I think that we created that  
23 problem and may need to be addressed before we  
24 approve this tonight.

25 MS. FUDA: We could still continue with it. You

1           could give yourself an easement through this road  
2           here to that property.

3           CHAIRMAN JOHNSON: An easement from Columbia  
4           Turnpike to the back lot.

5           MR. NUSBAUM: Why do I need to do that if I own  
6           them all?

7           MS. FUDA: Because the Members don't like to  
8           create land-locked parcels. In the future if you  
9           were to sell it -

10          MR. CRIST: That is one thing that we have  
11          always endeavored to do - is not to land-lock  
12          parcels.

13          What they're talking about, Mr. Nusbaum, is  
14          an easement so that it would not be land-locked so  
15          there would be forever access to that back lot.

16          MR. NUSBAUM: Yes, I get it. That's not a big  
17          deal.

18          CHAIRMAN JOHNSON: You could do it through  
19          Parcel 2, but then you're talking about conflict  
20          with some of the Town Law about access to a minor  
21          road for a major development.

22          MR. NUSBAUM: If I do sell it in the future, it  
23          can cut through here. That lot would be included in  
24          this parcel (Indicating).

25          CHAIRMAN JOHNSON: You heard the letter that

1 was read that said that you'd be in violation if you  
2 go to a minor road and not a major road with a major  
3 element. We probably would prefer to see some access  
4 to Columbia Turnpike. We need to look that up and  
5 let you know if you need to change the map and have  
6 an easement to make it work.

7 MR. NUSBAUM: We will do whatever we have to  
8 do.

9 MR. CRIST: I think that what he is saying,  
10 Wayne, is that he is agreeable to doing it.

11 MR. NUSBAUM: Let me know what you need to have  
12 done and I'll have a surveyor and a lawyer take care  
13 of it.

14 CHAIRMAN JOHNSON: Okay, so we won't do  
15 anything tonight.

16 MS. FUDA: I'll set you up for the 20th, then.

17 CHAIRMAN JOHNSON: So, our attorney will try to  
18 resolve this.

19 MS. FUDA: We will have Craig come up with a  
20 decision and we will let Curt know and if he can't  
21 make the 20th, well just do it after that.

22 CHAIRMAN JOHNSON: Your attorney or surveyor  
23 can quote something that may help.

24 MR. CRIST: Why don't we have Mr. Nusbaum just  
25 come back with something that reflects those

1 changes?

2 MS. FUDA: Show him an easement from this  
3 property. So, it would be a lot line and easement  
4 from -

5 MR. NUSBAUM: You need the verbiage for the  
6 easement.

7 MS. FUDA: Yes.

8 MR. CRIST: Mr. Nusbaum, it would be something  
9 that is reflected on the survey and then your  
10 attorney would do a draft easement that I would  
11 review.

12 CHAIRMAN JOHNSON: The easement has to show on  
13 the survey. It has to show the meets and bounds and  
14 then whatever it would be in the wording of the  
15 easement. Then, you need to make the back of Lot 2 a  
16 solid line.

17 MR. NUSBAUM: So, you want this drawing  
18 modified.

19 MS. FUDA: Yes.

20 MR. NUSBAUM: Make an easement through there.

21 MS. FUDA: Yes, make it 60 feet wide easement.

22 MR. NUSBAUM: And then you need the verbiage  
23 for that easement.

24 MS. FUDA: Yes, and make this line solid.

25 MR. NUSBAUM: Why would he do that? Who did

1 that?

2 MS. FUDA: I don't know. Your guy did that.

3 CHAIRMAN JOHNSON: So, you're all set.

4 MS. FUDA: Do you want to take this one so you  
5 remember?

6 MR. NUSBAUM: No, I'll remember.

7 MS. FUDA: Okay, I'll keep this one so I  
8 remember.

9 CHAIRMAN JOHNSON: You can call or have  
10 somebody call if they have a question.

11 MS. FUDA: So, Members, we have one other order  
12 of business here tonight and that is to set a public  
13 hearing for White River Solar. I'm looking to set  
14 that for 7/20, if you all agree. They have requested  
15 that date. I didn't think that there was any need  
16 for them to come tonight, being we are doing our  
17 first test tonight.

18 CHAIRMAN JOHNSON: Any problems with that?

19 (There was no response.)

20 MR. SHAUGHNESSY: How is that going to work,  
21 logistically?

22 MS. FUDA: Tonight was our first test of  
23 letting people in.

24 MR. SHAUGHNESSY: Applicants in.

25 MS. FUDA: Applicants in. I think that what we

1 will probably do is we will probably have to do the  
2 same. They will either have to write in ahead of  
3 time, or they will have to call us that night.  
4 Unless by then, others can come in. I don't know  
5 yet. As of right now, only applicants can come in.  
6 We are allowing people in the building by  
7 appointment. Then, tonight was the test because we  
8 only had three on.

9 MR. AUBIN: That's the one that is between  
10 Church Road and -

11 MS. FUDA: Yes, that's White River.

12 MR. SHAUGHNESSY: That's where the other Eden  
13 Renewables is.

14 MR. AUBIN: Yes.

15 MR. SHAUGHNESSY: We had a public hearing on  
16 that already.

17 MS. FUDA: No.

18 MR. SHAUGHNESSY: Are there a lot of other  
19 applicants that night?

20 MS. FUDA: There is.

21 MR. SHAUGHNESSY: So, that might limit the  
22 capacity of having the public in here, then.

23 MS. FUDA: Right. And I don't know that we are  
24 going to be able to have the public yet at that  
25 date. But again, everybody needs to know that

1           there's 300 feet around it that gets noticed so  
2           everybody who is close to it will know that it's a  
3           public hearing. I'll give them more than enough time  
4           to make comment.

5           CHAIRMAN JOHNSON: Any other issues for Board  
6           Members?

7           MS. KNIGHT: We need a motion and a second.

8           MS. FUDA: Yes, thank you, Melissa.

9           CHAIRMAN JOHNSON: Okay, a motion to set the  
10          public hearing for July 20th for White River.

11          MR. DANGELO: So moved; D'Angelo.

12          MR. LAVOIE: Second; Lavoie.

13          CHAIRMAN JOHNSON: All in favor?

14          (Ayes were recited.)

15          Opposed?

16          (There were none opposed.)

17          MR. CRIST: To be sure that we are dotting our  
18          I's and crossing our T's, in the Armstrong matter,  
19          did we actually move to hold a public hearing or did  
20          we just set it? Maybe we should have a motion to set  
21          the public hearing.

22          MR. SHAUGHNESSY: We didn't make a motion on  
23          that.

24          CHAIRMAN JOHNSON: Can I have a motion to set  
25          the public hearing for July 20th for Armstrong?

1 MR. SHAUGHNESSY: So moved; Shaughnessy.

2 MR. AUBIN: Second; Aubin.

3 CHAIRMAN JOHNSON: All in favor?

4 (Ayes were recited.).

5 Opposed?

6 (There were none opposed.).

7 Motion to adjourn? I'll make it.

8 MR. LAVOIE: I'll second it; Lavoie.

9 CHAIRMAN JOHNSON: All in favor?

10 (Ayes were recited.).

11 Opposed?

12 (There were none opposed.).

13 Thank you everyone.

14 (Whereas the above entitled proceeding was  
15 concluded at 7:45 p.m.)

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CERTIFICATION

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I, NANCY L. STRANG, Shorthand Reporter and Notary  
Public in and for the State of New York, hereby  
CERTIFIES that the record taken by me at the time and  
place noted in the heading hereof is a true and  
accurate transcript of same, to the best of my ability  
and belief.

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

\_\_\_\_\_

NANCY L. STRANG

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