

TOWN OF NEW BALTIMORE PLANNING BOARD  
Public Hearing  
Bristol Manor (William Brandt) Site Plan Application  
December 8, 2016 – Page 1

**Location: 12514 U.S. Route 9W**

The Public Hearing was opened at 7:00 p.m. by Planning Board Chair Kathy Rundberg. Board Members in attendance were Ann Marie Vadney, Jean Horn, Bob Court, Pat Bruno and Rob Van Etten. Joseph Caputo was absent. Also in attendance were William Brandt, Attorney Michael Biscone, Surveyor Charles Hite and Attorney John Allen representing Steven Morgan, Ross Morgan, Mary Finelli, and Spenser Morgan.

Biscone: Hello, Madam Chairman. The first thing we would like to do is the clerical work of submitting these registered letters. Everyone has returned the cards; and as I recall, you would like the card and the green receipt or just the card.

Rundberg: Both.

Biscone: Both, all right, so I will devoid my file of them in the order that the secretary put them in. There are two caveats to the mailing and I will put it on the record in a minute. For the record, I am Michael Biscone and I represent the proponent of this project. Doctor Gertzberg did not claim his letter but he is here tonight in spirit: and in a moment, we will find out how that spirit roams. The other one is the perennial Peter Boeri where we constantly got this back every time we send it to him.

Rundberg: Why don't you just hand them to us and we will go through them. Hand them back to me.

Biscone: And these are the addresses that are on your tax record so we did follow that.

Rundberg: Great. Thank you.

**Green cards** were presented for certified letters sent to:

James Warren, John T. Brunner, Trustee  
Anaita, Inc.  
NYS Thruway Authority  
Arjun Hotel, LLC  
William & Evelyn Moore

And **white receipts** for certified letter sent to:

Robert Briski & Peter Boeri  
Marvin Gertzberg

It was noted that all requiring notification had been notified.

Biscone: So tonight we are here for the public input; and I note that, John, is this your whole group here? Everyone here is with you? Okay.

[Mr. Allen's response not understood since he was too far back in the room.].

Clerk: They are going to have to come forward.

Rundberg: And we are going to recognize Mr. Allen.

Biscone: Yes, we will in a minute but he is not any of the neighbors. He is here tonight for the potential successor in interest to Mr. Gertzberg's property; and we would certainly like to hear from them and any questions they have of not only my client but of the Board relative to this site because they are contiguous with and adjacent to this property. So John.

Rundberg: Okay, no, no, Mr. Biscone, I run the meeting. You lay the map out. Steve will come up. We have our CEO here present this evening. I would like the map in the middle of the table please. Thank you, closer to Steve. And I think Steve had some comments for Bill about a week ago. Steve would you

TOWN OF NEW BALTIMORE PLANNING BOARD  
Public Hearing  
Bristol Manor (William Brandt) Site Plan Application  
December 8, 2016 – Page 2

like to add anything to your comments that you had. I have them here.

Mantor: No. Since the e-mails which I distributed to you, Bill has come up. We had a productive conversation. In fact, that was just this week; and I believe we have come to common ground on everything. He just has a few more things, details to put in what we call the **specification** which is the written part of the plan to go with the plans to cover some of the details. I think he will agree that he has it well in hand. It is just a matter of getting the folks that have to deliver those things to him to get the package together. together.

Rundberg: Okay.

Mantor: I don't see any problems at this time.

Rundberg: Okay. Thank you very much, Steve. All right, Mr. Biscone, do you have anything else to add?

Biscone: Only if there are any questions from the Board about the project or the contents of the project. You have before you a map that was prepared by an Engineer with the assistance of Charles Hite who is with us today. It lays out the trilogy of lots that were initially owned by Mr. Brandt. Here is that funny named corporation we were struggling with a moment ago. They own a parcel of land which ultimately will be developed for commercial purposes. As the Board is aware, initially it was our intention to have that as a food restaurant of some sort. Failing that, we will have to see what the future holds as to that. Doctor Gertzberg was part of this property and they do have certain issues today that they are going to address; and then, of course, here is the project proper ty itself. We have received or have in the works all approvals from State Agencies and Federal agencies. What we are here tonight for is to conduct a public hearing to see if the citizens that surround this property who have been put on notice have any input.

Rundberg: Okay. Does anyone on the Planning Board have any questions or concerns? I will pass the map up and down on the table.

Vadney: I have one for Steve. Steve, these additional items that you were referencing when you just said everything submitted.

Mantor: Yes, these are the things that have been gone over. We had some discussions about exiting and the second elevator but it is all in my opinion resolved satisfactorily. Were you the one that showed us the clearances? **We did work with the fire department.** We worked again with the fire department and commissioners down at that New Baltimore Department and they gave us the information on the radiuses and the turning.

Hite: I have five of them so I am going to come right down the line.

Mantor: [Several words not understood with the rattling of the plans as they were being laid out.] To get the **radius for the larger fire truck** which is more than likely, according to the commissioners, is going to be parked right up front, he has had to cut back a little bit on what used to be a garden area there and made the road wider; and, of course, if he raises the turning radius there for that large truck we have [Several words not understood.] Another minor change that the fire department made is an accommodation for they didn't feel that there would be the use to try to take a large piece of apparatus around the back because of the narrowness there so they did relent on the width of the **road around the back** to be something for the smaller trucks and ambulances which is about 12 feet wide. So those were the significant changes to the site plan.

Van Etten: What is the width on these roadways?

Hite: 25.

Mantor: It has the inside radius of 40 feet, the outside is 55. It is for a major road. The other things that the Fire Department was interested in and have been included in the work that is going to be developed **are inside hose connections, outside hose connections in the front.** I think we have really gone through it very well. I am confident once we get the new plans we will be in good shape. Anything else?

TOWN OF NEW BALTIMORE PLANNING BOARD  
Public Hearing  
Bristol Manor (William Brandt) Site Plan Application  
December 8, 2016 – Page 3

Vadney: I just had a question about the **generator**. Does the Health Department require you to have it?

Brandt: I don't know but we are putting one in. Obviously, if the power goes out, you don't want the occupants sitting in the cold.

Vadney: Yes, that is what I was going to ask you if you were going to.

Mantor: We had some discussions about the generator having to be a decent sized generator for the fire pump.

Brandt: We will have a generator that will power the electrical pump.

Rundberg: So you would not have to evacuate if the power goes out.

Brandt: Correct. No, no sense, where would they go because the power is out?

Rundberg: No, you would not have to bring anyone to the fire house as we had thought.

Vadney: And you are having a **different heating system in the common area**.

Biscone: Yes, from what is in the rooms.           Vadney: And that will be oil, gas?

Brandt: We are heading toward propane.

Vadney: Propane and there are no additional requirements?

Mantor: We have already discussed it and he is going to put it in the specifications for the main unit that is listed on there. Generally, it is done by adding some heaters to the duct work; and in some cases, we are looking at some distribution of hot water to heater coils and that also **helps with the fire alarm system** and the need for as many **CO detectors** throughout the building, **carbon monoxide detectors**.

Rundberg: Marjorie, do you have the questions from Greene County Planning at hand?

Clerk: The questions they asked? I think I responded to all of them.

Rundberg: All right, okay. Thank you, Steve. Jean, do you have any questions.

Horn: No, I don't.

Rundberg: Mr. Allen and parties, would you like to come forward and look at the map. Please state your name when you want to speak and speak into our little machines here, one of them.

Allen: My name is John Allen.

Rundberg: Welcome to the Town of New Baltimore.

Allen: It is nice to meet you, Madam Chairman. I represent 12498 U.S. Route 9W, LLC which is the party that has contracted to buy what is shown as Lot B on the map from Doctor Gertzberg. The anticipated closing is in mid-January. We have only recently learned from **Doctor Gertzberg** that there were **certain conditions to his site plan approval** back several years ago; and we have had some discussions with Mr. Biscone and looked at some of the Town's records. I was down here and I appreciate the Town making them available to get a better understanding of what the responsibilities may be for my client once they close on this property. So what I got out of it was a couple of things.

...One is that Doctor Gertzberg agreed that at such time as Mr. Brandt or whoever may now be the owner of Lot 1-B. I see, Lot B or B-1. Excuse me, I see Lot B-3 has been transferred from Mr. Brandt. That at such time as this road is built and paved, Doctor Gertzberg has **agreed to remove his existing driveway** because of the proximity between these two locations; and what isn't clear to me because I wasn't here when everything was done, **the access would be from his parking lot to this access road**.

TOWN OF NEW BALTIMORE PLANNING BOARD  
Public Hearing  
Bristol Manor (William Brandt) Site Plan Application  
December 8, 2016 – Page 4

Two questions exist:

...The first **is where is that access proposed** because it is not shown on the map that I am looking at right here; and the second is:

...**Whose responsibility is it going to be to construct that access?** With all due respect to everybody, my position would be that it should be the developer's obligation because we are

taking this out of play to try to work with the developer but we can talk about that. It is important for us to understand where the driveway connection is supposed to be because it clearly is going to have some interference with the existing parking. So we need to know that. What I saw in the Town's files was something that showed a driveway somewhere in here, one coming in here to this lot. They are now off the map so I don't know what is intended so it is important that we understand what is intended there.

...The second part of our concern is that we understand Doctor Gertzberg agreed to grant an easement to Mr. Brandt or the owner of Lot B-1 for the fact that as designed this **retention pond** is going to be partly on what is now the Gertzberg property but will become our client's property. We understand that the intent is that it be sized in a way since I see a separate one here for Lot B-3. It is being sized in a way to deal with the surface drainage from B-1 but also from B-2. So we need to understand that and I think the Engineer probably has the information. I certainly don't. It is not in your files as far as I can see. We need to understand what the capacity of this is, how much of that capacity has been allocated or what drainage from Lot B-2 has been assumed to be going there since therefore this has been sized to handle that. Obviously, there is going to have to be some reconfiguration of the parking depending on where this drive goes and this drive will produce arguably a little additional impervious surface. My client may need to make some changes to his parking just to accommodate his existing practice and what we don't want to do really is impose an easement on this parcel and not have that retention pond be able to handle the surface water that this site is generating. So we just have some questions.

I realize as I understood what I heard Mr. Biscone say earlier, tonight is a Public Hearing. The Board is not taking any final action on anything tonight. I would hope that before the evening is over we can get some opportunity, my folks, to just have a little conversation with Mr. Biscone, Mr. Brandt, Mr. Hite and maybe just talk about some of these things because I think they are able to be worked out. We are not opposed to this development. We just want to make sure that our concerns are addressed. That is all.

Biscone: I will let Mr. Hite address the retention pond issue. It is my understanding that their blacktop was installed by Mr. Pietropaoli's company. Kevin Berry had already sloped all of the surface water to run into the "to be" installed retention area. For clarification purposes, the entire cost of constructing that retention area including that portion on the prospective purchaser's premises is to be borne by my client. That is the accord we reached with Doctor Gertzberg through counsel and we are placing that on the record tonight for the second time. The first time I placed it on the record was when I attended Doctor Gertzberg's Site Plan hearing so we will be happy to have Mr. Hite address anything further about quantity in a second.

Rundberg: Do you have that in writing? Biscone: It is in writing. We have a signed agreement.

Rundberg: Because I have never seen it. Biscone: Oh yeh, it is in.

Rundberg: No, no. You can move forward. I don't want to interrupt you.

Biscone: That is fine. As to your access, this is Doctor Gertzberg's site plan that was filed, that should have been filed. This is the one I was given by Lee Davis, who was the Chairman at that time and there is where he proposed to access our road. I don't care if that is re-located. That could be relocated any place that is convenient for your clients; and we will also say on the record tonight that that is acceptable to us. What you and I can discuss at whose cost, that little goose neck will be borne.

TOWN OF NEW BALTIMORE PLANNING BOARD  
Public Hearing  
Bristol Manor (William Brandt) Site Plan Application  
December 8, 2016 – Page 5

Allen: Well, not to interrupt you, Mike, but this is not the plan that is here.

Biscone: No, That is from the Gertzberg file.

Allen: But this is not what was built. Biscone: Oh, I see what you are saying.

Allen: The plan you are showing is [Rest of comment not understood because Mr. Biscone started speaking.]

Biscone: Yes, he turned the building.

Allen: This plan you have given me, as I see it, is proposing a planned connection in this location, further away from Route 9. 9W is here.

Biscone: Correct and that was the point of connection I thought.

Allen: Well, isn't this at this point a point of connection into Lot B-3? Biscone: Yes.

Allen: And what is this over here. Is that a point of connection to B-1?

Biscone: No. This is your point of connection into your lot.

Allen: That is not what was drawn on here. This is what you are telling me Gertzberg proposed but there is a point here.

Rundberg: But it is not applicable now. Biscone: Yeh, it is not, right.

Rundberg: It is not. So there is no need of discussing that one. So you need to go forward with this one.

Allen: So I am asking in the context of this where Mr. Brandt is proposing for because it looks like somebody intended in terms of sound engineering practice or whatever not to have two driveways coming into this access road in different locations. We are not necessarily opposed to having it come here, in here. I was hoping when I looked at this, I could see where it was proposed and it is just not on there.

Biscone: So your assumption is that it is opposite, you think that this entrance to what we will call the proposed restaurant lot and yours are opposite each other?

Allen: Well, somebody did this. Biscone: Gertzberg guys, not us.

Allen: Did this? Biscone: Yes. That was Kevin Berry.

Brandt: I think the issue from the beginning was that, and this was not my decision, it was the Town's and DOT, the understanding DOT is not going to approve a bunch of driveways. That wasn't our decision. The decision was to have one main driveway and then attach parcels into it and I think the thinking was also with DOT is that we don't want to have the cut offs very close to 9W because you could have an accident. So you come into the driveway. There might be traffic coming in and then at some point they are making a turn. For instance on the B-3 lot, if there is a restaurant and you have a drive through at Wendy's for instance, you have a lot of cars coming in so where you want to put the driveway I don't care but I think DOT is going to have an issue and the Town is going to have an issue as to how far back is appropriate. To us, it doesn't matter. We are not really going to have traffic going in.

Allen: I understand. I would say that this proposed configuration which is certainly not my clients; it may have been Gertzberg's but not mine and also it is based on a layout that is not what was built. But that is going to be more of an issue with DOT proximity. We are not saying we have a problem with back here. We would just like to see on here where it is.

Brandt: Okay. We haven't proposed anything on B-3 yet so I would have to just say.

TOWN OF NEW BALTIMORE PLANNING BOARD  
Public Hearing  
Bristol Manor (William Brandt) Site Plan Application  
December 8, 2016 – Page 6

Biscone: What is your preference?

Brandt: Common sense would be to go further back but if you say hey, I want it there because of these certain reasons, I don't have an issue with it.

Allen: I mean the Town makes the—to me, it doesn't matter. The actuality is given the existing lay out, it probably makes more sense for the point of connection to be further, I will call it east, I will say 9W runs north and south. East of where the main parting is because if a driveway were to come in here, it is going to disrupt the existing parking much more and create. If it were here and a car came in, it has to make a 180 degree turn into some parking spaces. It makes much more sense for it to be somewhere down that way.

Brandt: And also we have a curve back here so you don't want somebody coming up here and then if you guys are here and then we put a driveway here, it may cause a problem with this turn somebody come up this hill. You know all in reason, whatever you guys want to do is fine.

Hite: The question about sizing of the detention pond is an engineering question. I am not the designer of it but my thoughts right off would be that there is no way the engineer could not take into account the Gertzberg lot or the drainage from the site into the calculations.

Brandt: Yes, it was considered in the calculations. We gave it to the engineer. They sized it for the whole lot.

Allen: We need to understand what that calculation is. We need to understand whether there was a calculation done of this, there was a calculation done of this. You add it together and this is what it is or whether it has been sized in a way that provides a little bit of flexibility. In other words, if there was one more square foot of pavement, is that not going to be accommodated.

Brandt: When we did the stormwater drainage plan, we went to Gertzberg and said give us your plan so we can hand it to the engineer. He gave us the plan of what he is doing and that was all calculated in there.

Rundberg: Was that on blacktop or impervious surface like you are using?

Brandt: A combination of.                    Rundberg: Because he has all blacktop.

Brandt: Right. Well, I don't know how much more than it was.

Biscone: Two things have happened, John. He did his building and then he added an auxiliary lot. So what we are going to do is we are going to provide to you the calculation for the retention pond for what is on site. So you will then know if you have parameters that you have to live with or if you could further expand your blacktopping which is your thrust I believe to accommodate what you will lose because of this access way. Am I listening to you properly?

Allen: I think you are listening. I think that you are listening. Again, I am trying to understand. This has a certain capacity.

Biscone: Correct.                    Allen: There is a certain amount of surface drainage coming from B-1.

Biscone: Correct.                    Allen: Based on what has been proposed.

Biscone: Yes.                    Allen: So we have that number. We will call it X.

Biscone: Right.                    Vadney: Well, those should all be calculated out.

Allen: Right.                    Biscone: They are.

Allen: One of the issues is if someone saw the drawing that Mr. Biscone had out before of the Gertzberg site, what that shows is not what is there. It shows the building oriented the other way; it shows less

TOWN OF NEW BALTIMORE PLANNING BOARD  
Public Hearing  
Bristol Manor (William Brandt) Site Plan Application  
December 8, 2016 – Page 7

blacktop I believe than what this shows. I am looking at two things that aren't on the same scale, so I am not positive of anything but I think it is important that we have an understanding that the size of this is based on what is on the ground right now and we would also like to know whether that is, the sum of this plus the sum of that is the total of this and there is no room for anything so that one more square foot of blacktop

Brandt: Are you planning to blacktop the entire property?

Allen: No. Brandt: From one side to the other?

Allen: No, no, that certainly is not the case but there are going to be some changes in the configuration.

Hite: John, let me just mention one thing, and that is the engineer in the design of the detention pond took into account the increased size of the parking area in here so he has studied the site based on the existing site conditions, not on any pre-site development plan.

Allen: Well, then he has got; there are calculations that we can see.

Hite: Right, right. So I am thinking as a follow-up, the engineer should be able to supply you with this information.

Allen: Quite frankly, if you look at this; and I have not been to the site but I have looked at Google Earth, I don't know what the thinking was but why would you put in an area like this, extend it this far from the building and only have one row of parking. Why would you not have two rows?

Rundberg: Well, we all have our opinion on that.

Biscone: Oh, we certainly do, Madam Chairman.

Rundberg: But we are not going to go there now.

Allen: I am not asking you to answer the question. Obviously, it is a rhetorical one. That is not what I would have done but I am not an engineer. I didn't stay at the Holiday Inn Express last night so what am I qualified to say. We have no problems conceptually with what Mr. Brandt wants to do here. We have no problems with you moving the existing driveway connection. We may or may not remove all the blacktop because maybe we can fiddle with it a little and improve the parking which I assume no one is going to have a problem with. We are certainly willing to have a tie in here. We have to figure out who is going to pay for it. My client may be willing to pay for it. We need to understand more than we know right now but we are willing to be cooperative and we are certainly willing to grant an easement for whatever area is needed on the current Gertzberg property, Lot B-2, to accommodate a properly sized retention basin so we are not looking to stand in the way of the project. We would like to have some discussion and get the area, the couple of areas, that are of interest to us resolved.

Rundberg: It would be to the benefit of your clients. Allen: No question about it.

Biscone: We will be meeting with them and we thank them for their input.

Rundberg: Thank you for coming down.

Biscone: We will be meeting with Mr. Allen and the dentists to review what is needed for his calculation and I am happy to see that they were here tonight. These maps are going to be altered just a little bit more because we are going to ultimately show the tie-in for completion purposes. I already know the answer for the retention pond and I will discuss that with Mr. Allen when we do meet.

Vadney: Is this the building configuration on here that is on that other sheet?

Biscone: No, this is the one that exists. The problem, so that you know Ann Marie, and the rest of the Board for that matter, he came in with a Site Plan. He didn't build what he was approved to build. He

TOWN OF NEW BALTIMORE PLANNING BOARD  
Public Hearing  
Bristol Manor (William Brandt) Site Plan Application  
December 8, 2016 – Page 8

completely [Rest of comment not understood as Ms. Vadney started speaking.]

Vadney: [Comment not understood since Ms. Biscone speaking at same time.]

Biscone: That is correct. This is correct and Mr. Hite has set it for him. I am going to leave it be because he is not my client and that is the end of it and there is where it is. So now Mr. Allen did say quite succinctly what everyone is going to strive to do and we will accomplish it. Is there anything else that we can address at the Public Hearing, Madam Chair?

Rundberg: Just all the letters that you have.

Biscone: They are done.

Rundberg: No, not the certified letters, not those. I mean from each Department of State. You don't have those?

Biscone: Oh, no, what we have, we can't get the **DOT one** because we need to do a completed Part I, II and III of a SEQR from this Board. That also stands in our way of finishing with your Zoning Board of Appeals, the SEQR. Once we have that completed and so that you also know we have.

Rundberg: But I have, not to interrupt you, but I do have in writing from the ZBA, that is true. I do not have anything from DOT that tells me that.

Biscone: I have that tonight.

Rundberg: Great. That is what I am asking for.

Biscone: I will give you that.

Rundberg: Good.

Biscone: Then the other item I believe was. Rundberg: SWPPP. .

Biscone: Yes and I have that as well. All right, so I will dig those two out. We have retained Stantec who is Doctor Gertzberg's engineer who designed and procured from him from DOT that access. We have done that as a matter of accommodation for these perspective purchasers even before they knew that I existed.

Rundberg: You are so good, Michael.

Biscone: No we just know what is going to come at us. So those gentlemen will procure that access from DOT for us and I will give you that information in one minute as soon as I locate it in this file. As to the other thing, we do have that already from the Department of Health. I will pull both of those out for you momentarily. Is there anything else? Those two things I do have with me though; and at the Board of Appeals, I will go back to them when we are totally finished with you via the SEQR.

Rundberg: The ZBA.

Biscone: Yes, correct. All right, anything other than that?

Rundberg: Steve, you met with Allan, yes? Someone spoke with Alan Van Wormer?

Mantor: Yes.

Biscone: Yes.

Rundberg: All I needed was a "yes".

Van Etten: [Several words not understood.] at the ZBA?

Rundberg: No. Mr. Biscone can't go back to the ZBA. The ZBA would not rule on the height variance which is only for the snowfall but they would not rule even though they had done it before until we do our SEQR process.

Biscone: It is just a perfunctory thing. We really don't care. When we are done with this, they are going to approve it. It is something that his predecessor requested because of the pitch of the roof and it is indigenous only to the northeast area for the snow load. It has to happen.

Vadney: Didn't they approve it?

Rundberg: In the past, they have but then it lapsed because someone did not reapply.



TOWN OF NEW BALTIMORE PLANNING BOARD  
Public Hearing  
Bristol Manor (William Brandt) Site Plan Application  
December 8, 2016 – Page 9

Van Etten: [Comment not understood; speaking too quietly.]

Rundberg: No, we are not finished yet. We can discuss where we are going with our SEQR process tonight but the plan isn't stamped and it is going to have more changes.

Biscone: Yes, we are not going to do it tonight. You are right Madam Chairman. We will adjourn it for that purpose but you know I do have it all together and I did review it because of your input the last time about those questions that were corrected so we are really prepared to do it once we do do it. I have in front of me the Stantec issue but I want to find this other thing from these other engineers.

Van Etten: [Comment not understood; speaking too quietly.]

Rundberg: But really there are no issues with it. It is just reading it and I have read it a million times with Michael.

Biscone: I could not have said it any better. Okay, here is the Stantec thing which I can provide you a photo of. This is dated October 25, 2016, at noon and the gentleman is David Hanson. That is the fellow who said that they would move forward with the permit application with DOT but they need the completed EAF Form, both Part I and Part II, copy of the original which is only going to be emanating from this Board. At that point, he says just confirm the date when we will have that and we will get your access permit. Now, I can show this to you and I can certainly provide you with a photo of that.

Rundberg: Yes, we will need a copy of that.

Biscone: Yes, no problem and then Hudson Land Design is the **SWPPP's** and we have here before me actually from Mary Barrie, the liaison from DEC, and she writes here, and again I will provide this to you. They are all set to go. What is needed is the Notice of Intent and then they will issue the SWPPPs approval so we will provide this to your Board as well. And this is dated, same thing, October 20.

Brandt: And the NOI check.

Biscone: And a check correct. And that is dated October 20. I did these right after the last meeting to get them out of my head. So I will give you both of those. So those two things are covered. Beyond all that, we will get to the **Thruway** when we need too. When we are going to do that **sign**. Remember that is outstanding. Of course, they were placed on notice of the Public Hearing tonight, they responded and have not appeared. That is all I have and that is all I remember of that meeting.

Van Etten: We have to do our EAF.                      Rundberg: Yes.

Biscone: That is holding up two or three things, but that is fine. She knows we are going to do it.

Rundberg: As soon as this is stamped, we can do it.

Biscone: You got it, right. Okay, I will send this with a cover letter to you, to your attention.

Rundberg: No, to Marjorie. Michael, I will not be on the Board next year so send it to the attention of Marjorie. I don't know who the next Chair will be.

Biscone: Okay.

Van Etten: And they also indicated in that that they wanted to see what your driveway plans were.

Biscone: That is why John Allen and I have been talking.

Van Etten: Okay, I didn't know that they were concerned about; of course, maybe like you said, too close.

Biscone: It is the same engineer so he has to show DOT and that is what Mr. Brandt was referencing before. You can't cut willy, nilly into. This is basically a road. This access is no driveway. This has to be built to the specifications of DOT. This is a highway that we are putting in here and they will not

TOWN OF NEW BALTIMORE PLANNING BOARD  
Public Hearing  
Bristol Manor (William Brandt) Site Plan Application  
December 8, 2016 – Page 10

allow us to cut in, by us means B-3 and B-2 necessarily where we want. But Stantec will that and I forget his name. Bruce Secor was the engineer for the Town of Bethlehem forever and a day and I worked with him many, many times and he is actually the principal of that company so I was happy to see that we were working with someone we knew.

Rundberg: Let's give it back to him and he will make those copies.

Biscone: Yes and I will forward it to you or your Board.

Rundberg: I wanted to see this done before the end of the year so I could be a part of it.

Biscone: Well, you really have already done it.

Rundberg: You did good this year; you should be proud, all three of you.

Biscone: You can keep those if you want. . There are only going to be very few revisions in it. It is just going to show that other access.

Biscone: We will be able to have the maps revised and stamped for Mr. Mantor so that we can do the SEQR that night. We don't necessarily, I don't mean the maps, I met the blueprints. This is not necessary yet but although—we have to understand and I am sure the Board will appreciate we cannot give them this final thing because Stantec will not have our road cut until after we finish with your Board. So I don't have a choice over that, guys.

Brandt: Everything is out of my hands. Now the question is how much time they are going to be shopping in the next three weeks and whether it will be before the holidays or after..

Biscone: Okay. So we would request—are you going to close the Public Hearing in a minute? After you do, that the matter be adjourned for the items that we just recited on the record until your January 12 meeting at 7 p.m.

Van Etten: Now are we going to continue the Public Hearing?      Biscone: No.

Rundberg: We will close this Public Hearing.      Vadney: This will continue into January.

Biscone: You don't need to keep the Public Hearing open folks. The Public Hearing is closed and that is done. This will revert to your calendar for old Business.

Van Etten: Okay.      Rundberg: No, because we did not read the SEQR.

Biscone: You don't need to do that in the Public Hearing.

Mantor: Just I don't want to be the tail wagging the dog because the tail can't wag the dog, but I am going to need three to four working days and I would suggest a week when you get the plans and everything together, the specifications in order to review it and I don't want to hold you up.

Brandt: Of course.      Rundberg: Yes.      Mantor: Okay?

Brandt: As soon as they are in my hands.

Mantor: Oh, I know you are interested. You go through the holidays and all of a sudden, January 15 is upon us. Thank you.

Rundberg: Okay, thank you, Steve for all the work you have put in to make our lives much easier on the Planning Board.

At 7:45 p.m., it was moved by Vadney and seconded by Horn to close the Public Hearing.

Ayes: 6    Nays: 0    Abstained: 0    Absent: 1

Respectfully Submitted, Marjorie Loux, Clerk

