

The Mechanicville Zoning/Planning Board held a meeting at the Mechanicville Senior Citizen Center, 178 North Main Street, Mechanicville, New York on October 11, 2022 Chairman Frank Scirocco opened the meeting at 6:16 P.M.

Roll Call:	Frank Scirocco	- present
	Robert Chase	- present
	Richard Delaney	- present
	Martin Doyle	- present
	Ed Morcone	- present
	Dan O'Connor	- present
	Addy Waldie	- absent

Frank Scirocco: I apologize for being late, let's all rise for the pledge.

The Pledge of Allegiance was led by Frank Scirocco

Frank Scirocco: Has everyone had a chance to read the minutes from the last meeting? Is there a motion to accept?

Motion by:	Richard Delaney
Seconded by:	Bob Chase

Ayes: 6 Nays: 0

Frank Scirocco: We are going to hear Jeff and David Gould about adding two (2) additional apartments to an already established four (4) unit building at 12 New York Avenue, Mechanicville. Were all notices sent out?

Gina Kenyon: Yes.

Frank Scirocco: Do we have copies of them, just for the record let it show that notices to all the neighbors were sent out. It appears that now you are doing some major change to allow you parking spaces. Would you like to explain a little bit.

Jeff Gould: It is a warehouse right now with a big garage door out front, basically we talked to our architect and he said it was pretty easily changed to where it will just be pushed in and built in so there will be three (3) parking spots, because that

was the major concern that the street could not handle another three (3) parking spots. We in turn made three (3) parking spots within the building, within the footprint

Frank Scirocco: Bob, do you have any questions?

Bob Chase: Not right now.

Frank Scirocco: Dan?

Dan O'Connor: I am set.

Frank Scirocco: Richard?

Richard Delaney: So, did you say the parking is going to be inside where the door is?

Jeff Gould: Yes, the door is going to come up and there is just going to be a roof there.

Richard Delaney: So, then the street won't be blocked.

Jeff Gould: It is already not supposed to be blocked; the curb is already cut.

Richard Delaney: I have no further questions.

Frank Scirocco: Martin?

Martin Doyle: Because of the re-design, the windows in the back and still the same size and still the same distance off the floor. Your intention is to make the windows the same as you did in the previous submissions.

Jeff Gould: Yes, per code.

Martin Doyle: The structure with the cross in it in that parking, what is that?

Jeff Gould: That is a beam.

Martin Doyle: I don't know what that depth is.

Jeff Gould: The beam is like two (2) feet by two (2) feet.

Martin Doyle: So, this may not be to scale then?

Jeff Gould: It is like two (2) feet by two (2) feet.

Martin Doyle: So, you are saying you have put a vehicle in between the beam and the door is going to remain.

Jeff Gould: Nope, the door is coming off.

Martin Doyle: So, it is going to be open, is the front end going to be on the sidewalk? New doors going in?

Jeff Gould: Nope it is going to be open, we are going to have a roof, there is going to be walls built in like the picture shows, people will be able to see there are cars parked in the parking spots.

Martin Doyle: That is my question if we can get three (3) vehicles in there.

Jeff Gould: It is eight (8) feet wide per parking spot, we asked our architect what was standard and we asked for depth from him as well and he said it was fourteen (14) feet.

Martin Doyle: Okay, that is it for me then.

Richard Delany: Are you going to have marks for the spaces.

Jeff Gould: Yeah, they are going to be assigned to those two (2) apartments.

Frank Scirocco: Ed?

Ed Morcone: I am good with all of it.

Frank Scirocco: I am going to close this part of the hearing and open it up to the floor, is there anyone here speak in favor or in opposition to the new application.

Mike Liberty: I live at 35 Walnut Street which is kitty corner to where this building is now. I am against this because even with, I don't see, I mean it is a two (2) car wide garage, I don't see how they can get three (3) cars in there plus even if that there is only three (3) off street parking, he has six (6) units there. Currently

with the four (4) units that are occupied at that place there are seven (7) cars that are there every night, sometime eight (8) when the girlfriend comes and spends the night. They park right up to the corners on both New York and Walnut Street. There is no green space, he allows pets, there is nowhere for the pets to go, I see the dog come out and go on the sidewalk right in the front, they pick it up but I mean, the building was not designed to be residential. It is not fitting with the neighborhood; it is adding so much congestion to that street with the amount of cars that are on it now. Even if he does and builds two (2) apartments and figures out how to get three (3) cars in there it still does not alleviate the fact there are seven (7) cars from the other apartments that are parked in the streets and because he is taking that space away, two (2) of the cars park in front of that garage now as it is. There is no parking up there for it, there is no green space, the building itself takes up the entire lot, it takes up the entire footprint of the lot, there was a little bit of green space behind the building but he paved it over the City right of way and tried to call that parking also. Just for those reasons alone I wish the Board would consider denying his application.

Frank Scirocco: Anything else?

Mike Liberty: Nope that is it.

Frank Scirocco: Thank you.

Kim Dunn of 250 South Main Street. So, this isn't against this particular person, I don't know him or what type of landlord he is, I am against keep adding and adding and adding more apartments and chopping up properties and making them more two (2) families, three (3) families, whatever, I am against this. I think it has totally changed the make-up of our City in a bad way, I think it adds to the stress on our limited resources we have already, as far as police, fire, EMS. I am not talking about the equipment getting up the street I am just talking in generality. We keep adding more and more people, so I am against anything like this, I think we are going drastically in the wrong direction, I also think, again this is not to him, I do not know him, but we have a lot of absentee landlords, I am not suggesting he is one, but we have a huge problem in this City that I think falls on you guys. I am against this and things like this. Thank you.

Frank Scirocco: Thank you, anyone else to speak either in favor or against.

Mike Liberty: Can I add one more thing?

Frank Scirocco: Sure, come on up.

Mike Liberty: Like I said, because the building takes up the entire property line, garbage cans are always out, there is nowhere for them to pull them away from the street, they can only pull them three (3) feet back which they rarely are anyway they are always right out on the street, it is a problem we have all over the City, adding two (2) more units to this would just make it worse.

Frank Scirocco: Anyone else? We will close this part of the hearing. Would anyone here like to address the concerns that were made by this gentleman or young lady up front?

Richard Delaney: The garbage can issue, isn't there a rule with the city that they should be off the street during after the pickup.

Frank Scirocco: Who are you addressing?

Richard Delaney: Mr. Gould, actually Mr. Mayor.

Mayor Mike Butler: I am not completely sure on that. I am almost positive, the building inspector could not make it tonight, but I don't think you are supposed to leave your garbage can out there from week to week.

Richard Delaney: I know one of your neighbors are saying that he was thinking about putting in some kind of space site asphalt or something where your pebbles are there just to move the tenant space to put the garbage can. There is no way they can put on the side of the building, can they?

Jeff Gould: If they pull it back far enough it is not on the sidewalk it is against the building and you can easily walk by it.

Richard Delaney: Do they tend not to do that?

Jeff Gould: I am not over there week to week, my brother manages it, so I don't want to say yes or no but I have not been contacted with any issues. People can say what they would like but if you ride around the City there are garbage pails out by the poles, I know I have done it at my house, it just happens. Overall, I am sure it is a problem around the City and not just based on me. You guys asked me to get the three (3) parking spots and that is what I did, I tried to go across the street and you didn't like that, and I am literally building it within the building so

that there are no problems. We created those three (3) spots. I know every time I go there, there is plenty of parking. You can talk to whoever you want, people that live there, my two neighbors that live on the street are not here complaining, they live on the street and they are not complaining.

Richard Delaney: That is all I had, the garbage cans.

Frank Scirocco: Martin?

Martin Doyle: Can I make a suggestion, a multi-family dwelling with that many units, I think I brought this up the first time you came in, that the building owner was responsible for paying for the garbage removal, we have that on the end of your building and if it not going to be used for parking, I really don't know if that is in the right of way or not, but a dumpster there would probably go along way with taking care of the garbage situation.

Jeff Gould: We were told that we needed to maintain that because it was our property and it ended up not being out property. We asked if we could pave, we paid for the paving and yes people do park there now, I do not make people park there, I have no idea who is parking there so I don't know as far as a dumpster I am sure we could figure something out.

Frank Scirocco: Ed?

Ed Morcone: I am good.

Frank Scirocco: One of the criteria for the special permit, and I will read it, you guys may have some more input, says: does the proposed use have an undo adverse effect upon the adjacent properties, the character of the neighborhood and surrounding areas, traffic conditions, parking, utility facilities or other matters effecting the public health, safety and welfare convenes of the public. Now at the last hearings the biggest concern that the Board had and the audience was there wasn't enough parking. Now the applicant has shown they can park three (3) cars by adding the two (2) apartments, so we have resolved that issue, and that was the biggest complaint at the time. So, does anyone here see an adverse effect?

Dan O'Connor: I do, you are cutting three (3) spots out but you are taking two (2) spots out of the street there so now you are eliminating two (2) of those parking spots on the street to park in the driveway so technically you need five (5) parking spots.

Jeff Gould: What about the two (2) unit going up around the corner? They just cut so many feet out of that road, why do I get penalized and they don't?

Frank Scirocco: He does have a point.

Martin Doyle: I would suggest, it is looking for off street parking, it does not say anything about existing on street parking, if they comply with the off-street parking then they comply with the off-street parking. They can put signs up in front of that garage door saying no parking now, whether anyone would pay attention to it or not. My argument would be off street parking is off street parking and we can't really worry about how the effects parking on the street as far the as the curb cuts existing.

Frank Scirocco: That is a good point, he is complying with what the code says, three (3) spots for two (2) apartments. Bob Chase?

Bob Chase: I am concerned with the greenspace, the garbage, what this is going to look like when it is done, is it going to be a carport?

Frank Scirocco: Would you like to ask the applicant? Would you come up to the podium again?

Jeff Gould: Basically, if you look at it from the front, we are going to take the door out, we are going to build it in per code, and it is just going to be open and there is going to be three (3) parking spots there. There is going to be a wall, wall, doors on two (2) sides.

Bob Chase: Roof?

Jeff Gould: Yes, we are keeping the roof, keeping them out of the elements.

Frank Scirocco: Richard?

Richard Delaney: I don't have anything.

Frank Scirocco: Martin?

Martin Doyle: I don't have anything else.

Frank Scirocco: Ed?

Ed Morcone: I am good.

Frank Scirocco: Like I stated before, in all fairness we asked him to give us more parking and he did and it complies with the code. I am going to ask for a motion to award the special permit.

Motion by: Richard Delaney

Seconded by: Ed Morcone

Richard Delaney: Yes, I think he addressed the parking issue.

Bob Chase: No, because I still think it is going to be an eyesore in the neighborhood, the garbage pails are going to be out there, you are adding two (2) apartments with two (2) garbage pails a piece and for all the other reasons we turned it down before.

Ed Morcone: Yes, basically he has been here a few times and everything we have laid out for him he has complied with.

Martin Doyle: Yes, I said yes last time and because he made provisions for parking this time it should go through.

Dan O'Connor: No, I just think there is too many cars for the number of spots.

Frank Scirocco: I guess that leaves me, like I said before, two (2) meetings, the biggest complaint was the parking, we asked him to comply and he did. I think in all fairness and legally I have to vote yes. Permit is granted.

Frank Scirocco: Next, this is going to be a difficult one guys, it is an application for use variance, you are all aware of what the criteria is correct? In this case, I am going to let the applicant.

Noelle Long: Good evening, I am Noelle Long the attorney for Vince Laurenzo, Capital District Ventures and I have outlined in my letter that you all have how this application meets the criteria. One of the main criteria's is that my client realizes reasonable return on the property, he has tried to sell for over a year without success, the options in a light industrial zoned district like this is zoned in right now are including manufacturing, construction, assembly packaging, warehouse operations. As you may know, Vince Laurenzo is a seasoned business man, he has a construction company, and Quick Response, he has run the numbers, he has

developed a business in the past, he has a history of doing business, he has run the numbers and trying to use this property as a committed use, the numbers just don't make sense he would not be able to obtain a profit on it during his working lifetime. The permitted uses would be result of a non-desirable effect on the neighbors which are all residential, this is zoned light industrial and we are looking to have it used as multi-family dwelling purposes. It would not have an undesirable effect on the neighborhood as the neighborhood is also residential, there is going to be plenty of room for parking, the environmental design partnership engineering firm to look at this to make sure any plan would be obtainable.

Frank Scirocco: Let me ask one question. How many units are you planning on putting in there?

Noelle Long: Subject to site plan approval, the engineers' figures within zoning guidelines we could do twenty-four (24) units, eight (8) to ten (10) garages, and the rest in parking lot.

Frank Scirocco: In regards to the use, keep in mind that it's the use variance that were looking at tonight not the site plan review, so base your questions on the criteria for the use variance and please don't get into site plan review questions. There is going to be twenty-four (24) units, if the use variance is approved then it would need site plan approval, and if the board felt twenty-four (24) is too much you make that recommendation for whatever. But, let's not get bogged down because if you start going in that direction, I am going to stop you. Are we clear. The other thing was we can't act on this tonight legally, we can hear it be we can't vote, so if there's any questions that still remain that you have unanswered time send email to Gina saying I need more clarification on this or that and then we reconvene again because I need to hear from the county, we haven't heard from the county and I believe they met this month so once I receive their letter then will reconvene and vote at that time. In the meantime, if there are any unanswered questions you have. The property the way it is zoned right now, the applicant can put a factory in there, it becomes a paradox. It can be something that we really don't want like packaging plant, it is in the middle of a residential area, I don't mean to plead his case I am only giving facts, so it can be used for anything commercial they can put a grocery store in there, warehousing, trucking anything to do with the railroad in the middle of a residential area. Now, I requested that the City Council take this look at and re-zone it the way it should be, and there was an issue with spot zoning and I understand that they just can't arbitrarily pick a spot and say even though it's wrong because everything that built around was residential

and now there's this light industrial area where you can put some pretty unusual things there and I am sure as neighbors you would not like to have that. We have to take that into consideration when looking at what's submitted as evidence reasonable return and again courts have found that in small towns the board members really no more than what the law says. We are more familiar with our neighbors, our area, so when looking at what's presented as evidence keep all that in mind. Dan.

Dan O'Connor: I went looking for this piece of property and could not find it.

Bob Chase: I could not find it either.

Frank Scirocco: That makes my point, if we put a grocery store there who gonna find it.

Noelle Long: Right now, it is a vacant business, it has a ranch style house on it, using the property would also bring a tax revenue to the City.

Frank Scirocco: We need to look for the evidence for reasonable return and it should be more than just the written narrative because the court asks for documents and sometimes again, like I said, we all know everybody and sometimes those documents have to take a second base, we still have to respect the law. Bob? I know you are thinking site plan questions, I can feel it.

Bob Chase: I understand all you said, it still does not tell us where it is.

Gina Kenyon: Bob it is the old Sons of Italy.

Bob Chase: Why the hell didn't you say so.

Frank Scirocco: Here it is on the map, here is the tax number and the tax numbers clearly notated on the map. Questions?

Bob Chase: None

Frank Scirocco: You have no questions? Richard?

Richard Delaney: It took me a while to find out where it was, I went up and down the street a few times. It seems like the property is an artifact of what was there before the thing with clear but curious, what was the building that is on site, what

was it previously used for, it does look like a ranch house.

Noelle Long: It was an office inside but when Capital Ventures bought it, it was vacant. Also, it gets vandalized once in a while so it would be nice if we could do something with it.

Richard Delaney: The property includes the land to the right; does it include all that green space?

Noelle Long: It is approximately 1.5 acres.

Richard Delaney: So naturally if there are twenty-four (24) units the building would be replaced? So, I could see it is a big area so you would use that for housing plus parking and greenspace. Everything else applies to the site plan.

Frank Scirocco: Exactly that's why I want you guys to address the criteria for the use variance, whether or not you are comfortable with the evidence that was presented for reasonable return. Let me continue on. Martin?

Martin Doyle: I have an history of botching this question but I don't think there is enough information to determine that they can't realize a reasonable and substantial return on this property at this time. But there is, but again the use of it can be anything in the light industrial and it could be anything commercial with the exception of a dwelling. So, it still leaves a pretty big category of things that are commercial that might be acceptable to be used in that spot. It is not a totally residential, if you ignore the railroad track, Tenendaho town houses are there and you have one (1) or two (2) multi-family house across Saratoga Ave or adjacent to Saratoga Avenue, and you have the gaming place. I don't know what the purchase price was I went to the tax information. I don't disagree with the multi-family housing but I guess it comes down to, and how long Mr. Laurenzo's working lifetime is going to be, but if we are looking for dollar values which there should be something to shoot at to mean you can't get a reasonable return based on the way it is zoned. Not that he can't get a better maybe return but it is insufficient information for me to make a determination based on that first item as far as a reasonable return without even getting into the rest of it which probably could make a case for it.

Frank Scirocco: Well, we will get into the rest of it. Ed?

Ed Morcone: From what I remember prior to the overpass, that was part of the

Sons of Italy down there and after that Jack Rinaldi was running windows out of there. As far as a reasonable return I have not seen or known of anything going in there for years, so I don't know what the exact problem is there but if you want to build next to the railroad tracks and put something in there that is kind of a tough sell. Like you were saying there is really not a lot of residential around there, you have the creek, the playground, and the actual Tenendaho and they are not right on top of that they are down in a gully basically. I really don't know what you could put there.

Frank Scirocco: Okay, whether the alleged hardship relating to the property in question is unique and does not apply to a substantial portion of the district of the neighborhood. Personally, I think it's pretty unique to have light industrial surrounded by what I call residential, I would say. Whether the request use the requested use variance is granted will alter the essential character of the neighborhood. Would that multi-family dwelling alter the character of more than a packaging plant? I am looking at these things in my head and go what can legally go there if you build tomorrow, I think what could legally go there, would alter the character that they were more so than a multi-family unit, that's my opinion.

Ed Morcone: That kind of brings us back to what it is zoned now.

Frank Scirocco: Whether the alleged hardship has not been self-created, I think his explanations speaks for itself. I am going to close this part of the hearing and open it up to the public and get their response. Is there anyone here wishing to speak in favor or against the proposed use variance?

Kim Dunn: So, you were saying that they don't have all the documentation, you are looking for more documentation, so knowing they were coming here why didn't you request that ahead of time so they could have brought it.

Frank Scirocco: We did request it and they did it in a narrative.

Kim Dunn: When someone does an application like that isn't it laid out how the process should be?

Frank Scirocco: It is very vague and the State post it, we don't.

Kim Dunn: We have had this conversation before within the past few years about the application changing, don't you think it would be beneficial to all of you, as well as any potential applicant, if your application was more clear, whether you

add to what the State gives you or whatever, as far as things like this.

Frank Scirocco: Is Lyn here?

Gina Kenyon: She just left.

Frank Scirocco: We can only put in what the State tells us we can't make up our own criteria.

Kim Dunn: I am not talking about criteria, I am saying like instructions or perhaps giving them an example or whatever. If you are asking for something and someone provides a narrative, verses receiving in a format that would be beneficial to making a decision, this isn't about them, again I am talking about the process I don't understand why you wouldn't be able to do that.

Frank Scirocco: It is funny because I spoke to several Supreme Court justices about this and how they ruled and why they ruled and they all had different answers on what they consider is substantial competent financial evidence, and they all differed so which one do we pick.

Kim Dunn: I think you guys need to have a uniform process and this has come up before, about how things are handled, what is given out, etc.

Frank Scirocco: It would have to be legal.

Kim Dunn: Obviously, but obviously the system you are using, over my observation for the past several years coming here.

Frank Scirocco: It is the same system that every zoning board in the State uses we are not doing anything different.

Kim Dunn: Okay, what I am trying to say, maybe I am not saying it correctly to get through to you all, is that if someone does not know what they are supposed to do, or it is not clear enough and you have to go back and say you need this, this, and this, it would save time and effort on everyone's part if the process was clearer. I have never gone through this process but I have observed this off and on for the past several years and I just think it could be a little bit more defined so you are not doing the back and forth.

Dan O'Connor: Sometimes these things have to be done in steps though.

Frank Scirocco: Is there anyone else to speak in favor or opposition of the application. Like I said we are not going to take any action on it tonight. Okay, if there is no one else, I am going to close this part of the hearing. Dan did you say something.

Dan O'Connor: What I was saying is sometimes these things have to be done in steps and she came with the first step to show us what she wants to do. We can deny it on the second or third step if we don't like the way things are going. So, if she wants to put these multi-units in, she comes back to us and says she wants twenty-four (24) and we think there should only be twenty (20).

Frank Scirocco: That has nothing to do what she is saying, she is looking.

Kim Dunn: I am all for steps but like Martin pointed out, there is not enough information. What I was saying is if they had known, and I don't know if they did or didn't, it is preferable in this type of format because it makes it easier to move things along, wouldn't that be beneficial to everyone, that is what I am trying to say.

Frank Scirocco: All the applicants are informed about it. We don't get very many use variances, we maybe if we get two (2) or three (3) a year. I think that's pretty close; you are usually told that you need to prove with substantial financial evidence, hard evidence, that you can't get a reasonable return and it could be through realtors, construction contracts, things of that nature, it doesn't have to be anyone, it could be several. You could have had your property for sale for a year and not gotten one bite, or what's allowed cost \$300,000 to build and is cost prohibited and you can't get a reasonable return on your investment. I am not saying you need to make a lot of money, but also, we don't want to see you lose money, so that's all in this competent financial evidence that the applicant needs to provide and it could be anything real estate, construction.

Kim Dunn: Are those examples you just cited given in the documents as a list.

Frank Scirocco: I think when you apply for a variance you should read the rules and says this case, our application says, copy of financial evidence. We will get a question, someone will call me and say, what do you need, and I can't make their case and I'll tell them what competent financial evidence is like I just stated with

you.

Kim Dunn: Wouldn't it be better for everybody if that was in there.

Frank Scirocco: These guys all know.

Kim Dunn: Well, they all know but the average person, I wouldn't know that until you are just telling me that.

Frank Scirocco: Well, the applicant knows and they are the ones that need to know. If you were the applicant you would know, you would do a little research, we can't do your homework for you, we can tell you what the law says, and it all varies. Like I said four (4) different justices gave me four (4) different reasons for approving or denying, and they were all different. Some of them didn't even require hard evidence, they said that the narrative was fine, I said this doesn't make any sense, it's not what is stated in statute. But every town is different, some small towns, people know each other know the town better than we do and sometimes we look beyond what the statute sets so it's crazy gray area, it really is, and to be safe, the Boards must require, in my tangible hard evidence, that we can put our hands on, that we can look at say yeah, you proofing your case you tried to sell the property, you listed it for sale. You can write down what you want and that takes me back to knowing everybody, we are all real close so if someone fills out a narrative that we know, and that we respect, they are probably not going to be lying. If we were a big city, we would say this narrative is fine but we want to see some tangible evidence. I hope I was clear to confusion you even more. Someday we will sit down and have this discussion. Any other questions?

Richard Delaney: In the addendum to the application, it says the property has been for sale for over year learning success in finding a buyer. Does the applicant own property now?

Noelle Long: Yes, that is why we are requesting the use variance.

Richard Delaney: So how long have you owned the property?

Noelle Long: Times flies as we get older, maybe five (5) years at least, maybe five (5) to eight (8).

Frank Scirocco: Martin?

Martin Doyle: Kind of going into how the variance granted would not alter the character of the neighborhood, I guess it depends what neighborhood you are looking at, what side of the tracks, but a multi-family, a substantial sized multi-family, or almost anything would alter the essential character of the neighborhood. Certainly, a twenty-four (24) unit would change the neighborhood. But I guess I would go back to if it should be a commercial, anything but the dry cleaner or any dwelling. There are all kinds in commercial the property could be used for; it is not like everything is going to have a negative impact on that neighborhood. If you go through the list, park, recreation facility, church, school, gardening, agricultural, retail store, professional building, all that stuff would not necessarily change or alter the essential character of that neighborhood or change it anymore than a twenty-four (24) unit dwelling.

Frank Scirocco: You also have to consider the benefit of the community when thinking about this and would a multi-family unit be more of benefit the community then let's say a park or some of the permitted uses. You need to consider that point when making your decision. Ed? I get your point Martin.

Ed Morcone: Again, it depends on what goes in there. One type of business or buildings may be positive and another may be negative, in the long run they are going to have to come to us to find what they are going to put in.

Frank Scirocco: We can't deny what is approved.

Ed Morcone: Correct.

Frank Scirocco: Like I said we can't act on this, but what I would like to see though, once I get the letter from the county, they will give us whether or not find a negative impact we will reconvene the hearing that time I would really, really, really like to see physical evidence in regards to the attempted sale, or whatever else you can muster up to show that you couldn't get a reasonable return.

Noelle Long: You want to see an analysis.

Frank Scirocco: Construction cost of the new building as opposed to what is going to go in there, something tangible for the record that if the Board does grant the variance and there's an objection and then they review our minutes and they see that we didn't have, or all we took was a narrative, they may say, okay, that was fine or they may say they remanded back to us saying you didn't do your job, you

had nothing to go by then just the applicant's application.

Noelle Long: I would offer Vincent Lorenzo's expert in construction for thirty (30) something years, if we put down on paper his dollar amounts in losses,

Frank Scirocco: Absolutely, and yes something tangible we can hold in our hands and have for the record in the event that it does get past and there is objection.

Noelle Long: I can get that submitted through Gina.

Frank Scirocco: Get it submitted to Gina, is there any other questions or anything else you'd like to see other than what I just stated?

Noelle Long: Thank you for your time.

Frank Scirocco: Thank you, I am going to adjourn this meeting until we hear from the county and then we will reconvene.

Frank Scirocco: Okay, next is a change in tenancy application, Adirondack Basement Systems for change in tenancy operated business at 80 Sheehan Street.

Good evening, sir my name is Tim Coval I am the owner of Adirondack Basement Systems and I am currently under contract to purchase the DiSiena building over at 80 Sheehan Street, I am still waiting for title insurance that is the last piece of the puzzle to close on this building, once we do close, we are going to be putting about \$900,000 into that building and will be moving my operations from Halfmoon to Mechanicville if all goes according to plan. I will give you a little background, I have been in the business for twenty-four (24) years, right now we have about forty-five (45) employees, not all of them would be in the building, we have home sales so crews are out on the road every day. The office staff is about ten (10) or so, we are looking to overtake the building to expand our operations.

Frank Scirocco: Dan?

Dan O'Connor: My son lives right on the corner there so I know right where you are talking about, the biggest thing is the truck traffic.

Tim Coval: We get about two (2) tractor trailers a month and they would come off of Route 67, our trucks are all 16-foot box trucks so I spoke with the neighbor right across the street from the communications building where they were having

issues with the tractor trailers coming in and out, we would not be utilizing docks for our operation. We do have an agreement with Toys for Tots they would be occupying some of that space, I spoke with the gentleman who runs that operation and they get a couple tractor trailer and they would use the loading docks that are on the inside and the two (2) loading docks on Sheehan Street would just be for small box trucks. We are aware of the situation in the neighborhood and the difficulties that were there in the past and we would be more than happy to accommodate that.

Dan O'Connor: That is why I brought it up because the guy across the street was here before complaining of truck traffic backing into those docks.

Tim Coval: I just met with him last week, I happened to see him out in his garage, it ran into a forty-five (45) minute conversation and he expressed his concerns which were very valid.

Frank Scirocco: Bob?

Bob Chase: I think it would be a welcome addition to that area so I really don't have any questions.

Frank Scirocco: Richard?

Richard Delaney: You said that was the DiSiena building, it is the building right on the end of Sheehan?

Tim Coval: So, there are two (2) buildings on the property and we are purchasing both buildings, the showroom building, we are not going to be utilizing for this business, we are going to be utilizing the warehouse in the rear, it is approximately forty-two (42) – forty -five (45) square foot building, that is what I am going to be utilizing for my business. The front building, right now, NowTime Auctions wants to stay there and I will be looking how to re-develop that. I have a billion different ideas how to re-develop and have a lot on my plate getting into that back building right now so the front building is kind of back burner for the moment.

Richard Delaney: Maybe I am thinking of the wrong building.

Tim Coval: It is 115 Round Lake Avenue.

Richard Delaney: I went down Sheehan Street. I know where DiSiena and the

warehouse was.

Tim Coval: It is the brick building and then it has the warehouse that got blown apart by the tornado in '97 or so, that is the building I would be occupying for this business.

Richard Delaney: I would of thought that was Round Lake Avenue.

Tim Coval: It is very complicated, that is the problem with Title right now, there were five (5) different parcels on this property, D & H was in there, it is very convoluted, it is advertised as 115 Round Lake Avenue which is the four (4) unit apartment that is in the parking lot. We finally got it sorted out and the address is actually 80 Sheehan Street for that property even though it wraps around over to the Halfmoon-Stillwater Town line.

Richard Delaney: I just have some general questions then. Will you be altering the building in any way to suit your needs?

Tim Coval: Not of the exterior, no. Inside the brick building has a very deficient roof, it is caving in, we are going to be putting a new roof on that and then the warehouse building, all of our trucks are going to be inside so parking outside is going to be very limited.

Richard Delaney: Will you actually be manufacturing in that building?

Tim Coval: No sir, we are a construction company, the trucks will be inside, the materials will be inside, so it warehousing and trucks for a construction operation.

Richard Delaney: What about noise, any noise?

Tim Coval: The guys are usually there between 6:30 am and 7:00 am and they come in their personal vehicles and we have 16-foot box trucks, we are moving all towards gas trucks and they are all inside so there is no heavy equipment, we have maybe an excavator or something like that on a trailer, we don't operate it there, we are a residential construction company.

Richard Delaney: The only other question is the trucks do you for see that as a problem?

Tim Coval: We get approximately two (2) tractor trailer deliveries a month, and

there are those three (3) bays for tractor trailers that are inside at the northwest corner, there are three (3) bays they can back the tractor trailers into and that is where we would do our receiving.

Richard Delaney: What route did you say your trucks would follow?

Tim Coval: We would come off 67 and across the bridge and go into the property, we would not be using Sheehan Street as an entrance.

Richard Delaney: You wouldn't be using Sheehan Street at all?

Tim Coval: No sir, it doesn't make sense, it is a much better entrance coming right in off the bridge, there is no trucks allowed on Round Lake Avenue anyway, there is a no truck sign there so we would not be able to run our box trucks up that anyway and I wouldn't want to run them up a residential street.

Richard Delaney: That is all I have.

Frank Scirocco: Martin?

Martin Doyle: In your basement waterproofing are you going to store liquids and if you have liquids are they flammable, combustible?

Tim Coval: No more than a propane canister for the fork truck and that is in a fire proof cabinet outside, we don't deal with liquids or coatings, our process involves jack hammering out a basement floor around the perimeter and then putting in subfloor piping system with concrete. We are not doing any type of sealants or anything like that.

Martin Doyle: So, basement waterproofing, construction, sump pumps.

Tim Coval: Yes, plastic pipe and concrete.

Martin Doyle: Sump pumps and fans for humidification. The second piece is how are you going to handle your garbage.

Tim Coval: We currently use County Waste dumpsters, we don't generate, the rubble we take out, I have seven (7) acres on Route 9 in Halfmoon and that is where we dump the rubble every day, it is a minimal amount that is generated. But as far as garbage, we generate cardboard, I also own a company called

Junk...., we have a junk truck and anytime we have a job that are a little larger we drop one of our containers off and bring it right to the transfer station. There is no onsite dumping or anything like that, miscellaneous cardboard and stuff of that nature.

Martin Doyle: Your container for the cardboard and any other refuse, the cardboard is recyclable is it covered.

Tim Coval: It is a standard ten (10) yard, it is not an open top dumpster, it has the lids on it and County Waste comes takes it. We never have issues with it overflowing or anything like that.

Martin Doyle: That is all I have.

Frank Scirocco: Let me jump in. Existing lighting, what's your plan.

Tim Coval: We will be coming in for a whole site plan and with the upgrades, we are not moving right in, we have a lot of work to do there so we will have to submit building permits, we will have a lighting schedule, we are going to upgrade the lights outside but I don't want it to be like the Railyard, I don't want it to be all around blinding the neighbors. Our trucks are going to be on the inside so there is not going to be a big need for lighting outside, except for employee safety, walking back to their vehicles at night.

Frank Scirocco: I see you take care of your own snow.

Tim Coval: We have all of our own equipment.

Frank Scirocco: Ed?

Ed Morcone: I am familiar with the building and have been all through it.

Frank Scirocco: I am going to close this part of the hearing, is there anyone here to speak in favor or against the change in tenancy? None, okay. I will close that part of the hearing. Is there a motion to grant the change in tenancy?

Motion by: Bob Chase

Seconded by: Dan O'Connor

Secretary is not here; I will call the roll:

Martin: Yes
Ed: Yes
Dan: Yes
Bob: Yes
Richard: Yes
Frank: Yes

Frank Scirocco: Is there any new business, since there is no new business, I need a motion to adjourn. motions with your

Motion by: Dan O'Connor

Seconded by: Richard Delaney

Meeting adjourned.