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**Town of Halfmoon Planning Board Minutes
August 26, 2024**

Those present at the August 26, 2024, Planning Board meeting were:

Planning Board Members:

Don Roberts –Chairman
Marcel Nadeau- Vice Chairman
Tom Koval-absent
Rich Berkowitz
Thomas Werner
Charlie Lucia
Laurie Barton

Planning Board Alternates:

Alison Pingelski-absent
Joe Landy

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny-absent

Town Board Liaison(s):

John Wasielewski
Eric Catricala

Town Engineers:

Joel Bianchi

The Chairman opened The Planning Board Meeting at 7:00 pm

Don Roberts: Good evening, I would like to call the Planning Board meeting to order. Have the Board members had a chance to review meeting minutes from the last meeting?

Rich Berkowitz: I make a motion to approve the minutes

Laurie Barton: I second

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried.

Marcel Nadeau: Don, I abstain

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Don Roberts: Marcel abstains he wasn't present.

Public Hearing:

Olesen Subdivision, Rt 146 (SBL 267.00-2-17.13) – Minor Subdivision (24.110)

Fred Metzger: Evening Fred Metzger Land Surveyor here this evening following up from the original Planning Board meeting regarding the two-lot subdivision for Mr. Olesen's land. It's got a 9-acre parcel located in the C-1 commercial zone looking to cut it into two parcels. Lot one to be 1 ½ acre parcel up on the road and Lot two with the remaining lands to the rear. Lot one as we saw before he was proposing to, he is under contract right now with Mr. Haney to put a new garage repair facility on, also, it erased part of it on the plan but I'll put it back on, to use the access from the existing curb cut that's located opposite Farm to Market Road that came off but I did remove the site plan work since then and added the, I think you guys called it the stump or something. The rough location as per some old mapping that we had just so you could see where that failed regarding the improvements. And again, the parcel after improved will tie into the municipal utilities.

Don Roberts: That's it?

Fred Metzger: Sure

Don Roberts: Okay thank you, at this time we'll open the public hearing would anyone from the public like to speak? (No comments) anyone online wish to speak? (No comments) Okay we'll close the public hearing, comments by the Board members?

Rich Berkowitz: I make a motion to have a negative declaration from SEQR.

Tom Werner: I'll second

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried.

Rich Berkowitz: I make a motion to approve the minor subdivision.

Marcel Nadeau: I'll second

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried, all set

Fred Metzger: Thank you.

Don Roberts: You're welcome.

Olesen Subdivision (SBL 267.00-2-17.13) – Minor Subdivision

APPROVED. Board held a Public Hearing and approved a two (2) lot subdivision request.

McCadden Subdivision, 128 Johnson Rd – Minor Subdivision (24.115)

Pat Jarosz: Good evening my name is Pat Jarosz with VanGuilder Associates I'm here tonight for the public hearing on behalf of Bruce Tanski for the two-lot minor subdivision at 128 Johnson Road. To recap this is an existing lot 6.03 acres, it's zoned AR- Agricultural Residential and it will be subdivided as follows. Lot A will be vacant as 1.75 acres, Lot B will have the house and the outbuildings and is 4.2 acres. The lots to be served with

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water and sewer. In the building that we had talked about last week that shed has collapsed on its own so it's not there anymore. The debris will be removed from that. Thank you.

Don Roberts: At this time, we will open the public hearing anyone from the public wish to speak? (No comments) Anyone online wish to speak? Okay we'll close the public hearing comments by the Board Members?

Rich Berkowitz: I make a motion to have a negative declaration for SEQR

Marcel Nadeau: I second

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried.

Rich Berkowitz: I make a motion to approve the minor subdivision contingent on removing the remnants of the shed.

Marcel Nadeau: I second

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried.

Pat Jarosz: Thank you

Don Roberts: Your welcome

McCadden Subdivision– Minor Subdivision

APPROVED. Board held a Public Hearing and approved a two (2) lot residential subdivision at 128 Johnson Road.

One-Four-Six Marketplace PDD, Old Rt 146 & Rt 146 – Minor Subdivision (24.108)

Jason Dell: Good evening, Jason Dell engineer with Lansing Engineering here on behalf of the applicant for the 146 Marketplace subdivision portion of the project. The project currently is comprised of 22 parcels that will be consolidated to form one lot which will then be further subdivided to accommodate the development of the project. Here's what the subdivision or the proposed subdivision looks like, lot #1 will be 2.9 acres, lot #2 will be a little over 6 acres. Lot #3 will be 6.5 acres; Lot #4 will be 3.5 acres and Lot #5 will be about .8 acres with the right of way in the central portion comprising about 1.37 acres. Also shown this map and on the plans submitted is the lot line adjustments in this area with the properties owned by Mr. Tanski so those are shown on there. That will be conveyed to those properties along Old Route 146. So, we're here this evening for the subdivision portion of the project and to answer any questions you may have

Don Roberts: Okay this public hearing is simply for the lot line adjustments.

Jason Dell: That's correct

Don Roberts: So, keep that in mind. Okay at this time we will open the public hearing would anyone from the public wish to speak? (No comments) anyone from online wish to speak? (No comments) Okay we'll close the public hearing, comments by the Board members.?

Rich Berkowitz: I make a motion to approve the minor subdivision.

Marcel Nadeau: I'll second

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Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried.

Jason Dell: Thank you.

One-Four-Six Marketplace PDD – Minor Subdivision

APPROVED. Board held a Public Hearing and approved a Major Subdivision (consolidation & lot line adjustment) for the One-Four-Six Marketplace project.

New Business:

One-Four-Six Marketplace PDD, Old Rt 146 & Rt 146 – Site Plan (24.132)

Jason Dell: Jason Dell again for the One- Four-Six Marketplace to kickoff the site plan review of the project, this project has been before this Board many times over the last couple of years, but a brief overview of the applicant is proposing to construct 10 buildings on the site. There will be within those buildings 328 apartments as well as 82,500 square feet of commercial retail/restaurant space. The applicant at this time, you know we're looking to get an engineering review an engineering review of the overall site as it all has to work together but at this time the applicant is seeking to phase the approval of the buildings. The applicant is proposing buildings #4 and #5 as well as #9 and #10 over here as part of phase I of the construction of the project. Since the last time we were before this Board some time ago we have submitted a detailed engineering plans to MJ Engineering, we went through one round of review with MJ we addressed all of their comments to date on the project. We fully anticipate getting another letter from MJ with more essentially cleanup items at this time. We've also gone through a round of review with the sewer district so we will be making their revisions that they requested to the project plans so that's well underway and we've also been working with DOT, VHB has been working with DOT and working through the intersection improvements and if you'd like a quick update Wendy is here and she can give you a quick update on that.

Don Roberts: Okay Wendy please.

Wendy Holsberger: Good evening, Wendy Holsberger VHB, so as Jason noted we have been coordinating with DOT on the primary mitigation that we have is 146 at the old 146A intersection. One of the intersections we looked at was 9 and 146 and DOT has an active study at that intersection so it kind of brought us together to start coordinating pretty early in the process making sure what they were planning at that intersection and how it worked with what we were proposing for mitigation at the Old 146/ 146 A intersection, so I can give you the details on what that mitigation is if your interested but just so you know we've been coordinating and are on board with what we are proposing which is what was presented in our initial traffic evaluation which was a couple of years ago at this point.

Don Roberts: That's fine.

Wendy Holsberger: All good?

Don Robets: Okay thank you

Wendy Holsberger: Your welcome

Jason Dell: So, we were here tonight just to update the Board and answer any questions you had for us at this point in the review and to advance the project however the Board sees fit.

Don Roberts: Thank you, Jason, first of all we have got to refer this to the Saratoga County Planning Board, our Town engineer for review and also the fire district for review, alright. That being said comments by the Board?

Tom Werner: I have a question on the Old 146, what's the current volume? There's considerable to my knowledge that sort of cuts through to avoid the 9 and 146 it's from Route 9 to Route 146 and with the plan to realign that through the development what percent of that traffic will continue to follow that alignment or are they going to be diverted through 9 and 146 have your studies looked at that?

Wendy Holsberger: So, we did do some diversions, I'd have to really dig into the numbers to give you those exact percentages but obviously there is a change in pattern with going to the site, so there were some diversions done I'm happy to send you those sheets separately if that will help you. I can look at the volume too, that's an easier quick one to do.

Tom Werner: So, I mean you have looked at that and that would only exacerbate the situation at 9 & 146 to the extent more traffic would be going through there. In my mind people are using that sort of as cut through to avoid 9 and 146. I don't think they are going to go through the development around and around and back out, that's just going to be a deterrent.

Wendy Holsberger: I mean I guess there is the balance between the 9 and 146 is still a busy intersection I mean yes there's, DOT is looking at that, but you know it's a pretty big intersection there. Part of their focus is removing some of those slip ramps, you know which helps with pedestrian flow and other modes of travel as well. It's kind of that combination of going through that 146 intersection and then going through, so I mean there is advantages. I know there has been a lot of discussion about how the old 146 down at 146 came in at that odd angle so we're straightening that out so that creates more efficient intersection, which is more attractive for people to go to, and the round about does serve as calming. So, there's advantages from our perspective to going through that, but I could look in more, dig into like that exact numbers if your interested in that but even if we divert or divert differently, I think the overall mitigation package would stay the same of what we're doing at those intersections.

Tom Werner: A bigger question I guess is and this is a significant development there is no question about it and we all hope it's obviously very successful and should attract traffic well outside the immediate area. How important do you feel fixing the eastbound traffic problem on 146 from exit 9 right through here is to the success of the site? Right now, on occasion and not infrequently traffic will back up from route 9 all the way west past Clifton Country Mall Road, solid one lane cause everybody's trying to get into that lane to go east. So, I don't know what the discussions with DOT have taken place, but it seems to me that fixing that is going to be crucial to the success of going forward with this project.

Wendy Holsberger: Right and that's for the DOT study, DOT really looked at I think 146 and Clifton Country Road and then the ramps and 146 and route 9. I don't have all of the details of that we were really focusing on what they were doing towards our study. One of the proposals is adding an east bound lane that will actually drop at our intersection that we're looking at so it is going to add more capacity and you know opposite that our mitigation we're widening on the west bound approach to have two receiving lanes because right now there's two lanes past Old 146 to the west so we're widening the west bound approach which is going to have more capacity at the intersection at the site in the future. With the combination of what we're doing and then what DOT is doing.

Tom Werner: Do you know when they'll be something coming forth from the DOT study some improvements that we can look at and consider?

Wendy Holsberger: I can check like we were kind of like pushing them a little because we were it was kind of like you know the tug of war between where they were at with their project and we were at so I know that they were working on preliminary designs and we were able to get enough information to know where, how we needed to design our intersection to kind of, I can certainly check and see where they are in their design process but last I knew a couple of months ago it was, they were doing preliminary lines, it was internal. I think we know more than maybe the public does at this point.

Tom Werner: Rich has the Town had anybody at any of those meetings with DOT?

Richard Harris: We haven't been formally part of any of the meetings or received any draft plans or documents from DOT on it.

Tom Werner: That might be something that we might want to seek a meeting, just like we do site reviews. A couple members of the Board with you and sit down with them and see where they are because I think that's crucial. Anybody that drives around that area knows that that intersection is practically a failed one, and this is a sizeable investment. We all want it to succeed but it isn't going to succeed unless they fix the problems out there.

Marcel Nadeau: I agree

Charlie Lucia: Mine is just real quick, either one of you can answer and it's just to help clarify an old man's mind. I'm looking at the prints here and as your round about comes and exits towards 146 just please for my edification is the Old 146 A going to end at that point and then that road will clear that up so there is not a whole bunch of rows

Wendy Holsberger: Yea absolutely, yes so where the round about is, yea that leg is going go direct and be kind of the old 146 connection, yea and then there is that section that is going to be removed along with Lawrence Circle you know there was curb cuts very close to that intersection on both sides that's all going to be removed as well.

Charlie Lucia: Alright that's great thank you.

Rich Berkowitz: We have a lot of maps and none of them show the intersection of 146 and the opening of the project, they're all cut off so you really can't see

Jason Dell: The full plan set I believe is 46 pages

Richard Harris: Did that include the intersection of 146 in those plans?

Jason Dell: Oh no the intersection of 146 and Route 9?

Rich Berkowitz: The opening here in 146 Plant Road and 146, because it's all involved.

Jason Dell: This is our intersection that we're improving right here. With 146

Rich Berkowitz: It's cut off you really can't see a true picture of it. You don't show that intersection with 9 and 146 or going east toward Plant Road and 146.

Wendy Holsberger: So, when we do our detailed design plans it will have a bigger overlay of like 146 itself separate from the site plan so like once the site, you know we go through the process there is a whole separate design package that goes to DOT those details. So, we will have to have you know where it comes from 9 because as I said we're connecting to what they're doing to what we're doing it's kind of all coming together like I said

DOT's kind of in their stages as well, so you know we don't have exact, their prints yet so we have to kind of keep working together

Rich Berkowitz: So, can this project go through without you two coming together?

Wendy Holsberger: So, we didn't propose mitigation at 9 and 146, DOT's doing the mitigation at that intersection, so that project was ongoing regardless of this project. You know there's needs at that intersection today which I think none of us at the table would deny that, so they're working on that and then this project.

Rich Berkowitz: But you influence them, and they influence you

Wendy Holsberger: To some degree but

Rich Berkowitz: If this comes together you know you come together now, and they come together two years from now how are we supposed to see what's going on at both intersections.

Wendy Holsberger: Right so again we'll find out more as we continue to coordinate with DOT, we'll find out more about their timeline and then obviously this process about the timeline of the construction of what we're proposing. So, when you look at, when we do traffic impact studies like we don't like we're showing what the impact is and comparing to the existing condition. It doesn't always create mitigation at every intersection for us so what I'm saying is our study didn't, we recommended some timing changes at that intersection, not like a geometric improvement at that intersection. Because we have a percentage of traffic going through there, but we also have traffic you know coming to and from the east, you know going Old 146, going down like there's it's distributed so yes it does impact it, but not to the level that we were recommending geometrics DOT was, but DOT was already in the works at that intersection.

Rich Berkowitz: So, what's your worst-case scenario, adding the thousand cars, two thousand cars to the intersection?

Wendy Holsberger: So, our peak hour is new traffic is about 150 trips during the peak and that's split between

Rich Berkowitz: That's over 300 apartments a proposed grocery store, proposed retail your talking 150 cars per hour?

Wendy Holsberger: That's during the peak hours

Rich Berkowitz: Yea I think that's way off. I mean those are luxury

Wendy Holsberger: It saves too there's a combination of new vehicle trips, what we call pass by trips where trips are shared between the internal users and all of like you know DOT has reviewed all of that like it's all based on standards that we use and it's about 150 new trips during the peaks because everybody doesn't move during the same hour, like even though like we look at like the one peak hour, everyone moves in the morning but not everybody moves at the same time and a use like this has you know combination of retailers and so retailers really don't have peak hour morning trips they

Rich Berkowitz: Supermarkets do, coffee shops do, residential do.

Wendy Holsberger: Right but if you go to the supermarket in the morning when the traffic is very light compared to if you go after you know in the pm peak hours. We've looked at both of those peaks and where in the morning

yes residents will be leaving and then in the afternoon they will be coming home and there's complimentary uses all that is laid out in the study that we did by the individual uses what the trips are what the credits are what the you know pass by trips. What I ads was new trips, we also have pass by trips which is basically saying I was traveling on 146 and I stopped at the site because there's a supermarket or whatever use there that I'm going to go you're not a new trip to the area but your on the road now you're going to stop in and that's a different kind of trip which are all accounted for in there and that's another you know 75 to 100 trips.

Lyn Murphy: Yea the bottom line and we talked about this from the get go with this project, DOT is saying that they're doing improvements at 9 and 146, if they sign off on your project their improvements might be 5 years from now but that isn't controlled by the applicant, but if DOT is comfortable with the mitigation that you're suggesting and their engineers and your engineers and our engineers all sign off on it, I mean it is what it is.

Rich Berkowitz: I understand that but I also

Lyn Murphy: The other thing too and this Board obviously hasn't made any decision there is a ton of review to be done but don't be surprised if one of the conditions for getting c/o's on the apartments is that the commercials already built because you know we don't want to run into a situation where we have a bunch of apartments with not tax base for the community.

Rich Berkowitz: Just one last question, any update on the Plant Road?

Jason Dell: They don't own the property yet.

Rich Berkowitz: Not yet?

Jason Dell: Nope, trying

Don Roberts: Anyone else? Okay so we will refer it to the necessary agencies, and we will get back to you alright.

Jason Dell: Thank you.

One-Four-Six Marketplace PDD – Site Plan

TABLED/REFERRED TO AGENCIES. Board received a presentation for the proposed Site Plan for the project and referred it to the necessary agencies for review

Aquatica Pool & Patio, 43 Rt. 146 – Sign (24.136)

Carly Clark: Good evening I'm Carly Clark from AJ Signs and we are proposing to do a simple non-lit wall sign on the building with a star on it to the left. One is going above the main entry door which faces 146 and the other is more of a directional for the parking lot with an arrow showcasing you to the front door, because there is a small side door and some other doors on the backside of the building. So pretty simple

Don Roberts: And the sizes?

Carly Clark: Yes, 36 x 56 is the one on the side and the one on the front of the building is 48 inches tall by 62 inches wide.

Don Roberts: It's just for the record this is all taped

Rich Berkowitz: I make a motion to approve the signs

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Laurie Barton: Second

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried. You're going to advertise Halfmoon right?

Carly Clark: Sorry?

Don Roberts: You're going to advertise your in Halfmoon aren't they, I hope.

Carly Clark: Sure, whatever you want.

Don Roberts: Thank you.

Carly Clark: Thank you.

Aquatica Pool & Patio – Sign

APPROVED. Board approved new signs to reflect the new business/tenant's name, *Aquatica Pools & Patio*.

Woods Plaza Tenant Sign, 15 Rt. 236 – Sign (24.138)

Sean: Good evening I'm Sean with Fast Signs in Colonie I'm here representing my client at Woods Plaza and we're proposing to install a monument sign onto preexisting structures, it's going to be internally illuminated and two sided.

Don Roberts: Questions by the Board?

Rich Berkowitz: Is this close to the proposed round about?

Don Roberts: It's on their property

Richard Harris: There's still the billboard property between this and the roundabout.

Rich Berkowitz: I make a motion to approve the sign

Charlie Lucia: I'll second.

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried.

Sean: Thank you.

Woods Plaza Tenant Sign– Sign

APPROVED. Board approved the new multi-tenant plaza sign for Woods Plaza, 15 Route 236.

Mix & Makers Vendor Boutique, 1385 Crescent-Vischer Ferry Rd – Change of Use/Tenant (24.139)

Kara Kramer: Hello, I'm Kara Kramer and I'm the owner of Mix & Makers Vendor Boutique. So like you said we will be at 1385 Crescent Vischer Ferry Suite B which is the middle suite and so the purpose of the Boutique is to be a one of a kind shopping experience that supports local small businesses and it will have dozens of small businesses all under one roof, so basically it makes supporting small super easy and it allows you know all of these small businesses to have a home base for themselves.

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Don Roberts: Okay, hours of operation?

Kara Kramer: We will go Tuesday through Sunday, 1 to 7 Tuesday, 10 to 6 on Wednesday, 10 to 3 on Thursday, 1 to 7 Friday, 10 to 6 on Saturday and 2 to 6 on Sunday.

Don Roberts: Number of employees?

Kara Kramer: Just me

Don Roberts: Just you?

Kara Kramer: Yes

Lyn Murphy: Just you, are you going to man everybody else's place?

Kara Kramer: Yes so, the other vendors in the store they are just responsible for a shelving space or a set up display, they are just responsible for putting up their items on display and setting that up and I am running everything selling everything.

Lyn Murphy: The only other thing I would mention there are certain uses that obviously you need state licensing for or are not allowed, obviously you're not selling alcohol there, firearms stuff things like that. It goes without saying

Kara Kramer: Jewelry candles you know handmade goods.

Don Roberts: Questions by the Board?

Rich Berkowitz: I make a motion to approve the change of use.

Marcel Nadeau: I'll second it.

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried, and if you want a sign you have to come back for a sign.

Kara Kramer: Yes, I do know.

Don Roberts: Good luck

Kara Kramer: Thank you

Don Roberts: You're welcome.

Mix & Makers Vendor Boutique– Change of Use/Tenant

APPROVED. Board approved a new retail tenant (hand-made goods) in the vacant 1,000 SF space.

Red Door Realty, 4 Jones Rd – Change of Use/Tenant & Sign (24.140 & 24.141)

Jared Schutz: Hi good evening, Jared Schutz Red Door Realty. So, we are looking to transfer our real estate company down to 4 Jones Road off Crescent Road and occupy the Adirondack Basement space, and we would like to replace one sign and then add another sign on the eastern side of the lot.

Don Roberts: Okay the size of the signs?

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Jared Schutz: So, the first sign will be replacing it's about 4 x 11 and then the other one is about 12 square feet which will be replacing the Adirondack Basement sign.

Don Roberts: Questions by the Board?

Rich Berkowitz: I make motion to approve the change of use and tenant and the sign.

Laurie Barton: I'll second

Don Roberts: We have a motion and a second all in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried.

Jared Schutz: Thank you.

Don Roberts: Your welcome

Red Door Realty– Change of Use/Tenant & Sign

APPROVED. Board approved the new real estate tenant in approx. 1,547 SF vacant space and related signage.

The Church of Newtown Road & Lambertsen Lot Line Adjustment, 142 & 144 Lower Newtown Rd – Minor Subdivision (24.133)

Fred Metzger: Good evening, Fred Metzger land surveyor here this evening for the client Mr. & Mrs. Lambertsen and the Church of Newtown Road regarding their proposed lot line adjustment located at 142 and 144 Newtown Road. The two existing parcels 144 being approximately 1.3 acres and 142 being approximately 5.88 and what they are looking to do the church I looking to take the front portion of the existing flag lot in there in the rear, convey and combine that with the portion in the rear to go with that lending two parcels have 2.56 acres and 4.65. Mentioned there earlier too both parcels meet all of the existing code and that's about it.

Don Roberts: Thank you, questions by the Board?

Rich Berkowitz: I make a motion to set the public hearing on September 9th.

Marcel Nadeau: I'll second it.

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried, see you the 9th.

Fred Metzger: Thank you.

The Church of Newtown Road & Lambertsen Lot Line Adjustment – Minor Subdivision

PUBLIC HEARING SET. Board received a presentation on a request for a Minor Subdivision (lot-line adjustment) and set a Public Hearing for September 9, 2024.

Connors & Pogoda Lot Line Adjustment, 9 & 15 Siena Dr. – Minor Subdivision (24.137)

Craig LeClaire: Good evening, Craig LeClaire on behalf of Pagoda Associates. As you just said we are looking for a minor lot line adjustment between 9 & 15 Siena Drive due to an encroachment of a shed on our property at 15 Siena Drive. It's approximately 380 square feet.

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Don Roberts: Questions by the Board?

Rich Berkowitz: I make a motion to set a public hearing on September 23rd

Charlie Lucia: I'll second

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried, see you September 23rd. Anyone have anything else?

Connors & Pogoda Lot Line Adjustment – Minor Subdivision

PUBLIC HEARING SET. Board received a presentation on a request for a Minor Subdivision (lot-line adjustment) and set a Public Hearing for September 23, 2024.

Charlie Lucia: I make a motion to adjourn

Marcel Nadeau: I'll second it.

Don Roberts: All in favor Aye? (all were in favor) Opposed? (none were opposed) Motion carried, thank you good night, be safe.