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**MINUTES MEETING
Town of Halfmoon Planning Board
July 26, 2021**

Those present at the July 26, 2021 Planning Board meeting were:

Planning Board Members:

Don Roberts –Chairman
Marcel Nadeau- Vice Chairman
John Higgins
Tom Koval
Rich Berkowitz
Thomas Werner
Mike Ziobrowski-absent

Planning Board Alternates:

Charlie Lucia -absent
Brendan Nielsen -absent

Coordinator- Building, Planning and Development:

Richard Harris

Senior Planner / Stormwater Management Technician:

Paul Marlow

Town Attorney:

Lyn Murphy

Deputy Town Attorney:

Cathy Drobny

Town Board Liaison(s):

John Wasielewski
Eric Catricala

Town Engineer:

Joel Bianchi

Chairman Don Roberts 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 the minutes from the last meeting? Tom Koval recuses himself, can I have a second?

Rich Berkowitz: I make a motion to approve the minutes.

Don Roberts: Tom Koval recuses himself, can I have a second?

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Marcel Nadeau: I'll second it.

Don Roberts: All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

New Business:

21.126 Fireside Plaza, 1581 Rt. 9 – Sign

Don Roberts: Anyone here? Go ahead please come up say your name and address and what you're proposing to do.

Russ Hazen: Russ Hazen and I am with Ray's Sign Company.

Don Roberts: Okay, go ahead

Russ Hazen: There is an existing free standing sign you should have a photo of the sign 1581 rt. 9,

Richard Harris: I went through your packet I didn't see it, they have the existing sign

Russ Hazen: Correct, correct. What we wanted to do, there is a steel posts that are currently there and concrete foundation so we wanted to use the same footprint.

Don Roberts: And just change what's in there?

Russ Hazen: It's all the same footing, rather than dig all of that up and of course put up a very beautiful sign compared to what's there.

Don Roberts: Same height?

Russ Hazen: It's going to be, it's a little taller, probably about 3 feet.

Tom Koval: It's still under 12 feet, its 130 inches so, we're shorter than our, what we have been trying to set.

Don Roberts: I think it's a little higher

Tom Koval: Okay it, about $\frac{3}{4}$ of an inch okay its 130 inches across

Don Roberts: I think it's a little higher

Richard Harris: Its 12 and $\frac{3}{4}$ high.

Tom Koval: You've got to shave $\frac{3}{4}$ of an inch off, Im only kidding you.

Don Roberts: Comments by the Board?

Rich Berkowitz: Are the other tenants going to be on this sign?

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Russ Hazen: Yes.

Rich Berkowitz: Okay

Russ Hazen: Which

Rich Berkowitz: What are we talking about, The Polished Nail salon, Gallery and Fitness Artist?

Russ Hazen: Two of those tenants are moving out, Salon, Galleria is moving out

Rich Berkowitz: But the other two there

Russ Hazen: There's two tenants moving out.

Tom Werner: The existing sign is located back from the right of way? It's not in any way

Russ Hazen: If you look at the site plan it looks like it's a little bit beyond the front property line, I spoke with the owner they said its about 4 ft. 4 inches past the property line but I don't know how the sign got approved the first time to be honest with you, so we just want to use that footprint

Tom Werner: the only question I had was on site distance that's not an issue coming in and out of the driveway as far as view.

Don Roberts: Are you taking the sign completely down? Are you taking the sign down completely and building a new one?

Richard Harris: No he is using the post

Don Roberts: Oh so he's using the post so it's not coming down completely.

John Higgins: So it's going to be in the right of way

Don Roberts: That's what I mean yea, we should make them take it out.

Richard Harris: Unless they have a permit from DOT

Lyn Murphy: Im hearing him say its 4 ½ feet off of the right of way.

John Higgins: He said its 4 ½ feet on the right of way

Russ Hazen: Past the front property line

Don Roberts: On the right of way

Lyn Murphy: Your saying his property line and he's 4 ½ feet off of it?

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Don Roberts: Towards route 9.

Lyn Murphy: He is going to have to move it.

Don Roberts: Yea you're going to have to move the sign back onto the property.

Russ Hazen: If we have to we will but.

Lyn Murphy: You can get a permit from DOT where they say its okay for you to be there, half of route 9 is on the right of way.

Russ Hazen: How do you think that sign got approved the first time?

Lyn Murphy: That's what Im saying there might be a permit from DOT in existence, so verify that

Don Roberts: Check with the previous owner

Russ Hazen: Okay, should we have that, bring it in as documentation?

Lyn Murphy: Yes

Don Roberts: That would help, yes

Russ Hazen: If we don't, we have to set it back?

Lyn Murphy: Set it back or apply for it before you put it up.

Russ Hazen: Do we have to come back for a meeting if we

Tom Koval: I make a motion to approve the new sign on the condition you get a release from DOT to be 4 ft. on their right of way.

Rich Berkowitz: Ill second

Tom Koval: Or you have to move the sign

Marcel Nadeau: Ill second that.

Don Roberts: All in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried. And if you need help contacting people at DOT let me know I can help you.

Russ Hazen: Can I ask a question? There was also a wall sign permit that was part of this is that going to be next?

Rich Berkowitz: That was part of it.

Tom Koval: Yea I make a motion to approve the wall sign as well.

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Marcel Nadeau: Ill second

Don Roberts: All in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, alright

Russ Hazen: Thank you.

Don Roberts: You're welcome

Russ Hazen: I appreciate it.

Fireside Plaza– Sign

APPROVED. Board approved replacement signage to reflect the new plaza and tenant names, with the condition that the applicant demonstrate NYSDOT approval/permit for the free-standing sign location in the NYS ROW or relocate the sign onto private property.

21.123 Dave the SIGN Guy, 3A Plant Road – Sign

Dave Ashley: Hi Im Dave the Sign Guy, Dave Ashley, 3A Plant road, Halfmoon. Here to answer any questions.

Don Robeerts: Just tell us what you're proposing please.

Dave Ashley: Im proposing a digital sign at the point of the building along with 2 lit signs at the base, and then two smaller signs showing the days that Im open as well as the hours, that hang. As far as allotted signage next door to me I am in a separate building from the land lord who is the plumber , he is an off- site plumber so he has allotted me the full use of signage and you do have that approval in your file.

Rich Berkowitz: Is that top sign an LED sign?

Dave Ashley: The top sign will be an LED sign which I will be using to display local temperature things like that as well as displaying businesses I've done work for, not in an advertising form as far as those businesses themselves, I'm not taking money from businesses to advertise on the digital board its more so to show my wares so to speak.

Rich Berkowitz: Is there hours of operation when that sign is going to be on say after midnight?

Dave Ashley: Typically digital signs usually are on 24/7 Im kind of set in an area where you really aren't going to see it

Rich Berkowitz: I live off of Plant so I know.

Dave Ashley: As you well know I am in an area where you only see it for that little brief moment at the intersection no residences or anything sees that sign in the evening, during the day none of the above.

Tom Werner: Do you have an automatic dimmer control on it for evening hours?

Dave Ashley: Yes you can control the brightness of the sign, yes that's correct.

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Rich Berkowitz: And how frequently will the sign change?

Dave Ashley: No more than once every 20 to 30 seconds.

Rich Berkowitz: What's ours?

Richard Harris: 20 seconds.

Rich Berkowitz: Okay, this falls within our guidelines as far as the size?

Don Roberts: Yes

Rich Berkowitz: I'll make a motion to approve the signs

Tom Werner: Ill second it.

Don Roberts: All in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, alright

Lyn Murphy: Just so we are very clear if you start collecting money to have the signs up here it will be an illegal sign.

Dave Ashley: I am absolutely clear on that fact, it is in no way my intention or will ever be my intention to do that.

Don Roberts: Thank you.

Rich Harris: The applicant did submit renderings of what he is going to display which are photos of the work he has done for other people, it's not on buildings advertising their name it's his work that he did.

Dave Ashley: Right , although to be clear so that there's no fuzziness there , it is going to be logos of businesses so you could take it as advertising for them if you were being literal but it's not , it's literally showing my design work or on vehicles or on buildings those kinds of things.

Don Roberts: Okay we have a motion and a second .All in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried

Dave Ashley: Thank you.

Don Roberts: You're welcome.

Dave the SIGN Guy – Sign

APPROVED. Board approved new LED building signage.

21.133 Magnolia Hair Studio, 1707 Rt. 9 (Shops of Halfmoon) – Sign

Maggie Selig: Hi Im Maggie Selig Im here to have our Sign approved its 4 x 8 and its right above this studio.

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Don Roberts: Okay questions by the Board?

Tom Koval: Is there an existing sign or was there an existing sign?

Maggie Selig: There was an existing sign, right in the same brackets yes.

Don Roberts: So you are just replacing what was there?

Maggie Selig: Yes.

Rich Berkowitz: I'll make a motion to approve the sign

Tom Koval: Ill second

Don Roberts: All in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried.

Maggie Selig: Thank you.

Don Roberts: You're welcome

Magnolia Hair Studio (Shops of Halfmoon) – Sign

APPROVED. Board approved new wall-mounted signage to reflect the recently-approved tenant name.

21.135 Mitsubishi Motors (Mangino), 1658 Rt. 9 – Sign

Carl Wheeler: Hello my name's Carl Wheeler with AJ Signs here for Tony Mangino. Basically what we are trying to do is upgrade their branding to be a modern branding we are taking down the three existing wall signs and putting new ones up.

Don Roberts: Once again just replacing what was there before?

Carl Wheeler: Replacing what was there before, yes

Tom Koval: Are they currently internally lit?

Carl Wheeler: Yes they are.

Don Roberts: Any questions?

Rich Berkowitz: I make a motion to approve the signs

Tom Werner: Ill second it.

Don Roberts: All in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, alright

Carl Wheeler: Thank you.

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Don Roberts: You're welcome.

Mitsubishi Motors (Mangino) – Sign

APPROVED. Board approved replacement wall-mounted and free-standing signage to reflect new branding

21.132 On the Move Health & Fitness, 217 Guideboard Rd (Country Dollar Plaza) – Change of Use/Tenant

Mike Verschelden: Mike Verschelden owner and operator of On the Move Health and Fitness, Im looking to get approval of a small appointment based personal training studio at 217 Guideboard road.

Don Roberts: Just explain what you will be doing there please?

Mike Verschelden: So exclusive one on one private training, small group's semi private personal training, large group fitness classes. In house workshops and nutrition coaching and wellness.

Don Roberts: In large group fitness classes how many people at a time?

Mike Verschelden: Max 20, 20 capacity.

Richard Harris: How late do you go at night? Your application said until 7.

Mike Verschelden: 7, 6 to 7.

Tom Werner: Is there adequate parking?

Don Roberts: That's what Im wondering.

Tom Koval: Currently there is

Don Roberts: Yea but once it builds out you know.

Tom Koval: It's a pretty big parking lot that's not utilized.

Don Roberts: The larger class's will they be day or night?

Mike Verschelden: It will be early morning and evening.

Don Roberts: Early morning, evening that might help, yea.

Rich Berkowitz: He seems at opposite hours of most places there.

Don Roberts: Shouldn't be a problem

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

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Tom Werner: Ill second it.

Don Roberts: I have a motion and a second, all in favor aye? (All were in favor) Opposed? (None were opposed)
Motion carried.

Rich Berkowitz: Do you have a sign?

Mike Verschelden: I don't know if I filled out the application but I do have a sign going in.

Don Roberts: You'll have to come back for the sign, alright but you are all set for the use.

Mike Verschelden: Sweet, thank you

Don Roberts: Your welcome, good luck.

On the Move Health & Fitness– Change of Use/Tenant

APPROVED. Board approved the request to use approx. 2,100 SF in the plaza for a fitness studio.

21.136 Dr. Detail Auto Spa, 12 Roger Lane – Home Occupation

Dr. Detail Auto Spa– Home Occupation

TABLED. Applicant failed to appear.

21.117 Lands of Crowther Duplex, 752 Hudson River Rd – Special Use Permit

Duane Rabideau: Duane Rabideau from VanGuilder and Associates representing David Crowther before the Board tonight for a special use permit to construct a two family duplex located at 752 Hudson River road. At this point in time the parcel is vacant and was created by an approved subdivision in 2014. The proposed duplex will tie into the existing public water and public sewer. The duplex will also have ingress, egress easement so that the drive from the duplex will tie into the existing curb cut on Hudson River road. The applicant lives here so they have this in place already, so that no new curb cuts onto the road. The parcel is in the waterfront mixed use zone where there is a mix of different uses in the area, to the south of the parcel is the Waterford Halfmoon Fire station , the sub-station which is down here , the fire station is right here. To the west over here just south to the map is the railroad and the Troy Topsoil mining operation, which is west of the rail road. On the north which is here, that will be where the applicant lives now and then on the other side of the road there is a vacant parcel but it does have limited developmental potential because of the environmental constraints. There are existing duplexes, one is located about a 1000 feet south of this parcel and then also one about a 1000 feet north of the parcel. And that is our proposal tonight.

Don Roberts: thank you Duane, as you know this has to be referred to Saratoga County Planning Board for review and we will also need a public hearing.

Duane Rabideau: Correct.

Don Roberts: With that being said, comments by the Board?

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Tom Koval: I make a motion to set a public hearing on August 23rd.

Rich Berkowitz: Ill second

Don Roberts: All in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, see you the 23rd and Rich you will refer it to Saratoga County right?

Richard Harris: Yea it's got to go to the County but we will get it before the next meeting.

Don Roberts: Okay thank you.

Duane Rabideau: Okay thanks.

Lands of Crowther Duplex– Special Use

PUBLIC HEARING SET. Board received a presentation requesting to construct a two-family (duplex) and set a Public Hearing for August 23, 2021.

21.118 Dorrough Subdivision, 93 Cemetery Rd – Minor Subdivision

John Romeo: Good evening, John Romeo with Insight Northeast, I'm here to present the Dorrough subdivision project. Here this evening we have a 12 acre piece of property we are proposing a 3 lot minor subdivision 2 of the lots will share one driveway one lot will have its own separate driveway on Cemetery road. The site does have wetlands on it, there is a 50 ft. wetlands buffer that we are observing, we are asking for new variance as part of this project. It will be served by both public water and sewer. Onsite we will have grinder pumps for the, just due to the depth of the proposed houses and there will be an easement provided between lots 2 & 3 for the shared driveway. Soils onsite are great they're sand. There is an existing house currently being constructed right now onsite and that's kind of why the lot lines are held where they are the other lot lines were shown due to the fact that they want to be able to have another house onsite to accommodate a family member so these are family friends that are building this housing development can live near each other. I'm here to entertain any questions you may have. The site is zoned residential agricultural so that's why we have rather large lot sizes on here, each of the lots is between, is greater than 2 acres. Thank you.

Rich Berkowitz: These are single family homes?

John Romeo: Single family homes.

John Higgins: Which is the lot presently being built on?

John Romeo: The planned south lot, with the actual house footing rather than the little box houses that you see.

John Higgins: Is that lot 2 or lot 3?

John Romeo: That is lot 3

Rich Berkowitz: I make a motion for a public hearing August 9th.

Marcel Nadeau: Ill second that.

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Don Roberts: All in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, see you on the 9th.

John Romeo: Thank you very much.

Don Roberts: You're welcome

Dorrough Subdivision – Minor Subdivision

PUBLIC HEARING SET. Board received a presentation requesting a three lot single-family home subdivision and set a Public Hearing for August 9, 2021.

12.119/21.120/21.121

**Case Paving/Richard's Paving & Fuels, 860 Hudson River Rd –
Change of Use Tenant, Special Use Permit & Sign**

Richard Hughes: My name is Richard Hughes, I'm the owner Case Paving DBA, Richard's Paving & Fuels

Don Roberts: And what do you plan on doing on the site?

Richard Hughes: The site is already currently there now basically but what Im going to do is have my construction equipment there , I own Richard Paving and Richards Fuels , we are a local paving contractor been in the area for about 35 years. I also own a fuel company that's been around for about 20 years. We are just looking to store our material there, there is office space there, there is a garage there for us to work on stuff and that way we can have a place to park all of our equipment.

Don Roberts: How many pieces of equipment are you anticipating having?

Richard Hughes: We have 5 tri-axel dump trucks, 4 or 5 utility trucks, one service truck for oil, and probably about 4 or 5 pick-up trucks that actually run with the paving company itself. We have about 10 to 12 employees that have their own parking area up onto the right hand side of the property

Don Roberts: Questions by the Board?

John Higgins: Are you going to have any bulk fuel storage onsite?

Richard Hughes: No bulk fuel storage onsite, the fuel will be on the truck itself, we only use it for deliveries to customers or to deliver in the back of our tanks, we have a skid tank that's put there for on-road diesel a 500 gallon skid tank and that's what we pump off of that, into that tank and then pump it into the trucks.

John Higgins: Okay how big is that tank?

Richard Hughes: 500, or the tank on the truck?

John Higgins: No the tank on the ground?

Richard Hughes: The tank on the ground is a 500 gallon skid.

John Higgins: Okay, double wall?

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Richard Hughes: Yup, double wall with a container.

John Higgins: Okay thank you.

Richard Hughes: We will be moving that from the place we are now and we will be bringing that to there.

Tom Koval: You're not going to be bringing any materials back that you have taken out, filling any areas?

Richard Hughes: Nope, the only thing we leave onsite is just crusher run so we have gravel during the weekends because we do work 7 days a week, so our bulk storage is probably 50 to 100 ton of crusher run, just so we can have it for weekend work.

Tom Koval: Your last facility down on Lock One road you filled in quite a bit behind there

Richard Hughes: Right , yea when we got the permit to do that half acre section that was behind it, there was no filling in there , the property behind it , the property has been here for 20 some years now so they have already done all the leg work.

Tom Koval: Alright

Richard Harris: Where will the crusher run be stored?

Richard Hughes: To the back of the facility , where is the building , the driveway coming up , this is a big parking lot right here right now all stone , it will be stored on the right hand bank here. All the equipment will be stored from this side to this side. This is the building itself , it comes up straight this way and it also comes up around this way , but this is a wide open space right now so we will be storing the stone in that area right there.

Tom Koval: I'll make a motion to set a public hearing on August 23rd.

Rich Berkowitz: Ill second

Don Roberts: Okay before we vote on it, we have to mention this has to be referred to Saratoga County Planning Board for review as well as our public hearing okay just so you know.

Richard Hughes: Okay

Don Roberts: Okay we've got a motion and a second for a public hearing, all in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, see you at the public hearing.

Richard Hughes: Okay

Don Roberts: Thank you.

Richard Hughes: We also had for the special use and sign, you guys saw that?

Richard Harris: The special use is part of that but the sign is not.

Don Roberts: Go ahead with the sign

Richard Hughes: Okay, there is an existing sign that's there now that's actually out in front, it's a lighted sign it's been there for 20 some years that's going to be the logo that we are putting onto it, we're not changing the sign in any shape or form we are just going to be changing the vinyl lettering that is on it.

Don Roberts: Okay very good. If all goes well and you get approval on the use then we can do the sign, but at least you presented it, alright?

Richard Hughes: Alright, when is that again?

Rich Berkowitz: August 23rd.

Richard Hughes: August 23rd, okay thank you.

Don Roberts: Thank you.

Case Paving/Richard's Paving & Fuels– Change of Use Tenant, Special Use Permit & Sign. PUBLIC HEARING SET. Board received a presentation seeking to allow a paving and fuel supply business in the existing 7,000 SF building and site and set a Public Hearing for August 23, 2021.

21.124 / 21.125 Rockwood Lot Line Adjustment, 1460 & 1460A Crescent Vischer Ferry Rd – Minor Subdivision & Special Use Permit

Sophia Marouso: Hi good evening my name is Sophia Marouso Im here with Plan & Site Consulting, Im representing the applicant its Mr. & Mrs. Rockwood, and we also have , I have the benefit of having the neighbor Mr. Berlin here with us tonight. Tonight we are requesting that the Board consider the application for this lot line adjustment it's a fairly simple action that we are proposing, we are located in the C-1 district, the small business overlay district, the minimum lot size is preserved in, well in excess of I would say at 12 & 14 acres respectively, we do provide more of an equal split of the existing road frontage which conforms of the flag lot provisions under the Town of Halfmoon Planning. What we are looking to do is too simply to allocate a little bit more of a side yard area to the Rockwood lot which would be 1460 A. The transference is approximately .2 acres between the properties so the neighboring property decreases by that amount and Rockwood gains that area itself. The shared drive which has been supporting both of those single family residences for about 25 years will continue to diverse both lots and with that we would be submitting easement language for your consideration and for approval untimely that would allow for continued use by both neighbors at this present time. Accompanying this application is a special use application for the continuance of the single family residential use of the property. We have onsite well and septic providing services to both homes, there is water at the road, there might be potential connection in the future to those residences. But Im here to answer any questions you might have.

Don Roberts: Okay as you know this will need to be referred to Saratoga County Planning Board for review, we will need a public hearing and questions by the Board?

Rich Berkowitz: I make a motion to have a public hearing set for August 23rd.

Tom Werner: Ill second it.

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Don Roberts: Okay, all in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, see you the 23rd.

Sophia Marouso: Thank you.

Don Roberts: You're welcome.

Rockwood Lot Line Adjustment– Minor Subdivision & Special Use Permit PUBLIC HEARING SET. Board received a presentation requesting a lot line adjustment between two existing residential parcels and set a Public Hearing for August 23, 2021.

20.097 Rocks Two Holding (Rock's Automotive), 190 Route 146 – Amendment to Site Plan

Duane Rabideau: Good evening Duane Rabideau from VanGuilder and Associates, here tonight for continuation of the site plan review for Rock's Auto. The site plan before the Board tonight was modified from the original plan presented before the Board based on comments from the Board and Town staff, we reconfigured the proposed parking because we needed to address the screening issue basically we put a berm here and continued around here and putting evergreen trees on top, by doing that we had scrunched the parking lot further away from 146. Also we decreased the amount of proposed, new proposed parking spaces to 25, I think it was around 30 originally. One of the items that the Board needs to discuss is existing lighting onsite, if the Board feels its adequate or needs more, he has upgraded the lighting to LED's and also the, we modified the proposed parking spaces we had them at 9 feet, 9 x 18 Town staff indicated it needs to be 9ft and 20 feet long we did do that so the plan has been updated, and that is our revised plan before the Board tonight.

Richard Harris: Just to clarify the Town code is 10 x 20 for spaces but the Board feels there are spaces that are not going to be spaces that are not frequently used by everyday customers either typically its employees or some type of long term vehicles on the site , you are allowed 9 x 20

Don Roberts: Thanks, thanks Duane, comments by the Board?

Tom Koval: Duane you know we've been having issues with this site

Duane Rabideau: That's correct.

Tom Koval: Im glad you're here

Duane Rabideau: Yes

Tom Koval: Your client doesn't seem to be really willing to come into line with what we expect with that property so far and it's been years he's not been responding to our wishes , when we do finally vote, when I vote on this there's got to certainly be conditions as to exactly how many cars are going to go in and if its exceeded and it's a very visual spot there is not going to be anymore screwing around with court , I will go to court myself to make sure that these laws are enforced, because it's ridiculous that we have to look at that and your client just doesn't seem to care. 9 feet wide on these spots is marginal, but we are going to set a maximum unit per lot or per property on this and it's to be adhered to , if it's not there is not going to be any more excuses , you need to relay that to your client. It looks like a junk yard over there.

Duane Rabideau: Yea that's true that's why we're trying to do this , I talked to him about it , he understands that he has been slowly been getting cars out , a lot of issues , you just don't take the cars off there is more to it than that

Tom Koval: Two years there's not issues any more, not caring what we say.

Duane Rabideau: Since he's been to court, he's heard it loud and clear

Tom Koval: It's the same cars I've been seeing there for 2 or 3 years , I could tell you right now which color the SAAB is that is sitting down there , and the old Cadillac, it's the same deal, I personally haven't seen any clean up.

Duane Rabideau: Right, I get that, he gets it, right

Tom Koval: I don't drive by a lot , I drive by definitely every Tuesday night , it's the same mess that I've been looking at for 2 years.

Don Roberts: And Duane we are going to put a time limit on getting this straightened out.

Duane Rabideau: Oh absolutely , he fully understands that , he's trying , it's not a fast process he knows the Town is extremely angry at him , he's been to court, he continues to go to court , he's got it but he's working at it. This is a twofold approach, we are doing the site plan to address, hopefully to address the problem, well it has to address the problem and deal with the actual getting cars off the lot to meet the number that you guys are going to establish. Which basically can't be any more than the parking spaces he has and probably a little less for customers. So, he gets it.

Tom Koval: The customer parking is much different than unregistered vehicles sitting there. Parked cars, it's much different. Look at our end, I know the difference. They've got plates and a registration from , or no plates and a registration from 6 years ago that is not a customer's car, that's something he's holding for whatever he's gonna do later down the road and that's not acceptable. It looks like garbage over there, it's as simple as buy a lot out in Melrose where nobody can see your stuff, bring it out there or clean up your act down there. That's the gateway to Halfmoon coming in it's a State road, everybody see it, it's not the place for that.

Duane Rabideau: Understood.

Don Roberts: Now what's the proposed landscaping going to be like?

Duane Rabideau: Basically this elevated berm here and evergreens along the top and also here so basically it's pushed everything back that there is two things with that, the site is higher than the road a little bit. So this should be adequate screening, it will also help prevent any potential cars on the lawn, that is not going to happen anyway but, so it serves a couple purposes so that should be a tremendous visual affect.

Tom Koval: How high is the berm?

Duane Rabideau: The berm is, the actual berm is 3 feet high plus the trees on the top

Tom Koval: 6 foot trees?

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Duane Rabideau: 6 ft. trees are the typical

Tom Koval: Conifer not hideous trees I assume?

Duane Rabideau: Correct, your typical landscaping Conifer trees.

John Higgins: What are you doing for stormwater?

Duane Rabideau: Basically,

Tom Koval: You can still see it coming all the way down 146

Duane Rabideau: Basically the stormwater is going to go down into a little retention basin so it will catch the initial flush from the parking, right now all of the water just drains down into this so, actually this is a lot better set up, we're actually going into something either potentially, either it gets enough to come out and go through the natural 18inch culvert under the road

Tom Koval: Are those retention ponds big enough for that size, it's not blacktop, it's stone?

Duane Rabideau: Right now its stone I don't think he's, he may pave it but I don't think so.

Tom Werner: Where is the water discharged to?

Duane Rabideau: Basically the water runs down here into the retention basin if there is too much it overflows here and goes down into the natural drainage right here and there is an 18 inch culvert that runs down here. Right now all of the water pretty much does this anyway.

Tom Werner: Does it involve the drainage on the state right of way?

Tom Koval: Yes

Duane Rabideau: It will eventually get there like it does now yes.

John Higgins: How much water are you planning on retaining in the retention pond?

Duane Rabideau: We haven't done the calculations on that but you know it's one of those things where it's better now than it was.

Tom Koval: That tractor trailer body's gone away?

Duane Rabideau: Yes that is going because part of the proposal is inside he is going to have that , build that mezzanine level that was not put in initially so that whatever is in the trailer goes up there but that was part of the proposal that , that was to go.

John Higgins: And is the shed an existing shed or is he building a new shed?

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Duane Rabideau: This is a new shed right here

John Higgins: Okay it's going to be constructed out of wood or is he figuring a truck body or something.

Duane Rabideau: It will be wood, yea it's not going to be what's there now, no he gets it he understands what he is up against.

Rich Berkowitz: Does he store any auto-body parts outside now?

Duane Rabideau: I don't think any-more than anybody else does?

Rich Berkowitz: Well what's that mean?

Duane Rabideau: Well he has to have some stuff there, I think his big issue was tires, that's what I think, I believe is in there.

Rich Berkowitz: I can't remember what, so where does he store his tires?

Duane Rabideau: In that trailer that you want out of there, but with that we are putting inside the building, second story.

Rich Berkowitz: Now where does he store any excess parts or old parts?

Duane Rabideau: That I don't know how he gets rid of those

John Higgins: And he also understands that he is not going to be allowed to utilize the utility right of way as his own personal storage area, which he has been doing for years?

Duane Rabideau: That is correct, there was just not enough room.

Rich Berkowitz: How many cars does him have their now, registered and unregistered?

Duane Rabideau: That I don't know I didn't count them.

Rich Berkowitz: How many is he allowed?

Duane Rabideau: Probably as far as many as spaces he has

Rich Berkowitz: Which is what?

Duane Rabideau: 15 maybe

Don Roberts: When this thing first started I went up there and I counted 57 vehicles there at one time

Richard Harris: 22 is on the old plan

Don Roberts: Yea I counted 57 there at one time

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Rich Berkowitz: So there is over 30 vehicles that are

Marcel Nadeau: So maybe we need to find out what cars do belong there and what cars don't belong there. Otherwise if we are just guessing what's there we are just chasing our tail here.

Tom Koval: Well if we set a maximum

Marcel Nadeau: Find out what cars he has on there that don't belong there

Rich Berkowitz: Doesn't he have to come into compliance before we do anything?

Richard Harris: I think part of the reason he came forward was to help bring the site into compliance, I think Tom started to mention that if you set limits on working vehicles that you're working on versus employees versus customer , like in and out the same day customer , set some limits it would probably help us

Tom Koval: The total maximum units a dead car of half a car it's a unit. If it's got more than one tire on it it's a unit. There are I believe a couple half cars up there.

Rich Berkowitz: He is asking for 40 spaces and right now he has over 50 cars there

Don Roberts: The one time I was there he had a truck that wasn't operating and there was a car on top of the truck, they both just sat there.

Tom Koval: Yea that's why we've got to do maximum units

Don Roberts: We've really got to do something

Tom Koval: It's a bad idea double stacking

Don Roberts: And also Rich have we heard back from the fire department?

Tom Koval: We've got to mention to them that now he's going to be storing his tires inside.

Richard Harris: We can up to a certain number, it's part of the tenant set up our inspectors check for the applicable fire codes , and brings in the fire department when he feels it's necessary. He recently did it with LS Power, so we can make note of that so we can make sure the fire department knows what's being stored inside.

Marcel Nadeau: Don refresh me how many cars were approved initially?

Lyn Murphy: It's like 22

Don Roberts: 22

Marcel Nadeau: 22 and now we want to put, we want to move it up to 40

Lyn Murphy: It would be less than 40 because he's going to have places for his employees to park and customers to park so.

Rich Berkowitz: Are we talking 30?

Don Roberts: And personally I think 40 is too high, personally

Marcel Nadeau: Knowing the problem we've had here the 22 didn't work and he ramped it up to 50, 55 cars you know the example that he gave us really isn't that great, so now we are going to give him more, something is wrong with this picture.

Tom Koval: Well he is increasing the parking

Rich Berkowitz: I think he's got to get down to the number that we want him to get down to before we approve this he has got to get rid of all of those extra cars

Marcel Nadeau: And I think I recall when we approved this we said this is a small lot that many cars is all that should be there now we are going to add more?

Richard Harris: This was an effort to resolve his

Tom Werner: Don Do we need a site visit then, kind of, no?

Don Roberts: I was out there I did do it so, and it wasn't good

Rich Berkowitz: We're not voting on this tonight?

Don Roberts: No, I mean he's got to start taking steps to get rid of some vehicles really, he's got to start making it look better, before we approve anything.

Duane Rabideau: Well how many, down to how many he's got to have some kind of number he has got to work towards

Marcel Nadeau: Maybe we need to know how many vehicles are unlicensed that are on that lot that could give us a good start.

John Higgins: I think he was approved for a certain number of cars, because this is also a used car approval on this lot, correct? Rich?

Richard Harris: Yes

John Higgins: I think it was like 5 cars

Don Roberts: Because he is asking for 40 right now?

Richard Harris: Well prior site plan was 22 that he had approved, he, spaces, the original proposal last fall, last September was 52 total so additional 30 on top of the 22 upon review by Town engineer and back and forth with Duane they reduced it to 40 parking spaces with no delineation of which are employee vehicles or spaces versus spaces for either dead cars, half cars, cars that they are working on that

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Don Roberts: How does this sound before we approve anything have, have him get down to 40 units let's see what it looks like at 40 units then we will have an idea

Tom Koval: Were not voting on this tonight....

Don Roberts: No, I say have him get down to 40 units then come back to us , we can go look at it at that time individually , we can't have a quorum there , we can go check it out , if it looks decent then we can entertain it again.

Richard Harris: So when the applicant or Duane informs us it's down to 40 we'll let you know, and everybody can do a site visit.

Duane Rabideau: Okay fair enough

Don Roberts: Then we'll have an idea whether 40 is going to work or we need less.

John Higgins: Is it 40 with the tractor trailer moved also?

Lyn Murphy: It has to be moved, that's going to have to be a condition.

Don Roberts: Yea

John Higgins: Okay, that's gotta go

Duane Rabideau: That's got to go before approval

Marcel Nadeau: Yup

John Higgins: Before you come back

Richard Harris: Down to 40 and remove tractor trailer

Don Roberts: Does that sound good enough?

Duane Rabideau: Yea that's fair enough

Don Roberts: Okay thank you Duane, thank for your work on this, I know it's not easy, okay thank you.

Duane Rabideau: Okay see ya.

Don Roberts: Okay moving back up, I don't think he's here but Dr. Detail Auto Spa, 12 Roger Lane, Home Occupation, are you here? (No show) Okay next.

Rocks Two Holding (Rock's Automotive) – Amendment to Site Plan

TABLED. Board tabled the request to expand the parking area at the site until the tractor trailer is removed and the total number of vehicles at the site is reduced to 40.

21.130 / 21.144 NPPM Industrial Park, 1867 Rt. 9 – Site Plan & Special Use Permit

21.102 Earl – NPPM Industrial Park Temporary Use/Glass Processing Pad, 1867 Route 9 – Site Plan

Tom Werner: Mr. Chairman, on the advice of the Board Attorney I have to recuse myself.

Don Roberts: Okay Tom, Tom Werner recuses himself.

Richard Harris: So I assume consistent with what was discussed at the pre-meeting the Board is going to start with the overall concept plan. Jason there is a number of items that you had emailed that are up here, you also had emailed the link to that video, I talked to Don if you want to show that here again?

Don Roberts: How long is it “

Jason Dell: Two minutes

Don Roberts: Okay, alright.

Jason Dell: Good evening my name is Jason Dell an engineer with Lansing Engineering here on behalf of the applicant for the NPPM Industrial Park, also here this evening with us is Wendy Holtzberger from VHB that can talk about some initial conceptual traffic engineering work that has been done for the project. So the project site is located at 1867 Route 9 , its about 1250 feet south of the intersection of 9 and Liebich Lane , its located immediately behind and adjacent to the newly constructed Stewarts that’s right there on rouge 9. The site was previously operated as a sand and gravel mine, and there is an existing gravel haul road that was part of the original mine that is still out there on the southern side of the frontage of route9. So for the proposed project, the applicant is looking at this time to construct 5 buildings. The buildings will vary in size from about 3200 sq. ft. up to about 60,000 sq. ft. the main access into the facility will be from route 9, it will be a boulevard entrance that extends up into the site and connects the proposed uses buildings and parking areas to route 9. We will also be proposing an emergency access road that comes off that main boulevard road that will extend over to where the existing gravel road is on the site that will all be improved as a secondary emergency access. So to go through the individual buildings. We’ve got building 1 in the central portion of the site, this building is proposed to be a 25,000 sq. ft. building, this building will be used for roll off cart lettering and tagging, cleaning and storage truck and large cart labeling and washing. Building 1 will also include 4 typical 4 foot high loading docks as well as 4 - 2 foot high loading docks along the western side of the building. The Town of Halfmoon Town Code does not include a specific parking number for this type of use however in working with the applicant on what he feel he is going to need for the site, we are proposing approximately 74 parking stalls around that building as well as 13 garbage truck type size stalls as well as 4 large highway hauler stalls along the north side of that building. Immediately adjacent to that building will be the subject to the next meeting on the agenda which is the aforementioned concrete pad for the glass pulverizing unit that will be installed out there that will be an intragral part of the operations , the Twin Bridges site . Moving to the east we’ve got building #2. Building #2 is a 17,000 sq. ft. building that’s intended to have a small office , a storage area and maintenance space. This building will be used for typical truck maintenance including oil and fluid changing, tire repair and placement, brake replacement and other general maintenance operations associated with the garbage trucks and garbage truck operation. There will also be 4 bays for truck washing that will be within that building. So for this building #2 again the parking specified in the Town code doesn’t exactly identify this type of use however working with the applicant we are

proposing 110 employee parking stalls that are all 10 x 20, 125 garbage truck parking stalls which are all about 15 feet wide by 40 feet wide as well as room for 5 large highway hauler type trucks on the north side of that building as well. Building #3 is a small 3200 sq. ft. building located up front and that will be a future office for the management of the twin bridges operation and we are, that building does have a Town Code provision for the parking and we will provide the 16 parking stalls that are specified by code. Building #4 is located in the northeastern corner of the site that will be about a 40,000 sq. ft. building, it's intended to be used for construction materials, repackaging. It would also include three loading docks as well as overhead doors around the building. Moving over to building #5 this is about a 60,000 sq. ft. building that the applicant is intending to have the prestige services to occupy that space again there will be loading docks on either end of that building as well as parking in and about the building for employees and customers. Water will be extended up into the site from an extension of the Town of Halfmoon municipal system located along route 9, and sanitary sewer service will be provided to the facility by a connection to the Saratoga county Sewer district main that is located along Liebich Lane, and stormwater will be managed in accordance with all DEC requirements. As part of this project we're also going to be engaging the NYS DOT Wendy has already had some initial discussions with the DOT about Improvements that we are going to be proposing to route 9, we are going to be looking to widen route 9 to put in a turn lane for this facility and obviously we will have to work through the Town as well as DOT on those items. We're here this evening to answer any initial questions that you folks have in the hope that this project will be referred to MJ to begin the engineering review.

Don Roberts: Thank you Jason, questions by the Board?

Tom Koval: What type of, when you said construction material repackaging what's that mean?

Scott Earl: Scott Earl, I'm the applicant on this project. What type of construction and demolition material, containers of construction and demolition material meant for recycling, sorting of cardboard, clean wood, concrete, metal products, segregating them out for distribution as a recycled item.

Rich Berkowitz: Scott are we trying to consolidate all of Twin Bridges into this one area?

Scott Earl: That's what we are trying to do Rich as well as Prestige Services from four states. There is over 500 employees proposed on this site.

Rich Berkowitz: So what happens to the current facility on 146 and on Tabor road?

Scott Earl: The current facility on 146 remains unchanged, the recycling plant, the existing office building at 411 146 has been leased to a tenant now for a few years, 4 Enterprise Drive will close as part of Prestige and be sold to a third party.

Rich Berkowitz: And also route 9?

Scott Earl: 1626 Route 9 will close, and we will end service there and will be sold to a third party.

Rich Berkowitz: And what about Tabor road?

Scott Earl: Tabor road will exist between now and the next 120 years. The rest of my life.

Tom Koval: Are you still moving forward with all the additional parking on 16 26 route 9?

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Scott Earl: Yes 1626, 1628, 1632 was just acquired, 1636 was acquired, 4 Oak Hill Lane, yes that's one huge parcel. Additional parking, this is a year and a half, two year project.

Rich Berkowitz: Okay so, is the plan to take the recyclables from 146?

Scott Earl: The plan is to take them from Tabor road.

Rich Berkowitz: So take the trash, the package.

Scott Earl: The construction, demolition containers not garbage, no garbage.

John Higgins: What are you going to do with the construction demolition, you're going to sort it and then I assume package it and ship it somewhere else?

Scott Earl: That's correct, the metal will go to Cohoes to a scrap metal dealer, the concrete will be sent to Bonded for pulverizing on their property, the wood will be sent to Galvan for grinding and make mulch out of it, the cardboard will be sent to the recycling plant to be shipped overseas.

John Higgins: So the only storage within that building will be a daily use of storage?

Scott Earl: No, storage, correct no storage, none.

Rich Berkowitz: Now what kind of noise is going to emanate from this full project?

Scott Earl: There will be an excavator in Building, let's start, if I may Building #1 is a simple office building, 16 cars management for the entire operation, Building #1 okay this large building, this is storage of all of the trash cans you see now they are stored at behind the Sandwich Shoppe and they are stored at Clifton Park and Exit 10 in Fairchild, 12 Fairchild. They are brand new plastic molded trash cans, never been used before. We bring them in in tractor trailers we distribute them daily in the small band trucks. Inside that building will be a self- contained washing re-purposing, somebody moves and they give us a trash can back and we completely clean it, all of the water is contained and there is no fluids, it's treated, discharged and sanitary. The service trucks small 14 foot box trucks would park on the 2 foot loading dock so they could take the containers from the inside of the building , its heated and distribute them to the homes.

Rich Berkowitz: So what would be the hours of operation in that building?

Scott Earl: That operates 6 am to 4 pm Monday through Friday. My engineer misspoke the wash bay for all of the trucks is adjoined to that building , that building will have two small trucks and one large tractor trailer drive through bay.

Rich Berkowitz: So they will not be backing in they will be a circular route?

Scott Earl: They won't be backing in they go in and come right out, and that washing would be limited to 8 am to 3 or 4 pm normal useful life of the day. This whole project is set in steps and I want the public to understand I heard already a comment, negative about the visibility from Arlington Heights. Arlington Heights is one of the most beautiful developments in the Town of Halfmoon , Mr. Belmonte did a fantastic job , it is stocked full of

people my age and older , that want privacy , respect, I understand that but believe me this is an industrial project , this was approved before Arlington heights even existed. We have to work together, this is a stepped project, and this is a huge difference between route 9, the level the road is at and the top of that hill. Its straight up hill , we want to take advantage of that straight up hill any of the operations that are close to route 9 are screened by the additional operation right above. If you look at the glass processing pad , twice a week operation 4 to 6 hours , its only for our own glass , I saw comments and 53 letters that said we'll be taking it Jeff Bezos will be bringing back samples from the moon, processing them in Halfmoon. So no that's not the case there is zero money in glass, glass is a negative problem headache but it has to be dealt with under NYS law. That building rises way above this project, we flew balloons already at this project at the highest point of the glass processing, I think its 39 feet, nothing, nothing, in a balloon we went up 50 feet we couldn't see it from route 9 we couldn't see it from Stewarts, we couldn't see it from over here and we couldn't see it from Farm to Market road. Moving up the hill is the truck storage and maintenance facility, we run an existing fleet of less than two year old trucks, most of our trucks are gone in 16 to 18 months. If the truck has a bad bumper I have a small stroke, the truck happens to be repurposed put back together and sent back that's our image. I don't think anyone's ever had their garbage picked up by such a nice fleet. Hence the washing. This will be totally screened, it's screened now by nature but needs additional screening just to be fine. The hours of operation with these trucks, nothing leaves before 5:30 am same as it does now on route 9 the trucks will be positioned so they do now use reverse at that hour of the morning when I owned County Waste prior, 12 years ago I positioned all of those trucks so they couldn't reverse and hear morning back up beepers. I don't like back up beepers, I know they are necessary, but we don't want to hear them in the mornings. So the trucks are all positioned so they can drive out. The snow will be properly maintained on the site , again this is a hill, straight up hill to the first level , uphill to the second, uphill to the third and the uphill is even greater on the top , all of that grading will be presented. I've asked my engineer to do a complete 3-D for your public information meeting if you choose to have one, this is a very large site. Prestige services is at this site, there are vendors that come in every day it is similar to a Sysco operation. There are loading docks for receiving Pepsi, Coco cola, Frito lay and the candy bars. We will have a kitchen onsite where we will manufacture food and process the food, it will be a NYS Health Department approved kitchen, certified food will serve 4 states as well as the repackaging of for our vending machines and our mini markets that we own now in 4 states. The distribution will take place from about 6 am to about 8 pm at night is our final repurposed , when the final trucks leave , we are a lot like Fed-Ex big trucks come in , we break everything down into small units and then redistribute. So you are looking at probably 8-10 trailer deliveries a day, and about 8-10 trailers exiting as well as the local vending van trucks there is about 20 of those that come in and out every day. Total number of units, posser units entering and exiting the facility is going to be in the neighborhood of 175 to 200 a day, that's in and then the 175 to 200 returning at the end of the day.

Marcel Nadeau: Scott Arlington Heights, it skirts the whole perimeter.

Scott Earl: Arlington Heights is in the back, there are two pieces that are owned by Ruchlicki.

Richard Harris: There is a map that I can show you.

Marcel Nadeau: And who is the neighbor to the north?

Scott Earl: Sysco Foods and then Ruchlicki himself I think lives in the house here on this side and I've got Stewarts.

Rich Berkowitz: Jason have you measured the back ground noise of Sysco comparatively to what you're going to be doing?

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Scott Earl: The loading docks are crazy at Sysco, 2 o'clock in the morning bang, I jump right out of bed. Im telling you it's crazy

Marcel Nadeau: Scott my question is to appease the people in Arlington Heights could you swap the Prestige building with your glass.

Scott Earl: Oh absolutely I could swap the Prestige building and put it up on top of the hill but the hours of operation are more annoying.

Marcel Nadeau: But Im saying to move your glass operation okay the pulverizing operation moving it more to the north away from Arlington is my question.

Scott Earl: If you move that more to the north there's no gain, where that glass , in my professional opinion , I've got 42 years somewhere under my belt , Im looking to mitigate any potential noise, now the recycling plant we went absolutely crazy if you remember in those meetings over the decibels and the noise and everything. Those one Meg generators both of them are operating on a mild hum. The neighbor that was even concerned is actually smiling and happy so I did everything in my power to make sure that there is no noise. In my opinion that is the best spot for that glass. You can put it farther north sure, they're going to hear it, and there is no way to screen it on that side.

Lyn Murphy: That makes sense if you're going to be running trucks that's going to be louder than 4 hours

Scott Earl: The topography, and the 4 hours twice a week will be shielded by the other two levels of the stairs. Think of it as a set of stairs, you've got the topography, you've got 4 steps from route 9 to the top of that property as we grade that, each of those steps is a natural berm block and then a building that's 30 feet above that so if you've got a 30 foot grade change from one building to the next and a 30 foot building, your building these 60 foot sound barriers all of the way up the hill.

Don Roberts: Now are you saying that in the end none of this will be visible from either route 9 or Arlington Heights?

Scott Earl: I know Arlington Heights it absolutely would not be visible, no, it goes back down on the other side.

Don Roberts: Everything going on here will not be visible from route 9 or Arlington Heights?

Scott Earl: On my honor and word we will have permanent screening and everything will be fine.

Don Roberts: Okay, and before we go any further for this application and the next one the glass operation we're going to have to refer it to our Town engineer for review, Saratoga County Planning Board, there is going to be a public hearing on both of them and we are going to have to do the fire department and we received a number of emails and letters from concerned residents on both these applications they're going to become part of the record just so you know.

Scott Earl: Yup, absolutely

Don Roberts: Thank you, anyone else?

Marcel Nadeau: Scott, again you said 175 vehicles?

Scott Earl: 175, 200 max in or out

Marcel Nadeau: Are we looking at a red light there or not?

Scott Earl: No, we're looking at excel, decal lanes on route 9, so that we can take the vehicles out of the traffic flow. Route 9 right now is getting busier and busier especially post Covid a lot of trucks. Sysco's doubled their business trucks are moving, you've got all the development of the Town of Clifton Park across the street so our concern is getting in and out of the traffic flow. Those trucks are all air brakes and that truck needs a certain amount of space to stop. I don't want that many trucks slowing down at Stewarts. The other concern I had and that's why we moved the access, I've been at Stewarts and I've had to go in behind Stewarts, several people have pulled right out in front of me, because I have my directional signal on, they anticipate me going into Stewarts and I'm only going 20 feet past it so now I don't even put the signal on until I pass the driveway because you don't want any collisions so we moved the road way down and allowed with a decell lane I anticipate that people will be allowed to come out of Stewarts, take our decell as an excel and then blend into route 9 at 45 miles an hour.

Rich Berkowitz: What's the distance between the entrance of Stewarts and your property?

Scott Earl: 250 feet at least, about 12 lengths of a vehicle of a large truck. Currently it's 8 feet.

Don Roberts: Now I don't want to put anybody on the spot here but is Wendy prepared to comment on traffic tonight or no?

Tom Koval: I have one more question before traffic, Scott are you taking the construction re-packing are you taking outside companies coming in with dumpsters of construction debris?

Scott Earl: Just our own, that's correct and by the way Jim's part of our advantage disposal, Jim's roll off, Twin Bridges and Elite Hauling they are all our company. That's one umbrella, our corporate

Tom Koval: You're taking outside haulers in?

Scott Earl: No we're not our company, the outside haulers use Tabor road.

Wendy Holtzberger: Wendy Holtzberger VHB, so we are in the initial phases of our analysis so we don't have a lot to report, I can tell you I've done several projects on Liebich lane I've done the Synergy Tech park across the street, Synergy Tech park II so, you know I'm very familiar with the study area and the improvements that are planned in the area and the volumes right now as was noted there's a lot proposed here but there's a lot of different hours of operation so you know starting early in the morning you know off peak, things are spread out so that's really what we're trying to focus on now is as you know we focus on those peak hours and how it affects the commuters and a lot of this operation is outside of those peaks so really you know that's where we are right now, so other than like what was said I did have some initial conversations with the Department of Transportation to tell them you know a general idea of what's being proposed and that the applicant, which isn't always the case where the applicant wants to build improvements and is ahead of the time saying can you ask DOT what their thoughts are on this so, you know they're very general beginnings, not a lot but we know it's important so we are here to look at it.

Rich Berkowitz: Can you just tell us if you know , will exit 9 , or 10 or route 9 , 146 be the main egress and ingress for the trucks, how are they going to reach this facility as far as tractor trailer, I know Twin Bridges is the whole area.

Scott Earl: They exist today so they are going to come where they're coming now. Right now those trucks go up route 9 to exit 10 or to Tabor road they empty their contents, they reverse down route 9 to 1626 pull in the back refuel and park for the evening.

Rich Berkowitz: How about Prestige though since this is going to rival Sysco maybe no ton size but?

Scott Earl: Prestige , Pepsi cola, Coca-Cola , we get two Pepsi deliveries a day , two Coca Cola tractor trailers a day , Frito Lay is twice a week , those trucks are 146 , they'll have to come north on 9 or come north to exit 10 and come south on route 9 , that's probably the logical. Pepsi's in Latham, Coke is in Railroad Avenue.

Tom Koval: I think route 9 is way better suited than route 146 to handle this traffic.

Scott Earl: Other than 9 and 146, that's a nightmare

Rich Berkowitz: You can keep them off of 9 & 146 and have them to exit 10 down Ushers that's a better

Tom Koval: But I just keeping them off of 146 up here is a giant bonus.

Scott Earl: We do get one Pepsi delivery in Glens Falls that's a bottler and he'll come down Fridays and so he'll get off at 10 now instead of 9 he'll be out of the 9 & 146 Friday at 3 o'clock traffic.

Don Roberts: Now I know Wendy is going to do a traffic study , that's fine but just so everyone is aware , the Town's going to request our own independent traffic study at well, just so everyone is aware of that , alright.

Marcel Nadeau: Do we know at this time how many vehicles come out of Sysco on a daily basis?

Wendy Herzberger: I don't know that but I have done some counts online, but I don't know, I know that the PDD for that development on Liebich does call for a traffic signal at some point, due to the growth on there and I can tell you I've done two studies recently and it's not really even near that point of needing.

Marcel Nadeau: UPS is there as well now too right?

Tom Koval: They don't leave until 10 o'clock in the morning

Marcel Nadeau: I was just trying to get a ratio as to what's coming out of there in comparison.

Scott Earl: Have you ever seen UPS operate it's like a parade, go down to Latham at 9 o'clock on Wade road and the Northway, you can't go anywhere, there is 120 UPS's coming out you can't even go through it, it's like a funeral, I forgot that took Cardinal Health, yea wow, at least they'll be going north we hope.

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Don Roberts: Anyone else on this one? So as I said we are going to refer it to Joel right , Saratoga County Planning , fire department and a public hearing we will need at some point and we got the letters and emails we will make part of the record, and that's for both these applications.

Richard Berkowitz: And we will have an expanded notice for the public hearing? Just for some of the audience here.

Richard Harris: I would think so.

Scott Earl: Guys we're going to work diligently on the 3D drawing that will in all fairness to the public correctly describe and visually so they can actually see when you add 30 on 30 on 30 , go up those stairs what it looks like.

Don Roberts: That's what I'm trying to visualize now.

Scott Earl: Exactly because when you look at this, it's an unfair visual presentation, this looks like we are going to go in there and take out a million yards of dirt and put this big thing or some people may envision that we are going to go way up on top of the hill and build a monument, no not at all. I don't think in all of the projects I've done in upstate NY I don't think one of them has been criticized post construction negatively. Most everything is wow that came out good. That's what I want to hear, this is probably my legacy so that's the end of it.

Don Roberts: Anyone else? Okay are we ready for the video? Do you have anything to add about the glass itself?

Jason Dell: That was the second application was for the temporary use

Don Roberts: Yea can you explain that a little bit because this was mostly for the whole site plan, the glass, what are you going to do with the glass?

Jason Dell: This is the temporary site plan

Richard Harris: So the application they just discussed that's new , the first time you've seen it , what they are going to go to now , correct me if Im wrong is their old application of their old business which was their plan presented on June 14th meeting with the glass processing and then the additional storage , stockpiling etc. That we received information on.

Don Roberts: And that's what the video is on right?

Richard Harris: The video is on the glass.

Lyn Murphy: I just want to be very clear on the record without the whole project they cannot do this, this has to be an intrigal part of the big process so I think we should merge the two, I understand you want the approval for the one quicker than the other but unless you have an industrial park you can't have manufacturing.

Jason Dell: Understood

Scott Earl: Okay what part of that is manufacturing?

Lyn Murphy: The way our, I don't have the language right in front of me, now I do.

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Scott Earl: Maybe I should explain the whole process

Lyn Murphy: That's what I've been asking for from the get go and that's why I asked for a video because the way it sounds your bringing, you're not creating anything.

Scott Earl: Right not creating anything,

Lyn Murphy: Except for the sands that you're using

Scott Earl: That is sand , we're returning the product to its normal state, we are eliminating wine and soda that they forgot to wash out of the bottles when they put it in that beautiful recycle container with the yellow lid, it's all we are doing. So currently there's photos out there that are showing glass, a pile of glass that is approximately in this location, that is stored on that site , that glass is about 3 months' worth of the product that we are proposing to pulverize returning it to sand, 3 months' worth. By the time the plant would be open and up and even installed is another three months. That pile will double in size, go through that plant the first week and gone. 4 to 6 hours a week there after taking the material as it comes in no more pile on the site nothing, all gone, site immediately cleaned up. The other pile that is there now is inert material that's the exit 9 rest area off of I-87 , the state came in one night tore it all up with a contractor , repaved the whole site brought all of the millings over and piled them up here. That's what you see there, black top from the Exit 9 rest area. It works great as road base if you need it, extra road base, being recycled.

Lyn Murphy: Just so you know where Im coming from 165-16 of our Halfmoon Code for an M-1 which this LI-C to manufacture basically, manufacture, compounding assembling, fabricating or treatment of articles or merchandise from the following previously prepared materials and glass is one of them.

Scott Earl: Wow, no kidding.

Lyn Murphy: No kidding, which is why this has to be part of a bigger site or it can't happen.

Scott Earl: Yup

Don Roberts: Just so you are aware

Scott Earl: Hey, it is what it is.

Don Roberts: Now for the glass site is there, I'm just asking the question, is there any way that could be done undercover somehow?

Scott Earl: Oh absolutely, we could build a three sided building, propose one there with a canopy, not a problem

Lyn Murphy: This is a mystery for everyone

Scott Earl: For the volume and what we are doing it's a waste of money but yea, put it inside of a three sided building, no problem. Right now it's a natural burm right here as well, there is a 60 foot burm with a 39 foot maximum grade height on the equipment that is proposed. The material onsite that's processed in 4 to 6 hours needs to be rolled for 4 days, rolled the naturally occurring bacteria will eat itself , the soda , the wine , eats itself

there by taking the glass back to sand , to silica so then the sand is hauled off site to a concrete plant and added as cement. Truly recycled. Right now every bit of it has been going to the landfill for the last 27 years anyone using our competitor they basically take the glass out of the recycling grind it up and take it to Colonie Landfill along with a bunch of shredded paper that gets caught in the process. We pull our glass by hand, store the glass and prepare the process. That's the right way to do it under DEC regulation.

Marcel Nadeau: Scott when that glass is milled down is it like #2 stone or is it like sugar?

Scott Earl: No its pulverized right to the ammonia silica, it is actually sand, you wouldn't recognize it as glass there is no sharps, in fact the queen of glass if you will, Miss Cynthia Andella patented the process and the machinery she is from western New York, we should have her come in and speak and bring buckets of it. The kids use it as sand in Syracuse, Utica, they currently use it in out near Binghamton. I can't say Stuyvesant Plaza, those are the two I've always had a problem with other than that, I'm completely literate.

John Higgins: What do you mean the material has to be rolled?

Scott Earl: It has to be rolled, turned, so it can aerate so the air mixes with the molecules that are eating the sugar, sugar and cement don't mix

John Higgins: How do you do that, do you have a machine?

Scott Earl: Just a machine, a little skid steer. When you look at the volume, if you're looking at three months' worth of material your looking at about a 4 cu yard amount of material daily when you process it twice a week. 12 cu yards, that's nothing, it's a small pile it looks like sand come out of the front yard, this is only our glass that's all that we are worried about. There is no dollar value, we give the glass to be used for sand, we don't get 5 cents for it and 100% of the expense is ours to process so we are not inviting anybody's glass we are nobody's hero in the glass world. This is a pain in the glass for us. And we don't take window panes , ceramics , I went out Saturday and picked up a lady's glass and she had window panes and ceramic dishes in Glens Falls I gave it right back to her , you have to have natural units of glass to be recycled which would be your wine bottle and your soda bottle , not ceramic dishes.

Marcel Nadeau: Is there anyone in the area that has this same process?

Scott Earl: No, western NY

Marcel Nadeau: No, nothing in the State?

Scott Earl: Not that Im aware of, Im sure someone has it but some of this , we have a glass polarizer inside the recycling plant on 146 some of the glass will go through there but its mixed with so much shredded paper you can't recover it. The glass that we miss pulling on our pre-sort line inside the plant and our plants available on line at twinbridges.com , tvrecycling.com you can actually click on recycling and view the plant , but we pull that glass off the line but inevitably you get some that goes by , it goes into a small embedded glass processing machine which isn't loud , this is an exorbanent amount of glass here, I wouldn't have that much glass when Im actively processing and it wouldn't look like that , ours looks like sand . I wish I could bring Cynthia Lindell in here with her buckets of sand, you would have a hard time telling me it was glass. There isn't any chemicals and things, these are household items.

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Don Roberts: Okay I think we'll check the video out at this time.

Scott Earl: Thank you.

(Playing video of glass recycling)

Scott Earl: First of all I have to say this is the first time I saw the video it's obviously a municipal application with a 10 million acres to burn , our piles next to our machine and there is a lot less moving and I would have greased my bucket loader for sure , all I heard was squeaking from the pile , halfway across the lot to where they put it in the machine, what I didn't hear was an awful lot of noise coming from the machine other than the first part that went on to the belt and then I didn't see this massive plume of dust or anything coming out of there so that's the size of the plant, obviously our operation would be contiguous next to it, and also now that your requesting a building , it will be a three sided building as well with a cover over it, but nowhere near the size of that site , that's crazy.

Don Roberts: Okay now that we saw the video, any questions by the Board?

John Higgins: Okay, it comes out of the crusher it goes on the ground and where do you spread all of that material you see?

Scott Earl: Next to it basically with our operation, we just spread it in that bunker right next to it aerate it every morning and load it out. Four days it takes to complete the aeration process.

John Higgins: Okay but how thick is that material?

Scott Earl: Three foot high, that's all.

John Higgins: Three foot high that's all? And?

Scott Earl: 12 foot long, its one load you see the volume from up there, drive up there, that's three months' worth of glass.

John Higgins: No, I've never seen it so I don't know. Just some kind of a brush or rotating type of a thing on the front of a skid steer?

Scott Earl: To make sure the property is clean like everything else I have yes.

John Higgins: No, Im trying to visualize the process of this 4 day process

Scott Earl: It's a skid steer, open bucket you pick it up set it down.

John Higgins: Oh, okay, okay so it's not rotating it's just a bucket

Scott Earl: No, no tumbling, just fluffing

John Higgins: Just naturally

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Scott Earl: Natural occurring bacteria

John Higgins: This process isn't affected by temperature, time of year or anything like that?

Scott Earl: No moisture added, no nothing, no.

John Higgins: Okay thank you.

Don Roberts: Anyone else? Okay I guess we will send it on to Joel for review and the other agencies as we explained before. Okay well Joel it's in your hands for now and we will get it to the other agencies and we will get back to you right Scott, Jason any questions, go ahead.

Joel Bianchi: The only question I have is that this is no longer a standalone application is that correct because it can't exist on its own it needs a manufacturing...

Lyn Murphy: Correct, so it's one application that you are reviewing.

Joel Bianchi: Okay, okay,

Don Roberts: Alright

Scott Earl: Thank you.

NPPM Industrial Park– Site Plan & Special Use Permit

TABLED/REFERRED TO AGENCIES. Board received a presentation on a proposal to construct 145,200 SF of light-industrial space in five (5) buildings, a glass pulverizing machine/pad site and related parking and uses. Board provided feedback and referred the project to several agencies and the Town Engineer for review.

Earl – NPPM Industrial Park Temporary Use/Glass Processing Pad – Site Plan

TABLED. Board discussed combining review of the proposed temporary uses and glass pulverizing machine/pad site with the overall development plan (see above Agenda item).

Don Roberts: Okay thank you. I know he's not here but we will try it again though, Dr. Detail Auto Spa, 12 Roger lane Home Occupation.

Rich Berkowitz: I'll make a motion to adjourn

John Higgins: Ill Second it.

Don Roberts: Okay, all in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, thank you and good night.