

6/13/2022

**MINUTES MEETING  
Town of Halfmoon Planning Board  
June 13, 2022**

**Those present at the June 13, 2022, Planning Board meeting were:**

**Planning Board Members:**

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

**Planning Board Alternates:**

Brendan Nielsen- absent  
Chuck Lucia

**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 Engineers:**

Joel Bianchi

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***Chairman Don Roberts opened The Planning Board Meeting at 7:00 pm***

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

**Mike Ziobrowski:** I make a motion to approve.

**Tom Koval:** I recuse myself, I wasn't here

**Rich Berkowitz:** I second

**Don Roberts:** Okay Tom recuses himself, Tom Koval recused and a motion by Mike and a Second by Rich .All in favor aye? (All in favor) Opposed? (None were opposed) Motion carried.

**New Business:**

**22.091**

**Marchand Subdivision, 91 Devitt Rd- Minor Subdivision**

**Chris Marchand:** Good evening, everyone, my name is Chris Marchand, and I am here tonight for a simple minor subdivision application. My wife and I are looking to build a single family residence for ourselves and we are looking to subdivide a piece, or my father is going to subdivide a piece off for us, so the piece highlighted in the yellow would be approximately 12 and a half acres, and there is currently a driveway that my parents used to access their property at 91 Devitt , it's a 65 foot right of way that comes off of Devitt Road and goes through portions of property owned by Jeremy and Crystal Roberts, and we are going to purchase that piece of property and so it will be a subdivision of my parents property and it would be a small portion of the subdivision of the Roberts land so instead of it being a right of way we then own that piece that 65 foot piece where the driveway is currently located and I would access my parents house and then our future lot.

**Don Roberts:** Okay this will need a public hearing but before that any questions by the Board?

**Rich Berkowitz:** I make a motion to set a public hearing for June 27<sup>th</sup>

**Tom Koval:** Ill second it.

**Don Roberts:** All in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, see you the 27<sup>th</sup>.

**Chris Marchand:** Thank you.

**Don Roberts:** You're welcome

***Marchand Subdivision – Minor Subdivision***

***PUBLIC HEARING SET. Board received a presentation on a proposed two-lot subdivision and set a Public Hearing for June 27, 2022.***

**22.090**

**Grande Duplex, 112 Lower Newtown Road – Special Use Permit**

**Anthony Grande:** Hello everyone my name is Anthony Grande; I live at 106 Lower Newtown Road and we're proposing to put a 2-family house at 116 Lower Newtown Road. Its approximately 2 acres of property.

**Stella Grande:** Yea we immediately like talked to all of the neighbors, so we have like the proposed property of what we like plan on doing for the duplex, but we also talked to all of our neighbors nearby the property and got their signatures if they opposed, and there was no opposing, but we have all their addresses and phone numbers and signatures if you would like that.

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**John Higgins:** Positive feedback?

**Stella Grande:** Yes, all positive feedback.

**Richard Harris:** You could give that to us we will make it part of the record.

**Stella Grande:** Okay

**Richard Harris:** We do, we are required separately to send out certified letters so that at a minimum to the adjacent neighbors which based on the discussion that's probably who you already spoke to, but you can give that to us and that's fine.

**Stella Grande:** Okay, perfect thank you.

**Don Roberts:** And again, this will need a public hearing as well, but before we do that, questions by the Board?

**Rich Berkowitz:** I make a motion to have a public hearing June 27<sup>th</sup>.

**Mike Ziobrowski:** Ill second it.

**Don Roberts:** All in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, see you the 27<sup>th</sup>.

**Stella Grande:** Thank you.

**Don Roberts:** Thank you.

**Richard Harris:** Anthony so if you want to give me a copy of that or give me that or email it whatever works.

***Grande Duplex– Special Use Permit***

***PUBLIC HEARING SET. Board received a presentation on a Special Use Permit related to a proposed duplex and set a Public Hearing for June 27, 2022.***

**22.048**

**Emma Jayne’s Restaurant Deck Addition, 1475 Route 9- Site Plan**

**Don Roberts:** Lyn recuses herself. Go ahead Sir.

**Michael Fortin:** Michael Fortin, Emma Jayne’s Restaurant, 1475 Route 9. Im here to talk about the deck that we want to put on the north side of the building.

**Don Roberts:** Okay how many people would it hold?

**Michael Fortin:** A maximum of sixty

**Don Roberts:** Sixty, okay questions by the Board?

**Michael Ziobrowski:** Will it take up any current parking?

**Michael Fortin:** Four spots

**Michael Ziobrowski:** You're expanding to allow for the deck parking?

**Michael Fortin:** Yea so currently we've been given permission to use the Fred the Butcher lot as overflow, and there is plans in the works to expand the parking.

**Don Roberts:** Anyone else?

**Tom Werner:** What's the status of the fourteen spaces out on the right of way there, I understand you should not get the C permit?

**Michael Fortin:** Yea I believe that enhance, the spaces out front?

**Tom Werner:** Yea

**Michael Fortin:** I believe we've signed what ever we needed to, to get permission to use those spaces.

**Richard Harris:** Yea I did, easier now, the applicants engineer on the last item confirmed back to me this afternoon late that they have use and occupancy permits for those spots and Joe if you provided it to me Im sorry but if you have another copy or can email me the use and occupancy permit with DOT that would be great, thank you.

**Don Roberts:** So, any approval should be contingent on that use and occupancy permit, I would recommend.

**Richard Harris:** Yea if you want sure.

**Rich Berkowitz:** As far as the deck is it going to have siding or walls or?

**Michael Fortin:** No, there is two walls that ae part of the building that will serve as the two walls

**Rich Berkowitz:** So, there is no screening for the parking lot?

**Michael Fortin:** No

**Rich Berkowitz:** Okay, and that's your decision but as far as the speakers are going to be pointing inward?

**Michael Fortin:** The speakers there may be one small little speaker in the corner for background music, that's about it.

**Rich Berkowitz:** Okay

**John Higgins:** There is no live music on the deck?

**Michael Fortin:** Occasional, we may do it, I found at my other restaurant in Cohoes, Max 4/10, when we do live entertainment during dinner service it actually reduces the amount of guests you serve so its kind of goes against good business practices. If there would be anything it would be like a solo act, somebody playing acoustic guitar, something like that but

**Rich Berkowitz:** What time is your last seating?

**Michael Fortin:** We close at 9 on the weekdays, 10 on the weekends and we're not even going to expand on that for the other 3<sup>rd</sup> seating at all so.

**Tom Koval:** Mike how you are lighting the deck, what's your intentions?

**Michael Fortin:** There is just going to be some lighting on the two walls that are right there and then we will have small little candlelight things on tables so it will be low light.

**Tom Koval:** I make a motion to approve the change of the site plan, contingent on an approved use and occupancy permit from DOT.

**Rich Berkowitz:** Ill second

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

**Michael Fortin:** Thank you.

***Emma Jayne's Restaurant Deck Addition – Site Plan***

**APPROVED.** Board approved the site plan to construct a new deck for the existing restaurant with a condition related to submitting a copy of a permit from NYSDOT.

**Old Business:**

**22.816**

**Rafalik Warehouse, 9 Solar Drive – Site Plan**

**Richard Harris:** Jason I have the whole plan set here but I just put this one up alright.

**Jason Dell:** That's fine. Good evening, Jason Dell, engineer with Lansing Engineering here on behalf of the applicant for the 9 Solar Drive site plan. We're here this evening to update the Board on the project and to request an approval for this project. Last time we were before the Board we were in with a request for a 5,000 sq ft. building, at which time it was referred to MJ for review. We're back this evening, the applicant has chosen to reduce the size of the building from 5,000 sq ft down to 2,500 sq ft. Access to the project will still come off of Solar Drive around the back side of the building and the storage area is just intended to supplement and be part of the existing building that's there they just need room for additional storage of inventory. At this point in time, we have addressed all of MJ's technical comments pertaining to the site plans and we're here this evening to request approval.

**Don Roberts:** Joel your all set?

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**Joel Bianchi:** Yup

**Don Roberts:** Okay, questions by the Board?

**Rich Berkowitz:** I make a motion to have a neg dec on SEQR

**Mike Ziobrowski:** 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 site plan.

**Tom Werner:** Ill second

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

**Jason Dell:** Thank you.

**Don Roberts:** You're welcome

**Rafalik Warehouse – Site Plan**

**APPROVED. Board approved the site plan to construct a new 2,500 SF warehouse building at 9 Solar Drive.**

**22.010**

**GT Toyz Parking Expansion, 1537 Route 9 – Site Plan Amendment**

**Richard Harris:** Just so you know like the last applicant I have your full plan set so if there is something you want if not this ones got pretty much everything with the truck, fire truck access.

**Bill Mafrici:** Hi my mane is Bill Mafrici with Hershberg & Hershberg and the owners Greg Goldstein. The last comments we got from MJ we believe we can adjust relatively easy, the letter dated June 6<sup>th</sup>, a couple outstanding issues which we are going to have to address and hopefully the Board will be amenable to have the approvals contingent upon this. One is the wetland delineation where we started the project in the winter, not physically possible to delineate wetlands. So, we will be having George Longworth providing the wetland delineation along with mitigation plan and a pre-construction notice for disturbance, along with that the applicant prepares to provide a highway work permit for whatever works grading is going to be done within the State right of way. With that open up the questions from the Board if there are any?

**Don Roberts:** Yes, one question is on the site now I expressed a concern before about the trucks blocking all four lanes on route 9 and backing into the site, how are you going to alleviate that with this new proposal here?

**Greg Goldstein:** It doesn't add to any truck traffic and again we have spoken to the truckers, and we have spoken to the truckers' companies and the trucking companies standard answer is that its up to the truck driver himself based on what he feels is the safest, so other than tell them they can't come in I don't know the right answer.

**Don Roberts:** How can anyone think that's safe, I don't get it?

**Greg Goldstein:** I understand, but we will keep working on it

**Don Roberts:** This , I mean they are bringing a truck load of valuable toys for you to sell right, okay now Im sure you must be aware about when they are coming, they never contact you and tell you when they are coming?

**Greg Goldstein:** Only boats.

**Don Roberts:** They just show up?

**Greg Goldstein:** Uh huh

**Don Roberts:** Really?

**Tom Koval:** The part of the problem is your asking us to increase the volume of what you are going to keep on the property, which would increase the truck traffic, which will increase the guys backing across the highway.

**Greg Goldstein:** Its not going to increase our traffic right now I have vehicles stored in multiple locations all over the place that get delivered here then I have to truck them off the property, probably going to reduce the property.

**Mike Ziobrowski:** Greg right now as far as truck traffic, if I was a semi and I wanted to pull into your parking lot, so say Im heading south on 9 and I want to take a left can I actually pull into your property and turn around?

**Greg Goldstein:** These are all designed to be proper turning radius for tractor trailer yea.

**Mike Ziobrowski:** So, I could definitely turn my tractor trailer around, I don't have to back in or anything of that nature?

**Greg Goldstein:** You shouldn't have to back in.

**Don Roberts:** See I just don't understand how a driver can say it's safer to back across four lanes of route 9 instead of pulling in.

**John Higgins:** Well, it's easier for a driver to back in because then pulling out its easier for him.

**Don Roberts:** It's not safer John.

**John Higgins:** Don I have a CDL, I know exactly what

**Don Roberts:** I don't care what you have you know but.

**John Higgins:** Im telling you why the driver's philosophy is it's easier for him to back in, its not safer, Im agreeing with you a 100 percent but Im telling you how some of the drivers think, that its easier for them.

**Greg Goldstein:** We've had them try to load in the middle of the street too, I told Mike no, no no

**Don Roberts:** I've seen that too and that's not good, yea but to me please make the best effort to encourage them to pull in head on you know.

**Rich Berkowitz:** Greg, how many tractor trailer deliveries do you have a month or a week?

**Greg Goldstein:** It depends upon when the product is available, the Kawasaki, Yamaha are Asian companies so when they show up at the port you could see three four weeks, you may not see a truck for three weeks.

**Rich Berkowitz:** So, you're not advised when these, you place an order right?

**Greg Goldstein:** No, we've got to tell them we're open from 9 to 6 so we will take orders from 9 to 5, and they ship within those, boats specify you of dates and times because we need special equipment when we do that.

**Rich Berkowitz:** They don't notify you of what date they're coming, they just show up. They are no different than cars in the car business, they just show up.

**Mike Ziobrowski:** So, Im in construction right and Im building a hospital and we received, my superintendent or I get a call almost every delivery before I come to the site.

**Greg Goldstein:** We do for boats we don't for motor sports.

**Mike Ziobrowski:** Unbelievable.

**Don Roberts:** It is, Joel do you have anything to add to this application at all?

**Joel Bianchi:** The only thing was that Bill, you made mention of wetland delineation and a mitigation plan, that's the first time that that was ever presented on this application.

**Bill Mafrici:** Yea so the progression of the whole wetland issue was, we had George Longworth go out and contact DEC because there was some concerns that this might be contiguous to a DEC wetlands which would be a State regulated wetlands and require a 100 ft buffer, at that point it was confirmed that its not a State wetlands but there is a drainage course with potential wetlands on that drainage course. So, we contacted George and again since he did this work and in contact with DEC before there was vegetation on the ground and snow coverage it just isn't physically possible as you know to delineate wetlands so George is going to come back out and its Basically it will be somewhere between a tenth of an acre I guess, definitely less than a half of an acre. My guess definitely less than a half an acre, so there really isn't going to be mitigation offsite, more so maybe a deed restriction, potential future wetlands that they locate but a nationwide permit will be applied for, and a proper wetland delineation conducted. So, Im more comfortable with this Board having the approval for with the contingent of the wetland delineation.

**Don Roberts:** Are you okay with that Joel?

**Joel Bianchi:** I may just want to take a look at it.

**Don Roberts:** Okay so if we do approve this its contingent on your signing off?

**John Higgins:** But is that going to affect where the location of those spots are that you're showing for Boat units?

**Bill Mafrici:** If there is, the problem with wetland delineation is when you exceed a half an acre and you get into some strong mitigation. This is not going to go anywhere near a half-acre of wetland disturbance if there is that. Worse case scenario, we'd reduce the number of spots available to avoid whatever disturbance we would have to, because it doesn't make any sense to have any off-site mitigation or any real

**John Higgins:** Well does it make sense to wait until the wetlands are delineated so that you can finalize your design before we look at it?

**Bill Mafrici:** We are comfortable with the design as it is, but you know that's up to the Board.

**Mike Ziobrowski:** DEC is above us.

**Bill Mafrici:** DEC is out of it, DEC it's not an involved agency in regarding wetlands because they were out onsite, we have the letter from George Longworth to that affect, I think.

**Joel Bianchi:** This is all precipitated from our comments because you indicated there was no wetlands and you said you might be filling a stream. Your response is slightly different now than what it was when you responded in writing.

**Bill Mafrici:** Correct, I verified that with George, my misunderstanding from his interpretation that there was no State regulated wetlands that there also were no Federal regulated wetlands. He corrected me and there potentially could be federally regulated wetlands, but he hadn't had Army Corps. Engineers out there.

**Joel Bianchi:** Has he delineated wetlands yet?

**Bill Mafrici:** Not yet no.

**Joel Bianchi:** When are you going to have them done?

**Bill Mafrici:** We are going to hopefully have them done this week or next week

**Don Roberts:** I recommend that we hold off on this, okay until we get delineated and Joel until you're satisfied, we're going to hold off, okay.

**Tom Werner:** Don, I have a question, do I understand correctly when these trucks, these independent drivers arrive with product for your site you have no control over when they come or how they enter your property?

**Greg Goldstein:** No, we give them a range of when we are receiving the first of the week and currently its 9 to 5 Monday through Saturday.

**Tom Werner:** But whether they choose to drive into your facility or back in?

**Greg Goldstein:** We can't tell them how to drive it and we talk to their companies, and they can't tell them what to do because.

**Tom Werner:** You have a list of the companies that do provide you that service, and you tried contacting them let them know that that's

**Greg Goldstein:** We did.

**Tom Werner:** Maybe we can contact DOT, and have it posted for no trucks stopping or backing in that area? Im concerned about the safety of everybody

**Greg Goldstein:** That's why I first brought it up.

**Tom Werner:** I think that's got to be one of our highest

**Rich Berkowitz:** With this new configuration it makes it easier for the trucks to pull in and pull out

**Greg Goldstein:** It makes it easier for them to pull in and pull out and it should actually create less truck traffic because

**Rich Berkowitz:** And that's what im thinking but there has got to be a way for you to communicate that to them, so they don't stop on route9 and back up, the new site works better for trucks.

**Tom Koval:** There is no room for them to make a loop inside here right to make the turns?

**Greg Goldstein:** This was designed for that the loop around the building would actually work trucks

**Tom Koval:** For how big of a, for a 53-foot truck?

**Greg Goldstein:** It was supposed to be yes

**Tom Koval:** Supposed to be or was?

**Greg Goldstein:** It is on paper, I can't tell you that it works for a driver when he is doing it ...

**Tom Koval:** When the boats and everything are parked right where they are supposed to be so he can make that swing?

**Greg Goldstein:** The back yard and the original plan has white out lines on them and anything in there is inside the white lines.

**Tom Koval:** I think we should table this for now.

**Don Roberts:** Yea we're gonna, we're gonna.

**Tom Koval:** It might not even be a bad idea to do a site visit to take a look at it.

**Don Roberts:** Anybody willing to go? Okay, John Higgins, Tom Koval, and Tom Werner alright you do a site visit check things out and we will have you back on when you and Joel Come to an agreement and Joel says it's okay to be back on, right Joel?

**Joel Bianchi:** Okay, thank you.

***GT Toyz Parking Expansion – Site Plan Amendment***

***TABLED. Board tabled the application for the proposed parking lot expansion to allow the Town Engineer time to review the revised layout and wetlands-related information.***

**21.150**

**Crescent Commons PDD, 1471 & 1475 Route 9 – PDD Recommendation**

**Don Roberts:** Lyn has recused herself.

**Joe Dannible:** Good evening, Joe Dannible with the Environmental Design Partnership here on behalf of MRK Real Property, and our application for a PDD zoning amendment for the area known as Crescent Commons. We were last in front of this Board in May at which time we had a public hearing, at the public hearing there were several concerns raised by the public, first and foremost I would like to address the public. 1 being storm water management, there will be a full stormwater pollution prevention plan that complies with all DEC regulations prepared when we move this project to the site plan review process. We did go out and look at some of the areas that were complained about during the public hearing the offsite water ponding. Certainly, after a major storm event, there will be there is some areas that do have standing water, but from what the most part I've seen, I went there 48 hours after a storm event, I did not go there continuously but 48 hours later there was no standing water in any of those areas adjacent to the roadway, so I believe that that drainage is just a result of high flows from storm events. Wetland permitting we did go out there and have taken a very hard look at the wetlands and done some delineation work, there is potentially one crossing of a wetland where we go from Emma Jean's Restaurant out to route 236, we do not know yet if we are going to be doing that with an open bottom culvert or a regular culvert to determine whether or not we do need permitting, but ultimately if we do need permitting or a letter of no permit we will provide that to the Town during the site plan review process as we get wrapped up into more of the fine tuning and the detailed engineering on the project. First and foremost, from the public hearings or what is a lot of concerns about traffic, traffic seemed to be the overriding element of that night. Again, a traffic study was prepared by Greenman Pedersen, that traffic study was solicited by the Town and paid for by the applicant. The applicant actually had very little contact with the consultant it really was the Town that prescribed the study where to study, there was a little bit of interaction but then the study was completed by GPI. That study found that this project would generate I believe it was 56, 58 new trips during the pm peak hours. One thing id like to point out is when they did their no build scenario and existing conditions scenario, Emma Jaynes Restaurant which is currently open and operating and been operating for a few months now was not included in the post development conditions. They anticipated 44 trips in the build scenario for Emma Jaynes Restaurant, so that when we look at 58 new trips 44 of those new trips would be coming from Emma Jaynes Restaurant, we're really looking at a net difference of 14 trips from what is currently there with Emma Jaynes Restaurant to what ultimately what will be there in a full build out scenario, that's again provided by the traffic engineer again solicited by the Town for the review.

**Mike Ziobrowski:** That's an hour?

**Joe Dannible:** That's in the peak hour 14 new trips in the peak pm hour. The am peak hour was much less than that. There's also discussion about the need that there should have been more studies of additional intersections, this project studied 5 intersections as well as 5 entrance points to the site. I think there was concern that intersections with Plank Road and Stone Quarry Road as well as Plank Road and Route 9, were not studied. Going through the traffic study and its readily available within the traffic study, during the full build scenario approximately 2 trips in the pm peak hour will take a right hand turn onto Plank Road and go through the Plank Road and Stone Quarry intersection or Plank Road and Route 9 intersection. So generally, we're talking about an increase of 2 trips at those intersections, significantly in my opinion and even the opinion of NYS DOT, significantly below any threshold would trigger the need to have those offsite intersections studied. A couple things, we did receive a letter from MJ Engineering, we provided written responses to all their comments. Many of these comments will be addressed in full during the site plan review, again we are looking at a recommendation to the Town Board at this point to see if this project should move forward and be approved for PDD at which time we would come back to this Board for full site plan review. A couple of comments that I would like to note, we are proposing an ATM in the parking lot, a drive through ATM. There was concern about its location in relationship to stacking. I've seen these ATM's we've done a lot of studies on them, there's rarely more than 1 or 2 cars that are ever cued to go through these remote ATM sites. With our current layout it would take 3 cars to be stacked waiting to use the ATM or have any impact or have negative impact on the circulation or traffic on the site, so we don't believe the current location that we have it in is going to be any bit of an issue. Another element we took a hard look at was a good comment that was offered by the Board, I think the public mentioned it, it was also mentioned by MJ Engineering, was pedestrian circulation and connectivity throughout the site. We are providing or proposing a mixed-use community and a walkable community. We want the residents living in both the mobile home park and these apartments to be able to walk from their residence without having to get into their vehicle to use the facilities the restaurants, the services that are on that site. So, we did take a hard look at that, we've increased the pedestrian connectivity, we've added cross walks, we've added circulation throughout the site, we've provided a sidewalk connection all the way out to Plank Road. In this scenario from any building from within the site you can walk on the sidewalks to one another. Other than the exception of the section at Route 236, again we are trying to minimize any potential impacts to the wetland as well. But again we did take a hard look at that and I believe we took a hard look at all the comments that were offered by the Board in order to make sure that we addressed those concerns and full well knowing that we will be back in front of this Board to fine tune a lot of the engineering details that are going to need to be looked at but ultimately we need to be sure that we are going to be able to gain Zoning approval before we go to that level of detail so, with that tonight we are looking for the Board to make a hopefully a positive recommendation to approve the PDD and then we can go back through the Town Board and finish the process with them. Thank you.

**Don Roberts:** Thank you Joe, first of all Joel would you like to comment on this?

**Joel Bianchi:** Joe is correct on that they responded to our comments, a lot of them are site plan related comments. Joe what is the building height?

**Joe Dannible:** I believe I said it's in 50 feet, 55 feet, 55 feet, 50 sorry 50 feet.

**Joel Bianchi:** I know the fire department is coordinating, you've been coordinating with them but the one thing you will have to deal with is apparatus access, which is one thing I have not seen on the plan yet. The only other thing is architecture, I know the Board has been presented the architecture here; but everything else in our opinion was technical, if it got to Site Plan we could work through those issues then

**Don Roberts:** Okay so you're pretty much, okay, okay comments by the Board?

**Joe Dannible:** Just, and I know speaking to the aesthetics the architectural renderings of the building are provided, they're up on the screen behind you right now. I think everyone has commented and agreed to this point this is a much more aesthetically appealing building that provided that mixed use community of residential over top of retail. A lot of what we are seeing in the suburban redevelopment areas of all communities surrounding Halfmoon, Saratoga County and if there is any comments or suggestions on the aesthetic, I certainly would like to hear them.

**Don Roberts:** Comments by the Board?

**Mike Ziobrowski:** Like the building, my only concern is that there is only one way to get off of come from Route 9 to enter the parking lot for either the building, Trader Joe's or, Emma Jayne's, sorry I was thinking of Trader Joe's because of the traffic, back to what I was saying, one lane to get in off of Route 9 to get to the buildings, did you ever look at potentially putting another lane coming almost exactly what you have adjacent to Fred the Butcher but on the more southern tip? And I know it would impact the ATM but at the same time was it ever considered to just have 2 means to get off of 9 to get into?

**Joe Dannible:** So, we have not considered that typically DOT's big term is access management, they want to reduce the number of curb cuts on their major arterials to the greatest extent possible, so we certainly have not evaluated or proposed putting in a secondary means of access off of Route 9. What we have done is we've tried to spread out the trips, we're providing new access to Route 236, and we're also providing new access to Plank Road which right now we have all of the same traffic again we're talking 14 trips using the entrance on Route 9, we're now providing 2 more ingress and egress points on the site but only increasing traffic by 14 points.

**Mike Ziobrowski:** My only and I'll tell you exactly why Im bringing this up. When your, someone's heading south on 9 and they need to take that left turn, someone's trying to pull out of Fred the Butcher, and as of recently I've been watching this traffic in and out of Fred the Butcher. If they want to take, if they want to go south on 9 and someone's coming south on 9 and they want to take that left, that right there is a problem, it backs up you know basic for those who want to take that left turn its problematic so that person that wants to take that left to turn onto 9 to head south its just congested and you know so I just wanted to bring up that point if we had a second means to enter, okay I cant pull in right now because this person is trying to get across maybe I'll go another 100 ft and ill take the left, it just provides another opportunity, its not uncommon.

**Joe Dannible:** Its something when we get to the level, and we start looking at the detail review we can evaluate that with the stage 1 review with the update.

**Mike Ziobrowski:** Okay, fair enough.

**John Higgins:** Yea I was going to bring up the same, because I recently was trying to get out of Fred the Butcher and the car in front of me was trying to head south on Route 9 and there was almost an accident because they ended up, they sat there for a while, and they finally just pulled out. I know you don't want to do this but can you at least look at having a right turn only coming out of that and I know, so in other words coming out instead of trying to cut across three, four lanes of traffic to head south on Route 9 you have to go

up and I know you probably don't want to do that but safety wise it might be something you might want to look at.

**Joe Dannible:** Your talking restricting a left turn into the site, if you're heading south on (

**John Higgins:** No Im talking about coming out of the site and trying to head south on Route 9.

**Joe Dannible:** Right out only, I see what your saying, okay. Again, something I think we can look at when we get involved with DOT and the site plan review process. I think again I think the site generally works in its current condition; we're adding very minimal trips we're just changing the uses around. If there's a way to make a situation that is being reported to be a poor exiting from the site, we certainly will evaluate that with the Planning Board review and with DOT.

**Mike Ziobrowski:** That's our ask.

**Joe Dannible:** Okay

**Don Roberts:** Anyone else?

**Tom Werner:** Joe do you expect that patrons of Fred the Butcher, the restaurant and some of the other retail are even going to be aware of these back entrances on Plank Road, I mean I can see where the apartment dwellers would they would come to know it, unless you did some type of internal signing directing them to go back onto Route9 so direct them out the back, something of that nature.

**Joe Dannible:** Yea, I mean Tom, I think you know certainly way finding can be provided, I think most of the people that are going to frequent the Plaza after one or two trips are going to quite readily figure out the other ins and outs. I know certainly if I frequent a certain shopping area more than two or three times, I know there's alternative routes to go and there's alternative circulation patterns but way finding, and signage could be helpful.

**Tom Werner:** I don't think its obvious in this case given the density of the site, the amount of buildings and that they clearly see those, for somebody who is casually going into Fred the butcher now, I think they are going to go out the way they came in.

**Rich Berkowitz:** That's a current existing pattern right now, and then you're adding more egress and ingress, so if you're doing that you should be taking pressure off that one intersection and put it on the other ones.

**Tom Koval:** And I personally think the majority of the traffic, yes, a lot of cars, some cars do go out and turn south, but a majority of that traffic in and out of that plaza heads the other way. And I think your gonna adding that 236 exit and entrance is going to take a lot of the pressure off of the Route 9 entrance and exit because now there gonna have people that are going back in the center of Halfmoon or heading up that way or heading up that way, they are going to shoot up the back way and avoid the whole Route 9 intersection.

**Tom Werner:** One of the assumptions of the traffic study was 25% of the traffic that comes to and from the south on Route 9, its stated right up front as an assumption, so.

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**Tom Koval:** But my point is, right now 100 percent is going out that front entrance

**Joe Dannible:** Yup

**Tom Koval:** If you add that 236 entrance and exit how many percent is that going to take off? I know its going to take a lot of people off that front that aren't going to want to deal with the potential of having to be behind someone turning south and then they have the 2 exits and the 2 lanes exiting now up in front or proposing 2 exits as opposed to 1 that currently exists. Right now if you get stuck behind somebody that wants to take, go south your stuck there, but with that second exit at the main entrance Ill call it, that car can sit there until they have all of the time in the world to take the south and the other guys can, it will increase the flow, it'll speed the flow of people that do want to take a left, so between those 2 entrances and exits I still stick to my guns with very few people from the commercial side of it are going to use that Plank Road, for an entrance point or an exit. Its just not conducive to, I mean unless something goes horribly wrong out in front, people aren't going to bother driving around this building, no the back side of that building, its not inviting to go that way.

**Joe Dannible:** Tom I would also like to point out that recommendation or conclusion number 8 from the GPI study states that traffic operations at all site driveways and at all the US Route 9 and Stone Quarry Road intersections are within acceptable ranges within levels of service.

**Tom Werner:** You said Stone Quarry the signal is warranted right?

**Joe Dannible:** Not by this project per-se.

**Tom Werner:** No, no I know that.

**Joe Dannible:** Stone Quarry that is already a poor intersection, that whether we do anything or not something needs to be done at that intersection.

**Tom Werner:** I understand that.

**Rich Berkowitz:** So how many accidents have actually occurred at that entrance?

**Joe Dannible:** So, there is an accident analysis

**Rich Berkowitz:** No, no the entrance to 9 and the Plaza

**Joe Dannible:** So, the crash analysis, and again this is a number 2 for the conclusions and recommendations, a crash analysis was performed and though the single line intersection should be considered a high accident location, the crash patterns noted were not out of the ordinary for the State levels.

**Rich Berkowitz:** And by adding the 236 exit you take more pressure off that entrance and exit.

**Joe Dannible:** Correct, the spreading out of the trips to 3 entrances and exits versus 1 should significantly help the traffic at that entrance.

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**Rich Berkowitz:** And is there an analysis of how many people actually make a left-hand turn going south on Route 9?

**Joe Dannible:** There is, if I can find the right chart, with the new design according to the study, we are actually decreasing the amount of trips taking a left hand turn to head south on Route 9 from the Route 9 entrance, by 2 trips.

**Rich Berkowitz:** So out of, how many are there presently?

**Joe Dannible:** 300 trips from the Plaza

**Rich Berkowitz:** It goes south from Route 9 going into that Plaza?

**Joe Dannible:** Oh, Im sorry the existing, no build condition,

**Tom Werner:** 27, in the pm

**Joe Dannible:** 27

**Rich Berkowitz:** You're adding 2?

**Joe Dannible:** We're subtracting 2 by putting in more entrances we are alleviating as you said the stress on that intersection, so we are actually with this project decreasing the amount of traffic going

**Rich Berkowitz:** They'll change.

**Joe Dannible:** Yes, and that's what the study basically found is that this project does not have an impact on the surrounding network.

**Mike Ziobrowski:** That's important, I mean you are adding 2 other means to leave that Plaza, whether it be Plank Road or

**Rich Berkowitz:** And also, people coming from the east are probably going to go to 236, Im sorry you can't go in that way, they're still going to take that Route 9 exit.

**Joe Dannible:** Or potentially Plan Road from the north from Guideboard.

**Rich Berkowitz:** Yea there's not enough ways to increase that 236 entrance to put an entrance in there.

**Tom Koval:** Not with the merge you don't have the distance.

**Joe Dannible:** Yea we'd like to propose it as a full access, but we do anticipate DOT is going to restrict it.

**Don Roberts:** Anyone else? So, as we all know our roll in this is to make a recommendation either positive or negative to the Town Board, and they will give the final say whether it gets approved or not. If it gets approved the Town Board will come back to us for site plan review, so what's the Boards pleasure at this point?

**Tom Koval:** I make a positive recommendation to the Town Board

**Rich Berkowitz:** Ill second

**Don Roberts:** All in favor of making a positive recommendation to the Town Board say aye? (All were in favor) Opposed? (None were opposed) Motion carried, positive recommendation, good luck.

**Joe Dannible:** Thank you very much.

**Don Roberts:** You're welcome.

***Crescent Commons PDD–PDD Recommendation***

***POSITIVE RECOMMENDATION. Board received a presentation on a revised concept plan and made a Positive Recommendation to the Town Board for the proposed Crescent Commons PDD.***

**Mike Ziobrowski:** I'd like to make a motion to adjourn the meeting.

**John Higgins:** Second

**Don Roberts:** All in favor aye? (All were in favor) Opposed? (None were opposed) Motion carried, thank you good night, be safe.