

Town of Halfmoon Planning Board**Meeting Minutes – March 10, 2014**

Those present at the March 10, 2014 Planning Board meeting were:

Planning Board Members: John Ouimet – Chairman
Don Roberts – Vice Chairman
Rich Berkowitz
Tom Ruchlicki
John Higgins
Lois Smith-Law

Planning Board Alternates: Margaret Sautter
Robert Partlow

Director of Planning: Richard Harris
Planner: Paul Marlow

Town Attorney: Lyn Murphy

Town Board Liaison: Walt Polak

CHA Representative: Mike Bianchino

Mr. Ouimet opened the March 10, 2014 Planning Board Meeting at 7:00pm. Mr. Ouimet asked the Planning Board Members if they had reviewed the February 24, 2014 Planning Board Minutes. Mr. Roberts made a motion to approve the February 24, 2014 Planning Board Minutes. Mr. Berkowitz seconded. All-Aye. Motion carried.

Public Informational Meeting:**14.009 PIM Oak Brook Commons LLC PDD, Route 9 – Amendment to PDD**

Mr. Ouimet opened the Public Informational Meeting at 7:01pm. Mr. Ouimet asked if anyone would like to have the notice read. No one responded. Mr. John Gay from Northeast Consultants stated the following: I'm representing Mr. Chuck Hoffman and Oak Brook Commons. We have been building in Oak Brook Commons for 20 years or more and as of right now there are 144 existing apartment units within the Town of Halfmoon. Our proposal is a modification to the Planned Development District (PDD) legislation that would allow us to build two new apartment buildings with 4-units per building. One 4-unit apartment building is proposed to be located where the existing office is currently located and we are proposing to move the office building into the Town Clifton Park. The other 4-unit apartment building is proposed to be located in an open area with the associate garages for the buildings. We are proposing a 4-unit garage and a 3-unit garage. That is what we are proposing at Oak Brook Commons and we are looking for a recommendation from the Planning Board to the Town Board for the Town Board to take action on this matter and then we would be back before the Planning Board for site plan approval. Mr. Ouimet asked if anyone from the public wished to speak. Mr. David Spencer, 8 Cinnamon Lane, stated the

following: I'm not sure how this affects me, but I got a letter so I decided to attend. The only thing that I have that kind of concerns me is where my property is located and where Oak Brook Commons is currently located is that there is a fence that's on a hill on the other side of my property that seems to be half up and half down. It's a wooden fence and I don't know if it's the property owner here or if it's the trailer park people, but the fence has been torn down in certain areas and some of it has been trampled over. I put a fence up on my property to stop people from coming through the backyard crossing over the creek and coming through my yard and that fence cost me \$6,000 so; all I'm asking is that if there is going to be building built there that they repair the fence. I'm assuming that the buildings that they are building will replace the office buildings probably a little bit higher in elevation, but I'm not sure. I'm sure I'll be able to see that in the wintertime, but as far as I'm concerned, I'm okay with that as long as the fence is repaired. Mr. Hoffman stated we are going to replace the fence in the spring. Mr. Ouimet closed the Public Informational Meeting at 7:05pm. Mr. Higgins stated the two parcels that are in the Town of Clifton Park along Route 9 where the new office is going to be built; it is fairly steep and there is a stream at the bottom and everything else so; at this time and I know it is hard to say, but do you anticipate any other building that would require more parking in the Town of Halfmoon? Mr. Hoffman stated I think at this point that's all the building that we would be doing because we are maxed out on the Oak Brook site. Mr. Higgins stated the following: That was the assumption that the committee got, but we just wanted to ask you that question for the minutes. On the second site, which is the one in between the roads that's presently just trees, when we were out there for the committee meeting, you did mention that you would try and preserve as much of the existing trees on that site as possible and possibly even plant some new green trees in that area if you had to take down trees. Again, for the record, that is what was discussed at the committee meeting. Mr. Hoffman stated the following: We are absolutely going to try to save as much as we can. So, whatever we can preserve here, we're going to and then what we usually do is we spade in mature vegetation afterwards with mature nice sized trees.

Mr. Roberts made a motion to grant a positive recommendation to the Town Board for the Oak Brook Commons Amendment to PDD. Mrs. Smith-Law seconded. All-Aye. Motion carried.

Public Hearing:

14.014 PH Windsor Woods Phase II, Vosburgh Road – Major Subdivision

Mr. Ouimet opened the Public Hearing at 7:08pm. Mr. Ouimet asked if anyone would like to have the notice read. No one responded. Mr. Jason Dell from Lansing Engineering stated the following: I'm here on behalf of the applicant for the Windsor Woods Phase II project. The Windsor Woods Phase II project is situated along the northern side of Vosburgh Road on approximately 5.6-acres. The last Public Hearing that we had for this project included 3-lots that had 3-duplex units on them for a total of 6-units. We are now back before the Board with a revised plan, which includes three single-family units. The single-family houses will have one access driveway out onto Vosburgh Road and each one of the houses would have municipal water as well as municipal sewer hookup. Stormwater would be managed in accordance with the New York State Department of Environmental Conservation (NYSDEC) regulations. We are here tonight to answer any questions that the Board or the public may have and to advance the project however the Board sees fit. Mr. Ouimet asked if anyone from the public wished to speak. No one responded. Mr. Ouimet closed the Public Hearing at 7:09pm. Mr. Partlow asked Mr. Dell what the line of sight was coming out of the driveway. Mr. Dell stated the following: I don't have the measurement of the line of sight with me tonight, but that is something that we can certainly provide to you. However, I do know that looking left there is a clear shot and looking right you are kind of coming up the hill and you have a

little knoll and it goes up. Mr. Partlow stated the following: That is my concern because that is quite a turn and it doesn't show it very well on the map there, but the turn is actually quite steep. So, I would be very curious to know what the sight distance is. Mr. Dell stated okay. Mr. Higgins stated what exactly are the property lines and who is going to own the driveway? Mr. Dell stated the following: The driveway would be situated on Lot #2 and there would be an easement for all of the property owners to utilize that driveway. Mr. Higgins stated so; Lot #2 is going to own the driveway based on the property lines and if there was a problem with sight distance, would you be able to move the driveway one way or the other? Mr. Dell stated yes. Mr. Higgins asked are there any concerns about wetlands or anything else on either side of the driveway there? Mr. Dell stated no, the wetlands are confined to the rear area where the NYSDEC wetlands are marked on the plan. Mr. Higgins stated the following: Regarding stormwater; are there any concerns about any runoff from the driveway and obviously and I assume that it's going to be paved. Is there going to be a retention pond somewhere? Mr. Dell stated the following: No, we would look to do a swale along the driveway with some stilling areas more in line with the NYSDEC green infrastructure regulations. This particular portion of the project being single-family houses wouldn't meet the actual thresholds to do a full blown Stormwater Pollution Prevention Plan (SWPPP), but it is certainly something that I could work with CHA in coming up with a good solutions for that. Mr. Higgins asked which way is the ground pitched? Mr. Dell stated there is a hill that comes up so it is pitched if you're looking at the plan and everything is coming down. Mr. Higgins stated so it's going towards that one house. Mr. Dell stated there is a draw right here that kind of brings everything around and down to the wetland here and there is a small section here that would be pitching this way and that would be the concern area that we would have to pick up. Mr. Higgins stated yes, I think this Board would like to see something to make sure that that neighbor doesn't get flooded. Mr. Dell stated understood. Mrs. Smith-Law stated you said that it's going to be paved road and asked if that was actually going to be paved or is it going to be a gravel road? Mrs. Murphy stated it is going to have to be built to code as required and because it is such a long road, I'm sure it is going to have to be a paved road. Mr. Dell stated correct. Mrs. Murphy stated just for clarification; there was a Negative Declaration when the whole project went through and if this Board so determines, find that this construction is consistent with the previous Negative Declaration that was passed, which had a more intense use than this project.

Mr. Berkowitz made a motion to declare a Negative Declaration pursuant to SEQR. Mrs. Smith-Law seconded. All-Aye. Motion carried.

Mr. Berkowitz made a motion to approve the Major Subdivision application for Windsor Woods Phase II. Mrs. Smith-Law seconded. All-Aye. Motion carried.

New Business:

13.109 NB AT&T (Co-location), 7 Vosburgh Road – Addition to Site Plan

Mr. Allen Hinkley from AT&T Wireless stated the following: We are proposing to install nine additional antennas to the existing tower located at 7 Vosburgh Road. They will be installed at a height of 141 FT, which is the second set of antennas on the tower from the top. There will be no increase in height for the tower. Mr. Ouimet asked would there be any additional equipment on the ground? Mr. Hinkley stated there is going to be additional equipment on the ground as we will be installing a shelter, which I believe will be 18 FT x 24 FT fenced area next to the existing equipment per the plans. Mr. Ouimet asked is anything being removed or is everything being enhanced? Mr. Hinkley stated no, this is going to be added and this is additional equipment on the ground. Mr. Ouimet asked Mr. Harris if the Planning Department has looked at what's being proposed as far as

where it fits on the site? Mr. Hinkley stated it is within the existing lease area of the site and it is just not fenced at this point. Mr. Harris stated right, it is in the existing area where there already are other structures there being leased on the ground so, it's in the vicinity of the same existing co-location. Mr. Hinkley stated it is actually attached to the existing fence and we're just bumping it out a little bit.

Mr. Roberts made a motion to declare a Negative Declaration pursuant to SEQR. Mr. Partlow seconded. All-Aye. Motion carried.

Mr. Roberts made a motion to approve the Addition to Site Plan application for the AT&T co-location at 7 Vosburgh Road. Mr. Berkowitz seconded. All-Aye. Motion carried.

14.008 NB Olesen Duplex, 30 Route 146 – Special Use Permit

Mr. Brian Olesen, the applicant, stated the following: I am looking for a Special Use Permit for a duplex located at 30 Route 146. Mr. Ouimet stated I understand that there are existing code violations for this property. Mr. Olesen stated yes, window size. Mr. Ouimet asked are they still outstanding? Mr. Olesen stated we were waiting for this Special Use Permit to do anything else. Mr. Ouimet asked would this have anything to do with that particular code violation, would it with the window size? Mr. Olesen stated the following: That is the only code violation that I'm aware of. There was a code violation and we applied for a permit and they have inspected it. Mr. Ouimet asked the Planner's if there were any existing violations on this property? Mr. Marlow stated we have a notice sent by the Code Enforcement/Building Department dated November 20, 2013 with about a half a dozen or so issues that needed to be addressed and I believe Mr. Olesen should have a copy of that. Mr. Olesen stated yes. Mr. Marlow stated that is what we have as of 3:00pm today. Mr. Ouimet stated so, are they still outstanding and not re-inspected? Mr. Olesen stated the following: We were waiting to see if we were going to be able to use it as a duplex to fix the issues. If we're going to leave it vacant, there would be no sense. Mr. Ouimet stated unfortunately, it is the policy of this Board that we don't hear request on property that has outstanding code violations until those code violations are resolved. Mr. Olesen stated the following: Alright, I didn't know that. Then why don't I resolve them and then come back. Mr. Ouimet stated very good, that would work.

Mrs. Smith-Law made a motion for the Board to table the request for a Special Use Permit application to allow a two-family (duplex) use at an existing single-family home until open building code violation cited by the Code Enforcement/Building Department have been satisfied. Mr. Higgins seconded. All-Aye. Motion carried.

14.016 NB Ballard Duplex, 23 Smith Road – Special Use Permit

Mr. Tom Ballard, the applicant, stated the following: I'm here to ask for a duplex lot located on Smith Road. Mr. Ouimet asked are there any other duplexes in the neighborhood? Mr. Ballard stated yes, there is one across the street on an angle, then there is one located at 37 Smith Road and also there is a 4-unit trailer park on Smith Road. I took pictures so I could pass them along to the Board to look and see what they are. Mr. Higgins asked if one of the pictures was a duplex? Mr. Ballard stated that's a second family on the second floor and the first floor is a one-family and the second floor is a second family. Mr. Ouimet stated while the pictures are circulating through, are there any questions from the Board? Mr. Berkowitz asked are you proposing two separate driveways? Mr. Ballard stated yes. Mr. Berkowitz stated because you are having two separate driveways that are about 30 to 40 FT apart, why didn't you just make it two lots and have separate

homes instead of having a duplex? Mr. Ballard stated well, there is only 150 FT frontage and you need 100 FT for a house, so I would need 200 FT so there is not enough frontage to have two homes on that space. Mr. Berkowitz stated you could have two separate homes if you had a flaglot and then you would get around the duplex issue. Mr. Ballard stated the following: Well, the purpose is that we want a duplex. The reason why we want two driveways is because this is the style of house that we want to put there. Also, the purpose of that is because it looks like a single-family house and not a duplex because one garage is around the other side and it's not your standard one that you have around the Town which physically automatically looks like a duplex with one driveway. So, I think the two driveways is making it look like a single-family house and kind of adds to and makes it look much nicer for the area. Mr. Ouimet stated I think we should setup a committee and have a couple members of the Board to go out and take a look at the area and take a look at the proposed site. Mr. Ballard stated I also have an aerial photo if that helps you to make your decision with showing you where the lot is. Mr. Ouimet stated the following: We are going to have to set a Public Hearing anyway. So, we can kind of kill two birds with one stone where our committee can go out to the site to take a look within the two weeks leading up to the Public Hearing so we can just move the issue along. Mr. Ouimet stated Mr. Roberts and Mr. Higgins will be the committee to do the site visit.

Mr. Berkowitz made a motion to set a Public Hearing for the March 24, 2014 Planning Board meeting. Mr. Roberts seconded. All-Aye. Motion carried.

14.023 NB Woodloch Residential Subdivision, 31 Cemetery Road – Major Subdivision

Mr. Brien Ragone from Lansing Engineering stated the following: I'm here on behalf of the applicant presenting a seven lot subdivision that we're calling Woodloch Single-Family Residential Subdivision, which is located within the Agricultural-Residential (A-R) district. The site currently consists of two existing parcels that are going to be consolidated into one 6.5-acre property. The proposed project resides along Cemetery Road and approximately 1,300 FT to the north from its intersection of Route 146. The site has had some prior clearing and an existing single-family home and is surrounded by a lot of evergreen and deciduous forest areas. Nearby uses include single-family residential, multi-family residential and commercial operations including the New York Auction site, which is immediately adjacent to the east. The subdivision plan was designed so that each of the seven lots will be accessed by three combined private driveways all along Cemetery Road. Stormwater management would be managed on-site in accordance with the New York State Department of Environmental Conservation (NYSDEC). The utilities will connect to the public municipal systems where currently there is a water main that exists in front of the site and the sanitary sewer is just to the south at the newly constructed Inglewood PDD entrance. Mr. Partlow stated regarding the sight distance; where you have the two driveways coming out, that is a pretty steep incline there. Mr. Ragone stated yes. Mr. Partlow stated also, I believe there is a retaining wall right there. Mr. Ragone stated yes, I saw that. Mr. Partlow stated I have an issue with having both driveways right next to each other on such a steep incline. Mr. Ragone stated well, we're going to have to look at the sight distance there. Mr. Partlow stated I think it would be better served to have one driveway as a combination for all those units that are going in. Mr. Ragone stated combined into one? Mr. Partlow stated yes. Mr. Ragone stated I'll talk with the applicant about that. Mr. Roberts stated who will be responsible for the driveways? Mr. Ragone stated there is going to be an easement for the driveways and there will have to be a standard shared driveway agreement between the homeowners. Mr. Higgins stated you have the property line on the driveways for #2, #3, #4 and #5 going down the center of the property line, correct? Mr. Ragone

stated yes, #1 and #2 can share the driveway. Mr. Higgins stated okay, and the same thing with #1 and #2. Mr. Ragone stated right. Mr. Higgins stated so, whether there is an easement or not, on #3 there is going to be two owners on that driveway, correct? Mr. Ragone stated correct. Mr. Ouimet stated this depiction that you handed out, it is kind of difficult for us to see where the lot lines are. Mr. Ragone stated for each lot line there are three driveways and Lot #1 and #2 share the first driveway and the lot line goes down the middle of that driveway, Lot #3, #4 and #5 share the second driveway and that lot line goes down the middle of that driveway until it becomes the last flaglot, which is Lot #3 and then Lot #6 and #7 share the third driveway and that lot line goes down the middle of that driveway until it becomes a flaglot for Lot #7. Mr. Ouimet stated so, Lot #7 starts on Cemetery Road and wraps all the way around the back. Mr. Ragone stated yes. Mr. Ouimet asked what is the topography in the back, is that wet? Mr. Ragone stated the following: Some of it has been cleared back there, but the site basically goes up and then goes back down as you come into the site. It is kind of where Lot #6 is located where it is a little bit flatter and then on Lot #7 is where it starts to go back down. Mr. Ouimet asked are these lots on Town water and sewer? Mr. Ragone stated they will be connected to Town water, which is right in front of the site and then the Inglewood PDD has sewer there. Mr. Higgins asked it is going to be gravity sewer into their pump station? Mr. Ragone stated it might be a force main.

This item was tabled and referred to CHA for their technical review and comment.

14.024 NB Point 146, Old Plant Road – Commercial Site Plan

Mr. Jason Dell from Lansing Engineering stated the following: I'm here on the behalf of the applicant for the Point 146 Commercial Site Plan. This site is located at the confluence of Old Plant Road and Route 146. The project site encompasses two parcels for a total of 0.75-acres. The two parcels are zoned C-1 Commercial and as part of this project the two lots will be consolidated. For the project the applicant is proposing to construct a 2,400 SF bank. The parking has been provided in accordance with the Town of Halfmoon regulations. Water will be provided to the site via a connection to the municipal water service, which is located on Plant Road, and we will also be connecting to the Saratoga County Sewer District force main that is located out there. So, we will provide water and sewer service. Stormwater will be controlled in accordance with the New York State Department of Environmental Conservation (NYSDEC) regulations. Mr. Berkowitz asked are you taking both of the houses down? Mr. Dell stated yes. Mr. Berkowitz stated one house is already down so, will the other house be coming down? Mr. Dell stated correct. Mr. Berkowitz asked are you going to level that piece of property? Mr. Dell stated it will have to be brought down to grade, correct. Mr. Berkowitz asked will that take care of the drainage problem that is presently occurring at the corner. Mr. Dell stated we will certainly take a look at it as part of this project, but yes, as we flatten everything out, we'll look to collect it and control it. Mr. Berkowitz stated okay, because that whole property right now drains right at the corner and it forms some ice there in the winter. Mr. Dell stated okay. Mr. Berkowitz asked what are you going to do to protect that other house on the east side? Mr. Dell stated right now there is a pretty steep slope coming down to that house so, a lot of that slope will be pulled down to make way for the construction of the bank. Mr. Berkowitz stated that house is going to be looking right at the bank now. Mr. Dell stated correct and we proposing landscaped screening along that side of the property. Mr. Berkowitz asked is there any way to keep the berm there? Mr. Dell stated we can certainly look into doing something along those lines. Mrs. Smith-Law asked is this located just east of Stewart's? Mr. Dell stated it would be west of Stewart's and Stewart's is at the other corner at the other confluence of Plant Road and Route 146. Mr. Higgins stated regarding the handicapped spot; I assume the main entrance is the wider entrance on the bottom and asked why don't you have the handicapped spot

right in front of the main entrance instead of further away? Mr. Dell stated we can certainly move that over. Mr. Higgins stated I assume that somewhere on the site that you're going to do something with stormwater retention. Mr. Dell stated we will have to work through that with CHA because this project in and of itself is small enough to where it doesn't meet the NYSDEC criteria for a full blown Stormwater Pollution Prevention Plan (SWPPP), but we do know that obviously if there's an existing issue out there right now, we will have to take a hard look at that and work through that with CHA. Mr. Higgins stated and plus the fact that there's an adjacent residential property there. Mr. Dell stated correct. Mr. Higgins also asked if this project was going to have Town water and sewer. Mr. Dell stated yes.

This item was tabled and referred to CHA for their technical review and comment.

14.026 NB The Home Depot (Outdoor Seasonal Sales), 4 Halfmoon Crossing Blvd. – Change of Use

Mr. Stephen Brunick stated the following: I'm here on behalf of Mr. John Gray for the Halfmoon Home Depot. We are applying for our yearly outdoor seasonal sales for mulches, rocks, soils and bag stone. Mr. Ouimet stated this sounds a little different than seasonal sales, doesn't it? Mr. Harris stated they came in with an application that was consistent with what they got approvals for in the past years and it is the same use. Mr. Brunick stated correct, every single year. Mr. Ouimet asked is everything going to be the same and the same space is going to be utilized. Mr. Brunick stated yes. Mr. Ouimet asked when are you going to do this and what do you propose for the timeframe? Mr. Harris stated the application stated from March 1, 2014 through September 30, 2014. Mr. Brunick stated yes. Mr. Ouimet asked are there any code violations at the site? Mr. Harris stated correct, I checked with Code Enforcement and there are no outstanding code violations.

Mr. Berkowitz made a motion to approve the Change of Use application for the Home Depot Outdoor Seasonal Sales beginning March 1, 2014 and ending on September 30, 2014. Mrs. Smith-Law seconded. All-Aye. Motion carried.

14.031 NB Lowe's (Outdoor Seasonal Sales), 476 Route 146 – Change of Use

Mr. Michael Welch, Store Manager for Lowe's, stated the following: I am applying for the same Change of Use application for Lowe's Outdoor Seasonal Sales. We would like to store our outside bag goods and things like that outside of the store. We also would like to run our outdoor sales beginning March 1, 2014 through September 30, 2014. This would be the same as we have done in previous years. Mr. Berkowitz stated the following: I drive through Lowe's parking lot often and there are no stop signs at the end of each parking corridor around the perimeter road and there are a lot of close calls there. Is there any way to put some stop signs up at the end of each aisle? Mr. Welch asked at the end of each aisle? Mr. Berkowitz stated the following: Yes, it would probably be about four or five signs. A lot of people come out into the perimeter road and they will either not stop or they will stop and there has been a lot of close calls there. Mr. Welch stated I can check on that and see. Mr. Berkowitz stated it is not on the site plan, but it would probably be helpful for your customers. Mr. Welch stated right, I can check on that. Mr. Berkowitz stated it just a safety issue. Mr. Welch stated the following: Right, I will check on that and follow up with Mr. Harris. I know exactly where you're talking about where it comes back out to the road in the front. Mr. Berkowitz stated yes, it comes out to the perimeter road and out by the building there. Mr. Welch stated yes, because we own that road that goes around to the front of the store between us and the back of Raymour & Flanigan. Mr. Berkowitz stated the following: There is a

stop sign coming out from Raymour & Flanigan and a lot of people don't see the sign or they don't pay attention to it. Also, the people are coming out from your store and going to the parking lot that are going out to the perimeter road that also don't stop because there is no stop sign. It might not stop everybody, but a few people might stop. Mr. Welch asked so; you want a stop sign on each one? Mr. Berkowitz stated the following: If you could put the signs on each aisle, that's about four or five aisle. You do have one by the ATM, but nowhere else. Mr. Welch stated actually that is an access road for our parking lot right there where the ATM machine is.

Mr. Berkowitz made a motion to approve the Change of Use application for Lowe's Outdoor Seasonal Sales beginning March 1, 2014 and ending on September 30, 2014. Mr. Partlow seconded. All-Aye. Motion carried.

14.027 NB U.S. Post Office @ Devoe's Rainbow Orchards, 1569 Route 9 – Sign

Mr. Larry Devoe, the applicant, stated the following: I believe I have a picture of the sign. Mr. Ouimet asked are you requesting a sign approval? Mr. Devoe stated yes. Mr. Ouimet asked Mr. Roberts if he had an opportunity to look at the proposed sign? Mr. Roberts stated yes I did and all the applicant is doing is adding a U.S. Post Office sign underneath his Devoe's Rainbow Orchard free standing/monument sign, correct? Mr. Devoe stated yes. Mr. Roberts asked Mr. Devoe if the sign dimensions were going to be 28 inches by 8 feet? Mr. Devoe stated yes and the sign will be two sided. Mr. Roberts stated the sign meets the Town Code.

Mr. Roberts made a motion to approve the Sign application for the U.S. Post Office at Devoe's Rainbow Orchards. Mr. Berkowitz seconded. All-Aye. Motion carried.

14.030 NB O.C.D. Auto Spa, LLC, 44 Route 146 (Morris Pipe) – Change of Tenant/Use & Sign

Mr. Steve Mercer, the applicant, stated the following: I represent O.C.D. Auto Spa. The business is just a detail shop that is family owned and I would be the only employee. Mr. Ouimet stated so; it's just a one-person shop? Mr. Mercer stated the following: Yes so far and I plan on probably having my son and a few other employees, but right now I'm just starting out. I try to do the best job I can for the customers and I have a wash mat that I do all my car washing in so, everything goes in with gray water and there are no storm drains or anything. Mr. Ouimet asked do you have plans to do car repairs at the site? Mr. Mercer stated no. Mr. Ouimet asked what about car sales? Mr. Mercer stated no. Mr. Ouimet stated so; it's just a detail shop, correct? Mr. Mercer stated yes, it is just a detail shop. Mr. Ouimet asked how many cars do you expect to do in a given day? Mr. Mercer stated in a given day I'm only capable of doing about two right now, but no more than a half dozen when I really get going. Mr. Ouimet stated okay so, no more than 6 a day and what would your hours of operation be? Mr. Mercer stated my hours of operation would be 8:00am to 5:00pm five days a week. Mr. Ouimet asked the Planning staff if they had an opportunity to look at the site to check the parking? Mr. Marlow stated yes, we did go to the site, we do have a site plan that shows 29 parking spaces and we used the retail calculation for that and we found that they need 11 parking spaces based off of that calculation. Mr. Ouimet asked is this the only business at that site, correct? Mr. Marlow stated Morris Pipe is also located at that site, but given the type of use, they are only required to have three parking spaces. Mr. Ouimet stated okay, so there is more than enough. Mr. Marlow stated yes. Mr. Ouimet asked the applicant if he planned on having overnight parking or day in and day out? Mr. Mercer stated the following: Not unless somebody drops off the night before, but not normally. Normally I just try to get them in the morning and get them out at night. Mr. Higgins asked is Morris Pipe still there or are they moving out? Mr. Mercer

stated no, they are still there. Mr. Higgins stated being that there are two businesses, do we have some kind of site plan showing which spots are designated for which business? Mr. Marlow stated the sight plan that we have does not show which specific parking spots are for each particular business. Mrs. Murphy stated is that your question Mr. Higgins or does it show two separate buildings? Mr. Higgins stated the following: No, I was just concerned because previously I thought it was just going to be the one business and I didn't realize that Morris Pipe was staying there and I thought they were moving out. All I'm questioning is if the site plan specifically shows 29 spaces and if all the parking spaces were marked? Mr. Mercer stated there is a handicapped parking space that is marked, but nothing else is marked. Mr. Higgins stated previously the Board had been told that if there is a problem and the site plan doesn't specifically show where the cars are to be parked, that Code Enforcement can enforce that. Mrs. Murphy stated I think you're alluding to an issue with maybe the overnight parking so, limiting the amount of overnight parking that can enter on the site. Mr. Higgins stated and the location of the overnight parking. Mrs. Murphy stated the following: Yes, you can identify where you want the overnight parking to be. I'm not familiar with this Board ever detailing which business has to park where. Mr. Higgins stated okay. Mr. Mercer stated I actually have a gated area and I can put things in the locked gated area on the side of the building or in the building for that matter for overnight parking. Mr. Higgins stated the following: If you're going to have cars parked there overnight, the Board needs to know how many are going to be parked there overnight and roughly where you plan on putting them. We're not telling you that you have to put them in the gated area because we just need to know where they're going to be parked. Mr. Mercer stated if there are cars that need to be parked overnight, I would put them behind my locked gated area and that way nobody can vandalize them or anything of that nature. Mr. Higgins asked how many cars would you be parking overnight? Mr. Mercer stated the following: No more than one and I doubt that would even be happening. Normally I would like to get them in in the morning and have them released at the end of the day. Mr. Higgins stated so, if we limit you to a maximum of four, would that be a problem for you? Mr. Mercer stated no, not at all. Mr. Ouimet asked four or six because I thought we talked about six? Mr. Mercer stated the following: I was talking about during the day like my own car or something being there during the day. Obviously my car won't be there at night and neither would even close to that many cars be there at night. Mr. Ouimet stated so; if we were to say a maximum of six cars at any given point in time; there is sufficient parking to accommodate six cars without there being any conflict with Morris Pipe, right? Mr. Marlow stated correct. Mr. Larry Barton stated the following: I'm the manager at Morris Pipe. The original site plan for 44 Route 146 shows the original parking area, which used to be Northstar Chevrolet, we changed that parking area to meet the code per the Town of Halfmoon and actually I think we could probably have 40 cars parked there. Morris Pipe is a wholesale business and we have maybe four cars and four employees there. Mr. Ouimet stated so; basically you're saying that you have no conflict with parking and there won't be. Mr. Barton stated no, not at all. Mr. Roberts stated the applicant has also requested a Sign application that will be wall-mounted on the building with no lighting, 48" x 48" for a total of 16 SF and it meets code.

Mr. Roberts made a motion to approve the Change of Tenant/Use application for O.C.D. Auto Spa, LLC with the following conditions: (1) automotive repairs and the retail and wholesale sales of automobiles are prohibited; and (2) overnight parking for customer automobiles shall be limited to no more than six (6). Mr. Berkowitz seconded. All-Aye. Motion carried.

Mr. Roberts made a motion to approve the Sign application for O.C.D. Auto Spa, LLC. Mrs. Smith-Law seconded. All-Aye. Motion carried.

14.032 NB Dorrrough Construction, Inc., 1471 Route 9 (Crescent Commons)
– Change of Tenant

Mr. William Dorrough, the applicant, stated the following: I'm before the Board for a Change of Tenant application for Dorrough Construction, Inc. I'm looking to open a business office for our construction company on the building's second floor of Crescent Commons. Mr. Ouimet asked how many employees would you have? Mr. Dorrough stated I will have one in-office employee. Mr. Ouimet asked will you have customers coming in or not? Mr. Dorrough stated no, it more like my own office work. Mr. Ouimet asked what will your hours of operation be? Mr. Dorrough stated 9:00am to 5:00pm Monday through Friday and possibly some weekends. Mr. Ouimet stated are you going to have a sign? Mr. Dorrough stated no, I'm not a customer based business and it's a commercial business with bidding and stuff like that. Mr. Ouimet asked the Planning Staff if they had a chance to look at the parking situation at this site? Mr. Marlow stated the following: We did look at the parking and per Town code the applicant is required to have 3 parking spots. The parking lot at Crescent Commons has 86 lined parking spaces and 61 landbanked parking spaces. So, there is more than adequate parking at the site.

Mr. Berkowitz made a motion to approve the Change of Tenant application for Dorrough Construction, Inc. Mr. Higgins seconded. All-Aye. Motion carried.

Old Business:

13.044 OB

&

13.045 OB

Regency Park Planned Development District, Route 9 – PDD
Recommendation

Mr. Ouimet stated Mr. Roberts has recused himself from this item and Mrs. Sautter will sit in for Mr. Roberts. Mr. Scott Lansing from Lansing Engineering stated the following: I'm also here tonight with the applicant for the project, Mr. Bruce Tanski and Mr. Jeff Williams who works for Bruce Tanski Construction. We're here for the Regency Park Planned Development District (PDD) and this PDD that has advanced to the Planning Board stage and has been reviewed by the Planning Board. We are hoping for an ultimate referral back to the Town Board for their consideration. Our ultimate goal for this evening is to obtain questions and comments from the Board and hopefully a referral to CHA for review of the project. The overall project is a mixed use Light Industrial/Commercial and Residential PDD. This proposed project is located on approximately 71.8-acres. The existing zoning for the parcel is LI-C (Light Industrial/Commercial). As the Board may recall, we did have a plan in front of Board a little while back and it was a mixed-use plan. The lower plan is just for the Board's reference of what was previously proposed and what we are proposing at this time, The previous plan did include along the front portion of the parcel a commercial retail buildings and the first floor would be commercial retail and the second and third floor did have apartments. Also, included; luxury apartments on the southwest portion of the parcel and senior single-family homes on the north/northeast portion of the parcel. We did advance this with the Planning Board and we did obtain comments from the Town and from the Town engineer expressing concerns about the displacement of commercial land being used for residential purposes. The applicant did review those comments and did respond with a revised plan, which we are showing in the upper portion of the two displays. As far as what is proposed; we are proposing a mixed use PDD and again it's Light Industrial/Commercial. Light Industrial/Commercial would be along the frontage of the parcel along Route 9 and also on the northern side of the power lines that go through the parcel. That would follow in accordance with the LI-C zoning and everything proposed for those areas would be

proposed to meet the area requirements with setbacks and things of that nature. On our plans we're showing 294,000 SF and that's just a depiction so the Board has an idea of what could possibly go there. At this point in time, the applicant does have any tenants for those spaces and this is purely a concept to give the Board an idea of what could go there. As far as the front portion of that LI-C area, we are proposing a more linear type buildings and those types of buildings are thought to be more of like a franchise or a factory authorized dealership sales and or service of equipment or similar uses. It would be something similar to the John Deere Supply and Retail area and that is what the applicant envisions for that area. Again, we don't have specific tenants, but that's what we envision for that area. The back portion of the LI-C is anticipated to be more of storage and warehousing with a small office component to those, which will be about 20% office, and 80% warehouse and storage. So, that summarizes the LI-C area of the PDD and the other portion is proposed for single-family housing units, which are located on the south/southwest portion of the site. We are proposing 51 single-family homes and they would be positioned on leased lots so, we are showing lots on there that are about a minimum 9,000 SF in size with 75 FT of frontage, but those represent leased parcel areas and the land would be leased and the applicant would lease this area to seniors and they would be comprised of modular type housing with foundations and not mobile homes. The modular home would be craned onto a fixed foundation and they would be age restricted for seniors. Also, the applicant is proposing an Homeowner's Association (HOA) associated with the senior housing in that they would take care of full maintenance of lawns, snow removal and things of that nature. As far as the roadways; we are proposing two curb cuts onto Route 9. The northern curb cut would be proposed as full access with a boulevard and we envision that to be more of the access point for the commercial and light industrial space with an access to the residential as well. The southern access point would be a right-in and a right-out and in our opinion that would be primary access for the single-family residential and again with a connection point to the northern access so full movements can be made onto Route 9. The roadway; in our narrative we did outline it as being proposed for dedication to the Town and the applicant has indicated that is something that he would like to retain as private ownership so that would be owned, operated and maintained by the applicant. Regarding water, stormwater and sewer; Stormwater would be managed on-site and we would work with CHA on the ultimate design for that. There would be public water and this is a public water main along Route 9. Sanitary sewer would also be municipal sewer and there is a sewer main up by the SYSCO facility and we would connect into that. As far as the community benefits for the project; the applicant has had discussions with the Town and they have identified a community benefit as a 1,650 linear foot water main along Tabor Road and there would be a 12-inch diameter main and they have discussed this with Mr. Frank Tironi, Director of the Town's Water Department, as a benefit to the Town and he feels it would be appropriate for the Town to extend the water system further northward and closer in proximity to the Saratoga County Water Authority system and it would also alleviate an existing water quality issue that is present within several existing residences along Tabor Road. The applicant is offering this 1,650 linear feet of water main at no cost to the Town and he is estimating the value at approximately \$225,000. Again, we are here for questions and comments from the Board and we're requesting ultimately a referral to CHA for review. Mr. Ouimet stated could you tell us more about the senior housing? Mr. Bruce Tanski, the applicant, stated the following: These are modular homes that have full wooden floors 16 on center, the walls are 2 x 6 and 16 on center and these are built in a factory under climate controlled conditions and they are just like a home. They have a R-21 in the sidewalls and the outside wall for insulation, R-41 in the ceiling and these will range from 1,300 SF to 1,700 SF and they will all have front porches, they will all be three bedroom ranches, they will all be ADA (Americans with Disabilities Act) qualified, in other words, they will have backing in the bathtubs for

grab bars, the doors will all be 3 FT doors and that type of thing. We will install a two car garage onto these modular homes and every home will have a set of stairs where the storage will be upstairs. We plan to put in sidewalks and street lights. I have talked to the fire department about the reducing the size of the width of the road and they have okayed the fact that we can drop it from 32 FT down to 28 FT and we still have to work that out with CHA just so that it's not a speeding thoroughfare going through there. Mr. Ouimet asked would these homes be individually owned? Mr. Tanski stated yes, the homes would be individually owned, the homeowners will pay rent for the lot and these homes would be for seniors only. Mr. Ouimet asked has this concept been tried anywhere in New York? Mr. Tanski stated the following: It's down in Florida in a place called the Villages. Also, I want to control the lot rent if I can because I know there is a place in Maine that is doing that now. I have been researching this where they keep the lot rent at a certain price so that as the homes in Saratoga County keep escalating over the years, and these will reach a certain price point and they will stay that way. Mrs. Smith-Law asked will these home be on a slab or will they have a basement? Mr. Tanski stated no these will be slab on-grade, but then we will put concrete blocks or mortared blocks up so it looks like it's on a foundation. Mr. Ouimet asked is the interior road system going to be owned by you? Mr. Tanski stated correct. Mr. Ouimet stated so, there would be no Owner's Association associated with this particular based residential unit? Mr. Tanski stated the following: Right. Basically, I'll be the HOA. Mr. Ouimet stated the commercial roads as well for the servicing of the construction? Mr. Tanski stated correct. Mr. Ouimet stated so, the Town is not going to own any of the roads? Mr. Tanski stated the following: Correct. There would be a turning lane on Route 9 so, hopefully traffic will not be an issue and we will have public water and public sewer. Mr. Ouimet stated the following: On your earlier concept the commercial buildings that were proposed for along the frontage on Route 9, they provided some service for the residents of the senior housing, correct? Mr. Tanski stated the following: Correct and the reason why we can't do that is because there is just not enough people to put services there for that because we also had 150 apartments. My original proposal was to build the apartments, the senior housing and then the commercial on the first floor with apartments on the second and third floor, but it's like anything else, you need bodies so that you can have these services. Mr. Ouimet stated so, assuming that this concept works; would these seniors all have to leave the site to get services? Mr. Tanski stated unless they go to Stewart's because they will be able to get to Stewart's from there. Mr. Ouimet asked are they going to have a walking trail to Stewart's? Mr. Tanski stated I'm going to have contiguous sidewalks that will go in front of every unit down to the main road and that is also an ADA regulation when it comes to rentals. Mr. Ouimet asked are you going to run sidewalks on Route 9 as well? Mr. Tanski stated no. Mr. Ouimet asked how are they going to go from the sidewalks that you have? Mr. Tanski stated my property is contiguous to Stewart's. Mr. Ouimet stated well, not exactly as they may walk to the end of the building or something. Mr. Tanski stated well, if we can put a sidewalk there, obviously, we're not going to leave a 25 or 30 FT section out and we would put that sidewalk in. Mr. Ruchlicki stated you are showing a row of trees there now and as far as Mr. Ouimet's sidewalk concern, you could actually connect to that parking lot. Mr. Tanski stated right. Mr. Higgins stated could you explain regarding a person who is living there and they decide that they don't want to live there anymore; can they sell the house? Mr. Tanski stated the following: Here's my plan and it is working in Maine. These homes are going to go between \$150,000 to \$195,000 and I'm working on it with my attorney and my attorney said "I can't see where you can do it, but I can't see where you can't do it". So, we are doing research on it. So, my plan is if you buy a house for \$150,000 and you live there for six years and your wife dies and you want to sell, you can make a 10% profit. So, for easy math, that's \$15,000. The second time around you buy with your wife and your wife passes away and you decide to sell; you can make a 10% profit and that's \$165,000 and

now that unit is capped forever at \$165,000. If you decide that you want to sell immediately, I would pay you 80% of the value of that home on the spot. So, these would never be taken apart by a crane or anything. Once the homes are there, they will be there forever. Mr. Higgins stated if you buy it, you're not going to rent it and you're just going to own it for sale and there would be no rentals here at all. Mr. Tanski stated the following: There are no rentals here at all and these would be sold. Again, if I pay 80% of \$150,000, I can make the difference between the 80%, but I can only make a 10% profit on it just like everybody else. Mr. Berkowitz stated so, if somebody is living there, the most they could ever lose on this piece of property if the market crashes again, would be 20%? Mr. Tanski stated the following: Let's be realistic, where can you buy anything in Saratoga County for under \$200,000. They really can't lose anything because if you pay \$150,000, you should be able to sell it and make a 10% profit and that's my goal. Mr. Berkowitz stated the following: Yes, I know, but housing can be different. If you buy a home at \$150,000 and the market is high and in two years the market is low and you need to get out of house. Mr. Tanski stated I'll pay you 80% of what you paid for it. Mr. Berkowitz stated so; you're capping a loss of 20%. Mr. Tanski stated correct. Mr. Berkowitz stated also, if and when you do build this, are all the slabs going in at once. Mr. Tanski stated the following: No, absolutely not and right now I have five sales, but I can't take money yet because of where we are. There is a lady that lives up on Tabor Road who has a five bedroom home and she's looking for affordable senior housing and she doesn't want to be in an apartment, she doesn't want to be in congregant living like Falcon Trace Senior Housing, she wants her own home. What is affordable in the Town of Halfmoon for a senior? Where is there affordable housing? There is none and this is what I'm trying to provide. I promised the people up on Tabor Road if the proposal on Route 9 with the driving range got shot down, I would take that benefit and bring it up to Tabor. Mr. Berkowitz stated say that somebody loves their house and they don't want to get rid of the house and they just want to move; can they take their house with them if they find a piece of land? Mr. Tanski stated no, they cannot take their house with them and I would have to buy the house at that point. Mr. Berkowitz stated even though they bring that house in? Mr. Tanski stated right, but again, we're going through the legalities of trying to set this all up now as we speak. Mr. Berkowitz asked would they know that ahead of time? Mr. Tanski stated yes, everybody will get a 30-year lease and your rents will be frozen as they'll be based on a Consumer Price Index, which is 0.03%. Mr. Ouimet stated so, you're talking about a land lease? Mr. Tanski stated right so, maybe your rents will go up \$5 every two years or something like that, but if somebody wants out of the house; I will pay them for their house. Mr. Berkowitz asked what if they want to do a reverse mortgage? Mr. Tanski stated I haven't even thought of that. Mr. Higgins asked what age are you limiting this to? Mr. Tanski stated age 55 and up. Mr. Higgins asked and no children? Mr. Tanski stated the following: Well, you can't discriminate against children, in other words, you can't have children living there forever, but you can put it in the bylaws that they can stay there for a couple weeks or whatever. I will have to be very careful on how I structure this. Basically, there will be no trucks parked there; there will be no statutes of the entities with a bathtub on the front lawn and there will be no encumbrances like that at all. In other words; we want to make it a nice place. There will be no basketball hoops and there will be nothing like that. Mr. Higgins asked is the minimum size lot going to be 9,000 SF? Mr. Tanski stated the following: Right, but that's just a general lot size. In other words, there is not going to be any fencing allowed and nothing like that. Mr. Higgins stated well, I'm just thinking between the house and the two car garage; 9,000 SF is going to take up a good percentage of the lot. Mr. Tanski stated the following: Don't forget; these modular homes only come in 12 FT widths so, you would have 24 FT plus a garage, so you're at 48 FT. On corner lots we would turn them to break them up. Mr. Berkowitz asked if somebody wanted to put in a pool, could they? Mr. Tanski stated the following: No. Basically, you people have lived around

here long enough to see the townhouses over by the golf course and very rarely does anybody park on the roads, they all know what the rules are and if somebody breaks the rules, we get a phone call and we go over to talk to them. Between myself and Mr. Frank Tironi, Sr., I think that is a pretty nice place over there and we monitor it pretty well. Mr. Berkowitz stated just due to unusual circumstances where a child has to live with a grandparent, is that allowed? Mr. Tanski stated that is allowed, correct. Mr. Higgins stated as far as the 20% quality greenspace along Route 9, how are you handling that? Mr. Tanski stated right now we have a row of trees along Route 9 and the buildings will be setback 100 FT and this will not be like Malta has. Mrs. Smith-Law stated the following: Who is going to be responsible for maintaining the individual properties? Would it be the homeowner? Mr. Tanski stated it will be myself. Mrs. Smith-Law stated the following: This is probably going to come down the line with site review and everything, but the houses that face the three buildings in the back, they are really deep. Is that all going to be lawn? Mr. Tanski stated yes. Mrs. Smith-Law asked is there any way to leave up some trees there? Mr. Tanski stated the following: Anybody that knows me knows that I try not to cut trees and right now over at the golf course we mow 175-acres of lawn and we're mowing seven days a week. So, this will just be different people and different mowers doing the same thing because that is what we do. Mr. Higgins stated on the original you had more buffer zone on the north end along that piece there and is there any way that you could pull that down and leave more of a buffer between your northern most building and the residential site to the north? Mr. Tanski stated the following: I worked with Mr. Ruchlicki when we cut over there and we left all the trees that were there at the time. The only trees that we cut on the whole piece of property were the trees that were holding up the house and once we took those trees down, we obviously took the house out. I think that Mr. Ruchlicki is comfortable with the buffer zone that is there now and if he wants it changed, we'll change it, put up a fence and do whatever we have to do. Mr. Higgins stated I envision these three main buildings as something like warehouse complexes. Mr. Tanski stated I have somebody interested now that wants something like a John Deere, and I am not at liberty to say, but they'll come in for their own site plan. Mr. Higgins stated so; you envision possibly retail in one of those buildings. Mr. Tanski stated whoever comes along because that's allowed in that zone. Mr. Higgins stated the following: Right, but I'm just trying to envision how the traffic is going to work coming out on that boulevard entrance. Obviously, SYSCO's tractor-trailers are very early in the morning or very late at night typically and then you have a few during the day and if you're going to be having a lot of tractor-trailers going in and out of there, I'm just a little concerned about tractor-trailers trying to head south on Route 9 and pulling out of there. Mr. Tanski stated the following: I think that's a little premature now because with everything going on with Synergy across the street with VanPatten and a couple of other places in Town, this will probably be the last place that anybody will look: (A) because of the topography and (B) because of the high tension lines so, I don't foresee anybody coming along for years down the road. Mr. Higgins stated and obviously, as you mentioned, the topography because you have a lot of steep slopes that you're dealing with in there. Mr. Tanski stated correct. Mr. Higgins asked how are you planning on phasing this roughly; along Route 9 first? Mr. Tanski stated no, the seniors first and Route 9 if somebody comes in, like a John Deere place, and they would buy the lot and they would come in for their own site plan and that would be between you and the applicant at that time. Mr. Higgins stated oh, so you envision splitting off and selling the three lots along Route 9. Mr. Tanski stated correct. Mr. Ouimet stated with regards to the width of the roads; I understand that you talked with Code on the width of the roads through the housing portion of this. Mr. Tanski stated correct. Mr. Ouimet asked are you changing the width of the roads on the commercial side? Mr. Tanski stated the following: No, this is just for the seniors because of the sidewalks and we want to keep the speed down. I guess according to New York State law, the roads cannot be any narrower than 28 FT. Mr. Ouimet stated

just to be clear; you're going to plow these roads in the winter and you're going to maintain them in the springtime. Mr. Tanski stated the following: Just like we do now. I have 2,500 FT of sidewalks that we have to take care of now. Mr. Ouimet asked including the commercial side? Mr. Tanski stated yes. Mr. Higgins asked and there will be no parking on the roads in the residential. Mr. Tanski stated no. Mr. Higgins stated because obviously we have had a problem previously on another site with narrow roads where the parking has been a problem. Mr. Tanski stated the following: If you drive down through the townhouses over on Pointe West or over by the golf course, you'll see that nobody parks on the road because we don't let them. I had these special stickers made up that takes you 45 minutes to get them off of the windshield when we put them on there. Mrs. Smith-Law stated the following: What do folks do if they have company? Is there going to be a designated visitor spot? Mr. Tanski stated the following: We're going to put some parking for the general public in different spots because there are 75-acres there and there is more than enough land to do that. I think it is a unique concept and I'm excited about it and I would like to think the Town would be excited about it because like I said, there's nothing in Town where you have affordable housing for seniors. Mrs. Sautter stated the following: I agree with you Mr. Tanski when you said "I think it was", but I think it was an original and different when included the commercial space where the senior could go. I read all the notes and it said that you were making them a little bit narrower for their walkways and I think you envisioned golf carts maybe going around and around there at some point and making it more accessible to them. This site to me and I understand and I'm still trying to grapple with how it's working out with the land, the rents and all of that, but I don't see a lot of benefit for them except that you keep saying that it is affordable. Mr. Tanski stated the following: Well, to me that is the benefit because there are none in Town. Like I said, where can you go and buy a piece of property for this amount of money and get somebody to take care of the sewer bill, take care of the water bill, pay the taxes, plow the driveways and mow the lawns? The only expenses the homeowner would have is their own insurance and their garbage. So, that alone would be the public benefit along with what I want to do on Tabor Road. Mrs. Sautter stated but you said the rent would go up and asked is that land rent? Mr. Tanski stated the following: The land rent would be based on a Consumer Price Index and you would get a 30-year lease. The Consumer Price Index is basically like the interest you would get at a bank and its non-existent. So, maybe in two years your rent would go up \$5. Mr. Higgins asked what are you anticipating the rent to be on a lot? Mr. Tanski stated between \$600 and \$650 per month, but don't forget this includes your taxes and complete maintenance. Mrs. Sautter asked how big are these homes? Mr. Tanski stated the homes would go from 1,300 SF to 1,700 SF. Mrs. Sautter asked are they going to be two or three bedroom homes? Mr. Tanski stated all the homes will have three bedrooms. Mr. Ouimet asked would the lot rent be based on the size of the lot? Mr. Tanski stated no, just first come/first served. Mr. Ouimet asked so; will all the lots be the same? Mr. Tanski stated correct. Mr. Ouimet stated but the cost of the housing would depend on what model you choose or the size of the house? Mr. Tanski stated correct, we're going to have about six to eight models and like I said, they're all going to be ranches, they're all going to have front porches so people can communicate or congregate outside and they would have sidewalks. Mr. Ouimet stated this is very interesting concept and I'm sure that I'll have a thousand questions to ask you, but I know it's premature to start to ask you now. Mr. Tanski stated well, I can't take all the credit because I've done a lot of research down at the Villages in Florida and I'm doing research on this program that they have in Maine and it seems to be working. Mr. Ouimet stated the following: How does the value of these houses work as years go on? I know when I bought my house I paid less than it is worth now and it should be worth a lot more now because I've been living in it for 20-years. Mr. Tanski stated the following: Correct, but again, not to be redundant, but in Saratoga County as the prices keep going up, we are going to level off

and that's going to be the price. Mr. Ouimet stated I understand that part of it, but where I'm confused is that where you said you were going to try and limit the amount the owner can make on a resale. Mr. Tanski stated correct. Mr. Ouimet stated and on the resale, the owner can only make 10% and is that 10% of the initial payment so that in 20-years when that \$150,000 house is worth \$400,000? Mr. Tanski stated it doesn't matter. Mr. Ouimet stated that's an interesting concept and it doesn't sound American. Mr. Tanski stated but you know this going in and you don't have to buy it. Mr. Ouimet stated I understand and is that the way the Villages work where the price never increases? Mr. Tanski stated how do we keep this affordable and that is my point because at \$400,00 nobody is going to buy it, but at \$150,000 we'll have them lined up at the door. Mr. Ouimet stated at \$400,000 nobody is going to buy it today. Mr. Tanski stated right, but they are doing this in Maine now and it seems to be very successful and they're doing it with condominiums. Mr. Berkowitz asked are you capped at what you can sell it for? Mr. Tanski stated correct. Mr. Berkowitz stated so; if it's worth \$400,000, the most you can sell it for is \$165,000. Mr. Tanski stated correct. Mr. Ouimet stated and you can only sell it to a senior. Mr. Tanski stated correct. Mr. Berkowitz stated and you can sell it multiple times. Mr. Tanski stated the following: As long as you keep the price the same and that's a win-win for everybody. I know people don't like things that are different and myself too, but I think this is a great concept and I think it is a benefit to everybody in Town because we all have parents or older siblings. Mr. Higgins stated as far as the maintenance on the houses themselves and not on the property. Mr. Tanski stated that is done by the homeowner. Mr. Higgins stated so; I don't want to be a pessimist, but if somebody goes in and trashes the house; you have to buy it at a said value and you could take a bath. Mr. Tanski stated the following: That is what I do for a living. I own 1,500 apartments and I'm used to it. Mr. Harris stated the following: For clarification; there is something that you said earlier that is different than what is in the narrative and I saw Mr. Pingelski, the Town's Highway Superintendent, smile when you said it so; I just want to be clear. Are all of the internal roads proposed to be kept by yourself? Mr. Tanski stated correct. Mr. Harris stated the narrative states that the internal roads would be dedicated to the Town and I just want to verify that. Mr. Tanski stated that was my mistake and I didn't communicate it properly to my engineer. Mrs. Smith-Law stated the following: Do you foresee having some kind of guidelines on how people have to take care of the house? In other words, if it needs to be painted after a while, are you going to have that as part of your lease? Mr. Tanski stated absolutely and we have about a 20-page lease when you rent an apartment and if you look at some of my units that are 25 to 30-years old, you'll see that they're kept and I think they are kept real nice. Mr. Berkowitz stated I'm going to be a little morbid here, but what happens when you are gone? Mr. Tanski stated all I can say is that I have a 24 year old daughter who makes me look like a caretaker and she will take my place. Mr. Berkowitz stated well if that doesn't work out, whoever buys the company would be enforced to do this? Mr. Tanski stated correct because it will all be written in stone. Mrs. Sautter stated the ones in Maine and the ones in Florida that you looked at, did they have the commercial properties near them originally because that was your original plan with all those stores and things and maybe that's one of the components. Mr. Tanski stated the one in Florida does, but some of the homes are far away from the commercial and they have to use golf carts and other modes of transportation to get there. Mrs. Sautter stated so they're paying a rent that you said is about \$600 a month for the use of the land and would that include the maintenance? Mr. Tanski stated yes and the only thing that you pay for when you move in there is that you pay for your garbage and your insurance if you want it and that's it. Mrs. Sautter asked what if their home burns down? Mr. Tanski stated the following: We are not going to let it run down. You have never been a tenant of mine so, trust me, it doesn't run down. Mrs. Sautter stated I was just wondering what is going to happen and how long before the person has the modular home built and all that stuff and I know that is way far ahead, but

would they have to pay a new price and that kind of thing? Mr. Tanski stated believe me, there are ways to get it done.

This item was tabled and referred to CHA for their technical review and comment.

Mr. Ruchlicki made a motion to adjourn the March 10, 2014 Planning Board Meeting at 8:21pm. Mr. Partlow seconded. All-Aye. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Board Secretary