

Town of Halfmoon Planning Board

February 9, 2009 Minutes

Those present at the February 9, 2009 Planning Board meeting were:

Planning Board Members: Steve Watts – Chairman
Don Roberts – Vice Chairman
Rich Berkowitz
Marcel Nadeau
Tom Ruchlicki
John Higgins

Senior Planner: Jeff Williams

Town Attorney: Lyn Murphy

Town Board Liaisons: Paul Hotaling
Walt Polak

CHA Representative: Mike Bianchino

Mr. Watts opened the February 9, 2009 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the January 26, 2009 Planning Board Minutes. Mr. Roberts made a motion to approve the January 26, 2009 Planning Board Minutes. Mr. Ruchlicki seconded. Motion carried.

Public Informational Meeting:

07.101 PIM Glen Meadows PDD, 130 Upper Newtown Road – Major Subdivision/PDD

Mr. Watts opened the Public Informational Meeting at 7:01 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. Gavin Vuillaume, of Environmental Design Partnership, stated the following: I am here tonight with Mr. Chris Abele, the developer of the project, to present the Glen Meadows PDD. We have been meeting with the Planning Board for close to a year now on this project. We have presented a lot of information to the Board to get to where we are this evening. Tonight is our opportunity to bring this proposed project to the public before we go back in front of the Town Board. The project itself is about 178-acres and most of the residents know it as the old Gorsky Farm. This parcel is vacant farmland on Upper Newtown Road. There are mostly farm fields toward the top of the property and everything pretty much slopes down toward the McDonald Creek. We've surveyed the property of approximately 178-acres and it has about 300 to 400 FT of frontage on Upper Newtown Road. A majority of the property is back towards the McDonald Creek where there are a lot of ravines and wetlands. This area obviously is not suitable for development and as part of this project the area would be protected. I think the total acreage of open space that would be left undeveloped out of the 178-acres would be about 103-acres. There is quite a significant amount of land that would be left untouched as part of this PDD.

Again, that is one of the benefits of a Planned Development District (PDD) as it does preserve those more environmentally sensitive areas. The layout itself is one that has gone through several changes. The overall design concept has always been the same and that was to provide a mixture of residential housing types, which would be very similar to Sheldon Hills. The Sheldon Hills development is another project that Mr. Abele currently has under construction with the Michael's Group. The flavor and character of this site is going to be very similar to what you see now at Sheldon Hills. The map shows a very formal entrance, we are using a small circle at the beginning of the project and this circle is not the type of roundabouts that you see in some of the more congested traffic areas. In this instance it is really designed more as a design feature and something that esthetically would look nice and really give a more formal look as you first come into the project. It would look very stately when you first come up to the project, as does Sheldon Hills in which there would be a lot of landscaping and basically protected open space about 200 to 300 FT off of Upper Newtown Road that would all be landscaping. As somebody is driving by the project, the only thing that you would really see would be this boulevard with our circular landscaped entrance and a lot of berms and possibly a water feature. Once you get into the project there are essentially three areas of development that we are proposing. There would be single-family homes, twin homes and 3-unit town homes. Originally we had 150-units and we are now proposing 129-units. There would be (64) single-family homes, (44) twin homes and (21) 3-unit homes. When you first come into the project the first thing you would see is the single-family homes with lots that range around 10,000 SF in size. The single-family homes would have anywhere from 70 to 80 FT of frontage and would be small patio homes. The subdivision then breaks out into 2 other areas; one would be a very small cul-de-sac where we would have the 3-unit town home and the other area would have the twin homes, which would be set up right around the wooded areas that border the ravines in and around the McDonald Creek. We are expecting that we would have some nice views from these units and they would be very private in the rear. Almost every single lot on this project would have some type of scenic or pristine landscaping behind it so it is not like the units are really backed up next to each other. This is a nice design and again it protects a lot of these open spaces that we think we can use to our advantage when we do the final design. We have done a traffic study and we have presented all that information to the Planning Board. The Planning Board has looked at the traffic study and we did an archeological study. We have also performed a slope analysis study, which is something kind of new for a lot of people now with a lot of concerns over some of the erosion and stormwater protection that a lot of the towns and municipalities are facing. We want to make sure that there aren't going to be any problems with that so we did have a soil engineer look at all the types of soils that are available at the property and each unit's proximity to some of those steeper slopes. I think the Board is very comfortable now with the location of the units. As far as the design and layout, it may change a little bit when we do the detailed plans but I think what we have now, we are ready to present back to the Town Board and is something that we are very confident would work and a very successful project. The usual stormwater management would be designed for the subdivision. We probably would have 2 to 3 different stormwater management areas that would accept runoff from the project. There would be municipal water that would be extended into the subdivision as well as sanitary sewer. There is another proposed project next door, which is called Swatling Falls. This would be another subdivision in which we are anticipating a possible connection to alleviate some of the traffic out onto Upper Newtown Road. Part of this project would also analyze the intersection of Upper Newtown Road and Route 146 and the possibility of making a future traffic light or intersection improvement near that vicinity to again alleviate any additional traffic that we might have from our project as well as Swatling Falls.

Mr. Abele and I are available to answer any questions. Mr. Watts asked if anyone from the public wished to speak. Mr. Gordon Smith, of 122 Upper Newtown Road, stated the following: I own the property on the corner of this development. I have spoken with Mr. Abele many times before about this development and he has done a really nice job of trying not to crowd too much into the neighborhood. We discussed planting some trees around the back of my property to try and mitigate a little bit of the development. I would be concerned, if at all possible, on a Town level, if we could get natural gas and sanitary sewer in this area if it is coming down Upper Newtown Road or near our homes because the more houses you build the more clay there is and it is just not going to take it. That has been a problem for many years up there with heavy soil. Mr. Watts asked Mr. Abele if they would have gas. Mr. Abele stated the following: The gas currently is stopped at the construction entrance at Sheldon Hills on Upper Newtown Road and my plans are to work with National Grid to extend the gas lines down Upper Newtown Road to the entrance to the project. This is definitely in my plans to do so. Just to reaffirm what Mr. Smith said; I did meet with him and I have agreed to plant a tree buffer to shield his home from the Glen Meadows project. Mr. Watts asked would you show this on the site plan when we get to that point? Mr. Abele stated yes. Mr. Watts stated the following: Relative to the extension of gas lines; those are public utilities. As the Town efforts are made by the Town Supervisor to get the utilities to extend the gas lines as far as they can, we have no legal authority over a public utility to force them to do it. However, we do recognize the need to get that kind of utility there for people. Much like in some of the rural areas with Time Warner Cable and all the things you take for granted, public utilities sometimes are difficult to deal with and what they want are sometimes profit driven. We would make the feelings known during the process to our Town Supervisor who I know on another project has been involved with NYSEG to try to get them to cooperate. We do the best that we can but I can't tell you "we'll run the sewer line over this way and then the people could hookup off of it", where the people would have to pay for the hookups, but there we have some authority and control relative to the natural gas where it is a different situation. We will attempt to do all we can in order to see that this occurs. This is as honest as I can be. Someone from the audience had a question about the sewer and asked Mr. Vuillaume to please respond. Mr. Vuillaume stated the following: Our game plan here is to run gravity sewer from this project out toward the cul-de-sac location all the way back to the lowest portion of our site and there would be a pump station that would collect the sewer and bring it out towards an existing sanitary sewer on Route 236. Certainly there would be opportunities maybe along the way for somebody if they are along that route to maybe connect into that force main or gravity system if it were immediately adjacent to their property. Mr. Abele stated the following: This is obviously a conceptual plan at this point and it is our first time that we have formally gone to the public. The site design and the site layout would determine the exact location of the pump station and the extent of the sewer system. I definitely want to cooperate and work with the people but at this time we don't know how it is going to be designed because we haven't gone into that phase of the design yet. Mr. Watts asked what is Swatling looking at and have you been talking with them to work together. Mr. Vuillaume stated yes, we are hoping that they could tie into the same pump station. We have also had some preliminary discussions with Saratoga County Sewer District who ultimately receives all the sanitary sewage from that area. Mr. Watts stated the following: Yes, at some point you may want to make your feelings known to the Saratoga County Sewer District who are actually the ones with the authority for that, but we can make our feelings known also. Again it is dollars and cents and you can't run a line 500 yards for one house. Financially you just can't do that, but we'll work on it. Ms. Vozzy, of 131 Upper Newtown Road, stated the following: Has there been any consideration of slowing down

the speed limit on Upper Newtown Road because of the additional traffic that is going to be on the road now with all of these homes going in? I am very concerned because I have small children. I know that I'm pretty far back from the road but this road has always been a concern of mine. Mr. Watts asked if the speed limit on Upper Newtown Road was 40 mph? Ms. Vozzy stated the speed limit is 55 mph. Mr. Watts stated as we go along further in the project, we could have the Town Board make a request to Saratoga County. Mr. Polak stated the following: We could make the request in the future, but because the residences on Upper Newtown Road are pretty spread out, the request has always been denied. With these 2 projects coming in and with all the development that has occurred, we could resubmit that request to the State to lower the speed limit. Mr. Watts asked Ms. Vozzy if she felt that there currently was an issue regarding speeding on Upper Newtown Road. Ms. Vozzy stated I think the speeds are really fast right now and I don't feel comfortable walking with my children on Upper Newtown Road. Mr. Watts stated the following: The Town Board and the Planning Board via the Town Board regularly make requests of the County and/or State for appropriate speed reductions and also for enforcement activities either by the Sheriff's Office and or the State Police. Sometimes we are successful and sometimes we're not. I live off of Grooms Road and I thought I wrote up the greatest rational in the world to drop the speed limit on Grooms Road from 45 mph to 40 mph and it is still 45 mph. I thought it made sense but we do try. Mr. Watts closed the Public Hearing at 7:16 pm. Mr. Higgins stated the following: It says that 27.7-acres is going to remain as Agriculture-Residential (A-R) and asked where that was located. Mr. Vuillaume stated the following: That is the portion of land that is on the other side of the McDonald Creek and is physically separate from this project. The division would be right at the creek, which is where this PDD would stop. Mr. Higgins asked if it is going to remain A-R, if it is going to be farmed and was it going to be far enough away so you wouldn't have to worry about fertilizing. Mr. Vuillaume stated no, because it is on the other side of the creek. Mr. Higgins asked on the town house units, I thought we had said at the last meeting that you were going to raise that setback to 30 FT. Mr. Vuillaume stated yes, we have already corrected that and the setback would now be 30 FT. Mr. Higgins stated I am a little concerned about the proximity of some of the houses to the safe area; Lot #'s 65, 66, 69, 70, 97 and 98 because they are virtually right at the back of the house. Mr. Vuillaume stated we obviously realize that there are a couple of spots where we are close to that setback line and one thing that we will be doing, should this move forward, is the grading plan that will determine how close you can really get to those units depending on if those buildings are in a cut or a fill situation. Obviously if they are in a cut situation, it's really not that much of a concern. If you are bringing fill close to that safe setback line, then we may have a problem with those units. Until we do the actual grading it is difficult to say whether or not those units are really going to be in jeopardy. Mr. Higgins stated okay, because it looks very close. Mr. Vuillaume stated yes, we realize that there are a couple that are close. Mr. Nadeau stated with the 173 units and assuming that there are 2 vehicles plus or minus per unit, it would put approximately 346 cars in the area. What mitigation are we doing for Route 146? Mr. Vuillaume stated the following: We are proposing 129-units for Glen Meadows and asked Mr. Nadeau if he was adding Swatling Falls into the count. Between the two projects your talking over 200 homes. So yes, it would depend on the number of vehicles per unit. Mr. Abele stated we did hire Greenman Pedersen Inc. (GP) to do a traffic study and we are going to comply with whatever the traffic study recommends and the Town Board is going to demand that. Mr. Vuillaume stated isn't there a threshold that would trigger that? Mr. Abele stated do you mean as to when the improvements are done? Mr. Vuillaume stated yes. Mr. Abele stated I don't have the information yet. Mr. Vuillaume stated the following: The traffic report outlines when they feel that a traffic study needs to be looked

at again for the possibility of a traffic light. There is a certain threshold and I don't have that number in front of me as far as the number of units. I want to say it is like 120-units or something like that. Once we get to that threshold or when 120-units are actually built, that is when they would look at the possibility of bringing a traffic light to that area. Mr. Watts stated the following: What you want to remember is that there is no magic numbers per say. Route 146 is a State road and you have various places where you may have certain density but you have intersections coming on to that road and the State looks at keeping traffic moving on a main line road. Then you have access from the side roads and this is kind of a tough balancing act. I don't want people to think just because we've got 120-units or 180-units then people ask when is the light coming in. The warrant for a traffic light includes more than just a number. It includes a need and you can't in good honesty say, well, you are going to have one here, one here, one here and one here, so it is something that has to be worked on and negotiated with. Otherwise you could look up on Route 9 and with that type of volume you could say we need a light at every intersection or at every point where traffic comes out. It doesn't happen that way. I just want to clarify to the people here that are affected by the traffic; you might get more traffic but you might not get the justification for a traffic light. Mr. Bianchino stated the following: That is correct. There are a couple other things in Greenman Pedersen's report that is not only the threshold for a potential signal as they also looked at a couple of other possible alternatives which all need to be considered with the Town Board and the NYSDOT. There was a discussion and I think one of the things they suggested was looking at the corridor and determining whether some road realignments may be appropriate in order to reduce the number of signals potentially in that area while accommodating all the side roads at the same time.

Mr. Berkowitz made a motion to pass a positive recommendation to the Town Board with the provision that the 3-unit homes would have 30 FT of frontage. Mr. Higgins seconded. Motion carried.

New Business:

09.004 NB

**Clifton Park Landscape, 1537 Route 9 (Lindsey's Country Store) –
Revision to Site Plan**

Mr. Tom Andress, of ABD Engineering, stated the following: This revision is a small modification to the Lindsey's Orchard site plan that was done in the early 90's. At that time Lindsey's did an additional small parking area in the rear and then some parking around the side of the building. There is an existing single-family house that has always been on the property and a few other little outbuildings. Clifton Park Landscape is not a landscaping company in the traditional plant type landscaping. They do hardscape where they do retaining walls, pavers and anything that has to do with constructing hardscape type of landscape. Clifton Park Landscape is looking to occupy about 1,800 SF around the side of Lindsey's and into the rear. In the summertime they might have 7 employees and in the wintertime they would have just a couple of employees. They use this as an area to store their equipment and then they go out to the jobsite. They don't keep any material other than crusher run because they use so much crusher run in their production they keep it at the site to be able to move it to the jobsites. The hardscape materials are delivered from the pre-caster or whoever is the wholesale supplier directly to the jobsite. If they have a half of pallet of bricks they might bring them back to the Lindsey's site so they can use them for the next job or bring them back to the supplier. They are a low-key type of operation. Lindsey's is paved in the front and in the rear they have crusher run that is a continuation of the crusher run surface around the rear of the

building. They have strong buffers all around Lindsey's especially to the rear even though the houses that are behind are in a Commercial zone (C-1) there is a long tree buffer in the rear of the site. Mr. Roberts asked if they did any retail sales from the site. Mr. Address stated the following: They have no retail at all. Everything is done by telephone and nothing is done at this office at all. Mr. Berkowitz asked how many deliveries they had per day and how many tractor-trailer deliveries they had per day. Mr. Address stated the following: They would not have deliveries on a daily basis. Depending on what they are doing they might get a crusher-run delivery once a week to once every couple of weeks. Again, there is no product coming in here. They would only have their vehicles at this site and the employees would just be taking the vehicles off the site. Some of the vehicles go home with the employees. Mr. Watts stated the following: I almost get a sense from you, Mr. Address that it is almost non-existent but yet when I drive down Route 9 I see quite a bit of work and material in the rear of the site. That is how we discovered this business was going on by a visual inspection. I don't know how long this business has been in operation but we went to the site and did an inspection and saw that there was a business operating there. It looks to me that there are piles of material in the back. Mr. Address stated there are piles of crusher-run and another area that has a covered salt area. In the past the Lindsey's were not aware that they had to come to the Board for this operation. They did have some larger equipment from another company there and I think that was one of the things that you saw. All of that equipment has been moved out. Mr. Watts stated they were not aware that there was equipment out there? Mr. Address stated the following: They were aware that there was equipment but they were not aware that they had to come before this Board to put that equipment in the back. So they removed that equipment when the Planning Department contacted them. Mr. Watts stated okay and asked if the other equipment is now gone. Mr. Address stated yes. Mr. Higgins asked if the applicant was going to be asking for an additional company to be located back there. Mr. Address stated no they are not. Mr. Higgins stated the plans say "meeting room for Clifton Park Landscape". Mr. Address stated that building would be used for gathering in the early morning before they go out to the jobsite so they wouldn't have to stand outside. Mr. Higgins asked if the building had sanitary facilities. Mr. Address stated there is nothing in there other than a telephone. Mr. Higgins asked if they would be receiving customers in the meeting room building. Mr. Address stated the following: Everything is done directly at the customer's house. There would be no retail component that they come to this site for. Mr. Higgins asked if there would be any other structures on the site. Mr. Address stated the following: There is nothing else proposed on the site for structures. The only thing is just the crusher-run storage areas. Mr. Higgins asked so they wouldn't have any temporary equipment storage, containers, tents or anything like that. Mr. Address stated the following: There would be no tents or containers but they do have construction equipment in one area in the rear of the site but that construction equipment is coming in and out for jobsites. We are showing an area on the plan where the construction equipment can go, but we are not showing an area where they would be putting large mountains of mulch, bark or anything like that because that is not what they do. Mr. Berkowitz stated the following: If somebody wants to get in contact with them where do they call? Do they call this meeting room or do they call someplace else? Mr. Address stated the following: The calls that come in go to another place. The calls do not come to this location. There is not signage here and they are not proposing any signage. Mr. Berkowitz asked where their main office was located. Mr. Address stated the following: I am not sure where the main office is. People call a phone number and that is what they do. Mr. Berkowitz stated the following: Don't you need a main office to have a business and don't they have to register the business? I think there has to be an address somewhere. Mr. Address stated I will check but they don't

operate the business out of this site or contact through here. Mr. Polak asked if the existing home on that site was occupied. Mr. Andress stated yes it is and it has been occupied ever since the Lindsey's have owned the property. Mr. Berkowitz asked would this be like an off-site use for their main office. Mr. Andress stated there is a phone number in the phone book. Mr. Berkowitz asked what is the address in the phone book? Mr. Louis Therrien, owner of Clifton Park Landscape, stated the following: There is a phone number that you would call and someone would schedule you for an estimate. We would then go to that person's house to give the estimate and then we go to their house to do the work. No customers would come to us and we would not have any traffic. Mr. Roberts stated so there is no main office and this is the only site that you have? Mr. Therrien stated this is the only site and we do everything mobile through a telephone and the office is a Verizon Mobile telephone and is not a home telephone line. Mr. Higgins asked approximately how many pieces of equipment and how many trucks are you going to be storing on-site. Mr. Therrien stated the following: We did submit a list but it varies with a piece or two depending on if I get a new piece or if I get rid of a piece. There would be about 2 or 3 pieces on-site and about 3 to 4 trucks on-site. Mr. Berkowitz asked if there was any storage of chemicals or fertilizers. Mr. Therrien stated no, absolutely not. Mr. Roberts stated that Mr. Andress stated there would be no retail activity here and people would not come to this site to purchase anything. Mr. Therrien stated the following: No one comes to this site and we do not stock materials for people to look at. We go to the potential customer's home and present them with a photo album. If the customers choose to hire us then we just perform everything at that customer's location. If the customer wants to look at the material, we send them to the hardscape dealers to pick out the product that they would like and we leave them brochures and magazines. That is how everything is done. Mr. Nadeau asked what the salt storage was used for. Mr. Andress stated the following: They use that for winter plowing. The narrative states that in the wintertime they have a plowing contractor so that is why they store the salt. We do have a listing in the narrative of the equipment which is a F-150 pick-up, a one-ton dump truck, a Caterpillar skidsteer, a mini wheel loader, an equipment trailer and a couple of trailers. Mr. Berkowitz asked what is the extra material storage site for. Mr. Andress stated the following: The extra material storage would be if they ordered 10 pallets of block for a retaining wall and they only needed 9, then they would bring that block back to the site. They would either use that at their next job or it would go back to the supplier. This extra storage would be some place to store the extra materials at the end of the day or when they are finished with a job and they wouldn't have to bring it directly back to the wholesaler and then move it back. They do not store the material here. All the pallets of materials are delivered directly to the jobsite. Mr. Berkowitz asked who was located behind this site. Mr. Andress stated it is residential. Mr. Berkowitz asked how thick is the buffer? Mr. Andress stated to the backyards it would be about 200 to 300 FT. Mr. Watts stated the following: Should the site plan show a no-cut buffer? Is that area zoned Residential (R-1)? Mr. Andress stated the following: No actually it is zoned C-1 even though they are residential houses. Mr. Williams stated I will double check that. Mr. Berkowitz asked if it was more deciduous or confers? Mr. Andress stated the following: Most of it is deciduous. There are big tall trees but right now you can see through to see the houses in the back, but even the deciduous trees are providing a fairly decent buffer. We wouldn't have any problem if the Board wanted us to put a limitation to the buffer on the plans. Mr. Berkowitz asked what is to stop a customer of Lindsey's from driving into the site and looking for parking in the back. Mr. Andress stated we have adequate parking along the front. Mr. Berkowitz stated I know there is adequate parking but sometimes somebody is going to go around the building looking for other parking and they might go around the other way instead of the south way since there is no one-way in or one-

way out. Mr. Address stated the following: That possibility does exist. Lindsey's has been here for a long time and they've always had the area on the side. The site plan had this circulation pattern and I don't think Lindsey's have had any problem with people driving around the site. Mr. Berkowitz stated yes but they've never had another business on the side there also. Mr. Address stated they could have a sign that directed traffic to drive to the back. Mr. Berkowitz stated but you are changing the use of that property now and if somebody parked on the south side and they want to drive around the building they are going to go right on to another active jobsite. Mr. Address stated the following: Then they would drive through the crusher run area and I guess they could drive out into the back if they wanted to, but Lindsey's employees park in the rear of the site so you would see a way and you could drive through that area. I drove back there the other day and the rear of the site is plowed and maintained in the winter. Mr. Berkowitz stated you obviously don't want Lindsey's customers going back there and if I owned that business I wouldn't want people driving back there. Mr. Address stated we don't, but if you feel it is necessary we could put up a sign up saying "Employees Only". Mr. Berkowitz asked should you have some kind of barrier or fencing to keep people off of that property for safety reasons? Mr. Address stated when you drive into the property it is paved in the front. Mr. Berkowitz stated the following: I am not talking about the pavement up front. What I am talking about is someone going around that building and onto that other piece of property. Mr. Address stated the following: I am a little confused because it is all the same property. If someone drives into the site it is paved and it is pretty obvious to turn. Mr. Berkowitz stated the following: If Lindsey's is busy as they are in the fall, a lot of those parking spots are taken because there are only 7 parking spaces there. So, if someone goes into Lindsey's parking lot and they see that there are no parking spots up front, they are going to go to the back. Mr. Address stated if they go to the back, I would assume that they would drive around and then get one of the other spots. Mr. Berkowitz asked what is going to direct them to go around instead of going through to the crusher run area. Mr. Address stated I understand what you are saying but we could put up signage to direct customers to additional parking. Mr. Berkowitz stated it is a simple concept and I don't know why you just can't say that you are going to fence it and/or you are going to put signs up to direct the people. Mr. Address stated the following: We weren't proposing to fence it. We could put up signage here to say "Employees Only". I think the best thing would be "Employees Only" signage but we could put up more signage to direct people to the additional parking for Lindsey's. Mr. Watts stated the following: With these projects that you are presenting, we are not giving you an open go ahead to do what you want. Looking at the map where you have that thing that says, "crusher run back by 6:00 or 9:00", are those lined parking spots? Mr. Address stated the following: No, it is an indication of the number of spaces you could get back there. That is the same indication that we had on the approved plan showing that those were the parking spaces that you would use and obviously it is crusher run so they haven't painted those. Mr. Watts stated the plan says "storage for crusher run" and it is just not paved. Mr. Address stated the following: That is correct. The only paved area is the front of Lindsey's site and the rest of the site and around the rear of the site is all crusher run. That is a crusher run surface as opposed to crusher run storage. Mr. Nadeau stated you should put "crusher run surface for parking area" on the map. Mr. Address stated I can do that. Mr. Nadeau stated years ago it used to be a garden between there and Plant Road where there was a farm road and asked if they would be using that farm road. Mr. Address stated I am not aware of any farm road but if there was, they are not using it. Mr. Watts asked do you ever have any trouble with parking when it is busy at Lindsey's and have you always had adequate parking? Ms. Diane Lindsey Curwick, of Lindsey's Orchard, stated if the paved parking area is full then people will park up against the building or on the

other side of the building and really haven't had anyone drive back around the building. Occasionally someone will pull out of the parking space and instead of driving forward they may drive around the building, but has never been an issue. Mr. Watts stated the following: You have a business and you have a list of trucks that you want to use. Where we have approved some of these commercial construction type activities in the past, I hope your business does better and you get busier. But then I don't know the best way to get assurances that based upon the fact that two businesses appeared at this site without us knowing about it, we had to investigate. What is our best way to get assurance that they want 6 trucks only? I don't want you to have to come back if you get another one. I can't say it's a landscaping business and then the landscaping business does great and then there are 15 trucks or extra piles of material. What I am trying to do is to get some assurances from the applicant as to how we approve this. Mr. Nadeau stated the following: We have done this with car lots where they say "give us an approximation of what or how many vehicles", for instance we know you have 10 now but give us a long range number such as 14 or 16. We have done that in the past and that is how we have been able to control that. So maybe the applicant could give us estimation on how many vehicles they would have and give us something to go by. Mr. Therrien stated the following: Yes, I do hope that it goes well and I hope it does grow a little bit but not too big. If we did say up to 10 trucks, I don't think that would be a problem and that would cover me. I don't think that I would ever go over 10 trucks or I may go down to 4. Mr. Nadeau asked if they were talking trucks or vehicles. Mr. Address stated right now we have 9 pieces listed including the trailer. Mr. Therrien stated I thought we were talking about trucks. Mr. Nadeau stated we are talking about all the equipment that you will have on the site whether it be 2 more trailers or 5 more trucks. Mr. Watts stated to the applicant why don't you think over what we have said and then come back with a list of what you would have. Make sure that you delineate it and it is the Planning Board's authority that we can require that there be a buffer in the back. Mr. Address stated we could put a minimum 50 FT buffer along the back and show it on the plans. Mr. Watt stated that they mentioned that they had over 200 FT. Mr. Address stated that is including the woods over to the property and that is not 200 FT on site. Mr. Higgins asked how far it was from there to the property line because we are trying to avoid the site being clear cut right to the property line. Mr. Address stated currently it is somewhere in the 30 to 40 FT range and we could certainly create a 50 FT buffer along the property line. Mr. Berkowitz asked what types of trailers are in the back of the site. Mr. Address stated there were no trailers when I was back there. Mr. Berkowitz stated it says there is an equipment trailer and 2 enclosed trailers. Mr. Therrien stated the following: right now there are 2 enclosed trailers and 2 equipment trailers. These trailers are on wheels and are mobile enclosed utility trailers. Mr. Higgins asked if there were any office trailers. Mr. Therrien stated no they are tow behind trailers. Mr. Berkowitz asked if there were any fuel storage containers. Mr. Therrien stated no, absolutely not. Mr. Watts stated good because we don't permit those. Mr. Therrien stated yes, I knew the Town did not permit the fuel storage containers. Mr. Higgins asked if the trailers were registered and used on a weekly basis. Mr. Therrien stated yes they are registered and are towed behind trucks. Mr. Watts stated the following: The reason why we ask is because we have had commercial businesses that use them for storing equipment and everything else and at that point we say "put up a building" because we can have 4 trailers to store equipment. At some of those businesses they were seasonal but their season was like 9 months long and that didn't work. Mr. Polak stated if the applicant is going to commit to a total of 15 pieces of equipment, anything after the 15, the applicant would have to come back to this Board for another approval. Mr. Address stated the following: That would be fine, we will give you the 15 and then put a 50 FT buffer along the property line and we

would bring in the plans for final stamping. Mr. Watts stated we could act contingent upon the Planning staff's review and being comfortable with the site plan and this would have to be a stamped site plan. Mr. Berkowitz asked if they should have directional signage. Mr. Address stated I will put a directional sign in like we spoke about.

Mr. Roberts made a motion to approve Clifton Park Landscape's revision to site plan application contingent on a maximum of 15 pieces of equipment stored on site including vehicles, a 50 FT buffer is established in the rear of the site and safety signs are placed cautioning patrons of Lindsey's Country Store of the Clifton Park Landscape use occurring in the rear of the site. Mr. Nadeau seconded. Motion carried.

09.005 NB 7 Corporate Drive Office Building Sign, 7 Corporate Drive - Sign

Mr. Tom Address, of ABD Engineering, stated the following: This is a sign for the Abele Park for 7 Corporate Drive. Essentially this would be the same sign that was approved at 3 Corporate Drive. The sign face would be a little smaller because there are not as many tenants' spaces on it. The sign would be exactly the same as all the others in the park. The sign would be square with brick columns with a centerpiece. The difference on this sign is that we are putting a sign plate on there so that we can vary the number of tenants in the building. A lot of the other signs in the park have slide-in places for each tenant but in this instance because of the way that the tenant panels have been broken up they want to make sure that they have enough room so they could just take the panel off, re-screen it and put it on when each tenant changes. Mr. Watts stated to Mr. Address that he came to the Board regularly and routinely for this park and asked how did we never get applications for this? Mr. Address stated the following: I do not do their sign applications because they use a sign company to do them. I did do the last sign application for 3 Corporate Drive. When we were going through, we made the application for the tenant list and tenant change. Mr. Ed Abele asked me to make the sign change so we brought it to the Planning Department and at that time Mr. Williams' found out that we didn't have anything for 7 Corporate Drive. Mr. Watts stated we do have approved applications for all of the change of tenants.

The Planning Departments write up stated the sign dimensions are as follows:

Proposed Sign Area: 34.6 SF

Proposed Sign Dimensions: 3.58 ft x 4.83 ft

Proposed Sign Height: 5 ft 2 in.

Sided: ☐ one-sided ☒ **Two-sided**

Location of Sign: **At the entrance to the existing office building for 7 Corporate Drive.**

Lighted: ☐ Internal ☒ **Flood**

Mr. Roberts made a motion to approve the sign application for the office building located at 7 Corporate Drive. Mr. Ruchlicki seconded. Motion carried.

**09.006 NB Jim Tedisco for Congress, 1707 Route 9 (Shoppes of Halfmoon)
- Change of Tenant & Sign**

Mr. Bruce Tanski, owner of the Shoppes of Halfmoon, stated the following: The Tedisco use would be the exact same use as we had with Sandy Treadwell and the sign would be exactly the same way.

The Planning Departments write up stated the change of tenant application & sign dimensions are as follows:

Zoning: C-1, Commercial

Location: Shoppes of Halfmoon

Zoning: Commercial (C-1)

Existing Lot Size: 8.72-acres

Size of Building: 13,310 SF

Existing Parking: 68 spaces of 421 total

Former Use: S. Treadwell's campaign office

Proposed Use: Political Office/Headquarters

Proposed Space: 1,500 SF

Hours/Days of Operation: 9am-5pm Sunday thru Saturday

Number of Employees: 2

Planning Board Date(s): 2/9/09

Brief Description: The applicant wishes to occupy a space in the larger of the two plazas (adjacent to Old Rt. 146) in the Shoppes of Halfmoon for a campaign headquarters office. There is proposed to be 2 employees from 9am to 5pm. Parking is adequate on site.

Sign

Proposed Sign Dimensions: 2'x8'

Proposed Sign Area: 16 SF

Proposed Sign Height: n/a, wall-mounted

Sided: ☒ one-sided ☐ Two-sided

Location of Sign: over front entrance

Lighted: ☒ Internal ☐ Flood

Planning Board Date(s): 2/9/09

Brief Description: The applicant wishes to place a 16 SF internally illuminated sign over the entrance of the office. All signs on this plaza building will be uniform with a maximum area of 16 SF each (Total of 80 SF for the plaza building).

Mr. Roberts made a motion to approve the change of tenant and sign application for Jim Tedisco for Congress. Mr. Nadeau seconded. Motion carried.

09.007 NB URS, 3 Corporate Drive – Change of Tenant

Mr. Tom Andress, of ABD Engineering, stated the following: This change of tenant application is for use of approximately 6,500 SF of office space located at 3 Corporate Drive. Currently URS occupies space at 28 Corporate Drive. URS received a Planning Board approval for 28 Corporate Drive back in 2003. They are an engineering company with just office type work. The total summary up to now is less than 30,000 SF out of the 40,000 SF building and this now gives about 36,000 SF out of the 40,000 SF. At the 3 Corporate Drive location they currently have 142 employees with 180 parking spaces available based upon the 1 per 200 SF so they are significantly under it. Mr. Watts asked Mr. Williams if they would have adequate parking. Mr. Williams stated yes. Mr. Watts asked if this company is an engineering consulting firm and if they were expanding. Mr. Andress stated actually they are contracting a little bit. At 28 Corporate Drive they occupied 7,500 SF. Mr. Roberts asked if they were going to have a sign for this business. Mr. Andress stated the following: There is an existing sign that was approved for URS at 28 Corporate Drive. We would have to come back to the Board for the leader board on it. The leader board has already been approved at 28 Corporate Drive so we would just slide the board into the sign.

Mr. Berkowitz made a motion to approve the change of tenant application for URS. Mr. Ruchlicki seconded. Motion carried.

Old Business:

09.002 OB Parma Italia, 1503 Route 9 (Halfmoon Plaza) – Change of Tenant

Mr. Dzavid Cekic, the applicant, stated the following: Tonight we are here regarding the seating at Parma Italia. We are proposing 24 seats for Parma Italia. The last time I was before the Board I explained that most of our business would be done at 5:00 pm. This way the plaza would not be busy as the other businesses are closed by 6:00 pm. Mr. Watts stated the narrative says that your hours of operation would be Monday and Tuesday 11:00 am to 8:00 pm, Wednesday and Thursday 11:00 am to 9:00 pm, Friday and Saturday 11:00 am to 10:00 pm and Sunday 12 noon to 8:00 pm and you would have 1 full-time and 2 part-time employees. Mr. Cekic stated the following: Yes, to begin with. It would be myself all the time and sometimes my brother would help. There would not be any traffic with the employees. Mr. Watts asked the applicant if they would be applying for a liquor license? Mr. Cekic stated I don't think so for right now. Mr. Watts stated to the applicant that with New York State it takes an awful long time for application so you should give yourself 6 months lead-time to obtain a liquor license. Mr. Watts asked Mr. Williams if he had visited the plaza and asked if there would be adequate parking and that everything should work out with this business. Mr. Williams stated yes. Mr. Nadeau stated I had issues with the parking originally but after going by the site to look at it I don't think there would be any issues with the parking. Mr. Watts asked Mr. Cekic to please advertise as being located in Halfmoon.

Mr. Nadeau made a motion to approve the change of tenant application for Parma Italia contingent upon the 24 seats are the maximum number allowed. Mr. Higgins seconded. Motion carried.

Mr. Higgins made a motion to adjourn the February 9, 2009 Planning Board Meeting at 7:56 pm. Mr. Ruchlicki seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Department Secretary