

Town of Halfmoon Planning Board

September 8, 2008 Minutes

Those present at the September 8, 2008 Planning Board meeting were:

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

Alternate

Planning Board Members: Bob Beck
Gerry Leonard

Senior Planner: Jeff Williams
Planner: Lindsay Zepko

Town Attorney: Lyn Murphy

Town Board Liaisons: Paul Hotaling
Walt Polak

CHA Representative: Mike Bianchino

Mr. Watts opened the September 8, 2008 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the August 25, 2008 Planning Board Minutes. Mr. Roberts made a motion to approve the August 25, 2008 Planning Board Minutes. Mr. Higgins seconded. Motion carried. Mr. Berkowitz abstained due to his absence from the August 25, 2008 Planning Board Meeting.

Public Hearing:

06.212 PH Schuyler Hollow Subdivision, Pruyn Hill Road – Major Subdivision/GEIS

Mr. Watts opened the Public Hearing at 7:01 pm. Mr. Watts asked if anyone would like to have the public notice read. No one responded. Mr. Lynn Sipperly, of L. Sipperly & Associates, stated the following: I am here to present the Schuyler Hollow Residential Subdivision for the Planning Board and the publics review. The parcel of land is located on the southerly side of Pruyn Hill Road just opposite the intersection with Johnson Road. This project is being proposed by Cal Realty Assets, LLC and the principal, Mr. Dennis Deeb who is present tonight to answer any questions. The parcel consists of 179-acres and it is the Johnson Farm that has been inactive for several years. The property consists of a large plateau area, which was the meadowlands of the farm, and there are a series of ravine systems along the north and the south side of the meadow area. The proposal is to construct 79 single-family homes in the

meadow area. The building area is approximately 50-acres. The access to the subdivision would be located approximately 450 FT west of the Johnson Road intersection. The entrance would be a boulevard roadway for the first 500 FT. The boulevard entrance would be two roads side-by-side with a 12 FT median and then you would enter into the remaining roads in the subdivision. There are three proposed new streets; Putnam Boulevard, Lafayette Way and Hudson Court. We are also proposing to construct a multi-use trail or path, which would be paved and would also serve as an emergency ingress/egress access to the subdivision. We are proposing to install bollards along both ends of this emergency access roadway so that its primary use would be for pedestrian use as a walking trail and bicycling lane. When emergency vehicles would need to access this subdivision and the primary entrance is blocked, these bollards would be removed and the emergency vehicles would have access via that roadway. This emergency access roadway would be paved, 18 FT wide and would be constructed to the Town Highway standards and specifications so it would be able to support fire equipment and emergency vehicles. The property presently is served by water with a 12-inch water main on the north side of Pruyn Hill Road. This water main would be brought into the development, loop through the development and service all the proposed homes. The water main would also loop back out along the emergency ingress/egress roadway to provide a looped water system within the subdivision. Presently sewer is located at the intersection of Pruyn Hill Road and Columbus Avenue and we are proposing to bring that sewer line up Pruyn Hill Road to service all the lots within the subdivision. The green outline on the drawing depicts all the lands that would remain for open space preservation. As I mentioned, the subdivision is 179-acres and we are proposing to set aside approximately 91-acres of that 179-acres which is approximately 51 percent. This would be land that would be left in preservation owned and maintained by a Homeowners Association (HOA). A HOA would be set up for this development and all of the homes within this development would be contributing to the expense of the HOA for taxes, for maintenance, for insurance and for those type of expenses associated with the HOA lands. We are also proposing stormwater management control. We have 3 stormwater detention basins located on the site and they are indicated on the plans in the blue color. Two of the stormwater basins would discharge to an existing ravine and stream and the larger detention area would contribute to the second ravine system and stream in another location. We are also proposing to construct a walking path access down to the easterly end of the subdivision. This is an old farm road. The grade is a little steep but it is negotiable and that would be a proposed trail system to connect to the Town's trail system that may be developed in the future. This trail system would come up through the property through a right-of-way between 2 lots down along the roadway and then using this multi-use trail would give access over to Pruyn Hill Road. That is the purpose of the on-site multi-use path and trail way system. We have conducted several studies to get to this point in the development. The development started out early on as Planned Development District (PDD) with a proposed 142-lots. The climate of building construction changed about that time and the applicant thought that they would be too restricted by going to a certain size lot with a certain size home so we then went back to the traditional subdivision. The lots would all be 20,000 SF minimum and the lots also have all of the minimum frontage. A detailed wetland delineation study was performed and the wetlands on the site are Federal wetlands regulated by the Army Corp of Engineers and there are a total of 11.66-acres. The project proposed is to impact 3.8-acres of wetlands and those are principally at locations where we have roadway crossings. An archeological investigation has been conducted on the property for Phase I and a limited Phase II archeological investigation has been performed to identify if there is any historical or cultural sites on the property. Those reports have been turned into the State Office of Parks, Recreation and

Historic Preservation. There were 3 sites identified; one was an existing barn and a house foundation and two other sites on the property. The State Historical Preservation Office (SHPO) has indicated that they have signed off on site #1 indicating that it has no cultural value because too much destruction has occurred and there are no cultural artifacts around the barn and foundation. Within the field area they found some scattered artifacts of some Indian arrowhead artifacts. What is proposed is that a more detailed Phase II investigation be performed to determine again if those other two sites have any significance. At this point because of the scattered fragmentation of artifacts that there is no community in this location but we need to go a little bit further in the investigation to confirm that. We also conducted a slope stability study, which is a geotechnical exercise where we looked at the slopes that border these ravines and determined based on soils and ground water elevation what would be a safe building setback line and we have indicated that on the plans and I have outlined that with brown shading on the plans. The line shown depicts where the geotechnical engineer indicates that anything between the street side of that line has no reservations with regard to construction and if somebody wanted to build behind that line, than a more detailed geotechnical investigation would need to be performed on that particular lot to check what is proposed to be constructed and if the soil is suitable for construction. For example; if someone wanted to put a pool in at the back of the lot they would want to do a more detailed geotechnical investigation. As the brown line appears on the drawing there is at least 140 to 150 FT of lot between the front property line and this safe setback line to allow for development on the property. That is not to say that beyond that it is not safe; it is just an area that we have cautiously indicated that further investigation should occur. Early on a traffic study was conducted for the original proposal of the 142-lots. That traffic study indicated that our entrance has adequate sight distance in both the east and west direction for the speed of traffic on Pruyn Hill Road where we used 50 mph as the posted speed. The study also indicated that the traffic from this development would not reduce the level of service of the intersections. The intersections currently work at a certain operating level of "B" and the new traffic from this particular development would not change that to any lesser level of service. The property is located in the Northern Halfmoon GEIS area and it would be subject to impact fees that are outlined in the impact statement and those would be posted at the proper time. Mr. Watts asked if anyone from the public wished to speak. Ms. Patty Finigan, of Pruyn Hill Road, stated the following: Are they planning on widening Pruyn Hill Road between Johnson Road going down Pruyn Hill Road? Mr. Sipperly stated no we are not. Ms. Patricia Hatalsky stated the following: I live between Johnson Road and McBride Road and I am not opposed to this project but I have a concern with the traffic on Pruyn Hill Road. Friday night a woman was killed in a car accident in front of my house. When you are driving west on Pruyn Hill Road past Johnson Road there is a little hill in the road and it is a blind spot. In between McBride Road and Johnson Road there is a blind spot down past the Rocco's and a blind spot up near the curve where you go to Hillcrest on McBride Road. I think there has to be something done about the traffic and the speed limit on Pruyn Hill Road. Maybe some traffic lights are needed because this road is not safe. Mr. Watts stated the following: We regularly hear from residents relative to people exceeding the speed limits on Town and County Roads. We do pass these concerns on to the Town Board who will then ask for increased enforcement activities from the Sheriff and State Police relative to our side roads and the enforcement of the speed limits. There are two Town Board members here tonight who are hearing you relative to enforcement of speed limits and we will pass this information along. Ms. Hatalsky stated the following: Maybe they could put a traffic light near the fire department or even a caution light. I don't think people realize how much traffic there really is on that road. Mr. Watts asked if Pruyn Hill Road was a

County or a Town road. Mr. Polak stated it is a County road. Ms. Gale Fryer stated the following: My property is at the dead end of High Street, which is right across from the High School. We have a stream that runs along the side of my house and periodically that stream floods and it comes right onto High Street and almost into my garage. My concern is that this development would impact the drainage onto our properties. Mr. Sipperly stated the following: I think this development would help your situation out and the reason why I say that is a lot of the field area kind of drains north to a ravine system which is the ravine system that flows down and flows along your property. Half of this field area is now going to flow in the southerly direction. The water that used to go north is now going southerly to the larger detention basin and this is why this basin is so large. Then the basin would discharge to an existing stream and then go to the large stream that is in the ravine, which is quite a ways south of your property. Ms. Fryer asked if there was a plan of opening up High Street for an access. Mr. Sipperly stated the following: No, not at all. All of that hillside would remain wooded and green as it is right now. Mr. Watts asked Mr. Bianchino if in CHA's review did they look at the drainage issues. Mr. Bianchino stated the following: Yes we did. The way Mr. Sipperly described it is correct. Because of the construction of the roadways and the lots some of the existing drainage pattern would be changed and portions of the property would drain into the stormwater management areas which would tend to slow things down. The stormwater basin would drain into a different ravine where it previously ran across into the other ravine. So this should help. Mr. Watts stated CHA, our Town Engineer, has looked at that and as Mr. Bianchino mentioned it will improve and cannot worsen your situation. Mr. Stan Sala stated the following: I have lived at 87 Pruyn Hill Road since 1968 and have been in the fire department since 1970. I have had a lot of heartache over people being killed on Farm to Market Road and Pruyn Hill Road. I wanted stop signs on those roads before the 7 people were killed on these roads but we had to wait until we had 7 fatalities. Now I am probably going to get the same song and dance of what we got now. In Mr. Sipperly's presentation he mentioned that they did the traffic study at 50 mph and I would like to bring you down there at 8:00am, 4:00pm and at 45 mph you try and see if you can exit off of Johnson Road and that is with the traffic we have now. Your development sounds great and I have nothing against the development. What I do have concerns with is the people coming out of that development. If I can't get in and out of Johnson Road, which I can't now, how are people going to get in and out of that development at 45 mph not 50 mph? What I would like to see, which you may think is ridiculous, is a 30 mph speed limit from Farm to Market Road to the school and I would like to see a 3-way stop sign at Johnson Road and Pruyn Hill Road. Now if you do something like that, you are going to stop traffic coming down Pruyn Hill Road. Pruyn Hill Road is nothing but a raceway to avoid the traffic lights down at the end of Ted Bailey's Hill and Route 146. People can drive 60 mph out there and get away with it. Currently people are going 60 mph and that is a residential area and it is going to be more residential. It is not only going to be this development coming in, I think there is two more coming in on Johnson Road which are Adam's Pointe PDD and Howland Park PDD, so we're going to be adding a lot more traffic. I talked to two people today who were investigating the accident that happened a couple of days ago who were from Saratoga County and they couldn't believe the speed that was on that road. It is ridiculous and I would like to see something done on this. I know this has nothing to do with this development but it does indirectly when people will be coming in and out of that area and we are going to have more accidents. Mrs. Murphy stated the following: The Town Board has submitted written requests to the County in the past with regards to studying the speed limit on that road in particular and requested that it be reduced. At this point in time the County has declined our requests. With each new development that comes in invariably the request is made again and

we have to wait to hear from the County. Because it is a County road the Town does not control the speed limit. Mr. Sala stated I understand that but I was told today; as a fireman or a commissioner, we are going to get together and write a letter to the Town and in return the Town will send a fax or make a phone call to the County. Now the County gets what they have to get off of the Town and they now have to send it to the NYSDOT and then the State has to come in and do a survey. Mrs. Murphy stated the following: That would be accurate if it were a State road but it is not a State Road. So the County would make the determination. CHA is telling us that the County utilizes the State services so that is not a legal issue it is an engineer issue. Mr. Sala asked so does the State have to come in and then they would approve or deny the request. Mr. Watts stated the following: I suggest that you write your letters and submit them and I will submit a letter to the Town Board, as Chairman of the Planning Board, pointing out the issues that were raised at tonight's public hearing relative to speed limits on County roads and I hope I will have more success with that then with the last letter I wrote which dealt with speed limits on Grooms Road where people do the same thing and we have sent a request to reduce the speed limit and then we get something back saying "no" but we will do our best regarding this concern. Mr. Sala stated but this is a situation that we can't accept and they will patrol it more and they will do that for a while but then it slacks off and then we are back to the heavy speeds again. Mr. Watts stated the following: We will do a letter. If you get a chance, go to a Town Board meeting. The Town Board is very responsive to the requests of people for this. You are correct and I agree with you completely in regards to having more and more developments. Mr. Watts closed the Public Hearing at 7:27 pm. Mr. Berkowitz asked when the traffic study was completed or when was it done. Mr. Sipperly stated the traffic study was done in 2005 when we first started looking at this property. Mr. Berkowitz asked what time of year was the traffic study performed and was this done during the school year because school will change the traffic pattern with buses and teachers coming in. Mr. Sipperly stated I am thinking that it occurred in the fall of 2005 and the reason I say that is we don't look for snow days or things like that. We look for what really represents the general traffic. Mr. Berkowitz stated the following: I am not looking at that. I am looking at the morning traffic and the traffic around 3:00-4:00pm when the buses come out of there and the teachers leave. Mr. Sipperly stated in all honesty I don't recall exactly but I know it was 2005 when we first started looking at the development, but the month and day I don't recall. Mr. George Owad, of 154 Pruyn Hill Road, asked when do you anticipate beginning construction on this project and what is the time frame for the construction? Mr. Sipperly stated the following: Hopefully, if we get Planning Board approval this fall, we would like to begin later in the fall with some of the roadway and site work and maybe the home construction next spring. With the economy today it would probably take 3 years until buildout. Mr. Owad stated since sewer is coming up to that development is there any plans for sewer coming further up Pruyn Hill Road? Mr. Sipperly stated no, not as part of this plan. Mr. Owad asked the Board if they had any consideration regarding extending the sewer. Mr. Watts stated this does not fall within our purview. Mr. Higgins stated the following: I know we have mentioned this previously, but because of the extensive amount of property that is going to be under an HOA, I think the HOA for this project really needs to have some serious consideration. Because if you look at it, over half of the project is under the HOA where you are talking about maintenance on a lot of streams for your drainage and everything else. I wanted to express my concern because I have to make sure that the HOA realizes the amount of responsibility that they are going to have for this project. Mr. Nadeau stated at the end of the cul-de-sac you said there was an old farm road and asked whose property does that exit into? Mr. Sipperly stated it is a farm road that enabled the farmer to go from the upper field down to the bottom of the ravine. Mr. Nadeau asked the distance from there to the city

road? Mr. Sipperly stated the following: I don't recall. Looking at the plans, that is all undeveloped land in that area. There would probably be the opportunity for new developments. Mr. Williams stated at that very point is where the Pino PDD is which also has a trail corridor attached to it. We are looking at that to bring the trail further across Ted Bailey's Hill to the Champlain Canal area. Mr. Nadeau stated if this is done right, then that would be a connective trail into the city or downtown. Mr. Roberts asked what the price range would be for the new homes. Mr. Dennis Deeb, the developer for the project, stated the following: It would depend on where the market is once we get our final municipal approvals. But we are hoping that the price range of the homes would be \$350,000 to \$450,000. Mr. Roberts asked what the fees would be for the HOA. Mr. Deeb stated the following: The fees have not been established at this time. I am still meeting with the attorney, Mr. Donald Zee, who is handling the HOA. Your concern about the streams is well taken. We have the boulevard entrance and we have common areas to write into the HOA. We are hoping to minimize the amount of responsibility but not to exclude the responsibilities of the outlying areas of the HOA properties. Mr. Nadeau stated initially you mentioned that there was no access to the south and do you know if any of that has changed. Mr. Sipperly stated the following: The applicant is reserving lot #79 in the hope that as the property develops to the south of this, an access would be provided to this land. As I mentioned earlier in my presentation it is a plateau or meadow in that area and a similar one not as contagious as the one in the center of property. There is a large developable area. Our earlier plans proposed a road system to come in to access that but it created too much impact to the wetlands and the streams to accomplish that. At this point we are proposing the plan to just be the 79-lots that we are showing. We are going to try to be vigilant and hopefully the Planning Board would also be to as land either to the south or to the immediate west is developed that there may be some area where a stub street could be left so we can develop down there. Mr. Nadeau asked Mr. Bianchino if this was something that we would want to put on the map at this time to show that this is our intent. Mr. Bianchino stated yes. Mr. Watts asked where does the emergency access go to? Mr. Sipperly stated it would connect to Pruyn Hill Road. Mr. Watts stated you mentioned bollards at the end and would you have a breakaway gate so emergency equipment could get in there? Mr. Sipperly stated the following: We could do a series of barricade type measures. We are looking at bollards but not solid concrete filled bollards. We would have one on either side of the road where you could put a chain across and we would place them at 5 FT spacing so a car couldn't get through but pedestrians and bicycles could get through. The bollards would be like a PVC tube and the fire department could just pick them out of the ground, as they needed access through that area. Mr. Watts stated when we get to that point you would do whatever the fire department or emergency squad wants. Mr. Sipperly stated exactly, so this is only a suggestion. Mr. Higgins asked how many acres is lot #79. Mr. Sipperly stated this is roughly a 38-acre parcel. Mr. Higgins asked if lot #79 would be part of the HOA. Mr. Sipperly stated the following: No, Lot #79 is not part of the HOA. On the HOA we are not proposing to do much alteration. Currently that area is heavily wooded and stable. We would envision that this HOA really maintain that as the buffer between adjacent developments both to the north and south and on the east. My thought is that the HOA would provide the expense for taxes, expense for insurance and then submit all expenses if there were a blow down of trees where they have to go in and clean things up. That is all that I see the expense would be limited to at this point. Mr. Ruchlicki asked if lot #13 was a viable entrance through there and asked if there is a large creek or drainage that runs across the end of that? Mr. Sipperly stated we have indicated that as a lot. Hopefully, if we have the opportunity for development to the south, a line would be constructed along the back and this would then become another 20,000+ SF lot with proper

frontage. Mr. Ruchlicki stated so you would develop from the other direction and you wouldn't intend to access from that vacant lot. Mr. Sipperly stated the following: That is correct. We have looked at that in the past and when the Planning Board consultant looked at that, they kind of felt that the impacts might be too severe to be consistent with the Northern Halfmoon GEIS study. So we are looking to develop from the south and the west. Mr. Watts stated we will get those letters out relative to the speed limits.

Mr. Roberts made a motion to grant a Neg. Dec. to SEQR. Mr. Nadeau seconded. Motion carried.

Mr. Roberts made a motion to grant preliminary approval for the Schuyler Hollow Major Subdivision/GEIS. Mr. Nadeau seconded. Motion carried.

New Business:

08.077 NB AMS Entertainment, 152 Guideboard Road – In Home Occupation

Mr. Tim Wedeman, the applicant, stated the following: We just moved to this area from Schenectady and I own a business called AMS Entertainment DJ Services. This would be a home-based business. We would be meeting clients for consultations and we have a small staff of DJ's that would come to pick up equipment for events and then drop off the equipment after the events. Primarily it would be for consultations for our clients coming to our home. Mr. Nadeau asked if 152 Guideboard Road was located past Lape Road. Mr. Wedeman stated yes it is past Lape Road and it is maybe 3 to 4 tenths of mile up on the right. Mr. Nadeau asked if there would be any type of music at the home. Mr. Wedeman stated the following: There would be no loud music. We do music samples for our clients if they want to hear something and nobody would be able to hear it because this would be done inside of the home. Mr. Berkowitz asked what times the clients would be visiting. Mr. Wedeman stated I do not schedule any consultations before 8:00 am or after 8:00 pm. Mr. Berkowitz asked what time does your DJ's return the equipment? Mr. Wedeman stated that would depend on the event but what we are going to try to do if it is a late night event after 10:00 or 11:00 pm we are going to ask them to return the equipment the next day. Mr. Berkowitz asked don't most of your events end after 10:00 or 11:00 pm? Mr. Wedeman stated the following: A typical evening event could be 7:00 pm to midnight, which is very common nowadays for a wedding. Most of the events that we have done have not gone past midnight. Mr. Berkowitz asked if the DJ's could be returning equipment around 1:00 to 2:00 am? Mr. Wedeman stated no they would not, they would be asked to come by the next day and we have always done it that way. Mr. Roberts asked if they would be storing any trailers on site? Mr. Wedeman stated we have a good size driveway so our equipment would be in our house and the DJ's would just come into the driveway to pickup and unload and there would be no trailers stored on site. Mr. Watts asked what is on either side of your property? Mr. Wedeman stated residential homes that are 25 to 40 FT away from our home. We have met both of our neighbors and we have already told them about the in home occupation so there would be no problems. Mr. Ruchlicki asked how the equipment is transported off of your property? Mr. Wedeman stated they use their own personal vehicles and I have a mini van myself. Mr. Ruchlicki asked if a mini van like yours is all that is required? Mr. Wedeman stated yes, it is very compact these days. Mr. Berkowitz asked how many DJ's were working for him. Mr. Wedeman stated currently we have 3 DJ's working for us and we are always expanding but we don't want to get so big because we want to keep it manageable. Mr. Watts asked Mr. Wedeman if he was aware that the Board has to

schedule a public hearing. Mr. Wedeman stated yes, I am aware of it. Mr. Watts stated the public hearing would be held to give surrounding people the opportunity to speak. Mr. Wedeman stated sure, no problem.

Mr. Roberts made a motion to set a public hearing for the September 22, 2008 Planning Board meeting. Mr. Berkowitz seconded. Motion carried.

08.090 NB Sunkiss'D, 222 Guideboard Road (222 Plaza) – Change of Use

The applicant for this project was not present and no action was taken on this item.

08.091 NB Arlington Heights PDD, Farm to Market Road & Chantrey Blvd. - Sign

Mr. Gerry Magoolaghan, of Belmonte Builders, stated the following: We are proposing an entrance sign and wall for the Arlington Heights, an approved subdivision off Farm to Market Road. The entrance wall would be a typical stone and wood sign that we and many other developers have in front of their neighborhoods. The sign would add character and locates the development. The proposed sign would be on the northeast corner of Chantrey Blvd. as you enter the subdivision. At this point we have not decided if the sign would be lit but we would have wiring for it and we would like to reserve the right to do that with downward lighting. Mr. Roberts asked the height of the sign. Mr. Magoolaghan stated the total height of the wall is approximately 4.5 FT. Mr. Roberts asked if the width would be 8 FT. Mr. Magoolaghan stated that is correct.

Mr. Roberts made a motion to approve the sign application for the Arlington Heights PDD contingent upon the proposed lighting does not shine into the roadway or neighboring properties. Mr. Ruchlicki seconded. Motion carried.

08.092 NB Alliance Worldwide, 4 Halfmoon Executive Park Drive – Sign

Mr. Bruce O'Connell, of Conley Associates, stated the following: We are proposing to replace a panel in the existing tenant sign with the same size panel to reflect the change of business. Alliance Worldwide does background checks for the Federal, State and local agencies. After I submitted the sign application, Alliance Worldwide has added Avocado International as a subsidiary. I told them I did not file for that so if the Board does not approve it, we wouldn't put it on sign. This subsidiary would not add employees, it is just one of their ancillary businesses who basically do the same function for business from other countries that are looking to hire American citizens and do background checks. Mr. Roberts asked if they were just replacing the panel. Mr. O'Connell stated yes and there would be no change to the panel. Mr. Williams asked Mr. O'Connell to submit a narrative to the Planning Department explaining that other business and how they relate to Alliance Worldwide. Mr. O'Connell stated yes, it is the same thing but what they do is they take international clients that are interested in hiring American citizens for work here in this country and they would not add any additional employees. Mr. Watts asked if there would be adequate parking. Mr. Williams stated yes. Mrs. Murphy asked Mr. O'Connell to submit a new narrative to Mr. Williams so that could be added to the Planning Department's file.

Mr. Roberts made a motion to approve the sign application for Alliance Worldwide. Mr. Berkowitz seconded. Motion carried.

08.094 NB Jade Global Group, 1406-C Route 9 – Change of Tenant

Mr. Wayne Jason, stated the following: I represent Jade Global Trading. We are a commodity trading company and we are looking to locate ourselves at 1406 Route 9 and to consolidate the people we currently have working from home. Mr. Roberts asked what do you trade? Mr. Jason stated commodities; sugar, petroleum and different products domestically and some of it internationally. We would employ about 9 people total. The office would consist of a bunch of computers and a little furniture. Mr. Higgins asked if customers would be coming to the office or would it be strictly over the phone. Mr. Jason stated the following: Customers coming to the office would be very rare. Most of the trading we do is either on line or over the phone. Mr. Higgins asked if they had any inventory on site? Mr. Jason stated no. Mr. Watts stated the original application stated 7 employees and asked Mr. Williams if this would affect the parking. Mr. Williams stated I believe there are 29 parking spaces at this site. Mr. Watts asked if their hours of operation would be 9:00 am to 5:00 pm? Mr. Jason stated the following: Yes. Most of the people work from home and we need a place to consolidate what we are doing to make it more coherent. Mr. Watts asked where they were previously located. Mr. Jason stated we have been working in Gansevoort, Albany and Schenectady. Mr. Roberts asked if there would be a sign? Mr. Jason stated no but if we do get one we would just replace what is there. Mr. Roberts stated you would have to come back to the Board for a sign application approval if you are going to have a sign. Mr. Jason stated yes, I know that we have to go through a process to do that and if we decide to do a sign, I will be back before the Board. Mr. Watts stated if you do any advertising; make sure you say you are from Halfmoon. Mr. Jason stated yes, Halfmoon, NY will be put on our business cards and everything.

Mr. Roberts made a motion to approve the change of tenant application for Jade Global Group. Mr. Higgins seconded. Motion carried.

Old Business:**08.051 OB Loomis Subdivision, 116 Harris Road – Minor Subdivision**

Mr. Duane Rabideau, of Gilbert VanGuilder and Associates, stated the following: CHA has reviewed this subdivision and we have changed things on the plan as per CHA's suggestions. One of CHA's comments was to change the side setbacks on lot #1 from 10 FT on the Stage Run side to 15 FT so that there would be more of a buffer in between the two lots. We have addressed the County comments as far as access to the lots #2 and #3 that had a common driveway and we pushed that over so now there is a common driveway for lots #1 and #2. Also an issue of getting this further away from the intersection and we have combined this driveway with lots #3 and #4 as far down as we could. I believe this was the only comments that were outstanding. Mr. Higgins asked if the lots would all have single-family residences. Mr. Rabideau stated no, some of them may possibly be duplexes. Mr. Berkowitz asked what the surrounding area was like. Mr. Rabideau stated there is a cul-de-sac for the Sprucewood Estates and Stage Run South. Mr. Berkowitz asked if the homes in these developments were single-family homes or duplexes. Mr. Rabideau stated these are single-family homes and there is a lot that could potentially be a duplex. Mr. Berkowitz asked if there was any thing there right now. Mr. Rabideau stated no. Mr. Higgins asked could you potentially have 4 residences sharing the same driveway? Mr. Rabideau stated yes, that is correct. Mr. Berkowitz asked if there were single-family homes in Sprucewood Estates. Mr. Rabideau stated so would these duplexes be the only duplexes in that area. Mr. Rabideau stated Knox Woods is across the

street. Mr. Williams stated that lot #1 did not have a large enough area for a duplex. Mr. Rabideau stated that is correct, lot #1 would have to be a single-family.

Mr. Roberts made a motion to set a public hearing for the September 22, 2008 Planning Board meeting. Mr. Ouimet seconded. Motion carried.

08.074 OB Johnson Subdivision, 23 Johnson Road – Minor Subdivision

Mr. Duane Rabideau, of Gilbert VanGuilder and Associates, stated the following: At the last Planning Board meeting for the Johnson Subdivision public hearing there was a restriction that only single-family homes were to be put on these lots. Mr. VanGuilder and the client had a discussion that the grandsons want to put a duplex on one of the lots and potentially on another lot and I was not aware of that fact. We are before the Board tonight to have that restriction removed. Mr. Watts stated one of the issues with this is; if we do decide to remove the restriction, we would have to schedule another public hearing because this would change the character of what our approval was based on. Mr. Watts asked if there was anyone from the public who spoke at the public hearing. Mr. Rabideau stated yes, Mr. Ciulla did. Mr. Watts stated we would have to revisit that entire issue. Mr. Rabideau stated we did address all the other issues. Mr. Higgins asked Mr. Rabideau if he said there would be 2 duplexes or a duplex on one single lot. Mr. Rabideau stated the lots are spatially setup for potentially a duplex per lot. Mr. Higgins asked are you saying that they want the option of putting a duplex on any one of the 4 lots. Mr. Rabideau stated on 3 of lots. Mrs. Murphy asked if they wanted one duplex for all 3 lots or 3 separate duplexes. Mr. Rabideau stated the following: On 3 separate lots. Whether or not that happens or not on all the lots, I don't know. I am sure it would happen on at least one lot if we were allowed to. Mr. Roberts stated that is a lot different than what we expected. Mr. Ouimet stated this would change the whole equation and there could be a density issue also. Mr. Nadeau asked do they want a duplex on each lot? Mr. Rabideau stated they want the option of a duplex on each lot. Mr. Watts asked Mr. Williams if it would be for 3 of the 4 lots because one of the lots is not large enough. Mr. Williams stated the following: Three of the lots do meet the minimum lot requirement and they are asking to have an easement go across lot #2 which is the largest lot. Lot #2 has 2 curb cuts on it. Mr. Rabideau stated I think that will potentially be an issue with the duplex so we would need a curb cut in the front of the lot to eliminate the drive that goes to the back. Mr. Berkowitz asked how much useable land was on lot #1 because you can't use the back portion of because you are going to cross wetlands. Mr. Rabideau stated that is correct. Mr. Berkowitz stated the following: Is it legally possible to build a duplex on that lot because you can't use the rear part of the property? The same thing pertains to lot #2 because of the wetlands. How would you cross that wetland without disturbing it? Mr. Rabideau stated the following: People can use it as far as maintaining it as long as they aren't digging in it and rutting it up to get across it to utilize the back portion of the property. Their intent isn't to do that. Mr. Berkowitz stated the following: Would they put a duplex on a small useable lot verses a duplex on a large useable lot? The duplex is not going to be owner occupied because it would have 2 renters in each side of the duplex. Mr. Rabideau stated they just want the option of doing it. Mr. Berkowitz stated the option means that they are probably going to do it. Mr. Rabideau stated I am not certain of that. Mr. Berkowitz asked why are they asking for the duplex. Mr. Rabideau stated so they have the option to do that. Mr. Watts stated the following: We conducted a public hearing at our last meeting, which was attended by people, and it was indicated to those people that they would have single-family homes. Before I am comfortable scheduling another public hearing, you need to talk to the property owner and find out exactly what they want to do. I don't want

to have a public hearing without knowing exactly what the property owner's intentions are. You need to go back to the applicant and explain what came up at this meeting and ask them what they want to do here. Mrs. Zepko stated when you go back to the drawing board look at the possibility of reconfiguring lots #2 and #3's building envelope to potentially be able to have one egress. Mr. Rabideau stated okay.

This item was tabled for the applicant to discuss the exact intent of developing the proposed lots, (i.e. single-family vs. duplex).

Mr. Ruchlicki made a motion to adjourn the September 8, 2008 Planning Board Meeting at 8:07 pm. Mr. Berkowitz seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi
Planning Department Secretary