

## **Town of Halfmoon Planning Board**

### **June 11, 2007 Minutes**

Those present at the June 11, 2007 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:** Jerry Leonard

**Senior Planner:** Jeff Williams

**Town Attorney:** Lyn Murphy

**CHA Representative:** Bob Lockwood

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Mr. Watts opened the June 11, 2007 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they had reviewed the May 29, 2007 Planning Board Minutes. Mr. Roberts made a motion to approve the May 29, 2007 Planning Board Minutes. Mr. Higgins seconded with changes. Motion carried. Mr. Berkowitz abstained due to his absence from the May 29, 2007 Planning Board Meeting.

**New Business:**

**07.058 NB Clearwire US, LLC, Crescent Road – Co-Location**

Ms. Meredith Smith, of Pyramid Network Services, is representing Clearwire for the co-location application. Ms. Smith stated the following: I was before the Board last month for two other co-locations that were approved at that time. This is the third site at Exit 8 on Crescent Road. This application is for 10 antennae at the height of 126 FT on the existing 140 FT cell tower. Mr. Watts stated that this co-location would be located on an existing tower so there would be no impact and we encourage co-locations.

Mr. Roberts made a motion to approve the co-location for Clearwire US, LLC, located on Crescent Road. Mr. Higgins seconded. Motion carried.

**07.059 NB Rite Aid Pharmacy, 1483 Route 9 – Sign**  
(formerly Eckerd Pharmacy)

Mr. Pat Boni, of Saxton Sign Corp., stated the following: The existing Eckerd Pharmacy is going to be converted over to the Rite Aid Pharmacy. The applicant wishes to replace 2 illuminated wall signs that would be the same size as the existing Eckerd signs. The 2 signs are 47.8 SF, one-sided and internally lighted. Also, they would like to reface the existing pylon sign that is

also the same size as the existing Eckerd sign, which is 105.4 SF, one sided and internally lighted and the sign would be out front at the same location. Mr. Roberts asked if any of the 3 signs would be neon. Mr. Boni stated there would be no neon.

Mr. Roberts made a motion to approve the Rite Aid Pharmacy sign application. Mr. Nadeau seconded. Motion carried.

**07.060 NB Nail Expo, 1683 Route 9 (St. John Plaza) – Change of Tenant**

This applicant was not present and no action was taken on this item.

**07.061 NB Halfmoon Family Dental, 1456 Vischer Ferry Road - Sign**

Dr. Gary Swalsky, the applicant, stated the following: I am before the Board seeking an approval for a sign application for my dental office on Vischer Ferry Road. Mr. Watts asked Dr. Swalsky if the sign regulations for a Professional Office/Residential (PO/R) zone had been discussed with him. Dr. Swalsky stated yes however, the regulations guidelines didn't specify two-sided verses one-sided. My proposal is for a 10 SF two-sided sign for a total of 20 SF. The reason I am proposing a 10 SF two-sided sign is because I feel that a 5 SF sign would be too small and the traffic driving by at 40 to 45 mph may not see the sign. Mr. Watts stated the following: If this Board denies this application, which we are obligated to do, then you could go the Zoning Board of Appeals to apply for a variance. In similar circumstances the ZBA has approved similar request, however, I cannot speak for them. We are in the midst of a transition phase in our ordinances relative to the PO/R zone.

Mr. Ouimet made a motion to deny the Halfmoon Family Dental sign application as the proposed signage exceeds the maximum signage allowed in the Professional Office/Residential (PO/R) zone. Mr. Roberts seconded. Motion carried.

**07.062 NB Healthplex Fitness Center, 1673 Route 9 - Sign**

Mr. Berkowitz recused himself from this item. Mr. Greg Dawhare, of Nick Sign Co., stated the following: The applicant is proposing to change the existing Healthplex freestanding sign. The total signage allowed for the site is 344.2 SF and the proposed sign size is 200 FT. The sign would be internally lighted. Mr. Roberts asked if the internal illumination would be neon. Mr. Dawhare stated no, the internal lighting would be fluorescent. Mr. Roberts asked what the total height of the sign would be. Mr. Dawhare stated 16 FT. Mr. Roberts asked if the sign was located on private property or if it was in the State right-of-way. Mr. Dawhare stated I am assuming that it is where it is suppose to be when it was previously approved. Mrs. Murphy stated the following: If the sign is located in the State right-of-way, the NYSDOT has the authority to enforce their right-of-way and they can remove it at any time. We can't guarantee them a sign in a position that is outside of our jurisdiction. If Healthplex has a letter from the NYSDOT that permits them to have a sign there, then they have permission. Also, you will still need to obtain a building permit from the Town's Building Department. Mr. Williams stated if the sign is not located in the State right-of-way, you can apply for a building permit and if the sign is in the State right-of-way you will need to go to the NYSDOT to obtain a letter acknowledging that they are aware where the sign is located.

Mr. Roberts made a motion to approve the Healthplex Fitness Center sign application contingent upon the sign is not located in the State right-of-way. Mr. Ruchlicki seconded. Motion carried.

**07.063 NB Palin Subdivision, 8A Sunset Blvd. – Minor Subdivision**

Mr. Harold Berger, of Harold Berger P.E., stated the following: This application is for a subdivision on a lot on Sunset Blvd. that is owned by Mr. Joseph Palin. Mr. Palin wishes to

subdivide the lot to create a lot to his son, Jeffrey Palin and Jeffrey's wife Aimee. I have plans showing the sewage disposal system. In my design in the sewage system, I used a survey that was done by Mr. Brian Holbriter, Land Surveyor. We would be creating a flag lot with an area of 1.37-acres with 22 FT of frontage. The 2 lots would be about 1.25-acres each. Mr. Higgins asked if the septic was shown on the first lot. Mr. Berger stated no, it is not shown on the map. Mr. Higgins asked if any of the adjoining landowners had wells. Mr. Joseph Palin stated no. Mr. Berger stated he would locate the wells and would show them on the plans. Mr. Nadeau asked where the septic system would be located on the newly created lot. Mr. Berger stated the following: The raised septic system would be located in the corner of the lot. We will research where the adjoining landowners wells are located and we will also research the location of the sewage systems. Mr. Watts stated the corrected maps would have to be submitted before the Public Hearing. Mr. Berger stated okay.

Mr. Berkowitz made a motion to set a Public Hearing for the June 25, 2007 Planning Board Meeting. Mr. Ouimet seconded. Motion carried.

**07.064 NB DualAlign, LLC, 14 Corporate Drive – Change of Tenant**

Mr. Charles Stewart, the applicant, stated the following: DualAlign would occupy the space formerly used by Robson Forensic. The business is research and development of computer software technology for automatically aligned images and also security applications. Mr. Watts asked the applicant to advertise as being located in Halfmoon. Mr. Stewart stated he would be honored to use Halfmoon in his advertising.

Mr. Roberts made a motion to approve the change of tenant application DualAlign, LLC. Mr. Berkowitz seconded. Motion carried.

**07.065 NB Ashland Ests. Subdivision Lot #53/45 Spice Mill Blvd. – Major Subdivision**

Mr. Richard Gabriel, the applicant, stated the following: My parents own a lot at 45 Spice Mill Blvd. and we would like to subdivide the parcel. We would subdivide 1.22-acres off of my parents existing 5.20-acre parcel where I would build a home. Public water and public sewer serve the parcel.

Mr. Roberts made a motion to set a Public Hearing for the June 25, 2007 Planning Board Meeting. Mr. Nadeau seconded. Motion carried.

**Old Business:**

**05.127 OB Stone Crest Preserve, Vosburgh Road/Werner Road – Major Subdivision/GEIS**

Mr. Ivan Zdrahal, of Ivan Zdrahal Associates, PLLC, stated the following: This proposal is for a 90-lot single-family residential subdivision by Rosewood Home Builders. We have responded to comments and questions raised by the Board and residents at the May 14, 2007 Public Hearing. An adjoining property owner, Mr. Fellows, made a comment regarding providing access to his property. In my opinion it makes planning sense to extend the right-of-way to Mr. Fellow's property, which would allow for a potential driveway access. In addition, we clarified our correspondence regarding the grading required for sight distance. There were a few comments made on traffic issues and Mr. Mark Nadolny, of Creighton-Manning Engineering (CME). Mr. Nadolny stated the following: There was 3 traffic related questions that we tried to provide additional information for. The Chairman, Mr. Watts, asked for some information on the language for accepting a level of service "E". We did provide that from the highway design manual that is related to the unreasonable cause for impact associated with trying to improve

the level of service "E" to "D" or better. We feel that the impact on Route 146 with the installation of a signal at Werner Road would be an unreasonable impact to the through traffic. It is our belief that the NYSDOT would feel that this is an unreasonable improvement. The second comment was related to the stopping sight distance for lot #90. We did the stopping sight distance mitigation for the operating speed of 39 mph and the question was asked whether or not it was also met for the 40 mph posted limit and we did verify that it met the posted level as well. The third traffic comment was in regard to the potential of any snow build up on Werner Road and what sort of impacts that they may have on the stopping sight distance to the sight driveway. We noted that this is an existing condition all throughout the northeast for any horizontal curve. We did contact the Highway Department and they had indicated that it is their policy to try to move snow 3 FT back from the edge of the pavement. However, this is contingent on how much snow they get and how far they can push it. In the event that this sight distance is ever limited, we are recommending the installation of a sign to give advance warning to any other potential drivers out on the road if the snow does build up and would cause limited sight distance. Mr. Watts stated the following: In looking at your response, in response #1 you refer back to the Highway Design Manual to provide guidance and requirements from NYSDOT and it states "in some cases it may be necessary to accept LOS "E" or "F" on individual lane groups due to unreasonable costs or impacts associated with improving the level of service". You also state, "Therefore, LOS E would likely be considered an acceptable operation condition by the NYSDOT for the southbound left-turn movement at this location" and then you get into the snow things. I have some recollection or belief anyway and I don't know how the rest of the Planning Board feels, but from a manual, we don't have anything from the NYSDOT about this. Mr. Nadolny stated no, this is what the NYSDOT use to design an intersection so those are the standards that they use to sign intersection. Mr. Watts questioned the word "likely". Mr. Nadolny stated I cannot speak for the NYSDOT but in similar situations that is what has happened in the past. If it went to the NYSDOT, that is mostly likely what they would tell us. I can't tell you for sure that is what they would say. Mr. Higgins stated at the previous meeting we were talking about the difference between an "E" and an "F" as far as that intersection and I seem to recall you saying that within one or two trips per hour. Mr. Nadolny stated I was probably referring to seconds and it is 9 seconds under the threshold for an "F". Mr. Higgins asked if this relates to how many cars making a turn. Mr. Nadolny stated yes, it is based on the amount of delay that a left turn would experience as it tries to make that left and obviously the more cars you have the longer the delay you would experience. So, right now it is at 46 seconds delay and 55 seconds is a level of service "F". Mr. Higgins stated I think the last time you said it was 50 seconds. Mr. Nadolny stated it is different for signalized and un-signalized and Mr. Higgins is correct it is 50 seconds. Mr. Higgins asked if Mr. Nadolny was telling this Board is that in your estimation that this is getting very close to an "F". Mr. Nadolny stated yes, this is correct. Mr. Higgins stated the following: Are you asking this Board to look at this project with the density and with the knowledge that this is already a bad intersection? Ultimately, it is going to get worse and is there any reason why the applicant wouldn't look at making this project less dense, at least until there is a traffic light installed or something else, to try and help the Town in an already dangerous situation? Mr. Nadolny stated I couldn't speak as to the density but in regards to a signal at that location; the volume on Werner Road won't warrant the installation of a traffic signal. Mr. Higgins stated the following: The volume on Werner Road itself may not, however, there are other projects that the Town is presently looking at that could very well justify a traffic light at that intersection somewhere in the future. Our concern is, until that happens, we are just looking at different alternatives to try and keep the area as safe as we can for the residents. Mr. Nadolny stated I

understand and to that I would say that the mitigation fees that this project is giving to the Town could be used toward the installation of traffic signal if other developments came on board and that signal is warranted there then the monies from the mitigation from those developments and this project could then be wrapped into the installation of a traffic signal. Understand that this project is not the sole entity creating the need for a signal in the future. Mr. Higgins stated this Board does not have jurisdiction as far as determining where the monies are spent. Mrs. Murphy stated the following: For clarification purposes, this is a GEIS project and the traffic mitigation funds that are collected can only be applied toward identified traffic improvements set forth in the GEIS and this wasn't one of them. Mr. Williams stated the following: There is a portion of this project that is in the GEIS and there is a portion of this project that is not in the GEIS. The portion that is not in the GEIS is in the Werner Road side of it. I believe the applicant has agreed to pay GEIS fees for the entire project and asked Mrs. Murphy if the GEIS fees paid outside of the GEIS territory could go to this. Mrs. Murphy stated the monies paid outside of the GEIS are not called GEIS fees. If you call them GEIS fees, then they could only go to improvements identified in the study. Mr. Higgins asked if it would it be an alternative to have the projects staged, as we have done with other projects, where a certain number of houses could be built up until the time there would be a traffic light at that intersection and once the light is installed then the remainder of the build out could be done. Mr. Nadolny stated the following: The only problem that I see with that is it may never meet a warrant to install a light. The NYSDOT may never give the okay to install a light there because the volumes may never trip the warrant to install a light at that location. Especially with the potential of signals going in at adjacent intersections with the potential at Fellows Road and a potential future connection to the cross-town connector road. Volumes on Werner Road may never reach those levels so it is imposing a limit with the knowledge that it may never happen because the volumes will not warrant it and the NYSDOT won't install the light. Mr. Berkowitz asked Mr. Nadolny how he would mitigate the traffic at that intersection with at all the other projects that he has done. Mr. Nadolny stated the only real way to mitigate it would be to install a signal. Mr. Berkowitz stated that Mr. Nadolny previous stated that this couldn't be done. Mr. Nadolny stated the following: Right, but if there was a signaling approach here, then I would say separate left and right turn lanes but this is already there. So there really isn't anything else you can do and this is why I haven't recommended anything and this is why CHA hasn't really pushed for anything because other than a signal at that location, there is really no other way to get around that through movement on Route 146. Mr. Berkowitz asked how they could decrease the traffic going through that area. Mr. Nadolny stated if there were less traffic, of course, the intersection would operate better however, without this project it is still going to operate at an "E". Mr. Berkowitz stated with this project I feel it would operate at an "E minus" as it is closer to a level of service "F" and if the density of this project were decreased then there would be a decrease in the traffic. Mr. Nadolny stated the following: On that left turn movement this project would add 11 vehicles in the AM and 7 vehicles in the PM based on the distribution of traffic. Before the project there is 35 so we would be adding 7 additional vehicles. Mr. Berkowitz stated this number is 1 to 2 percent away from a failure. Mr. Nadolny stated they would be adding a 6 second delay total. Mr. Berkowitz asked from how many. Mr. Nadolny stated from 40.2 to 46.5 seconds. Mr. Berkowitz stated the following: The only way to control the traffic in that area is to decrease the density of this project. Originally this project was proposed for 78 residences and it has now been increase to 90 residences. If you cut the density you could decrease it down to about 24 cars. Mr. Ouimet stated the following: We are still very concerned about the number of cars coming out of this subdivision. All things aside, everyone on this Board has expressed their concern over the number of trips, the number of

cars and the impact on the intersection. When this project was originally proposed to the Board it was for 78-lot subdivision. Now because of some of the concerns that that Board had about long common driveways and now more town roads and cul-de-sacs have been added to the project and you added another 12-lots for the subdivision. So consequently you increased the traffic that you are going to put over this road by adding the 12 additional lots. What we are suggesting is that you might want to think about cutting back on the number of lots which would correspondingly cut back on the number of cars that are put on the roads and may lessen the negative impacts on these already overburdened intersections. Mr. Nadolny stated the following: I understand and when you are talking about reducing the number of lots by 12 units it is generating 97 vehicles in PM and 7 would be going to that one movement. So, if you reduce it by 12 lots I think it would generate 90 trips and maybe 6 go to that movement so it would be a reduction of 1 or 2 either way and in the grand scheme of things it is not going to reduce the delay that significantly. I understand your concerns and I am telling you what the traffic is as given to me with respect to the site plan and that is all I can tell you. There is no other mitigation I can provide other than what we have already said. Mr. Nadeau asked the number of vehicles that they are using per household to determine the traffic study. Mr. Nadolny stated it is about 1.01 per unit in the peak hour. Mr. Nadeau stated the following: In real times it is likely that there could be 2 people living in one of those units and would most likely have 2 cars. I know we have to look at the statistics and the numbers but realistically we could have possibly 3 to 4 vehicles from some of these lots, which would really change your threshold to an "F". Mr. Nadolny stated yes in a sense but the way you have to look at the traffic is that over the course of the day a house may generate 2 cars but it won't be in the same hour. Mr. Nadeau asked if they you are basing this on 1.01 cars per unit and not basing it on each family possibly having 2 to 3 cars. Mr. Nadolny stated the following: Yes, but it is based on hundreds of studies that have been conducted with the understanding that those other studies that have been done are based on house that have 2 and 3 cars. It is not based on the number of cars it is based on the number of trips that a house generates. The 1.01 per unit is the number of trips per household. Mr. Nadeau stated you are saying that a house with 3 cars will not generate any more than 1.01. Mr. Nadolny stated this is correct because it has been offset by the house that may only have 1 car that doesn't generate any deterrent during that 1 hour because they may be a teacher and they come home at 3:30 pm. So, they would only have 1 car and they are not coming home during that peak hour. This is kind of offset throughout the development of this size and it is shown in the research that through hundreds of developments that are typically single-family homes will generate 1.01 trips per house during that peak hour. Mr. Higgins asked when that study was dated. Mr. Nadolny stated the following: It is based out of the Institute of Transportation Engineers (ITE) trip generation manual. Engineers, like myself, will go out and count subdivisions and then we will send in data to this manual and it will compile all of this data. There are literally hundreds and hundreds of points that they later align of how many trips each types of developments will generate based on their size. You can see that all of these subdivisions have points plotted based on their size and you take an average of what you are going to generate right across the board on all of those and it is pretty accurate. If you do an intersection count at an existing intersection around here with a subdivision, you are going to get right around that 1.01. It could be a little higher or it might be a little lower as obviously the traffic changes everyday. You may leave 15 minutes earlier and some days you may leave 15 minutes later. In general you would see 1.01 trips per unit. Mr. Roberts stated the difference is that they were basing their report on the best-case scenario for the applicant and this Board is worrying about the worse case scenario for this Town and in my opinion I don't buy your numbers at all. Mr.

Nadolny stated the following: It is really not the best-case scenario; it's the average condition or the typical scenario of these types of subdivisions. Mr. Ouimet asked if there were fewer houses in this subdivision, would there be less traffic. Mr. Nadolny stated, yes. Mr. Higgins stated the following: I agree with Mr. Roberts because the average household in my area is not 1 person leaving to go to work in the morning. It is usually 1 or 2 people leaving to go to work, plus a few children driving themselves to school. I feel this report is grossly underestimated. Mr. Berkowitz stated speaking of children, how many schools are going to be at that intersection. Mr. Nadolny stated the following: I don't know how many school buses or school aged children that would be generated by this project. I understand that houses generate more than 1 car and I use myself in this example. My wife is a schoolteacher and she leaves between 7:30-8:00 am and I am an engineer working in Albany and I sometimes have to leave the house between 6:30-6:45 am to get to work. So yes, my house generates 2 cars but they are not during that same hour. There are 2 cars in my driveway but if you look at the peak hour of the traffic, I am actually outside of that peak hour and I would not count toward that calculation. Yes, my house is generating 2 trips but during that worse case scenario, we are only generating 1 trip, which is my wife. That is kind of how that fluctuation goes over the peak hour and this is how traffic studies are done. Mr. Higgins stated the following: For years I have been sitting on this Board listening to the traffic studies saying that there is no impact, no impact and no impact. All you have to do is drive around Town and you can obviously see there is an impact and that is what this Board is concerned about. We have an intersection that everyone admits is marginal and everyone admits it is dangerous and we are trying to figure out something to do about. Obviously, the NYSDOT will not justify the installation of a traffic light at this intersection at the present time and we are looking for other alternatives. Mr. Berkowitz asked you what you recommend and you have no recommendations either. Mr. Watts inquired about a letter from the applicant dated May 21, 2007 with information about comments from the public and a copy went to CHA. Mr. Watts stated the following: In our write-up we indicated CHA issued a March 28, 2007 letter stating that outstanding comments have been adequately addressed. From what I can see from the file these comments have not been answered or reviewed by CHA and was this correct. Mr. Williams stated the following: Yes, this is correct. I do not recall seeing the responses from CHA. The last letter from CHA was when Mr. Zdrahal addressed their previous letter and now there is added information. Mr. Watts stated the following: There was letter from Mr. Nadolny dated May 17, 2007 with a copy to Mr. Bianchino, Rosewood Builders and to myself. I raise that issue relative to the statements from the manual and what the NYSDOT may have said or may say and asked the Board if they were ready to any action on this application or do we need additional information. Mr. Ruchlicki stated the following: I think we need more information and I would like to make an additional comment as to the overall project. From day one when this project was presented to this Board, there were common driveways and there were 12 fewer lots. At that time we were concerned about the length of those common driveways, the snow removal and who was going to maintain the driveways. All of these issues were answered and then you turn around and come back with a new design with 12 more lots. We are still concerned about traffic and we were trying to correct the problem within the development as far as the common driveways, snow removal and emergency vehicles having access to those homes. You now increased the capability of roadways within this project and make them to Town standards and eliminate the private drives with only one or two houses that are common to those driveways. In doing so, you add more lots because essentially they are now be on Town roads. We were trying to address a safety issue at that time and then you come in with another design and add more lots to the project because you increased the roadways within the project to the Town standards.

We are still trying to answer a problem involving the traffic at an intersection that is outside of the project. So, we didn't gain anything. We were trying to correct a safety issue early on in the project and now you have increased the number of homes, which still leads us down the same path; we still have a traffic issue and we still have safety problems. Mr. Zdrahal stated I understand the problem. Mr. Ruchlicki stated when this Board asked you to change the common driveways to a standard Town road; we did not think that you would be adding that many lots and if we would have, we never would have said anything relative to that. Mr. Zdrahal stated the following: I will try to address the Board's comments that have been raised. I thought the proposal with the common driveways was perfectly okay but there were concerns about the land sloping. I was trying to show the Board that we could now get more lots if you eliminate the common drives. We are proposing lots, which are outside of the GEIS, but would be paying the same amount of GEIS fees for the lots outside of the study area as a mitigation tool to offset or address the impacts of those lots for potential Town improvements and there would be substantial fees generated by those lots. Also the threshold of the project has to progress from Vosburgh Road. I am not that familiar with all the other projects that the Town is looking at on Route 146. I feel this project would be contributing a fair share to improvements that may be needed there. This proposal is close to getting a traffic signal but it is not warranted by the NYSDOT at the current time. I feel we have a proposal, which provides good use of the land and provides the mitigation for the impacts this project will have. Mr. Watts stated the following: We are going to table this item for CHA's review of Mr. Zdrahal's May 21, 2007 letter relative to the issues of the NYSDOT. I know you have heard the comments of this Board and I don't know if there is anything you can do or want to propose other than what we have already seen with this project. Mr. Lockwood asked if they were to start at the Vosburgh Road end, how long before they would have full build out. Mr. Zdrahal stated optimistically probably sometime in 2010. Mr. Lockwood stated I wanted to have this information so when we are looking at other things in the area I could factor that into our data. Mr. Higgins stated they would not be able to build this whole development with just one entrance. Mr. Lockwood stated correct, they will have to build it through. Mr. Higgins stated they would have to build it through so they are still going to get the traffic in that area. Mr. Lockwood stated if the lots were not developed, they wouldn't have the traffic. This item was tabled for CHA to review and comment on Mr. Zdrahal's May 21, 2007 correspondence with additional traffic information and coordinate with the NYSDOT.

#### **06.149 OB Casale Rent-All, 1614 Route 9 – Addition to Site Plan**

Mr. Higgins recused himself from this item. Mr. Watts stated to Mr. Tony Casale, the applicant, questions were raised at our last meeting relative to blocking off the access by the apartments and the Board would like to know what your plans are relative to that. Mr. Casale stated the following: Ultimately, our plans are to use the main entrance on Route 9. However, we do have two buildings that are accessed by the private drive via an easement agreement. Two of the buildings we use on a daily basis; a garage for storage of our tables and chairs and an office building for me. Our employees currently park in that driveway. I have no problem restricting to one of those accesses but I don't think it make sense for us on a daily basis, 2 or 3 times a day, to drive up Route 9 and limiting us to use that road, you are really not taking an access point off of Route 9. The access exists and will be still be used by the apartment tenants and the Hoffman family so you would not be limiting the number of accesses on Route 9, which I know the Board, wants to do. Mr. Watts stated we understand that the access is there but what we are trying to do is limit amount of truck traffic going to your site at that access. Mr. Casale stated the following: I don't think there have been any complaints about



traffic since January. Our intention is to use the new entrance on Route 9. There will be times during the course of the day when we will need to get to the garage. We have customers that come in to pick up tables and chairs and if we close off that entrance I would have to send these customers out onto Route 9 and down the new proposed Route 9 access to get to that garage where we keep all the tables and chairs. On the plan the office is clearly marked as an office and this did come up at a Board meeting that it has always been our intention to use that building as an office. Mr. Watts asked in your best estimate when this new access on Route 9 was opened, what percentage of traffic uses the new entrance verses the old entrance. Mr. Casale stated the following: My guess is about 95% would use the new entrance if not close to 100%. There are people who come in everyday who say they could not find the site. Mr. Roberts asked Mr. Casale if he anticipated large trucks using the old entrance. Mr. Casale stated the following: Absolutely not and I would have no problem putting up a sign saying, "do not use". We want to limit that access as much as we possibly can. I do anticipate cars driving down the old entrance or a pickup truck coming to pick up tables and chairs. In fact the real reason why we are here is to get the trucks off of that road. When we closed off a gate at that entrance it made life at the apartments a lot better for people. The second gate that causes the most impact on people and that the gate we want to close off but we would like to keep the first gate that is not near the apartments. We are trying to be a good neighbor to the people who live in the area. Mr. Watts stated he saw an advertisement that stated "Casale Rent-All of Clifton Park" and the next time I see the TV advertisement I would like to see "Casale Rent-All of Halfmoon". Mr. Casale stated we will have that resolved.

Mr. Berkowitz made a motion to approve the addition to site plan application (new access on Route 9) for Casale Rent-All with the condition that the applicant is to limit truck traffic on the private Birch Briar Apartment roadway (old access). Mr. Ruchlicki seconded. Motion carried.

Mr. Ruchlicki made a motion to adjourn the June 11, 2007 Planning Board Meeting at 8:02 pm. Mr. Higgins seconded. Motion carried.

Respectfully submitted,  
Milly Pascuzzi,  
Planning Board Secretary