

Town of Halfmoon Planning Board

August 27, 2007 Minutes

Those present at the August 27, 2007 Planning Board meeting were:

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

Alternate

Planning Board Members: Bob Beck

Planner: Lindsay Zepko

Town Attorney: Lyn Murphy

Town Board Liaisons: Paul Hotaling

CHA Representative: Bob Lockwood

Vice-Chairman Mr. Roberts replaced Chairman Mr. Watts in his absence.

Mr. Roberts opened the August 27, 2007 Planning Board Meeting at 7:04 pm. Mr. Watts asked the Planning Board Members if they had reviewed the August 13, 2007 Planning Board Minutes. Mr. Ouimet made a motion to approve the August 13, 2007 Planning Board Minutes. Mr. Berkowitz seconded. Motion carried.

Due to audio recording difficulties, the following project's minutes were not recorded:

The following 6 items will be transcribed from notes taken at the meeting:

Public Hearings:

07.057 Brown Pump Station Subdivision, 125 Dunsbach Road – Minor Subdivision
07.082 Bouchard/Town of Halfmoon Subdivision, Route 236 – Minor Subdivision
07.075 Johnson Subdivision, 11 Crew Road – Minor Subdivision
07.080 Beckwith Subdivision, 77 Smith Road – Minor Subdivision

New Business:

07.084 Trick Shot Billiards, 1602 Route 9 – Addition to Site Plan
07.085 Specialized Audio-Visual Inc., 14 Parkford Drive – Addition to Site Plan

Public Hearings:**07.057 PH Brown Pump Station Subdivision, 125 Dunsbach Road – Minor Subdivision**

Mr. Roberts opened the Public Hearing at 7:04 pm. Mr. Roberts asked if anyone would like to have the public notice read. No one responded. Mr. Bob Lockwood, of Clough Harbour & Associates LLP, presented the Brown Pump Station minor subdivision. Mr. Lockwood stated the following: At the April 23, 2007 Planning Board meeting, the Planning Board resolved to approve a minor subdivision for the Lands of Brown. The Brown subdivision consisted of subdividing the 2.40-acre parcel into two separate parcels. Parcel A is a 51,585 SF parcel with the Brown's existing residential dwelling. Parcel B is a 53,301 SF vacant parcel. The parcel is located on the west side of Dunsbach Road and north of Crescent Vischer Ferry Road. The proposal is to create a 4,732 SF parcel to be subdivided off of the 53,031 SF parcel created from the Brown's previous 2-lot subdivision. The 4,723 SF parcel is proposed to house a pump station for a sewer project that is underway to extend a sewer line down to the Springbrook Mobile Home Park. After the subdivision Parcel B would have a final area of 48,308 SF. The lot will conform to the minimum lot requirements with the availability of public water and sewer. The 4,732 SF parcel would be dedicated to the Saratoga County Sewer District. Mr. Roberts asked if anyone from the public wished to speak. No one responded. Mr. Roberts closed the Public Hearing at 7:05 pm.

Mr. Berkowitz made a motion to approve the Brown Pump Station minor subdivision. Mr. Nadeau seconded. Motion carried.

07.082 PH Bouchard/Town of Halfmoon Subdivision, Route 236 – Minor Subdivision

Mr. Roberts opened the Public Hearing at 7:05 pm. Mr. Roberts asked if anyone would like to have the public notice read. Mrs. Lajeunesse, of 93 Route 236, asked to have the public notice read. Mr. Roberts read the public notice as published. Mr. Bob Lockwood, of Clough Harbour & Associates LLP, presented the Bouchard/Town of Halfmoon minor subdivision. Mr. Lockwood stated the following: The Bouchard's currently own an 18.98-acre parcel with an existing single-family residence. The Bouchard's have agreed to sell 16.81-acres to the Town of Halfmoon and retain 2.17-acres with their single-family home that fronts on Harris Road. The 16.81-acres that will be conveyed to the Town will be combined with the existing 6.11-acre Town lands to the north where the Town's gazebo is located. Mr. Roberts asked if anyone from the public wished to speak. Mrs. Lajeunesse, of 93 Route 236, asked if the Town was planning to add an access road next to her property. Mrs. Murphy stated the Town did not have any intentions to use the property for anything other than open space at this point, to add to the existing parkland. Mr. Roberts closed the Public Hearing at 7:09 pm.

Mr. Nadeau made a motion to approve the Bouchard/Town of Halfmoon minor subdivision. Mr. Berkowitz seconded. Motion carried.

07.075 PH Johnson Subdivision, 11 Crew Road – Minor Subdivision

Mr. Roberts opened the Public Hearing at 7:10 pm. Mr. Roberts asked if anyone would like to have the public notice read. No one responded. Mr. Rob Johnson, the applicant, stated the following: I am proposing to create a residential lot by subdividing a portion of my Agricultural/Residential (A/R) zoned property and a portion of my father's neighboring Commercial (C-1) zoned parcel in order to create a new lot for my daughter. I also would like to convey a portion of my A/R zoned property to the neighboring C-1 property as a land swap to offset the amount of land transferred from the C-1 property. I currently own an 111,255 SF

residential lot which is zoned A/R. My father owns the adjacent property with a current area of 13.54-acres. The proposed residential lot would be created by subdividing 19,759 SF off of my 111,255 SF parcel and 13,198 SF from my father's 13.54-acre parcel to create a 32,995 SF parcel. I also propose to convey 21,828 SF of my 111,255 SF parcel to my father's 13.54-acre parcel. After the proposed actions my existing property would have a total area of 69,269 SF. My father's property would have a total area of 13.75-acres. The new lot will remain mixed zoning with 19,759 SF of the new parcel remaining A/R and 13,198 SF of the new lot will remain C-1. The proposed residential structure will be constructed on the A/R portion of the new lot. Mr. Roberts asked if anyone from the public wished to speak. A representative from Northway Auto Exchange stated that the Johnson's have been good neighbors but I want to be sure that the owner of the newly created lot would be aware of the traffic in this area. Mr. Roberts also stated he wanted the owner of the new lot to be aware of the NYSDOT substation and traffic from that area. Mr. Johnson stated my daughter would be the owner of the newly created lot and she is well aware of the traffic situation. Mr. Roberts closed the Public Hearing at 7:14 pm.

Mr. Ouimet made a motion to approve the Johnson minor subdivision. Mr. Nadeau seconded. Motion carried.

07.080 PH Beckwith Subdivision, 77 Smith Road – Minor Subdivision

Mr. Roberts opened the Public Hearing at 7:15 pm. Mr. Roberts asked if anyone would like to have the public notice read. No one responded. Mr. Duane Rabideau, of Gilbert VanGuilder & Associates, stated the following: Mr. Terry Beckwith proposes to subdivide an existing 69,008 SF lot to create a 32,836 SF lot with an existing single-family unit and a new 36,171 SF lot for a proposed single-family home. All minimum lot requirements would be met. Both parcels would be tied into public sewer and public water. The public sewer is connected to the Harvest Bend subdivision. Mr. Roberts asked if anyone from the public wished to speak. Mr. Twarosch, of 81 Smith Road stated the following: My neighbor who lives at 79 Smith Road and I have concerns with the construction traffic on a driveway we share through an easement with the Beckwith's. Mr. Rabideau stated the intent was to install the proposed driveway onto Smith Road and that driveway would be utilized for the construction. Mrs. Murphy stated Mr. Twarosch should obtain his own counsel, but any damage made from any party who shares that easement would need to be repaired. Mr. Twarosch asked if there would be any disruption to their utilities. Mr. Rabideau stated I do not believe there would be any disruption. Mr. Phillips, of 79 Smith Road asked if the address changes were due to this proposed subdivision. Mrs. Murphy stated the address change was made necessary through concerns from the Saratoga County Emergency Services. Mr. Roberts closed the Public Hearing at 7:21 pm.

Mr. Nadeau made a motion to approve the Beckwith minor subdivision. Mr. Ruchlicki seconded. Motion carried.

New Business:

07.084 NB Trick Shot Billiards, 1602 Route 9 – Addition to Site Plan

Mr. Tim Berlin, the applicant, stated the following: I would like to place a 16 FT x 26 FT patio constructed of paver blocks on the north side of the existing building. The patio would accommodate 24 seats at 6 tables. There would be no bar or service area on the proposed patio. Trick Shot Billiards consists of fourteen pool tables, darts, football and video games with a total of 96 seats (including the proposed 24 seats for the patio). Mr. Berkowitz asked how the proposed patio area would be lighted. Mr. Berlin stated there are existing floodlights on the corner of the building. Mr. Roberts asked if the proposed patio area was for people who

smoke. Mr. Berlin stated the proposed patio is not intended for smokers only, but people who do smoke could utilize this area for smoking. Mr. Berkowitz stated the applicant might want to eliminate the parking spaces closest to the patio. Mr. Berlin stated the patio would be closed in with decorative fencing. Mrs. Murphy asked by decorative fence what do you mean, not of chain link or barbed wire? Mr. Berlin stated the fence would be a small 4 FT fence. Mr. Lockwood agreed with Mr. Roberts regarding the removal of the parking spaces closest to the proposed patio. Mr. Berlin stated okay. Mr. Nadeau asked how close the apartments were to this business. Mr. Berlin stated the apartments are approximately 100 yards from the business. Mr. Nadeau made a motion to approve the addition to site plan application for Trick Shot Billiards. Mr. Ruchlicki seconded. Motion carried.

07.085 NB Specialized Audio-Visual Inc., 14 Parkford Drive – Addition to Site Plan

Mr. Scott Lansing, of Lansing Engineering, stated the following: This site and use gained its original site plan approval in 1988. The applicant's proposal is for a conceptual commercial site plan showing an 11,744 SF addition on the 10,305 SF existing building. The proposed addition is to expand the existing business. Specialized Audio Visual Inc. (SAVI) is a high quality performance audio and video systems consultant, designer, engineering and installation business. The company started in 1966 in Saratoga Springs and moved to Halfmoon in 1989. Some of SAVI's clientele include the Blue Man Group, Motor City Casino, Proctors Theater, The Egg, Excalibur Hotel and Casino in Las Vegas and Tanglewood. The existing office warehouse building is utilized to test set ups of (staging) audio equipment, storage of rental audio/visual equipment and a fabrication shop and repair center. The applicant wishes to place an addition on the existing facility to accommodate their expanding business. The applicant wishes to introduce a concept commercial site plan to the Planning Board in order to gain initial comment. Mr. Higgins asked if trucks would need to back into the site to the proposed docks. Mr. Lansing stated yes. Mr. Roberts stated this Board has never approved a project where trucks needed to utilize Town Roads to stage and back into the site. Mr. Lansing stated I could look at site plan to see if it is possible to reconfigure the parking to utilize the site to maneuver the trucks. Mrs. Zepko asked for the square footage of the office and the warehouse to have an accurate count for the parking required. Mr. Lansing stated I will get that information and provide it to the Board.

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

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 application is for Rosewood Home Builders for a residential subdivision, which contains 90 single-family homes. A public hearing was held May 14, 2007 for this application. We are before the Board to respond to the public's and the Planning Board's comments that were raised at the public hearing. One of the Board's comments was in regard to the cumulative impacts on the traffic on the Route 146 traffic corridor. Although not required, the project is proposing to pay the same mitigation fees for the cumulative impacts as indicated on the proposed lots outside of the Northern Halfmoon GEIS. Of the 90 lots proposed, 51 lots are located outside of the GEIS area. We are working with our traffic consultant, Creighton-Manning (CME), the Town's Engineer and the NYSDOT. We are proposing improvements to the Werner Road and Route 146 intersection. The NYSDOT has stated in their correspondence that they have no objection

to the proposed intersection changes. We are proposing the closure of Old Werner Road and proposing that traffic would be able to exit through the NYSEG Industrial Park. We are proposing to close the eastern Werner Road intersection and place a right hand turn lane on the western Werner Road intersection. We would like to offset the previously agreed payment of lots "outside of the GEIS" by crediting the work amount needed to implement the proposed intersection improvements. Mr. Roberts asked why this proposal was being made. Mr. Zdrahal stated the following: At the last meeting the Board was concerned about the impacts to Route 146. We are proposing to use a portion of the donations generated from the lots outside of the Northern Halfmoon GEIS to do the future intersection improvements. The NYSDOT has provided us with correspondence on their review of the proposed mitigations to Werner Road and have stated that they agree with the conclusion of the Traffic Study that no mitigation is necessary and further state that even though no mitigation to the Werner Road/Route 146 intersection is warranted, they have no objection to the proposed intersection changes. Mr. Nadeau asked by closing the Old Werner Road eastern leg how many vehicles would be rerouted from that location to the improved western leg area. Mr. Zdrahal stated the following: Mr. Nadolny from Creighton-Manning would have to address this question. The Town recognizes and understands that the plan was to close the eastern leg of Werner Road and this is why we are proposing the improvements. Mr. Nadeau stated we know that neither Werner Road/Route 146 intersection is a good intersection. Mr. Nadolny stated by closing the eastern end of Werner Road they would be removing 34 vehicles in the morning and in the afternoon they would be removing 23 vehicles from the eastern side. Mr. Higgins asked if Town's Highway Department had seen this proposal because I am wondering about snow plowing, as sometimes they like to see a hammerhead or a circle. Mr. Zdrahal stated I haven't really talked to them but a hammerhead type turnaround could be created for snow removal. Mrs. Murphy asked if the Planning Department has seen this plan. Mrs. Zepko stated yes. Mr. Nadeau stated when looking at the new proposed turning lane on Werner Road near the NYSEG area, how would it work with sight distance if there are 2 to 3 cars stacking that want to go east and cars in the turning lane to go right. Mr. Lockwood stated this would be like any intersection where you are going to have to be able to look through the car next to you to be able to see what is east. Mr. Nadeau asked is this a reasonable thing with this type of an intersection or would this be making it worse by adding a right turn. Mr. Lockwood stated the following: I think it helps although I don't think that what they would have to do is all that unusual from any other intersection. When you get in the intersection you would have to nudge your way out to look down the road to see the best that you can. The other cars waiting to make a left hand turn will not have the opportunity to get out ahead to look up the road. Mr. Higgins stated the following: There are 2 entrances and exits into the NYSEG Park and we are told that the NYSDOT won't approve a traffic light because it is not justified. What if one of these entrances was just a right-in/right-out and the other entrance would go the other way. Would this now justify a traffic light? The further entrance to the west being the right-in/right-out only and if you wanted to go east on Route 146 you would have to come out by the SAAB dealership would this then justify a traffic light there. Mr. Nadolny stated I don't know, as I don't know the amount of traffic coming out of there. Mr. Higgins stated the following: The Board's concern is that this is a potentially dangerous intersection already. We are just trying to figure out some way to make it safer for the people maneuvering through that area. Mr. Zdrahal stated this is exactly why we are proposing improvements to that intersection. Mr. Nadolny stated the following: By restricting access there, you are obviously forcing more traffic and you would be getting closer to the volume need to warrant a light. Not knowing what the volume is here I couldn't tell you if you would be getting closer to the threshold. Mr. Lockwood asked if

this would be based on the Route 146 traffic or would it be based on traffic trying to exit Werner Road. Mr. Nadolny stated it would be based on the traffic trying to exit Werner Road because Route 146 traffic is high enough to where it would meet the warrants for the light. Mr. Lockwood stated what they are saying is that there isn't enough traffic waiting at that intersection from Werner Road to warrant a traffic signal. Mr. Nadolny stated the following: The NYSDOT did not comment on putting in a signal at all. The NYSDOT response was that they agree with the mitigation that was proposed in the traffic study and they didn't mention a traffic signal. If the NYSDOT thought that a traffic signal was warranted, they would have asked for a specific study. Mr. Higgins stated the following: Obviously with the development across the road on Fellows Road that is a different situation. We are trying to figure out a way to make that intersection a little safer than it is right now. Mr. Nadeau stated the following: When we did the traffic study across the street for Fellows Road with the new entrance down toward the Town's garage, I believe the threshold was very close in triggering a light at that point and I believe CME did the traffic report. I believe when we did a public hearing for the development across the street there was a question about it being very close to triggering a red light at that area. Now with another proposed development coming in up the street, is there now a possibility that it could trigger a light within that area being that the former site was very close to triggering a light? Mr. Nadolny stated I believe the Fellows Road development is denser. Mr. Nadeau stated the same traffic is going to be there and it is not going away. Mr. Nadolny stated the following: I did not work specifically on that project. I believe the majority of the Fellows Road traffic was going toward Route 146 where this project has a couple of different exits going to Vosburgh Road and Route 146. So, there is not as much traffic going to Werner Road as the Fellows Road project and I think that is what triggered the signal at Fellows Road. Without having worked on this, I think there was more traffic to the Fellows Road intersection of Route 146 from the new development than there is from Mr. Zdrahal's development off of Vosburgh Road. Mr. Zdrahal stated the NYSDOT's comment was considering the traffic to this intersection and they still agreed with the improvements that we are proposing with the potential future traffic at Route 146. Mr. Lockwood stated I believe the arrangement was that as the Fellows Road project evolved, the intersection was going to be monitored to see if in fact the mandate was met at the new intersection for a traffic signal. Mr. Nadeau stated the following: My question is; being that the Fellows Road project was close to triggering a traffic light at some point and now you have another project in that same general area, is it possible that a traffic light toward NYSEG would be required to control that area. I know they are not going to have 2 traffic lights and I am not looking for that. Does this project break that threshold? Mrs. Murphy stated right or wrong, what I hear you saying is that NYSDOT acknowledges that the Route 146 traffic would warrant the traffic light, but you look at each feeder road individually to say if they warrant a traffic light. Mr. Nadolny stated the following: Each traffic light contributes to it so the volume coming from the new Fellows Road project would yes, feed into Route 146. But this is almost a moot point because Route 146 already meets those warrants. It is that Werner Road doesn't meet the warrant and I don't think Fellows Road is adding anything to that Werner Road approach because the traffic is coming from a different location. Mr. Nadeau asked if both of these projects would create that threshold. Mrs. Murphy stated the following: Logically what you are saying makes sense, what Mr. Nadeau is asking is that there are two projects nearing the threshold so why not install a light at an intersection and time it to control the next intersection. Mr. Nadeau asked is Mr. Zdrahal's project going to add to the Fellows Road project traffic and will it create the threshold to install the red light. Mr. Nadolny stated the following: No, because it is already met on Route 146. It would be the minor approach of Werner Road that would trigger the signal. At

Route 146 the light was already warranted and the Fellows Road approach is not warranted. So this is just going to compile at Route 146, which is already over the warrant, and it is going to continue to be over the warrant. Eventually if a signal is ever warranted at Fellows Road/Route 146 intersection then you would get gaps from that traffic signal that may also provide gaps further down the road toward Werner Road. Mr. Nadeau asked if Mr. Nadolny was saying that one or the other would create a gap on Fellows Road. Mr. Nadolny stated correct. Mr. Nadeau stated now you are going to add more traffic and not solve the situation. Mr. Ruchlicki stated if a light was warranted at the Fellows Road intersection it would delay the east/west traffic on Route 146 enough to create more of a leeway for people to come out of Werner Road. Mr. Nadolny stated correct. Mr. Ruchlicki stated the following: Once that intersection on Fellows Road is shifted, you are going to get more traffic going to that new intersection locally than we are experiencing now. In essence there is going to be another shift in the overall traffic scheme and I am still thinking about what Mr. Nadeau is talking about with a light at that new intersection. It would allow for more of a gap in the traffic which would allow the traffic coming out of Werner Road to have a better chance to turn out of there. Is this going to be approved? Probably not, because we are going to see an overall growth in traffic anyway. So it is going to be a wash. But I think more importantly things would become safer just because of the proposed improvement to the Werner Road/Route 146 intersection. One way or the other it is going to end up better. It is not going to be great and it is not going to be what we all want but it is going to be better than it is currently. Mr. Nadolny stated like Mr. Ruchlicki has said, if you had a redistribution of traffic off of Route 236 to the new Fellows Road and if this has to be monitored in the future, than it will catch that shift of traffic. Mrs. Murphy stated the following: The Board understands that Mr. Zdrahal's proposal is for a portion of the donations equal to GEIS fees for the lots outside of the GEIS is to be used to implement the proposed intersection improvements. I believe the Board's concern is with the schematic drawings that the Board and Town Engineer have not reviewed. Mr. McCarthy, of Ivan Zdrahal Associates, PLLC, stated the drawing was submitted to the Planning Board for use tonight. Mr. Lockwood stated these plans are not construction drawings. Mr. McCarthy stated it is a construction plan and a scale based on a survey. Mr. Zdrahal stated he submitted these plans on July 30, 2007 with the proposal. Mr. Roberts stated I am sorry for the confusion but our Town engineers have not reviewed these plans and we cannot rule on it until they review these plans. Mrs. Murphy stated although the Board is troubled about the intersection, this is a good suggestion that needs to be reviewed. Mr. Zdrahal asked if the Board had received a copy of the letter from the NYSDOT. Mrs. Zepko stated yes, this is in our file. Mr. Zdrahal asked if the Board had received the most recent letter from CHA. Mrs. Murphy stated yes.

This item was tabled and referred to CHA for their review of the proposed Werner Road improvements.

Mr. Nadeau made a motion to adjourn the August 27, 2007 Planning Board Meeting at 8:20 pm. Mr. Ruchlicki seconded. Motion carried.

Respectfully submitted,
Milly Pascuzzi,
Planning Board Secretary