

Town of Halfmoon Planning Board

January 9, 2006 Minutes

Those present at the January 9, 2006 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
Jerry Leonard
Ken Wengert

Senior Planner: Jeff Williams
Planner: Lindsay Zepko

Town Attorney: Lyn Murphy

Town Board Liaisons: Mindy Wormuth
Walt Polak

CHA Representative: Mike Bianchino

Mr. Watts opened the January 9, 2006 Planning Board Meeting at 7:00 pm. Mr. Watts asked the Planning Board Members if they have reviewed the December 12, 2005 Planning Board Minutes. Mr. Roberts made a motion to approve the December 12, 2005 Planning Board Minutes. Mr. Higgins seconded. Motion carried.

Public Hearings:

**02.118 PH Rolling Hills PDD Phase II & III, Cary Road – Major Subdivision/
PDD/GEIS**

Mr. Watts called the Public Hearing to order at 7:01 pm. Mr. Watts asked if anyone would like to have the Public notice read. No one responded. Mr. Percy Cotton, of Percy Cotton Engineering, is representing the Rolling Hills PDD project for Phases II & III. *Mr. Cotton stated the following:* Phase II of the project will consist of 45 single-family houses on 41-acres and Phase III will consist of 38 single-family houses including 2 Homestead lots; one being +10-acres and the other is 4-acres. The sewer will run by gravity to the SYSCO trunk sewer along Liebich Lane. A 12-inch waterline will run down Tabor Road to Liebich Lane to tie-in to an existing 12-inch waterline near the SYSCO building. This waterline will loop back to the Town's water tank and will loop with Phase I waterline. There will be 2 on-site storm water management areas. The loop will be completed from Cary Road, across Rolling Hills Drive,

Liebich Lane and the new Liebich Lane extension. Mr. Watts asked if anyone from the Public wished to speak. *Mrs. Spuce Krier, of 89 Tabor Road, stated the following:* She had concerns with the proposed access of Liebich Lane onto Tabor Road because of the existing hazards they have with the current traffic. The residents of Tabor Road can present the Board with a factual account of the inappropriate size truck traffic that is forced to drive over the middle line to negotiate the narrow road, which has many blind curves. Most of the truck traffic does not heed the recommended 15 to 20 MPH speed limit or the hidden driveway signs. The auto and pickup truck vehicles are even worse as far as exceeding the speed limit and their last minute efforts to negotiate the turns. She lives on one of the sharp turns and often hears brakes squealing around these turns throughout the day and night. It is amazing that there hasn't been a major accident on one of these curves and she can assure you that without changes it will be just a matter of time. She hopes that one of these accidents won't involve one of the school buses. Originally she was hoping to convince them to eliminate this third proposed access to Liebich Lane from Tabor Road due to the already overloaded road. However, if they are serious regarding solving the traffic problems and making Tabor Road safer for all concerned, perhaps the idea of diverting Johnson Road traffic through Liebich Lane could provide them with some much needed relief. The current plan for a left hand turn from Tabor Road onto Liebich Lane extension would be a sharp left hand turn and she feels this is inadequate to expect cars and trucks to slow down. The proposed entrance onto Liebich Lane should be constructed in a wide sweep of the main road from Johnson Road with the end of Tabor Road angling such that traffic that needs to access Tabor Road would have to slow down and make a right hand turn. She believes that the drivers heading for Route 9 would prefer to continue down Tabor Road instead of making a right hand turn onto Liebich Lane. They would also need some relief in deterrent at the Ushers end of Tabor Road. With the new development and subsequent developments would surely increase their problem and perhaps a trucks only traffic sign that would point trucks down to Route 9 and into the SYSCO entrance or perhaps a local traffic only sign could be used. Currently in the Town's enthusiasm to accommodate progress, the Town of Halfmoon has often approved extension development without addressing adequate roadways or modifications to handle the increased traffic and this is not safe for the taxpayers and residents of Halfmoon. The 5-mile loop around Tabor Road, Ushers Road, Cary Road and back to Tabor Road has been unofficially recognized as one that is favored by walkers and bicyclists. This location has much to offer with wooded areas, farm fields, bridges and stream view sheds let alone access to the Zim-Smith trail. They need to preserve and protect these areas for the local residents as well as other residents who no longer have access to own vanishing pastoral areas. The current situation sends many of these folks out seeking areas to exercise and find serenity. The Planning Board, Town Board, CHA and individual architects need to recognize that this is one of those areas of rapidly changing Halfmoon that deserves protection and follow through with an improved plan to divert traffic smoothly off the overloaded Tabor Road and onto Liebich Lane. Mr. Cotton stated that Liebich Lane will offer another way to get to Route 9/Northway and vehicles would not have to travel Tabor Road. Ms. Gale Ford stated she lives approximately 100 feet from where Liebich Lane will come out onto Tabor Road. *Ms. Ford stated the following:* There is a hill on Tabor Road where vehicles can gain a lot of momentum and vehicles travel at speeds up to 50 to 70 mph and because there is curve located near the Schweikert residence on Tabor Road, this has forced her to stop taking walks for the safety of herself and her grandchild. If someone were to drive from Johnson Road to the Northway and they know they can go 50 to 60 mph over Tabor Road without any turns, why would anyone want to use Liebich Lane and be restricted to traveling 20 to 30 mph to get to Route 9, make a right turn, make a left turn and then go to the Northway.

She fears that the people who will be living on the north side of the Rolling Hills development will access Tabor Road as their main route. This will not decrease traffic it will increase the traffic. Mr. Cotton again stated that Liebich Lane would provide another way to travel to Route 9 without traversing Tabor Road. *Ms. Pat Rushby, of 47 Tabor Road, stated she following:* She supports Spruce Krier's recommendation as well as Gale Ford's. Cars travel very fast on Tabor Road. She often walked on Tabor Road but because it has now become very dangerous and unsafe to walk this roadway. If the Board does accept this proposal, what could be done to ensure the residents on Tabor Road that traffic will use Liebich Lane and will not be using the Tabor Road route. *Ms. Thelma Coman, of 45 Tabor Road, stated the following:* She also agrees with all the public comments that have been expressed. She is concerned with people exiting Liebich Lane because as you look to the right there is a 90-degree curve and there is a blind spot to the left of this intersection. Tabor Road is not just a road for local traffic anymore. There are many people traveling from the Northway who are unfamiliar with Tabor Road who are traveling to Fairway Estates, Fairway Meadows and to the golf course. County Waste also uses Tabor Road as a shortcut to Route 9. She has many concerns with the safety of the people and the speed of traffic on Tabor Road. *Mr. Hank Schweikert, of 22 Tabor Road, stated the following:* He resides on one of the sharp corners of Tabor Road. Less than a year ago, he and his sons tried to figure out how many car accidents there have been at this corner. He has lived on Tabor Road about 20 years and he and his sons came up with over 10 serious car accidents where the police were involved and this does not include the people who have slid off the road at this corner. The real issue is with the trucks as they travel at the same excessive speeds as the cars. He agrees that no one who is traveling on Tabor Road will make the turn onto Liebich Lane to get to Route 9. He is not going to use this route and he does not believe that Liebich Lane will reduce the traffic on Tabor Road, as he believes the traffic will increase on Tabor Road. There is a State Trooper that lives next to Gale Ford and he has met with Gale a couple of times and they have talked about how the people speed on Tabor Road. He has also noticed many police in the area and this still has not deterred people from speeding. *Mr. Richard Krier, of 89 Tabor Road, stated the following:* He has concern with the design of the intersection and he believes that the access to Liebich Lane could be made into a smooth access instead of a sharp bend in front of Hank Schweikert's home and then a sharp left turn. He asked if this design be modified to make this a smooth continuous flow at this intersection instead of the two sharp turns. *Mr. Cotton stated the following:* A parcel of land would be deeded to the Town so the Town will be able to realign this if and when future infrastructure improvements would provide for this. They have made provisions to facilitate future improvements to this intersection. *Mr. Bianchino stated the following:* When the Planning Board and the Town Board looked at the State Environmental Quality Review for this PDD, one of the provisions was required to allow that extra right-of-way be dedicated to the Town so that in the future when land became available, Liebich Lane could be realigned to create a straight away intersection with Tabor Road. In the PDD review there was a sketch shown of what the Town was looking to do. This would make Tabor Road sweep into Liebich Lane as a continuous movement and then have the remainder of Tabor Road come in at a "T" intersection. The plan is for a roadway to be setup in this subdivision to allow the Town to do this in the future. *Mr. Mike Stiles, of Ushers Road, stated the following:* For the Town record he would like to go on record as saying that he has an existing sand bank operation on Tabor Road. The watershed now and eventually will pitch toward the Valente sand pit and ultimately reach his drinking pond, which it has been doing since 2000. He has pictures and has had the water tested and the water did test well. With these gravel bank and sand bank permits, he feels it would be good for the Town Board, Planning Board and Zoning Board to make sure that these people

that are building and buying here realize that there are on-going businesses and they shouldn't be creating any problem for the people that are there. He is not against this project or any of its growth but he feels a problem will be created getting out onto Route 9. He feels they are making a mistake where Liebich Lane is coming out from and the road should have been brought out to Farm to Market Road. *Ms. Spruce Krier, of 89 Tabor Road, stated the following:* If and when the Johnson Road connection gets put through to relieve things, she does not feel this is good enough and she does not think this is fair to the people who live on Tabor Road to increase the traffic until they are ready to make that improvement. The road should not be put through to Liebich Lane to Tabor Road until they can come up with some solutions. Perhaps this would be an incentive to come up with some solutions if they feel they need to put this road through. Her understanding was that one of the purposes of the Liebich Lane extension was to relieve some of the traffic. But if they are not making the road wider and if they are not making a big bend, no one is going to stop and make that left hand turn and this will make the traffic worse. Mr. Hank Schweikert, of 22 Tabor Road, asked if he should have a concern about possibly having his property appropriated later down the road to straighten this turn out near his home. Mr. Watts closed the Public Hearing at 7:29 pm. Mr. Nadeau stated that it has been a Board's concern and has also been a concern of Mr. Higgins and he that they have always wanted a smooth flow from Tabor Road to Liebich Lane and due to the public's comments, they may have to do some changes. *Mr. Higgins stated the following:* He has been on the committee for a few years for this project and unfortunately they have a pond to deal with and a lot of wetlands that the Army Corp of Engineers and New York State control. They have looked at the possibility of putting the road around the other side of Mr. Schweikert's and they are trying to keep the options open. Unfortunately, with the constraints that have to be dealt with and the existing location of Tabor Road, at this point this is the best they were able to come up. As Mr. Bianchino mentioned, ultimately it is not what it might look like, but this is what they have to work with. *Mr. Ruchlicki stated the following:* One of the things that he thinks the residents on Tabor Road are noticing is something that has been taking place on Farm to Market Road for years and unfortunately this is the way it is. Once Liebich Lane is completed and connects, the County Waste trucks that travel Tabor Road now will more than likely use Liebich Lane and the reason why he is saying this is because if he were the truck driver looking to get out on Route 9 to get back to County Waste, he would not want to go to the traffic light at Corpus Christi Church, take a left into the passing lane going south only to make a left into County Waste. He feels it would be feasible answer to the truck traffic that the County Waste trucks will travel down Liebich Lane and come out where all the SYSCO trucks exit and take a right. He agrees with Mr. Bianchino that the other cross Town road that was proposed at this point and time cannot go in there. They have to deal with what they have and there are some constraining factors with the intersection at the east end and they have to work with what they have. The Board will take all of the public comments into consideration and they will look at the overall impacts of this project. Mr. Roberts stated the Board should take another look at this and see what else can be done. Mr. Berkowitz asked if the Board receives preliminary approval would this be set in stone or will they see this project back again after the permits from the DOH and ENCON. Mr. Bianchino stated this project does have to come back to the Planning Board for final approval so the plan itself is still subject to review by the other agencies, which typically does mean there would be some slight modifications. Mr. Berkowitz asked if the Board's approval for Phase I of this project would certify that they would have to go with the Phase II & III configuration. Mr. Bianchino stated no. Mr. Roberts stated that's good because the Board will have extra time to review the concerns raised tonight for Phase II & III of this project as it will not affect Phase I of the project. Mr. Watts stated with the

eventual curing of the angles that were pointed out, this seems to be a nebulous *someday down the road/maybe* kind of statement and he is not comfortable with that as a possible solution in the future. Mr. Nadeau stated that the Board is looking at other projects up the road that will naturally impact this area as well. Mr. Watts asked the Town Board members if the land was to be acquired through whatever process and road improvements were to be made, was the issue of who would pay for these ever addressed. *Mrs. Wormuth stated the following:* When the PDD was approved, the road improvements that are suggested were not included in that and this has not changed since the approval. The PDD approval does not give approval for each Phase. This was not part of the Public benefit for the approval nor have the plans changed since that approval. Liebich Lane has always been an issue and concern of the Town Board relative to where Liebich Lane would come out relative to the wetlands and relative to Tabor Road. So, no - it did not address these concerns, yes - these concerns existed at that time and no - the road improvements were not included as part of the Public benefit. This item was tabled for further review for the applicant to work with CHA over the Liebich Lane extension location and layout.

05.241 PH Betts Subdivision, Betts Lane – Major Subdivision

Mr. Watts called the Public Hearing to order at 7:39 pm. Mr. Watts asked if anyone would like to have the Public notice read. No one responded. *Mr. Brian Holbritter, of Brian R. Holbritter P.L.S., stated the following:* This is a proposed subdivision of a 140-acre farm located at the very easterly end of Betts Lane. The applicant wishes to create a 1.52-acre building lot, a 12.09-acre parcel that contains a farmhouse and a majority of the barns. There is also a 25 x 255 FT. sliver of property that will be annexed onto an existing lot and this will leave 125.08-acres of land as vacant farmland. They have previously been before the Zoning Board and received an approval for the creation of a second flag lot. Mr. Watts asked if anyone from the Public wished to speak. No one responded. Mr. Watts closed the Public Hearing at 7:41 pm. Mr. Roberts made a motion to approve the Betts Major Subdivision. Mr. Berkowitz seconded. Motion carried.

05.253 PH Tironi Subdivision, Upper Newtown Road – Major Subdivision

Mr. Watts called the Public Hearing to order at 7:42 pm. Mr. Watts asked if anyone would like to have the Public notice read. No one responded. Mr. Dave Flanders, of David Flanders and Associates, is representing Carl and Margaret Tironi for a major subdivision of their parcel of land located on the southerly side of Upper Newtown Road. *Mr. Flanders stated the following:* Their property also borders the westerly side of Routes 4 & 32. Total acreage of the parcel is approximately 117-acres. Out of the 117-acres of land the applicant wishes to subdivide 4 lots from this for residential purposes. The parcel is currently zoned R-1 Residential. The lots are outside on the proposed plans before the Board. The two middle lots would be separated by a 60 FT. wide strip of land to provide a future access to the balance of the property. Access is also available off of Dubois Lane. The 4 proposed lots would be for single-family residences. There is on-site water and on-site septic systems. An issue that was brought up at the last Planning Board meeting was regarding a trailer on this site. He has revisited the site and there is a truck body that is being used for temporary storage. Margaret Tironi has told him that they would be removing this truck body from the site. Mr. Watts asked if anyone from the Public wished to speak. No one responded. Mr. Watts closed the Public Hearing at 7:44 pm. Mr. Watts questioned when the truck trailer would be removed. Mr. Tironi stated that as soon as the weather breaks and it dries out, they will get a tractor in to tow the truck trailer off the property.

Mr. Nadeau made a motion to approve the Tironi Major Subdivision contingent upon the storage trailer is removed by May 1, 2006. Mr. Higgins seconded. Motion carried.

Old Business:

04.172 OB Clemente PDD, Route 146 – Major Subdivision

Mr. Scott Lansing, of Lansing Engineering, is representing the Clemente PDD Major Subdivision located on the southern side of NYS Route 146. *Mr. Lansing stated the following:* The overall parcel is 104-acres. The parcel has received PDD approval from the Town Board as a Commercial/Light Industrial PDD. They have advanced the site plan review with the Planning Board over the course of the past few months. They have worked with CHA on conceptual and preliminary comments. Overall the objectives for the PDD have remained unchanged. They propose the same uses for the parcel with the same square footage. The narrative of the original application estimated 600,000 to 750,000 SF. At this time they are estimating at the lower end of 600,000 SF. They are proposing the same community benefits as were outlined in the original application. Today they received additional comments from CHA and they feel these comments are minor in nature and they will work with CHA to address those comments.

Mr. Bianchino stated the following: CHA's engineering comments were in regard to storm water management and moving the sewer line. Otherwise the plans are in good shape for setting a Public Hearing. Mr. Higgins stated the Board had concerns with the buildings in front being very visible and the Board asked for architectural drawings and there were some questions about the buildings side views. *Mr. Lansing stated the following:* The applicant is in the process of developing architectural renderings for the parcel view from Route 146. They are not before the Board this evening for that site plan; they are before the Board for the subdivision of the overall lands. Then the applicant will be back before the Board for the site plan approval on this parcel as well as other site plans within the project. Mr. Watts asked if this parcel would be for the storage facility. Mr. Lansing stated yes. Mr. Higgins asked if there was any kind of verbiage that needs to be in the subdivision as far as the connection to the access road in the future or would it be dedicated as a Town road. Mr. Lansing stated the road is proposed to be dedicated to the Town and at this time they are not proposing the construction of this roadway. *Mrs. Wormuth stated the following:* The PDD Legislation allowed for access of the future development of the other property. The legislation wasn't for them to actually construct the roadway at this time so there would not be any plowing or maintenance necessary because it would not actually exist.

Mr. Berkowitz made a motion to set a Public Hearing for the January 23, 2006 Planning Board meeting. Mr. Higgins seconded. Motion carried.

05.193 OB Princeton Heights PDD, Princeton Street – Major Subdivision/PDD

Mr. Scott Lansing, of Lansing Engineering, proposed the Princeton Heights PDD/Major Subdivision. *Mr. Lansing stated the following:* The site is located south of Grooms Road, north of Vischer Ferry Road, east of the I-87 (Northway) and west of Woodin Road. The overall site is approximately 66.3-acres which is comprised of 3 separate parcels. Two of the parcels are zoned R-1 Residential which allows for single-family and two-family residential as principle uses. The third parcel is zoned LI/C Light-Industrial Commercial which outlines uses such as an auto dealer or a motel. The overall parcel has approximately 59.4-acres of brush and woods scattered throughout the parcel. There are approximately 6.9-acres of wetlands on the parcel, which have been delineated by a wetlands scientist and surveyed into the parcel. Loam fine sand exist on the parcels and the topography is rolling generally from the west to the east for the drainage characteristics. The parcel has been evaluated as part of the draft Comprehensive

Master Plan. In the Draft Comprehensive Plan Master the parcel is outlined as medium density residential, which outlines a choice in housing types, flexibility, affordability and higher density in a smaller area. Given the recommendations by the Comprehensive Master Plan the applicant has reviewed the parcel and has determined that a Planned Development District best fits for this parcel. The applicants are proposing 28 single-family residential structures with 15,000 SF minimum lots, 30 ft. frontage, 10 ft. side yard and 35 ft. rear yard set backs. Also as a part of this project the applicants are proposing 48 townhouses targeted toward young professionals, retirees and seniors. On those parcels the applicant is outlining 6,500 SF minimum lot size, 30 to 40 ft. frontage, 30 ft. front yard, 10 ft. and 0 ft. side yard setbacks and a 35 ft. rear yard set back. There are 96 proposed condominium units also targeted toward young professionals, retirees and seniors. The condominiums would be individual unit ownership with a Home Owners Association (HOA). Mr. Lansing pointed out to the Board where the single-family units, townhouse units and condominium units are proposed to be located on the parcel. The total count for units on the parcel is 172. This number has been decreased since the last time this application was presented to the Board, which equates to 2.89-units per net acre and 2.59-units per gross acre. The different uses span the 3 parcels and are positioned appropriately, in their opinion, to transition from existing uses to vacant uses or future LI/C uses. Existing single-family residential units surround the parcel. The proposed single-family residential units would be adjacent to the existing single-family units transitioning toward higher density townhouses and condominium units as they approach the LI/C zoned area on the parcel. They estimate approximately 24.57-acres of open space that would be located around the condominium units, single-family units and townhouse units. Roadways for the parcel would be by extending Princeton Road and Suffolk Lane to access the site. They tried to position roadways to separate the various uses. They propose a roadway with a cul-de-sac servicing single-family units coming down to a separate roadway that would service the townhouse units, single-family units and there would be private infrastructure as part of the HOA servicing the condominium units. In the initial stage of the project there were some preliminary traffic estimates of 137 vehicles per peak AM hour and 183 vehicles per peak PM hour. These numbers have been modified and updated by Creighton-Manning who has been retained to do the traffic study for the parcel. Water and sanitary sewer would be extended to service the project from Princeton Road and Suffolk Lane. Storm water would be managed on-site through various storm water basins. They did look at the parcel from a conventional layout from the current zoning for the parcel and they estimated based off of the 59.4-acres of upland and taking out 10% for road, they could get approximately 116 single-family units or 155 two-family units. When weighing this against the proposed 172-units, they come up with a variance of approximately 17 units for two-family units and 56 units for the single-family units. Based on this variance to offset the variance in the number of units, the applicant is proposing community benefits. They feel that the project parallels the Draft Comprehensive Master Plan. The Draft Comprehensive Master Plan states: "The needs of young singles, young families, retirees, senior citizens and those with disabilities very significantly in terms of home size, lot size and arrangement and amenities with the home." Another quote from the Draft Comprehensive Master Plan states: "Housing diversity is a key to attracting individuals and families to Halfmoon as life-long residents." They feel that the proposed Princeton Heights PDD provides that diversity in housing with the single-family, townhouse and condominium type units. They feel that it provides an appropriate transitional use from the existing single-family to the LI/C use area and the Northway. They feel that the residential use versus the application of one of the permitted uses on-site, which is the LI/C, is more appropriate for the parcel and more appropriate for the area. Additionally the applicant is proposing a per-unit contribution in the amount of \$2,000 per unit, which would

equate to \$344,000 for the proposed 172-units. As proposed, the applicants would like to see this money utilized in the Town for items such as; gateway entrance signs, multi-use trails, public parks or public spaces. Since the last meeting they had with the Board, they did receive comments. One of the comments was relative to traffic impacts and as he mentioned before the applicants have retained Creighton-Manning to perform a traffic study for the parcel and Mr. Worsted from Creighton-Manning is present should the Board have any comments on the study. The study has been submitted to CHA for their review and also for the Town's review. The traffic study outlines that the existing intersections and roadways within the vicinity of the project will continue to operate at excellent levels and there would be no significant impact from the proposed project. Another comment from the Board was relative to the community benefit versus traffic impacts. Given that traffic has been estimated not to have a significant impact, they feel that the community benefits stand-alone and would provide a great benefit to the Town. Density was also a concern by the Board. The density has been decreased since the last submission and they have had some unit shift where they have a higher density of condominiums and they have repositioned a few townhouse units in accordance with what the Medium Density Requirement (MDR) outlines with a high density in a smaller area. Cul-de-sacs were also one of the concerns from the Board and at this time they are proposing two cul-de-sacs on the northern end of the property and one cul-de-sac on the southern end of the property. They have met with Mr. Buck, the Highway Superintendent, to outline these cul-de-sacs. Mr. Buck indicated that he did not have a concern with the cul-de-sacs on the project and they feel that the cul-de-sacs are beneficial in that they divide out the uses where there are single-family units that do not connect to townhouse units. The cul-de-sac on the southern end of the property, they are proposing a paper street towards the southern portion of the property so that cul-de-sac will most likely not be a permanent cul-de-sac. They have maximized the green space on the parcel, which has increased from 18.4-acres on the last submission to approximately 24.57-acres. They feel that the green space is positioned appropriately along the Northway corridor and in-between the units to isolate the individual uses and they have provided green space around the condominium units to buffer uses from uses within the project and to buffer the project from existing uses as well. Overall they feel that the proposed PDD parallels the objectives of the Draft Comprehensive Master Plan and they feel the community benefits will offset the increase in density that they are requesting. They feel that the proposed PDD creates a successful community that would provide life-long residents for the Town of Halfmoon. They are before the Planning Board hoping for a referral to the Town Board and to set-up a Public Informational Meeting for the next Planning Board meeting. Mr. Berkowitz asked if anyone has looked at the traffic going into the intersection of Woodin Road from Manchester Drive. Mr. Worsted, of Creighton-Manning, stated they had looked at this intersection as part of the traffic study. Mr. Berkowitz asked if the intersections of Woodin Road and Grooms Road and Woodin Road and Crescent Vischer Ferry Road. *Mr. Worsted stated the following:* They did not extend the study area out that far because there is a traffic signal at Grooms Road. As the traffic spreads out through the community and people are traveling the traffic tends to spread out and gets smaller and smaller in volume the further out to the intersections that you go. Mr. Berkowitz asked if it has been considered to straighten out Woodin Road where it meets Stone Quarry Road. *Mr. Worsted stated the following:* They have not as far as this project is concerned. There is another project in front of the Board that is looking at making improvements to the intersection of Stone Quarry Road and Woodin Road. Mrs. Wormuth stated that the other project that Mr. Worsted is referring to is before the Town Board and has not yet been approved and it has not been agreed upon that those improvements are being made. Mr. Berkowitz asked what the thought process of increasing the

density by about 400%. Mr. Lansing asked Mr. Berkowitz if he was referring to the number of units. *Mr. Berkowitz stated the following:* Phase I of this project was approved in 1998 and he considers this application as Phase II of this project. He was not present at the last meeting and he has referred to Mr. Williams notes on the original proposal which gained a Phase I approval for 9-residential lots and Phase II would consist of 44 single-family lots and now they are looking at 172-units which is a 400% increase. *Mr. Lansing stated the following:* He did not know how much area was available for the previous Phases and the area has since doubled. When looking at the density of the parcel with the 59.4-acres, taking out 10% for roadway right-of-ways and upland buildable land and that is excluding all the wetlands, they came up with approximately 116 single-family units and 155 two-family units that could potentially be laid out. So they are looking at a variance from 172 to either 155-units or 116-units is a gauge of what the parcel could yield. There is a variance and yes they are asking for an increase in density but they feel their community benefits offset that request for the increase in density. Mr. Roberts questioned the traffic calculations of 137 vehicles at peak hours. Mr. Lansing stated that this figure was some initial numbers that they put together early on in the project and he believes the numbers are may be a little lower than that. *Mr. Roberts stated the following:* With 132-units, and he does realize that everyone is not going to be traveling at the peak hours, he feels that the 137 vehicle calculation seems like a low number at peak hour traffic. Mr. Roberts asked how they arrived at the 137 vehicles. *Mr. Worsted stated the following:* That number was arrived at by using the industries accepted standards for trip generation and reviewing other studies that have collected data from similar types of land uses. Throughout this copulation of data, engineers have gone out and counted a 100-unit subdivision of single-family homes, counted how much traffic came in and out of the subdivision and correlated it to a trip rate equating it to 100 homes. This has been done this for hundreds of different types of land uses and studies for each of these types of housing developments to come up with a data base to allow them to estimate how much traffic a new project is going to generate. With this tool, they use that to estimate the traffic from the different components of this project. There are more units being proposed than traffic coming out of it and a lot of times this is because members of the each household do not leave at the same time. Mr. Ouimet questioned the assumption made regarding the 50/50 directional split and what makes them think that 50 cars will go left and 50 cars will go right. Mr. Worsted stated their estimate was approximately 40% would use the northern access through Princeton Road and about 60% would use the southern access heading down towards Suffolk Lane and out Cambridge Drive to Dunsbach Road. Mr. Ouimet stated that the way this place is set up it is closer to Exit 8A than Exit 8 and why would cars travel the additional distance and make two turns to get to Dunsbach Road. Mr. Worsted stated the following: Much of the neighborhood for the proposed development is concentrated to the south so the easiest way for them to get out of the site is to use Suffolk Lane to Cambridge Drive out to Dunsbach Road to Crescent-Vischer Ferry and head toward exit 8. The other component is more concentrated to the north and to some degree someone who lives in this area who is going to be destined for the north they would be heading toward Exit 8A to the north. Another component would be people who would be traveling south. Part of the analysis is looking at how the site is laid out internally and where the highest concentration of units is proposed and how residents of each of these components would find the most reasonable direction of travel. Mr. Berkowitz asked if this project was connected to Dunsbach Road. Mr. Worsted stated not directly as the traffic would come out Suffolk Lane to Cambridge Drive and Cambridge Drive comes out to Dunsbach Road and there is an example of this in the traffic study. Mr. Worsted stated that Essex Lane that is shown on the map is now Suffolk Lane. Mr. Higgins stated he would like to see an actual designation of

the lots because looking at the plan it doesn't look like 117 lots would fit in that area and questioned if the 35 ft. back yard was for the townhouses. Mr. Lansing stated that the 35 ft. rear yard was on the single-family units and the townhouses. Mr. Higgins stated that there are some developments in Town that have 50 ft. rear yards that some of the Board members are wondering if this is even sufficient so they should take a serious look at the 35 ft. back yard. Mr. Belmonte asked Mr. Lansing if the 35 ft. back yard is the minimum. Mr. Lansing stated that was correct. Mr. Belmonte stated that most of the yards in the Town have a back yard setback is a minimum 25 ft. Mr. Higgins questioned if the 35 ft. was the setback or the total back yards. Mr. Lansing stated that it was a 35 ft. is for a rear yard setback. Mr. Belmonte stated that single-family homes are 15,000 SF lots with the setbacks that Mr. Lansing had mentioned were minimum setbacks and not what the net back yard is going to be. Mr. Nadeau asked what the estimate would be for the back yards. *Mr. Belmonte stated the following:* The architecture has not been done yet so he would have a hard time saying what the back yard footage would be. For an example, Prospect Meadows have 15,000 SF or a lot that is approximately 150 ft. deep, with a house that is somewhere in the 40's, setback approximately 30 ft. back, so 50 percent of the lot would be for the house giving you approximately a 70 ft. rear yard. Logistically, if they slid the house back, it could be only 35 ft. off the rear of the property. The minimum setbacks represent outside structures such as a swimming pool. A swimming pool needs to comply with the minimum rear yard setback and it is not just the building itself. Mr. Berkowitz asked if the storm water management could be done internally so that the drainage would not back up to the existing. Mr. Lansing stated they would look at this as the storm water management is in a conceptual location right now and when they advance to preliminary engineering, they will look at this closer.

Mr. Roberts made a motion to set a Public Informational Meeting for the January 23, 2006 Planning Board meeting. Mr. Nadeau seconded. Motion carried.

05.201 OB Provident Development, 1652 & 1654 Route 9 – Commercial Site Plan

Dr. Ken Rotundo, one of the parties of the Provident Development Group, stated the following: The subject property under discussion this evening is 1652 & 1654 Route 9. To the north is the Animal Health Center and just to the north of the Animal Health Center is True Value Hardware. The proposal is to merge the two lots together and remove 2 existing cape cod type homes. His original concept plan to the Planning Board was to merge the two properties and create an office complex type setting in which they received feedback from the Board. At that time the Board suggested that this was not the best idea. They have now redesigned and they propose to construct a two-story 56 x 56 ft. building. There will be 32 parking spaces on the sides and the rear of the site, which will meet the parking requirements. There will be 37% green space, as suggested by Board, in the front of the building along Route 9. If this concept is acceptable to the Board then they would like to ultimately precede forward with a submittal for final drainage, utility connections and other items for the final site plan review. Mr. Watts stated that the applicant has addressed the issues that were raised at previous meetings. Mr. Higgins asked if the area along Route 9 would be a storm water retention area. *Dr. Rotundo stated the following:* The area along Route 9 could be a storm water retention area depending on what CHA suggests. One of the instructions that their engineer received from the Town was that all the storm water drainage should be contained on-site and so there is potential to construct a retention pond if the site demands it and engineering requires it. Mr. Higgins stated the following: Present regulations for storm water retention recommends that those storm water retention areas be maintained at a certain level. He would prefer to see these retention areas

back further on the site or somewhere else rather than along the Route 9 corridor where they are trying to get green space. Mr. Watts stated there is a storm water basin in the front of the Mobil station on Sitterly Road. Mr. Polak added that because the Board prefers the parking to be in the rear of the site, if the storm water retention area were along Route 9 at least this would create green space.

This item was tabled and referred to CHA.

05.234 OB Oakbrook Commons, Ltd., Route 9 – Addition to Site Plan

Mr. John Gay, of Northeast Consultants, PC, is representing Oakbrook Commons, Ltd. and Mr. Chuck Hoffman for an addition to site plan. *Mr. Gay stated the following:* They have been before the Town Board and the Planning Board to secure modifications to the PDD legislation for Oakbrook Commons to allow them to construct an additional 4-unit apartment house building, which is located within the Town of Halfmoon. The building structure would be exact building that was constructed in the last section approved. The plan illustrates some of the proposed landscaping. Presently on this site there is a 4-unit garage, which will be removed for additional parking for the proposed 4-unit apartment building. Water, sanitary sewer, and storm water management, gas and electric currently exist on-site. An addition that they have shown on the plan is taking the gutter drains from both the front and back of the building and putting them in a dry well system, which they have shown on the side of the proposed building. They have done this on other buildings within Oakbrook Commons. Parking for the proposed apartment building will be along the front along with handicap parking spaces. They also propose a handicap access walkway, which is now typical on all of the new buildings.

Mr. Roberts made a motion to approve Oakbrook Commons, Ltd. addition to site plan. Mr. Berkowitz seconded. Motion carried.

New Business:

06.102 NB Lawrence Circle Commercial Site Plan, Lawrence Circle – Concept-Commercial Site Plan

Mr. Scott Lansing, of Lansing Engineering, proposed a conceptual commercial site plan for Lawrence Circle Commercial Site Plan. *Mr. Lansing stated the following:* The site location is north of the existing Lowe's complex and north of Route 146 surrounded by Lawrence Circle. The overall parcel is comprised of 3 separate parcels all in the C-1 Commercial zone. The front yard setback is 50 ft. and the side yard setback is 15 ft. and the rear yard setback is 30 ft. The proposed uses for this site include approximately 10,000 SF of retail space. The site plan consists of a proposed 2,000 SF Dunkin Donuts Shop on the left hand side and an 8,000 SF Retail building. The applicant does not have any tenants under contract for the 8,000 SF building. Access to this site would be off of Lawrence Circle which accesses Old NYS Route 146 and NYS Route 146. The Dunkin Donuts is proposed as a drive-thru restaurant and more than ample space is available for the drive-thru area. They propose 2-way traffic in the front with 1-way traffic around the back of the store. The applicant states there are 50 parking spaces required and has provided 55 parking spaces. The green space required is 20% and they are proposing 38% green space. The site has access to public and water. They are proposing 2 dumpster pads in the back portion of the project as well as a storm water management area. There is a loading zone and a 7 x 20 ft. cooler will be attached to the backside of the building. There do exist residential usages on the backside of Lawrence Circle and the applicant's are considering this in their layout. In an aerial photo view of the site there is a great deal of vegetation in the back area that they are trying to preserve as much as possible. The storm water management area could be shifted slightly to the south to try to preserve the vegetation.

A proposed sign would be placed in the front of the parcel by the easterly access closer to Route 146 where they feel it will be most visible and they will provide drawings of the proposed sign at a later date. Mr. Nadeau stated that if the drive-thru window lane for Dunkin Donuts is backed up then the people parked in the 12 proposed parking spaces would basically be locked in. *Mr. Lansing stated the following:* They are showing a curing area tight to the building and there would be another travel lane around the outside so there can be bypass traffic that is 1-one traffic. In addition, with the 12 parking spaces being at an angle, they feel it will be very easy for someone to back out of that area and go on the travel lane around the outside. Additionally they feel the employees will probably occupy those 12 parking spaces, as those spaces are not the most convenient spaces to access the building. Mr. Polak asked where this site drains, as it is considerably lower than Old Route 146 and Route 146. *Mr. Lansing stated the following:* It appears the drainage goes toward the rear and this is the reason they have proposed to put the storm water management to the rear of the site. He has walked the site and there did not appear to be any culverts on-site and as they survey the parcel, they will identify those culverts. Mr. Berkowitz asked if there was any possibility that there could be a right-in/right-out on Lawrence Circle and Route 146. Mr. Lansing stated they would have to coordinate that with DOT and he believes at this time it is a full access intersection. Mr. Watts asked if they have had any meetings with the DOT at this point. Mr. Lansing stated they have not. Mr. Watts stated that this was a busy area and asked if there would eventually be a traffic study. Mr. Lansing stated yes. Mr. Polak recommended that this should be submitted to the DOT and the County for their comments. Mr. Nadeau stated that if the traffic exiting the site were going to travel toward Mechanicville it would be very difficult and there should definitely be a 1-way in and a 1-way out and use a traffic light to control the traffic coming out. Mr. Watts stated there are some major issues regarding the traffic at this area particularly at the rush hour. *Mr. Bianchino stated the following:* Because this is an existing Town roadway, they would probably be looking at possibly some upgrading to the roadway or at least near the driveways. He agrees with the Board that this needs to be looked at. Mr. Watts stated that the Town does not have an architectural standard, however, they would like the applicant to look at the design of the Dunkin Donuts on Route 9 as a standard as a minimum for what the Town would like the building to look like. Mr. Williams asked Mr. Lansing for justification of the parking requirements regarding the proposed uses. Mr. Lansing stated yes. Mr. Berkowitz asked if the 2 buildings would be attached. Mr. Lansing stated yes they are proposed to be attached. Mr. Higgins asked Mr. Lansing if it made sense to have both entrances and exits on the westerly Lawrence Circle and not bring any entrances out on the easterly portion this way you would be directing the traffic out to the existing traffic light. Mr. Lansing stated he is sure that the applicant would want as many access points as they could but they will work with the Board and the DOT on this issue. Mr. Watts stated that due to the number of questions that have been raised and the lack of specifics, he feels this project needs to be reworked and they can come back before the Board. Mr. Nadeau stated that he would like to hear from the DOT. Mr. Watts agreed. Mr. Lansing stated they will get the DOT comments and they will report their findings to the Board.

This item was tabled and the Board asked the applicant to involve NYS DOT with traffic concerns, to submit parking justification requirements and additional information on topography of the site.

06.103 NB Cropsey Subdivision, 46 Hayner Road – Minor Subdivision

Mr. Gil VanGuilder, of Gilbert VanGuilder and Associates, proposed a minor subdivision for Lands of Cropsey located at 46 Hayner Road. *Mr. VanGuilder stated the following:* Harold and

Gay Cropsey own approximately 5.91-acres on Hayner Road and also at the terminated of Allen Drive. They would like to create a single-family 30,171 SF residential lot with frontage on Hayner Road. The waterline ends with a hydrant on the end of Allen Drive. He has had contact with the Water Dept. and they are amenable to extending water via an easement through the Cropsey property into the rear with water service. The lot will have an on-site septic system. Mr. Watts asked if there was adequate road frontage. Mr. Williams stated yes.

Mr. Nadeau made a motion to set a Public Hearing for the January 23, 2006 Planning Board meeting. Mr. Higgins seconded. Motion carried.

06.104 NB Hoffman Subdivision, Progress Drive – Lot Line Adjustment

Mr. Gil VanGuilder, of Gilbert VanGuilder and Associates, proposed a lot line adjustment for Lands of Hoffman located on Progress Drive. *Mr. VanGuilder stated the following:* William and Deborah Hoffman own two parcels of land, which are under examination this evening. The southerly parcel, which contains the exit 8 golf facility, is an existing 39.92-acres and the northerly parcel is 19.30-acres which is part of the Princeton Heights application. There is a crossing over a ravine that is used for access between the two parcels and it also aligns with a future cul-de-sac in the Princeton Heights project. In order to preserve the access, they are going to adjust the lot line between the two parcels and convey 5,711 SF of the northerly parcel to the southerly parcel. Decreases the northerly parcel to 19.17-acres and increasing the southerly parcel to 40.05-acres. A note on the map states that this is for a lot line adjustment purposes only and have not shown any improvements on the property because they improvements are quite extension. Mr. Berkowitz inquired about the ravine and crossing between the two parcels. Mr. VanGuilder stated there is a ravine that runs through the two parcels and there is an existing crossing over that area and they would like to preserve that area.

Mr. Nadeau made a motion to set a Public Hearing for the January 23, 2006 Planning Board meeting. Mr. Roberts seconded. Motion carried.

06.105 NB Super Suppers, 1603 Route 9 (Towne Center) – Change of Tenant

Ms. Suzanne Harrington, the applicant, proposed a change of tenant application for Super Suppers to be located in the Towne Center, 1603 Route 9 in Halfmoon. *Ms. Harrington stated the following:* She and her husband recently purchased a Super Suppers franchise. The Super Suppers concept is a meal assembly. The way the concept works is the customers come into the studio kitchen and spend between 1 and 2 hours making 6 to 12 meals to take home to be put in the freezer and cook at a later time. Mr. Watts asked how many employees there would be. Ms. Harrington stated the following: There would be 3 employees. Most of their business will be done in the evening hours. They are anticipating having 2 sessions, one at 5:30 pm and the other session at 7:30. They would also have Saturday morning sessions. They are also considering having one session in the morning on Thursday and Friday. They will not be open 7 days a week to customers as on Monday, Tuesday and Wednesday they will be doing prep-work for the later sessions in the week. Mr. Watts asked if a license was required from any State agency. Ms. Harrington stated the Department of Agriculture oversees the proposed industry in New York State. Mr. Watts asked if any grease traps were required. *Ms. Harrington stated the following:* Not that she is aware of, as most of the cooking will be done in the customer's homes. The customers will come to a workstation where all of the ingredients have been prepared. There will be recipes giving the customers step-by-step instructions on how to prepare the meal. There are also some cooking classes where they instruction the customer on how to put together these meals. Their kitchen will consist of a prep kitchen that will have

prep sinks, clean-up sinks, dishwasher and prep tables but they will not be doing any cooking. They will have a small convection oven. Mr. Watts asked Mr. Williams if there would be adequate parking. Mr. Williams stated yes. Mr. Watts asked the applicant is there is a sign application. Ms. Harrington stated they will make a sign application at a later date. Mr. Watts stated that sandwich board signs are not allowed to be placed out on Route 9 and there can be no neon signs.

Mr. Berkowitz made a motion to approve the change of tenant application for Super Suppers. Mr. Nadeau seconded. Motion carried.

06.107 NB Lavender Fields Florist Inc., 1701 Route 9 (Star Plaza) - Sign

Mr. Greg Dawhare, of Nick's Sign Company, proposed a sign application for Lavender Field Florist, Inc. located in Star Plaza at 1701 Route 9. *Mr. Dawhare stated the following:* He is representing Ms. Bridget McGloine, the applicant. The applicant wishes to replace the former "Jackson Hewitt" sign with a sign of the same dimensions. The applicant will use the Lavender Fields Florist sign that was formerly located at Watkins Plaza. The proposed sign will be single-sided and the dimensions would be 2 ft x 8 ft with a total area of 16 SF.

Mr. Roberts made a motion to approve the sign application for Lavender Fields Florist, Inc. Mr. Nadeau seconded. Motion carried.

Mr. Ruchlicki made a motion to adjourn the January 9, 2006 Planning Board meeting at 8:50 pm. Mr. Nadeau seconded. Motion carried.

Respectfully submitted,

Milly Pascuzzi
Planning Board Secretary