

## Planning Board Minutes - June 23, 2003

Those present at the June 23, 2003 Planning Board meeting were:

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

Secretary: Tara Anuszewski

Planner: Jeffrey Williams

Town Attorney: Bob Chauvin

Deputy Town Attorney: Lyn Murphy

CHA Representative: Mike Bianchino

Liaison: Walter Polak

Mr. Watts called the meeting to order at 7:00 pm

Mr. Roberts made a motion to approve the June 9, 2003. Mr. Berkowitz seconded. Mr. Nadeau abstained. Motion carried.

### Public Hearings:

02.118 Rolling Hills PDD, Cary Road, PDD – Major Subdivision – GEIS. Mr. Chauvin recused himself. Mr. Watts opened the public hearing at 7:01 pm and asked if anyone wanted the notice read. No one responded. Mr. Percy Cotton was present and stated he is representing Valente Materials Group LP in their project called Rolling Hills Planned Development District. Mr. Cotton stated the main thrust this evening is phase I but they will review the entire project. The project is located off of Cary Road near the intersection of Tabor Road east of Sysco. Access will be through the site at three locations, Cary Road, Leibech Lane and Tabor Road. Phase I consists of 57 single family lots with access from Cary Road into a complete loop onto Robinhill Road and Ridgewood Drive that goes both ways into a cul-de-sac so therefore they would not need any temporary cul-de-sacs. Mr. Cotton stated another part of the first phase is to do the off site water from Smith Road and run along Cary Road up to Tabor Road and in far enough to the first house on Tabor Road. Mr. Cotton stated this would provide water for all of the people along Cary Road and the vicinity to Tabor Road. Mr. Cotton stated the property is divided by a ridge that runs through on the south easterly side it slopes toward Cary Road and on the other side it runs toward Route 9 therefore the sewage would need to be pumped.

Mr. Cotton stated they would have gravity sewers that will serve the entire area and flow back to a pumping station. Mr. Cotton stated the reason the pump station is located where it is, is because there are plans in the future for another sewer line toward the Anthony Kill. Mr. Cotton stated storm sewer would be handled at three different locations on the site. The initial phase will require the construction of storm water management at two locations. Mr. Cotton stated there are various locations shown where the wetlands are impacted by the project. There is approximately an acre of jurisdictional wetlands that are being impacted. There are several areas of non-jurisdictional wetlands, which would be impacted but are not regulated by the Corp. Mr. Cotton stated that covers most of that portion of it. The phases will include 57 homes in phase I, 47 homes in the second phase and 37 in the third phase. When they do the third phase the water line would be looped through and tied into the existing tank. Mr. Cotton stated there is a provision they would install a second water tank if necessary. Mr. Cotton stated that pretty much covers the project and stated he would answer any questions. Mr. Watts asked if anyone from the public wished to speak. Mr. Lee Serino of Northern Sites Drive stated he was a little late getting in and asked whom Mr. Cotton represented. Mr. Cotton responded Valente Materials Group LP. Mr. Serino asked if he was an Attorney for them. Mr. Cotton responded he is the Engineer. Mr. Serino asked if anyone from Valente was

present. Mr. Cotton introduced Mr. Valente. Mr. Watts asked if anyone else wished to speak. Mrs. Spruce Krier of 89 Tabor Road stated she is concerned with the entrance onto Tabor Road. Mrs. Krier stated the road is very dangerous because of the windiness. Mrs. Krier is also concerned about the wetland area because of the herring, ducks, wild turkeys and would hate to see it all go away. Mr. Watts asked if Mr. Cotton had anything to respond with. Mr. Cotton stated it is in phase three and they would take any kind of information they are given and work it into the overall project. Mr. Bianchino stated as part of the GEIS they looked at trying to provide some alternatives to Route 9 so that Tabor Road would not be used as a through road. The intent of this road, which is in the future phase of development, is not to provide an access for the development but to take the through traffic that now uses Tabor Road and take it through the development and out at the future signal on Route 9. Mr. Bianchino stated it is a future phase and is also aware of the wetlands. Mr. Ray Shiffer, Executive Vice-President, of Sysco Food Services of Halfmoon stated he had a couple mild concerns. Mr. Shiffer stated they are concerned about the safety of the residents traveling the same road as the tractor-trailers. Mr. Shiffer is also concerned that after the development is in the residents will complain about the noise. Mr. Shiffer wants them to buffer around their site for the noise of both neighbors. Mr. Shiffer is also concerned for emergency vehicles to make sure they can get to their facility and also to the adjoining neighbors. Mr. Shiffer would like to see everyone live as neighbors after the project is completed. Mr. Cotton stated they did have a traffic consultant who has looked at the entire site and they are aware of the flows and so forth. Mr. Cotton stated with respect to the berms and the noise, they have left a 100-foot buffer completely around the site between any of their Industrial uses and the residential they are bringing in and also the existing residential. Mr. Cotton stated they are pretty well buffered in. Ms. Velma Coleman of Tabor Road asked about the three access roads, she knows of the Leibech Lane access and Cary Road but asked where the third one would be. Mr. Cotton responded Tabor Road. Ms. Coleman asked if they had an Industrial phase or multiple uses as part of this plan. Mr. Cotton responded it is in the area of the gravel mining but is not being presented at this time. Mrs. Henrietta O'Grady of Church Hill Road asked if Mr. Cotton could show on the map where the trail plan is to date. Mr. Cotton showed the proposed trail on the map. Mr. Cotton also stated they have made a provision where the stream crosses for a culvert for crossing of small animals.

Mrs. O'Grady has some concern about a portion of the trail and hopes it will get more definitive as the project moves through. Mrs. O'Grady asked how wide they are planning the trail. Mr. Cotton responded about 5 feet. Mrs. O'Grady stated it would need to be wider, at least 8 - 10 feet. Mr. Watts asked if anyone else wished to speak. Ms. Rosemarie Wysocki read a letter and has submitted it to the Board as (attachment #1). Ms. Kathy Solosky of Tabor Road asked if the 57 lots would be single-family residence, commercial or are they going to be town houses. Mr. Cotton stated the intent is for single-family residences with no industrial. Mr. Cotton stated he would like to comment on something that was discussed in Ms. Wysocki's letter. Mr. Cotton stated they have left three large parcels called homestead lots in the areas of the wetlands, which could be potential recharge areas. Mr. Cotton stated the three lots are approximately 14 acres, 13 acres and 5 acres. Mr. Watts asked if anyone else wished to speak. Ms. Pat Rushby of Tabor Road asked about the Leibech Lane entrance with Tabor Road. Ms. Rushby is also concerned about the traffic and asked if there was any possibility that the construction vehicles stay off of Tabor Road. Mr. Watts asked if he could respond to her issue. Mr. Bianchino stated they discussed the initial phases and from a construction stand point the intent is to have the earth moving is going to come out of the pit so it would come up the hill not having to leave the site at all. They are going to allow as much access as possible through from Route 9 through the site. The lumber deliveries would have to use the main roads. Mr. Bianchino stated they also discussed the possibility of a weight limit on Tabor Road. Mr. Watts asked if anyone else wished to speak. Mr. Dick Corp of Cary Road stated they wanted to keep the construction vehicles off of Cary Road and Tabor Road. Mr. Corp stated if they have the access through Route 9 there should be no reason they need to use Tabor or Cary. Mr. Corp would like them to revisit that issue and try to keep the traffic down. Mr. Corp also discussed the realigning of Cary Road by Angle Road and Farm to Market. Mr. Ken VanWert of Angle Road stated he is very concerned about adding traffic and also stated he is all for the realigning of the road to a T intersection for his safety and everyone else's. Mr. VanWert is also concerned about the water tower in this area with parties and the remains of fires and broken bottles. Mr. VanWert is wondering who is policing this area. Mr. Watts stated any Law Enforcement issues should be directed to them. Mr. Bianchino stated Mr. Frank Tironi, The Director of Water, is aware of the situation and is policing it. Mr. VanWert is also asking if there would be any access of this development through Angle Road. Mr. Bianchino stated the intent is not to have any access through Angle Road. Mr. Cotton also added after this area is developed the neighbors would not tolerate things like parties either. Mr. Johnston of Tabor Road is also concerned about the traffic and local aquifers. Mr. Johnston is concerned for the wells and said he is not near the connection of the water. Mr. Steve Robinson of Cary Road agreed it would be convenient for people to get off of exit 10 and go through Leibech Lane up to Cary and Tabor Road. Mr. Robinson also asked how the retention ponds are built and how much water they hold. Mr. Cotton stated they would be dry most of the time they just take the water from the storm. Mr. Cotton stated when the storm is over the water would be gone. Mr. Watts asked if anyone else had any questions. Mr. Glen LeBlanc of Tabor Road asked Mr. Bianchino if "there is nothing that could be done" was his response for the traffic not to go to Tabor Road. Mr. Bianchino stated his response was this particular layout does not do anything significant to

improve that condition. The intent of the layout is to allow people to get to Route 9 without having to go down Tabor Road to make it an easier way. Mr. LeBlanc stated there is more that needs to be done. Mr. Lee Serino asked if they would be hearing about the industrial tonight. Mr. Watts responded they are only discussing phase 1. Mr. Serino asked who is paying for the light at Route 9 & Leibeck Lane. Mr. Cotton stated if this project generates enough traffic to warrant it then the developer would pay for it. Mr. Serino wants to know when the light would be installed. Mr. Watts stated when DOT warrants it. Mr. Bianchino stated at full build out in the future it does say warrants will be met for a signal; it is just a matter of when. Mr. Serino asked if there was any way to ask the State to do it sooner than full build out. Mr. Serino asked when a traffic study was done for this project. Mr. Bianchino responded less than a year ago. Ms. Lynn LaBlanc of Tabor Road feels the issue of the traffic on Tabor Road needs to be addressed. Mr. Johnston of Tabor Road asked if Leibeck Lane extension came at phase two. Mr. Johnston asked where the construction traffic was going if the road is not constructed. Mr. Cotton stated there is a gravel operation going on now and as part of phase one they need to run the sewer line through Leibeck lane and Sysco. As part of that there would be a haul road. Ms. Robinson of Cary Road stated last spring she timed the construction vehicles last spring and it was about every 30 seconds there was a dump truck at the intersection. Ms. Robinson stated she called the Town Supervisor and he stated there was nothing that could be done. Ms. Robinson stated there is something that needs to be done with that. Mr. Watts closed the public hearing at 7:53 pm and asked if any of the Board members had any comments. Mr. Watts asked if there was a committee involved. Mr. Higgins stated at the present time he is the only one on it but does request another member because of the size. Mr. Nadeau volunteered. Mr. Higgins would like to set up a meeting with the applicant to go over the comments from tonight's meeting. Mrs. Patenaude asked how much of the federal wetlands would be impacted. Mr. Cotton responded it was under an acre. Mrs. Patenaude also asked whether that included the area set aside for the extension/realignment of Leibeck and Tabor. Mr. Cotton's reply was that the area was included in the computations of impacted wetlands. Mr. Watts stated this item would be tabled.

#### Old Business:

00.119 98 Smith Road Subdivision, Smith Road, Major subdivision. Mr. Chauvin recused himself. Mr. Scott Lansing was present and stated they have obtained preliminary approval from the last meeting and since then they have submitted to DOH, DEC and Saratoga County Sewer District. They have received comments from all of those agencies as well as CHA and have addressed all of the comments. Mr. Lansing stated he is requesting final approval and stamping of the plans contingent upon addressing CHA's final comments. Mr. Watts asked Mr. Bianchino to respond. Mr. Bianchino stated they reviewed the final plans and they came back with the approval letters from the appropriate agencies and had a couple minor Engineering issues as Mr. Lansing mentioned and they have gone through and will address them. Mr. Bianchino stated they are ready for final approval. Mr. Nadeau asked if Mr. Bianchino would go over the alignment of the road. Mr. Bianchino stated one of the comments was that the applicant is willing to dedicate the land for the T intersection that was discussed on to Farm to Market Road but because the design is not completed yet the plan will include a provision that either at the time the design is finalized or at the time that the roads are to be dedicated at that point the lands would be dedicated. Mr. Bianchino stated the applicant has agreed to that. Mr. Berkowitz asked if there were any site distance problems. Mr. Bianchino responded no, they looked at that early on and the curb cuts were acceptable. Mr. Higgins asked if they should have a committee meeting since there have been some updates before they approve the project. Mr. Watts responded no. Mr. Bianchino stated they have gone through the notes thoroughly and stated he would discourage the Board for holding a committee meeting. Mr. Watts asked for a motion. Mrs. Patenaude asked if they could thoroughly look at all of the lot lines so they do not need to come back for lot line adjustments. Mr. Lansing stated he would.

Mr. Roberts made a motion to approve the project contingent upon final sign off of CHA. Mrs. Patenaude seconded. Motion carried.

02.129 Fairway Meadows, Johnson Road, Major Subdivision – GEIS. Mr. Scott Lansing was present and stated they have obtained preliminary approval and since then they have submitted to DOH, DEC and Saratoga County Sewer District. They have received comments from all of those agencies as well as CHA and have addressed all of the comments. They were issued another letter by CHA recently and have since submitted a response letter to CHA and believes they have addressed all of the comments. Mr. Lansing stated he is requesting final approval and stamping of the plans contingent upon addressing CHA's final comments. Mr. Watts asked if anyone from the Board had any questions. Mr. Watts asked Mr. Bianchino if he had anything to add. Mr. Bianchino stated they did submit a letter to Mr. Lansing last week for phase I. Mr. Bianchino stated they did meet with Mr. Lansing and went over the comments and he has responded in writing with a revised set of plans addressing those comments. Mr. Bianchino stated approving it with a contingency of final sign off from CHA is ok. Mr. Watts asked

for a motion.

Mr. Roberts made a motion to approve the project contingent upon final sign off of CHA. Mr. Nadeau seconded. Motion carried.

02.232 NXIVM, 7 Woodin Road, Commercial Site Plan. Mr. Dan Hershberg was present representing the NXIVM program. Mr. Hershberg stated Mr. David Ashton the Architect was also present and also some representatives of the program. Mr. Hershberg stated they were before the Board several months ago and there were some comments made about both the layout and the ingress/egress of Stone Quarry Road. Mr. Hershberg stated based on those comments they revised the concept. Mr. Hershberg stated the maximum height is 2 stories and is 34 feet. Mr. Hershberg stated a portion of the building is only one story. The gross square feet of the building is about 66,900 square feet; the building footprint is 46,421 square feet. Mr. Hershberg stated in order to determine the parking, they took the areas that are occupied, such as the office, the spa and meeting rooms and gave them 5 spaces per 1,000 square feet. The gym area and physical therapy uses would not generate any additional parking because the people would already be there. Mr. Hershberg stated there were a number of questions by the Board regarding the program. The program has not changed since the last meeting. Mr. Hershberg stated if the Board still had some questions they could direct them to someone from the organization. Mr. Hershberg stated the key elements in CHA's letter was there are still some technical issues such as sewer and water being two of them. They are outside of the water district and also have to apply to the Saratoga County Sewer District. Mr. Hershberg stated the parking is how they figured it and if additional parking is deemed necessary they could work on it. Mr. Hershberg stated there is more than ample parking for their needs. They would have 60% greenspace. They have provided a 50-foot buffer for the residential areas and would keep them buffered. There was a question about the property in the rear with the shared easement, and Mr. Hershberg stated they would be relocating the access with a fully paved road through their site and be maintained by the applicant. Mr. Hershberg stated that is his presentation and asked if there were any questions. Mr. Roberts asked what do they do. Ms. Nancy Salzman, President of NXIVM Corporation stated they are a human Potential School. They teach people how to maximize their potential in all fields of human experience. They started the school as a program to develop human potential, to become better parents, better in relationships and better in their business.

It is to allow people to become better at whatever is in their lives. Mr. Roberts asked if it was like a retreat. Ms. Salzman responded not so much a retreat but an education that isn't provided in traditional schools. It is more of a practical day-to-day learning how to do better. Mr. Watts asked who is their clientele. Mr. Berkowitz asked what the age range was. Ms. Salzman stated they range from mid 20's up to about 50's but have had students in their 80's. Mr. Berkowitz asked if they are people that have been sent there for poor ethical values. Ms. Salzman stated no it is for people who want to better themselves. It is totally private. Mr. Watts asked how it is paid for. Ms. Salzman stated it is private pay. Mrs. Patenaude asked where the current facility was. Ms. Salzman responded 455 New Karner Road in Albany and they have been there for 4 years. Mr. Berkowitz asked if there would be childcare on site. Ms. Salzman responded yes for the clients only, no outside children. Mr. Watts asked if they would be appropriately licensed. Mrs. Salzman responded correct. Mr. Watts asked if this facility was the only one of this kind. Ms. Salzman responded this is a prototype and they would be opening other schools in the United States and Mexico but they have not built a center yet. Mr. Berkowitz asked how they advertise. Ms. Salzman responded it is all word of mouth. Mr. Ruchlicki asked if they have a website. Ms. Salzman stated it is NXIVM.com. Mr. Nadeau asked how many people at maximum would be at the site at one time. Ms. Salzman responded they do not estimate more than 100 - 150 people at a time. The largest training has been 88 people but the majority of the people would be coming, taking a class and then going. Mr. Nadeau is concerned with the traffic of adding 100 cars to the Crescent Road/Stone Quarry Road area. Ms. Salzman stated the intense training is from 8 am to 10 pm, which is off peak hours. Mr. Nadeau stated at 8 am that is prime time for that area. Ms. Salzman stated the classes start at 8 so they are usually there by 7:30. Mr. Berkowitz asked if they rent out the gym for outside activities. Ms. Salzman responded no they would not. Mr. Higgins stated this proposal is totally different than the original one. Mr. Higgins stated there was a gym and a swimming pool. Ms. Salzman stated they took it out. Mr. Higgins also stated there was an outside area. Ms. Salzman stated they have also taken that area out. Mr. Higgins stated they were previously told the gym area and the swimming pool would be utilized by other organizations. Ms. Salzman stated they did a study on it and found it was premature to discuss it. Mr. Watts stated there was a committee that visited the original site and since there have been so many changes and new questions he would like to have the committee meet. The architect explained the scale of the model they brought to show the board. Mr. Watts stated the committee would discuss the architecture during their visit. Mr. Watts asked if they were going to phase the building or do it all at once. Mr. Hershberg responded they would do it all in one phase. Mr. Polak asked if there would be overnight stays. Ms. Salzman responded no. Mr. Hershberg stated that was also removed from the original plans. Mr. Hershberg stated the two major things that were removed were the pool and the overnight housing. Mr. Nadeau asked if the sight distance from Stone



Quarry Road was ok. Mr. Hershberg stated they are looking at that. Mr. Watts would like the committee to meet with the applicant. Mr. Berkowitz and Mr. Higgins will meet with the applicant. This item was tabled.

03.117 Dunkin Donuts, 1530 Route 9, Commercial Site Plan. Mr. Watts stated he has received approximately 60 e-mails relative to this project. Mr. Watts stated the emails were generated from a letter that was sent from the group "A Better Halfmoon". Mr. Watts read the letter that was generated by the group (attachment #2) and also a few of the emails discussing the concerns about the architecture of the building. Mr. Watts stated tonight is the night that the people from Dunkin Donuts are coming before the Planning Board to show the architecture. Mr. Watts stated before the letter was written that generated a large number of emails castigating the Planning and Town Board he was in contact with the architect and asked for upgraded site plans. Mr. Watts finds it offensive they are being accused of doing these things by an organization that either emailed them or dropped them in mailboxes. Mr. Watts stated they are not true and the Town and Planning Boards work very hard. Mr. Watts asked if anyone from the Planning Board wished to speak on this matter. Mr. Nadeau stated this Board has no ordinance against architecture and for them to require applicants to do certain things is not in their power and feels until there is an ordinance in place they should not do it. Mrs. Patenaude added that it is important to hear what people have to say and their opinions but would hope that the people were well informed before they make any statements that were based on untruth. Mrs. Patenaude stated as far as the architecture, if people been informed they would have realized it was an upcoming issue. Mrs. Patenaude stated the Board does have to be careful on how they look at things because as Mr. Nadeau stated there is no architecture ordinance. Mr. Roberts stated he has spoken to many people around town and feel as he does, diversity makes a town. Mr. Roberts stated he does not feel there should be a big push on one type of architecture. Mr. Roberts feels there is room for all types. Mr. Roberts stated his responsibility on the Board is for the entire town not just one group. Mr. Berkowitz feels they need to address the site plan, safety issues, traffic, drainage sewer and water before they discuss the architecture. Mr. Berkowitz stated you really couldn't look at the architecture until you know the building will work. Mr. Berkowitz stated to build one type of building would make it a homogenized town. Mr. Ruchlicki agrees with the comments of the Board. Mr. Higgins agrees also and likes the looks of the building on Route 146 in Rexford. Mr. Higgins agrees the developer has tried to work with the Board and feels they will all come to a conclusion that is agreeable to everyone. Mr. Watts stated as people can see a memorandum that was perhaps disingenuous may have precipitated a lot of hard feeling with the people in town that is not true. Mr. Watts stated the Board does not make random decisions and dismiss things. They listen to whatever anyone says and what they want to say. Mr. Watts stated one of the emails said "We intend to live in this town for some years to come and are now only learning that important decisions such as this one are in the hands of children, your shabby performance and poor communication on this matter has awakened us and we assure you that we will be paying close attention to every community decision from now on." Mr. Watts stated he spoke to the gentleman this afternoon and had a very interesting discussion with him and learned the things they had done to this point. Mr. Watts apologized to the people who were subjected to the same issues and turned it over to Mr. Nolan. Mr. Greg Nolan stated his experience with the Board has been very professional and a straightforward experience. Mr. Nolan stated they are very happy to work with the Board as far as the design is concerned and thanked the Board for their work. Mr. Paul Avery was present and also thanked the Board and they work from Maine to New York and believes this Board is one of the most professional Boards he has worked with. Mr. Avery stated since they were here last they went before the Zoning Board of Appeals and received variances for the non-conforming lot width and also the transition lot requirements. They also wrapped up the storm water management issues with CHA and there should be a letter in the file stating they have addressed the issues. They have also received a letter of approval from DOT and requested they move the entrance slightly further north about 10 feet. The overall intent of the site plan remains the same, the truck turning movements remain the same and that is the revisions to the site plan. They are now requesting final site plan approval. Mr. Watts asked about the architectural designs.

Mr. Nolan stated he submitted to the Board a standard Dunkin Donuts image and was told they would like to see different variations. Mr. Nolan brought three different designs to show the Board, they also brought the design of the Rexford shop. Mr. Nolan stated the building they are proposing is 80 x 30. Mr. Nolan stated he likes the stucco façade but wants to fit into the community. Mr. Watts asked Mr. Bianchino if they were set. Mr. Bianchino responded yes. Mr. Nadeau had a concern about the parking in front of the store and the incoming traffic. Mr. Bianchino stated they would be backing up and there could be a conflict with vehicles coming in but it is the way these sites are. Mr. Bianchino stated they are aware of it. Mr. Avery stated it is a 24-foot aisle. Mr. Bianchino stated the curb cut is so wide it makes it look like there is a big opening. It is not any different than other sites they have approved. Mr. Bianchino stated they try to provide an island of some kind to eliminate the parking in front of the driveway but in this case with the building being so narrow they do have the opportunity to eliminate the parking spaces in front. Mr. Higgins stated he has concerns about the sewage tank and the capacity. Mr. Higgins asked Mr. Bianchino if it was sufficient. Mr. Bianchino responded yes. Mr. Higgins asked about the time

frame they had to hook into the sewer. Mr. Bianchino stated as soon as the moratorium is lifted. Mr. Watts stated he has asked Mrs. Patenaude to review the architectural plans with him and she has agreed. Mr. Watts asked if there were no other questions for a motion.

Mr. Berkowitz made a motion to approve the site plan contingent upon the review of the architecture. Mr. Nadeau seconded. Motion carried.

#### New Business:

03.165 Bold-Dudek Subdivision, 155 Brookwood Road, Minor Subdivision. Mr. Greg Bold was present and stated he is present on behalf of himself and the partners of the Dudek Dairy Farm. Mr. Bold stated they are attempting to subdivide four acres out of a 102-acre parcel for the purpose of making three existing lots on Brookwood Road larger. Mr. Bold stated the lot owned by Mr. Jeffrey Dudek is currently 1- $\frac{3}{4}$  acres and they would be adding 1.12 acres to make it almost 3 acres. The next lot is owned by Mr. Bold and is approximately 1- $\frac{3}{4}$  acres and they are looking to increase it also to 3 acres. Mrs. Barbara Dudek owns the third parcel and they are looking to add approximately 1- $\frac{1}{2}$  acres to that lot to make it approximately 2- $\frac{1}{2}$  acres. Mr. Nadeau asked to have the previous minutes reviewed to make sure there are no restrictions on how many lots are subdivided. Mr. Bold stated he does not recall that when he previously subdivided. Mr. Watts stated a public hearing needs to be set. Mr. Bold stated he will be out of town at the next meeting and therefore asked to have it set for a month from now. Mr. Watts stated that would be July 28, 2003.

Mr. Nadeau made a motion to set a public hearing for July 28, 2003 at 7:00 pm. Mrs. Patenaude seconded. Motion carried.

03.166 County Waste PDD, 1927 Route 9, Addition to Site Plan. Mr. Tom Andress was present and stated this application was a referral from the Town Board for Modifications to the PDD. Mr. Andress stated County Waste has approximately 20 acres that is off of Route 9. The property is part in the Town of Halfmoon and the other part is in the Town of Clifton Park. Mr. Andress stated they are currently operating as a processing facility. Mr. Andress stated they wish to continue that operation but would like to modernize the facility. Mr. Andress stated they are proposing to use one building for a maintenance facility, one for office space and use the existing maintenance facility for a welding shop. They are proposing to construct two new buildings, one is 25,000 square feet and one is 15,000 square feet. Mr. Andress stated they have an existing fuel station, which is located in the Town of Clifton Park, and they are looking to relocate that. Mr. Andress stated they are looking to upgrade the entire site. Mr. Andress stated they are also looking to work with the adjoining property owner to connect to the Saratoga County Sewer System they are currently on septic. Mr. Andress stated they would like to connect to public water but it is so far away. Mr. Andress stated they would like to develop the existing wells with additional wells and install an underground storage water system for their own fire protection system. Mr. Andress stated they are not increasing anything they are only looking to get everything to work correctly. Mr. Watts asked if anyone from the Board had any questions. Mr. Nadeau asked what areas they are accepting waste from if it was strictly local. Mr. Scott Earl was present and stated they do not go out of state they service 5 counties. Mr. Nadeau asked if this would increase traffic in this area. Mr. Andress responded there would be some increase in traffic and they are in the process of getting a traffic study done now that they will be presenting to the Board. Mr. Berkowitz asked where the current sorting was. Mr. Earl stated it is behind the building outside. Mr. Berkowitz asked if they needed to set up any temporary storage. Mr. Earl responded no they could still operate. Mr. Earl stated the maintenance facility is only 8,000 square feet and there are 110 trucks. Mr. Earl stated it is impossible to service the vehicles on three shifts so they need a bigger facility. Mr. Berkowitz commended the applicant for how well he has kept the site up. Mr. Watts asked if anyone had any questions. Mr. Higgins stated he also has to commend the applicant for a top-notch facility. Mr. Higgins stated he has seen them in Chestertown and Poughkeepsie and also stated it is a relatively large area. Mr. Higgins stated he would like to look at the traffic study due to the increase in traffic. Mr. Higgins stated he has been approached by some of the neighbors who have been concerned about rats and does not know if they are taking precautions to prevent them. Mr. Higgins stated he is concerned with the increasing of the size of the operation for the increase of the effect of the neighbors. Mr. Earl stated as far as the rats, they have a State program that is in there once a month and Olympic Pest Control is there every two weeks and they have never seen a rat or any trace of them on the facility. Mr. Watts stated they would establish a committee and they would set a public informational meeting in the future. Mr. Watts stated this would be referred to CHA. Mr. Ruchlicki and Mrs. Patenaude will be the committee. Mr. Nadeau asked if any of the trucks ran Tabor Road. Mr. Earl stated no, when Kathy Marchione was on the board it was a restriction to never use Tabor Road. Mr. Nadeau would like to have the previous minutes reviewed because he thought there was a restriction for only local pickups. This item was tabled.

03.167 Kinetic Towing, 159 Ushers Road, Change of Tenant & Use. Mr. Joe Tedesco was present and stated he was before the Board about a month ago for a proposal to sub-locate at 21 Solar Drive. Mr. Tedesco stated he is interested in the property at 159 Ushers Road because there is a house and also a business. Mr. Tedesco is looking to solve the issue of driving the tow trucks to his house at Werner Road. Mr. Tedesco would like to use the house to live in and use the garage to house the tow trucks. Mr. Tedesco stated there is a carport behind the garage and an office they would like to tear down the carport and make the office bigger. He would like to also make a living area for the person on call. Mr. Tedesco stated that is what they would like to do. Mr. Berkowitz asked if he owned the house on Werner Road. Mr. Tedesco responded yes. Mr. Berkowitz asked what they would do with the house.

Mr. Tedesco stated his business partner would live in it for a while or they will sell it. Mr. Nadeau asked if the people in the Transmission shop live in the house. Mr. Tedesco responded yes. Mr. Chauvin stated this is a pre-existing non-conforming use and Mr. Williams has already asked him about it, Mr. Chauvin informed him he would need to go to the ZBA for the expansion. Mr. Watts asked Mr. Tedesco if he understood that. Mr. Tedesco stated yes, Mr. Williams already discussed it with him. Mr. Tedesco stated they are also ok with parking. Mr. Chauvin stated if he is going to change the site plan he should have it done before he goes to the ZBA so they are reviewing the correct site plan. Mr. Watts asked if anyone had any other questions. No one responded. Mr. Watts stated this item would need to be denied.

Mr. Berkowitz made a motion to deny the application as presented. Mrs. Patenaude seconded. Motion carried.

03.168 Fairway Estates PDD, 41B Raylinsky Lane, Lot Line Adjustment. Mr. Gil VanGuilder was present and stated the purpose of this lot line adjustment to lot 41B is a portion of one on the tees of the golf course has ended up in the rear portion of this lot. The purchaser of lot 41B did not want to have an easement on their property for that tee to remain. There is a tree line that was part of the existing farm and the owner chose that to become the lot line. The new lot is .175 acres and it was .125. The remaining lands of Tanski increases to 18.75 acres. Mr. VanGuilder stated they are only there to adjust the small portion of land. Mrs. Patenaude stated it is her understanding the lot has not been sold yet. Mr. VanGuilder stated it has been sold under a contractual agreement that the lot line adjustment is done within 60 days after the sale. Mrs. Patenaude asked if they needed some kind of documentation from the owner. Mr. VanGuilder stated he will get an owner authorization letter. Mr. Watts stated a public hearing needs to be scheduled.

Mr. Roberts made a motion to schedule a public hearing for July 14, 2003 at 7:00 pm. Mr. Nadeau seconded. Motion carried.

03.169 Corp Subdivision, Cary Road, Minor Subdivision. Mr. Gil VanGuilder was present and stated the Corps currently own a little over 8 acres of land on Cary Road where their home is. Mr. VanGuilder stated this property also has frontage on Angle Road. Mr. VanGuilder stated in 1974 they subdivided this lot into 2 lots. Mr. Jim Sharp owned the land at the time. Mr. VanGuilder stated when the predecessors of the Corps owned it they had it combined by description. Mr. VanGuilder stated they would like to have it returned to the original configuration. The lots would be 5.13 acres, which would be vacant, and 2.895 acres where their home, barn and shed are. Both lots meet the residential standards. Mr. Watts asked if there were any questions. Mr. Higgins asked if this property was part of the water district. Mr. VanGuilder will check into that.

Mr. Roberts made a motion to schedule a public hearing for July 14, 2003 at 7:00 pm. Mr. Berkowitz seconded. Motion carried.

Mr. Watts asked if anyone had anything else for the Board. Mrs. Patenaude made a motion to adjourn at 9:11 pm. Mr. Roberts seconded. Motion carried.

The next Planning Board meeting will be July 14, 2003.

Respectfully Submitted

Tara Anuszewski, Secretary  
Town of Halfmoon Planning Board